

Ordinance No. 4-2-19

RECORD OF ORDINANCES

New Ord.

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 05-15-2019

Passed 5-7-2019

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY LAW DIRECTOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH THE CIRCLEVILLE-PICKAWAY COMMUNITY IMPROVEMENT CORPORATION DBA PICKAWAY PROGRESS PARTNERSHIP AND SOUTHERN OHIO DEVELOPMENT GROUP, LLC TO CONVEY OWNERSHIP OF CERTAIN REAL ESTATE OF THE CITY LOCATED AT 1220 SOUTH COURT STREET, CIRCLEVILLE, FORMALLY USED AS A FIRE STATION AND DETERMINED TO BE OBSOLETE PROPERTY, OVER TO CIRCLEVILLE PICKAWAY COMMUNITY IMPROVEMENT CORPORATION AND FURTHER AUTHORIZING THE TRANSFER OF THIS PROPERTY TO PROMOTE THE WELFARE OF THE CITIZENS OF THE CITY OF CIRCLEVILLE AND DECLARING AN EMERGENCY.

WHEREAS, the City is currently the owner of certain real property located at 1220 South Court Street, Circleville, hereinafter referred to as the "City Property", formally used as a fire station; and

WHEREAS, Southern Ohio Development Group, LLC, hereinafter referred to as "Developer", currently owns property located at 1250 South Court Street, Circleville adjacent to the City Property; and

WHEREAS, pursuant to Ohio Revised Code §1724.10, Council has previously designated Circleville Pickaway Community Improvement Corporation, dba Pickaway Progress Partners, hereinafter referred to as "P3" as the Community Improvement Corporation for the City to serve as the agent of the City to promote industrial, commercial, distribution and research development and to further the policy of the City to promote reclamation, rehabilitation and reutilization of certain real property within the City necessary to promote economic development and revitalization within the City; and

WHEREAS, retail and commercial development in this specific area of this City Property is desired and indicated within the City of Circleville Master Plan; and

WHEREAS, it has been determined that the City Property herein is obsolete and no longer needed for any municipal purpose; that the Developer is willing to demolish the existing structures on the City Property and the adjacent property owned by Developer to remediate it of all potential EPA hazards and use its best efforts to transfer both of these properties to various commercial developers to construct improvements which will return these properties to be used for productive economic development purposes, increasing property tax and income tax revenues from the completed development, adding jobs and other investment in the City and avoiding demolition costs to the City for the removal of the structure from the City Property; and

WHEREAS, in consideration of the transfer of this City Property to P3, the City can potentially receive other tax incentives as the City Develops and will further receive a right of first refusal for the purchase of other property of Developer located on Walnut Creek Pike needed for municipal purposes; and

WHEREAS, the City is therefore desirous of transferring this City Property to P3 to serve as the agent for the City as part of a plan to reclaim, rehabilitate and reutilize these properties and P3 is willing to assist with this transfer of City Property and to work with Developer on this project;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Circleville, Pickaway County, Ohio, as follows:

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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SECTION I. That the real estate owned by the City known as 1220 S. Court Street, Circleville, consisting of .93 acres and assigned Auditor's parcel number A05-4-019-00-015-00 is hereby determined not to be required for any municipal purpose and it is therefore necessary to convey this property to promote the welfare of the citizens of the City of Circleville in the economic development and revitalization of this property as well as the adjacent properties.

SECTION II. That the Mayor and the City Law Director, as well as P3 as agent of the City, is hereby authorized to enter into a development agreement and otherwise take all action, including the signing of any deeds or other closing documents necessary to transfer and convey title to the City Property known as 1220 S. Court Street, Circleville, for reclamation, rehabilitation and revitalization of said property. The terms of this agreement shall be as set forth in the attached Exhibit "A", incorporated herein reference.

SECTION III. That as agent for the City in the transfer of this City Property, P3 shall be entitled to be reimbursed for any costs incurred by it resulting from this transaction which shall be submitted and approved for payment.

SECTION IV. That this Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare of the citizens of the City of Circleville, such emergency arising out of the immediate need to authorize the transfer of this real estate in connection with the reclamation and rehabilitation of this City Property as well as the property adjacent to this City Property and to facilitate the current ongoing negotiations with potential commercial developers to construct improvements which will enhance the economic and productive development of this area, so that this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: 5-7-2019

Barry D. Kille
PRESIDENT OF COUNCIL

ATTEST: John A. Chasney
CLERK OF COUNCIL

APPROVED:

5/9/19
DATE

William R. McHugh
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy
GARY D. KENWORTHY
CIRCLEVILLE CITY LAW DIRECTOR

REVIEWED BY LAW DIRECTOR
AND APPROVED AS TO FORM