

RESOLUTION 2005-17
Passed July 5, 2005
REPEALED August 16, 2005

A RESOLUTION PROVIDING FOR THE SUBMISSION OF ORDINANCE 2005-13 ENTITLED "ORDINANCE AUTHORIZING THE CREATION OF THE DOWNTOWN POWELL INCENTIVE DISTRICT WITHIN THE CITY OF POWELL; DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; AUTHORIZING THE USE OF SUCH SERVICE PAYMENTS IN LIEU OF TAXES TO COMPENSATE THE OLENTANGY LOCAL SCHOOL DISTRICT; CREATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE BALANCE OF SUCH SERVICE PAYMENTS AND AUTHORIZING CERTAIN ACCOUNTS WITHIN SUCH FUND; AUTHORIZING THE EXECUTION OF A SERVICE PAYMENT AGREEMENT WITH THE PROPERTY OWNERS IN SUCH INCENTIVE DISTRICT; AND DECLARING AN EMERGENCY." TO A VOTE OF THE ELECTORS OF THE MUNICIPALITY OF POWELL AT ITS NEXT ELECTION SCHEDULED FOR NOVEMBER 8, 2005.

WHEREAS, Council adopted Ordinance 2005-13 on June 7, 2005, creating a Downtown Powell Incentive District as more particularly set forth in such ordinance which is attached hereto and incorporated herein by reference, and

WHEREAS, thereafter, various referendum part petitions were delivered to the Clerk of the municipality pursuant to Charter, and

WHEREAS, thereafter, the Clerk having presented the subject referendum part petitions to the Council of the Municipality of Powell either for repeal or for submission of the same to the electors of the municipality.

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the provisions of Ordinance 2005-13 entitled "Ordinance authorizing the creation of the Downtown Powell Incentive District within the City of Powell; declaring improvements to certain real property within such incentive district to be a public purpose; describing the public infrastructure improvements to be made to benefit or serve the real property within such incentive district; requiring annual service payments in lieu of taxes; authorizing the use of such service payments in lieu of taxes to compensate the Olentangy Local School District; creating a municipal public improvement tax increment equivalent fund for the deposit of the balance of such service payments and authorizing certain accounts within such fund; authorizing the execution of a service payment agreement with the property owners in such incentive district; and declaring an emergency." a complete copy of which is attached hereto and incorporated herein by reference and various referendum part petitions associated therewith be certified to the Board of Elections forthwith for the purpose of submitting the same to the electors of the Municipality of Powell at its next election on November 8, 2005.

Section 2: That the form of ballot to be utilized shall be as follows or as modified by the Board of Elections and/or Secretary of State:

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Section 2: That the form of ballot to be utilized shall be as follows or as modified by the Board of Elections and/or Secretary of State:

"Shall Ordinance 2005-13 Creating a Downtown Powell Incentive District be repealed?"

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Resolution shall take effect at the earliest possible date permitted by law.

VOTE ON RESOLUTION 2005-17: Y 6 N 0

Dan Wiencek 7/19/05
Dan Wiencek Date
Mayor

Susie Ross 7/19/05
Susie Ross Date
Clerk of Council

