

ORDINANCE: 64 – 26

PASSED: _____



**CITY OF OBETZ
RECORD OF ORDINANCES**

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PASSED: _____

AN ORDINANCE APPROVING A PETITION FOR SPECIAL ASSESSMENTS; AND APPROVING THE ADOPTION AND EXECUTION OF AN AGREEMENT WITH THE OHIO AIR QUALITY DEVELOPMENT AUTHORITY PURSUANT TO OHIO REVISED CODE SECTION 3706.051 AND DECLARING AN EMERGENCY

WHEREAS, 5661 Harrison Ave., LLC, an Ohio limited liability company (the “Owner” or “Petitioner”), as the owner of certain real property located in the City at 4360 Alum Creek Drive, Obetz, Ohio 43207 (the “Project Site”), has executed and delivered a petition attached hereto and addressed to the City Council of the City of Obetz pursuant to Ohio Revised Code Chapter 727 (collectively, the “Act”); and

WHEREAS, the Petition is for the purpose of developing and implementing an air quality facility as defined in Ohio Revised Code Section 3706.01 specifically benefitting the Project Site (the “Project”); and

WHEREAS, in the Petition the Owner requests that the Project be paid for by special assessments assessed upon the Project Site (the “Special Assessments”) in an amount sufficient to pay the costs of the Project, which is estimated to be \$2,400,000; and

WHEREAS, pursuant to the Act, the City Council is required to enter into an agreement with the Ohio Air Quality Development Authority (“OAQDA”) to levy a special assessment upon property specially benefited by an air quality facility; and

WHEREAS, the Council has determined to enter into an agreement pursuant to the Act and Ohio Revised Code Section 3706.051 with OAQDA attached hereto (the “Agreement”); and

WHEREAS, the Act requires that Council must approve or disapprove the Petition within 60 days of the submission of the Petition; and

WHEREAS, Council has determined to approve the Petition, together with the Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBETZ, OHIO, THAT:

Section 1. This Council approves the Petition submitted by the Owner on September 22, 2026 to the City to be specially assessed to support an air quality facility in accordance with the submitted plans, specifications and estimates of cost. The Petition includes a listing of the parcels of real property owned by the Owner to be assessed and is incorporated herein by reference.

Section 2. This Council hereby approves the Agreement and authorizes and directs the City Administrator to execute the Agreement.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this legislative Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City, for the reason that immediate effectiveness is necessary to permit the Owner to close on financing for the Project before the end of October 2026 and commence the contemplated improvements without unnecessary delay; WHEREFORE, this Ordinance shall take effect and be in force immediately upon its adoption by Council.

Passed this _____ day of _____, 2026.

ATTESTS:

Stacey Boumis, Clerk of Council

Angela M. Kirk, Mayor

Derek Varney, Council President Pro-Tem

APPROVED AS TO FORM

Eugene Hollins, Esq., Law Director

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CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance _____ was duly posted at _____ (time) on the _____ day of _____, 2026, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.

Stacey Boumis, Clerk

Date