

EMERGENCY ORDINANCE NO. 2019-20

AN ORDINANCE DETERMINING TO ADJUST SPECIAL ASSESSMENTS LEVIED FOR THE PURPOSE OF CONSTRUCTING CERTAIN IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to a petition filed by the owners of the benefited properties, dated July 21, 2008, (“Petition”) this City Council (“Council”) of the City of Monroe (“City”), Butler and Warren Counties, Ohio by Resolution No. 69-2008 adopted August 12, 2008, has declared the necessity of acquiring and constructing the improvements described in such Resolution and has adopted the assessments with respect to such improvements prepared and filed with the Clerk of Council and by Ordinance No. 2008-34 adopted on August 12, 2008, determined to proceed with said improvements; and

WHEREAS, in accordance with the Petition, the improvements identified in such Ordinance (hereinafter called the “Improvements”) have acquired and constructed on behalf of the City and in cooperation with the Warren County Port Authority (“Port Authority”); and

WHEREAS, the City has pursuant to Chapter 727 of the Ohio Revised Code authorized the assessments be levied and collected for the improvements identified in such Resolution (hereinafter called the “Improvements”); and

WHEREAS, this Council by Ordinance No. 2008-35 adopted August 12, 2008 levied special assessments against benefited properties and certified said assessments to the Warren County Auditor for collection; and

WHEREAS, the Tax Increment Service and Cooperative Agreement entered into by and among the City, the property owners and the Port Authority (the “Cooperative Agreement”), dated March 1, 2008 requires the assessments to be adjusted by the amount of service payments in lieu of taxes collected pursuant to Section 5709.42 of the Ohio Revised code and the Cooperative Agreement; and

WHEREAS, the City has received the report of the Administrator, as defined in the Cooperative Agreement, detailing the amount of service payments in lieu of taxes and other funds to be available during 2019 and 2020 for the purpose of making debt service payments and indicating the amount by which the special assessments to be collected should be adjusted for the 2020 collection year.

WHEREAS, this Council determines that the assessments previously levied should be adjusted.

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

SECTION 1: That the assessments of the cost and expense of the Improvements plus Administrative Expenses, which were previously certified by this Council to the Warren County Auditor’s Office in the amounts as set forth in Exhibit “A” attached hereto, shall

be adjusted and shall be levied and collected for collection year 2019 in the amounts set forth on Exhibit "B" attached hereto.

SECTION 2: The Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the Warren County Auditor after its adoption.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that the immediate adoption of said Ordinance is necessary for the orderly reduction of the assessments; therefore, this measure shall be in full force and effect from and immediately after its adoption.

PASSED: September 10, 2019

ATTEST:



Clerk of Council

APPROVED:



Mayor

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Council Law, Section 121.22 of the Ohio Revised Code.

"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.



Clerk of Council
City of Monroe, Ohio

Exhibit "A" E Ord No. 2015-23

GATEWAY INDUSTRIAL INFRASTRUCTURE

Corridor 75 Park Project
Special Assessment Projects

Collection Year	Principal	Interest	Total Debt Service	Part Fee	Traverse Fee	Administrator Fees	Contingency	Total Expenses	Transfers from Capitalized Interest Account	Transfers from Reserve Account	Net Special Assessment
2008*	-	\$134,831.46	\$134,831.46	\$9,271.11	\$533.33	\$4,113.33	\$0.00	\$13,898.78	\$134,831.46	\$5,556.37	\$8,331.41
2009	-	724,575.00	724,575.00	50,000.00	2,000.00	15,500.00	5,000.00	72,500.00	724,575.00	29,995.20	42,504.80
2010	-	724,575.00	724,575.00	50,000.00	2,000.00	16,135.50	5,000.00	73,135.50	-	29,995.20	43,140.30
2011	-	724,575.00	724,575.00	50,000.00	2,000.00	16,771.06	5,000.00	73,771.06	-	29,995.20	788,376.86
2012	-	724,575.00	724,575.00	50,000.00	2,000.00	17,406.53	5,000.00	74,406.53	-	29,995.20	769,665.53
2013	-	724,575.00	724,575.00	50,000.00	2,000.00	18,042.00	5,000.00	75,042.00	-	29,995.20	769,782.45
2014	-	724,575.00	724,575.00	50,000.00	2,000.00	18,677.47	5,000.00	75,677.47	-	29,995.20	770,528.76
2015	-	724,575.00	724,575.00	50,000.00	2,000.00	19,312.94	5,000.00	76,312.94	-	29,995.20	771,305.67
2016	-	724,575.00	724,575.00	50,000.00	2,000.00	19,948.41	5,000.00	76,948.41	-	29,995.20	772,114.43
2017	-	724,575.00	724,575.00	50,000.00	2,000.00	20,583.88	5,000.00	77,583.88	-	29,995.20	772,956.35
2018	350,000.00	724,575.00	1,048,575.00	50,000.00	2,000.00	21,219.35	5,000.00	78,219.35	-	29,995.20	1,093,832.78
2019	345,000.00	702,175.00	1,047,175.00	48,000.00	2,000.00	21,854.82	5,000.00	78,854.82	-	29,995.20	1,093,743.16
2020	176,000.00	678,025.00	1,048,025.00	46,675.00	2,000.00	22,490.29	5,000.00	79,490.29	-	29,995.20	1,093,743.16
2021	395,000.00	652,125.00	1,047,125.00	44,825.00	2,000.00	23,125.76	5,000.00	80,125.76	-	29,995.20	1,094,058.46
2022	425,000.00	626,225.00	1,049,475.00	43,550.00	2,000.00	23,761.23	5,000.00	80,761.23	-	29,995.20	1,094,462.92
2023	435,000.00	594,725.00	1,049,725.00	40,725.00	2,000.00	24,396.70	5,000.00	81,396.70	-	29,995.20	1,094,867.38
2024	485,000.00	562,875.00	1,047,875.00	38,050.00	2,000.00	25,032.17	5,000.00	82,032.17	-	29,995.20	1,095,271.84
2025	515,000.00	528,975.00	1,043,975.00	36,025.00	2,000.00	25,667.64	5,000.00	82,667.64	-	29,995.20	1,095,676.30
2026	550,000.00	492,875.00	1,042,875.00	33,450.00	2,000.00	26,303.11	5,000.00	83,303.11	-	29,995.20	1,096,080.76
2027	590,000.00	454,775.00	1,044,775.00	30,875.00	2,000.00	26,938.58	5,000.00	83,938.58	-	29,995.20	1,096,485.22
2028	635,000.00	413,675.00	1,048,675.00	27,750.00	2,000.00	27,574.05	5,000.00	84,574.05	-	29,995.20	1,096,889.68
2029	690,000.00	368,625.00	1,048,625.00	24,575.00	2,000.00	28,209.52	5,000.00	85,209.52	-	29,995.20	1,097,294.14
2030	730,000.00	317,625.00	1,047,625.00	21,175.00	2,000.00	28,844.99	5,000.00	85,844.99	-	29,995.20	1,097,698.60
2031	765,000.00	262,575.00	1,047,575.00	17,325.00	2,000.00	29,480.46	5,000.00	86,480.46	-	29,995.20	1,098,103.06
2032	840,000.00	204,000.00	1,044,000.00	13,000.00	2,000.00	30,115.93	5,000.00	87,115.93	-	29,995.20	1,098,507.52
2033	965,000.00	141,000.00	1,046,000.00	9,400.00	2,000.00	30,751.40	5,000.00	87,751.40	-	29,995.20	1,098,911.98
2034	975,000.00	23,125.00	1,048,125.00	4,875.00	2,000.00	31,386.87	5,000.00	88,386.87	-	29,995.20	1,099,316.44
Total	\$10,000,000.00	\$14,451,501.46	\$24,451,501.46	\$990,223.11	\$52,533.33	\$700,737.33	\$130,000.00	\$1,873,490.82	\$10,000,000.00	\$1,785,271.74	\$22,995,218.68

Total Special Assessment for Collection in 2009* \$50,838.21

* Per bond covenants for 2009 to be collected in the 2009 collection year.

5135396480 City of Monroe 5136932968 01-27-2009 09:22:45 a.m. AUDITOR

81/26/2009 15:08

Exhibit "B" E Ord No. 2019-20

Assessments per acre is \$2,686.26 (\$970,205.25/61.1729 acres). The City shall certify the following amounts to the Warren County Auditor pursuant to Section 4.2(e) of the Cooperative Agreement.

Parcel ID	Current Owner	Acreage	Special Assessment
11054000211	Duke Energy Ohio Inc.	2.997	\$ 8,050.73
11042000081	MREIC Monroe OH LLC	22.4063	60,189.21
11052000201	ProLogis-A5 OH III LLC	56.047	150,556.96
11053000212	Park North 6 LLC	68.5176	184,056.27
11054000351	Park North 8 LLC	44.5433	119,655.00
11042000091	Park North 10 LLC	51.1947	137,522.41
11054000341	Granite I (Park North 4) LLC	42.603	114,442.84
11053000211	Park North 6 LLC	6.5564	17,612.21
11054000352	Park North 8 LLC	10.9846	29,507.52
11053000221	Park North 5 LLC	8.083	21,713.06
11052000331	Granite I (Park North 2) LLC	33.782	90,747.32
11052000341	Park North 3 LLC	13.458	36,151.72
Total		361.1729	\$970,205.25