

Resolution No. _____

Passed _____ 20__

RESOLUTION NO. 36 -- 11

A RESOLUTION AUTHORIZING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO A CONTRACT TO PROVIDE FOR TAX ABATEMENT FOR REAL PROPERTY FOR JOHN CHIOFALO AND BETH CHIOFALO AND CHIOFALO CHIROPRACTIC AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Orrville, Ohio:

Section 1: That the Director of Safety and Service is hereby authorized to enter into a contract to provide for tax abatement for real property for John and Beth Chiofalo and Chiofalo Chiropractic in substantially the form attached hereto and made a part hereof and marked Exhibit A.

Section 2: That this resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City and for the further reason that it is necessary to preserve job opportunities to eliminate unemployment and other negative conditions resulting from unemployment; therefore, this ordinance shall be in effect immediately after its passage and approval by the Mayor.

Passed this 7th day of November 2011.

Attest:

T. Repard
Clerk of Council

[Signature]
President of Council

Approved:

[Signature]
Mayor

Date 11/7/11



Community Reinvestment Area Agreement

This agreement made and entered into by and between the City of Orrville, Ohio, a municipal corporation, with its main offices at 207 North Main Street, Orrville, Ohio (hereinafter referred to as “ORRVILLE”) and, John and Beth Chiofalo and Chiofalo Chiropractic with its main offices located at 516 West High Street, Orrville, Ohio 44667 (hereinafter referred to as “CHIOFALO”), WITNESSETH;

WHEREAS, ORRVILLE has encouraged the development of real property and the acquisition of personal property located in the area designated as the Community Reinvestment Area; and

WHEREAS, CHIOFALO is desirous of constructing a 2,100 square foot single-story medical office building at 500 West High Street, Orrville, Ohio 44667 (hereinafter referred to as the “PROJECT”) within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Orrville, Ohio by Ordinance Q – 07 adopted November 5, 2007, designated the area as an “Community Reinvestment Area” pursuant to Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective November 14, 2007, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Ordinance contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and certified said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, ORRVILLE having the appropriate authority for the stated type of project is desirous of providing CHIOFALO with incentives available for the developments of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, CHIOFALO has submitted a proposed agreement application (herein attached as Exhibit A) to ORRVILLE said application (hereinafter referred to as “Application”); and

WHEREAS, CHIOFALO has remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the application to be forwarded with the final agreement; and

WHEREAS, the Safety – Service Director of the City of Orrville has investigated the application of CHIOFALO and has recommended the same to the Council of the City of Orrville on the basis that CHIOFALO is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of ORRVILLE; and

WHEREAS, the project site proposed by CHIOFALO is located in the Orrville City School District and the Wayne County Joint Vocational School District and the Boards of Education of the Orrville City School District and the Wayne County Joint Vocational School District have been notified in accordance with Section 5709.83 and have been given a copy of the Application; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B), the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. CHIOFALO shall construct a 2,100 square foot single-story medical office building at 500 West High Street, Orrville, Ohio. Said facility shall be constructed on lot 3725, the same is know and designed on the Auditor's revised list of lots in the 3rd ward of Orrville, Ohio.

The PROJECT will involve a total investment by CHIOFALO of \$195,000 (One Hundred Ninety-Five Thousand dollars), plus or minus 10% at the 500 West High Street. Included in this investment are \$20,000 (Twenty Thousand dollars) for land acquisition, \$175,000 (One Hundred Seventy-Thousand dollars) for construction of the facility, \$0 to purchase first used machinery and equipment, \$0 for furniture and fixtures, and \$0 for new inventory.

The PROJECT will begin November 15, 2011 and all acquisition, construction, and installation will be completed by December 31, 2012.

2. CHIOFALO shall create within a time period not exceeding 36 (thirty-six) months after the commencement of construction of the aforesaid facility, equivalent of 1 (one) full-time permanent job opportunities, 1 (one) part-time permanent job opportunities, 0 (zero)