

ORDINANCE NO.: 2019 - 15

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

Introduced by	<u>MAYOR</u>
Motioned by	<u>Hardin</u>
Seconded by	<u>Calkins</u>
1st Reading	<u>/</u>
2nd Reading	<u>/</u>
Third Reading	<u>/</u>
Under suspension	<u>2-12-19</u>

AN EMERGENCY ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE CHARTER TO AUTHORIZE VILLAGE COUNCIL TO PERMIT THE CONSTRUCTION AND OPERATION OF VIDEO AND AUDIO RECORDING, PRODUCTION AND EDITING FACILITIES, HELICOPTER LANDING AND TAKE-OFF PADS ACCESSORY TO SUCH USES, AND PASSIVE PARKS AND NATURE PRESERVES IN THE AREA CONTAINED WITHIN THE FOLLOWING BOUNDARIES WHICH AREA IS PRESENTLY ZONED R1F RESIDENTIAL: SOLON ROAD ON THE NORTH, RICHMOND ROAD ON THE EAST, HAWTHORNE PARKWAY ON THE SOUTH AND THE OAKWOOD VILLAGE BORDER WITH THE CITY OF BEDFORD HEIGHTS ON THE WEST.

WHEREAS, Council desires to place before the electorate of the Village a Charter amendment amending and supplementing the current Village Charter to authorize Village Council to permit the construction and operation of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council: and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment.

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, at a special election to be held on the date of the primary election to be held on the 7th day of May, 2019, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending and supplementing Article X of the Village Charter by the addition of a new Section 10.13 which upon the effective date of passage of the amended and supplemented new Section 10.13 shall read as follows:

"SECTION 10.13 AUDIO AND VIDEO RECORDING, PRODUCTION AND EDITING FACILITIES, PASSIVE PARKS AND NATURE PRESERVES

Notwithstanding any provisions of Sections 10.01 through 10.12 of the Oakwood Village Charter and provisions of the current Codified Ordinances to the contrary, Village Council by a 2/3rds affirmative vote of its members is hereby authorized to permit the construction and operation

of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council."

Section 2: The ballot of said election shall at the top thereof be entitled,

"Proposed Charter Amendment," majority affirmative vote is necessary for passage and the question to be submitted on said ballot shall be in words as follows:

"Shall Article X of the Charter of the Village of Oakwood be amended and supplemented by a new Section 10.13 authorizing Village Council to permit the construction and operation of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council?"

"YES - For Passage

NO - Against Passage"

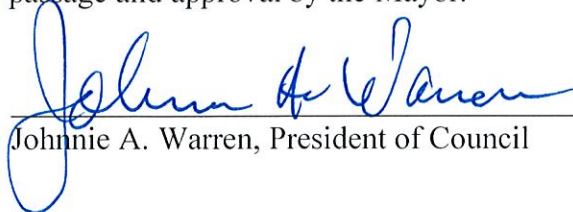
Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the primary election to be held May 7, 2019 in order for the Village to avail itself of economic development opportunities for the benefit of its citizens and for which time is of the essence and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: February 12, 2019


Debra L. Hladky, Clerk of Council


Johnnie A. Warren, President of Council

Presented to the

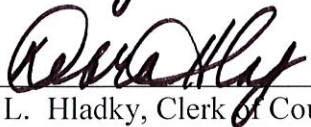
Mayor: February 13, 2019

Approved: February 13, 2019



Mayor, Gary V. Gottschalk

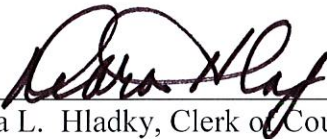
I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2019 - 15 was duly and regularly passed by this Council at the meeting held on the 12 day of February 2019.



Debra L. Hladky, Clerk of Council

POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2019 - 15 was duly posted on the 13 day Feb. of _____, 2019 and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.



Debra L. Hladky, Clerk of Council

DATED: February 13, 2019

Advance Ohio
1801 Superior Ave. East, Suite 100
Cleveland, OH 44114



The Plain Dealer

INVOICE

INV#: 0008999119

VILLAGE OF OAKWOOD
24800 BROADWAY
BEDFORD, OH 44146

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Sales Rep: Toni Ponzio
Account Number: 40101125
INV#: 0008999119

Remit Payment to:
Advance Ohio
Dept 77571
P.O. Box 77000
Detroit, MI 48277-0571

Page 1 of 2

Date	Position	Description	P.O. Number	Ad Size	Costs
02/01/2019	Public Notices OH	RESOLUTION 2019-09 AN EMERGENCY ORDINANCE MAKING		1 x 133 L	
Basic Ad Charge - 01/25/2019					\$1,106.56
Basic Ad Charge - 02/01/2019					\$1,106.56
Total					\$2,213.12

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL 216-999-4693



The Plain Dealer
LEGAL AFFIDAVIT

AD#: 0008999119

State of Ohio,) ss

County of Cuyahoga)

Sally Weist being duly sworn, deposes that he/she is principal clerk of Advance Ohio; that The Plain Dealer is a public newspaper published in the city of Cleveland, with general circulation in Cuyahoga, Ashtabula, Geauga, Lake, Lorain, Medina, Portage, Summit and Trumbull counties, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Plain Dealer 01/25, 02/01/2019

Sally Weist

Principal Clerk of the Publisher

Sworn to and subscribed before me this 4th day of February 2019



Rosemarie A. Costo
NOTARY PUBLIC - OHIO
Cuyahoga
MY COMMISSION EXPIRES 11/26/2023

Rosemarie A. Costo

Notary Public

RESOLUTION 2019-09

AN EMERGENCY ORDINANCE MAKING FINDINGS AND DETERMINATIONS AS PERMITTED IN SECTION 3735.65 TO 3735.70 OF THE OHIO REVISED CODE EXPANDING AND DESCRIBING THE BOUNDARIES OF THE OAKWOOD COMMUNITY REINVESTMENT AREA NO. 1; AND AMENDING ORDINANCES 2001-22, 1996-61 AND 1991-72

WHEREAS, Council, by Ordinance 1991-72, adopted September 17, 1991, as amended by Ordinance 1996-61, adopted July 9, 1996, and further amended by Ordinance 2001-22, adopted July 10, 2001, established the boundaries of the "Oakwood Community Reinvestment Area No. 1"; and

WHEREAS, a survey of housing contiguous to this established Community Reinvestment Area as specified in Section 3735.66 of the Ohio Revised Code has been made and the results thereof reported to Village Council; and

WHEREAS, areas were found that contained housing facilities or structures with significant deferred maintenance, wherein new housing construction and repair of existing facilities are discouraged; and

WHEREAS, the maintenance and construction of structures in such areas would serve to encourage economic stability, maintain real property values and employment opportunities;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. In accordance with Sections 3735.65 to 3735.70, inclusive, of the Ohio Revised Code, Council hereby expands the boundaries of the currently existing "Oakwood Community Reinvestment Area No. 1". The boundaries of the expanded "Oakwood Community Reinvestment Area No. 1", shall be the entire geographic area of the Village of Oakwood.

SECTION 2. Within the expanded "Oakwood Community Reinvestment Area No. 1", tax exemptions for improvements to real property as described in Section 3735.67 of the Ohio Revised Code will be granted for the following periods: (A) 1-15 years for the remodeling of every dwelling containing not more than two family units upon which the cost of remodeling is at least \$2,500.00 or upon which the cost of remodeling is at least \$5,000.00 for all other property as described in Division (D)(1) of Section 3735.67 of the Ohio Revised Code which period of exemption may be extended by the legislative authority for up to 10 years in the case of qualifying structures of historical or architectural significance as described in said Division (D)(1) of Section 3735.67 of the Ohio Revised Code; (B) 1-15 years for the construction of every dwelling, commercial or industrial

structure as described in Division (U)(2) of Section 3735.67 of the Ohio Revised Code.

SECTION 3. Existing Sections 1, 2 and 3 of Ordinance 1991-72 and Exhibit "A" attached to said Ordinance as amended by Ordinance 1996-61 and further amended by Ordinance 2001-22 be and the same are hereby amended consistent with the provisions contained in this Ordinance. All other provisions contained in Ordinance 1991-72 as amended by Ordinance 1996-61 and further amended by Ordinance 2001-22 which are not inconsistent with the provisions contained in this Ordinance shall remain in full force and effect.

SECTION 4. The Oakwood Community Reinvestment Area Housing Council established by Ordinance 1991-72 shall make an annual inspection of the properties within the expanded "Oakwood Community Reinvestment Area No. 1", for which an exemption has been granted under Section 3735.67 of the Ohio Revised Code.

SECTION 5. Council hereby finds and determines that the areas included in the expanded "Oakwood Community Reinvestment Area No. 1" are ones in which housing facilities are located and new housing construction and repair of existing facilities or structures are discouraged.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and economic development opportunities that will assist the village in overcoming discouragement of housing construction and repair noted above for which time is of the essence, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law. Requests for inspection of Exhibit A may be made to the Clerk of Council's office.

PASSED by Oakwood Village Council,
Jan. 22, 2019.

Submitted by Debra L. Hladky,
Clerk of Council, Village of Oakwood, OH
p.d.jan25,feb1,2019-8999119



***Cuyahoga County Board of Elections
Candidate & Petition Services
2925 Euclid Avenue - 2nd Floor
Cleveland, OH 44115***

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Issue Filing Receipt

Date Received: 2/14/2019 9:25:10 AM

Name of Filer: Debra Hladky

Position of Filer: Clerk of Council

Name of Contact: James Climer

Position of Contact: Law Director

Address: 24800 Broadway Avenue Oakwood Village, OH 44146

Telephone Number: 440-248-7906

Email Address: jclimer@mrrlaw.com

Requested Election Date: 5/7/2019

Municipality/School Board: VILLAGE OF OAKWOOD

Type of Issue: Proposed Charter Amendment

Sub-Type of Issue:

Ballot Language: Shall Article X of the Charter of the Village of Oakwood be amended and supplemented by a new Section 10.13 authorizing Village Council to permit the construction and operation of video and audio recording, production and editing facilities, helicopter landing and take-off pads accessory to such uses, and passive parks and nature preserves in the area contained within the following boundaries which area is presently zoned R1F Residential: Solon Road on the North, Richmond Road on the East, Hawthorne Parkway on the South and the Oakwood Village border with the City of Bedford Heights on the West, subject to such standards and requirements as are to be established by ordinance of Council?

Documents Filed: Ord. 2019-15

Received By: Cory Milne

Receipt Copy to: Municipality / School Board
Candidate & Petition Services
Fiscal Services

For Office Use Only: Receipt Number - 942