

**ORDINANCE NO. 2023.19**

**AN ORDINANCE AUTHORIZING EXECUTION OF A COMPENSATION AGREEMENT  
BETWEEN THE BIG WALNUT LOCAL SCHOOL DISTRICT AND THE CITY OF  
SUNBURY AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council for the City of Sunbury (“Sunbury”) recognizes the need promote and encourage development within Sunbury which is consistent with Sunbury’s proposed Limited Industrial District zoning requirements for the mutual benefit of Sunbury and the Big Walnut Local School District (“BWLSD”); and

**WHEREAS**, to encourage this development, Sunbury proposes to expand an existing or create one or more new Community Reinvestment Areas (“CRA”) which will permit Sunbury to offer tax exemptions to owners of real property within the CRA; and

**WHEREAS**, some tax exemptions require the approval of BWLSD; and

**WHEREAS**, Council now wishes to approve entering into the attached Compensation Agreement where Sunbury and BWLSD agree that Sunbury can approve certain exemptions within the CRA’s without obtaining the approval of BWLSD and to require the recipients of those tax exemptions to compensate BWLSD (and the Delaware Area Career Center, “DAAC”) relating to provision of community reinvestment area tax exemptions by Sunbury within the territory of the BWLSD.

**NOW, THEREFORE, BE IT ORDAINED** by the Council for the City of Sunbury, Ohio, Delaware County, State of Ohio as follows:

**SECTION I:** The Compensation Agreement with the Big Walnut Local School District relating to provision of community reinvestment area tax exemptions by the City of Sunbury within the territory of the Big Walnut Local School District is hereby approved. A copy of the Compensation Agreement is attached hereto as Exhibit “A”.

**SECTION II:** The City Administrator, the Director of Law and the Director of Finance are hereby authorized to execute the Compensation Agreement as required and any other related or necessary documents consistent with this legislation, provided that the Compensation Agreement shall be in substantially in the form presented to this Council, with such changes not inconsistent with this Ordinance as shall be agreed to by the City Administrator, the Director of Law and the Director of Finance with the execution by the City Administrator, the Director of Law and the Director of Finance constituting conclusive evidence of such approval.

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

**SECTION IV:** This Ordinance is hereby declared to be an emergency measure necessary for the preservations of the public peace, health, safety and welfare of the citizens of the City of Sunbury, to authorize execution of the Compensation Agreement at the earliest possible date and to immediately facilitate the ability to encourage preferred development for the benefit of Sunbury and the BWLSD.

**WHEREFORE,** this Ordinance shall be in effect and in force immediately from and after its passage.

<b>VOTE ON SUSPENSION OF THE RULES</b>	<b>YEAS</b>	<b>NAYS</b>
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<b>VOTE ON THE EMERGENCY</b>	<b>YEAS</b>	<b>NAYS</b>
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<b>VOTE ON ORDINANCE NO. 2023.19</b>	<b>YEAS</b>	<b>NAYS</b>
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**PASSED** \_\_\_\_\_

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**Joseph St. John, Mayor**

**ATTEST:**

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**Amber Swain, Clerk of Council**

**CERTIFICATION**

I hereby certify on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on September \_\_\_\_\_ 2023 of the Council of the City of Sunbury of the County of Delaware, State of Ohio.

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Amber Swain, Clerk of Council