Monday, December 21,

18

The Bainbridge Township Board of Trustees met in special session at the Bainbridge Town Hall on December 21, 2018. Those present were Trustees Mrs. Lorrie Benza, Mr. Jeffrey Markley, and. Mrs. Kristina O'Brien. Fiscal Officer Mrs. Janice Sugarman was absent. Mr. Markley presided and called the meeting to order at 8:00 A.M.

TIF Resolution

The trustees engaged in discussion centering around Auburn Career Center's questions around the potential TIF and general real estate tax information found on Geauga ReaLink.

Mrs. Benza made a motion to adopt Resolution 12212018-A, to declare improvement to certain real property located within the unincorporated area of Bainbridge Township, Geauga County, Ohio to be a public purpose, exempt a percentage of such improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund and related authorization, per the recommendation of legal counsel and ORC sections 5709.73, 5719.74, and 5709.75.

Since there was no further business to come before this special meeting of the

Mrs. O'Brien seconded the motion that passed unanimously.

Bainbridge Township Board of Trustees, the meeting	y was adjourned at 8:30 A.M.
	Respectfully Submitted,
	Janice S. Sugarman, Fiscal Officer, Bainbridge Township
	Date
	Date
	Date
Minutes Read:	
Minutes Approved:	

Resolution No. 12212018-A

A RESOLUTION DECLARING IMPROVEMENT TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXES; IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT ARE A PUBLIC PURPOSE AND, ONCE MADE, WILL DIRECTLY BENEFIT THAT REAL PROPERTY; REQUIRING THE OWNERS OF THAT REAL PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A TOWNSHIP PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND RELATED AUTHORIZATIONS

Bainbridge Township, Geauga County, Ohio

WHEREAS, Ohio Revised Code ("R.C.") Sections 5709.73, 5709.74 and 5709.75 (the "TIF Statutes") provide that this Board of Township Trustees (this "Board") may, under certain circumstances, declare Improvement (as defined in Section 2) to real property located within the unincorporated area of Bainbridge Township, Geauga County, Ohio (the "Township") to be a public purpose, exempt a percentage of such Improvement from real property taxes, identify certain public infrastructure improvements that are a public purpose and, once made, will directly benefit that real property, provide for payments in lieu of taxes by the owners of the real property, and establish a township public improvement tax increment equivalent fund; and

WHEREAS, the real property described in Exhibit A attached to this Resolution (the "Property") is located within the Township; and

WHEREAS, the current and future owners of the Property (each an "Owner" and collectively the "Owners") wish to develop or have developed the Property by constructing certain commercial and/or industrial improvements thereon, provided that the appropriate development incentives are available to support the Property; and

WHEREAS, the public infrastructure improvements described in Exhibit B attached to this Resolution (the "Public Infrastructure Improvements") are a public purpose and will directly benefit the Property; and

WHEREAS, this Board desires to have the Public Infrastructure Improvements constructed; and

WHEREAS, it is in the best interest of the Township to declare the Improvement to the Property to be a public purpose and to exempt a percentage of such Improvement from real property taxes as provided in this Resolution; and

WHEREAS, it is necessary and in the best interest of the Township to provide for the payment of service payments in lieu of taxes with respect to the Improvement pursuant to the TIF Statutes and for the use of those service payments in lieu of taxes to pay costs of the Public Infrastructure Improvements (including payment of obligations issued to pay such costs); and

WHEREAS, the Township sent notice of this Board's intent to exempt the Improvement from real property taxes in accordance with the terms of this Resolution to the Board of Education of the Kenston Local School District (the "School District") and the Board of Education of the Auburn Career Center (the "JVSD"), or such notice has been waived, in accordance with R.C. Sections 5709.73(D) and 5709.83;

NOW, THEREFORE, BE IT RESOLVED by the Bainbridge Township Board of Trustees, Geauga County, Ohio, that:

Section 1. The Public Infrastructure Improvements described in Exhibit B are hereby declared to be a public purpose, which once made will directly benefit the Property.

Section 2. This Board finds and determines that it is in the best interest of the Township, pursuant to R.C. Section 5709.73(B), to declare the increase in the assessed value of the Property after the effective date of this Resolution (the "Improvement") to be a public purpose and to grant an exemption from real property taxation on 75% of such Improvement in order to provide for Service Payments (as defined in Section 3) to pay costs of the Public Infrastructure Improvements (including the payment of obligations issued to pay such costs). For each separately identifiable parcel of the Property (each a "Parcel"), the exemption commences the earlier of (i) the first tax year for which an Improvement of at least \$50,000 in assessed value (i.e., 35% of true value) on the Parcel first appears on the tax list and duplicate of real and public utility property, or (ii) tax year 2040, and ends on the earlier of (i) 10 years after such date, or (ii) on the date on which the Township can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes.

Section 3. As provided in the TIF Statutes, the present and future Owners of the Property are hereby required to, and shall make, service payments in lieu of taxes to the Treasurer of Geauga County (the "County Treasurer") on or before the final dates for payment of real property taxes, which service payments shall be deposited in the Account of the TIF Fund (as both defined in Section 3), pursuant to the TIF Statutes and as provided in Section 4. Each such payment shall be in the same amount as the real property taxes that would have been charged and payable against the Improvement had the exemption from taxation not been granted by this Resolution, and otherwise shall be in accordance with the requirements of the TIF Statutes. Any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto, as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the payments in lieu of taxes as the "Service Payments"). The Service Payments shall be allocated and deposited in accordance with Section 4 of this Resolution.

Section 4. This Board hereby establishes pursuant to and in accordance with the provisions of the TIF Statutes, the Bainbridge Township Public Improvement Tax Increment Equivalent Fund No. 1 (the "TIF Fund") into which shall be deposited all Service Payments received from the County Treasurer, and hereby appropriates all of the moneys deposited in the Fund from time to time to pay any costs of the Public Infrastructure Improvements, including but not limited to the payment of debt service on notes or bonds.

The TIF Fund shall remain in existence so long as the Service Payments are collected and used for the above purposes, after which the TIF Fund shall be dissolved in accordance with the TIF Statutes. Upon such dissolution, any incidental surplus remaining in the TIF Fund shall be transferred to the general fund of the Township as provided in R.C. Section 5709.75.

Section 5. Each member of this Board and any other Township official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Resolution and the DC Agreement.

Section 6. The Board is hereby directed to deliver a copy of this Resolution to the Director of the Development Services Agency of the State of Ohio within fifteen days after its adoption. On or before March 31 of each year that the exemption from real property taxes granted by this Resolution remains in effect, this Board shall prepare and submit, or cause to be prepared and submitted, to the Director of the Development Services Agency of the State of Ohio the status report required under R.C. Section 5709.73(I).

Section 7. A Tax Incentive Review Council (the "TIRC") is hereby established pursuant to R.C. Section 5709.85 and shall consist of this Board, the County Auditor or designee and a representative of each of the Board of Education of the School District and the Career Center. The TIRC shall review annually the

increase in true value of all Parcels exempted pursuant to this Resolution, the value of Improvement exempted pursuant to this Resolution and the number of new employees or retained employees as a result of the exemptions granted pursuant to this Resolution.

Section 8. This Board hereby establishes the following nondiscriminatory hiring policies for all exemptions provided pursuant to this Resolution: no recipient of exemptions pursuant to this Resolution shall deny employment to any individual solely on the basis of race, religion, sex, disability, color, national origin, or ancestry. The TIRC shall annually review the compliance with employers with these policies.

Section 9. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution, and that all deliberations of this Board and of any committees that resulted in those formal actions, were taken in meetings open to the public in compliance with the law.

Section 10. This Resolution shall be in full force and effect immediately upon its adoption.

BE IT FURTHER RESOLVED that the Fiscal Officer of the Board is hereby instructed to transmit a certified copy of this resolution to the Director of the Development Services Agency of the State of Ohio within fifteen days after its adoption.

Voting thereon:	Vote:
Lorrie Sass Benza	aye
Markly	AUE
Jeffrey S. Markley	AYE
Kristina O'Brien	

I, Janice Sugarman, Fiscal Officer of the Bainbridge Township Board of Trustees, Geauga County, Ohio certify that the foregoing is a true and correct copy of a resolution adopted at a legally convened Board meeting held on December 21, 2018.

Janice Sugarman, Fiscal Officer

EXHIBIT A to TIF Resolution

PROPERTY

The Property is the real estate situated in the County of Geauga and State of Ohio consisting of the tax year 2017 parcel number(s) listed below (and including any subsequent combinations and/or subdivisions of the current parcel numbers), described on the parcel list attached hereto.

PP#	# Acres	Location Address	Street	Owner Name	L NAME	MktLandVal	MktImprVal Property description	Zone
02-420751	1.72	7105 AURORA RD	AURORA RD	7105 N AURORA ROAD LLC	7105	\$599,400.00		MUP
02-420753	1.64	7165 AURORA RD	AURORA RD	7155 AURORA ROAD LLC	7155	\$571,500.00		MUP
02-271600	1.01	7045 AURORA RD	AURORA RD	ABC BAINBRIDGE LLC	ABC	\$74,800.00	\$37,700.00 Sherwin Williams plaza	MUP
02-083448	0.2	AURORA RD	AURORA RD	BAINBRIDGE PROPERTIES LLC	BAINBRIDGE	\$9,800.00		MUP
02-083449	0.41	7309 AURORA RD	AURORA RD	BAINBRIDGE PROPERTIES LLC	BAINBRIDGE	\$29,800.00		MUP
02-083450	1.15	7315 AURORA RD	AURORA RD	BAINBRIDGE PROPERTIES LLC	BAINBRIDGE	\$77,400.00		MUP
02-729367	63.85	GEAUGA LAKE RD	GEAUGA LAKE RD	BAINBRIDGE TOWNSHIP TRUSTEES THE	BAINBRIDGE	\$509,700.00		APP
02-037000	0.97	7331 AURORA RD	AURORA RD	BALDERAS MANUEL & ERNESTINA & FELIPE & JUANA	BALDERAS	\$64,600.00		MUP
02-729283		7100 PETTIBONE RD	PETTIBONE RD	CHAPEL INC THE	CHAPEL		\$10,856,300.00 Main Church lot - R5A	R5A
02-420975		7070 AURORA RD	AURORA RD	CHICK FIL A INC	CHICK	\$618,900.00		MUP
02-050300	0.65	7353 AURORA RD	AURORA RD	CHRISTLEY NORMAN L TRUSTEE	CHRISTLEY	\$70,700.00		MUP
02-050400	0.75	AURORA RD	AURORA RD	CHRISTLEY NORMAN L TRUSTEE	CHRISTLEY	\$32,700.00		MUP
02-419537		AURORA RD	AURORA RD	CHRISTLEY NORMAN L TRUSTEE	CHRISTLEY	\$146,000.00		MUP
02-900039	_	RAILROAD	RAILROAD	CLEVELAND COMMERCIAL RAILROAD	CLEVELAND	\$0.00		R5A
02-125100		GEAUGA LAKE RD	GEAUGA LAKE RD	GEAUGA LAKE LLC	GEAUGA	\$430,400.00		R5A
02-125300		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$41,300.00	\$0.00 GL lakefront - vacant - MUP	MUP
02-125400		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$165,000.00		MUP
02-125600		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$167,500.00		MUP
02-125700		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	\$315,200.00	\$0.00 The actual lake - Geauga Lake	MUP
02-125800		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$164,300.00		MUP
02-125900		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$5,400.00		MUP
02-126000		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$82,500.00	\$0.00 Vacant - MUP	MUP
02-126100		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	\$143,100.00	\$0.00 vacant parcel frontage on Aurora Road & lake	MUP
02-126200		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$372,600.00	\$0.00 Vacant parcer nontage on Aurora Road & lake	MUP
02-126300		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	\$515,600.00		MUP
02-126400		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$93,600.00		MUP
02-126500		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	\$4,541,600.00		MUP
02-126600		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	1		
02-126700		AURORA RD	AURORA RD	GEAUGA LAKE LLC	GEAUGA	\$19,400,00		MUP
02-323700		19124 BREWSTER RD	BREWSTER RD	GEAUGA LAKE LLC	GEAUGA	\$1,426,900.00		MUP
02-323700		BREWSTER RD	BREWSTER RD	GEAUGA LAKE LLC	GEAUGA	\$166,900.00	\$0.00 N of Depot R5A - vacant	R5A
02-323800		DEPOT RD	DEPOT RD	GEAUGA LAKE LLC	GEAUGA	\$49,110.00	,	MUP
02-324100		BREWSTER RD	BREWSTER RD	GEAUGA LAKE LLC	GEAUGA	\$206,600.00		MUP
02-324100		BREWSTER RD	BREWSTER RD	GEAUGA LAKE LLC	GEAUGA	\$427,800.00		MUP
02-324300		GEAUGA LAKE RD	GEAUGA LAKE RD	GEAUGA LAKE LLC		\$704,000.00		MUP
02-420210		7025 AURORA RD	AURORA RD	HALLE PROPERTIES L L C	GEAUGA	\$87,500.00		R5A
02-420979	_	18800 NORTH MARKET PLACE DR	NORTH MARKET PLACE DR		HALLE	\$82,500.00	\$214,200.00 Discount Tire	MUP
02-420979		SUMMIT ST	SUMMIT ST	HD DEVELOPMENT OF MARYLAND INC HEDGES JOHN R	HD	\$1,425,000.00		MUP
02-065100		7286 AURORA RD	AURORA RD		HÉDGES	\$7,200.00		MUP
02-065100		AURORA RD		HOEHN MARK A & LAURA A	HOEHN	\$108,800.00		MUP
02-420750		7075 AURORA RD	AURORA RD AURORA RD	HOEHN MARK A & LAURA A	HOEHN	\$32,300.00		MUP
02-333510		7307 AURORA RD	AURORA RD	HOME SAVINGS & LOAN COMPANY OF YOUNGSTOWN OH	HOME	\$571,500.00		MUP
02-333310		7195 AURORA RD	AURORA RD	KOZENT LLC	KOZENT	\$187,700.00		MUP
02-420755				MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$613,300.00		MUP
02-420756		7005 MARKET PLACE DR	MARKET PLACE DR	MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$623,300.00		MUP
		7235 MARKET PLACE DR	MARKET PLACE DR	MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$1,527,700.00		MUP
02-421195		7305 MARKET PLACE DR	MARKET PLACE DR	MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$370,000.00		MUP
02-421196	30.96	7355 MARKET PLACE DR	MARKET PLACE DR	MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$759,600.00		MUP
02 424427	42.05	7205 4110004 00	4110004.00	ALL DIVETTO LAGGINGTON TO A LA			Market Place 4 corner - remainder lot green	
02-421197		7205 AURORA RD	AURORA RD	MARKETPLACE ASSOCIATES LLC	MARKETPLACE	\$1,783,600.00		MUP
02-007900	0.16	AURORA RD	AURORA RD	MISLOSKY FLORENCE E TOD	MISLOSKY	\$8,600.00	\$34,700.00 building split - prime for redev	MUP

02-257200		7337 AURORA RD	AURORA RD	MISLOSKY FLORENCE E TOD	MISLOSKY	\$30,100.00	\$64,400.00 dwelling	MUP
02-257300	0.17	AURORA RD	AURORA RD	MISLOSKY FLORENCE E TOD	MISLOSKY	\$10,900.00	\$0.00 building exists- prime for redev	MUP
02-257400	0.81	7339 AURORA RD	AURORA RD	MISLOSKY FLORENCE E TOD	MISLOSKY	\$46,900.00	\$25,400.00 dwelling	MUP
02-122200	3,03	7035 AURORA RD	AURORA RD	NEW PAR	NEW	\$60,000.00	Cell tower between Sherwin Williams & \$22,400.00 discount tire	MUP
02-420673	1.22	DEPOT RD	DEPOT RD	OWEN KAREN M	OWEN	\$5,200.00	\$0.00 Vacant	MUP
02-014200	5.02	7368 PETTIBONE RD	PETTIBONE RD	PARKSIDE CHURCH	PARKSIDE	\$75,700.00	\$144,800.00 House w of Root N of Pettibone - R5A	R5A
02-112300	4.86	7270 PETTIBONE RD	PETTIBONE RD	PARKSIDE CHURCH	PARKSIDE	\$83,100.00	\$164,500.00 House w of Root N of Pettibone - R5A	R5A
02-208100	6.36	PETTIBONE RD	PETTIBONE RD	PARKSIDE CHURCH	PARKSIDE	\$74,600.00	\$0.00 Vacant R5A	R5A
02-270650	1.22	7207 PETTIBONE RD	PETTIBONE RD	PARKSIDE CHURCH	PARKSIDE	\$37,700.00	\$124.400.00 House w of Root S of Pettibone R5A	R5A
02-114610	10.21	7204 PETTIBONE RD	PETTIBONE RD	PARKSIDE CHURCH INC	PARKSIDE	\$134,900.00	\$67,100.00 R5A - House NE corner Root/Pettibone	R5A
02-420805	11.36	7705 MARKET PLACE DR	MARKET PLACE DR	RE AURORA OHIO FAMILY LLC	RE	\$1,068,000.00	\$6,360,400.00 Steinmart - Party City plaza&parking	MUP
02-420752	1.66	7135 AURORA RD	AURORA RD	RUBY TUESDAY INC	RUBY	\$578,500.00	\$384,800.00 Ruby Tuesday	MUP
02-420989	2.61	7020 AURORA RD	AURORA RD	RYAN LLC	RYAN	\$619,400.00	\$230,200,00 Steak & Shake	MUP
02-420981	13.1	18855 NORTH MARKET PLACE DR	NORTH MARKET PLACE DR	TARGET CORPORATION	TARGET	\$1,310,000.00	\$5,078,100.00 Target	MUP
02-040700	0.51	18925 SUMMIT ST	SUMMIT ST	TOLSTYKH BORIS & LAUBER INNA & TOLSTYKH ALEKSANDRA	TOLSTYKH	\$26,600,00	\$71,200.00 Occupied home water issues	MUP
02-729433	4.26	7040 PETTIBONE RD	PETTIBONE RD	TRUTH FOR LIFE	TRUTH	\$130,900.00	\$3,983,700.00 Truth for Life/old VFW - MUP	MUP
02-420974	2.22	7080 AURORA RD	AURORA RD	V & V LAKESHORE LTD	V	\$395,900,00	\$413,600.00 Bank Building	MUP
02-420976	1.52	7040 AURORA RD	AURORA RD	V & V LAKESHORE LTD	V	\$393,800.00	\$362,200.00 Mattress firm bldg/barber	MUP
02-420977	2.12	18865 GILES RD	GILES RD	V & V LAKESHORE LTD	v	\$514,700.00	\$700,500.00 Buffalo Wild Wings	MUP
02-420980	1,35	NORTH MARKET PLACE DR	NORTH MARKET PLACE DR	V & V LAKESHORE LTD	V	\$67,500.00	\$0.00 N. Market Place - vacant sublot 7	MUP
02-420982	28.7	18813 NORTH MARKET PLACE DR	NORTH MARKET PLACE DR	V & V LAKESHORE LTD	v	\$1,935,500.00	\$3,388,700.00 Textil & Timber/parking & dev area	MUP
02-420983	12.54	NORTH MARKET PLACE DR	NORTH MARKET PLACE DR	V & V LAKESHORE LTD	v	\$38,500.00	\$0.00 N. Market Place - green space	MUP
02-420984	1.08	7090 AURORA RD	AURORA RD	V & V LAKESHORE LTD	V	\$3,300.00	\$0.00 Vacant - green space N. Market Place	MUP
02-421314	2.15	7050 AURORA RD	AURORA RD	V & V LAKESHORE LTD	v	\$517,300.00	\$1,080,800.00 Aldi grocery	MUP
02-420978	2.05	7010 AURORA RD	AURORA RD	WATERWAY GAS & WASH COMPANY	WATERWAY	\$714,400.00	\$797,100.00 Waterway building	MUP
							Structure val	11107

EXHIBIT B to TIF Resolution

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements generally include, but are not limited to, any of the following improvements that will directly benefit the Property and all related costs of permanent improvements (including, but not limited to, those costs listed in R.C. Section 133.15(B)), irrespective of whether such Public Infrastructure is dedicated to any other public entity:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.
- Construction, reconstruction or installation of public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.
- Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.
- Construction, reconstruction and installation of storm water and flood remediation projects and facilities (including but not limited to detention ponds), including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.
- Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, fences, street and sidewalk lighting, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited to streetscape improvements in conjunction with and along the roadway improvements described above.
- Real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing improvements or for open space, or (b) in aid of industry, commerce, distribution or research; and environmental remediation.
- Any other public infrastructure improvements constructed or maintained by or on behalf of the Township that are determined by the Board of Township Trustees to directly benefit the Property.