

TEMPORARY ORDINANCE NO. 34-24

PERMANENT ORDINANCE NO. 39-24

AN ORDINANCE TO AUTHORIZE THE AMENDMENT OF THE JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT BETWEEN THE CITY OF LANCASTER AND VIOLET TOWNSHIP AND TO DECLARE AN EMERGENCY

WHEREAS, Permanent Ordinance 29-23 authorized a contract to effectuate the creation of the Violet Township-City of Lancaster Joint Economic Development District (JEDD); and

WHEREAS, the Township and the City have received a petition from NewVista Behavioral Health and their related land holding entity for the addition of a property to the Original JEDD Area; and

WHEREAS, the Township and the City desire to facilitate the addition of the NewVista Property to the original JEDD Area; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Mayor is hereby authorized for and in the name of the City, to negotiate and execute an Amendment to the Violet Township – City of Lancaster Joint Economic Development District Contract, substantially similar to the Contract attached hereto as Exhibit 1 with changes therein not inconsistent with this Ordinance and not adverse to the City, with the Township, and execute any and all other documents necessary to enact the Amendment.

SECTION 2. That this Council further hereby authorizes the Mayor for and in the name of the City, to execute any amendments or changes to the final documents, which amendments are not inconsistent with this Ordinance and not substantially adverse to the City.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and its inhabitants and for the further reason that timely approval is needed in order to add this property to the JEDD before the next scheduled board meeting on December 5, 2024; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: November 4, 2024 after 3 reading. Vote: Yeas 10 Nays 0

Approved: November 4, 2024

Clerk: [Signature]

[Signature]
President of Council
Jon H. McDaniel
Mayor

Offered by: Maaya Hoop

Second by: Kat M. Cut

Requested by Economic Development Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2024 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

**VIOLET TOWNSHIP - CITY OF LANCASTER
AMENDMENT TO VIOLET TOWNSHIP - CITY OF LANCASTER
JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT**

(NewVista Behavioral Health Expansion)

This Amendment to Violet Township – City of Lancaster Joint Economic Development District Contract (the “Amendment”) is executed _____, 2024 (the “Effective Date”) by and among the Township of Violet, Fairfield County, Ohio (the “Township”), a township formed and existing under the laws of the State of Ohio, through its Board of Township Trustees, and the City of Lancaster, Ohio (the “City”), an Ohio municipal corporation.

RECITALS:

A. Pursuant to Ohio Revised Code (“R.C.”) Chapter 715, including particularly R.C. Section 715.72 (the “JEDD Act”), the Township and the City executed the Violet Township - City of Lancaster Joint Economic Development District Contract (the “Original JEDD Contract”), dated December 3, 2024, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference. The Original JEDD Contract established the Violet Township - City of Lancaster Joint Economic Development District (referred to herein as “JEDD,” or the “District”).

B. Pursuant to the Original JEDD Contract, the Board of Directors for the JEDD (the “JEDD Board”) currently imposes a 2.30% tax on income withheld from employees working within the District and on net business profits from operations within the District.

C. Falcon Four Property Holding, LLC (the “Property Owner”) desires to develop a parcel of land to be operated by NewVista Behavioral Health (the “Business Owner”) for commercial purposes (the “Project” or “Project Area”) at a site within the boundaries of the Township (the “NewVista Property,”) which is further described on the attached Exhibit B and incorporated herein by this reference, provided that the appropriate economic development incentives are available to support the economic viability of the Project. The NewVista Property is located outside of the Original JEDD Area. The Original JEDD Area and the NewVista Property are referred to collectively here in as the “Expanded JEDD Area.”

D. The Township, the City the Property Owner and the Business Owner desire to facilitate the addition of the NewVista Property to the Original JEDD Area.

E. Ohio Revised Code Section 715.72(L) and Section 9 of the Original JEDD Contract authorize the amendment of the Original JEDD Contract upon certain conditions stated therein for the purposes of adding territory to the Original JEDD Area.

F. The Township and the City have complied with all procedures of the JEDD Act related to the addition of the NewVista Property to the Original JEDD Area, including the public hearing and notice requirements of R.C. Section 715.72(L)(2).

G. As required by R.C. Sections 715.72(L)(3), the Property Owner has submitted or caused to be submitted, and the Township and the City have received, the required property owner petition, and the Business Owner has submitted or caused to be submitted, and the Township and

the City have received, the required business owner petition (collectively, the “Petitions”) necessary to add the NewVista Property to the Original JEDD Area.

H. Pursuant to Resolution No. _____, passed _____, 2024, the Board of Township Trustees of the Township has approved the execution of this Amendment. Pursuant to Ordinance No. _____, passed _____, 2024, the City Council of the City has approved the execution of this Amendment.

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

Section 1. Adding the NewVista Property to the JEDD.

Pursuant to Section 9 of the Original JEDD Contract and Ohio Revised Code Section 715.72, and effective on the Effective Date hereof, the Original JEDD Contract is hereby amended to include the NewVista Property within the Expanded JEDD Area.

The NewVista Property is located entirely within the territorial boundaries of the Township. In accordance with Ohio Revised Code Section 715.72(E), no electors reside within the NewVista Property as of the date hereof.

Pursuant to the Petitions, each of the Business Owner and Property Owner have given their respective consent to the inclusion within the Expanded JEDD Area.

Section 2. Remainder Unaffected. Notwithstanding anything to the contrary in the Original JEDD Contract or this Amendment, the remaining provisions of the Original JEDD Contract not expressly amended or modified by this Amendment shall remain in full force and effect.

Section 3. Counterparts. This Amendment may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Amendment may execute this Amendment by signing any such counterpart.

Section 4. Captions. Captions have been provided herein for the convenience of the reader and shall not affect the construction of this Amendment.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Township and the City have caused this Amendment to be executed in their respective names by their duly authorized officers or representatives, as of the date hereinabove written.

TRUSTEES OF VIOLET TOWNSHIP, FAIRFIELD COUNTY, OHIO

By: _____
Trustee

By: _____
Trustee

By: _____
Trustee

CITY OF LANCASTER, OHIO

By: _____

Its: Mayor

Approved as to form:

Law Director

EXHIBIT A
ORIGINAL JEDD CONTRACT
(attached hereto)

EXHIBIT B

DESCRIPTION OF NEWVISTA PROPERTY

The real estate situated in the County of Fairfield and State of Ohio, consisting of tax parcel No. 0360073300, including as the same may be divided, combined, subdivided, recombined, renumbered or relabeled from time to time, and shown in the map below outlined in blue:

