

COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2019-77

By Jim Maxwell Sponsored By Mayor Cyril M. Klem
AN ORDINANCE

AUTHORIZING THE DIRECTOR OF FINANCE TO REBATE A PORTION OF THE EXCISE TAXES SET FORTH IN CHAPTER 195 OF THE CODIFIED ORDINANCES OF THE CITY OF BEREA, TO RAMA TIKA MANAGEMENT, LLC, OR ITS AFFILIATE, RAMA TIKA DEVELOPERS, LLC, AS PART OF AN ECONOMIC DEVELOPMENT INCENTIVE PACKAGE IN FURTHERANCE OF THE CONSTRUCTION AND OPERATION OF AN EXTENDED-STAY SUITES HOTEL, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Berea in Ordinance No. 2019-75 authorized the Mayor to enter into a Purchase Agreement to sell certain parcels owned by the City of Berea to Dmark Development, LLC, for the express purpose of facilitating the construction of an extended-stay suites hotel; and

WHEREAS, Rama Tika Management, LLC, or its affiliate, Rama Tika Developers, LLC has entered into a Purchase Agreement with Dmark Development, LLC to obtain the parcels identified in Ordinance No. 2019-75 for the purpose of constructing and operating an extended-stay suites hotel; and

WHEREAS, the City finds that the addition of an extended-stay suites hotel is in the public interest and will spur additional development in the north end of Berea; and

WHEREAS, Rama Tika Management, LLC, or its affiliate, Rama Tika Developers, LLC has requested that the City provide certain financial incentives that will make the construction economically feasible; and

WHEREAS, the City wishes to provide certain financial incentives to Rama Tika Management, LLC, or its affiliate, Rama Tika Developers, LLC in order to secure their commitment to build an extended-stay suites hotel; and

WHEREAS, one such incentive includes a rebate of a portion of the excise tax provided in Chapter 195 of the Codified Ordinances of the City of Berea.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the Director of Finance is authorized to rebate one-third (1/3) of the excise tax paid to the City by Rama Tika Management, LLC or its affiliate, Rama Tika Developers, LLC, for the first three years of operation and to rebate one-half (1/2) of the excise tax paid to the City by Rama Tika Management, LLC or its affiliate, Rama Tika Developers, LLC, for years four, five and six of Rama Tika Management, LLC or its affiliate, Rama Tika Developers, LLC's operation of an extended stay-suites hotel pursuant to Chapter 195 of the Codified Ordinances of the City of Berea, with said rebates payable at the end of each financial quarter to either Rama Tika Management, LLC or its affiliate, Rama Tika Developers, LLC, as designated by Rama Tika Management, LLC, following the City's receipt of the taxes owed pursuant to Chapter 195.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that passage of the economic development incentives are necessary in order to facilitate the project, which is in the public interest of the residents and visitors to the City. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

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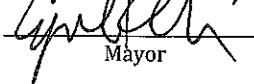
By Maxwell Sponsored By Mayor Kleem

PASSED: October 21, 2019


President of Council

ATTEST: Allyson Eason
Clerk of Council

APPROVED: October 28, 2019


Mayor

APPROVED AS TO FORM:

Beth J
Director of Law