

# BEREA CITY COUNCIL

*City of Berea, Ohio*

ORDINANCE NO. 2022-57

By: Councilman Leon R. Dozier, Sr. Sponsor: Mayor Cyril M. Kleem

## AN ORDINANCE

### **APPROVING, RATIFYING AND AFFIRMING THE 2022 ANNUAL FINDINGS, MINUTES AND ACTIONS OF THE TAX INCENTIVE REVIEW COMMITTEE FOR COMMERCIAL COMMUNITY REINVESTMENT AREA REAL ESTATE TAX ABATEMENTS ENTERED INTO UNDER POST-1994 RULES IN THE CITY OF BEREAS.**

**WHEREAS**, the Tax Incentive Review Committee for the City of Berea meets annually to review the prior year's activities of entities that have qualified for, and participate in, Community Reinvestment Area Agreements within the City of Berea; and

**WHEREAS**, the 2022 meeting of said Tax Incentive Review Committee has been held according to law and said committee has issued its Findings for 2022 Reviews and Minutes of said meeting, the same being attached hereto as Exhibit "A" and incorporated herein.

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

**SECTION 1.** That the Council of the City of Berea hereby approves, ratifies and affirms the 2022 Annual Findings of the Tax Incentive Review Committee for Community Reinvestment Area Agreements (for 2021 activities) and the Minutes of its meeting held on June 7, 2022, the same being attached hereto as Exhibit "A" and incorporated herein.

**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 shall take effect and be in force from and after the earliest period allowed by law.

# BEREA CITY COUNCIL

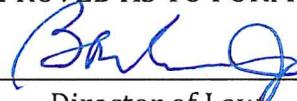
*City of Berea, Ohio*

ORDINANCE NO. 2022-57

PASSED: November 21, 2022

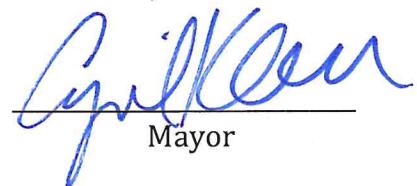
ATTEST:   
Clerk of Council

APPROVED AS TO FORM:

  
Director of Law

  
President Pro Tempore of Council

APPROVED: November 21, 2022

  
Mayor

**TAX INCENTIVE REVIEW COUNCIL**  
**June 7, 2022**

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The Tax Incentive Review Council met on June 7, 2022 via video conference, and was called to order at 1:00 p.m. by Lisa Rocco, Chair of the 2022 Tax Incentive Review Council and the Director of Operations for the Cuyahoga County Fiscal Office. Members present: Greg Huth, Cuyahoga County Law Director; Susan Infeld, Cuyahoga County Planning Commission; Prentis Jackson, Cuyahoga County Department of Development; Anthony Alexander, Resident City of Berea; and Daniel Smith, Resident City of Berea. Also present were: Kevin Hinkel, Frantz Ward, LLP., Attorney for the Berea City School District; Thomas Norton, City of Berea; and Matthew Madzy, City of Berea.

Ms. Rocco allowed those participating in the video conference to introduce themselves and state whether they are a voting member.

The minutes of the 2021 Tax Incentive Review Council were approved.

Ms. Rocco turned the floor over to the City of Berea to present the Status Report for each CRA Agreement.

**Helwig Whistle Stop, LLC.**

Discussion about the Helwig Whistle Stop, LLC. project opened with a review of new jobs and payroll created through the project. Mr. Madzy explained that the project has exceeded both the required jobs and payroll.

Moved by Rocco and seconded by Infeld that Helwig Whistle Stop, LLC. is compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Infeld to recommend that the City of Berea and Helwig Whistle Stop, LLC. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

**JMJ Real Estate Company, LLC. and Conrad's Tire Service, Inc.**

Mr. Madzy referenced the number of jobs and payroll to be created by this project and that in 2021, JMJ Real Estate Company and Conrad's Tire Service, Inc. met the jobs creation figures and achieved 96% of the required payroll.

Moved by Rocco and seconded by Infeld that JMJ Real Estate Company, LLC. and Conrad's Tire Service, Inc. are compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Infeld to recommend that the City of Berea, JMJ Real Estate Company, LLC. and Conrad's Tire Service, Inc. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

**AFR Properties, LLC.**

Members of the TIRC discussed the fact that AFR Properties, LLC. met its job and payroll requirements for 2021 and that the CRA Agreement recently expired for this property.

Moved by Rocco and seconded by Infeld that AFR Properties, LLC. is compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Infeld to recommend allowing the CRA Agreement expire per the terms of the original CRA Agreement. Vote all ayes, no nays, the motion carried.

**Clovequip Properties of Ohio, LLC. and Cloverdale Equipment Company, Inc.**

TIRC members discussed the fact that in 2021, Clovequip Properties of Ohio, LLC. and Cloverdale Equipment Company, Inc. achieved both the required number of jobs and payroll established in the CRA Agreement.

Moved by Rocco and seconded by Huth that Clovequip Properties of Ohio, LLC. and Cloverdale Equipment Company, Inc. are compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Huth to recommend that the City of Berea, Clovequip Properties of Ohio, LLC. and Cloverdale Equipment Company, Inc. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

**Joyce Manufacturing Company and RAM Real Estate, LLC.**

There was general discussion about the history and growth of Joyce Manufacturing Company in Berea. Mr. Madzy stated that Joyce Manufacturing Company created the required number of jobs and payroll in 2021.

Moved by Rocco and seconded by Huth that Joyce Manufacturing Company and RAM Real Estate, LLC. are compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Smith to recommend that the City of Berea, Joyce Manufacturing Company and RAM Real Estate, LLC. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

**Petrasek Properties, LLC. and Sandstone Animal Hospital Company, LLC.**

The discussion began with an overview of how Sandstone Animal Hospital Company, LLC. was negatively impacted by the pandemic as well as staffing issues in 2021. It was reported that so far in 2022, the employment issues are trending in a positive direction and the future of this project looks bright.

Moved by Rocco and seconded by Infeld that Petrasek Properties, LLC. and Sandstone Animal Hospital Company, LLC. are non-compliant with the terms of the CRA Agreement for 2021. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Alexander to recommend that the City of Berea, Petrasek Properties, LLC. and Sandstone Animal Hospital Company, LLC. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

**Fieldhouse Athletics, LLC.**

Mr. Madzy stated that in year 2021, Fieldhouse Athletics created 15 jobs and over \$510,000 worth of payroll, both of which were more than the required amounts set forth in the CRA Agreement.

Moved by Rocco and seconded by Infeld that Fieldhouse Athletics, LLC. is compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Infeld to recommend that the City of Berea and Fieldhouse Athletics, LLC. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

### **Talent Tool and Die, Inc.**

There was general discussion about the negative impact the pandemic had on manufacturing businesses, including Talent Tool and Die, Inc., and how the shortage of manufacturing workers has continued this negative trend. Following up on this topic, Mr. Madzy explained that Talent Tool and Die, Inc. did not meet its job and payroll figures for 2021, but these areas are already improving in 2022.

Moved by Rocco and seconded by Huth that Talent Tool and Die, Inc. is non-compliant with the terms of the CRA Agreement for 2021. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Smith to recommend that the City of Berea and Talent Tool and Die, Inc. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

### **RWBB Holdings, LLC. and Audion Automation**

The discussion began with an explanation of the required number of jobs to be retained, jobs to be created, and payroll to be created. Following this introduction, Mr. Madzy stated that RWBB Holdings, LLC. and Audion Automation exceeded its job and payroll requirements for 2021.

Moved by Rocco and seconded by Huth that RWBB Holdings, LLC. and Audion Automation are compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Alexander to recommend that the City of Berea, RWBB Holdings, LLC. and Audion Automation continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

### **Iris Properties, LLC. and Dr. Caitlin Filips, Inc.**

The TIRC began the conversation by recognizing that this project was built between the adjoining commercial and residential zoning districts and that the project has served as a nice buffer between the two zoning districts.

After discussing the history of the project, Mr. Madzy explained that the project was still in the job creation phase.

Moved by Rocco and seconded by Huth that Iris Properties, LLC. and Dr. Caitlin Filips, Inc. are compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Alexander to recommend that the City of Berea, Iris Properties, LLC. and Dr. Caitlin Filips, Inc. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

### **Front Street Group, LLC.**

Leading off this portion of the meeting, there was general discussion about this mixed-use project and its proximity to Baldwin Wallace University, Cleveland Metroparks, Coe Lake Park and the rest of Downtown Berea. Following these initial remarks, Mr. Madzy explained that the Front Street Group has exceeded both the job and payroll creation figures for the project.

Moved by Rocco and seconded by Huth that Front Street Group, LLC. is compliant with the terms of the CRA Agreement. Vote all ayes, no nays, the motion carried.

Moved by Rocco and seconded by Huth to recommend that the City of Berea and Front Street Group, LLC. continue the CRA Agreement. Vote all ayes, no nays, the motion carried.

### **First Avenue Improvement District**

In opening the discussion of the First Avenue Improvement District (“FAID”), Mr. Madzy explained that the Director of Finance for the City of Berea, updated the FAID report which contains financial data going back to 1991. This spreadsheet now includes the performance for 2021. There was further discussion that the term of this tax abatement recently expired.

Moved by Rocco and seconded by Alexander to accept the FAID report. Vote all ayes, no nays, the motion carried.

With no further business before the Council, moved by Rocco and seconded by Alexander to Adjourn the Tax Incentive Review Council meeting. Vote all ayes, no nays, the motion carried.