

RESOLUTION NO. 01-2025 A
ADOPTED: FEBRUARY 5, 2025

A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF KIRKERSVILLE, LICKING REGIONAL WATER DISTRICT, SOUTHERN TIRE MART AT PILOT, LLC, AND CFJ PROPERTIES, LLC, AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO EXECUTE SAME, AND DECLARING AN EMERGENCY

WHEREAS, Southern Tire Mart at Pilot, LLC, (the “Developer”) is seeking to construct a new business (i.e., Southern Tire Mart) in conjunction with C F J Properties, LLC, (the “Property Owner”) on a tract of land (the “Property”) situated in the Village of Kirkersville, which will require separate water and sewer services; and

WHEREAS, Licking Regional Water District (the “District”) and the Village of Kirkersville have executed an Intergovernmental Cooperation Agreement under the terms of which the District agreed to provide potable drinking water services to residents and businesses in the Village (“IGA Agreement”); and

WHEREAS, the IGA Agreement requires any Future Business Use Property (as defined in the IGA Agreement) to participate in Economic Development Incentives (“EDIs”) to be eligible to connect to the District’s water system and receive service, including a JEDD; and

WHEREAS, because the Kirkersville JEDD has not yet been formed, but the Developer wants to begin this project promptly, the Village, the District, the Developer, and the Property Owner need to enter into an economic development agreement whereby the Developer and the Property Owner agree to include the Property in the JEDD once the JEDD is created.

NOW, **THEREFORE, BE IT RESOLVED** BY THE COUNCIL OF THE VILLAGE OF KIRKERSVILLE, OHIO THAT:

SECTION 1: Council for the Village of Kirkersville hereby approves an economic development agreement between the Village of Kirkersville, Licking Regional Water District, Southern Tire Mart at Pilot, LLC, and CFJ Properties, LLC, in substantially the same form and content as the agreement attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: Council for the Village of Kirkersville hereby authorizes and directs the Mayor and Fiscal Officer to execute a copy of the agreement described in Section 1.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of

this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 5: This Resolution is hereby declared an emergency measure necessary for the health, safety and welfare of the residents of the Village and for the further reason that JEDD agreement needs to be approved and executed as soon as possible so that the development can begin without delay. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

Passed in Council this 5 day of February 2025.

Terry Ashcraft, Mayor

ATTEST: _____
Clerk of Council

APPROVED:

Approved as to form this 30th day of January 2025:



Brian M. Zets
Village Solicitor