ORDINANCE NO. 2026-25

AUTHORIZING AMENDING THE RESTAURANT LEASE AGREEMENT WITH HIGHGRAIN BREWING COMPANY, LLC AT LEASE 6860 PLAINFIELD ROAD OWNED BY THE VILLAGE OF SILVERTON, AND TO COMPLETE ALL OTHER TRANSACTIONS CONTEMPLATED BY THE LEASE AND DECLARING AN EMERGENCY

WHEREAS, Article X, Section 13 of the Charter of the Village of Silverton provides that real property may be sold or traded "as provided by ordinance;" and

WHEREAS, the Village of Silverton entered into a Master Development Agreement (MDA) with Highgrain Brewing Company, a legal entity in the State of Ohio, on September 8, 2017, through the adoption of Ordinance No. 17-3568 on September 7, 2017; and

WHEREAS, the Village of Silverton renewed and amended the MDA with Highgrain Brewing Company by adopting Ordinance 18-3584 on April 19, 2018; and

WHEREAS, the Village of Silverton and Highgrain entered into a 5-year lease agreement with a 5-year renewal period governing the terms of Highgrain's use of the former Municipal Building at 6860 Plainfield Road by Ordinance 18-3584; and

WHEREAS, Highgrain has operated out of 6860 Plainfield Road with a brewery, taproom, and restaurant since opening in 2018 while the Village completed its renovation of 6943 Montgomery Road to serve as a Town Hall and the parties have proceeded under the lease for the past 8 years; and

WHEREAS, the Village and Highgrain desire to amend the terms of the lease; and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Silverton, Ohio, that:

SECTION I. The Village Manager is hereby authorized to execute all documents necessary to effectuate the amendment to the Restaurant Lease Agreement, and any other transactions contemplated or arising from the MDA or amended Lease substantially similar (as determined by the Manager and Village Solicitor) to those set forth and attached hereto and made a part hereof. The Village Manager is also authorized to take all necessary steps and to complete all the required transactions, including the lease, purchase option, right of first refusal, and any other instrument, contract, or document contemplated under the Master Development Agreement.

SECTION II. This Ordinance is declared to be an emergency measure necessary to preserve the public peace, health, safety, and welfare of the citizens of the Village of Silverton; the reason for the emergency being the immediate need to memorialize, to enter into, and to effectuate the amended terms to the Restaurant Lease at the earliest possible time. Accordingly, this Ordinance shall take effect and be in force immediately from and after its passage and approval.

Passed this 17th day of September, 2026.

John A. Smith, Mayor

ATTEST:

Jack Cameron, Village Manager

Approved as to form:

Bryan E. Pacheco, Village Solicitor

CERTIFICATION:

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 2026-25 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing Sept 18, 2026.

Meredith L. George
Clerk of Council of Silverton, Ohio