

ORDINANCE NO. 18-3587

**ORDINANCE ACKNOWLEDGING THE AUTHORITY OF THE VILLAGE MANAGER TO MAKE APPOINTMENTS TO THE TAX INCENTIVE REVIEW COUNCIL AND APPROVING THE APPOINTMENTS OF THE VILLAGE MANAGER TO THE TAX INCENTIVE REVIEW COUNCIL AND AUTHORIZING THE VILLAGE MANAGER TO TAKE OTHER NECESSARY ACTIONS IN CONNECTION WITH THE TAX INCENTIVE REVIEW COUNCIL, ALL PURSUANT TO SECTION 5709.85 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY**

WHEREAS, this Village Council (the "Village Council") of the Village of Silverton (the "Village"), Hamilton County, Ohio, previously passed Ordinance 13-3375 on July 18, 2013 (the "Authorizing Ordinance"), which Authorizing Ordinance created the Stewart Road TIF (as such term is defined in the Authorizing Ordinance); and

WHEREAS, the requisite steps have been taken since the creation of the Stewart Road TIF in order to effectuate the realization of Service Payments (as this term is defined in the Authorizing Ordinance) to provide for the acquisition and construction of certain Public Improvements (as defined in the Authorizing Ordinance); and

WHEREAS, with the creation of certain public tax incentive programs, such as the Stewart Road TIF, Section 5709.85 of the Ohio Revised Code requires the creation of a tax incentive review council (the "TIRC"), which TIRC reviews the relevant property tax exemptions, provides recommendations as to parcel valuation, and performs other public functions in order to provide for the on-going review and maintenance of such public tax incentive programs, such as the Stewart Road TIF; and

WHEREAS, pursuant to Section 5709.85 of the Ohio Revised Code, the TIRC will be comprised of two members of this Village Council, which appointments must be made by the Village Manager, as the chief executive officer of the Village, and such appointments must be confirmed by this Village Council; and

WHEREAS, in addition to the two appointments to the TIRC to be made by the Village Manager, three members will be appointed by the Hamilton County Board of County Commissioners, the County Auditor (or the County Auditor's designee), and one individual will be appointed by the Board of Education of each city, local, exempted village, and joint vocational school district affected by the Stewart Road TIF; and

WHEREAS, this Village Council desires to (a) acknowledge the authority of the Village Manager to make appointments to the TIRC on behalf of the Village, (b) approve the appointments of the Village Manager to the TIRC, and (c) authorize the Village Manager to take other necessary actions in connection with the TIRC;

**NOW, THEREFORE, BE IT ORDAINED** by the Village Council of the Village of Silverton, Hamilton County, State of Ohio, a majority of members elected thereto concurring:

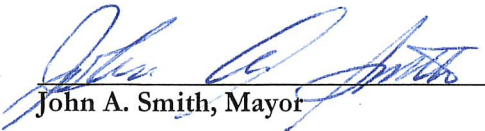
**SECTION 1.** That, for the reasons set forth in the preambles and under Section 5709.85 of the Ohio Revised Code, this Village Council hereby: (a) acknowledges the authority of the Village Manager to make appointments to the TIRC on behalf of the Village, (b) approves the Village Manager's appointments to the TIRC, which appointments are Shirley Hackett-Austin, Dottie Williams, and Denise Stemen and (c) authorizes the Village Manager to take other necessary actions in connection with the TIRC, including but not limited to the appointment of alternate members of the Village Council to the TIRC.

**SECTION 2.** That the Clerk of Council is hereby directed to forward a copy of this Ordinance to the County Auditor of Hamilton County.

**SECTION 3.** That it is hereby found and determined that all formal actions of this Village Council concerning and relating to the passage of this Ordinance were taken in an open meeting, and that all deliberations of this Village Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure; the reason for the emergency being the immediate need to confirm the appointments to the TIRC made by the Village Manager and to provide for the on-going and timely evaluation and maintenance of the Stewart Road TIF. Therefore, this Ordinance shall take effect at the earliest time provided by law.

*Passed this 17<sup>th</sup> day of May, 2018.*

  
John A. Smith, Mayor

ATTEST:

  
Thomas M. Carroll, 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. 18-3587 has been duly made by posting true copies in three (3) of the most public places in said municipality, as determined by Council as follows: 1) Silverton Municipal Building; 2) Parkview Ave at the Train Depot; 3) Silverton's Official Website. Said posting was for a period of fifteen days commencing May 18, 2018.

  
Meredith L. George, Clerk of Council