

RECORD OF RESOLUTIONS

Resolution No. 23-2024

Passed: October 8, 2024

A RESOLUTION DETERMINING THAT A PETITION TO ESTABLISH THE RIVER DISTRICT NEW COMMUNITY AUTHORITY IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE PETITION; AND AUTHORIZING NOTICE BY PUBLICATION OF SUCH PUBLIC HEARING.

WHEREAS, the City of West Carrollton, Ohio (the "City"), in its capacity as "developer" within the meaning of Ohio Revised Code ("Revised Code") Section 349.01(E) plans to establish a new community development program for the purposes of encouraging and supporting the development of a mixture of uses, including commercial and mixed-use space, for-rent multi-family housing units, townhome units, commercial outlots and hotels built in multiple phases, with such real property being located within the municipal corporate boundaries of the City, as community facilities and other public infrastructure improvements, as described in Revised Code Chapter 349; and,

WHEREAS, on October 4, 2024, the City Manager, on behalf of the City in its capacity as developer, submitted to the Council of the City ("Council"), pursuant to Revised Code Section 349.03, a Petition for Establishment of the River District New Community Authority under Chapter 349 of the Ohio Revised Code (the "Petition"), a copy of which such Petition is on file with the Clerk of Council; and,

WHEREAS, the River District New Community District (the "District"), as described in the Petition, is located entirely within the municipal corporate boundaries of the City, and this Council, as the legislative authority of the City, is therefore the "organizational board of commissioners" for purposes of the Petition pursuant to Revised Code Section 349.01(F)(3); and,

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to Revised Code Section 349.03(A), that the Petition complies with the requirements of that section as to form and substance, set the time and place of a public hearing on the Petition, and authorize notice by publication of the public hearing on the Petition; and,

WHEREAS, it is necessary that this Resolution take effect immediately upon its passage in order to comply with statutory timing requirements associated with the initiation of proceedings for the organization of new community authorities under Revised Code Section 349.03, to facilitate development in a timely manner, and for the immediate preservation of the public peace, property, health, and safety of the City;

NOW, THEREFORE, BE IS RESOLVED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, OHIO, THAT:

Section 1: This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the "organizational board of commissioners" of the River District New Community Authority for all purposes of Revised Code Chapter 349.

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Section 2: This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03(A) in form and substance.

Section 3: Pursuant to Revised Code Section 349.03(A), this Council hereby determines to hold a public hearing on the Petition on November 12, 2024 at the Council Chambers of the City located at 300 E. Central Ave., West Carrollton, Ohio 45449, approximately on or after 6:30 p.m., and this Council hereby authorizes the City Manager, the Clerk of Council, and/or their designees to cause notice of the public hearing to be published once per week for three (3) consecutive weeks, as provided in Revised Code Section 7.16, in a newspaper of general circulation within Montgomery County, Ohio.

Section 4: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

Section 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: October 8, 2024


Mayor

Attest: 
Clerk of Council

Effective Date: October 8, 2024