

**RESOLUTION NO. 09 - 2009**

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**RESOLUTION APPROVING THE WEST CHESTER TOWNSHIP JEDD-I JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT AND DECLARING AN EMERGENCY AND DISPENSING WITH THE SECOND READING**

**WHEREAS**, The Township of West Chester, Butler County, Ohio (the "Township") desires to create a joint economic development district for property located at the northwestern corner of Cincinnati Dayton Road and Union Centre Boulevard in the Township; and,

**WHEREAS**, the purpose of creating the District is to facilitate economic development, to create and preserve jobs and employment opportunities, and to improve the economic welfare of the people of the Township, the Cities, and the State; and,

**WHEREAS**, the Township, the City of Fairfield, Ohio ("Fairfield") and the City of Springdale, Ohio ("Springdale" together with Fairfield the "Cities") have negotiated and now intend to enter into the West Chester Township JEDD-I Joint Economic Development District Contract (the "Contract") to create and provide for the creation of the West Chester Township JEDD-I Joint Economic Development District (the "District") in accordance with Section 715.72 of the Ohio Revised Code for their mutual benefit, and of their residents and of the State of Ohio (the "State"); and,

**WHEREAS**, a majority of the property owners within the proposed District propose to petition for the creation of the District; and,

**WHEREAS**, (i) this Board held a public hearing concerning the Contract at 7:00 PM, on April 14, 2009, in accordance with Section 715.75 of the Ohio Revised Code, (ii) 30 days public notice of the time and place of the public hearing was provided in the Pulse Journal, a newspaper of general circulation in the Township, (iii) during the 30-day period prior to the public hearing, a copy of the text of the Contract, together with copies of the District Map and plans related to or part of the Contract and the Economic Development Plan including schedules, were on file for public examination in the office of the Fiscal Officer, displayed at the West Chester Public Library and the West Chester Community Development Department, and further displayed electronically on the West Chester Township website homepage.

**NOW THEREFORE, BE IT RESOLVED**, unanimously by the West Chester Township Board of Trustees (the "Board"):

**SECTION 1.** This Board approves the West Chester Township JEDD-I Joint Economic Development District Contract now on file with the Fiscal Officer (see attached Exhibit A, incorporated herein by reference). The Township Administrator is hereby authorized and directed to execute the Contract on behalf of the Board of Trustees and the Township.

**SECTION 2.** A copy of the text of the Contract, together with copies of District Maps and plans related to or part of the Contract, shall remain on file in the office of the Fiscal Officer.

**SECTION 3.** The Board finds that the creation of the District is proposed at the request of a majority of owners of land included within the proposed District, and the territory to be included in the proposed District is zoned in a manner appropriate to the function of the proposed District, and that, this District shall form immediately upon authorization by all contracting parties pursuant to the authority under Section 715.77(A)(1) of the Ohio Revised Code.


**SECTION 4.** Jointly with the Cities, the Fiscal Officer shall file or cause to be filed, with the legislative authorities of Butler County, Ohio and Hamilton County, Ohio, (i) a signed copy of the Contract, (ii) a description of the area to be included in the District, including a map in sufficient detail to denote the specific boundaries of the area and to indicate any zoning restrictions applicable to the area, (iii) the Economic Development plan as described in division (C) of Section 715.75 of the Ohio Revised Code, (iv) certified copies of the ordinances and resolution of the contracting parties relating to the Contract and District, (v) a certificate of each party that the public hearings required by Section 715.15 of the Ohio Revised Code have been held, the date of the hearings, and evidence of publication of the notice of the hearings, (vi) a petition signed by a majority of the owners of property located within the area to be included in the District.

**SECTION 5.** The Township Administrator is hereby authorized to take such actions, or to cause such actions to be taken, on behalf of the Township, including signing and approving agreements or other instruments contemplated by the Contract as deemed necessary or appropriate to accomplish the purposes of this Resolution and the Contract.

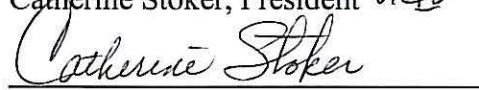
**SECTION 6.** This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board were in meetings open to the public in compliance with the law.

**This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.**

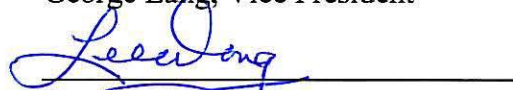
Adopted this 28<sup>th</sup> day of April, 2009.

  
Catherine Stoker, President *VICE*

YES  
Yes / No

  
George Lang, Vice President

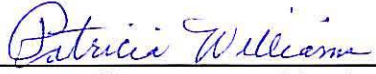
YES  
Yes / No

  
Lee Wong, Trustee

YES  
Yes / No



**ATTEST:**

  
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Patricia Williams, Township Fiscal Officer

**APPROVED AS TO FORM:**

  
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Donald L. Crain, Law Director