

copy

DELHI TOWNSHIP, OHIO



First Reading May 25, 1994
Second Reading Dispensed

RESOLUTION NO. 94-33

RESOLUTION DECLARING TO BE A PUBLIC PURPOSE CERTAIN PUBLIC IMPROVEMENTS WHICH ARE NECESSARY FOR THE FURTHER DEVELOPMENT OF CERTAIN PARCELS TO BE BENEFITTED BY THE PUBLIC IMPROVEMENTS, AND DISPENSING WITH SECOND READING.

WHEREAS, Section 5709.73 et seq. of the Ohio Revised Code authorizes townships to participate in a financing technique commonly known as tax increment financing; and

WHEREAS, this Board wishes to use the authority granted pursuant to such Sections in connection with certain improvements in the Township, including the acquisition, construction, equipping and installation of a township communications and information management system and related improvements for police, fire, emergency response, public works and related public purposes, and in connection with the construction of a new firehouse, the renovation and expansion of an existing firehouse and the demolition of an existing firehouse and construction of a new firehouse to replace it and related equipment and improvements and the acquisition of land in connection therewith, in order to meet the public safety and needs of the area and benefit certain parcels of real property; and

WHEREAS, before this meeting at which this Resolution is first being considered, this Board notified in writing the boards of education of Oak Hills Local Schools, 6479 Bridgetown Road, Cincinnati, Ohio 45211 and Great Oaks Institute of Technology and Career Development, 3254 East Kemper Road, Cincinnati, Ohio 45241, which are the boards of education of school districts located in the area in which the parcels listed in Exhibit B attached hereto are located, all pursuant to Section 5709.73 of the Ohio Revised Code;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES, DELHI TOWNSHIP, HAMILTON COUNTY, PURSUANT TO CHAPTER 504 OF THE OHIO REVISED CODE, OHIO:

Section 1. That this Board hereby finds and declares that certain public improvements, to wit: the acquisition, construction, equipping and installation of a township communications and information management system and related improvements for police, fire, emergency response, public works and related public purposes, and in connection with the construction of a new firehouse, the renovation and expansion of an existing firehouse and the

demolition of an existing firehouse and construction of a new firehouse to replace it and related equipment and improvements and the acquisition of land in connection therewith, all as described in Exhibit A attached hereto, and other improvements related thereto, will benefit and are necessary for the development of the parcels of real property described in Exhibit B attached hereto.

Section 2. That this Board therefore declares the public improvements described in Exhibit A attached hereto, commencing on the date of this Resolution, to be a public purpose for a period of thirty (30) years (subject to earlier termination as provided by law).

Section 3. That this Board further finds and declares that the parcels of real property described in Exhibit B attached hereto will benefit from such public improvements, and hereby exempts from real property taxation 100% of the further improvements to such parcels occurring after the date of this Resolution.

Section 4. That this Board hereby expresses its intention to enter into such agreements as may be necessary and appropriate to construct such public improvements on the condition and to the extent that it is possible to finance such improvements with service payments in lieu of taxes to be made by the owners of the parcels of land described in Exhibit B attached hereto, and further expresses its intention to require such service payments.

Section 5. That this Board hereby establishes a Township Public Improvement Tax Increment Equivalent Fund pursuant to Ohio Revised Code Section 5709.75 into which service payments in lieu of taxes relating to the parcels of real estate described in Exhibit B attached hereto shall be deposited.

Section 6. That this Board hereby expresses its intention to distribute to the Oak Hills Local Schools money in such Public Improvement Tax Increment Equivalent Fund established hereunder in an amount equal to 100% of the amount of real property taxes that the Oak Hills Local Schools would have received from the improvements to the parcels of land described in Exhibit B attached hereto if the improvements on such parcels were not exempt from taxation.

Section 7. That this Board hereby expresses its intention to distribute to the Great Oaks Institute of Technology and Career Development money in such Public Improvement Tax Increment Equivalent Fund established hereunder in an amount equal to 100% of the amount of real property taxes that the Great Oaks Institute of Technology and Career Development would have received from the improvements to the parcels of land described in Exhibit B attached hereto if the improvements on such parcels were not exempt from taxation.

Section 8. That the Clerk is hereby directed to forward a copy of this Resolution to the County Auditor of Hamilton County, Ohio.

Section 9. That the Clerk is hereby directed, not later than 15 days after the adoption of this Resolution, to submit a copy of this Resolution to the Ohio Director of Development.

Section 10. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board 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 11. That the Trustees of Delhi Township upon majority vote do hereby dispense with the requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

Section 12. That this Resolution shall take effect on June 24, 1994, being 30 days following the filing of this Resolution with the Delhi Township Clerk.

INTRODUCTION AND VOTE RECORD:

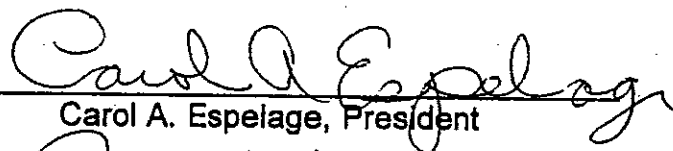
Trustee Kruse introduced the foregoing Resolution and moved its adoption. Trustee Espelage seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Clerk, the vote resulted as follows:

Ms. Espelage Aye

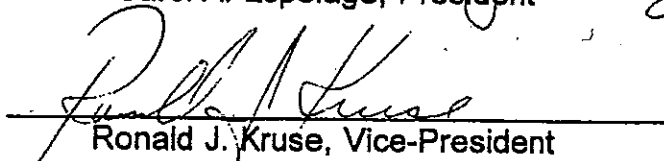
Mr. Kruse Aye

Mr. LaScalea Aye

Adopted at the meeting of the Board of Trustees this 25th day of May, 1994.



Carol A. Espelage, President



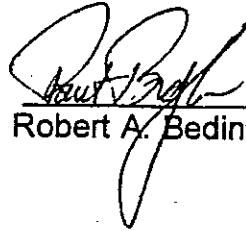
Ronald J. Kruse, Vice-President



Nicholas J. LaScalea, Trustee

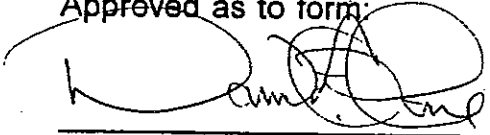
AUTHENTICATION

This is to certify that this Resolution was duly adopted by the Board of Trustees, and filed with the Delhi Township Clerk, this 25th day of May, 1994.



Robert A. Bedinghaus, Delhi Township Clerk

Approved as to form:



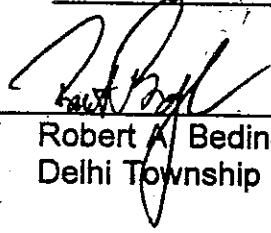
David C. Lane, Law Director

CERTIFICATE OF PUBLICATION

I, Robert A. Bedinghaus, Clerk of Delhi Township, Hamilton County, Ohio do hereby certify that a Summary of this Resolution was published in the below listed newspapers on the below listed dates.

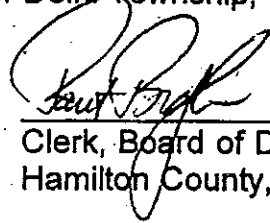
Cincinnati Enquirer May 28, 1994 and June 4, 1994

Cincinnati Post May 28, 1994 and June 4, 1994

Signature: 
Robert A. Bedinghaus
Delhi Township Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution passed by the Board of Township Trustees of Delhi Township, Ohio, on May 25, 1994.



Clerk, Board of Delhi Township Trustees,
Hamilton County, Ohio

Date: May 25, 1994

EXHIBIT "A"

- Purchase of property for and construction of a West Side Fire Station consisting of an apparatus room with work and housing areas for around the clock operation. For use and staging at the West Side Fire Station, purchase and completely equip one Pumper, one Squad Unit, and one Staff Transportation Unit.
- Demolition of the existing building at the Main Fire Station on Neeb Road and purchase additional property to construct a new station to meet ADA, OBBC and other code requirements, including space for the fire department's administration and training facilities and apparatus room for around the clock operation. For use and staging at the Neeb Road location, purchase and completely equip one Platform Ladder Truck, one First Response Pumper, one Reserve Pumper, one Elevated Water Stream Pumper, one First Response Squad Unit, one Reserve Squad Unit, one First Response Paramedic Unit, and one Reserve Paramedic Unit.
- Renovation and expansion of the East Side Fire Station on Greenwell Avenue to meet ADA, OBBC and other code requirements for around the clock operation, including purchase of neighboring property. For use and staging at the West Side Fire Station, purchase and completely equip one Pumper, one Squad Unit, and one Staff Transportation Unit.
- Acquisition, construction, equipping and installation of a township communications and dispatch center and township service information management system for police, fire, emergency response, public works, administration and related public purposes.

**BOARD OF TOWNSHIP TRUSTEES
DELHI TOWNSHIP
HAMILTON COUNTY, OHIO**

First Reading: January 30, 2002
Second Reading: Dispensed

RESOLUTION NO. 2002-7

**RESOLUTION AMENDING
RESOLUTION NO. 94-33**

WHEREAS, Am. Sub. H.B. 405, effective in pertinent part on December 13, 2001, amended Sections 5709.40 and 5709.73 of the Revised Code to provide a new definition of "public infrastructure improvement" and to permit a board of township trustees that adopted a resolution under Section 5709.73 of the Revised Code prior to July 21, 1994, to amend that resolution to include any additional "public infrastructure improvement" (but as to certain such public infrastructure improvements, to spend money from the township public improvement tax increment equivalent fund only if the board of township trustees is a party to a hold-harmless agreement with each appropriate school district or districts); and

WHEREAS, on May 25, 1994, this Board of Township Trustees ("Board") duly adopted Resolution No. 94-33 under Section 5709.73 of the Revised Code, and thereafter entered into hold-harmless agreements of the kind described in Section 5709.73 of the Revised Code, as amended by Am. Sub. H.B. 405, with the Oak Hills Local School District and the Cincinnati City School District, being the only school districts contemplated by Section 5709.73 of the Revised Code, as so amended; and

WHEREAS, this Board wishes to amend Resolution No. 94-33 to include certain of the public infrastructure improvements now permitted to be paid for from the Township Public Improvement Tax Increment Equivalent Fund; now, therefore,

BE IT RESOLVED by the Board of Township Trustees of Delhi Township, Hamilton County, Ohio, as follows:

SECTION 1. That Section 1 of Resolution No. 94-33, reading as follows:

Section 1. That this Board hereby finds and declares that certain public improvements, to wit: the acquisition, construction, equipping and installation of a township communications and information management system and related improvements for police, fire, emergency response, public works and related public purposes, and in connection with the construction of a new firehouse, the renovation and expansion of an existing firehouse and the demolition of an existing firehouse and construction of a new firehouse to replace it and related equipment and improvements and the acquisition of land in connection therewith, all as described in Exhibit A attached hereto, and other

improvements related thereto, will benefit and are necessary for the development of the parcels of real property described in Exhibit B attached hereto.

is hereby amended to read as follows:

Section 1. That this Board hereby finds and declares that the public infrastructure improvements described in Exhibit A hereto will benefit and are necessary for the development of the parcels of real property described in Exhibit B hereto.

SECTION 2. That Exhibit A to Resolution No. 94-33 is hereby amended to read as follows (amendments appear in **bold type**):

EXHIBIT "A"

- Purchase of property for and construction of a West Side Fire Station consisting of an apparatus room with work and housing areas for around the clock operation. For use and staging at the West Side Fire Station, purchase and completely equip one Pumper, one Squad Unit, and one Staff Transportation Unit.
- Demolition of the existing building at the Main Fire Station on Neeb Road and purchase additional property to construct a new station to meet ADA, OBBC and other code requirements, including space for the fire department's administration and training facilities and apparatus room for around the clock operation. For use and staging at the Neeb Road location, purchase and completely equip one Platform Ladder Truck, one First Response Pumper, one Reserve Pumper, one Elevated Water Stream Pumper, one First Response Squad Unit, one Reserve Squad Unit, one First Response Paramedic Unit, and one Reserve Paramedic Unit.
- Renovation and expansion of the East Side Fire Station on Greenwell Avenue to meet ADA, OBBC and other code requirements for around the clock operation, including purchase of neighboring property. For use and staging at the West Side Fire Station, purchase and completely equip one Pumper, one Squad Unit, and one Staff Transportation Unit.
- Acquisition, construction, equipping and installation of a township communications and dispatch center and township service information management system for police, fire, emergency response, public works, administration and related public purposes.

- **Construction or reconstruction of public roads and highways; environmental remediation of or with respect to Township-owned real estate; land acquisition, including acquisition in aid of industry, commerce, distribution or research; demolition, including demolition on private property when determined by the Board to be necessary for economic development purposes; stormwater and flood remediation projects, including such projects on private property when determined by the Board to be necessary for public health, safety, and welfare; and the enhancement of public waterways through improvements that are determined by the Board to allow for greater public access.**
- **Such other "public infrastructure improvements," within the meaning of R.C. §5709.73, as may from time to time be lawfully constructed, reconstructed, acquired, improved or undertaken by an Ohio township and that will benefit and are necessary for the development of the parcels of land described in Exhibit B to the resolution to which this Exhibit A is attached.**

SECTION 3. That the amendments effected hereby are and shall be without prejudice or jeopardy to the covenant included in Section 2 of this Board's Resolution No. 2001-98, providing for issuance of \$8,450,000 Public Safety (Limited Tax) General Obligation Bonds, 2001 Series, dated September 15, 2001.

SECTION 4. That this Board upon majority vote hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to Section 504.10 of the Revised Code, and authorizes the adoption of this resolution upon its first reading.

SECTION 5. That except as amended hereby, Resolution No. 94-33 remains in full force and effect.

SECTION 6. That this resolution shall take effect on March 1, 2002, being thirty (30) days following the filing of this resolution with the Township Clerk.

SECTION 7. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including, without implied limitation, Section 121.22 of the Revised Code, except as otherwise permitted thereby.

INTRODUCTION AND VOTE RECORD: Trustee _____ introduced the foregoing resolution and moved its adoption. Trustee _____ seconded the motion. The

roll being called upon the question of adoption of the resolution by the Township Clerk, the vote resulted as follows:

Mr. LaScalea ____ Mr. Luebbers ____ Ms. Langdon ____

Adopted at the meeting of the Board of Township Trustees this 30th day of January, 2002.

Nicholas J. LaScalea, President

Jerome F. Luebbers, Vice-President

Ann E. Langdon, Trustee

AUTHENTICATION

This is to certify that this resolution was duly adopted by the Board of Township Trustees, and filed with the Delhi Township Clerk, this 30th day of January, 2002.

Kenneth J. Ryan
Delhi Township Clerk

APPROVED AS TO FORM:

David C. Lane, Law Director



Frederick O. Kiel, Bond Counsel

CERTIFICATE OF PUBLICATION

I, Kenneth J. Ryan, Clerk of Delhi Township, Hamilton County, Ohio, do hereby certify that a Summary of this Resolution was published in the below listed newspapers on the below listed dates.

Cincinnati Enquirer _____ and _____

Delhi Press _____ and _____

This _____ day of _____, 2002.

Kenneth J. Ryan
Delhi Township Clerk

CERTIFICATION

The undersigned, duly elected and acting Township Clerk of Delhi Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly adopted at a regular meeting of the Board of Township Trustees of said Township on the 30th day of January, 2002, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This _____ day of _____, 2002.

Kenneth J. Ryan
Delhi Township Clerk