

**RESOLUTION NO. 2023.06**

**A RESOLUTION DECLARING THE SUNBURY NEW COMMUNITY AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE; TO DEFINE THE BOUNDARY OF THE AUTHORITY'S NEW COMMUNITY DISTRICT; TO PROVIDE THE METHOD OF SELECTING THE BOARD OF TRUSTEES OF THE AUTHORITY AND FIX THE SURETY FOR THEIR BONDS**

**WHEREAS**, the City of Sunbury, Ohio (the "*Developer*") has submitted a Petition for the Organization of the Sunbury New Community Authority (the "*Authority*") under Ohio Revised Code Chapter 349 (the "*Petition*") to this Council, which Petition relates to the proposed development by the Ravines at Meadow Ridge LLC (the "*Property Developer*") of a multi-family housing development within the City; and

**WHEREAS**, the Authority's new community 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; and

**WHEREAS**, on October 5, 2022, this Council passed its Ordinance No. 2022.41, in which this Council determined that the Petition is sufficient and complies with the requirements of Ohio Revised Code Section 349.03 in form and substance; and

**WHEREAS**, this Council held a public hearing on the Petition on November 16, 2022, notice of which was published as required in Ohio Revised Code Section 349.03, and the date of which hearing was not more than thirty nor more than forty-five days after the filing date of the Petition; and

**WHEREAS**, this Council has determined that the Petition will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community;

**NOW, THEREFORE, BE IT RESOLVED** by the Council for the City of Sunbury, Delaware County, State of Ohio as follows:

**SECTION I:** The Petition is hereby accepted and shall be recorded, along with this Resolution, in the minutes of this Council as the organizational board of commissioners for the purpose of Ohio Revised Code Chapter 349. Council hereby determines that the Authority and its new community district, as defined in Ohio Revised Code Section 349.01(C), will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community, as defined in Ohio Revised Code Section 349.01(A). The Authority is hereby organized as a body politic and corporate with the corporate name designated in the Petition (such name being the "Sunbury New Community Authority"), and the boundaries of the Authority's new community district are as set forth in the Petition.

**SECTION II.** That the Board of Trustees of the Authority shall be comprised of seven (7) members selected and appointed as provided in the Petition. There shall be posted for each member of the Board of Trustees a bond in the amount of \$10,000 for the faithful performance of

his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety. The initial appointees of the City to the Board of Trustees shall be as follows:

(a) Rick Ryba is hereby appointed, as a citizen member, to a one-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2024; and

(b) Randall Rentz is hereby appointed, as a citizen member, to a one-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2024; and

(c) Anne Frost is hereby appointed, as a citizen member, to a two-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2025; and

(d) Bill Carpenter is hereby appointed, as a developer member, to a one-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2024; and

(e) Joseph C. Lassak is hereby appointed, as a developer member, to a one-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2024; and

(f) Rowland S. Giller III, as nominated by the Property Developer in accordance with the Petition, is hereby appointed, as a developer member, to a two-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2025; and

(g) Dana Steffan is hereby appointed, as a member to serve as a representative of local government, to a two-year term, such term beginning on the effective date of this Resolution and expiring on March 31, 2025.

This Council hereby adopts an alternative form of selecting successor members pursuant to Ohio Revised Code Section 349.04 and declares that replacement trustees shall be appointed from time to time by this Council and the Developer in the same manner as the initial appointments. No elections shall be held for successor trustees.

**SECTION III:** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council or any of its committees, 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 Ohio Revised Code Section 121.22.

**SECTION IV:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the

