

**COUNCIL OF THE
VILLAGE OF HIGHLAND HILLS**

ORDINANCE NO. 2024-08

For the January 3, 2024
Council Meeting

Introduced by: Mayor Michael L. Booker
Supported by:

AN ORDINANCE TO CREATE TITLE FIFTEEN, CHAPTER 191 TAX INCENTIVE REVIEW COUNCIL OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIGHLAND HILLS, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 5907.85 authorizes a municipality to create a tax incentive review council through legislation; and

WHEREAS, Pursuant to ORC 3735.66, ORC 5709.85 and Ordinance 2001-34, the Village Council created a community reinvestment zone; and

WHEREAS, ORC 5709.85 requires that the legislative authority of the Village create the tax incentive review council and prior to this enactment, the Village followed Ohio law with regard to all appointments to such board; and

WHEREAS, the following Chapter 191 is being created to comply with ORC 5709.85.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:

Section 1: That Council hereby creates Title Fifteen, Economic Development, Chapter 191 Tax Incentive Review Council which shall read as follows:

TITLE FIFTEEN - Economic Development

Chap. 191. Tax Incentive Review Council.

CHAPTER 191

Tax Incentive Review Council

191.01 Purpose and duties.

191.02 Membership.

191.03 Meetings.

191.01 PURPOSE AND DUTIES.

In order to enhance and promote the economic development of the Village and to benefit the citizens and businesses of the Village, there is hereby created the Tax Incentive Review Council to advise

Village Council on agreements granting exemptions from property taxation as authorized by the Ohio Revised Code Section 5709.85, as amended, including Enterprise Zone agreements, CRA agreements, Tax Incentive Rebate agreements and to monitor such existing agreements for compliance, to assist the Village to report to the State of Ohio, Cuyahoga County and Village Council on compliance with existing agreements, and to undertake such other tasks as shall be delegated to it by Village Council.

191.02 MEMBERSHIP.

The Tax Incentive Review Council shall consist of seven members and two alternates. The members shall include the following:

- The Mayor or his/her designee;
- The Village Finance Director or his/her designee;
- Two (2) members of the public appointed by the Mayor, - both of whom shall be a resident and elector of the Village for at least two (2) consecutive years prior to appointment, one of which shall be a minority as required by ORC 5709.85. Said appointments shall be confirmed by Council and shall be for a two year term;
- Village Council President or his/her designee;
- one member shall be appointed by the Cuyahoga County Auditor; and
- one member shall be appointed by the Warrensville Heights Board of Education.

At least four members of the council shall be residents of the municipal corporation, and at least one of the two public members appointed by the Mayor shall be a minority. As used herein and as required by ORC 5709.95, a "minority" is an individual who is African-American, Hispanic, or Native American.

The County Auditor's and School Board's designated members shall serve until replaced by those two entities. The designees shall be allowed to participate in meetings of the Tax Incentive Review Council and shall be allowed to vote on the Council. An unexpired term resulting from a vacancy on the Council shall be filled in the same manner as initial appointments are made.

191.03 MEETINGS.

The Tax Incentive Review Council shall meet at least annually, generally in March, or as needed, as determined by Village Council or the chairperson of the Tax Incentive Review Council. The Tax Incentive Review Council shall choose from among its members a Chairperson and such other officers as it determines are needed. At least four members present at a meeting shall comprise a

quorum of the Tax Incentive Review Council.

Section 2: Council finds and determines that all formal actions of the Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberation of the Council, and of any of its committees resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the orderly operation of the Village Tax Incentive Review Council, and provided it receives two-thirds (2/3) of all members elected to Council, it shall take effect immediately upon passage.

Passed in Council this 3rd day of January, 2024.

First Reading ✓ Second Reading _____ Third Reading _____

Vote: Pride ✓ yea ___ nay _____ Greene ✓ yea ___ nay _____ Mills ✓ yea ___ nay _____

McManus ✓ yea ___ nay _____

Cassandra R. Turner 1/3/24
President of Council Date

Attest: Margaret Sikon 1/3/24
Margaret Sikon, Clerk of Council Date

Filed with the Mayor: ✓ 1/4/24
Date

Approved By: [Signature] 1/4/24
Michael L. Booker, Mayor Date