

ORDINANCE NO. 15-2011

(As Amended)

Declaring an Intent to Enter into Annexation
Negotiations with the Village of Riverlea, Ohio and
to Appoint Three Commissioners.

WHEREAS, on February 12, 2011, the Clerk-Treasurer of the Village of Riverlea received correspondence from the Deputy Director of the Franklin County Board of Elections that included copies of a petition filed with that Board of Elections expressing a desire that the territory of the Village of Riverlea be annexed to the City of Worthington, Ohio, an adjacent municipality thereto, and requesting that the Council of the City of Worthington appoint commissioners to discuss with such Village the conditions of annexation; and,

WHEREAS, such correspondence included an assertion by the Deputy Director of the Board of Elections that the petitions were circulated pursuant to Ohio Revised Code Section 709.24 and that the Board of Elections had determined that such petitions contained the number of signatures required under such statute; and,

WHEREAS, Council of the Village of Riverlea has determined to treat such correspondence as the filing of a petition under Ohio Revised Code Section 709.24, and to consider such petition as filed in accordance with such statute and to proceed in response thereto as required by applicable law, including specifically Sections 709.23 to 709.33, inclusive, of the Ohio Revised Code; and,

WHEREAS, on March 11, 2011 and pursuant to applicable law, the Clerk-Treasurer of the Village of Riverlea served a certified copy of Village of Riverlea Ordinance 01-2011 upon the Council of the City of Worthington; and,

WHEREAS, the City of Worthington has 30 days from the passage of the Village of Riverlea ordinance to determine whether it desires to appoint 3 commissioners and enter into annexation negotiations; and,

WHEREAS, the Council of the City of Worthington has until April 10, 2011 to determine whether the City of Worthington desires to appoint 3 commissioners and enter into the negotiations terms and conditions of annexation and, if so, to pass this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Council of the City of Worthington, Ohio, hereby declares its intention to enter into negotiations with the Village of Riverlea, Ohio, regarding annexation of the entire territory of the Village of Riverlea to the City of Worthington.

The three persons who will represent the City of Worthington as commissioners in those negotiations are:

1. Louis J.R. Goorey
2. Robert F. Chosy
3. Robert J. Schmidt, Jr.

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Such commissioners are authorized to perform all the duties required of commissioners under Sections 709.23 to 709.33, inclusive, of the Ohio Revised Code, including specifically to arrange the conditions of any proposed annexation and to report the results of their actions to the Council of the City of Worthington within 120 days from the date of the appointment of commissioners to represent the City of Worthington, if so appointed, or by such date as required by law. Each commissioner shall continue in office until resignation or the earlier completion of the duties required by law.

SECTION 2. That the Clerk of Council of the City of Worthington is hereby authorized and directed to submit a certified copy of this Ordinance to the Village of Riverlea, Ohio, within 30 days after its effective date and the completion of the publication hereof as required by applicable law.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that have resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 4. That in considering and passing this Ordinance, City Council and its members express no position either in support of or in opposition to the proposed annexation, recognizing that the electors of Worthington will ultimately decide whether an annexation is approved. It is, therefore, appropriate to initiate a process of gathering information, as we are required by statute to do, within a 120 day due diligence period at which time commissioners report to City Council on the recommended terms and conditions of annexation.

SECTION 5. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed April 10, 2011

[signature on file]
President of Council

Attest:

[signature on file]
Clerk of Council

Introduced March 21, 2011
P.H. April 10, 2011
Effective May 4, 2011