

1 RESOLUTION NO. 2018-501

Late Filing

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 3, 2018

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Cooperative Agreement with**
8 **the City of Akron, Scalan, LLC, Mellow Yellow Properties, LLC, and Pleasant Valley**
9 **Construction Company for the development of the Firestone Business Park, in the City of**
10 **Akron, Council District 5, for the Executive’s Department of Sanitary Sewer Services, and**
11 **declaring an emergency.**

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13 WHEREAS, the City of Akron (“City”) is the owner of a certain parcel of land consisting
14 of 23.41 acres of land, located at 1200 Firestone Parkway in the City of Akron and identified as
15 parcel no. 6763783, situated in the City of Akron, and previously a portion of the Firestone Tire
16 and Rubber Co. headquarters and manufacturing facility (“Firestone Property”); and

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18 WHEREAS, the City intends to subdivide the Firestone Property so that an
19 approximately 14-acre portion of the same may be developed for commercial use as the
20 Firestone Business Park (“City Parcel”); and

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22 WHEREAS, the City intends to further subdivide the City Parcel into four parcels; and

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24 WHEREAS, immediately adjacent to the Firestone Property, Scalan, LLC and Mellow
25 Yellow Properties, LLC (“Scalan” and “Mellow Yellow”) own several parcels of land, and they
26 desire, through a series of lot splits and lot combinations, to combine all or parts of those parcels
27 into a 6.5-acre parcel of land which will also be part of the Firestone Business Park
28 (“Scalan/Mellow Yellow Parcel”); and

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30 WHEREAS, following the creation of the Scalan/Mellow Yellow Parcel, Scalan and
31 Mellow Yellow intend to sell the same to Pleasant Valley Construction Company (“PVCC”); and

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33 WHEREAS, the City intends to sell to PVCC a 1.4 acre parcel of land to be created from
34 the subdivision of the City Parcel; and

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36 WHEREAS, PVCC intends to construct a commercial building on the land it acquires
37 from the City, Scalan and Mellow Yellow; and

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39 WHEREAS, the County desires to purchase a 6.5 acre parcel of land to be created from
40 the subdivision of the City Parcel upon which the County will construct a maintenance facility
41 for the Executive’s Department of Sanitary Sewer Services (“DSSS Lot”); and

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43 WHEREAS, the City intends to construct certain public improvements necessary to
44 develop the Firestone Business Park over the City Parcel and the Scalan/Mellow Yellow Parcel,
45 including, but not limited to public roadway, curbs, gutters, storm sewer, sanitary sewer, water
46 lines and any associated improvements (“Public Improvements”); and

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48 WHEREAS, the County, the City, Scalan, Mellow Yellow and PVCC desire to enter into
49 a Cooperative Agreement whereby the several land transactions set forth above are detailed and
50 agreed to by the parties, and whereby the parties agree to distribute the costs of the Public
51 Improvements amongst each other; and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County to authorize the County Executive to
6 execute the aforementioned Cooperative Agreement and all other agreements and documents
7 contemplated therein and necessary to consummate the transactions set forth therein.

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9 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
10 State of Ohio, that:

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12 SECTION 1

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14 The County Executive is hereby authorized to execute a Cooperative Agreement with the
15 City of Akron, Scalan, LLC, Mellow Yellow Properties, LLC, and Pleasant Valley Construction
16 Company for the development of the Firestone Business Park, a copy of which is attached hereto
17 as Exhibit A and incorporated fully herein, with such modifications and revisions as shall be in
18 furtherance of the provisions of said Cooperative Agreement and not substantially adverse to the
19 County, all of which shall be conclusively evidenced by the execution thereof by the County
20 Executive.

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22 SECTION 2

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24 The County Executive is hereby authorized to execute any agreements or other
25 documents contemplated in the aforementioned Cooperative Agreement and necessary to
26 consummate the transactions set forth in the Cooperative Agreement.

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28 SECTION 3

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30 This Resolution is hereby declared an emergency in the interest of the health, safety and
31 welfare of the residents of the County of Summit, and for the further reason to immediately
32 authorize the County Executive to execute the aforementioned Cooperative Agreement so that
33 development of the Firestone Business Park may proceed and the County may obtain the land
34 necessary to construct its new sewer maintenance facility is expeditiously as possible.

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36 SECTION 4

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38 Provided this Resolution receives the affirmative vote of eight members, it shall take
39 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect
40 and be in force at the earliest time provided by law.

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42 SECTION 5

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44 It is found and determined that all formal actions of this Council concerning and relating
45 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
46 deliberations of this Council and any of its committees that resulted in such formal action were in
47 meetings open to the public, in compliance with legal requirements, including Section 121.22 of
48 the Ohio Revised Code.

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5 INTRODUCED November 19, 2018

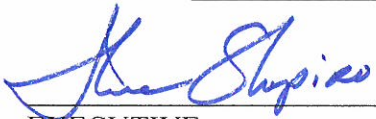
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7 ADOPTED December 3, 2018

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12 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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14 APPROVED December 4, 2018

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17 _____
18 EXECUTIVE

December 4, 2018

ENACTED EFFECTIVE

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20 Voice Vote YES - 10-0-1 Donofrio, Feeman, Hamilton, Koehler,
21 McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite
22 ABSTAIN: Dickinson
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