

1 RESOLUTION NO. 2012-214

Late Filing

2
3 SPONSOR Mr. Pry and Mrs. Shapiro and Council of the Whole

4
5 DATE June 4, 2012 COMMITTEE Planning

6
7 **A Resolution establishing the Summit County Land Reutilization Corporation, in**
8 **accordance with Chapters 1724 and 5722 of the Ohio Revised Code, and approving, and**
9 **authorizing the County Fiscal Officer to file, the Articles of Incorporation for said**
10 **Corporation, for the Council, Executive and Fiscal Officer, and declaring an emergency.**

11
12 WHEREAS, Section 5722.02(A) of the Ohio Revised Code authorizes a county to elect
13 to adopt and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio
14 Revised Code to facilitate the effective reutilization of nonproductive land situated within its
15 boundaries; and

16
17 WHEREAS, Section 1724.04(A) of the Ohio Revised Code authorizes a county that has a
18 population of more than 60,000 as of the most recent decennial census and that elects to adopt
19 and implement the procedures set forth in Sections 5722.02 to 5722.15 of the Ohio Revised Code
20 to organize a county land reutilization corporation for the purpose of exercising the powers
21 granted to a county under Chapter 5722 of the Ohio Revised Code; and

22
23 WHEREAS, Summit County, Ohio ("County") had a population over 60,000 as of the
24 year 2010, the year of the most recent decennial census; and

25
26 WHEREAS, this Council has determined that the current economic conditions in the
27 County and the conditions of the real estate market in the County, including, but not limited to,
28 the foreclosures for mortgage and tax payment delinquencies, are such as to necessitate the
29 adoption and implementation of the procedures set forth in Sections 5722.02 to 5722.15 of the
30 Ohio Revised Code to facilitate the effective reutilization of nonproductive land situated within
31 its boundaries; and

32
33 WHEREAS, Section 5722.02(B) of the Ohio Revised Code permits a county that adopts
34 a resolution under Section 5722.02(A) to cause to be organized a county land reutilization
35 corporation under Chapter 1724 of the Ohio Revised Code to act on behalf of and cooperate with
36 the county in exercising the powers and performing the duties of a county with respect to land
37 reutilization under Chapter 5722 of the Ohio Revised Code; and

38
39 WHEREAS, this Council now desires to adopt a resolution under Section 5722.02(A) of
40 the Ohio Revised Code adopting and implementing the procedures set forth in Sections 5722.02
41 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of nonproductive
42 land situated within its boundaries; and

43
44 WHEREAS, in furtherance of the implementation of an effective land reutilization
45 program and in accordance with Section 5722.02(B) of the Ohio Revised Code, this Council also

46
47

1 RESOLUTION NO. 2012-214

2 PAGE TWO

3
4 desires to organize a county land reutilization corporation under Chapter 1724 of the Ohio
5 Revised Code to act on behalf of and cooperate with the County in exercising the powers and
6 performing the duties of a county under Chapter 5722 of the Ohio Revised Code; and

7
8 WHEREAS, this Council hereby finds and determines, after reviewing all pertinent
9 information, that it is necessary and in the best interest of the County to establish the Summit
10 County Land Reutilization Corporation, in accordance with Chapters 1724 and 5722 of the Ohio
11 Revised Code, and approving, and authorizing the County Fiscal Officer to file, the Articles of
12 Incorporation for the same.

13
14 NOW, THEREFORE, BE IT RESOLVED, by the County Council of the County of
15 Summit, State of Ohio, that:

16
17 SECTION 1

18
19 In accordance with Section 5722.02(A) of the Ohio Revised Code, this Council hereby
20 finds and determines that the existence of nonproductive land within its boundaries due to
21 foreclosures from mortgage and tax payment delinquencies and other reasons is such as to
22 necessitate the implementation of a land reutilization program to foster either the return of such
23 nonproductive land to tax revenue generating status or the devotion thereof to public use.

24
25 SECTION 2

26
27 This Council hereby elects to adopt and implement the procedures set forth in Sections
28 5722.02 to 5722.15 of the Ohio Revised Code to facilitate the effective reutilization of
29 nonproductive land situated within its boundaries.

30
31 SECTION 3

32
33 In furtherance of the implementation of a land reutilization program for the County, this
34 Council hereby authorizes and directs that a county land reutilization corporation be organized
35 under Chapters 1724 and 1702 of the Ohio Revised Code and hereby authorizes and directs the
36 County Fiscal Officer to incorporate the Summit County Land Reutilization Corporation in
37 accordance with Section 1724.04 of the Ohio Revised Code by the execution and filing of its
38 initial Articles of Incorporation, in the form attached hereto as Exhibit A.

39
40 SECTION 4

41
42 Pursuant to and in accordance with Section 1724.04 of the Ohio Revised Code, this
43 Council hereby approves the form of initial Articles of Incorporation of the Summit County Land
44 Reutilization Corporation, as set forth on Exhibit A.

45

3
4 SECTION 5

5
6 Pursuant to Section 5722.02 of the Ohio Revised Code, the Clerk of Council is hereby
7 authorized and directed to deliver a certified copy of this resolution to the County Fiscal Officer
8 and County Prosecutor.

9
10 SECTION 6

11
12 This Resolution is hereby declared an emergency in the interest of the health, safety, and
13 welfare of the citizens of the County of Summit, and for the further reason that it is necessary to
14 immediately authorize the formation of the Summit County Land Reutilization Corporation in
15 order to immediately address the negative impacts of abandoned and vacant properties in
16 Summit County and to create the Corporation in sufficient time to allow the County to use funds
17 leveraged by the Corporation as a match for certain demolition funds being allocated to the
18 County by the Ohio Attorney General's Office.

19
20 SECTION 7

21
22 Provided this Resolution receives the affirmative vote of eight members, it shall take
23 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
24 effect and shall be in force at the earliest time provided by law.

25
26 SECTION 8

27
28 It is found and determined that all formal action of this Council concerning and relating
29 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
30 deliberations of this Council and of any of its committees that resulted in such formal action,
31 were in meetings open to the public, in compliance with all legal requirements, including Section
32 121.22 of the Ohio Revised Code.

33
34 INTRODUCED May 14, 2012

35
36 ADOPTED June 4, 2012

37
38
39
40 _____
CLERK OF COUNCIL

41
42
43
44
45
46 _____
PRESIDENT OF COUNCIL

47
48 APPROVED June 5, 2012

49
50
51
52 _____
EXECUTIVE

53
54 ENACTED EFFECTIVE June 5, 2012

55
56 Voice Vote: 11-0. YES: Komunale, Crawford, Feeman, Kostandaras
57 Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro