

1 RESOLUTION NO. 2019-430

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3 SPONSOR Mrs. Shapiro

4
5 DATE December 2, 2019 COMMITTEE Planning

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7 **A Resolution authorizing the County Executive, subject to approval by the Board of**
8 **Control, to enter into a professional service contract with Berkshire Hathaway Home**
9 **Services Simon and Salhany Realty, Inc. to represent the County on the marketing and**
10 **future sale of County owned real property at 340 N. Cleveland Massillon Road, Bath**
11 **Township, Ohio 44333, Parcel No. 0403384, for a fee of 5% of the purchase price for a Non**
12 **Co-Brokered Transaction or 6% of the purchase price for a Co-Brokered Transaction, for**
13 **the Executive, and declaring an emergency.**

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15 WHEREAS, the County is the owner of certain real property located at 340 N. Cleveland
16 Massillon Rd., Bath Township, Ohio 44333 ("Property"), that has historically been utilized by
17 the Summit County Developmental Disabilities Board as a training center and workshop; and

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19 WHEREAS, the Summit County Developmental Disabilities Board vacated the property
20 in 2010 and no longer has a use for the property; and

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22 WHEREAS, the County Executive partnered with the Summit County Developmental
23 Disabilities Board in February of 2019 to begin marketing the property through resources
24 available in its Department of Community and Economic Development; and

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26 WHEREAS, these efforts have increased the exposure of the property, but have not
27 generated successful leads on potential purchasers; and

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29 WHEREAS, the Summit County Developmental Disabilities Board has passed
30 Resolution #19-10-02 requesting the Executive to list the property with a real estate broker,
31 attached as Exhibit A; and

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33 WHEREAS, the County Executive and the Summit County Developmental Disabilities
34 Board wish to list the property with Berkshire Hathaway Home Services Simon and Salhany
35 Realty, Inc. to proactively market the property to potential purchasers; and

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37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
38 that it is necessary and in the best interest of the County to authorize the County Executive to
39 execute and enter into the aforementioned professional service contract.

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

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44 SECTION 1

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46 The County Executive is hereby authorized, subject to approval by the Board of Control,
47 to execute and enter into a professional service contract with Berkshire Hathaway Home
48 Services Simon and Salhany Realty, Inc., attached as Exhibit B, to represent the County on the
49 marketing and future sale of County-owned real property at 340 N. Cleveland Massillon Rd,
50 Bath Township, OH 44333, Parcel No. 0403384, for a fee of 5% of the purchase price for a Non
51 Co-Brokered Transaction or 6% of the purchase price for a Co-Brokered Transaction.
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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit and for the further reason of immediately
8 approving the aforementioned professional service contract so that the same may be executed by
9 the parties prior to the commencement of the term of the contract.

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11 SECTION 3

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

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17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including section
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED November 18, 2019

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29 ADOPTED December 2, 2019

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CLERK OF COUNCIL

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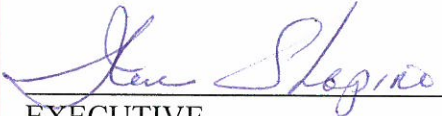
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36 APPROVED December 4, 2019

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EXECUTIVE

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43 ENACTED EFFECTIVE December 4, 2019

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Voice Vote: YES: 10-0 - Dickinson, Donofrio, Feeman, Hamilton,
Koehler, McKenney, Rodgers, Schmidt, Walters, Wilhite
ABSENT: Prentice


PRESIDENT OF COUNCIL