RESOLUTION NO. 2012-214

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

DATE June 4, 2012

COMMITTEE Planning

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

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

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

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

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

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

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

WHEREAS, in furtherance of the implementation of an effective land reutilization program and in accordance with Section 5722.02(B) of the Ohio Revised Code, this Council also
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desires to organize a county land reutilization corporation under Chapter 1724 of the Ohio Revised Code to act on behalf of and cooperate with the County in exercising the powers and performing the duties of a county under Chapter 5722 of the Ohio Revised Code; and

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

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

SECTION 1

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

SECTION 2

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

SECTION 3

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

SECTION 4

Pursuant to and in accordance with Section 1724.04 of the Ohio Revised Code, this Council hereby approves the form of initial Articles of Incorporation of the Summit County Land Reutilization Corporation, as set forth on Exhibit A.
SECTION 5

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

SECTION 6

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

SECTION 7

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

SECTION 8

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

INTRODUCED May 14, 2012

ADOPTED June 4, 2012

CLERK OF COUNCIL

APPROVED June 5, 2012

EXECUTIVE

ENACTED EFFECTIVE June 5, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro