

RESOLUTION NO. R01-14 CMS

A RESOLUTION TO INFORM OHIO GOVERNOR ROBERT TAFT OF THIS MUNICIPALITY'S OPPOSITION TO PASSAGE OF SENATE BILL NO. 5 OR PROPOSED "ANNEXATION REFORM" AND URGING THAT IT BE VETOED

WHEREAS, Ohio has long had a recognized procedure to provide for annexation of property adjacent to municipal corporations, which allows the governmental entity best able to serve development to have jurisdiction of the area sought to be annexed, and;

WHEREAS, the procedures set forth in Chapter 709 of the Ohio Revised Code have been amended several times in years past to ameliorate perceived imbalances, and;

WHEREAS, the procedure set forth in Chapter 709 of the Ohio Revised Code properly protects the interest of property owners in determining the jurisdiction where development of their land can best take place, and;

WHEREAS, 67 percent of the state's population resides within municipal corporations, and;

WHEREAS, proposed annexation reform bills, including Senate Bill No. 5, would remove the right of property owners to decide where development of their land should best occur and would substitute an unfair and ultimately unworkable "general good of the surrounding area" standard to annexation requests, and;

WHEREAS, the proposed annexation reform bill would prevent the growth of municipalities, and;

WHEREAS, the proposed annexation reform bill would create an unworkable "100 percent" owners annexation procedure, as it requires Township agreement before the process can be utilized, and;

WHEREAS, under the present system provided in the existing Chapter 709 of the Ohio Revised Code, land annexed to municipalities is not necessarily removed from the Township tax base, and;

WHEREAS, the proposed annexation reform bill improperly seeks to create revenue sharing mechanisms wherein municipalities will provide services and townships will retain risk-free revenue, and;

WHEREAS, adoption of Senate Bill No. 5, or similar proposed annexation reform bills would stifle, and in many instances, deter economic development.

NOW THEREFORE, be it resolved by the Council of the City of Oberlin, Lorain County, State of Ohio, a majority of its members concurring:

SECTION 1. The Council of the City of Oberlin hereby expresses its adamant opposition to Senate Bill No. 5 and any annexation reform bill that:

- (1) removes a property owner's choice,
- (2) requires a township's approval,
- (3) does not emphasize that property should be located where it can be developed, or
- (4) changes the definition of "general good" to an area which includes Areas outside the area sought to be annexed and hereby urges its State Representative and State Senator be told to oppose passage of such anti-economic development and anti-property owners' rights legislation.

SECTION 2. The Council of the City of Oberlin hereby urges Governor Robert Taft to veto Senate Bill 5.

SECTION 3. That the Clerk of the Council of the City of Oberlin be and is hereby instructed to transmit copies of this Resolution to the Governor, the President of the Senate, the Speaker of the House, our State Senator, and to our State Representatives.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or related 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.

SECTION 5. That this Resolution shall become effective at the earliest date allowed by law.

Passed this 2nd day of July, 2001 (Emergency)

ATTEST:

Kelly J. LaRosa
Clerk of Council

Thomas M. Brubaker
Mayor/Chair of Council

POSTED: July 3, 2001

EFFECTIVE DATE: July 3, 2001