

RESOLUTION NO. 62-99
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James E. Singer ON THE 15th
DAY OF November, 1999.

A RESOLUTION TO INFORM STATE LEGISLATORS
AND THE STATE EXECUTIVE LEADERSHIP OF THIS
MUNICIPALITY'S OPPOSITION TO PASSAGE OF
HOUSE BILL NO. 98 OR PROPOSED "ANNEXATION
REFORM".

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 interests 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 House Bill No.
98 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 House Bill No. 98, or similar proposed annexation reform bills would stifle, and in many instances deter economic development.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES THAT:

SECTION 1. The Council of the City of Centerville hereby expresses its adamant opposition to House Bill No. 98 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. That the Clerk of the Council for the City of Centerville 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, our State Representative, and to the Chairpersons of such legislative committees as are considering House Bill No. 98.

SECTION 3. This Resolution shall become effective immediately upon passage.

PASSED this 15th day of November, 1999.

Sally D. Bials
Mayor of the City of Centerville, Ohio

ATTEST:

Wanda J. McLaughlin
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio hereby certifies that the foregoing is a true and correct copy of Resolution Number 62-49 passed by the Council of the City of Centerville, Ohio on the 15th day of November, 1999.

Maureen J. Saughel
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney