

## RESOLUTION NO. R-13-99

### **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, sixty-seven percent (67%) 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 township 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.

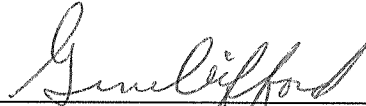
NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

SECTION 1: the Council of the Village of Spencer, Ohio, 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 II: that the Clerk of the Council of the Village of Spencer, Ohio, 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 representatives, and to the chairpersons of such legislative committees as are considering House Bill No. 98.

SECTION III: that this resolution shall become effective at the earliest date allowed by law.

PASSED: October 27, 1999

  
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GENE CLIFFORD, Mayor

ATTEST:

  
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ROBIN M. COLEMAN, Clerk