

RESOLUTION NO. 57-21

**A RESOLUTION AMENDING RESOLUTION NO. 62-19
ADOPTED BY THE CITY COUNCIL OF THE CITY OF
CONNEAUT, OHIO ON AUGUST 12, 2019,**

WHEREAS, as set forth in Ohio Revised Code (“ORC”) Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (“ESIDs”) upon a petition to a municipal corporation or township, which ESIDs are voluntary organizations of property owners who undertake special energy improvement projects for their properties and finance such special energy improvement projects by way of voluntary special assessments; and

WHEREAS, on August 12, 2019, the City Council of the City of Conneaut, Ohio (the “City Council”) adopted Resolution No. 62-19 (the “Initial Approving Resolution”) which, in relevant part, approved certain governing documents of the Conneaut Energy Special Improvement District (the “District”) and approved and consented to any addition to the territory of the District of real property located within the boundaries of any municipal corporation or any township which is contiguous to the municipal corporations or townships in which a portion of the territory the District is located, in accordance with ORC Section 1710.02; and

WHEREAS, effective April 12, 2021, House Bill 444 of the 133rd General Assembly of the State of Ohio amended, in relevant part, ORC Section 1710.02(A) and eliminated the requirement that real property be located within the boundaries of any municipal corporation or township contiguous to the municipal corporations or townships in which a portion of the territory the District is located in order to be duly added to the territory of the District; and

WHEREAS, to facilitate the development and implementation of special energy improvement projects in furtherance of the purposes set forth in Section 2o of Article VIII of the Ohio Constitution throughout Ashtabula County and any other counties in which municipal corporations or townships may duly become participating political subdivisions of the District in accordance with ORC Section 1710.02, as amended, this City Council has determined to amend the Initial Approving Resolution; and

WHEREAS, it is necessary for the immediate preservation of public peace, property, health and safety that this Resolution take effect at the earliest possible date in order to allow other political subdivisions throughout Ashtabula County and any other counties in which municipal corporations or townships may duly become participating political subdivisions of the District in accordance with ORC Section 1710.02 to become participating political subdivisions of the District in order to develop and implement special energy improvement projects and take advantage of financing that may only be available to property owners within such participating political subdivisions for a limited time.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Conneaut, State of Ohio, that:

SECTION 1. Section 3 of the Initial Approving Resolution is hereby deleted in its entirety and replaced with the following:

“SECTION 3.: This City Council approves and consents to (i) any addition of real property to the territory of the District within the boundaries of any municipal corporation or township which may duly become a participating political subdivision of the District, including, without limitation, any municipal corporation or township within Ashtabula County or any county that adjoins Ashtabula County; (ii) the addition of the municipal corporation or township in which such real property is located as a “participating political subdivision,” as defined in Ohio Revised Code Section 1710.01(E), of the District; and (iii) any amendment to the Articles of Incorporation necessary to recognize and effect such addition.”

SECTION 2. Except as expressly amended or modified by this Resolution, the Initial Approving Resolution shall remain in full force and effect.

SECTION 3. This City Council hereby finds and determines that all formal actions taken relative to the passage of this Resolution were taken in an open meeting of this City Council, and that all deliberations of this City Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including ORC Section 121.22.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

[Certification Page Immediately Follows]

Passed this 12th day of July, 2021.

Jon A. Aron
President of Council

ATTEST:

Pamela O'Connell
Clerk of Council

CERTIFICATION

I, Pamela O'Connell, Clerk of Council of the City of Conneaut, do hereby attest and certify that this is a true and accurate copy of Resolution No. 57-21 passed on the 12th day of July, 2021 by said Council.

July 12, 2021

Pamela O'Connell
Clerk of Council 7-12-21

