

MINUTES OF THE STARK COUNTY LAND REUTILIZATION CORPORATION  
August 17, 2020

The Stark County Land Reutilization Corporation met for their Regular meeting on Monday, August 17, 2020 at 9:00 a.m. in the Stark County Regional Planning Commission Conference Room. The option to participate via teleconference was made available.

Board Members Present

Alex Zumbar  
Janet Creighton  
Lem Green  
Bill Smith  
John Arnold

1. CALL TO ORDER BY SCLRC CHAIRMAN, Alex Zumbar

2. ROLL CALL – Board Members Present

Roll call found the following Board members in attendance: Alex Zumbar, Janet Creighton, Lem Green, Bill Smith and John Arnold.

3. APPROVAL OF MINUTES OF JULY 20, 2020 MEETING

Creighton moved and Green seconded to approve the minutes of July 20, 2020 meeting. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – abstained. Motion carried.

4. PUBLIC SPEAKS – No public speaks

5. TREASURER/FISCAL REPORT

Heather Cunningham reviewed the Treasurer's Report for the month of July. Arnold moved and Green seconded to approve the Treasurer's Report for July. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

6. SIDE LOT/VACANT LOT PROGRAM REPORT

**Sarah Peters provided the Side Lot Program Update:**

**Total Applications Submitted: 2,035**

*(31 applications were received since July '20 update)*

Cities – 1,701

Canton: 1,343, Massillon: 131, Alliance: 227

Other Communities – 334

Bethlehem Twp – 29, Brewster – 9, Canal Fulton – 1, Canton Twp – 61, East Canton – 7, East Sparta – 2, Hartville – 3, Jackson Twp – 5, Lake Twp – 6, Lawrence Twp – 11, Lexington Twp – 40,

Limaville – 2, Louisville – 2, Marlboro Twp. – 1, Meyer’s Lake – 1, Minerva – 3, Nimishillen – 6, North Canton – 1, Osnaburg Twp – 15, Paris Twp – 3, Perry Twp – 14, Pike Twp – 20, Plain Twp – 34, Sandy Twp – 40, Sugarcreek Twp – 6, Tuscarawas Twp – 2, Washington Twp – 5, Waynesburg – 4, Wilmot -1

- Total Number of Applications under Preliminary Review: 7
- Total Number of Applications Denied: 853
- Number of Canceled Applications/Fee Refunded: 70
- Total Number Pending Approval by Community: 48
- **Total Number of Approved Applications: 1057**

- Total Number of Approved Applications Pending Deposit Receipt / NIP Early Lien Release Approval / Request for Foreclosure / Completed Foreclosure Proceeding: 102
- Total Number Being Prepared for Transfer: 10
- **Total Number Transferred to Date: 945**

**Vacant Lot Program Update:**

**Total Applications Submitted: 215**

*(1 Application received since July '20 update)*

Cities – 179; Canton: 162, Alliance: 11, Massillon: 6

Other Communities – 36

Bethlehem Twp - 13, Canton Twp – 6, Hartville – 1, Jackson Twp – 2, Lake – 1, Lexington Twp – 2, Perry – 1, Sandy – 5, Sugarcreek Twp – 1, Washington Twp – 4

- Total Number of Applications under Preliminary Review: 0
- Total Number of Applications Denied: 167
- Number of Canceled Applications/Fee Refunded: 7
- Total Number Pending Approval by Community: 0
- **Total Number of Approved Applications: 41**

- Total Number of Approved Applications Pending Executed MOU/ Completion of Foreclosure Proceeding: 2
- Total Number Being Prepared for Transfer: 0
- Total Number Transferred to Date: 39

Green moved and Arnold seconded to approve the Side Lot/Vacant Lot report as presented. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

7. **NEW BUSINESS**

- a. Targeted Acquisition Assistance Program Requests
  - Village of Beach City – 303 E. Main Street, Parcel #6900293

- City of Alliance – 756 Wade Ave., Parcel #105826;  
1011 E. Summit St., Parcel #101999

Green moved and Creighton seconded to approve the TAAP requests from the Village of Beach City and the City of Alliance. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

b. Demolition Assistance Program Requests

- City of North Canton – 523 E. Maple Street, Parcel #9200282

Peters stated the application that was submitted by North Canton is different because the structure has already been demolished. Because this was the city's first application, they were not completely aware of the process. The city is requesting demolition assistance of \$6,897.50. Green asked when the structure came down. Rob Graham, North Canton Engineer, stated the structure came down on July 8, 2020, and they were unfamiliar on how the program worked, but all the necessary paperwork has been submitted. In the future, they will be prepared to follow the proper procedures.

Green moved and Arnold seconded to approve the DAP request as submitted by the City of North Canton. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

- Nimishillen Township – 9033 Columbus Rd., Parcel #3308322

Peters stated Nimishillen Township's application requested a funding amount of \$13,460 for the demolition on 9033 Columbus Rd. After the township submitted the application, there was a change in their scope of work, so there may be additional fees that would be added into their estimate. Based upon this, the township will have to rebid this demolition. In an effort to cover this additional work, the amount of funding being requested will be increased to \$15,000 for this application.

Creighton asked if the township provided the necessary documents, because on the application it does not indicate they had the required attachments. Peters stated all the information was submitted with the application, but for some reason they just didn't check them off on the application. Creighton asked if the township had already received bids. Peters stated they bid the property out with the removal of the septic system, but the township doesn't own the property. They have consent from the property owner to tear the structure down. The property owner asked to keep the septic system. The Health Department said it can be capped and doesn't have to be removed with the demolition. They got two quotes including the removal of the septic and one contractor declined to bid. They will rebid that without having the septic removed. They discussed that with the owner after they submitted their application.

Zumbar asked if we have in writing that Nimishillen has owner consent. Peters stated RPC does have a copy of the agreement between the township and the property owner. Zumbar asked if it has been signed and notarized. Peters stated they have an agreement for the abatement of property signed on July 17, 2020, by both the property owner and the Township Trustees. Zumbar stated but this application for demolition is dated October 7, 2019, and he asked if that was a typo or mistake. Peters stated that Jeff Shipman had come to RPC's office last year requesting some information about the demo program, and staff had given him a couple copies of the application to fill out. They had four properties they were interested in pursuing through this program, so although the township dated the

application October 7, 2019, the RPC received the application on July 14, 2020. Zumbar asked what is the right application; the one that was submitted to this board to review and approve, or something that is in your hand that the board doesn't see. Peters stated the application the board has before them, which the township signed on October 7, 2019, is the document that RPC received on July 14, 2020. The application was date stamped the date RPC received it. Nau stated there has been much dialog with Jeff Shipman through this entire process. The township has never done this before, and it has been a learning process for them. Creighton asked if the requested funding amount is going to be different than what is on their application. Peters stated yes, because they are rebidding it. Creighton stated the township should resubmit their application with the current date and the correct information with the attachments required and checked. The Board determined that the current application was not acceptable.

Creighton moved and Smith seconded to table the request from Nimishillen Township for one month. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

- City of Canton – 121 - 13<sup>th</sup> St. NW, Parcel #224437; 1019 - 4<sup>th</sup> St. SW, Parcel # 222725

Peters stated the city has requested demolition assistance in the amount of \$8,385 for the property on 121 -13<sup>th</sup> Street, and \$8,350 for the property on 1019 - 4<sup>th</sup> Street. Green moved and Arnold seconded to approve the DAP requests from City of Canton. Roll call vote: Zumbar -yes, Creighton - yes, Green – yes, Smith – yes, Arnold – yes. Motion carried.

#### City of Alliance

Peters stated Jennifer Merriman, City of Alliance, emailed her four demolition applications last week, which are all commercial properties located on East Main Street. A breakdown of the demolition costs are as follows: 530 E. Main - \$115,000, 536 E. Main - \$112,000, 172 E. Main - \$98,000, and 176 E. Main - \$114,000. The city has requested up to \$50,000 for three of the properties, and the 4<sup>th</sup> property they requested \$45,700. The four applications in total are requesting \$195,700. That would include hard costs as well as in-kind services. In 2019, the Crest Rubber demo was funded by the Land Bank at \$50,000, which included various in-kind services done by the city as part of their project costs. The Land Bank budgeted \$200,000 for demolition projects for 2020, and to date, \$105,693 has been spent, so with the three DAP requests approved today, that leaves a little less than \$60,000 in the budget for this year. The city has additional documentation to submit as part of those applications, which is why these applications weren't on the agenda for today.

Michael Dreger, City of Alliance, stated the city actually started this last year, but the \$200,000 is roughly what they had anticipated all along. They can probably split this into two projects, because two of the buildings are together at one end of Main Street and two at the other. If the Land Bank is not able to fund it this year, the city wants to at least start discussions and be able to plan for next year. Dreger stated he felt there were concerns or reluctance to allow the city to use in-kind work, so he wanted to talk about that, because that is very important to them. The city has a lot of capabilities with their distribution department and street department doing this kind of thing. They were really looking for just a feel for if this is possible to do this, and what will it take.

Joe Mazzola, City of Alliance, stated these projects are important; it's not just simply removing blight. Because of all the prior work the city has done in their historic downtown, they have actually

seen signs of life. The historic downtown in Alliance is unique unlike other historic downtowns where their Main Street may operate as a thoroughfare, because Alliance's major thoroughfare is State Street. So they now have private sector investments finally emerging in their historic downtown, so removing these four buildings is very important.

Zumbar stated regarding concerns on the in-kind contributions, the Land Bank has approved in-kind work before on projects. Nau stated in the minutes of February 2019, the Board discussed extensively the Land Bank funding the Crest Rubber demolition for Alliance. Paraphrasing the discussion at that time, due to the unique situation where the equipment is already there, it made sense to grant the 50/50. The Board approved it that one time for Alliance, and has not done it for anybody else. Nau asked the Board if that was something they want to continue to allow. It is administratively more challenging to review those types of projects utilizing in-kind services, but if that is something the Board wants to do, then RPC will make it happen. Zumbar stated he thought this involved commercial structures, and Crest Rubber was a commercial structure as well, so those are different versus residential structures. The demolition of commercial buildings will be more costly for removal, and communities might not have the necessary budget to handle something like that. It should be on a case-by-case basis, but the Land Bank has done it in the past with the City of Alliance, and they've proven what they are capable of accomplishing. Zumbar did not think the budget would be altered this year, but in terms of planning for next year, if the city indicated they are willing to break it up over two projects, perhaps that might be easier to address. Arnold understood the situation, and he thought using in-kind services was a good way to partner. Dreger stated the city would be happy to do whatever is necessary. ODOT has references for this, and the city has been utilizing in-kind services a long time, and providing the necessary information will not be difficult for them.

Green asked Nau if RPC staff had the ability to evaluate costs using in-kind services. Nau stated it is somewhat out of their comfort zone, but it can be done if that is what the Board wants. Calculating in-kind services involves wages, cost for machinery, in addition to other variables to consider. Dreger stated they could tailor their end to whatever is needed.

Smith stated he didn't think the current demolition budget was set up with commercial demolitions in mind. The budget aspect of it must be worked out. Nau stated that when the budget is set for next year, they can try to accommodate an enhanced demolition program, but commercial properties are expensive. But this can be done if that is what the Board wants.

Dreger stated their hope was to start a dialog and be able to plan for next year. Zumbar stated if we can all plan accordingly and budget properly, hopefully this request can be satisfied, because these are unique requests. Anytime commercial structures are brought to the Board for consideration, they are always on a case-by-case basis. Zumbar suggested Nau plan for that in the next budget, and the Board can consider it. If RPC staff need additional information regarding cost estimates, they should work that out with the city.

## 8. OLD BUSINESS

### a. Side Lot/Vacant Lot Program Discussion

Thorley provided some background on Springwood Lake Camp Club, which has 1,078 camp lots, and 104 of those parcels are certified tax delinquent. That tax delinquency is in the amount of \$387,000, which breaks down to roughly \$3,700 per parcel for a camp lot. Of those 1,078 parcels,

Springwood Lake itself owns 211 lots. Thorley referenced a handout provided that has three different groupings of parcels. The first grouping of 10 parcels have already transferred to new ownership through the Side Lot and Vacant Lot programs. The second grouping of five parcels are in process and are in the Prosecutor's office for BOR hearings, and the third group of 13 parcels are now on hold.

Thorley stated that on June 15<sup>th</sup>, Sarah Peters and he met with Scott Zurakowski, attorney with Krugliak, Wilkins, and three *Springwood Lake Camp Club* board members, to discuss the 50 side lot applications the camp club wanted to submit. Thorley believed that when the camp club board members found out that other individuals were going after camp lots utilizing the side lot/vacant lot program, and some of those lots were being sold, the camp club board did not want that to happen. The average court cost is \$754 per camp lot to complete the transfer process, and if all of those applications go through, the Land Bank has waived \$102,900 in taxes to put property back on the tax rolls which will give back about \$1,800 @ year, so it takes a long time to recoup that. Thorley believed that because of the financial burden this would be to Land Bank, and the time it takes for staff to process these side lots, there were better ways for the camp club to pursue the 50 lots other than the side lot program. They suggested to the camp club board that they should consider the Interested Purchaser program. So the camp club board then met with Zumber and members of his staff to discuss that program.

Since that time, Thorley believed there was yet another way for the camp club board to go after the lots. When considering the delinquent taxes, it's not cost effective for an individual to go through the Interested Purchaser program and put down the \$750, because for a lot valued at \$3,500, they will spend \$2,000 or more. But this is an opportunity for the County Treasurer to go after those delinquent parcels. It will go to two sales, and if camp club members/board wish to bid on a camp lot, they could. If it goes to two sales and doesn't get a bid, it forfeits to the State. It's then in the hands of the Auditor who has a sale once a year, and those individuals could come forward at that time and bid whatever the minimum starting bid would be. Zumber stated the Land Bank could actually step in and take the lots at that point in time and sell the camp lots themselves. Thorley stated the point is there are other mechanisms available other than the Land Bank doing these through the side lot/vacant lot program. These camp lots are not the typical lots seen in the cities of Alliance, Massillon or Canton. The typical side lot applicant is an individual that has been mowing the side lot forever and taking care of it, so for \$100 they can get this parcel, and that is a good thing. But for at least the first 10 camp lots purchased, the same individual can be seen purchasing multiple camp lots through the side lot/vacant lot program and then selling them. Thorley did not believe that is truly the mission of the Land Bank. The Demolition Assistance Program and the TAAP are ramping up, and we've just started on a path with the HOF Village.

Thorley suggested that the side lot program is a drain on staff time and budget and more programs are continuing to be added. In this month alone, 31 side lot applications were submitted, and Peters estimates that 250 side lot/vacant applications could be received this year. Not all of them are approved, but they typically send over around 100 applications to the Prosecutor's office each year. Although NIP has ended from the demolition aspect, the Land Bank still owns 437 properties until 2022 that can be transferred after a three-year period. The Land Bank has already transferred 181 lots back to the cities and 179 parcels were transferred as side lots. While those transfers don't go through the foreclosure process, they are still a drain on time because of OHFA requirements. He wanted to know what the Board wanted the side lot/vacant lot program to look like.

Green stated he has reviewed the side lot disposition program guidelines, and he would like to see a redraft of this policy. Where it says the property should be physically contiguous to adjacent property with not less than 50% common boundary line, he would like to add contiguous to adjacent property *occupied for or intended to be occupied as a full-time residence*. Clearly there's something to be said for the proposition that this policy as it stands which entitles in some respect the property owner's association or nearby people to acquire the property under the terms of it. It would be outrageous as a matter of policy to put that kind of constraint on the Land Bank in its intention. The property owner that has been mowing the lawn for 10 years looks upon it as his own; he has an interest in it not turning into a slum or weed patch. Perhaps it would help if the policy would be amended to say, *the property in this program which is used or intended for use by an actual occupant of a residence*. Green didn't want the Land Bank to be involved in spending all this money so someone can have a camp lot.

Smith stated he could possibly understand if you don't want to do that for this camp club, but the Board must abide by the bylaws that are in place today, and until a change is made in the policy, he was not sure they can deny it. He did like some of the other suggestions, but that would be a power of persuasion on them.

Green read from the side lot policy, "the transfer of any given parcel of property by the side lot disposition program is subject to override by higher priorities established by the Land Bank". It's subject to override; it is not a given right. Green stated that he was ready as a member of the board to override that. He believed the Board has granted that to the Regional Planning Commission, because Bob Nau is the President. Zubar stated the power to override is by the Board, and Nau is not a member of the Board, nor is Thorley or Peters. This issue should have come back to the Board for their decision. Green stated that when he first heard this, he agreed with Zubar, but upon more thinking, he came to believe that is not right, because the Board can always change their own policy. Green believed that the Board granted Regional Planning as the administrator of the program, the right to override this policy.

Zubar disagreed. RPC began the process of transferring these lots into these members' hands, and then to abruptly cease following the policy, and to say that we're not doing this anymore as of July 31<sup>st</sup>, then that creates a problem for this Board, because the action was permitted, now the action has ceased. These individuals are being directed to go to the county treasurer's office and do an Interested Purchaser program and put \$750 down plus additional costs that are going to come about, so that's about \$1,200 plus all the impositions that are on the property to begin with. Some of these taxes probably go back to 1950 or prior to generate that much at only \$66 @ year. Green stated that he understands that concern, and agreed with part of that analysis, but there is a difference between processing 10-12 applications and taking in 60 applications simultaneously. Zubar stated the Board leaves it up to the RPC staff to manage their time and those applications and put them into the pipeline in an orderly fashion in order to accomplish the side lot program. It needs to be explained to the applicant, that it may take 2-4 years to work through the process. Zubar stated that he couldn't move anything through the Court of Common Pleas right now in terms of new foreclosures. He knew they were allowed for unoccupied vacant land, however, this would be a new foreclosure going to the Court of Common Pleas, not through the BOR. He believed that they have been instructed by the Court not to send any new foreclosures over there, and that includes the BOR. Yost stated the Court has told them they can go forward with them now. Through talking with Judge Forchione, he said the new order says, unoccupied vacant, so he believed they could file new ones, but they've got to put an affidavit with them stating that they are unoccupied. But it will still take an extended period foreclosure versus BOR; it's going to triple the timeframe. Zubar stated this would cost both the Prosecutor and the Treasurer

with their budgets. Green stated and it will cost the Land Bank's budget also. This is going to eat us alive, so we might as well close business and forget about the monthly meetings. They can just go ahead and process campgrounds if that's the Land Bank's mission, but he would not support that action.

Arnold stated his only concern is setting a precedence, and what is the right way to back out of it without there being a problem. Thorley stated he was not concerned about setting a precedence as long as it is going down a path. When one person in particular used it to turn a profit, that's not the mission of the Land Bank, so that was the reason to tap the brakes and put it on hold, because one individual down there decided to abuse the process. Thorley believed that Zumar as his role as county Treasurer could go forward and bring it to sale and bid, and there's always the potential someone will bid, get it and pay the taxes too. Creighton stated that while the camp ground may not like the procedure, they have become wealthier, because people are now paying their dues. She heard that it may be upward to \$16,000 they have realized in dues from these sales. Creighton stated her opinion was that it's a free market, and if someone wants to buy and sell, she was not here to determine who has that right the do that. Creighton stated that she was not ready to make any decision today, but was open to discuss this at a work session. Smith agreed that a work session would be in order. Zumar stated if there are policy changes or policy enhancements, then that is the time to bring those up for further review and discussion.

#### **Update on HOF Village**

Nau stated RPC had a conference call where Carol Smith outlined the process. The HOF Village had awarded a contract to a company out of Portage County. They were hoping to begin demolition last week. Beaver Excavating was out there doing something with their equipment, but he didn't see any demo happening. Zumar suggested going to the weekly phone calls to make sure they are being monitored.

#### **Starfire Update**

Nau stated the closure assessment has been signed. They did find contamination in a couple of spots. It's a process now with the EPA and BUSTR, but that was expected.

9. Next Meeting – September 21st - 9:00 a.m.

The meeting was adjourned at 9:58 a.m.