

MINUTES OF THE STARK COUNTY LAND REUTILIZATION CORPORATION
February 28, 2022

The Stark County Land Reutilization Corporation met for their regular meeting on Monday, February 28, 2022 at 9:00 a.m. in the Stark County Regional Planning Commission Conference Room.

Board Members

Alex Zumbar
Bill Smith
Lem Green
Janet Creighton
John Arnold

1. CALL TO ORDER – Alex Zumbar, SCLRC Chairman
2. ROLL CALL – Board Members Present

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

3. APPROVAL OF MINUTES OF JANUARY 24, 2022 MEETING

Creighton moved and Smith seconded to approve the minutes of January 24, 2022 meeting. Roll call vote: Zumbar - yes, Green – yes, Smith, - yes, Creighton – yes, Arnold – Abstained. Motion carried.

4. PUBLIC SPEAKS – No public speaks
5. TREASURER/FISCAL REPORT – Heather Cunningham

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

6. SIDE LOT/VACANT LOT PROGRAM REPORT
Sarah Peters presented the Side Lot/Vacant Lot Program Update:

Total Applications Submitted: 2,284
(19 applications were received since Jan. ‘22 update)

Cities – 1,894: Canton: 1,488, Massillon: 148, Alliance: 245

Other Communities – 390

Bethlehem Twp – 43, Brewster – 9, Canal Fulton – 1, Canton Twp – 81, East Canton – 7, East Sparta – 2, Hartville – 3, Jackson Twp – 6, Lake Twp – 6, Lawrence Twp – 11, Lexington Twp – 48, Limaville – 2, Louisville – 2, Marlboro – 1, Meyer’s Lake – 1, Minerva – 5, Nimishillen – 6, North Canton – 2; Osnaburg Twp – 15, Paris Twp – 3, Perry Twp – 17, Pike Twp – 21, Plain Twp – 37, Sandy Twp – 41, Sugarcreek Twp – 6, Tuscarawas Twp – 2, Washington Twp – 5, Waynesburg –

6, Wilmot-1

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- Total Number of Applications under Preliminary Review: 13
 - Total Number of Applications Denied: 842
 - Number of Canceled Applications/Fee Refunded: 172
 - Total Number Pending Approval by Community: 29
 - **Total Number of Approved Applications: 1,228**
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- Total Number of Approved Applications Pending Deposit Receipt / NIP Early Lien Release Approval / Request for Foreclosure / Completed Foreclosure Proceeding: 135
 - Total Number Being Prepared for Transfer: 33
 - **Total Number Transferred to Date: 1,060**

Vacant Lot Program Update:

Total Applications Submitted: 312

(1 Application received since Jan. '22 update)

Cities – 229; Canton: 194, Alliance: 25, Massillon: 10

Other Communities – 83

Bethlehem Twp – 48, Canton Twp – 8, Hartville – 1, Jackson Twp – 2, Lake – 1, Lexington Twp – 6, Nimishillen – 3, Paris – 1, Perry – 1, Sandy Twp – 7; Sugarcreek Twp – 1, Washington Twp – 4,

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- Total Number of Applications under Preliminary Review: 0
 - Total Number of Applications Denied: 217
 - Number of Canceled Applications/Fee Refunded: 7
 - Total Number Pending Approval by Community: 25
 - **Total Number of Approved Applications: 63**
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- Total Number of Approved Applications Pending Executed MOU/ Completion of Foreclosure Proceeding: 23
 - Total Number Being Prepared for Transfer: 3
 - **Total Number Transferred to Date: 37**

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

7. **NEW BUSINESS**

- a. Targeted Acquisition Assistance Requests:
 - City of Alliance – E. Main Street – Parcel #100759

Creighton moved and Smith seconded the motion to approve the TAAP request from the city of Alliance. Roll call vote: Zumbar - yes, Green – yes, Smith, - yes, Creighton – yes, Arnold – yes. Motion carried.

b. Demolition Assistance Requests:

- City of North Canton – 407 N. Main Street – Parcel #9200534

Peters reviewed the details of the DAP request from the city of North Canton. In order to make the roadway improvements at the North Main Street/Charlotte intersection, they are planning on demolishing the structure, which sits on two parcels. The city estimated the total cost for the demolition at \$52,000 and are requesting \$26,000 in funding assistance. They have obtained the property owner's consent to access the property for demolition of this building. Green asked who the owner was for this property. Rob Graham stated Julius Brown is the property owner, who previously had the former Spitzer Chevrolet dealership there. Green stated the board does not normally approve applications of private parties, because the applicant is usually the municipality. Peters stated the application is from the city, and the Land Bank's DAP policy does states that if the property is not owned by a municipality, then that municipality must have the proper legal authority to demolish the structure prior to requesting funding through either the property owner's consent or through a nuisance abatement process. Green asked who the person was that created the nuisance in the first place and would the Land Bank be subsidizing the owner of the property. Arnold stated that property would be more valuable without the building. Nau stated the Land Bank has in the past funded demolition of a building on a property not owned by the municipality, for example, the demolition of an old bar in Nimishillen Township that was an owner's consent nuisance abatement. Rob Graham stated in order to accommodate a widened road for Diebold next door to the east, and the new school building for Pre-K through 2nd grade to the west, that area needs to be widened and turn lanes added at that intersection. That building needs to come down in order to accommodate the widening of the road. So with working with the property owner, like any other roadway project, the city has eminent domain rights. The city is requesting assistance with that building that has been vacant for 10 years. The city has tried to purchase the property from the owner, but he has refused to sell.

Arnold stated the city is taking some of his property, so his acreage is going to be reduced. Graham stated that was correct, it will be reduced by about 10,000 square feet, so about ¼ acre. The city is paying him for that, and the city's legal team is negotiating with his team. Arnold asked if the purchase is included in this \$50,000. Graham stated no, that amount requested is only to take the building down and complete the asbestos study. Smith asked if the Land Bank approves the funding for the demolition of this building, how is that going to affect the deal. As long as the building has not been taken down, there's leverage to negotiate a good deal, but as soon as that building comes down, the owner has the advantage. Graham stated the city is trying to negotiate in good faith, but if an agreement cannot be made, then the city will use their eminent domain rights. Arnold believed that removing the building absolutely benefits the property owner. Graham stated that they have done appraisals and the city would offer fair market value. The city would not do anything different than any other transportation project. Creighton asked for clarification. Right now the property is owned by Julius Brown, and the city has not done eminent domain. Graham stated the city is trying to avoid taking it by eminent domain, but if a deal can't be made, then they will proceed in that direction. Creighton stated the removal of this structure will certainly benefit the property owner's ability to redevelop this 2.15 acres in the heart of the city. Graham stated the city feels that taking the building down will certainly increase the value of his property. It's an old, outdated building that for years he has been unable to get anyone interested in leasing. The city has done so much with various economic tools, and

they hoped the owner would either redevelop the property himself or sell to a developer or the city, but he won't do either. Smith stated he agreed with the building coming down, but that the city would lose some negotiation power to purchase the property if the building came down first as that would increase the value of the property.

Arnold moved and Green seconded the motion to table the request. Roll call vote: Zumber - yes, Green - yes, Smith, - yes, Creighton - yes, Arnold - yes. Motion carried.

- Ohio Dept. of Transportation - 6 properties

Peters stated ODOT's request is in effort to remove certain structures for the relocation of Rt. 30. They have a total estimated cost of \$101,308 and are requesting \$50,654. From their breakdown, they included property management costs, which are not an allowable expense under the DAP policy. The DAP policy will only fund the hard costs incurred. ODOT does not yet own these six properties. They are still working on the early acquisition stages in order to take title to these parcels. The purpose of this on the agenda is just to let the board know that this was submitted. Staff is working with ODOT to get a timeline of acquisition of these properties. As part of the program, the applicant must either own the property or have some form of legal authority to take down the structures, which they don't have yet. ODOT was also asked to revise their budget to remove that administration cost, which is not allowable.

Green asked if ODOT is an authorized applicant under the Land Bank policy. Peters stated the policy says only cities, villages and townships can be applicants, but the Land Bank had funded the Hall of Fame outside of the DAP program. She believed that ODOT used the DAP application just as a mechanism to submit a request to the Land Bank, but if the board were to decide to fund this project, it could be done in a similar way to how HOF was funded outside of the DAP program. When the HOF requested funding from the Land Bank, they used the DAP application to give us the information to formulate their request.

Nau gave some background on this project. There was a public meeting held in February of 2021, as part of the Rt 30 development process. The residents that have been identified as owning properties that ODOT was going to take have expressed some frustration that they have been out there hanging for 10 years just talking about this project and the possibility of their property being taken. Subsequently, SCATS approved about \$1 million towards the Rt. 30 project, specifically for right-of-way acquisition, so that issue could be put to rest for those residents. If the Land Bank can provide some assistance in the demo part of this project, then that money could be rolled back into the project itself. Green stated he was in favor of the application, but he was wondering if technically the Land Bank has the authority to grant that application on behalf of ODOT. Smith stated they don't even own the properties, and it is not known for certain if the project will actually happen. Until ODOT actually takes these properties, he didn't know why they are asking the Land Bank for this. Nau indicated the ODOT schedule shows right-of-way acquisition being authorized in May of this year. Creighton wanted to know why this request is any different than North Canton's request. Smith stated once it's solid and they have acquired the properties, then it would be considered. Zumber recommended that Nau reach out to ODOT and see if an MOU can be drafted, so that everybody knows where the Land Bank stands on this, and what the board is willing to do. Then their request can be brought back at the appropriate time. Arnold moved and Smith seconded the motion to table this item. Roll call vote: Zumber - yes, Green - yes, Smith, - yes, Creighton - yes, Arnold - yes. Motion carried.

9. OLD BUSINESS

a. Demolition & Site Revitalization Program Update

Peters gave an update on the application that was submitted for funding under ODOD's Demolition & Site Revitalization grant. A hand-out was provided listing the projects with an overall request of \$1,001,321. As part of that application, applicants were allowed to request up to 10% of the total grant amount for administration and operating costs. So staff requested \$50,000 for administration which was 10% of the \$500,000. RPC is now asking the board for approval for RPC to provide the administration of this program on behalf of the Land Bank, with the reimbursement to RPC from the Ohio Department of Development up to \$50,000. Nau stated the first \$500,000 is 100% money, but anything over the \$500,000 is at 75/25. Time was of the essence to get the application in early, because once you get beyond the \$500,000 set side, it's competitive state-wide. So RPC submitted this a couple of weeks ago, just to get it in the que as quickly as possible. As far as the administration costs, it is unknown how much work is going to be involved for staff to do this. Smith asked if any of these structures have been taken down yet. Peters stated that prior to a grant award from ODOD, no work will be completed on these projects. The program guidelines say that work completed before the project period is not eligible for funding reimbursement.

Nau stated there was \$150 million total that could be awarded for this program state-wide. So they allocated \$500,000 to each county at 100%, so then once that is used, then it's a statewide pool. ODOD allows land banks to submit only one application. The first three projects listed as the former greenhouse in Lake Township, and the properties in the cities in Massillon and North Canton should accommodate the \$500,000. The other projects from Alliance came in later, so based on a first come, first serve basis, the split would be 75/25, if funded. We have told the interested applicants, that the Land Bank's DAP program, which is 50/50, may be utilized to cover the 25% local. The Land Bank could presumably split that 50/50, so it's 12 ½ % costs covered by the Land Bank, and 12 ½ % covered by the municipality. Smith asked if they could submit more applications, or will the money be gone statewide. Peters stated ODOD had said if there's any money left, they will determine at that time if there would be another round. Nau stated that in a conversation he had with Jim Rokakis last week, he was told that some of the rural counties would not be submitting an application, and if there is a demonstrated need, the program may be enhanced in the future based upon the state's budget situation. Arnold moved and Creighton seconded the motion to approve RPC's request for up to \$50,000 for the administration fee as submitted in the application. Roll call vote: Zumbar - yes, Green - yes, Smith, - yes, Creighton - yes, Arnold - yes. Motion carried.

b. City of Alliance – Demolition Assistance Agreement – 530/536 E. Main St.

Peters stated in a previous agreement the Land Bank committed to fund this project up to \$55,187.80. The work was completed by the extended deadline, but the wall improvements still had to be finished. In order to complete the wall improvements, the city's final costs incurred ended up being higher than their original estimate and approved funding amount. They submitted all their paperwork for this and the total request came to \$81,207.62, so it's a difference of just over \$26,000 from what was approved in the agreement. Alliance is requesting the board approve the overage. Nau mentioned the other project the Land Bank funded on E. Main Street that came in \$10,000 under the expected cost will help offset this increase, but not completely. Arnold moved and Green seconded the motion to approve the request from Alliance. Roll call vote: Zumbar - yes, Green - yes, Smith, - yes, Creighton - yes, Arnold - yes. Motion carried.

10. OTHER BUSINESS

Green stated that he asked Mayor Bernabei to appoint someone in his place, so he could be relieved of his responsibilities as a board member. It's been a pleasure to serve, and he wanted the record to reflect his personal appreciation for everyone, but for especially for Alex Zumbar who during his tenure here has done a wonderful job. He also expressed his appreciation to Bob Nau who has become a great friend and is enormously competent and worthy of the respect that he's received. Everyone thanked Lem Green and expressed their appreciation for his service.

11. NEXT MEETING – March 17, 2022, 9:00 am

Meeting ended at 9:38 a.m.