

RESOLUTION NO. 91-2019 (AMENDED)

INTRODUCED BY: MAYOR JAMES GRAVEN AND COUNCIL AS A WHOLE

A RESOLUTION TO FORM THE JOINT OLMSTED RECREATION DISTRICT AND REPEALING RESOLUTIONS 14-2019 AND 90-2019 (1ST REVISION), AND DECLARING AN EMERGENCY

WHEREAS, the City of Olmsted Falls believes that a joint recreation district formed pursuant to Ohio Revised Code 755.14 may be an effective means of (a) providing community programming in recreational, educational, social, cultural and athletic areas, and (b) acquiring property for, constructing, operating and maintain parks, playgrounds, play fields, and to preserve and protect real property with valuable natural features as parks and spaces for governmental, civic educational or recreational activities for the benefit of all citizens; and repealing Resolutions 14-2019 and 90-2019 (1st Revision) and,

WHEREAS, the City of Olmsted Falls has determined that it is in the best interest of the residents of the City of Olmsted Falls, in conjunction with Olmsted Township, to establish a joint recreation district, the boundaries of which should be the boundaries of the City of Olmsted Falls and Olmsted Township; and

WHEREAS, the City of Olmsted Falls believes that it is in the public's interest to obtain board representation on the governing body for such a joint recreation district. Now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY AND STATE OF OHIO, THAT:

SECTION 1. Contingent upon passage of a consistent resolution by Olmsted Township being identical as to fact with this Resolution, including any appendices or attachments, there is hereby established a joint recreation district, pursuant to Ohio Revised Code 755.14(C), which shall be known as the Joint Olmsted Recreation District, the boundaries and territory of which shall be the boundaries and territory of Olmsted Township and the City of Olmsted Falls.

SECTION 2. The Joint Olmsted Recreation District shall have all of those powers enumerated under Ohio Revised Code 755.12-755.18.

SECTION 3. The Joint Olmsted Recreation District shall be governed by the Joint Olmsted Recreation District Board of Trustees, which shall consist of seven (7) trustees, The City of Olmsted Falls City Council and Olmsted Township Board of Trustees shall each appoint three (3) individuals residing within the respective appointing subdivision to serve on the Board of Trustees. Vacancies in the offices of the subdivision-appointed members of the Board of Trustees shall be filled by the legislative authority of the subdivision that initially appointed the Trustee. The initial governing document ("Bylaws"), any subsequent amendments and/or modifications to the Bylaws, or the

adoption of any new or substitute Bylaws, must be approved by each political subdivision's respective legislative body.

Each appointing subdivision shall make its initial three (3) appointments to the Joint Olmsted Recreation District Board of Trustees within thirty (30) days from the later of the date of passage of this Resolution by the Olmsted Falls City Council or passage of the Resolution establishing the Joint Olmsted Recreation District by the Olmsted Township Board of Trustees.

Not later than thirty (30) days after the last date of appointment of the initial Trustees by the governmental entities, one (1) at-large trustee residing within the District shall be appointed by a majority vote of the six (6) initial subdivision-appointed members of the Board of Trustees. The residency of the at-large Trustee shall be alternated between the two political subdivisions from term to term. The at-large Trustee shall serve as Chairperson of the Board.

SECTION 4. Each Trustee on the Board of Trustees of the Joint Olmsted Recreation District shall be appointed for a three (3) year term, with the exception that the initial terms for members appointed by each subdivision shall be staggered at one (1), two (2) and three (3) years. The at-large Trustee term shall be three (3) years. Each trustee may serve for two (2) consecutive terms.

SECTION 5. Vacancies of subdivision-appointed members in the District shall be filled by the legislative authority of the subdivision from which the vacating member was appointed. Vacancies of the board-appointed member shall be filled by a majority vote of the Board. The vacancy shall be filled for the length of the unexpired term of the vacating member.

SECTION 6. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls for the reason that the Joint Olmsted Recreation District must be established at the earliest possible time in order to pursue the acquisition of property. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

Paul Stibich, President of Council

PASSED: _____

APPROVED: _____
James P. Graven, Mayor _____
Date

APPROVED AS TO FORM: _____
Andrew D. Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Stibich	_____	_____
Munteanu	_____	_____
Jones	_____	_____
Gorski	_____	_____
Nicolay	_____	_____
Duncan	_____	_____
Fenrich	_____	_____