

CITY OF STRUTHERS, OHIO

Resolution

NO. 21-005

**A RESOLUTION APPROVING THE APPLICATION OF
EDWARD J. BARONE TO PLACE CERTAIN LAND
LOCATED IN THE CITY OF STRUTHERS, OHIO IN AN
AGRICULTURAL DISTRICT AND DECLARING AN
EMERGENCY.**

WHEREAS, § 929.02(A) of the Ohio Revised Code provides that “[a]ny person who owns agricultural land may file an application with the county auditor to place the land in an agricultural district for five years * * *” if certain conditions are satisfied;

WHEREAS, Edward J. Barone filed an Application for Placement of Farmland in an Agricultural District (the “Application”) with the Mahoning County Auditor on February 24, 2020, a copy which application is attached hereto and incorporated herein by reference, to place four (4) lots, two (2) of which are located in the City, in an agricultural district;

WHEREAS, § 929.02(B) of the Ohio Revised Code provides that “[t]he legislative body may approve the application, modify the application and approve the application as modified, or reject the application”;

WHEREAS, this Council did not conduct a public hearing on the Application until December 23, 2020 because of the pandemic spread of COVID-19;

WHEREAS, the Clerk of Council caused a notice containing the substance of the Application and the time and place of the hearing to be published no later than seven (7) days prior to the time fixed for the hearing”;

WHEREAS, the Clerk of Council also notified Mr. Barone of the time and place of the hearing by certified mail sent no later than ten (10) days prior to the hearing”;

WHEREAS, Mr. Barone was the only person who appeared at the hearing in support of or against the Application; and

WHEREAS, no one submitted an affidavit prior to the hearing in support of or against the Application.

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

SECTION 1: The Application is approved.

SECTION 2: The Clerk shall notify Mr. Barone by certified mail, return receipt requested, of Council’s decision to approve the Application within five (5) days of the passage of this Resolution.

SECTION 3: The Clerk shall cause a certified copy of this Resolution to be immediately sent to the Mahoning County Auditor.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.


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SECTION 5: A delay in the effective date of this Resolution will result in detriment to the health, safety and welfare of the Struthers community at large. Accordingly, this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of the City and shall therefore be in full force and effect from and immediately upon its passage and approval by the Mayor.

PASSED IN COUNCIL THIS 13th DAY OF January, 2021

 7 Yeas 0 Nays

Megan R. Shorthouse
CLERK OF COUNCIL

Michael S. Patrick
PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 13th DAY OF January, 2021.

Megan R. Shorthouse
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 13th DAY OF January, 2021.

Catherine Cercone Miller
MAYOR

PUBLISHED IN THE HOMETOWN JOURNAL

DATE: 1/21/2021-01/28/2021

Megan R. Shorthouse
CLERK OF COUNCIL