

A RESOLUTION REPEALING RESOLUTION NO. 21-149 AND WITHDRAWING THE AUTHORIZATION GRANTED TO THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH FAIRMOUNT PROPERTIES, LLC FOR THE SALE OF THE REAL PROPERTY LOCATED IN THE DOWNTOWN AREA ADJACENT TO THE FIRST & MAIN DEVELOPMENT IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution No. 21-149, adopted by this Council on January 4, 2022, the City Council repealed its Resolution No. 21-116 which repeal served to nullify certain provisions related to the authorization to sell City-owned real estate west of Morse Road and adjacent to the existing Downtown First & Main District (Permanent Tax Parcel Nos. 32-03716, 32-01855, 32-00823, 32-03132, 32-03926, and 32-04149) in the City of Hudson (the “Property”) and authorized the City Manager to enter into a purchase and sale agreement with Fairmount Properties, LLC (“Fairmount”) under different terms;

WHEREAS, the City Council and the City administration have considered and discussed the sale of the Property, the terms thereof, and certain development proposals for the Property submitted by Fairmount and determined that it is not appropriate to move forward with the consummation of the sale of the Property to Fairmount and the development thereof as currently proposed by Fairmount;

WHEREAS, this Council determines it is, therefore, necessary to repeal the authorization granted to the City Manager, pursuant to its Resolution No. 21-149, regarding the sale of the Property to Fairmount;

WHEREAS, because Council wishes to continue to move forward with the Downtown Phase 2 development at the earliest period of time, this Resolution shall be an emergency measure that will be effective upon its passage by Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1. That Resolution No. 21-149, passed on January 4, 2022, is hereby repealed in its entirety.

Section 2. Upon its passage, the Clerk of Council is directed to deliver a copy of this Resolution to Fairmount Properties, LLC.

Section 3: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

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

Section 5. This Resolution is determined to be an emergency measure necessary to further the public health, safety and general welfare and for the further reason that there needs to be brought to timely closure the parties' and the public's expectations with respect to Fairmount's role in the Downtown Phase 2 development project and the City needs to then continue its efforts to work toward an acceptable development in Downtown at the earliest time possible; wherefore, this Resolution shall be in effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council except that six (6) affirmative votes shall be required if all members are present; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 22-82 was duly passed by the Council of said Municipality on _____, 2022.

Aparna Wheeler, Clerk of Council