



QUARTERLY

BATH TOWNSHIP

WINTER 1998

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An official newsletter published by the Bath Township Board of Trustees
as a service to Bath Township residents under the authority of the Ohio Revised Code, Section 505.07.

JEDD is defeated - What now?

With the defeat of the Bath-Akron-Fairlawn Joint Economic Development District (JEDD), the township lost its brief moratorium on annexation which the agreement provided. Since the defeat of the JEDD in November, petitions have been filed with Summit County Council with the assistance of Akron, to annex to Fairlawn 234 acres of land in Bath Township including three motels. The annexation petitions include more than half of the total acreage in the proposed JEDD. Had the JEDD been approved, it would have allowed Bath to retain the land and zoning control, all property tax revenue, and motel tax in exchange for an income tax. With annexation, Bath Township loses everything - the land and zoning control, property tax revenue, and the motel tax. The total revenue from the 234 acres to the township in 1998 would be approximately \$490,000 or 9% of the township budget.

Over half of the property owners signed the petitions requesting annexation to Fairlawn. Annexation laws favor cities over townships and allow annexation boundaries to be drawn and a petition to be filed if more than half of the affected property owners consent. Bath Township's attorney stated that the annexation process could take as little as four months. When completed, the property will become part of Fairlawn with Akron providing the water and sharing the income taxes.

This is the first wave of post-election annexations, more may follow. Without the protection provided by a JEDD agreement, what can we as a community do to halt the annexation process? The Bath Township Board of Trustees has sent letters to all petitioners for annexation requesting their withdrawal. The Board has spoken with most of the landowners as well, and has

concluded that water availability and associated cost is the primary reason for annexation. These land owners will not withdraw their petitions. Public Hearings on the petitions have been scheduled by the Summit County Council on March 16, 1998 and April 6, 1998 following the 6:00 p.m. Regular Council Meetings. The maps on pages three and four of this publication show the property affected and indicate which property owners signed the annexation petition and which property owners did not.

Preserving the political, economic, and geographic integrity of Bath Township has been and should remain the primary goal of the community. Bath residents and officials have played a leading role in seeking to reform annexation legislation to accomplish this goal. Past efforts to preserve our township from encroachment by adjacent cities and villages have included attempts to: (1) merge with Fairlawn in 1984, (2) approve a JEDD Agreement with Akron in 1994, (3) merge with Richfield in 1996, and (4) approve a JEDD Agreement with Akron and Fairlawn in 1997. Lobbying efforts in the state legislature by the Ohio Township Association have met with no success. The JEDD legislation passed in 1992 represents the major legislation passed to afford some protection to townships. The

concept behind this legislation was to provide a platform for cooperative regional development by municipalities and townships. Lobbying efforts did result in the passage of House Bill 434 by the House of Representatives in 1997. However, Governor Voinovich's opposition to the bill has stalled Senate consideration. Ohio's legislation today remains favorable to municipalities. If anything, legislation as interpreted by the courts favors townships less today than when the state review process began 24 years ago.

Bath Township will vigorously oppose the annexations. Yet, the annexation process is clearly defined by law. Within that process, the township can object only to procedural matters and not to substantive issues.

When asked what the county can do, Summit County Executive Tim Davis asserted that under the present law the JEDD was the middle ground. "I go back to when Frank Gaffney was a Bath Trustee and we were trying to preserve the township," said Davis. "I have worked for years with Al Alameda, Gloria Drennon and Tom Norman to do that. We came close but, in the end, the citizenry gets to decide."

Bath citizens are encouraged to attend
Summit County Council
Public Hearings on Annexation Petitions
March 16, 1998 and April 6, 1998
Following 6:00 p.m. Regular Council Meetings
Council Chambers in Ohio Building - 7th Floor
175 S. Main Street, Akron, Ohio