

1 RESOLUTION NO. 2012-253

2  
3 SPONSOR Mr. Pry

4  
5 DATE June 18, 2012

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7 COMMITTEE: Planning

8 **A Resolution assessing the sublots of the HH Gregg/Marketplace Subdivision, located in**  
9 **Copley Township, Council District 5, for drainage maintenance, for the Engineer, and**  
10 **declaring an emergency.**

11  
12 WHEREAS, by Resolution No. 2012-252, this Council approved the plat for the HH  
13 Gregg/Marketplace Subdivision; and

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15 WHEREAS, said plat includes a drainage maintenance assessment provision signed by  
16 all owners of parcels located within said Subdivision, with said provision applying to subsequent  
17 owners of the same parcels; and

18  
19 WHEREAS, assessments for drainage maintenance also are permitted by Sections  
20 6137.02 and 6137.03 of the Ohio Revised Code; and

21  
22 WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said  
23 Subdivision and to fully execute its powers and duties thereof; and

24  
25 WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which is  
26 attached and marked as Exhibit A, which apportions necessary charges for drainage maintenance  
27 among the Subdivision's benefited parcel owners.

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29 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
30 that it is necessary and in the best interest of the County to assess the sublots of the HH  
31 Gregg/Marketplaze Subdivision.

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

35  
36 SECTION 1

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38 A drainage maintenance fund for HH Gregg/Marketplace Subdivision, located in Copley  
39 Township, Council District 5, is hereby established.

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41 SECTION 2

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43 Owners of parcels within the HH Gregg/Marketplace Subdivision shall be assessed for  
44 drainage maintenance per the attached Special Assessment Worksheet, attached hereto as Exhibit  
45 A. Each assessment is proportional to the estimated benefit to the respective parcel.

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47 SECTION 3

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49 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall certify  
50 the attached assessments to the County Fiscal Officer for placement on the next succeeding tax  
51 duplicate to be collected and paid.  
52

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2 PAGE TWO

3  
4 SECTION 4

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6 This resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund  
8 necessary drainage maintenance in the HH Gregg/Marketplace Subdivision subdivision.  
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10 SECTION 5

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12 Provided this resolution receives the affirmative vote of eight members, it shall take  
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
14 effect and be in force at the earliest time provided by law.  
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16 SECTION 6

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18 It is found and determined that all formal actions of this Council concerning and relating  
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
20 deliberations of this Council and of any of its committees that resulted in such formal action,  
21 were in meetings open to the public, in compliance with all legal requirements, including Section  
22 121.22 of the Ohio Revised Code.  
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25 INTRODUCED June 4, 2012

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28 ADOPTED June 18, 2012

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34 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

37 APPROVED June 18, 2012

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EXECUTIVE

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June 18, 2012  
ENACTED EFFECTIVE

50 ~~Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras,~~  
51 Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras  
52 Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro