

1 RESOLUTION NO. 2013-258

**First Reading Passage Requested**  
**(A. Dunchuck)**

2  
3 SPONSOR Mr. Pry

4  
5 DATE July 29, 2013

COMMITTEE Planning

6  
7 **An amended Resolution assessing the residents of Creekstone Parkway and Clifford Drive**  
8 **(Wheaton Place Condominiums), located in Copley Township, in Council District 5, for**  
9 **drainage maintenance, for the Engineer, and declaring an emergency.**

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11 WHEREAS, this Council will adopt Resolution No. 2013-249, which approves the  
12 dedication plat for Creekstone Parkway and Clifford Drive; and

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

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

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

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24 WHEREAS, the amended Engineer has prepared an amended Special Assessment  
25 Worksheet, which is attached and marked as Exhibit A, which apportions necessary charges for  
26 drainage maintenance among the subdivision's benefited parcel owners; and

27  
28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
29 that it is necessary and in the best interest of the County of Summit to assess the residents of  
30 Creekstone Parkway and Clifford Drive for the aforementioned reasons;

31  
32 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
33 of Ohio, that:

34  
35 SECTION 1

36  
37 A drainage maintenance fund for Creekstone Parkway and Clifford Drive, located in  
38 Copley Township, in Council District 5, is hereby established.

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40 SECTION 2

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42 Owners of parcels within Creekstone Parkway and Clifford Drive shall be assessed for  
43 drainage maintenance per the attached amended Special Assessment Worksheet, amended  
44 Exhibit A. Each assessment is proportional to the estimated benefit to the respective parcel.

45  
46 SECTION 3

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

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SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance in Creekstone Parkway and Clifford Drive.

SECTION 5

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

SECTION 6

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 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 Section 121.22 of the Ohio Revised Code.

INTRODUCED June 3, 2013

ADOPTED July 29, 2013

  
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CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

APPROVED July 30, 2013

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE July 30, 2013

Voice Vote: 10-0 YES: Comunale, Feeman, Kostandaras  
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro. Absent: Crawford