

1 RESOLUTION NO. 2017-455

First Reading Passage Requested
(H. Swindell)

2
3 SPONSOR Ms. Shapiro

4
5 DATE October 30, 2017

COMMITTEE Planning

6
7 **A Resolution assessing the residents of The Preserve At Miller's Farm Subdivision Phase 4**
8 **for drainage maintenance, in Copley Township, in Council District 5, for the Engineer, and**
9 **declaring an emergency.**

10
11 WHEREAS, by Resolution No. 2017-454, this Council will be approving and accepting
12 the plat for The Preserve At Miller's Farm Subdivision Phase 4, in Copley Township, in Council
13 District 5; and

14
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 assess for drainage maintenance for said
23 subdivision and to fully execute its powers and duties thereof; and

24
25 WHEREAS, the Engineer has prepared a special assessment worksheet, attached to this
26 Resolution as Exhibit A, which apportions necessary charges for drainage maintenance among
27 the subdivision's benefited parcel owners; and

28
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 of Summit to assess the residents of The
31 Preserve At Miller's Farm Subdivision Phase 4, in Copley Township, in Council District 5, for
32 drainage maintenance, as set forth in Exhibit A attached to this Resolution;

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

36
37 SECTION 1

38
39 A drainage maintenance fund for The Preserve At Miller's Farm Subdivision Phase 4,
40 located in Copley Township, Council District 5, is hereby established.

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42 SECTION 2

43
44 Owners of parcels within The Preserve At Miller's Farm Subdivision Phase 4 shall be
45 assessed for drainage maintenance per the special assessment worksheet attached as Exhibit A.
46 Each assessment is proportional to the estimated benefit to the respective parcel.

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48 SECTION 3

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

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2 PAGE TWO

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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 Preserve At Miller's Farm Subdivision Phase 4, in
9 Copley Township, in Council District 5.

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11 SECTION 5

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

16
17 SECTION 6

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED October 30, 2017

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28 ADOPTED October 30, 2017

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32 CLERK OF COUNCIL

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36 PRESIDENT OF COUNCIL

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38 APPROVED October 31, 2017

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42 EXECUTIVE

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44 ENACTED EFFECTIVE October 31, 2017

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