

1 RESOLUTION NO. 2014-560

Late Filing – First Reading Passage
Requested (D. Kelly)

2 SPONSOR Mr. Pry, Mr. Kostandaras

3 DATE November 24, 2014

COMMITTEE Planning

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7 **A Resolution revising the assessments for the residents of Natures Preserve Phase 2 for**
8 **drainage maintenance, located in Twinsburg Township, Council District 1, for the County**
9 **Engineer, and declaring an emergency.**

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11 WHEREAS, this Council previously approved the plat for Natures Preserve Phase 2 with
12 Resolution No. 2013-367; 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 also are permitted by Sections
19 6137.02 and 6137.03 of the Ohio Revised Code; and

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

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

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that revising the assessments for the residents of Natures Preserve Phase 2 located in Twinsburg
30 Township, Council District 1, for drainage maintenance, as set forth in attached Exhibit A, is
31 necessary and in the best interest of the County of Summit;

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

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36 SECTION 1

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38 The drainage maintenance fund for Natures Preserve Phase 2, located in Twinsburg
39 Township, Council District 1, is hereby revised.

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41 SECTION 2

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43 Owners of parcels within the Natures Preserve Phase 2 subdivision shall be assessed for
44 drainage maintenance as set forth in the revised special assessment worksheet attached 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.

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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 Natures Preserve Phase 2 subdivision in Twinsburg
9 Township.

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11 SECTION 5

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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

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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 November 24, 2014

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28 ADOPTED November 24, 2014

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32 CLERK OF COUNCIL

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36 PRESIDENT OF COUNCIL

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38 APPROVED November 25, 2014

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EXECUTIVE

ENACTED EFFECTIVE November 25, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro