

1 RESOLUTION NO. 2010-542

First Reading Passage Requested
(A. Dunchuck)

2
3 SPONSOR Mr. Pry

4
5 DATE December 20, 2010

COMMITTEE Planning

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7 **A Resolution revising the assessments for the residents of Wolf Creek Estates, located in**
8 **Copley Township, Council District 5, for drainage maintenance, for the Engineer, and**
9 **declaring an emergency.**

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11 WHEREAS, by Resolution No. 1999-288, this Council approved the plat for Wolf Creek
12 Estates; and

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14 WHEREAS, by Resolution No. 2001-173, this Council approved drainage maintenance
15 assessments for Wolf Creek Estates; and

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17 WHEREAS, by Resolution No. 2010-541, this Council will be approving the Wolf
18 Creek Estates Replat; and

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20 WHEREAS, said plat and replat included a drainage maintenance assessment provision
21 signed by all owners of parcels located within said subdivision, with said provision applying to
22 subsequent owners of the same parcels; and

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24 WHEREAS, assessments for drainage maintenance also are permitted by Sections
25 6137.02 and 6137.03 of the Ohio Revised Code; and

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27 WHEREAS, the County Engineer seeks to revise the drainage maintenance fund for said
28 subdivision and to fully execute its powers and duties thereof; and

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30 WHEREAS, the County Engineer has prepared a Revised Special Assessment
31 Worksheet, which is attached and marked as Exhibit A, which apportions necessary charges for
32 drainage maintenance among the Subdivision's benefited parcel owners;

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

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37 SECTION 1

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39 A revised drainage maintenance fund for Wolf Creek Estates, located in Copley
40 Township, Council District 5, is hereby established.

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42 SECTION 2

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44 Owners of parcels within the Wolf Creek Estates Subdivision shall be assessed for
45 drainage maintenance per the attached Revised Special Assessment Worksheet, Exhibit A
46 hereof. Each assessment is proportional to the estimated benefit to the respective parcel.
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SECTION 3

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

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 the Wolf Creek Estates Subdivision.

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 O.R.C.

INTRODUCED December 13, 2010

ADOPTED December 20, 2010


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED December 21, 2010


EXECUTIVE

December 21, 2010
ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Kostandaras, Feeman, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith