

1 RESOLUTION NO. 2011-329

2
3 SPONSOR Mr. Pry

4
5 DATE October 3, 2011 COMMITTEE Public Works

6
7 **A Resolution assessing the residents of Copley Commerce Center, located**
8 **in Copley Township, Council District 5, for drainage maintenance, for the Engineer,**
9 **and declaring an emergency.**

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11 WHEREAS, County Council previously adopted Resolution No. 1999-523, which
12 approved the plat for Copley Commerce Center; and

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14 WHEREAS, said plat includes a drainage maintenance assessment provision signed
15 by all owners of parcels located within said subdivision, with said provision applying to
16 subsequent 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 establish a drainage maintenance fund for
22 said subdivision and to fully execute its powers and duties thereof; and

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

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28 WHEREAS, this Council has determined by reviewing all pertinent information that
29 it is necessary and in the best interest of the County of Summit to assess the residents of the
30 Copley Commerce Center subdivision for the aforementioned reasons;

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

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35 SECTION 1

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37 A drainage maintenance fund for Copley Commerce Center, located in Copley
38 Township, Council District 5, is hereby established.

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40 SECTION 2

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42 Owners of parcels within Copley Commerce Center shall be assessed for drainage
43 maintenance per the attached Special Assessment Worksheet, Exhibit A hereof. Each
44 assessment is proportional to the estimated benefit to the respective parcel.

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46 SECTION 3

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

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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,
7 and welfare of the citizens of the County of Summit, and for the further reason to
8 immediately fund necessary drainage maintenance in Copley Commerce Center.
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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
19 relating to the adoption of this Resolution were adopted in an open meeting of this Council,
20 and that all deliberations of this Council and of any of its committees that resulted in such
21 formal action, were in meetings open to the public, in compliance with all legal
22 requirements, including Section 121.22 of the Ohio Revised Code.
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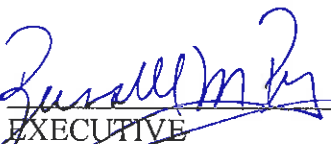
25 INTRODUCED August 15, 2011

26 ADOPTED October 3, 2011

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32 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

33 APPROVED October 3, 2011

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37 EXECUTIVE

38
39 ENACTED EFFECTIVE October 3, 2011

40 Voice Vote:11-0 YES: Komunale, Crawford, Feeman, Kostandaras
41 Lee, Kurt, Prentice, Rodgers, Roemer, Schmidt, Shapiro
42

EXHIBIT 'A'
SPECIAL ASSESSMENT WORKSHEET

11-329

PROJECT: Copley Commerce Center
Copley Township - Council District 5
Drainage Maintenance District No. 2

ASSESSMENT CODE: C25-000-0000

PARCEL NUMBER	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
1506894	270,499	6.2098	7.0560	1097.39	548.70
1506916	93,218	2.1400	2.9862	464.43	232.22
1506933	93,218	2.1400	2.9862	464.43	232.22
1506934	87,120	2.0000	2.8462	442.66	221.33
1507042	130,680	3.0000	3.8462	598.19	299.09
1507297	192,108	4.4102	5.2564	817.51	408.75
1507471	130,680	3.0000	3.8462	598.19	299.09

Average Semi-Annual Payment per owner:	\$320.20
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Term of Assessment: Permanent, subject to review every six years, for adjustments pursuant to Ohio Revised Code 6137.11.