

1 RESOLUTION NO. 2012-381

Late Filing

2
3 SPONSOR Mr. Pry and Mr. Crawford

4
5 DATE November 5, 2012

COMMITTEE Public Works

6
7 **A Resolution approving the general plan of sewerage known as the Clinton Master Sewer**
8 **Plan, declaring that the improvements in accordance with the Plan are necessary for the**
9 **preservation and promotion of the public health and welfare, determining that special**
10 **assessments shall be levied and collected to pay the cost of the improvements in accordance**
11 **with the Plan, and directing the Executive to prepare detailed plans, specifications, and**
12 **estimates of cost for the construction of sanitary sewer pursuant to the Plan, together with**
13 **tentative assessments of the cost based on the estimates, located in District 7, for the**
14 **Department of Environmental Services, and declaring an emergency.**

15
16 WHEREAS, the Executive, through the Department of Environmental Services
17 (“DOES”) caused a study to be performed of the southwest portion of the County of Summit to
18 determine the need and feasibility of sanitary sewer in that area; and,

19
20 WHEREAS, as a result of the above referenced study, DOES has prepared the Clinton
21 Master Sewer Plan (“Plan”) in order to reduce or eliminate existing health problems and the
22 hazard of water pollution from failing septic systems in the area of the Village of Clinton; and

23
24 WHEREAS, the Board of Health of the Summit County Combined General Health
25 District (“Board of Health”) passed its Resolution No. 242 - 12, in which the Board of
26 Health determined in accordance with Section 6117.51 of the Ohio Revised Code, that the reason
27 for expansion of sanitary sewer in the Village of Clinton by the County of Summit is to reduce or
28 eliminate existing health problems and hazard of water pollution; and

29
30 WHEREAS, this Council has determined, after reviewing all pertinent information, that
31 the Plan is necessary and in the best interest of the County of Summit;

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

35
36 SECTION 1

37
38 The general plan of sewerage known as the Clinton Master Sewer Plan (“Plan”), which is
39 to construct sanitary sewers and related appurtenances (“Improvements”) in the Village of
40 Clinton, in the areas detailed on Exhibit A attached to this Resolution, is hereby approved by this
41 Council.

42
43 SECTION 2

44
45 This Council hereby determines that the Improvements are necessary for the preservation
46 and promotion of the public health and welfare.

47
48 SECTION 3

49
50 This Council hereby determines that special assessments shall be levied and collected to
51 pay the cost of the Improvements in accordance with the Plan.
52

1 RESOLUTION NO. 2012-381

2 PAGE TWO

3
4 SECTION 4

5
6 This Council directs the Executive, through the Department of Environmental Services,
7 to prepare, or cause to be prepared in such portions as the Executive may determine, detailed
8 plans, specifications, and estimates of cost for the Improvements, together with tentative
9 assessments of the cost based on the estimates. The tentative assessments shall be for the
10 information of property owners and shall not be levied or certified to the Fiscal Officer for
11 collection.

12
13 SECTION 5

14
15 This Resolution is declared an emergency in the interest of the health, safety and welfare
16 of the citizens of the County of Summit and for the further reason to provide for the immediate
17 design and construction of needed sanitary sewage facilities in the Village of Clinton.

18
19 SECTION 6

20
21 Provided this Resolution receives the affirmative vote of eight members, it shall take
22 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
23 effect and be in force at the earliest time provided by law.

24
25 SECTION 7

26
27 It is found and determined that all formal actions of this Council concerning and relating
28 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
29 deliberations of this Council and of any of its committees that resulted in such formal action,
30 were in meetings open to the public, in compliance with all legal requirements, including Section
31 121.22 of the Ohio Revised Code.

32
33
34 INTRODUCED September 17, 2012

35
36 ADOPTED November 5, 2012

37
38 
39 CLERK OF COUNCIL

40
41 
42 PRESIDENT OF COUNCIL

43
44 APPROVED November 6, 2012

45
46 
47 EXECUTIVE

48
49 November 6, 2012
50 ENACTED EFFECTIVE

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