

1 RESOLUTION NO. 2015-271

2  
3 SPONSOR Mr. Pry

4  
5 DATE July 20, 2015

COMMITTEE Public Works

6  
7 **A Resolution approving the detailed plans, specifications, estimate of cost and tentative**  
8 **assessment amount for the Columbine Service Area Sanitary Sewer Improvement Project**  
9 **Q-948, in the Township of Springfield and Village of Mogadore, for the Department of**  
10 **Environmental Services, and declaring an emergency.**

11  
12 WHEREAS, the Ohio Environmental Protection Agency Director's Final Findings and  
13 Orders dated April 10, 2010, ordered the County to remediate a health nuisance caused by failing  
14 septic systems in a portion of the Township of Springfield and the Village of Mogadore known  
15 as the Columbine Neighborhood, in Council District 8; and

16  
17 WHEREAS, this Council awarded a professional services agreement to evaluate  
18 solutions, design improvements and prepare bidding documents for the Columbine Service Area  
19 Sanitary Sewer Improvement Project Q-948 in Resolution No. 2011-515; and

20  
21 WHEREAS, detailed plans, specifications, estimate of cost and a tentative assessment of  
22 the Project are on file in the Clerk of Council's office; and

23  
24 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
25 including the detailed plans, specifications, estimate of cost and tentative assessment of the  
26 Project, that the Project is necessary for the preservation and promotion of the public health and  
27 welfare, and is in the best interest of the County of Summit;

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

31  
32 SECTION 1

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34 The detailed plans and specifications for the Columbine Service Area Sanitary Sewer  
35 Improvement Project Q-948 ("Project"), which shall construct sanitary sewer facilities in the  
36 area described in Exhibit A, in the Township of Springfield and Village of Mogadore, in Council  
37 District 8, are hereby approved by this Council.

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39 SECTION 2

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41 This Council declares that the Project is necessary for the preservation and promotion of  
42 the public health and welfare.

43  
44 SECTION 3

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46 The estimate of cost for the Project, in the amount of \$2,549,946.00, is approved by  
47 Council.

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49 SECTION 4

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51 This Council determines that special assessments shall be levied and collected to pay the  
52 cost of the Project.  
53

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2 PAGE TWO

3  
4 SECTION 5

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6 The boundaries of the area to be assessed are described fully in Exhibit A (map) and  
7 Exhibit B (list of assessed parcels) attached to this Resolution.

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9 SECTION 6

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11 The tentative assessment for the Project in the amount of \$2,310,000.00, which will be  
12 specially assessed against the benefited properties, is hereby approved by this Council, provided,  
13 however, that no assessment shall exceed the sum of \$15,000.00 per benefit per lateral sewer  
14 connection. The remaining costs above the collective assessed amount shall be contributed by  
15 the County from other available funds. The tentative assessment is for the information of  
16 property owners and shall not be levied or certified to the County's Fiscal Officer for collection.

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18 SECTION 7

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20 This Resolution is declared an emergency in the interest of the health, safety and welfare  
21 of the citizens of the County of Summit and for the further reason to provide for the immediate  
22 construction of sanitary sewage facilities in the Township of Springfield and Village of  
23 Mogadore needed to abate a health nuisance.

24  
25 SECTION 8

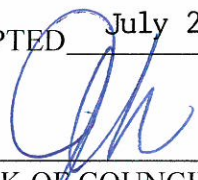
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27 Provided this Resolution receives the affirmative vote of eight members, it shall take  
28 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
29 effect and be in force at the earliest time provided by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

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31 SECTION 9

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33 It is found and determined that all formal actions of this Council concerning and relating  
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
35 deliberations of this Council and of any of its committees that resulted in such formal action,  
36 were in meetings open to the public, in compliance with all legal requirements, including Section  
37 121.22 of the Ohio Revised Code.

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39 INTRODUCED June 1, 2015

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41 ADOPTED July 20, 2015

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44 \_\_\_\_\_  
45 CLERK OF COUNCIL

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48 \_\_\_\_\_  
49 PRESIDENT OF COUNCIL

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51 APPROVED July 21, 2015

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54 \_\_\_\_\_  
55 EXECUTIVE

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57 July 21, 2015  
58 \_\_\_\_\_  
59 ENACTED EFFECTIVE

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61 Voice Vote: 11-0 YES: Komunale, Crawford, Donofrio, Feeman, Kostandaras,  
Kurt, Lee, Prentice, Rodgers, Schmidt, Shapiro