

1 RESOLUTION NO. 2015-400

First Reading Passage Requested
(M. Weant)

2
3 SPONSOR Mr. Pry

4
5 DATE SEPTEMBER 21, 2015

COMMITTEE Public Works

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7 **A Resolution certifying deferred sewer tap-in fees to the Fiscal Officer, for the Executive's**
8 **Department of Environmental Services, and declaring an emergency.**

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10 WHEREAS, Section 923.05(c) of the Codified Ordinances of the County of Summit
11 states that if sanitary sewer user's estimated sewage flow gallons per day exceeds, or is expected
12 to exceed, an amount previously paid for under 920.05(a) and (b) by one or more benefits shall
13 pay a fee, in accordance with the provisions of subsection 920.05(b) of this section, for all
14 estimated sewage flow gallons equaling and exceeding one benefit; and

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16 WHEREAS, Section 923.05(d) of the Codified Ordinances provides financially
17 disadvantaged residents, charitable agencies and public institutions the option of placing their
18 tap-in fee on their property tax duplicate, without interest, for a period not to exceed five (5)
19 years under an extended payment program administered by the Executive's Department of
20 Environmental Services; and

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22 WHEREAS, Section 923.05(f) of the Codified Ordinance provides multiple residential,
23 commercial and industrial users the option of placing part of their sewer tap-in fee on their
24 property tax duplicate, without interest, for a period not to exceed two (2) years under an
25 extended payment program administered by the Executive's Department of Environmental
26 Services; and

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28 WHEREAS, Section 923.05(e) and (f) of the Codified Ordinances provides that said
29 deferred fees are to be certified to the Fiscal Officer and placed on the property tax duplicate for
30 collection; and

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32 WHEREAS, this Council finds and determines, after reviewing all the pertinent
33 information that certifying the aforementioned charges to the Fiscal Officer is necessary and in
34 the best interests of the County of Summit;

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

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39 SECTION 1

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41 The sewer tap-in fees of the following participants in the County's extended payment
42 program are certified to the Fiscal Officer to be placed on the tax list and duplicate and collected
43 as other taxes are collected in the annual installments as stated below, payable semiannually
44 without interest, as provided by Section 923.05 of the Codified Ordinances and Section
45 6117.02(B) of the Ohio Revised Code.

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<u>Name</u>	<u>Parcel</u> <u>Number</u>	<u>Amount</u> <u>Deferred</u>	<u>Years</u> <u>Deferred</u>	<u>Payment</u> <u>(Semi-Annual)</u>
49 IBH FOUNDATION INC	1909339	\$ 3,911.00	2	\$ 977.75
50 IBH FOUNDATION INC	1909340	\$ 4,019.80	2	\$ 1,004.95
51 AMM PROPERTIES LLC	5800089	\$ 4,358.66	2	\$ 1,089.67
52 WEST MARKET PLAZA				
53 LIMITED PARTNERSHIP	0500496	\$ 9,694.67	2	\$ 2,423.67

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4 SECTION 1 (Continued)

<u>Name</u>	<u>Parcel Number</u>	<u>Amount Deferred</u>	<u>Years Deferred</u>	<u>Payment (Semi-Annual)</u>
BABSON MACEDONIA				
PARTNERS	3311086	\$ 13,262.75	2	\$ 3,315.69
CUYAHOGA HEIGHTS, LP	3506108	\$ 103,767.00	5	\$ 10,376.70
GOUGH KEVIN M	6201012	\$ 1,960.00	2	\$ 490.00
CROSS ROADS LTD	5106548	\$ 6,618.83	2	\$ 1,654.71
STOW ROADHOUSE				
VENTURES LLC	5618465	\$ 21,051.41	2	\$ 5,262.85
LLFJAO LC	5617977	\$ 25,418.33	2	\$ 6,354.58
GREEN VILLAGE REALTY LTD	2801903	\$ 48,156.20	2	\$12,039.05
GABLES OF HUDSON	3009948	\$ 83,712.00	2	\$20,928.00

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20 SECTION 2

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22 The Clerk of Council shall deliver a copy of this Resolution to the Fiscal Officer, who
23 shall record the deferred sewer tap-in fee on the tax duplicate for collection pursuant to state law.
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25 SECTION 3

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27 This Resolution is hereby declared an emergency in the interest of the health, safety and
28 welfare of the citizens of the County of Summit, and for the further reason to ensure the
29 certification of charges to the Fiscal Officer.
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31 SECTION 4

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33 Provided this Resolution receives the affirmative vote of eight members, it shall take
34 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
35 effect and be in force at the earliest time provided by law.
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37 SECTION 5

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39 It is found and determined that all formal actions of this Council concerning and relating
40 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
41 deliberations of this Council and of any of its committees that resulted in such formal action,
42 were in meetings open to the public, in compliance with all legal requirements, including Section
43 121.22 of the Ohio Revised Code.
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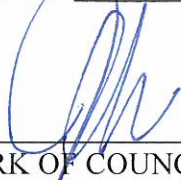
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INTRODUCED September 21, 2015

ADOPTED SEPTEMBER 21, 2015

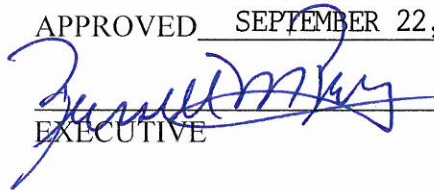


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED SEPTEMBER 22, 2015



EXECUTIVE

ENACTED EFFECTIVE SEPTEMBER 22, 2015

VOICE VOTE: 10-0 YES: COMUNALE, CRAWFORD, DONOFRIO, FEEMAN, KOSTANDARAS,
KURT, PRENTICE, RODGERS, SCHMIDT, SHAPIRO
ABSENT: LEE