

1 RESOLUTION NO. 2015-486

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3 SPONSOR Mr. Pry

4 DATE NOVEMBER 23, 2015 COMMITTEE Public Works

6
7 **A Resolution revising the assessments for the residents of Arbor Chase Subdivision - Phase**
8 **1 for drainage maintenance, in Copley Township, in Council District 5, for the Engineer,**
9 **and declaring an emergency.**

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11 WHEREAS, this Council previously adopted Resolution No. 2015-405, which approved
12 Arbor Chase Subdivision - Phase 1 Plat; and

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14 WHEREAS, this Council also previously adopted Resolution No. 2015-404, which
15 approved assessing the residents of Arbor Chase Subdivision – Phase 1 for drainage
16 maintenance; and

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18 WHEREAS, said plat includes a drainage maintenance assessment provision signed by
19 all owners of parcels located within said subdivision, with said provision applying to subsequent
20 owners of the same parcels; and

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22 WHEREAS, assessments for drainage maintenance also are permitted by Sections
23 6137.02 and 6137.03 of the Ohio Revised Code; and

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25 WHEREAS, the Engineer seeks to revise the assessments for drainage maintenance for
26 said subdivision and to fully execute its powers and duties thereof; and

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28 WHEREAS, the Engineer has prepared a revised special assessment worksheet, attached
29 to this Resolution, as Exhibit A, which apportions necessary charges for drainage maintenance
30 among the subdivision's benefited parcel owners; and

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32 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
33 that revising the assessments for the residents of Arbor Chase Subdivision - Phase 1 in Copley
34 Township, in Council District 5, for drainage maintenance, per attached Exhibit A, is necessary
35 and in the best interest of the County of Summit;

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37 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
38 of Ohio, that;

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40 SECTION 1

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42 A drainage maintenance fund for Arbor Chase Subdivision - Phase 1, in Copley
43 Township, in Council District 5, is hereby revised.

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45 SECTION 2

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47 Owners of parcels within Arbor Chase Subdivision - Phase 1 subdivision shall be
48 assessed for drainage maintenance per the revised special assessment worksheet attached to this
49 Resolution, as Exhibit A. Each assessment is proportional to the estimated benefit to the
50 respective parcel.

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2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 This Resolution is hereby declared an emergency in the interest of the health, safety, and
13 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
14 necessary drainage maintenance in Arbor Chase Subdivision - Phase 1 subdivision in Copley
15 Township.

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17 SECTION 5

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

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23 SECTION 6

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

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32 INTRODUCED November 9, 2015

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34 ADOPTED NOVEMBER 23, 2015

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38 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

40 APPROVED NOVEMBER 24, 2015

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44 EXECUTIVE

45 ENACTED EFFECTIVE NOVEMBER 24, 2015

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