

1 RESOLUTION NO. 2020-107

First Reading Passage Requested
(H. Swindell)

2 SPONSOR Ms. Shapiro

3 DATE April 27, 2020

COMMITTEE Planning

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7 **A Resolution revising the assessments for the parcels of Mottl Reserve Phase 1, located in**
8 **Sagamore Hills Township, in Council District 1, for drainage maintenance, for the**
9 **Engineer, and declaring an emergency.**

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11 WHEREAS, County Council previously adopted Resolution No. 2019-211, which
12 approved and accepted Mottl Reserve Phase 1, located in Sagamore Hills Township, in Council
13 District 1; and

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

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19 WHEREAS, assessments for drainage maintenance also are permitted by Sections
20 6137.02 and 6137.03 of the Ohio Revised Code; and

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22 WHEREAS, County Council previously adopted Resolution No. 2019-212, which
23 established a drainage maintenance fund and approved a drainage maintenance special
24 assessment worksheet for assessing owners of parcels within the Mottl Reserve Phase 1; and

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

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

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33 WHEREAS, the revision (lowering) of the assessments are a result of drainage
34 maintenance assessments being applied to all the Sublots within Mottl Reserve Phase 1 and
35 Phase 2; and

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37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
38 that revising the assessments for the owners of parcels within the Mottl Reserve Phase 1, located
39 in Sagamore Hills Township, in Council District 1, for drainage maintenance, as set forth in
40 attached Exhibit A, is necessary and in the best interest of the County of Summit;

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42 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
43 of Ohio, that;

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45 SECTION 1

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47 Owners of parcels within the Mottl Reserve Phase 1 shall be assessed for drainage
48 maintenance, as set forth in the revised special assessment worksheet attached to this Resolution
49 as Exhibit A. Each assessment is proportional to the estimated benefit to the respective parcel.
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2 PAGE TWO

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4 SECTION 2

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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 3

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12 This Resolution is hereby declared an emergency in the interest of the health, safety, and
13 welfare of the residents of the County of Summit, and for the further reason to immediately fund
14 necessary drainage maintenance in Mottl Reserve Phase 1, located in Sagamore Hills Township,
15 in Council District 1.

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17 SECTION 4

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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 5

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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 April 27, 2020

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34 ADOPTED April 27, 2020

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38 _____
39 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

40 APPROVED April 28, 2020

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44 EXECUTIVE

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46 ENACTED EFFECTIVE April 28, 2020

Voice Vote YES: 11-0 Dickinson, Donofrio, Feeman, Koehler,
McKenney, Prentice, Rodgers, Schmidt, Sims, Walters, Wilhite