

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

6  
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.**

9  
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

15  
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

27  
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

31  
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;

35  
36 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
37 of Ohio, that:

38  
39 SECTION 1

40  
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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47

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

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4 SECTION 1 (Continued)

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	<u>Name</u>	<u>Parcel</u>	<u>Amount</u>	<u>Years</u>	<u>Payment</u>
		<u>Number</u>	<u>Deferred</u>	<u>Deferred</u>	<u>(Semi-Annual)</u>
8	BABSON MACEDONIA				
9	PARTNERS	3311086	\$ 13,262.75	2	\$ 3,315.69
10	CUYAHOGA HEIGHTS, LP	3506108	\$ 103,767.00	5	\$ 10,376.70
11	GOUGH KEVIN M	6201012	\$ 1,960.00	2	\$ 490.00
12	CROSS ROADS LTD	5106548	\$ 6,618.83	2	\$ 1,654.71
13	STOW ROADHOUSE				
14	VENTURES LLC	5618465	\$ 21,051.41	2	\$ 5,262.85
15	LLFJAO LC	5617977	\$ 25,418.33	2	\$ 6,354.58
16	GREEN VILLAGE REALTY LTD	2801903	\$ 48,156.20	2	\$12,039.05
17	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.  
24

25 SECTION 3

26  
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.  
30

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.  
36

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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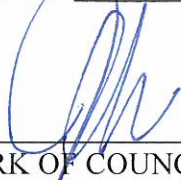
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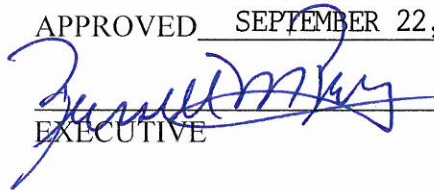
INTRODUCED September 21, 2015

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