

RESOLUTION NO. 2011-337

SPONSOR Mr. Pry

DATE October 3, 2011

COMMITTEE Public Works

A Resolution assessing the residents of Wilhelm Subdivision, located in Twinsburg Township Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.

WHEREAS, County Council previously adopted Resolution No. 1995-110, which approved the plat for Wilhelm Subdivision; and

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

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

WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said subdivision and to fully execute its powers and duties thereof; and

WHEREAS, the Engineer has prepared a Special Assessment Worksheet, which is attached and marked as Exhibit A, which apportions necessary charges for drainage maintenance among the Subdivision's benefited parcel owners; and

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to assess the residents of the Wilhelm Subdivision for the aforementioned reasons;

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

SECTION 1

A drainage maintenance fund for Wilhelm Subdivision, located in Twinsburg Township Council District 1, is hereby established.

SECTION 2

Owners of parcels within Wilhelm Subdivision shall be assessed for drainage maintenance per the attached Special Assessment Worksheet, Exhibit A hereof. Each assessment is proportional to the estimated benefit to the respective parcel.

SECTION 3

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

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance in Wilhelm Subdivision.

SECTION 5

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

SECTION 6

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

INTRODUCED August 15, 2011

ADOPTED October 3, 2011


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED October 3, 2011


EXECUTIVE

ENACTED EFFECTIVE October 3, 2011

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

EXHIBIT 'A'
SPECIAL ASSESSMENT WORKSHEET

PROJECT: **Wilhelm Subdivision**
Twinsburg Township - Council District 1
Drainage Maintenance District No. 1

ASSESSMENT CODE: C25-000-0000

11 - 337

PARCEL NUMBER	SQ FT	ACREAGE	ACREAGE W/ STREETS	ANNUAL PAYMENT W/ STREETS	SEMI-ANNUAL PAYMENT
6204705	603,132	13.8460	14.6703	1595.56	797.78
6204725	149,454	3.4310	4.2553	462.81	231.40
6204726	30,884	0.7090	1.5333	166.76	83.38
6205096	141,570	3.2500	4.0743	443.12	221.56
6205097	180,469	4.1430	4.9673	540.25	270.12
6205791	141,526	3.2490	4.0733	443.01	221.51
6205792	117,917	2.7070	3.5313	384.06	192.03
6205797	204,122	4.6860	5.5103	599.30	299.65

Average Semi-Annual Payment per owner:	\$289.68
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Term of Assessment: Permanent, subject to review every six years, for adjustments pursuant to Ohio Revised Code 6137.11.