

1 RESOLUTION NO. 2016-282

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 22, 2016 COMMITTEE Planning

6
7 **A Resolution assessing the residents of Arbor Chase Subdivision - Phase 2 for drainage**
8 **maintenance, for the Engineer, and declaring an emergency.**

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10 WHEREAS, by Resolution No. 2016-280, this Council will be approving and accepting
11 the plat for Arbor Chase Subdivision - Phase 2; and

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

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17 WHEREAS, assessments for drainage maintenance also are permitted by Sections
18 6137.02 and 6137.03 of the Ohio Revised Code; and;

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20 WHEREAS, the County Engineer seeks to assess for drainage maintenance for said
21 subdivision and to fully execute its powers and duties thereof; and

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

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27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
28 that assessing the residents of Arbor Chase Subdivision - Phase 2, in Copley Township, in
29 Council District 5, for drainage maintenance, per attached Exhibit A, is necessary and in the best
30 interest of the County of Summit;

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

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35 SECTION 1

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37 A drainage maintenance fund for Arbor Chase Subdivision - Phase 2, located in Copley
38 Township, Council District 5, is hereby established.

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40 SECTION 2

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42 Owners of parcels within the Arbor Chase Subdivision - Phase 2 shall be assessed for
43 drainage maintenance per the special assessment worksheet attached as Exhibit A. Each
44 assessment is proportional to the estimated benefit to the respective parcel.

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46 SECTION 3

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

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2 PAGE TWO

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4 SECTION 4

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in the Arbor Chase Subdivision - Phase 2.

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10 SECTION 5

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

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16 SECTION 6

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

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25 INTRODUCED August 8, 2016

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27 ADOPTED August 22, 2016

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31 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

APPROVED August 23, 2016

EXECUTIVE

ENACTED EFFECTIVE August 23, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman, Kostandaras,
Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: Lee