

1 RESOLUTION NO. 2017-322

First Reading Passage Requested
(H. Swindell)

2 SPONSOR Ms. Shapiro

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4
5 DATE August 21, 2017 COMMITTEE Planning

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7 **A Resolution assessing the residents of Lions Park Allotment Phase 2 for drainage**
8 **maintenance, located in Springfield Township, in Council District 8, for the Engineer, and**
9 **declaring an emergency.**

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11 WHEREAS, by Resolution No. 2017-323, this Council will be approving and accepting
12 the plat for Lions Park Allotment Phase 2, located in Springfield Township, in Council District
13 8; 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
17 subsequent 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, the County Engineer seeks to assess for drainage maintenance for said
23 subdivision and to fully execute its powers and duties thereof; and

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

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29 WHEREAS, this Council finds and determines, after reviewing all pertinent
30 information, that it is necessary and in the best interest of the County of Summit to assess the
31 residents of Lions Park Allotment Phase 2, located in Springfield Township, in Council District
32 8, for drainage maintenance, as set forth in Exhibit A attached to this Resolution;

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

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37 SECTION 1

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39 A drainage maintenance fund for Lions Park Allotment Phase 2, located in Springfield
40 Township, Council District 8, is hereby established.

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42 SECTION 2

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44 Owners of parcels within the Lions Park Allotment Phase 2 shall be assessed for
45 drainage maintenance per the special assessment worksheet attached as Exhibit A. Each
46 assessment is proportional to the estimated benefit to the respective parcel.

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48 SECTION 3

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50 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall
51 certify the attached assessments to the County Fiscal Officer for placement on the next
52 succeeding tax 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,
7 and welfare of the citizens of the County of Summit, and for the further reason to immediately
8 fund necessary drainage maintenance in the Lions Park Allotment Phase 2, in Springfield
9 Township, in Council District 8.

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11 SECTION 5

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

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17 SECTION 6

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

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26 INTRODUCED August 21, 2017

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28 ADOPTED August 21, 2017

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32 CLERK OF COUNCIL

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38 PRESIDENT OF COUNCIL

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40 APPROVED August 22, 2017

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43 EXECUTIVE

ENACTED EFFECTIVE August 22, 2017

Voice Vote: 10-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Schmidt, Walters, Wilhite
ABSENT: Rodgers