

1 RESOLUTION NO. 2018-156

**First Reading Passage Requested**  
(H. Swindell)

2 SPONSOR Ms. Shapiro

3 DATE April 30, 2018

4 COMMITTEE Public Works

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6  
7 **A Resolution authorizing the County Executive to enter into an private developer**  
8 **agreement with Frederick A. and Patricia A. Slezak and Eva S. Wright for the construction**  
9 **of an extension of public storm water drainage facilities at 669 and 715 Pine Point Drive, in**  
10 **Bath Township, Council District 5, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, Frederick A. and Patricia A. Slezak, and Eva S. Wright (“the Developers”)  
13 have requested permission to construct, at the Developers’ expense, an extension to County  
14 storm water drainage facilities located in the Sanctuary of Bath Phase Two Subdivision on Lots  
15 82 and 83, and better known as 669 and 715 Pine Point Drive, in Bath Township, Council  
16 District 5 (“Project”); and

17  
18 WHEREAS, the County shall own, operate, and maintain said storm water drainage  
19 facilities and appurtenances upon completion of the work by the Developers and acceptance of  
20 the improvement by the County; and

21  
22 WHEREAS, a private developer agreement is needed to outline the duties and financial  
23 commitments of the County and the Developers, a copy of which is attached hereto as Exhibit A  
24 and incorporated herein by reference; and

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26 WHEREAS, this Council has determined after reviewing all pertinent information, that it  
27 is necessary and in the best interest of the County of Summit to authorize the County Executive  
28 to execute a private developer agreement with the Developers for the Project;

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

32  
33 SECTION 1

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35 The County Executive is hereby authorized to execute a private developer agreement  
36 with the Frederick A. and Patricia A. Slezak and Eva S. Wright to outline duties and financial  
37 responsibilities for the drainage facilities constructed on Lots 82 and 83 in the Sanctuary of Bath  
38 Phase Two Subdivision and better known as 669 and 715 Pine Point Drive, in Bath Township,  
39 Council District 5 (“Project”). The private developer agreement is attached hereto as Exhibit A  
40 and incorporated herein as if fully restated.

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42 SECTION 2

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44 This Resolution is hereby declared an emergency in the interest of the health, safety and  
45 welfare of the citizens of the County of Summit, and for the further purpose to immediately  
46 allow the County Executive to execute said private developer agreement to provide flooding and  
47 erosion control for Sanctuary of Bath residents.

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2 PAGE TWO

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4 SECTION 3

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

9  
10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED April 30, 2018

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22 ADOPTED April 30, 2018

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26 \_\_\_\_\_  
27 CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

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29 APPROVED May 1, 2018

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32 \_\_\_\_\_  
33 EXECUTIVE

34  
35 May 1, 2018

36 \_\_\_\_\_  
37 ENACTED EFFECTIVE

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