

1 RESOLUTION NO. 2018-286

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 20, 2018

COMMITTEE: Public Works

6
7 **A Resolution assessing the residents of Barn Hill Subdivision No. 2 for drainage**
8 **maintenance, in Bath Township, in Council District 5, for the Engineer, and declaring an**
9 **emergency.**

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11 WHEREAS, County Council previously adopted Ordinance No. 2001-738, which
12 approved and accepted the plat for Barn Hill Subdivision No. 2; and

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

17
18 WHEREAS, assessments for drainage maintenance also are permitted by Sections
19 6137.02 and 6137.03 of the Ohio Revised Code; and;

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

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

27
28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that it is necessary and in the best interest of the County of Summit to assess the residents of
30 Barn Hill Subdivision No. 2, in Bath Township, in Council District 5, for drainage maintenance,
31 as set forth in Exhibit A attached to this Resolution;

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

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36 SECTION 1

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38 A drainage maintenance fund for Barn Hill Subdivision No. 2, located in Bath Township,
39 Council District 5, is hereby established.

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41 SECTION 2

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43 Owners of parcels within Barn Hill Subdivision No. 2 shall be assessed for drainage
44 maintenance as set forth in the special assessment worksheet attached as Exhibit A. Each
45 assessment is proportional to the estimated benefit to the respective parcel.

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47 SECTION 3

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49 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall certify
50 the attached assessments to the County Fiscal Officer for placement on the next succeeding tax
51 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 residents of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in Barn Hill Subdivision No. 2, in Bath Township, in Council
9 District 5.

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

24
25
26 INTRODUCED August 6, 2018

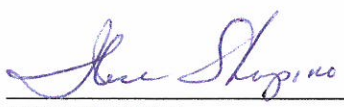
27
28 ADOPTED August 20, 2018

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30 
31 _____
32 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

33
34 APPROVED August 21, 2018

35
36 
37 _____
38 EXECUTIVE

39
40 ENACTED EFFECTIVE August 21, 2018

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