

1 RESOLUTION NO. 2018-352

2
3 SPONSOR Ms. Shapiro

4
5 DATE September 24, 2018

COMMITTEE Public Works

6
7 **A Resolution amending Resolution No. 2015-271 to update the boundaries of the**
8 **assessment district for the Columbine Service Area Sanitary Sewer Improvement Project**
9 **Q-948, located in a portion of the Township of Springfield and the Village of Mogadore, in**
10 **Council District 8, to reflect the inclusion of four additional parcels within the**
11 **Improvement Project's assessment district, for the Executive's Department of Sanitary**
12 **Sewer Services, and declaring an emergency.**

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14 WHEREAS, the Ohio Environmental Protection Agency Director's Final Findings and
15 Orders dated April 10, 2010, ordered the County to remediate a health nuisance caused by failing
16 septic systems in a portion of the Township of Springfield and the Village of Mogadore known
17 as the Columbine Neighborhood, in Council District 8; and

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19 WHEREAS, this Council approved the detailed plans, specifications, estimate of cost and
20 tentative assessment amount for the Columbine Service Area Sanitary Sewer Improvement
21 Project Q-948 ("Improvement Project") in Resolution No. 2015-271;

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23 WHEREAS, four property owners petitioned the County to have a total of four parcels
24 included within the Improvement Project's assessment district after the detailed plans,
25 specifications, estimate of cost and tentative assessment amount for the Improvement Project
26 were approved by Council; and

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28 WHEREAS, the property owners have waived their right to a public hearing under
29 Section 6117.06 of the Ohio Revised Code; and

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31 WHEREAS, Section 6117.06 of the Ohio Revised Code provides that if the boundaries of
32 the assessment district are revised to include additional property, then the resolution establishing
33 the boundaries of the assessment district must also be amended to reflect those additions; and

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35 WHEREAS, the revised detailed plans, specifications, estimate of cost and a tentative
36 assessment of the Improvement Project are on file in the Clerk of Council's Office; and

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38 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
39 that it is necessary and in the best interest of the County of Summit to amend Resolution No.
40 2015-271 to update the boundaries of the assessment district for the Improvement Project;

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

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45 SECTION 1

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47 This Council hereby amends Resolution No. 2015-271 to update the boundaries of the
48 assessment district for the Columbine Service Area Sanitary Sewer Improvement Project Q-948
49 ("Improvement Project"), located in a portion of the Township of Springfield and the Village of
50 Mogadore, in Council District 8, to include four additional parcels into the Improvement
51 Project's assessment district.
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2 PAGE TWO

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4 SECTION 2

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6 The updated boundaries of the area to be assessed are described fully in **Exhibit A** (map)
7 and **Exhibit B** (list of assessed parcels), which are attached hereto and incorporated herein as if
8 fully rewritten.

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10 SECTION 3

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12 This Resolution is declared an emergency in the interest of the health, safety and welfare
13 of the citizens of the County of Summit, and for the further reason to immediately ensure that the
14 County complies with the assessment requirements set forth in the Ohio Revised Code.

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16 SECTION 4

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

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22 SECTION 5

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24 It is found and determined that all formal actions of the Council concerning and relating
25 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
26 deliberations of this Council and of any of its committees that resulted in such formal action,
27 were in meetings open to the public, in compliance with all legal requirements, including Section
28 121.22 of the Ohio Revised Code.

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31 INTRODUCED September 10, 2018

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33 ADOPTED September 24, 2018

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37 CLERK OF COUNCIL

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43 PRESIDENT OF COUNCIL

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45 APPROVED September 25, 2018

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48 EXECUTIVE

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50 ENACTED EFFECTIVE September 25, 2018

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