

1 RESOLUTION NO. 2020-411

First Reading Passage Requested
(H. Swindell)

2 SPONSOR Executive Shapiro

3 DATE December 7, 2020

COMMITTEE Planning

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7 **A Resolution assessing the residents of The Retreat At Liberty Lakes Subdivision Phase 1**
8 **for drainage maintenance, located in Twinsburg Township, in Council District 1, for the**
9 **Engineer, and declaring an emergency.**

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11 WHEREAS, by Resolution No. 2020-410, this Council will be approving and accepting
12 the plat for The Retreat At Liberty Lakes Subdivision Phase 1, located in Twinsburg Township,
13 in Council District 1; 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 subsequent
17 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 Engineer seeks to assess for drainage maintenance for said subdivision
23 and to fully execute his 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 information,
30 that it is necessary and in the best interest of the County of Summit to assess the residents of The
31 Retreat At Liberty Lakes Subdivision Phase 1, in Twinsburg Township, in Council District 1, for
32 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, State
35 of Ohio, that:

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37 SECTION 1

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39 Owners of parcels within The Retreat At Liberty Lakes Subdivision Phase 1 shall be
40 assessed for drainage maintenance per the special assessment worksheet, a copy of which is
41 attached as Exhibit A and incorporated fully herein. Each assessment is proportional to the
42 estimated benefit to the respective parcel.

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44 SECTION 2

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

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2 PAGE TWO

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4 SECTION 3

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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 The Retreat At Liberty Lakes Subdivision Phase 1, in
9 Twinsburg Township, in Council District 1.

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11 SECTION 4

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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 5

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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.

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26 INTRODUCED December 7, 2020

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28 ADOPTED December 7, 2020

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32 _____
33 CLERK OF COUNCIL

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38 PRESIDENT OF COUNCIL

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40 APPROVED December 8, 2020

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44 EXECUTIVE

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46 ENACTED EFFECTIVE December 8, 2020

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48 Voice Vote: YES: 11-0 Dickinson, Donofrio, Feeman, Koehler,
49 McKenney, Prentice, Rodgers, Schmidt, Sims, Walters, Wilhite