

1 RESOLUTION NO. 2021-154

2  
3 SPONSOR Executive Shapiro

4  
5 DATE June 14, 2021

COMMITTEE Planning

6  
7 **A Resolution assessing the residents of Heartridge Subdivision Phase 1 for drainage**  
8 **maintenance, located in Sagamore Hills Township, in Council District 1, for the Engineer,**  
9 **and declaring an emergency.**

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11 WHEREAS, by Resolution No. 2021-153, this Council will be approving and accepting  
12 the plat for Heartridge Subdivision Phase 1, located in Sagamore Hills Township, in Council  
13 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  
31 Heartridge Subdivision Phase 1, in Sagamore Hills Township, in Council District 1, for drainage  
32 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 Heartridge Subdivision Phase 1 shall be assessed for drainage  
40 maintenance per the special assessment worksheet, a copy of which is attached as Exhibit A and  
41 incorporated fully herein. Each assessment is proportional to the estimated benefit to the  
42 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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1 RESOLUTION NO. 2021-154

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 Heartridge Subdivision Phase 1, in Sagamore Hills  
9 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.

16  
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 May 24, 2021

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28 ADOPTED June 14, 2021

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32 CLERK OF COUNCIL

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32 PRESIDENT OF COUNCIL

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34 APPROVED June 15, 2021

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38 EXECUTIVE

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40 ENACTED EFFECTIVE June 15, 2021

41  
Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio,  
Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite