

ORDINANCE NO. 2009-229

SPONSOR Ms. Shapiro and Mr. Kostandaras

DATE June 1, 2009

COMMITTEE: Planning

An Ordinance granting the annexation of 1.1478 acres of real estate from Twinsburg Township, Summit County, Ohio to the City of Twinsburg, Summit County, Ohio pursuant to Ohio Revised Code 709.033(A), for County Council.

WHEREAS, a petition for the annexation of 1.1478 acres of real estate from Twinsburg Township, Summit County, Ohio to the City of Twinsburg, Summit County, Ohio was accepted for filing by Summit County Council on March 11, 2009; and a public hearing was held on May 18, 2009.

NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

It is found and determined that the petition meets all the requirements set forth in, and was filed in the manner provided by Section 709.02 of the Revised Code of Ohio; that the persons who signed the petition are owners of real estate located in the territory proposed to be annexed in the petition, and, as of the time petition was filed with the Council of County of Summit, the number of valid signatures on the petition constitute a majority of the owners of real estate in that territory; and that notice has been published as required by Section 709.03(B) of the Revised Code of Ohio.

SECTION 2

It is further found that the City of Twinsburg has complied with Ohio Revised Code Section 709.03(D) by adopting a resolution indicating what services it will provide to the territory proposed for annexation; that the territory proposed to be annexed is not unreasonably large; that the map or plat is accurate; that, on balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area; and that no street or highway will be divided or segmented by the boundary line between a township and the municipal corporation as to create a road maintenance problem.

SECTION 3

The petition for annexation of 1.1478 acres of real estate from Twinsburg Township, Summit County, Ohio to the City of Twinsburg, Summit County, Ohio was accepted for filing on March 11, 2009, has been determined by this Council to be valid by a preponderance of the substantial, reliable, and probative evidence on the whole record and therefore granted. Upon adoption of this Ordinance, the requirements of 709.033(A) are fulfilled.

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SECTION 4

Pursuant to Ohio Revised Code Section 709.033(B), the Clerk of Council shall enter on the Journal of County Council all orders of the County Council relating to this annexation petition and shall send a certified copy of the ordinance to the agent for the petitioners, the clerk of the City of Twinsburg, and the clerk of Twinsburg Township. A thirty (30) day period shall follow the journalization of the decision to allow for an appeal. During this period, the Clerk of Council is prohibited from taking any further action.

SECTION 5

Pursuant to Ohio Revised Code Section 709.033(C), if no appeal has been filed, the Clerk shall deliver a certified copy of the entire record of the annexation proceedings including all resolutions or ordinances of County Council, the petition, map, the recording of the proceedings, and the exhibits presented at the hearing and all other papers on file relating to this annexation petition to the Auditor or Clerk of the City of Twinsburg.

SECTION 6

Provided this Ordinance receives the affirmative vote of eight members, it shall take effect and be in force at the earliest time provided by law.

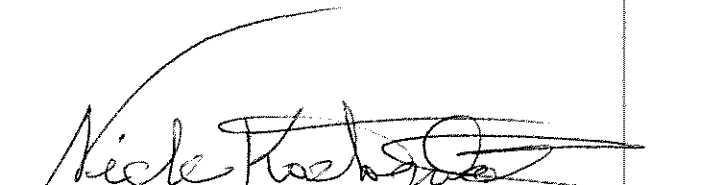
SECTION 7

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

INTRODUCED June 1, 2009

ADOPTED June 1, 2009


CLERK OF COUNCIL


PRESIDENT

APPROVED June 1, 2009


EXECUTIVE

July 1, 2009
ENACTED EFFECTIVE

Voice Vote: 9-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Schmidt, Shapiro, ABSENT: Rodgers & Smith