RESOLUTION NO. 2012-176  

First Reading Passage Requested  

(A. Dunchuck)  

SPONSOR ________ Mr. Pry and Mr. Kostandaras  

DATE April 30, 2012  

COMMITTEE Planning  

A Resolution amending the assessments of the residents of The Forest At Kings Creek, located in Richfield Township, Council District 1, for drainage maintenance, for the Engineer, and declaring an emergency.  

WHEREAS, by Resolution No. 2002-428, this Council approved the plat for The Forest At Kings Creek; and  

WHEREAS, by Resolution No. 2012-175, this Council will be approving the replat for The Forest At Kings Creek; and  

WHEREAS, said plat included a drainage maintenance assessment provision signed by all owners of parcels located within said Subdivision, with said provision applying to subsequent owners of the same parcels; and  

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

WHEREAS, the County Engineer seeks to amend the drainage maintenance assessments for said Subdivision and to fully execute its powers and duties thereof; and  

WHEREAS, the County Engineer has prepared a Special Assessment Worksheet, which is attached and marked as Exhibit A, which apportions necessary charges for drainage maintenance among the Subdivision’s benefited parcel owners; and  

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that the acceptance and approval of the aforementioned amended assessments is necessary and in the best interest of the County of Summit;  

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

SECTION 1  

A drainage maintenance fund for The Forest At Kings Creek, located in Richfield Township, Council District 1, is hereby amended.  

SECTION 2  

Owners of parcels within The Forest At Kings Creek subdivision shall be assessed for drainage maintenance per the attached Special Assessment Worksheet, Exhibit A hereof. Each assessment is proportional to the estimated benefit to the respective parcel.
SECTION 3

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

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance in The Forest At Kings Creek subdivision.

SECTION 5

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

SECTION 6

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 April 30, 2012

ADOPTED April 30, 2012

CLERK OF COUNCIL

APPROVED May 1, 2012

EXECUTIVE

ENACTED EFFECTIVE May 1, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro