RESOLUTION NO. 2012-253

SPONSOR Mr. Pry

DATE June 18, 2012 COMMITTEE: Planning

A Resolution assessing the sublots of the HH Gregg/Marketplace Subdivision, located in Copley Township, Council District 5, for drainage maintenance, for the Engineer, and declaring an emergency.

WHEREAS, by Resolution No. 2012-252, this Council approved the plat for the HH Gregg/Marketplace Subdivision; and

WHEREAS, said plat includes 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 establish a drainage maintenance fund 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.

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County to assess the sublots of the HH Gregg/Marketplace Subdivision.

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

SECTION 1

A drainage maintenance fund for HH Gregg/Marketplace Subdivision, located in Copley Township, Council District 5, is hereby established.

SECTION 2

Owners of parcels within the HH Gregg/Marketplace Subdivision shall be assessed for drainage maintenance per the attached Special Assessment Worksheet, attached hereto as Exhibit A. 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 HH Gregg/Marketplace Subdivision 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 __________ June 4, 2012 __________

ADOPTED __________ June 18, 2012 __________

CLERK OF COUNCIL

APPROVED __________ June 18, 2012 __________

EXECUTIVE

June 18, 2012

ENACTED EFFECTIVE

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