RESOLUTION NO. 2012-381 Late Filing

SPONSOR Mr. Pry and Mr. Crawford

DATE November 5, 2012 COMMITTEE Public Works

A Resolution approving the general plan of sewerage known as the Clinton Master Sewer Plan, declaring that the improvements in accordance with the Plan are necessary for the preservation and promotion of the public health and welfare, determining that special assessments shall be levied and collected to pay the cost of the improvements in accordance with the Plan, and directing the Executive to prepare detailed plans, specifications, and estimates of cost for the construction of sanitary sewer pursuant to the Plan, together with tentative assessments of the cost based on the estimates, located in District 7, for the Department of Environmental Services, and declaring an emergency.

WHEREAS, the Executive, through the Department of Environmental Services (“DOES”) caused a study to be performed of the southwest portion of the County of Summit to determine the need and feasibility of sanitary sewer in that area; and

WHEREAS, as a result of the above referenced study, DOES has prepared the Clinton Master Sewer Plan (“Plan”) in order to reduce or eliminate existing health problems and the hazard of water pollution from failing septic systems in the area of the Village of Clinton; and

WHEREAS, the Board of Health of the Summit County Combined General Health District (“Board of Health”) passed its Resolution No. 242 - 12, in which the Board of Health determined in accordance with Section 6117.51 of the Ohio Revised Code, that the reason for expansion of sanitary sewer in the Village of Clinton by the County of Summit is to reduce or eliminate existing health problems and hazard of water pollution; and

WHEREAS, this Council has determined, after reviewing all pertinent information, that the Plan 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

The general plan of sewerage known as the Clinton Master Sewer Plan (“Plan”), which is to construct sanitary sewers and related appurtenances (“Improvements”) in the Village of Clinton, in the areas detailed on Exhibit A attached to this Resolution, is hereby approved by this Council.

SECTION 2

This Council hereby determines that the Improvements are necessary for the preservation and promotion of the public health and welfare.

SECTION 3

This Council hereby determines that special assessments shall be levied and collected to pay the cost of the Improvements in accordance with the Plan.
SECTION 4

This Council directs the Executive, through the Department of Environmental Services, to prepare, or cause to be prepared in such portions as the Executive may determine, detailed plans, specifications, and estimates of cost for the Improvements, together with tentative assessments of the cost based on the estimates. The tentative assessments shall be for the information of property owners and shall not be levied or certified to the Fiscal Officer for collection.

SECTION 5

This Resolution is 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 provide for the immediate design and construction of needed sanitary sewage facilities in the Village of Clinton.

SECTION 6

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 7

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  September 17, 2012
ADOPTED  November 5, 2012

CLERK OF COUNCIL

APPROVED  November 6, 2012

EXECUTIVE  November 6, 2012

ENACTED EFFECTIVE

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