

1 RESOLUTION NO. 2013-114

2
3 SPONSOR Mr. Pry

4
5 DATE March 18, 2013

COMMITTEE Planning

6
7 **A Resolution assessing the residents of Barn Hill Subdivision No. 3, located in Bath**
8 **Township, Council District 5, for drainage maintenance, for the Engineer, and declaring an**
9 **emergency.**

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11 WHEREAS, County Council will be adopting Resolution No. 2013-113, which approves
12 the plat for Barn Hill Subdivision No. 3; and

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14 WHEREAS, said plat includes a drainage maintenance assessment provision signed by
15 all owners of parcels located within said subdivision, with said provision applying to subsequent
16 owners of the same parcels; and

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18 WHEREAS, assessments for drainage maintenance also are permitted by Sections
19 6137.02 and 6137.03 of the Ohio Revised Code; and

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21 WHEREAS, the County Engineer seeks to establish a drainage maintenance fund for said
22 Subdivision and to fully execute its powers and duties thereof; and

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

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that it is necessary and in the best interest of the County of Summit to assess the residents of the
30 Barn Hill Subdivision No. 3 for the aforementioned reasons;

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

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35 SECTION 1

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37 A drainage maintenance fund for Barn Hill Subdivision No. 3, located in Bath Township,
38 Council District 5, is hereby established.

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40 SECTION 2

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42 Owners of parcels within Barn Hill Subdivision No. 3 shall be assessed for drainage
43 maintenance per the attached Special Assessment Worksheet Exhibit A. Each assessment is
44 proportional to the estimated benefit to the respective parcel.

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46 SECTION 3

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

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4 SECTION 4

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in Barn Hill Subdivision No. 3 in Bath Township.

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10 SECTION 5

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

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16 SECTION 6

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

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24
25 INTRODUCED March 18, 2013

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27 ADOPTED March 18, 2013

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32 CLERK OF COUNCIL

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39 
PRESIDENT OF COUNCIL

APPROVED March 19, 2013


EXECUTIVE

ENACTED EFFECTIVE March 19, 2013

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