RESOLUTION NO. 2014-531

SPONSOR Mr. Pry

DATE December 8, 2014 COMMITTEE Planning

A Resolution assessing the residents of The Preserve at Miller’s Farm Subdivision Phase 1 for drainage maintenance, located in Copley Township, Council District 5, for the County Engineer, and declaring an emergency.

WHEREAS, by Resolution No. 2014-530, this Council will approve the plat for The Preserve at Miller’s Farm Subdivision Phase 1; 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 assess for drainage maintenance for said subdivision and to fully execute its powers and duties thereof; and

WHEREAS, the County Engineer has prepared a special assessment worksheet, attached 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 assessing the residents of The Preserve at Miller’s Farm Subdivision Phase 1 located in Copley Township, Council District 5, for drainage maintenance, per attached Exhibit A, 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 Preserve at Miller’s Farm Subdivision Phase 1, located in Copley Township, Council District 5, is hereby established.

SECTION 2

Owners of parcels within The Preserve at Miller’s Farm Subdivision Phase 1 shall be assessed for drainage maintenance per the special assessment worksheet attached 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.
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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 Preserve at Miller’s Farm Subdivision Phase 1.

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 November 24, 2014

ADOPTED December 8, 2014

CLERK OF COUNCIL

APPROVED December 9, 2014

EXECUTIVE

ENACTED EFFECTIVE December 9, 2014

Voice Vote: 8-0 YES: Comunale, Crawford, Feeman, Kurt, Lee, Roemer, Schmidt, Shapiro

ABSENT: Kostandaras, Prentice, Rodgers

[Signatures]