

1 RESOLUTION NO. 2015-514

2
3 SPONSOR Mr. Pry

4
5 DATE December 7, 2015

COMMITTEE Planning

6
7 **A Resolution revising the assessments for the residents of Creekstone Phase 1 for drainage**
8 **maintenance, in Copley Township, in Council District 5, for the Engineer, and declaring an**
9 **emergency.**

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11 WHEREAS, County Council previously approved the plat for Creekstone Phase 1 with
12 Resolution No. 2003-696; and

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14 WHEREAS, by the adoption of Resolution No. 2015-513, this Council will be approving
15 Creekstone Phase 1 Replat No. 2; and

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

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21 WHEREAS, assessments for drainage maintenance also are permitted by Sections
22 6137.02 and 6137.03 of the Ohio Revised Code; and

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24 WHEREAS, the Engineer seeks to revise the assessments for drainage maintenance for
25 said subdivision and to fully execute its powers and duties thereof; and

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27 WHEREAS, the Engineer has prepared a revised special assessment worksheet, attached
28 as Exhibit A, which apportions necessary charges for drainage maintenance among the
29 subdivision's benefited parcel owners; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that revising the assessments for the residents of Creekstone Phase 1 in Copley Township, in
33 Council District 5, for drainage maintenance, per attached Exhibit A, is necessary and in the best
34 interest of the County of Summit;

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36 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
37 of Ohio, that;

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39 SECTION 1

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41 A drainage maintenance fund for Creekstone Phase 1, in Copley Township, in Council
42 District 5, is hereby revised.

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44 SECTION 2

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46 Owners of parcels within Creekstone Phase 1 subdivision shall be assessed for drainage
47 maintenance per the revised special assessment worksheet attached as Exhibit A. Each
48 assessment is proportional to the estimated benefit to the respective parcel.
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2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 This Resolution is hereby declared an emergency in the interest of the health, safety,
13 and welfare of the citizens of the County of Summit, and for the further reason to
14 immediately fund necessary drainage maintenance in Creekstone Phase 1 subdivision in
15 Copley Township.

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17 SECTION 5

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

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23 SECTION 6

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

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32 INTRODUCED November 23, 2015

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34 ADOPTED December 7, 2015

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38 CLERK OF COUNCIL


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40 PRESIDENT OF COUNCIL

41 APPROVED December 8, 2015

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44 EXECUTIVE

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46 ENACTED EFFECTIVE December 8, 2015

Voice Vote: 9-0 YES: Comunale, Crawford, Donofrio, Feeman,
Kurt, Lee, Prentice, Schmidt, Shapiro
ABSENT: Kostandaras, Rodgers