

1 RESOLUTION NO. 2019-212

2
3 SPONSOR Ms. Shapiro

4
5 DATE June 17, 2019

COMMITTEE Planning

6
7 **A Resolution assessing the residents of Mottl Reserve Phase 1 for drainage maintenance, in**
8 **Sagamore Hills Township, in Council District 1, for the Engineer, and declaring an**
9 **emergency.**

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11 WHEREAS, by Resolution No. 2019-211 , this Council will be approving and accepting
12 the plat for Mottl Reserve Phase 1; 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 assess for drainage maintenance 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, attached to this
25 Resolution as Exhibit A, which apportions necessary charges for drainage maintenance among
26 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
30 Mottl Reserve Phase 1, in Sagamore Hills Township, in Council District 1, for drainage
31 maintenance, as set forth in Exhibit A attached to this Resolution;

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

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36 SECTION 1

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38 A drainage maintenance fund for Mottl Reserve Phase 1, located in Sagamore Hills
39 Township, Council District 1, is hereby established.

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41 SECTION 2

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43 Owners of parcels within Mottl Reserve Phase 1 shall be assessed for drainage
44 maintenance per the special assessment worksheet attached as Exhibit A. Each assessment is
45 proportional to the estimated benefit to the respective parcel.

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47 SECTION 3

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

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the residents of the County of Summit, and for the further reason to immediately fund necessary drainage maintenance in Mottl Reserve Phase 1, in Sagamore Hills Township, in Council District 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 June 3, 2019

ADOPTED June 17, 2019

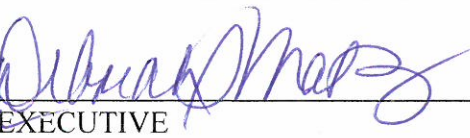


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED June 18, 2019



EXECUTIVE

ENACTED EFFECTIVE June 18, 2019

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: Hamilton