

1 RESOLUTION NO. 2019-286

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 19, 2019 COMMITTEE Public Works

6
7 **A Resolution revising the assessments for the parcels of Montrose West Allotment Phase 1**
8 **Part 2, in Copley Township, in Council District 5, for drainage maintenance, for the**
9 **Engineer, and declaring an emergency.**

10
11 WHEREAS, this Council previously adopted Resolution No. 1986-332, which approved
12 and accepted Montrose West Allotment Phase 1 Part 2, in Copley Township, in Council District
13 5; and

14
15 WHEREAS, June 24, 2019, the Planning Commission, approved a resubdivision titled
16 "Montrose West Allotment Phase 1 Part 2 Replat,"

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

21
22 WHEREAS, assessments for drainage maintenance also are permitted by Sections
23 6137.02 and 6137.03 of the Ohio Revised Code; and

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

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

31
32 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
33 that it is necessary and in the best interest of the County of Summit to revise the assessments for
34 the residents of Montrose West Allotment Phase 1 Part 2 in Copley Township, in Council
35 District 5, for drainage maintenance, as set forth in Exhibit A attached to this Resolution;

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

39
40 SECTION 1

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42 A drainage maintenance fund for Montrose West Allotment Phase 1 Part 2, in Copley
43 Township, in Council District 5, is hereby revised as set forth herein.

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45 SECTION 2

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47 Owners of parcels within Montrose West Allotment Phase 1 Part 2 subdivision shall be
48 assessed for drainage maintenance, per the revised special assessment worksheet attached as
49 Exhibit A. Each assessment is proportional to the estimated benefit to the respective parcel.
50

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2 PAGE TWO

3
4 SECTION 3

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6 Pursuant to Section 6137.03 of the Ohio Revised Code, the Clerk of Council shall certify
7 the attached assessments to the County Fiscal Officer for placement on the next succeeding tax
8 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, and
13 welfare of the residents of the County of Summit, and for the further reason to immediately fund
14 necessary drainage maintenance in the Montrose West Allotment Phase 1 Part 2 subdivision in
15 Copley Township, in Council District 5.

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17 SECTION 5

18
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 relating
26 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
27 deliberations of this Council and of any of its committees that resulted in such formal action,
28 were in meetings open to the public, in compliance with all legal requirements, including Section
29 121.22 of the Ohio Revised Code.

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32 INTRODUCED August 5, 2019

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34 ADOPTED August 19, 2019

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38 CLERK OF COUNCIL

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40 APPROVED August 21, 2019

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44 EXECUTIVE

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46 ENACTED EFFECTIVE August 21, 2019

Voice Vote 11-0 - YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite