

1 RESOLUTION NO. 2020-109

**First Reading Passage Requested**  
**(H. Swindell)**

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE April 27, 2020

COMMITTEE Planning

6  
7 **A Resolution assessing the residents of Mottl Reserve Phase 2 for drainage maintenance,**  
8 **located in Sagamore Hills Township, in Council District 1, for the Engineer, and declaring an**  
9 **emergency.**

10  
11 WHEREAS, by Resolution No. 2020-108, this Council will be approving and accepting the  
12 plat for Mottl Reserve Phase 2, located in Sagamore Hills Township, in Council District 1; and

13  
14 WHEREAS, said plat includes a drainage maintenance assessment provision signed by all  
15 owners of parcels located within said subdivision, with said provision applying to subsequent owners  
16 of the same parcels; and

17  
18 WHEREAS, assessments for drainage maintenance also are permitted by Sections 6137.02  
19 and 6137.03 of the Ohio Revised Code; and;

20  
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

23  
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 the  
26 subdivision's benefited parcel owners; and

27  
28 WHEREAS, this Council finds and determines, after reviewing all pertinent information, that  
29 it is necessary and in the best interest of the County of Summit to assess the residents of Mottl  
30 Reserve Phase 2, in Sagamore Hills Township, in Council District 1, for drainage maintenance, as  
31 set forth in Exhibit A attached to this Resolution;

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

35  
36 SECTION 1

37  
38 A drainage maintenance fund for Mottl Reserve Phase 2, located in Sagamore Hills  
39 Township, Council District 1, is hereby established.

40  
41 SECTION 2

42  
43 Owners of parcels within Mottl Reserve Phase 2 shall be assessed for drainage maintenance  
44 per the special assessment worksheet attached as Exhibit A. Each assessment is proportional to the  
45 estimated benefit to the respective parcel.

46  
47 SECTION 3

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

1 RESOLUTION NO. 2020-109

2 PAGE TWO

3

4 SECTION 4

5

6 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the residents of the County of Summit, and for the further reason to immediately fund  
8 necessary drainage maintenance in Mottl Reserve Phase 2, in Sagamore Hills Township, in Council  
9 District 1.

10

11 SECTION 5

12

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

16

17 SECTION 6

18

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

24

25

26 INTRODUCED April 27, 2020

27

28 ADOPTED April 27, 2020

29

30

31

32

33

34

35

36

37

38

39

40

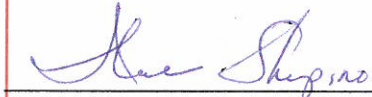


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED April 28, 2020



EXECUTIVE

ENACTED EFFECTIVE April 28, 2020

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