

1 RESOLUTION NO. 2015-230

2
3 SPONSOR Mr. Pry

4
5 DATE June 1, 2015

COMMITTEE Public Works

6
7 **A Resolution approving the detailed plans, specifications, estimate of cost and tentative**
8 **assessment amount, and authorizing the Executive to advertise for bids for the Greentree**
9 **Apartments Sewer Extension Project Q-954, in an amount not to exceed \$102,334.28, in the**
10 **City of Green, in Council District 8, for the Department of Environmental Services, and**
11 **declaring an emergency.**

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13 WHEREAS, the Ohio Environmental Protection Agency has found that Permanent Parcel
14 Nos. 28-10866, 28-10867 and 28-10868 in the City of Green (the "Parcels") have a failing
15 privately-owned sanitary waste treatment plant; and

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17 WHEREAS, a Consent Order in Court of Common Pleas Case No. 2013-05-2229 is
18 forthcoming, which will order the owner of the Parcels to connect them to the County's sanitary
19 sewer system; and

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21 WHEREAS, the owner of the Parcels, Jean A. Hobbs, as Trustee of the Jean A. Hobbs
22 Revocable Living Trust ("Petitioner"), has petitioned the County to extend sanitary sewers to the
23 Parcels, and assess the costs of construction to the Parcels as provided in Chapter 6117.28 of the
24 Ohio Revised Code. A copy of the Petition is attached to this Resolution as Exhibit
25 A; and

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27 WHEREAS, detailed plans, specifications, estimate of cost and a tentative assessment of
28 the project to extend sanitary sewer to the Parcels, known as the Greentree Apartments Sewer
29 Extension Project Q-954 ("Project") have been prepared and are on file in the Clerk of Council's
30 office; and

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32 WHEREAS, under the authority of the Petition and under Section 6117.28 of the Ohio
33 Revised Code, the County may proceed with construction of the Project without further notices or
34 hearings; and

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36 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
37 including the detailed plans, specifications, estimate of cost and tentative assessment of the
38 Project, that the Project is necessary for the preservation and promotion of the public health and
39 welfare, and is in the best interest of the County of Summit;

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41 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
42 of Ohio, that:

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44 SECTION 1

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46 The detailed plans and specifications for the Greentree Apartments Sewer Extension
47 Project Q-954 ("Project"), the character and termini of the Project, the boundaries of the
48 assessment district comprised of Permanent Parcel Nos. 28-10866, 28-10867 and 28-10868,
49 which shall construct sanitary sewer facilities in the area described in Exhibit B, in the City of
50 Green, in Council District 8, are hereby approved and ratified by this Council.
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2 PAGE TWO

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4 SECTION 2

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6 This Council declares that the Project is necessary for the preservation and promotion of
7 the public health and welfare.

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9 SECTION 3

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11 The estimate of cost for the Project, in the amount of \$102,334.28, is approved by this
12 Council.

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14 SECTION 4

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16 This Council determines that special assessments shall be levied and collected to pay the
17 cost of the Project.

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19 SECTION 5

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21 The tentative assessment for the Project in the amount of \$102,334.28, which will be
22 specially assessed against the benefited properties, Permanent Parcel Nos. 28-10866, 28-10867
23 and 28-10868 as further detailed in Exhibit C, is hereby approved and ratified by this Council.
24 The tentative assessment is for the information of property owners and shall not be levied or
25 certified to the County's Fiscal Officer for collection.

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27 SECTION 6

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29 This Council determines that the Project, in accordance with the plans and specifications
30 provided for the Project as herein approved and ratified, shall proceed to construction.

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32 SECTION 7

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34 The County Executive is authorized to advertise for bids for the construction of the
35 Project for an estimated total cost not to exceed \$102,334.28.

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37 SECTION 8

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39 This Resolution is declared an emergency in the interest of the health, safety and welfare
40 of the citizens of the County of Summit and for the further reason to provide for the immediate
41 construction of sanitary sewage facilities in the City of Green needed to abate a health nuisance.

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43 SECTION 9

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45 Provided this Resolution receives the affirmative vote of eight members, it shall take
46 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
47 effect and be in force at the earliest time provided by law.
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2 PAGE THREE

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4 SECTION 10

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED May 11, 2015

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15 ADOPTED June 1, 2015

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19 CLERK OF COUNCIL


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27 PRESIDENT OF COUNCIL

APPROVED June 2, 2015


EXECUTIVE

ENACTED EFFECTIVE June 2, 2015

Voice Vote: 10-0 YES: Comunale, Crawford, Donofrio, Feeman,
Kostandaras, Lee, Prentice, Rodgers, Schmidt, Shapiro
ABSENT: Kurt