

1 RESOLUTION NO. 2013-112

2
3 SPONSOR Mr. Pry

4
5 DATE April 1, 2013

COMMITTEE: Planning

6
7 **A Resolution revising the assessments for the residents of the Firestone Trace Phase V**
8 **subdivision, located in Bath Township, Council District 5, for drainage maintenance, for**
9 **the Engineer, and declaring an emergency.**

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11 WHEREAS, by Resolution No. 2013-111, this Council will be approving the replat for
12 Firestone Trace Phase V; 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 revise a drainage maintenance fund for said
22 subdivision and to fully execute its powers and duties thereof; and

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24 WHEREAS, the County Engineer has prepared a Revised Special Assessment
25 Worksheet, which is attached and marked as Exhibit A, which apportions necessary charges for
26 drainage maintenance among the subdivision's benefited parcel owners;

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

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31 SECTION 1

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33 A drainage maintenance fund for Firestone Trace Phase V, located in Bath Township,
34 Council District 5, is hereby revised.

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36 SECTION 2

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38 Owners of parcels within the Firestone Trace Phase V subdivision shall be assessed for
39 drainage maintenance per the attached Special Assessment Worksheet, Exhibit A hereof. Each
40 assessment is proportional to the estimated benefit to the respective parcel.

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42 SECTION 3

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

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48 SECTION 4

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50 This Resolution is hereby declared an emergency in the interest of the health, safety, and
51 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
52 necessary drainage maintenance in the Firestone Trace Phase V subdivision in Bath Township.

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2 PAGE TWO

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4 SECTION 5

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

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10 SECTION 6

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED March 18, 2013

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21 ADOPTED April 1, 2013

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25 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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27 APPROVED April 2, 2013

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30 
31 EXECUTIVE

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33 ENACTED EFFECTIVE April 2, 2013

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro