

1 RESOLUTION NO. 2013-368

2
3 SPONSOR Mr. Pry

4
5 DATE August 12, 2013 COMMITTEE Planning

6
7 **A Resolution assessing the residents of the Natures Preserve Phase 2 subdivision, located in**
8 **Twinsburg Township, Council District 1, for drainage maintenance, for the Engineer, and**
9 **declaring an emergency.**

10
11 WHEREAS, by Resolution No. 2013-367, this Council will be approving the plat for
12 Natures Preserve Phase 2; 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 Special Assessment Worksheet, which
25 is attached and marked as Exhibit A, which apportions necessary charges for drainage
26 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 Natures Preserve Phase 2, located in Twinsburg
34 Township, Council District 1, is hereby revised.

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36 SECTION 2

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38 Owners of parcels within the Natures Preserve Phase 2 subdivision shall be assessed for
39 drainage maintenance per the attached Special Assessment Worksheet, Exhibit A. 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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1 RESOLUTION NO. 2013-368

2 PAGE TWO

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4 SECTION 4

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit, and for the further reason to immediately fund
8 necessary drainage maintenance in the Natures Preserve Phase 2 subdivision in Twinsburg
9 Township.

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11 SECTION 5


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

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17 SECTION 6

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to 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,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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25
26 INTRODUCED August 12, 2013

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28 ADOPTED August 12, 2013

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32 _____
33 CLERK OF COUNCIL

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38 PRESIDENT OF COUNCIL

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40 APPROVED August 13, 2013

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44 EXECUTIVE

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46 ENACTED EFFECTIVE August 13, 2013

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48 Voice Vote: 10-0 YES: Comunale, Crawford, Feeman, Kostandaras,
49 Kurt, Lee, Rodgers, Roemer, Schmidt, Shapiro. Absent: Prentice