

**RESOLUTION NO.:** 2021-R55  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** AUGUST 10, 2021 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR NEW SEASONS PLANNED DEVELOPMENT PHASE II, AND DECLARING AN EMERGENCY.**

WHEREAS, at its regularly scheduled meeting on June 16, 2021, the City of Green Planning and Zoning Commission recommended approval of the final plat for New Seasons Planned Development Phase II by a vote of 5-0; and

WHEREAS, Environmental Design Group, the City's consulting engineer, has reviewed and recommended that a minimum performance bond be posted in the amount of Two Hundred Fifty-Five Thousand Five Hundred Fifty-Four Dollars and Forty-Six Cents (\$255,554.46) to be held pending the satisfactory completion of the improvements within New Seasons Planned Development Phase II; and

WHEREAS, Green Codified Ordinance Section 1224.06(4)(J) requires City Council to review and judge the final plat, along with the recommendation of the Planning and Zoning Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

Green City Council, pursuant to Green Codified Ordinance Section 1224.06(4)(J), approves the final plat of New Seasons Planned Development Phase II.

**SECTION TWO:**

Green City Council accepts a performance bond in the amount of Two Hundred Fifty-Five Thousand Five Hundred Fifty-Four Dollars and Forty-Six Cents (\$255,554.46) submitted by New Seasons JV, LLC ("Developer") and directs the Finance Director to retain the bond until such time as all obligations have been met and the bond is released in accordance with City regulations.

**SECTION THREE:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

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**SECTION FOUR:**

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that the plat may be recorded, and construction proceed immediately and forthwith. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Rocco Yeargin, Council President

APPROVED: \_\_\_\_\_, 2021

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2021

ON ROLL CALL:	Babbitt	Brandenburg	DeVitis	France
	Meager	Shaughnessy	Yeargin	

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

08/04/2021 Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_