

RESOLUTION NO.: 2025-R02
SPONSOR: MAYOR YEARGIN
INTRODUCED: JANUARY 14, 2025 **ASSIGNED TO:** _____

A RESOLUTION DECLARING THE NECESSITY TO MAKE IMPROVEMENTS TO MULTIPLE ROADWAYS STORMWATER SYSTEM IMPROVEMENTS AND DEVELOPMENT OF A PLAT TO DEDICATE SAID ROADWAYS, ASSESSING A PORTION OF THE COST OF THE IMPROVEMENTS TO THE ABUTTING PROPERTY OWNERS, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Administration had substantial discussions with the Homeowners of Prestwick Estates, regarding the dedication of roadways, improvements to roadways and the stormwater system within Prestwick Estates; and

WHEREAS, the City has determined it necessary to complete the dedication and improvements to this subdivision and assess the cost to all property owners; and

WHEREAS, pursuant to R.C. 727.12, the City has developed a preliminary cost of the proposed improvements and has provided the estimated cost of the improvements to the Clerk of Council; and

WHEREAS, R.C. 727.12 requires approval of this Resolution of Necessity by three-fourths of the members of City Council.

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

SECTION ONE:

City Council finds and determines that there is a public necessity to complete the improvements and dedication of the streets within Prestwick Estates as noted in the Cost Estimate, on file with the Clerk of Council. City Council further finds that:

- a. City Council approves the Estimate of Cost of the proposed improvement on file with the Clerk of Council. (Exhibit A)
- b. All parcels within the Prestwick Estates Subdivision shall be subject to the assessment (134 sublots). As noted in Exhibit B
- c. The Assessment shall be levied in proportion to the benefits which may result from the improvements, all parcels shall be assessed equally.
- d. The method of payment shall be by Special Assessment for a period of five (5) years.

- e. The City may issue notes/bonds in anticipation of the levy of the Special Assessment and may issue notes/bonds in anticipation of the collection of the Special Assessments.
- f. A chart of the estimated assessments in accordance with the method of assessment has been filed with the Clerk of Council. (Exhibit C)

SECTION TWO:

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 an open meeting 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.

SECTION THREE:

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. 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: _____, 2025

Nichole Messner, Clerk of Council

Jeff Noble, Council President

APPROVED: _____, 2025

Rocco Yeargin, Mayor

ENACTED EFFECTIVE: _____, 2025

ON ROLL CALL: Babbitt _____ DeVitis _____ Miller _____ Neugebauer _____
Noble _____ Meager _____ Speight _____

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on _____ and _____, 2025.

Nichole Messner, Clerk of Council

1/7/2025 Approved as to form and content by Lisa Carey Dean, Director of Law _____