

RESOLUTION NO.: 2020-R34 (AMENDED APRIL 14, 2020)
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: MARCH 24, 2020 **ASSIGNED TO:** _____

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

WHEREAS, at its regularly scheduled meeting on January 15, 2020, the City of Green Planning and Zoning Commission recommended approval of the final plat for New Seasons Planned Development Phase I 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 **One Million Thirty-Three Thousand Eight Hundred Fifty Dollars (\$1,033,850.00)** ~~Nine Hundred Thirty-Two Thousand Six Hundred Eighty Four Dollars (\$932,684.00)~~ to be held pending the satisfactory completion of the improvements within New Seasons Planned Development Phase I; 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 I.

SECTION TWO:

Green City Council accepts a performance bond in the amount of **One Million Thirty-Three Thousand Eight Hundred Fifty Dollars (\$1,033,850.00)** ~~Nine Hundred Thirty-Two Thousand Six Hundred Eighty Four Dollars (\$932,684.00)~~ 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.

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: _____

Molly Kapeluck, Clerk of Council

Barbara Babbitt, Council President

APPROVED: _____, 2020

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2020

ON ROLL CALL: Babbitt Brandenburg DeVitis France
 Shaughnessy Yeargin Young

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk