

RESOLUTION NO.: 2021-R45
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: JUNE 22, 2021 **ASSIGNED TO:** _____

A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR THE REPLAT OF MYSTIC POINTE SUBDIVISION, AND DECLARING AN EMERGENCY.

WHEREAS, at its regularly scheduled meeting on September 16, 2020, the City of Green Planning and Zoning Commission recommended approval of the replat of Mystic Pointe Subdivision 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 Forty-Three Thousand Six Hundred Six Dollars (\$43,606.00) to be held pending the satisfactory completion of the improvements within the Replat of Mystic Pointe Subdivision; 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 replat of Mystic Pointe Subdivision.

SECTION TWO:

Green City Council accepts a performance bond in the amount of Forty-Three Thousand Six Hundred Six Dollars (\$43,606.00) submitted by Lysium Development CO., 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

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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

06/17/2021 Approved as to form and content by Lisa Carey Dean, Director of Law _____