

RESOLUTION NO. 2022-107 FIRST READING DECEMBER 12, 2022  
INTRODUCED BY: MARK PORTER SECOND READING WAIVED  
THIRD READING WAIVED

**RESOLUTION APPROVING A PETITION FOR THE CREATION OF THE GEAUGA COUNTY EROSION CONTROL SPECIAL IMPROVEMENT DISTRICT (THE "DISTRICT") AND FOR THE LEVY OF SPECIAL ASSESSMENTS FOR EROSION IMPROVEMENT PROJECTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to Revised Code Chapter 1710 (the "Act"), property owners are authorized to include their properties within a special improvement district by submitting a petition to a township or municipal corporation in order to undertake erosion improvement projects for their properties and to finance such erosion improvement projects through voluntary special assessments; and

**WHEREAS**, owners of certain real property located within the Village of South Russell (the "Village") have submitted to the Fiscal Officer and to the Council a Petition for Creation of the Geauga County Control Erosion Special Improvement District (the "Petition"), together with the Geauga County Erosion Control Special Improvement District Program Plan (the "Plan") and the form of Articles of Incorporation of the Geauga County Erosion Control Special Improvement District, Inc. (the "Articles of Incorporation"); and

**WHEREAS**, the Council is required to approve or disapprove the Petition within 60 days of the submission of the Petition pursuant to the Act.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of South Russell, Geauga County, Ohio that:

**SECTION 1.** The Council approves the Petition, the Plan, and the Articles of Incorporation substantially in the form on file with the Fiscal Officer.

**SECTION 2.** Council hereby approves and consents to the addition of real property to the territory of the District and any amendment to the Articles of Incorporation necessary to recognize or effect such addition, all as set forth in the Plan.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after December 2, 1975, that resulted in formal actions, were conducted in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

**SECTION 4.** That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that the Village desires to permit interested property owners

conducting erosion control measures and participating in the special improvement district to obtain resources sufficient to complete those measures as quickly as possible; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Resolution shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor.

William J. Roman  
Mayor – President of Council

ATTEST:

Danielle Romanowski  
Fiscal Officer

I certify that Resolution No. 2022-107 was duly enacted on the 12<sup>TH</sup> day of DECEMBER, 2022, by the Council of the Village of South Russell, and published in accordance with the Codified Ordinances of the Village.

Danielle Romanowski  
Fiscal Officer