

EMERGENCY ORDINANCE NO. 16-95  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton  
ON THE 17TH DAY OF JULY, 1995

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL ASSESSMENT PETITION AND AFFIDAVIT WITH RESPECT TO CERTAIN IMPROVEMENTS TO BE MADE THROUGH SPECIAL ASSESSMENT FINANCING AS PROVIDED FOR IN THE DEVELOPMENT AGREEMENT BETWEEN GREAT TRADITIONS DEVELOPMENT GROUP, INC. AND THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, the Development Agreement between the City and Great Traditions Development Group, Inc., made as of June 27, 1994, and amendments thereto (the Development Agreement) provides for certain special assessment improvements to be made by the City in connection with the project described in the Development Agreement and contemplates that a special assessment petition will be signed by the owners of property to be assessed; and

WHEREAS, the City is presently an owner of some of the property to be assessed; now, therefore,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. This Council hereby declares that an emergency exists affecting the public welfare, in that the improvements provided for in the Petition are needed to enhance the appropriate and timely development of the Yankee Trace Development provided for in the Development Agreement and to provide, in connection therewith, roads, sanitary sewers, water lines, and other improvements for the health and safety of the residents of the City.

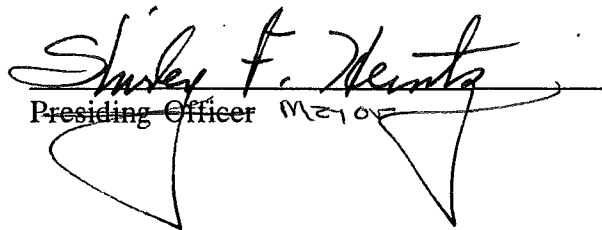
SECTION 2. The City Manager is authorized to sign on behalf of the City a Special Assessment Petition and Affidavit substantially in the form now on file with the Clerk of Council.

SECTION 3. As provided in the amendment of September 20, 1994 to the Development Agreement, the costs associated with the operating, maintaining and energy consumption for the gas street lights and appurtenances thereto shall be paid either by Great Traditions Development Group, Inc. (or its successor Yankee Trace Development, Inc.) or the Homeowners' Association for Yankee Trace, the City shall have no responsibility for assessing or for administering assessments to recover costs of operating, maintaining or energy consumption for the gas street lights and appurtenances thereto and the City shall have no responsibility for or related to the ongoing maintenance and administration of the gas street lights and appurtenances thereto.

SECTION 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That this ordinance shall become effective upon its adoption, in accordance with Section 5.05 of the Charter of the City and by reason of Sections 5.05 and 8.11 of the Charter of the City shall not stand repealed as of the 75th day after adoption.

ADOPTED this 17th day of July, 1995.

  
Presiding Officer

Attest:   
Clerk of Council