

RESOLUTION NO. 2019-09

ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.023, INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE VILLAGE OF SWANTON BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF FULTON COUNTY COMMISSIONERS BY TERRY & SHIRLEY SAMPSEL IN PETITION CONTAINING 5.78 ACRES OF LAND, AND DECLARING AN EMERGENCY.

WHEREAS, on February 20, 2019, this Council received notice from Alan J. Lehenbauer that he was the authorized agent for the petitioner of the territory sought to be annexed by Terry & Shirley Sampsel, to the Village of Swanton, Ohio, pursuant to a petition filed February 19, 2019 with the Board of Commissioners of Fulton County, Ohio; and

WHEREAS, pursuant to the Revised Code of Ohio, Section 709.023, this Council is required to adopt a statement indicating what service, if any, the Village of Swanton will provide to the Territory proposed for annexation upon annexation;

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Swanton, Fulton and Lucas Counties, Ohio, all members elected thereto concurring and as follows:

Section One. That the Village of Swanton will provide the availability of water, sewer, police, fire and rescue protection, and contract for refuse collection to the territory in the event it is annexed. If utility extensions are required to provide services, assessments or installation costs shall be charged to property owners on a nondiscriminatory basis, according to Village legislation and policy, upon the request of the property owner.

That the currently available services will be provided within six months after the date of the granting of the annexation petition.

If a street or highway will be divided or segmented by a boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the annexation to assume the maintenance of that street or highway or to otherwise correct the problem. As used in this section, "street" or "highway" has the same meaning as in Section 4511.01 of the Revised Code.

If the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of

the annexed territory and the adjacent land remaining with the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

Section Two. That the Fiscal Officer of this Council shall file with the Board of County Commissioners of Fulton County, Ohio, a certified copy of this Resolution and shall also provide petitioner with a certified copy of this Resolution.

Section Three. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section Four. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, property and welfare, and for the further reason that this resolution should be effective immediately so that it will be in effect and served upon the Board of Commissioners of Fulton County, Ohio.

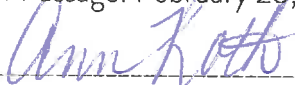
Motion to Suspend the Rules and adopt as an Emergency

Moved: Pilliod Second: Kreuz YEAS:6 NAYS:0

Vote on Passage

Moved: Rochelle Second: Westhoven YEAS:6 NAYS:0

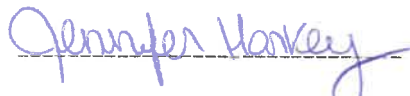
Date of Passage: February 25, 2019



Ann Roth, Mayor

Attest:

I, Jennifer Harkey, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Resolution 2019-09, passed on February 25, 2019.



Jennifer Harkey, Fiscal Officer