

ORDINANCE NO. 2020 - 61

AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, LTC Brimfield, LLC is requesting water service outside the City of Kent for a new 96 bed skilled nursing facility located at 5075 SR 43 and Meloy Road, in Brimfield Township (the "Property"); and

WHEREAS, the Property is within the Kent-Brimfield JEDD Contract but will require the extension of a 12" watermain south along SR43 from a waterline that currently terminates at the Meloy/SR43 intersection; and

WHEREAS, per KCO 913.09, the Property is subject to utilization fees estimated to be \$12,650.00; and

WHEREAS, KCO also requires the waterline be extended across the total frontage. Since extending the waterline will create a dead end which the City has to maintain and be in conflict with sanitary isolation requirements, we are requesting Council approval to assess the remaining frontage with an assessment fee of \$14,452.63; and

WHEREAS, the City Division of Engineering recommends approving the water tap-in.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1: Council does hereby authorize the water tap-in to the Property subject to KCO 913.09 and the City water rules and regulations.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: July 15, 2020
Date

July
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: July 15, 2020
Date