

Resolution 2005-03  
Passed January 18, 2004

A RESOLUTION SPECIFYING THE MUNICIPAL SERVICES TO BE FURNISHED TO  
3.99 ACRES WHICH IS PENDING ANNEXATION TO THE MUNICIPALITY OF POWELL

WHEREAS, William D. Fergus, Jr., agent for the petitioners, has presented a certain petition to the Delaware County Commissioners seeking annexation of 3.99± acres, more or less, to the Municipality of Powell on January 11<sup>th</sup>, 2005, and

WHEREAS, Section 709.023 (C) requires the legislative authority of the municipal corporation to which annexation is proposed to adopt a resolution stating what services the municipal corporation will provide, and an approximate date by which it will provide them, to the territory proposed for annexation, upon annexation, which legislation must be adopted within twenty days after the date that the petition is filed; and

NOW THEREFORE BE IT RESOLVED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: Upon annexation of the subject premises to the Municipality of Powell, which date is estimated to be on or about May 1, 2005, the Municipality will furnish at a minimum the following Municipal services, and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Powell:

- A. Twenty-Four (24) Hour Police protection.
- B. Comprehensive Planning and Zoning supervision.
- C. Certified comprehensive building plan review and inspection for residential and commercial properties.
- D. Street maintenance and repair.
- E. Storm drainage maintenance.

1. The Municipality of Powell has enacted more stringent stormwater regulations than those in effect in Delaware County.

- F. Engineering plan review and inspections
- G. Parks and Recreation Programming

Section 2: The 3.99± annexation territory was subject to Liberty Township zoning regulations adopted under Chapter 519 of the Ohio Revised Code at the time the annexation petition was filed. If the territory is annexed and becomes subject to Powell zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable Township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexation territory remaining within Liberty Township, then the Powell City Council 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 within Liberty Township. The landscape "buffer" may include open space, landscaping mounding,

fences, walls, and other structured elements; streets and street rights of way or bicycle and pedestrian paths and sidewalks.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 3: That this Resolution shall take effect at the earliest possible date permitted by law.

VOTE ON RESOLUTION      2005-03:      Y 6      N 1 (Lackey)

Dan Wiencek      4/10/05  
DAN WIENCEK      DATE  
MAYOR

Dawn Nauman      4/18/05  
DAWN NAUMAN      DATE  
CLERK OF COUNCIL

This legislation has been posted in accordance with  
the City Charter on this date \_\_\_\_\_  
\_\_\_\_\_  
Clerk of Council

