

1 RESOLUTION NO: 2021-082

**First Reading Passage Requested**  
**(Clerk of Council)**

2  
3 SPONSORS Mrs. Sims

4  
5 DATE March 29, 2021

COMMITTEE Planning

6  
7 **A Resolution setting dates for this Council to conduct a public viewing, and setting a date**  
8 **for a final hearing, to consider the vacation of segments of Everett Road in Bath, Richfield**  
9 **and Boston Townships and segments of Oak Hill Road in Boston Township, in Council**  
10 **District 1, pursuant to Chapter 5553 of the Ohio Revised Code and Section 125.03 of the**  
11 **Codified Ordinances of the County of Summit, for Council, and declaring an emergency.**

12  
13 WHEREAS, the Summit County Engineer submitted a request November 13, 2020 to  
14 Summit County Council to vacate segments of Everett Road in Bath, Richfield and Boston  
15 Townships and Oak Hill Road in Boston Township, in Council District 1; and

16  
17 WHEREAS, the Summit County Engineer is requesting County Council vacate segments  
18 of the aforementioned roads pursuant to Section 5553.04 of the Ohio Revised Code. Copies of  
19 the request, maps indicating the specific segments to be vacated, the report of the Engineer  
20 required under Ohio Revised Code Section 5553.06, and other documentation filed with the  
21 Clerk of Council are attached and marked as Exhibit "A"; and

22  
23 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
24 of Ohio, that:

25  
26 SECTION 1

27  
28 The Clerk of Council shall set the date of **April 23, 2021 at 2:00 p.m.** as the time for a  
29 public viewing of the proposed vacations pursuant to the requirements of Section 5553.05 of the  
30 Ohio Revised Code and Section 125.03(e) of the Codified Ordinances of the County of Summit.  
31 The viewing shall take place at the intersection of Everett Rd. and Oak Hill Rd. located at the  
32 southern end of the road known as Everett Road Connector, in Boston Township. Signs will be  
33 located on Wheatley Road directing attendees through a gate to the viewing location on Everett  
34 Road Connector.

35  
36 SECTION 2

37  
38 The Clerk of Council shall set the date of **April 26, 2021 at 4:30 p.m.** for the final  
39 hearing on the vacations pursuant to Section 5553.05 of the Ohio Revised Code and Section  
40 125.03(e) of the County of Summit Codified Ordinances of the County of Summit, to determine  
41 whether the proposed vacations of the segments of Everett Road in Bath, Richfield and Boston  
42 Townships and Oak Hill Road in Boston Township, in Council District 1, and as specifically  
43 identified in Exhibit "A", would be for the public convenience or welfare.

44  
45 SECTION 3

46  
47 The Clerk of Council shall cause notice by regular U.S. mail to be made to the abutting  
48 landowners and the applicable Township, informing them of the date set for the public hearings,  
49 and the Clerk shall comply with all public notice requirements as set forth in Section 5553.05 of  
50 the Ohio Revised Code.

51  
52

1 RESOLUTION NO. 2021-082

2 PAGE TWO

3  
4 SECTION 4

5  
6 This Resolution is hereby declared to be an emergency in the interest of the health, safety  
7 and welfare of the citizens of the County of Summit and for the further reason of timely setting  
8 the proper hearing and viewing dates and providing for proper notice of the same without undue  
9 delay.

10  
11 SECTION 5

12  
13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by law.

16  
17 SECTION 6

18  
19 It is found and determined that all formal actions of this Council concerning and relating  
20 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
21 deliberations of this Council and of any of its committees that resulted in such formal action,  
22 were in meetings open to the public, in compliance with all legal requirements, including Section  
23 121.22 of the Ohio Revised Code.

24  
25  
26 INTRODUCED March 29, 2021

27  
28 ADOPTED March 29, 2021

29  
30  
31   
32 \_\_\_\_\_  
33 CLERK OF COUNCIL

34  
35  
36   
37 \_\_\_\_\_  
38 PRESIDENT OF COUNCIL

39  
40 APPROVED March 30, 2021

41  
42   
43 \_\_\_\_\_  
44 EXECUTIVE

45  
46 ENACTED EFFECTIVE March 30, 2021

Voice Vote - YES: 10-0: Darrow, DeVitis, Dickinson, Donofrio,  
McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite  
ABSENT: Feeman