

1 RESOLUTION NO. 2015-558

First Reading Passage Requested
2 **Clerk of Council**

3 SPONSOR Council of the Whole

4
5 DATE _____ COMMITTEE Public Works

6
7 **A Resolution, authorizing the publication and legal notice for the proposed public**
8 **improvement located in Bath Township, and setting dates for the Public Viewing**
9 **and Public Hearing pursuant to Section 6131.07 of the Ohio Revised Code, for**
10 **Council, and declaring an emergency.**

11
12 WHEREAS, a Ditch Petition has been filed with the County of Summit Council
13 Office pursuant to Section 6131.04 of the Ohio Revised Code requesting the County to
14 clean, remove obstructions from, restore, reconstruct, construct and repair the storm
15 sewer and ditch stormwater drainage system serving all or parts of Lots 69, 70, 71 and
16 72 within The Sanctuary of Bath subdivision, all or parts of Lots 38, 39, and 40 within
17 the Millvale Estates subdivision, and all or parts of Lots 2, 3, 4, 5, 6, and 7 within the
18 Millvale Addition subdivision, all being residential lots and subdivisions located in
19 Bath Township, Summit County, Ohio; and

20
21 WHEREAS, a public viewing and public hearing will provide pertinent
22 information from the County Engineer as to whether the construction of the
23 improvement is necessary and conducive to the public welfare; and

24
25 WHEREAS, the following is the course and termini of proposed said
26 improvement, to wit:

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28 Beginning at a storm sewer inlet located on the northerly side of Pine Point Drive (Bath
29 Township), said point being approximately 225 feet southwest of the intersection of Pine
30 Point Drive and Yellow Creek Road West;

31 Thence, northwesterly approximately 160 feet, following the course of an existing storm
32 sewer pipe, through the southwesterly portion of Sublot 71 of The Sanctuary of Bath
33 Subdivision to an existing storm sewer inlet located on or near the common line between
34 Sublots 71 and 72 of The Sanctuary of Bath Subdivision;

35 Thence, following the course of an existing storm sewer pipe, along or near the common
36 line between Sublots 71 and 72 of The Sanctuary of Bath Subdivision to a point in the
37 southerly right-of-way of Yellow Creek Road West;

38 Said easement for the improvement shall be 30 feet wide centered upon the course of the
39 existing storm sewer pipe.

40
41 WHEREAS, this Council has determined, after reviewing all pertinent
42 information, that it is necessary and in the best interest of the County of Summit to
43 authorize the publication and legal notice for the proposed public improvement located
44 in Bath Township, and to set the dates for the Public Viewing and Public Hearing
45 pursuant to Section 6131.07 of the Ohio Revised Code;

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47 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of
48 Summit, State of Ohio, that:

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4 SECTION 1

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6 Pursuant to Ohio Revised Code 6131.07 a legal notice shall be published one time
7 in a newspaper of general circulation in Summit County; individual notice to all owners
8 of land which will be benefitted or damaged by construction of the proposed
9 improvement shall be sent by certified mail, return receipt requested, giving notice that
10 a public viewing of the area will take place at 2:00 pm. on Friday, January 15, 2016.
11 The view will start on Pine Point Drive at the boundary of Lots 70 and 71 (**718 & 740**
12 **Pine Point Drive, Akron, OH 44210**). A public hearing will take place on Monday,
13 January 25, 2016 at 4:30 p.m. in Council Chambers, Ohio Building – 7th Floor, 175
14 South Main Street, Akron, Ohio.

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16 SECTION 2

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18 This Resolution is hereby declared an emergency in the interest of the health,
19 safety and welfare of the citizens of the County of Summit and for the further reason to
20 immediately authorize the publication and notice of a viewing and hearing for a
21 proposed public improvement located in Bath Township, Summit County, Ohio.

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23 SECTION 3

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

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29 SECTION 4

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

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4 INTRODUCED December 14, 2015

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6 ADOPTED _____

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10 _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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13 APPROVED _____

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18 _____
EXECUTIVE

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21 ENACTED EFFECTIVE _____

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