

1 RESOLUTION NO. 2016-185

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

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4 SPONSOR Council of the Whole

5  
6 DATE May 9, 2016

COMMITTEE Public Works

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8 **A Resolution authorizing the publication and legal notice for the proposed public**  
9 **improvement located in Northfield Center Township, and setting dates for the**  
10 **Public Viewing and Public Hearing pursuant to Section 6131.07 of the Ohio**  
11 **Revised Code, for Council, and declaring an emergency.**  
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14 WHEREAS, a Ditch Petition, attached hereto as Exhibit A, has been filed with the  
15 County of Summit Council Office pursuant to Section 6131.04 of the Ohio Revised  
16 Code requesting the County to clean, remove obstructions from, inspect, restore,  
17 reconstruct, construct and repair, as necessary, the storm sewer and ditch drainage  
18 system on the course hereinafter set forth located in Northfield Center Township,  
19 Summit County, Ohio; and  
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22 WHEREAS, a public viewing and public hearing will provide pertinent  
23 information from the County Engineer as to whether the construction of the  
24 improvement is necessary and conducive to the public welfare; and  
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27 WHEREAS, except as may be ordered pursuant to section 6131.31 of the Revised  
28 Code, all costs of engineering, construction, and future maintenance will be assessed to  
29 the benefiting parcels of land; and  
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32 WHEREAS, the approximate course and termini of proposed said improvement is  
33 set out in the Ditch Petition, attached hereto as Exhibit A;  
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36 WHEREAS, this Council has determined, after reviewing all pertinent  
37 information, that it is necessary and in the best interest of the County of Summit to  
38 authorize the publication and legal notice for the proposed public improvement located  
39 in Northfield Center Township, and to set the dates for the Public Viewing and Public  
40 Hearing pursuant to Section 6131.07 of the Ohio Revised Code;  
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43 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of  
44 Summit, State of Ohio, that:  
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5 SECTION 1

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7 Pursuant to Section 6131.07 of the Ohio Revised Code, a legal notice shall be  
8 published one time in a newspaper of general circulation in Summit County; individual  
9 notice to all owners of land which will be benefitted or damaged by construction of the  
10 proposed improvement shall be sent by certified mail, return receipt requested, giving  
11 notice that a public viewing of the area will take place on Friday, June 3rd 2016  
12 between 2:00 pm and 4:00 pm. The view will start on Dorwick Drive between  
13 Kenwick Drive and Pickwick Drive from 2:00 pm to 2:45 pm. The view will then  
14 continue from 3:00 pm until 4:00 pm at the Northfield Center Township Town Hall  
15 located at 9546 Brandywine Road, Northfield Center, Ohio 44067. A Public Hearing  
16 will take place on Monday, June 20, 2016 at 4:30 pm in Council Chambers, Ohio  
17 Building – 7<sup>th</sup> Floor, 175 South Main Street, Akron, Ohio.  
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20 SECTION 2

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22 This Resolution is hereby declared an emergency in the interest of the health,  
23 safety and welfare of the citizens of the County of Summit and for the further reason to  
24 immediately authorize the publication and notice of a viewing and hearing for a  
25 proposed public improvement located in Northfield Center Township, Summit County,  
26 Ohio.  
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29 SECTION 3

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31 Provided this Resolution receives the affirmative vote of eight members, it shall  
32 take effect immediately upon its adoption and approval by the Executive; otherwise it  
33 shall take effect and be in force at the earliest time provided by law.  
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36 SECTION 4

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

INTRODUCED May 9, 2016

ADOPTED May 9, 2016

  
CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

APPROVED May 10, 2016

  
EXECUTIVE

ENACTED EFFECTIVE May 10, 2016

Voice Vote: 8-0 YES: Crawford, Feeman, Prentice, Rodgers,  
Schmidt, Shapiro, Walters, Wilhite  
ABSENT: Donofrio, Kostandaras, Lee