

RESOLUTION NO. 2025-180

SPONSOR Mr. Ford

DATE June 16, 2025 COMMITTEE Public Works

**A Resolution granting design preparations for Springfield Township's Springfield Lake Outlet (County Ditch No. 45) Petitioned Drainage Improvement Project pursuant to Section 6131.12 of the Ohio Revised Code and declaring an emergency.**

WHEREAS, pursuant to Section 6131.12 of the Ohio Revised Code, this Council has the authority to grant a proposed improvement when it is of the opinion that the improvement is necessary, will benefit the petitioner, will be conducive to the public welfare and that the benefits outweigh the costs; and

WHEREAS, this Council in Resolutions 2024-010 previously authorized the funding for several SWMD stormwater improvement projects and to authorize engineering services for the study and design of such plans; and

WHEREAS, on January 14, 2025 a single county petition for a drainage improvement was filed with the Summit County Clerk of Council requesting the County to clean, remove obstructions from, restore, reconstruct and repair the Springfield Lake Outlet (County Ditch No. 45) as shown on Exhibit A; and

WHEREAS, a public viewing was held on April 17, 2025 and public hearing was held in Council Chambers on June 2, 2025; and

WHEREAS, legal notices were sent by certified mail, return receipt requested to all owners named in the petition; and

WHEREAS, legal notice was placed in the Akron Beacon Journal on March 23, 2025 giving notice of the dates of the Public Viewing and Public Hearing; and

WHEREAS, the Summit County Engineer has prepared a preliminary report of the estimate of the costs of the proposed improvement; and

WHEREAS, said report serves as a guide to this Council and the Petitioners in deciding whether to order a final report, plans and schedules for the proposed improvement pursuant to Section 6131.12 of the Ohio Revised Code; and

WHEREAS, after holding the public hearing authorized by Section 6131.101 of the Ohio Revised Code, and hearing any evidence offered by any owner for or against the granting of the proposed improvement, this Council finds and determines, after reviewing all pertinent information that it is in the best interest of Summit County to authorize the preparation of a final report, plans, and the construction schedules for the proposed improvement pursuant to Section 6131.12 of the Ohio Revised Code; and

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WHEREAS, this Council wishes to fix a date for the filing of a final report, plans, and the construction schedules for the proposed improvement as provided in Sections 6131.12, 6131.14, and 6131.15 of the Ohio Revised Code.

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

#### SECTION 1

This Council finds that the Engineer's preliminary report substantially complies with the requirements of Section 6131.09 of the Ohio Revised Code providing (1) a preliminary estimate of the cost of the proposed improvement; (2) comments on the feasibility of the project; (3) a statement of the engineer's opinion as to whether benefits from the project are likely to exceed the estimated cost; and (4) a list of factors apparent to the engineer, both favorable and unfavorable to the proposed improvement. The Petitioner and others have been informed of the contents of the preliminary report.

#### SECTION 2

This Council, based on the preliminary report, and hearing any evidence offered by any owner for or against the granting of the proposed improvement, finds and is of the opinion that the improvement is necessary, will be conducive to the public welfare, and that it is reasonably certain that the benefits outweigh the costs of the improvement. Therefore, the preparation of project survey and plans for the Springfield Lake Outlet based on the route and termini identified in the Engineer's preliminary report shall proceed as provided in Section 6131.12 of the Ohio Revised Code. The Summit County Engineer will prepare the final reports, plans, and schedules as provided in Chapter 6131 of the Ohio Revised Code. Such reports, plans, and schedules shall be filed with this Council by December 31, 2025.

#### SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further reason to immediately order the filing of a final report, plans, and schedules for a proposed public improvement located in Springfield Township, Summit County, Ohio.

#### SECTION 4

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

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SECTION 5

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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, including Section 121.22 of the Ohio Revised Code.

INTRODUCED June 16, 2025

ADOPTED June 30, 2025

Signed by:

*Monique Willis*

CLERK OF COUNCIL

DocuSigned by:

*Rita J. Darrow*

PRESIDENT OF COUNCIL

APPROVED June 30, 2025

Signed by:

*Gene Shapiro*

EXECUTIVE

Voice Vote – YES: 10 – 0: Darrow, Dickinson, Donofrio, Higham, Kacyon, Licate, McKenney, Schmidt, Walters, Wilhite  
Absent: Ford

ENACTED EFFECTIVE July 1, 2025