

1 RESOLUTION NO. 2025-244

2
3 SPONSOR Mr. Ford

4
5 DATE September 8, 2025 COMMITTEE Public Works

6
7 **A Resolution granting design preparations for Copley Township's Copley Ditch**
8 **(County Ditch No. 38) Petitioned Drainage Improvement Project pursuant to**
9 **Section 6131.12 of the Ohio Revised Code and declaring an emergency.**

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

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

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20 WHEREAS, on May 12, 2025 a single county petition for a drainage
21 improvement was filed with the Summit County Clerk of Council requesting the
22 County to clean, remove obstructions from, restore, reconstruct and repair the Copley
23 Ditch (County Ditch No. 38) as shown on Exhibit A and Figure 1; and

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25 WHEREAS, a public viewing was held on July 21, 2025 and public hearing was
26 held in Council Chambers on September 8, 2025; and

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

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31 WHEREAS, legal notice was placed in the Akron Beacon Journal on June 12,
32 2025 giving notice of the dates of the Public Viewing and Public Hearing; and

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

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

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

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4 WHEREAS, this Council wishes to fix a date for the filing of a final report, plans,
5 and the construction schedules for the proposed improvement as provided in Sections
6 6131.12, 6131.14, and 6131.15 of the Ohio Revised Code.

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

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11 SECTION 1

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

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21 SECTION 2

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

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34 SECTION 3

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

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41 SECTION 4

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43 Provided this Resolution receives the affirmative vote of eight members, it shall
44 take effect immediately upon its adoption and approval by the Executive; otherwise it
45 shall take effect and be in force at the earliest time provided by law.
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4 SECTION 5

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

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13 INTRODUCED September 8, 2025

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17 ADOPTED _____

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35 ENACTED EFFECTIVE _____

PRESIDENT OF COUNCIL