

1 RESOLUTION NO. 2026-005

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3 SPONSOR Executive Shapiro

4  
5 DATE January 5, 2026 COMMITTEE Public Works

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7 **A Resolution confirming that the Engineer may proceed with tree cutting on land owned by**  
8 **Summit County in preparation for the Idle Brook Bankfull Wetland Project, located in**  
9 **Bath Township, in Council District 5, for the Engineer and the Surface Water Management**  
10 **District, and declaring an emergency.**

11  
12 WHEREAS, in 2019, Sustainable Streams, LLC prepared the Yellow Creek Watershed  
13 Study (the “Study”), which was submitted to the Summit County Surface Water Management  
14 District (the “SWMD”) and the owner of land along Yellow Creek located in Bath Township, in  
15 Council District 5; and

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17 WHEREAS, the Study evaluated potential solutions to flooding and erosion concerns  
18 reported by Bath Township to the SWMD and in response to the Study, a plan of action has been  
19 determined, and construction services are required; and

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21 WHEREAS, this Council previously adopted Resolution No. 2022-154, which confirmed  
22 the award of the Board of Control of a professional service contract with Sustainable Streams,  
23 LLC for engineering services for the design of the Idle Brook Bankfull Wetland Project, located  
24 in Bath Township, in Council District 5; and

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26 WHEREAS, this Council subsequently adopted Resolution 2025-332, which authorized  
27 advertising for bids for proposed stormwater improvement projects including that project known  
28 as the Idle Brook Bankfull Wetland Project, located in Bath Township, in Council District 5; and

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30 WHEREAS, this Council finds and determines, after reviewing all pertinent information  
31 that the aforementioned construction projects are necessary and in the best interest of the County  
32 of Summit;

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

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37 SECTION 1

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39 This Council has determined that these projects comply with the purposes set forth for  
40 regulation of work within the riparian areas located within the project area, and that compliance  
41 with local zoning permitting requirements would frustrate or significantly hinder the County’s  
42 use of the property for those purposes. Generally, these projects are designed to:

- 43 (A) Reduce flood impacts by absorbing peak flows, slowing the velocity of floodwaters,  
44 and regulating base flow;  
45 (B) Stabilize the banks of watercourses to reduce bank erosion and downstream transport  
46 of sediments eroded from watercourse banks;  
47 (C) Reduce pollutants in watercourses during periods of high flows by filtering, settling,  
48 and transforming pollutants in runoff before they enter watercourses;  
49 (D) Provide habitat to a wide array of wildlife by maintaining diverse and connected  
50 riparian vegetation.

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2 PAGE TWO

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4 The Council finds that the projects require excavating, grading, filling, and modification  
5 or removal of natural vegetation in the riparian area located on parcels which are owned by the  
6 County or over which the County has or will acquire easements. Excavating, grading, filling, and  
7 modification or removal of natural vegetation are authorized on these parcels to the extent  
8 necessary to achieve this project's design and purpose.

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10 SECTION 2

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12 This Resolution is hereby declared an emergency in the interest of the health, safety and  
13 welfare of the residents of the County of Summit, and for the further reason to immediately  
14 provide for necessary construction work to address flooding, erosion and water quality.

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16 SECTION 3

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

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22 SECTION 4

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24 It is found and determined that all formal actions of this Council concerning and relating  
25 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
26 deliberations of this Council and of any of its committees that resulted in such formal action,  
27 were in meetings open to the public, in compliance with all legal requirements, including Section  
28 121.22 of the Ohio Revised Code.

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31 INTRODUCED January 5, 2026

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33 ADOPTED \_\_\_\_\_

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37 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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39 APPROVED \_\_\_\_\_

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43 EXECUTIVE

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45 ENACTED EFFECTIVE \_\_\_\_\_