

1 RESOLUTION NO. 2016-069 First Reading Passage Requested
2 (Clerk of Council)

3 SPONSOR Council of the Whole

4
5 DATE February 29, 2016 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 part of Lots 69, 70, 71 and
16 72 within The Sanctuary of Bath subdivision, all or part of Lots 38, 39, and 40 within
17 the Millvale Estates subdivision, and all or part 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; attached hereto as Exhibit A, and

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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, except as may be ordered pursuant to section 6131.31 of the Revised
26 Code, all costs of engineering, construction, and future maintenance will be assessed to
27 the benefiting parcels of land; and

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29 WHEREAS, the following is the course and termini of proposed said
30 improvement, to wit:

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

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

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

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

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

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

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7 SECTION 1

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9 Pursuant to Section 6131.07 of the Ohio Revised Code, a legal notice shall be
10 published one time in a newspaper of general circulation in Summit County; individual
11 notice to all owners of land which will be benefitted or damaged by construction of the
12 proposed improvement shall be sent by certified mail, return receipt requested, giving
13 notice that a public viewing of the area will take place at 2:00 pm. on Friday, March
14 25, 2016. The view will start on Pine Point Drive at the boundary of Lots 70 and 71
15 (718 & 740 Pine Point Drive, Akron, OH 44210). A Public Hearing will take place on
16 Monday, April 4, 2016 at 4:30 pm in Council Chambers, Ohio Building – 7th Floor,
17 175 South Main Street, Akron, Ohio.

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19 SECTION 2

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

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26 SECTION 3

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

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32 SECTION 4

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

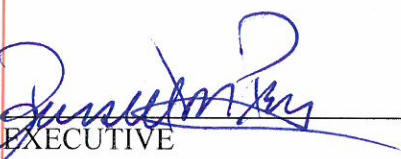
INTRODUCED February 29, 2016

ADOPTED February 29, 2016


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED March 1, 2016


EXECUTIVE

ENACTED EFFECTIVE March 1, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman, Kostandaras,
Prentice, Schmidt, Shapiro, Walters, Wilhite
ABSENT: Lee, Rodgers