

1 RESOLUTION NO. 2024-065

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

2  
3 SPONSOR Mr. Schmidt

4  
5 DATE March 18, 2024

COMMITTEE Public Works

6  
7 **A Resolution authorizing the publication and legal notices for the proposed public**  
8 **improvement known as the Wye Road Flood Mitigation And Improvements**  
9 **Project - Phase 2 located in Bath Township, and setting dates for the Public**  
10 **Viewing and Public Hearing pursuant to Section 6131.07 of the Ohio Revised**  
11 **Code, for Council, and declaring an emergency.**

12  
13 WHEREAS, a ditch petition was filed on March 6, 2024 pursuant to Section  
14 6131.04 of the Ohio Revised Code requesting the County to repair the natural drainage  
15 course, which has caused flooding due to major storms in recent years and install  
16 measures to mitigate the erosive and flooding effect of future storms; and

17  
18 WHEREAS, Section 6131.07 of the Ohio Revised Code requires a public viewing  
19 and public hearing, which will provide pertinent information from the County Engineer  
20 as to whether the construction of the combined improvement is necessary and  
21 conducive to the public welfare; and

22  
23 WHEREAS, except as may be ordered pursuant to Section 6131.31 of the Ohio  
24 Revised Code, all costs of engineering, construction, and future maintenance will be  
25 paid by the Summit County Surface Water Management District; and

26  
27 WHEREAS, the course and termini of the proposed combined improvement is  
28 shown on Exhibit A; and

29  
30 WHEREAS, this Council has determined, after reviewing all pertinent  
31 information, that it is necessary and in the best interest of the County of Summit to  
32 authorize the publication and legal notice for the proposed public improvement located  
33 in Bath Township, and to set the dates for the Public Viewing and Public Hearing  
34 pursuant to Section 6131.07 of the Ohio Revised Code.

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

38  
39 SECTION 1

40  
41 Pursuant to Section 6131.07 of the Ohio Revised Code, a legal notice shall be  
42 published one time in a newspaper of general circulation in Summit County; individual  
43 notice to all owners of land which will be benefitted or damaged by construction of the  
44 proposed improvement shall be sent by certified mail, return receipt requested, giving  
45 notice that a public viewing of the area will take place at **4:30 pm. on Wednesday,**  
46 **April 10, 2024 at Bath Township Administration Offices, 3864 West Bath Road,**  
47 **Bath, Ohio 44210, and that a Public Hearing will take place on Monday, May 13,**  
48

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2 PAGE TWO

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4 2024 at 4:30 pm in Council Chambers, Ohio Building – 7<sup>th</sup> Floor, 175 South Main  
5 Street, Akron, Ohio.

6

7 SECTION 2

8

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

13

14 SECTION 3

15

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

19

20 SECTION 4

21

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

27

28

29 INTRODUCED March 18, 2024

30

31 ADOPTED March 18, 2024

32

33 DocuSigned by:  
34 *Monique Willis*  
35 6360BEF400F5451...

36 CLERK OF COUNCIL

37

33 DocuSigned by:  
34 *Rita S. Darrow*  
35 132A45B69D28443...

36 PRESIDENT OF COUNCIL

37

38 APPROVED March 18, 2024

39

Voice Vote – YES: 11 – 0: Darrow, DeVitis,  
Dickinson, Donofrio, Ford, McKenney, Rodgers,  
Schmidt, Walters, Wiedie Higham, Wilhite

40 DocuSigned by:  
41 *Executive Ilene Shapiro*  
42 CBD33E40D287473...

43 EXECUTIVE

44

45

46 ENACTED EFFECTIVE March 19, 2024

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