

1 RESOLUTION NO. 2024-087

First Reading Passage Requested
(Clerk of Council)

2
3 SPONSOR Mr. Schmidt

4
5 DATE April 1, 2024 COMMITTEE Public Works

6
7 **A Resolution authorizing the publication and legal notice for a proposed public**
8 **drainage improvement located in Northfield Center Township, and setting dates**
9 **for the Public Viewing and Public Hearing pursuant to Section 6131.07 of the**
10 **Ohio Revised Code, for Council, and declaring an emergency.**

11
12 WHEREAS, a ditch petition (Exhibit A) was filed on February 8, 2024 pursuant
13 to Section 6131.04 of the Ohio Revised Code requesting that the County reconstruct,
14 using proper engineering, the water drainage system discharging from Norwood Lake
15 through the Norwood development and connecting with drainage infrastructure in the
16 Route 82 right of way; and

17
18 WHEREAS, the petitioners state that the construction of this improvement is
19 necessary as the current drainage system has had a serious negative impact on the road
20 condition of Beechwood Drive and Cherry Lane. It is further necessary to the public
21 welfare and safety of the community by correcting an existing flooding and back up
22 situation on multiple private properties; and

23
24 WHEREAS, this work will require easement acquisition and construction of new,
25 or reconstruction of existing, drainage facilities, and

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27 WHEREAS, a public viewing and public hearing will provide pertinent
28 information from the County Engineer as to whether the construction of the
29 improvement is necessary and conducive to the public welfare; and

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31 WHEREAS, except as may be ordered pursuant to Section 6131.31 of the Ohio
32 Revised Code, all costs of engineering, construction, and future maintenance will be
33 assessed to the parcels of land benefiting from the improvement as provided in
34 Chapters 6131 and 6137 of the Ohio Revised Code; and

35
36 WHEREAS, subject to change after study by the Engineer, the following is the
37 approximate course and termini of the proposed improvement, to wit:

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39 Beginning at the southerly end of Norwood Lake (parcel number 4002539) the
40 current drainage system runs in an easterly direction along Cherry Lane. It then
41 crosses Beechwood Drive running across private property in a southeasterly
42 direction and terminates into a box culvert on the northern side of the Route 82
43 right of way.

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5 WHEREAS, this Council has determined, after reviewing all pertinent
6 information, that it is necessary and in the best interest of the County of Summit to
7 authorize the publication and legal notice for the proposed public improvement located
8 in Northfield Center Township, and to set the dates for the Public Viewing and Public
9 Hearing pursuant to Section 6131.07 of the Ohio Revised Code.

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

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14 SECTION 1

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16 Pursuant to Section 6131.07 of the Ohio Revised Code, a legal notice shall be
17 published one time in a newspaper of general circulation in Summit County; individual
18 notice to all owners of land which will be benefitted or damaged by construction of the
19 proposed improvement shall be sent by certified mail, return receipt requested, giving
20 notice that a public viewing of the area will take place at **4:30 p.m. on Thursday, May**
21 **16, 2024 at the Norwood Lake Homeowners Association pavilion area, located west**
22 **of 156 Beachwood Drive, and east of 112 Beechwood Drive, and across the street**
23 **from 131 Beechwood Drive, Northfield Center Township, Ohio 44067. A Public**
24 **Hearing will take place on Monday, August 5, 2024 at 4:30 pm in Council Chambers,**
25 **Ohio Building – 7th Floor, 175 South Main Street, Akron, Ohio.**

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27 SECTION 2

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29 This Resolution is hereby declared an emergency in the interest of the health,
30 safety and welfare of the citizens of the County of Summit and for the further reason to
31 immediately authorize the publication and notice of a viewing and hearing for a
32 proposed public improvement located in Northfield Center Township, Summit County,
33 Ohio.

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35 SECTION 3

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

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41 SECTION 4

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

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4 INTRODUCED April 1, 2024

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6 ADOPTED April 1, 2024

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8 DocuSigned by:
9 *Monique Willis*
10 5560BEF400F5451...
11 CLERK OF COUNCIL

DocuSigned by:
Rita J. Darrow
132AASB69D28443...
PRESIDENT OF COUNCIL

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13 APPROVED April 1, 2024

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16 DocuSigned by:
17 *Executive Ilene Shapiro*
18 CBD33E40D287473...
19 EXECUTIVE

Voice Vote – YES: 9 – 0: Darrow, DeVitis,
Dickinson, Donofrio, Ford, McKenney, Rodgers,
Schmidt, Wiedie Higham
ABSENT: Walters, Wilhite

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21 ENACTED EFFECTIVE April 2, 2024

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