

1 RESOLUTION NO. 2024-161

First Reading Passage Requested
(M. Willis)

2
3 SPONSOR Mr. Schmidt

4
5 DATE May 20, 2024

COMMITTEE Public Works

6
7 **A Resolution setting the date for the Final Public Hearing and authorizing the**
8 **publication and legal notices for said hearing for the proposed public**
9 **improvement known as the Wye Road Flood Mitigation And Improvements**
10 **Project - Phase 2 located in Bath Township, pursuant to Section 6131.16 of the**
11 **Ohio Revised Code, for Council, and declaring an emergency.**

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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

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18 WHEREAS, a public viewing took place April 10, 2024 in Bath Township, the
19 Engineer filed a Preliminary Report on April 29, 2024 and a public hearing took place
20 May 13, 2024 in Council Chambers in accordance with Section 6131.101 of the Ohio
21 Revised Code; and

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23 WHEREAS, this Council on May 13, 2024 adopted Resolution No. 2024-148
24 granting design preparations for said project in accordance with Section 6131.12 of the
25 Ohio Revised Code; and

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27 WHEREAS, the Engineer has proceeded with the design of said improvements
28 and prepared schedules and reports and has filed these with the Clerk of Council in
29 accordance with Section 6131.14 of the Ohio Revised Code; and

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31 WHEREAS, this Council has determined, after reviewing all pertinent
32 information, that it is necessary and in the best interest of the County of Summit to
33 authorize the publication and legal notice of the Final Public Hearing for the proposed
34 public improvement located in Bath Township, pursuant to Section 6131.16 of the Ohio
35 Revised Code.

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

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40 SECTION 1

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42 Pursuant to Section 6131.16 of the Ohio Revised Code, a legal notice of a Final
43 Public Hearing shall be published one time in a newspaper of general circulation in
44 Summit County; individual notice to all owners of land which will be benefitted or
45 damaged by construction of the proposed improvement shall be sent by certified mail,
46 return receipt requested, giving notice that a Final Public Hearing will take place on
47 **Monday, June 24, 2024 at 4:30 pm in Council Chambers, Ohio Building – 7th Floor,**
48 **175 South Main Street, Akron, Ohio.**

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2 PAGE TWO

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4 SECTION 2

5

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

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11 SECTION 3

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

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17 SECTION 4

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

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26 INTRODUCED May 20, 2024

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29 ADOPTED _____

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CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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36 APPROVED _____

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EXECUTIVE

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44 ENACTED EFFECTIVE _____

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