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4 CITY OF CUYAHOGA FALLS, OHIO

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6 RESOLUTION NO. 15 - 2012  
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9 A RESOLUTION URGING THE SUMMIT COUNTY  
10 COUNCIL TO REJECT THE PROPOSED VACATION OF  
11 WETMORE AND OAK HILL ROADS IN BOSTON  
12 TOWNSHIP, AND DECLARING AN EMERGENCY.  
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14 WHEREAS, on March 28, 2012, the Trustees of Boston Township voted  
15 unanimously to request the vacation of Wetmore and Oak Hill Roads within Boston  
16 Township; and  
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18 WHEREAS, currently pending before the Summit County Council are  
19 Resolution Nos. 228-2012 and 229-2012 which, if adopted, would authorize the  
20 vacation of Wetmore and Oak Hill Roads, respectively, in Boston Township; and  
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22 WHEREAS, Wetmore and Oak Hill Roads are important transportation routes  
23 that cross the boundary between Cuyahoga Falls and Boston Township; and  
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25 WHEREAS, Both Wetmore and Oak Hill Roads are used as school  
26 transportation routes; and  
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28 WHEREAS, both Wetmore and Oak Hill are used by the Cuyahoga Falls Fire  
29 Dept. to access portions of Cuyahoga Falls via transit through Boston Township,  
30 and as routes for mutual aid response; and  
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32 WHEREAS, upon vacation of Wetmore Road, the owner of almost all abutting  
33 property, the National Park Service, has indicated that it would be unable to  
34 maintain the road for general public use, and would close the road to general  
35 traffic except park facility access needs; and  
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37 WHEREAS, the National Park Service opposes vacation of Oak Hill Road, but  
38 has indicated that if a vacation were to be approved nonetheless, the Park Service  
39 would almost certainly be unable to maintain the road for general public use, and  
40 would be forced to close the road; and  
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42 WHEREAS, closure of Wetmore Road in Boston Township would require the  
43 Cuyahoga Falls Fire Department to redirect response routes to other roads that will  
44 diminish emergency response times to portions of Cuyahoga Falls; and  
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46 WHEREAS, because the City of Cuyahoga Falls will continue to maintain  
47 Wetmore Road in its jurisdiction, there will need to be constructed a turn-around  
48 pad for plows and maintenance vehicles somewhere near the closure point; and  
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50 WHEREAS, the portion of Oak Hill Road within Cuyahoga Falls is populated  
51 with numerous homes that, if the road were to be closed, would be cut off from the  
52 Cuyahoga Falls Fire Department's most direct access route; and

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54 WHEREAS, the nearest fire hydrant to the area of Oak Hill Road in Cuyahoga  
55 Falls, at Everett and Riverview Roads, would be separated from Oak Hill Road by  
56 the road closure that would ensue from this proposed vacation; and

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58 WHEREAS, on June 7, 2012 the Summit County Engineer submitted staff  
59 reports concerning the proposed road vacations in which the Engineer  
60 acknowledged the opposition of the National Park Service, the City of Cuyahoga  
61 Falls, and other parties, to the proposed road vacations; and

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63 WHEREAS, in its staff reports, the Summit County Engineer recommends that  
64 the City of Cuyahoga Falls annex the roadway portions of Wetmore and Oak Hill  
65 Roads in order to allow the City to keep the roads open and provide (presumably at  
66 its own expense) the maintenance and improvements necessary to keep these  
67 roads open and in a state of good repair; and

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69 WHEREAS, in its staff reports, the Summit County Engineer estimates that the  
70 cost to provide necessary repairs and improvements to the Boston Township  
71 portions of Wetmore and Oak Hill Roads is \$560,000 and \$1,300,000, respectively;  
72 and

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74 WHEREAS, in its staff reports, the Summit County Engineer states that if the  
75 City of Cuyahoga Falls is unwilling to annex the roadway portions of Wetmore and  
76 Oak Hill Roads in Boston Township, then the Engineer would support vacation of  
77 both of these roads,

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79 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga  
80 Falls, County of Summit and State of Ohio, that:

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82 Section 1. This Council urges the Summit County Council to reject Resolution  
83 Nos. 228-2012 and 229-2012, and to further reject any subsequent request to  
84 vacate Wetmore and Oak Hill Roads in Boston Township, unless and until the  
85 Summit County Council is satisfied that all parties, including Boston Township,  
86 City of Cuyahoga Falls, Summit County, National Park Service, and Metro Parks  
87 Serving Summit County, have exhausted all avenues of cooperation that might lead  
88 to a plan, acceptable to all parties, that would provide for the continued existence  
89 and maintenance of these important public ways.

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91 Section 2. The Clerk of Council is authorized and directed to send a certified  
92 copy of this Resolution to Russell M. Pry, County Executive; Alan Brubaker, P.E.,  
93 P.S., County Engineer; Nick Kostandaras, Council Member District 1; John  
94 Schmidt, Council Member District 2; Gloria Rodgers, Council Member District 3;  
95 Frank Comunale, Council Member District 4; Tamela Lee, Council Member District  
96 5; Jerry Feeman, Council Member District 6; Tim Crawford, Council Member  
97 District 7; Paula Prentice, Council Member District 8; Bill Roemer, Council Member

98 At Large; Sandra Kurt, Council Member At-Large; Ilene Shapiro, Council Member  
99 At-Large.

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101 Section 3. It is found and determined that all formal actions of this Council  
102 concerning and relating to the adoption of this resolution were adopted in an open  
103 meeting of this Council and that all deliberations of this Council and of any of its  
104 committees that resulted in such formal action were in meetings open to the  
105 public, in compliance with all legal requirements, to the extent applicable,  
106 including Chapter 107 of the Codified Ordinances.

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108 Section 4. This resolution is hereby declared to be an emergency measure  
109 necessary for the preservation of the public peace, health, safety, convenience and  
110 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it  
111 received the affirmative vote of two-thirds of the members elected or appointed to  
112 Council, it shall take effect and be in force immediately upon its passage and  
113 approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
114 period allowed by law.

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Passed: 7-16-12

Mary Shary  
President of Council

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Cathleen J. Meacham  
Clerk of Council

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Approved: 7/19/12

D. Robust  
Mayor

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6/25/12

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