

A RESOLUTION CONCERNING OPENING MARKET STREET AT THE STONEY BLUFF SUBDIVISION TO THROUGH TRAFFIC AND DECLARING AN EMERGENCY.

Whereas, the Village has been threatened with litigation by Bloom Township's legal representative, the Fairfield County Prosecutor's Office, with regards to the Village restricting through traffic at the Corporation / Township boundary limits at the south end of Market Street; and

Whereas, the Ohio Revised Code § 723.02 grants the legislative authority of the municipality the authority, and the discretion, to "open, straighten, alter, divert, narrow, or widen any street, alley, or public highway within the limits of the municipal corporation."; and

Whereas, even though the Village has repeatedly stated its position over the last ten (10) years, both publically and privately, Council does so again here; and

Whereas, in 2004 the roads in the Stoney Bluff subdivision were completed, the Village has actively blocked public transit and use of Market St past its corporation limit due to unsafe transition for both vehicles and pedestrians; and

Whereas, as Market Street, at the Lithopolis Corporation / Bloom Township boundary line, **has never been opened to through traffic**, property owners purchased their property knowing that through traffic was restricted; and

Whereas, in November 2011 the Bloom Township Trustees committed to residents that they would improve the township section where it meets up with the Village sections; and

Whereas, this Council has received advice and counsel, from the Village's consulting engineer and the Village Solicitor respectively, that the transition from the township street to the village street is a potentially dangerous situation and opening the street to through traffic, without improvements, would create a foreseeable risk of serious injury to children, pedestrians, bicyclists, and motorists and would be reckless;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

Section 1. Council continues to hold the position that Market Street south of the village corporation line will be opened to through traffic once the Bloom Township Trustees improve the township portion of Market Street to the same complete streets standards as the village sections, unless other mutually acceptable terms are agreed upon.

Section 2. Council urges the Bloom Township Trustees to publically commit to making the necessary improvements to bring their section of Market Street up to the same complete streets standards as the Village ends.

Section 3. This resolution is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, and welfare in that Council wishes to demonstrate the urgency that is desired by the Fairfield County Prosecutors Office over a situation that has not changed in the last ten (10) years.

DATE PASSED: June 24, 2014

ATTEST: [Signature]
CLERK

SIGNED

[Signature]
MAYOR

APPROVED AS TO FORM:

[Signature]
JON BROWNING
VILLAGE SOLICITOR