

1 RESOLUTION NO. 2020-096

**First Reading Passage Requested**  
**(H. Swindell)**

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE April 13, 2020

COMMITTEE Public Works

6  
7 **A Resolution confirming an award by the Board of Control of a professional service**  
8 **contract with Channel Maintenance Systems, LLC, for professional design services for**  
9 **Yellow Creek Streambank Repair and Landslide Mitigation Phases 2, 3 and 4, in Council**  
10 **Districts 4 and 5, in an amount not to exceed \$81,850.00, for the Engineer, and declaring an**  
11 **emergency.**

12  
13 WHEREAS, erosion along the banks of Yellow Creek, in Bath Township, in Council  
14 Districts 4 and 5, is threatening road infrastructure and creating risk of a landslide; and

15  
16 WHEREAS, the County Engineer intends to undertake a project which will include the  
17 design of streambank stabilization, erosion control, and channel realignment for a portion of the  
18 south bank of Yellow Creek along Yellow Creek Road; and

19  
20 WHEREAS, County Council previously adopted Resolution No. 2019-419, which  
21 confirmed an award by the Board of Control of a professional service contract with Channel  
22 Maintenance Systems, LLC, for professional design services for Yellow Creek Streambank  
23 Repair and Landslide Mitigation Phase 1, in an amount not to exceed \$75,000.00; and

24  
25 WHEREAS, Phase 1 has been completed and it is necessary to proceed with Phase 2 of  
26 the Project; and

27  
28 WHEREAS, The Summit County Engineer's office would now like to authorize the tasks  
29 of Phase 2 (\$56,650.00), Phase 3 (\$12,000.00), and Phase 4 (\$17,200.00). Phase 2 will  
30 commence as soon as authorized, pursuant to a pending expanded work easement from Metro  
31 Parks on the north bank of Yellow Creek. Phases 3 and 4 will not require further expansion of  
32 the work easement; and

33  
34 WHEREAS, the Board of Control, at its meeting held April 8, 2020, awarded a  
35 professional service contract with Channel Maintenance Systems, LLC, for professional design  
36 services for Yellow Creek Streambank Repair and Landslide Mitigation Phase 2, in an amount  
37 not to exceed \$81,850.00, subject to confirmation by County Council; and

38  
39 WHEREAS, this Council finds and determines after reviewing all pertinent information  
40 that the aforementioned professional service contract with Channel Maintenance Systems, LLC,  
41 is necessary and in the best interest of the County of Summit;

42  
43 NOW THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State  
44 of Ohio, that:

45  
46 SECTION 1

47  
48 The award by the Board of Control of a professional service contract with Channel  
49 Maintenance Systems, LLC, for professional design services for Yellow Creek Streambank  
50 Repair and Landslide Mitigation Phases 2, 3 and 4, in an amount not to exceed \$81,850.00, is  
51 hereby confirmed and the County Executive is hereby authorized to execute said professional  
52 service contract.

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2 PAGE TWO

3  
4 SECTION 2

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6 This Resolution is hereby declared an emergency in the health, safety and welfare of the  
7 residents of the County of Summit, and for the further reason to immediately authorize the  
8 aforementioned professional service contract so that the design phase for Yellow Creek can  
9 continue as expeditiously as possible to prevent damage to road infrastructure and prevent  
10 further erosion to the streambanks.

11  
12 SECTION 3

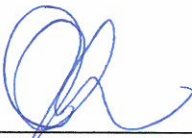
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14 Provided this Resolution receives the affirmative vote of eight members, it shall take  
15 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
16 effect and be in force at the earliest time provided by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

17  
18 SECTION 4

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

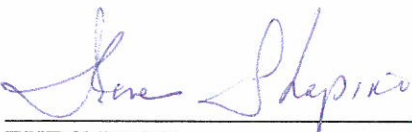
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26  
27 INTRODUCED April 13, 2020

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29 ADOPTED April 13, 2020

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33 \_\_\_\_\_  
34 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

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41 APPROVED April 14, 2020

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45 \_\_\_\_\_  
46 EXECUTIVE

47 ENACTED EFFECTIVE April 14, 2020

Voice Vote YES: 11-0 Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Sims, Walters, Wilhite