

1 RESOLUTION NO. 2010-526

2  
3 SPONSOR Mr. Pry and Mr. Poda

4  
5 DATE December 6, 2010

COMMITTEE Rules

6  
7 **A Resolution authorizing the County Executive to pay Harvey Russell the sum of \$5,547.24**  
8 **for costs of repair and restoration to the basement and loss of his personal property**  
9 **resulting from a sewer backup at his residence on 488 Dot Court, Akron, Ohio 44319,**  
10 **Council District 8, for the Executive's Department of Environmental Services, and**  
11 **declaring an emergency.**

12  
13 WHEREAS, on October 31, 2010, a sewer backup occurred at the residence of Harvey  
14 Russell, 488 Dot Court, in the City of Akron, Council District 8, and

15  
16 WHEREAS, the personal property loss is valued at \$546.26, and the cost to repair the  
17 damage to the basement of Mr. Russell's residence is \$5,000.98, excluding costs of sanitizing  
18 and dry-out being paid under Chapter 119A of the County of Summit's Codified Ordinances, and

19  
20 WHEREAS, this Council finds and determines after reviewing all pertinent information  
21 that authorizing the Executive to pay the sum of \$5,547.24 to Harvey Russell is necessary and in  
22 the best interest of the County;

23  
24 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
25 of Ohio, that:

26  
27 SECTION 1

28  
29 The County Executive is hereby authorized to pay to Harvey Russell the sum of  
30 \$5,547.24 to reimburse him for the repair and restoration of his basement at 488 Dot Court, in  
31 the City of Akron, Council District 8, and for the value of personal property lost in the sewer  
32 backup on October 31, 2010, and to prepare a release and other documents necessary to protect  
33 the interests of the County with said reimbursement.

34  
35 SECTION 2

36  
37 The payment authorized in Section 1 shall be paid out of the Executive's Department of  
38 Environmental Services' Sewer Fund, account number 50001-8510-61017.

39  
40 SECTION 3

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42 This Resolution is hereby declared an emergency in the interest of the health, safety and  
43 welfare of the citizens of the County of Summit, and for the further reason that it will  
44 immediately allow said payment of a moral claim.  
45

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2 PAGE TWO

3  
4 SECTION 4

5  
6 Provided this Resolution receives the affirmative vote of eight members, it shall take  
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
8 effect and be in force at the earliest time provided by law.  
9

10 SECTION 5

11  
12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in all open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.  
17

18  
19 INTRODUCED November 29, 2010

20  
21 ADOPTED December 6, 2010 SPECIAL MEETING

22  
23 Shirley F. Sheu  
24  
25 CLERK OF COUNCIL

Bob Poda  
PRESIDENT OF COUNCIL

26  
27 APPROVED December 7, 2010

28  
29 [Signature]  
30  
31 EXECUTIVE

32  
33 ENACTED EFFECTIVE December 7, 2010

Voice Vote: 9-0 YES: Crawford, Crossland, Feeman, Kostandaras, Poda,  
Rogers, Schmidt, Shapiro ABSENT: Comunale, Prentice  
Smith

12-7-10  
[Handwritten notes]