

1 RESOLUTION NO. 2017-507

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Roadway Use, Repair, and**
8 **Maintenance Agreement with The Ruhlin Company related to improvements to the East**
9 **Reservoir Dam, located in Coventry Township, in Council District 8, for the Engineer, and**
10 **declaring an emergency.**

11
12 WHEREAS, Section 339.14 of the Codified Ordinances of the County of Summit,
13 entitled "Roadway Use, Repair and Maintenance Agreement," states that where, in the opinion of
14 the County Engineer, a proposed activity will require frequent and sustained use of a roadway
15 and/or bridge by commercial trucks and similar vehicles, regardless of whether the vehicles are
16 overweight or oversized, the person or business entity which will be engaging in the activity
17 shall execute, prior to using the roadway and/or bridge for the activity, a "Roadway Use, Repair
18 and Maintenance Agreement" with the County of Summit; and

19
20 WHEREAS, the Ohio Department of Natural Resources has hired The Ruhlin Company
21 to make improvements to the East Reservoir Dam located along Portage Lakes Drive in
22 Coventry Township; and

23
24 WHEREAS, it may be necessary that The Ruhlin Company and its subcontractors
25 transport heavy, overweight, and/or oversized vehicles or combination of vehicles, and/or a great
26 number of vehicles over designated haul routes on county roads and bridges which may, in
27 certain cases, be in excess of the maximum legal limits or design limits of such roads and bridges
28 vehicles; and

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30 WHEREAS, the County Engineer recommends entering into a Roadway Use, Repair, and
31 Maintenance Agreement with Ruhlin in order to protect County of Summit roads and bridges;
32 and

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34 WHEREAS, the Roadway Use, Repair, and Maintenance Agreement, attached hereto as
35 Exhibit A, sets forth the responsibilities of The Ruhlin Company to manage potential excess
36 damage and necessary repairs to the roads and bridges caused by such permitted travel; and

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38 WHEREAS, this Council has determined by reviewing all pertinent information that it is
39 necessary and in the best interest of the County of Summit to authorize the Executive to execute
40 a Roadway Use, Repair, and Maintenance Agreement with The Ruhlin Company;

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42 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
43 of Ohio, that;

44
45 SECTION 1

46
47 The County Executive is hereby authorized to execute the Roadway Use, Repair, and
48 Maintenance Agreement with The Ruhlin Company. The County Executive is hereby authorized
49 to execute said Roadway Use, Repair, and Maintenance Agreement in substantially the form
50 attached hereto as Exhibit A.
51

1 RESOLUTION NO. 2017-507

2 PAGE TWO

3
4 SECTION 2

5
6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit, and for the further reason of protecting a
8 Summit County roadway from excess use damage and expenses.

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10 SECTION 3


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

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16 SECTION 4

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

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24
25 INTRODUCED November 27, 2017

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27 ADOPTED December 12, 2017

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31 CLERK OF COUNCIL

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35 PRESIDENT OF COUNCIL

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37 APPROVED December 13, 2017

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39 
40 _____

41 EXECUTIVE
42 December 13, 2017

43 ENACTED EFFECTIVE

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