

1 RESOLUTION NO. 2019-252

2
3 SPONSOR Ms. Shapiro

4 DATE June 24, 2019

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to enter into a Roadway Use, Repair, and**
8 **Maintenance Agreement with The Beaver Excavating Company related to certain**
9 **improvements to the North Reservoir Dam, located in Coventry Township, in Council**
10 **District 8, for the Engineer, and 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," provides for the County to enter
14 into agreements to manage potential excess damage and necessary repairs to the roads and
15 bridges caused by excess and heavy travel related to projects in the County; and

16
17 WHEREAS, the Ohio Department of Natural Resources has hired The Beaver Excavating
18 Company to make improvements to the North Reservoir Dam located along Portage Lakes Drive
19 in Coventry Township; and

20
21 WHEREAS, it may be necessary that The Beaver Excavating Company and its
22 subcontractors transport heavy, overweight, and/or oversized vehicles or a combination of
23 vehicles, and/or a great number of vehicles over designated haul routes on county roads and
24 bridges, which may, in certain cases, be in excess of the maximum legal limits or design limits of
25 such roads and bridges; and

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27 WHEREAS, the County Engineer recommends entering into a Roadway Use, Repair, and
28 Maintenance Agreement with The Beaver Excavating Company in order to protect County roads
29 and bridges; and

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31 WHEREAS, the Roadway Use, Repair, and Maintenance Agreement, attached hereto as
32 Exhibit A, details the responsibilities of The Beaver Excavating Company to manage potential
33 excess damage and necessary repairs to the roads and bridges caused by such permitted travel;

34
35 WHEREAS, this Council has determined by reviewing all pertinent information that it is
36 necessary and in the best interest of the County to authorize the Executive to enter into a
37 Roadway Use, Repair, and Maintenance Agreement with The Beaver Excavating Company;

38
39 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
40 of Ohio, that;

41
42 SECTION 1

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44 The County Executive is hereby authorized to execute the Roadway Use, Repair, and
45 Maintenance Agreement with The Beaver Excavating Company substantially in the form the
46 agreement attached hereto as Exhibit A and incorporated herein as if fully restated.
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1 RESOLUTION NO. 2019-252

2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the residents of the County of Summit, and for the further purpose to protect a Summit
8 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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25 INTRODUCED June 17, 2019

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28 ADOPTED June 24, 2019

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32 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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45 APPROVED June 25, 2019

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Voice Vote 10-0 - YES: Dickinson, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: McKenney