

1 RESOLUTION NO. 2014-339

2  
3 SPONSOR Mr. Pry

4  
5 DATE August 18, 2014

COMMITTEE Public Works

6  
7 **A Resolution authorizing the Executive to enter into an agreement with the City of**  
8 **Fairlawn, for general maintenance and traffic signal maintenance on certain roads where**  
9 **jurisdiction is partly in the County of Summit and partly in the City of Fairlawn, Council**  
10 **District 5, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, Section 307.15 of the Ohio Revised Code authorizes the County of Summit  
13 to enter into a contract with a municipality, whereby the County agrees to perform one of that  
14 municipality's functions on behalf of the municipality and the municipality agrees to perform  
15 one of the County's functions on behalf of the County; and

16  
17 WHEREAS, the County may designate within said agreement, which County office will  
18 perform the County's responsibilities under the agreement; and

19  
20 WHEREAS, pursuant to Section 307.15 of the Ohio Revised Code, the County wishes to  
21 enter into an agreement with the City of Fairlawn ("Fairlawn") whereby the County and Fairlawn  
22 will provide general maintenance services and traffic signal maintenance services on certain  
23 roads where jurisdiction is split between the County and the City of Fairlawn, and specific roads  
24 are described in the attached Exhibit A; and

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26 WHEREAS, the City of Fairlawn approved said agreement via Fairlawn Resolution  
27 2014-017; and

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29 WHEREAS, the County and Fairlawn have agreed that the proposed split of maintenance  
30 responsibilities on roads where there is joint jurisdiction is fair and equitable; and

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32 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
33 necessary and in the best interest of the County of Summit to authorize the Executive to enter  
34 into an agreement with Fairlawn whereby the County Engineer and the City of Fairlawn will  
35 provide general maintenance and traffic signal maintenance services on roads where the County  
36 and Fairlawn have mutual responsibilities;

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

40  
41 SECTION 1

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43 A copy of said agreement is attached hereto as Exhibit A and incorporated herein as if  
44 fully restated. The County Executive is hereby authorized to execute said agreement with  
45 Fairlawn, whereby the County and Fairlawn will provide general maintenance services and  
46 traffic signal maintenance services on certain roads where jurisdiction is split between the  
47 County and the City of Fairlawn, with those changes that are not inconsistent with this  
48 Resolution and not substantially adverse to the County and approved by the Executive. The  
49 approval of those changes by the County Executive and that those changes are not substantially  
50 adverse to the County will be conclusively evidenced by his execution of the agreement.  
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1 RESOLUTION NO. 2014-339

2 PAGE TWO

3  
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 citizens of the County of Summit, and for the further purpose to immediately  
8 allow the Executive to execute said agreement and allow the Engineer and the City of Fairlawn  
9 to immediately provide services to joint jurisdictional roads.

10  
11 SECTION 3

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

16  
17 SECTION 4

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

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26 INTRODUCED August 4, 2014

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28 ADOPTED August 18, 2014

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32 CLERK OF COUNCIL

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36 PRESIDENT OF COUNCIL

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38 APPROVED August 19, 2014

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EXECUTIVE

ENACTED EFFECTIVE August 19, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras  
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro