

1 RESOLUTION NO. 2014-332

First Reading Passage Requested

(H. Swindell)

2 SPONSOR Mr. Pry

3 DATE August 4, 2014

4 COMMITTEE Public Works

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6  
7 **A Resolution authorizing the County Executive to execute an agreement with the City of**  
8 **Fairlawn, whereby the County Engineer will provide pavement maintenance services for**  
9 **Ridgewood Road in the City of Fairlawn, in Council District 5, and authorizing the**  
10 **payment to Fairlawn of an amount not to exceed \$10,518.75 as the County's proportionate**  
11 **share (46%) of the inspection services for the Ridgewood Road Project, for the Engineer,**  
12 **and declaring an emergency.**

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

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

20  
21 WHEREAS, pursuant to Section 307.15 of the Ohio Revised Code, the County wishes to  
22 enter into an agreement with the City of Fairlawn ("Fairlawn") whereby the County Engineer  
23 will provide pavement maintenance services on Ridgewood Road to Fairlawn and Fairlawn will  
24 directly pay the contractor for its portion of the work on the roadway; and

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26 WHEREAS, the scope of work covered by this agreement consists of Ridgewood Road  
27 pavement maintenance and/or marking from the I-77 right-of-way west to Cleveland-Massillon  
28 Road (the "Project"); and

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30 WHEREAS, by City of Fairlawn Resolution Nos. 2014-009 and 2014-045, the Mayor is  
31 authorized to enter into an agreement with the County for the payment of costs of the Project;  
32 and

33 WHEREAS, in the agreement, the County has agreed to pay Fairlawn the County's  
34 proportionate share (46%) of the inspection costs for the Project, in an amount not to exceed  
35 \$10,518.75; and

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37 WHEREAS, other costs and expenses attributable to the County will be determined  
38 through a bidding process and submitted to this Council for approval; and

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40 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
41 that it is necessary and in the best interest of the County of Summit to authorize the Executive to  
42 enter into an agreement with Fairlawn whereby the County Engineer will perform pavement  
43 maintenance services on Ridgewood Road in the City of Fairlawn and to authorize the  
44 expenditure of \$10,518.75;

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

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1 RESOLUTION NO. 2014-332

2 PAGE TWO

3  
4 SECTION 1

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6 A copy of said agreement is attached hereto as Exhibit A and incorporated herein as if  
7 fully restated. The County Executive is hereby authorized to execute said agreement with  
8 Fairlawn, whereby the County Engineer will provide pavement maintenance services on  
9 Ridgewood Road in the City of Fairlawn, with those changes that are not inconsistent with this  
10 Resolution and not substantially adverse to the County and approved by the Executive. The  
11 approval of those changes by the County Executive and that those changes are not substantially  
12 adverse to the County will be conclusively evidenced by his execution of the agreement.

13  
14 SECTION 2

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16 Pursuant to said agreement, this Council hereby authorizes the payment to Fairlawn in of  
17 an amount not to exceed \$10,518.75 as the County's proportionate share (46%) of the inspection  
18 costs for the Ridgewood Road Project. All other costs and expenses attributable to the County  
19 related to the Project have previously been approved by this Council pursuant to Resolution No.  
20 2014-254.

21  
22 SECTION 3

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24 This Resolution is hereby declared an emergency in the interest of the health, safety and  
25 welfare of the citizens of the County of Summit, and for the further purpose to immediately  
26 allow the Executive to execute said agreement and allow the Engineer to receive reimbursement  
27 for services provided on Ridgewood Road.

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29 SECTION 4

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

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35 SECTION 5

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37 It is found and determined that all formal actions of this Council concerning and relating  
38 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
39 deliberations of this Council and of any of its committees that resulted in such formal action,  
40 were in meetings open to the public, in compliance with all legal requirements, including Section  
41 121.22 of the Ohio Revised Code.  
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2 PAGE THREE

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5 INTRODUCED August 4, 2014

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7 ADOPTED August 4, 2014

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CLERK OF COUNCIL

  
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13 PRESIDENT OF COUNCIL

14 APPROVED August 5, 2014

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EXECUTIVE

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19 ENACTED EFFECTIVE August 5, 2014

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