

1 RESOLUTION NO. 2014-578

Late Filing

2 SPONSOR Mr. Pry

First Reading Passage Requested  
(S. Brunot)

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5  
6 DATE December 8, 2014

COMMITTEE Public Works

7  
8 **A Resolution declaring the recent structural damage discovered on Yellow Creek Road,**  
9 **located in Bath Township, in Council District 4, to be an emergency pursuant to Section**  
10 **177.07(a)(3) of the Codified Ordinances of the County of Summit, and authorizing the**  
11 **Executive to enter into a purchase agreement, subject to approval by the Board of Control,**  
12 **without competitive bidding, for a pair of temporary traffic signals from American**  
13 **Roadway Logistics, Inc., in an amount not to exceed \$50,000.00, for the Engineer, and**  
14 **declaring an emergency.**

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16 WHEREAS, the County Engineer was recently informed that major damage has recently  
17 occurred that endangers the integrity of a section of Yellow Creek Rd., located in Bath  
18 Township, in Council District 4, which damage represents a threat to public safety; and

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20 WHEREAS, in order to effectuate repairs, the Engineer will need to close one lane of the  
21 road, resulting in the need for the use of temporary traffic signals in order to maintain the safe  
22 flow of traffic on Yellow Creek Rd.; and

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24 WHEREAS, the Engineer wishes to close one lane of Yellow Creek Rd. as soon as  
25 possible in order to begin the repair process; and

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27 WHEREAS, it is necessary for the County to purchase a pair of temporary traffic signals  
28 from American Roadway Logistics, Inc., located in Richfield, as soon as possible in order to  
29 provide for the safe closure of one lane of Yellow Creek Rd.; and

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31 WHEREAS, Section 177.07(a)(3) of the Codified Ordinances of the County of Summit  
32 permits the County Executive to enter into agreements without following the competitive bidding  
33 process in times of emergency; and

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35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
36 that the damage to Yellow Creek Road, located in Bath Township, in Council District 4,  
37 constitutes an emergency pursuant to Section 177.07(a)(3) of the Codified Ordinances of the  
38 County of Summit, and that it is necessary to authorize the Executive to enter into a purchase  
39 agreement, subject to approval by the Board of Control, without competitive bidding, for a pair  
40 of temporary traffic signals from American Roadway Logistics, Inc., in an amount not to exceed  
41 \$50,000.00;

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

45  
46 SECTION 1

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48 This Council hereby finds and determines that the aforementioned damage to Yellow  
49 Creek Road, located in Bath Township, in Council District 4, is an emergency pursuant to  
50 Section 177.07(a)(3) of the Codified Ordinances of the County of Summit.

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2 PAGE TWO

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4 SECTION 2

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6 Council further determines that it is necessary to enter into a purchase agreement, subject  
7 to approval by the Board of Control, without competitive bidding pursuant to section  
8 177.07(a)(3) of the Codified Ordinances of the County of Summit, to purchase two temporary  
9 traffic signals from American Roadway Logistics, Inc., in an amount not to exceed \$50,000.00.

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11 SECTION 3

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13 This Resolution is hereby declared an emergency in the interest of the health, safety and  
14 welfare of the citizens of the County of Summit, and for the further reason to allow for the  
15 immediate closure of one lane of Yellow Creek Road and the purchase of a pair of temporary  
16 traffic lights.

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18 SECTION 4

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

23  
24 SECTION 5

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26 It is found and determined that all formal actions of this Council concerning and relating  
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
28 deliberations of this Council and of any of its committees that resulted in such formal action,  
29 were in meetings open to the public, in compliance with all legal requirements, including Section  
30 121.22 of the Ohio Revised Code.

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34 INTRODUCED December 8, 2014

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36 ADOPTED December 8, 2014

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CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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42 APPROVED December 9, 2014

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EXECUTIVE

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48 ENACTED EFFECTIVE December 9, 2014

Voice Vote: 8-0 YES: Comunale, Crawford, Feeman, Kurt,  
Lee, Roemer, Schmidt, Shapiro  
ABSENT: Kostandaras, Prentice, Rodgers