

1 RESOLUTION NO. 2017-487

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute an agreement with the Board of**
8 **Park Commissioners of Summit Metro Parks concerning the maintenance of Pond Brook**
9 **County Ditch #14, located in Twinsburg Township, in Council District 1, for the Engineer,**
10 **and declaring an emergency.**

11
12 WHEREAS, the County of Summit owns an easement across on Pond Brook County
13 Ditch #14; and

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15 WHEREAS, Summit Metro Parks has received grant funding from the Northeast Ohio
16 Regional Sewer District under the Ohio Environmental Protection Agency's Water Resource
17 Restoration Sponsor Program for the restoration of Pond Brook South Stream Restoration Phase
18 3; and

19
20 WHEREAS, Summit Metro Parks has requested that the County of Summit vacate the
21 segment of Pond Brook County Ditch #14 and the County's easement to allow Summit Metro
22 Parks to alter and reconstruct the ditch in accordance with project plans;

23
24 WHEREAS, as a condition of granting the ditch vacation the County of Summit has
25 required Summit Metro Parks to execute an agreement for the perpetual maintenance of the
26 stormwater drainage facilities installed or to be installed on the property;

27
28 WHEREAS, this Council has determined by reviewing all pertinent information that it is
29 necessary and in the best interest of the County of Summit to authorize the County Executive to
30 execute into an agreement with Summit Metro Parks to allow the above-mentioned restoration
31 project to proceed and ensure perpetual maintenance of the Pond Brook Ditch drainage facilities;

32
33 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
34 of Ohio, that;

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36 SECTION 1

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38 The County Executive is hereby authorized to execute said agreement with Summit
39 Metro Parks concerning the perpetual maintenance of Pond Brook County Ditch #14. The
40 Executive is hereby authorized to execute said agreement in substantially in the form the
41 agreement attached hereto as Exhibit A.

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43 SECTION 2

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45 This Resolution is hereby declared an emergency in the interest of the health, safety and
46 welfare of the citizens of the County of Summit, and for the further purpose to allow Summit
47 Metro Parks to proceed on the Pond Brook Restoration Phase 3 project.
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1 RESOLUTION NO. 2017-487

2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED November 13, 2017

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22 ADOPTED December 12, 2017

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26 CLERK OF COUNCIL

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32 PRESIDENT OF COUNCIL

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34 APPROVED December 13, 2017

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EXECUTIVE
December 13, 2017

ENACTED EFFECTIVE

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