

1 RESOLUTION NO. 2010-528

2
3 SPONSOR Mr. Pry and Mr. Poda

4
5 DATE December 6, 2010

COMMITTEE Rules

6
7 **A Resolution authorizing the County Executive to pay Albert Struharik the sum of**
8 **\$9,998.99 for costs of repair and restoration to the basement and loss of his personal**
9 **property resulting from a sewer backup at his residence on 568 Washburn Road,**
10 **Tallmadge, Ohio 44278, Council District 6, for the Executive's Department of**
11 **Environmental Services, and declaring an emergency.**

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13 WHEREAS, on October 8, 2010, a sewer backup occurred at the residence of Albert
14 Struharik, 568 Washburn Road, in the City of Tallmadge, Council District 6, backing up several
15 residential basements, and

16
17 WHEREAS, the personal property loss is valued at \$5,168.26, and the cost to repair the
18 damage to the basement of Mr. Struharik's residence is \$5,411.84, excluding costs of sanitizing
19 and dry-out being paid under Chapter 119A of the County of Summit's Codified Ordinances, and
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21 WHEREAS, this Council finds and determines after reviewing all pertinent information
22 that authorizing the Executive to pay the sum of \$9,998.99 to Albert Struharik is necessary and
23 in the best interest of the County;

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25 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
26 of Ohio, that:

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28 SECTION 1

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30 The County Executive is hereby authorized to pay to Albert Struharik the sum of
31 \$9,998.99 to reimburse him for the repair and restoration of his basement at 568 Washburn Road,
32 in the City of Tallmadge, Council District 6, and for the value of personal property lost in the
33 sewer back-up on October 8, 2010, and to prepare a release and other documents necessary to
34 protect the interests of the County with said reimbursement.

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36 SECTION 2

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38 The payment authorized in Section 1 shall be paid out of the Executive's Department of
39 Environmental Services' Sewer Fund, account number 50001-8510-61017.

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41 SECTION 3

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43 This Resolution is hereby declared an emergency in the interest of the health, safety and
44 welfare of the citizens of the County of Summit, and for the further reason that it will
45 immediately allow payment of a moral claim.
46

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2 PAGE TWO

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4 SECTION 4

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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 5

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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 all 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 29, 2010

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21 ADOPTED December 6, 2010 SPECIAL MEETING

22
23 Shirley P. Greer
24
25 CLERK OF COUNCIL

Tom Poda
PRESIDENT OF COUNCIL

26
27 APPROVED December 7, 2010

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30 [Signature]
31 EXECUTIVE

32
33 ENACTED EFFECTIVE December 7, 2010

VOICE VOTE: 9-0 Yes: Crawford, Crossland, Feeman, Kostandaras, Poda,
Rodgers, Schmidt, Shapiro, Smith ABSENT: Comunale, Prentice

9-0
FC
PF