

1 RESOLUTION NO. 2021-191

**First Reading Passage Requested**

(M. Vinay)

2  
3 SPONSOR Executive Shapiro

4  
5 DATE June 28, 2021

COMMITTEE Public Works

6  
7 **A Resolution authorizing the Executive to pay Robin W. and Jim Clark the sum of**  
8 **\$17,216.33 for cleanup and restoration costs resulting from a sanitary sewer backup at**  
9 **their residence located at 7 Whitefriars Drive, Akron, Ohio 44319, in Council District 8,**  
10 **and to prepare and execute a full and final release of claims and any other necessary**  
11 **related documents, for the Executive's Department of Sanitary Sewer Services, and**  
12 **declaring an emergency.**

13  
14 WHEREAS, on or about May 21, 2021, Jim Clark filed a sewer backup cleaning and  
15 sanitation claim (the "Claim") with the County's Department of Sanitary Sewer Services  
16 ("DSSS"), therein seeking reimbursement for cleanup and restoration costs resulting from a  
17 sanitary sewer backup at their residence located at 7 Whitefriars Drive, Akron, Ohio 44319, in  
18 Council District 8; and

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20 WHEREAS, in accordance with Chapter 119A of the Codified Ordinances of the County  
21 of Summit, DSSS examined the evidence surrounding the Claim, assessed the damages sustained  
22 to the Clark residence, and valued the total cost of repairs to an amount not to exceed  
23 \$17,216.33; and

24  
25 WHEREAS, the Executive desires to pay Robin W. and Jim Clark an amount not to  
26 exceed \$17,216.33 to settle the Claim and to prepare and execute a full and final release of  
27 claims and any other necessary related documents; and

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29 WHEREAS, Chapter 119A requires this Council's authorization for the Executive to pay  
30 all sewer backup cleaning and sanitation claims that exceed ten thousand dollars (\$10,000.00);  
31 and

32  
33 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
34 that it is necessary and in the best interest of the County of Summit to authorize the Executive to  
35 pay the sum of \$17,216.33 to Robin W. and Jim Clark for the Claim and to prepare and execute a  
36 full and final release of claims and any other necessary related documents;

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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 The Executive is hereby authorized to pay to Robin W. and Jim Clark the sum of  
44 \$17,216.33 to reimburse them for the cleanup and restoration of their residence located at 7  
45 Whitefriars Drive, Akron, Ohio 44319, in Council District 8, as a result of the sanitary sewer  
46 backup that occurred on or about May 21, 2021. The Executive is further authorized to prepare  
47 and execute a full and final release of claims and any other necessary documents related to this  
48 claim.

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1 RESOLUTION NO. 2021-191

2 PAGE TWO

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4 SECTION 2

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6 This Resolution is declared an emergency in the interest of the health, safety and welfare  
7 of the residents of the County of Summit, and for the further reason to immediately authorize the  
8 Executive to make payment for a sanitary sewer backup claim within a timely fashion.

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10 SECTION 3

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

15  
16 SECTION 4

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

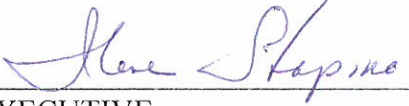
23  
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25 INTRODUCED June 28, 2021

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27 ADOPTED June 28, 2021

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31 CLERK OF COUNCIL

  
32  
33 PRESIDENT OF COUNCIL

34 APPROVED June 30, 2021

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36   
37 EXECUTIVE

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39 ENACTED EFFECTIVE June 30, 2021

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio, Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite