

1 RESOLUTION NO. 2025-020

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3 SPONSOR Executive Shapiro

4

5 DATE January 27, 2025

COMMITTEE Public Works

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7 **A Resolution declaring the Mudbrook Sanitary Emergency Repair Project to repair the**
8 **Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls,**
9 **in Council District 3, an emergency pursuant to Section 177.07(a)(3) of the Codified**
10 **Ordinances of the County of Summit, and confirming the award by the Board of Control of**
11 **a construction contract with Wingfoot Rental & Development Co., for an emergency repair**
12 **to the sewer trunkline, in an amount not to exceed \$829,386.18, for the Executive’s**
13 **Department of Sanitary Sewer Services, and declaring an emergency.**

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15 WHEREAS, this Council previously adopted Resolution No. 2024-248 to authorize the
16 County to apply for and execute a grant from the Ohio Public Works Commission State Capital
17 Improvement and/or Local Transportation Improvement Programs to accept grant funding in an
18 amount not to exceed \$639,520.80 with a local match not to exceed \$426,347.20 for a total
19 estimated amount not to exceed \$1,065,868.00 to fund a portion of the infrastructure sewer
20 improvement for the Mudbrook Sanitary Emergency Repair Project, located in the City of
21 Cuyahoga Falls, in Council District 3; and

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23 WHEREAS, a weather storm event on August 8, 2024, caused a significant amount of
24 rain to fall within a short period of time causing the Mudbrook stream to rise rapidly and
25 washout a portion of Canyon Brook Drive, in Cuyahoga Falls, that also took out the County’s
26 36” sanitary siphon sewer trunkline that conveys sanitary sewage from portions of the Cities of
27 Akron, Cuyahoga Falls, Monroe Falls, Tallmadge and the Village of Silver Lake to the City of
28 Akron’s Water Reclamation Facility; and

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30 WHEREAS, the emergency repair to the Mudbrook siphon sewer trunkline required a
31 temporary repair including the installation of an 18" diameter high density polyethylene
32 (“HDPE”) pipe supported by a bypass-pumping system around the break area to avoid
33 continuing sanitary sewer overflows in the Mudbrook stream, which is tributary to the Cuyahoga
34 River; and a permanent repair including the relocation of approximately 820 feet of sanitary
35 sewer with 30” diameter ductile iron pipe (DIP) further south of the Mudbrook stream to re-
36 establish permanent infrastructure (“Mudbrook Sanitary Emergency Repair Project”); and

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38 WHEREAS, Wingfoot Rental & Development Co. was directed to make the emergency
39 repair for the Mudbrook Sanitary Emergency Repair Project based on their expertise, availability
40 and performance on similar projects; and

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42 WHEREAS, the above referenced circumstances made it necessary for the County to
43 utilize Wingfoot Rental & Development Co. for the Mudbrook Sanitary Emergency Repair
44 Project for the emergency repair of the Mudbrook sewer trunkline on Canyon Brook Drive,
45 located in the City of Cuyahoga Falls, to be returned to normal operations; and

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47 WHEREAS, the Board of Control, at its January 15, 2025 meeting, awarded a
48 construction contract with Wingfoot Rental & Development Co. for an emergency repair for the
49 Mudbrook Sanitary Emergency Repair Project, located in the City of Cuyahoga Falls, in Council
50 District 3’ in an amount not to exceed \$829,386.18, subject to confirmation by this Council; and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that the aforementioned repairs constitute an emergency repair under Section 177.07(a)(3) of the
6 Codified Ordinances of the County of Summit and further finds and determines that it is
7 necessary and in the best interest of the County of Summit to confirm the award by the Board of
8 Control of a construction contract with Wingfoot Rental & Development Co. for said emergency
9 repair for the Mudbrook Sanitary Emergency Repair Project, in an amount not to exceed
10 \$829,386.18;

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

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15 SECTION 1

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17 This Council finds and determines that the Mudbrook Sanitary Emergency Repair Project
18 for the emergency repair of the Mudbrook sewer trunkline on Canyon Brook Drive, located in
19 the City of Cuyahoga Falls, in Council District 3, is an emergency pursuant to Section
20 177.07(a)(3) of the Codified Ordinance of the County of Summit.

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22 SECTION 2

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24 The award by the Board of Control of a construction contract with Wingfoot Rental &
25 Development Co. for an emergency repair for the Mudbrook Sanitary Emergency Repair Project,
26 for the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga
27 Falls, in Council District 3, in an amount not to exceed \$829,386.18, is hereby confirmed and the
28 Executive is hereby authorized to execute said construction contract and any other necessary
29 related documents.

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31 SECTION 3

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33 This Resolution is declared an emergency in the interest of the health, safety and welfare
34 of the residents of the County of Summit and for the further reason to immediately authorize a
35 necessary construction contract with Wingfoot Rental & Development Co. for an emergency
36 repair for the Mudbrook Sanitary Emergency Repair Project, for the Mudbrook sewer trunkline
37 on Canyon Brook Drive, located in the City of Cuyahoga Falls, in Council District 3.

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39 SECTION 4

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

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45 SECTION 5

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47 It is found and determined that all formal actions of the Council concerning and relating
48 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
49 deliberations of this Council and of any of its committees that resulted in such formal action,
50 were in meetings open to the public, in compliance with all legal requirements, including Section
51 121.22 of the Ohio Revised Code.

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5 INTRODUCED January 27, 2025

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7 ADOPTED _____

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10 CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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12 APPROVED _____

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15 EXECUTIVE

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17 ENACTED EFFECTIVE _____

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