

1 RESOLUTION NO. 2025-146

2
3 SPONSOR Executive Shapiro

4
5 DATE May 12, 2025 COMMITTEE Public Works

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7 **A Resolution authorizing the Executive to enter into a project funding and maintenance**
8 **agreement with the Ohio Department of Transportation concerning the construction of a**
9 **water detention pond on as part of the State of Ohio's Rest Area DOT-230020 Project, at**
10 **an estimated cost not to exceed \$257,000.00, located in Bath Township, in Council District**
11 **5, for the Executive and Engineer, and declaring an emergency.**

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13 WHEREAS, the Ohio Department of Transportation ("ODOT") is constructing a rest area
14 in Bath Township off Interstate 77 (the "Project"); and

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16 WHEREAS, the Engineer has determined there is a public need for a water detention
17 pond in the vicinity of the new rest area in order to relieve flooding and increase water quality in
18 Bath Township; and

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20 WHEREAS, the Engineer has requested that ODOT allow the County of Summit to
21 construct a water detention pond on State of Ohio-owned land and include the construction of the
22 pond as part of the rest area construction project scope; and

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24 WHEREAS, ODOT estimates the cost of the construction of the water detention pond is
25 \$257,000.00; and

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27 WHEREAS, the Project funding and maintenance agreement will state that the County of
28 Summit will responsible for the cost of the pond construction and will be responsible for the long
29 term maintenance of the pond; and

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31 WHEREAS, it is necessary for the parties to execute a cooperative agreement to set forth
32 the rights and duties of the parties concerning the Project, as detailed in Exhibit A, a copy of
33 which is attached to this Resolution and incorporated herein as if fully restated; and

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35 WHEREAS, this Council has determined by reviewing all pertinent information that it is
36 necessary and in the best interest of the County of Summit to authorize the Executive to enter
37 into a project funding and maintenance agreement for the aforementioned Project;

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

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42 SECTION 1

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44 The Executive is hereby authorized to execute a project fund and maintenance agreement
45 with the Ohio Department of Transportation to outline responsibilities for the construction of a
46 water detention pond as part of the Ohio Department of Transportation's Rest Area DOT-230020
47 Project. The final agreement will be substantially in the same form as the agreement attached
48 hereto as Exhibit A and incorporated herein as if fully restated, with such modifications and
49 revisions as shall be in furtherance of the provisions of said intergovernmental agreement and not
50 substantially adverse to the County, all of which shall be conclusively evidenced by the
51 execution thereof by the execution thereof by the Executive.

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2 PAGE TWO

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4 SECTION 2

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6 The Agreement will state that the County of Summit is responsible on a reimbursement
7 basis for all construction costs related to the construction of a water detention pond, estimated to
8 \$257,000.00, and for the long-term maintenance of the pond.

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10 SECTION 3

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12 This Resolution is hereby declared an emergency in the interest of the health, safety and
13 welfare of the residents of the County of Summit, and for the further purpose to immediately
14 allow the Executive to execute said agreement between the Ohio Department of Transportation
15 and the County of Summit that will allow a critical surface water project to move forward.

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17 SECTION 4

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

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23 SECTION 5

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

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32 INTRODUCED May 12, 2025

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35 ADOPTED _____

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39 CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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42 APPROVED _____

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45 _____
46 EXECUTIVE

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49 ENACTED EFFECTIVE _____