

RESOLUTION NO. 2009-279

First Reading Passage Requested
(J. Dodson)

SPONSOR Mr. Pry

DATE June 29, 2009

COMMITTEE Planning

A Resolution authorizing the County Executive to execute a license agreement with the Village of Lakemore to use a fitness path located on real property owned by the County of Summit (Parcel No. 54-01864) in the Village of Lakemore, in Council District 8, for a five-year term, with one option to renew for an additional five-year term, for an annual license fee of \$1.00, for the Executive, and declaring an emergency.

WHEREAS, the County of Summit owns real property (Parcel No. 54-01864) located in the Village of Lakemore, in Council District 8; and

WHEREAS, Akron General Medical Center currently leases a portion of the real property from the County for the Edwin Shaw Hospital Main Facility; and

WHEREAS, the portion of the property not leased by Akron General includes a fitness path formerly used by Edwin Shaw; and

WHEREAS, the County wishes to execute a license agreement with the Village of Lakemore to use the fitness path, for a five-year term, with one option to renew for an additional five-year term, for an annual license fee of \$1.00; and

WHEREAS, because the Village of Lakemore is a political subdivision, pursuant to Section 177.17(e) of the Codified Ordinances of the County of Summit, the solicitation of offers and the approval of the Board of Control are not required; and

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to authorize the County Executive to execute the aforementioned license agreement with the Village of Lakemore;

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

SECTION 1

The County Executive is hereby authorized to execute a license agreement with the Village of Lakemore to use a fitness path located on real property owned by the County of Summit (Parcel No. 54-01864), located in the Village of Lakemore, in Council District 8, for a five-year term, with one option to renew for an additional five-year term, for an annual license fee of \$1.00. Said license agreement shall provide that the Village of Lakemore shall name the County of Summit as an additional insured on any applicable liability insurance policies, shall provide for indemnification of the County to the extent allowable by law, shall provide that the Village of Lakemore shall be responsible for the upkeep and maintenance of the path, and the associated costs, and shall be terminable by the County of Summit upon 30 days notice.

RESOLUTION NO. 2009-279

PAGE TWO

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason to immediately authorize the Executive to execute a license agreement with the Village of Lakemore for the use of a fitness path on County-owned real property located in the Village, in Council District 8.

SECTION 3

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

SECTION 4

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


INTRODUCED June 29, 2009

ADOPTED June 29, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED June 29, 2009


EXECUTIVE

ENACTED EFFECTIVE June 29, 2009

Voice Vote: 11-0 YES: Komunale, Crawford, Crossland, Feeman, Kostandaras Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith