RESOLUTION NO. 2014-332

First Reading Passage Requested
(H. Swindell)

SPONSOR Mr. Pry

DATE August 4, 2014

COMMITTEE Public Works

A Resolution authorizing the County Executive to execute an agreement with the City of Fairlawn, whereby the County Engineer will provide pavement maintenance services for Ridgewood Road in the City of Fairlawn, in Council District 5, and authorizing the payment to Fairlawn of an amount not to exceed $10,518.75 as the County’s proportionate share (46%) of the inspection services for the Ridgewood Road Project, for the Engineer, and declaring an emergency.

WHEREAS, Section 307.15 of the Ohio Revised Code authorizes the County of Summit to enter into a contract with a municipality, whereby the County agrees to perform one of that municipality’s functions on behalf of the municipality; and

WHEREAS, the County may designate within said agreement, which County office will perform the County’s responsibilities under the agreement; and

WHEREAS, pursuant to Section 307.15 of the Ohio Revised Code, the County wishes to enter into an agreement with the City of Fairlawn ("Fairlawn") whereby the County Engineer will provide pavement maintenance services on Ridgewood Road to Fairlawn and Fairlawn will directly pay the contractor for its portion of the work on the roadway; and

WHEREAS, the scope of work covered by this agreement consists of Ridgewood Road pavement maintenance and/or marking from the I-77 right-of-way west to Cleveland-Massillon Road (the “Project”); and

WHEREAS, by City of Fairlawn Resolution Nos. 2014-009 and 2014-045, the Mayor is authorized to enter into an agreement with the County for the payment of costs of the Project; and

WHEREAS, in the agreement, the County has agreed to pay Fairlawn the County’s proportionate share (46%) of the inspection costs for the Project, in an amount not to exceed $10,518.75; and

WHEREAS, other costs and expenses attributable to the County will be determined through a bidding process and submitted to this Council for approval; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to authorize the Executive to enter into an agreement with Fairlawn whereby the County Engineer will perform pavement maintenance services on Ridgewood Road in the City of Fairlawn and to authorize the expenditure of $10,518.75;

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

A copy of said agreement is attached hereto as Exhibit A and incorporated herein as if fully restated. The County Executive is hereby authorized to execute said agreement with Fairlawn, whereby the County Engineer will provide pavement maintenance services on Ridgewood Road in the City of Fairlawn, with those changes that are not inconsistent with this Resolution and not substantially adverse to the County and approved by the Executive. The approval of those changes by the County Executive and that those changes are not substantially adverse to the County will be conclusively evidenced by his execution of the agreement.

SECTION 2

Pursuant to said agreement, this Council hereby authorizes the payment to Fairlawn in an amount not to exceed $10,518.75 as the County’s proportionate share (46%) of the inspection costs for the Ridgewood Road Project. All other costs and expenses attributable to the County related to the Project have previously been approved by this Council pursuant to Resolution No. 2014-254.

SECTION 3

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 purpose to immediately allow the Executive to execute said agreement and allow the Engineer to receive reimbursement for services provided on Ridgewood Road.

SECTION 4

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 5

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.
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INTRODUCED August 4, 2014

ADOPTED August 4, 2014

CLERK OF COUNCIL

APPROVED August 5, 2014

EXECUTIVE

ENACTED EFFECTIVE August 5, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro