RESOLUTION NO. __2014-339__________

SPONSOR __Mr. Pry__________

DATE __August 18, 2014__________ COMMITTEE __Public Works________

A Resolution authorizing the Executive to enter into an agreement with the City of Fairlawn, for general maintenance and traffic signal maintenance on certain roads where jurisdiction is partly in the County of Summit and partly in the City of Fairlawn, Council District 5, 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 the municipality agrees to perform one of the County’s functions on behalf of the County; 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 and Fairlawn will provide general maintenance services and traffic signal maintenance services on certain roads where jurisdiction is split between the County and the City of Fairlawn, and specific roads are described in the attached Exhibit A; and

WHEREAS, the City of Fairlawn approved said agreement via Fairlawn Resolution 2014-017; and

WHEREAS, the County and Fairlawn have agreed that the proposed split of maintenance responsibilities on roads where there is joint jurisdiction is fair and equitable; 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 Executive to enter into an agreement with Fairlawn whereby the County Engineer and the City of Fairlawn will provide general maintenance and traffic signal maintenance services on roads where the County and Fairlawn have mutual responsibilities;

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

SECTION 1

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 and Fairlawn will provide general maintenance services and traffic signal maintenance services on certain roads where jurisdiction is split between the County and 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

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 and the City of Fairlawn to immediately provide services to joint jurisdictional roads.

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 August 4, 2014

ADOPTED August 18, 2014

CLERK OF COUNCIL

APPROVED August 19, 2014

EXECUTIVE

ENACTED EFFECTIVE August 19, 2014

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