

1 RESOLUTION NO. 2010-282

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3 SPONSOR Mr. Pry, Mr. Poda and Mr. Kostandaras

4
5 DATE June 28, 2010 COMMITTEE Public Works

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7 **A Resolution authorizing the County Executive to execute an Ohio Public Works**
8 **Commission grant application in Program Year 2009-2010 for the Smith Road Storm**
9 **Sewer Improvement project with the City of Fairlawn and Bath Township, in Council**
10 **District 5, in an amount not to exceed \$50,000.00, for the Engineer, and declaring an**
11 **emergency.**

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13 WHEREAS, the City of Fairlawn has requested the Summit County Engineer's
14 participation in an Ohio Public Works Commission application for Program Year 2009-2010 to
15 re-route storm sewer water drainage to alleviate flooding conditions in residential areas of
16 Fairlawn and Bath by replacement of existing storm sewer, the construction of new storm sewer,
17 the replacement of existing waterline and partial reconstruction of sections; and

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19 WHEREAS, the County Engineer concludes that there is a public need to improve
20 stormwater drainage in the vicinity of Smith Road, designated as the Smith Road Storm Sewer
21 Improvement project, in the City of Fairlawn; and

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23 WHEREAS, The County of Summit is eligible, with the City of Fairlawn as the lead
24 applicant and Bath Township as co-applicant, to acquire Ohio Public Works Commission Capital
25 Improvements Program ("SCIP") grant funds for the Smith Road Storm Sewer Improvement
26 Project; and

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28 WHEREAS, the stormwater improvement will in part be constructed within the right-of-
29 way of the County portion of Smith Road requiring permit plan review and inspection services to
30 be provided in-house by the Summit County Engineer; and

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32 WHEREAS, this Council has determined by reviewing all pertinent information that is
33 necessary and in the best interest of the County of Summit to apply for said funds, to authorize
34 expenditure of \$50,000 in County local matching 2010 Designated Stormwater Capital
35 Improvement funds for in-house services for the project and to authorize the County Executive to
36 enter into a grant application with the City of Fairlawn for the Smith Road Storm Sewer
37 Improvement 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 County Executive is authorized to execute an Ohio Public Works grant application
45 and associated documents, for Ohio Public Works Commission Capital Improvements Program
46 ("SCIP") funds, for the purpose of improving stormwater drainage in the City of Fairlawn and
47 Bath Township, Council District Five.

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4 SECTION 2

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6 The terms of said application shall allocate the cost of said improvement among the
7 following participants, with the County of Summit's share (Item A) not to exceed \$50,000 of in-
8 house services, and with Bath Township's share (Item B) covering \$50,000.00, and with the City
9 of Fairlawn's share (Item C) covering \$1,125,000, and the Ohio Public Works Commission's
10 share (Item D) covering \$1,175,000, the remaining portion estimated in project cost in amounts
11 approximately equal to the following:

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13 A. County of Summit Stormwater Capital Improvement funds (in-house services)	\$ 50,000.00
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16 B. Bath Township	\$ 50,000.00
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18 C. City of Fairlawn	\$ 1,125,000.00
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20 D. Ohio Public Works Commission	\$ 1,175,000.00
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22 SECTION 3

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24 The expenditure of \$50,000.00 in County local matching Stormwater Capital
25 Improvement funds as the County of Summit's share of the cost of the project by providing in-
26 house plan review and construction inspection services is hereby authorized.

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28 SECTION 4

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30 The County Executive is authorized to execute said grant agreement only in the 2010
31 Ohio Public Works funding round, with authorization needed for any future grant applications
32 for the Smith Road Storm Sewer Improvement Project.

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34 SECTION 5

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36 The Clerk of Council is instructed to provide two certified copies of this Resolution to the
37 County Engineer, for submission to the Ohio Public Works Commission with said funding
38 application.

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40 SECTION 6

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42 This Resolution is declared an emergency in the interest of the health, safety, and welfare
43 of the citizens of the County of Summit, and for the further reason that it will immediately allow
44 the County to obtain grant funds for a needed stormwater improvement project.

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46 SECTION 7

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

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SECTION 8

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 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 14, 2010

ADOPTED June 28, 2010


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED June 28, 2010


EXECUTIVE

ENACTED EFFECTIVE June 28, 2010

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro