

1 RESOLUTION NO. 2022-113

2  
3 SPONSOR Executive Shapiro

4  
5 DATE April 25, 2022

COMMITTEE Public Works

6  
7 **A Resolution declaring the collapse of an 18-inch gravity main located on Chenoweth Road,**  
8 **in Springfield Township, in Council District 8, an emergency pursuant to Section**  
9 **177.07(a)(3) of the Codified Ordinances of the County of Summit, and confirming the**  
10 **award by the Board of Control of a construction contract with H.M. Miller Construction**  
11 **Co., in an amount not to exceed \$219,282.53, for an emergency repair to the gravity main,**  
12 **for the Executive's Department of Sanitary Sewer Services, and declaring an emergency.**

13  
14 WHEREAS, due to the collapse of an 18-inch gravity main located on Chenoweth Road,  
15 in Springfield Township, in Council District 8, H.M. Miller Construction Co. was directed to  
16 make the emergency repairs, including replacing a damaged pipe, based on their expertise,  
17 availability and performance on similar projects; and

18  
19 WHEREAS, the above referenced circumstances made it necessary for the County to  
20 utilize H.M. Miller Construction Co. for an emergency repair of the 18-inch gravity main to be  
21 returned to normal operation as soon as possible; and

22  
23 WHEREAS, the Board of Control, at its meeting held on April 6, 2022, awarded a  
24 construction contract with H.M. Miller Construction Co. for an emergency repair of said gravity  
25 main, in an amount not to exceed \$219,282.53, subject to confirmation by this Council; and

26  
27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
28 that the aforementioned repairs constitute an emergency repair under Section 177.07(a)(3) of the  
29 Codified Ordinances of the County of Summit and further finds and determines that it is  
30 necessary and in the best interest of the County of Summit to confirm the award by the Board of  
31 Control of a construction contract with H.M. Miller Construction Co., for said emergency repair  
32 of the gravity main, in an amount not to exceed \$219,282.53;

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

36  
37 SECTION 1

38  
39 This Council finds and determines that the repair of an 18-inch gravity main located on  
40 Chenoweth Road, in Springfield Township, in Council District 8, is an emergency pursuant to  
41 Section 177.07(a)(3) of the Codified Ordinances of the County of Summit.

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43 SECTION 2

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45 The award by the Board of Control of a construction contract with H.M. Miller  
46 Construction Co. for an emergency repair of an 18-inch gravity main located on Chenoweth  
47 Road, in Springfield Township, in Council District 8, in an amount not to exceed \$219,282.53, is  
48 hereby confirmed and the Executive is hereby authorized to execute said construction contract  
49 and any other necessary related documents.  
50

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2 PAGE TWO

3  
4 SECTION 3

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the residents of the County of Summit, and for the further reason to immediately  
8 authorize a necessary construction contract with H.M. Miller Construction Co. for an emergency  
9 repair of the 18-inch gravity main located on Chenoweth Road, in Springfield Township, in  
10 Council District 8.

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12 SECTION 4

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

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18 SECTION 5

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20 It is found and determined that all formal actions of this Council concerning and relating  
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
22 deliberations of this Council and of any of its committees that resulted in such formal action,  
23 were in meetings open to the public, in compliance with all legal requirements, including Section  
24 121.22 of the Ohio Revised Code.

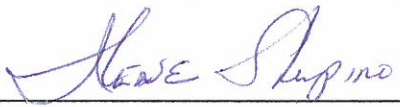
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27 INTRODUCED April 11, 2022

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29 ADOPTED April 25, 2022

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33 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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35 APPROVED April 26, 2022

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39 EXECUTIVE

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41 ENACTED EFFECTIVE April 28, 2022

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio, Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite