

1 RESOLUTION NO. 2022-355

2
3 SPONSOR Executive Shapiro

4
5 DATE December 5, 2022

COMMITTEE: Public Works

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7 **A Resolution authorizing the Executive to enter into a Local Public Agency agreement with**
8 **the State of Ohio, through the Department of Transportation for Bath Township’s**
9 **Cleveland-Massillon Road Sidewalk Project, located in Council District 5, at a cost not to**
10 **exceed \$650,000.00, with no local funds required, for the Executive and the Engineer, and**
11 **declaring an emergency.**

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13 WHEREAS, the Engineer, on behalf of Bath Township, applied for and was awarded
14 Federal Transportation Alternative Program funds for the installation of a pedestrian walkway
15 along the west side of Cleveland-Massillon Road from State Route 18 to Springside Drive,
16 Project Identification (“PID”) number 112788 (referenced herein as the “Project”); and

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18 WHEREAS, the Project’s estimated cost is \$650,000.00; and

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20 WHEREAS, the Federal Highway Administration monies have been awarded to the
21 Engineer’s office for a grant to cover 80% of the Project, with Bath Township providing the 20%
22 local cash match; and

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24 WHEREAS, the Ohio Department of Transportation (“ODOT”) and the Executive and
25 Engineer desire to enter into a Local Public Agency (“LPA”) agreement, to confirm the Project’s
26 Cost and to designate the County of Summit as the lead agency for administration of the Project;
27 and

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29 WHEREAS, R.C. Sections 5501.03 (c) and 5543.01, as well as Summit County Charter
30 section 2.03 (5) allow execution of such agreements, subject to the approval of this Council; and

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32 WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA
33 \$520,000.00 in eligible costs from Federal Highway Administration funds; and

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35 WHEREAS, this Council has determined by reviewing all pertinent information that
36 authorizing the Executive to enter into the aforementioned LPA agreement with ODOT is
37 necessary and in the best interest of the County of Summit;

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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 Executive is hereby authorized to enter into a Local Public Agency (“LPA”)
45 agreement with the State of Ohio, through the Department of Transportation (“ODOT”) for
46 Cleveland-Massillon Road Sidewalk Project, PID no. 112788, and the Executive is hereby
47 authorized to execute any related documents necessary to facilitate the Project.

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49 SECTION 2

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51 The terms of said agreement shall include the following:
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4 SECTION 2 (Continued)

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- 6 a. That the parties estimate the Project's Cost to be \$650,000.00;
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- 8 b. That LPA shall provide \$520,000.00 in Federal Safety funds with a local match of
- 9 \$130,000.00 from Bath Township funds;
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- 11 c. Bath Township shall provide all other financial resources necessary to fully complete
- 12 the Project; and
- 13
- 14 d. That, upon receipt of federal authorization from ODOT, the County may commence
- 15 the administration of the Project, with award of the Project subject to applicable
- 16 County of Summit Ordinances, said ordinances requiring authorization of such an
- 17 award by the Board of Control.
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19 SECTION 3

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21 This Resolution is hereby declared an emergency in the interest of the health, safety and
22 welfare of the residents of the County of Summit, and for the further reason that it completes a
23 prerequisite to accept funds needed for safe and convenient travel within the County.

24 SECTION 4

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

30 SECTION 5

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33 It is found and determined that all formal actions of this Council concerning and relating
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action,
36 were in meetings open to the public, in compliance with all legal requirements, including Section
37 121.22 of the Ohio Revised Code.

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39 INTRODUCED November 21, 2022

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41 ADOPTED December 5, 2022

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45 CLERK OF COUNCIL

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49 PRESIDENT OF COUNCIL

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51 APPROVED December 6, 2022

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EXECUTIVE

December 6, 2022
ENACTED EFFECTIVE

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