

1 RESOLUTION NO. 2023-002

First Reading Passage Requested

(H. Swindell)

2  
3 SPONSOR Executive Shapiro

4  
5 DATE January 9, 2023

COMMITTEE Public Works

6  
7 **A Resolution authorizing the Executive to execute a grant agreement with the State of Ohio**  
8 **Emergency Management Agency, through the Hazard Mitigation Block Grant Program,**  
9 **for implementing flood mitigation, erosion control and bank stabilization improvements**  
10 **for the Wye Road Flood Mitigation Project within the Sanctuary of Bath neighborhood,**  
11 **located in Bath Township, in Council District 5, with the grant award not to exceed**  
12 **\$375,257.20, with a local cash match of \$40,000.00, for the Executive and Engineer, and**  
13 **declaring an emergency.**

14  
15 WHEREAS, the Engineer applied for Hazard Mitigation Block Grant Program funds,  
16 provided by the Federal Emergency Management Agency to the State of Ohio Emergency  
17 Management Agency, for which the County of Summit will be the sub-recipient of grant funds,  
18 for the Wye Road Flood Mitigation Project (the "Project"), which will implement flood  
19 mitigation, erosion control and bank stabilization improvement to the Wye Creek storm system  
20 within the Sanctuary of Bath neighborhood, located in Bath Township, in Council District 5; and

21  
22 WHEREAS, the State of Ohio Emergency Management Agency has awarded  
23 \$375,257.20 towards the Project, subject to a Resolution by this Council authorizing the  
24 Executive to enter into the agreement to accept said funds and appointing the Engineer's Office  
25 the agency responsible for implementing the Project; and

26  
27 WHEREAS, it is necessary for the parties to execute a grant agreement to move forward  
28 the Project, which is attached to this Resolution as Exhibit A and incorporated herein as if fully  
29 restated; and

30  
31 WHEREAS, this Council has determined by reviewing all pertinent information that it is  
32 necessary and in the best interest of the County of Summit to authorize the Executive to enter  
33 into a grant agreement for the aforementioned Project;

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

37  
38 SECTION 1

39  
40 The Executive is hereby authorized to execute a grant agreement and any other necessary  
41 related documents with the State of Ohio Emergency Management Agency, through the Hazard  
42 Mitigation Block Grant Program, for implementing flood mitigation, erosion control and bank  
43 stabilization improvements to the Wye Creek storm system for the Wye Road Flood Mitigation  
44 Project (the "Project"), within the Sanctuary of Bath neighborhood, located in Bath Township, in  
45 Council District 5, with the grant award not to exceed \$375,257.20, with a local cash match of  
46 \$40,000.00. The final agreement will be substantially in the form of the agreement attached  
47 hereto as Exhibit A and incorporated herein as if fully restated with such modifications and  
48 revisions as shall be in furtherance of the provisions of said grant agreement and not  
49 substantially adverse to the County, all of which shall be conclusively evidenced by the  
50 execution thereof by the Executive.

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2 PAGE TWO

3  
4 SECTION 2

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6 The Engineer's Office will be responsible for implementing the Project.

7  
8 SECTION 3

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10 The Clerk of Council is instructed to provide two certified copies of this Resolution to the  
11 Engineer, for submission to the Ohio Emergency Management Agency with said grant  
12 agreement.

13  
14 SECTION 4

15  
16 This Resolution is hereby declared an emergency in the interest of the health, safety and  
17 welfare of the residents of the County of Summit, and for the further purpose to immediately  
18 allow the Executive to execute a grant agreement and any necessary related documents to receive  
19 funds for a critical storm water project in Bath Township.

20  
21 SECTION 5

22  
23 Provided this Resolution receives the affirmative vote of eight members, it shall take  
24 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
25 effect and be in force at the earliest time provided by law.

26  
27 SECTION 6

28  
29 It is found and determined that all formal actions of this Council concerning and relating  
30 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
31 deliberations of this Council and of any of its committees that resulted in such formal action,  
32 were in meetings open to the public, in compliance with all legal requirements, including Section  
33 121.22 of the Ohio Revised Code.

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35  
36 INTRODUCED January 9, 2023  
37 January 9, 2023

38 ADOPTED \_\_\_\_\_

39  
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41 \_\_\_\_\_  
42 For CLERK OF COUNCIL  
43 January 10, 2023

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

44 APPROVED \_\_\_\_\_

45  
46   
47 \_\_\_\_\_  
48 EXECUTIVE

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

49 January 10, 2023

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51 \_\_\_\_\_  
52 ENACTED EFFECTIVE