

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5378

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ENTER INTO A WARRANTY AGREEMENT FOR
THE BRECKSVILLE AQUATICS CENTER POOL
AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

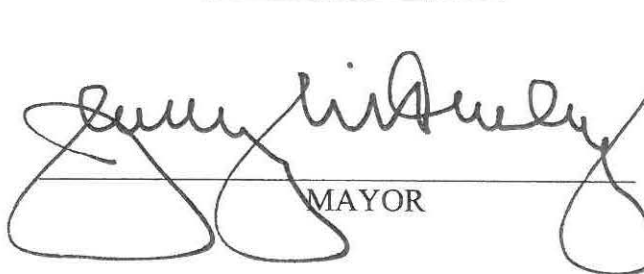
SECTION 1. The Mayor be, and he hereby is, authorized to enter into a Warranty Agreement for the Brecksville Aquatics Center Pool, a copy of which Warranty Agreement is attached hereto as Exhibit "A" and incorporated herein as if by reference.

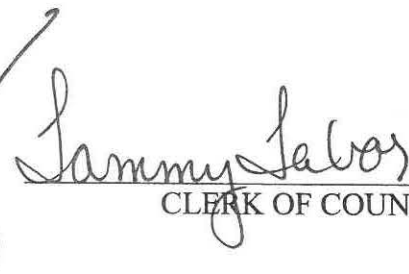
SECTION 2. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to extend the Warranty, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: December 1, 2020

APPROVED: December 1, 2020


MAYOR


CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5378 duly passed by the Council of the City of Brecksville, Ohio, on 12-1, 20 20 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 12-4, 20 20

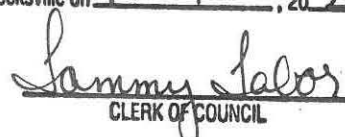

CLERK OF COUNCIL

EXHIBIT "A"

Warranty Agreement

This Agreement, by and between the City of Brecksville (A Municipal Corporation) and Astro Pool Company, Inc., its successors and assigns, made this _____ of _____ 2020:

WHEREAS, the City of Brecksville ("City") entered into a construction contract ("Contract") on May 31, 2019, with Seitz Builders Inc. ("General Contractor") for the construction of the Brecksville Aquatics Center ("Aquatics Center") located at 1 Community Drive, Brecksville, Ohio 44141; and

WHEREAS, the General Contractor hired Astro Pool Company, Inc. ("Astro") to install a swimming pool in the Aquatics Center; and

WHEREAS, in connection with the inspection process, certain cracks near the drain outlets and additional holes provided for anchor bolts not utilized near the child slide underwater impact pad were identified; and

WHEREAS, Astro desires to extend its warranty to twenty-five (25) years on the concrete pool floor in the event the aforesaid cracks near the drain outlets and unutilized anchor bolt holes leak or show signs of vertical deformation; and

WHEREAS, Astro represents it will professionally repair the affected areas, if any, during the twenty-five (25) year warranty period at no cost to the City; and

WHEREAS, in consideration of the twenty-five (25) year warranty period at no cost to the City, the City will accept the concrete pool floor in the described above areas with this warranty as substantially completed, subject to any other unrelated punch list items.

NOW THEREFORE, it is agreed as follows:

For the period of twenty-five (25) years commencing on the issuance of an occupancy permit for the Aquatic Center, upon notice from the City to Astro Pool, or its successors and assigns, of leaks or vertical deformity, Astro will, without delay, professionally repair or replace the concrete pool floor in the areas of the drain outlets and the additional holes provided for anchor bolts not utilized near the child slide underwater impact pad, at the Aquatic Center, at no cost to the City, pursuant to the attached warranty letter from Astro Pool dated October 7, 2020, incorporated herein as if fully rewritten.

City of Brecksville

Approved as to form:

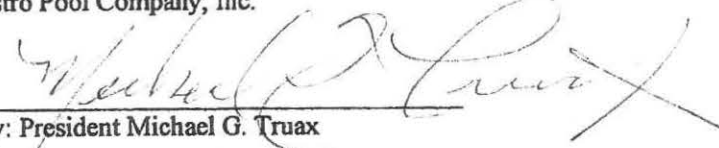
By: Mayor Jerry N. Hruby

David J. Matty, Law Director

Dated: NOVEMBER _____, 2020

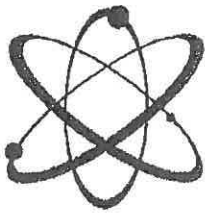
Dated: NOVEMBER _____, 2020

Astro Pool Company, Inc.



By: President Michael G. Truax

Dated: NOVEMBER 12, 2020



Astro Pool Company, Inc.

COMMERCIAL POOL CONSTRUCTION SINCE 1972
2710 Crider Road Mansfield OH 44903
Ph. (419) 756-2444 Fax. (419) 756-1790 www.astropoolco.com

Date: October 7, 2020

ThenDesign Architecture, Ltd.
4135 Erie Street
Willoughby, OH 44094

Attn: Ryan Schmit, ra, lee dap, ncarb

Re: Brecksville Aquatics Pool floor Warranty.

Ryan,

In addition to the Astro Pool Company's standard warranty, we are prepared to extend the warranty on the concrete pool floor areas around the drain outlets.

This warranty is to include the concrete pool floor in the areas of these outlets from structural concrete failure and leakage. The shrinkage cracks at the drain outlets will not pose a problem and if they leak or show signs vertical deformation, in the next 25 years we will replace the concrete in this area without cost to the city. Also should any of these areas show any other significant failure related to the concrete then we will repair the affected area as detailed per Terracon detail provided, dated September 16, 2020.

Sincerely,

Michael G. Truax, President
Steven B. Truax, Vice President of Sales
Charles P. Truax, Vice President, Field Operations

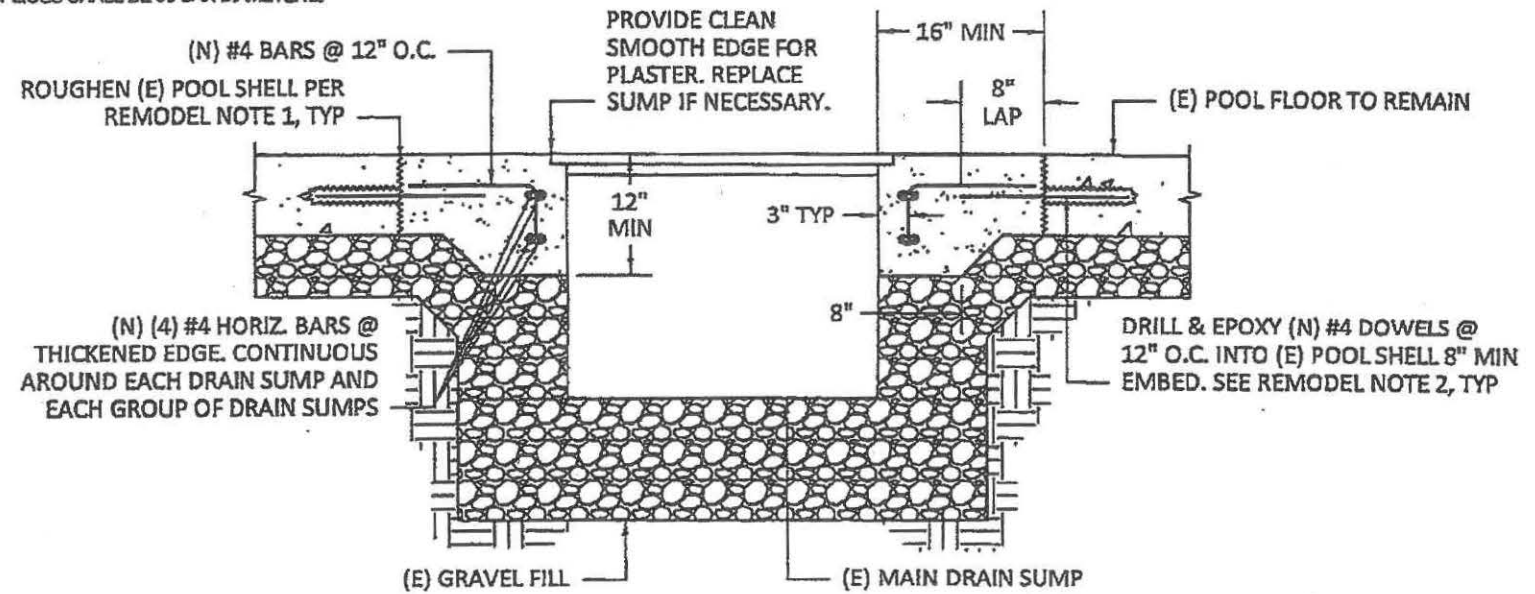
Astro Pool company, Inc. www.astropoolco.com

REMODEL NOTES:

1. EPOXY TO BE SELECTED FROM THE FOLLOWING LIST OR AN APPROVED EQUAL. ALL HOLES SHOULD BE BLOWN OUT WITH COMPRESSED AIR PRIOR TO INSTALLING EPOXY TO ENSURE GOOD BOND. INSTALL EPOXY PER MANUFACTURERS ICC REPORT, SIMPSON SET-XP ICC-ES REPORT ESR-2508, HILTI HIT-HY 150 MAX SD ICC-ES REPORT ESR-3013
2. CONCRETE:
 - A. MIXED & PROPORTIONED IN ACCORDANCE WITH ACI 301.
 - A. MIN. COMPRESSIVE STRENGTH, $f'_{c} = 2,500$ PSI @ 28 DAYS
 - B. SLUMP: $3" \pm 1"$
 - C. AGGREGATE: 1 INCH MAX
 - D. W/C RATIO: 0.50 MAX
3. REINFORCEMENT:
 - A. USE ACI 318 AND IBC SECTION 1908 AS GUIDELINE.
 - B. REINFORCEMENT SHALL BE ASTM- A615 GRADE 40.
 - C. LAP SPLICES SHALL BE 60 BAR DIAMETERS.

GENERAL NOTES:

1. DETAIL TO BE USED IN CONJUNCTION WITH PREVIOUS PLAN(S) PROVIDED BY OUR ENGINEERING FIRM.
2. ALL NOTES AND DETAILS REFERENCED ON THIS DETAIL REFER TO THOSE ON THE PREVIOUS PLAN(S).
3. NOTES ON THIS DETAIL(S) SUPERSEDE THOSE OF THE PREVIOUS PLAN(S).



POOL FLOOR REPAIR - THICKENED EDGE @ MAIN DRAIN

3/4" = 1'-0"

1

REV	DATE	DESCRIPTION
▲		
▲		
▲		
▲		
▲		

Drawn By:	EN	Project No:	BE176137
Checked By:	JM	Scale:	AS SHOWN
Approved By:	JM	Date:	04/28/20

Terracon
 Consulting Engineers and Scientists
 1301 N. BROADWAY, SUITE 205 VOLUNT CREEK, CA 94558
 PH: (925) 824-7221 WWW.TERRACON.COM

FLOOR DRAIN REPAIR
 BRECKSVILLE AQUATICS CENTER
 1 COMMUNITY DRIVE
 BRECKSVILLE, OH 44141

DETAIL
 1

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