

1 RESOLUTION NO. 2018-107

2
3 SPONSOR Ms. Shapiro, Mr. Soyars

4
5 DATE April 16, 2018

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute an intergovernmental agreement**
8 **with the Village of Clinton whereby the County will construct a sanitary sewer**
9 **improvement project encompassing substantial portions of the Village to address**
10 **environmental issues resulting from failing septic systems, in Council District 7, for the**
11 **Executive's Department of Sanitary Sewer Services, and declaring an emergency.**

12
13 WHEREAS, this Council previously adopted Resolution No. 2012-381 approving the
14 Clinton Master Sewer Plan, which authorized the construction of sanitary sewers and related
15 appurtenances in order to reduce or eliminate existing health problems and the hazard of water
16 pollution from failing septic systems within certain areas of the Village of Clinton ("Village");
17 and

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19 WHEREAS, Village Ordinance No. 0-15-33 designated the County, through its
20 Department of Sanitary Sewer Services, as the sanitary sewer provider for all areas within the
21 Village's corporate boundaries, and authorized the County to acquire, construct, maintain, and
22 operate sanitary sewer facilities within the Village's corporate boundaries; and

23
24 WHEREAS, pursuant to the authority granted to the County pursuant to Village
25 Ordinance No. 0-15-33, the County plans to complete a Sanitary Sewer Improvement Project to
26 remedy the pollution from the failing septic systems located throughout the Village's corporate
27 boundaries ("Project"); and

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29 WHEREAS, the County intends to initially fund the Project, including a contribution of
30 County funds for a portion of the total cost of the Project, and further intends to finance the
31 balance of the Project, which will be repaid through an assessment against the properties that will
32 be benefitted by the Project; and

33
34 WHEREAS, the Village and County desire to enter into an Intergovernmental
35 Agreement, a copy of which is attached hereto as Exhibit A and incorporated herein by
36 reference, whereby:

- 37
38 (a) the County will construct the Project,
39 (b) the County will initially fund the Project, including a contribution of County
40 funds for a portion of the total cost,
41 (c) the County will finance the balance of the Project, which will be repaid
42 through an assessment against the properties that will be benefitted by the
43 Project,
44 (d) the Village will approve the Project and will agree to cooperate with the
45 County's construction of the Project,
46 (e) the Village will approve the assessment methodology used against the
47 properties benefitting from the Project,
48 (f) the timeframe for properties to connect to the System following construction
49 of the Project will be established,
50 (g) the cost of future connection fees for properties not originally included in the
51 collection system service area of the Project will be established

4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County to authorize the Executive to execute the
6 aforementioned intergovernmental agreement with the Village of Clinton;
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8 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
9 of Ohio, that:

10
11 SECTION 1
12

13 The County Executive is hereby authorized to execute an Intergovernmental Agreement,
14 with the Village of Clinton, a copy of which is attached hereto and incorporated herein by
15 reference, whereby the County will construct a sanitary sewer improvement project
16 encompassing substantial portions of the Village to address environmental issues resulting from
17 failing septic systems, in Council District 7. This Council further authorizes the County
18 Executive to execute any necessary documents needed to consummate the transactions
19 contemplated in the Intergovernmental Agreement, and further approves any non-material
20 modifications to the form of the Intergovernmental Agreement attached hereto as deemed
21 necessary and proper by the County Executive, which shall be conclusively evidenced by the
22 execution of the same by the County Executive.
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24 SECTION 2
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26 This Resolution is hereby declared an emergency in the interest of the health, safety, and
27 welfare of the citizens of the County of Summit, and for the further reason that it will
28 immediately allow the County to enter into the intergovernmental agreement, with the Village of
29 Clinton, so that the Project may commence as soon as possible.
30

31 SECTION 3
32

33 Provided this Resolution receives the affirmative vote of eight members, it shall take
34 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
35 effect and be in force at the earliest time provided by law.
36

37 SECTION 4
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39 It is found and determined that all formal actions of this Council concerning and relating
40 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
41 deliberations of this Council and any of its committees that resulted in such formal action, were
42 in meetings open to the public, in compliance with all legal requirements, including Section
43 121.22 of the Ohio Revised Code.
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INTRODUCED March 19, 2018

ADOPTED April 16, 2018



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED April 17, 2018



EXECUTIVE

April 17, 2018

ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite