

1 RESOLUTION NO. 2010-477

2
3 SPONSOR Mr. Pry

4
5 DATE December 20, 2010

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Sanitary Sewer Billing and**
8 **Bulk Rate Agreement with the City of Tallmadge ("City"), for a 20-year term, enabling the**
9 **City of Tallmadge to bill Summit County sanitary sewer customers within City corporate**
10 **boundaries, reimburse the County for those customers on a quarterly basis, and assume**
11 **collections responsibilities, and to accept flow of sanitary sewage from certain areas within**
12 **the City's service area for 80% of the County's user charges, for the Executive's**
13 **Department of Environmental Services, in Council District 6, and declaring an emergency.**

14
15 WHEREAS, the City of Tallmadge ("City") has determined that it is in its residents' best
16 interests to bill all users of sanitary sewer within its corporate boundaries, including users
17 connected to the sanitary sewer system owned and operated by the County of Summit, and

18 WHEREAS, the County and City wish to establish an arrangement in which the City may
19 bill all sanitary sewer customers within its corporate boundaries and assume collections
20 responsibilities, yet provide the County its standard user charges for its customers in the County
21 System, without billing costs, and

22 WHEREAS, the County and City also wish to establish an arrangement in which the
23 County is compensated for accepting sanitary sewer flow from parts of the City's sanitary sewer
24 system, specifically the Beachwood and Sub-District 3B areas, at 80% of the County's user
25 charges,

26 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
27 of Ohio, that:

28
29 SECTION 1

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31 The County Executive is hereby authorized to execute a Sanitary Sewer Billing and Bulk
32 Rate Agreement with the City of Tallmadge ("City"), in Council District 6, for a 20-year term,
33 enabling the City of Tallmadge to bill County sanitary sewer customers within City corporate
34 boundaries, reimburse the County for those customers on a quarterly basis, and assume
35 collections responsibilities, to accept flow of sanitary sewage from the Beachwood and Sub-
36 District 3B areas within the City's service area for 80% of the County's user charges, and to
37 otherwise define the duties of the County and City in the billing and collection of sanitary sewer
38 customers within the City's boundaries consistently with this Resolution. Said Agreement shall
39 not change or modify the sanitary sewer service areas of the County or City, nor change the
40 boundaries of the Summit County Metropolitan Sewer District, as that District was formed or
41 modified.

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43 SECTION 2

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45 This Resolution is declared an emergency in the interest of the health, safety and welfare
46 of the citizens of the County of Summit and for the further purpose of immediately authorizing
47 the Executive to execute the Sanitary Sewer Billing and Bulk Rate Agreement with the City of
48 Tallmadge.
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SECTION 3

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

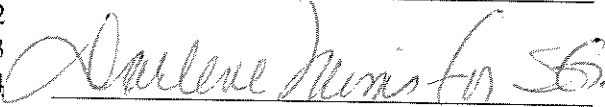
SECTION 4

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

INTRODUCED November 15, 2010

SECOND READING: November 29, 2010

ADOPTED December 20, 2010



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED December 21, 2010



EXECUTIVE

ENACTED EFFECTIVE December 21, 2010

Voice Vote: 10-1YES: Comunale, Crossland, Kostandaras
Feeman, Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith
NO: Crawford