

1 RESOLUTION NO. 2014-045

2
3 SPONSOR Mr. Pry, Mrs. Rodgers

4
5 DATE February 10, 2014

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Development Agreement with**
8 **Albrecht, Inc., and J&E Development Corporation (the “Developers”) in which the**
9 **Developers will partially finance a sanitary sewer extension in tandem with a federal grant,**
10 **to be built by the County on Seasons Road, Allen Road, McCauley Road and potentially on**
11 **Campus Drive, in the City of Stow, in Council District 3, for the Executive’s Department of**
12 **Environmental Services, and declaring an emergency.**

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14 WHEREAS, Albrecht, Inc., is the developer of a commercial real estate project on
15 Campus Drive in the City of Stow known as the Hudson Drive Business Campus (“Albrecht
16 Project”); and

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18 WHEREAS, J&E Development Corporation is the developer of a commercial real estate
19 project located on Allen Road in the City of Stow (“J&E Project”); and

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21 WHEREAS, the County owns and operates a sanitary sewer system pursuant to Chapter
22 6117 of the Ohio Revised Code, of which part runs along Seasons Road in the Cities of Stow and
23 Hudson near the proposed Albrecht and J&E Projects; and

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25 WHEREAS, Albrecht, Inc., has caused plans to be prepared to extend sanitary sewer to
26 serve the Albrecht Project and subsequently to also serve the J&E Project (the “SSE”) from the
27 County’s sewer lines on Seasons Road; and

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29 WHEREAS, a partial grant pursuant a U.S. State and Tribal Assistance Grant (“STAG”)
30 has been awarded to the County to finance the extension of its sanitary sewer line to serve the
31 Project with sanitary sewer service, but the STAG requires the County to construct the SSE; and

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33 WHEREAS, the Developers wish to finance the cost of the SSE that is not covered by the
34 STAG as set forth in the Development Agreement attached to this Resolution as Exhibit A; and

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36 WHEREAS, the SSE will assist in the creation of jobs in the County and will add to the
37 County’s sanitary sewer customer base; and

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39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
40 that authorizing the Executive to execute the aforementioned Development Agreement is
41 necessary and in the best interest of the County of Summit;

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43 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
44 of Ohio, that:
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1 RESOLUTION NO. 2014-045

2 PAGE TWO

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4 SECTION 1

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6 The County Executive is hereby authorized to execute the Development Agreement
7 (“Agreement”) with Albrecht, Inc., and J&E Development Corporation (the “Developers”), in
8 which the Developers will partially finance a sanitary sewer extension to be built by the County
9 on Seasons Road, Allen Road, McCauley Road and potentially Campus Drive, in the City of
10 Stow, in tandem with an U.S. State and Tribal Assistance Grant (“STAG”), in the substantive
11 form shown in Exhibit A, attached hereto and incorporated herein as if fully restated.

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13 SECTION 2

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15 This Resolution is hereby declared an emergency in the interest of the health, safety and
16 welfare of the citizens of the County of Summit and for the further purpose of financing an
17 immediately needed sanitary sewer improvement in the City of Stow, in Council District 3.

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19 SECTION 3

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

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25 SECTION 4

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

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34 INTRODUCED January 27, 2014

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36 ADOPTED February 10, 2014

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40 CLERK OF COUNCIL


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42 PRESIDENT OF COUNCIL

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44 APPROVED February 11, 2014

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46 EXECUTIVE

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48 ENACTED EFFECTIVE February 11, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras,
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro