

1 RESOLUTION NO. 2015-520

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE December 7, 2015

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Memorandum of**
8 **Understanding with the Village of Clinton to cooperate in the design, assessment and**
9 **construction of sanitary sewer facilities in the Village of Clinton, for the Executive's**
10 **Department of Environmental Services, and declaring an emergency.**

11
12 WHEREAS, the Ohio Environmental Protection Agency and the Summit County Health
13 District have determined that high levels of pollution from leaking septic systems exist in certain
14 parts of the Village of Clinton, in Council District 7, particularly in the areas known as
15 Downtown and Luna Lake; and

16
17 WHEREAS, the Village of Clinton is currently within the Summit County Metropolitan
18 Sewer District; and

19
20 WHEREAS, the County of Summit, through its Department of Environmental Services
21 has caused certain studies and engineering design solutions to be prepared to resolve the
22 pollution problems in the Village; and

23
24 WHEREAS, the Village of Clinton, wishing the County to assist it in remediating its
25 pollution problems, wishes to nominate the County as its sanitary sewer provider; and

26
27 WHEREAS, the Village and the County wish to cooperate to minimize the financial
28 impact of remediating the Village's pollution problems, and yet choose the best solution to solve
29 those pollution problems;

30
31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County to authorize the County Executive to
33 execute the Memorandum of Understanding in a form substantially similar to the one attached
34 hereto as Exhibit A;

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

38
39 SECTION 1

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41 The County Executive is hereby authorized to execute a Memorandum of Understanding
42 with the Village of Clinton in a form substantially similar to the one attached hereto as Exhibit
43 A.

44
45 SECTION 2

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47 This Resolution is hereby declared an emergency in the interest of the health, safety and
48 welfare of the citizens of the County of Summit, and for the further reason of immediately
49 allowing the parties to complete and execute a Memorandum of Understanding, to facilitate
50 remediation of the pollution problems in the Village of Clinton, in Council District 7.
51

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2 PAGE TWO

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4 SECTION 3

5
6 Provided this Resolution receives the affirmative vote of eight members, it shall take
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
8 effect and be in force at the earliest time provided by law.
9

10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.
17

18 INTRODUCED November 23, 2015

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20 ADOPTED December 7, 2015

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23 _____
24 CLERK OF COUNCIL

25
26 
27 _____
28 PRESIDENT OF COUNCIL

29 APPROVED December 8, 2015

30 
31 _____
32 EXECUTIVE

ENACTED EFFECTIVE December 8, 2015

Voice Vote: 9-0 YES: Comunale, Crawford, Donofrio, Feeman,
Kurt, Lee, Prentice, Schmidt, Shapiro
ABSENT: Kostandaras, Rodgers