

1 RESOLUTION NO. 2017-123

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3 SPONSOR Ms. Shapiro

4  
5 DATE April 17, 2017 COMMITTEE Public Works

6  
7 **A Resolution authorizing the County Executive to execute a Sanitary Sewer Bulk Rate**  
8 **Agreement with the City of Barberton, for a 25-year term, for the Executive's Department**  
9 **of Sanitary Sewer Services, and declaring an emergency.**

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11 WHEREAS, the City of Barberton ("Barberton") currently provides treatment and disposal  
12 of sanitary sewer wastewater to an area served by the County's Vanderhoof Road Pump Station in  
13 the City of New Franklin; and

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15 WHEREAS, the former sanitary sewage treatment agreement between Barberton and the  
16 County is expired, and the County has plans to build further sanitary sewer infrastructure in the City  
17 of New Franklin; and

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19 WHEREAS, the County requires a new Sanitary Sewer Bulk Rate Agreement with  
20 Barberton to treat and dispose of sanitary sewer waste from the County's service area in the City of  
21 New Franklin, including the areas in which the County plans to build new sanitary sewer  
22 infrastructure; and

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24 WHEREAS, in the Sanitary Sewer Bulk Rate Agreement ("Agreement") attached to this  
25 Resolution as Exhibit A, Barberton shall provide for the treatment and disposal of the County's  
26 sanitary sewer waste from certain areas substantially within the City of New Franklin at their  
27 ordinance bulk rate, times 1.5, which is currently \$5.49/1,000 gallons.

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29 WHEREAS, the term of the Agreement shall be for 25 years; and

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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 of Summit to authorize the County  
33 Executive to execute the aforementioned Agreement with Barberton;

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

37  
38 SECTION 1

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40 The County Executive is hereby authorized to execute a Sanitary Sewer Bulk Rate  
41 Agreement ("Agreement") with the City of Barberton ("Barberton") that provides for treatment  
42 and disposal of sanitary sewer wastewater from defined areas in the County of Summit's sanitary  
43 sewer service area by Barberton for a 25-year term. The Executive is hereby authorized to  
44 execute said Agreement in substantially the form attached hereto as Exhibit A.

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46 SECTION 2

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48 This Resolution is hereby declared an emergency in the interest of the health, safety and  
49 welfare of the citizens of the County of Summit, and for the further purpose of immediately  
50 authorizing the Executive to execute the necessary aforementioned Agreement with Barberton,  
51 for a 25-year term, where the previous agreement has expired, to treat and dispose of the sanitary  
52 sewer waste from certain areas in the County's sanitary sewer system as set forth in the  
53 Agreement.

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2 PAGE TWO

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4  
5 SECTION 3

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

10  
11 SECTION 4

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

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20 INTRODUCED April 3, 2017

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22 ADOPTED April 17, 2017

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27 CLERK OF COUNCIL

  
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29 PRESIDENT OF COUNCIL

30 APPROVED April 18, 2017

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34 EXECUTIVE

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36 ENACTED EFFECTIVE April 18, 2017

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