

1 RESOLUTION NO. 2021-216

2
3 SPONSOR Executive Shapiro

4 August 16, 2021

5 COMMITTEE Public Works

6
7 **A Resolution authorizing the Executive to enter into an Intergovernmental Agreement and**
8 **execute any other documents necessary to memorialize the terms of the agreement with the**
9 **City of Barberton, to participate in an Ohio Public Works Commission Application and to**
10 **fund a portion of the costs of various public infrastructure improvements in the City of**
11 **Barberton and the City of New Franklin, in Council District 7, at a cost to the County not**
12 **to exceed \$150,000.00 to the Project, for the Executive’s Department of Sanitary Sewer**
13 **Services, and declaring an emergency**

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15 WHEREAS, the State Capital Improvements Program through the Ohio Public Works
16 Commission (“OPWC”) provides financial assistance to political subdivisions for capital
17 improvements to public infrastructure; and

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19 WHEREAS, the County plans to eliminate its Package Plants 10, 32, and 48, located in
20 the City of New Franklin, and will be making applications to the Ohio Public works Commission
21 (“OPWC”) to fund some portion of these projects; and

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23 WHEREAS, the City of Barberton (“City”) is undertaking the Wolf Creek Dam
24 Restoration Project (the “Project”), to complete significant repairs to the Dam, and will be
25 making an application to the OPWC to fund some portion of the Project; and

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27 WHEREAS, the City has requested that the County enter into an Intergovernmental
28 Agreement, a copy of which is attached hereto as Exhibit A and incorporated fully herein,
29 whereby the County will agree to participate in a joint application to the OPWC and provide a
30 grant of \$150,000.00, as a local share contribution to the Project in order to enhance the City’s
31 application for grant/loan funding from OPWC; and

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33 WHEREAS, the City has approved an ordinance authorizing the City’s Administrative
34 Officer to enter into such an Agreement with the County as well as to apply for OPWC funding
35 for the Project; and

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37 WHEREAS, the County desires to participate with the City in a joint OPWC application
38 to fund the Project and to give the City a grant in the amount of \$150,000.00, to assist with the
39 Project; and

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41 WHEREAS, this Council has determined by reviewing all pertinent information that it is
42 necessary and in the best interest of the County of Summit to authorize the Executive to enter
43 into an Intergovernmental Agreement with the City of Barberton for the aforementioned Project
44 and to provide a \$150,000.00 grant for the Project and the Executive is further authorized to
45 execute any other documents necessary to memorialize the terms of the agreement and to move
46 this Project forward;

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48 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
49 of Ohio, that;

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1 RESOLUTION NO. 2021-216

2 PAGE TWO

3
4 SECTION 1

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6 The Executive is hereby authorized to execute an Intergovernmental Agreement, a copy
7 of which is attached hereto as Exhibit A and incorporated fully herein, with such modifications
8 and revisions as shall be in furtherance of the provisions of said agreement and not substantially
9 adverse to the County, all of which shall be conclusively evidenced by the execution thereof by
10 the Executive and is further authorized to execute any other documents necessary to satisfy the
11 terms of the agreement with the City of Barberton to participate in filing a joint application to the
12 Ohio Public Works Commission for the Wolf Creek Dam Restoration Project (the "Project") and
13 to provide a grant in an amount not to exceed \$150,000.00.

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15 SECTION 2

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17 This Resolution is hereby declared an emergency in the interest of the health, safety and
18 welfare of the residents of the County of Summit, and for the further purpose to immediately
19 allow the Executive to execute said agreement and any other documents necessary to move
20 forward with the City of Barberton in jointly applying for funding from the OPWC in order to
21 undertake the Project and to provide a grant in an amount not to exceed \$150,000.00 for the
22 Project.

23
24 SECTION 3

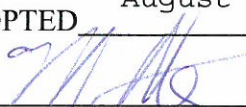
25
26 Provided this Resolution receives the affirmative vote of eight members, it shall take
27 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
28 effect and be in force at the earliest time provided by law.

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30 SECTION 4

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32 It is found and determined that all formal actions of this Council concerning and relating
33 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
34 deliberations of this Council and of any of its committees that resulted in such formal action,
35 were in meetings open to the public, in compliance with all legal requirements, including Section
36 121.22 of the Ohio Revised Code.


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39 INTRODUCED June 28, 2021

40 ADOPTED August 16, 2021

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43 _____
44 for CLERK OF COUNCIL

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46 _____
47 PRESIDENT OF COUNCIL

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49 APPROVED August 17, 2021

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51 _____
52 EXECUTIVE
August 17, 2021

ENACTED EFFECTIVE

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio,
Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite