

1 RESOLUTION NO. 2024-248

First Reading Passage Requested

2

(M. Vinay)

3 SPONSOR Executive Shapiro

4

5 DATE September 9, 2024

COMMITTEE Public Works

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7 **A Resolution authorizing the Executive to prepare and submit an application to participate**
8 **in the Ohio Public Works Commission State Capital Improvement and/or Local**
9 **Transportation Improvement Programs and to authorize the Executive to execute**
10 **contracts as required to accept grant funding in an amount not to exceed \$639,520.80 with**
11 **a local match not to exceed \$426,347.20, for a total estimated amount not to exceed**
12 **\$1,065,868.00 to fund the Mudbrook Sanitary Emergency Repair Project, located in the**
13 **City of Cuyahoga Falls, in Council District 3, for the Executive’s Department of Sanitary**
14 **Sewer Services, and declaring and emergency.**

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16 WHEREAS, on August 8, 2024 a significant amount of rain fell within a short period of
17 time causing the Mudbrook stream to rise significantly and rapidly then causing the Mudbrook
18 stream to washout a portion of the Canyon Brook Road, that also took out the County’s 36 inch
19 sanitary siphon sewer trunkline that conveys sanitary sewage from portions of the Cities of
20 Akron, Cuyahoga Falls, Monroe Falls, Tallmadge and the Village of Silver Lake to the City of
21 Akron’s Water Reclamation Facility, located in the City of Cuyahoga Falls, in Council District 3;
22 and

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24 WHEREAS, the Executive’s Department of Sanitary Sewer Services (“DSSS”) has
25 commenced emergency repairs to the Mudbrook siphon sewer trunkline that includes re-aligning
26 approximately 850 feet of sanitary sewer with ductile iron pipe further south of the Mudbrook
27 stream to re-establish permanent infrastructure; and provide emergency bypass pumping to avoid
28 continuing sanitary sewer overflows in the Mudbrook stream, which is tributary to the Cuyahoga
29 River, for an estimated amount not to exceed \$1,065,868.00 (“Mudbrook Sanitary Emergency
30 Repair Project”); and

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32 WHEREAS, the State Capital Improvement Program and the Local Transportation
33 Improvement Program, through the Ohio Public Works Commission (“OPWC”), both provide
34 financial assistance to political subdivisions for capital improvements to public infrastructure;
35 and

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37 WHEREAS, the County is planning to make capital improvements to the Mudbrook
38 Sanitary Emergency Repair Project; and

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40 WHEREAS, the infrastructure improvement herein above described is considered to be a
41 priority need for the community and is a qualified project under the OPWC programs; and

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43 WHEREAS, the County desires to apply for a grant in the amount of sixty percent of the
44 total project costs with a not to exceed grant of \$639,520.80 from the OPWC to finance a portion
45 of the infrastructure sewer improvement for the Mudbrook Sanitary Emergency Repair Project;
46 and

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48 WHEREAS, the County shall provide a local match contribution for the funding of the
49 Mudbrook Sanitary Emergency Repair Project in an estimated amount not to exceed \$426,347.20
50 and designate payment from the Sanitary Sewer Enterprise Fund; therefore, including the
51 \$639,520.80 OPWC grant, the total amount to fund the Mudbrook Sanitary Emergency Repair
52 Project is estimated to be \$1,065,868.00; and

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4 WHEREAS, the OPWC requires the legislative authority of the County to adopt
5 legislation for the application of financial assistance and the authority to enter into any
6 agreements as may be necessary and appropriate for obtaining financial assistance; and

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8 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
9 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
10 apply for and execute the OPWC grant application for financial assistance and the authority to
11 enter into any agreements as may be necessary and appropriate for obtaining financial assistance
12 for the Mudbrook Sanitary Emergency Repair Project.

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

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17 SECTION 1

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19 The Executive is hereby authorized to apply to the Ohio Public Works Commission for a
20 grant in an amount of sixty percent of final emergency repair costs with a not to exceed amount
21 of \$639,520.80 to finance a portion of the public infrastructure improvement for emergency
22 repairs to the Mudbrook siphon sewer trunkline (“Mudbrook Sanitary Emergency Repair
23 Project”), located in the City of Cuyahoga Falls, in Council District 3.

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25 SECTION 2

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27 The Executive is hereby authorized to execute an Ohio Public Works Commission grant
28 agreement and execute any agreements as may be necessary and appropriate for obtaining
29 financial assistance from the Ohio Public Works Commission for the Mudbrook Sanitary
30 Emergency Repair Project.

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32 SECTION 3

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34 The Executive is hereby authorized to provide a local match contribution for the funding
35 of the Mudbrook Sanitary Emergency Repair Project in an estimated amount not to exceed
36 \$426,347.20 and designate payment from the Sanitary Sewer Enterprise Fund; therefore,
37 including the \$639,520.80 OPWC grant, the total amount to fund the Mudbrook Sanitary
38 Emergency Repair Project shall be an estimated amount not to exceed \$1,065,868.00.

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40 SECTION 4

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42 This Resolution is hereby declared an emergency in the interest of the health, safety and
43 welfare of the residents of the County of Summit, and for the further reason that it will
44 immediately allow the County to apply for funding for the Mudbrook Sanitary Emergency
45 Repair Project.

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47 SECTION 5

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

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4 SECTION 6

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6 It is found and determined that all formal actions of the Council concerning and relating
7 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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15 INTRODUCED September 9, 2024

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18 ADOPTED September 9, 2024

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ADOPTED September 9, 2024

DocuSigned by:

Monique Willis

CLERK OF COUNCIL

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DocuSigned by:

Rita J. Darrow

PRESIDENT OF COUNCIL

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APPROVED September 9, 2024

DocuSigned by:

Gene Shapiro

EXECUTIVE

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Voice Vote – YES: 10 – 0: Darrow, Dickinson,
Donofrio, Ford, Kacyon, McKenney, Rodgers,
Schmidt, Walters, Wiedie Higham
Absent: Wilhite

ENACTED EFFECTIVE September 10, 2024