RESOLUTION NO. 2014-408
SPONSOR Mr. Pry

DATE September 22, 2014 COMMITTEE Public Works

A Resolution rescinding Resolution No. 2012-063, and authorizing the County Executive to enter into a Water Pollution Control Loan Fund loan agreement to finance the design of the Columbine Service Area Sanitary Sewer Improvements Project Q-948, in Council District 8, in an amount not to exceed $179,321.00, for the Executive's Department of Environmental Services, and declaring an emergency.

WHEREAS, the Executive has signed the Ohio EPA Director’s Findings and Orders as authorized in Resolution No. 2010-002, which commits the County to install sanitary sewer in specified areas in Springfield Township and the Village of Mogadore, known as the Columbine neighborhood, to abate pollution from failing septic systems; and

WHEREAS, the Columbine Service Area Sanitary Sewer Improvements Project Q-948 ("Project") will install sanitary sewer in the Columbine neighborhood, as contemplated in the Ohio EPA Director’s Findings and Orders; and

WHEREAS, the County intends to apply for a Water Pollution Control Loan Fund ("WPCLF") loan to finance the design of the Project; and

WHEREAS, this Council previously passed Resolution No. 2012-063, authorizing the County Executive to enter into a WPCLF loan agreement in an amount not to exceed $2,000,000.00 to finance the design and construction of the Project; and

WHEREAS, it is necessary to rescind Resolution No. 2012-063 to allow the County to enter into a WPCLF loan to finance only the design of the Project at this time, and to enter into a construction loan agreement at a later time; and

WHEREAS, the WPCLF requires the governing authority to pass legislation for application of a loan and the execution of an agreement, as well as designating a dedicated repayment source;

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

SECTION 1

Resolution No. 2012-063 is hereby rescinded in its entirety.
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SECTION 2

The County Executive be and is hereby authorized to apply for a Water Pollution Control Loan Fund ("WPCLF") loan agreement, sign all documents for and enter into a WPCLF loan with the Ohio Environmental Protection Agency and the Ohio Water Development Authority, to finance the design of the Columbine Service Area Sanitary Sewer Improvements Project Q-948 ("Project"), in Council District 8, in an amount not to exceed $179,321.00.

SECTION 3

It is estimated that the total cost of design of the Project will not exceed $179,321.00. The interest rate for the five-year loan shall not exceed 3.6 percent per year. The dedicated source of repayment will be the Sanitary Sewer Enterprise Fund.

SECTION 4

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of the County of Summit, and for the further reason that it will immediately allow the County to obtain funds for the design of the Project and to abate pollution from failing septic systems.

SECTION 5

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

SECTION 6

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

INTRODUCED September 8, 2014
ADOPTED September 22, 2014

CLERK OF COUNCIL

APPROVED September 22, 2014

EXECUTIVE

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

PRESIDENT OF COUNCIL