

1 RESOLUTION NO. 2018-108

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3 SPONSOR Ms. Shapiro

4
5 DATE April 2, 2018 COMMITTEE Public Works

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7 **A Resolution authorizing the County Executive to execute the Ohio Environmental**
8 **Protection Agency's Director's Final Findings and Orders, pertaining to incidents on**
9 **March 10, 2017 and April 4, 2017 at certain pump stations owned and operated by the**
10 **County, in Council District 3, for the Executive's Department of Sanitary Sewer Services,**
11 **and declaring an emergency.**

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13 WHEREAS, on March 10, 2017, there was flooding and a sewer overflow at the
14 Cuyahoga Valley Interceptor Pump Station (Pump Station #123), a pump station operated by the
15 County in the City of Hudson, in Council District 3; and

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17 WHEREAS, on April 4, 2017, there was a sewer overflow caused by an electrical failure
18 at the North River Road Pump Station (Pump Station #53), a pump station operated by the
19 County in the City of Stow, in Council District 3; and

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21 WHEREAS, as a result of the flooding and overflow at Pump Station #123 and overflow
22 at Pump Station #53, the Director of the Ohio Environmental Protection Agency ("OEPA") made
23 findings that the County was in violation of its National Pollution Discharge Permit ("NPDES
24 Permit") and the Ohio Revised Code; and

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26 WHEREAS, as a result of said findings, the County and the OEPA have reached an
27 agreement in form of the OEPA Director's Final Findings and Orders; and

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29 WHEREAS, pursuant to said OEPA's Director's Final Findings and Orders, which is
30 attached hereto as Exhibit A, the County is committed to install within six months a bypass
31 connection on the force main of the Pump Station #123, to install within 6 months a standby
32 generator at Pump Station #53, to pay \$5,000.00 in civil fines to the OEPA, and to spend at least
33 \$30,000.00 to prepare and submit permit applications for the replacement and relocation of the
34 Hines Hill Trunk Sewer, in the Village of Boston Heights, in Council District 1; and

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36 WHEREAS, Council has determined by reviewing all pertinent information that it is
37 necessary and in the best interest of the County to authorize the County Executive to execute said
38 OEPA Director's Final Findings;

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40 SECTION 1

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42 The County Executive is hereby authorized to execute the Ohio Environmental Agency's
43 Director's Final Findings in substantially the form attached to this Resolution as Exhibit A.
44 The Executive is further authorized to issue payment in the amount of \$5,000.00 for civil fines
45 assessed by the OEPA Director pursuant to said OEPA Director's Final Findings and Orders.
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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit and for the further purpose to immediately abate
8 environmental issues caused by flooding and overflow in the City of Hudson and the City of
9 Stow, in Council District 3, and to immediately further a necessary sewer project in the Village
10 of Boston Heights, in Council District 1.

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12 SECTION 3

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

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18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and of any of its committees that resulted in such formal action,
23 were in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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27 INTRODUCED March 19, 2018

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29 ADOPTED April 2, 2018

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33 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

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41 APPROVED April 3, 2018

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45 EXECUTIVE

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47 ENACTED EFFECTIVE April 3, 2018

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler,
Rodgers, Schmidt, Soyars, Walters, Wilhite
ABSENT: Prentice