

1 RESOLUTION NO. 2024-007

2

3 SPONSOR Executive Shapiro

4

5 DATE January 8, 2024

COMMITTEE Public Works

6

7 **A Resolution authorizing the Executive to accept the Village of Peninsula, located in**
8 **Council District 1, into and under the sanitary sewer authority of the Summit County**
9 **Metropolitan Sewer District and amending Board of Commissioners Resolution No. 743-70,**
10 **for the Executive, and declaring an emergency.**

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12 WHEREAS, in Resolution No. 743-70, the County of Summit Board of Commissioners
13 created the Summit County Metropolitan Sewer District (the “District”); and

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15 WHEREAS, at the time of the creation of the District, the Village of Peninsula
16 (“Peninsula”) was not included as a District community; and

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18 WHEREAS, Peninsula has no sanitary sewer facilities within its corporate boundaries
19 and Peninsula is not located within the District; and

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21 WHEREAS, the County desires to undertake the Q-208 Peninsula Wastewater Treatment
22 and Sanitary Sewer System Project (“Project Q-208”) which intends to provide sanitary sewer
23 services to the residents of Peninsula to satisfy violations reported by both the Ohio
24 Environmental Protection Agency (“OEPA”) and the Summit County Combined General Health
25 District d.b.a. Summit County Public Health (“SCPH”) due to failing septic systems; and

26

27 WHEREAS, the Council of the Village of Peninsula, pursuant to Resolution Number 28-
28 2023, passed on December 21, 2023, authorized the County to accept the addition of the entirety
29 of the Village of Peninsula into the District and agrees Peninsula will take any further actions
30 necessary to fulfill the terms of acceptance; and

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32 WHEREAS, the Executive recommends that this Council accept Peninsula into and under
33 the sanitary sewer authority of the District; and

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35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
36 that it is necessary and in the best interest of the County to authorize the Executive to fulfill the
37 terms of acceptance;

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

41

42 SECTION 1

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44 The Executive is hereby authorized to accept the addition of the entirety of the Village of
45 Peninsula (“Peninsula”) into the Summit County Metropolitan Sewer District (the “District”);
46 and to further execute any other documents and/or take any actions necessary to fulfill the terms
47 of acceptance consistent with this Resolution and not substantially adverse to the County.

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4 SECTION 2

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6 The entirety of Peninsula is hereby added to and made a part of the District as of the
7 effective date of this Resolution and County of Summit Board of Commissioners Resolution No.
8 743-70 is hereby amended to reflect said addition.

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10 SECTION 3

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12 This Resolution is declared an emergency in the interest of the health, safety and welfare
13 of the residents of the County of Summit and for the further reason of immediately allowing the
14 parties to timely accept Peninsula into the District to abate and prevent environmental problems
15 in the Village of Peninsula.

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17 SECTION 4

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

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23 SECTION 5

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25 It is found and determined that all formal actions of the Council concerning and relating
26 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
27 deliberations of this Council and of any of its committees that resulted in such formal action,
28 were in meetings open to the public, in compliance with all legal requirements, including Section
29 121.22 of the Ohio Revised Code.

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32 INTRODUCED January 8, 2024

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34 ADOPTED January 29, 2024

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36 DocuSigned by:
Marije Willis
37 _____
5560BEF400F5451...

38 CLERK OF COUNCIL

39

DocuSigned by:
Veronica R Sim
37 _____
C85A948FE4BA42A...

38 PRESIDENT OF COUNCIL

40 APPROVED January 29, 2024

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42 DocuSigned by:
Sean Shapiro
43 _____
CBD33E40D287473...

44 EXECUTIVE

45

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

46 ENACTED EFFECTIVE January 30, 2024

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