

**RESOLUTION NO. 72-2021**

**INTRODUCED BY: Mayor James P. Graven and Council as a Whole**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CUYAHOGA COUNTY BOARD OF HEALTH TO PROVIDE PHASE II STORMWATER SERVICES IN 2022 - 2025 AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Olmsted Falls has a permit through the Ohio EPA Municipal Separate Storm Sewer Discharge (MS4) Permit and pursuant to such permit and requirements, the City of Olmsted Falls is required to perform specific functions related to inspecting and monitoring stormwater within the municipality; and

**WHEREAS**, the Northeast Ohio Regional Sewer District (“The District”), pursuant to the authority of Ohio Revised Code Chapter 6119 adopted Title V – Stormwater Management Code as part of the District’s Code of Regulations (“Title V”) and is authorized to provide and contract for overall Stormwater Management of the Regional Stormwater System within the jurisdiction of NEORS; and

**WHEREAS**, Title V requires NEORS, on behalf of the municipalities within its jurisdiction to provide planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to member municipalities; and

**WHEREAS**, the District passed Resolution 410-18 authorizing an agreement with the CCBH for services in support of NEORS member communities’ compliance with the Ohio EPA’s NPDES General Permit for Municipal Separate Storm Sewer Systems; and

**WHEREAS**, in order for CCBH to provide the described services to municipalities within the NEORS jurisdiction, CCBH must contract with those municipalities that are part of the NEORS jurisdiction in order to obtain consent and authority to perform these services. Now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:**

**SECTION 1.** That the Mayor is hereby authorized to enter into a certain Memorandum of Understanding on behalf of the City with the Cuyahoga County Board of Health for purposes of performing services outlined herein for the benefit of the City, said Memorandum of Understanding being attached hereto as Exhibit “A” and incorporated herein as if fully rewritten.

**SECTION 2.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in

such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls and for the further reason that it is immediately necessary to implement monitoring required pursuant to the City's Municipal Separate Stormwater Discharge (MS4) Permit. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

\_\_\_\_\_  
*Paul Stibich, Council President*

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
*James P. Graven, Mayor*

\_\_\_\_\_  
*Date*

APPROVED AS TO FORM: \_\_\_\_\_  
*Andrew D. Bemer, Director of Law*

ATTEST: \_\_\_\_\_  
*Angela Mancini, Clerk of Council*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

	Yea	Nay
Stibich	_____	_____
Jones	_____	_____
Jansen	_____	_____
McFadden	_____	_____
Munteanu	_____	_____
Buchholz	_____	_____
Chitester	_____	_____