

ORDINANCE NO. 2023 - 20

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO OBTAIN COST REIMBURSEMENTS FOR CERTAIN WORK TO BE PERFORMED IN THE VILLAGE ASSOCIATED WITH THE INSTALLATION OF BACKFLOW PREVENTORS ON GARDEN ROAD

WHEREAS, the Village of Oakwood is currently operating under the Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit Coverage (Small MS4 General Permit) which gives authorization to discharge to the surface waters of Ohio; and

WHEREAS, the Ohio EPA's NPDES Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the Village of Oakwood to provide effective storm water management by various methods including enacting Minimum Control Measures (MCMs); and

WHEREAS, the Ohio EPA's MCM #3 - Illicit Discharge Detection and Elimination is a program that detects and eliminates cross-connections, dumping of wastes or other non-storm water discharges not authorized by a separate NPDES permit; and

WHEREAS, upon reviewing the Northeast Ohio Regional Sewer District's Cuyahoga Valley Interceptor (CVI) Local Sewer System Evaluation Study (LSSES), the Village Engineer has determined that 8-10 dwellings located on Garden Road, in the vicinity of the Hickory Road intersection, remain at risk of basement backups due to excessive clean water inflow and infiltration entering the sanitary sewer system within the Peak Flow Area (PFA), identified as PFA OA-01 in the CVI-LSSES; and

WHEREAS, the Northeast Ohio Regional Sewer has determined that eliminating the risk of basement backups for the 8-10 dwellings located on Garden Road, due to excessive clean water inflow and infiltration entering the PFA sanitary sewer system, would require the replacement of up to 4,000 lineal feet of sanitary sewer and appurtenant structures in addition to various other improvements that would cost in excess of \$15,000,000.00; and

WHEREAS, Village Engineer has proposed the installation of backflow preventors in the 8-10 dwellings located on Garden Road as a more immediate, and cost effective solution to potential basement backups due to excessive clean water inflow and infiltration entering the PFA sanitary sewer system; and

WHEREAS, basement backups can lead to non-storm water discharges including sanitary sewage, not authorized by a separate NPDES permit, entering the storm drainage system and the surrounding environment; and

WHEREAS, the NEORS D provides funding to Member Communities, including the Village of Oakwood, for community specific storm water management projects under the Community Cost-Share Program; and

WHEREAS, the Village Engineer and the Service Director have been informed by NEORS D that the prevention of potential basement backups due to excessive clean water inflow and infiltration entering the PFA sanitary sewer system effectively implements Ohio EPA's MCM #3 and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

WHEREAS, the Village Engineer and the Service Director have made application to the NEORS D for the disbursement of Community Cost-Share Program funds as required to install backflow preventors on Garden Road in the amount of One Hundred Thirty Five Thousand Dollars and Zero Cents (\$135,000.00).

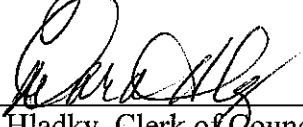
NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Mayor is hereby authorized and directed to execute a Community Cost-Share Agreement, and any other documents with the NEORSD as is required for the disbursement of Community Cost-Share Program funds in the total amount of One Hundred Thirty Five Thousand Dollars and Zero Cents (\$135,000.00) to provide services associated with the installation of backflow preventors on Garden Road in the Village of Oakwood.

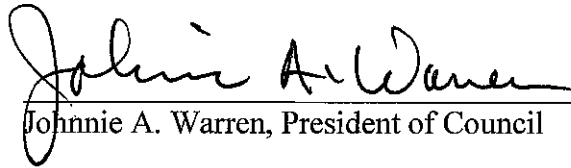
SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the Village can take advantage of a funding opportunity for the foregoing operations and activities which are necessary to protect the environment and required to maintain compliance with OEPA MS4 stormwater permit requirements and , therefore, provided it receives two-thirds (b) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____

June 13, 2023



Debra L. Hladky, Clerk of Council



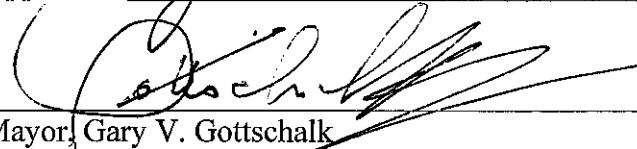
Johnnie A. Warren, President of Council

Presented to the Mayor _____

June 14, 2023

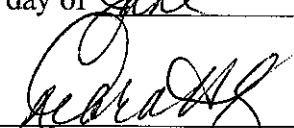
Approved: _____

June 14, 2023



Mayor, Gary V. Gottschalk

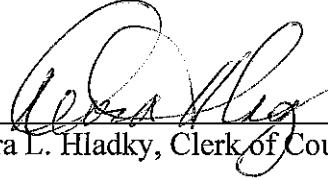
I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2023-~~20~~ was duly and regularly passed by this Council at the meeting held on the 13 day of June, 2023.



Debra L. Hladky, Clerk of Council

POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2023-20 was duly posted on the 15 day of June, 2023, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.



Debra L. Hladky, Clerk of Council

DATED: June 15 2023