

ORDINANCE NO. 2023 - 21

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 FORBES /RICHMOND SANITARY PUMP STATION INFLOW AND INFILTRATION STUDY**

**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**, the Cuyahoga County Department of Public Works and Village Engineer have determined that excessive amounts of clean water inflow and infiltration is entering the Forbes/Richmond Sanitary Pump Station; and

**WHEREAS**, the Cuyahoga County Department of Public Works and Village Engineer have determined that the clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station is being caused by a combination of broken, damaged or cross connected storm and sanitary sewer pipes; and

**WHEREAS**, the clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station is causing premature wear on the motors and appurtenant structures within the facility which will cause a catastrophic failure event to occur; and

**WHEREAS**, the failure of the Forbes/Richmond Sanitary Pump Station would lead to non-storm water discharges including sanitary sewage, not authorized by a separate NPDES permit, into the storm sewer system and the surrounding environment including Tinkers Creek; 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 elimination of clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station effectively implements Ohio EPA's MCM #3 and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

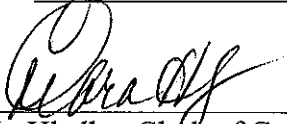
**WHEREAS**, the Village Engineer and the Service Director have made application to the NEORS D for the disbursement of Community Cost-Share Program funds as required to prepare an inflow and infiltration study for the Forbes/Richmond Sanitary Pump Station service area in the amount of Two Hundred Twenty Thousand Dollars and Zero Cents (\$220,000.00).

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

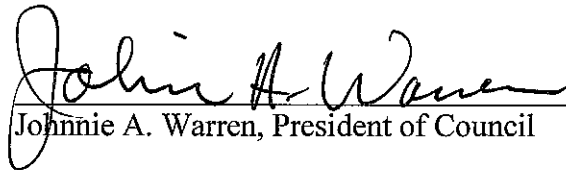
**SECTION 1.** The Mayor is hereby authorized and directed to execute a Community Cost-Share Agreement, and any other documents with the NEORSD as is required for the disbursement of Community Cost-Share Program funds in the total amount of Two Hundred Twenty Thousand Dollars and Zero Cents (\$220,000.00) to provide services associated with the preparation of an inflow and infiltration study for the Forbes/Richmond Sanitary Pump Station service area 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



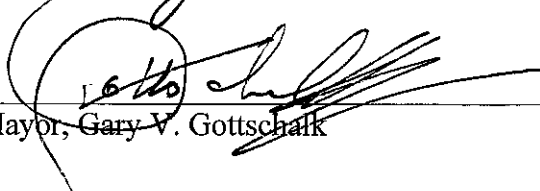
Debra L. Hladky, Clerk of Council



Johnnie A. Warren, President of Council

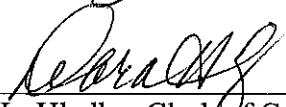
Presented to the Mayor June 14, 2023

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. 2023-21 was duly and regularly passed by this Council at the meeting held on the 13 day of June, 2023.

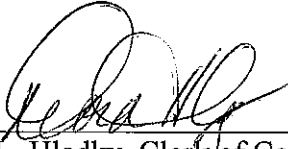


Debra L. Hladky, Clerk of Council

### 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 -21 was duly posted on the 15th 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.

  
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Debra L. Hladky, Clerk of Council

DATED: June 15, 2023