

RESOLUTION NO. 46-2018

**TITLE: ENTER INTO AGREEMENT – OWDA
WATER TREATMENT PLANT**

A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT AND ENTER INTO A COOPERATIVE AGREEMENT FOR THE CONSTRUCTION OF WATER TREATMENT PLANT RECONSTRUCTION AND REHABILITATION PROJECT BETWEEN THE CITY OF BARBERTON AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Barberton (hereinafter referred to as the “LGA”) desires to construct rehabilitation and reconstruction efforts at the Water Treatment Plant to include filter replacement; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the “OWDA”) to finance costs of the planning of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the LGA hereby approves the planning of the aforesaid water Treatment Plant Rehabilitation and Reconstruction in cooperation with the OWDA under the provisions, terms and conditions set forth in the “Cooperative Agreement for State Planning Project” as set forth in Exhibit A (the “Cooperative Agreement”) and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were conducted in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that the immediate construction of the Water Treatment Plant Rehabilitation and Reconstruction at the earliest possible time is necessary in order to protect the health of the inhabitants of the City of Barberton by providing rehabilitation, reconstruction, and replacement, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its adoption and approval; otherwise, to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2018

Clerk of Council

President of Council

Approved _____ 2018

Mayor