

RESOLUTION NO. 51-2020

**TITLE: WASTEWATER TREATMENT PLANT IMPROVEMENTS
PHASE 3C – OWDA LOAN**

A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR DESIGN OF WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE 3C 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”) seeks to make continued upgrades to the existing Wastewater Treatment Facility; 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 design of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms;

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

SECTION 1. That the LGA hereby approves the design of the aforesaid Wastewater Treatment Plant Improvements Phase 3C 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 Mayor and the Finance Director of the City of Barberton to execute the Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution/ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, 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 design of the Wastewater Treatment Plant Improvements Phase 3C at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing improvements to the Wastewater Treatment Plant; wherefore, this ordinance shall be in full force and effect from and immediately after its passage.

Passed _____ 2020

Clerk of Council

President of Council

Approved _____ 2020

Mayor