

CITY OF KIRTLAND

RESOLUTION NUMBER 22-R-28

A RESOLUTION SUPPORTING THE SUBMISSION OF A REQUEST TO FEDERALLY ELECTED OFFICIALS FOR COMMUNITY PROJECT FUNDING FOR FISCAL YEAR 2023 AND/OR ANY OTHER AVENUE FOR FUNDING ASSISTANCE FOR THE OLD TOWN SEWER PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, within the City of Kirtland is a neighborhood colloquially referred to as the Old Town area; and

WHEREAS, all the homes in the Old Town area have residential septic systems that discharge into the storm sewer system; and

WHEREAS, the storm sewer system discharges into the East Branch of the Chagrin River, a water of the state; and

WHEREAS, the Ohio EPA discovered an environmental and health concern that many homes in the Old Town area have failing residential septic systems that caused illicit discharges of untreated sewage into the storm sewer system and became a de facto conveyance of pollution in the form of untreated sewage to waters of the state; and

WHEREAS, as a result of said discovery and environmental concern, the Ohio EPA issued a Director's Final Findings and Orders that require the construction and installation of a sanitary sewer system in the Old Town area; and

WHEREAS, the construction and installation of the sanitary sewer system must commence in 2022 and be completed by 2025; and

WHEREAS, the estimated total cost of the project is approximately \$3,650,000; and

WHEREAS, as it stands today, there are approximately 133 benefit units composed of the property owners and residents of the Old Town area who are now forced to pay for this project; and

WHEREAS, the residents the Old Town area subject to this order are primarily comprised of retirees and those with modest incomes who have voiced concern over the ability to pay the assessment and its significant financial burden; and

WHEREAS, due to the inherent environmental and economic issues, the Administration for the City of Kirtland is actively seeking any and all funding mechanisms, including but not limited to applications for community project funding with our federally elected officials for the fiscal year 2023, to assist with the cost of this infrastructure project and help defray the cost for these residents.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Council of the City of Kirtland, Lake County, Ohio that:

SECTION I: The Council of City of Kirtland hereby recognizes the environmental concern for the illicit sewer discharges that may pollute the waters of the state, the requirement imposed by the Ohio EPA to construct sanitary sewers in the Old Town area to abate any pollution, and the economic concerns from those residents who will ultimately be required to pay the significant cost of this project. Due to the foregoing, this Council hereby fully supports the submission of a request to our federally elected officials for community project funding for fiscal year 2023 along with any other submission for financial assistance for the Old Town sewer project.

SECTION II:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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.

(b) This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this legislation is necessary for the processing of certain applications and deadlines for assistance; wherefor, this Resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____

Second Reading: _____

Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2022.

ATTEST:

Approved by the Mayor, this _____ day
of _____, 2022.

Clerk of Council
Support for CPF for Old Town

Mayor Kevin F. Potter