

**ORDINANCE NO. 31 - 2024**

**AN ORDINANCE AUTHORIZING A REIMBURSEMENT PAYMENT TO LAKE COUNTY FOR WORK RELATED TO THE DIVERSION OF SANITARY EFFLUENT TO THE NEW LAKE COUNTY INTERCONNECT LINE AND FOR EXISTING LINE PLUGGING, AND DECLARING AN EMERGENCY.**

WHEREAS, on February 7, 2018, the Village and Board of Lake County Commissioners entered into related agreements for the transfer of the Village's waterworks and sanitary sewage systems to Lake County whereby the County would assume ownership of the systems and provide all services to customers within the Village service area, thereby leading to a reduction in cost of services as well as the Village's ability to decommission its waste water treatment plant; and

WHEREAS, title transfer of these systems is now scheduled for December 2, 2024; and

WHEREAS, critical to finalization of this process is the diversion of sanitary effluent via tie-in to the new Lake County Department of Utilities interconnect and plugging the existing line leading to the Village wastewater treatment plant; and

WHEREAS, pursuant to the Village's agreement with Lake County, the Village is responsible for these costs and expenses; and

WHEREAS, Lake County is now under contract with Chivers Construction Company, Inc. which is currently mobilized in the area and will be performing the work hereinabove described; and

WHEREAS, Lake County has submitted to the Village the costs and expenses it will incur for this work in the total sum of Eighty-Five Thousand One Hundred Seventy-Two Dollars and Zero Cents (\$85,172.00); and

WHEREAS, the Council finds and determines, and in accordance with its current contractual obligations to Lake County, that the request for reimbursement is a proper debt of the Village and that it does now pursuant to the Charter and plenary powers conferred upon the Village by §§ 3, 4 and 7 of Article XVIII of the Ohio Constitution approve this reimbursement to Lake County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That subject to the execution by the Fiscal Officer of a certificate of availability of funds, the sum of Eighty-Five Thousand One Hundred Seventy-Two Dollars and Zero Cents (\$85,172.00) is and shall be paid to Lake County as and for the Village's contractual obligation to pay the costs and expenses of the sanitary interconnect tie-in.


SECTION 2. That the Mayor is hereby authorized to execute on behalf of the Village any such instruments necessary to authorize, approve, and/or otherwise necessary for this work and reimbursement payment to Lake County.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.


SECTION 4. That 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 of Madison because timely start of the work is needed to meet a critical deadline as detailed in the preamble to this Ordinance; WHEREFORE, this Ordinance shall take effect and be in force from and immediately upon passage.

PASSED:


1<sup>st</sup> Reading: November 12, 2024

  
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Mark V. Vest,  
President of Council

Attested:

  
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Kristie M. Crockett,  
Fiscal Officer / Clerk of Council

Approved:

  
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Sam Britton, Jr.,  
Mayor

Date: 11/12/2024