

# Ordinance No. 1042-18

**Council Members Keane and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Public Utilities to enter into an agreement with the Village of Cuyahoga Heights for the reconstruction/relocation of an existing sewer connection that serves a business in Cuyahoga Heights in connection with the Towpath Trail Stage 1 Project.

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WHEREAS, the Towpath Trail Stage 1 Project is underway and is part of the larger Towpath Trail Project; and

WHEREAS, in order to complete a pedestrian bridge structure that will serve Trail users crossing the Cuyahoga River, it is necessary to re-engineer waste disposal for a business in the Village of Cuyahoga Heights; and

WHEREAS, the most appropriate engineering solution to complete the trail is to replace an existing package plant with a lift station, and to divert the flow to a Cleveland Water Pollution Control ("WPC") pipe; and

WHEREAS, the proposed new sewer connection and equipment will be constructed as part of the Trail Project, with no costs to WPC other than acceptance of sewage flow, the cost of which will be paid by the Village of Cuyahoga Heights; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Public Utilities is authorized to enter into an agreement with the Village of Cuyahoga Heights for the reconstruction/relocation of an existing sewer connection that serves a business in Cuyahoga Heights, which involves the replacement of a package plant with a lift station, and the diversion of the flow of sewage into the first Cleveland Water Pollution Control pipe on the west side of the Cuyahoga River ("Sanitary Sewer Connection"). The agreement shall provide for WPC to bill Cuyahoga Falls for the disposal of sewage from this business and any future users in the area at the then-existing rates charged to City of Cleveland customers pursuant to Codified Ordinance Chapters 541 and 543, and any future amendments thereof, including connection fees and service rates. The Director is further authorized to enter into any and all inter-agency agreements, leases, permits and/or cooperative agreements needed for the Sanitary Sewer Connection.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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**READ FIRST TIME on AUGUST 15, 2018**

**and referred to DIRECTORS of Public Utilities, Finance, Law;  
COMMITTEES on Utilities, Finance**

## REPORTS

CITY CLERK

**READ SECOND TIME**

**CITY CLERK**

**READ THIRD TIME**

**PRESIDENT**

**CITY CLERK**

**APPROVED**

**MAYOR**

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Published in the City Record

**REPORT**  
**after second Reading**

**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
UTILITIES**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE**

FILED WITH COMMITTEE