

**ORDINANCE NO. 122-21**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MEDINA COUNTY BOARD OF COMMISSIONERS RELATIVE TO WATER SERVICE ON STATE ROUTE 18.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the Mayor is hereby authorized and directed to execute a Memorandum of Understanding with the Medina County Board of Commissioners relative to water service on State Route 18 (SR 18).
- SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 3:** That the funds to cover this project, in the estimated amount of \$91,000.00 are available in Account No. 108-0610-54411.
- SEC. 4:** That a copy of the Memorandum of Understanding is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 5:** That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 the law.
- SEC. 6:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** July 12<sup>th</sup>, 2021

**SIGNED:** [Signature]  
**President of Council**

**ATTEST:** [Signature]  
**Acting Clerk of Council**

**APPROVED:** July 13, 2021

**SIGNED:** [Signature]  
**Mayor**

Ord. 122-21  
Exh. A

MEMORANDUM OF UNDERSTANDING

*TRANSFER of WATER SERVICE PROVIDER for PARCELS LOCATED in the TOWNSHIP OF MEDINA within the WOODLAKE SUBDIVISION, PHASE I & II THE WOODS AT LAKE MEDINA CONDOMINIUMS, PHASES I THROUGH IV, SERENITY HOLLOW CLUSTER HOMES SUBDIVISION, PHASES I THROUGH VIII, THE RETREAT AT LAKE MEDINA CLUSTER HOMES SUBDIVISION, PHASE I, and 3866 MEDINA ROAD*

Terms to be contained in a Memorandum of Understanding ("MOU") between the MEDINA COUNTY COMMISSIONERS (County), and the CITY OF MEDINA (CITY).

Section I: Project Description

The CITY is currently the water service provider for 86 residential properties and 2 commercial properties within the subdivisions noted above and as shown in Exhibit "A" that are within Medina Township outside the CITY limits. The CITY'S 16", 20" and 24" water mains that services these areas along Medina Road (SR 18) and along Lake Medina are aging and will need to be repaired / replaced in the near future.

The Medina County Sanitary Engineers (MCSE) currently has existing water mains that run parallel to the CITY'S water main(s) through the Lake Medina parcel and along Medina Road that can provide water service to these properties.

The Ohio Department of Transportation (ODOT) will begin completing a widening project, MED -18-12.99, along Medina Road in 2021 with construction to be complete by 2024. This work will impact the CITY'S existing water mains along Medina Road and would necessitate the replacement/relocation a portion of these lines with costs to be borne by the City.

The CITY requests that the COUNTY become the water service provider for the 86 residential properties and the 2 commercial properties by transferring water service at four locations as indicated on Exhibit "B". With the transfer of service the COUNTY will assume ownership and maintenance responsibilities of all existing CITY water mains that service these properties.

Construction and transfer of water service is tentatively scheduled to begin in the summer of 2021.

Section II – Consent Statement

Being in the public interest, the CITY gives consent to the COUNTY to complete the transfer of the water service(s) from the CITY'S water supply system to the COUNTY'S water supply system.

### Section III - Cooperation Statement

The CITY and the COUNTY shall cooperate as follows:

1. The CITY and COUNTY shall each bear fifty percent (50%) of the total costs for engineering, materials, labor, equipment, construction, inspection, surveying and project administration for this project.
2. The COUNTY shall draft a scope of work for the water transfer locations "1", "2", and "3" as shown on the Exhibit "B" and submit to the CITY for review. The COUNTY and CITY shall agree on the scope for each location prior to soliciting for proposals to complete the work.
3. The CITY shall solicit a minimum of three (3) proposals from contractors based on the agreed upon scope of work for the three (3) water transfer locations. The CITY shall provide the proposals to the COUNTY for review and the CITY and COUNTY shall agree upon the proposal to be selected.
4. The water transfer for location #4, as shown on Exhibit "B", shall be completed through the ODOT MED-18-12.99 project based on the ODOT unit price items. The CITY shall reimburse the COUNTY for fifty (50) percent of the total costs for this water service installation based on the ODOT contract unit prices.
5. The CITY shall enter into a contract with the selected contractor for the completion of the water service transfer work. All payments per the contract shall be made by the CITY.
6. Upon completion of the water service transfers, the County shall furnish and install new water meters to each of the water meter service locations. The City and the County shall each bear 50% of the costs for the purchase of the new water meters.
7. The preliminary cost estimate to fully complete the water service transfer of all properties from the CITY's water supply system to the COUNTY'S is as follows:
  - Water service transfer location #1 (3866 Medina Road): \$4,500.
  - Water service transfer location #2 (Burgundy Bay-Lake Medina): \$35,000.
  - Water service transfer location #3 (Retreat, Ph. I): \$16,000.
  - Water service transfer location #4 (Burgundy Bay-Medina Rd): \$24,00.
  - Water meter change out equipment costs: \$9,000.
  - Survey / Easements costs: \$2,500.
  
  - Total preliminary cost = \$91,000
8. The COUNTY agrees to provide all costs and invoices for all equipment and meters associated with the project. The actual final total cost for the project shall be calculated by the CITY upon completion of all project components as listed above and provided to the COUNTY for review. The COUNTY and CITY shall agree upon the final total project cost. The CITY shall provide the COUNTY with an invoice for their share (50%) of the total cost for the project.
9. The COUNTY shall submit payment for their total share (50%) due to the CITY within sixty (60) days after receiving the invoice from the CITY.

Section IV – Ownership and Maintenance

The COUNTY shall take ownership and maintenance responsibilities for all current CITY owned water mains and appurtenances within the project limits as shown on the attached Exhibit "B" that shall be remain in service and be used for water supply by the COUNTY.

MEDINA COUNTY COMMISSIONERS

CITY OF MEDINA, OHIO

By (signature): 

By (signature): 

Printed Name: William F. Hutson

Printed Name: Dennis Hanwell

Title: Commissioner, President of Board

Title: Mayor

Date: July 20, 2021

Date: July 13, 2021

REGULAR MEETING - TUESDAY, JULY 20, 2021

The Board of County Commissioners of Medina County, Ohio, met in regular session on this date with the following members present:

Stephen D. Hambley                      Colleen M. Swedyk                      William F. Hutson

Mr. Hambley offered the following resolution and moved the adoption of same which was duly seconded by Mrs. Swedyk.

**RESOLUTION NO. 21-0746**

**AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MEDINA AND THE MEDINA COUNTY BOARD OF COMMISSIONERS RELATIVE TO THE TRANSFER OF WATER CUSTOMERS ALONG STATE ROUTE 18 IN MEDINA TOWNSHIP**

**WHEREAS**, the City of Medina (City) is currently the water service provider from eighty-six (86) residential properties and two (2) commercial properties with the Woodlake Subdivision, Phase I & II, The Woods at Lake Medina Condominiums, Phases I-IV, Serenity Hollow Cluster Homes Subdivision, Phases I-VII, The Retreat at Lake Medina Cluster Homes Subdivision, Phase I, and 3866 Medina Road; and

**WHEREAS**, the City's 16", 20", and 24" water mains that services these areas along Medina Road (SR 18) and along Lake Medina are aging and will need to be repaired/replaced in the near future; and

**WHEREAS**, the Medina County Sanitary Engineers (MCSE) currently has existing water mains that run parallel to the City's water main(s) through the Lake Medina parcel and along Medina Road that can provide water service to these properties; and

**WHEREAS**, the City requested that the County become the water service provider for the eighty-six (86) residential properties and two (2) commercial properties by transferring water service at four (4) locations as described in exhibit "A"; and

**WHEREAS**, the County will assume ownership and maintenance responsibilities of all existing City water mains that service these properties in accordance with the terms of the Memorandum of Understanding (MOU) attached as exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Medina County, Ohio, that:

- Section 1.     The City and County shall bear fifty percent (50%) of the total costs for engineering, materials, labor, equipment, construction, inspection, surveying and project administration for this project.
- Section 2.     The County shall draft a scope of work for the water transfer locations as described in exhibit "A" and submit to the City for review. The County and City shall agree on the scope for each location prior to the soliciting for proposals to complete the work.
- Section 3.     The City shall solicit a minimum of three (3) proposals from contractors based on the agreed upon scope of work for the three (3) water transfer locations. The City shall provide the proposals to the County for review and the City and County shall agree upon the proposal to be selected.
- Section 4.     Water transfer for location #4, as described on exhibit "A", shall be completed through the ODOT MED-18-12.99 project based on the ODOT unit price items.

REGULAR MEETING - TUESDAY, JULY 20, 2021  
RESOLUTION NO. 21-0746 (CONT'D.)

The City shall reimburse the County for fifty percent (50%) of the total costs for this water service installation based on the ODOT contract prices.

- Section 5. The City shall enter into contract with the selected contractor for the completion of the water service transfer work. All payments per the contract shall be made by the City.
- Section 6. Upon completion of the water service transfers, the County shall furnish and install new water meters to each of the water meter service locations. The City and the County shall bear fifty percent (50%) of the costs for the purchase of the new water meters.
- Section 7. The preliminary cost estimate to fully complete the water service transfer of all properties is estimated at \$91,000.
- Section 8. The County agrees to provide all costs and invoices for all equipment and meters associated with the project. The actual final cost for the project shall be calculated by the City upon completion of all project components as listed above and provided to the County for review. The County and City shall agree upon the final total project cost. The City shall provide the County with an invoice for their share (50%) of the total cost for the project.
- Section 9. The County shall submit payment for their total share (50%) due to the City within sixty (60) days after receiving the invoice from the City.

Voting AYE thereon: Mr. Hambley, Mrs. Swedyk and Mr. Hutson

Adopted: July 20, 2021

Prepared by: Medina County Sanitary Engineering Dept.