ORDINANCE NO. 180-26

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MEDINA COUNTY BOARD OF COMMISSIONERS FOR JOB #1179, E. SMITH ROAD RECONSTRUCTION.

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 to allow the City to complete the work to replace the existing sanitary sewer on E. Smith Rd. and then invoice Medina County for 100% of the cost of the work.

SEC. 2: That a copy of the Memorandum of Understanding is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: 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: November 9, 2026

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: November 9, 2026

SIGNED: James A. Shields
Mayor

MEMORANDUM OF UNDERSTANDING ORD. 180-26 Exh. A

SANITARY SEWER CONSTRUCTION on EAST SMITH ROAD in the CITY OF MEDINA

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

Section 1: Project Description

The CITY will be completing a reconstruction and replacement of East Smith Road between South Jefferson Street and S. Harmony Street in the City of Medina.

The Medina County Sanitary Engineers (MCSE), under an agreement with the City entered into in 2022, operates and maintains a City owned sanitary sewer that extends through the project limits of this project.

MCSE has requested that the CITY replace the existing sanitary sewer and appurtenances with a new sewer and appurtenances as part of the CITY's East Smith Road Reconstruction, Phase II project.

Construction is tentatively scheduled to begin in the spring of 2027.

Section II – Consent Statement

Being in the public interest, the COUNTY gives consent to the CITY to complete the replacement of the sanitary sewer in conjunction with the East Smith Road Reconstruction, Phase II project.

Section III - Cooperation Statement

The CITY and the COUNTY shall cooperate as follows:

1. The CITY agrees to assume and bear one hundred percent (100%) of the engineering and project administration costs for this project.
2. The CITY shall submit the completed construction plans to the COUNTY for review and approval prior to commencing this project.
3. The CITY shall modify the plans as requested by the COUNTY with regards to the final sanitary sewer design.
4. The COUNTY agrees to assume and bear one hundred percent (100%) of the construction costs and construction inspection costs for the sanitary sewer line replacement.
5. The preliminary construction cost estimate for the COUNTY's share of this project is $479,000.
6. The actual final total share shall be calculated by the CITY upon completion of the project.

7. The CITY shall use the contract unit prices and the final approved contract unit price quantities to calculate the final total share due by the COUNTY.
8. The COUNTY shall submit payment for the final total share due to the CITY within sixty (60) days after receiving the invoice from the CITY.

Section IV – Maintenance

The City shall require the contractor to post a two-year maintenance bond to become effective upon completion and acceptance of the project. The County shall, in accordance with the 2022 agreement between the County and the City, assume responsibility for the maintenance of the sanitary sewer and appurtenances installed as part of this project upon the expiration of the contractor's maintenance bond.

MEDINA COUNTY COMMISSIONERS

By (signature): _____

Printed Name: Colleen M. Swedyk

Title: Board President

Date: 10/13/26

CITY OF MEDINA, OHIO

By (signature): _____

Printed Name: JAMES A SHIELDS

Title: Mayor

Date: Nov. 9, 2026