

RESOLUTION NO. 1 -2011

Offered by All of Council

A RESOLUTION REQUESTING AND ENCOURAGING THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (“NEORS”) TO CEASE FURTHER ACTS TOWARD THE IMPLEMENTATION OF ITS PROPOSED SEWER RATE INCREASE UNTIL SUCH TIME AS NEORS HAS DISCUSSED THE IMPACT OF ITS PROPOSAL WITH ALL AFFECTED COMMUNITIES, INCLUDING THE VILLAGE OF RICHFIELD, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Richfield discharges certain sewer flow to the Northeast Ohio Regional Sewer District (“NEORS”), and, by contract, pays NEORS for the treatment of said flow; and

WHEREAS, NEORS has recently announced plans to significantly increase the rates it charges its customers over the next several years in order to pay for certain improvements within NEORS’s territory for combined sanitary-storm sewer issues and related overflows; and

WHEREAS, it is this Council’s belief that none of the flow discharging from the Village’s sewers for treatment by NEORS originates in combined sanitary-storm sewers within the Village of Richfield, and, as a result, the Village does not contribute to the combined sanitary-storm sewer issues present in NEORS’s territory in areas such as Cuyahoga County; and

WHEREAS, the substantial rate increase proposed by NEORS threatens to significantly increase the rate that the Village pays NEORS for the cost to treat the sewer flow discharged to NEORS by the Village; and

WHEREAS, any significant increase in treatment cost from NEORS would need to be passed on to the Village of Richfield’s sewer customers; and

WHEREAS, given the size and nature of the rate increases, this Council believes it is necessary and proper for NEORS to take additional time in presenting and discussing its proposal with all affected communities, including the Village of Richfield; and

WHEREAS, this Council finds and determines that it is necessary, and in the best interest of the Village of Richfield, to encourage NEORS to cease any further acts toward the implementation of its proposed rate increase until such time as NEORS has discussed the impact of its proposal with all affected communities, including the Village of Richfield, and received information and feedback from those communities on the impact of the proposal.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio, that:

SECTION 1. This Council hereby requests and encourages the Northeast Ohio Regional Sewer District (“NEORS”) to cease any further acts toward the implementation of its

proposed sewer rate increase until such time as NEORS D has discussed the impact of its proposal with all affected communities, including the Village of Richfield, and received information and feedback from those communities on the impact of any proposal.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 legal requirements, including section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that the implementation of the rates would have an adverse economic impact on customers in the Village of Richfield; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1/4/11

Barbara Barbara
President of Council

Michael Pappas
Mayor

Dated: 1/4/11

ATTEST:

Carolyn E. Sullivan
Clerk of Council