



# City of Hudson, Ohio

## Staff Report With Text

**File #:** 17-90      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 1/18/2017      **In control:** City Council

**On agenda:** 6/6/2017      **Final action:** 6/6/2017

**Title:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO TRANSFER OWNERSHIP OF THE WATER FACILITIES WITHIN CANTERBURY ON THE LAKES, PHASE 4, TO THE CITY OF AKRON; AND DECLARING AN EMERGENCY.  
Executive Summary: The City Manager is requesting legislation for the City of Hudson to enter an agreement with the City of Akron for the transfer of ownership of the water facilities within Canterbury on the Lakes, Phase 4, comprised of a portion of Paderbourne Drive and Wessington Drive; along with Burr Oak Way and Bramfield Way, to the City of Akron, Ohio. (see attached map)

**Sponsors:** David A. Basil

**Indexes:** Engineering

**Code sections:**

**Attachments:** 1. Agreement, 2. Exhibit A and B, 3. Dry Waterline Map, 4. Resolution No. 17-90

Date	Ver.	Action By	Action	Result
6/6/2017	1	City Council	to suspend the rule requiring three readings	Pass
6/6/2017	1	City Council	adopted with rule suspension	Pass

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO TRANSFER OWNERSHIP OF THE WATER FACILITIES WITHIN CANTERBURY ON THE LAKES, PHASE 4, TO THE CITY OF AKRON; AND DECLARING AN EMERGENCY.**

**Executive Summary:** The City Manager is requesting legislation for the City of Hudson to enter an agreement with the City of Akron for the transfer of ownership of the water facilities within Canterbury on the Lakes, Phase 4, comprised of a portion of Paderbourne Drive and Wessington Drive; along with Burr Oak Way and Bramfield Way, to the City of Akron, Ohio. (see attached map)

### Legislative History

None.

### Purpose & Explanation

Per the City regulations, the original developer of Canterbury-on-the-Lakes was required to install the waterlines and hydrants at the time of the development (circa 1999). These new water lines were dedicated by the developer to the City of Hudson and accepted by the City of Hudson. To the best of our knowledge, Hudson's thinking was that in the event the City of Hudson acquired the existing water system in Canterbury-on-the-Lakes from Summit County, who owned the water system in this area in the 1990's and early 2000's, then Hudson would supply the water in Phase 4. In 2006, a court ruled that the City of Akron was entitled to acquire the Summit County water system, which it did, and the waterlines have remained dry.

Since 2006, several residents in the area of the above streets requested that the dry water lines be made

active and filled with water, so they could make connection to the lines for their residential homes. All the homes abutting these dry lines are currently on wells with no hydrants. Since the other waterlines in this area of the development are owned and maintained by the City of Akron, and the nearest Hudson waterline is approximately 1 mile from this area of Canterbury, the City decided to test the waterlines in 2016 and the lines were found to be ready for service. The City of Hudson has in inventory the original fire hydrants for this phase of the development, and the hydrants will be installed by the City of Akron following the agreement's execution. In order for the Hudson residents to connect to the waterlines, the City of Hudson needs to transfer ownership of these lines to the City of Akron as part of this agreement. The resident's voluntarily request to connect to the Akron system, they will be able to keep their existing wells to use for outdoor watering and cleaning purposes.

### Timing Considerations

The City of Hudson Solicitor and the City of Akron Law Director have reviewed and approved the proposed agreement. Following the approval of this legislation, the two agencies will enter an agreement and transfer the ownership of the waterlines. The City of Akron does not require its Council's approval of this agreement.

### Fiscal Impact

Currently Budgeted

Supplemental Appropriation Required

☒ Appropriation Not Required. *(Any landscaping repairs needed for the hydrants will come from the Engineering Operating budget.)*

### Suggested Action

Staff recommends that City Council approve this legislation allowing the City of Hudson to enter into an agreement with the City of Akron to transfer these water facilities to the City of Akron and doing so declaring an emergency so these residents will have central water service and fire suppression facilities so as to enhance the public health, safety and welfare in this area of Hudson.

### Submitted by,

Jane Howington, City Manager

Thomas J. Sheridan, PE, PS, Assistant City Manager-City Engineer