

**RESOLUTION 22 - 38, 2022**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**AUTHORIZING A TEMPORARY SANITARY SEWER AGREEMENT WITH WP  
ELM LLC FOR CONSTRUCTION OF PEAR LANE SEWER AND PEAR-ELM ST.  
EASEMENT, AUTHORIZING ADMINISTRATOR TO ENTER INTO  
AGREEMENT WITH WP ELM LLC, DECLARING AN EMERGENCY, AND  
DISPENSING WITH THE SECOND READING**

**WHEREAS**, the Columbia Township Board of Trustees supports the extension of public sanitary sewer and sewage disposal by private developers for the public health and welfare of residents who currently rely on private, aging septic systems; and

**WHEREAS**, WP Elm LLC ("WP Elm") plans to build eight single-family homes in the Walton Creek Road neighborhood between Elm St. and Orchard St. and requests to use a portion of the Township's public right-of-way on Pear Lane for the construction, installation, connection, use and maintenance of new sanitary sewer facilities and related infrastructure ("Sanitary Sewer Facilities") which shall be dedicated to the Metropolitan Sewer District of Greater Cincinnati ("MSD") following WP Elm's completion of construction and installation in accordance with the terms of the attached Temporary Sanitary Sewer Agreement – Pear Lane and Elm Street; and,

**WHEREAS**, the new Pear Lane Sanitary Sewer Facilities will create the opportunity for future extension(s) of sanitary sewer to serve remaining portions of, or entirety of, the neighborhood by MSD, the Township or by others. To help facilitate this future sanitary sewer opportunity, WP Elm will dedicate a new utility easement, by deed to the Township, on a portion of its private property between Pear Lane and Elm Street as shown on the attached exhibit within the attached Agreement; and

**WHEREAS**, the Township is fiscally prohibited from undertaking a similar sanitary sewer development and relies on private developers and MSD for such development and installation of Sanitary Sewer Facilities which are necessary for the public health, safety and welfare of Township residents and businesses; and

**WHEREAS**, the Board may consider, at a future meeting, the opportunity to utilize American Rescue Plan Act ("ARPA") grant funds to extend the Pear Lane Sanitary Sewer through the new utility easement to provide sanitary sewer to eligible existing properties fronting Elm St. that currently rely on aging private septic systems. But for the availability of ARPA grants, the Township is fiscally prohibited from undertaking a similar sanitary sewer development; and

**WHEREAS**, the Board of Trustees, upon majority vote, hereby dispenses with the requirement that this Resolution be read on two separate days, and hereby authorizes the adoption of this Resolution upon its first reading.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens hereby authorizes the Township Administrator to sign, on behalf of the Township, the attached Temporary Sanitary

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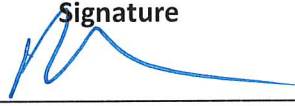
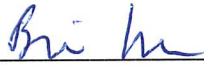
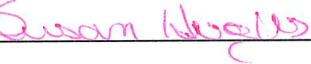

Sewer Agreement – Pear Lane and Elm Street between WP Elm LLC and Columbia Township.

**Be it further resolved** that this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for the emergency is the immediate need to authorize access to Township public right-of-way for development of the Pear Lane Sanitary Sewer Facilities and larger dedication to MSD as part of WP Elm’s new housing project.

Motion to accept Resolution made by: MS. HUGHES

Seconded by: MR. KUBICKI

**VOTE:**

TRUSTEE	Voting	Signature	Date
David Kubicki, President	<u>yes</u>	<u></u>	<u>07/12/2022</u>
Brian Lamar, Vice-President	<u>yes</u>	<u></u>	<u>07/12/2022</u>
Susan Hughes, Trustee	<u>yes</u>	<u></u>	<u>07/12/2022</u>
ATTEST:		<u></u>	<u>07/12/2022</u>
		Caroline Heekin, Fiscal Officer	

**Attachment**

Passed this 12th day of July, 2022