

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 13-151

INTRODUCED BY: Mayor Stefanik, Marnecheck

AN ORDINANCE AMENDING THE ORIGINAL AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND THE OHIO PUBLIC WORKS COMMISSION FOR THE BENNETT ROAD IMPROVEMENTS PROJECT (CA130/CA140) TO INCREASE THE ORIGINAL SCIP LOAN FUNDING OF \$1,000,000 TO NOW BE \$1,309,985.00, AUTHORIZING THE MAYOR TO ENTER INTO THIS AMENDED AGREEMENT, AND DECLARING AN EMERGENCY

WHEREAS: Council has previously adopted Resolution 12-187 declaring the official intent and reasonable expectation of the City of North Royalton on behalf of the State of Ohio to reimburse its Fund #442 (Issue 1 Bennett Road Fund) for the Bennett Road, CR 109 Improvements (SR 82 to S. Akins Rd) (OPWC Project Number CA140) with the proceeds of tax exempt debt of the State of Ohio for the amount of \$1,000,000; and

WHEREAS: It is necessary to amend this agreement to increase the amount of funding by \$309,985.00, for a new total of \$1,309,985.00; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the Mayor to enter into an amended agreement with the Ohio Public Works Commission for the Bennett Road Improvements Project which increases the original funding amount by \$309,985.00 for a new total of \$1,309,985.00 pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 2. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to authorize the Mayor to enter into an amended agreement with the Ohio Public Works Commission for the Bennett Road Improvements Project.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
ACTING MAYOR

DATE PASSED: December 17, 2013

DATE APPROVED: December 17, 2013

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading December 17, 2013

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Muller, Kasaris

NAYS: none