

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 14-35

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE (1) AN ASSET TRANSFER AGREEMENT, (2) A RESTATEMENT OF THE WATER SERVICE AGREEMENT FOR DIRECT SERVICE, AND (3) A JOINT ECONOMIC DEVELOPMENT ZONE AGREEMENT WITH THE CITY OF CLEVELAND AS REVISED, AND DECLARING AN EMERGENCY

WHEREAS: The City of Cleveland has been providing and will continue to provide certain services to the City of North Royalton with respect to sewer and water; and

WHEREAS: Council has determined that transfer of the water distribution system owned by the City of North Royalton to the City of Cleveland will further ensure provision of sewer and water services and transfer capital improvement responsibilities to the City of Cleveland; and

WHEREAS: Council has determined that the Restatement of the Water Service Agreement for Direct Service between the City of Cleveland and the City of North Royalton is appropriate and ensures further provision of sewer and water services; and

WHEREAS: Council has determined that execution of a Joint Economic Agreement is appropriate and required to ensure the future provision of sewer and water services; and

WHEREAS: Council previously enacted Ordinances No. 1981-150 and Ordinance 09-131 authorizing the Mayor to execute agreements with the City of Cleveland, which agreements have subsequently been revised by the City of Cleveland to establish uniform terms and conditions with all communities serviced by the Cleveland Water Department.

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

Section 1. The Mayor is hereby authorized and directed to execute an agreement in accordance with the revised contract with the City of Cleveland captioned "Asset Transfer Agreement."

Section 2. The Mayor is hereby authorized and directed to execute an agreement in accordance with the revised contract with the City of Cleveland captioned "Restatement of Water Service Agreement for Direct Service between the City of Cleveland and the City of North Royalton."

Section 3. The Mayor is hereby authorized and directed to execute an agreement in accordance with the revised contract with the City of Cleveland captioned "Joint Economic Development Zone Agreement Between the City of Cleveland the City of North Royalton, Ohio."

Section 4. It is hereby 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in full compliance with all legal requirements.

Section 5. 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 these agreements in order to ensure the future provision of sewer and water services.

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/ Robert A. Stefanik  
MAYOR

DATE PASSED: March 4, 2014

DATE APPROVED: March 5, 2014

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

First reading suspended  
Second reading suspended  
Third reading March 4, 2014

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

NAYS: none