

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 14-41

INTRODUCED BY: Antoskiewicz, Petrusky, Marnecheck , Kasaris

## AN ORDINANCE AUTHORIZING THE PAYMENT OF A MORAL CLAIM TO GROSS BUILDERS IN THE AMOUNT OF \$17,500, AND DECLARING AN EMERGENCY

WHEREAS: Gross Builders, 14300 Ridge Road, North Royalton, Ohio, incurred monetary expenses as a result of the failure of the city's storm water system on two occasions in 2013; and

WHEREAS: The City of North Royalton does not have a legal obligation but may have a moral obligation to reimburse Gross Builders for a portion of these expenses; and

WHEREAS: Council desires to reimburse Gross Builders in the amount of \$17,500.

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 payment of a moral claim to Gross Builders in the amount of \$17,500, contingent upon the execution of a release of all claims against the City of North Royalton in a form approved by the Director of Law.

Section 2. The Finance Director is hereby authorized and directed to provide for payment of this moral claim.

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 provide for this reimbursement.

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 18, 2014

DATE APPROVED: March 19, 2014

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

First reading suspended  
Second reading suspended  
Third reading March 18, 2014

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

NAYS: none