

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 14-81

INTRODUCED BY: Mayor Stefanik, Langshaw  
Marnecheck, Antoskiewicz

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SOUTH SHORE CONSTRUCTION COMPANY FOR THE PURPOSE OF EXTENDING THE FIBER OPTIC CABLE, THE PROPERTY OF THE SOUTHWEST REGIONAL COMMUNICATION NETWORK COUNCIL OF GOVERNMENTS, FROM ITS EXISTING TERMINUS POINT AT BENNETT ROAD AND ROYALTON ROAD TO THE NEWLY RENOVATED CITY HALL BUILDING AT 14600 STATE ROAD AND FOR ADDITIONAL CONNECTIONS TO SUCH OTHER MUNICIPAL BUILDINGS AS ARE DESCRIBED IN THE ATTACHED EXHIBITS AND TO DO ALL WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY

WHEREAS: Council and the Administration have determined to extend the existing fiber optic cable to serve the communication needs of the City (all telephone, fax, computer and internet) on an inter-operative basis; and

WHEREAS: The city is a member of the Southwest Regional Communications Network Council of Governments which created the existing fiber optic network; and

WHEREAS: In order to maintain the integrity of the existing network it is necessary to employ the peculiar skills of the South Shore Construction Company, uniquely qualified for this extension and the preferred contractor of the Southwest Regional Communications Network Council of Governments; and

WHEREAS: In circumstances such as these, where a particular service provider is able to provide these personal services of a specialized nature requiring the exercise of peculiar skill and aptitude, it is permissible to contract with such entity without the necessity of public bidding; and

WHEREAS: Time is of the essence and South Shore Construction Company that is able to undertake and complete this improvement within the limited time available and concurrently with the new city hall improvements; and

WHEREAS: Article XVI Section (h) thereof of the North Royalton City Charter allows for Council to expend funds without public bidding "...for the joint use of facilities...with other political subdivisions, or for the product or services of public utilities (including those municipally operated)..."; and

WHEREAS: The extension of the fiber optic network represents a joint use of facilities with the Council of Governments and serves to provide public utility service; and

WHEREAS: Council deems it necessary to proceed without delay and to employ South Shore Construction Company for this work as described in Exhibit A attached hereto.

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 the proposed agreement with South Shore Construction Company 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. 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 3. 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 proceed without delay and to employ South Shore Construction Company for this work.

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: June 17, 2014

DATE APPROVED: June 18, 2014

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

First reading suspended  
Second reading suspended  
Third reading June 17, 2014  
Amended June 17, 2014

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

NAYS: none