

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 15-98

INTRODUCED BY: Mayor Stefanik, Langshaw, Marnecheck

AN ORDINANCE AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE OHIO EPA FOR A TARGETED BROWNFIELD ASSESSMENT FOR 11250 STATE ROAD, NORTH ROYALTON, OHIO, PPN 488-03-031 ON BEHALF OF PROPERTY OWNER F.R.M. SERVICE, INC., AND TO ENTER INTO AN AGREEMENT, RELEASE AND CONSENT TO ACCESS WITH F.R.M. SERVICE, INC., AND DECLARING AN EMERGENCY

WHEREAS: The Ohio EPA is able to provide Targeted Brownfield Assessment (TBA) work at brownfield properties at no cost to the community through a grant from the US EPA or a state funded TBA; and

WHEREAS: The City of North Royalton desires to file an application for a TBA on behalf of F.R.M. Service, Inc., 11250 State Road, North Royalton, Ohio, PPN 488-03-031 in order to encourage further development of the site; and

WHEREAS: It is also necessary to enter into an Agreement, Release and Consent to Access with F.R.M. Service, Inc. in order to provide the City of North Royalton, Ohio EPA, its representatives, agents or subcontractors sufficient access to the property to perform the activities specified in the City of North Royalton's application for Targeted Brownfield Assessment work; and

WHEREAS: It is therefore necessary to authorize the Mayor to file an application with the Ohio EPA for a Targeted Brownfield Assessment for 11250 State Road, North Royalton, Ohio, PPN 488-03-031 on behalf of property owner F.R.M. Service, Inc., and to enter into an Agreement, Release and Consent to Access with F.R.M. Service, Inc.

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 to file an application with the Ohio EPA for a Targeted Brownfield Assessment for 11250 State Road, North Royalton, Ohio, PPN 488-03-031 on behalf of property owner F.R.M. Service, Inc., and to enter into an Agreement, Release and Consent to Access with F.R.M. Service, Inc. in order to provide the City of North Royalton, Ohio EPA, its representatives, agents or subcontractors sufficient access to the property to perform the activities specified in the City of North Royalton's application for Targeted Brownfield Assessment work pursuant to terms and conditions as 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 authorize the Mayor to file an application with the Ohio EPA for a Targeted Brownfield Assessment for 11250 State Road, North Royalton, Ohio, PPN 488-03-031 on behalf of property owner F.R.M. Service, Inc., and to enter into an Agreement, Release and Consent to Access with F.R.M. Service, Inc. in order to provide the City of North Royalton, Ohio EPA, its representatives, agents or subcontractors sufficient access to the property to perform the activities specified in the City of North Royalton's application for Targeted Brownfield Assessment 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: October 20, 2015

DATE APPROVED: October 20, 2015

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

First reading suspended
Second reading suspended
Third reading October 20, 2015

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

NAYS: none