

ORDINANCE NO. 109-2020

BY: **VITO DIPIERRO, DEBORAH LIME, MARK CASSELBERRY**
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF PARMA AND CUYAHOGA COUNTY FOR THE REPAIR AND RESURFACING OF RIDGE ROAD FROM PEARL ROAD TO FLOWERDALE AVENUE, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Mayor is hereby authorized to enter into an Agreement with Cuyahoga County for the repair and resurfacing of Ridge Road from Pearl Road to Flowerdale Avenue, a copy of said Agreement is attached in substantially similar form as Exhibit "A".

Section 2. Consent Statement. Being in the public interest, the City of Parma gives consent to Cuyahoga County to complete the above described Project.

Section 3. Cooperation Statement. That the City will cooperate with the County in the resurfacing of Ridge Road from Pearl Road to Flowerdale Avenue; that the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for improvement, under current Cuyahoga County standards for construction of County roads and bridges; and that the County will arrange for the supervision and administration of the construction project.

Section 4. Utilities and Right-of-Way Statement. That all existing street and public right-of-way within the City which is necessary for the aforesaid improvement shall be made available therefore; that in the event any additional right-of-way is required, the County will arrange for the acquisition; That the City will make arrangements with and obtain agreements from all privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary rearrangements immediately after notification by said City; That the County will participate in the cost of alterations of governmentally-owned utility facilities which come within the provision of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions of betterments of existing facilities; That it is hereby agreed that the City shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the provision of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement; That the construction, reconstruction, an/or rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

Section 5. Upon completion of the described improvement, Parma will thereafter keep said highway open to traffic at all times; maintain the improvement in accordance with provisions of the status relating thereto and make ample financial provisions for such maintenance; Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations with the right-of-way limits; That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the improvement in accordance with the applicable sections of the Ohio Revised Code; After construction of the project is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A)..

Section 6. That the Mayor is hereby authorized to execute said Agreement and to take such action and to execute such other documents and amendments thereto as may be necessary as are approved by the Law Director.

Section 7. That 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 the 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 8. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason to enter into this Agreement at the earliest possible date, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO