

ORDINANCE NO. 131-2020

BY: **LARRY NAPOLI, ROY J. JECH**
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO UPGRADE THE SIGNAL TIMING AND IMPROVE TRAFFIC FLOW ON SR 176 (BROADVIEW ROAD) AT THE FOLLOWING INTERSECTIONS: ORCHARDVIEW DRIVE, EVELYN DRIVE, PLEASANT VALLEY ROAD, PLEASANT VALLEY ROAD NEAR THE MCDONALDS, RIDGEVIEW DRIVE AND HILLSIDE ROAD BY PROVIDING TRAFFIC SIGNAL EQUIPMENT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, the City of Parma and the Ohio Department of Transportation (“ODOT”) determined the need to upgrade signal timing on Broadview Road (SR 176) at the intersections of Orchardview Drive, Evelyn Drive, Pleasant Valley Road, Pleasant Valley Road near the McDonald’s, Ridgeview Drive and Hillside Road.

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

Section 1. That the Mayor and Director of Public Service are hereby authorized to enter into an Agreement with the Ohio Department of Transportation for the purpose of completing the project to upgrade the signal timing and improve traffic flow on SR 176 (Broadview Road) at the above mentioned intersections.

Section 2. That the Mayor and Director of Service hereby authorized to execute said Agreement and to take such action and to execute such other documents and amendments thereto as may be necessary and as are approved by the Law Director. The Mayor is hereby authorized to execute such changes to the Agreement as he deems necessary after any subsequent discussions with ODOT as long as such changes do not encumber any City funds. A copy of said Agreement is attached in substantially similar form as Exhibit “A”.

Section 3. The State of Ohio shall assume and bear 100% of all costs of the project improvement. The City of Parma agrees to pay 100% of the cost of those features, if any, requested by the City of Parma determined by the State and Federal Highway Administration to be unnecessary to the project. Currently, the City of Parma has not requested any such features.

Section 4. The City of Parma agrees that all right-of-way required for the project will be made available in accordance with current State and Federal regulations, including eligible utility costs. The City of Parma agrees that all utility accommodation, relocation and reimbursement will comply with the current provision of 32 CFR 645 and the ODOT Utilities Manual.

Section 5. Upon completion of the project, and unless otherwise agreed, the City of Parma shall provide adequate maintenance for the project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C. section 116; provide ample financial provisions as necessary for the maintenance of the project, maintain right-of-way, keeping it free of obstructions and hold said right-of-way inviolate for public highway purposes.

Section 6. 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 7. 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 that this measure is necessary in order to begin the project as soon as possible, 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