

7/6/21

lst

ORDINANCE NO. 125-21

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 THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPAIR AND RESURFACING OF PEARL ROAD FROM SNOW ROAD TO BROOKPARK ROAD AS AN ODOT-LET, LPA AGREEMENT UNDER THE TERMS AND CONDITIONS OF THE FINAL RESOLUTION, AND DECLARING AN EMERGENCY

WHEREAS, on the 15th day of March, 2021, the City of Parma enacted preliminary legislation proposing cooperation with the Director of Transportation for the described project;

WHEREAS, the project consists of resurfacing Pearl Road (U.S. 42) between approximately 230 feet South of Snow Road and Brookpark Road, including pavement repair, curb, sidewalk, curb ramps, casting adjustments, and pavement markings, lying within the City of Parma;

WHEREAS, the City shall cooperate with the Director Transportation in the above described project as follows: The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation, for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation;

The share of the cost of the City is now estimated in the amount of Eight-Hundred Fifty-Six Thousand Four Hundred Forty and 00/100 Dollars, (856,440.00) Less OPWC in the amount of Five Hundred Thirty Thousand and 00/100 Dollars, (530,000.00) leaving a balance of Three Hundred Twenty-Six Thousand Four Hundred Forty and 00/100 Dollars, (326,440.00), but said estimated amount is to be adjusted in order that the City's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority;

WHEREAS, the City of Parma desires the Director of Transportation to proceed with the aforesaid highway project.

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

Section 1. That the estimated sum of Eight-Hundred Fifty-Six Thousand Four Hundred Forty and 00/100 Dollars, (856,440.00) Less OPWC in the amount of Five Hundred Thirty Thousand and 00/100 Dollars, (530,000.00) leaving a balance of Three Hundred Twenty-Six Thousand Four Hundred Forty and 00/100 Dollars, (326,440.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby

authorized and directed to issue an order on the Treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

Section 2. That the City hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 3. That the Mayor is hereby authorized to enter into an agreement with the State, and that the **Mayor** is hereby authorized to execute said agreement, and to take such other documents and amendments thereto as may be necessary and as are approved by action and execute such other documents and amendments thereto as may be necessary and as are approved by the Law Director, providing for the payment of the City in the sum of money set forth herein above for improving the described project, Agreement with the Ohio Department of Transportation for the Pearl Road Repair and Resurfacing Project from Snow Road to Brookpark Road.

Section 4. 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 and as are approved by the Law Director.

Section 5. That funds for said Project shall be paid from Fund No. 405-405 – Capital Improvements; Account No. 62110-02421 – Professional Services.

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 meet the deadline of the Ohio Department of Transportation requiring this approved final resolution be in their possession by July 9, 2021, 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