

5/1/23

lst

ORDINANCE NO. 75-23

BY: **KAMMY SHUMAN**
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A ROADWAY USE AND RESTORATION AGREEMENT WITH THE CITY OF PARMA HEIGHTS FOR THE USE OF A SERVICE ACCESS ROAD FOR STORM DRAINAGE IMPROVEMENTS IN THE AREA SURROUNDING NATHAN HALE PARK, AND DECLARING AN EMERGENCY

WHEREAS, the Northeast Ohio Regional Sewer District (NEORS), in an ongoing regional effort to abate adverse surface water conditions in residential neighborhoods in both the City of Parma and the City of Parma Heights, through storm drainage improvements, has provided funding for the installation of infrastructure to mitigate the same, specifically in the area surrounding Nathan Hale Park; and

WHEREAS, in reliance on grant funding from NEORS and other sources, Parma Heights has developed specifications for construction of improvements known as the Nathan Hale Stormwater Basin Project (“Project”) and obtained the necessary approvals from the United States Park Service to proceed; and

WHEREAS, Parma Heights seeks this cooperative agreement with Parma to use a service access road known as Sesquicentennial Park Road (“Roadway”) for ingress to and egress from the Project for the purpose of construction traffic, equipment, and hauling materials; and

WHEREAS, in consideration for the benefits of the project to drainage in surround residential neighborhoods, as well as Parma Heights’ restoration of the Roadway upon completion of the Project, Parma agrees to allow Parma Heights and its contractors Roadway access for the Project.

NOW, THEREFORE, 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 a Roadway Use and Restoration Agreement with the city of Parma Heights for the use of a Service Access Road for storm drainage improvements in the area surrounding Nathan Hale Park, with a copy of said Agreement in substantially similar form attached as Exhibit “A.”

Section 2. 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 approved by the Law Director.

Section 3. 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 4. 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 execute this Agreement 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