

July 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4 <i>JULY 4TH</i> 	5	6 COUNCIL AND CAUCUS 7:00 STORM WATER, STREETS AND UTILITIES 6:00	7 PLANNING COMMISSION 7:00 CAUCUS 6:45	8	9	10
11	12 CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	13	14	15	16	17
18	19	20 COUNCIL AND CAUCUS 7:00 B&BC, FINANCE AND SAFETY 6:00	21	22 BOARD OF ZONING APPEALS 7:00 CAUCUS 6:45	23	24
25	26	27 RECREATION BOARD 6:00	28	29	30	31

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

**NORTH ROYALTON CITY COUNCIL
A G E N D A
JULY 6, 2021**

7:00 p.m. Caucus

Council Meeting 7:00 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: June 15, 2021
 - b. Motion to recess Council and Committee meetings for the month of August 2021.
 - c. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	Linda Barath
Finance	Paul Marnecheck
Review & Oversight	Jeremy Dietrich
Safety	Michael Vos
Storm Water	Jessica Fenos
Streets	Vincent Weimer
Utilities	Joanne Krejci
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Vincent Weimer
Planning Commission	Paul Marnecheck
Recreation Board	Jeremy Dietrich
11. Public Discussion: Five minute maximum, on current agenda legislation only.
12. LEGISLATION

THIRD READING CONSIDERATION

1. **21-78 - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 2 ADMINISTRATION, CHAPTER 212 PUBLIC MEETINGS, SECTION 212.03 OPEN MEETINGS REQUIRED; MINUTES, AND DECLARING AN EMERGENCY. First reading April 20, 2021. Second reading May 4, 2021.**
2. **21-96 - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART EIGHT BUSINESS REGULATION AND TAXATION CODE, TITLE TWO BUSINESS REGULATION, CHAPTER 845 ENTITLED MOBILE FOOD UNIT REGULATIONS, SECTION 845.05 OPERATION OF MOBILE FOOD UNITS PARAGRAPH (f), AND DECLARING AN EMERGENCY. First reading June 1, 2021 and referred to Building and Building Codes Committee. Building and Building Codes Committee recommended approval June 15, 2021. Second reading June 15, 2021.**

SECOND READING CONSIDERATION

1. **21-113** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 16 FIRE PREVENTION CODE, CHAPTER 1610 STANDARDS, SECTION 1610.17 STORAGE LIMITS FOR FLAMMABLE MATERIALS, PARAGRAPH (d), AND DECLARING AN EMERGENCY. **First reading June 15, 2021.**

FIRST READING CONSIDERATION

- * 1. **21-114** - A RESOLUTION COMMENDING DANIEL NORDSTROM ON THE ATTAINMENT OF THE RANK OF EAGLE SCOUT.
- * 2. **21-115** - A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF ROBERT RADD AND DOUG KUCZYNSKI TO THE TAX INCENTIVE REVIEW COUNCIL OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
3. **21-116** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 280 RECREATION BOARD, SECTION 280.09 RECOGNIZED CITY SPORTS PROGRAMS/COMPLIANCE REQUIREMENTS, PARAGRAPH (a), AND DECLARING AN EMERGENCY.
4. **21-117** - AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 20-134 AS AMENDED BY ORDINANCE 21-73 AND 21-88 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY.
5. **21-118** - AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) 2020 CV515 SFA STAKE BED TRUCK FOR THE NORTH ROYALTON SERVICE DEPARTMENT THROUGH SOURCEWELL, FORMERLY NJPA, COOPERATIVE PURCHASING PROGRAM, VENDOR RUSH TRUCK CENTERS OF OHIO, INC., FOR AN AMOUNT NOT TO EXCEED \$64,904.00, AND DECLARING AN EMERGENCY.
6. **21-119** - AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) LIFTGATE AND ACCESSORIES PACKAGE FOR THE NORTH ROYALTON SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM, VENDOR CONCORD ROAD EQUIPMENT MFG, INC., FOR AN AMOUNT NOT TO EXCEED \$8,741.82, AND DECLARING AN EMERGENCY.
7. **21-120** - AN ORDINANCE ACCEPTING AN EASEMENT FROM PINESTREAM HOMEOWNERS' ASSOCIATION FOR STORM SEWER MAINTENANCE PURPOSES IN THE PINESTREAM SUBDIVISION PHASE II, OVER, THROUGH, AND UPON A PART OF BLOCK H NATURE PRESERVE, AND DECLARING AN EMERGENCY.
8. **21-121** - AN ORDINANCE ACCEPTING FOR PUBLIC DEDICATION APPROXIMATELY 2,447 LINEAR FEET OF SANITARY SEWER LINE ALONG STATE ROAD AND EDGERTON ROAD SERVING THE NEWLY CONSTRUCTED NORTH ROYALTON ELEMENTARY SCHOOL AND ADJACENT PROPERTIES FROM THE NORTH ROYALTON BOARD OF EDUCATION, AND DECLARING AN EMERGENCY.
9. **21-122** - AN RESOLUTION ENACTED BY THE CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT TO CONSTRUCT SIDEWALK ALONG THE WEST SIDE OF STATE ROAD (S.R. 94) BETWEEN AKINS ROAD AND THE ENTRANCE TO MEMORIAL PARK, INCLUDING DETECTABLE WARNINGS AND DRIVE APRON REPLACEMENTS, LYING WITHIN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
10. **21-123** - AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$2,825,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE CITY'S ENERGY CONSERVATION IMPROVEMENT BONDS, SERIES 2019, DATED MAY 7, 2019, PREVIOUSLY ISSUED FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING A CITY-WIDE ENERGY CONSERVATION PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY.

11. **21-124** - AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$690,000 FOR THE PURPOSE OF PAYING COSTS ASSOCIATED WITH ACQUIRING FIRE EQUIPMENT; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY.
 12. **21-125** - AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED 5,050,000 FOR THE PURPOSE OF RETIRING ALL OR A PORTION OF THE CITY'S VARIOUS PURPOSE REFUNDING NOTES, SERIES 2020 (FEDERALLY TAXABLE), DATED DECEMBER 17, 2020, PREVIOUSLY ISSUED FOR THE PURPOSE OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING A MUNICIPAL RECREATIONAL FACILITY AT 11409 STATE ROAD, NORTH ROYALTON, OHIO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR EACH SUCH PURPOSE; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY.
 13. **21-126** - AN ORDINANCE ADOPTING THE 2021 NORTH ROYALTON MASTER PLAN AS SUBMITTED BY THE 2021 NORTH ROYALTON MASTER PLAN COMMITTEE IN ACCORDANCE WITH ARTICLE XII (b) OF THE CHARTER OF THE CITY OF NORTH ROYALTON TO PROVIDE FOR THE FUTURE AND OVERALL DEVELOPMENT OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY.
 14. **21-127** - AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE XII PLANNING COMMISSION, OF THE CHARTER OF THE CITY OF NORTH ROYALTON, BY AMENDING SUBSECTION (b)(2) PERTAINING TO ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
 14. Adjournment.

RESOLUTION NO. 21-114

INTRODUCED BY: Marnecheck, Fenos, Barath, Krejci, Dietrich,
Weimer, Wos, Mayor Antoskiewicz

A RESOLUTION COMMENDING DANIEL NORDSTROM ON THE
ATTAINMENT OF THE RANK OF EAGLE SCOUT

- WHEREAS: The purpose of the Boy Scouts of America is to provide an educational program for boys and young adults to build character, to train in the responsibilities of participating in citizenship and to develop leadership skills; and
- WHEREAS: By earning his Eagle Scout Badge, Daniel Nordstrom of Troop 526 joins the small percentage of young men who achieve this designation, illustrating that it takes a uniquely motivated individual to strive to embody the principles of the Scout Oath and Law in daily life; and
- WHEREAS: Daniel has exhibited a commitment to the scouting principals of honesty, fairness and service to the community and has conducted himself in a manner becoming an Eagle Scout; and
- WHEREAS: The Council and the Mayor of the City of North Royalton wish to honor Daniel on this prestigious occasion.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Council and the Mayor of the City of North Royalton commend Daniel Nordstrom on obtaining the rank of Eagle Scout and recognize him for his diligence, determination and dedication in pursuing the highest honor awarded by the Boy Scouts of America.

Section 2. A copy of this Resolution shall be presented to Daniel in honor of this well deserved recognition.

THEREFORE, provided this Resolution receives the affirmative vote of a majority of all members, it shall take effect and be in force from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

A RESOLUTION APPROVING THE MAYOR’S APPOINTMENT OF ROBERT RADD AND DOUG KUCZYNSKI TO THE TAX INCENTIVE REVIEW COUNCIL OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

WHEREAS: Pursuant to the authority of Section 5709.85 of the Ohio Revised Code, the Mayor has appointed Robert Radd and Doug Kuczynski to the Tax Incentive Review Council of the City of North Royalton; and

WHEREAS: Council desires to approve these appointments.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby approves the Mayor’s appointment of Robert Radd and Doug Kuczynski to the Tax Incentive Review Council of the City of North Royalton, effective upon approval of this Resolution.

Section 2. This Resolution shall supersede all previously adopted Resolutions in direct conflict herewith.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 4. This Resolution 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 approve the Mayor’s appointments to the Tax Incentive Review Council.

THEREFORE, provided this Resolution 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.

PRESIDENT OF COUNCIL

APPROVED: _____

MAYOR

DATE PASSED: _____

DATE APPROVED: _____

ATTEST: _____

DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 280 RECREATION BOARD, SECTION 280.09 RECOGNIZED CITY SPORTS PROGRAMS/COMPLIANCE REQUIREMENTS, PARAGRAPH (a), AND DECLARING AN EMERGENCY

WHEREAS: The organization known as North Royalton Youth Football has applied to the Recreation Board for recognition as the sole, official organization to administer youth football programs in the city and fully accepts all rules and regulations of the city to be the official such entity; and

WHEREAS: The city Recreation Board has determined to recommend to City Council that this entity be granted official status as the sole official organization for youth football in North Royalton; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Two Administration Code, Chapter 280 Recreation Board, Section 280.09 Recognized City Sports Programs/Compliance Requirements, Paragraph (a); and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Two Administration Code, Chapter 280 Recreation Board, Section 280.09 Recognized City Sports Programs/Compliance Requirements, Paragraph (a) of the Codified Ordinances of the City of North Royalton is hereby amended as follows:

280.09 RECOGNIZED CITY SPORTS PROGRAMS/COMPLIANCE REQUIREMENTS.

(a) The following organizations are hereby the only “recognized” city sports programs in the City of North Royalton:

- (1) North Royalton Baseball Boosters.
- (2) North Royalton Soccer Club.
- (3) Basketball Association of North Royalton.
- (4) North Royalton Volleyball Club.
- (5) ***North Royalton Youth Football***

Section 2. Chapter 280 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of this chapter shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. 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 5. 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 amend the Codified Ordinances of the City of North Royalton, Part Two Administration Code, Chapter 280 Recreation Board, Section 280.09 Recognized City Sports Programs/Compliance Requirements, Paragraph (a) to grant North Royalton Youth Football official status as the sole official organization for youth football in North Royalton.

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.

_____	APPROVED: _____
PRESIDENT OF COUNCIL	MAYOR

DATE PASSED: _____	DATE APPROVED: _____
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ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE 20-134 AS AMENDED BY ORDINANCE 21-73 AND 21-88 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021 BY TRANSFERRING APPROPRIATIONS AND MAKING ADDITIONAL APPROPRIATIONS, AND DECLARING AN EMERGENCY

WHEREAS: Council wishes to amend the Original Appropriation Ordinance 20-134 as amended by Ordinance 21-73 and 21-88 for the fiscal year ending December 31, 2021 by transferring and making additional appropriations and providing for transfers between funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. To provide for the current expenses and other expenditures for the City of North Royalton, Ohio for the fiscal year ending December 31, 2021, the following sums be and they are hereby appropriated as itemized on Exhibit A attached hereto and incorporated herein as if fully rewritten.

Section 2. The attached Exhibit A includes the following inter-fund transfers:

General Fund	Police Facility Fund	\$ 550,000.00	Operating
General Fund	EMS Levy Fund	1,675,000.00	Operating
General Fund	SCMR Fund	300,000.00	Operating
General Fund	Enterprise Zone	16,400.00	Operating
General Fund	Police Pension Fund	350,000.00	Operating
General Fund	Fire Pension Fund	450,000.00	Operating
General Fund	General Bond Retirement Fund	700,000.00	Debt Service
YMCA Special Revenue	General Bond Retirement Fund	291,169.00	Debt Service
Future Capital Improvement Fund	General Bond Retirement Fund	213,088.00	Debt Service
Future Capital Improvement Fund	NOPEC Grant Fund	3,000.00	Advance
Fire Capital Improvement Fund	General Bond Retirement Fund	146,973.00	Debt Service
Sprague Road Reconstruction Fund	General Bond Retirement Fund	17,887.00	Debt Service

Section 3. A copy of this Ordinance shall be submitted by the Director of Finance to the Auditor of Cuyahoga County, Ohio and upon certification by said Auditor as required by law, the Director of Finance of this City is hereby authorized to draw his warrants upon the City Treasury for payment of any certification and vouchers therefore approved by the proper officers authorized by law to approve the same, or an Ordinance or Resolution of the Council to make such expenditures; provided, however, that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with the law or the Ordinances of this Council.

Section 4. 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.

THEREFORE, provided this Ordinance receives the affirmative vote of a majority of all members elected to Council, it shall take effect and be in force from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED:

MAYOR

DATE PASSED:

DATE APPROVED:

ATTEST:

DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
GENERAL FUND				
POLICE DEPARTMENT				
Personal Service	3,594,000.00	17,000.00		3,611,000.00
Contractual Services	319,611.00	(5,000.00)		314,611.00
Supply & Materials	168,200.00	5,000.00		173,200.00
Capital Outlay	14,500.00	-		14,500.00
Debt Service	147,000.00	-		147,000.00
Total Police Department	4,243,311.00	17,000.00	-	4,260,311.00
ANIMAL CONTROL				
Personal Service	163,995.00	-		163,995.00
Contractual Services	4,452.00	-		4,452.00
Supply & Materials	4,880.00	-		4,880.00
Capital Outlay	200.00	-		200.00
Total Animal Control Department	173,527.00	-	-	173,527.00
FIRE DEPARTMENT				
Personal Service	457,900.00	(10,000.00)		447,900.00
Contractual Services	337,100.00	23,000.00		360,100.00
Supply & Materials	95,000.00	-		95,000.00
Total Fire Department	890,000.00	13,000.00	-	903,000.00
POLICE AND FIRE COMMUNICATIONS				
Personal Service	274,700.00	22,000.00		296,700.00
Contractual Services	817,497.00	-		817,497.00
Supply & Materials	1,545.00	-		1,545.00
Capital Outlay	1,500.00	-		1,500.00
Total Police & Fire Comm	1,095,242.00	22,000.00	-	1,117,242.00
STREET LIGHTING				
Contractual Services	100,000.00	-		100,000.00
Total Street Lighting	100,000.00	-	-	100,000.00
CEMETERY DEPARTMENT				
Contractual Services	29,250.00	-		29,250.00
Supply & Materials	192,690.00	-		192,690.00
Capital Outlay	51,000.00	(6,000.00)		45,000.00
Total Cemetery Department	272,940.00	(6,000.00)	-	266,940.00
PARKS & RECREATION DEPARTMENT				
Personal Service	534,075.00	22,000.00		556,075.00
Contractual Services	90,369.00	-		90,369.00
Supply & Materials	156,960.00	-		156,960.00
Capital Outlay	85,000.00	12,500.00		97,500.00
Total Parks & Recreation Department	866,404.00	34,500.00	-	900,904.00
PLANNING COMMISION				
Personal Service	7,400.00	-		7,400.00
Contractual Services	7,800.00	-		7,800.00
Supply & Materials	550.00	-		550.00
Total Planning Commission	15,750.00	-	-	15,750.00
BOARD OF ZONING				
Personal Service	8,450.00	-		8,450.00
Contractual Services	2,500.00	-		2,500.00
Supply & Materials	700.00	-		700.00
Total Board of Zoning	11,650.00	-	-	11,650.00
BUILDING DEPARTMENT				
Personal Service	617,500.00	76,000.00		693,500.00
Contractual Services	125,400.00	-		125,400.00
Supply & Materials	23,000.00	-		23,000.00
Capital Outlay	109,200.00	-		109,200.00
Total Building Department	875,100.00	76,000.00	-	951,100.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
COMMUNITY DEVELOPMENT				
Personal Service	159,750.00	1,600.00		161,350.00
Contractual Services	185,350.00	(20,000.00)		165,350.00
Supply & Materials	3,600.00	-		3,600.00
Total Community Development	348,700.00	(18,400.00)	-	330,300.00
RUBBISH COLLECTION				
Contractual Services	1,650,000.00	-		1,650,000.00
Total Rubbish Collection	1,650,000.00	-	-	1,650,000.00
SERVICE BUILDING AND GROUNDS				
Contractual Services	80,300.00	-		80,300.00
Supply & Materials	39,500.00	-		39,500.00
Total Service Bldg. & Grounds	119,800.00	-	-	119,800.00
MAYOR'S OFFICE				
Personal Service	260,150.00	1,900.00		262,050.00
Contractual Services	33,650.00	-		33,650.00
Supply & Materials	2,950.00	-		2,950.00
Capital Outlay	1,000.00	-		1,000.00
Total Mayor's Office	297,750.00	1,900.00	-	299,650.00
FINANCE DEPARTMENT				
Personal Service	316,584.00	3,050.00		319,634.00
Contractual Services	129,950.00	-		129,950.00
Supply & Materials	2,250.00	-		2,250.00
Capital Outlay	1,000.00	-		1,000.00
Total Finance Department	449,784.00	3,050.00	-	452,834.00
LEGAL ADMINISTRATION				
Personal Service	369,300.00	1,300.00		370,600.00
Contractual Services	137,100.00	-		137,100.00
Supply & Materials	10,000.00	-		10,000.00
Capital Outlay	-	-		-
Total Legal Administration	516,400.00	1,300.00	-	517,700.00
ENGINEERING DEPARTMENT				
Personal Service	168,700.00	(75,000.00)		93,700.00
Contractual Services	105,350.00	75,000.00		180,350.00
Supply & Materials	1,200.00	-		1,200.00
Capital Outlay	12,500.00	-		12,500.00
Total Engineering	287,750.00	-	-	287,750.00
LEGISLATIVE				
Personal Service	316,900.00	-		316,900.00
Contractual Services	76,600.00	-		76,600.00
Supply & Materials	12,500.00	-		12,500.00
Capital Outlay	6,000.00	-		6,000.00
Total Legislative Activity	412,000.00	-	-	412,000.00
MAYOR'S COURT				
Personal Service	194,200.00	-		194,200.00
Contractual Services	65,100.00	-		65,100.00
Supply & Materials	1,800.00	-		1,800.00
Total Mayor's Court	261,100.00	-	-	261,100.00
CIVIL SERVICE				
Personal Service	5,050.00	-		5,050.00
Contractual Services	2,900.00	15,000.00	5,000.00 A	22,900.00
Supply & Materials	-	200.00		200.00
Total Civil Service	7,950.00	15,200.00	5,000.00	28,150.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
CITY HALL BUILDING				
Personal Service	144,200.00	-		144,200.00
Contractual Services	183,800.00	-		183,800.00
Supply & Materials	17,400.00	-		17,400.00
Capital Outlay	1,000.00	10,000.00		11,000.00
Total City Hall Building	346,400.00	10,000.00	-	356,400.00
OTHER GENERAL GOVERNMENT				
Personal Services	10,000.00	-		10,000.00
Supply & Materials	225,000.00	28,000.00		253,000.00
Transfers-Out	3,866,400.00	-	175,000.00 B	4,041,400.00
Total - Other General Government	4,101,400.00	28,000.00	175,000.00	4,304,400.00
TOTAL - GENERAL FUND	17,342,958.00	197,550.00	180,000.00	17,720,508.00
ENFORCEMENT AND EDUCATIONAL FUND #205				
Personal Service	15,000.00	-		15,000.00
Supply & Materials	6,000.00	-		6,000.00
Total Enforcement & Education Fund	21,000.00	-	-	21,000.00
DRUG LAW ENFORCEMENT FUND #206				
Supply & Materials	200.00	-		200.00
Total Drug Law Enforcement Fund	200.00	-	-	200.00
POLICE FACILITY OPERATING FUND #207				
Personal Service	907,500.00	-	(4,000.00) C	903,500.00
Contractual Services	13,450.00	-	4,000.00 C	17,450.00
Supply & Materials	59,435.00	-		59,435.00
Capital Outlay	1,500.00	-		1,500.00
Total Police Facility Operating Fund	981,885.00	-	-	981,885.00
LAW ENFORCEMENT TRUST FUND #208				
Contractual Service	1,500.00	-		1,500.00
Supply & Materials	5,500.00	-	2,000.00 C	7,500.00
Capital Outlay	37,500.00	-	(2,000.00) C	35,500.00
Total Law Enforcement Trust Fund	44,500.00	-	-	44,500.00
EMERGENCY MEDICAL SERVICE LEVY FUND #209				
Personal Service	2,925,500.00	-	175,000.00 B	3,100,500.00
Contractual Services	67,800.00	-		67,800.00
Supply & Materials	39,700.00	-		39,700.00
Total EMS Levy Fund	3,033,000.00	-	175,000.00	3,208,000.00
MOTOR VEHICLE LICENSE FUND #210				
Street Repair	230,000.00	-		230,000.00
Total Motor Vehicle License Fund	230,000.00	-	-	230,000.00
STREET CONSTRUCTION, MAINTENANCE, & REPAIR FUND #211				
Signals & Signs		-		
Contractual Services	55,000.00	17,500.00		72,500.00
Supply & Materials	25,000.00	-		25,000.00
	80,000.00	17,500.00	-	97,500.00
Street Reconstruction				
Contractual Service	65,000.00	-	75,000.00 D	140,000.00
Capital Outlay	1,950,000.00	-		1,950,000.00
	2,015,000.00	-	75,000.00	2,090,000.00
Street Construction, Maintenance & Repair				
Personal Service	1,853,650.00	-		1,853,650.00
Contractual Services	139,775.00	-		139,775.00
Supply & Materials	451,500.00	-		451,500.00
Capital Outlay	-	-	80,000.00 E	80,000.00
	2,444,925.00	-	80,000.00	2,524,925.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
Snow Removal				
Personal Service	112,000.00			112,000.00
Contractual Services	15,000.00	-		15,000.00
Supply & Materials	450,000.00	-		450,000.00
Capital Outlay	406,000.00	-	(30,000.00) E	376,000.00
	983,000.00	-	-	983,000.00
Total SCMR Fund	5,522,925.00	17,500.00	155,000.00	5,695,425.00
STATE HIGHWAY FUND #212				
Traffic Signals & Marking				
Contractual Services	25,000.00	-		25,000.00
Street Maintenance & Repair				
Operating Supplies	30,000.00	-		30,000.00
Snow & Ice Removal				
Supply & Materials	70,000.00	-		70,000.00
Total State Highway Fund	125,000.00	-	-	125,000.00
CITY INCOME TAX FUND #213				
Contractual Services	500,000.00	-		500,000.00
Total City Income Tax Fund	500,000.00	-	-	500,000.00
POLICE LEVY FUND #215				
Personal Services	1,300,000.00	-		1,300,000.00
Contractual Services	2,000.00	-		2,000.00
Capital Outlay	264,500.00	-		264,500.00
Total Police Levy Fund	1,566,500.00	-	-	1,566,500.00
FIRE LEVY FUND #216				
Personal Service	980,000.00	-		980,000.00
Total Fire Levy Fund	980,000.00	-	-	980,000.00
RECYCLING GRANT FUND #217				
Contractual Services	6,000.00	-		6,000.00
Total Recycling Grant Fund	6,000.00	-	-	6,000.00
OFFICE ON AGING FUND #219				
Personal Services	141,180.00	-		141,180.00
Contractual Services	46,550.00	-		46,550.00
Supply & Materials	11,550.00	-		11,550.00
Capital Outlay	800.00	-		800.00
Total Office on Aging Fund	200,080.00	-	-	200,080.00
NOPEC GRANT FUND #221				
Capital Outlay	120,000.00	20,000.00		140,000.00
Total NOPEC Grant Fund	120,000.00	20,000.00	-	140,000.00
COURT COMPUTER FUND #236				
Contractual Services	10,000.00	-		10,000.00
Operating Supplies	5,000.00	-		5,000.00
Capital Outlay	4,300.00	-		4,300.00
Total Court Computer Fund	19,300.00	-	-	19,300.00
COMMUNITY DIVERSION PROGRAM FUND #237				
Personal Services	5,500.00	-		5,500.00
Contractual Services	2,000.00	-		2,000.00
Operating Supplies	450.00	-		450.00
Total Community Diversion Program Fund	7,950.00	-	-	7,950.00
ENTERPTISE ZONE FUND #239				
Contractual Services	18,150.00	-	20,650.00 F	38,800.00
Total Enterprise Zone Fund	18,150.00	-	20,650.00	38,800.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
YMCA SPECIAL REVENUE FUND #249				
Transfers-Out	344,000.00	(52,831.00)		291,169.00
Total YMCA Special Revenue Fund	344,000.00	(52,831.00)	-	291,169.00
LOCAL CORONAVIRUS RELIEF FUND #252				
Personal Service	-	33,900.00		33,900.00
Operating Supplies	-	7,958.00		7,958.00
Total Local Coronavirus Relief Fund	-	41,858.00	-	41,858.00
ACCRUED BALANCES FUND #260				
Personal Service	200,000.00	-		200,000.00
Total Accrued Balances Fund	200,000.00	-	-	200,000.00
POLICE PENSION FUND #261				
Personal Service	650,670.00	-		650,670.00
Total Police Pension Fund	650,670.00	-	-	650,670.00
FIRE PENSION FUND #262				
Personal Service	730,300.00	-		730,300.00
Total Fire Pension Fund	730,300.00	-	-	730,300.00
GENERAL BOND RETIREMENT FUND #321				
Supply & Materials	10,000.00	-		10,000.00
Debt Service - Interest	400,000.00	5,000.00		405,000.00
Debt Service - Principal	1,060,000.00	251,000.00		1,311,000.00
Total General Bond Retirement Fund	1,470,000.00	256,000.00	-	1,726,000.00
SPECIAL ASSESSMENT FUND #341				
Other	10,000.00	-		10,000.00
Debt Service	105,000.00	-		105,000.00
Total Special Assessment Fund	115,000.00	-	-	115,000.00
SERVICE CAPITAL FUND #430				
Capital Outlay	67,000.00	-		67,000.00
Total Service Capital Fund	67,000.00	-	-	67,000.00
RECREATION CAPITAL IMPROVEMENT FUND #431				
Capital Outlay	46,000.00	(6,500.00)		39,500.00
Total Rec Capital Improvement Fund	46,000.00	(6,500.00)	-	39,500.00
FUTURE CAPITAL IMPROVEMENT FUND #432				
Professional Services	-	-	20,000.00	20,000.00
Capital Outlay	-	-	300,000.00	300,000.00
Transfers-Out	213,088.00	3,000.00		216,088.00
Total Future Capital Improvement Fund	213,088.00	3,000.00	320,000.00	536,088.00
STORM AND SEWER DRAINAGE FUND #433				
Contractual Services	62,000.00	-		62,000.00
Total Storm & Sewer Drainage Fund	62,000.00	-	-	62,000.00
FIRE CAPITAL IMPROVEMENT FUND #434				
Contractual Service	37,000.00	-		37,000.00
Capital Outlay	1,000.00	-		1,000.00
Debt Service	100,000.00	-		100,000.00
Transfer Out	107,813.00	-		107,813.00
Advance Out	146,973.00	-		146,973.00
Total Fire Capital Improvement Fund	392,786.00	-	-	392,786.00
YMCA CAPITAL RESERVE FUND #437				
Contractual Services	30,000.00	-		30,000.00
Capital Outlay	-	-		-
Total YMCA Capital Imp Fund	30,000.00	-	-	30,000.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
EXCESSIVE LOAD FUND #444				
Contractual Services	-	-		-
Capital Outlay	-	-	10,500.00	10,500.00
Total Wallings Road Fund	-	-	10,500.00	10,500.00
WATER MAIN FUND #445				
Contractual Services	-	-		-
Operating Supplies	-	-		-
Capital Outlay	15,000.00	-		15,000.00
Total Water Main Fund	15,000.00	-	-	15,000.00
YMCA CAPITAL IMPROVEMENT FUND #449		-		
Contractual Services	-	-		
Total YMCA Capital Imp Fund	-	-		
ISSUE 1 - SPRAGUE ROAD FUND #451				
Transfer Out	17,887.00	-		17,887.00
Total Issue 1 - Sprague Rd. Fund	17,887.00	-	-	17,887.00
ENERGY CONSERVATION PROJECT CAPITAL FUND #463				
Capital Outlay	-	-		-
Total Energy Conservation Project Capital F	-	-	-	-
TRADITIONS AT ROYALTON PLACE TIF #465				
Capital Outlay	195,000.00	-		195,000.00
Total Energy Conservation Project Capital F	195,000.00	-	-	195,000.00
WASTEWATER TREATMENT FUND #551				
Sanitary Sewer Treatment				
Personal Services	1,276,100.00	10,000.00		1,286,100.00
Contractual Services	2,472,800.00	-		2,472,800.00
Supply & Materials	466,800.00	-		466,800.00
Capital Outlay	300,000.00	200,000.00		500,000.00
Total Wastewater Treatment Fund	4,515,700.00	210,000.00	-	4,725,700.00
WASTEWATER MAINTENANCE FUND #552				
Storm Sewer & Drainage Maintenance				
Personal Service	747,200.00	(44,000.00)		703,200.00
Contractual Services	302,600.00	-		302,600.00
Supply & Materials	167,500.00	-		167,500.00
Capital Outlay	572,000.00	-		572,000.00
Total Stormwater & Drainage	1,789,300.00	(44,000.00)	-	1,745,300.00
Wastewater Maintenance				
Personal Service	1,002,840.00	44,000.00		1,046,840.00
Contractual Services	269,600.00		57,900.00	327,500.00
Supply & Materials	195,000.00	300,000.00		495,000.00
Capital Outlay	452,000.00	-		452,000.00
Total Wastewater Maintenance	1,919,440.00		57,900.00	1,977,340.00
Total WW Maintenance Fund	3,708,740.00	300,000.00	57,900.00	4,066,640.00
WASTEWATER DEBT SERVICE FUND #553				
Debt Service	733,300.00	-		733,300.00
Total WW Debt Service Fund	733,300.00	-	-	733,300.00
WASTEWATER REPAIR AND REPLACEMENT FUND #555				
Transfers-Out	200,000.00	(200,000.00)		-
Total WW Repair & Replacem't	200,000.00	(200,000.00)	-	-
IMPROVEMENT HOLDING FUND #763				
Refunds	30,000.00	-		30,000.00
Total Improvement Holding Fund	30,000.00	-	-	30,000.00

CITY OF NORTH ROYALTON
2021 Amending Budget Ordinance

	Original Appropriations Per Ordinance# 2020-134	Prior Amendments Subtotal	Amendments this Ordinance	Total 2021 Appropriations
OHIO BOARD OF BUILDING STANDARDS FUND #764				
Other	10,000.00	-		10,000.00
Total OBBS Fund	10,000.00	-	-	10,000.00
BUILDING CONSTRUCTION BOND FUND #766				
Other	50,000.00	-		50,000.00
Total Bldg. Construction Bond Fund	50,000.00	-	-	50,000.00
OFFICE ON AGING DEPOSITS FUND #768				
Other	1,000.00	-		1,000.00
Total Office on Aging Deposits Fund	1,000.00	-	-	1,000.00
UNCLAIMED FUNDS #769				
Other	500.00	-		500.00
Total Unclaimed Funds	500.00	-	-	500.00
FUND TOTALS	44,517,419.00	786,577.00	919,050.00	46,223,046.00

ORDINANCE NO. 21-118

INTRODUCED BY: Weimer, Marnecheck, Fenos

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) 2020 CV515 SFA STAKE BED TRUCK FOR THE NORTH ROYALTON SERVICE DEPARTMENT THROUGH SOURCEWELL, FORMERLY NJPA, COOPERATIVE PURCHASING PROGRAM, VENDOR RUSH TRUCK CENTERS OF OHIO, INC., FOR AN AMOUNT NOT TO EXCEED \$64,904.00, AND DECLARING AN EMERGENCY

WHEREAS: Council has determined the need to purchase one (1) Stake Bed Truck for the North Royalton Service Department; and

WHEREAS: The city is purchasing this vehicle through Sourcewell, formerly NJPA, Cooperative Purchasing Program; and

WHEREAS: It is necessary to provide for the funding of said purchase.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON,
COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the expenditure of an amount not to exceed \$64,904.00 for the purchase of one (1) 2020 CV515 SFA Stake Bed Truck for the North Royalton Service Department pursuant to Contract No. 060920-NVS through Sourcewell, formerly NJPA, Cooperative Purchasing Program, Vendor: Rush Truck Centers of Ohio, Inc., 11775 Highway Drive, Cincinnati, Ohio 45241, Vendor #46-1123337 and as further described in Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. The Service Director is hereby authorized and directed to forward a certified copy of this Ordinance to Sourcewell, formerly NJPA, Cooperative Purchasing Program.

Section 3. 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 4. 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 provide for the purchase of this vehicle for the North Royalton Service Department for the proper and immediate performance of departmental duties.

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.

PRESIDENT OF COUNCIL

MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



City of North Royalton

Mayor Larry Antoskiewicz

Nick Cinquepalmi

Service Director

Service Department

440-582-3002

fax 440-582-3089

TO: Streets Committee – Vince Weimer, Chair
Paul Marnecheck, Vice Chair
Jessica Fenos

FROM: Nick Cinquepalmi, Service Director

DATE: June 29, 2021

RE: Stake Bed Truck Purchase

I am requesting approval for the purchase of the following through Sourcewell, formerly NJPA Cooperative Purchasing Program, and ODOT's Cooperative Purchasing Program.

- **One (1) 2020 CV515 SFA Stake Bed Truck @ \$64,904.00**
Rush Truck Centers of Ohio, Inc.
11775 Highway Dr
Cincinnati, Ohio 45241
Phone: 513-375-8800
Sourcewell Contract Number: 060920-NVS
Vendor Number: 46-1123337
- **One (1) Liftgate and Accessories Package @ \$8,741.82**
Concord Road Equipment Mfg., Inc.
348 Chester Street
Painesville, Ohio 44077
Phone: 440-357-5344
ODOT Contract Number: 800860
Index Number: STS515
Vendor Number: 58520

If there are any questions, please call. Thanks.

/aca

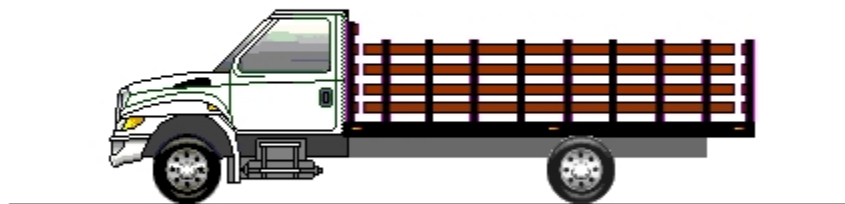
c: Mayor Larry Antoskiewicz
Eric Dean, Finance Director
File

Prepared For:

C
d R
Rd Rd
Nr ROH
IDNA

Presented By:

RUSH TRUCK CENTERS
W F P r
HIGHWAY DRIVE
CINCINNATI OH
r

[illegible]

Model Profile
2020 CV515 SFA (CV515)

AXLE CONFIG:
APPLICATION:
MISSION:

Srr Bdd
 Rdd GWR Cdd GWR
 Crr Srr Grd A GWR MPH
 Crr Grd Srr MPH

DIMENSION:
ENGINE, DIESEL:

W000000000000CA000000A000Fr0000000000
d00r00000000EPA000000HP0000RPM0000T0000000RPM0000RPM
G00rdS00d000P00HPIM000

TRANSMISSION, AUTOMATIC:

A RDS G C R C R S D O Dr PTO Pr L R rd r d P r P GW GCW M O O H

AXLE, FRONT NON-DRIVING:

D S r D N I B T C

AXLE, REAR, SINGLE:

D S r S S R d C W E d G r R

CAB:

C □ □ □ □ □ □ □ □ □ □ D □ □ C □ □

TIRE, FRONT:

R L d R G HYBRID HS CONTINENTAL r MPH A
P

TIRE, REAR:

██████████R██████L██d R██████ G HDR █████CONTINENTAL████████r██████ █████MPH████Dr████

SUSPENSION, REAR, SINGLE:

□□□□□□□□ C □□□□□□□□ V r □ R □□ S r □□□□

PAINT:

C □ □ □ □ □ □ □ □ □ □ C □

L_____W_____r W_____Sd_____

C□□□□□ □□□□□ □□□□ NA

Code	Description	F/R Wt	Tot Wt	List
CV	B C M CV SFA W CA d A Fr			US DOLLAR
	TOW HOOK FRONT Fr M			
ANA	ALE CONFIGURATION N			
	N			
	Pr			
CGH	FRAME RAILS H S L A S PSI Y d S T F C d B H Tr			
	Tr " " " W d " T			
	" " " M OAL			
LEG	LICENSE PLATE HOLDER I U L M P H d r M E H Fr B			
LSA	BUMPER FRONT C d S P d Gr			
WAC	BUMPER E TENSION FRONT			
WEC	WHEELBASE RANGE " Tr d I d "			
AL	ALE FRONT NON DRIVING D S D N B T C			
ADA	SUSPENSION FRONT SPRING P T L S T C S A r			
	BRAKE SYSTEM HYDRAULIC B S S F C ABS Tr C H d Br B d M C			
EVD	DUST SHIELDS FRONT BRAKE H d Br			
EVE	DUST SHIELDS REAR BRAKE H d Br			
GB	BRAKE PARKING B DSSA T " " H d Br C F O r C D r M			
NR	BRAKES FRONT HYDRAULIC DISC d F r D r P			
NNM	BRAKES REAR HYDRAULIC DISC d F r D r P			
	STEERING COLUMN T			
CBG	STEERING WHEEL S " D B			
PSS	STEERING GEAR B S P P			
DGA	DRIVELINE SYSTEM D S SPL			
BLL	E HAUST SYSTEM H Fr M R S d U d R S E			
SDS	ENGINE E HAUST BRAKE I E			
AA	MANUAL REGEN C			
	ELECTRICAL SYSTEM V CV M d			

Code	Description	F/R Wt lb	Tot Wt lb	List US DOLLAR
	<p>HEADLIGHT DIMMER SWITCH</p> <p>HEADLIGHT DIMMER SWITCH</p> <p>PARKING LIGHT PARKING LIGHT</p> <p>TURN SIGNAL SWITCH</p> <p>WINDSHIELD WIPER SWITCH</p>			
GA	ALTERNATOR			
HV	BODY BUILDER WIRING			
MWA	BATTERY SYSTEM			
RNU	SPEAKERS			
RNV	RADIO			
THB	BACKUP ALARM			
TUL	STOP/TURN/TAIL LIGHTS			
VAY	HORN			
VVB	BATTERY BOX			
WBW	BUMP START STUD			
HN	HEADLIGHTS			
HP	SWITCH/AUXILIARY			
HV	CLEARANCE/MARKER LIGHTS			
HW	STARTING MOTOR			
	POWER INVERTER			
AAB	LOGOS EXTERIOR			
HB	GRILLE			
WAC	BUG SCREEN			
WAY	FRONT END TENSION/FENDER			
WBN	FENDER EXTENSIONS			

Code	Description	F/R Wt	Tot Wt	List
		lb	lb	US DOLLAR
	PAINT SCHEMATIC			
	PAINT TYPE			
PA	CUSTOMER IDENTITY			
AW	GVWR WEIGHT CLASSIFICATION			
GAD	ENGINE DIESEL RPM S			
	OIL FILTER			
TTM	FAN DRIVE			
VGC	AIR CLEANER			
VHB	EMISSION			
WGG	THROTTLE			
WUU	GOVERNOR			
WB	CARB IDLE COMPLIANCE			
BL	BLOCK HEATER			
D	RADIATOR			
AC	TRANSMISSION			
WYY	SHIFT CONTROL PARAMETERS			
AK	PTO LOCATION			
	DIFFERENTIAL			
ACW	AXLE			
SAE	SUSPENSION			

Code	Description	F/R Wt	Tot Wt	List
		lb	lb	US DOLLAR
WAP	SHOCK ABSORBERS REAR			
WMN	ALE REAR LUBE IE G Rd FE W S O Dr P			
SN	FUEL TANK T Dr P R " T D US G L d A Dr P F F A M B Fr R B R A			
WD	DEF TANK US G L C Fr M O R R U d r C			
	CAB C D C			
	I DOME LIGHT CAB OFF DOOR ON S L d O C READING LIGHT CAB L d O C STEP O P r D STORAGE POCKET DOOR F L Dr r d P D			
ACB	MIRROR INSIDE REAR VIEW M T			
BBA	GLASS ALL WINDOWS S A T			
CEM	COLOR INTERIOR D A			
HCT	GAUGE CLUSTER E S d r d E O d r d " M D P r W r M d V l r			
KVS	SEAT DRIVER H B l H d r R V F d L r			
LVR	SEAT TWO MAN PASSENGER H B l H d r O r d P C F d D A r r S r V R			
SPR	MIRRORS M F d d E d B H d Ar r " L d W d			
VKB	CAB INTERIOR TRIM C D C			
	I SUN VISOR V			
CP	AIR BAG FRONT DRIVER SIDE			
CR	AIR BAG FRONT PASSENGER SIDE			
DE	AIR BAG SIDE DRIVER S M d O r d S d A			
DG	AIR BAG SIDE PASSENGER S M d O r d S d I A			
DH	AIR BAG SIDE CURTAIN R M d Fr R O r d S P r Dr r d P r S d			
A	AIR CONDITIONER H S			

Code	Description	F/R Wt	Tot Wt	List
		4811	7958	US DOLLAR
DT	WHEELS FRONT A 1000mm DISC 1000mm R 1000mm P 1000mm C 1000mm S 1000mm H 1000mm S 1000mm BC 1000mm P 1000mm F 1000mm N 1000mm S 1000mm H 1000mm	4811	7958	1000000
DT	WHEELS REAR A 1000mm DUAL DISC 1000mm R 1000mm P 1000mm C 1000mm S 1000mm H 1000mm S 1000mm BC 1000mm H 1000mm P 1000mm F 1000mm N 1000mm S 1000mm H 1000mm	4811	7958	1000000
SAE	WHEEL SEALS FRONT C 1000mm R 1000mm N 1000mm O 1000mm L 1000mm W 1000mm B 1000mm	4811	7958	1000000
WLK	WHEEL BEARING FRONT LUBE E 1000mm G 1000mm FE 1000mm W 1000mm S 1000mm O 1000mm	4811	7958	1000000
	TIRE REAR 1000mm R 1000mm L 1000mm G HDR CONTINENTAL 1000mm r 1000mm 1000mm MPH Dr 1000mm	4811	7958	1000000
	TIRE FRONT 1000mm R 1000mm L 1000mm G HYBRID HS CONTINENTAL 1000mm r 1000mm 1000mm MPH A 1000mm P 1000mm	4811	7958	1000000
Total of Product Features				\$54,994.00
Services Section:				
	WARRANTY S 1000mm R 1000mm CV 1000mm E 1000mm V 1000mm B 1000mm D 1000mm R 1000mm L 1000mm CTS 1000mm A 1000mm	4811	7958	1000000
PNP	SRV CONTRACT E 1000mm T ENGINE 1000mm N 1000mm R 1000mm T 1000mm M 1000mm M 1000mm 1000mm 1000mm E 1000mm 1000mm C 1000mm C 1000mm R 1000mm I 1000mm 1000mm 1000mm P 1000mm R 1000mm U 1000mm	4811	7958	1000000
Total of Service Features				\$2,440.00
Total Component Weight:		4811/3147	7958	
Total List Price Including Options:				\$57,434.00
	10" 1000mm 1000mm 1000mm	4811	7958	1000000
Total Body Allied:		0/0	0	\$10,375.00

The information provided in this document is for informational purposes only. It is not intended to be used as a basis for any decision-making. The information is subject to change without notice. The information is provided as is, without warranty of any kind, express or implied, including but not limited to the accuracy, completeness, and reliability of the information. The information is provided for your reference only and should not be used as a basis for any decision-making.

Proposal: 23923-01

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE (1) LIFTGATE AND ACCESSORIES PACKAGE FOR THE NORTH ROYALTON SERVICE DEPARTMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES, OHIO COOPERATIVE PURCHASING PROGRAM, VENDOR CONCORD ROAD EQUIPMENT MFG, INC., FOR AN AMOUNT NOT TO EXCEED \$8,741.82, AND DECLARING AN EMERGENCY

- WHEREAS: Council has authorized the purchase of one (1) Liftgate and Accessories Package for the North Royalton Service Department; and
- WHEREAS: The city is purchasing this equipment through the Ohio Cooperative Purchasing Program of the Department of Administrative Services; and
- WHEREAS: It is necessary to provide for the funding of said purchase.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes the expenditure of an amount not to exceed \$8,741.82 for the purchase of one (1) Liftgate and Accessories Package for the North Royalton Service Department pursuant to Contract No. 800860 through the Ohio Cooperative Purchasing Program of the Department of Administrative Services, Vendor: Concord Road Equipment Mfg., Inc, 348 Chester Street, Painesville, Ohio 44077, Vendor #58520 and as further described in Exhibit A attached hereto and incorporated as if fully rewritten.

Section 2. The Service Director is hereby authorized and directed to forward a certified copy of this Ordinance to the Ohio Department of Administrative Services, Ohio Cooperative Purchasing Program.

Section 3. 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 4. 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 provide for the purchase of this equipment for the North Royalton Service Department for the proper and immediate performance of departmental duties.

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.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



City of North Royalton

Mayor Larry Antoskiewicz

Nick Cinquepalmi

Service Director

Service Department

440-582-3002

fax 440-582-3089

TO: Streets Committee – Vince Weimer, Chair
Paul Marnecheck, Vice Chair
Jessica Fenos

FROM: Nick Cinquepalmi, Service Director

DATE: June 29, 2021

RE: Stake Bed Truck Purchase

I am requesting approval for the purchase of the following through Sourcewell, formerly NJPA Cooperative Purchasing Program, and ODOT's Cooperative Purchasing Program.

- **One (1) 2020 CV515 SFA Stake Bed Truck @ \$64,904.00**
Rush Truck Centers of Ohio, Inc.
11775 Highway Dr
Cincinnati, Ohio 45241
Phone: 513-375-8800
Sourcewell Contract Number: 060920-NVS
Vendor Number: 46-1123337
- **One (1) Liftgate and Accessories Package @ \$8,741.82**
Concord Road Equipment Mfg., Inc.
348 Chester Street
Painesville, Ohio 44077
Phone: 440-357-5344
ODOT Contract Number: 800860
Index Number: STS515
Vendor Number: 58520

If there are any questions, please call. Thanks.

/aca

c: Mayor Larry Antoskiewicz
Eric Dean, Finance Director
File



Quote 73998

348 CHESTER ST., PAINESVILLE, OH. 44077
PHONE: (440) 357-5344 FAX: (440) 357-1942
concordroadequipment.com

Quote Valid for 180 Days

Terms: NET 20

Page 1 of 2

Submitted To: NORTH ROYALTON, CITY OF 14600 STATE RD NORTH ROYALTON, OH 44133	Date: 6/28/2021 End User: SERVICE DEPARTMENT Attention: ED ROCHE Delivery: SEE BELOW DELIVERY NOTES County: CUYAHOGA Acct Mgr: JEFFERY S. WARFIELD
Phone: (440) 237-5686	Fax: (440) 236-5024

PER STATE OF OHIO STATE TERM SCHEDULE CONTRACT
SCHEDULE NUMBER: 800860
INDEX NUMBER: STS515

ONE (1) HYDRAULIC LIFT GATE MOUNTED ON CUSTOMER SUPPLIED 16' STAKE BODY

LIFTGATE, RAIL TYPE

- Thieman TVLR 20A AL 9042-6 lift gate
 - 2000 lb. capacity rail lift type
 - One (1) pieced diamond plate aluminum platform
 - 90 inches wide x 42 inches deep with 6-inch tapered ramp
 - Foot activated cart stop
- Steel rail frame assembly with slider bottom rollers
- Manual closing platform
 - Torsion spring assist
- Optional plug in pendant control
- Optional in cab liftgate master on/off switch
- LED light kit
- Combination all LED warning light bar/traffic advisor
- Miscellaneous material, paint and labor to install liftgate on existing stake body with "removable" stake racks

TOTAL NET PRICE INSTALLED \$ 8,741.82

ESTIMATED DELIVERY PERIOD:

Based on the date of this proposal, the job completion and corresponding delivery period is projected to be approximately 600-120 days after receipt of required purchase order(s), letter(s) of intent, letter(s) to proceed, and if applicable, the arrival of your chassis(s) to Concord Road Equipment Mfg., Inc. This projected job completion and corresponding delivery period is only an estimate and may be shorter or longer in accordance with the date that your order is placed, the arrival date of required authorizations, delivery date of your chassis(s) to Concord, and lead times of Concord Road Equipment Mfg., Inc. primary suppliers at the time your order is placed. Concord Road Equipment Mfg., Inc. is not responsible for delays that are beyond its reasonable effort and capability to control including but not limited to; primary supplier delays or product shortages, delays in freight, force majeure including but not limited to 1- acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, tornados/hurricanes, or explosions; 2- war, acts of terrorism, and epidemics; 3- acts of governmental authorities such as expropriation, condemnation, and changes in laws and regulations; 4- strikes and labor disputes; 5- and certain accidents. Per Concord Road Equipment Mfg., Inc. Contract 800860 Schedule STS 515 with the Ohio Department of Administrative Services, completed deliveries can range from 60-300 days after receipt of customer order(s), and if applicable, after arrival of your chassis(s) to Concord Road Equipment Mfg., Inc.

INSURANCE:

Your chassis' and/or equipment are insured while in Concord Road Equipment's possession. This includes all properties,

QUOTE CONTINUED ON NEXT PAGE



Quote 73998

348 CHESTER ST., PAINESVILLE, OH. 44077
PHONE: (440) 357-5344 FAX: (440) 357-1942
concordroadequipment.com

Quote Valid for 180 Days

Terms: NET 20

Page 2 of 2

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Phone: (440) 237-5686	Fax: (440) 236-5024

QUOTE CONTINUED FROM PREVIOUS PAGE

buildings, lots, etc. A copy of our complete garage-keepers insurance policy is available upon request.

Authorized by

6/28/2021

JEFFERY S. WARFIELD

I /We hereby accept the above quotation including all terms and conditions, and place an order for the proposed item(s) on ____/____/____
(today's date) for a total amount of \$_____ (please include selected options, if applicable).

Accepted By

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation. A 3% surcharge will be added to above total when paying by credit card.

ORDINANCE NO. 21-120

INTRODUCED BY: Mayor Antoskiewicz
Co-Sponsor: Wos

AN ORDINANCE ACCEPTING AN EASEMENT FROM PINESTREAM HOMEOWNERS’ ASSOCIATION FOR STORM SEWER MAINTENANCE PURPOSES IN THE PINESTREAM SUBDIVISION PHASE II, OVER, THROUGH, AND UPON A PART OF BLOCK H NATURE PRESERVE, AND DECLARING AN EMERGENCY

- WHEREAS: The Subdivision Regulations of the City of North Royalton require that certain storm sewer easements be granted to the city prior to commencement by the city of any storm sewer maintenance operations on affected private property; and
- WHEREAS: Pinestream Homeowners’ Association, owner of PPN 486-21-029, has granted this easement to the City of North Royalton so that storm sewer maintenance operation can commence; and
- WHEREAS: Council deems it to be in the best interest of the city to accept the easement hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby accepts an easement from Pinestream Homeowners’ Association, owner of PPN 486-19-029, which parcel is located in the Pinestream Subdivision Phase II, over, through, and upon a part of Block H Nature Preserve, for storm sewer maintenance purposes, a copy of said easement is attached hereto as Exhibit A and is incorporated as if fully rewritten herein.

Section 2. The City shall cause said easement to be recorded at the developer’s cost.

Section 3. The easement shall be approved as to form by the Law Director.

Section 4. 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 5. 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 accept this easement so that the city can commence storm sewer maintenance operations on the affected property.

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.

_____ PRESIDENT OF COUNCIL	APPROVED: _____ MAYOR
-------------------------------	--------------------------

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

SEWER EASEMENT
CITY OF NORTH ROYALTON
CUYAHOGA COUNTY, OHIO

KNOW ALL MEN BY THESE PRESENTS, That Pinestream Homeowners Association, Inc., the Grantor herein, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, do grant and release to the City of North Royalton, Cuyahoga County, Ohio, its successors, assigns, employees and/ or agents the right to construct, repair, replace, relay, maintain, operate, inspect, and remove sewers and necessary appurtenances thereto, and forever to have and to hold such rights for the purposes and under the conditions herein set forth across that certain portion of real estate located in the City of North Royalton, Cuyahoga County, Ohio, and further described as follows:

Situated in the City of North Royalton, County of Cuyahoga, and State of Ohio and known as being a storm sewer easement over, through, and upon a part of Block H Nature Preserve in the Pinestream Subdivision Phase II of part of Original Royalton Township Section 16, now in said city, as shown by plat recorded in Map Book No. 305, Page 37 of Cuyahoga County Map Records, more particularly being a part of the premises conveyed to the Pinestream Homeowners Association, Inc. by instrument recorded in AFN 200812310253 of Cuyahoga County Records, and is bounded and described as follows;

Beginning in the southerly right-of-way line of Waterbridge Drive, 60 feet in width, where the same is intersected by the westerly line of Sublot No. 68 in said Pinestream Subdivision II, all as shown by said plat;

Thence North 89°55'37" West along said southerly right-of-way line of Waterbridge Drive a distance of 10.00 feet to its intersection with the westerly line of an existing 20 feet wide Storm Sewer Easement as shown by said plat and the Principal Point of Beginning;

- | | |
|------------|--|
| COURSE I | Thence South 0°04'23" West along said westerly line of the existing 20 feet wide Storm Sewer Easement a distance of 150.00 feet to the southwesterly corner of the same; |
| COURSE II | Thence North 89°55'37" West by a line which is the westerly prolongation of the southerly line of said existing 20 feet wide Storm Sewer Easement a distance of 35.00 feet to a point; |
| COURSE III | Thence North 0°04'23" East by a line which is parallel with the westerly line of said existing 20 feet wide Storm Sewer Easement and distant 35.00 feet westerly by normal measure therefrom, a distance of 150.00 feet to the aforesaid southerly right-of-way line of Waterbridge Drive; |

Thence South 89°55'37" East along said southerly right-of-way line of Waterbridge Drive a distance of 35.00 feet to the Principal Point of Beginning and containing 0.121 Acre (5,250 Square Feet) of land as described in June, 2021 by Thomas M. Meeks, Ohio Registered Surveyor No. 8674 of CT Consultants, Inc.

The above described easement burdens a portion of the property currently designated as Cuyahoga County Auditor's Permanent Parcel No. 486-21-029.

Exhibits A and B attached and incorporated herein.

This Grant is made on the express condition that Grantee shall promptly replace Grantor's property to its prior condition. Grantee further agrees that it will cause the sewers to operate in a good and workmanlike manner and will periodically inspect the sewers and promptly repair and/or replace the sewers as necessary. Grantee agrees to repair and/or replace any of Grantors' property to its prior condition mentioned above, damaged by Grantee or its employees or agents while accessing sewer easement.

Grantors

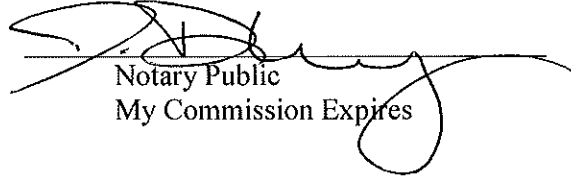
by

State of Ohio)
) SS:
County of Cuyahoga)

BE IT REMEMBERED, that on this 25th day of June, 2021 before me, the subscriber, a Notary Public, in and for said County personally came the above named John Zelenka Grantor in the foregoing deed of easement and acknowledged the signing of the same to be her voluntary act and deed for the purposes and uses therein mentioned.

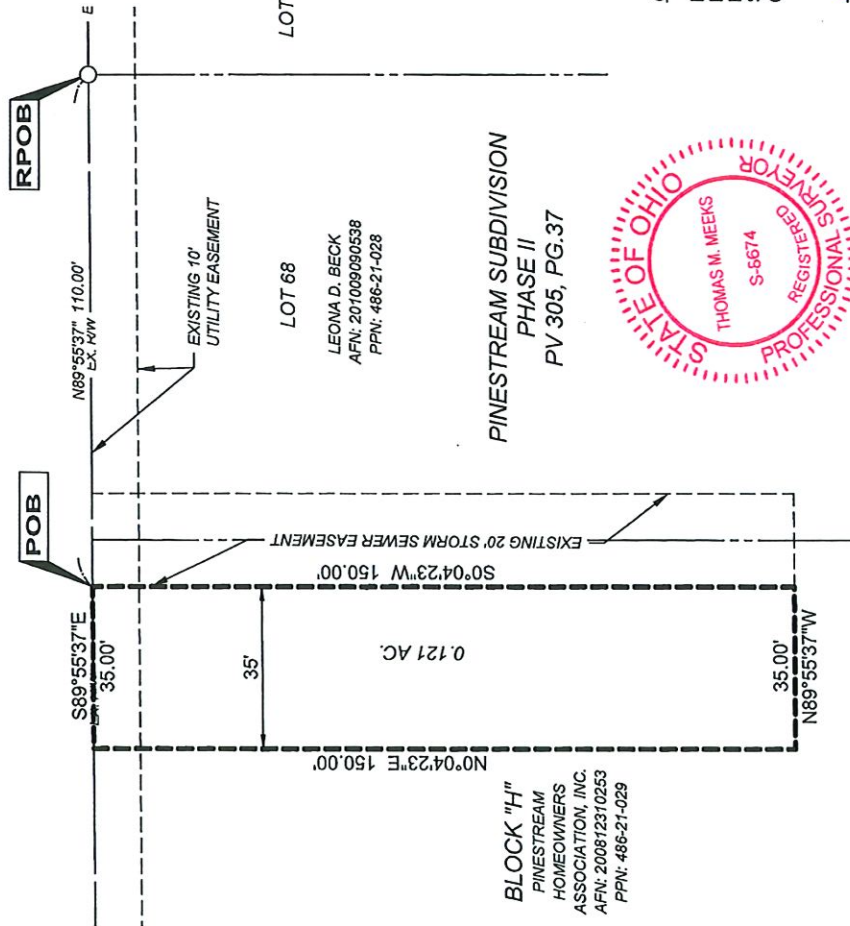
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.




Notary Public
My Commission Expires

DESCRIPTION OF A STORM SEWER EASEMENT ON PART OF BLOCK H NATURE PRESERVE IN PINESTREAM SUBDIVISION PHASE II CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO

WATERBRIDGE DRIVE (60')



BLOCK "H"
PINESTREAM
HOMEOWNERS
ASSOCIATION, INC.
AFN: 200812310253
PPN: 486-21-029

**PINESTREAM SUBDIVISION
PHASE II
PV 305, PG.37**

LEONA D. BECK
AFN: 2010090538
PPN: 486-21-028

LOT 68

LOT 67

NOTES:
1. RECORDS SHOWN HEREON
ARE FROM THE CUYAHOGA
COUNTY RECORDER'S
OFFICE.

2. EASEMENTS AND/OR
RIGHT-OF-WAYS WERE NOT
ADDRESSED DURING THIS
SURVEY OTHER THAN
SHOWN HEREON.

3. THIS IS NOT TO BE
CONSTRUED AS A
BOUNDARY SURVEY.

BASIS OF BEARINGS:
BEARINGS CONTAINED HEREIN
ARE BASED UPON THOSE
SHOWN ON PLAT OF
PINESTREAM SUBDIVISION PHASE
II RECORDED IN MAP BOOK NO.
305, PAGE 37 OF CUYAHOGA
COUNTY MAP RECORDS.

ALL DISTANCES EXPRESSED
HEREIN ARE IN US SURVEY
FEET.

LEGEND

----- PROPOSED EASEMENT LIMITS
----- R/W LIMITS
----- PARCEL LINES
----- CENTERLINE R/W
----- EXISTING EASEMENT LIMITS
○ IRON PIN FOUND

CERTIFICATION:

I HEREBY CERTIFY THAT THIS EXHIBIT DEPICTS THE CORRECT REPRESENTATION OF THE
LAND AS DETERMINED FROM EXISTING RECORDS & MINIMAL FIELD SURVEY WORK. THIS
EXHIBIT IS NOT INTENDED TO BE A BOUNDARY SURVEY AND DOES NOT MEET THE
STANDARDS OUTLINED AND DEFINED BY CHAPTER 4733-37 OF THE
OHIO ADMINISTRATIVE CODE.



DATE 6/11/21

THOMAS M. MEEKS
OHIO REGISTRATION/LICENSE NO. 8674



DRAWING SCALE:
• HORIZ. 1" = 30'
DATE: 06/09/2021
DRAWN BY: JVC
CHECKED BY: TMM
APPROVED BY: TMM

**PINESTREAM
NORTH ROYALTON
CUYAHOGA COUNTY, OHIO**
**STORM SEWER
EASEMENT EXHIBIT**

PROJECT NO: 200950
DRAWING NAME: EASEMENT
SHEET 1 OF 1

June 11, 2021

**DESCRIPTION OF STORM SEWER EASEMENT
ON PART OF BLOCK H NATURE PRESERVE
IN PINESTREAM SUBDIVISION PHASE II
CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO
(PPN 486-21-029)**

Situated in the City of North Royalton, County of Cuyahoga, and State of Ohio and known as being a storm sewer easement over, through, and upon a part of Block H Nature Preserve in the Pinestream Subdivision Phase II of part of Original Royalton Township Section 16, now in said city, as shown by plat recorded in Map Book No. 305, Page 37 of Cuyahoga County Map Records, more particularly being a part of the premises conveyed to the Pinestream Homeowners Association, Inc. by instrument recorded in AFN 200812310253 of Cuyahoga County Records, and is bounded and described as follows;

Beginning in the southerly right-of-way line of Waterbridge Drive, 60 feet in width, where the same is intersected by the westerly line of Sublot No. 68 in said Pinestream Subdivision II, all as shown by said plat;

Thence North 89°55'37" West along said southerly right-of-way line of Waterbridge Drive a distance of 10.00 feet to its intersection with the westerly line of an existing 20 feet wide Storm Sewer Easement as shown by said plat and the Principal Point of Beginning;

COURSE I Thence South 0°04'23" West along said westerly line of the existing 20 feet wide Storm Sewer Easement a distance of 150.00 feet to the southwestly corner of the same;

COURSE II Thence North 89°55'37" West by a line which is the westerly prolongation of the southerly line of said existing 20 feet wide Storm Sewer Easement a distance of 35.00 feet to a point;

COURSE III Thence North 0°04'23" East by a line which is parallel with the westerly line of said existing 20 feet wide Storm Sewer Easement and distant 35.00 feet westerly by normal measure therefrom, a distance of 150.00 feet to the aforesaid southerly right-of-way line of Waterbridge Drive;

COURSE IV Thence South 89°55'37" East along said southerly right-of-way line of Waterbridge Drive a distance of 35.00 feet to the Principal Point of

Beginning and containing 0.121 Acre (5,250 Square Feet) of land as described in June, 2021 by Thomas M. Meeks, Ohio Registered Surveyor No. 8674 of CT Consultants, Inc.

Bearings contained herein are based upon those shown on plat of Pinestream Subdivision Phase II recorded in Map Book No. 305, Page 37 of Cuyahoga County Map Records.

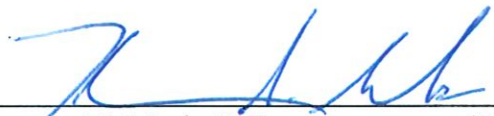
The above described easement burdens a portion of the property currently designated as Cuyahoga County Auditor's Permanent Parcel No. 486-21-029.

Pinestream Homeowners Association, Inc. claims ownership by or through instrument recorded in AFN 200812310253 of Cuyahoga County Records.

This description is based on existing records and minimal field survey work performed during the month of February 2021, by or under the direct supervision of Thomas Meeks, Registered Professional Surveyor #8674



CT Consultants, Inc.

 6/11/21

Thomas M. Meeks P.S. Date
Registered Professional Surveyor No. 8674

AN ORDINANCE ACCEPTING FOR PUBLIC DEDICATION APPROXIMATELY 2,447 LINEAR FEET OF SANITARY SEWER LINE ALONG STATE ROAD AND EDGERTON ROAD SERVING THE NEWLY CONSTRUCTED NORTH ROYALTON ELEMENTARY SCHOOL AND ADJACENT PROPERTIES FROM THE NORTH ROYALTON BOARD OF EDUCATION, AND DECLARING AN EMERGENCY

WHEREAS: There has been submitted to Council a plan that sets forth for public dedication by the city approximately 2,447 linear feet of sanitary sewer line along State Road and Edgerton Road serving the newly constructed North Royalton Elementary School and adjacent properties (Exhibit A); and

WHEREAS: The City Engineer has reported to Council that this instrument is sufficient to properly accept dedication this sewer line for public use and Council desires to approve said plan and accept the sewer line for dedication.

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 dedication plan for approximately 2,447 linear feet of sanitary sewer line along State Road and Edgerton Road serving the newly constructed North Royalton Elementary School and adjacent properties as approved by the City Engineer is hereby accepted as dedicated to public use and owned by and now and hereafter the responsibility of the City of North Royalton.

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 provide for the prompt dedication of the aforementioned sewer line to serve the elementary school and adjacent property owners.

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.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

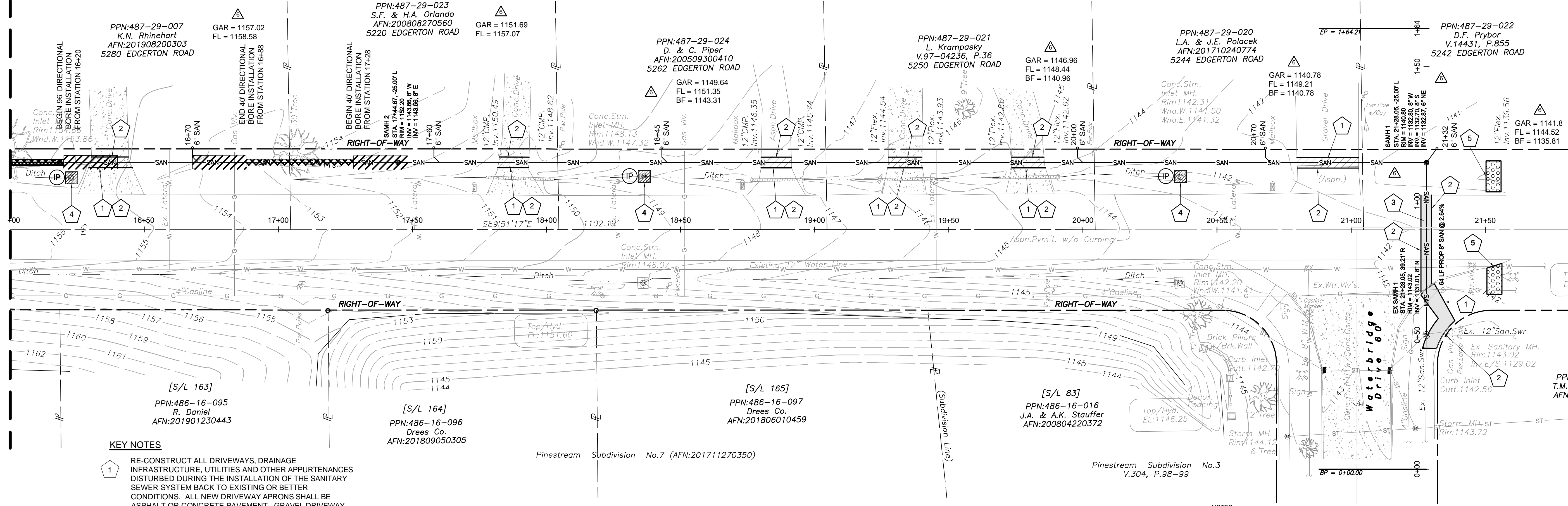
ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

\\tbs-projects04\2019\2019-0683\Cad-Revit - TBA\Civil\2019-0683-C100 (P&P).dwg

MATCHLINE STATION 16+00 SEE SHEET C 101



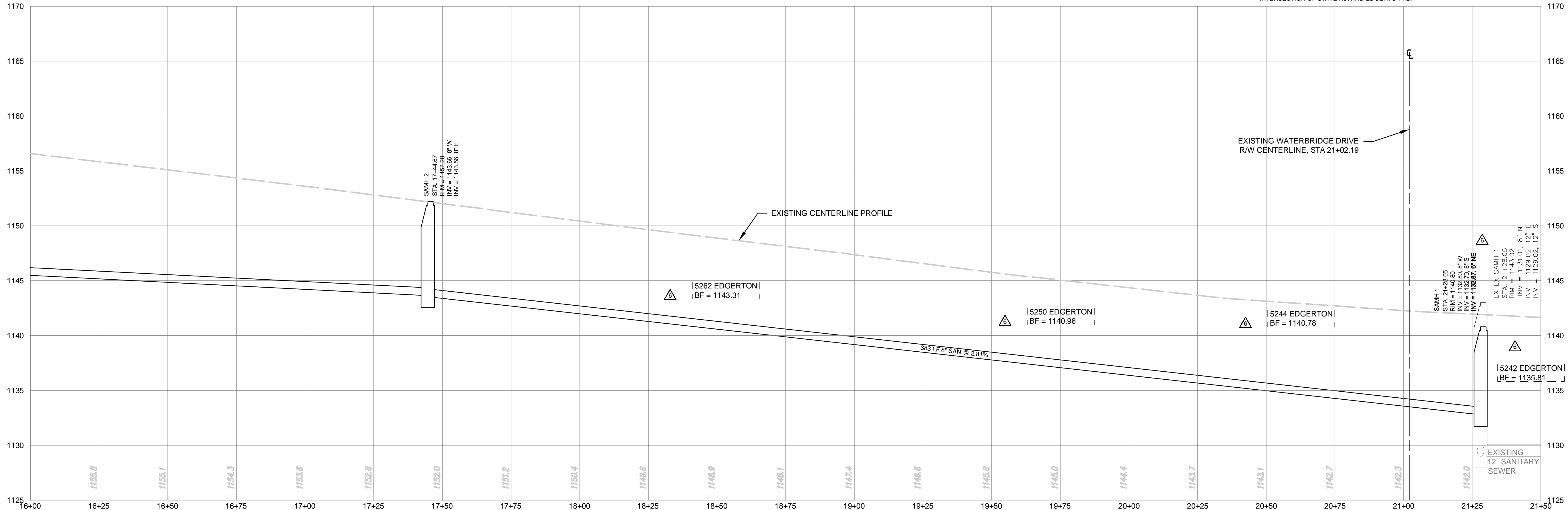
KEY NOTES

- RE-CONSTRUCT ALL DRIVEWAYS, DRAINAGE INFRASTRUCTURE, UTILITIES AND OTHER APPURTENANCES DISTURBED DURING THE INSTALLATION OF THE SANITARY SEWER SYSTEM BACK TO EXISTING OR BETTER CONDITIONS. ALL NEW DRIVEWAY APRONS SHALL BE ASPHALT OR CONCRETE PAVEMENT. GRAVEL DRIVEWAY APRONS ARE NOT ALLOWED.
- SAWCUT
- REPAIR ASPHALT PER DETAIL ON SHEET C 401.
- CATCH BASIN INLET PROTECTION PER DETAIL ON SHEET C 500.
- INSTALL COMPOST SOCK CHECK DAM. SEE DETAIL AND SPECIFICATIONS ON SHEET C 502.

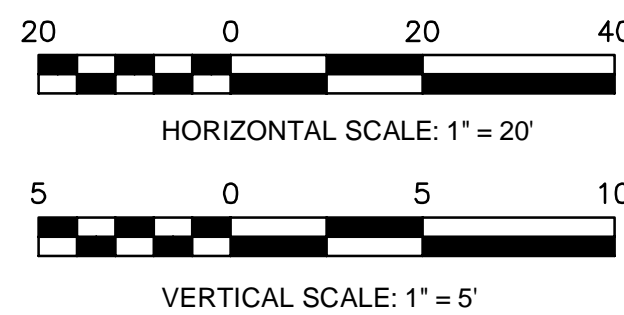
NOTES

- CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE WITHIN THE ROADSIDE DITCHES WITHIN THE WORKING LIMITS DURING AND AFTER CONSTRUCTION.
- ALL PROPOSED SANITARY LATERAL SERVICE CONNECTIONS, INCLUDING ALL RISER SECTION, SHALL BE 6" PVC SDR-35 INSTALLED AT 1.00% MIN. PIPE SLOPE.
- BASE BID TO INCLUDE THE SEWER MAIN LINE AS INDICATED ON DRAWINGS, WITH NO LATERAL CONNECTIONS ALONG THE ROUTE.
- BID ALTERNATE 2A: PROVIDE LATERAL CONNECTIONS TO THE OCCUPIED PROPERTIES AS INDICATED ON THE DRAWINGS. INSTALLATION TO BE OPEN CUT WITH REPAIR OF ROADWAY AS NEEDED.
- BID ALTERNATE 2B: PROVIDE LATERAL CONNECTIONS TO THE OCCUPIED PROPERTIES ALONG THE NEW SEWER ROUTE AS INDICATED ON THE DRAWINGS. LATERALS TO BE BORED FOR INSTALLATION.
- BID ALTERNATE 1B: PROVIDE MILL AND FILL OF ALL ASPHALT FROM THE END OF THE ROAD WIDENING SCOPE TO THE INTERSECTION OF STATE RD. AND EDGERTON RD.

EDGERTON ROAD 60'

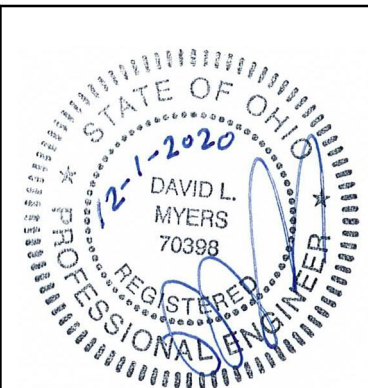


PLAN AND PROFILE



2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE: 800-362-2764
OHIO UTILITIES PROTECTION SERVICE

TBA
Thorson Baker & Associates
CONSULTING ENGINEERS
3030 West Streetsboro Road
Richfield, Ohio 44286
(330) 659-6688 Ph.
(330) 659-6675 Fax



tda
thendesign architecture

North Royalton Elementary School
North Royalton City School District
16400 State Road
North Royalton, OH 44133

Sheet Revisions		
no.	description	date
A	BULLETIN 049	9/11/20
B	BULLETIN 058 REV	12/1/20
Project Issues		
no.	description	date
6	CONSTRUCTION SET	10/23/20
5	PC SUBMITTAL	9/3/20
4	BID SET	8/14/20
3	BID SET	5/27/20
2	BID SET	11/27/19
1	PC SUBMITTAL	11/4/19

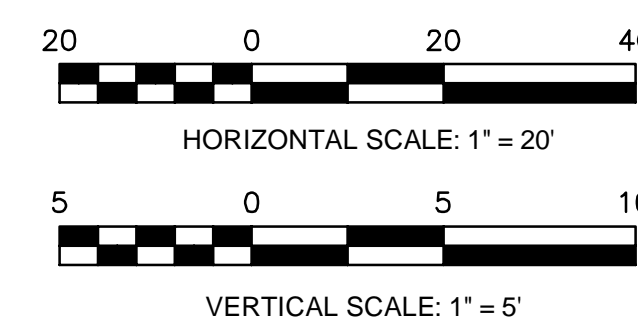
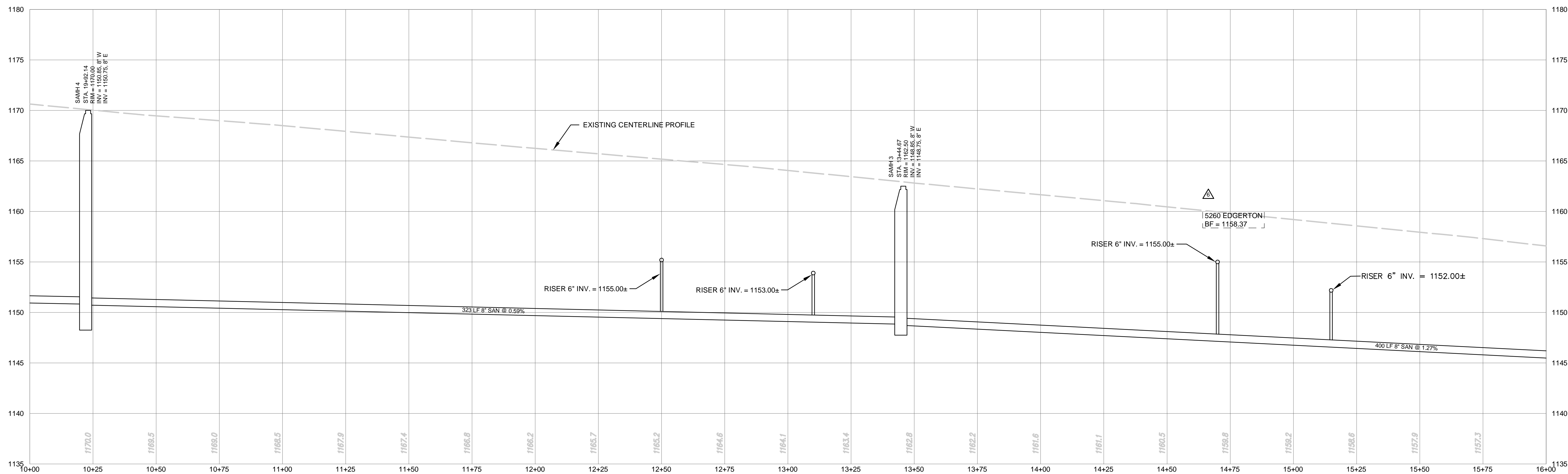
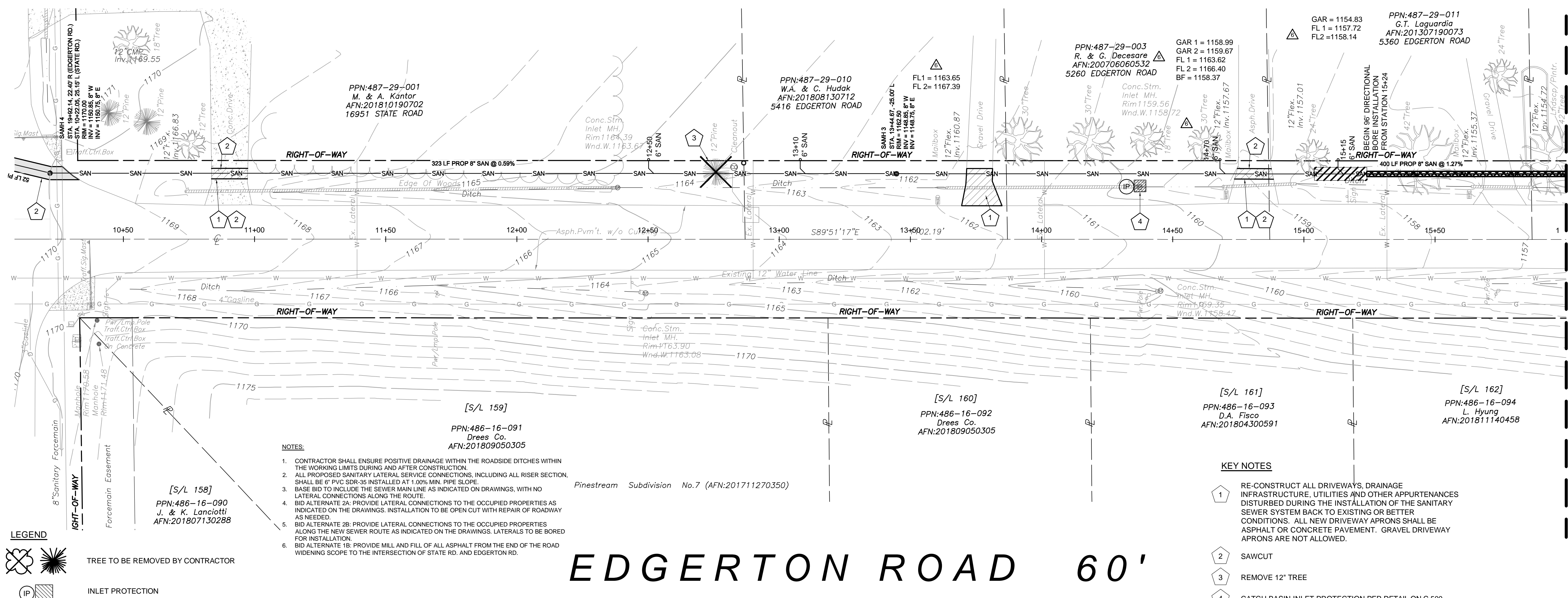
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sheet name:
PLAN & PROFILE
16+00 TO 21+50

drawn by: **DLM**
checked by: **DLM**
sheet number:
C 100
job number:
17064

STATE ROAD (S.R. 94) 66'
SEE SHEET C 102

MATCHLINE STATION 16+00 SEE SHEET C 100



2 WORKING DAYS
BEFORE YOU DIG
CALL TOLL FREE: 800-362-276
OHIO UTILITIES PROTECTION SERVICE

TBA
Thorson • Baker + Associates
 CONSULTING ENGINEERS

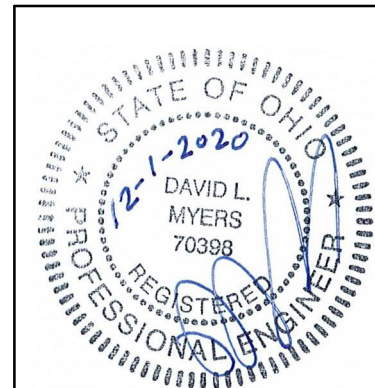
3030 West Streetsboro Road (330) 659-6688 Ph.
 Richfield, Ohio 44286 (330) 659-6675 Fax

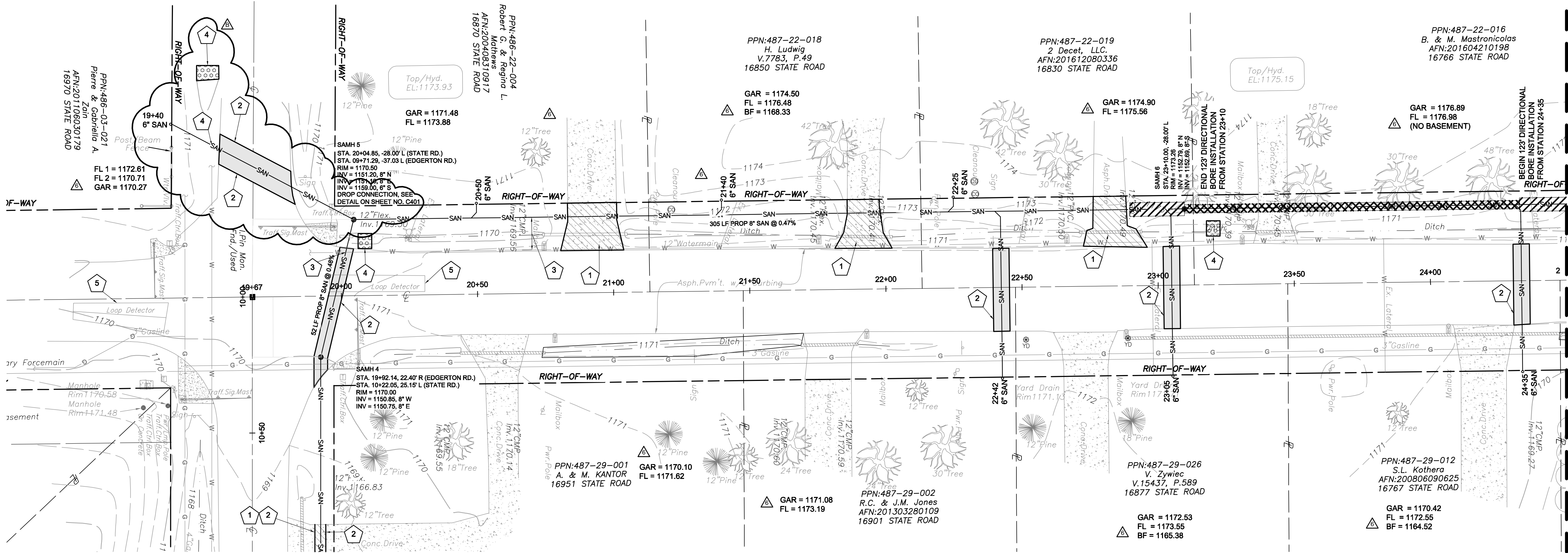
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PLAN & PROFILE
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DLM
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DLM
sheet number:
C 101
job number:
17064

North Royalton Elementary School
North Royalton City School District
16400 State Road
North Royalton, OH 44133





EDGERTON ROAD 60'
SEE SHEET C 101

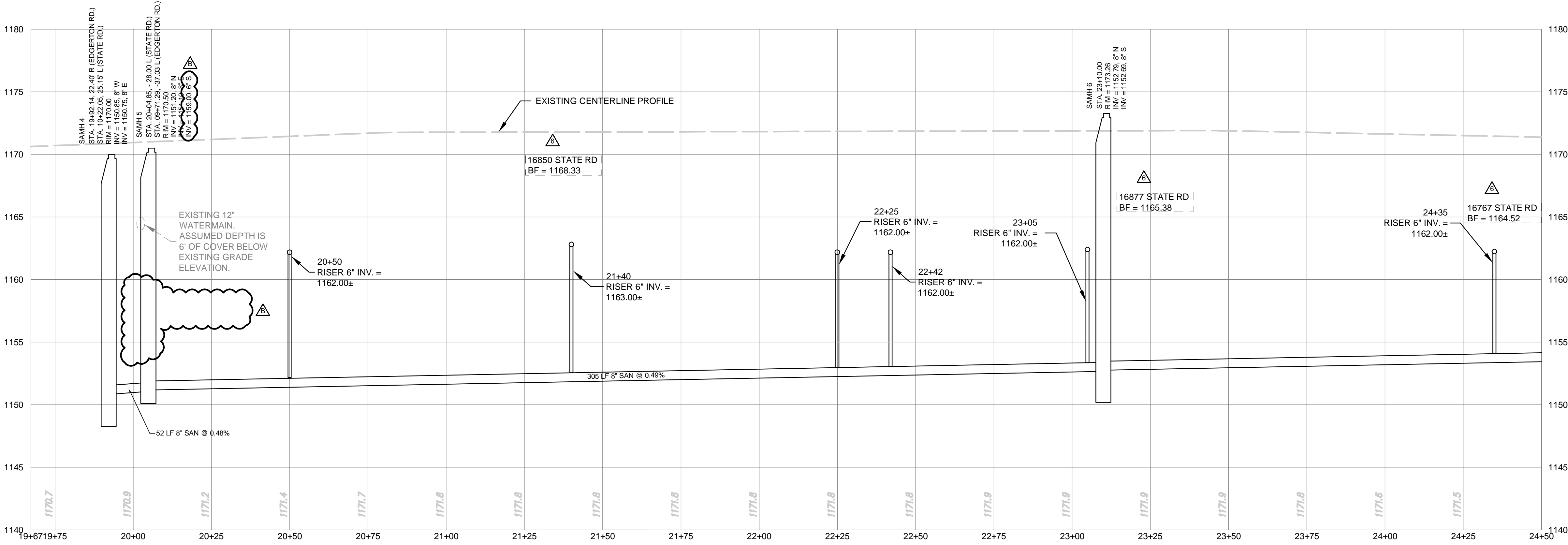
STATE ROAD (S.R. 94) 66'

KEY NOTES

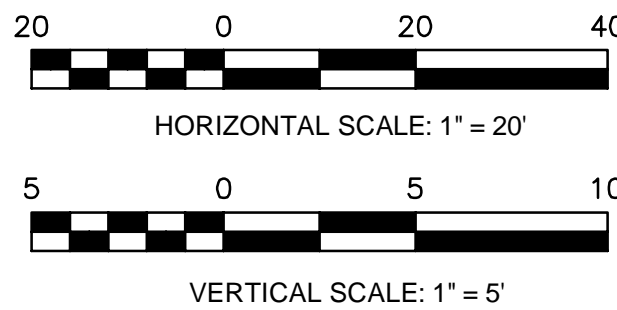
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- SAWCUT
- MAINTAIN 10' MINIMUM HORIZONTAL SEPARATION DISTANCE BETWEEN PROPOSED 8" SANITARY SEWER AND EXISTING 12" WATER MAIN.
- INSTALL COMPOST SOCK CHECK DAM. SEE DETAIL AND SPECIFICATIONS ON SHEET C 502.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY LOOP DETECTORS THAT ARE DAMAGED DURING CONSTRUCTION. THE CONTRACTOR SHALL CONTACT PATROLMAN JOHN KULCZOKI #52 WITH THE CITY OF NORTH ROYALTON POLICE DEPARTMENT AT 440-237-8686, EXT. 2223 FOR ANY COORDINATION AND/OR QUESTIONS.

NOTES:

- CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE WITHIN THE ROADSIDE DITCHES WITHIN THE WORKING LIMITS DURING AND AFTER CONSTRUCTION.
- ALL PROPOSED SANITARY LATERAL SERVICE CONNECTIONS, INCLUDING ALL RISER SECTION, SHALL BE 6" PVC SDR-35 INSTALLED AT 1.00% MIN. PIPE SLOPE.
- BASE BID TO INCLUDE THE SEWER MAIN LINE AS INDICATED ON DRAWINGS, WITH NO LATERAL CONNECTIONS ALONG THE ROUTE.
- BID ALTERNATE 2A: PROVIDE LATERAL CONNECTIONS TO THE OCCUPIED PROPERTIES AS INDICATED ON THE DRAWINGS. INSTALLATION TO BE OPEN CUT WITH REPAIR OF ROADWAY AS NEEDED.
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- BID ALTERNATE 1B: PROVIDE MILL AND FILL OF ALL ASPHALT FROM THE END OF THE ROAD WIDENING SCOPE TO THE INTERSECTION OF STATE RD. AND EDGERTON RD.



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OHIO UTILITIES PROTECTION SERVICE

Thorson Baker + Associates
CONSULTING ENGINEERS
3030 West Streetsboro Road
Richfield, Ohio 44286
(330) 659-6688 Ph.
(330) 659-6675 Fax

North Royalton Elementary School
North Royalton City School District

16400 State Road
North Royalton, OH 44133



tda
thendesign architecture

no.	description	date
A	BULLETIN 049	9/11/20
B	BULLETIN 058 REV	12/1/20
Sheet Revisions		
6	CONSTRUCTION SET	10/23/20
5	PC SUBMITTAL	9/3/20
4	BID SET	8/14/20
3	BID SET	5/27/20
2	BID SET	11/27/19
1	PC SUBMITTAL	11/4/19
Project Issues		

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19+67 TO 24+50

drawn by:
DLM
checked by:
DLM
sheet number:
C 102
job number:
17064

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North Royalton Elementary School
North Royalton City School District
16400 State Road
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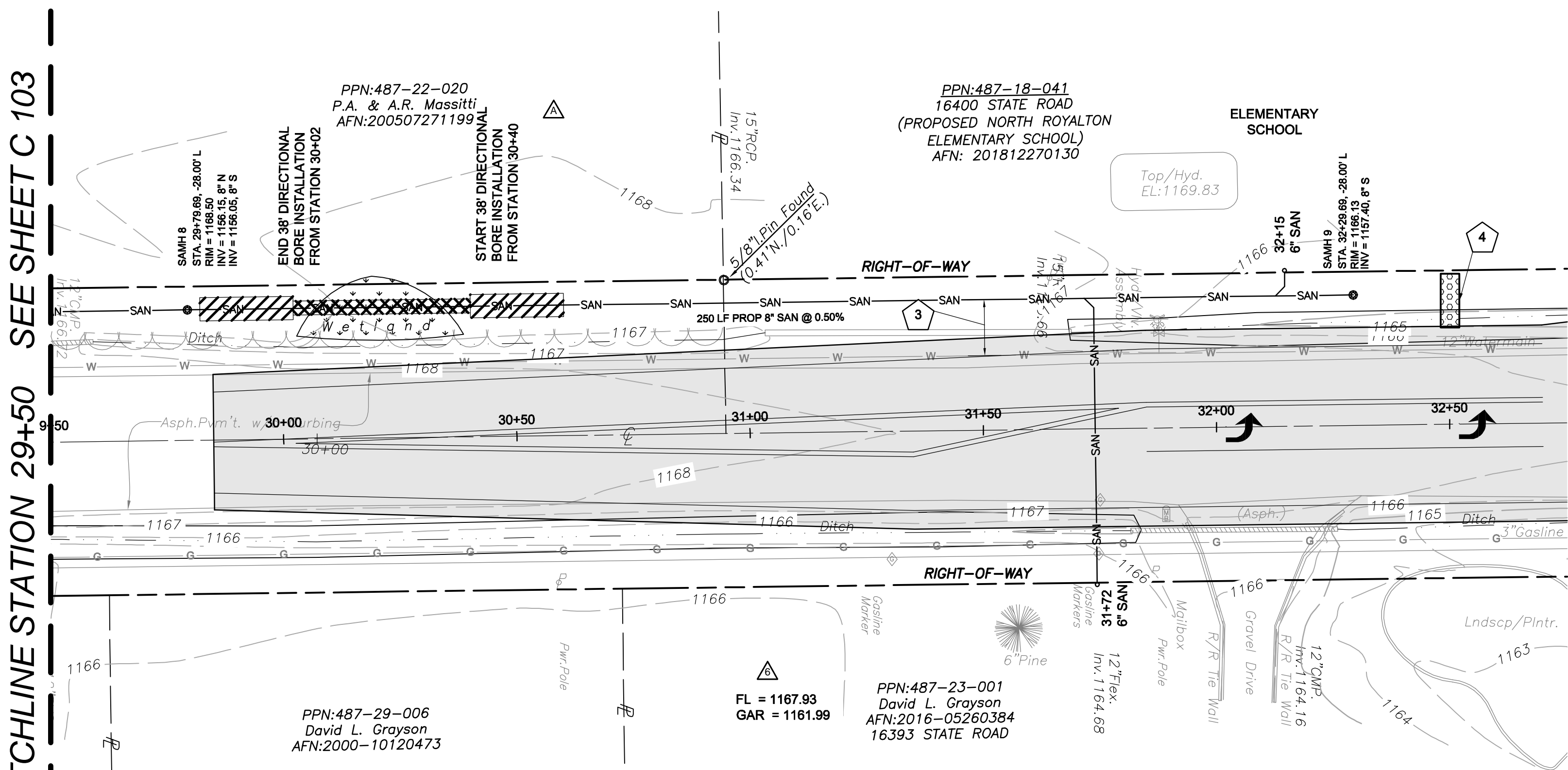
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b.	CONSTRUCTION SET	10/23/20
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d.	BID SET	8/14/20
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f.	BID SET	11/27/19
g.	PC SUBMITTAL	11/4/19
h.	description	date
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Project Issues		

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checked by:
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sheet number:
C 104
job number:
17064



- NOTES:**
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LEGEND

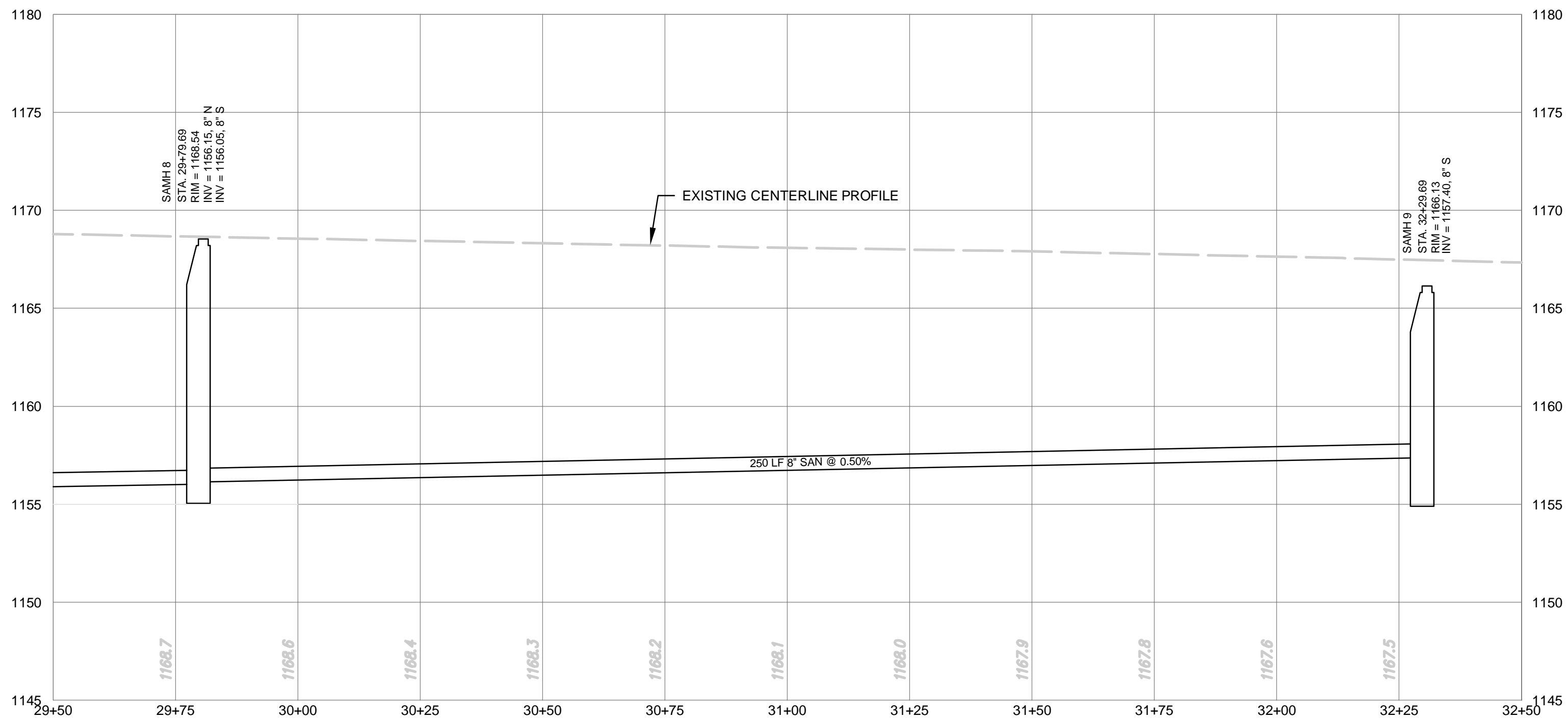


COMPOST SOCK CHECK DAM

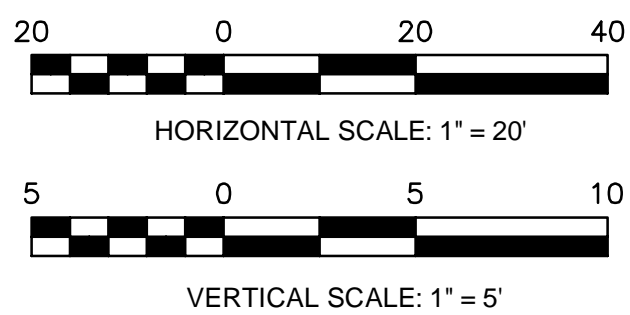
KEY NOTES

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|---|---|
| 1 | RE-CONSTRUCT ALL DRIVEWAYS, DRAINAGE INFRASTRUCTURE, UTILITIES AND OTHER APPURTENANCES DISTURBED DURING THE INSTALLATION OF THE SANITARY SEWER SYSTEM BACK TO EXISTING OR BETTER CONDITIONS. ALL NEW DRIVEWAY APRONS SHALL BE ASPHALT OR CONCRETE PAVEMENT. GRAVEL DRIVEWAY APRONS ARE NOT ALLOWED. |
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| 3 | MAINTAIN 10' MINIMUM HORIZONTAL SEPARATION DISTANCE BETWEEN PROPOSED 8" SANITARY SEWER AND EXISTING 12" WATER MAIN. |
| 4 | INSTALL COMPOST SOCK CHECK DAM. SEE DETAIL AND SPECIFICATIONS ON SHEET C 502. |

STATE ROAD (S. R. 94) 66'



PLAN AND PROFILE



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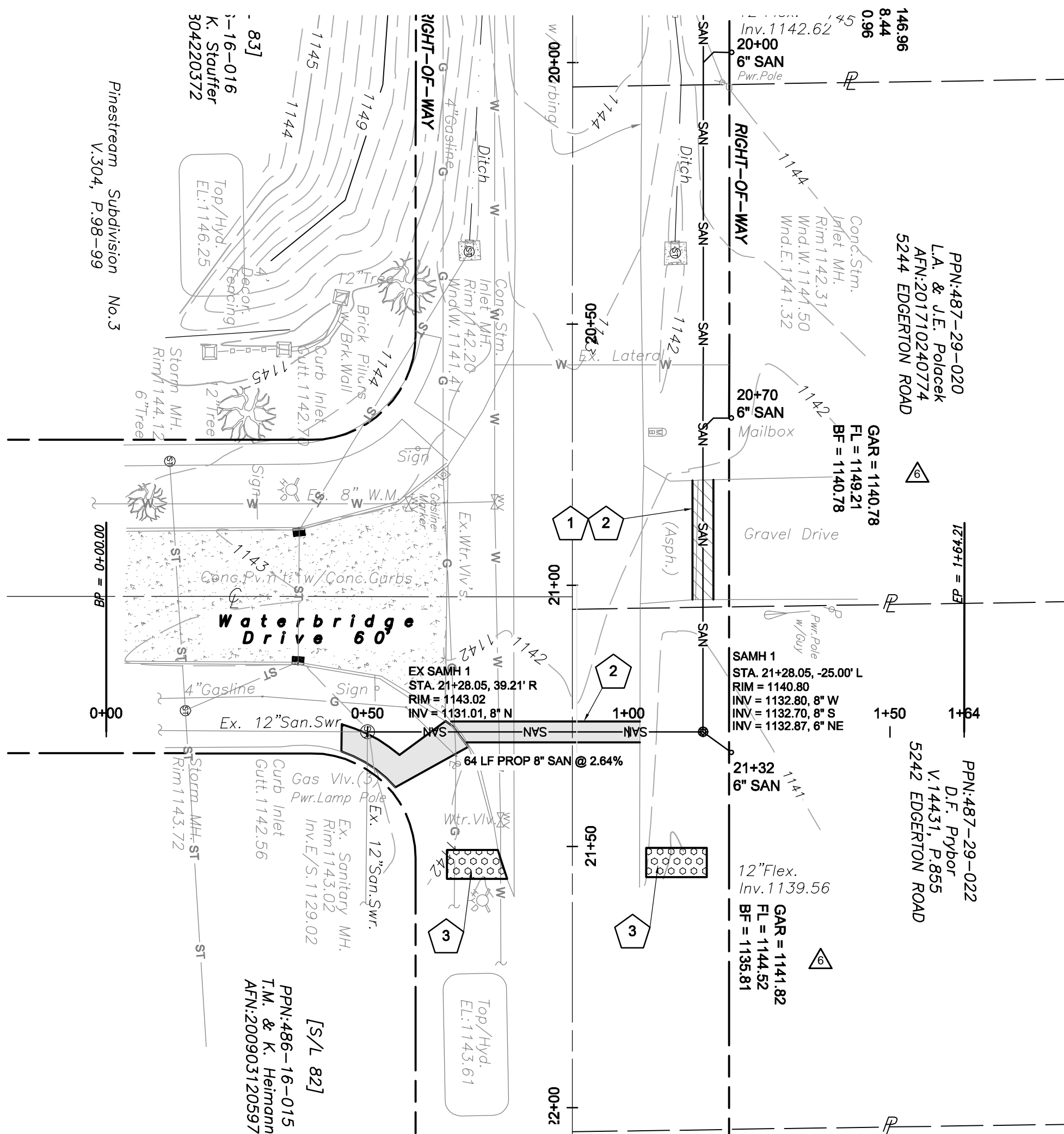


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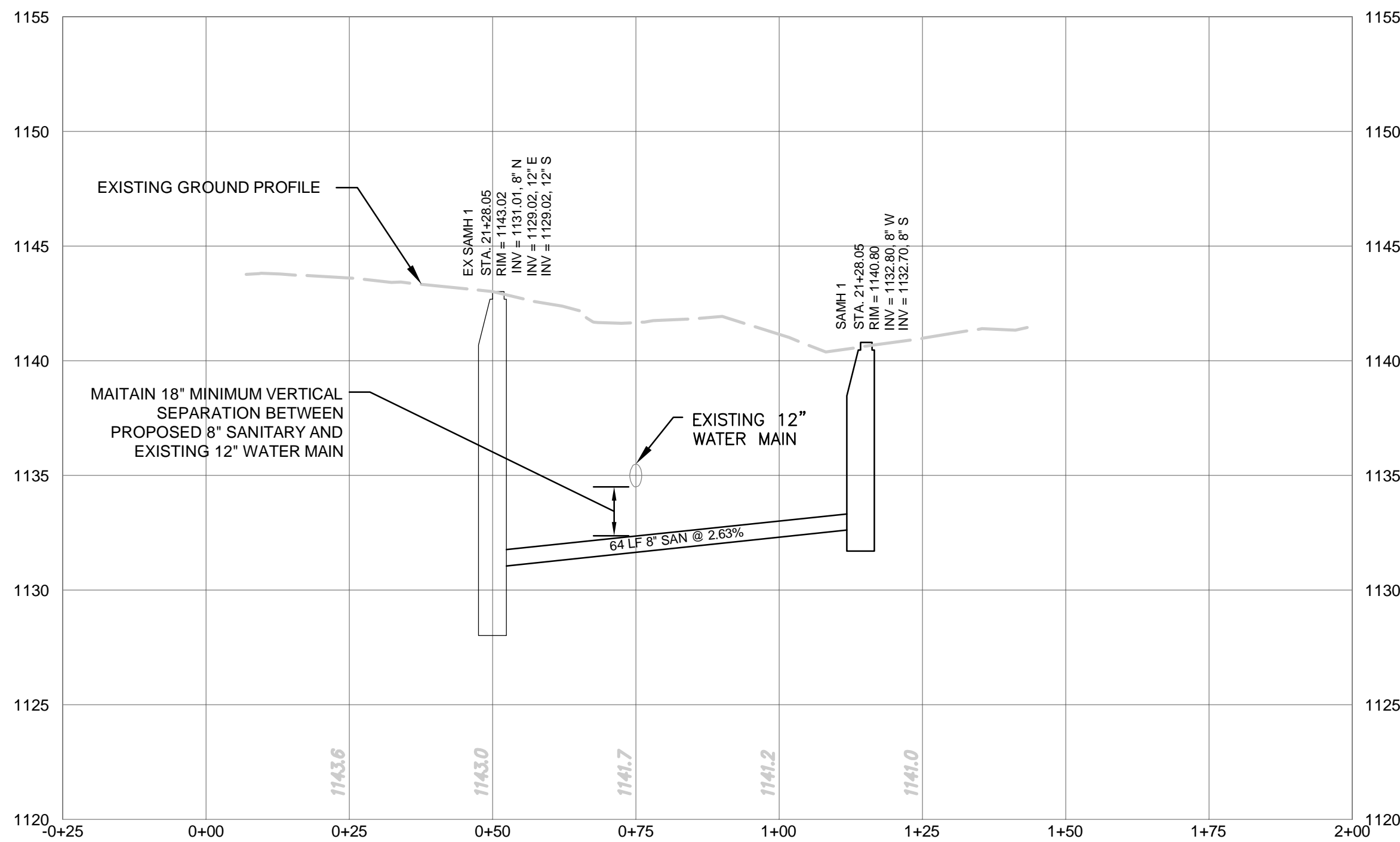
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KEY NOTES

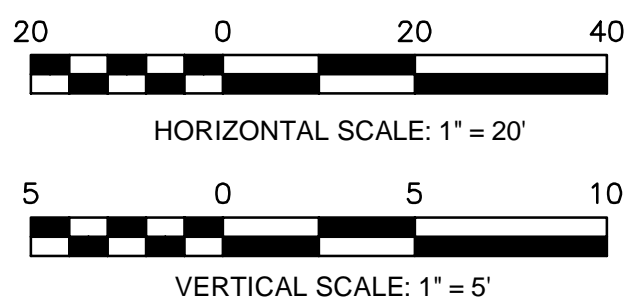
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 - 2 SAWCUT
 - 3 INSTALL COMPOST SOCK CHECK DAM. SEE DETAIL AND SPECIFICATIONS ON SHEET C 602.



EDGERTON ROAD CROSSING



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PLAN & PROFILE
29+50 TO 32+50

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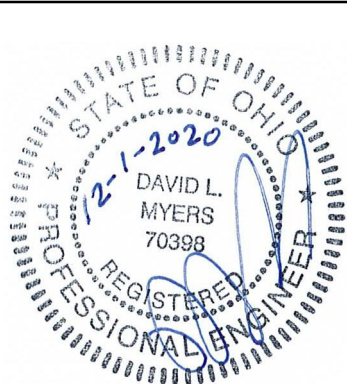
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AN RESOLUTION ENACTED BY THE CITY OF NORTH ROYALTON, CUYAHOGA COUNTY, OHIO
HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE
STATED DESCRIBED PROJECT TO CONSTRUCT SIDEWALK ALONG THE WEST SIDE OF STATE
ROAD (S.R. 94) BETWEEN AKINS ROAD AND THE ENTRANCE TO MEMORIAL PARK,
INCLUDING DETECTABLE WARNINGS AND DRIVE APRON REPLACEMENTS, LYING WITHIN
THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

WHEREAS: On the 16th day of March, 2021, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of the construction of sidewalk along the west side of State Road (S.R. 94) between Akins Road and the entrance to Memorial Park, including detectable warnings and drive apron replacements, lying within the City of North Royalton

WHEREAS: The LPA shall cooperate with the Director of 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 LPA is now estimated in the amount of Twelve Thousand Two Hundred and 00/100 Dollars, (\$12,200.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

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; and

WHEREAS: The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The estimated sum, of Twelve Thousand Two Hundred and 00/100 Dollars, (\$12,200.00) 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. The LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 3. The LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Section 4. The LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

Section 5. This Resolution 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 expedite the highway project and to promote highway safety.

THEREFORE, provided this Resolution 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.

_____	APPROVED: _____
PRESIDENT OF COUNCIL	MAYOR

DATE PASSED: _____	DATE APPROVED: _____
--------------------	----------------------

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

FISCAL OFFICER’S CERTIFICATE
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: \$12,200.00 required for the payment of the cost other than that thereof assumed by the Federal Government, for the improvement of that portion of the TLCI, lying within the corporate limits of the City of North Royalton, more particularly described as follows:

The project consists of the construction of sidewalk along the west side of State Road (S.R. 94) between Akins Road and the entrance to Memorial Park, including detectable warnings and drive apron replacements, lying within the City of North Royalton; and

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of North Royalton, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this day of
(Fiscal Officer’s Seal) (If Applicable)

Fiscal Officer of the City of North Royalton, Ohio

C O N T R A C T
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of **North Royalton**, (hereinafter referred to as the legislative authority/Local Public Agency or "LPA").

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, through the enactment of final legislation, the LPA has committed to pay an estimated amount of money as its share of the total estimated cost and expense of the highway project described below; and

WHEREAS, the fiscal officer of the LPA has filed with the LPA a certificate stating that sufficient moneys are available, as required by Chapter 5521 and Section 5705.41 of the Ohio Revised Code. A duplicate certificate is attached hereto; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: LEGAL REFERENCES

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of the construction of sidewalk along the west side of State Road (S.R. 94) between Akins Road and the entrance to Memorial Park, including detectable warnings and drive apron replacements, lying within the City of North Royalton.

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. The LPA agrees to pay to the STATE its share of the total estimated cost expense for the above highway project in the amount of **Twelve Thousand Two Hundred and - - - - 00/100 Dollars, (\$12,200.00).**
5. **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.**
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.
7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;
 - B. To maintain the PROJECT in accordance with the provisions of the statutes relating thereto,
 - C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
 - D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;

- E. To place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows:

City of North Royalton
14600 State Road
North Royalton, Ohio
44133

Ohio Department of Transportation
Office of Contract Sales & Estimating
1980 West Broad Street, 1st Floor
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin (ancestry), disability, genetic information, or age (40 years or older), sexual orientation, or military status (past, present, future). Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation; and Selection for Training including Apprenticeship.
2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin (ancestry), disability, genetic information, age (40 years or older), sexual orientation, or military status (past, present, future). If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw materials) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.

3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.
6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XII: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

Any party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or e-mail. Each party hereto shall be entitled to rely upon a facsimile signature on any other party delivered in such a manner as if such signature were an original.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL

(If Applicable)

**OHIO DEPARTMENT OF
TRANSPORTATION**

LOCAL PUBLIC AGENCY
City of **North Royalton**

Director of Transportation

Mayor

Date

Approved:
Dave Yost
Attorney General of Ohio

By: _____
Stephen H. Johnson
Unit Coordinator, Transportation
Executive Agencies Section

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$2,825,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE CITY'S ENERGY CONSERVATION IMPROVEMENT BONDS, SERIES 2019, DATED MAY 7, 2019, PREVIOUSLY ISSUED FOR THE PURPOSE OF CONSTRUCTING AND INSTALLING A CITY-WIDE ENERGY CONSERVATION PROJECT, INCLUDING ALL NECESSARY APPURTENANCES THERETO; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY

WHEREAS: The City Council (the "Council") of City of North Royalton, Ohio (the "City") has issued bonds dated May 7, 2019 in the amount of \$2,910,000 (the "Outstanding Bonds") in anticipation of the issuance of the bonds herein described, which Outstanding Bonds will mature on December 1, 2021; and

WHEREAS: It appears advisable to issue bonds to retire the Outstanding Bonds; and

WHEREAS: The Director of Finance (the "Director of Finance") of the City has certified to this Council that the maximum maturity of the bonds cannot be later than December 1, 2039 (which date is the final maturity date of the Refunded Bonds).

WHEREAS: It is now deemed necessary to issue and sell not to exceed \$2,825,000 of such bonds for the purpose described in the title of this Ordinance under authority of the general laws of the State of Ohio, including Chapter 133, Ohio Revised Code, and in particular Section 133.23 thereof and the Charter of the City, for the purpose stated in the title of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, OHIO, THAT:

Section 1. Issuance of the Bonds. It is hereby declared necessary to issue bonds of the City in the principal sum of not to exceed \$2,825,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which bonds shall be designated "City of North Royalton, Ohio Various Purpose Improvement Bonds, Series 2021," or as otherwise determined by the Director of Finance (the "Bonds"), for the purpose described in the title of this Ordinance. The Bonds may be issued in one or more series.

Section 2. Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Bonds with other limited tax general obligation bonds of the City authorized by separate ordinances of this Council. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Ordinance, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated "City of North Royalton, Ohio Various Purpose Improvement and Refunding Bonds, Series 2021," or as otherwise provided in the Certificate of Fiscal Officer defined in Section 4 hereof.

Section 3. Terms of the Bonds. The Bonds shall be issued as fully registered bonds in book-entry form only, in denominations of \$5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; shall be dated the date determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Director of Finance and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

Section 4. Certificate of Fiscal Officer Relating to Terms of Bonds. The Director of Finance is hereby authorized and directed to execute on behalf of the City a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Director of Finance. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 3.75% per annum, the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

Section 5. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or any integral multiple thereof, unless otherwise determined by the Director of Finance.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined hereinbelow) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

Section 6. Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Director of Finance and the Mayor of the City (the "Mayor"), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Section 7. Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. Appointment of Bond Registrar. The Director of Finance is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds (the "Bond Registrar") or to execute on behalf of the Council a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Bond Registrar for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as

any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the “Bond Register”). Subject to the provisions of hereinabove, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

Section 9. Book-entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of Bonds and to effect transfers of Bonds, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance; (i) there shall be a single Bond of each maturity, (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with

respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Director of Finance and the Mayor of the City are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the Bond Registrar and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

Section 10. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the “Debt Service Levy”) for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution; provided, however, that in each year to the extent that funds are available from other sources and are lawfully appropriated for the payment of the Bonds, the amount of the Debt Service Levy shall be reduced by the amount of such funds so available and appropriated.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest and principal of the Bonds when and as the same falls due.

Section 11. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Bonds in each year until full payment is made.

Section 12. Sale of the Bonds. The Bonds shall be sold to Fifth Third Securities, Inc. or to such other purchaser or purchasers (collectively, the “Original Purchaser”) as the Director of Finance shall designate in the Certificate of Fiscal Officer, at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued to the date of delivery of the Bonds to the Original Purchaser. The Director of Finance and the Mayor of the City, or either of them individually, are authorized and directed to execute on behalf of the City a Bond Purchase Agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which Bond Purchase Agreement shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine

Section 13. There is hereby created and established, as an account within the Bond Retirement Fund of the City, a trust fund to be designated “City of North Royalton – 2021 Refunding Bonds Escrow Fund” (the “Escrow Fund”), or as otherwise designated by the Director of Finance, which account may be in the custody of a bank or trust company as escrow trustee, if desired. The proceeds from the sale of the Bonds, except the accrued interest thereon, and premium thereon, if any, shall be deposited in the Escrow Fund, along with such funds, if any, as the Director of Finance may transfer from the bond retirement fund. Such moneys deposited in the Escrow Fund may be (i) held as cash or (ii) used to purchase direct obligations of or obligations guaranteed as to payment by the United States of America of such maturities and interest payment dates and bearing interest at such rates as will, as certified by such independent public accounting firm as shall be acceptable to the Director of Finance and the Original Purchaser without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to pay the interest on, and the redemption price (including any redemption premium) of, the Refunded Bonds on the earliest optional redemption date for the Refunded Bonds. The Director of Finance is also authorized, if necessary or desirable to facilitate the refunding of the Refunded Bonds, to engage a consultant to verify the sufficiency of the cash or other obligations held in the Escrow Fund to refund the Refunded Bonds on such redemption date. Any accrued interest received from the sale of the Bonds shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds, or other obligations of the City, as permitted by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of

the Bonds within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund, including the Escrow Fund contained therein, in the manner provided by law.

Section 14. The Director of Finance is hereby authorized to execute on behalf of the City an Escrow Agreement (the "Escrow Agreement") with a bank or trust company to be selected by the Director of Finance (the "Escrow Trustee"), setting forth the terms by which the Escrow Fund shall be held and disbursed, if the Director of Finance determines that an Escrow Agreement is necessary or beneficial to facilitate the refunding of the Refunded Bonds. Such an Escrow Agreement shall be in such form, not inconsistent with this Resolution, as the Director of Finance shall determine

Section 15. Federal Tax Law Compliance. The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it shall restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of bond proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Section 16. Official Statement. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Mayor and the Director of Finance are hereby authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the City. The Mayor, Director of Finance and the Director of Law, are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 17. Obtaining of Rating for the Bonds. The obtaining or updating of a rating or ratings on the Bonds and the City is hereby authorized if the Director of Finance determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Director of Finance so determines, then the Director of Finance and this Council are hereby authorized and directed to take all steps necessary to obtain such rating or ratings.

Section 18. Appointment of Municipal Advisor. The appointment of MAS Financial Advisory Services, to serve as municipal advisor to the City in connection with the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 19. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP to serve as Bond Counsel with respect to the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 20. Transcript of Proceedings. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Director of Legislative Services and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 21. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 22. Compliance with Open Meeting Requirements. 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 23. Filing of Bond Ordinance. The Director of Legislative Services is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 24. Emergency Measure. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants, and for the further reason that the Outstanding Bonds heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in order to preserve the credit of the City.

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.

PRESIDENT OF COUNCIL

APPROVED: _____

MAYOR

DATE PASSED: _____

DATE APPROVED: _____

ATTEST: _____

DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$690,000 FOR THE PURPOSE OF PAYING COSTS ASSOCIATED WITH ACQUIRING FIRE EQUIPMENT; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY

WHEREAS: The City Council (“Council”) of the City of North Royalton (the “City”) passed Ordinance No. 21-89 authorizing the expenditure of funds for the purchase of one pierce velocity pumper truck for an amount not to exceed \$689,685.00 on May 18, 2021; and

WHEREAS: Council has determined that it is advisable and in the best interest of the City to issue the Bonds (as defined hereinbelow); and

WHEREAS: The Director of Finance (the “Director of Finance”) has certified to this Council that the estimated life of the improvements described in the title of this Ordinance which are to be financed with the proceeds of Bonds herein described exceeds five years, the maximum maturity of the Bonds being 10 years; and

WHEREAS: It is now deemed necessary to issue and sell not to exceed \$690,000 of such bonds for the purpose described in the title of this Ordinance under authority of the general laws of the State of Ohio, including Chapter 133, Ohio Revised Code, and in particular Section 133.23 thereof and the Charter of the City, for the purpose stated in the title of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, OHIO, THAT:

Section 1. Issuance of the Bonds. It is hereby declared necessary to issue bonds of the City in the principal sum of not to exceed \$690,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which bonds shall be designated “City of North Royalton, Ohio Fire Truck Bonds, Series 2021,” or as otherwise determined by the Director of Finance (the “Bonds”), for the purpose described in the title of this Ordinance. The Bonds may be issued in one or more series.

Section 2. Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Bonds with other limited tax general obligation bonds of the City authorized by separate ordinances of this Council. The Bonds and such other bonds shall be jointly referred to herein as the “Combined Bonds.” As used in this Ordinance, the term “Bonds” shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated “City of North Royalton, Ohio Various Purpose Improvement and Refunding Bonds, Series 2021,” or as otherwise provided in the Certificate of Fiscal Officer defined in Section 4 hereof.

Section 3. Terms of the Bonds. The Bonds shall be issued as fully registered bonds in book-entry form only, in denominations of \$5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; shall be dated the date determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Director of Finance and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

Section 4. Certificate of Fiscal Officer Relating to Terms of Bonds. The Director of Finance is hereby authorized and directed to execute of behalf of the City a Certificate of Fiscal Officer Relating to Terms of Bonds (the “Certificate of Fiscal Officer”) setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Director of Finance. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the “Interest Payment Date”), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 3.75% per annum, the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

Section 5. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or any integral multiple thereof, unless otherwise determined by the Director of Finance.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined hereinbelow) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

Section 6. Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Director of Finance and the Mayor of the City (the "Mayor"), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Section 7. Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. Appointment of Bond Registrar. The Director of Finance is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds (the "Bond Registrar") or to execute on behalf of the Council a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Bond Registrar for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of hereinabove, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any

notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

Section 9. Book-entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of Bonds and to effect transfers of Bonds, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance; (i) there shall be a single Bond of each maturity, (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Director of Finance and the Mayor of the City are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the Bond Registrar and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

Section 10. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the “Debt Service Levy”) for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution; provided, however, that in each year to the extent that funds are available from other sources and are lawfully appropriated for the payment of the Bonds, the amount of the Debt Service Levy shall be reduced by the amount of such funds so available and appropriated.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest and principal of the Bonds when and as the same falls due.

Section 11. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Bonds in each year until full payment is made.

Section 12. Sale of the Bonds. The Bonds shall be sold to Fifth Third Securities, Inc. or to such other purchaser or purchasers (collectively, the “Original Purchaser”) as the Director of Finance shall designate in the Certificate of Fiscal Officer, at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued to the date of delivery of the Bonds to the Original Purchaser. The Director of Finance and the Mayor of the City, or either of them individually, are authorized and directed to execute on behalf of the City a Bond Purchase Agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which Bond Purchase Agreement shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine.

Any accrued interest received from the sale of the Bonds shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law. Any premium from the sale of the Bonds shall be deposited into the fund or funds specified in the Certificate of Fiscal Officer and used for the proper purposes of such fund or funds.

Section 13. Federal Tax Law Compliance. The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute “private activity bonds” within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the “Code”). The City further covenants that it shall restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the “Regulations”).

The Director of Finance, or any other officer, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating

those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of bond proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Section 14. Official Statement. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Mayor and the Director of Finance are hereby authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the City. The Mayor, Director of Finance and the Director of Law, are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 15. Obtaining of Rating for the Bonds. The obtaining or updating of a rating or ratings on the Bonds and the City is hereby authorized if the Director of Finance determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Director of Finance so determines, then the Director of Finance and this Council are hereby authorized and directed to take all steps necessary to obtain such rating or ratings.

Section 16. Appointment of Municipal Advisor. The appointment of MAS Financial Advisory Services, to serve as municipal advisor to the City in connection with the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 17. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP to serve as Bond Counsel with respect to the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 18. Transcript of Proceedings. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Director of Legislative Services and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance, including a Declaration of Official Intent for Reimbursement of Expenditures from Bonds/Notes. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 19. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 20. Compliance with Open Meeting Requirements. 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 21. Filing of Bond Ordinance. The Director of Legislative Services is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 22. Emergency Measure. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants, and for the and for the further reason it is immediately necessary to make immediate provision for the sale of the Bonds in order to take advantage of favorable interest rates.

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.

PRESIDENT OF COUNCIL

APPROVED: _____

MAYOR

DATE PASSED: _____

DATE APPROVED: _____

ATTEST: _____

DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED 5,050,000 FOR THE PURPOSE OF RETIRING ALL OR A PORTION OF THE CITY'S VARIOUS PURPOSE REFUNDING NOTES, SERIES 2020 (FEDERALLY TAXABLE), DATED DECEMBER 17, 2020, PREVIOUSLY ISSUED FOR THE PURPOSE OF CONSTRUCTING, RENOVATING, FURNISHING AND EQUIPPING A MUNICIPAL RECREATIONAL FACILITY AT 11409 STATE ROAD, NORTH ROYALTON, OHIO, AND RETIRING NOTES PREVIOUSLY ISSUED FOR EACH SUCH PURPOSE; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS, AND DECLARING AN EMERGENCY

WHEREAS: The City Council (the "Council") of City of North Royalton, Ohio (the "City") has issued notes dated December 17, 2020 in the amount of \$5,200,000 (the "Outstanding Notes") in anticipation of the issuance of the bonds herein described, which Outstanding Notes will mature on December 1, 2021; and

WHEREAS: It appears advisable to issue bonds to retire the Outstanding Notes; and

WHEREAS: The Director of Finance (the "Director of Finance") of the City has certified to this Council that the maximum maturity of the bonds cannot be later than December 1, 2039 (which date is the final maturity date of the Refunded Bonds); and

WHEREAS: It is now deemed necessary to issue and sell not to exceed \$5,050,000 of such bonds for the purpose described in the title of this Ordinance under authority of the general laws of the State of Ohio, including Chapter 133, Ohio Revised Code, and in particular Section 133.23 thereof and the Charter of the City, for the purpose stated in the title of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA, OHIO, THAT:

Section 1. Issuance of the Bonds. It is hereby declared necessary to issue bonds of the City in the principal sum of not to exceed \$5,050,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which bonds shall be designated "City of North Royalton, Ohio Various Purpose Improvement Bonds, Series 2021," or as otherwise determined by the Director of Finance (the "Bonds"), for the purpose described in the title of this Ordinance. The Bonds may be issued in one or more series.

Section 2. Combining Bonds for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Bonds with other limited tax general obligation bonds of the City authorized by separate ordinances of this Council. The Bonds and such other bonds shall be jointly referred to herein as the "Combined Bonds." As used in this Ordinance, the term "Bonds" shall also mean the Combined Bonds, where appropriate. The Combined Bonds shall be designated "City of North Royalton, Ohio Various Purpose Improvement and Refunding Bonds, Series 2021," or as otherwise provided in the Certificate of Fiscal Officer defined in Section 4 hereof.

Section 3. Terms of the Bonds. The Bonds shall be issued as fully registered bonds in book-entry form only, in denominations of \$5,000 or any integral multiple thereof; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; shall be dated the date determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for hereinbelow; and shall bear interest, payable semiannually on such dates as shall be determined by the Director of Finance and set forth in the Certificate of Fiscal Officer, until the principal sum is paid or provision has been duly made therefor. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months.

Section 4. Certificate of Fiscal Officer Relating to Terms of Bonds. The Director of Finance is hereby authorized and directed to execute of behalf of the City a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Director of Finance. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Date"), the purchase price for the Bonds (which shall be not less than 97% of the face value thereof), the maturity schedule for the Bonds, the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 3.75% per annum, the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

Section 5. Redemption Provisions of the Bonds. The Bonds shall be subject to optional and mandatory redemption prior to stated maturity, as provided in the Certificate of Fiscal Officer. If optional redemption of the Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Bonds of the same maturity will take place, the Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined hereinbelow) prior to the selection of the Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or any integral multiple thereof, unless otherwise determined by the Director of Finance.

The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of Bonds to be redeemed at the address shown in the Bond Register (as defined hereinbelow) on the 15th day preceding the date of mailing. Failure to receive such notice of any defect therein shall not affect the validity of the proceedings for the redemption of any Bond.

Section 6. Form and Execution of the Bonds. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance; and shall be executed by the Director of Finance and the Mayor of the City (the "Mayor"), in their official capacities, provided that either or both of their signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

Section 7. Payment of the Bonds. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. Appointment of Bond Registrar. The Director of Finance is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent for the Bonds (the "Bond Registrar") or to execute on behalf of the Council a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Bond Registrar for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall

promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of hereinabove, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

Section 9. Book-entry System. For purposes of this Ordinance, the following terms shall have the following meanings:

"Book-entry form" or "book-entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to the Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of Bonds and to effect transfers of Bonds, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

All or any portion of the Bonds may be initially issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance; (i) there shall be a single Bond of each maturity, (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book-entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Bond service charges on Bonds in book-entry form registered in the name of a Depository or its nominee shall be payable in next day funds delivered to the Depository or its authorized representative (i) in the case of interest, on each Interest Payment Date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any

conditions which shall be satisfactory to the Bond Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar shall furnish a copy of each of those agreements, certified to be correct by the Bond Registrar, to other paying agents for Bonds and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Director of Finance and the Mayor of the City are authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the Bond Registrar and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Bond certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book-entry system, the City and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the City and the Bond Registrar do not or are unable to do so, the City and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the City or the Bond Registrar, of those persons requesting such issuance.

Section 10. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution; provided, however, that in each year to the extent that funds are available from other sources and are lawfully appropriated for the payment of the Bonds, the amount of the Debt Service Levy shall be reduced by the amount of such funds so available and appropriated.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest and principal of the Bonds when and as the same falls due.

Section 11. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Bonds in each year until full payment is made.

Section 12. Sale of the Bonds. The Bonds shall be sold to Fifth Third Securities, Inc. or to such other purchaser or purchasers (collectively, the "Original Purchaser") as the Director of Finance shall designate in the Certificate of Fiscal Officer, at the purchase price set forth in the Certificate of Fiscal Officer, plus interest accrued to the date of delivery of the Bonds to the Original Purchaser. The Director of Finance and the Mayor of the City, or either of them individually, are authorized and directed to execute on behalf of the City a Bond Purchase Agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Bonds are to be sold and delivered, which Bond Purchase Agreement shall be in such form, not inconsistent with this Ordinance, as the Director of Finance shall determine.

Any accrued interest received from the sale of the Bonds shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law. Any premium from the sale of the Bonds shall be deposited into the fund or funds specified in the Certificate of Fiscal Officer and used for the proper purposes of such fund or funds.

Section 13. Federal Tax Law Compliance. The City hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it shall restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of bond proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

Section 14. Municipal Bond Insurance. The Director of Finance, or any other officer, including the Mayor, is authorized to make appropriate arrangements, if such officer deems it in the best interest of the City, for the issuance of a municipal bond insurance policy with respect to all or any portion of the Bonds, including executing and delivering a commitment therefor and certificates and other documents in connection therewith. All additional provisions required to be authorized by this Council for the issuance of a municipal bond insurance policy shall be contained in the Certificate of Fiscal Officer.

Section 15. Official Statement. The distribution of an Official Statement of the City, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Mayor and the Director of Finance are hereby authorized and directed to negotiate, prepare and execute, on behalf of the City and in their official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and they are authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as they deem necessary or appropriate to protect the interests of the City. The Mayor, Director of Finance and the Director of Law, are each authorized to execute and deliver, on behalf of the City and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

Section 16. Obtaining of Rating for the Bonds. The obtaining or updating of a rating or ratings on the Bonds and the City is hereby authorized if the Director of Finance determines that it is necessary or advisable in connection with the original issuance of the Bonds. If the Director of Finance so determines, then the Director of Finance and this Council are hereby authorized and directed to take all steps necessary to obtain such rating or ratings.

Section 17. Appointment of Municipal Advisor. The appointment of MAS Financial Advisory Services, to serve as municipal advisor to the City in connection with the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 18. Appointment of Bond Counsel. The appointment of the law firm of Bricker & Eckler LLP to serve as Bond Counsel with respect to the issuance of the Bonds is hereby approved. The fees to be paid to such firm shall be subject to review and approval by the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Bonds.

Section 19. Transcript of Proceedings. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Director of Legislative Services and a no-litigation certificate of the Mayor and the Director

of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 20. Satisfaction of Conditions for Bond Issuance. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 21. Compliance with Open Meeting Requirements. 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 22. Filing of Bond Ordinance. The Director of Legislative Services is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 23. Emergency Measure. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants, and for the further reason that the Outstanding Notes heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in order to preserve the credit of the City.

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.

PRESIDENT OF COUNCIL

APPROVED: _____

MAYOR

DATE PASSED: _____

DATE APPROVED: _____

ATTEST: _____

DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE ADOPTING THE 2021 NORTH ROYALTON MASTER PLAN AS SUBMITTED BY THE 2021 NORTH ROYALTON MASTER PLAN COMMITTEE IN ACCORDANCE WITH ARTICLE XII (b) OF THE CHARTER OF THE CITY OF NORTH ROYALTON TO PROVIDE FOR THE FUTURE AND OVERALL DEVELOPMENT OF THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

- WHEREAS: Article XII (b) of the Charter requires a Master Plan review; and
- WHEREAS: The 2021 Master Plan Committee of the City of North Royalton was formed in 2020 and constituted a committee involving numerous residents of this community from all walks of life; and
- WHEREAS: The 2021 Master Plan Committee conducted a careful, exhaustive study of the city, its assets and opportunities for growth and throughout the process involved the public in various discussions in multiple, open, public meetings; and
- WHEREAS: The Committee has completed its duties and produced a summary of its work; and
- WHEREAS: This Council has carefully considered the Master Plan and finds that said Plan constitutes an appropriate and rational plan for the current and future development of all land in the City of North Royalton; and
- WHEREAS: Council desires to adopt this Master Plan and thank the Master Plan Committee for its work and dedication.

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 Council of the City of North Royalton hereby adopts the 2021 Master Plan of the City of North Royalton, the document consisting of text, maps, and exhibits entitled “CITY OF NORTH ROYALTON 2021 MASTER PLAN UPDATE”, a copy of which is on file in the office of the Director of Legislative Services and furthermore publicly thanks the many volunteers who contributed to this valuable civic effort.
- 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 adopt the 2021 Master Plan for the proper planning and orderly development of the City of North Royalton.

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.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE XII PLANNING COMMISSION, OF THE CHARTER OF THE CITY OF NORTH ROYALTON, BY AMENDING SUBSECTION (b)(2) PERTAINING TO ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY, AND DECLARING AN EMERGENCY

- WHEREAS: The 2021 Master Plan Committee has recommended the adoption of the revisions set forth in its final report to both Planning Commission and Council; and
- WHEREAS: The Planning Commission has reviewed the final report and approved of it and recommended to Council its adoption; and
- WHEREAS: The plan incorporates a new Zoning Map for the city to correct certain errors and to promote orderly community development; and
- WHEREAS: Council desires to provide a ballot issue to amend Article XII, Paragraph (b) of the Charter, entitled Powers and Duties of the Planning Commission to add additional language in subsection (b)(2) entitled Adoption of Master Land Use Plan for Rezoning of the City to adopt a revised Zoning Map and to aid in the enforcement of the Master Plan; and
- WHEREAS: To provide for the above, it is necessary to recommend an amendment to Article XII, Paragraph (b)(2) of the Charter, entitled Adoption of Master Land Use Plan for Rezoning of the City by amending said section; and
- WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution, and Article XVIII, Subsection (e) of the Charter of the City of North Royalton, this Council hereby authorizes and directs the submission to the electors of the City of North Royalton, at an election to be held in the usual places of voting in said City on November 2, 2021, a proposed amendment to Article XII of the Charter, entitled Powers and Duties of the Planning Commission, which currently provides as follows:

**ARTICLE XII
PLANNING COMMISSION**

(b)(2) ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY.

Planning Commission and Council having adopted a Master Plan for the City as provided in (1) above, the Master Land Use Plan as set forth therein shall be the guide for all future rezoning of the City until otherwise amended pursuant to this Charter. Attached to Ordinance 14-78 as Exhibit A is a Zoning Map which is consistent with the guidelines of the newly adopted Master Plan, and which, upon adoption of this section of the Charter, shall be the new Zoning Map for the City and shall be effective and establish the current zoning for all parcels shown thereon upon the effective date of this provision, until otherwise amended pursuant to the City ordinances or this Charter. The Zoning changes made as a result of the adoption of this amendment shall not be considered as previously rezoned property as provided in Article XII, Section (g). Subsequent changes to the Zoning Map that are subject to referendum pursuant to Article XII, Section (g) shall remain subject to submission to the voters.

and which may be amended to read as follows:

**ARTICLE XII
PLANNING COMMISSION**

(b)(2) ADOPTION OF MASTER LAND USE PLAN FOR REZONING OF THE CITY.

Planning Commission and Council having adopted a Master Plan for the City as provided in (1) above, the Master Land Use Plan as set forth therein shall be the guide for all future rezoning of the City until otherwise amended pursuant to this Charter. Attached to Ordinance 21-127 is a Zoning Map which is consistent with the guidelines of the newly adopted Master Plan Update, and which, upon adoption of this section of the Charter, shall be the new Zoning Map for the City and shall be effective and establish the current zoning for all parcels shown thereon upon the effective date of this provision, until otherwise amended pursuant to the City ordinances or this Charter. The Zoning changes made as a result of the adoption of this amendment shall not be considered as previously rezoned property as provided in Article XII, Section (g). Subsequent changes to the Zoning Map that are subject to referendum pursuant to Article XII, Section (g) shall

remain subject to submission to the voters. Notwithstanding any other provision of this Charter, approval by the electorate at a general election of a Zoning Map revision to the Zoning Map noted herein shall take precedence over and supersede any and all prior Zoning Maps of the municipality establishing separate districts for development therein.

Section 2. The ballot for said issue shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT
A majority affirmative vote is necessary for passage.

SHALL THE CHARTER OF THE CITY OF NORTH ROYALTON,
ARTICLE XII, PLANNING COMMISSION, SUBSECTION (b)(2) BE
AMENDED BY ADOPTING A NEW MASTER LAND USE PLAN AND
ZONING MAP FOR REZONING OF THE CITY?

	YES
	NO

Section 3. The foregoing proposed amendment, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 2, 2021, shall become a part of the Charter of this City and shall be effective as of the date that said amendment has been certified by the Cuyahoga County Board of Elections as having been approved by a majority of the voters and Ordinance 14-78 shall be repealed thereby.

Section 4. The Director of Legislative Services be and hereby is authorized and directed to immediately deliver to the Board of Elections a certified copy of this Ordinance.

Section 5. The Director of Legislative Services be and hereby is authorized and directed, pursuant to the laws passed by the General Assembly, to give notice of this proposed Charter amendment by newspaper advertising.

Section 6. There shall be and hereby is appropriated from the General Fund a sufficient sum of money to pay the cost of printing and mailing copies of said proposed Charter amendment, for publishing an election notice, and for other costs incidental to carrying out the terms of this Ordinance.

Section 7. 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 8. 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 this Ordinance must be effective immediately in order to permit necessary arrangements to be made in sufficient time for said election.

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.

PRESIDENT OF COUNCIL

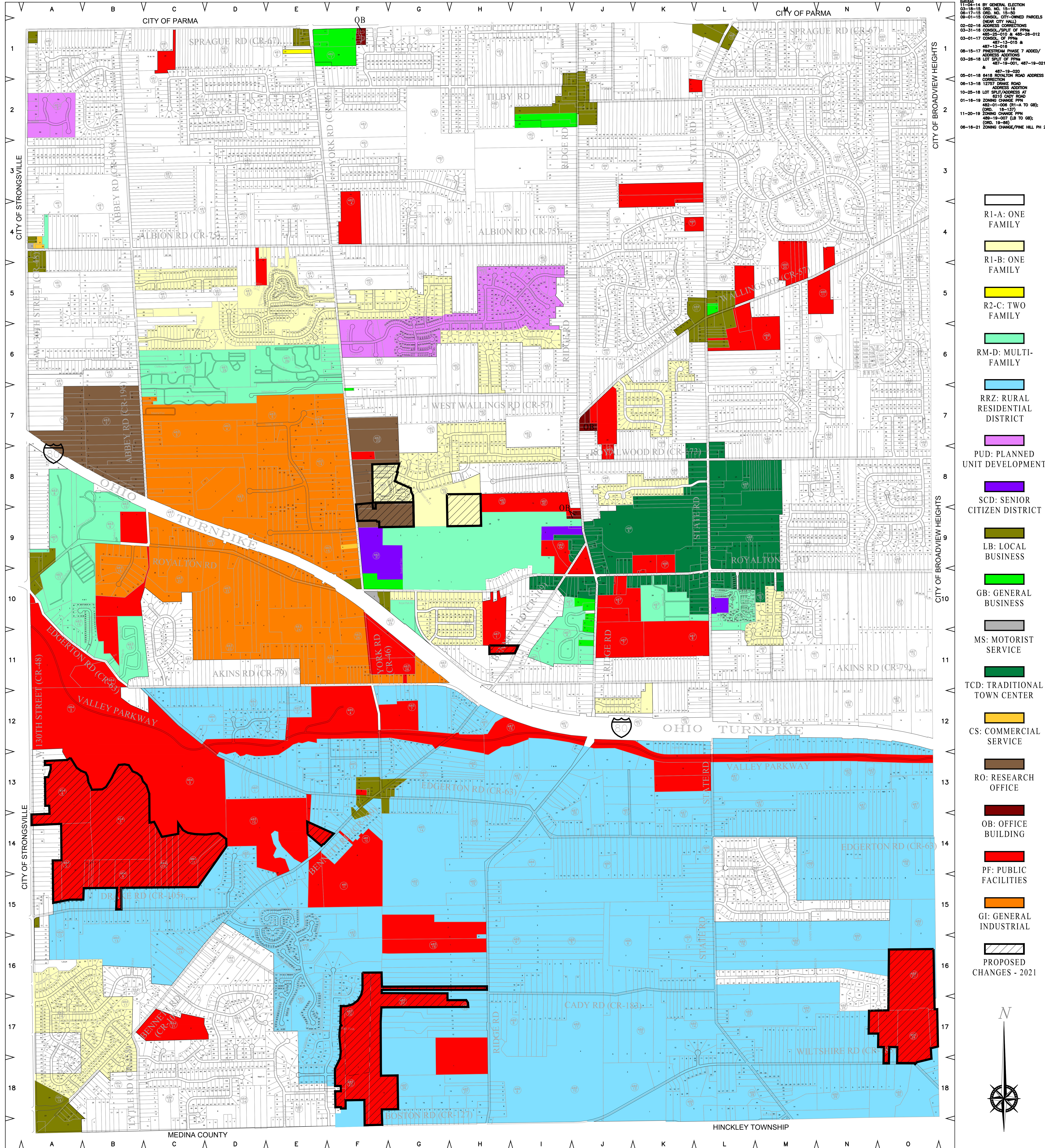
APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:

[illegible]