

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 21-134

INTRODUCED BY: Mayor Antoskiewicz  
Co-Sponsor: Marnecheck

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BY AND BETWEEN NORTHEAST OHIO REGIONAL SEWER DISTRICT AND THE CITY OF NORTH ROYALTON FOR BUNKER ROAD STREAM IMPROVEMENTS PRE-DESIGN PROJECT, AND DECLARING AN EMERGENCY

- WHEREAS: The District and the City are working jointly in the Big Creek watershed near Bunker Road in the City of North Royalton, where a local tributary flows into the Regional Stormwater System (RSS) (District Asset ID: BC00375); and
- WHEREAS: Due to the alignment of the RSS and the local tributary, they are hydraulically connected and should be managed as one project to ensure that the design benefits the system as a whole; and
- WHEREAS: The project area has many obstacles including two residential properties that experience erosion and sinkholes, a local sanitary sewer located in and along the stream channel, and two culvert crossings under Bunker Road; and
- WHEREAS: The City has agreed to perform the Bunker Road Stream Improvements Pre-Design Project (the “Project”) through its City Engineer, to evaluate alternatives, and the parties have agreed to equally share the Project costs; and
- WHEREAS: The District is authorized to enter into this agreement, generally, under Ohio Revised Code Section 6119.09, and specifically, under Ohio Revised Code Section 6119.06(G) to contract with any political subdivision to construct, reconstruct, enlarge, improve, maintain, repair, and operate Water Resource Projects; and under Ohio Revised Code Section 6119.09 to enter into agreements with political subdivisions for the effective cooperative action and safeguarding of the respective interests of the parties for the construction and funding of projects by one or more of the parties; and is authorized under Ohio Revised Code Section 6119.06 (O) to make and enter into all contracts and agreements and execute all instruments necessary or incidental to the performance of its duties and the execution of its powers under Chapter 6119 of the Ohio Revised Code; and
- WHEREAS: Council desires to authorize the Mayor to execute said agreement.

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 Mayor to execute an agreement by and between Northeast Ohio Regional Sewer District and City of North Royalton for the Bunker Road Stream Improvements Pre-Design Project in North Royalton Project pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

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 execute the agreement by and between Northeast Ohio Regional Sewer District and City of North Royalton for the Bunker Road Stream Improvements Pre-Design Project in North Royalton to avoid conflicts in the design and implementation of the project and insure consistency in the common initiative.

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.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: July 20, 2021

DATE APPROVED: July 21, 2021

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading July 20, 2021

YEAS: Marnecheck, Fenos, Barath, Krejci  
Dietrich, Weimer, Vos

NAYS: none