

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 22-15

INTRODUCED BY: Mayor Antoskiewicz  
Co-Sponsor: Carbone-McDonald, Marnecheck

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A PARCEL OF REAL PROPERTY FOR THE CREATION OF A STORM WATER RETENTION BASIN BEING PERMANENT PARCEL NUMBER 481-12-006, AND DECLARING AN EMERGENCY

WHEREAS: Article I, Section 19 of the Ohio Constitution and R.C. 719.01 and relevant provisions of Ohio Revised Code Chapter 163 provide authority for a municipality to appropriate property; and

WHEREAS: The City has previously passed a Resolution of Necessity with regard to the parcel identified; and

WHEREAS: The City has complied with the relevant provisions of Ohio Revised Code Chapter 163 and R.C. 719.05; and

WHEREAS: In order for the appropriation to proceed Council, by an affirmative vote of two thirds of the members thereof, must authorize the Law Director to proceed to file the complaint and prosecute the matter; and

WHEREAS: Council does desire to authorize the appropriation proceedings.

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 finds that the appropriation is necessary for the stated public purpose listed above in the preamble and Resolution No. 21-159 which are incorporated herein by reference, and furthermore that the City has attempted to negotiate the purchase of the property and has been unable to do so.

Section 2. Council hereby fixes the fair market value of the property at \$27,000 and authorizes and directs the Law Director to proceed to file and prosecute a Complaint for the appropriation of Permanent Parcel Number 481-12-006 for the purpose of obtaining the title to said real property for the public purpose of the creation of a storm water retention facility thereon.

Section 2. Permanent Parcel number 481-12-006 is described in Exhibit A attached hereto.

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 necessary to secure the title to said parcel to allow for the commencement of work to reduce and diminish storm water flooding and damage to other real 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 it fails.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: January 18, 2022

DATE APPROVED: January 19, 2022

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

First reading suspended  
Second reading suspended  
Third reading January 18, 2022

YEAS: Marnecheck, Nickell, Barath, Krejci,  
Dietrich, Carbone-McDonald, Wos

NAYS: none