

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

RESOLUTION NO. 22-197

INTRODUCED BY: Mayor Antoskiewicz  
Co-Sponsor: Marnecheck

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE FINAL CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A 10-FOOT-WIDE PATH ALONG THE WEST SIDE OF BENNETT ROAD (C.R. 109) BETWEEN VALLEY PARKWAY AND SOUTH AKINS ROAD, INCLUDING CURB, DRIVEWAYS, CURB RAMPS, DRAINAGE, AND PAVEMENT MARKINGS, LYING WITHIN THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

WHEREAS: On the 6th day of September, 2022, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of the construction of a 10-foot wide path along the west side of Bennett Road (C.R. 109) between Valley Parkway and South Akins Road, including curb, driveways, curb ramps, drainage, and pavement markings, lying within the City of North Royalton; and**

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 **One Hundred Ninety Thousand One Hundred and - - - 00/100 Dollars, (\$190,100.00)**, 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 One Hundred Ninety Thousand One Hundred and - - - 00/100 Dollars, (\$190,100.00) is included in the Proposed 2023 Permanent Appropriations Budget 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 in calendar year 2023 (contingent on passage of 2023 Permanent Appropriations Budget). 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. 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 6. 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 enter into the final contract with the Ohio Department of Transportation for the construction of a 10-foot wide path along the west side of Bennett Road (C.R. 109) between Valley Parkway and South Akins Road, including curb, driveways, curb ramps, drainage, and pavement markings, lying within the City of North Royalton.

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.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: December 20, 2022

DATE APPROVED: December 21, 2022

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

First reading suspended  
Second reading suspended  
Third reading December 20, 2022  
Amended December 20, 2022

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

NAYS: none