

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2015 – 238**

**By: Mayor Perciak and Mr. Maloney**

**AN ORDINANCE AUTHORIZING COOPERATION BY THE CITY WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION AND CONSENTING TO THE WIDENING OF THE ENTRANCE RAMP FROM SR-82 EASTBOUND TO IR-71 NORTHBOUND FROM ONE LANE TO TWO LANES, IN CONNECTION WITH THE 1-71/SR-82 ROYALTON ROAD INTERCHANGE IMPROVEMENTS PROJECT [CUY-82-3.54 SAFETY; PID NO. 99435], IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.**

WHEREAS, the City previously authorized filing of an application for funding under the Ohio Department of Transportation (ODOT) for Highway Safety Program Funds in connection with the I-71/Royalton Road Interchange Improvements Project; and

WHEREAS, in November of 2014, the City was informed that funding had been tentatively approved as an ODOT-let LPA project providing for 90% federal participation for eligible items with a 10% local match; and

WHEREAS, in December of 2014, the City through adoption of Ordinance No. 2014-232 filed an application with the Northeast Ohio Areawide Coordinating Agency, through its Transportation Improvement Program; and

WHEREAS, the State of Ohio has identified the need for and proposes construction in year 2016, of a project which is described as follows and estimated to be \$1,173,333.33:

Widen the entrance ramp from SR-82 eastbound to IR-71 northbound from one lane to two lanes including lane assignment changes on SR-82 to alleviate excessive queuing in the SR-82 curb lane in the City of Strongsville (hereinafter referred to as the "Project").

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

**SECTION I. (Consent Statement)**

That it is declared to be in the public interest that the consent of said City of Strongsville as the Local Public Agency ("LPA") be and such consent is hereby given to the Ohio Director of Transportation to complete the Project.

**SECTION II. (Cooperation Statement)**

That the City as LPA shall cooperate with the Director of Transportation in the above-described Project as follows:

- A. The City as LPA agrees to assume and contribute ten percent (10%) of the cost and expense of the improvement determined to be eligible for Federal aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation
- B. The City as LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

**SECTION III. (Utilities and Right-of-Way Statement)**

That the City as LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The City as LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION IV. (Maintenance)**

That the City as LPA shall maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

**SECTION V. (Authority to Sign.)**

That the Mayor of the City be and is hereby authorized on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the above-described Project.

**SECTION VI. (Funding)**

That the City's portion of the costs in connection with the Project, estimated to be \$117,333.33 shall be paid from the General Capital Improvement Fund.

**SECTION VII. (Open Meeting)**

That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this

Council; and that all deliberations of 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 VIII. (Effective Date)**

That this Ordinance is hereby declared an emergency measure immediately necessary for the preservation of the public peace, health, safety, and general welfare of the inhabitants of the City, and for the further reason that it is necessary in order to participate with the State and expedite the Project, to promote highway safety, to alleviate traffic congestion, to take advantage of available Federal funds and to conserve public funds. 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.

Michael Daymut  
 President of Council

Approved: Thomas S. Bauer  
 Mayor

Date Passed: November 16, 2015

Date Approved: November 17, 2015

|            | <u>Yea</u>                          | <u>Nay</u>               |
|------------|-------------------------------------|--------------------------|
| Carbone    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Daymut     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| DeMio      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Dooner     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Maloney    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schonhut   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Southworth | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Attest: Aimee Pientka  
 Clerk of Council

ORD. No. 2015-238 Amended: \_\_\_\_\_  
 1st Rdg. 11-16-15 Ref: \_\_\_\_\_  
 2nd Rdg. Suspended Ref: \_\_\_\_\_  
 3rd Rdg. Suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 11-16-15 Defeated: \_\_\_\_\_

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**CERTIFICATE OF COPY  
STATE OF OHIO**

State of Ohio                    )  
County of Cuyahoga         ) ss.  
City of Strongsville         )

I, Aimee Pientka, as Clerk of Council of the City of Strongsville, Ohio, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Legislative Authority of the said City on the 16 day of November, 2015, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No 2015, Page 238.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 17<sup>th</sup> day of November, 2015.

Aimee Pientka  
Aimee Pientka, Clerk of Council  
City of Strongsville, Ohio

(SEAL)

**ACCEPTANCE**

The foregoing is accepted as a basis for proceeding with the Project herein described.

ATTEST:

Aimee Pientka

CITY OF STRONGSVILLE

By: Thomas P. Perciak  
Thomas P. Perciak, Mayor  
Date: Nov. 17, 2015

ATTEST:

\_\_\_\_\_

STATE OF OHIO

By: \_\_\_\_\_  
Director, Ohio Department of  
Transportation  
Date: \_\_\_\_\_