

ORDINANCE NO. 2020 – WS-11

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE GARDEN ROAD AND HICKORY ROAD SANITARY SEWER REPAIR PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY**

**WHEREAS**, the entire territory within the limits of the Village of Oakwood is designated within County Sewer District No. 18; and

**WHEREAS**, the Village of Oakwood owns all of the storm and sanitary sewers and sanitary sewerage systems within the Village located in the public right-of-way and easements (the “Village Sewers”), excluding any sanitary sewers owned and maintained by the Northeast Ohio Regional Sewer District, (“NEORSD”); and

**WHEREAS**, the Village of Oakwood, per Resolution 2014-35, entered into a contract with the Cuyahoga County Council in order for the County to collect funds for, and to make improvements and maintenance, to the sewer systems within the County Sewer District No.18; and

**WHEREAS**, the Village Engineer and Service Director have notified the Cuyahoga County Department of Public Works that the condition of the Garden Road and Hickory Road sanitary sewers continue to deteriorate and that the residents of Garden Road and Hickory Road continue to experience sanitary sewer backups during periods of excessive rainfall; and

**WHEREAS**, Council had, by Resolution 2019-58, authorized the Mayor to make application to the District One Public Works Integrating Committee and the Ohio Public Works Commission for financial assistance for the Garden Road and Hickory Road Sanitary Sewer Repair Project; and,

**WHEREAS**, the Ohio Public Works Commission has advised the Mayor and the Village Engineer that it will provide financial assistance for the Garden Road and Hickory Road Sanitary Sewer Repair Project in the form of a grant in the amount of One Hundred Fifty Two Thousand Eight Hundred Dollars and Zero Cents (\$152,800.00); and,

**WHEREAS**, the Cuyahoga County Department of Public Works has advised the Village Engineer and the Service Director that it can utilize funds collected to make improvements to the sewer systems within the County Sewer District No.18 to reimburse the Village of Oakwood for all engineering and construction costs for the Garden Road and Hickory Road Sanitary Sewer Repair Project in excess of the financial assistance provided by the Ohio Public Works Commission; and,

**WHEREAS**, the Village Engineer and Service Director have recommended to the Mayor and Council that the Village Engineer be authorized to begin the preparation of plans and specifications and to advertise for bids for the Garden Road and Hickory Road Sanitary Sewer Repair Project in order to eliminate the potential for continuing basement backups and releases of raw sewage into the environment; and

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

**SECTION 1.** The Village Engineer be and is hereby authorized and directed to prepare plans and specifications for the Garden Road and Hickory Road Sanitary Sewer Repair Project.

**SECTION 2.** The Village Engineer be and is hereby authorized and directed to advertise for bids according to law for the repairs and other work as specified in Section 1 hereof.

**SECTION 3.** Upon receipt of the bids, the Mayor shall provide all members of Council with a bid tabulation summary for each bidder prior to the Board of Control awarding any contract for the matters described in Section 1 hereof.

**SECTION 4.** Council hereby authorizes the expenditure of an aggregate amount not to exceed Four Hundred Twenty-Two Thousand Dollars (\$422,000.00) for the Garden Road and Hickory Road Sanitary Sewer Repair Project as provided in Section 1 hereof. The Director of Finance be and is hereby authorized and directed to issue vouchers in the amounts and for the purposes as expressed in Section 1 hereof upon the award of contracts pursuant to Board of Control approval, said amounts to be charged to the Sanitary Sewer Fund with documentation including invoices and cancelled checks to be submitted promptly to the Ohio Public Works Commission and Cuyahoga County Department of Public Works for full reimbursement.

**SECTION 5.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the Garden Road and Hickory Road Sanitary Sewer is in need of immediate repair, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Johnnie A. Warren, President of Council

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

Presented to the  
Mayor \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2020 -     was duly and regularly passed by this Council at the meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

**POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2020 - \_\_\_\_\_ was duly posted on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

DATED: \_\_\_\_\_