

ORDINANCE NO. 2022-59

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AWARD AGREEMENT WITH CUYAHOGA COUNTY AND DIRECTING THE FINANCE DIRECTOR TO ACCEPT AND DEPOSIT INTO THE LOCAL FISCAL RECOVERY FUND, FUNDING FROM THE DISTRICT 6 ARPA COMMUNITY GRANT FUND IN THE AMOUNT OF \$250,000 TO BE USED FOR THE FAIR OAKS ROAD REHABILITATION PROJECT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Cuyahoga County received \$239,898,257.00 from the Federal Government through the American Rescue Plan Act (“ARPA”); and

**WHEREAS**, the County Executive and County Council have authorized \$86 million of the ARPA dollars for community grants to benefit the residents of Cuyahoga County (the “ARPA Community Grant Fund”); and

**WHEREAS**, the Mayor and Engineer requested \$250,000.00 from the District 6 ARPA Community Grant Fund for the Fair Oaks Road Rehabilitation Project; and

**WHEREAS**, the Cuyahoga County Council, pending passage of Resolution No. R2022-0359, will award funding from the District 6 ARPA Community Grant Fund in the amount of \$250,000.00 to the Village of Oakwood for the Fair Oaks Road Rehabilitation Project.

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

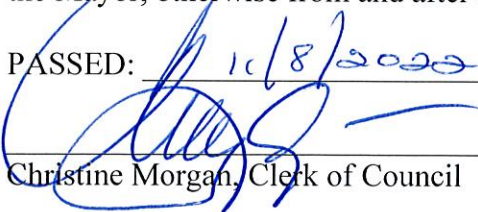
**SECTION 1.** The Mayor is authorized to enter into the Fair Oaks Road Rehabilitation Project Award Agreement, a copy of which is on file in the Finance Director’s office, and the Finance Director is authorized to accept and deposit funding from the District 6 ARPA Community Grant Fund in the amount of \$250,000.00, per Resolution No. R2022-0359, into the Local Fiscal Recovery Fund, to be used for the Fair Oaks Road Rehabilitation Project.

**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 of any of its Committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 3.** 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, and for the further reason to timely accept ARPA funds, 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: 10/8/2022

  
Christine Morgan, Clerk of Council

  
Johnnie A. Warren, President of Council

Presented to the  
Mayor 11/9/2022

Approved: 11/9/2022

  
Mayor, Gary W. Gottschalk

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2022-59 is duly and regularly passed by this Council at the meeting held on the 8th day of November, 2022.

  
Christine Morgan, Clerk of Council

### POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2022-59 was duly posted on the 9th day of November 2022 and will remain posted in accordance with the Oakwood Village Charter.

  
Christine Morgan, Clerk of Council

DATED: 11/9/2022



## Cuyahoga County Council

2079 East 9<sup>th</sup> Street, 8<sup>th</sup> Floor • Cleveland Ohio 44115  
(216) 698-2010

### COUNTY AMERICAN RESCUE PLAN ACT APPLICATION

#### APPLICANT INFORMATION:

**Name of Requesting Entity (City, Business, Non-Profit, etc.):**

Oakwood Village

**Address of Requesting Entity:**

24800 Broadway Avenue  
Oakwood, Ohio, 44116

**County Council District # of Requesting Entity:**

6

**Address or Location of Project if Different than Requesting Entity:**

Fair Oaks Road- Alexander Road to North Bound Interstate 271 Broadway Exit Ramp

**County Council District # of Address or Location of Project if Different than Requesting Entity:**

Same

**Contact Name of Person Filling out This Request:**

Edward J. Hren, P.E. – Oakwood Village Engineer

**Contact Address if different than Requesting Entity:**

22999 Forbes Road, Suite B  
Cleveland, Ohio 441146-5667

**Email:**

hren@cvelimited.com

**Phone:**

440-439-1999

**Federal IRS Tax Exempt No.:**

34-6003713

**Date:**

August 25, 2022



## PROJECT DESCRIPTION

**REQUEST DESCRIPTION (include the project name, a description of the project, why the project is important or needed, and timeline of milestones/tracking of the project):**

**Fair Oaks Road Rehabilitation Project:** This project will reconstruct 0.7 miles of the 16-foot-wide existing concrete pavement to improve the safety of the traveling public on Fair Oaks Road between Alexander Road to the northbound I-271 exit ramp to Broadway/Forbes. Fair Oaks Road is functionally classified as a Minor Arterial with an average daily traffic count of 5,365.

Fair Oaks is a freeway marginal road which provides access to I271/480 for Alexander Road, Broadway Avenue and Forbes Road. During the construction of the I-271 major widening project, from mid-2016 to mid-2020, ODOT's contractor, Kokosing Construction was required to use several marginal roads and connectors as haul roads to be used by trucks carrying construction materials. This section of Fair Oaks was included, and the degradation of these roadways was a concern. Although ODOT determined that the hauling operations did not significantly impact the roadway, and no repairs/replacement was warranted due to the use by the project, the critical condition of the pavement was confirmed.

Fair Oaks Road was constructed in 1965 as a marginal road for Interstate 271. The Village has tried to maintain the road as best as possible, but the 47-year-old pavement is definitely show it's age and is well past its useful life.

The 2018 ODOT TIMS Pavement Condition Rating (PCR) for Fair Oaks Road was 30 and the I-271/480 post construction review (2020) by ODOT assigned this section of Fair Oaks a PCR of 26.6. The 2022 PCR is 25 – one of the lowest possible pavement condition rating scores available. The ODOT TIMS PCR ratings are based on 3 categories had a high severity with extreme extent (Patching, Pressure Damage, Trans Cracking). Surface Deterioration had a medium severity with extreme extent. Five categories had a high or medium severity with a frequent extent (Corner Breaks, Faulting, Joint Spalling, Long Joint Spalling and Longitudinal Cracking). Please refer to the Attachment 1 for the ODOT PCR Map and Pictures detailing the existing condition.

Another aspect of this project is it addresses safety. As part of our Ohio Public Works Application, we calculated the crash rate for Fair Oaks at 1.45/million vehicle miles traveled (Crash Rate = 4 Crashes/[5,365 ADT \* 2 years \* 365 days \* 10<sup>6</sup>\* 0.7 mile]) = 1.45 mvmt.

County ARPA dollars will be used to match an Ohio Public Works Commission \$249,999 Grant and \$500,000 Loan that have been awarded to the project. The ARPA funding will help offset the rising costs of construction that the Village would have to cover with General Fund dollars in addition to the Village's share of the project and repayment of the OPWC loan.

The Village of Oakwood provides roadway maintenance as part of the annual Village Service Department's budget. Oakwood Village will be able to provide summer and winter maintenance of this reconstructed road within the Service Department's budget. Therefore, no additional resources will need to be allocated to maintain this facility and the project will not require any additional funding to maintain this asset.

**Project Start Date:**  
April, 2023

**Project End Date:**  
August, 2023



## **IMPACT OF PROJECT:**

### **Who will be served:**

The project will benefit all of Oakwood Village and the neighboring communities that use Alexander Road and Fair Oaks Road as their primary access to I-271/480. This area includes a large portion of Walton Hills. The project is located within NOACA's Environmental Justice Area. (See Attachment 3). Oakwood is located just south of the Urban Core and Disadvantaged Communities of Bedford and Bedford Heights which can also access 271/480 from this location.

### **How many people will be served annually:**

The project benefits the entire community of 3,667 residents and those residents in adjacent communities who utilize Fair Oaks Road to access Interstate 271. Residents of Oakwood that reside in Census Tract 1957.00 Block Group 2 can be considered the direct beneficiaries of this project (See Attachment 4).

### **Will low/moderate income people be served; if so how:**

The eastern part of the Alexander Road section (at Broadway) is an Improvement Target Boundary Area which connects to Fair Oaks Road and Interstate 271 (See Attachment 4). A Low/Mod block group is also connected via this route. The proposed project is located within the Equity Zone established and adopted by Cuyahoga County in response to historic disinvestment (See Attachment 2).

### **How does the project fit with the community and with other ongoing projects:**

The project acts as a marginal road for commuters and those traveling to regional destinations adjacent to Oakwood, like the MGM Northfield Park and Casino in Northfield Village. The project is Phase 1 of a 2-Phase Improve for Fair Oaks Road. Phase 2 will be coordinated with the 28 acre "Kroger Fulfillment Center" development and includes a minor realignment of Fair Oaks Road to better align with a new site access road on the south of Alexander. Phase 2 also includes the installation of a new traffic signal and will be funded with Ohio Department of Development 629 Funds as well as private development dollars. The project will ultimately benefit the ongoing redevelopment of the former Walton Hills Ford Plant site.

### **If applicable, how many jobs will be created or retained (specify the number for each) and will the jobs be permanent or temporary:**

The project will connect to the new 28-acre Kroger Customer Fulfillment Center and the projected 400+ employees that will work at the center. The roadway also provides I-271/480 access to the industrial section of Oakwood, located on the west side of I-271, including the new 20+ acre Interstate McBee facility and the former Walton Hills Ford Plant site.

### **If applicable, what environmental issues or benefits will there be:**

The reconstruction of Fair Oaks Road is within the existing right of way and will not include any deep trench construction. Therefore, no environmental issues will be encountered during the construction of this project.

### **If applicable, how does this project serve as a catalyst for future initiatives:**

This project is Phase 1 of the two phase improvement of Fair Oaks Road. Phase 2 will be coordinated with the 28 acre "Kroger Fulfillment Center" development and includes a minor realignment of Fair Oaks Road to better align with a new site access road on the south of Alexander. Phase 2 also includes the installation of a new traffic signal and will be funded with Ohio Department of Development 629 Funds as well as private development dollars.

## **FINANCIAL INFORMATION:**

### **Total Budget of Project:**

\$1,500,000.00

### **Other Funding Sources of Project (list each source and dollar amount separately):**

\$500,000.00 – OPWC Loan (20Year) or 33.33% of the Total Budget

\$299,999.00 – OPWC Grant or 20.00% of the Total Budget

\$450,001.00 – Oakwood Village Share of Project or 30.00% of Total Budget.

### **Total amount requested of County Council American Resource Act Dollars:**

\$250,000.00 – Cuyahoga County Council ARPA Share of Project or 16.67% of the Total Budget.

### **Since these are one-time dollars, how will the Project be sustained moving forward:**

The Village of Oakwood provides roadway maintenance as part of the annual Village Service Department's budget. Oakwood Village will be able to provide summer and winter maintenance of this reconstructed road within the Service Department's budget. Therefore, no additional resources will need to be allocated to maintain this facility and the project will not require any additional funding to maintain this asset.



## DISCLAIMER INFORMATION AND SIGNATURE:

### Disclaimer:

I HEREBY CERTIFY that I have the authority to apply for financial assistance on behalf of the entity described herein, and that the information contained herein and attached hereto is true, complete, and correct to the best of my knowledge.

I acknowledge and agree that all County contracts and programs are subject to Federal Guidelines and Regulations, the Ohio Revised Code, the Cuyahoga County Charter, and all County Ordinances including all information submitted as part of this application is a public record.

I understand that any willful misrepresentation on this application or on any of the attachments thereto could result in a fine and/or imprisonment under relevant local, state, and/or federal laws or guidelines.

I agree that at any time, any local, state, or federal governmental agency, or a private entity on behalf of any of these governmental agencies, can audit these dollars and projects.

### Printed Name:

Mayor Gary V. Gottschalk

### Signature:



### Date:

August 30, 2022

## Additional Documents

**Are there additional documents or files as part of this application? Please list each documents name:**

Attachment No.1 Oakwood Fair Oaks Road ODOT TIMS PCR Map and Pictures

Attachment No.2 Oakwood Fair Oaks Road Cuyahoga County Equity Zone Map

Attachment No.3 Oakwood Fair Oaks Road NOACA Urban Core & Disadvantaged Communities and Environmental Justice Map

Attachment No.4 Oakwood Fair Oaks Road CDBG Cuyahoga County ITA Map

**TIMS** TRANSPORTATION INFORMATION MAPPING SYSTEM

Project Search Create a Map Data Download Standard PDF Maps Map Viewers Data Glossary

**Layers**

Legend

**Roadway information**

PCR (Local)

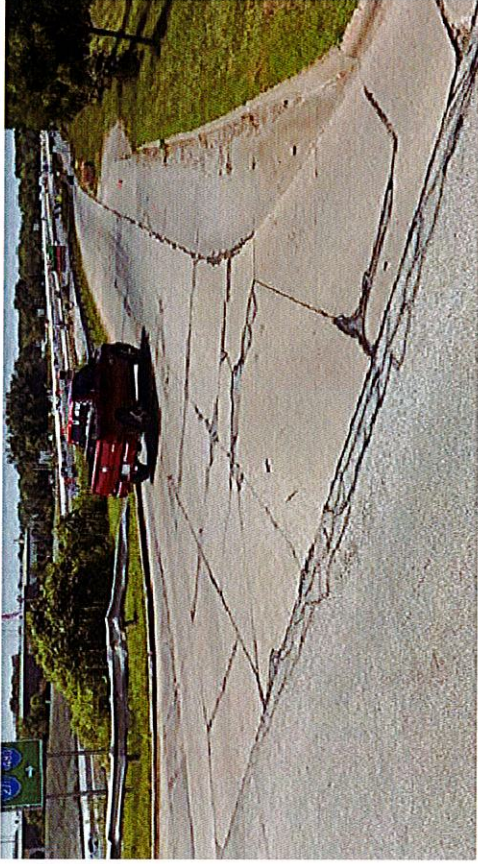
- 25 - 65
- 66 - 69
- 70 - 79
- 80 - 89
- 90 - 100

Map showing a network of roads with color-coded roadways. The map includes labels for roads such as Kentucky Dr, North Ln, Drake St, High Rd, Parker Rd, Oak Leaf Oval, Medford Rd, S Oakleaf Rd, and Jackson Rd. Road numbers 81, 83, 86, 88, 89, 90, 92, 93, 94, 95, 96, 97, 98, 99, and 100 are visible on the map.

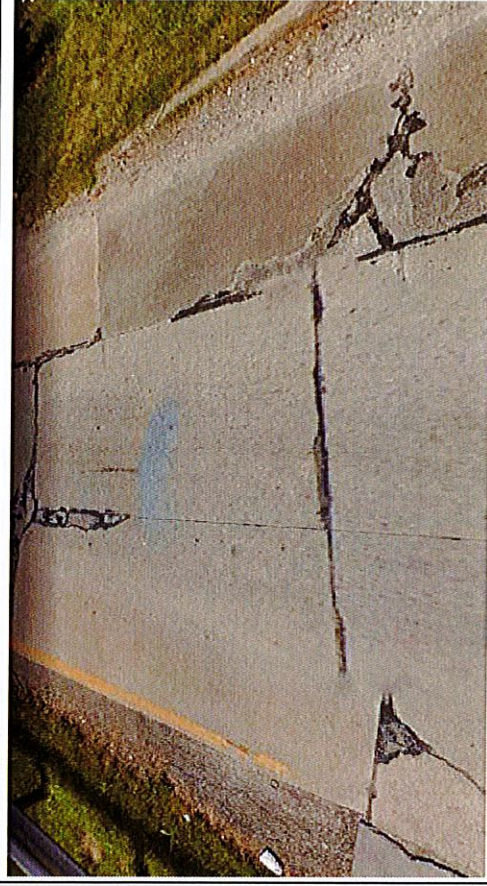




**Attachment No.1 - ODOT TIMS PCR Map & Pictures Page 2 of 5**  
Oakwood Cuyahoga County Council ARPA Funding Request  
Fair Oaks Road Rehabilitation Project



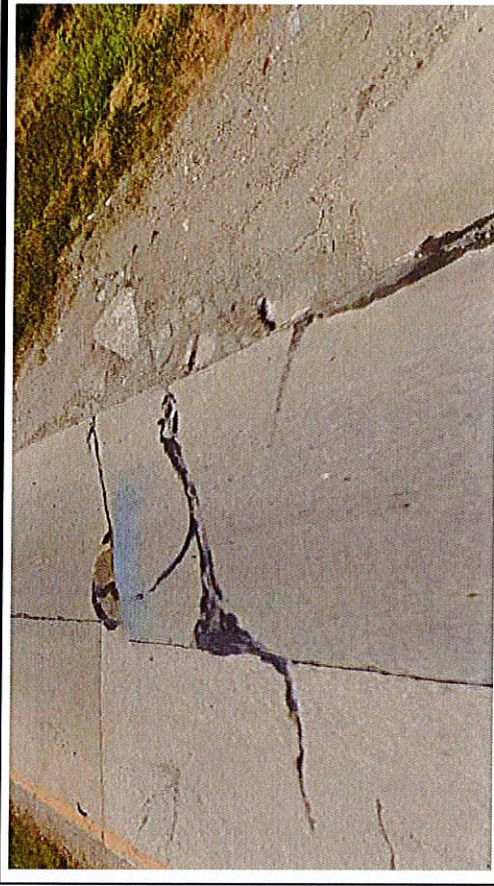
Picture 1:



Picture 2:



Picture 3:



Picture 4:

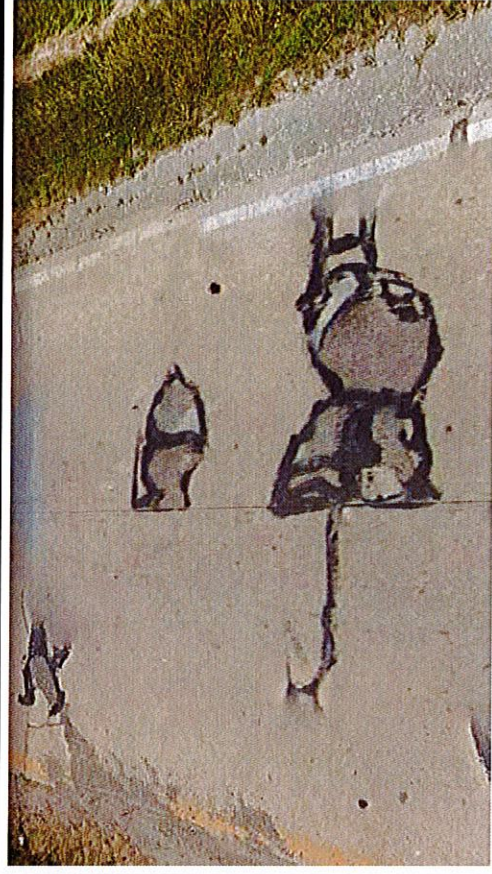




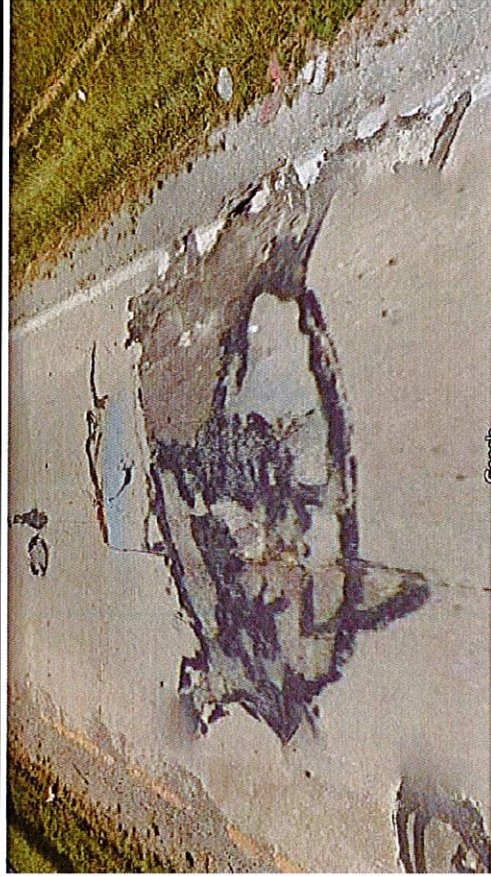
**Attachment No.1 - ODOT TIMS PCR Map & Pictures Page 3 of 5**  
Oakwood Cuyahoga County Council ARPA Funding Request  
Fair Oaks Road Rehabilitation Project



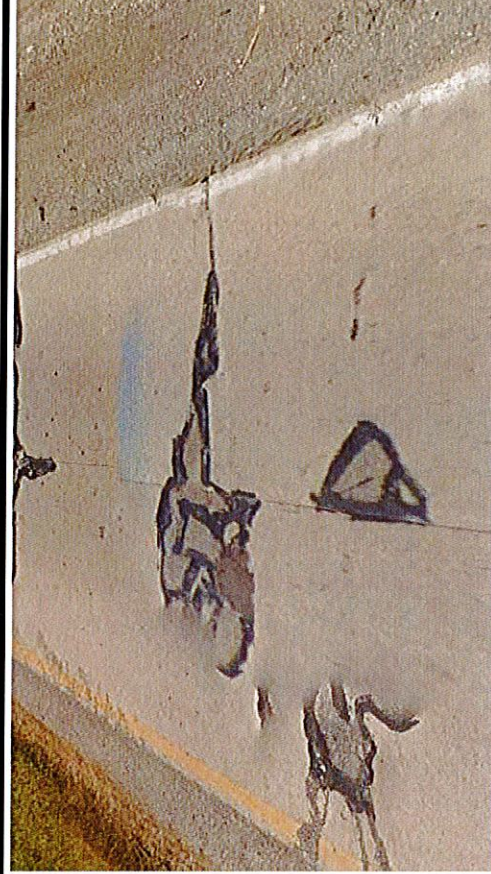
Picture 5:



Picture 6:



Picture 7:

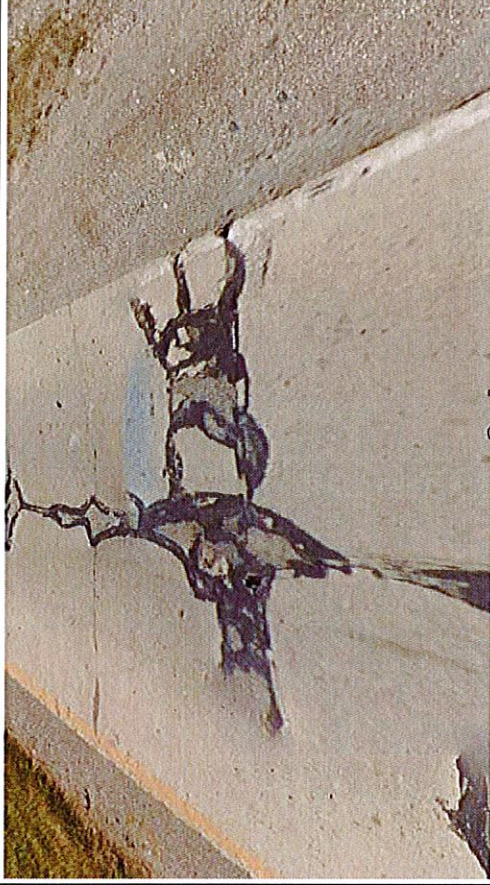


Picture 8:

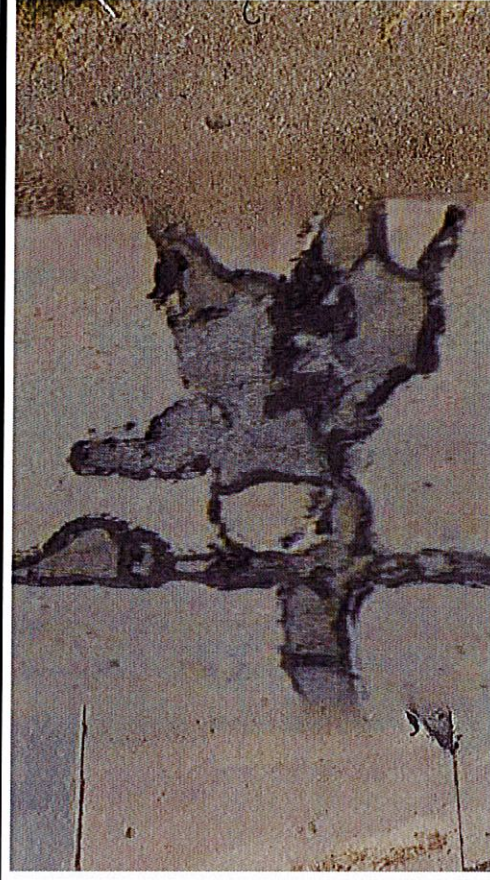




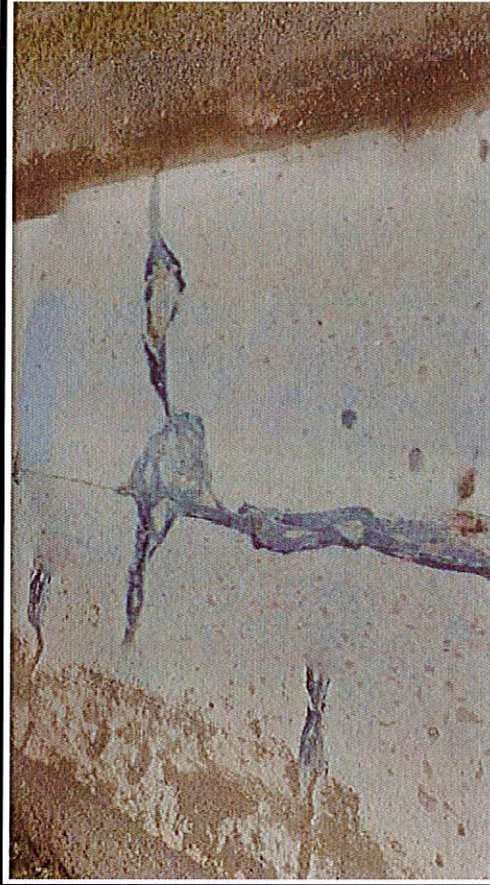
**Attachment No.1 - ODOT TIMS PCR Map & Pictures Page 4 of 5**  
Oakwood Cuyahoga County Council ARPA Funding Request  
Fair Oaks Road Rehabilitation Project



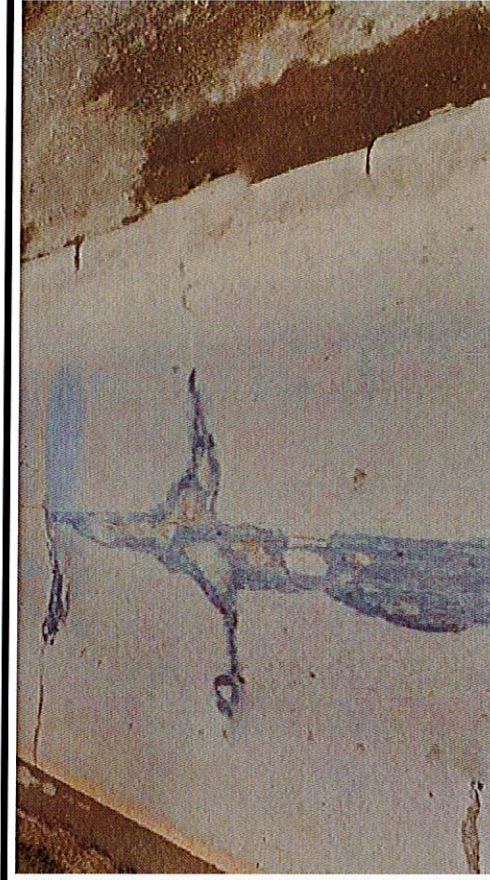
Picture 9:



Picture 10:



Picture 11:

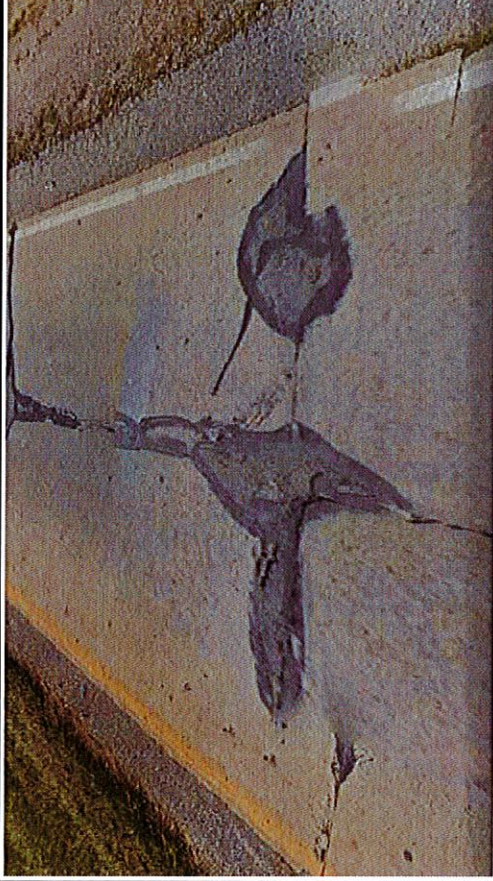


Picture 12:

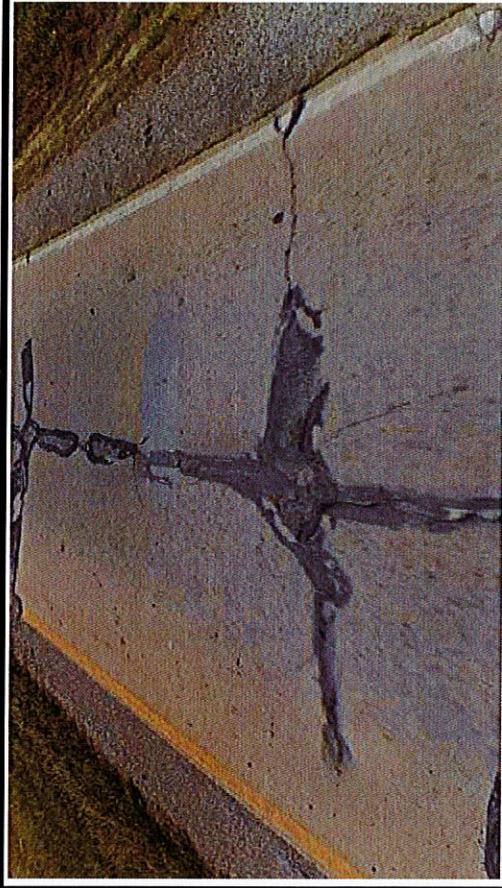




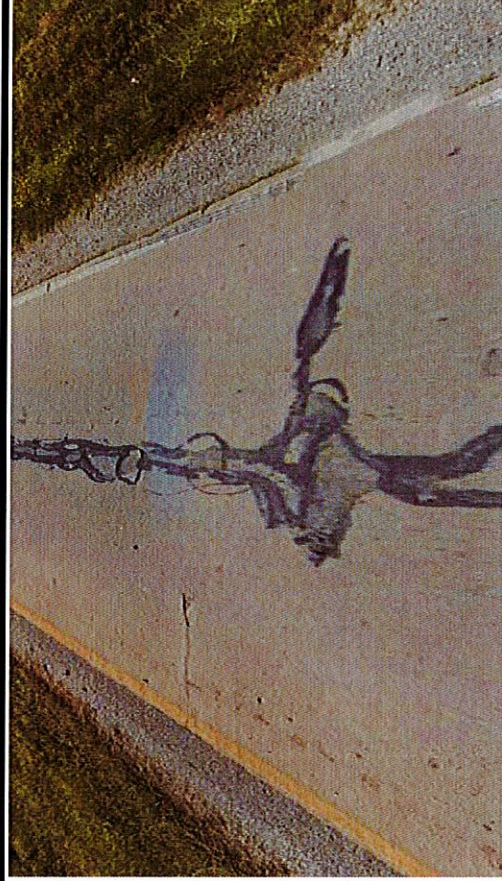
**Attachment No.1 - ODOT TIMS PCR Map & Pictures Page 5 of 5**  
Oakwood Cuyahoga County Council ARPA Funding Request  
Fair Oaks Road Rehabilitation Project



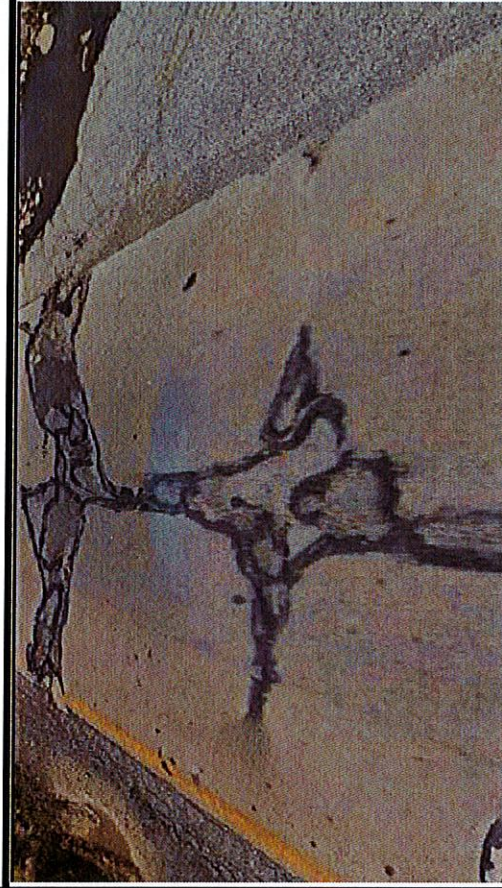
Picture 13:



Picture 14:



Picture 15:



Picture 16:





**AGENDA**  
**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING**  
**COMMITTEE MEETING**  
**WEDNESDAY, OCTOBER 19, 2022**  
**CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS**  
**C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR**  
**10:00 AM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. APPROVAL OF MINUTES FROM THE SEPTEMBER 21, 2022 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) R2022-0333: A Resolution awarding a total sum, not to exceed \$100,000, to the City of Parma Heights for the Greenbrier Commons Facility Renovations Project from the District 3 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
  - b) R2022-0334: A Resolution awarding a total sum, not to exceed \$173,930, to the City of Lyndhurst for the purpose of purchasing snow removal equipment from the District 11 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
  - c) R2022-0344: A Resolution making an award on RQ7934 to Patrick Engineering Inc. in the amount not-to-exceed \$759,926.00 for engineering services for the replacement of Schaaf Road Bridge No. 02.89 over the West Creek in the City of Independence, effective

upon contract signature of all parties through 10/31/2025;  
authorizing the County Executive to execute Contract No. 2733 and all  
other documents consistent with said award and this Resolution; and  
declaring the necessity that this Resolution become immediately  
effective.

- d) R2022-0348: A Resolution awarding a total sum, not to exceed \$127,500, to the Village of Glenwillow for the Pettibone Road Sanitary Sewer Extension Phase 2 Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- e) R2022-0349: A Resolution awarding a total sum, not to exceed \$117,750, to the Village of Glenwillow for the Tinker's Creek Trail North 2 Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- f) R2022-0352: A Resolution awarding a total sum, not to exceed \$250,000, to the Village of Walton Hills for the Northfield Road Sidewalk Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- g) R2022-0353: A Resolution awarding a total sum, not to exceed \$220,000, to the Village of Gates Mills for the Mayfield Road Culvert Replacement Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- h) R2022-0355: A Resolution awarding a total sum, not to exceed \$30,000, to the Village of Gates Mills for the Public Restroom Renovation Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- i) R2022-0357: A Resolution awarding a total sum, not to exceed \$250,000, to the City of Brecksville for the Oakes Road-Valley Parkway Connector Trail Project from the ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- j) R2022-0359: A Resolution awarding a total sum, not to exceed \$250,000, to Oakwood Village for the Fair Oaks Road Rehabilitation Project from the District 6 ARPA Community Grant Fund; and



declaring the necessity that this Resolution become immediately effective.

- k) R2022-0360: A Resolution awarding a total sum, not to exceed \$250,000, to the Village of Moreland Hills for the Jackson Road Rehabilitation Project from the District 6 ARPA Community Grant Fund; and declaring the necessity that this Resolution become immediately effective.
- l) R2022-0368: A Resolution authorizing an amendment to revenue generating Agreement No. 50 with the City of Cleveland to lease space in the City of Cleveland Police Department Headquarters, located at 1300 Ontario Street, Cleveland, for the period 10/2/2018 – 10/1/2021 to extend the time period to 10/1/2023 and reduce the number of leased parking spaces; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
- m) R2022-0369: A Resolution making an award on RQ8970 with Schirmer Construction, LLC in the amount not-to-exceed \$1,598,700.00 for replacement of Crestwood Lane Culvert No. C-00.24 over a creek to the West Branch of Rocker River and Eastwood Lane Culvert No. C-00.08 over a creek to the West Branch of Rocky River in Olmsted Township; authorizing the County Executive to execute Contract No. 2762 and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$1,598,700.00 to fund said contract; and declaring the necessity that this Resolution become immediately effective.
- n) R2022-0370: A Resolution authorizing a contract with Johnson Controls in the amount not-to-exceed \$2,363,227.00 for maintenance services for building systems for the period 11/1/2022 – 10/31/2025; authorizing the County Executive to execute Contract No. 2712 and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

## **6. MISCELLANEOUS BUSINESS**

## **7. ADJOURNMENT**

*\*Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

*\*\*Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*