

ORDINANCE NO.: 2024-23

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
EASEMENT DOCUMENTS FOR PUBLIC SIDEWALK
FACILITIES OVER PRIVATE PROPERTIES ON BROADWAY
AVENUE AND DECLARING AN EMERGENCY**

WHEREAS, on **October 13, 2020** Council passed **Ordinance No. 2020-81** which authorized an agreement of cooperation with the County of Cuyahoga, Ohio, to improve a portion of the public highway described as Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will be responsible for 40%, and the County of Cuyahoga will be responsible for 60% of the cost of the preparation of construction plans and specifications, including necessary engineering reports for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the County of Cuyahoga will arrange for the supervision and administration of the construction project; and

WHEREAS, through the agreement of cooperation with the County of Cuyahoga, the Village of Oakwood will be responsible for 50%, and the County of Cuyahoga will be responsible for 50%, of the cost of construction and supervision of the construction project for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, on October 30, 2023 Council passed Resolution No. 2023-36 which authorized the Mayor to apply to the Ohio Public Works Commission for funding for the improvement of Broadway Avenue between Macedonia Road and Richmond Road; and

WHEREAS, The Village Engineer has advised the Mayor that he will require the acquisition of various permanent sidewalk easements along Broadway Avenue for the installation of public sidewalk facilities over private property.

WHEREAS, this Council desires to authorize and to accept these easements;

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


Section 1. The Mayor be, and he is hereby, authorized to negotiate, execute, and accept grants of easement from the owners of Broadway Avenue Permanent Parcel Nos. 795-20-001 and 795-20-002 for public sidewalk facilities in a form as generally set forth in Exhibit A attached hereto and incorporated herein:

Section 2. The Council of the Village of Oakwood hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution:

Section 3. 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 on the date indicated below, 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 4. This Resolution constitutes an emergency measure necessary for the public welfare and to ensure the timely completion of the construction and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 5.14.24


Tanya Joseph, Clerk of Council

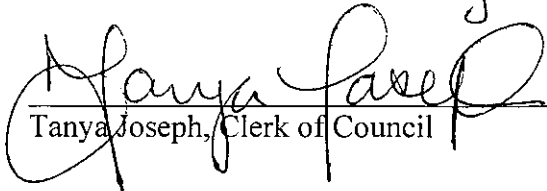

Erica Nikolic, President of Council

Presented to the Mayor 5.15.24

Approved: 5.15.24

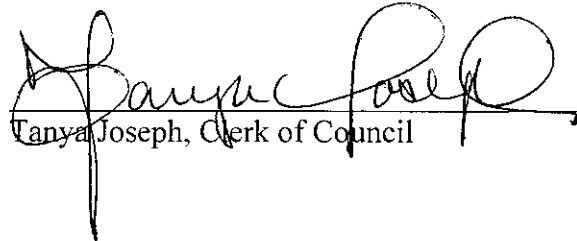

Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-23 was duly and regularly passed by this Council at the meeting held on the 14th day of May, 2024.


Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-23 was duly posted on the 15th day of May, 2024, and will remain posted in accordance with the Oakwood Village Charter


Tanya Joseph, Clerk of Council

DATED: 5.15.24