

ORDINANCE NO. 58-2016

INTRODUCED BY: Mayor Ann Marie Donegan

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF MAPLEWAY DRIVE BETWEEN CERTAIN TERMINI BY CONSTRUCTING SANITARY SEWERS AND A SANITARY SEWER CONNECTION, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No 57-2016 on this date (the Resolution of Necessity) declaring the necessity of making the improvement described in Section 1;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, COUNTY OF CUYAHOGA, STATE OF OHIO, THAT:

SECTION 1. Determination to Proceed with Improvement. It is determined to proceed with the improvement in the City of Mapleway Drive from its intersection with Elm Street northerly approximately 151 feet by constructing sanitary sewers and a sanitary sewer connection, together with all necessary appurtenances thereto (the Improvement).

SECTION 2. Improvement to be Constructed in Accordance with Plans, Specifications and Estimate of Cost. The Improvement shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

SECTION 3. Portion of Cost of Improvement to be Assessed. The cost of the Improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and pursuant to the payment schedule set forth, and on the lots and lands described, in the Resolution of Necessity.

SECTION 4. Approval of Estimated Special Assessments. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

SECTION 5. Certification and Delivery of Ordinance to County Fiscal Officer. The Clerk of Council shall deliver or cause to be delivered a certified copy of this Ordinance to the Cuyahoga County Fiscal Officer within 15 days after its passage.

SECTION 6. Contract for the Improvement. The Mayor and/or the Director of Finance are authorized and directed, as soon as the funds are available, to make and sign a contract for the Improvement in accordance with applicable law, and the Improvement shall be financed as provided in the Resolution of Necessity.

SECTION 7. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 8. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 9. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and to meet a situation affecting health, property and the public peace, and for the further reason that this Ordinance is required to be immediately effective to provide for the construction of the Improvement, which is needed to eliminate existing and potential hazards to the health and property of the owner of the property to be assessed by providing sanitary sewage collection service; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by not less than five affirmative votes of Council and approval by the Mayor.

PASSED: _____
Jay Linn, President of Council

APPROVED BY: _____
Ann Marie Donegan, Mayor _____
Date

APPROVED AS TO FORM: _____
Gregory M. Sponseller, Law Director

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____