

RESOLUTION NO. 37-2020 (PSH)

By Council Member Ungar

A Resolution authorizing the Ohio Department of Transportation (“ODOT”) to proceed with the project of improving sidewalks and pedestrian crossing facilities within Cleveland Heights; and declaring an emergency.

WHEREAS, on July 29, 2019, the City of Cleveland Heights (“LPA”) enacted Resolution No. 76-2019, legislation which authorized cooperation with the Director of Transportation for the following described project:

The project consists of crosswalk and curb ramp improvements at the Delamere Drive/W. St. James Parkway, Roxboro Road/ W. St. James Parkway, Tudor Drive/W. St. James Parkway, Blanche Avenue/S. Taylor Road, Berkeley Road/S. Taylor Road, and Pennfield Road/Monticello Boulevard intersections, including ADA compliant curb ramps, rapid rectangular flashing beacons, signage, and pavement markings, lying within the City of Cleveland Heights; and

WHEREAS, the LPA shall cooperate with the Ohio Director of Transportation in the above-described project as follows:

The City agrees to assume and bear One Hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation; and

WHEREAS, the share of the cost of the LPA is now estimated in the amount of Zero Dollars, (\$0.00), and, therefore, the City will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined; and

WHEREAS, the ODOT Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Ohio Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City of Cleveland Heights (“LPA”) hereby requests the Ohio Director of Transportation to proceed with the aforesaid highway improvement project.

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SECTION 2. This Council hereby directs the LPA through its City Manager to enter into a contract with the State; and City Manager shall be, and is hereby, authorized to execute said contract for improving the described project.

SECTION 3. The LPA shall transmit to the Ohio Director of Transportation a fully executed copy of this Resolution.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to permit ODOT to proceed with the above-described project at the earliest time possible. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force and after the earliest time allowed by law.

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JASON S. STEIN, Mayor  
President of Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED: April 20, 2020