

CITY OF BROOK PARK, OHIO

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RESOLUTION NO. 30-2018

INTRODUCED BY: Mayor Michael D. Gammella *MG*

**A RESOLUTION
AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT A
JOINT APPLICATION WITH THE CITY OF MIDDLEBURG HEIGHTS
TO PARTICIPATE IN THE YEAR 2019 OHIO PUBLIC WORKS COMMISSION
STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION
IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED
AND DECLARING AN EMERGENCY**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Brook Park and the City Middleburg Heights are jointly planning to make improvements to the section of Sheldon Road between Eastland Road and Engle Road; and

WHEREAS, the County of Cuyahoga has agreed to contribute 50% of the eligible construction costs up to a maximum of \$250,000; and

WHEREAS, the remaining 50% of the construction and any other project costs, minus Ohio Public Works Commission funds, will be shared equally (50/50) between the City of Brook Park and the City of Middleburg Heights; and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission programs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: That the Mayor is hereby authorized to jointly apply with the Mayor of the City of Middleburg Heights to the Ohio Public Works Commission for funds as described above.

SECTION 2: That the Mayor is authorized to execute a Cooperative Agreement with the City of Middleburg Heights, a copy of which is attached hereto and marked as

"Exhibit A" and enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

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 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 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that Council deems it necessary to proceed with seeking funds for this project as quickly as possible and that it is necessary to file the aforesaid application in a timely fashion; therefore, provided this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: September 4, 2018

[Signature]
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: [Signature]
MAYOR

9/4/18
DATE

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I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing September 5, 2018
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 30-2018 passed on the 4th day of September, 2018 by said council.
Michelle Blazak
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Menclni	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COOPERATIVE AGREEMENT

RESOLUTION NO. _____-2018

DATE _____

The City of Brook Park and The City of Middleburg Heights enter into a cooperation agreement to submit an application to the Ohio Public Works Commission for the Resurfacing of Sheldon Road between Eastland Road and Engle Road.

The City of Brook Park will provide funds equal to 50% of the total project cost (minus funds allocated to the Project from Cuyahoga County Department of Public Works and Ohio Public Works Commission). Such costs will be paid from the 2018/2019 Street Improvement Fund (Fund No. 545).

The City of Middleburg Heights will provide funds equal to 50% of the total project cost (minus funds allocated to the Project from Cuyahoga County Department of Public Works and Ohio Public Works Commission). Such costs will be paid from funds theretofore appropriated or to be appropriated for said purpose.

The City of Middleburg Heights authorizes The City of Brook Park to serve as lead applicant and to sign all necessary documents.

The City of Brook Park agrees to pay its 50% of the cost as invoices are due or as otherwise mutually agreed upon.

The City of Middleburg Heights agrees to pay its 50% of the cost as invoices are due or as otherwise mutually agreed upon.

Signed in the presence of:

CITY OF BROOK PARK

(witness)

By: _____
Michael D. Gammella, Mayor

Signed in the presence of:

CITY OF MIDDLEBURG HEIGHTS

(witness)

By: _____
Gary W. Star, Mayor

The legal form and correctness of the within instrument is approved.

The legal form and correctness of the within instrument is approved.

By: _____
GARY EBERT
Director of Law, Middleburgh Heights

By: _____
CAROL HORVATH
Director of Law, Brook Park