

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5505

**AN ORDINANCE DETERMINING TO PROCEED WITH THE
IMPROVEMENT OF CERTAIN LANDS IN THE CITY OF
BRECKSVILLE BY CONSTRUCTING AN 8" SANITARY
SEWER AND 6" SANITARY SEWER LATERALS TOGETHER
WITH ALL NECESSARY APPURTENANCES FOR THE CHIPPEWA
ROAD AND CALVIN DRIVE SANITARY SEWER PROJECT; AND
DECLARING AN EMERGENCY**

WHEREAS, on March 15, 2022, the Council adopted Resolution No. 5264 declaring the necessity of making the improvement described in Section 1.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. It is determined to proceed with the improvement in the City of Brecksville by improving certain lands in the city by constructing an 8" sanitary sewer and 6" sanitary sewer laterals, together with all necessary appurtenances to extend sanitary sewer along Chippewa Road (S.R. 82) from Riverview Road to Wiese Road and along Calvin Drive and extending to the termini point of Glen Valley Drive allowing for the removal of the Glen Valley pump station.

SECTION 2. The improvement shall be made in accordance with the provisions of the Resolution 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. All claims for damages resulting from the improvement that have been legally filed shall be inquired into before the commencement of the improvement, and the Law Director is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 4. The portion of the cost of the improvement to be assessed in accordance with the Resolution, less that amount to be assumed and paid by the city as part of the city's portion of the cost of the improvement, shall be assessed in the manner and pursuant to the payment schedule set forth, and on the lots and lands described in the Resolution.

SECTION 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted. There has been no objection filed by any resident to be assessed.

SECTION 6. The Clerk of Council shall deliver a certified copy of this Ordinance to the County Fiscal Officer within fifteen (15) days after its passage.

SECTION 7. Subject to the provisions of Section 727.24 of the Revised Code, the Mayor is 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.

SECTION 8. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available, non-tax revenue, funds of the City. The

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Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof and is further directed to issue vouchers of this City in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

SECTION 9. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to commence with the project, therefore, 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: May 17, 2022

APPROVED: May 17, 2022

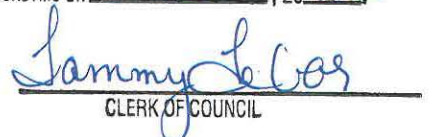


MAYOR



CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5505 duly passed by the Council of the City of Brecksville, Ohio, on 5-17, 20 22 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 5-20, 20 22



CLERK OF COUNCIL