

ORDINANCE NO. 75-26

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
COOPERATIVE AGREEMENT WITH THE CITY OF NORTH
RIDGEVILLE FOR THE ASPHALT RESURFACING OF MILLS ROAD FROM
STONE RIDGE ROAD TO THE WESTLAKE MUNICIPAL BOUNDARY
AND DECLARING AN EMERGENCY**

WHEREAS, the City of North Ridgeville and the City of Avon are desirous of improving their respective communities as well as bringing benefit to the traveling public by improving the driving surface of Mills Road by performing an asphalt pavement resurfacing project along the boundary of the two municipalities from Stoney Ridge Road to the Westlake municipal boundary (“the Resurfacing Project”); and

WHEREAS, the two municipalities have agreed to divide any costs incurred in all aspects of the development, construction and completion of the Resurfacing Project including the cost of preliminary engineering plans and the preparation of bid specifications; and

WHEREAS, the City of Avon and the City of North Ridgeville have determined that the City of Avon shall act as the Lead Agent for the project relative to the preparations for and construction of a Mills Road Asphalt Resurfacing Project as detailed in the attached Cooperation Agreement, noted as Exhibit A, which upon its passage, will further the health, safety and welfare of both communities by upgrading its transportation facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized and directed to execute a Cooperative Agreement (in substantially the form as set forth in [Exhibit A](#)) with the City of North Ridgeville for preparation of engineering plans and specifications, public bidding, construction and construction administration related to the performance of the Mills Road Asphalt Resurfacing Project ([Exhibit B](#)) along the entirety of Mills Road across both communities ([Exhibit C](#)). All exhibits identified in this section are attached hereto and incorporated herein by this reference.

Section 2- That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into a cooperative agreement with the City of North Ridgeville for preparation of engineering plans and specifications and other matters related to the improvement Mills Road before the close of the 2026 construction season; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 75-26 (Con't)

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director