

RESOLUTION NO. 23-37

OFFERED BY: MAYOR ANZEVINO

A RESOLUTION AMENDING RESOLUTION NO. 22-112 TO INCREASE THE PROJECT COST TO COMPLETE THE SR 91 BRIDGE REPLACEMENT PROJECT (PID NO. 106136) WITHIN THE CITY OF HUDSON, AUTHORIZING THE CITY OF HUDSON TO SERVE AS THE LOCAL PUBLIC AGENCY, AND AUTHORIZING FUNDS THEREFOR; AND DECLARING AN EMERGENCY.

WHEREAS, on the 20th day of September, 2022, this Council passed Resolution No. 22-112 proposing cooperation with the Director of Transportation for the described project in the amount of One Hundred Seventy Five Thousand Dollars (\$175,000); and,

WHEREAS, the project consists of improvements to the western portion of the structure (SFN 7707290) over a tributary of Brandywine Creek on South Main Street (State Route 91), including construction of a multi-use path, curb relocation and resurfacing to accommodate the new path along with removal of barnstones and culvert replacements around the existing structure, lying within the City of Hudson; and,

WHEREAS, this Council and the City of Hudson shall cooperate with the Director of Transportation in the above described project by agreeing 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 for the City of Hudson is now estimated in the amount of Three Hundred Seventy Thousand Seven Hundred Eleven and 00/100 Dollars, (\$370,711.00), but said estimated amount is to be adjusted in order that the City's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and,

WHEREAS, the 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, this Council and the City of Hudson desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, Ohio as follows:

Section 1. That the estimated sum of Three Hundred Seventy Thousand Seven Hundred Eleven and 00/100 Dollars (\$370,711.00) is hereby appropriated for the improvement described above and the Finance Director is hereby authorized and directed to pay said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement.

Section 2. The City hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 3. That the City hereby requests the Director of Transportation to proceed with the aforesaid highway project.

Section 4. That the City is hereby authorized to enter a contract with the State of Ohio, and that the City Manager be, and is hereby authorized to execute said contract and all related documents, providing for the City's payment the sum of money set forth herein above for improving the described project.

Section 5. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 6. That the City Manager and/or his designee transmit to the Director of Transportation a fully executed copy of this Resolution.

Section 7. That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City, and for the further reason that the work on this project can be started promptly and completed during good weather; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

\_\_\_\_\_  
Jeffrey L. Anzevino, Mayor

ATTEST:

\_\_\_\_\_  
Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 23-37 as duly passed by the Council of said Municipality on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Aparna Wheeler, Clerk of Council

CERTIFICATE OF COPY  
STATE OF OHIO

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA as Resolution No. 23-\_\_\_\_\_, and under date of \_\_\_\_\_, 2023.

SEAL  
(If Applicable)

\_\_\_\_\_  
Aparna Wheeler, Clerk of Council

**FISCAL OFFICER’S CERTIFICATE**  
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$370,711.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **S.R. 91**, lying within the corporate limits of the City of **Hudson**, more particularly described as follows:

**The project consists of improvements to the western portion of the structure (SFN 7707290) over a tributary of Brandywine Creek on South Main Street (State Route 91), including construction of a multi-use path, curb relocation and resurfacing to accommodate the new path along with removal of barnstones and culvert replacements around the existing structure, lying within the City of Hudson; and**

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Hudson**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority’s Journal, Resolution No. 23-\_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Fiscal Officer’s Seal)  
(If Applicable)

\_\_\_\_\_  
Jeff Knoblauch  
Asst. City Manager – Finance Director