

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A RIGHT OF ENTRY CONSTRUCTION AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY AND ESTABLISHING AN ACCOUNT FOR SAID AGREEMENT FOR THE OWEN BROWN STREET RECONSTRUCTION AND SIDEWALK PROJECT.

WHEREAS, as part of the upcoming Owen Brown Street Reconstruction and Sidewalk Project, the Norfolk Southern Railway Company is requiring a construction agreement with the City and for the City to establish a force account for anticipated costs to be incurred by Norfolk Southern during construction and includes costs for inspection, travel, administrative work, and construction engineering; and

WHEREAS, this improvement project is necessary to allow the Owen Brown Reconstruction and Sidewalk Project to proceed.

NOW, THEREFORE, Be It Resolved by the Council of the City of Hudson, Summit County, State of Ohio, that:

Section 1: The City Manager is authorized to enter into a construction agreement with the Norfolk Southern Railway Company for the Owen Brown Street Reconstruction and Sidewalk Project in an amount not to exceed Sixty-One Thousand One Hundred Twelve Dollars (\$61,112.00) and in a form as approved by the City Solicitor.

Section 2: The Director of Finance is authorized to create a special account within which to place the Sixty-One Thousand One Hundred Twelve Dollars (\$61,112.00) which is the subject of the agreement set forth in Section 1 of this Resolution for the purpose of paying anticipated costs incurred by Norfolk Southern Railway Company during the aforesaid improvement project.

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 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 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. 23-79 was duly passed by the Council of said Municipality on _____, 2023.

Aparna Wheeler, Clerk of Council