

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH NORFOLK SOUTHERN FOR PRELIMINARY ENGINEERING SERVICES; AND DECLARING AN EMERGENCY.**

WHEREAS, in 2018, the City commenced with the preliminary design of a new multi-purpose path that would connect the City's Barlow Farm Park to Summit County's Wood Hollow Metropark; and

WHEREAS, part of the proposed path will cross the Norfolk Southern Railroad tracks in between the two parks; and

WHEREAS, in 2018, the City entered into an agreement with Norfolk Southern for preliminary engineering services for the railroad's review of the City's proposed design of the path along Barlow Road in the amount of \$22,500; and

WHEREAS, City staff has continued to refine the design for the project and updated plans have been resubmitted to Norfolk Southern for review; and

WHEREAS Norfolk Southern has estimated that an additional \$10,000 above the original \$22,500 from the 2018 agreement is required to finalize the preliminary engineering review for this project.

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

Section 1. The City Manager is authorized to enter into an amended agreement with Norfolk Southern for its consultant's review of the City's proposed design and related preliminary engineering services in an amount not to exceed \$32,500.

Section 2. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

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 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 to keep the project review moving forward with Norfolk Southern; 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. 24-99 was duly passed by the Council of said Municipality on \_\_\_\_\_, 2024.

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