

ORDINANCE NO. 41-2019

INTRODUCED BY: Mayor James P. Graven

AN ORDINANCE AUTHORIZING THE MAYOR TO ACQUIRE A TEMPORARY WORK ACCESS EASEMENT FOR INSTALLATION OF SANITARY SEWER AND APPURTENANCES FROM SCOTT & SANDRA GRAHAM PERMANENT PARCEL NO. 281-06-020; CHRISTINE KLEPEK PERMANENT PARCEL NO. 281-06-001; HAMILTON & KRISTIN BAJZER PERMANENT PARCEL NO. 281-06-021 AND BRUCE & FONDA HOSTA PERMANENT PARCEL NO. 281-06-002 IN ORDER TO CONSTRUCT THE PHASE V SANITARY SEWER PROJECT AND DECLARING AN EMERGENCY

WHEREAS, in order to construct the Phase V Sanitary Sewer Project it is necessary to acquire a temporary work access easement from Scott & Sandra Graham, Permanent Parcel No. 281-06-020; Christine Klepek, Permanent Parcel No. 281-06-001; Hamilton & Kristin Bajzer, Permanent Parcel No. 281-06-021; and Bruce & Fonda Hosta, Permanent Parcel No. 281-06-002; and

WHEREAS, Scott & Sandra Graham, Christine Klepek, Hamilton & Kristin Bajzer, and Bruce & Fonda Hosta have not requested, nor will receive, any payment for said temporary easements; and

WHEREAS, the City is desirous of acquiring said temporary easement. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. This Council determines that the construction of the Phase V Sanitary Sewer Project is a necessary and proper public improvement in order to enhance the safe and efficient flow of sanitary sewage in the City.

SECTION 2. The Mayor is hereby authorized and directed to acquire a temporary work access easement from Scott & Sandra Graham, Permanent Parcel No. 281-06-020; Christine Klepek, Permanent Parcel No. 281-06-001; Hamilton & Kristin Bajzer, Permanent Parcel No. 281-06-021; and Bruce & Fonda Hosta in order to construct the Phase V Sanitary Sewer Project, which easements are attached hereto, marked Exhibit A, and fully incorporated herein.

SECTION 3. The Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that all deliberations of this Council and any of its committees that resulted in such formal action, took place in meetings open to the public, in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Olmsted Falls for the further reason that the easement is required in order to allow construction of the Project to timely commence. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

Paul Stibich, President of Council

PASSED: _____

APPROVED: _____
James P. Graven, Mayor *Date*

APPROVED AS TO FORM: _____
Andrew D. Bemer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

	Yea	Nay
Stibich	____	____
Jones	____	____
Munteanu	____	____
Gorski	____	____
Nicolay	____	____
Duncan	____	____
Fenrich	____	____