

ORDINANCE NO. 82-13

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF
TRANSPORTATION ALLOWING THE CITY OF AVON TO PERFORM
ADDITIONAL MOWING MAINTENANCE OF
I-90 INTERCHANGES WITHIN THE CITY OF AVON
AND DECLARING AN EMERGENCY**

WHEREAS, The Ohio Department of Transportation, (ODOT), routinely mows and maintains the I-90 corridor in the City of Avon from April through October; and

WHEREAS, the City of Avon, (City), desires to perform additional mowing maintenance at the I-90 interchanges located at Nagel Road, State Route 83, and State Route 611; and

WHEREAS, ODOT is willing to accept the contribution of the City to provide additional mowing maintenance at these I-90 interchanges provided it does not occur within the starting and interim completion dates set by the current ODOT mowing contract; and

WHEREAS, Council has had an opportunity to review this agreement and finds that it will enable the City to set a high standard of care and upkeep for the landscaping of these interchanges all of which will further the health, safety and welfare of the citizens of Avon in maintaining clean and attractive views of the City.

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

Section 1 - That the Mayor is hereby authorized to enter into ODOT Agreement No. LOR-01-2013 with the Ohio Department of Transportation (ODOT) for the purpose of providing additional mowing maintenance along the City's I-90 interchanges at Nagel Road, State Route 83, and State Route 611 in substantially the same form as that which is set forth in the attached Exhibit A and incorporated herein by this reference, the final form of which will be approved by the Law Director.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such 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 proceed with the execution of a maintenance agreement between the City and ODOT for providing additional mowing

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maintenance along the I-90 interchanges; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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