

ORDINANCE NO.: 2018-10
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: MAY 8, 2018 **ASSIGNED TO:** _____

AN ORDINANCE AUTHORIZING THE INSTITUTION OF APPROPRIATION PROCEEDINGS AGAINST VARIOUS PROPERTY OWNERS OF REAL PROPERTY ALONG STATE ROUTE 619, PICKLE ROAD, FOR SR 619/PICKLE ROAD ROUNDABOUT PROJECT (“PROJECT”), AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green has undertaken a plan to improve the intersection of State Route 619 and Pickle Road to construct a roundabout; and

WHEREAS, the Project will commence in the Spring of 2018; and

WHEREAS, as part of the Project, the City has undertaken efforts to acquire property, both permanently and temporarily, from the respective owners; and

WHEREAS, the City of Green has been unable to reach an agreement with the respective property owners; and

WHEREAS, it is critically important that the City of Green obtain possession of the properties immediately so there are no delays in the commencement and completion of the Project as further described in the Plans and Specifications for the Project on file with the City which are incorporated herein by reference as if fully rewritten.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council authorizes legal counsel to take all legal action necessary, including filing a lawsuit to appropriate and obtain possession of the necessary portions of real property owned by the respective property owners referenced below and identified by the corresponding parcel number(s) to insure the Project is commenced and completed as scheduled:

<u>Type</u>	<u>Property Owner</u>	<u>Parcel Number</u>
T	Michael L. & Rebecca A. Bellak	28-09968
WD, T	Gerald R. & Cheryl L. Duncan	28-01785
T	Nancy Gentzler Grimes, Trustee	28-02623
T	Nancy Gentzler Grimes, Trustee	28-02624
WD, T	Nancy Gentzler Grimes, Trustee	28-02626
WD, T	Nancy Gentzler Grimes, Trustee	28-02643
WD, T	Clayton McCune	28-02613
WD, T	Pickle Road LLC	28-08343
T	Richard P. & Laura L. Wike	28-03556

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green to ensure that the SR 619/Pickle Road Roundabout Project begins and is completed on time. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk

Chris Humphrey, Council President

APPROVED: _____, 2018

Gerard Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2018

ON ROLL CALL: Babbitt Dyer Humphrey Shaughnessy
 Speight Yeargin Young

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk