

**RESOLUTION NO.:** 2024-R63  
**SPONSOR:** MAYOR YEARGIN  
**INTRODUCED:** OCTOBER 8, 2024 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION CONSENTING AND COOPERATING WITH THE STATE OF OHIO, DIRECTOR OF TRANSPORTATION, FOR THE RESURFACING OF SR-241 (MASSILLON RD), AND DECLARING AN EMERGENCY.**

WHEREAS, the STATE has identified the need for the described project:

Resurfacing SR-241 (Massillon Rd) from just south of Greensburg Rd to just south of Boettler Rd, between the I-77 ramps and north of SR-619 to the Green North Corp Limit

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

**SECTION ONE:**

Being in the public interest, the City of Green gives consent to the Director of Transportation to complete the above-described project.

**SECTION TWO:**

The City of Green shall cooperate with the Director of Transportation in the above-described project as follows:

The City of Green agrees to participate in the cost of construction within the city limits at 20% (twenty percent) total costs.

The City of Green further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the City of Green which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The City of Green further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City of Green. The City of Green shall contribute its share of the cost of these items in accordance with other sections herein.

The City of Green further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

**SECTION THREE:**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION FOUR:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 FIVE:**

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 and so that the Project may proceed immediately and forthwith. Provided that this legislation receives the affirmative vote of three-fourths (¾ 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: \_\_\_\_\_, 2024

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Christopher J. Meager, Council President

APPROVED: \_\_\_\_\_, 2024

\_\_\_\_\_  
Rocco Yeargin, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2024

ON ROLL CALL:   Babbitt \_\_\_\_\_   DeVitis \_\_\_\_\_   Miller \_\_\_\_\_   Neugebauer \_\_\_\_\_  
                          Noble \_\_\_\_\_   Meager \_\_\_\_\_   Speight \_\_\_\_\_

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on \_\_\_\_\_ and \_\_\_\_\_, 2024.

\_\_\_\_\_  
Nichole Messner, Clerk of Council