

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 08-81

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AMENDING ORDINANCE 08-35 AND THE AGREEMENT BETWEEN THE CITY OF NORTH ROYALTON AND THE FIRM OF RICHARD L. BOWEN AND ASSOCIATES, INC. BY APPOINTING MARK A. SCHMITZER AS CITY ENGINEER FOR THE CITY OF NORTH ROYALTON, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton has previously adopted Ordinance 08-35 authorizing the city to enter into an agreement with the firm of Richard L. Bowen and Associates, Inc., naming said organization as the Consulting Engineer for the City of North Royalton for the purpose of providing consulting engineering services to the city, along with appointments for the positions of City Engineer and Assistant City Engineer; and

WHEREAS: It is necessary to amend Ordinance 08-35 and the agreement between the City of North Royalton and the firm of Richard L. Bowen and Associates, Inc by appointing Mark A. Schmitzer as City Engineer for the City of North Royalton

WHEREAS: Council confirms the various appointments made by the Mayor; and

WHEREAS: Council desires to confirm this appointment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Ordinance 08-35 and the agreement between the City of North Royalton and the firm of Richard L. Bowen and Associates, Inc. are hereby amended by appointing Mark A. Schmitzer as City Engineer for the City of North Royalton.

Section 2. Said appointment shall be effective May 7, 2008, and terminate pursuant to Section 11 of the parties agreement.

Section 3. Ordinance 08-35 and the agreement between the City of North Royalton and the firm of Richard L. Bowen and Associates, Inc. are hereby amended as provided for herein and all other provisions of Ordinance 08-35 and the agreement between the City of North Royalton and the firm of Richard L. Bowen and Associates, Inc. shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. The Mayor is hereby authorized to enter into an agreement on behalf of the City of North Royalton with the firm of Richard L. Bowen and Associates, Inc., and other related parties in a form approved by the Law Director in order to incorporate these amendments.

Section 6. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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.

Section 8. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that the position of City Engineer is an appointive one and it is immediately necessary to amend Ordinance 08-35 and the agreement between the City of North Royalton and the firm of Richard L. Bowen and Associates, Inc by appointing Mark A. Schmitzer as City Engineer for the City of North Royalton.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: May 6, 2008

DATE APPROVED: May 7, 2008

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading May 6, 2008

YEAS: Gentile, Nickell, Petrusky, Willey,
McKee, Antoskiewicz, Kasaris

NAYS: none