

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 16-60

INTRODUCED BY: Mayor Stefanik
Co-Sponsor: Marnecheck

AN ORDINANCE AMENDING ORDINANCE 13-25 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO SETTLE ONGOING LITIGATION AND TO RESOLVE THE ISSUES OF BILLING FOR NORTH ROYALTON SEWER DISTRICT "C" CUSTOMERS IN ORDER TO INCLUDE ALL CITY STORM WATER DISTRICTS WITHIN THE NEORSR REGIONAL STORM WATER MANAGEMENT PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS: Ordinance 13-25 was adopted by the City of North Royalton authorizing a settlement agreement between the city and the Northeast Ohio Regional Sewer District (NEORSR) to settle ongoing litigation and to resolve the issues of billing for North Royalton sewer district "C" customers; and

WHEREAS: It has been determined necessary to amend this settlement agreement in order to include all city storm water districts within the NEORSR Regional Storm Water Management Program; and

WHEREAS: Council desires to enact legislation to authorize the Mayor to sign this amended settlement agreement.

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

Section 1. The Mayor is hereby authorized to enter into an amended settlement agreement with the Northeast Ohio Regional Sewer District, pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated herein as if fully rewritten.

Section 2. Ordinance 13-25 is hereby amended as provided for herein.

Section 3. This Ordinance shall supersede all previously adopted ordinances in direct conflict herewith.

Section 4. 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 5. 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 it is immediately necessary to authorize the Mayor to enter into an amended settlement agreement with the Northeast Ohio Regional Sewer District.

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/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: April 19, 2016

DATE APPROVED: April 20, 2016

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

First reading March 15, 2016
Second reading April 5, 2016
Third reading April 19, 2016

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Kasaris

NAYS: Muller