

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0073

Sponsored by: <b>County Executive FitzGerald/ Department of Public Works</b>	<b>A Resolution</b> authorizing the County Executive or his designee to enter into a temporary construction license agreement among Gateway Park, LLC, and Ferrous Realty Limited, an Ohio limited partnership, and City of Brooklyn for the purpose of modifying the Memphis Industrial Parkway for the period 2/28/2011 - 12/31/2011, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works/County Engineer has recommended the grant of a temporary construction license to the City of Brooklyn for the purpose of modifying the Memphis Industrial Parkway; and,

WHEREAS, the County of Cuyahoga owns property at 10991 Memphis Avenue, Brooklyn, Ohio that is used by the Cuyahoga County Board of Developmental Disabilities; and,

WHEREAS, the County property, together with Ferrous Realty Limited, and Ohio Limited Partnership, located at 11103 Memphis Avenue, and Gateway Safety, LLC, located at 11111 Memphis Avenue, share a means of ingress and egress, described as a gravel-grade pathway, which has deteriorated over time; and,

WHEREAS, the new Memphis Industrial Parkway will run off Memphis Avenue and replace a deteriorating gravel pathway which currently handles, truck, school bus, commercial and industrial vehicles, and commuter care traffic in the area and this privately owned gravel pathway will become a dedicated public road, providing access for the businesses in the complex; and,

WHEREAS, in order for the construction of the roadway to take place, it is necessary to grant to the City of Brooklyn, Ohio a Temporary Construction License over the County-owned property for access to, and performance of, the construction; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County department.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the County Executive or his designee is hereby authorized to execute a temporary construction license to the City of Brooklyn, Ohio for public roadway improvements including construction of 500 lineal feet of new road, a new storm sewer and widening of apron lanes with added key turning capacity on and off Memphis Avenue in connection with the construction of the Memphis Industrial Parkway for the period February 28, 2011 through December 31, 2011.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Germana, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

Yeas: Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Connally, Rogers and Simon

Nays: None

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County Council President

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Date

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County Executive

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Date

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Clerk of Council

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Date