

**RESOLUTION NO.:** 2008-R26  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** MAY 13, 2008      **ASSIGNED TO:** FINANCE

**A RESOLUTION MAKING ADDITIONAL APPROPRIATIONS OF TWO MILLION FIVE HUNDRED THIRTY-FOUR THOUSAND DOLLARS (\$2,534,000.00) FOR PROFESSIONAL SERVICES, ADDITIONAL RIGHT-OF-WAY COSTS, CONSTRUCTION COSTS, AND TO PAY UTILITY EXPENSES PERFORMED RELATED TO THE MASSILLON ROAD/STEESE ROAD ROUNDABOUT PROJECT ("PROJECT"); AUTHORIZING THE INTER-FUND TRANSFER OF TWO MILLION FIVE HUNDRED THIRTY-FOUR THOUSAND DOLLARS (\$2,534,000.00) TO PROVIDE SUFFICIENT FUNDING; AND DECLARING AN EMERGENCY.**

WHEREAS, the City investigated, planned and designed the Project; and

WHEREAS, it has been determined additional funds are necessary for professional services, additional right-of-way costs, and construction costs for the Project; and

WHEREAS, Ohio Revised Code §5705.41 requires City Council to authorize all expenditures that exceed appropriations, and inter-fund transfers, at the time of the expenditure; and

WHEREAS, it has been determined additional funds are necessary for professional services, additional right-of-way costs, and construction costs for the Project; and

WHEREAS, the City requested AT&T to prepare an estimate and plans to move the utilities underground as part of the Project, and prepared an estimate and presented detailed plans for the relocation of their facilities underground; and

WHEREAS, it is necessary to appropriate the funds to pay the amount owed to AT&T for the engineering work they performed for the Project.

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

**SECTION ONE:**

City Council authorizes the appropriation of Five Thousand Four Hundred Dollars (\$5,400.00) to the Massillon Road Project Account (403-8010-53632) from the unappropriated balance of the TIF Tax Increment Finance Fund and further authorizes the Finance Director to pay the invoice due and owing to AT&T for work regarding the Project.

**SECTION TWO:**

City Council authorizes the appropriation of an additional Two Million Five Hundred Twenty-Eight Thousand Six Hundred Dollars (\$2,528,600.00) to the Massillon Road Project Account (403-8010-53632) from the unappropriated balance of the TIF Tax Increment Finance Fund for professional services, additional right-of-way costs, and construction costs.

**SECTION THREE:**

City Council authorizes the inter-fund transfer of Two Million Five Hundred Thirty-Four Thousand Dollars (\$2,534,000.00) from the General Fund to the TIF Tax Increment Finance Fund in order to provide sufficient funding.

**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. Provided that this legislation receives the affirmative vote of three-fourths 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: June 10, 2008

Molly Stevens  
Molly Stevens, Clerk

Christine Croce  
Christine Croce, Council  
President

APPROVED: June 10, 2008

Richard G. Norton  
Richard G. Norton, Mayor

ENACTED EFFECTIVE: June 10, 2008

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ON ROLL CALL: Colopy-<sup>absent</sup> Croce-<sup>yea</sup> France-<sup>yea</sup> Manwaring-<sup>yea</sup>  
Reed-<sup>yea</sup> Ridgeway-<sup>yea</sup> Smole-<sup>yea</sup> adopted 6-0

Suburbanite publication on June 15 and June 22, 2008

Molly Stevens  
Molly Stevens, Clerk

5/7/2008 1:54 PM Approved as to form and content by Stephen J. Pruneski, Law Director \_\_\_\_\_

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