

## CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2026- 9

Introduced By: Mr. Meany  
Co-Sponsors: Mr. Ali, Mr. McGregor

## A RESOLUTION

**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT (LPA-ODOT-LET PROJECT AGREEMENT) TO INSTALL A NEW TRAFFIC SIGNAL AND RIGHT TURN LANE TO THE IR-71 NORTHBOUND EXIT RAMP TO US-42 (PEARL ROAD) IN THE CITY OF MIDDLEBURG HEIGHTS AND DECLARING AN EMERGENCY**

WHEREAS, the City of Middleburg Heights, hereinafter referred to as the Local Public Agency (LPA) has determined the need for the described project: *Install a new traffic signal and right turn lane to the IR-71 northbound exit ramp to US-42 (Pearl Road) in the City of Middleburg Heights. Work includes removal of the existing right turn slip lane.*

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: **Consent Statement:** Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

Section 2: **Cooperation Statement:** The LPA shall cooperate with the Director of Transportation in the development and construction of the above-described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

*The State shall assume and bear 100% of all of the costs of the improvement.*

*The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.*

Section 3: **Authority to Sign:** The LPA hereby authorizes the Mayor of said **City of Middleburg Heights** to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Mayor is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the **City of Middleburg Heights** to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

**Section 4: Utilities and Right-of-Way Statement:** The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**Section 5: Maintenance:** Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the 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 6:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

**Section 7:** That this Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Wherefore, provided this Ordinance receives the affirmative vote of at least two-thirds (2/3) of the members of Council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 1/27/26

David Bortolotto  
President of Council

Attest: M. Meola  
Clerk of Council

Approved On: 1-28-26

Matthew G...H  
Mayor

Presented to Mayor: 1/28/26

	Yea	Nay
Bortolotto	X	
Ali	X	
Sage	X	
Meany	X	
McGregor	ABSENT	
Ference	X	
Zakel	X	

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Res. 2026-9 adopted by the Council of the City of Middleburg Hts., on 1/27/26 was posted for a period of fifteen days, beginning 1/28/26 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola  
Clerk

**CERTIFICATE**  
 I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Res. 2026-9 passed on the 27<sup>th</sup> day of January, 2026 by said Council.  
Mary Ann Meola  
 Clerk of Council