

**COUNCIL OF THE
VILLAGE OF HIGHLAND HILLS**

ORDINANCE NO. 2026-39

For the September 16, 2026
Council Meeting

Introduced by: Mayor Michael L. Booker
Supported by:

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CUYAHOGA COUNTY
TO COOPERATE AND ACCEPT FUNDING FOR THE HARVARD ROAD
RESURFACING PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, the Village Council previously authorized the Mayor to apply for shared funding from Cuyahoga County to assist the Village in financing the needed resurfacing of Harvard Road from Northfield Road to Mill Creek Blvd in Highland Hills; and

WHEREAS, the application was submitted to the County and the County agreed to share in the cost of the project up to approximately 50% of the costs; and

WHEREAS, Council authorizes the Mayor to enter and execute a contract with Cuyahoga County for this project and authorizes the Mayor or his designee to obtain estimates for the work and to complete the project as per the contract with Cuyahoga County; and

WHEREAS, Council has determined that it is necessary to approve this legislation for this important project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:

Section 1: Council hereby authorizes the Mayor and President of Council to enter and execute an agreement with Cuyahoga County in substantially the same form as is set forth in Exhibit A attached hereto and incorporated herein by reference to fund the Harvard Road Resurfacing Project from Northfield Rd. to Mill Creek Blvd. in Highland Hills. Council hereby authorizes the Mayor and President of Council to execute any related agreements or documents necessary to complete this needed project.

Section 2: The Law Director shall review and approve any and all such agreements.

Section 3: Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an orderly meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the reason it is necessary to immediately move forward with this project without delay due to the time constraints for spending of said funds, and provided it receives the affirmative vote of two-third (2/3) of all members elected to Council, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 16th day of September, 2026.

First Reading ✓ Second Reading _____ Third Reading _____

Vote: Pride ✓ yea ___ nay Greene ✓ yea ___ nay Mills ✓ yea ___ nay

McManus ✓ yea ___ nay Wright ✓ yea ___ nay

Cassandra Pride

Cassandra Pride
President of Council

9/16/26
Date

Attest: Margaret Sikon
Margaret Sikon, Clerk of Council

9/16/26
Date

Filed with the Mayor: ✓

9/22/26
Date

Approved By: M. L. Booker
Michael L. Booker, Mayor

9/22/26
Date



Cuyahoga County
Executive Chris Ronayne

Department of Public Works

August 7, 2026

The Honorable Mayor Michael Booker
Village of Highland Hills
3700 Northfield Road
Highland Hills, Ohio 44122

RE: County Road 2027-2028 50/50 Funding Program – Resurfacing of Harvard Road from Northfield Road to Millcreek Boulevard
County ID No. 1458

Dear Mayor Booker:

County Council has approved the public convenience and welfare for the above referenced roadway resurfacing project. As per the enclosed agreement, the County shall contribute 50% to the cost of construction up to a maximum of \$250,000.00. The total estimated construction cost is \$501,500.00.

Enclosed herein please find:

1. One (1) copy of the Agreement of Cooperation between the County of Cuyahoga, Ohio, and the Village of Highland Hills; and
2. One (1) copy of the Ordinance of Consent; and
3. One (1) copy of the Motor Vehicle License Tax Application MPD 1-72.

Please properly execute and return all documents to this office for further processing. We request that you do not alter the enclosures. If changes are needed, please let us know. **The Ordinance should bear a municipal seal or certification stamp. Please fill out only Part E on the License Tax Application.**

Our Highway Design Department will be contacting the City in the coming weeks regarding the required design submittal documentation as mentioned in Section B-4 of the agreement.

If you have specific questions regarding the above, please contact June Gauss, Sr. Project Manager at (216) 348-3888 or by email at jgauss@cuyahogacounty.gov.

Sincerely,

Eric Mack

Eric Mack, Chief Section Engineer - Planning and Programming
Department of Public Works

EM/jlg

Enclosures – as noted

cc:
CCDPW: M. Dever, D. Ray, T. Sotak, N. English, C. George, A. Stoll, Project No. 1458
Village of Highland Hills: Hamilton, Conard, O'Neal

AGREEMENT

Between the County of Cuyahoga, Ohio and the Village of Highland Hills for the Resurfacing of Harvard Road

This Agreement is effective as of the date of the last signature below between the County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof, on behalf of the Department of Public Works (the "COUNTY") and the **Village of Highland Hills** (the "MUNICIPALITY") by its Mayor, having been duly authorized to enter into this Agreement by Ordinance No. _____ adopted by Council of the **Village of Highland Hills** on the _____ day of _____, 20____.

WITNESSETH:

WHEREAS, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

Resurfacing of Harvard Road from Northfield Road to Millcreek Boulevard in the Village of Highland Hills (the "Project").

NOW THEREFORE, in consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

A. COOPERATION

1. The COUNTY and the MUNICIPALITY will cooperate in the completion of the Project.
2. The MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. The MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. The COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section A-2 of this Agreement. The MUNICIPALITY shall not advertise the construction contract until the COUNTY has approved these documents. The COUNTY will inspect the completed Project to ensure the MUNICIPALITY's compliance with the terms of this agreement.
5. The MUNICIPALITY shall provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

B. FUNDING

1. The MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY's portion of the project.
2. The COUNTY shall contribute fifty percent (50%) of the unfunded portion of the actual cost of construction, construction engineering, construction administration, and construction inspection, subject to the COUNTY's determination that the costs are eligible for reimbursement pursuant to the Cuyahoga County Engineer's policies up to a maximum of \$250,000.00.
3. In the event MUNICIPALITY secures additional funding for the Project, the COUNTY's financial contribution will be reduced accordingly. In no event shall the COUNTY's financial contribution exceed fifty percent (50%) of the portion of the approved Project costs for which there is no supplemental funding.

C. MAINTENANCE

Upon completion of the Project, the Parties' respective maintenance obligations shall be as follows:

1. The MUNICIPALITY will maintain the resurfacing in accordance with the provisions of all applicable statutes and will make ample financial provisions for such maintenance.
2. The MUNICIPALITY will maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits.
3. The COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Project in accordance with the applicable sections of the Ohio Revised Code.
4. The Municipality shall follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

D. TRAFFIC

The Parties agree to the following with regard to traffic on the improved roadway or highway upon completion of the Project:

1. The MUNICIPALITY will keep the highway open to traffic at all times.
2. The MUNICIPALITY will place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Project in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.

3. The street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
4. Unwarranted regulatory signage within the Project area must be removed. In order to install a "Four-way-Stop" at the intersection of the improved street or highway, a traffic study must be performed by the MUNICIPALITY to verify that it is warranted in accordance with the manual.
5. The MUNICIPALITY will not enact any rule or regulation that restricts the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway and shall rescind any existing rule or regulation that so restricts the road usage.
6. The MUNICIPALITY shall prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

E. RIGHT-OF-WAY

1. The MUNICIPALITY shall make available for the Project all existing street and public right-of-way within the MUNICIPALITY that is necessary for the Project.
2. The MUNICIPALITY will arrange for the acquisition of any additional right-of-way which may be required for the construction of the Project.

F. PEDESTRIAN FACILITIES

1. The MUNICIPALITY shall upgrade all existing ADA deficient curb ramps within the Project area to conform to the most current ADA regulations and standards.
2. If the MUNICIPALITY wishes not to replace any ADA deficient curb ramps within the Project area, the MUNICIPALITY shall provide acceptable justification to the COUNTY in advance for the COUNTY's approval.

G. UTILITIES

1. The MUNICIPALITY will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the Project, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of Project, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.
2. The COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

3. The MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Project.
4. The construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the Project, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

H. MISCELLANEOUS

1. If the MUNICIPALITY includes the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the Project), alternate bid items, or other items in the Project that are in addition to those now existing and not provided for elsewhere in this Agreement, the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering and construction supervision.
2. The MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections E-1, E-2, and G-1, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections E-1, E-2, and G-1 hereinabove.
3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. The MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.
5. By entering into this agreement, the MUNICIPALITY agrees to conduct this transaction by electronic means by agreeing that all documents requiring COUNTY signatures may be executed by electronic means, and that the electronic signatures affixed by the COUNTY to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also agrees to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

IN WITNESS WHEREOF, the Parties hereto have affixed their signatures on this day and year mentioned above.

Village of Highland Hills

By: _____
Michael L. Booker, Mayor

By: _____
Cassandra Pride, President of Council

Approved as to form:

Thomas P. O'Donnell
Law Director

County of Cuyahoga, Ohio

By: _____
Chris Ronayne, County Executive
or designee pursuant to Executive Orders
No. EO2023-0003, dated July 6, 2023

TO: THE COUNTY OF CUYAHOGA, OHIO

DATE: _____

RE: APPLICATION FOR APPROVAL OF PROJECT USING COUNTY MOTOR VEHICLE LICENSE TAX FUNDS

PART A

PROJECT DESCRIPTION

MUNICIPALITY: Highland Hills ROAD: Harvard Road

ROAD NUMBER: _____ PROJECT LENGTH: _____

AVERAGE DAILY TRAFFIC: (Indicate 12 or 24 hour): _____

ACCIDENTS DURING PAST YEAR: Prop. Damage: _____ Pers. Inj.: _____ Fatal: _____

EXISTING PAVEMENT WIDTH: _____ RIGHT OF WAY WIDTH: _____ SPEED LIMIT: _____

RAILROAD CROSSINGS AT: _____

EXISTING BRIDGES OVER 20 FOOT SPANS: _____

Resurfacing of Harvard Road from Northfield Road to Millcreek Boulevard in the Village of Highland Hills

PART C

TRAFFIC CONTROL INVENTORY

ARE EXISTING SIGNS, MARKINGS AND TRAFFIC SIGNALS IN CONFORMANCE WITH THE OHIO MANUAL OF TRAFFIC CONTROL DEVICES (IF KNOWN)?: _____ IF NO, LIST DEFICIENCIES: _____

ARE EXISTING SIGNALS INTERCONNECTED?: _____

NUMBER OF EXISTING: Full actuated signals: _____ Semi-actuated signals: _____

NUMBER OF PRETIMED SIGNALS AND AVERAGE SPACING: _____

EXISTING PARKING REGULATIONS: _____

PART D

FUNDING

	COST ESTIMATE	LCNS TAX	PROPOSED FINANCING (\$ OR %)			OTHER
			MUNICIPAL	COUNTY	FEDERAL	
PRELIMINARY ENGR.						
RIGHT-OF-WAY						
CONSTRUCTION ENGR.						
ROADWAY & PAVEMENT						
STRUCTURES						
OTHER						
TOTALS						

RECOMMENDED FINANCING: _____

PART E

MUNICIPAL ACTION

PROPOSED BY: _____ TITLE: Mayor DATE: _____

ACTION BY COUNCIL: _____ Ordinance No. _____ DATE: _____

CERTIFIED BY: _____ DATE: _____

(Clerk of Council)