

Resolution No. _____

Passed _____, 20____

PID No. 106085
Project No. MAR 739-3.6 (2019)

FINAL RESOLUTION ENACTED BY THE CITY OF MARION, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/LOCAL PUBLIC AGENCY OR "LPA", IN THE MATTER OF THE STATED DESCRIBED PROJECT AND DECLARING AN EMERGENCY

WHEREAS, on the 13th day of November, 2018, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing SR 739, lying within the City of Marion; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds, including Toll Revenue Credit, set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, US Department of Transportation.

The Share of the cost of the LPA is now estimated in the amount of **Zero and ---- 00/100 dollars, (\$0.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to the legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

I. That the estimated sum of **Zero and ---- 00/100 dollars, (\$0.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense and said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

II. That the LPA hereby request the Director of Transportation to proceed with the aforesaid highway improvement.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

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III. That the LPA enter into a contract with the State, and the **Mayor** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above the improving the described project.

IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

V. This Resolution is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety and furthermore, that this Resolution needs to returned to the Director of Transportation by February 19, 2019. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2019, and that the same is true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under the date of _____, 2019.

Approved:

Todd Schneider
President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

PID Number 103346
MAR-S. Greenwood St.

ORDINANCE ENACTED BY THE CITY OF MARION, MARION COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF STABILIZING THE SOUTH GREENWOOD STREET BRIDGE AND DECLARING AN EMERGENCY

Section I – Project Description

WHEREAS, the City has identified the need for the described project:

This project proposes to stabilize and close up an existing stone arch which carries South Greenwood Street within the City of Marion.

NOW THEREFORE, be it ordained by the City of Marion, Ohio;

Section II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

Section III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The Ohio Department of Transportation shall assume and bear one hundred percent of the necessary costs of the State's highway improvement project; the City's share of the cost for project is estimated to be \$14,963.18.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

Section IV – 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.

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Section V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including but not limited to Title 23 USC 116; (2) provide ample financial resources, 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 VI – Authority to Sign

The Mayor is hereby empowered on behalf of the City to enter into contracts with Director of Transportation necessary to complete the above described project.

Section VII – Emergency

This Ordinance is hereby declared to be an emergency measure to expedite the transportation Project and to promote transportation safety and to meet deadlines. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Approved:

Todd Schneider
President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council