

## **RESOLUTION 118-16**

**Sponsored by**

### **A RESOLUTION ENACTED BY THE CITY OF LONDON, MADISON COUNTY, OHIO HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT**

**WHEREAS**, the State has identified the need for the described project.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LONDON, STATE  
OF OHIO**

#### **SECTION I: PROJECT DESCRIPTION**

The southwest side of the City, US 42 will be resurfaced with a single application of microsurfacing from approximate roadway section MAD-42-4.86 to MAD 42-5.93.

#### **SECTION II: CONSENT STATEMENT**

Being in 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;

ODOT agrees to assume and bear the costs of preliminary engineering and construction by administering Federal and State funds for the project.

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. Right-of-way costs include eligible utility costs. ODOT agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V: 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 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 of said City is hereby empowered on behalf of the City of London to enter into contracts with the Director of Transportation necessary to complete the above described project.

**SECTION VII: EMERGENCY CLAUSE**

This Resolution is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. 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 full force from and after the earliest period allowed by law

PASSED:

ATTEST:

\_\_\_\_\_  
Arlene Duffey  
Clerk of Council

\_\_\_\_\_  
Jennifer Hitt  
President of Council

Submitted to Mayor: \_\_\_\_\_

**APPROVED:**

Date of Approval: \_\_\_\_\_

\_\_\_\_\_  
Patrick Closser, Mayor

\_\_\_\_\_  
Zahid Siddiqi, Law Director  
Approved as to Form

I, Arlene Duffey, Clerk of Council for the City of London, Ohio, do hereby certify that the foregoing Ordinance No.118-16 was posted in a newspaper of general circulation on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and on the \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Arlene Duffey

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of London, Ohio

Attest: \_\_\_\_\_, date \_\_\_\_\_  
Contractual Officer

For the State of Ohio

Attest: \_\_\_\_\_, date \_\_\_\_\_  
Director, Ohio Department of Transportation

# \_\_\_\_\_

Vote	Abstain	Suspend	Adopt
Lora Long			
Megan Douglas			
Josh Peters			
Dick Minner			
Rex Castle			
Brenda Russell			
Trint Hatt			