

ORDINANCE NO. 2023-094

AN ORDINANCE AUTHORIZING THE MAYOR, SERVICE-SAFETY DIRECTOR, AND/OR CITY ENGINEER OF THE CITY OF FINDLAY, OHIO TO EXECUTE THE NECESSARY PRELIMINARY PARTICIPATORY LEGISLATION FOR THE HAN I-75 CR 99 INTERCHANGE PID102375, PROJECT NO. 32811100, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation will be constructing a Diverging Diamond Interchange for Interstate 75 and County Road 99 due to increased traffic volume and the decrease in level of service, work to include County Road 99 from Technology Drive to Main Street.


WHEREAS, regulatory documentation is required to be executed and returned to the Ohio Department of Transportation by September 11, 2023. Said preliminary participatory legislation provides consent to the Ohio Department of Transportation to perform the work within the City Corporation limit, provide adequate maintenance once the project is complete, and provide a continued commitment of one million dollars (\$1,000,000) for the construction of the Diverging Diamond Interchange

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

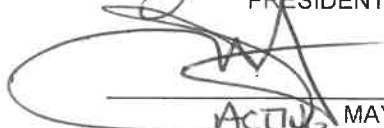
SECTION 1: That the Mayor, Service-Safety Director, and/or City Engineering of the City of Findlay, Ohio be and they are hereby authorized to execute the necessary preliminary participation legislation for the HAN I-75 CR 99 interchange project (attached hereto as Exhibit A).

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Findlay, Ohio, and for the further reason it is immediately necessary to authorize said execution of the necessary preliminary participatory legislation for the aforementioned project so that the construction of a Diverging Diamond Interchange for Interstate 75 and County Road 99 may be begin.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.



PRESIDENT OF COUNCIL *Pro-TEM*

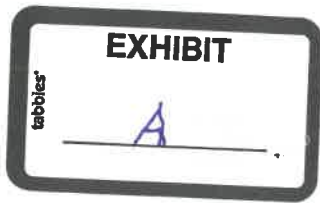


ACTING MAYOR

PASSED September 5, 2023

ATTEST Dennis DeVorse
CLERK OF COUNCIL

APPROVED September 5, 2023



Preliminary Participatory Legislation

Ordinance # 2023-094

The following is an Ordinance enacted by the City of Findlay, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

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

This project proposes the following:

- Reconstruct the CR 99 interchange with IR 75 in Hancock County to accommodate existing and future traffic with a diverging diamond interchange.
- Upgrade intersections along the CR 99 corridor between Technology Drive and Main St.
- Replace and upsize a storm sewer outlet that runs east along CR 99/CR 212 in Hancock County to its outlet.

WHEREAS, a portion of described project is located within the City corporation limits.

NOW THEREFORE, be it ordained by the City of Findlay of Hancock County, 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 LPA hereby agrees to pay \$1,000,000 of local funds towards the construction of the project. In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) 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 grants the Director permission to purchase or appropriate in the name of the LPA any property necessary to complete the project.

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 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 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 VI - Authority to Sign

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

Passed: September 5, 2023.
(Date)

Attested: Denise DeVore
(Clerk)

Attested: [Signature]

[Signature]
AETNU (Mayor)

[Signature]
(President of Council) Poo-TEM

This Ordinance 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 force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Findlay of Hancock County, Ohio

I, Denise DeVore, as Clerk of the City of Findlay of Hancock County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City of Findlay on the 5th day of September, 2023, that the publication of such ordinance has been made and certified of record according to law: that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance certified of publication thereof are of record in Ord. vol., Page 2023-094
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 5th day of September, 2023.



Denise DeVore
Clerk

(SEAL)

City of Findlay of Hancock County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Findlay of Hancock County, Ohio

Attest: Denise DeVore , Date 9/5/23
Contractual Officer (Mayor)

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____