

Preliminary Legislation

Ordinance# 2016-094

County/Route/Section: HAN US 224/SR 12/37/568

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 to mill and pave asphalt on the following State Routes:

- US 224 from Broad Street to Main Street
- SR 12 from the concrete pavement at the Interstate 75 interchange to Main Street
- SR 37 from Lincoln Avenue to Blanchard Avenue
- SR 568 from Main Street to Beech Avenue

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:

ODOT and FHWA shall assume and bear 100% of the necessary costs of the State's highway improvement project except for areas inside city corporation limits, where ODOT will be responsible for 80% of the following costs associated with the project, including: paving of asphalt, milling the existing pavement, maintenance of traffic, mobilization, painting of longitudinal pavement markings (centerline and edge lines) and construction engineering costs. The City will be responsible for the matching 20% of the costs for these items, as well as 100% of the construction and construction engineering costs for the following items, if they are deemed necessary: auxiliary pavement markings (stop bars, pedestrian crossings, railroad markings, turn arrows, etc.), handicap curb ramps, curbs, sidewalks and partial and/or full depth pavement repairs. In the event that the LPA requests certain features or appurtenances to be included within the State highway improvement project's design and/or construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's 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 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. Code, 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 20, 2016
(Date)

Attested: Denise DeVore
(Clerk)

Lydian McNeel
(Mayor)

Attested: [Signature]
Law Director

Tom P. Slough
(President of Council)

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 20th day of September, 20 16, 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 Ordinance, Page ord 161 VV.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 20th day of September, 20 16.

Denise DeVore
Clerk

(SEAL)
Ohio.

City of Findlay of Hancock County,

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 Sydia Mphalek, Date 9/20/16
Contractual Officer (Mayor)

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____