

Preliminary Legislation

Ordinance# 2014-089

County/Route/Section: HAN US 224/568-12.76/0.23

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 (Main Street): from Trenton Avenue to Center Street
- US 224 (Center St and Tiffin Ave): from Main Street to the end of the 5-lane section
- SR 568 (Sandusky St.): from Beech Avenue to East Street

For roadway sections that are curbed, it is proposed to grind 1 ½" and pave 1 ½" of asphalt concrete. Handicap curb ramps will be installed where necessary to meet ADA requirements along Center Street, Tiffin Avenue and Sandusky Street. Handicap curb ramps are not included with this project along Main Street, but rather will be completed by the city prior to this project in the spring of 2015. Longitudinal (centerlines and edge lines) and auxiliary (stop bars, railroad markings, cross walks, parking stall painting etc.) pavement markings will also be included with this project.

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: October 21, 2014.  
(Date)

Attested: Dennis DeVos  
(Clerk)

Lydia Mahalik  
(Mayor)

Attested: [Signature]  
Law Director

Jim 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 21<sup>st</sup> day of October, 20 14, 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 Vol. VV  
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 21<sup>st</sup> day of October, 20 14.

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 Lydia Michalko, Date 10/21/14  
(Contractual Officer (Mayor))

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**For the State of Ohio**

\_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

Attest: \_\_\_\_\_