

CITY OF OBERLIN, OHIO

ORDINANCE No. 13-04 AC CMS

AN ORDINANCE AUTHORIZING THE CITY OF OBERLIN TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 58 AND STATE ROUTE 511 IN THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio has identified the need to resurface SR58 within the corporation limits of Oberlin and SR511 from the west corporation limit of Oberlin to the pavement joint just west of US20 in Lorain County.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the resurfacing of SR58 and SR511 in the City of Oberlin is further identified by the Ohio Department of Transportation by the project name LOR SR 0058 14.88 and the Project Identification Number 86837.

SECTION 2. Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION 3. The City shall cooperate with the Director of Transportation for the portion of this project within the Oberlin Corporation limit as follows:

1. ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs and environmental studies costs.
2. ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs.
3. The City agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs.
4. ODOT and the City agree that the following roadway construction items are eligible for 80% ODOT – 20% City funding: pavement planning, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings - temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc., mailbox supports and approaches, work zone signs.
5. ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.
6. The City further agrees to pay One Hundred Percent (100%) of the cost of the following construction items: pavement repair partial and full depth, curbs, curb ramps, sidewalks, city-owned signs, guardrail-replacement of existing and required new locations, and those

items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project.

SECTION 4. Upon completion of the described Project, and unless otherwise agreed, the City shall:

1. Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
2. Provide ample financial provisions, as necessary, for the maintenance of the described project;
3. Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

SECTION 5. The City 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 6. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to promote public safety by expediting the resurfacing of SR58 and SR511”, and shall take effect immediately upon passage.

PASSED: 1st Reading – February 19, 2013 (E)
2nd Reading -
3rd Reading -

ATTEST:


BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL


RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 02/20/2013

EFFECTIVE DATE: 02/19/2013

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Oberlin of Lorain County, Ohio

I, Belinda Anderson, as Clerk of the City of Oberlin of Lorain County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Ordinance 13-04 adopted by
(Ordinance/Resolution)

the legislative Authority of the said City of Oberlin on this 19th day of February, 2013,

that the publication of such Ordinance 13-04 has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such Ordinance 13-04 have been taken;
(Ordinance/Resolution)

and that such Ordinance 13-04 and certificate of publication thereof are of record in
(Ordinance/Resolution)

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(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 21st day of February, 2013.

(SEAL)
(If Applicable)

Belinda A. Anderson
Clerk Signature

City of Oberlin of Lorain County, Ohio.

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

For the City of Oberlin of Lorain County, Ohio

Attest: Mary J. Bannan

Eric R. Norenberg, Date 2/21/13
City Manager

For the State of Ohio

Attest: Judy A. Plate

Jerry Whay, Date 2-27-13
Director, Ohio Department of Transportation
ACB