

# CITY OF OBERLIN, OHIO

## ORDINANCE No. 18-24 AC CMS

AN ORDINANCE AUTHORIZING THE CITY OF OBERLIN TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR PREVENTIVE MAINTENANCE OF US ROUTE 20 IN THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio has identified the need for preventive maintenance of US Route 20 within the corporation limits of the City of Oberlin, more fully described as:

*Smoothseal:*

*HUR US 20 16.26 (End of Norwalk By-Pass) - 28.69 (Lorain County Line)*

*LOR US 20 0.00 (Lorain County Line) - 13.54 (Structure over Middle Ave.),*

*LOR SR 511 21.14 (City of Oberlin East Corp Limit) - 22.50 (US 20); and*

WHEREAS, LOR US 20 6.23 (1900 Feet West of SR 58) to 6.59 (SR 58) is within the corporation limits of the City of Oberlin.

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 Preventive Maintenance – Smoothseal project on US Route 20 in the City of Oberlin is further identified by the Ohio Department of Transportation by the project name HUR US 0020 16.26 PM and the Project Identification Number 87698.

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 corporation limits of the City of Oberlin 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 &

approaches, and 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.
7. The preliminary cost estimate for the City's share of this project is \$14,200.00 for construction costs and \$425.00 for construction engineering (inspection) costs.

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. If City owned utilities, within the corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual. If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

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, to wit: to expedite the highway project and to promote highway safety and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading: April 16, 2018 (E)  
2<sup>nd</sup> Reading: \_\_\_\_\_  
3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
\_\_\_\_\_  
BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 04/17/2018

EFFECTIVE DATE: 04/16/2018