

# CITY OF OBERLIN, OHIO

## ORDINANCE No. 18-25 AC CMS

AN ORDINANCE AUTHORIZING THE CITY OF OBERLIN TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL UPGRADES ON US ROUTE 20 AT STATE ROUTE 58 IN THE CITY OF OBERLIN, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio has identified the need for traffic signal upgrades on US Route 20 at State Route 58 in the City of Oberlin, more fully described as:

*Installation of supplemental traffic lights and advanced radar detection on US Route 020 at SR 0058 in the City of Oberlin 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 traffic signal upgrade project on US Route 20 at State Route 58 in the City of Oberlin is further identified by the Ohio Department of Transportation by the project name D03 TSG FY 2018 (C) and the Project Identification Number 107597.

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 to complete ODOT PID 107597 as follows:

1. The City gives consent for the improvements identified as ODOT PID 107597.
2. No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.

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. The City Manager of the City of Oberlin is hereby empowered on behalf of the City of Oberlin to enter into contracts with the Director of the Ohio Department of Transportation necessary to complete ODOT PID 107597.

SECTION 7. 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 8. 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:

  
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BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
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BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 04/17/2018

EFFECTIVE DATE: 04/16/2018