



Alan Seymour  
Deborah Groat  
Aaron J. Carpenter

**RESOLUTION 019-2020**  
PID Number 111195

TO CONSENT TO THE D06 CITY NHS GUARDRAIL UPGRADE OF THE OHIO DEPARTMENT OF  
TRANSPORTATION AND DECLARE AN EMERGENCY

WHEREAS, the following is a Resolution enacted by the City of Marysville of Union County,  
Ohio, hereinafter referred to as the Local Public Agency (LPA); and

WHEREAS, the State has determined the need for the following:

**SECTION I. Project Description**

This project proposes to replace/upgrade various guardrail end assemblies on SR 38, US 33,  
and US 36 within the City limits, as part of the project PID 111195, D06 City NHS Guardrail  
Upgrade; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARYSVILLE, OHIO, That:

**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:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in  
the planning, design and construction of the identified highway improvement project and  
grants consent to the Ohio Department of Transportation for its development and construction  
of the project in accordance with plans, specifications and estimates as approved by the  
Director;

ODOT agrees to assume and bear the costs of preliminary engineering, right-of-way, and  
construction by administering Federal and State funds for this project.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those  
features requested by the City which are not necessary for the improvement as determined by  
the State and Federal Highway Administration.

**SECTION IV. UTILITIES AND RIGHT-OF-WAY STATEMENT**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs. ODOT 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 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.C., Section 116; (2) provide ample financial resources, 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**

City Manager Terry Emery of said City of Marysville, of Union County is hereby empowered on behalf of the City of Marysville, of Union County to enter into contracts with the Director of Transportation which are necessary to complete the above described project.

**SECTION VII. EMERGENCY CLAUSE**

This Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety, in furtherance of the health, safety, and wellbeing of the citizens of Marysville. Following appropriate legislative action, it shall take effect immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1<sup>st</sup> Reading November 9, 2020

2<sup>nd</sup> Reading November 23, 2020


3<sup>rd</sup> Reading Waived 11/9/20

Passed: November 23, 2020



MAYOR/ PRESIDENT OF COUNCIL

APPROVED AS TO FORM:



Law Director Date 11/14/20

ATTEST:



CLERK OF COUNCIL

*Emergency Clause Passed  
November 9, 2020.*

**CERTIFICATE OF COPY  
STATE OF OHIO**

City of Marysville of Union County, Ohio

I, Rebecca L. Dible, as Clerk of Council for the City of Marysville of Union County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 019-2020 adopted by the legislative Authority of the said City of Marysville on the 23<sup>rd</sup> day of November, 2020. That the publication of such Resolution 019-2020 has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution 019-2020 have been taken; and that such Resolution 019-2020 and certificate of publication thereof are of record in the Official Resolutions of the City of Marysville.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 23<sup>rd</sup> day of November 2020.



Rebecca L. Dible

Rebecca L. Dible, Clerk of Council

City of Marysville of Union County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Marysville of Union County, Ohio.

Attested: Anna M. Krutushis

Terry Emery  
(City Manager, Terry Emery)

Date 11/24/20

**For the State of Ohio**

Attested: \_\_\_\_\_

\_\_\_\_\_  
(Director, Ohio Department of Transportation)

Date \_\_\_\_\_