



ORDINANCE 7-19  
PID Number 107808  
UNI-4-14.06

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION NECESSARY TO COMPLETE THE RESURFACING OF A PORTION OF STATE ROUTE 4 WITHIN THE CITY OF MARYSVILLE AND DECLARE AN EMERGENCY

WHEREAS, the following is an Ordinance enacted by the City of Marysville Union County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project; and

WHEREAS, the STATE has identified the need for the described project: This project proposes to resurface a portion of SR4 within the City of Marysville, now; therefore,

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

SECTION I. **Consent Statement:** Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION II. **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.

The Ohio Department of Transportation shall assume and bear one hundred percent of the necessary upfront costs of the State's highway improvement project.

The City shall reimburse the Ohio Department of Transportation 20% of the total cost of the pavement surface treatment, and the City's share is estimated to be \$22,500.

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 III. **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. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION IV. **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 V. **Authority to Sign:** The City Manager of said City is hereby empowered on behalf of the City of Marysville to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION VI. **Emergency Clause:** 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 from and after the earliest period allowed by law.

1<sup>st</sup> Reading January 28, 2019

J. R. Rasch  
MAYOR/PRESIDENT OF COUNCIL

2<sup>nd</sup> Reading February 11, 2019

3<sup>rd</sup> Reading February 25, 2019

ATTEST:

Passed: February 25, 2019

Rebecca L. Dible  
CLERK OF COUNCIL

APPROVED AS TO FORM:

[Signature]  
Law Director Date 2/25/19

Emergency Clause Passed: January 28, 2019

**CERTIFICATE OF COPY  
STATE OF OHIO**

City of Marysville, Union County, Ohio

I, Rebecca L. Dible, as Clerk of Council for the City of Marysville, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said City on the 25 day of February, 2019, 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 and certificate of publication thereof are of record in Ordinance Record Number 7-19.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 26 day of February, 2019.

(SEAL) (If Applicable)

Rebecca L. Dible  
Clerk of Council

City of Marysville, Ohio.

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

For the City of Marysville, Ohio

Attest: Floyd Golden

Floyd R. Golden, Date 02/28/19  
Contractual Officer ACTING CITY MGR.

For the State of Ohio

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