

RESOLUTION NO. 66-2016

OFFERED BY All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF TYPE A ANCHOR ASSEMBLY ON IR 271 AT SLM 2.56 WITHIN THE VILLAGE LIMITS, AND DECLARING AN EMERGENCY (ODOT PID NO. 103678)

WHEREAS, the Ohio Department of Transportation (ODOT) has identified the need to replace Type A anchor assemblies on IR 271 at SLM 2.56, in the Village of Richfield, Summit County, Ohio (PID No. 103678) as described in the September 1, 2016 memorandum of the Interim Service Director attached hereto as Exhibit "A"; and

WHEREAS, Council supports this project and wishes to authorize and direct the Mayor and the Finance Director to enter into an agreement with ODOT to perform the aforesaid activities in the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

- SECTION 1. Project Description. The ODOT has identified the need for the following described project: Replacement of Type A anchor assemblies on IR 271 at SLM 2.56, in the Village of Richfield, Summit County, Ohio (hereinafter "Project").
- SECTION 2. Consent Statement. Being in the public interest, the Village of Richfield, as the Local Public Agency ("LPA"), gives consent to the Director of Transportation to complete the Project.
- SECTION 3. Cooperation Statement. The Village shall cooperate with the Director of Transportation in the Project as follows: The State shall assume and bear 100% of all of the costs of the improvement. The Village further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the Village which are determined by the State and Federal Highway Administration to be unnecessary for the Project.
- SECTION 4. Utilities and Right-of-Way Statement. The Village of Richfield 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 Village of Richfield also understands that right-of-way costs include eligible utility costs.
- SECTION 5. Maintenance. Upon completion of the Project, and unless otherwise agreed, the Village shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions as necessary, for the maintenance of the

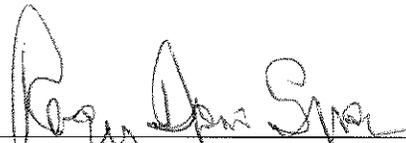
described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6. Authority to Sign. The Mayor and the Finance Director of the Village of Richfield are hereby empowered on behalf of the Village to enter into agreements with the Director of Transportation which is necessary to complete the above-described Project.

SECTION 7. Open Meetings. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 legal requirements, including section 121.22 of the Ohio Revised Code.

SECTION 8. Emergency. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to expedite the Project and promote highway safety at the earliest possible time; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 9-20-16

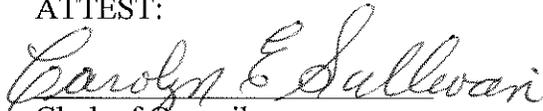


President of Council


Mayor

Dated: 9-20-16

ATTEST:



Clerk of Council

CERTIFICATE OF COPY
STATE OF OHIO

Village of Richfield of Summit County, Ohio

_____, as Clerk of the Village of Richfield of Summit County, Ohio, do hereby certify that the forgoing is a true and correct copy of the Resolution adopted by the Legislative Authority of the said Village of Richfield on the ___ day of _____, 2016, that the publication of such Resolution has been made and certified of record according to law, that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in ____, page ____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this ___ day of _____, 2016.

Clerk

CITY SEAL

Village of Richfield of Summit County, Ohio

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating, "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the Project herein described.
For the Village of Richfield of Summit County, Ohio

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

**OHIO DEPARTMENT OF TRANSPORTATION**DISTRICT 4 • 2088 SOUTH ARLINGTON ROAD • AKRON, OHIO 44306 • (800) 603-1054
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • ANTHONY URANKAR, DISTRICT DEPUTY DIRECTOR

August 3, 2016

Village of Richfield
ATTN: Mayor Bobbie Beshara
4410 W. Streetsboro Road
P.O. Box 387
Richfield, Ohio 44286-0387

Subject: D04 GR FY 2018(Type A)-PID 103678

Dear Mayor Beshara:

Attached are two (2) forms of Consent Legislation for the subject project that will begin construction in fiscal year 2018. Per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities, prior to making any necessary repairs to State Highways within the corporate limits. Please have both originals of the Legislation signed then return both to this office for further processing. Once they are signed in the District, one copy will be returned to you for your records.

This legislation may be retyped to suit local preferred format, however, no information may be deleted from the legislation, and the **Certificate of Copy, State of Ohio** must be returned signed and containing a line for the Director of Transportation's signature. Also, please put the county, route and section, along with the PID Number of the project on the cover letter, so the correct project information can be put with the related legislation. We would appreciate receiving this legislation as soon as it can be executed.

Your cooperation is greatly appreciated in this matter. Should you have any questions, please feel free to contact me at (330) 786-4921.

Respectfully,

Steven J. Rebillot
Planning Administrator

Handwritten signature of James R. Bruner in cursive.

James R. Bruner, P.E., GISP
Capital Planning/GIS Manager

SJR/JRB/dh

Enclosures

cc: file

CONSENT LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
PID No. 103678
County/Route/Section D04 GR F2018(Type A)

The following is _____ enacted by the Village of Richfield of Summit
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the (LPA/STATE) has identified the need for the described project:

Replacement of Type A anchor assemblies on IR 271 at SLM 2.56

NOW THEREFORE, be it ordained by the Village of Richfield of Summit County, Ohio.
(LPA)

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 State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

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. The LPA also understands that right-of way costs include eligible utility costs.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, 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

The _____ of said Village of Richfield is hereby empowered
(Contractual Agent) (LPA)
on behalf of the Village of Richfield to enter into contracts with the Director of
(LPA)
Transportation which is necessary to complete the above described project.

Passed: _____
(Date)

Attested: _____
(Clerk) (Officer of LPA - title)

Attested: _____
(Title) (President of Council)

This _____ is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

Village of Richfield of Summit County, Ohio,
(LPA)

_____, as Clerk of the Village of Richfield
(LPA)

of Summit County, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)

Village of Richfield on the _____ day of _____, 20____
(LPA)

that the publication of such _____ has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such _____
(Ordinance/Resolution)

and certificate of publication thereof are of record in _____ Page _____
(Ordinance/Resolution Record No.)

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

Clerk

Village of Richfield of Summit County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Richfield of Summit County, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

Legislation Request

DATE: September 01, 2016

TO: Mayor Bobbie Beshara,
Bill Hanna, Law Director
Village Council,
Council Clerk

FROM: Brian M. Frantz, Interim Service Director

TYPE OF LEGISLATION: Resolution Ordinance

To allow the Mayor and Finance Director to enter into a consent legislation agreement for Type A anchor assembly replacement on IR 271 at SLM 2.56 within the Village Limits.

Date of Council meeting needed: September 20, 2016

TYPE OF REQUEST	
First Reading	
Suspension of second and third and approval.	Entering into consent legislation with ODOT for work within the Village limits.

DESCRIPTION

HISTORY

ODOT has scheduled some replacement of Type A anchor assemblies on IR 271 at SLM 2.56 in the Village boundaries. This construction project is scheduled to begin in 2018.

BIDDING

None needed. This will be an ODOT project.

APPROPRIATIONS

<u>ITEM</u>	<u>General Fund</u>	<u>Other Funds</u>
None needed at this time.		
TOTAL		

NOTE: ODOT is to assume 100% of all costs for this project.

CC: Sandy Turk