

RESOLUTION NO. 1-2016

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION FOR SPOT PAVING OF INTERSTATE 77 WITHIN THE VILLAGE IN FISCAL YEAR 2016, AND DECLARING AN EMERGENCY (ODOT PID NO. 99702)

WHEREAS, the Ohio Department of Transportation is requesting to spot pave certain portions of Interstate Route 77 within the Village limits in fiscal year 2016 (PID No. 99702); 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 requested spot paving 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 Ohio Department of Transportation (ODOT) has identified the need to and intends to perform spot paving of IR77 within the Village limits (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 of Richfield shall cooperate with the Director of Transportation in the Project as follows: The State shall assume and bear one hundred percent (100%) of all of the costs of the Project. The Village of Richfield further agrees to pay one hundred percent (100%) of the cost of those features requested by the Village of Richfield 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 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 of Richfield 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 Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

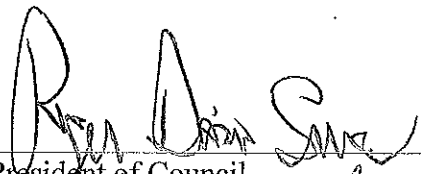
SECTION 6. Authority to Sign. The Mayor and the Finance Director of the Village of Richfield are hereby empowered on behalf of the Village to enter into agreements with the Director of Transportation that are necessary to complete the Project.

SECTION 7. Open Meeting. 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 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:

1-5-16



President of Council



Mayor

Dated:

1/5/16

ATTEST:



Clerk of Council