

A RESOLUTION CONSENTING TO THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM CRACK SEALING ALONG STATE ROUTE 21 WITHIN THE VILLAGE OF RICHFIELD (PID NO. 116077, COUNTY/ROUTE/SECTION D04 CS FY2022), AND DECLARING AN EMERGENCY

WHEREAS, the Village of Richfield and State of Ohio have identified the need for cracking sealing along State Route 21 within the Village of Richfield (the "SR 21/Cracking Sealing Project").

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

SECTION 1. Being in the public interest, Council gives consent to Director of Transportation to complete the SR 21/Cracking Sealing Project.

SECTION 2. The Village shall cooperate with the Director of Transportation in the SR 21/Cracking Sealing Project as follows: (1) the State shall assume and bear 100% of all of the costs of the improvement and (2) 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 SR 21/Cracking Sealing Project.

SECTION 3. The Village agrees that all right-of-way required for the SR 21/Cracking Sealing Project will be acquired and/or made available in accordance with current State and Federal regulations. The Village also understands that right-of way costs include eligible utility costs.

SECTION 4. Upon completion of the SR 21/Cracking Sealing Project, and unless otherwise agreed, the Village shall: (1) provide adequate maintenance for the SR 21/Cracking Sealing 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 5. The Mayor is authorized and directed to enter into contracts with the Director of Transportation that are necessary to complete the SR 21/Cracking Sealing Project.

SECTION 6. 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 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 7. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the residents of the Village of Richfield and for the further purpose of immediately necessary to expedite the SR 21/Cracking Sealing Project and to promote highway safety; 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force at the earliest time provided by law.

PASSED: 1-18-22

Bobbie Beshaw
President of Council

Michael Wheeler
Mayor

Date: 1/18/2022

ATTEST:
Jill Amy
Clerk of Council