

ORDINANCE NO. 68-17

BY: **MARK CASSELBERRY, KRISTIN SABAN**
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION OF THE TRAFFIC SIGNAL AT STATE AND BROOKPARK ROADS, ALONG WITH NEW LANE ASSIGNMENT SIGNS AT THIS INTERSECTION, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That the Mayor and/or the Director of Public Service are hereby authorized to enter into an Agreement with the Ohio Department of Transportation for work in Parma which includes the reconstruction of the existing traffic signal at State and Brookpark. The project includes new mast arm signal supports that will be installed on the southeast and southwest corners of the intersection in Parma. There is also the need for Lane Assignment signs on the southern leg of the intersection (northbound approach on State Road). These signs include arrows over each lane (or side-mounted in some instances) showing drivers which lanes to use for certain movements through the intersection..

Section 2. Consent Statement.

Being in the public interest, the Local Public Agency (City of Parma) gives the consent to the Director of Transportation to complete the above described project.

Section 3. Cooperation Statement.

The City shall cooperate with the Director of Transportation in the above described project as follows:

The entire cost and expense of this improvement will be provided by the Department. No financial participation will be required by the City of Parma.

The City agrees to pay One Hundred Percent (100%) of the cost of those features requested by the City 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 City of Parma agrees to acquire and/or make available to the Ohio Department of Transportation, in accordance with current State and Federal regulations, all necessary right-of-way required for the described project. The City also understands that right-of-way costs include eligible utility costs. The City 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 Ohio Department of Transportation Utilities Manual.

Section 5. Maintenance.

Upon completion of the described project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the described 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 provisions, as necessary, for the maintenance of he 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.

That the Mayor and/or the Director of Public Service are hereby authorized to execute said Agreement and to take such action and to execute such other documents and amendments thereto as may be necessary as are approved by the Law Director.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the 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.

Section 8. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to expedite these services with the Ohio Department of Transportation, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO