

By: David H. Wilson ORDINANCE NO 9-72

Authorizing the expansion of the Federal-aid Primary System of Highways in the City of Bexley to include streets and highways eligible for traffic engineering improvements and the betterment of existing streets through traffic engineering improvements to increase traffic flow and safety under the supervision of the Director of Highways of the State of Ohio and proposing to cooperate with said Director in certain matters incidental thereto.

WHEREAS, the public convenience and welfare require betterment of existing streets in the City of Bexley by making traffic engineering improvements to increase traffic flow and safety, hereinafter referred to as the "improvement"; and

WHEREAS, the Council of the City of Bexley, hereinafter referred to as the "City", desires to cooperate with the Director of Highways of the State of Ohio, hereinafter referred to as the "State", in said improvement; and

WHEREAS, the Federal-aid Highway Act of 1968, approved, August 23, 1968, amended Chapter I of Title 23, United States Code by adding a new Section 135, "Urban Area Traffic Operations Improvement Programs," which provides for the expenditure of Federal funds for an urban traffic operations program to increase capacity and safety, hereinafter referred to as "TOPICS", the policies and procedures relating thereto being set forth in Policy and Procedure Memorandum No. 21-18, hereinafter referred to as "PPM 21-18"; and

WHEREAS, the City and the State desire to proceed with the addition of arterial routes and local streets to the Federal-aid primary system in the Bexley urban area, hereinafter referred to as the "Primary Type II System", and to proceed with the said Improvement under the provisions of said PPM 21-18 issued May 28, 1970, and such memorandum may be amended from time to time; NOW THEREFORE

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

Section 1. Consent.

It is declared to be in the public interest that the consent of the City be, and such consent is hereby given to the State, to proceed with said Improvement, in accordance with plans, specifications and estimates approved by the State.

Section 2. Scope of Improvement.

The general limits of the Bexley Urban Area Study will consist of the corporation limits of the City of Bexley.

Traffic facilities investigated and included in the Improvement will include the principal arterial routes, major crosstown streets and streets as follows:

(a) Core Area.

The City of Bexley has no core area at the present time.

(b) Arterial System.

The Arterial System will consist of the major radial arterial highways which provide access to and from the business area, inclusive of all, but not limited to, numbered State Routes.

(c) Connectors.

The Connectors are those routes required for adequate arterial transfer and to provide crosstown capacity.

Section 3. Cooperation.

(a) The City of Bexley agrees that City cooperation in the planning, construction, financing, maintenance, operation and evaluation of effectiveness of said Improvement and all procedures relating thereto will be in accordance with the provisions of PPM 21-18, and State of Ohio, Department of Highways, "TOPICS Procedure Manual", and as such memorandum and manual may be amended from time to time.

(b) The City further agrees:

4-12-72

1. To furnish, if required, and bear the cost of the establishment of a tentative Primary Type II System.
2. That State participation in the Area-wide TOPICS Plan will be twenty-five (25%) and that the City will assume and bear the remaining cost less the amount of the reimbursement received by the State and Federal-aid TOPICS funds.
3. To assume and bear five percent (5%) of the cost and expense of construction plans and construction of the Improvement on State Routes.
4. To assume and bear the entire cost and expense of construction plans and construction not on State Routes less the amount of the reimbursement received by the State from Federal-aid TOPICS funds.
5. To assume and bear fifty percent (50%) of the cost of a program for evaluation of each completed part of the Improvement as provided by PPM 21-18, Section 10 "Evaluation".
6. That construction costs shall include construction engineering, construction, advertising and other legal and contingent expenses.
7. To acquire and bear the cost of any additional right of way required for the Improvement.
8. To make and bear the costs of all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto.
9. To make arrangements with all public utility companies, whose lines or structures will be affected by the Improvement, to make all necessary plant removals or rearrangements.
10. To deposit with the State upon request by the State the estimated amount of the City's participation in the Improvement or any part thereof before the State shall be obligated to advertise for bids for construction of the Improvement or any part thereof.

Section 4. Maintenance and Operation.

The City agrees:

- A. To maintain and operate the Improvement, and to make ample financial and other arrangements for such maintenance and operation.
- B. That before the State shall be obligated to proceed with the construction of the Improvement, or any part thereof, the City will have a traffic engineering unit as required by PPM 21-18 of the Bureau of Public Roads, or has made other arrangements acceptable to the State and the Bureau of Public Roads to assure the proper maintenance and operation of the traffic operations improvements installed, and that the City will maintain necessary and adequate regulations for the maintenance of efficient operations of the street network in accordance with the intent of the plans for the Improvement, it being understood that if the City fails to fulfill its obligation with respect to such maintenance, operation and regulation, such failure will disqualify the City from future Federal-aid participation on projects for which the City has maintenance responsibility until such time as arrangements satisfactory to the State have been made, and the traffic operations improvements are brought to a satisfactory condition of maintenance and operation.
- C. That a traffic engineering unit will have authority for the establishment of parking controls, bus stops, loading zones, driveways and traffic patterns, or if the traffic engineering unit is not delegated such authority, the City will consider the written advice of the traffic engineering unit in such matters, and in the event the City elects to proceed contrary to the written advice of the traffic engineering unit any proposed revisions will be submitted to the State for prior review and comment, or if the City does not have a traffic engineering unit and has made other arrangements approved by the State to assure the proper maintenance and operation of the traffic operations improvements,

any proposed changes in planned traffic patterns and operation and in traffic regulations will be submitted to the State for prior review and comment.

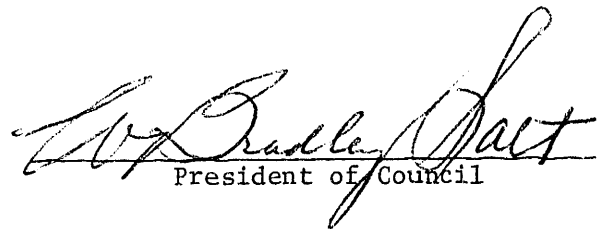
Section 5. Authority to Sign.

The Mayor be and he hereby is authorized to enter into maintenance agreement and special contractual obligations.

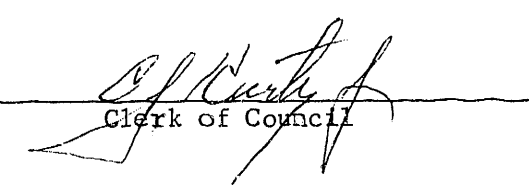
Section 6.

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

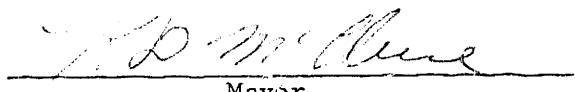
Passed: April 11th, 1972


President of Council

Attest:


Clerk of Council

Approved: April 11th, 1972


Mayor

Effective:

May 11th, 1972