

F I N A L   R E S O L U T I O N   No. 6-73

Adopting plans;

Proposing to co-operate;

Requesting Director to proceed;

(Chapter 5521, Ohio Revised Code)

Mr. Thomas C. Elsass moved the adoption of the following Resolution:

WHEREAS, At a meeting of the legislative authority of Bexley, Ohio, held in the office of said legislative authority, on this 10th day of July, 1973, a quorum being present, the improvement of Clifton Avenue, under the provisions of Chapter 5521, Ohio Revised Code, and Amended Senate Bill 428, passed by the 108th General Assembly of Ohio in accordance with the provisions of Ohio Department of Highways "Procedure Manual, State Issue 1 Funds," came on for further consideration; said portion of highway as described in the legislation proposing to cooperate with the Director of Transportation enacted on the 10th day of October, 1972, being as follows:

From the Alum Creek Bridge eastward to Drexel Avenue. Total length of work being approximately 0.557 mile

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the Director of Transportation in the improvement of Clifton Avenue, by assuming and contributing the entire cost and expense of the improvement less the amount of State Issue 1 Funds determined to be available and eligible for participation in said improvement. The entire cost of the project is now estimated to be Three Hundred Twelve Thousand One Hundred - - - 00/100 Dollars (\$312,100.00), less the estimated amount of Two Hundred Seventy Nine Thousand Three Hundred Twenty Five - - - - 00/100 Dollars (\$279,325.00), which is available and eligible from State Issue 1 Funds. The estimated balance presently due from the City of Bexley, is now in the amount of Thirty Two Thousand Seven Hundred Seventy Five - - - - 00/100 Dollars (\$32,775.00), but said estimated amount is to be adjusted when the final actual costs and allocations are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway, and has transmitted copies of same to this legislative authority; and

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7-11-73

WHEREAS, This legislative authority desires the Director of Transportation to proceed with the aforesaid highway improvement.

Now, Therefore, Be It Resolved:

- I. That the section of highway above described be improved under the provisions of aforesaid law; that said work be done under the charge, care and superintendence of the Director of Transportation and that said plans, specifications, and estimates for this highway improvement as approved by the Director of Transportation are hereby approved and adopted by this legislative authority.
- II. That this legislative authority is still of the opinion the proposed work on the described highway should be constructed and that we should cooperate on the basis set forth in our proposal, this day of July
- III. That the estimated sum of Thirty Two Thousand Seven Hundred Seventy Five - - - 00/100 Dollars (\$32,775.00), is hereby appropriated for improving the described highway, and the fiscal officer is hereby authorized and directed to issue his order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume, in the first instance, the share of the cost and expense over and above the amount to be allocated from State Issue 1 Funds.
- IV. That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4, "Utility Relocations and Adjustments," October, 1972, being as follows:
- V. That traffic control signs will not be installed on the project without prior approval by the State and the municipality does hereby agree to place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- VI. That the rights-of-way provided for said improvement shall be held inviolate for public highway purposes and no signs, posters, billboards, roadside stands or other private installations shall be permitted within the right-of-way limits.
- VII. That this legislative authority hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- VIII. That this legislative authority of Bexley, Ohio, enter into a contract with the Director of Transportation providing for the payment by said legislative authority of the estimated sum of Thirty Two Thousand Seven Hundred Seventy Five - - - 00/100 Dollars (\$32,775.00), the agreed proportion of the cost and expense to be borne by Bexley, Ohio, for improving the hereinbefore described highway.
- IX. That the Clerk of this legislative authority be, and he is hereby directed to transmit to the Director of Transportation a certified copy of these Resolutions.
- X. This Resolution is hereby declared to be an emergency measure by reason of the need for expediting construction of project(s) to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to the legislative authority, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Thereupon, Mr. John Offenberg seconded the said motion;  
and upon the roll being called, the result of the vote was as follows:

Vote on suspension of the rule requiring an ordinance to be fully  
and distinctly read on three different days:

(Requires a yea vote by three-fourths of all elected members)

Yeas All seven members Nays \_\_\_\_\_

Vote on emergency clause: Yeas All members Nays \_\_\_\_\_

Passed: July 10th, 1973. Yeas All members Nays \_\_\_\_\_

As An Emergency Measure.

Attest: *C. J. Karpis*  
Clerk

*K. W. McClure*  
Mayor

Attest: *C. J. Karpis*

*Rich H. Mann*  
Presiding Officer of Legislative  
Authority

State of Ohio  
Bexley, Ohio

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Office of the Legislative Authority

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the legislative authority of Bexley, Ohio, which Resolution was duly passed by said legislative authority, on the 10th day of July, 1973, and that the same is a true and correct copy of the record of said Resolution and the action of said legislative authority thereon.

We further certify that said Resolution and the action of said legislative authority thereon is recorded in the journal of said legislative authority in Volume K, at Page 73, and under date of July 10th, 1973.

IN WITNESS WHEREOF, We have hereunto set our hands and seal, this 10th day of July, 1973.

\*SEAL

R. H. Brown  
Presiding Officer

[Signature]  
Clerk (Secretary Ex-officio)  
Legislative Authority of Bexley, Ohio

\*Note: If the fiscal officer is secretary ex-officio of the legislative authority the fiscal officer's seal should be affixed. If there is no seal, this fact should be stated by separate letter and attached hereto.