

CS-1 Rev. 1/30/73

Stephen M. Mann

NAME OF STREET East Broad

ORDINANCE NO. 19-80

ROUTE NO. FRA-40/16-15.25/0.00

DATE OF ENACTMENT _____

An emergency ordinance enacted by the City of Bexley
Franklin County, Ohio, in the matter of the hereinafter described
improvement, under the supervision of the Director of Transportation.

WHEREAS, the Director of Transportation is considering improving a portion of the public highway which is described as follows: The installation of signal preemptor devices on existing traffic signal controls at certain intersections along E. Broad Street; said devices will be activated by controls which are mounted on COTA buses to help improve bus movements during rush hours along E. Broad Street through Whitehall, Bexley and Columbus.

NOW THEREFORE, Be it ordained by the Council of the City of Bexley,
Ohio:

SECTION I (Consent)

That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director, in Cooperation with the City of Columbus and the Central Ohio Transit Authority and the City of Whitehall, and further consent is hereby given to the City of Columbus to act as contractual agent for the City of Bexley with the Director of Transportation in the proposed project.

SECTION II (Cooperation)

That said City hereby proposes to cooperate with the State of Ohio, in the cost of the above described improvement as follows: No financial obligation to be incurred by the City of Bexley.

Bexley's cooperation will involve, in general, attendance at meetings, collection of traffic data and sharing in evaluation of the signal preemption system usefulness in improving traffic flow along E. Broad Street.

SECTION III (Authority to Sign)

That the Mayor of said City is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

SECTION IV (Traffic Control Signals and Devices)

That existing control signals will not be altered within the corporate limits of Bexley without prior approval by Bexley, for this proposed project.

SECTION V (Maintenance and Parking)

That upon completion of said improvement, said City will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- (d) Regulate parking in the following manner:

Parking negotiations within the corporation limits of the City of Bexley will continue as is now in force, except at certain locations changed as result of this project.

- (e) All above paragraphs will remain as is now in effect according to State statutes, and any subsequent changes thereto.

SECTION VI (Right-of-Way, Utility Rearrangement and Saving the State of Ohio Harmless of Damages)

- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the City of Columbus will be responsible for acquisition of any additional right-of-way required for the construction of the aforesaid improvement, no additional right-of-way is anticipated within the Bexley Corporation Limits.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Transportation.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive 28-7, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.
- (f) 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" and the Department of Transportation's rules on Utility Accommodation.
- (g) That said City hereby agrees that the said Department of Transportation of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, 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.

Passed: March 11, 1980.
Attest: John W. Horvath Clerk
Attest: Donald H. Mahan Mayor
John A. Spang President of Council

CERTIFICATE OF COPY

STATE OF OHIO

City of Bexley SS
County Franklin

I, JOHN W. HORVATH, as clerk of the City of Bexley, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City on the 11th day of MARCH, 1980, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. 19-80, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 20th day of MARCH, 1980.

(SEAL) John W. Horvath Clerk
City of Bexley, Ohio.

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of Bexley, Ohio.

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

*1st Reading
Suspended & Adopted*