

ORDINANCE NO. 15-91BY: Albert J. Myers

An Ordinance to request the cooperation of the Director of the Ohio Department of Transportation in the resurfacing, the replacement of curbs, and the installation of concrete bus stop pads on East Broad Street from the west corporation line to the east corporation line and on East Main Street from Drexel Avenue to the east corporation line and to declare an emergency.

WHEREAS, the City of Bexley has identified the need for and proposes the improvement of East Broad Street from the west corporation line to the east corporation line and East Main Street from Drexel Avenue to the east corporation line to include planing the existing surface; resurfacing with asphalt concrete; installation of concrete bus stop pads, and replacing existing curbs; and,

WHEREAS, the City of Bexley desires cooperation from the Director of the Ohio Department of Transportation in the planning, design and construction of said improvements. NOW, THEREFORE,

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

Section 1. That the City of Bexley requests the cooperation of the Director of the Ohio Department of Transportation in the planning, design and construction of the above described improvements.

Section 2. That the Ohio Department of Transportation will assume and bear ninety-seven percent (97%) of the cost of this improvement except for the curb and pavement marking; the cost of which will be borne one hundred percent (100%) by the City of Bexley and/or other local funds.

Section 3. That it is in the public interest that the consent of the City of Bexley be, and the same hereby is, given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

Section 4. That the Mayor and Auditor of the City of Bexley are hereby empowered and directed on behalf of the City to enter into agreements with the Director of the Ohio Department of Transportation necessary to complete the planning and construction of this improvement.

Section 5. That traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.

Section 6. That upon completion of said improvement, said City will thereafter keep said highway open to traffic at all times and will:

Maintain the improvement in accordance with the provisions of the statutes relating thereto;

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;

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; and,

Regulate parking to provide and maintain these restrictions in parking over the total length of this project, "No stopping on the west bound side between the hours of 7:00am and 9:00am; No stopping on the east bound side between the hours of 4:00pm and 6:00pm."

Section 7. That all existing street and public right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.

Section 8. That the City will acquire any additional right-of-way required for the construction of the aforesaid improvement.

Section 9. 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 of the Department of Transportation.

Section 10. 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 DH-P-411 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.

Section 11. 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.

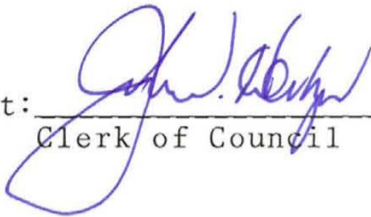
Section 12. That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.

Section 13. That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

Section 14. That this Ordinance is an emergency Ordinance, necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to complete the construction during the 1991 construction season, and shall go into full force and effect upon its passage and approval by the Mayor.

Passed: March 19, 1991

  
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President of Council

Attest:   
\_\_\_\_\_  
Clerk of Council

Approved: March 19, 1991

  
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David H. Madison  
Mayor

Mar. 12, 1991 - 1<sup>st</sup> reading

Mar. 19, 1991 - 2<sup>nd</sup> reading  
Susp. & Adopt.

RESOLUTION NO. 285-91

March 26, 1991

FINAL APPROVAL OF \$5.00 LICENSE  
TAX FUNDS FOR CITY OF BEXLEY  
SUBMITTED BY THE OFFICE OF  
THE FRANKLIN COUNTY ENGINEER  
(FRANKLIN COUNTY ENGINEER)

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WHEREAS, the City of Bexley has applied for final approval for pavement resurfacing and curb replacement on Broad Street (US 40/SR 16) within Bexley's corporation limits and on Main Street (US 40) from Drexel Avenue to their east corporation limit, at a cost of \$276,500.00.

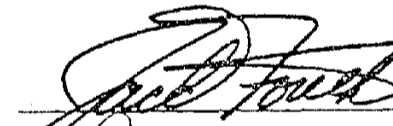
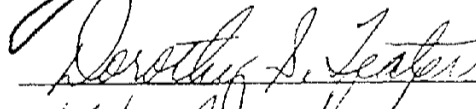
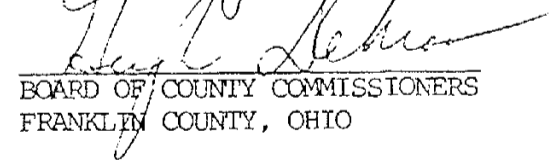
WHEREAS, the County Engineer, after proper examination has granted final approval of the plans for said improvement, now therefore, upon motion of Commissioner Teater, seconded by Commissioner DeMoss,

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

Section 1: That approval is hereby granted for pavement resurfacing and curb replacement on Broad Street (US 40/SR 16) within Bexley's corporation limits and on Main Street (US 40) from Drexel Avenue to their east corporation limit.

Section 2: That upon notification by the City of Bexley of the work commenced, the County Auditor shall draw a warrant for this encumbered amount on the County Treasurer.

Voting Aye thereon:

  
  
  
BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, OHIO

Voting Nay thereon:

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BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, OHIO

DB:ab

cc: Journal  
Engineer (Anna)