



(Ordinance No. ~~4394~~ <sup>57</sup>-97)

PID No. 13800  
Project No. \_\_\_\_ (97)

FINAL RESOLUTION

Adopting plans;  
Proposing to co-operate;  
Requesting Director to proceed;  
(Chapter 5521, Ohio Revised Code)

Mr. McClelland, moved the adoption of the following Resolution:

WHEREAS, At a meeting of the legislative authority of **the City of Bexley, Ohio**, held in the office of said legislative authority on this 14th day of October, 1997, a quorum being present, the improvement of **East Main Street (U.S. Route 40)**, provisions of Chapter 5521, Ohio Revised Code, came on for further consideration; said portion of highway as described in the legislation proposing cooperation with the Director of Transportation, enacted on the 15th day of July, 1994, being described as follows:

To revise traffic signal installations on East Main Street by the installation of actuated traffic control operations equipment and Coordination equipment with underground interconnect, mast arm supports, new signal heads and pedestrian signals and to interconnect with the City of Columbus' Computerized Signal System and install new street lighting and wiring, lying within the City of Bexley; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the Director of Transportation in the improvement of **East Main Street (U.S. Route 40)**, **the City agrees to assume and bear the entire cost and expense of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right of Way, excluding in-house preliminary engineering and right of way charges incurred by the State.**

**In addition, the City also agrees to assume and bear one hundred percent (100%) of the cost of any construction items requested by the City on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.**

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The Director of Transportation notwithstanding the percentage basis of contribution may allocate the money contributed in whatever manner he may deem necessary in financing the cost of construction, rights-of-way, engineering and incidental expenses. The total share of the cost for the **City of Bexley** is now in the estimated amount of **One Hundred Twenty Eight Thousand Four Hundred Forty Two - - - - - 00/100 Dollars, (\$128,442.00)**, but said estimated amount is to be adjusted in order that the City's ultimate share of the cost of said improvement shall correspond with said percentages of actual costs when said actual costs determined; and

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 the same to this legislative authority; and

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 to Director of Transportation are hereby approved and adopted by this legislative authority.
- II. Change orders and extra work contracts required to fulfill the construction contract shall be processed as needed. The Director of Transportation shall not approve a change order or extra work contract until he first gives notice, in writing, to this legislative authority. This legislative authority shall contribute its share of the cost of these items in accordance with other sections herein.
- III. That this legislative authority is still of the opinion the proposed work on the described highway should be constructed, and that we should co-operate on the basis set forth in our proposal.
- IV. That the sum of **One Hundred Twenty Eight Thousand Four Hundred Forty Two - - - - - 00/100 Dollars, (\$128,442.00)**, is hereby appropriated<sup>\*</sup> for improving the highway described above, 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 Federal Funds.

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- V. That the installation of 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 rules on Utility Accommodation.
- VI. 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 Ohio Department of Transportation Directive H-P-508, 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.
- VII. That traffic control signals will be installed on the project only when recommended by a study of roadway and traffic conditions by a traffic engineer or when at least of the warranting conditions specified in the Ohio Manual of Uniform Traffic Control Devices is met 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 improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- VIII. 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.
- IX. That this legislative authority of **Bexley**, Ohio, hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- X. That this legislative authority of **Bexley**, Ohio, shall enter into a contract with the Director of Transportation providing for the payment by said legislative authority of the sum of **One Hundred Twenty Eight Thousand Four Hundred Forty Two- - - - - 00/100 Dollars, (\$128,442.00)**, the agreed proportion of the cost and expense to be borne by the City of **Bexley**, Ohio, for the improvement of the hereinbefore described highway.
- XI. 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.

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XII. 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 upon its passage and approval by the ~~Service Director~~,\* otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

\*Mayor

Thereupon, Mr. Masser 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 ye vote by three-fourths of all elected members)

Yeas 7 Nays 0

Vote on emergency clause: N/A Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed: October 14, 1997. Yeas 7 Nays 0

As An Emergency Measure.

Passed: October 14, 1997.

Attest Richard A. Levin  
Clerk

D. Jackson  
~~Service Director~~ Mayor

Attest: Sharon R. Patterson  
[Signature]

Presiding Officer of the  
Legislative Authority

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State of Ohio )  
 ) Office of the Legislative Authority  
Bexley, Ohio )

This is to certify that we have compared the foregoing copy and Resolution with the original record thereof, found in the record of the proceeding of the legislative authority of the City of Bexley, Ohio, which Resolution was duly passed by said authority of the City of Bexley, Ohio, on the 14th day of October, 1997, 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 ~~XXXXXXXXXXXXXXXXXX~~, at page ~~XXXXXXXXXXXXXXXXXXXXXX~~, and under date of October 14,, 1997.

IN WITNESS WHEREOF, We have hereunto set out hands and seal, this

17th day of October, 1997.

Presiding Officer

\*SEAL

Clerk (Secretary Ex-Officio)

Legislative Authority of the  
City 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.

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FISCAL OFFICER'S CERTIFICATE  
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$128,442.00**  
required for the payment of the cost other than that thereof assumed by the Federal  
Government, for the improvement of that portion of East Main Street (U.S. Route 40), lying  
within the corporate limits of the City of Bexley, more particularly described as follows:

To revise traffic signal installations on East Main Street by the  
installation of actuated traffic control operations equipment and  
Coordination equipment with underground interconnect, mast  
arm supports, new signal heads and pedestrian signals and to  
interconnect with the City of Columbus' Computerized Signal  
System and install new street lighting and wiring, lying within the  
City of Bexley

has been lawful appropriated for such purpose and is in the treasury to the credit of , or  
has been placed on the duplicate and in process of collection for the appropriate fund,  
and not appropriated for any other purpose; or is being obtained by sale of bonds  
issued on account of said improvement, which bonds are sold and in process of  
delivery.

I further certify that this certificate was made, sealed and filed with the legislative  
authority of the City of Bexley, Ohio, after said legislative authority passed the final  
resolution in connection with the within described project; and that this certificate was  
forthwith recorded in the record of the proceedings of said legislative authority, namely:

under date of October 14, 1997.  
Legislative Authority's Journal, volume \_\_\_\_\_ at Page \_\_\_\_\_

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said

fiscal officer, this 17th day of October, 1997.

(Fiscal Officer's Seal)



Fiscal Officer of the City of  
Bexley, Ohio

If you have any questions, contact Lana Houston at (614)466-3165.