

ORDINANCE NO. 4 - 03

By: Mr. Rohyans

The following Ordinance enacted by the City of Bexley, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA," in the matter of the paving of Route 40 and Route 16 in the City of Bexley and to appropriate \$90,850.00 from the unencumbered Street, Alley and Sidewalk Fund and to loan \$90,850.00 from the unencumbered General Fund to the Street, Alley and Sidewalk Fund, said amount to be paid back on or before December 31, 2003.

WHEREAS, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

Resurfacing of 2.12 miles of U.S. Route 40 from the City's eastern corporation limit to the western corporation limit and the resurfacing of 0.75 miles of FRA State Route 16 from the intersection of U.S. Route 40 and Drexel Avenue to the City's western corporation limit, lying within the City of Bexley. Total work length of project being approximately 2.87 miles; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of State funds set aside by the Director of Transportation for the financing of this improvement, and further, the City agrees to assume and bear the entire cost of the installation and/or repair of curbs, gutters, utility relocations, partial-and full depth pavement repairs and other non-surface related items.

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.

The City agrees to act as the lead agency for the City of Columbus on the portion of U.S. Route 40 (East Broad Street), which is a split corporation limit between the Cities of Bexley and Columbus.

The share of the cost of the LPA is not estimated in the amount of **less applied in the amount of leaving a balance due of Ninety Thousand Eight Hundred Fifty and -- --00/100 Dollars (\$90,850.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are 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, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement. NOW, THEREFORE,

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

Section 1. That the estimated sum of **Ninety Thousand Eight Hundred Fifty and - - - 00/100 Dollars, (\$90,850.00)**, is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an 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 paid from State funds.

Section 2. The \$90,850.00 is loaned from the unencumbered General Fund to the Street, Alley and Sidewalk Fund, said amount to be paid back on or before December 31,2003.

Section 3. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 4. That the LPA enter into a contract with the State, and that the **Mayor/Auditor** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Section 5. That the LPA transmit to the Director of Transportation a fully executed copy of this Ordinance.

Section 6. That this Ordinance shall go into effect upon its signing by the Mayor.

Passed: _____, 2003

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2003

1-14-03 first reading

David H. Madison, Mayor