

RECORD OF ORDINANCES

Resolution
Ordinance No. 2020-38Passed May 20, 2020

SPONSOR: STREETS COMMITTEE

A RESOLUTION GIVING CONSENT AND AUTHORIZING THE SIGN REPLACEMENT ON SR-532, IN CONNECTION WITH ODOT PID #103277, AND DECLARING AN EMERGENCY

WHEREAS, the Village has identified the need for sign replacement on SR-532 within the Village of Mogadore; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the Council for the Village of Mogadore has determined the need for sign replacement on SR-532, and, which is the subject of a planned Ohio Department of Transportation project, to wit: PID #103277.

SECTION 2: Finding it to be in the public interest, the Village of Mogadore gives consent to the Director of Transportation to complete the above-described project and services.

SECTION 3: That the Village of Mogadore shall cooperate with the Ohio Director of Transportation in the above-described project as follows:

- (A) The State shall assume and bear 100% of all of the costs of the improvements; and,
- (B) The Village further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the Village which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION 4: That the Village of Mogadore agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The Village also understands that right-of-way costs include eligible utility costs.

SECTION 5: That upon completion of the described Project, and unless otherwise agreed, the Village shall:

- (A) Provide adequate maintenance for the described project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116;
- (B) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- (C) Maintain the right-of-way, keeping it free of obstructions; and,
- (D) Hold said right-of-way inviolate for public highway purposes.

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SECTION 6: That the Mayor and/or Clerk-Treasurer are hereby authorized to enter into contracts with the Ohio Director of Transportation which are necessary to complete the project as described herein.

SECTION 7: That the funds necessary for this project are hereby appropriated for the same.

SECTION 8: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code and HB 197 during the state-declared COVID-19 emergency.

SECTION 10: That this Resolution is hereby declared to be an emergency measure necessary to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Michael Raddish 5-20-20

President of Council

Date

Michael 5-21-20

Mayor

Date

Attest:

[Signature]
Clerk – Treasurer