

RECORD OF ORDINANCES

Resolution No. 2025-89

Passed December 17, 2025

SPONSOR: STREETS COMMITTEE

A RESOLUTION AGREEING TO PROVIDE THE LOCAL MATCH FUNDING FOR THE SR-532 AND ALBRECHT AVENUE SIGNALIZATION PROJECT (PID NO. 120949), AGREEING TO CERTAIN OTHER REQUIREMENTS OF THE FUNDING, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution 2025-65, the Village applied for the federal Surface Transportation Block Grant ("STBG") funds programmed by the Akron Metropolitan Area Transportation Study ("AMATS") for the installation of a new signal at SR-532 and Albrecht Ave, including four culvert replacements (the "Project"); and

WHEREAS, AMATS subsequently awarded funding for the Project; and

WHEREAS, it is a requirement of the receipt of the STBG funds that the Village agree to provide the local match funding for the Project and to also agree to other certain requirements of said funding; and

WHEREAS, this Council finds and determines that it is necessary, and in the best interest of the Village, to agree to provide the local match funding for the Project and to also agree to other certain requirements of said funding.

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

SECTION 1: Being in the public interest, the Village hereby gives consent to the Ohio Director of Transportation to undertake and complete the Project.

SECTION 2: The Village shall cooperate with the Ohio Director of Transportation concerning the Project as follows:

- a. The Village agrees to participate in the cost of construction of the Project at twenty percent (20%) of the total cost.
- b. The Village further agrees to pay One Hundred Percent (100%) of the cost of those features of the Project requested by the Village which are determined by the State and Federal Highway Administration to be unnecessary for the Project.
- c. The Village further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State of Ohio shall not approve a change order or extra work contract until it first gives notice, in writing, to the Village. The Village shall contribute its share of the cost of these items in accordance with other sections herein.

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d. The Village further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION 3: Upon completion of the Project, and unless otherwise agreed, the Village shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 4: The Mayor of the Village is hereby authorized and empowered on behalf of the Village to enter into contracts with the Ohio Department of Transportation pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Ohio Director of Transportation necessary to complete the Project. The Mayor is also empowered to assign all rights, title and interest of the Village to the Ohio Department of Transportation arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION 5: The Village agrees that if federal funds are used to pay the cost of any consultant contract, the Village shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the Village agrees to incorporate the Ohio Department of Development's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The Village agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to Ohio Department of Development's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The Village agrees to include a completion schedule acceptable to the Ohio Department of Development and to assist the Ohio Department of Development in rating the consultant's performance through the Ohio Department of Development's Consultant Evaluation System.

SECTION 6: It is found and determined that all formal actions of the Council relating to the adoption of this Resolution 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.

SECTION 7: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately ensuring that the deadlines of the grant program are timely met, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

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Michael Raddish 12-17-25
President of Council

Date

Brich 12-17-25
Mayor

Date

Attest:

Seal
Clerk-Treasurer