

ORDINANCE NO. 10-74 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO FILE A 'SAFE ROUTES TO SCHOOL' INFRASTRUCTURE APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects through the State of Ohio, Department of Transportation; and

WHEREAS, Local Public Agencies can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the proposed Intersection and Sidewalk Improvements are consistent with the School Travel Plan for the Oberlin City School District approved by the Ohio Department of Transportation on August 24, 2010 and are therefore transportation activities eligible to receive federal funding.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby empowered to prepare and execute an application for 'Safe Routes To School' funds and to submit said application to the State of Ohio, Department of Transportation for the following project:

Intersection and Sidewalk Improvements

SECTION 2. The total cost of the project is estimated to be \$445,580.63, of which the City of Oberlin, if awarded the funding, further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

SECTION 3. Upon completion of the described Project, and unless otherwise agreed, the City of Oberlin shall: (1) provide adequate maintenance for the described 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 described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

SECTION 4. If the application is approved for funding the City Manager is hereby empowered on behalf of the City of Oberlin to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“in order to allow for the filing of an application to the Ohio Department of Transportation for ‘Safe Routes to School’ funding in a timely manner”, and shall take effect immediately upon passage.

PASSED: 1st Reading – October 18, 2010 (S,E)
2nd Reading –
3rd Reading –

ATTEST:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

KENNETH SLOANE
PRESIDENT OF COUNCIL

POSTED: 10/19/2010

EFFECTIVE DATE: 10/18/2010