

ORDINANCE 2024-07

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO REHABILITATE BRIDGES, RESURFACE PAVEMENT AND PERFORM RELATED WORK ON STATE ROUTE 64 (EXHIBIT A) AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the Village of Swanton, two-thirds (2/3) of the members elected thereto concurring and as follows:

Section One. The Village of Swanton Administrator is authorized to enter into an agreement with the Ohio Department of Transportation to Rehabilitate Bridges, Resurface Exhibit A is attached to this ordinance.

Section Two. That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Village Council, and that all deliberations of this Village 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 Three. That this ordinance shall be declared an emergency measure necessary for the immediate preservation of public health, safety, and welfare of the Village of Swanton. Wherefore, this resolution shall be in full force and effective immediately upon passage.

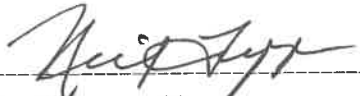
Motion to Suspend the Rules

Moved: Schmidt Second: Westhoven YEAS: 6 NAYS: 0

Vote on Passage

Moved: Kania Second: Westhoven YEAS: 6 NAYS: 0

Date of Passage: June 10, 2024



Neil Toeppe, Mayor

Attest:

I, Holden Benfield, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2024-07, passed on June 10, 2024.



Holden Benfield, Fiscal Officer

PRELIMINARY LEGISLATION

Consent

Ordinance # 2024-07

PID No. 96000

County/Route/Section LUC SR 64 8.94

The following is an ordinance enacted by the Village of Swanton, Lucas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

Rehabilitate bridges, resurface pavement, and perform necessary related work on SR 64 from Waterville Swanton Rd to Airport Highway (US 20A), including work within the Village of Swanton. Bridges to be rehabilitated are over Swan Creek (LUC-64-11.48) and over Neiss Ditch 157 (LUC-64-11.74).

NOW THEREFORE, be it ordained by the Village of Swanton, Ohio

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

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

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefore. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Administrator of said Village is hereby empowered on behalf of the Village
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: June 10, 2024.
(Date)

Attested: Holden Beuheld
(Clerk Signature)

Sharon Sellers
(Contractual Officer Signature)

Attested: _____
(Clerk Signature)

(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) 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.

CERTIFICATE OF COPY
STATE OF OHIO

Village of Swanton, Lucas County, Ohio

I, Holden Benfield, as Clerk of the Village of Swanton, Ohio, do hereby

certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative

Authority of the said Village, on the 10 day of June, 2024, that the

publication of such ordinance has been made and certified of record according to law; that no

proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance

and certificate of publication thereof are of record in

2024-07, Page 1 of 2.
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official

seal, if applicable, this 10 day of June, 2024.

Holden Benfield
Clerk

(SEAL)
(If Applicable)

Village of Swanton, Ohio

The afore going is accepted as a basis for proceeding with the project herein described.

For the Village of Swanton, Ohio

Attest: _____, Date 06/10/24
Sharon Sulters
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation