

RESOLUTION 2014-04

A RESOLUTION ENACTED BY THE VILLAGE OF MOUNT STERLING, MADISON COUNTY OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE STATED DESCRIBED PROJECT.

WHEREAS, the United States Congress has set aside monies for Transportation Enhancement projects through the State of Ohio, Department of Transportation; and

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

WHEREAS, the downtown beatification is a transportation activity eligible to receive federal funding; and

WHEREAS, if requested funds are granted, the Village shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

NOW, THEREFORE BE IT ORDAINED by Village Council, State of Ohio, that:

SECTION I:

Joseph Johnson, of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for Transportation Enhancement funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

SECTION II:

The total construction cost of the project is estimated to be \$1,300,000, of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost, estimated to be \$260,000. The local portion shall be funded by the LPA using CDBG and Neighborhood Revitalization money. The LPA 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 and for all costs associated with design, environmental and right-of-way activities.

SECTION III:

Upon completion of the described Project, and unless otherwise agreed, the LPA 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 IV:

That the Clerk of Council, pursuant to O. R. C. 731.24, shall cause to be published in a manner required by law, this Resolution.

SECTION V:

This Resolution is hereby declared to be an emergency measure, the immediate passage of which is necessary for the public health, safety and welfare and for the further reason that said construction and upgrade of the dedicated roadway is required to be in compliance with Village Rules and Regulation; further, the State of Ohio is awarding the Village of Mount Sterling a grant to help pay for the required improvements, wherefore, this Resolution shall take effect and be in force immediately upon its passage and signature by the Mayor.

PASSED:

Attest:

Clerk of Council

Mayor

Approved:

Mark J. Pitstick, Law Director
Approved as to Form

I, Bonnie Liff, Clerk of Council, hereby certify that Resolution 2014-04 was published in Madison Messenger for once a week for two consecutive weeks beginning on the ____ day of _____, 2014 and ending on the ____ day of _____, 2014. See attached sworn affidavit of posting by the newspaper. Further, I certify that a complete copy of the Resolution was posted in the lobby of Village Hall

Clerk of Council