

FINAL RESOLUTION # 2-73

Adopting plans;

Proposing to co-operate;

Requesting Director to proceed;

(Chapter 5521, Ohio Revised Code)

Mr. Elsass moved the adopting of the following Resolution:

WHEREAS, At a meeting of the legislative authority of Bexley, Ohio, held in the office of said legislative authority on this 24th day of April, 1973, a quorum being present, the improvement of U. S. Route No. 33, under the provisions of Chapter 5521, Ohio Revised Code, came on for further consideration; said portion of highway as described in the legislation proposing cooperation with the Director of Transportation, enacted on the 11th day of April and the 12th day of December, 1972, being described as follows:

The improvement of the intersection of U. S. Route No. 33 and Parkview Avenue in the City of Bexley.  
Total length of work being approximately 0.137 miles

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the Director of Transportation in the improvement of the above described highway, under the provisions of TOPICS, which provides for the expenditure of Federal Funds for an urban traffic operations program, and less the amount of State Highway Funds allocated to this project, by assuming the payment of and contributing an amount of money, which is to be applied toward the total cost of said improvement, which amount is determined by and equal to the following:

- (1) Five percent (5%) of the cost and expense of construction of the improvement on State Routes; and
- (2) Assume and bear the entire cost and expense of construction not on State Routes less the amount of the reimbursement recieved by the State from Federal-Aid TOPICS Funds.

Construction costs shall include construction engineering, construction, advertising and other legal and contingent expenses. The Director of Transportation notwithstanding the percentage basis of contribution may allocate the money contributed in whatever manner he may deem necessary in financing the cost of construction, rights-of-way, engineering and incidental expenses. The total cost of the project is now estimated in the amount of Seventy Four Thousand Seventy - - - 00/100 Dollars (\$74,070.00), less estimated Federal-Aid TOPICS Funds in the amount of Thirty Four Thousand Sixty - - - 00/100 Dollars (\$34,060.00) and less State Highway Funds allocated to this project in the estimated amount of Thirty Thousand Six Hundred Fifty Four - - - - - 00/100 Dollars (\$30,654.00), leaving an estimated balance presently due from the City of Bexley in the amount of Nine Thousand Three Hundred Fifty Six - - - - - 00/100 Dollars (\$9,356.00), but said estimated balance due from said City is to be adjusted when final actual costs and allocations are determined.

The City further agrees to furnish the preliminary engineering and bear the entire costs thereof and to acquire and bear the cost of any additional right of way required for the improvement

; and

WHEREAS, The Director of Transportation has approved said application and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of same to this legislative authority; and

WHEREAS, This legislative authority desires the Director of Transportation to proceed with the aforesaid work:

Now, Therefore, Be It Resolved:

- I. That the section of highway above described be improved under the provisions of aforesaid law; that said work be done under the charge, care and superintendence of the Director of Transportation, and that said plans, specifications and estimates for this highway improvement as approved by the Director of Transportation are hereby approved and adopted by this legislative authority.
- II. That this legislative authority is still of the opinion the proposed work on the described highway should be constructed and that we should cooperate on the basis set forth in our proposal.
- III. That the estimated sum of Nine Thousand Three Hundred Fifty Six - - - 00/100 Dollars (\$9,356.00), is hereby appropriated for improving the highway described above and the fiscal officer is hereby authorized and directed to issue his order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume, in the first instance, the share of the cost and expense over and above the amount to be allocated from Federal-Aid TOPICS and State Highway Funds.
- IV. That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments".
- V. That traffic control signals will not be installed on the project without prior approval by the State and the municipality does hereby agree to place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- VI. That the rights-of-way provided for said improvement shall be held inviolate for public highway purposes and no signs, posters, billboards, roadside stands or other private installations shall be permitted within the right-of-way limits.
- VII. That this legislative authority hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- VIII. To make and bear the costs of all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto.
- IX. To make arrangements with all public utility companies, whose lines or structures will be affected by the improvement, to make all necessary plant removals or rearrangements.
- X. That this legislative authority of Bexley, Ohio, enter into a contract with the Director of Transportation providing for the payment by said legislative authority of the estimated sum of Nine Thousand Three Hundred Fifty Six - - - 00/100 Dollars (\$9,356.00), said estimated amount being subject to adjustment when the final costs and allocations are determined.
- XI. That the Clerk of this legislative authority be, and he is hereby directed to transmit to the Director of Transportation a certified copy of these Resolutions.

XII. This Resolution is hereby declared to be an emergency measure by reason of the need for expediting construction of project(s) to promote highway safety, and provided it receives the affirmative vote by two-thirds of the members elected to the legislative authority, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Thereupon, Mr. Salt seconded the said motion, and upon the roll being called, the result of the vote was as follows:

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:  
(Requires a yea vote by three-fourths of all elected members)

Yeas Six Nays None

Vote on emergency clause: Yeas Six Nays None

Passed April 24th, 1973. Yeas Six Nays None

As An Emergency Measure.

Passed: April 24th, 1973.

Attest: C. J. Kurtz, Jr. K. D. McClure  
Clerk Mayor

Attest: Barbara J. Smith Ruth H. Mann  
Presiding Officer of Legislative Authority.

The State of Ohio )  
Bexley , Ohio ) Office of the Legislative Authority

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the legislative authority of Bexley, Ohio, which Resolution was duly passed by said legislative authority, on the 24th day of April, 1973, and that the same is a true and correct copy of the record of said Resolution and the action of said legislative authority thereon.

We further certify that said Resolution and the action of said legislative authority thereon is recorded in the journal of said legislative authority in volume Q, at page 443, and under date of April 24th, 1973.

IN WITNESS WHEREOF, We have hereunto set our hands and seal, this 24th day of April, 1973.

\*SEAL

R. H. Mann  
Presiding Officer

C. R. Huff  
Clerk (Secretary Ex-officio)

Legislative Authority of Bexley, Ohio.

\*Note: If the fiscal officer is secretary ex-officio of the legislative authority, the fiscal officer's seal should be affixed. If there is no seal, this fact should be stated by separate letter and attached hereto.

RESOLUTION NO. 1973 - \_\_\_\_

City of Bexley

WHEREAS, a sound, responsive mass transportation system is essential to the well-being of the residents of this community and those who live in the region around it, and

WHEREAS, the City of Bexley has supported studies and planning efforts to produce such a system of mass transportation, and

WHEREAS, this City already has suffered the inconvenience that follows the loss or curtailment of transportation services, and

WHEREAS, it has become evident that privately-owned transportation firms cannot provide sound, responsive mass transportation services, and

WHEREAS, the Central Ohio Transit Authority if financed by the proper amounts of local and Federal funds would be capable of providing such a system of mass transportation,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Bexley hereby endorses the eight-tenths of one mill tax levy that will appear on the ballot in the election of May 8, 1973, on behalf of the Central Ohio Transit Authority, and urges all residents of the City to vote for the issue.

Adopted: April 24, 1973

R. H. Hann  
President of Council

Attest:

C. J. Smith  
Clerk