

ORDINANCE NO. 38-20

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE CONSENT LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO COMPLETE A BRIDGE REPLACEMENT ON SR 3 (WEYMOUTH ROAD).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

- SEC. 1:** That the Mayor be and is hereby authorized and directed to execute Consent Legislation with the Ohio Department of Transportation (ODOT) for Project #1046, to complete the bridge replacement on SR 3 (Weymouth Road) in the City of Medina.
- SEC. 2:** That a copy of said Consent Legislation is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: February 24, 2020

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: February 25, 2020

SIGNED: Dennis Hanwell
Mayor

CONSENT LEGISLATIONOrdinance/Resolution No. Ord. 38-20PID No. 102738Project Name MED SR 0003 12.00

The following Ord. 38-20 enacted by the City of Medina of Medina County, Ohio,
 (Ordinance/Resolution)
 hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

To perform a bridge replacement on State Route 0003 over the Bradway Creek at straight line mileage 12.00 within the city of Medina in Medina County.

This project is currently scheduled for the 2020 construction season.

NOW THEREFORE, be it ordained by the City of Medina of Medina County, Ohio.

SECTION II - Consent Statement

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

SECTION III - Cooperation Statement

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

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the city agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV - Maintenance

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION V - Utilities and Right-of-Way Statement

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION V - Authority to Sign

The Mayor of said City of Medina is hereby empowered on behalf
(Contractual Agent)

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

Passed: February 24, 201²⁰²⁰
(Date)

Attested: Harry Patton Dennis Hanwell
(Clerk) (Officer of City - title) Dennis Hanwell, Mayor

Attested: President of Council John M. Cogne III
(Title) (President of Council) John M. Cogne III

This Ord. 38-20 is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project 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
City of Medina of Medina County, Ohio

I, Kathy Patton, as Clerk of the City of Medina of Medina County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Ord. 38-20 adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of Medina on this 24th day of February, 2020

that the publication of such Ord. 38-20 has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such Ord. 38-20 have been taken;
(Ordinance/Resolution)

and that such Ord 38-20 and certificate of publication thereof are of record in
(Ordinance/Resolution)

2020, Page 38.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 25th day of Feb., 2020

(SEAL)
(If Applicable)

Kathy Patton
Clerk Signature

Village of Medina of Medina County, Ohio.

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

For the Village of Medina of Medina County, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____