

ORDINANCE NO. 176-22

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE CONSENT LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO IMPLEMENT THE MUNICIPAL BRIDGE INSPECTION PROGRAM, AND DECLARING AN EMERGENCY.

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 the Municipal Bridge Inspection Program 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the legislation is due by the end of September, 2022; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: September 26, 2022 **SIGNED:** James A. Shields
President of Council Pro-Tem

ATTEST: Kathy Patton **APPROVED:** September 26, 2022
Clerk of Council

SIGNED: John M. Coyne, III
Acting Mayor

LEGISLATION CONSENT

Ord. 176-22
Exh. A
Rev. 8/5/2022

Ordinance/Resolution #: 176-22

ODOT Project Title: Municipal Bridge Inspection Program

The following is a/an Ordinance enacted by the City of Medina of Medina
(Ordinance/Resolution) (Local Public Agency)

County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

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

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:

The State shall assume and bear 100% of all the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V – Project Duration and Consent Applicability

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

SECTION VI – Authorization of Project

The Mayor of the City of Medina is hereby empowered on behalf of the
(Contractual Agent – Designated Position) (LPA)
the City to provide written authorization via email to the Director of Transportation to
(LPA)
complete the above-described project and any renewals.

Passed: Sept. 26, 2022.
(Date)

Attested: Katelyn Patton
(Clerk)

Attested: Clerk of Council
(Title)

John M. Coyne, Acting Mayor
(Contractual Agent of LPA – title)

James A. Shields
(President of Council) Pro-Tem

The Ord. 176-22 is hereby declared to be an emergency measure to expedite the highway project and
(Ordinance/Resolution)
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
(LPA)

I, Kathy Patton, as Clerk of the City of Medina
(LPA)

of Medina County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Ord. 176-22 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Medina on the 26th day of September, 2022.
(LPA)

That the publication of such Ord. 176-22 has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Ord. 176-22 have been taken;
(Ordinance/Resolution)

and that such Ord. 176-22 and certificate of publication thereof are of record in 2022,
(Ordinance/Resolution)

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(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this 26th day of September 2022.

Kathy Patton
(Clerk)

(CITY SEAL)

City of Medina of Medina County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

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

For the City of Medina of Medina County, Ohio.
(LPA)

Attested: Kathy Patton

[Signature] Date 9-26-2022
(Contractual Agent) Dennis Hannsdl-Mayor (Acting)
John M. Coyne

For the State of Ohio

Attested: _____

_____ Date _____
(Director, Ohio Department of Transportation)