

**AN ORDINANCE AUTHORIZING ODOT TO PERFORM PID NO. 96568 RESURFACING WORK ON SECTIONS OF SR 305 WITHIN THE CORPORATION LIMITS IN THE CITY OF CORTLAND, OHIO**

**WHEREAS**, the following is an Ordinance enacted by the Council of the City of Cortland, Trumbull County, Ohio, hereinafter referred to as the Local Public Agency, (LPA); and,

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

**Resurfacing of TRU SR 305 from 1.57 to 26.61, Minor bridge work to SFN 7806817 TRU SR 305 2.96 over Dead Branch Creek, SFN 7806833 TRU SR 305 over Center Creek, SFN 7806868 TRU 305 12.63 over Stream, SFN 7806876 TRU SR 305 13.69 over Spillway Mosquito Creek Reservoir, SFN 7806884 TRU 305 16.76 over TRU SR 11 15.33, SFN 7806906 TRU SR 305 21.82 over Yellow Creek, Resurfacing TRU SR 305D from 0.05 to 0.16**

**NOW, THEREFORE:**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CORTLAND:**

**Section 1. Consent Statement**

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

**Section 2. Cooperation Statement**

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

The LPA agrees to participate in the cost of construction within the City limits at twenty percent (20%) total cost.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

(Optional – if required) The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

**Section 3. Utilities and Right-of-Way Statement**

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of way costs include eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**Section 4. Maintenance**

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 law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**Section 5.** This Ordinance shall take effect and be in full force as early as allowed by law.

PASSED IN COUNCIL THIS 20<sup>TH</sup> DAY OF JULY, 2015

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT OF COUNCIL

FILED W/ MAYOR \_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

DATE APPROVED \_\_\_\_\_

ROLL CALL

FIRST READING

Edwards, aye  
Linville, aye  
Petrosky, aye  
Piros, absent  
Rowley, aye  
Tackett, aye  
Woofter, aye

SECOND READING

Edwards, absent  
Linville, aye  
Petrosky, aye  
Piros, aye  
Rowley, aye  
Tackett, aye  
Woofter, aye

THIRD READING

Edwards, aye  
Linville, aye  
Petrosky, aye  
Piros, aye  
Rowley, aye  
Tackett, aye  
Woofter, aye

OFFICIAL SEAL