

## **EMERGENCY RESOLUTION NO. 68-2020**

A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR GUARDRAIL REPLACEMENT ALONG STATE ROUTE 4 AND STATE ROUTE 63 AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation (“State”) has determined the need for a replacement of guardrail on State Route 4 and State Route 63; and

WHEREAS, consent from the City of Monroe (“LPA”) is necessary for this project to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: the LPA and State have determined the need for the project described as the “district wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of State Route 4 and State Route 63 in the City of Monroe.

SECTION 2: Being in the public interest, the LPA gives consent to the Director of Transportation to complete the within described project.

SECTION 3: The LPA shall cooperate with the Director of Transportation for the above described project. The State shall assume and bear 100% of all the costs of the improvement. The LPA agrees to pay 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.

SECTION 4: The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 5: Upon completion of the Project, and unless otherwise agreed, the LPA shall (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23 U.S.C., Section 116; (2) provide ample financial provisions as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of objections; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6: The City Manager is hereby authorized to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

SECTION 7: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council deems it necessary to promote highway safety. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: October 13, 2020

ATTEST:

  
Clerk of Council

APPROVED:

  
Mayor

**"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.**

  
Clerk of Council  
City of Monroe, Ohio

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Sunshine Law, Section 121.22 of the Ohio Revised Code.