

ORDINANCE NO. 39-2017

An Ordinance Enacted by the City of Worthington,
Franklin County, Ohio, in the Matter of the Stated
Described Project, (FRA-SR161-8.86 to 9.04).

WHEREAS, the State has identified the need for the described project to perform guardrail ends in order to bring guardrail up to standard along FRA-SR161-8.86 to 9.04, approximately from the west corporation line of the City to SR315.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That it is declared to be in the public interest that the consent of Worthington City Council be and such consent is hereby given to the Director of Transportation to complete the above described project.

SECTION 2. The Worthington City Council shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The Ohio Department of Transportation (ODOT) agrees to assume and bear the costs of preliminary engineering, right-of-way, and construction by administering Federal and State funds for this project.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

SECTION 3. All right-of-way within the City which is required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs. ODOT shall be responsible for all utility accommodations, relocation and reimbursement and agrees that all such accommodations, relocation and reimbursement shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

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SECTION 4. Upon completion of the project, and unless otherwise agreed, the City 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 resources, as necessary, for the maintenance of the 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. That the City Manager is hereby directed on behalf of the City to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION 6. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed November 6, 2017

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council

Introduced October 16, 2017
P.H. November 6, 2017
Effective November 29, 2017