**CITY OF STRUTHERS**

***Resolution***

***NO. \_22-067*\_\_\_\_**

***A RESOLUTION FOR THE CITY OF STRUTHERS TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AND AGREE TO PARTICIPATE IN THE COST OF CONSTRUCTION AT 20% FOR THE RESURFACING OF CENTER RD FROM LOWELLVILLE RD TO CLINGAN RD AND ELM STREET FROM STATE ST TO 5TH ST IN THE CITY OF STRUTHERS AND DECLARING AN EMERGENCY.***

**WHEREAS,** the Ohio Department of Transportation (ODOT) has identified the need for the described project:

* Resurfacing ofCenter Rd from Lowellville Rd to Clingan Rd and Elm Street from State St to 5th St in the City of Struthers. This project named MAH CENTER RD/ELM ST. Project PID Number 112618 Agreement Number 37865.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the City of Struthers, Ohio, ¾’s of all members elected thereto concurring:

**SECTION 1:** This project is in the public interest and the City of Struthers gives consent to the Director of ODOT to complete the above described project.

**SECTION 2:** The City of Struthers shall cooperate with the Director of ODOT in this project as follows:

* The City of Struthers agrees to participate in the cost of construction within the City Limits at Twenty Percent (20%). ODOT has estimated the City’s share of the construction cost at approximately $348,475.00. For planning purposes, this amount is scheduled to be paid by the City to ODOT in the second quarter of calendar year 2023.
* The City of Struthers further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. ODOT shall not approve a change order or extra work contract until it first gives notice, in writing, to the City. The City shall contribute its share of the cost of these items in accordance with other sections herein.

**SECTION 3:** Upon completion of this 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, 23 USC 116; (2) provide ample financial provisions, 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 4:** That this Resolution is hereby declared to be an emergency measure necessary for the preservation of public peace and the health and safety of the inhabitants of the City of Struthers, Ohio. Said emergency exists to expedite the highway project and to promote highway safety. This resolution 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.

**CITY OF STRUTHERS**

***Resolution***

***NO. \_22-067*\_\_\_\_**

PASSED IN COUNCIL THIS \_\_\_28th \_\_\_\_ DAY OF \_\_\_\_December\_\_\_\_\_\_\_\_\_\_, 2022.

\_Megan R. Shorthouse \_\_\_\_\_\_\_\_\_\_\_\_ \_Michael S. Patrick\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CLERK OF COUNCIL PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS \_\_\_\_28th \_\_\_\_ DAY OF \_\_\_\_December\_\_\_\_\_, 2022.

\_\_ Megan R. Shorthouse \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS \_\_\_28th \_\_ DAY OF \_\_\_\_December\_\_\_\_\_, 2022.

\_Catherine Cercone Miller\_ \_\_\_\_\_\_\_\_\_\_\_\_\_

MAYOR

PUBLISHED IN THE HOMETOWN JOURNAL

DATE: \_\_01/06/2022-01/13/20222\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_ Megan R. Shorthouse \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CLERK OF COUNCIL

Save: ODOT Participation Resolution for MAH CENTER RD ELM ST Project PID Number 112618