

ORDINANCE G-4-13-1

AN ORDINANCE EMPOWERING THE VILLAGE ADMINSTRATOR ON BEHALF OF THE LPA TO PREPARE AND EXECUTE AN APPLICATION FOR TRANSPORTATION ENHANCEMENT FUNDS AND TO SUBMIT SAME TO THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND IF AWARDED COMMITTING THE VILLAGE TO PAY THE LOCAL PORTION OF THE PROJECT COSTS AND PROVIDE AMPLE FINANCIAL PROVISIONS, AS NECESSARY, FOR THE MAINTENANCE OF THE PROJECT AND DECLARING AN EMERGENCY

The following is an ordinance enacted by the Village of New Concord of Muskingum County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the United States Congress has set aside monies for Transportation Enhancement Projects through the State of Ohio, Department of Transportation; and

WHEREAS, LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the (project description) is a transportation activity eligible to receive federal funding; and

WHEREAS, if requested funds are granted, the Village of New Concord shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

NOW, THEREFORE BE IT ORDAINED by (Board of County Commissioners/City/Village Council), State of Ohio, that:

Section 1. The Village Administrator of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for Transportation Enhancement funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

Section 2. The total construction cost of the project is estimated to be \$272,880, of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost, estimated to be \$54,576. The local portion shall be funded by the LPA using General and Street Fund money. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with design, environmental and right-of-way activities.

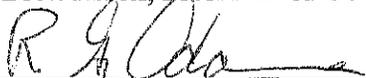
Section 3. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4. If the application is approved for the funding, the Village Administrator of said LPA is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

PASSED: April 8, 2013


Brett Essex, President of Council

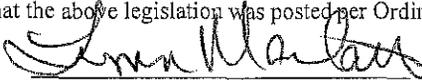
APPROVED: April 8, 2013


R. Gregory Adams, Mayor

ATTEST 
Lynn Marlatt, Fiscal Officer

This ordinance is hereby declared to be an emergency measure to take effect and be in force immediately upon its passage to meet the Transportation Enhancement application deadline.

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.


Lynn Marlatt, Fiscal Officer

I, Lynn Marlatt, Village Fiscal Officer, (Clerk), do hereby certify this to be a true and exact copy of Ordinance G-4-13-1 approved by New Concord Village Council on April 8, 2013.


Lynn Marlatt, Village Fiscal Officer