

**RESOLUTION NO. 015-17R**

**A RESOLUTION ADOPTING THE CONSENT LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THEIR D03 SYSTEMATIC SIGN REPLACEMENT FY 2018 PROJECT, PID NO. 98519; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE CONSENT LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Ohio Department of Transportation's D03 Systematic Sign Replacement Project (D03 SYSSIGN FY2018) involves performing systematic sign replacement on State Route 4 from the south corporation limits to U.S. 6 and on U.S. 250 from U.S. 6 to south corporation limits in the City of Sandusky; and

**WHEREAS**, the consent legislation, a copy of which is attached to this Resolution and marked Exhibit "A", is necessary for the Director of the Ohio Department of Transportation to complete the D03 Systematic Sign Replacement FY 2018 Project (D03 SYSSIGN FY2018) within the City of Sandusky; and

**WHEREAS**, the consent legislation, Exhibit "A" attached to this Resolution, provides the terms of the agreement and cooperation between the City of Sandusky and the Director of Transportation regarding the completion of the project; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to return the consent legislation to the Ohio Department of Transportation by the requested date of March 10, 2017; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The consent legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit "A", for the D03 Systematic Sign Replacement FY 2018 Project (D03 SYSSIGN FY2018), PID No. 98519, consenting to the Director of Transportation to complete the project, is adopted by this City Commission and the President of this City Commission is authorized to sign the consent legislation.

Section 2. The City Manager is hereby authorized and directed to

sign the consent legislation and to execute any necessary contracts with the Director of Transportation to complete the D03 Systematic Sign Replacement FY 2018 Project (D03 SYSSIGN FY2018), PID No. 98519.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

ATTEST:



\_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: February 27, 2017

**CONSENT LEGISLATION**

Ordinance/Resolution No. \_\_\_\_\_

PID No. 98519

Project Name D03 SYSSIGN FY2018

The following \_\_\_\_\_ enacted by the *City of Sandusky* of *Erie County*, Ohio,  
(Ordinance/Resolution)  
hereinafter referred to as the City, in the matter of the stated described project.

**SECTION I - Project Description**

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

*To perform a systematic sign replacement on State Route 4 from the south corporation limits to US 6 in the City of Sandusky in Erie County. Length of project is approximately 1.61 miles.*

*To perform a systematic sign replacement on US 250 from US 6 to south corporation limits in the City of Sandusky in Erie County. Length of project is approximately 1.14 miles.*

*This project is currently scheduled to be constructed in the summer of 2018.*

NOW THEREFORE, be it ordained by the *City of Sandusky* of *Erie County*, Ohio.

**SECTION II - Consent Statement**

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

**SECTION III - Cooperation Statement**

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

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

**SECTION IV - Maintenance**

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.



**SECTION V - Authority to Sign**

The \_\_\_\_\_ of said *City of Sandusky* is hereby empowered on behalf  
(Contractual Agent)  
of the *City of Sandusky* to enter into contracts with the Director of Transportation  
necessary to complete the above described project.

Passed: \_\_\_\_\_, 201\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk) (Officer of City - title)

Attested: \_\_\_\_\_  
(Title) (President of Council)

This \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway  
(Ordinance/Resolution)  
project and to promote highway safety. Following appropriate legislative action, it 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.

**CERTIFICATE OF COPY**  
**STATE OF OHIO**  
*City of Sandusky of Erie County, Ohio*

I, \_\_\_\_\_, as Clerk of the *City of Sandusky* of *Erie County*, Ohio,

Do hereby certify that the foregoing is a true and correct copy of \_\_\_\_\_ adopted by  
(Ordinance/Resolution)  
the legislative Authority of the said *City of Sandusky* on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_,

that the publication of such \_\_\_\_\_ has been made and certified of record according to  
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been taken;  
(Ordinance/Resolution)

and that such \_\_\_\_\_ and certificate of publication thereof are of record in  
(Ordinance/Resolution)

\_\_\_\_\_, Page \_\_\_\_\_.  
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

(SEAL)  
(If Applicable)

\_\_\_\_\_  
Clerk Signature  
*City of Sandusky of Erie County, Ohio.*

The foregoing is accepted as a basis for proceeding with the project herein described.

For the *City of Sandusky* of *Erie County*, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

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For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation