

# CITY OF CLAYTON, OHIO

## RESOLUTION NO. R – 02 -21 - 14

**A FINAL RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO RESURFACE SPECIFIED PORTIONS OF SR49 WITHIN THE CITY OF CLAYTON, OHIO AND AT A TOTAL ESTIMATED COST TO THE CITY OF CLAYTON, OHIO NOT TO EXCEED \$250,880.00**

**WHEREAS**, the following Final Resolution enacted by the City of Clayton, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project; and

**WHEREAS**, on the 16<sup>th</sup> day of May, 2019 the City of Clayton, Ohio ( “Local Public Agency” or “LPA”) enacted legislation (**Resolution No. R-05-19-37**) proposing cooperation with the Director of Transportation for the described project:

*The project consists of planing and resurfacing Salem Avenue (S.R. 49) between Westbrook Road and SLM 7.87 and between SLM 8.16 and Southway Road, including pavement markings, lying within the City of Clayton; and*

**WHEREAS**, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

*The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.*

*The share of the cost of the LPA is now estimated in the amount of Two Hundred Fifty Thousand Eight Hundred Eighty and ---00/100 Dollars (\$250,880.00), but said estimated amount is to be adjusted in order that the LPA’s ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and*

**WHEREAS**, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

**WHEREAS**, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:**


1. That the estimated sum of *Two Hundred Fifty Thousand Eight Hundred Eighty and --- 00/100 Dollars (\$250,880.00)*, is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
3. That the LPA enter into a contract with the State, and that the **City Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.
5. This Final Resolution shall take effect and be in force from and after the date of its passage.

ADOPTED BY COUNCIL ON FEBRUARY 4, 2021.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Law Director

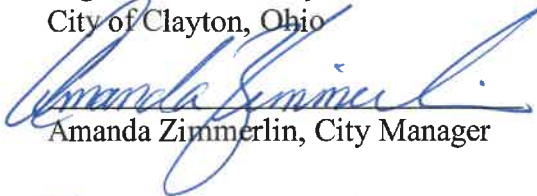
**CERTIFICATE OF COPY**

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of proceedings of the LPA, and which Resolution was duly passed by the LPA on the 4<sup>th</sup> day of February, 2021, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume 2020-2021, at Page R-2-21-14, and under date of February 4, 2021.

Legislative Authority of the  
City of Clayton, Ohio

SEAL  
(If Applicable)

  
Amanda Zimmerlin, City Manager

  
Barbara Seim, Clerk of Council

**CERTIFICATE OF THE CLERK**

I, Barbara Seim, Clerk of the City of Clayton, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. R-02-21-14 passed by the Clayton City Council on the 4<sup>th</sup> day of February, 2021.

IN TESTIMONY WHEREOF, witness my hand and official seal this 4<sup>th</sup> day of February, 2021.

  
Barbara Seim, Clerk of Council

**CERTIFICATION OF PUBLICATION**

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Brookville Star

Date of publication

February 10, 2021

Barbara J. ...

CLERK