



RESOLUTION 14-09

**A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO EXECUTE
PRELIMINARY LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION
FOR ADDITIONAL CURBING WORK AS PART OF THE SR 37 PAVING PROJECT
(PID NO. 83111)**

WHEREAS, the Village of Johnstown has worked with the State of Ohio Department of Transportation to identify and coordinate better pavement projects; and;

WHEREAS, The Village of Johnstown has requested the addition of curbing along E. Coshocton Street to aid in the drainage of the roadway; and;

WHEREAS, the Village of Johnstown will pay the total cost of curbing to the Ohio Department of Transportation for the project and enter into the attached contract.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO, AND A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section One. The Village Manager is hereby authorized to execute the attached preliminary legislation for the SR 37 Repaving Project (PID No. 83111)

Section Two. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the VILLAGE OF JOHNSTOWN.

By: Sean Stanearth
Date Passed: February 4, 2014

Sean Stanearth
Sean Stanearth, Mayor

ATTEST TO:

Laura D. Howell
Clerk of Council

APPROVED AS TO FORM:

David Wigginton
David Wigginton, Law Director



PRELIMINARY LEGISLATION

Rev. 6/26/00

Ordinance/Resolution# 14-09
Lic-SR 37-00.00/16.59 SR 161-00.00

The following is Res No. 14-09 enacted by the Johnstown Village Council
(Ordinance/Resolution) (Local Public Agency)
of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in
the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

Construction of curbs and gutter along SR 37 in the Village of Johnstown.

NOW THEREFORE, be it ordained by the Johnstown Village Council of Licking County, Ohio
(LPA)

SECTION II - Consent Statement

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

SECTION III - Cooperation Statement

The LPA agrees to pay One Hundred Percent (100%) of the cost of those features requested by the
LPA which are determined by the State and Federal Highway Administration to be unnecessary for
the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made
available in accordance with current State and Federal regulations. The LPA also understands that
right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the
current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA 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

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 VI - Authority to Sign

The Village Manager of said Johnstown Village Council is hereby empowered on
(Contractual Agent) (LPA)
behalf of the Johnstown Village Council to enter into contracts with the Director of
(LPA)
Transportation necessary to complete the above described project.

Passed: July 4, 2011.
(Date)

Attested: [Signature] [Signature]
(Clerk) (Officer of LPA - title) Village Manager

Attested: [Signature] [Signature]
(Title) (President of Council)

This Res. No. 14-09 is hereby declared to be an emergency measure to expedite the
(Ordinance/Resolution)
highway project(s) 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

Johnstown Village Council of Licking County, Ohio
(LPA)

I, Teresa Monroe, as Clerk of the Johnstown Village Council
(LPA)

of Licking County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Res. No. 14-09 adopted by the legislative Authority of the said
(Ordinance/Resolution)

Johnstown Village Council on the 4 day of February, 2014,
(LPA)

that the publication of such Res. No. 14-09 has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
Res. No. 14-09 have been taken; and that such Res. No. 14-09
(Ordinance/Resolution) (Ordinance/Resolution)

and certificate of publication thereof are of record in _____, Page _____.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 4 day of February, 2014.

Teresa Monroe
Clerk

(SEAL) Johnstown Village Council of Licking County, Ohio.
(If Applicable) (LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Johnstown Village Council of Licking County, Ohio

Teresa Monroe
(LPA)
Attest: _____, Date 2-4-14
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation