

RECORD OF RESOLUTIONS

Resolution No. 2021-H

March 8, 2021

City of Bellbrook

Resolution No. 2021-H

A Resolution Authorizing the City Manager to Enter into an Agreement with the Ohio Department of Transportation for the Installation of a Traffic Signal at State Route 725 and Lakeman Drive.

WHEREAS, the Ohio Department of Transportation is responsible for traffic signals located on State Routes; and

WHEREAS, the City of Bellbrook and the State of Ohio have determined the need for the installation of an LED replacement traffic signal located on State Route 725 and Lakeman Drive in State Fiscal Year 2021/2022; and

WHEREAS, the State of Ohio shall assume and bear 100% of all of the costs of the improvement with the City of Bellbrook paying 100% for the cost of any additional features determined to be unnecessary for the project by the State and Federal Highway Administration; and

WHEREAS, the City of Bellbrook and State of Ohio find it being in the public interest to enter into an agreement for the replacement of the traffic signal at State Route 725 and Lakeman Drive.

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. The City of Bellbrook hereby authorizes the City Manager to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Section 2. The City of Bellbrook also authorizes the City Manager, upon request of ODOT, to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Bellbrook to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 3. The City of Bellbrook 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 City of Bellbrook also understands that right-of-way costs include eligible utility costs. The City of Bellbrook agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Upon completion of the Project, and unless otherwise agreed, the City of Bellbrook shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and

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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 5. That this resolution shall take effect and be in force forthwith.

Passed this 8th day of March 2021.



Michael W. Schweller, Mayor

ATTEST:



Pamela Timmons, Clerk of Council