

AN ORDINANCE ENACTED BY THE CITY OF STOW, SUMMIT COUNTY, OHIO IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, D04 BH FY2019 (WEST), PID 96679, UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio has identified the need for the following described project:

Minor bridge work to SFN 7702019 SUM-59-12.41 over Fish Creek. Work includes substructure sealing, concrete patching, asphalt deck overlay and spall removal.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. Consent. Being in the public interest, the City of Stow gives consent to the Director of Transportation to complete the above described project.

SECTION 2. Cooperation. That said City of Stow shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

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

SECTION 3. Utilities and Right-of-Way Statement. The City of Stow 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 Stow also understands the right-of-way costs include eligible utility costs.


SECTION 4. Maintenance. Upon completion of the described Project, and unless otherwise agreed, the City of Stow shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described 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. Authority to Sign. That the Mayor of said City of Stow is hereby empowered on behalf of the City of Stow to enter into contracts with the Director of Transportation which are necessary to complete the above described project.

SECTION 6. Open Meetings. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees or subcommittees that resulted in those formal actions, were in meetings open to the public in compliance with the law.

SECTION 7. Emergency Clause. This Ordinance was adopted pursuant to Section 4.11, Charter, and is hereby declared to be an emergency measure necessary for the immediate preservation of the public health and safety in order to expedite the highway project and to promote highway safety, and, pursuant to Section 4.13, Charter, shall take effect upon its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

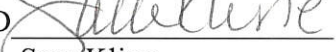
ADOPTED BY COUNCIL 5/10/18

ATTEST 
Bonnie J. Emahiser
CLERK OF COUNCIL



Matt Riehl
PRESIDENT OF COUNCIL

FILED WITH MAYOR 5/11/18

APPROVED 
Sara Kline
MAYOR

FILED WITH CLERK 5/11/18

APPROVED AS TO FORM

EFFECTIVE DATE 5/11/18

Amber K. Zibritosky
LAW DIRECTOR

CERTIFICATE OF COPY
STATE OF OHIO

I, Bonnie J. Emahiser, as Clerk of Council of the City of Stow, Summit County, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2018- 64 adopted by the Legislative Authority of the said City on the 10th day of May 2018; that the posting of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of posting thereof are of record.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 11th day of May 2018.



Bonnie J. Emahiser
CLERK OF COUNCIL
City of Stow, Ohio

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



Witness

THE CITY OF STOW, OHIO

By: 
Sara Kline, MAYOR
Dated: 5/11/2018

THE STATE OF OHIO

By: _____
Director, Ohio Department of
Transportation
Dated: _____

Witness