

ORDINANCE NO.18 - 2023

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE BOARD OF LAKE COUNTY COMMISSIONERS FOR THE LAK-MIDDLE RIDGE ROAD RESURFACING PROJECT, DESIGNATING THE COUNTY TO ACT BY AND THROUGH THE LAKE COUNTY ENGINEER AS THE LEAD PUBLIC AGENCY FOR THE PROJECT, AND ACCEPTING ITS PROPORTIONATE SHARE OF THE PROJECT COSTS; AND DECLARING AN EMERGENCY.

WHEREAS, through NOACA's Provisional Roadway and Transportation Alternative Projects, Middle Ridge Road within the territory of the Village and Township of Madison is eligible for fiscal year 2024 roadway resurfacing improvements; and

WHEREAS, the Ohio Department of Transportation has approved the project; and

WHEREAS, the Lake County Engineer's office is willing to manage the project through a cooperative agreement between the Village and Lake County; and

WHEREAS, the Village's proportionate share of the proposed cooperative agreement would be in an amount now estimated to be \$350,000.00 after application of federal grant funds; and

WHEREAS, the Village now desires to enter into a cooperative agreement with the Board of Lake County Commissioners for this project, designate the County as the lead local public agency for the project, and assume the monetary and other contractual obligations as set forth in the cooperation agreement attached hereto as Exhibit "1."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. The Agreement with the Board of Lake County Commissioners as the same appears attached hereto as Exhibit "1" is hereby approved and accepted and the Mayor is hereby authorized to execute same on behalf of the Village.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the inhabitants of the Village of Madison, and, for the further reason that immediate passage is necessary to meet critical contract deadlines it shall, therefore, take effect and be in full force from and upon its adoption if adopted by the affirmative vote of at least four members of Council and otherwise at the earliest time provided by Ohio law.

PASSED:



Mark V. Vest,
President of Council

1st Reading:

MAY 22, 2023

Attested:

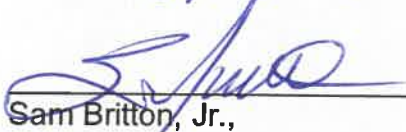


Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:

Date:

5/22/2025



Sam Britton, Jr.,
Mayor

**AGREEMENT BETWEEN
THE LAKE COUNTY COMMISSIONERS
AND MADISON VILLAGE**

This AGREEMENT is made at Painesville, Ohio this _____ day of _____, 2023 by and between the Board of Lake County Commissioners hereinafter designated as the "BOARD" 105 Main Street, Suite A513, Painesville, Ohio 44077 and Madison Village, hereinafter designated as the "VILLAGE", 33 East Main Street, Madison, Ohio 44057.

WHEREAS, under the terms of NOACA'S Provisional Roadway and Transportation Alternative Projects, Middle Ridge Road in the Village and Madison Township is eligible in FY2024 for roadway improvements, and

WHEREAS, NOACA has notified the BOARD and the VILLAGE that the proposed improvement is from Townline Road (CR19) and SR528, and

WHEREAS, Ohio Department of Transportation (ODOT) has approved the proposed improvement and has designated the project as PID# XXXX, and

WHEREAS, the VILLAGE has asked the Lake County Engineer's office to project manage the project, and

WHEREAS, the VILLAGE has agreed to cooperate to complete the resurfacing project under the following conditions.

NOW; THEREFORE, THE PARTIES HERE AGREE AS FOLLOWS:

1. The BOARD shall act as the lead local public agency (LPA) for the project through the Lake County Engineer (LCE).
2. LCE in its capacity as LPA, will coordinate the project with ODOT, project administration, advertise for bids and the BOARD shall enter into a contract with the lowest and best bidder.
3. The LAK-Middle Ridge Road (CR22) Resurfacing Project is approximately 2.96 miles long, 0.91 miles in the VILLAGE and 2.05 miles in Madison Township.
4. The project budget is \$2,581,498.00 which includes the cost of construction, construction administration, and construction observation. The NOACA allocated federal share is \$2,065,198.00 allocated as follows:

	Construction	Grant (NOACA)
VILLAGE	\$ 792,520.00	\$ 634,016.00
BOARD	\$ 1,788,978.00	\$ 1,431,182.00

5. The VILLAGE shall deposit with the County their proportional share of cost of permits, bidding cost, plus the local cost of construction, construction administration and construction observation which are estimated to be \$158,504.00.
6. Independent of the costs enumerated in paragraph 5 and elsewhere in this Agreement, installation of sidewalks and a pedestrian bridge are also contemplated to be a component of the project within the Village municipal boundaries and those costs [subject however to the Village obtaining funding from OPWC] estimated to be \$190,000.00 shall be borne solely (100%) by the Village.
7. The estimated local cost share by the BOARD and the VILLAGE are as follows:

A. VILLAGE	30.7%
B. BOARD	69.3%
8. The costs to be paid by the BOARD and the VILLAGE will be based on the final costs of the project within each corporate boundary.
9. Construction costs not eligible for Federal funding will be paid at the rate of one hundred percent (100%) by the jurisdiction in which the work occurs.
10. All parties pledge their cooperation to manage this project in an effective and economical matter and shall cooperate with the other by executing any and all other documents and instruments that apply to the project.
11. This Agreement constitutes the entire agreement between the BOARD and the VILLAGE and supersedes all previous written and oral negotiations, commitments and understandings. Its terms and conditions shall not be altered, amended or modified except pursuant to an instrument in writing signed by each of the parties hereto and making specific reference to this Agreement, which approval shall be confirmed by Resolution of Council of the VILLAGE and the BOARD.

IN WITNESS WHEREOF, we have hereunto set our hands on the date set forth.

MADISON VILLAGE

(Date)

by: 
Sam Britton, Madison Village Mayor

BOARD OF LAKE COUNTY COMMISSIONERS

(Date)

by: _____
John R. Hamercheck, President

(Date)

by: _____
Richard L. Regovich, Commissioner

(Date)

by: _____
John Plecnik, Commissioner

APPROVED AS TO FORM:



Joseph Szeman, Law Director
Madison Village

5/22/2023

Date

Lake County Prosecutor

Date

Authorized by Ordinance No. 18-2123 passed by Madison Village on this 22nd day of May, 2023.

Authorized by Resolution No. _____ passed by the Lake County Board of Commissioners on this _____ day of _____, 2023.