

ORDINANCE NO. 43 - 2023

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE I.R. 90 AND S.R. 528 INTERCHANGE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation ("ODOT") is undertaking improvements to the I.R. 90 and S.R. 528 Interchange (PID No. 117898) for which the Village of Madison (the "LPA") previously entered into a cooperation agreement with ODOT, as authorized by Ordinance No. 37-2023 (eff. 10/23/2023), and which improvements are described as follows:

The Project consists of improvements to the I.R. 90 and S.R. 528 Interchange, including adding a turn lane, along with traffic signals and shoulder upgrades, lying within the Village of Madison.

WHEREAS, the LPA agrees to and shall cooperate with the Director of Transportation in the above-described Project as follows:

The Village of Madison agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the Village limits, less the amount of State-Aid funds set aside by the Director of Transportation for the financing of this improvement.

The share of the cost of the LPA is now estimated in the amount of One Million Four Hundred Twenty-Two Thousand Dollars and Zero Cents (\$1,422,000.00), 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.

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 Council.

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

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

SECTION 1. That the estimated sum of One Million Four Hundred Twenty-Two Thousand Dollars and Zero Cents (\$1,422,000.00) 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. The LPA hereby agrees to assume in the first instance the share of the cost and expense over and above the amount to be paid from State funds.

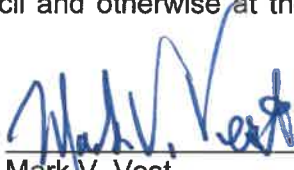
SECTION 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3. That the contract with the State attached hereto as Exhibit "1" and incorporated herein by this reference is hereby accepted and approved and the Mayor is hereby authorized to execute said contract on behalf of the LPA providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 4. That the Clerk is directed to transmit to the Director of Transportation a certified copy of this Ordinance.

SECTION 5. 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 of 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 6. 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 contractual deadlines necessary to timely completion of public infrastructure necessary to the public health and safety, 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.



Mark V. Vest,
President of Council

PASSED:

1st Reading: 12-26-2023

Attested:



Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:

Date: 12/26/2023



Sam Britton, Jr.,
Mayor