

**VILLAGE OF CHAUNCEY,
STATE OF OHIO
RESOLUTION NO. 2022-3**

**A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE AND
ENTER INTO AN AGREEMENT AND/OR CONTRACTS WITH THE
OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING OF
STATE ROUTE 13 WITHIN THE VILLAGE**

WHEREAS, the State of Ohio and the Village of Chauncey, Ohio have identified the need for the following project (“project”), to wit, two-lane resurfacing project using asphalt overlay treatment on State Route 13 in the Village of Chauncey, Ohio, beginning work at the enter Chauncey corporation limit and end work at the leave Chauncey corporation limit, total length of work in the Village of Chauncey is approximately 1.00 mile,

WHEREAS, it is in the public interest and for the benefit of the residents of the Village of Chauncey, that the Village consent to the Director of the Ohio Department of Transportation to carry out and complete the project,

WHEREAS, the Village of Chauncey has adopted a Complete Street Policy under Resolution 2021-10, and

WHEREAS, the Village of Chauncey desires that any project work to be carried out or completed on the portion of State Route 13 within the corporation limits of the Village of Chauncey comply with the Village’s Complete Street Policy to the extent reasonably practicable,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Chauncey, State of Ohio, as follows:

Section 1. The Mayor is hereby authorized and directed to negotiate and execute an agreement and/or contracts with the Ohio Department of Transportation as are necessary for carrying out and completing the resurfacing project for the portion of State Route 13 within the corporation of the Village of Chauncey.

Section 2. The Village of Chauncey shall cooperate with the Ohio Department of Transportation in the project as follows:

- The State of Ohio shall assume and bear 100% of all of the costs of the project;
- The Village of Chauncey agrees to pay 100% of the costs of those features requested by the Village of Chauncey which are determined by the State and Federal Highway Administration to be unnecessary for the project;
- The project shall comply with the Village of Chauncey's Complete Street Policy to the extent reasonably practicable.

Section 3. The Village of Chauncey agrees that all right-of-way(s) required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The Village of Chauncey understands that right-of-way costs include eligible utility costs.

The Village of Chauncey agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 C.F.R. 645 and the Ohio Department of Transportation Utilities Manual.

Section 4. Upon completion of the project, and unless otherwise agreed, the Village of Chauncey shall:

1. Provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, 23 U.S.C. §116;
2. Provide ample financial provisions, as reasonably necessary, for such maintenance of the project;
3. Maintain the right-of-way, keeping it free of obstructions; and
4. Hold the right-of-way inviolate for public highway purposes.

Section 5. It is the purpose of this Resolution to expedite the resurfacing project for State Route 13 and to promote highway safety within the Village, therefore this Resolution is deemed an emergency measure necessary to protect the health, safety, and well-being of the Village residents and shall take effect immediately upon passage.

This Resolution is passed on suspension of the three readings requirement set forth in ORC 731.17 by vote of three-fourths of Council members, and shall take effect immediately upon passage.

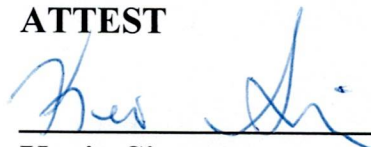
RESOLVED THIS 10th of February, 2022

ATTEST



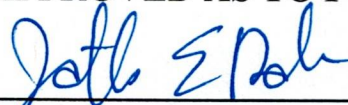
Connaught Cullen
President of Council

ATTEST



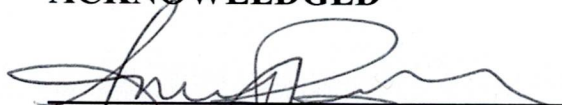
Kevin Simons
Village Fiscal Officer

APPROVED AS TO FORM



Jonathan E. Robe
Solicitor

ACKNOWLEDGED



Amy Renner
Mayor

First reading: Jan. 13, 2022
Second reading: Feb. 10, 2022
Third reading: suspended

CERTIFICATION OF POSTING/PUBLICATION

The foregoing is a true copy of RESOLUTION 2022-3
Publication of this RESOLUTION was made by posting this copy at five public
locations within the Village as follows:

| | |
|--|---------------------|
| Village Hall | Date <u>2/21/22</u> |
| Tee's Quick Stop <i>Chancey Marathon</i> | Date <u>2/21/22</u> |
| CeeDee Carryout | Date <u>2/21/22</u> |
| Post Office | Date <u>2/21/22</u> |
| Library | Date <u>2/21/22</u> |
| Other | Date _____ |

Attest: *Kevin Simons* Date 2/18/22
Kevin Simons
Fiscal Officer

CERTIFICATE OF COPY

Village of Chauncey, Athens County, Ohio

I, Kevin Simons, as Fiscal Officer of the Village of Chauncey, Ohio, do hereby certify that the foregoing is a true and correct copy of **Resolution 2022-03**, adopted by the Council of the Village of Chauncey, Ohio on February 10, 2022; that the publication of such **Resolution 2022-03**, has been made and certified of record according to law; that no proceedings looking to a referendum upon such **Resolution 2022-03** have been taken; and that such **Resolution 2022-03** and certificate of publication thereof are of record in the Village of Chauncey's record of resolutions and ordinances.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed by official seal (if applicable), this 18 day of February, 2022.



Kevin Simons
Fiscal Officer

Date 2/18/22

(SEAL)
(If applicable)