

RESOLUTION NO. 2022-072

A FINAL RESOLUTION AND APPROVAL AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A CONTRACT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PROJECT (PID 11270) FOR THE RESURFACING OF NORTH MANTUA STREET (SR43) IN KENT, FROM HAYMAKER PARKWAY TO THE NORTH CORPORATION LIMITS AND PERFORM MINOR BRIDGE REPAIRS; AND DECLARING AN EMERGENCY.

WHEREAS, the following Final Resolution enacted by the City of Kent, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project. On September 16, 2015, the LPA enacted legislation (2015-137) proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing North Mantua Street (SR43) between approximately 200 feet south of Cuyahoga Street and the northern Kent corporation limit and pavement repairs on Gougler Avenue (SR43) between West Main Street and Rockwell Street and North Mantua Street (SR 43D) between Fairchild Avenue and West Main Street, including curb ramps, signage, pavement markings, and structure repair lying within the City of Kent; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and

WHEREAS, the share of the cost of the LPA is now estimated in the amount of Three Hundred Eighty-Three Thousand Three Hundred Seventy-Two Dollars and 00/100 (\$383,072.00), 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; and

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 legislative authority; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to execute the contract with the State of Ohio Department of Transportation (ODOT) for the resurfacing of North Mantua Street (SR43) between approximately 200 feet south of Cuyahoga Street and the northern Kent corporation limit and pavement repairs on Gougler Avenue (SR43) between West Main Street and Rockwell Street and North Mantua Street (SR 43D) between Fairchild Avenue and West Main Street.

- I. That the estimated sum of Three Hundred Eighty-Three Thousand Three Hundred Seventy-Two Dollars and 00/100 (\$383,072.00) 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. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: July 20, 2022
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: July 20, 2022
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. 2022-012 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON July 20, 2022.

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL
(SEAL)