

ORDINANCE NO. 2002-83

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CLOSED LOOP TRAFFIC SIGNAL SYSTEM ON U.S. 42 FROM SECOND AVENUE TO KINGS MILLS ROAD**

The following is Ordinance No. 2002-84 enacted by the Council of the City of Mason, Warren County, Ohio, hereinafter referred to as the Local Public Agency (“LPA”), in the matter of the stated described project.

WHEREAS, the LPA/State has identified the need for the described project:

**Construct closed loop traffic system, replace two existing signals, and upgrade two existing signals**

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, seven members thereto occurring:

Section 1. That being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

Section 2. That the LPA shall cooperate with the Director of Transportation in the above described project as follows:

**The City will be responsible for:**

**100% of the Preliminary Engineering Phase  
100% of the Right-of-Way Phase**

**The non-federal share of the construction costs**

**All costs for added construction items requested by the sponsor which are not necessary for the improvement as determined by the State and FHWA.**

Section 3. That the LPA 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 LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. That the LPA shall maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

Section 5. That the City Manager of the City of Mason is hereby empowered on behalf of the City of Mason to enter into contracts with the Director of Transportation necessary to complete the above described project.


Section 6. That this Ordinance is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed this 13<sup>th</sup> day of May, 2002.

Attest:

  
Clerk of Council

5/9/2002

  
Mayor

CERTIFICATE

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of Ordinance No.2002-\_\_\_\_, adopted by the Council of the City of Mason on May \_\_\_\_, 2002.