



**City of Powell, Ohio**

**RESOLUTION 2008-20**

Adopted November 5, 2008

**A RESOLUTION DECLARING THE INTENT OF THE CITY OF POWELL TO PROCEED WITH THE STATE ROUTE 750 RESURFACING PROJECT.**

**WHEREAS,** on November 7, 2007, the City of Powell (hereinafter referred to as "LPA") enacted legislation proposing cooperation with the Director of Transportation for the described project:

This project consists of the resurfacing a total of 2.08 miles of State Route 750 from the intersection of State Route 750 and Galloway Drive to 0.22 miles west of the intersection of State Route 750 and State Route 315, lying within the City of Powell; 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, less the amount of Federal-aid and State 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.

Also, the City agrees to assume and bear the entire cost and expense of the installation and/or repair of curb ramps which are necessary to ensure compliance with the Americans with Disabilities Act.

The share of the cost of the LPA is now estimated in the amount of Ninety Eight Thousand Seven Hundred One and - - - 00/100 Dollars, (\$98,701.00), 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 CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

**Section I:** That the estimated sum of Ninety Eight Thousand Seven Hundred One and - - - 00/100 Dollars, (\$98,701.00), has been previously appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue a pay request 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 Federal funds.

**Section II:** That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

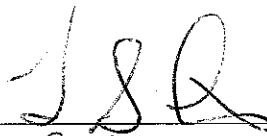
**Section III:** That the LPA enter into a contract with the State, and that City Manager be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

**Section IV:** That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

**Section V.** That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

**Section VI:** That this Resolution shall take effect immediately upon its adoption.

**By unanimous consent, Resolution 2008-21 was adopted.**

  
\_\_\_\_\_  
Tom Counts  
Mayor

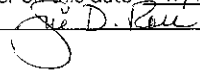
11/17/08  
\_\_\_\_\_  
Date

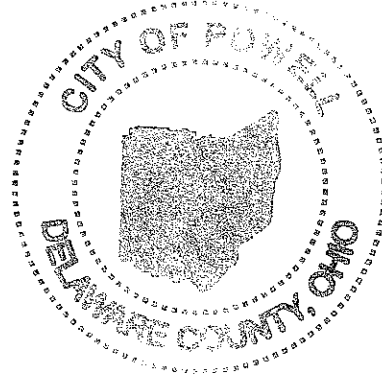
  
\_\_\_\_\_  
Susie Ross  
City Clerk

11/18/08  
\_\_\_\_\_  
Date

**EFFECTIVE DATE: November 5, 2008**

This legislation has been posted in accordance with the City Charter on this date 11/18/08.

  
\_\_\_\_\_  
Susie D. Ross  
City Clerk



**City Council**

Tom Counts, Mayor

Richard Cline

Don Grubbs

Jim Hrivnak

Elmer Meider

Art Schultz

Dan Wiencek