



RESOLUTION 2025-02

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) CONSENT LEGISLATION FOR DRAINAGE IMPROVEMENTS TO STATE ROUTE 315 (DEL-315).

WHEREAS, the Ohio Department of Transportation (“ODOT”) will be performing drainage improvements to State Route 315; and

WHEREAS, ODOT has requested that the City of Powell approve the consent legislation for PID 108799; and


WHEREAS, the project will make necessary repairs and improvements to the areas identified by ODOT and is in the best interest of the City of Powell.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:

Section 1: Being in the public interest, the City of Powell gives consent to the Director of Transportation to complete the project as previously described. The City Manager is hereby authorized to approve the consent legislation for PID No. 108799.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the City of Powell, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: This Resolution shall be in full force and effect immediately upon adoption.



Tom Counts
Mayor

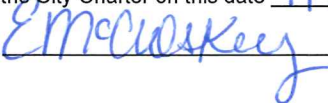
11/7/25
Date



Elaine McCloskey
City Clerk

11/7/2025
Date

EFFECTIVE DATE: January 07, 2025

This legislation has been posted in accordance with the City Charter on this date 11/8/2025


City Clerk



**Department of
Transportation**
transportation.ohio.gov

Mike DeWine, *Governor*
Jon Husted, *Lt. Governor*
Pamela Boratyn, *Director*

December 9th, 2024

Aaron Stanford, P.E.
City Engineer
City of Powell
Engineering Department
47 Hall St.
Powell, Ohio 43065

**RE: Consent Legislation
DEL-315 Drainage Improvements, PID 108799**

Dear Mr. Stanford:

Enclosed is a sample consent legislation document for an upcoming project to maintain the drainage system of SR 315 along with other associated work within the City of Powell Tentatively, the construction work will begin during the Summer of 2025.

If you have questions regarding the estimates or scope for this project, please contact Steve Fellenger (Steven.Fellenger@dot.ohio.gov).

After your preparation and approval of the legislation document, please forward it to the Council for their necessary action. After the legislation has been executed, please return an electronic copy to my email address (below).

To assure that project development proceeds in a timely manner, the legislation will need to be fully executed and returned to this office prior to January 13th, 2025. If you have any questions, please feel free to contact me at 740-833-8032 or via e-mail at Melissa.Anderson@dot.ohio.gov.

Respectfully,

Melissa Anderson
Program Administrator
ODOT D6 Capital Projects

Attachments*

C: Legislation file*, M.Risko*, S. Fellenger*

CONSENT LEGISLATION

RC 5521.01

Ordinance/Resolution#	<u>Resolution 2025-02</u>
PID No.	<u>108799</u>
County/Route/Section	<u>DEL-315 Drainage Improvements</u>

The following is Resolution 2025-02 enacted by the City of Powell of Delaware
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the (LPA/STATE) has identified the need for the described project:

Drainage system maintenance of SR 315 along with other associated work within the City of Powell.

NOW THEREFORE, be it ordained by the City of Powell of Delaware County, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

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

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

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.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The City Manager of said City of Powell is hereby empowered
(Contractual Agent) (LPA)
on behalf of the City of Powell to enter into contracts with the Director of
(LPA)
Transportation which is necessary to complete the above described project.

Passed: January 7, 2025
(Date)

Attested: Elaine McCueskey
(Clerk)

Andrew S. W...
(Officer of LPA - title)

Attested: [Signature]
(Title)

[Signature]
(President of Council)

This Resolution 2025-02 is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) 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.

CERTIFICATE OF COPY
STATE OF OHIO

City of Powell of Delaware County, Ohio,
(LPA)

Elaine McCloskey, as Clerk of the City of Powell
(LPA)

of Delaware County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Resolution 2025-02 adopted by the legislative Authority of the said
(Ordinance/Resolution)
City of Powell on the _____ day of _____, 20____
(LPA)

that the publication of such Resolution 2025-02 as been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
Resolution have been taken; and that such Resolution 2025-02
(Ordinance/Resolution) (Ordinance/Resolution)
and certificate of publication thereof are of record in Resolution Page 2025-02
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 7 day of January 2025



Elaine McCloskey
Clerk

City of Powell of Delaware County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Powell of Delaware County, Ohio
(LPA)

Attest: Andrew J. WiQ City Manager, Date 01/08/2025

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation