

**RESOLUTION NO. 010-15**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION FOR THE SAFE ROUTES TO SCHOOLS (SRTS) FUNDS; AUTHORIZING A CONTRACT IF AWARDED; AND DECLARING AN EMERGENCY**

**WHEREAS**, the United States Congress has set aside monies for Safe Routes to Schools (SRTS) Projects through the State of Ohio, Department of Transportation; and,

**WHEREAS**, City, being the Local Public Agency, hereafter called "LPA" may apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and,

**WHEREAS**, the **Napoleon School Connectivity Improvement Project** is a transportation activity eligible to receive federal funding; now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City Manager of Napoleon, Ohio is hereby empowered on behalf of the LPA to prepare and execute an application for Safe Routes to Schools (SRTS) funds for the stated described project and to submit the same to the State of Ohio, Department of Transportation.

Section 2. That, the total cost of the project is estimated to be up to **Four Hundred Thousand Dollars (\$400,000.00)**, of which the LPA, if awarded the funds agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount, provided by the State of Ohio, Department of Transportation.

Section 3. That, 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 laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintaining the right-of-way, keeping it free of obstructions; and, (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4. That, if the application is approved for the funding, the City Manager of Napoleon, Ohio is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further,

if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

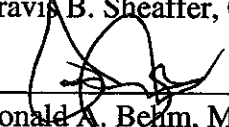
Section 7. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to in order to timely take effect and be in force to meet the Safe Routes to School application deadline; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: February 2, 2015



Travis B. Sheaffer, Council President

Approved: February 2, 2015




Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 010-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 14<sup>th</sup> day of February 2015; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
Gregory J. Heath, Clerk/Finance Director