

PRELIMINARY LEGISLATION

Consent

Ordinance # 001-23

PID No. 110867

County/Route/Section HEN SR 108 17.40 Roundabout

The following is an ordinance enacted by the City of Napoleon, Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

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

Convert the ramp intersection at SR 108 and westbound US 24 to a roundabout

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio

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:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

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 V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 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 is hereby empowered on behalf of the City
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: 2-20-23, 2023.
(Date)

Attested: [Signature]
(Clerk Signature)

Attested: [Signature]
(Clerk Signature)

[Signature]
(Contractual Officer Signature)

[Signature]
(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to 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 Napoleon, Henry County, Ohio

I, Marrisa Flogaus, as Clerk of the City of Napoleon, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the 20 day of February, 2023, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

_____, Page _____ .
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 20 day of February, 2023.



Clerk

(SEAL) City of Napoleon, Ohio
(If Applicable)

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Napoleon, Ohio

Attest: 

 , Date 02/27/23
Contractual Officer

For the State of Ohio

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

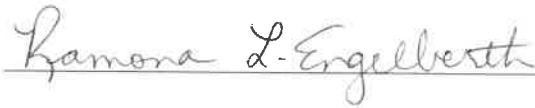
STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, says that she is the General Manager of The Northwest Signal a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, publishing on the 25th of February, 2023.



Sally Heaston

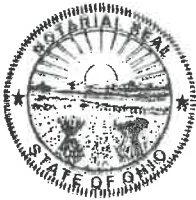
Subscribed and sworn to before me this 26th day of February, 2023.



Notary Public

Ramona L. Engelberth

PUBLISHERS FEE: \$133.00
NOTARY FEE: \$4.00



Ramona L. Engelberth
Notary Public, State of Ohio
My Commission Expires:
11-JUL-2027

**Summary of Ordinance No.001-23 and
Resolution No. 004-23**

**(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY
CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES
AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE
PROVISIONS OF ORC CHAPTER 731)**

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any Item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 001-23

An Ordinance allowing ODOT to work inside City limits for the St. Rte. 108 roundabout project; and declaring an Emergency In this legislation, the City of Napoleon allowed ODOT to work on the St. Rte. 108 roundabout project within City limits.

Resolution No. 004-23

A Resolution approving the execution of a Schedule with American Municipal Power, Inc. (AMP) for participation in the Community Energy Savings Smart Thermostat Program; and declaring an Emergency

In this legislation, the City of Napoleon approved participation in the AMP Community Energy Savings Smart Thermostat Program.