

ORDINANCE NO. 70-2013

**TITLE: ENTER INTO CONTRACT – ODOT
I-76 MAINTENANCE CONTRACT - 2013**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON
AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE
OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PERFORM
MOWING, GUARDRAIL REPAIR, STRIPING, SIGNING AND OTHER
MAINTENANCE ITEMS ON I-76, WITHIN THE CITY OF BARBERTON,
FOR 2013, AND DECLARING AN EMERGENCY.**

WHEREAS, the public interest requires that the Ohio Department of Transportation maintain and keep in repair Interstate Highways within the City of Barberton.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, Summit County, Ohio that:

SECTION 1. That it is declared to be in the public interest that the consent of the City of Barberton be hereby given to the Ohio Department of Transportation to maintain and repair I-76, within the City of Barberton, and to bear the costs thereof.

SECTION 2. That the City of Barberton hereby proposes to cooperate with the State of Ohio and will bear the cost and:

- a) Maintain and repair all grade separated municipal streets, exclusive of bridge structures within the right of way limits of the interstate highway.
- b) Maintain and repair the wearing surface on bridges carrying municipal streets over the interstate highway when such wearing surface is separate from the bridge floor slab. Changes in type of depth of wearing surface will not be permitted without prior approval by the State.
- c) Remove snow and place abrasives and chemical for ice control on all grade separated municipal streets, inclusive of bridges carrying such streets over the interstate highway.
- d) Maintain and repair all service roads, drainage structures and other roadway items located outside the fenced portion of the interstate highway.
- e) Furnish, install, maintain and repair all signs, pavement makings and other traffic control on the intersecting local streets at interchanges or on overpass or underpass roadways in accordance with the Ohio Manual of Uniform Traffic Control Devices.
- f) Maintain and repair (including furnishing electric power) highway lighting units on intersected local streets at interchanges and on overpass or underpass roadways.

SECTION 3. That the Ohio Department of Transportation shall be the issuing authority for permits to use or occupy interstate highway right-of-way and permits for the movement of oversize and overweight loads over interstate highways.

SECTION 4. That traffic control lights will not be installed at the intersections of ramp terminals and the local streets without approval by the State.

SECTION 5. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 6. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to expedite the highway project and to promote highway safety, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2013

_____	_____
Clerk of Council	President of Council

Approved _____ 2013

Mayor