

RESOLUTION NO. 50-2023

**TITLE: RESOLUTION – ODOT
SAFE ROUTE TO SCHOOL GRANT 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR SAFE ROUTE TO SCHOOL (SRTS) INFRASTRUCTURE PROJECT FUNDING, AND DECLARING AN EMERGENCY.

The following Final Resolution enacted by the City of Barberton, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project.

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects, hereinafter STRS funds through the State of Ohio, Department of Transportation; and

WHEREAS, LPAs can apply for STRS funds and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the project identified in this study is filling gaps in the sidewalk directly connecting the neighborhood to the school at the following locations near the Barberton Intermediate School, hereinafter referred to as the Project, is a transportation activity eligible to receive federal funding; and

- * Quincy Avenue from South Van Buren to 2nd Street SE
- * Lamberton Avenue from 1st Street SE to 2nd Street SE
- * 2nd Street SE from Snyder Avenue to Quincy Avenue

NOW, THEREFORE, BE IT ORDAINED BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. The LPA hereby authorizes the Mayor, to prepare and execute on behalf of the LPA an application for SRTS funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

SECTION 2. The total cost of the project is estimated to be Four Hundred Forty-Seven Thousand Seven Hundred One Dollars and No Cents (\$447,701.00), of which the LPA, if awarded the STRS funds, the LPA 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. 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, maintain 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. If the application is approved for the STRS funds the Mayor of said LPA 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 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 execute the agreement in a timely fashion, 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 April 10, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor