

ORDINANCE 2011-63

AN ORDINANCE AUTHORIZING THE  
CITY OF WAPAKONETA,  
HEREINAFTER REFERRED TO AS  
THE LOCAL PUBLIC AGENCY (LPA),  
TO APPLY FOR A  
TRANSPORTATION ENHANCEMENT  
GRANT

FIRST READ	SECOND READ	THIRD READ		SUSPEND		ADOPT	
				YES	NO	YES	NO
12-5-20	12-19-20	1-9-20	J NEUMEIER			✓	
			D LEE			✓	
			B WURST			✓	
			D GRAF			✓	
			WELLS/DOLL			✓	
			S WALTER			✓	
			T FINKELMEIER			✓	
			TOTAL			7	0

WHEREAS, the United States Congress has set aside monies for Transportation Enhancement Projects through the State of Ohio, Department of Transportation, and

WHEREAS, LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and.

WHEREAS, the Heritage Drive Revitalization Project is a transportation activity eligible to receive federal funding; and

WHEREAS, if requested funds are granted, the City of Wapakoneta shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Wapakoneta, County of Auglaize, State of Ohio, to-wit:

SECTION ONE

THAT the Engineering Department of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for Transportation Enhancement funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

SECTION TWO

THAT the total construction cost of the project is estimated to be \$3,000,000.00, of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost, estimated to be \$600,00.00 The local portion shall be funded by the LPA using Enterprise fund monies. The LPA further 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 and for all costs associated with design, environmental and right-of-way activities.

SECTION THREE

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, maintain the right-of-way, keeping it free of obstruction; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

SECTION FOUR

THAT if the application is approved for the funding the Safety Service Director 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.

Attest:

Carolene S Koch  
Clerk of Council

[Signature]  
President of Council

Approved:

Barry Mueh  
Mayor

Passed this 9<sup>th</sup> day of  
January, 2012

[Signature]  
Approved as to form  
City Law Director

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE/RESOLUTION WAS PUBLISHED IN THE  
WAPAKONETA DAILY NEWS, A NEWSPAPER OF GENERAL CIRCULATION IN AUGLAIZE COUNTY, OHIO  
AND APPEARED IN ITS ISSUES OF 1-12-2012 AND 1-19-2012.

Carolene S Koch  
CLERK OF COUNCIL