

ORDINANCE NO. 85-74 AC CMS

AN ORDINANCE AUTHORIZING THE PAYMENT OF USUAL AND ORDINARY EXPENSES
OF THE CITY OF OBERLIN ON AND AFTER JANUARY 1, 1986, UNTIL SUCH
TIME AS THE ANNUAL APPROPRIATIONS MEASURE SHALL BE PASSED,
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain,
State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Auditor be and is hereby authorized to pay
all ordinary and usual bills and salaries in the City on and after January
1, 1986, until such time as an annual appropriations ordinance shall be
adopted.

SECTION 2. That the City Auditor shall allow payments for such ordinary
and usual expenses to be made against the attached preliminary draft of the
1986 appropriations ordinance attached hereto as Exhibit A. Any and all such
ordinary and usual expenses shall be charged to the annual appropriations
amounts once such measure is adopted.

SECTION 3. It is hereby found and determined that all formal actions
of this Council concerning or relating to the adoption of this ordinance
were adopted in an open meeting of this Council and that all deliberations
of this Council and any of its committees that resulted in such formal action,
were in meetings open to the public in compliance with all legal requirements,
including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency
measure necessary for the preservation of the public peace, health and
safety of the citizens of the City of Oberlin, Ohio, to-wit:

"to insure the timely payment of the ordinary and usual expenses
of the City"

and shall take effect immediately upon passage.

PASSED: 1st Reading - December 2, 1985
2nd Reading - December 16, 1985 - Emergency
3rd Reading -

ATTEST:


Clerk of Council


Chairman of Council

POSTED: December 17, 1985

Ordinance No. 85-74 AC CMS
Exhibit A
Preliminary Draft

<u>GENERAL FUND</u>	<u>1986</u>
Total Revenues	\$ 2,250,000
Police	600,000
Fire	210,000
Parks	75,000
Recreation	65,000
Cemetery	62,000
Code/Compliance	65,000
Community & Economic Development	8,000
Streets Transfer Out	140,000
City Clerk	62,000
City Manager	40,000
City Auditor	175,000
City Solicitor	40,000
City Council	106,000
City Engineer	40,000
Senior Citizens	10,000
Buildings & Grounds	75,000
Municipal Court	270,000
Boards & Commissions	9,000
Debt Service	108,000
Total Expenditures	2,160,000
<u>ELECTRIC FUND</u>	
Revenues	3,600,000
Expenditures	3,500,000
Reserves	100,000
<u>WATER FUND</u>	
Revenues	665,000
Expenditures	660,000
Reserves	5,000
<u>WASTEWATER FUND</u>	
Revenues	445,000
Expenditures	445,000
Reserves	0
<u>STREET MAINTENANCE & REPAIR FUND</u>	
Revenues	265,000
Expenses	265,000

CENTRAL GARAGE FUND

Revenues
Expenses

\$ 180,000
180,000

SOLID WASTE FUND

Revenues
Expenses
Reserves

178,000
150,000
28,000

NAME OF STREET Cleveland-Oberlin RoadORDINANCE NO. 85-75 AC CUSROUTE NO. SR 10

DATE _____

An emergency ordinance enacted by the City of Oberlin,
Lorain County, Ohio, in the matter of the hereinafter described improvement
and to request cooperation by the Director of Transportation.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the
public highway which is described as follows:

Situated in the City of Oberlin, Lorain County, Ohio on SR 10 (Cleveland-Oberlin
Road).

The improvement consists of removal and replacement of existing guardrail, addi-
tional guardrail as needed and other miscellaneous construction items.

Total length of the Work Limits on SR 10 (SLM 7.76-7.78) is approximately
0.02 mile.

said portion of highway within the municipal corporation limits being hereinafter referred to
as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the
planning, design and construction of said improvement,

NOW THEREFORE, Be it ordained by the Council of the City of Oberlin,
Ohio:

SECTION I (Cooperation)

That said City hereby requests the cooperation of the Director of Transportation in the
cost of the above described improvement as follows:

- 1) The City of Oberlin agrees to assume and bear ten percent (10%) of the total
cost of the improvement in the City, and
- 2) Further, the City will assume and bear all costs for any extra work requested
by the City and not necessary for the improvement, as determined by the State.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City be and
such consent is hereby given to the Director of Transportation to construct the above described
improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION III (Authority to Sign)

That the City Manager of said City, is hereby empowered
and directed on behalf of the City to enter into agreements with the Director of Transportation
necessary to complete the planning and construction of this improvement.

SECTION IV (Traffic Control Signals and Devices)

That traffic control devices installed within the limits of the project will conform with Section
4511 of the Ohio Revised Code.

SECTION V (Maintenance And Parking)

That upon completion of said improvement, said City, will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- (d) Regulate parking in the following manner:

No parking permitted on pavement within the limits of the improvement.

SECTION VI (Right-of-Way, Utility Rearrangement and Saving the State of Ohio Harmless of Damages)

- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State ~~will~~ will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Transportation.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive 28-A, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.
- (f) That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 10-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.
- (g) That said City hereby agrees that the said Department of Transportation of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: January 21, 1986.

Attest: Julie A. Simonson
Clerk

Attest: _____

P. L. Lutz
Mayor
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

City of Oberlin ss

County Lorain

I, Julie A. Simonson, as clerk of the City of Oberlin, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City on the 21st day of January, 1986, 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 Ordinance Record No. N/A, Page N/A.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 22nd day of January, 1986.

(SEAL) x

Julie A. Simonson
Clerk

City of Oberlin, Ohio.

The foregoing is accepted as a basis for proceeding with the improvement herein described.

Attest: Julie A. Simonson For the City of Oberlin, Ohio.

Dale S. Sigmund
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date
Director, Ohio Department of Transportation