

**Resolution 23-2020**  
**Passed September 30, 2020**

**A RESOLUTION TO CONSENT TO THE ODOT CHIP SEAL  
PAVEMENT PROJECT ON STATE ROUTE 98 WITHIN THE VILLAGE  
BOUNDARIES, AND DECLARING AN EMERGENCY.**

WHEREAS, the State has identified the need for the following described project:

To chip seal pavement in the Village of Plymouth in Richland County. The project includes State Route 98 from CRA-98-19.20 (intersection with Dickson Road) to RIC-98-4.05 (intersection with SR 61). SR 98 in Richland County from SLM 4.05 to SLM 4.74 are within village limits.

This project is currently scheduled to be constructed in the summer of 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF PLYMOUTH, COUNTY OF RICHLAND/HURON, STATE OF OHIO:

1. THAT being in the public interest, the Village gives consent to the Director of Transportation to complete the above described project.
2. THAT the Village shall cooperate with the Director of Transportation in the above described project as follows:
  - A) The Village gives consent for the above improvement;
  - B) No funds are required from the Village except that the Village agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the Village and not necessary for the improvement as determined by the State and the Federal Highway Administration.
3. THAT upon completion of the above described project, and unless otherwise agreed, the Village shall:
  - A) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
  - B) Provide ample financial provisions, as necessary, for the maintenance of the described project;
  - C) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.
4. THAT if Village-owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the Village will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

5. THAT the Village Administrator of said Village of Plymouth is hereby empowered on behalf of the Village of Plymouth to enter into contracts with the Director of Transportation necessary to complete the above described project.
  
6. THAT it is hereby determined that this Resolution is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that there is an immediate need to expedite the highway project and to promote highway safety, and this Resolution shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

PASSED: September 30, 2020 Cassandra Jymon  
Mayor

ATTEST: Diane Jensen September 30, 2020  
Village Fiscal Officer Date

APPROVED AS TO FORM:

Jon K. Burton  
Jon K. Burton, Solicitor