

Resolution 25-2023
Passed September 12, 2023

A RESOLUTION ACCEPTING THE PROPOSAL OF THE OHIO RAIL DEVELOPMENT COMMISSION (ORDC) AND ASHLAND RAILWAY FOR THE CLOSURE OF THE PUBLIC AT-GRADE RAILROAD-HIGHWAY CROSSING ON WALNUT STREET IN THE VILLAGE OF PLYMOUTH, OHIO, AND DECLARING AN EMERGENCY.

To provide consent for the permanent closure to vehicular and pedestrian traffic of a public grade crossing as recommended by the Ohio Rail Development Commission (ORDC) and Ashland Railway.

WHEREAS, a proposal has been made to change the character of Walnut Street/ DOT#152207B by prohibiting through vehicular and pedestrian traffic over the at-grade, Ashland Railway crossing thereby benefitting the safety of the traveling public; and

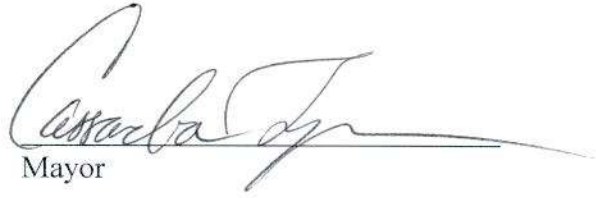
WHEREAS, the Village of Plymouth (VILLAGE) agrees with the foregoing and desires to provide its consent to permit permanent closure of the aforementioned public grade crossing subject to the terms and conditions set forth herein.

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

1. THAT the VILLAGE hereby authorizes and approves changing the character of Walnut Street, by barricading and prohibiting vehicular and pedestrian traffic across the at-grade railroad crossing traversing the street.
2. THAT the Walnut Street closure shall occur upon the replacement of the West Broadway Street bridge.
3. THAT the VILLAGE hereby accepts the offer of \$250,000 from ORDC for the design and engineering necessary for the complete replacement of the bridge at West Broadway Street, a contribution from Ashland Railway of 2.5% of the estimated bridge replacement costs, up to \$31,250, to assist with the costs of replacing the bridge at West Broadway Street, and a contribution from Ashland Railway of in-kind services for the bridge project (to include waiving of all Flagging fees, Rights of Entry fees, and Engineering Review fees) estimated at 10% of the total bridge construction cost, in exchange for the permanent closure of the Walnut Street crossing to vehicular and pedestrian traffic.
4. THAT the Mayor and Fiscal Officer are hereby authorized to execute any and all documents and to do all other things they deem necessary to effectuate the purposes of this Legislation, including entering into any contractual agreements with Ashland Railway and ORDC.
5. 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 obtain necessary funding to replace the West Broadway Street bridge, 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 12, 2023



Mayor

ATTEST: D. H. Jensen
Village Fiscal Officer

September 12, 2023
Date

APPROVED AS TO FORM:



Jon K. Burton, Solicitor