



RESOLUTION 2025-06

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PRELIMINARY PARTICIPATORY LEGISLATION FOR DEL-750-2.57 PID121063.

WHEREAS, the City of Powell desires to improve safety, access and overall mobility of all modes of transportation and users of the transportation network; and

WHEREAS, the City of Powell was awarded a grant from the Ohio Department of Transportation through the Highway Safety Improvement Program's (HSIP) Abbreviated Safety Funding Application; and

WHEREAS, the awarded grant will provide a grant of 90% of the cost of design and construction of the project up to \$123,700; and

WHEREAS, the City of Powell has programmed the Crosswalk Improvements on Olentangy Street through the Capital Improvement; and

WHEREAS, the construction of this project will provide for a new pedestrian crossing at Traditions Way and will upgrade two (2) existing pedestrian crossings at Depot Street and Hall Street.; and

WHEREAS, the completion of this project will support the City Council goals of "Maintaining city infrastructure, reducing traffic congestion and increasing downtown parking options", and "Expanding the downtown area's offerings, walkability and amenities".

WHEREAS, Council desires to authorize the City Manager to enter into such an agreement with the Ohio Department of Transportation.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:

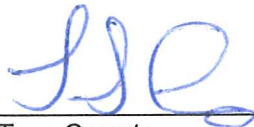
Section 1: That the City Manager is hereby authorized and directed to enter into a Preliminary Participatory Legislation Agreement with the Ohio Department of Transportation, in a form acceptable to the Director of Law.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the City of Powell, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

City Council
Tom Counts, Mayor


Leif Carlson David Lester Christina Drummond Heather Karr Ferzan Ahmed Tyler Herrmann

Section 3: This Resolution shall be in full force and effect immediately upon adoption.



Tom Counts
Mayor

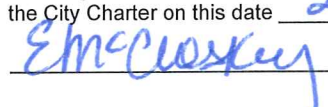
2/18/25
Date



Elaine McCloskey
City Clerk

2/18/25
Date

EFFECTIVE DATE: February 18, 2025

This legislation has been posted in accordance with the City Charter on this date 2/19/25.


City Clerk

PRELIMINARY PARTICIPATORY LEGISLATION

RC 5521.01

Ordinance/Resolution# Resolution 2025=06

PID No. 121063

County/Route/Section DEL-750-2.57

The following is Resolution 2025-06 enacted by the City of Powell of Delaware
(An Ordinance/a Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Installation and upgrade of pedestrian crossings at the intersection of SR750, Traditions Way, Depot St., and Hall St. including rectangular rapid flashing beacon signs, pavement markings, curb ramps, minor drainage improvements and more.

NOW, THEREFORE, be it ordained by the City of Powell of Delaware County, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV - Maintenance

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 law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The City Manager of said City of Powell is hereby empowered on
(Contractual Agent) (LPA)
behalf of the City of Powell to enter into contracts with ODOT pre-qualified consultants
(LPA)
for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the City Manager is also empowered to assign all rights,
(Contractual Agent)
title, and interests of the City of Powell to ODOT arising from any agreement with its
(LPA)
consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: February 18, 20 25
(Date)

Attested: Glaine McCroskey Andrew J. W...
(Clerk) (Officer of LPA - City Manager)

Attested: [Signature] [Signature]
(Law Director) (President of Council)

This Resolution 2025-06 is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Powell of Delaware County, Ohio,
(LPA)

Elaine McCloskey, as Clerk of the City of Powell
(LPA)

of Delaware County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Resolution 2025-06 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Powell on the 18 day of February, 20 25
(LPA)

that the publication of such Resolution 2025-06 has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
Resolution 2025-06 have been taken; and that such Resolution 2025-06
(Ordinance/Resolution)

and certificate of publication thereof are of record in 2025 Page 06
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 19 day of February, 20 25



Elaine McCloskey
Clerk

City of Powell of Delaware County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Powell of Delaware County, Ohio
(LPA)

Attest: [Signature] [Signature], Date 02/19/2025

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation