

ORDINANCE NO. _____

MAKING MISCELLANEOUS TRANSFERS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,
STATE OF OHIO:

Section 1. That from the sum heretofore appropriated, the following sums be, and the same hereby are, transferred for current expenses and other expenditures as follows:

- a. From Account 670.380.5232 "Landfill Architectural and Engineering" to Account 670.370.5512 "Capital Equipment" the sum of \$131,465.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this _____ day of _____, 2010.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2010.

Mayor

ORDINANCE NO. _____

MAKING SUPPLEMENTAL APPROPRIATIONS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,
STATE OF OHIO:

Section 1. That in addition to the sums heretofore appropriated,
certain sums be and the same hereby are, appropriated as follows:

- a. From the General Fund to 110.181.5111 "Director of Law Salaries" the sum of \$100.00
- b. From the Waste Fund to 670.370.5121 "Pensions" the sum of \$19,900.00
- c. From the Waste Fund to 670.370.5124 "Medicare" the sum \$2,055.00
- d. From the Income Tax Credit Card Fund to 112.110.5239 "Credit Card" the sum of \$500.00
- e. From the General Fund to 110.154.5111 "Acting Judge" the sum of \$1,500.00
- f. From the General Fund to 110.131.5235 "EMS Billing Expense" the sum of \$5,500.00
- g. From the General Fund to 110.133.5410 "Treasurer's Incidentals" the sum of \$750.00
- h. From the General Fund to 110.120.5235 "Consultant Services" the sum of \$4,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this _____ day of _____, 2010.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2010.

Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE

WHEREAS, for the health, safety and welfare of the citizens of the City of Wilmington, the Council finds that the Traffic Control Map and the Traffic Control File should be amended.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the traffic Control Map and the Traffic Control File for the City of Wilmington be, and the same hereby are, amended to provide as follows:

(A) That the alley between Mulberry Street and Spring Street that is adjacent to and south of St. Columbkille Roman Catholic Church will be two-way from Mulberry to Spring Street.

Section 2. That the Traffic Control Map and the Traffic Control File for the City of Wilmington be, and the same hereby are, ratified and republished except as herein expressly amended.

Section 3. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this _____ day of _____, 2010.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2010.

Mayor

ORDINANCE NO. _____

ADOPTING PRELIMINARY LEGISLATION FOR ODOT FY11 URBAN PAVING PROJECT, CLI-22D-0.92, PID 89011 AND DECLARING AN EMERGENCY

PRELIMINARY LEGISLATION

Rev. 6/26/00

Ordinance/Resolution # _____

**PID #89011
CLI-22D-0.92**

The following _____ is enacted by the _____ City _____ of _____ Wilmington _____,
(Ordinance/Resolution) (Local Public Agency) (City/Village Name)
_____ Clinton _____ County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the
matter of the stated described project.

SECTION I — Project Description

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

Urban Paving Project to plane and resurface a portion of US 22D (Locust Street) in the City of Wilmington.

NOW THEREFORE, be it ordained by the _____ City _____ of _____ Wilmington _____,
(LPA) (City/Village Name)
Ohio.

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 City will be responsible for:

- *100% of the Preliminary Engineering Phase
- *100% of the Right-of-Way Costs
- *100% of the non-State and/or non-Federal share of the Construction Costs
- *All costs for added construction items requested by the sponsor which are not necessary for the improvement as determined by the State and the Federal Highway Administration

SECTION IV — Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V — Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public purposes.

SECTION VI— Authority to Sign

The _____ Mayor _____ of said _____ City of Wilmington _____ is hereby empowered
(Contractual Agent) (LPA)

on behalf of the City of Wilmington to enter into contracts with ODOT pre-qualified consultants for the preliminary phase of the Project and enter into contracts with the Director of Transportation necessary to complete the above described project. Upon request of ODOT, the Mayor is also empowered to assign all rights, title, and interests of City of Wilmington to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to error 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 completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

SECTION V — Emergency Measure

That this ordinance is hereby deemed to be an emergency measure necessary to the immediate preservation of the public, health, safety and welfare of the citizens of Wilmington in that the deadline for submittal of the legislation is November 19, 2010, and accordingly, shall be in full force and effect immediately upon its passage

Passed: _____, 2 _____
(Date)

Attested: _____
(Clerk)

Mayor (Officer of LPA - title)

Attested: _____
(Title)

(President of Council)

CERTIFICATE OF COPY
STATE OF OHIO

City of Wilmington of Clinton County,
Ohio
(LPA)

I, _____, as Clerk of the _____ City
(LPA)
of Wilmington, Ohio, do hereby certify that the foregoing is a true and
(City/Village Name)
correct copy of _____ adopted by the legislative Authority of
(an Ordinance/a Resolution)
the said City of Wilmington on the _____ day of _____, 2____
(LPA)
that the publication of such _____ has been made and certified of record
(Ordinance/Resolution)
according to law; that no proceedings looking to a referendum upon such _____
(Ordinance/Resolution)
have been taken; and that such _____ and certificate of publication thereof
(Ordinance/Resolution)
are of record in _____.
(Ordinance/Resolution) (Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my
official seal, if applicable, this ___ day of _____, 2_____.

(Clerk)

(SEAL) _____ of Wilmington, Ohio.
(If Applicable) (LPA) (City/Village Name)

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

For the City of Wilmington, Ohio
(LPA) (City/Village Name)

Attest: _____, Date _____
(Contractual Officer)



For the State of Ohio

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