

**ORDINANCE NO. 122-16**

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF AVON TO  
CONSENT TO CERTAIN LANE ADDITIONS AND ASSOCIATED IMPROVEMENTS  
AT THE INTERSTATE ROUTE 90 STATE ROUTE 83 INTERCHANGE  
BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT)  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Department of Transportation has determined the need to perform turn lane additions on the westbound and eastbound interchange off ramps at Interstate Route 90 (I-90) and State Route 83, and to perform restriping of the existing turn and through lanes on the mainline of State Route 83 in the City of Avon in Lorain County; and

**WHEREAS**, the Ohio Department of Transportation has facilitated the construction of this project via it's "Ramp Clear Program" at the request of the City of Avon in order to improve the efficiency and safety of traffic exiting from I-90 onto S.R. 83; and

**WHEREAS**, the Ohio Department of Transportation has requested the Avon City Council to grant its consent to allow said work to be completed in accordance with the Consent Legislation document attached hereto and marked as Exhibit A; and

**WHEREAS**, the Ohio Department of Transportation has stated that the project is currently scheduled to be constructed in the spring of 2017; and

**WHEREAS**, Council has determined that it is in the best interests of the health, safety and welfare of the citizens of Avon to consent to the Director of the Ohio Department of Transportation to complete the I-90 & State Route 83 Ramp Clear Program Project known as LOR IR 0090 20.55, PID 102520 within the municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 – That the City of Avon does hereby give consent to the Director of Ohio Department of Transportation (ODOT) to move forward with the I-90 & State Route 83 Ramp Clear Program Project known as LOR IR 0090 20.55, PID 102520 within the municipality.

Section 2 - The City of Avon shall cooperate with the Director of Transportation in the above described project as follows:

*No Funds are required from the City of Avon except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvements as determined by the State of Ohio and the Federal Highway Administration.*

Ordinance No. 122-16 (Con't.)

Section 3 - The City of Avon agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 4 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to consent to the resurfacing of Interstate Route 90, LOR IR 0090 20.55, PID 102520, as defined by and in a timeline established by ODOT; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

\_\_\_\_\_  
By: Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director