

RESOLUTION NO. R-4-22

A RESOLUTION IN SUPPORT OF SUBMISSION OF A SAFE ROUTES TO SCHOOL IMPLEMENTATION GRANT APPLICATION FOR THE NAGEL ROAD PEDESTRIAN IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Avon City Council recognizes the health, safety and welfare benefits to its citizens that come from the promotion of alternative modes of transportation including walking and bicycling; and

WHEREAS, the United States Congress has set aside monies for Safe Routes to School Projects (SRTS) that are administered through the State of Ohio, Department of Transportation (ODOT); and

WHEREAS, the City of Avon through the Northeast Ohio Areawide Coordinating Agency's (NOACA) Transportation for Livable Communities Initiative (TLCI) Planning Grant Program recently completed a SRTS Travel Plan that included East Elementary, Heritage Elementary, and Avon Middle School as part of an Active Transportation Initiative for all of Avon that identified action items related to Education, Encouragement, Enforcement, Evaluation and Engineering (infrastructure) improvements, collectively known as the 5E's, that will provide safer alternatives for students to walk or bike to school; and

WHEREAS, the SRTS Travel Plan identified measures in each of the 5E categories that can be implemented over time by either the Avon Public School District and/or the City of Avon; and

WHEREAS, either the Avon Schools or the City of Avon can apply for SRTS funds to implement identified 5E improvements and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the improvement of various pedestrian facilities along Nagel Road in the vicinity of East Elementary School through sidewalk and roadway crossing improvements, hereinafter referred to as the Project, is a transportation activity that was identified in the Avon SRTS Travel Plan and is eligible to receive federal funding; and

WHEREAS, the City of Avon desires to apply to ODOT for grant funding through the SRTS Program to help offset the cost to construct said pedestrian improvements along Nagel Road in the area between Pear Street & Schwartz Road for the benefit of East Elementary Students, Holy Trinity Students and the General Public; and

WHEREAS, the attached [Exhibit A](#) depicts the placement and extent of said intersection improvements; and

WHEREAS, the attached [Exhibit B](#) contains a Preliminary Project Cost Estimate and Budget Breakdown per year for the proposed project.

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

Section 1 - That the Mayor of the City of Avon is hereby authorized to apply to ODOT for \$207,200.00 of SRTS grant funds to offset a portion of the preliminarily estimated project cost of \$356,500, to improve Nagel Road between Pear Street & Schwartz Road with sidewalk and pedestrian roadway crossing improvements along with all necessary appurtenances thereto as further described in Exhibit A and B, both of which are attached hereto and incorporated herein.

Section 2 - If the application is approved for the STRS funds the Mayor of the City of Avon is hereby empowered on behalf of the City to enter into a contract with the Director of the Ohio Department of Transportation, the purpose of which will be to complete the above-described project.

Section 3 - Upon completion of the described Project, and unless otherwise agreed, the City of Avon shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

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 Resolution 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, including Section 121.22 of the Ohio Revised Code.

Section 5 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to support an application for SRTS funds for the year 2022 application round, prior to its predetermined deadlines; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, 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