

Resolution No. 5390-2023

Joint Resolution of the City of Oelwein and the County of Fayette, State of Iowa

Whereas, the city of Oelwein (City) and the County of Fayette (County) have joint interests in the governance of roadways that are jointly placed in and around the city of Oelwein and the surrounding areas that are under County governance and;

Whereas, the City and County desire to clarify the existing implicit authority to close any of the roads covered under our existing 28E agreement dated June 28, 1982 and;

Whereas, the City and County have the need to close the roads covered under the existing 28E agreement for the safe and efficient maintenance, construction, and operation of these roads, from time to time. Often these closures need to take place immediately due to imminent safety and maintenance concerns;

Whereas, throughout the 40 years of the existing 28E agreement, authority has been implicitly vested in and exercised by the County Road Department and City Street Department to close any of the joint jurisdiction roads covered under our existing 28E agreement for any lawful purpose.

Therefore, it is resolved that:

The City Street Department or the County Road Department may close any of the roads covered under our existing 28E agreement dated June 28,1982 for any lawful purpose in accordance with the Iowa Code.

Approval of this resolution, in no way restricts any of the many other City or County implicit authorities necessary for the safe and efficient operation of roads that are not enumerated in this resolution.

Passed and Approved this 13th day of February, 2023.

Attest:

Dylan Mulfinger, City Administrator

Recorded February 14, 2023.

City Administrator

It was moved by _____ and seconded by _____ that the Resolution as read be adopted, and upon roll call there were:

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Stewart

Weber

Lenz

Garrigus

Seeders

Payne