

**CITY OF CHEVIOT
STATE OF OHIO**

ORDINANCE NO. 14 – 15

TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF CHEVIOT AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS REGARDING THE IMPROVEMENT OF ROBB AVENUE FROM BRIDGETOWN ROAD TO THE SOUTH CORPORATION LINE; AND TO DECLARE AN EMERGENCY.

WHEREAS, Section 153.61 of the Ohio Revised Code provides for agreements between any county and any municipal corporation for the joint construction of public improvements; and

WHEREAS, Robb Avenue is part of the Comprehensive Map of the Roadways of Hamilton County in accordance with Section 4504.03 of the Ohio Revised Code and is in need of improvement; and

WHEREAS, Section 4504.04 of the Ohio Revised Code provides for the Municipal Road Fund to pay the municipal corporation's portion of the cost of cooperating with the county or with the department of transportation in the planning, construction, reconstruction, improvements, rehabilitation, maintenance, or repair of any of the roads or highways designated on such map; to pay the municipal corporation's portion of the compensation, damages, cost, and expenses of planning, constructing, reconstructing, improving, maintaining, and repairing roads and streets designated on such map; to pay any cost apportioned to the municipal corporation under Section 4907.47 of the Ohio Revised Code with respect to any of the highways, roads, or streets designated on such map; or to purchase, erect, and maintain traffic signs and markers and traffic lights and signals which the municipal corporation is authorized to erect and maintain on such highways, roads, or streets; and

WHEREAS, the City of Cheviot, pursuant to Section 4504.04 of the Ohio Revised Code, has made application in writing to the Board of County Commissioners for funds available under Section 4504.05 of the Ohio Revised Code. These funds are to cover a portion of the cost of the improvement of Robb Avenue; and

WHEREAS, the City of Cheviot has filed with the County Engineer the estimated cost of such improvement; and

WHEREAS, the County Engineer has approved such cost and found that the proposed improvement is conducive to the orderly and efficient flow of traffic within and through Hamilton County and has so advised the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has allocated from funds available for such purpose as provided in Section 4504.05(B)(1) of the Ohio Revised Code for a portion of the cost of such improvements; and

WHEREAS, the Board of County Commissioners shall certify to the County Auditor the amount of any funds allocated to the City of Cheviot. Final and detailed plans or statements of work to be done shall be submitted to the County Engineer for approval. Upon approval by the Engineer, the Board of County Commissioners shall have encumbered the moneys necessary to fulfill awarded contractual or other obligations for approved project costs; and

WHEREAS, upon notification by the City of Cheviot to the Engineer that the improvements on the approved project have commenced, the Engineer shall request that the County Auditor shall draw a warrant for such encumbered amount on the County Treasurer payable to the Treasurer of the City of Cheviot; and

WHEREAS, the City of Cheviot shall use all moneys received by it under Section 4504.04 of the Ohio Revised Code for the purpose for which they are encumbered and return for deposit in the fund established by Section 4504.05(B)(1) of the Ohio Revised Code any moneys not so used; and

WHEREAS, a joint agreement with the Board of County Commissioners for such improvements should be authorized and approved;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

Section 1. It is hereby declared necessary and to the best interests of the City of Cheviot to execute an agreement with the Board of Hamilton County Commissioners in connection with the improvement of Robb Avenue.

Section 2. The Mayor and Clerk of Council should, and are hereby authorized and directed to, execute the attached agreement, for and on behalf of the City of Cheviot, with the Board of Hamilton County Commissioners under the terms and conditions listed in the attached agreement. The attached agreement is deemed a part of this ordinance as if fully set forth herein and, when so approved and executed, shall be in full force and effect.

Section 3. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to allow the city to keep its streets in the safest possible condition at the lowest possible cost.

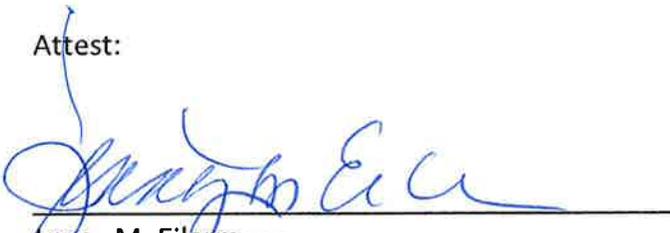

Deborah M. Slaughter
President of Council

June 17, 2014
Date passed

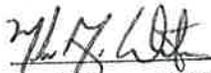

Samuel D. Keller
Mayor

6/17/14
Date approved

Attest:


Jenny M. Eilermann
Clerk of Council

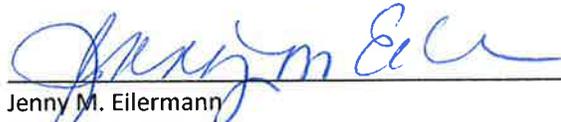
APPROVED AS TO FORM:


MARK G. WATERS
LAW DIRECTOR

CERTIFICATION OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Western Hills Press*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates :

- 1) June 25, 2014, and
- 2) July 2, 2014.


Jenny M. Eilermann
Clerk of Council

CERTIFICATION OF TRUE AND ACCURATE COPY

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that this is a true and accurate copy of the original Ordinance No 14-15, passed by the Cheviot City Council on June 17, 2014, at an open meeting, in accordance with Ohio law, and that the original ordinance is in my possession at the Cheviot City Hall.


Jenny M. Eilermann
Clerk of Council