

EMERGENCY ORDINANCE NO. 6-00
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Roger Kress
ON THE 31st DAY OF MAY, 2000

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF YANKEE TRACE DRIVE AND CLUB VIEW DRIVE, BETWEEN CERTAIN TERMINI, BY CLEARING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SANITARY SEWERS, STORM SEWERS, WATER MAINS, AND SIDEWALKS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND ALSO TO IMPROVE YANKEE TRACE DRIVE, WEDGESTONE PLACE, BENTGRASS LANE, YANKEE TRACE DRIVE, VILLA VISTA PLACE, WEDGESTONE COURT, HALEY DRIVE AND HERITAGE LAKE DRIVE, AS PROVIDED HEREIN TO THE EXTENT OF AVAILABLE FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. 18-00 on May 31, 2000, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity); now, therefore

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That this Council hereby declares that an emergency exists affecting the public welfare, in that the improvement authorized by this emergency ordinance must be commenced during the 2000 construction season and thereby enable the improvement to be completed at the earliest possible date in order to provide public streets, drainage facilities, sanitary sewers, and water mains, all for the public welfare and safety.

SECTION 2. That it is determined to proceed with the following improvement:

- a. The improvement of a public right of way, Yankee Trace Drive starting from roadway station 66+90.43, and extending approximately 200 feet south, by clearing,

grading, draining, curbing, paving (including final course of pavement), and installation of sanitary sewers, storm sewers, water mains, sidewalk, together with all necessary appurtenances thereto.

b. The improvement of a public right of way, Club View Drive, within Parcel 12 as defined by the Community Master Plan for Yankee Trace, starting at the intersection of Yankee Trace Drive and Club View Drive at approximate Yankee Trace roadway station 67+60, and extending to the west approximately 3,500 feet, by clearing, grading, draining, curbing, paving (including final course of pavement), and installation of sanitary sewers, storm sewers, water mains, sidewalk, together with all necessary appurtenances thereto.

c. Optional work to be provided to the extent of available funds, if any, from proceeds of the bonds to be issued for the improvement:

(i) The installation of gas street lights, including gas main services and all necessary appurtenances thereto in the following locations:

- (1) On Yankee Trace Drive from roadway station 44+00 to 57+00, approximately 9 lights.
- (2) On Wedgestone Place, Yankee Trace Section 16, approximately 3 lights.
- (3) On Bentgrass Lane, approximately 2 lights.
- (4) On Wedgestone Court, approximately 3 lights.
- (5) On Yankee Trace Drive from roadway station 58+00 to 67+50, approximately 7 lights.

- (6) On Villa Vista Place, Yankee Trace Section 20, approximately 4 lights.
 - (7) On Bentgrass Lane, approximately 2 lights.
 - (8) On Haley Drive, Yankee Trace Section 21, approximately 8 lights.
 - (9) On Heritage Lake Drive, Yankee Trace Section 22, approximately 10 lights.
- (ii) The improvement of public right of ways, Yankee Trace Drive (Yankee Trace Section 20), starting at Yankee Trace Drive roadway station 57+84.62 which is approximately 330 feet north of the intersection of Yankee Trace Drive and Villa Vista Place, and extending south for approximately 970 feet to Yankee Trace roadway station 67+50, and Villa Vista Place (Yankee Trace Section 20), starting at Villa Vista Place roadway station 0+00 on the west side of Yankee Trace Drive, and extending east for approximately 450 feet to roadway station 4+45.51 on the east side of Yankee Trace Drive, by constructing the final course of asphalt.
- (iii) The improvement of a public right of way, Yankee Trace Drive, by constructing the final course of asphalt pavement, approximately 3,100 feet in length starting from Yankee Trace Drive roadway station 12+79.24 to Yankee Trace Drive station 47+17.
- (iv) The improvement of a public right of ways, Bentgrass Lane, and Wedgecreek Place, by constructing the final course of asphalt pavement.

SECTION 3. That the improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council, provided that, as authorized by the petition for the improvement, additions to, deductions from, or modifications of the improvement identified in Section 2 may be provided for at the time of letting contracts for the improvement or during the course of construction which are required in the reasonable judgment of the City Manager so that the annual principal amount of the special assessment and interest thereon will be as close as possible to and not exceed \$660.

SECTION 4. That all claims for damages resulting from the improvement shall be inquired into after completion of the improvement, and the Municipal Attorney is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 5. That the cost of the improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and the number of installments provided, and on the lots and lands described, in that resolution.

SECTION 6. The estimated special assessments now on file in the office of the Clerk of Council are adopted.

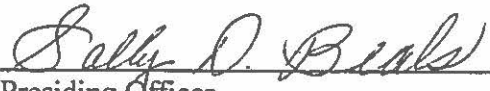
SECTION 7. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 8. That the City Manager is authorized and directed, as soon as the funds are available, to make and sign a contract for the improvement with the lowest and best bidder after advertising according to law, and the improvement shall be financed as provided in Resolution of Necessity.

SECTION 9. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 10. That this ordinance shall become effective upon its adoption, in accordance with Section 5.05 of the Charter of the City and by reason of Sections 5.05 and 8.11 of the Charter of the City shall not stand repealed as of the 75th day after adoption.

ADOPTED this 31st day of May, 2000.



Presiding Officer

Attest: 
Clerk of Council