

RECORD OF ORDINANCES

Ordinance No. 89-71

Passed February 7 19 72

ORDINANCE NO. 89-71
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman Russell Sweetman on the 7th day of February, 1972.

AN EMERGENCY ORDINANCE CONSENTING TO THE CONSTRUCTION OF CULVERTS TO CARRY A NATURAL STREAM UNDER MARSHALL ROAD AND INTERSTATE ROUTE NO. 675 IN THE CITY OF CENTERVILLE.

WHEREAS, Ordinance No. 7-1965 passed July 6, 1965 by the Council of the Village of Centerville, hereafter referred to as the COUNCIL, consented to the construction of Interstate Route No. 675 by the Director of Highways of the State of Ohio, hereafter referred to as the State, and

WHEREAS, the City of Centerville proposes to construct a culvert composed of two (2) elliptical pipe conduits 53 inches by 83 inches in size in an existing natural stream under Marshall Road at a location immediately upstream from the established location of Interstate Route No. 675, and

WHEREAS, enlargement of the said culvert by the addition of one (1) more elliptical pipe conduit 53 inches by 83 inches will permit the construction of a less costly culvert under Interstate Route No. 675 resulting in a substantial net savings to the public for construction, maintenance, repair and replacement of said culverts, and

WHEREAS, it is the desire of the COUNCIL to cooperate with the State to construct the most economical drainage system, as above described, providing the City of Centerville is reimbursed for the added costs of construction to provide a culvert composed of three (3) conduits rather than two (2) conduits,

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1.

It is in the best interest of the public that the said culvert be constructed as proposed by the State and the City of Centerville desires to cooperate with the State in the construction of the most economical storm drainage system.

SECTION 2.

The City of Centerville agrees to construct the additional elliptical pipe conduit under Marshall Road as a part of the construction of said road for a lump sum share by the State of Nine Thousand Five Hundred (\$9,500.00) Dollars. Said lump sum amount to be paid by the State sixty (60) days after receipt of billing but not before the award of the construction contract by the City of Centerville.

SECTION 3.

Upon completion of construction, the City of Centerville will perform all maintenance, repair, and replacement of said culvert and bear all costs thereof and keep it in a satisfactory operating condition.

SECTION 4.

The City Manager is hereby authorized and directed on behalf of the City of Centerville to enter into such agreements as are necessary to carry forward the intent and purpose of this Ordinance.

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SECTION 5.

The Clerk of the COUNCIL is hereby directed to furnish the State with a certified copy of this Ordinance immediately upon its enactment; and upon acceptance and approval of said Ordinance by the State, it shall become a binding agreement between the City of Centerville and the State.

SECTION 6.

This Ordinance is hereby declared to be an emergency ordinance affecting public health and safety by reason of the need for expediting planning and construction of Marshall Road to promote highway safety and shall become effective immediately on passage.

Passed this 7th day of February, 1972.

ATTEST: /s/ Paul C. Hoy MAYOR - CITY OF CENTERVILLE, OHIO

/s/ Marilyn J. McLaughlin Clerk of the Council of the City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of an emergency ordinance passed by the Council of the City of Centerville, Ohio, on the 7th day of February, 1972.

/s/ Marilyn J. McLaughlin

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.

Department of Law Robert N. Farquhar Municipal Attorney