

RESOLUTION NO. 5-07  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON THE 19th  
DAY OF February, 2007.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF CENTERVILLE WITH WASHINGTON TOWNSHIP AND MONTGOMERY COUNTY, OHIO, FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC SIGNAL AT THE INTERSECTION OF ATCHISON ROAD AND SPRING VALLEY PIKE.

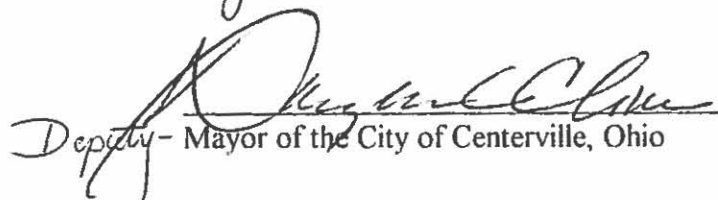
WHEREAS, it has been determined by the County, the Township and the City that a traffic signal is warranted at the intersection of Atchison Road and Spring Valley Pike.

WHEREAS, the expenditure of sums in excess of \$30,000.00 require authorization by the City Council, and it is estimated that the City's share of the initial cost will be \$43,243.00.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. The City Manager is hereby instructed and authorized to do all things necessary to execute the agreement with Washington Township and Montgomery County, Ohio, for the installation and maintenance of a traffic signal at the intersection of Atchison Road and Spring Valley Road, a copy of said Agreement is attached hereto, and marked as Exhibit "A" and incorporated herein.

PASSED this 19th day of February, 2007.

  
Deputy - Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James  
Clerk of Council, 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 Resolution Number S-07, passed by the Council of the City of Centerville, Ohio, on the 19th day of February, 2007.

Debra A. James  
Clerk of Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.

Department of Law  
Scott Liberman  
Municipal Attorney

AGREEMENT

This agreement, made this \_\_\_\_ day of \_\_\_\_\_, 200\_\_ in Dayton, Montgomery County, Ohio, by and between the Board of County Commissioners of Montgomery County, Ohio, 451 West Third Street, Dayton, Ohio 45422 (hereinafter referred to as "County"), the City of Centerville, 1000 W. Spring Valley Road, Centerville, OH 45458 (hereinafter referred to as "City"), and Washington Township, 8200 McEwen Road, Dayton, OH 45458 (hereinafter referred to as "Township"). This Agreement is entered into as of the date that all parties approve and sign said Agreement.

WHEREAS, it has been determined by the County, the City and the Township that a traffic signal be installed at the intersection of Atchison Road and Spring Valley Pike.

WHEREAS, the construction cost of the entire project has been estimated at \$117,730 for a span wire traffic signal installation.

WHEREAS, the Township has agreed to pay the additional cost needed to upgrade the traffic signal from a span wire to a mast arm installation. The estimated construction cost to upgrade the traffic signal span wire to a mast arm installation is \$24,270.

WHEREAS, the County has agreed to be the lead agent for the design and construction of said project, and to pay the entire amount of the local share pertaining thereto, through the auspices of the budget of the Montgomery County Engineer. The County will receive an \$8,000 credit with respect to construction contribution costs among the agencies because of it performing the survey, design, and construction management for the project.

WHEREAS, the County has agreed to provide the City and Township with the aforementioned plans of the project, for purposes of review and comment.

WHEREAS, the Township has agreed to be the owner of the traffic signal and provide all future maintenance, which includes but is not limited to monthly electric costs, bulb replacements, loop detector replacements, signal head replacements, with the exception of maintenance activities involving complete controller cabinet or signal pole replacements. Costs to replace the controller cabinet or signal poles would be split equally among the County, City and Township.

WHEREAS, future roadway projects pursued by the County, City or Township that require traffic signal modifications will be financed by the jurisdiction pursuing the roadway project with the exception of traffic signal pole relocation costs that will be financed equally among the County, City and Township.

NOW, THEREFORE, in consideration of the aforesaid recitals, the parties hereto mutually agree as follows:

1. The County agrees to act as the lead agent for the design and construction of the Atchison Road and Spring Valley Pike traffic signal. The County agrees to enter into contracts and oversee the work required to complete said project.
2. The City agrees to reimburse the County for the local share costs, estimated at approximately \$43,243 which it has incurred relative to the aforementioned traffic signal construction, including those costs associated with approved change orders.
3. The Township agrees to reimburse the County for the local share costs, estimated at approximately \$67,513 which it has incurred relative to the aforementioned traffic signal construction, including those costs associated with approved change orders.
4. The Township agrees to be the owner and maintain the traffic signal at Atchison Road and Spring Valley Pike as outlined in the agreement.

5. All agencies agree that traffic signal modifications resulting from future roadway projects are the financial responsibility of the agency pursuing the roadway project with the exception of traffic signal pole relocation costs that will be financed equally among the County, City and Township unless otherwise agreed to in writing.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates as hereinafter indicated.

WITNESS:

BOARD OF COUNTY COMMISSIONERS  
MONTGOMERY COUNTY, OHIO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or

Date

\_\_\_\_\_  
Deborah A. Feldman, Administrator  
Montgomery County, Ohio

WITNESS:

CITY OF CENTERVILLE

\_\_\_\_\_  
Greg Horn, City Manager  
City of Centerville

Date

WITNESS:

Washington Township

\_\_\_\_\_  
Gary Huff, Township Administrator  
Washington Township

Date

APPROVED AS TO FORM:  
MATHIAS H. HECK, JR., PROSECUTING ATTORNEY

By: \_\_\_\_\_  
Assistant Prosecuting Attorney