

F I N A L R E S O L U T I O N

Adopting plans;

Proposing to co-operate;

Requesting Director to proceed;

(Chapter 5521, Ohio Revised Code)

Mr. Stouff moved the adoption of the following Resolution:

WHEREAS, At a meeting of the legislative authority of Centerville, Ohio, held in the office of said legislative authority on this 20th day of January, 1992, a quorum being present, the improvement of State Route No. 48, under the provisions of Chapter 5521, Ohio Revised Code, came on for further consideration; said portion of highway as described in the legislation proposing cooperation with the Director of Transportation, enacted on the 20th day of February, 1989, being described as follows:

The installation of the necessary equipment to interconnect fifteen (15) signals to a Central Computer System on State Route No. 48 north, from State Route No. 725 to East Whipp Road, within the City of Centerville. Total length of work being 2.87 miles

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority now proposes to cooperate with the Director of Transportation in the improvement of State Route Nos 48, by assuming and contributing the entire cost and expense of the improvement, less the amount of Federal Funds set aside by the Director of Transportation and allocated to the Miami Valley Regional Planning Commission, for the financing of this improvement from funds allocated by the Federal Highway Administration; and further, the City agrees to assume and bear one hundred percent (100%) of the cost of preliminary engineering, excluding in-house preliminary engineering charges incurred by the State.

In view of the fact that the total cost of the project for the City of Centerville is now estimated in the amount of One Hundred Ninety Thousand Eight Hundred Seventy - - - - -00/100 Dollars, (\$190,870.00), less Federal Funds in the amount of One Hundred Eighty Six Thousand Eight Hundred Seventy - - - - -00/100 Dollars, (\$186,870.00), less State Funds in the amount of Four Thousand - - - - -00/100 Dollars, (\$4,000.00), the City will not be required to deposit any funds at this time. The City's ultimate share of the cost will be determined when final actual costs and allocations are determined ; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an

estimate of cost and expense for improving the above described highway and has transmitted copies of same to this legislative authority

; and

WHEREAS, This legislative authority desires the Director of Transportation to proceed with the aforesaid highway improvement.

Now, Therefore, Be It Resolved:

- I. That the section of highway described above be improved under the provisions of aforesaid law. That said work be done under the charge, care, and superintendence of the Director of Transportation and that said plans, specifications and estimates for this highway improvement as approved by the Director of Transportation are hereby approved and adopted by this legislative authority.
- II. That this legislative authority, is still of the opinion the proposed work on the described highway should be constructed, and that we should co-operate on the basis set forth in our proposal.
- III. That the installation of utility facilities on the right-of-way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4, "Utility Relocations and Adjustments" and the Department of Transportation rules on Utility Accommodation.
- IV. That it is hereby agreed that the City shall, at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other municipally owned utilities and/or any appurtenances thereto, which do not comply with Ohio Department of Transportation Directive DH-P-411, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- V. That traffic control signals will be installed on the project only when recommended by a study of roadway and traffic conditions by a traffic engineer or when at least one of the warranting conditions specified in the Ohio Manual of Uniform Traffic Control Devices is met and the municipality does hereby agree to place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- VI. That the rights-of-way provided for said improvement shall be

held inviolate for public highway purposes and no signs, posters, billboards, roadside stands or other private installations shall be permitted within the right-of-way limits.

- VII. That this legislative authority of Centerville, Ohio, hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- VIII. That the Clerk of this legislative authority be, and he is hereby directed to transmit to the Director of Transportation a certified copy of these Resolutions.
- IX. This Resolution is hereby declared to be an emergency measure by reason of the need for expediting construction of project(s) to promote highway safety and provided it receives the affirmative vote of two-thirds of the members elected to the legislative authority, it shall take effect and be in force upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Thereupon Mr. Beesley seconded the said motion, and upon the roll being called, the result of the vote was as follows:

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:

(Requires a yea vote by three-fourths of all elected members)

Yeas 7 Nays _____

Vote on Emergency Clause: Yeas _____ Nays _____

Passed _____, 1991. Yeas _____ Nays _____

As An Emergency Measure.

Passed: January 20, 1992

Attest: Marie J. Daugherty
Clerk

Shirley F. Hents
Mayor

Attest: _____

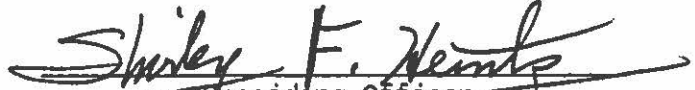
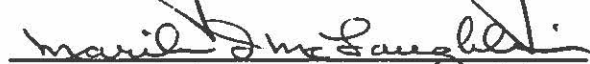
Scame
Presiding Officer of the Legislative Authority

State of Ohio)
Centerville, Ohio) Office of the Legislative Authority)

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the legislative authority of Centerville, Ohio, which Resolution was duly passed by said legislative authority of Centerville, Ohio, on the 20th day of January, 1992, and that the same is a true and correct copy of the record of said Resolution and the action of said legislative authority thereon.

We further certify that said Resolution and the action of said legislative authority thereon is recorded in the journal of said legislative authority in volume City 5, at page 403, and under date of January 20, 1992.

IN WITNESS WHEREOF, We have hereunto set our hands and seal, this 20th day of January, 1992.


Presiding Officer

Clerk (Secretary Ex-Officio)

*SEAL

Legislative Authority of
Centerville, Ohio.

*Note: If the fiscal officer is secretary Ex-officio of the legislative authority, the fiscal officer's seal should be affixed. If there is no seal this fact should be stated by separate letter and attached hereto.