

## FINAL RESOLUTION

Adopting plans;  
 Proposing to co-operate;  
 Requesting Director to proceed;  
 (Chapter 5521, Ohio Revised Code)

Mr. Stone 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 May, 1974, 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 4th day of January, 1971, being described as follows:

Beginning at its intersection with Franklin Street; thence in a northerly direction to a point approximately 0.10 mile north of its intersection with Whipp Road and there terminate. Total length of work being approximately 2.373 miles inclusive of side roads

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the Director of Transportation in the improvement of the above described highway, under the provisions of TOPICS, which provides for the expenditure of Federal Funds for an urban traffic operations program, by assuming the payment of and contributing an amount of money, which is to be applied toward the total cost of said improvement, which amount is determined by and equal to the following:

- (1) To assume and bear five percent (5%) of the cost and expense of construction plans and construction of the improvement on State Routes; and
- (2) To assume and bear the entire cost and expense of construction plans and construction not on State Routes less the amount of the reimbursement received by the State from Federal-Aid TOPICS funds.

Construction costs shall include construction engineering, construction, advertising and other legal and contingent expenses. The Director of Transportation notwithstanding the percentage basis of contribution may allocate the money contributed in whatever manner he may deem necessary in financing the cost of construction, rights-of-way, engineering and incidental expenses.

The total estimated share for the City of Centerville is now estimated in the amount of Nine Thousand Three Hundred Five - - - - 00/100 Dollars (\$9,305.00), less an estimated credit given to the City for Consultant fees in the amount of Fourteen Thousand Three Hundred - - - - 00/100 Dollars (\$14,300.00), leaving an estimated

credit balance due the City from the State in the amount of Four Thousand Nine Hundred Ninety Five - - - - 00/100 Dollars (\$4,995.00), but said estimated credit balance is to be adjusted when final actual costs are determined

; and

WHEREAS, The City further agrees to furnish the right-of-way for the project and bear 100% of the costs thereof; and

WHEREAS, The Director of Transportaiton has approved said application 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 work:

Now, Therefore, Be It Resolved:

- I. That the section of highway above described 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 cooperate on the basis set forth in our proposal.
- III. That the installation of all 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".
- IV. That traffic control signals will not be installed on the project without prior approval by the State and the municipality does hereby agree to place and maintain all traffic control devices on the improvement conforming to the Ohio Manual of Uniform Traffic Control Devices in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- V. 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.
- VI. That this legislative authority hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- VII. That this legislative authority of Centerville, Ohio, enter into a contract with the Director of Transportation for the improvement of State Route No. 48 in said City of Centerville.
- 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 is shall take effect and be in force immediately 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. McQUEEN 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 \_\_\_\_\_ Nays \_\_\_\_\_

Vote on emergency clause: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed \_\_\_\_\_, 1974. Yeas \_\_\_\_\_ Nays \_\_\_\_\_

As An Emergency Measure.

Passed: 20th May, 1974.

Attest: *Marie J. McLaughlin* Clerk *Paul L. Gray* Mayor

Attest: *Marie J. McLaughlin* *Paul L. Gray*  
Presiding Officer of Legislative Authority.

