

ORDINANCE NUMBER 6-1965

AN ORDINANCE TO ESTABLISH A POLICE RELIEF AND PENSION FUND AND A BOARD OF TRUSTEES THEREFOR.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO:

Section 1. That there be and hereby is created a Police Relief and Pension Fund, pursuant to Sections 741.32 to 741.54 inclusive of the Revised Code of Ohio.

Section 2. That a Board of Trustees of the Police Relief and Pension Fund be and hereby is established and shall consist of six (6) members who shall be chosen in the following manner:

- A. Two (2) members shall be chosen by the Council of the Village of Centerville, Ohio, from among its own members.
- B. Two (2) members shall be elected by the Police Department from among its own members.
- C. Two (2) other members, residents of the Village of Centerville, Ohio, and not public employees or members of the Council or the Police Department, shall be chosen as follows:
 - 1. One (1) by the two members chosen by the Council
 - 2. One (1) by the two members elected by members of the Police Department.

In the event of a tie vote on any matter whatsoever, the six members so chosen shall choose a seventh member whose vote shall decide the question.

Section 3. That there be and hereby is levied in addition to all other levies authorized by law a tax levy of three-tenths (3/10th) of a mill upon all of the real and personal property as listed for taxation within the municipal corporation of Centerville, Ohio, for the purpose of providing funds for the payment of benefits and pensions. Said levy provided for herein is made pursuant to Section 741.40 of the Revised Code of Ohio.

Section 4. This Ordinance is declared to be an emergency measure for the reason that the establishment of a Police Relief and Pension Fund is necessary for the health, welfare and safety of the citizens of the Village of Centerville, Ohio, and for this reason this Ordinance shall be effective from and after its passage, the earliest period allowed by law.

PASSED: 6/7/65

/s/ Wm. O. Gimbel
Mayor

/s/ Howard A. Griest
President of Council

C E R T I F I C A T E

The undersigned, Village Clerk of the Village of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 6/65, passed by the Council of said Village on the 7th day of June, 1965.

/s/ Katharine B. Brown
Village Clerk

ORDINANCE NUMBER 7-1965

AN EMERGENCY ORDINANCE GIVING CONSENT OF THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, TO THE CONSTRUCTION, MAINTENANCE AND OPERATION OF INTERSTATE ROUTE NO. 675 (STATE ROUTE NO. 777) AS A FREEWAY UNDER THE SUPERVISION OF THE DIRECTOR OF HIGHWAYS OF THE STATE OF OHIO AND PROPOSING TO COOPERATE WITH SAID DIRECTOR IN CERTAIN MATTERS INCIDENT THERETO:

WHEREAS, The public convenience and welfare require the construction of a freeway within the Village of Centerville Ohio in accordance with alignment as described in a public hearing held in Stebbins High School on March 9, 1965, for the location and establishment of a limited access highway for State Route No. 777 (Interstate Route No. 675) or as the same may be modified as a result of further engineering investigation, the portion of said highway within the corporate limits of the municipality being hereinafter referred to as the FREEWAY, and

WHEREAS, The council of the Village of Centerville, hereinafter referred to as the COUNCIL, desires to cooperate with the Director of Highways of the State of Ohio, hereinafter referred to as the STATE, in the construction, maintenance and operation of the FREEWAY.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, STATE OF OHIO:

SECTION 1. The public convenience and welfare demand the construction of the FREEWAY hereinbefore described and the COUNCIL hereby consents to the acquisition of all property and property rights and the provision of relocation advisory assistance, by the STATE or its agents, required for the FREEWAY, and further consents to the construction, maintenance and repair of such FREEWAY by the STATE subject to the following conditions:

- A. The STATE shall bear all costs of the construction, maintenance and repair of said FREEWAY, inclusive of the furnishing of electric power for sign lighting and highway lighting.

- B. The STATE shall confer with the Mayor from time to time during the development of detail plans with respect to the effects on, and the alterations of, municipal streets, utilities and related facilities under the jurisdiction of the COUNCIL.
- C. Final construction plans for the FREEWAY will be furnished to the Mayor before any construction contracts therefor are awarded by the STATE.
- D. The STATE will retain all natural drainage courses in the most economical location and will further intercept and conduct other surface flow which reaches the FREEWAY to a natural outlet as may be made necessary by the construction of said FREEWAY.
- E. The limited access portions of the FREEWAY shall be enclosed with a fence in accordance with the accepted standard practice for fencing limited access highways or freeways within urban areas.
- F. Highway maintenance structures or rest areas to be constructed within the corporate limits of the municipality shall be at locations approved by the Mayor.
- G. The municipality is to be reimbursed by the STATE for all claims for damages determined to be just and legal, or as ordered by the court and paid by the municipality, that may result from any change in the elevation of the present centerline of any street, road or highway within the municipality caused, occasioned, brought about or required as a result of the construction of said FREEWAY. The processing of claims for damages will be coordinated with the STATE so as to eliminate possible double payment for the same damage items.

SECTION II. The COUNCIL consents to the rearrangement, without cost to the municipality, of sanitary sewers, water mains, service lines, fire hydrants, valve boxes and appurtenances thereto, or other municipally owned utilities, lying inside the corporate limits of the municipality made necessary by the construction of the FREEWAY, and the COUNCIL, prior to the award of any contract, agrees to make arrangements with or obtain agreements from any and all publicly, privately and cooperatively owned utility companies to relocate or rearrange their lines, of any nature whatsoever, which will be affected by or interfere with the construction of the FREEWAY, said lines existing in their present location by virtue of franchise or other agreements legally in effect.

SECTION III. The COUNCIL consents to the STATE'S preservation, regulation and use of the highway as a freeway, and further consents to the policing of said FREEWAY by state police forces.

SECTION IV. The COUNCIL agrees:

- A. To enact, prior to the completion of the FREEWAY proper legislation to vacate or establish, by mutual agreement with the STATE, any streets or portions thereof within the limits of and deemed necessary for the construction and operation of the FREEWAY.
- B. To make all existing highway right-of-way within the municipality, which is necessary for the FREEWAY, available therefor.
- C. That the Director of Highways shall be the issuing authority for permits to use or occupy FREEWAY right-of-way and permits for the movement of oversize and overweight loads over the FREEWAY.
- D. That traffic control lights will not be installed at the intersections of ramp terminals and the local streets without prior approval by the STATE.
- E. To prohibit parking within the right-of-way limits of the FREEWAY and on bridge structures carrying municipal streets over the FREEWAY.
- F. To initiate proper legislation amending its traffic code for the purpose of bringing about any changes in traffic regulations made necessary by the construction of the FREEWAY, said legislation to be enacted prior to the completion of the FREEWAY.

SECTION V. The COUNCIL will bear the cost, and

- A. Maintain and repair all grade separated municipal streets, exclusive of bridge structures within the right-of-way limits of the FREEWAY.
- B. Maintain and repair the wearing surface on bridges carrying municipal streets over the FREEWAY when such wearing surface is separate from the bridge floor slab. Changes in type or depth of wearing surface will not be permitted without prior approval by the STATE.
- C. Remove snow and place abrasives and chemicals for ice control on all grade separated municipal streets, inclusive of bridges carrying such streets over the FREEWAY.
- D. Maintain and repair all service roads, drainage structures, and other roadway items located outside the fenced portion of the FREEWAY.
- E. Furnish, install, maintain and repair all signs, pavement markings and other traffic control devices on the intersecting local streets at interchanges or on overpass or underpass roadways in accordance with the Ohio Manual of Uniform Traffic Control Devices.
- F. Maintain and repair (including furnishing electric power) highway lighting units on intersected local streets at interchanges and on overpass or underpass roadways.

SECTION VI. The Mayor is hereby authorized and directed on behalf of the COUNCIL to enter into such agreements as are necessary to carry forward the intent and purpose of this Ordinance.

SECTION VII. 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 the acceptance and approval of said Ordinance by the STATE, it shall become a binding agreement between the COUNCIL and the STATE.

SECTION VIII. This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting planning and construction of the FREEWAY to promote highway safety and provided it receives the affirmative vote of two thirds of the members elected to the council it shall take effect and be in force immediately upon its passage and approval by the Mayor.

/s/Howard A. Griest
President of Council

Approved /s/ Wm. O. Gimbel
Mayor

Passed 7/6, 1965

Attest /s/ Katharine B. Brown
Clerk of Council

I hereby certify that the foregoing is a true and correct copy of an Ordinance passed by the legislative authority July 6, 1965

/s/ Katharine B. Brown
Clerk

The foregoing is accepted as a basis for proceeding with the work herein described.

Attest /s/ Nell A. Bohannon

/s/ P. E. Masheter
Director, Ohio Department of Highways

ORDINANCE NUMBER 8-1965

ADDITIONAL APPROPRIATION ORDINANCE (VILLAGE)

Rev. Code, Sec. 5705.38

An ordinance to make Appropriations for Current Expenses of the Village of Centerville, State of Ohio, during the fiscal year ending December 31st, 1965.

Section 1. Be it ordained by the Council of the Village of Centerville, State of Ohio, That, to provide for the Police Pension Fund of the said Village of Centerville during the fiscal year ending December 31, 1965, the following sum be and is hereby set aside and appropriated as follows, viz:

A. GENERAL FUND		
A-8	Police Pension Fund	\$1900.00
	Total General Fund	\$1900.00

Section 2. That there be appropriated from the funds:

General	\$1900.00
Grand Total Appropriations	\$1900.00

Section 3. And the Village Clerk is hereby authorized to draw her warrants on the Village Treasurer for payments from the Police Pension Fund appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same or an ordinance or resolution of Council to make the expenditures. Provided further that the appropriations for contingencies can only be expended upon approval of two-thirds vote of Council for items of expense constituting a legal obligation against the Village, and for purposes other than those covered by the other specific appropriations herein made.

Section 4. This ordinance shall take effect at the earliest period allowed by law.

PASSED this 7 day of Sept., 1965.

Approved:
/s/ Wm. O. Gimbel, Mayor

Attest:
Howard A. Griest