

H-5	Tools, Implements, Etc.	\$ 1,500.00
H-6	Tractor & Truck	1,250.00
H-7	Miscellaneous (Traffic Light & Street Signs)	<u>400.00</u>

Total Street Construction, Maintenance and Repair Fund
\$13,386.84

Section 11. That there be appropriated from the STATE HIGHWAY IMPROVEMENT FUND the following:

I. MOTOR VEHICLE AND GASOLINE TAX STREET MAINTENANCE AND REPAIR FUND

I-4	Repairs by Contracts	\$ 893.30
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Total State Highway Improvement Fund \$ 893.30

Section 16. That there be appropriated from the GENERAL BOND RETIREMENT FUND:

21-A GENERAL BOND RETIREMENT FUND

21-A-2	Redemption of Bonds	\$ 100.00
21-A-4	Interest on Bonds	<u>20.00</u>

Total General Bond Retirement Fund \$ 120.00

GRAND TOTAL APPROPRIATIONS \$68,612.64

Section II. And the Village Clerk is hereby authorized to draw his warrants on the Village Treasurer for payments from any of the foregoing 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 that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further that the appropriation for contingencies can only be expended upon appeal 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 21. This ordinance shall take effect at the earliest period allowed by law.

PASSED March 6th, 1961

(Signed) H. G. Kelso, MD
President of Council

ATTEST: (Signed) Kenneth E. Poff
Clerk of Council

CERTIFICATE OF POSTING

I, KENNETH E. POFF, Clerk of the Council of the Village of Centerville, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publications of Ordinance Number 7-1961 was duly made by posting true copies thereof at five of the most public places of said municipality, as determined by the Council, as follows:

Stage Coach Inn
Centerville Market
Shell Service Station
Centerville Post Office
First National Bank of Miamisburg

each for a period of fifteen days, commencing on the 6th day of March, 1961.

Dated: March 6th, 1961.

(Signed) Kenneth E. Poff
Clerk-Treasurer

ORDINANCE NUMBER 8-1961
VILLAGE OF CENTERVILLE, OHIO

Name of Street: Main Street
Route of S.R.: 48

Date of Enactment: 4-3-61

AN EMERGENCY ORDINANCE ENACTED BY THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, UNDER THE SUPERVISION OF THE DIRECTOR OF HIGHWAYS.

WHEREAS, the Director of Highways is considering improving a portion of the public highway which is described as follows:

Widening Main Street, (S.R.#48) from a 20 ft. width to a 24 ft. width and resurfacing it with asphaltic concrete from the South corporation line of Centerville Northerly approximately 1.04 miles.

NOW THEREFORE, Be it ordained by the Council of the Village of Centerville, Ohio:

SECTION I (Consent)

That it is declared to be in the public interest that the consent of said Village

Ordinance Number 8-1961 (Continued)

be and such consent is hereby given to the Director of Highways to construct the above described improvement, in accordance with plans, specifications and estimates as prepared by said Director.

SECTION II (Cooperation)

That said Village, hereby proposes to cooperate with the State of Ohio, in the cost of the above described improvement, by assuming and contributing a lump sum of \$150.00, inclusive of the cost of engineering, contingencies and other incidental expenses.

SECTION III (Authority to Sign)

That the Mayor of said Village, is hereby authorized to enter into maintenance and parking agreements and special contractual obligations.

SECTION IV (Maintenance)

That it is hereby agreed that said Village will, after completion of the aforementioned project, maintain the improvement herein contemplated in accordance with the provisions of the statutes relating thereto and will make ample financial and other provisions for such maintenance, and maintain the right of way and keep it free of obstructions in a manner satisfactory to the State of Ohio.

SECTION V (Parking Regulations)

That upon completion of said improvement, said Village, will thereafter

- (a) Keep said highway open to traffic at all times; and
- (b) Regulate parking in the following manner:

No parking on travelled pavement

Section VI That traffic control lights will not be installed on the project without prior approval by the State.

Section VII That the right-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.

Section VIII (CERTIFICATION OF AVAILABILITY OF RIGHT OF WAY, UTILITY REARRANGEMENT AND SAVING THE STATE OF OHIO HARMLESS OF DAMAGES.)

- (a) That all existing right of way within the Village, which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State will acquire any additional right of way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with the agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said village or the Department of Highways.
- (d) That it is hereby agreed that the village 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, 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 Highways Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of Section I 2.06 of the Ohio Department of Highways Construction and Material Specifications and shall be subject to approval by the State.
- (f) That said village hereby agrees that the said department of highways of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

SECTION IX (Emergency Clause)

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting construction of projects to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it 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.

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	five (5)	Nays	None (0)
Vote on emergency clause:		Yeas	five (5)
		Nays	None (0)

Passed: April 3rd, 1961
As an Emergency Measure.

Passed: April 3rd, 1961.

ATTEST: (Signed) Kenneth E. Poff
Clerk

(Signed) Wm. O. Gimbel
Mayor

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

For the Village of Centerville, Ohio

ATTEST: (Signed) Kenneth E. Poff
Clerk

(Signed) Wm. O. Gimbel Date 4-3-61
Contractual Officer

For the State of Ohio.

ATTEST: _____

Date _____
Director Ohio Department of Highways

CERTIFICATE OF COPY

State of Ohio
Village of Centerville SS
County of Montgomery

I, KENNETH E. POFF, as clerk of the village of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the council of the said Village on the 3rd day of April, 1961, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in ordinance Record No _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 3rd day of April, 1961.

(Signed) Kenneth E. Poff
Clerk Village of Centerville,
State of Ohio.

CERTIFICATE OF POSTING

I, KENNETH E. POFF, Clerk of the Council of the Village of Centerville, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publications of Ordinance Number 8-1961 was duly made by posting true copies thereof at five of the most public places of said municipality, as determined by the Council, as follows:

Stage Coach Inn
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Centerville Post Office
First National Bank of Miamisburg

each for a period of fifteen days, commencing on the 3rd day of April, 1961.

Dated: April 3rd, 1961

(Signed) Kenneth E. Poff
Clerk-Treasurer

ORDINANCE NUMBER 9-1961 VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE AMENDING THE ZONING ORDINANCE, CENTERVILLE, OHIO

AN ORDINANCE to amend Ordinance No. 5, of the Village of Centerville, Ohio, known as the "Zoning Ordinance of 1955", as amended, passed on the 3rd day of October, 1955, which is an Ordinance to amend Ordinance No. 5-1943, the Zoning Ordinance of the Village of Centerville, passed August 15th, 1946 for the purposes of "Regulating, Restricting, and Limiting, in the interest of Public Health, Safety, Convenience, Comfort, Prosperity, and General Welfare, the Uses and the Location of Buildings and Other Structures and of Premises to be Used for Trade, Industry, Residence or Other Specified Uses, the Height, Bulk and Location of Buildings and Other Structures, Hereafter Erected or Altered, including Minimum Lot Areas, Setback Building Lines and the Area of Yards, Courts, and Other Open Spaces, and for Said Purposes to Divide the City into Zones or Districts of Such Number, Shape, and Area as are Deemed Best Suited to Carry out the Said Purposes, and to provide a Method of Administration and to Prescribe Penalties for the Violations of the Within Provisions".

Section 1. Section 1 of Article IV of said "Zoning Ordinance of 1955" which reads as follows: