

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING: 7-19-2016 WAIVE RULES?        YES         NO

FINAL ACTION DATE: 8-16-2016 VOTE:  YES        NO

SUSPENSION OF TWO READING RULE:

YES	NO
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ADOPTION OF ORDINANCE:

YES	NO
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DENISE LINGO  
 JENNIFER MOODY  
 ROBERT PARSONS  
 JEANNE GEORGE  
 JUDY PETERSEN  
 JOE ROETTING  
 KISHA DOSA  
 TOTALS

ORDINANCE NO. 16-1787

**AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF MT. HEALTHY AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS RELATIVE TO THE IMPROVEMENT OF COMPTON ROAD**

**WHEREAS**, Section 153.61 of the Ohio Revised Code provides for agreements between any County and any municipal corporation for joint construction of public improvement; and

**WHEREAS**, Section 4504.04 of the Ohio Revised Code provides for the application by the municipal corporation, and the allocation and encumbering by the Board of County Commissioners of funds available under Section 4504.05 of the Ohio Revised Code; and

**WHEREAS**, the COMPTON ROAD is part of the Comprehensive Map of the Roadways of the County in accordance with Section 4504.03 of the Ohio Revised Code and is in need of improvement; and

**WHEREAS**, the CITY OF MT. HEALTHY, pursuant to Section 4504.04 Revised Code of Ohio, has made application in writing to the Board of County Commissioners for funds available under Section 4504.05 Revised Code of Ohio. These funds are to cover a portion of the cost of improving COMPTON ROAD; and

**WHEREAS**, the CITY OF MT. HEALTHY has filed with the County Engineer a copy of the preliminary plans and estimate of cost of such improvement; and

**WHEREAS**, the County Engineer has approved such preliminary plans and estimates of cost and found the proposed improvement is conducive to the orderly and efficient flow of traffic within and through the COUNTY and so advised the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners has allocated from funds available for such purpose as provided in Section 4504.05 (B)(1) of the Ohio Revised Code for a portion of the cost of such improvement; and

**WHEREAS**, the Board of County Commissioners shall certify to the County Auditor the amount of any funds allocated to CITY OF MT. HEALTHY. Final and detailed plans or statements of work to be done shall be submitted to the County Engineer for approval. Upon approval by the Engineer, the Board of County Commissioners shall have encumbered the moneys necessary to fulfill awarded contractual or other obligations for approved project costs; and

**WHEREAS**, upon notification by the CITY OF MT. HEALTHY that the work on an approved project has commenced, the County Auditor shall draw a warrant for such encumbered amount on the County Treasurer payable to the CITY of MT. HEALTHY; and

**WHEREAS**, the CITY OF MT. HEALTHY shall use all moneys received by it under Section 4504.04, Ohio Revised Code, for the purpose for which they are encumbered and return for deposit in the fund established by division (B)(1) of Section 4504.05, Ohio Revised Code, any moneys not so used; and

**WHEREAS**, a joint agreement with the Board of County Commissioners for such improvement should be authorized and approved;


**NOW THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO:

**Section 1.** It is hereby declared necessary and to the best interests of the CITY OF MT. HEALTHY, to execute an agreement with the Board of Hamilton County Commissioners in connection with the improvement of COMPTON ROAD;

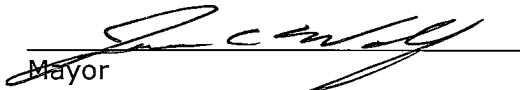
**Section 2.** The Mayor and the Clerk should be, and hereby are authorized and directed to execute the attached agreement, for and on behalf of the CITY OF MT. HEALTHY, with the Board of Hamilton County Commissioners under terms and conditions listed in the attached agreement, which is deemed to be a part of this ordinance as if fully set forth herein and when so approved and executed, shall be in full force and effect.

Passed this 16 day of AUGUST, 2016.

  
President of Council

Attest:   
Clerk of Council

Approved this 16 day of AUGUST, 2016.

  
Mayor