

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING: 2-5-14

WAIVE RULES? YES NO

FINAL ACTION DATE: 2-18-14

VOTE: YES NO

SUSPENSION OF TWO READING RULE:

YES	NO
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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ADOPTION OF ORDINANCE:

DENISE LINGO
 JAMES WOLF
 JENNIFER MOODY
 GERALDINE BRANDY
 ROBERT PARSONS
 JEANNE GEORGE
 JUDY PETERSEN
 TOTALS

YES	NO
<u>ABSENT</u>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<u>ABSENT</u>	<u> </u>
<input checked="" type="checkbox"/>	<u> </u>
<u>5</u>	<u>0</u>

ORDINANCE NO. 14-11096

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MT. HEALTHY AND THE OHIO DEPARTMENT OF TRANSPORTATION PID No. 92556 County/Route/Section HAM US 127 10.07

WHEREAS, The City of Mt. Healthy and ODOT has indentified the need for the described project:

Provide median from 10.07-10.10 to eliminate lefts at Kroger drive and construct a left turn lane for northbound US127 to Kemper Avenue.

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

Section 1. Being in the public interest, the City of Mt. Healthy gives consent to the Director of Transportation to complete the above described project.

Section 2. The City of Mt. Healthy shall cooperate with the Director of Transportation in the above described project as follows:

The City will be responsible for:

- 10% of the Right-of-Way Costs
- 10% of the non-State and/or non-Federal share of the Construction Costs
- All costs for added construction items requested by the city which are not necessary for the improvement as determined by the State and the Federal Highway Administration

Section 3. The City of Mt. Healthy agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City of Mt. Healthy also understands the right-of-way costs include eligible utility costs.

The City of Mt. Healthy agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Upon completion of the Project, and unless otherwise agreed, ODOT shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 5. The City Manager of said City of Mt. Healthy, Hamilton County, Ohio is hereby empowered on behalf of the Council of the City of Mt. Healthy to enter into contracts with the Director of Transportation to complete the above described project.

Section 6. That this ordinance is declared to be an emergency measure necessary for the public health, safety and welfare, and shall be in effect immediately on passage. The reason for the emergency is to expedite the highway project and promote highway safety.

Passed this 18 day of FEBRUARY, 2014.

Ron Bittner
President of Council

Attest: Melanie K
Clerk of Council

Approved this 18 day of FEBRUARY, 2014.

Joseph J. Bortone
Mayor

Approved as to form:

Stephen A. Woep
Law Director