

CITY OF CHEVIOT  
STATE OF OHIO

ORDINANCE NO. 17 - 15

**TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF CHEVIOT AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS RELATIVE TO THE IMPROVEMENT OF WESTWOOD NORTHERN BOULEVARD AND TO DECLARE AN EMERGENCY.**

**WHEREAS**, Section 153.61 of the Ohio Revised Code provides for agreements between any county and any municipal corporation for the joint construction of public improvements; 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 Westwood Northern Boulevard is part of the Comprehensive Map of the Roadways of Hamilton County in accordance with Section 4504.03 of the Ohio Revised Code and is in need of improvement; and

**WHEREAS**, the City of Cheviot, pursuant to Section 4504.04 of the Ohio Revised Code, has made application in writing to the Hamilton County Board of Commissioners for funds available under Section 4504.05 of the Ohio Revised Code. These funds are to cover a portion of the cost of improving Westwood Northern Boulevard; and

**WHEREAS**, the City of Cheviot has filed with the Hamilton County Engineer a copy of the preliminary plans and an estimate of the cost of such improvement; and

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

**WHEREAS**, the Hamilton County Board of 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 the City of Cheviot. 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 the moneys necessary to fulfill awarded contractual or other obligations for approved project costs; and

**WHEREAS**, upon notification by the City of Cheviot 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 Cheviot; and

**WHEREAS**, the City of Cheviot shall use all moneys received by it under Section 4504.04 of the 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 of the Ohio Revised Code any moneys not so used; and

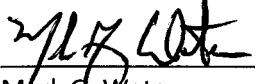
**WHEREAS**, a joint agreement with the Hamilton County Board of Commissioners for such improvement should be authorized and approved;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:**

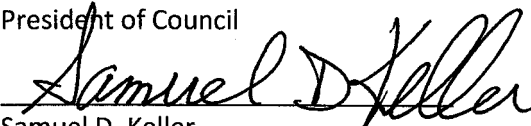
Section 1. It is hereby declared necessary and in the best interest of the City of Cheviot to execute an agreement with the Hamilton County Board of Commissioners in connection with the improvement of Westwood Northern Boulevard.

Section 2. The Mayor and the Clerk should be and hereby are authorized and directed to execute the attached agreement for an on behalf of the City of Cheviot, with the Board of Hamilton County Commissioners under the 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, to be in full force and effect.

Section 3. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to provide for necessary street improvement and public safety at the earliest possible time.


  
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Mark G. Waters  
President of Council

June 6, 2017  
\_\_\_\_\_  
Date passed

  
\_\_\_\_\_  
Samuel D. Keller  
Mayor

6-6-17  
\_\_\_\_\_  
Date approved

Attest:  
  
\_\_\_\_\_  
Jenny Eilermann  
Clerk of Council

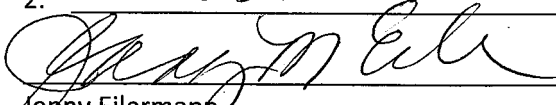
APPROVED AS TO FORM:  
  
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**DEBORAH M. SLAUGHTER**  
**LAW DIRECTOR**

CERTIFICATION OF PUBLICATION

I, Jenny Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing resolution, or a succinct summary, was published in the Western Hills Press, a newspaper of general circulation in the City of Cheviot, once per week for two consecutive weeks, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

1. 6-14, 2017, and

2. 6-21, 2017.

  
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Jenny Eilermann  
Clerk of Council