

PASSED: September 14, 2020  
BY: Warren

ORDINANCE NO. 2020-15

AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN AMBERLEY VILLAGE AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS RELATIVE TO THE IMPROVEMENT OF KINCAID 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**, KINCAID 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**, AMBERLEY VILLAGE, 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 KINCAID ROAD; and

**WHEREAS**, AMBERLEY VILLAGE 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 AMBERLEY VILLAGE. 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 AMBERLEY VILLAGE 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 CLERK of AMBERLEY VILLAGE; and

**WHEREAS**, AMBERLEY VILLAGE 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 AMBERLEY VILLAGE**, STATE OF OHIO, seven (7) members elected thereto concurring,

**Section 1.** It is hereby declared necessary and to the best interests of AMBERLEY VILLAGE, to execute an agreement with the Board of Hamilton County Commissioners in connection with the improvement of KINCAID 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 AMBERLEY VILLAGE, 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 14th day of September, 2020.

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Mayor Thomas C. Muething

Attest:

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Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Warren

Seconded: Hattenbach

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Hattenbach	Aye
Kamine	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the \_\_\_\_ day of September, 2020, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

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Tammy Reasoner, Clerk of Council