

ORDINANCE NO. 3 -62

By Mr. Cralley

To authorize and direct the Mayor to enter into a contract with the City of Columbus, Ohio, for the improvement of Gould Road from Broad Street to Main Street.

Whereas, it has been determined that Gould Road should be improved from Broad Street to Main Street; and

Whereas, municipalities so situated may enter into a cooperation contract to apportion the cost of such improvements as authorized by the Statutes of Ohio, Sec. 727.08, Revised Code; and

Whereas, the above referred to agreement is immediately necessary in order that the contracts for the said improvement be let according to law, and that construction proceed without delay for the immediate preservation of the public health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY:

Section 1. The Mayor be and he is hereby authorized to enter into a contract with the City of Columbus in words substantially as follows:

Whereas, the corporation line between the cities of Bexley and Columbus, Ohio, is the center line of the dedicated width between Broad Street and Main Street, and

Whereas, petitions praying for the improvement of said Gould Road, between the points named, by paving the roadway, constructing sidewalks and doing the other work incidental thereto, have been filed with the Council of the City of Bexley, and

Whereas, the City of Columbus desires to cooperate with the City of Bexley in the construction of said improvement and to such end has caused the preparation of the necessary plans specifications and estimates of costs thereof.

Now, therefore, this Agreement made and entered into this 29th day of January, 1962, by and between the cities of Bexley and Columbus, Ohio, pursuant to the authority of Resolution No. 1-62, adopted January 29, 1962, by the Council of the City of Bexley and pursuant to the authority of Ordinance No. 695-60, passed June 13, 1960, by the Council of the City of Columbus:

WITNESSETH:

1. It is mutually agreed that the proposed improvement of Gould Road between Broad Street and Main Street pertinent to this Agreement, shall be accomplished by grading, draining, constructing an asphaltic concrete pavement upon a cement concrete foundation with combined curbs and gutters, constructing sidewalks and doing such other things as may be necessary to complete the improvement, all in accordance with the plans therefor marked 1898, Drawer D. The specifications and estimates of quantities and costs thereof are on file in the office of the Chief Engineer of the City of Columbus. Prints and copies of such plans, specifications and estimates being on file in the office of the Mayor of Bexley.

2. Each of said cities shall pay the cost of improving that portion of said street, between the points named, as lies between the corporation limits of each of said cities respectively. The estimated cost thereof being in the amount of \$85,755.25 for the City of Bexley and \$84,616.00 for the City of Columbus.
3. It is further mutually agreed that upon the necessary legislative and assessment procedures having been had by both cities, the City of Bexley shall deposit with the treasurer of the City of Columbus the sum of \$85,755.25 to finance its portion of the cost of said improvement. Such deposit to be placed to the credit of the "Gould Road, Broad Street to Main Street Improvement" fund and shall be used for no other purpose.
4. Thereafter, the City of Columbus shall proceed to advertise for bids and enter into contract for said improvement and shall have complete charge of the construction thereof. It is understood that the contract documents for the proposed improvement shall provide for liability insurance for Bexley in that Bexley shall be made to be an additional insured.
5. It is further mutually agreed that after the actual cost of said improvement has been finally determined, any surplus in the funds deposited with the City of Columbus by the City of Bexley for said City of Bexley's share of the cost of said improvement, shall be refunded to the City of Bexley at the earliest possible time. In the event there is a deficiency in the funds so deposited, the City of Columbus will notify and secure the approval of the City of Bexley and the City of Bexley will then proceed according to law to provide such additional funds as are required.
6. Each party hereto shall determine what portion of the cost of said improvement to be paid by it, shall be specially assessed and shall, by proper legislation levy such assessments upon the property bounding and abutting each respective party's side of said improvement.
7. The cost of the proposed construction of this improvement shall be paid from the "Gould Road, Broad Street to Main Street Improvement" fund. Said fund shall be composed of the monies paid by Bexley to the purpose of the project provided for herein and the amounts made available by the Council of the City of Columbus for the purpose of this project.
8. It is further mutually agreed that the City of Columbus shall pay the entire cost of preparation of plans, specifications, estimates, together with the cost of construction engineering. The cost of field inspection shall be equally apportioned between the two cities.

Section 2. That the funds for the construction of this improvement shall be paid to the City of Columbus to be deposited in a fund designated "Gould Road, Broad Street to Main Street Improvement" fund, which fund shall be used only for the project provided for herein.

Section 3. That said contract shall meet with the approval of the City Solicitor and may contain such other terms and conditions not inconsistent herewith as he deems necessary.

Section 4. That for the reasons set forth in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed: Jan 29th, 1962.

Armin M. Sayre
acting President of Council

ATTEST:

R. C. Russell
Clerk of Council

Approved: Jan 29th, 1962

A. W. Schneider
Mayor