

City of Powell, Ohio

ORDINANCE 2006-65

Adopted December 19, 2006

AN ORDINANCE RATIFYING THE MAINTENANCE AGREEMENT BETWEEN THE CITY OF POWELL AND LIBERTY TOWNSHIP REGARDING THE RUTHERFORD ROAD PEDESTRIAN TUNNEL.

WHEREAS, M/I Homes is constructing the Rutherford Road Pedestrian Tunnel in accordance with plans and specifications approved by the City of Powell and Liberty Township and,

WHEREAS, upon completion of construction it is necessary to make provision for the repair, maintenance and replacement of the pedestrian tunnel and any infrastructure associated with it and,

WHEREAS, the City of Powell and Liberty Township have reached an agreement regarding their respective responsibilities regarding repair, maintenance and replacement of the pedestrian tunnel.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the City Manager is authorized to execute the attached Maintenance Agreement between the City of Powell and Liberty Township, Delaware County, Ohio in behalf of the City of Powell.

Section 2: The City Manager is further authorized to make any minor, administrative or clerical corrections to the agreement as the City Manager deems appropriate.

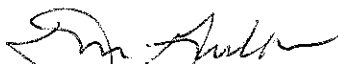
Section 3: That it is hereby found and determined that all formal actions of the Council concerning and relating to the passage of the ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meeting so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 4: This Ordinance shall take effect upon the earliest possible date permitted by law and upon execution of the attached Maintenance Agreement by Liberty Township, whichever occurs later.

VOTE ON ORDINANCE 2006-65:

Y 6

N 0

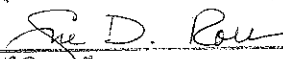


Don Grubbs
Mayor
1-2-06
Date

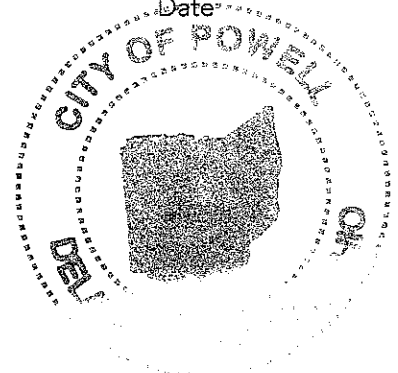


Susie Ross
City Clerk
1-2-2007
Date

This legislation has been posted in accordance with the City Charter on this date 1/3/2007



Sue D. Row
Clerk of Council



City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek