



**City of Powell, Ohio**

**ORDINANCE 2018-13**

Adopted March 6, 2018

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH DELAWARE COUNTY FOR THE PURPOSE OF MAKING IMPROVEMENTS TO SELDOM SEEN ROAD WEST OF LIBERTY ROAD TO THE CSX RAILROAD TRACKS AND SPOT REPAIRS ON SELDOM SEEN ROAD WEST OF THE CSX RAILROAD TRACKS TO SAWMILL PARKWAY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Powell ("City") and Delaware County ("County") have identified the need for street improvements on Seldom Seen Road west of Liberty Road to the CSX railroad tracks and spot repairs on Seldom Seen Road west of the CSX railroad tracks to Sawmill Parkway; and

**WHEREAS**, the City and County desire to enter into agreement for the purpose of authorizing asphalt paving services relating to the re-paving of Seldom Seen Road west of Liberty Road to the CSX railroad tracks and spot repairs on Seldom Seen Road west of the CSX railroad tracks to Sawmill Parkway for the purpose of improving traffic flow, mobility and safety on the road; and

**WHEREAS**, for the purposes of this agreement, the parties agree that the County will be responsible for administering the project and each party will be responsible for paying the contractor directly for their portion of the work of the contractor.

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

**Section 1:** That the City Manager is hereby authorized and directed to enter into a Cooperative Project Agreement with Delaware County in a form substantially similar to the Agreement attached hereto as Exhibit "A" and incorporated herein by reference.

**Section 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

**Section 3:** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants, such emergency arising from the necessity to implement such agreement immediately to be consistent with the County deadlines and construction schedule; **WHEREFORE**, this Ordinance shall take effect and be in force from and after its passage.

**VOTE ON RULES SUSPENSION:** Y 7 N 0

**VOTE ON ORDINANCE 2018-13:** Y 7 N 0

Jon C. Bennehoof  
Jon C. Bennehoof  
Mayor



Karen J. Mitchell 3/19/2018  
Date  
Karen J. Mitchell  
City Clerk

**EFFECTIVE DATE:** March 6, 2018

The legislation has been posted in accordance with the City Charter on this date 3/19/2018  
Karen J. Mitchell  
City Clerk

Frank Bertone Tom Counts Brian Lorenz Jon C. Bennehoof, Mayor Brendan Newcomb Melissa Riggins Daniel Swartwout