



**City of Powell, Ohio**

**ORDINANCE 2017-11**  
Adopted April 4, 2017

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH LIBERTY TOWNSHIP FOR THE PURPOSE OF MAKING IMPROVEMENTS TO RUTHERFORD ROAD BETWEEN SAWMILL PARKWAY AND LIBERTY ROAD, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Powell ("City") and Liberty Township ("Township") have identified the need for street improvements on Rutherford Road between Sawmill Parkway and Liberty Road; and

**WHEREAS**, the City and Township desire to enter into agreement for the purpose of authorizing asphalt paving services relating to the re-paving of Rutherford Road between Sawmill Parkway and Liberty Road 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 Township will be responsible for the cost outlined in Exhibit 1 of the Agreement and the City will be responsible for the costs outlined in Exhibit 2 of the Agreement unless or until otherwise agreed upon;

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

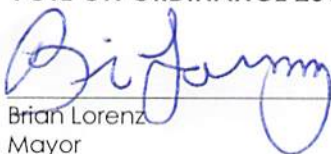
**Section 1:** That the City Manager is hereby authorized and directed to enter into a Cooperative Project Agreement with Liberty Township in a form substantially similar to the Agreement attached hereto as Exhibit "A" and incorporated herein by reference.

**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 Township, 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.

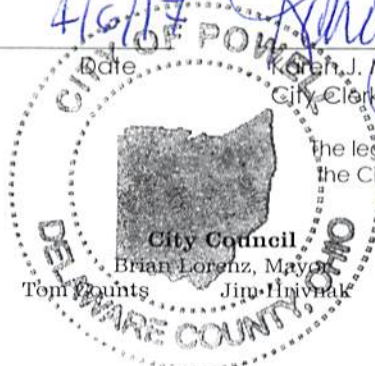
**VOTE ON RULES SUSPENSION:** Y 7 N 0

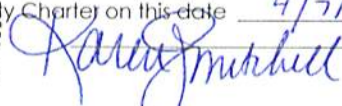
**VOTE ON ORDINANCE 2017-11:** Y 7 N 0

  
Brian Lorenz  
Mayor

4/6/17  4/7/2017  
Date Karen J. Mitchell Date  
City Clerk

**EFFECTIVE DATE:** April 4, 2017



The legislation has been posted in accordance with the City Charter on this date 4/7/2017.  
 City Clerk

Jon Bennehoof Frank Bertone Tom Counts Jiru Hivindak Brendan Newcomb Daniel Swartwout