



LEGISLATIVE COVER MEMO

Introduction: March 4, 2024

Agenda Item: **Resolution 2024-14**

AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COST SHARING AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO AND THE MONTGOMERY COUNTY ENGINEERS OFFICE, OHIO RELATING TO THE RIGHT OF WAY AND CONSTRUCTION PHASES OF THE RECONSTRUCTION OF THE DAYTON-CINCINNATI PIKE RETAINING WALL

Submitted by: Barry Conway, City Engineer

Scope/Description: This IGA allows the City of Franklin to jointly work with the Montgomery County Engineer's Office to complete the right of way and construction phases for the reconstruction of the retaining wall along Dayton-Cincinnati Pike (N. Dixie Highway). The retaining wall is approximately 791 feet long with 53% of the wall being located in the City of Franklin.

Budget Impact: The County Engineers office estimates the wall will cost approximately \$2,566,000 to reconstruct. The City share of the construction cost is approximately \$1,408,000. The City has been awarded \$785,000 from OPWC for the project. The City share of the project will come from the Capital Improvement Fund and OPWC.

Exhibits: None.

Recommendation: Staff would recommend approval of this Resolution.

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-14

AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL COST SHARING AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO AND THE MONTGOMERY COUNTY ENGINEERS OFFICE, OHIO RELATING TO THE RIGHT OF WAY AND CONSTRUCTION PHASES OF THE RECONSTRUCTION OF THE DAYTON-CINCINNATI PIKE RETAINING WALL

WHEREAS the Dayton-Cincinnati Pike Retaining Wall is believed to be over 100 years old, and requires repair and/or replacement of said wall, and

WHEREAS, the Dayton-Cincinnati Pike Retaining Wall is located along the western right of way line of Dayton-Cincinnati Pike, and supports said road as it traverses along the Great Miami River at the Montgomery/Warren County line. The Great Miami River Trail runs along the bank of the Great Miami River, between the river and the wall, and

WHEREAS, the Dayton-Cincinnati Pike Retaining Wall is situated in Miami Township, Montgomery County, as well as in the City of Franklin, Warren County. Dayton-Cincinnati Pike, as it is located within Montgomery County, is a county road, under the care and custody of the Board and the Engineer. The Dayton-Cincinnati Pike, as it is located within Warren County, is a city road, under the care and custody of the City of Franklin; and

WHEREAS, the City, the Board, and the Engineer recognize that a joint effort to perform the project will benefit the public welfare, at a cost savings to both jurisdictions compared to undertaking the improvements separately;

NOW, THEREFORE, be it resolved by the Council of the City of Franklin, Ohio, a majority of Council members present concurring, that:

Section 1. The City Manager is hereby authorized to execute the Intergovernmental Agreement between the City of Franklin, Board of County Commissioners of Montgomery County, Ohio and the Montgomery County Engineers Office, Ohio..

Section 2. The City's funding commitment is estimated at One Million, Four Hundred Eight Thousand Dollars and No Cents \$1,408,000 for the construction phase of the reconstruction of the retaining wall. Construction costs shall be paid from the funds appropriated for it by this Council in the City's operating budget in 2024.

Section 3. The City Manager is hereby also authorized to execute any other documents as may be necessary to effectuate the terms of said Intergovernmental Agreement.

Section 4. It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 5. This Resolution shall become effective immediately upon its passage.

ADOPTED: March 4, 2024

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of a resolution passed by that body on March 4, 2024.

Khristi Dunn, Clerk of Council