

**RESOLUTION NO. 82-2012**

**TITLE: ENTER INTO CONTRACT - ODOT  
RESURFACING OF WOOSTER ROAD NORTH  
FINAL RESOLUTION**

**A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PROCEED WITH THE WOOSTER ROAD NORTH RESURFACING PROJECT (PID #92727), AND DECLARING AN EMERGENCY.**

**WHEREAS**, on the 26<sup>th</sup> day of March 2012 (Ordinance No. 44-2012), the City of Barberton enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The Project consists of resurfacing 0.31 miles of Wooster Road, lying Within the City of Barberton; and**

**WHEREAS**, the City of Barberton shall cooperate with the Director of Transportation in the above described Project as follows:

**The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid AMATS funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State.**

The share of the cost of the City of Barberton is now estimated in the amount of **One Hundred Four Thousand Nine Hundred Dollars and No Cents (\$104,900.00)**, but said estimated amount is to be adjusted in order that the City of Barberton's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

**WHEREAS**, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

**WHEREAS**, the City of Barberton desires the Director of Transportation to proceed with the aforesaid highway improvement.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Barberton, Summit County, Ohio:

**SECTION 1.** That the estimated sum of One Hundred Four Thousand Nine Hundred Dollars and No Cents (\$104,900.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

**SECTION 2.** That the City of Barberton hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

**SECTION 3.** That the City of Barberton enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the City of Barberton the sum of money set forth herein above the improving the described Project.

**SECTION 4.** That the City of Barberton transmit to the Director of Transportation a fully executed copy of this Resolution.

**SECTION 5.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 6.** That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to expedite the highway project, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2012

_____	_____
Clerk of Council	President of Council

Approved \_\_\_\_\_ 2012

\_\_\_\_\_  
Mayor

