

ORDINANCE NO. 102-2023

**TITLE: ENTER INTO CONTRACT
2023 CONCRETE AND SIDEWALK REPLACEMENT PROGRAM**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT FOR THE CONSTRUCTION FOR THE 2023 CONCRETE AND SIDEWALK REPLACEMENT PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, bids are scheduled to be opened July 11, 2023.

WHEREAS, the City has a program to replace substandard sidewalks and drive approaches at commercial and residential owner occupied or non-owner occupied residential property (i.e. a rental property or other business). The City will construct the necessary improvements. After the improvements are completed, the property owner can elect to either pay for their portion of cost in cash, or have the cost plus interest assessed over a 5-year period for their portion of work. Property owners participate on a voluntary basis for this program.

WHEREAS, new sidewalk will be constructed on each of the following roadway sections:

1. Ford address #208 to address #224
2. 1st Street NE (Robinson Avenue to E Ford Avenue)
3. 1st Street NE (E Ford Avenue to E Baird Avenue)
4. 1st Street NE (E Tuscarawas to E Park Avenue)
5. 1st Street NE (E Park to E Cassell Avenue)
6. 1st Street NE (E Cassell Avenue to E Paige Ave)
7. 1st Street NE (E Paige Avenue to N Van Buren Avenue)
8. 2nd Street NE (Robinson Avenue to E Ford Avenue) (Alternate)
9. Brady Avenue from 15th Street NW to 5th Street NW

WHEREAS, in addition, a concrete pad will be installed at Decker Park to facilitate the Skateboard Park Equipment

WHEREAS, the contractor will be selected through a seal bid process, and will be awarded to the lowest and best qualified bid received.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Mayor is hereby authorized to enter into contract for the construction for the 2023 Concrete and Sidewalk Replacement Program.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance 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 3. That this ordinance 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 execute the agreement in a timely fashion, 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 July 24, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor