

ORDINANCE NO. 103-2023

**TITLE: ENTER INTO CONTRACT
SOUTH VAN BUREN RAILROAD CULVERT**

AN ORDINANCE AUTHORIZING THE CITY OF BARBERTON TO ENTER INTO CONTRACT FOR THE CONSTRUCTION OF TWO 60 INCH CHECK VALVES FOR THE SOUTH VAN BUREN RAILROAD CULVERT, AND DECLARING AN EMERGENCY.

WHEREAS, the area has a long history of flooding, in part due to the Tuscarawas River, when rising, allows river water to flow backwards through two 60-inch drainage pipes into the neighborhoods south of Snyder Avenue and near South Van Buren. This project will install check valves to eliminate this backflow, thus reducing flooding in these neighborhoods; and

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 Council hereby authorizes the City of Barberton to enter into contract for the construction of two 60-inch check valves for the South Van Buren Railroad Culvert.

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, to be allow the purchase to be made in a timely manner, 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