

**ORDINANCE NO. 105-2022**

**TITLE: ENTER INTO CONTRACT  
BURGESS & NIPLE**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BURGESS & NIPLE, THE LOWEST AND/OR BEST BIDDER, FOR ENGINEERING, DESIGN AND BIDDING SERVICES FOR THE REPLACEMENT OF A 6" WATER MAIN WITH AN 8" WATER MAIN ON WISTERIA DRIVE FROM AZALEA BOULEVARD TO AZALEA BOULEVARD AND A SMALL PORTION OF COLUMBINE DRIVE, AND TO ALSO INCLUDE COMPLETE RESURFACING OF THE ROAD, AND DECLARING AN EMERGENCY.**

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

**SECTION 1.** That the Mayor, or his designee, is authorized to enter into a professional services contract with Burgess & Niple, the lowest and/or best bidder for engineering, design and bidding services for the replacement of a 6" water main with an 8" water main on Wisteria Drive from Azalea Boulevard to Azalea Boulevard, and a small portion of Columbine Drive, and to also include complete resurfacing of the road.

**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 keep the project moving forward, 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 25, 2022

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Clerk of Council

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President of Council

Approved \_\_\_\_\_ 2022

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Mayor