

**ORDINANCE NO. 130-2012**

**TITLE:        ENTER INTO CONTRACT – TALLMADGE ASPHALT  
                 2012 STREET RESURFACING PROGRAM**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE,  
TO ENTER INTO CONTRACT WITH TALLMADGE ASPHALT, FOR THE  
2012 STREET RESURFACING PROGRAM, IN AN AMOUNT NOT TO EXCEED  
\$324,000, 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 hereby authorized to enter into  
contract with Tallmadge Asphalt, the “lowest and/or best” bidder as determined and  
awarded by the Board of Control, for the 2012 Street Resurfacing Program, in an  
amount not to exceed Three Hundred Twenty Four Thousand Dollars and No Cents  
(\$324,000.00).

**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 for the project  
to commence as soon as possible, 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

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Clerk of Council

\_\_\_\_\_  
President of Council

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

\_\_\_\_\_  
Mayor