

**RESOLUTION NO. 32-2021**

**TITLE: ENTER INTO CONTRACT – ODOT  
2ND STREET / WOOSTER ROAD / NORTON AVENUE  
FINAL RESOLUTION**

**A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE IMPROVEMENT OF 2<sup>ND</sup> STREET SW, WOOSTER ROAD NORTH AND NORTON AVENUE, (PID #108372), AND DECLARING AN EMERGENCY.**

The following Final Resolution enacted by the City of **Barberton**, Ohio hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project.

**WHEREAS**, on the **13<sup>th</sup> day of July, 2020**, the City of Barberton enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of resurfacing 2<sup>nd</sup> Street SW between Hudson Run Road and Wooster Road, Norton Avenue between Barber Road and Wooster Road, and Wooster Road North between Norton Avenue and Burt Street, including pavement repair, curb ramps, signage, and pavement markings, 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 within the city limits, less the amount of Federal-Aid 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.**

The share of the cost of the City of Barberton is now estimated in the amount of **Two Hundred Seventy Thousand Sixty-Seven and 00/100 Dollars, (\$270,067.00)**, but said estimated amount is to 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 **Two Hundred Seventy Thousand Sixty-Seven and 00/100 Dollars, (\$270,067.00)** 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 have a certified copy of the legislation returned to ODOT 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 \_\_\_\_\_ 2021

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Clerk of Council

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

Approved \_\_\_\_\_ 2021

\_\_\_\_\_  
Mayor