

**ORDINANCE NO. 38-2021**

**TITLE: ENTER INTO CONTRACT – BURGESS & NIPLE  
WOLF CREEK DAM**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BURGESS & NIPLE, THE AMOUNT NOT TO EXCEED \$49,400 FOR THE WOLF CREEK DAM INSPECTION, ADDITIONAL SERVICES FOR THE DETERMINATION OF PROBABLE MAXIMUM FLOOD (PMF) ELEVATION PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Burgess & Niple will assist with FEMA and OPWC grant applications and watershed modeling to determine the current PMF Elevation of the Wolf Creek Reservoir.

**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 a Professional Engineering Services contract with Burgess & Niple, the amount not to exceed Forty-Nine Thousand Four Hundred dollars and No Cents for the Wolf Creek Dam Inspection, Additional Services for the Determination of Probable Maximum Flood (PMF) Elevation Project.

**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 that the project moves 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 \_\_\_\_\_ 2021

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Clerk of Council

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President of Council

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

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Mayor