

ORDINANCE NO. 73-2016

**TITLE: ENTER INTO CONTRACT – ODOT
I-76/WOOSTER ROAD/EAST AVENUE INTERCHANGE**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BARBERTON AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR LONG TERM MAINTENANCE OF THE RECONSTRUCTED IR-76 / WOOSTER ROAD / EAST AVENUE INTERCHANGE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Barberton will be obligated to maintain the new connection roadways between Wooster Road North and East State Street, while the State of Ohio will maintain all constructed retaining walls and sound walls. Once completed, ODOT District 4 will file the necessary journal entries to include the new bypass streets as part of SR-619. This will ensure that the new roadways are eligible for maintenance funding under ODOT's Urban Paving Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, Summit County, Ohio that:

SECTION 1. That the Mayor is authorized to enter into a Maintenance Agreement with the Director of the Ohio Department of Transportation for long term maintenance of the reconstructed IR-76 / Wooster Road / East Avenue Interchange.

SECTION 2. 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 3. 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 _____ 2016

Clerk of Council

President of Council

Approved _____ 2016

Mayor