

ORDINANCE NO. 98-2016

**TITLE: ENTER INTO AGREEMENT
NASH HEIGHTS SEWER PROJECT**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE CITY OF NORTON FOR THE TRANSFER OF THE NASH HEIGHTS GRAVITY SANITARY SEWER IMPROVEMENT PROJECT FROM THE CITY OF NORTON TO THE CITY OF BARBERTON, INCLUDING THE ACCEPTANCE OF PUBLIC BIDS SOLICITED BY THE CITY OF NORTON, AND ALSO AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH RUDZIK EXCAVATING FOR CONSTRUCTION OF SAID PROJECT, 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 agreement with the City of Norton for the transfer of the Nash Heights Gravity Sanitary Sewer Improvement Project from the city of Norton to the City of Barberton, including the acceptance of public bids solicited by the City of Norton, and also authorizing the Mayor to enter into contract with Rudzik Excavating for construction of said 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, for the reason that the Ohio EPA has time guidelines, 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