

## RESOLUTION NO. 2021-13

### AN EMERGENCY RESOLUTION AMENDING RESOLUTION 2021-07 FOR THE REPAIR, REPLACEMENT, OR CONSTRUCTION OF CURBING, GUTTERS, SIDEWALKS, COMBINATION SIDEWALKS AND CURBS, ASPHALT PAVEMENT, AND DRIVE APPROACHES

WHEREAS, the Council for the City of St. Marys, Ohio, has entered into a program for permanent street construction within the City which requires construction, repair, or replacement of curbing, gutters, sidewalks, combination sidewalks and curbs, asphalt pavement, and drive approaches in certain areas of the City; and,

WHEREAS, it is hereby deemed necessary in 2021 to require the construction or repair or replacement of certain curbing, gutters, sidewalks, combination sidewalks and curbs, asphalt pavement, and drive approaches in the City of St. Marys.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF ST. MARYS, OHIO:

SECTION 1: That plans and specifications and estimates of the costs of the construction, repair and replacement showing the location and dimensions of certain curbing, gutters, sidewalks, combination sidewalks and curbs, drive approaches, and asphalt pavement, along with the specifications for the construction, repair or replacement thereof have been filed with the Clerk of this Council, and the same are hereby approved.

SECTION 2. It is hereby declared by this Council that it is necessary for the construction, repair and replacement of the curbing, gutters, sidewalks, combination sidewalks and curbs, drive approaches, and asphalt pavement as set forth in said plans and specifications.

SECTION 3. That the plans and specifications and estimates of costs of the proposed construction, repair and replacement filed with this Council are hereby approved.

SECTION 4. That the construction of the curbing, gutters, sidewalks, combination sidewalks and curbs, drive approaches, asphalt pavement, and the repair thereof shall be constructed, repaired or replaced on these named streets between the points of termini as follows in accordance with the specifications and plans on file in the Office of the Clerk of this Council being located in the Municipal Building, City of St. Marys, Ohio.

#### **RECONSTRUCTION:**

- 1.) Kingsbury Drive (Cheshire Dr. – Cul-De-Sac)

#### **RESURFACING:**

- 1.) ~~Webb Street (Greenville Rd. – Railroad)~~ **Ash Street (Greenville Rd. – Railroad)**
- 2.) Armstrong Street (Spruce St. – Scott St.)
- 3.) Fortman Drive (Spruce St. – W. Line of Kroger)
- 4.) W. South Street (Wayne St. – Main St.)
- 5.) ~~W. South Street (Front St. – River)~~ **Greenville Road (Ash St. – Railroad)**
- 6.) **Woodridge Drive (Stoneybrook Dr. - 350' West of Hampton Dr.)**

SECTION 5. That each of the owners of the lots or land described above shall construct, repair or replace the curbing, gutters, sidewalks, combination sidewalks and curbs, or drive approaches on said streets in accordance with the plans and specifications as set forth above within thirty (30) days from the date of service of the notice upon them to construct, repair, or replace the curb, gutters, sidewalks, combination sidewalks and curbs, or drive approaches.

SECTION 6. That in the event the property owners of the lots and lands set forth above shall fail to construct, repair and/or replace the curbing, gutters, sidewalks, combination sidewalks and curbs, and drive approaches as set forth above within the time prescribed by the notice given to them, such construction, repair and/or replacement will be made by the City of St. Marys, Ohio, and the costs thereof shall be assessed against the lots and lands abutting thereon.

SECTION 7. That a copy of this Resolution shall be served upon the owners of the lots and lands abutting upon the improvements described in this Resolution forthwith in accordance with the provisions of Section 729.03 of the Revised Code of Ohio.

SECTION 8. That this is an emergency Resolution, the reason for the emergency lies in the fact that the immediate improvements are necessary to obtain the best financial advantage to the City, all of which is necessary to the health, safety, and welfare of the citizens of St. Marys; therefore, this Resolution shall be in force and take effect immediately upon its passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
James J. Harris, President of Council

ATTEST:

\_\_\_\_\_  
Debra Kable, Clerk of Council

Approved by the Law Director this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Zach G. Ferrall, Law Director

Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Patrick McGowan, Mayor