

DATED: March 7, 2011

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 2011

BY: STREETS AND HIGHWAY COMMITTEE

TITLE: AN ORDINANCE authorizing the Safety Service Director of the City of Massillon to enter into contract for the work, supplies or materials for the emergency repair of Erie Avenue South with out the necessity of formal bidding or advertising as authorized in ORC 735.051 and declaring an emergency.

WHEREAS, a portion of Erie Avenue South in the City of Massillon, Ohio sustained serious damage and caved in because of recent heavy rains and runoff; and

WHEREAS, based upon such damage the road caved in and became impassable; and

WHEREAS, the repair and opening of such road is necessary for the orderly and efficient operation of the City of Massillon, Safety Services Department, Citizens, and Police and Fire Forces; and

WHEREAS, in order to ensure that road is repaired and opened as soon as possible, it is necessary for the road to be immediately repaired.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, OHIO:

Section 1:

The Safety Service Director of the City of Massillon, Ohio is hereby authorized to enter into contract for work, supplies or materials for the emergency repair of Erie Avenue South without the necessity of formal bidding or advertising as authorized by ORC 735.051.

Section 2:

This Council finds and determines that all formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of this council and that all deliberations of this council and of its committees that resulted in these formal actions were in meeting 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 and safety in the City of Massillon, Ohio and shall go into immediate effect for the reason that it is immediately necessary to assure continued used and accessibility of Erie Avenue South for the Citizens, Safety Forces, and other Departments of the City of Massillon.

PASSED IN COUNCIL THIS 7<sup>th</sup> DAY OF March, 2011.

ATTEST: Mary Beth Bailey  
MARY BETH BAILEY,  
CLERK OF COUNCIL

Glenn E. Gamber  
GLENN E. GAMBER, PRESIDENT

APPROVED: March 8, 2011 Francis H. Cicchinelli Jr.  
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Mary Beth Bailey  
Clerk of Council

Date 3/7/11