

ORDINANCE NO. 27-14

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SIXMO INC. TO PERFORM ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE DESIGN AND CONSTRUCTION OF AN NEW OUTDOOR AQUATIC FACILITY TO BE LOCATED ON THE FORMER PEAK PROPERTY BEHIND 36225 DETROIT ROAD AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon desires to move forward with the development of a centralized City recreation area on over 17 acres of City property located behind the Post Office at 36225 Detroit Road (the old Peak property); and

WHEREAS, the first stage of this development consists of designing and engineering an outdoor aquatic facility and appurtenances thereto along with storm, sanitary, water and roadway infrastructure improvements to provide ready access to the site from Detroit Road and State Route 83; and

WHEREAS, the Administration requested proposals from various design architects, reviewed each proposal, ranked them in order of qualification and is now ready to enter into a contract with Sixmo, Inc.; and

WHEREAS, Council has reviewed the contract for professional architectural services submitted by Sixmo, Inc. and finds the agreement to be in the best interests of the health, safety and welfare of the citizens of Avon in bringing about the development of a portion of the parkland located behind 36225 Detroit Road into an outdoor aquatic facility, together with all appurtenances thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized to enter into a contract with Sixmo, Inc. in substantially the form as set forth in the attached Exhibit A for the design of an outdoor aquatic facility and appurtenances thereto including storm, sanitary, water and roadway improvements on property the City owns behind 36225 Detroit Road (former Peak property). Said Exhibit A, when finalized, shall be incorporated herein and made a part of this ordinance.

Section 2 - Payment in the amount of Two Hundred, Fifty-Three Thousand, Eight Hundred Dollars and 00/100 Cents (\$253,800.00) Dollars shall be made from the Municipal Swimming Pool Complex Fund No. 418. Council authorizes the Finance Director to advance funds in said amount from the Recreation Income Tax Fund No. 240 to the Municipal Swimming Pool Complex Fund No. 418 to meet the obligations incurred under the terms of this proposal. Further, the Finance Director is authorized to increase the appropriation from Fund No. 240 to Fund No. 418 by a reasonable amount for additional engineering and/or legal services associated with this project.

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Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into a contract with Sixmo, Inc. for the design of an outdoor aquatic facility and all appurtenances thereto behind 36225 Detroit Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director