

ORDINANCE NO. 07-28 AC CMS

AN ORDINANCE ACCEPTING PERMANENT IMPROVEMENTS FOR OBERLIN RESERVE SUBDIVISION, PHASE III, AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the permanent improvements, including water and sewer lines, streets, and street lights, for Phase III, Oberlin Reserve Subdivision, as recorded in Vol. 74, Pages 37-39 of the Lorain County Record of Plats, except those improvements yet to be completed pursuant to the amendment to Construction Agreement approved simultaneously herewith, be and the same are hereby accepted by the City of Oberlin for ownership, operation, and maintenance pursuant to Section 1311.06 of the Codified Ordinances of the City of Oberlin.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption 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 action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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 of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to allow for the provision of public health and safety services to persons expected to be living within the subdivision at the earliest possible date", and shall take effect immediately upon passage.

PASSED: 1st Reading – February 20, 2007(E)
2nd Reading –
3rd Reading –

ATTEST:



Sheri Haury
CLERK OF COUNCIL



Daniel Gardner
PRESIDENT OF COUNCIL

POSTED: February 21, 2007

EFFECTIVE DATE: February 21, 2007

City of Oberlin

85 South Main St. Oberlin, OH 44074

Public Works Department

February 14, 2007

TO: Gary Boyle, Interim City Manager
FROM: Jeff Baumann, Public Works Director *Jeff*
RE: Acceptance of Oberlin Reserve Phase III

Staff has been working with Darryl Norris since November, 2006 to complete all necessary administrative and construction related items prior to dedication of the permanent improvements of Oberlin Reserve Phase III.

Completion of certain construction related items, most specifically the permanent turnaround, have been complicated by the discovery of buried solid waste in the Ramsey R/W. Construction (with the exception of the permanent turn-around and final grade of the storm drainage swale) are now complete and both OMLPS and the Public Works Department are prepared to accept. Final completion of outstanding items is proposed to be covered by companion legislation authorizing an amendment to the Subdivision Construction Agreement (see related memo).

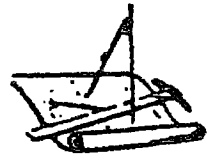
The various administrative items required by the Planning and Zoning Code have been provided by Mr. Norris and reviewed by Mr. Severs and Public Works staff. These include:

- Waivers of lien from "all suppliers, contractors and subcontractors" have been provided.
- A Title Search has been conducted in accordance with Section 1317.06
- Per Section 1317.07, Maintenance Bonds for a period of one year in the amount of 10% of the cost of construction have been received from each of Mr. Norris' three prime contractors.
- Mr. Norris' engineer/surveyor, Jim Resar of JAR Engineering has certified the improvements (copy attached) and provided as-built drawings.
- Mr. Norris' petition for acceptance is also attached.

At this time, staff is recommending that Oberlin Reserve Phase III be accepted by action of Oberlin City Council. If you have any questions, please let me know.

Cc: Steve Dupee, OMLPS Director
Keith Johnson, City Engineer
Dave Rucker, GMD Superintendent
Jerry Hade, Water Superintendent

J.A.R. Engineering & Surveying, Inc.



CONSULTING ENGINEERS / SURVEYORS

24629 Detroit Road
Westlake, Ohio 44145
Phone 440-871-8345
Fax 440-871-6175

January 11, 2007

Mr. Jeff Baumann
City of Oberlin
85 South Main Street
Oberlin, Ohio 44074

Re: Oberlin Reserve Subdivision No. 3

Dear Mr. Baumann,

The storm sewer, sanitary sewer, water main, rear yard retention system and the concrete pavement were staked out under my supervision in accordance with the approved improvement plans and the approved changes. The "as built drawings" were also prepared under my supervision.

Quality Control Inspections verified that all construction was completed in accordance with the City of Oberlin's specifications as shown by the approved improvement plans.

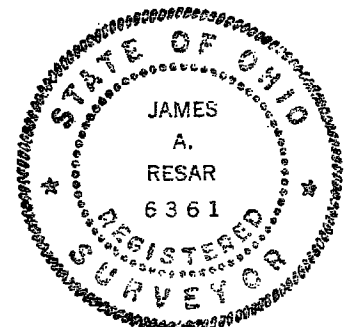
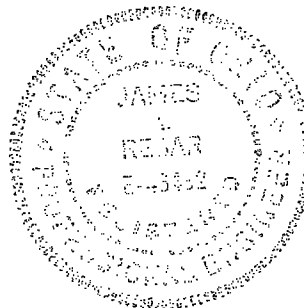
The sanitary sewer was air and mandrel tested. The tests passed.
The water main was pressure tested and chlorinated. The tests passed.
A proof roll was done on the pavement subbase and was approved for installation of the concrete. The final concrete cylinders were broken at 56 days and exceed the required 4000 psi crush strength.

All test results and video tapes have been given to the City.

I certify to the above.

J.A.R. Engineering & Surveying, Inc.


James A. Resar, P.E., P.S.



NORRIS HOMES

the splendor of living

NORRIS BUILDERS, INC.
170 MALLARD CREEK RUN
LAGRANGE, OHIO 44050
440-458-8000

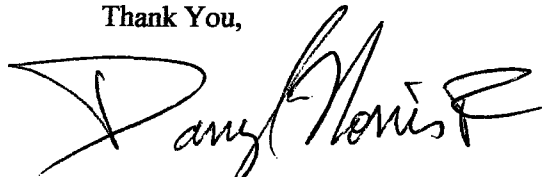
1/8/2007

City of Oberlin
85 South Main St.
Oberlin, Ohio 44074

To City of Oberlin,

We are petitioning the City of Oberlin for the acceptance of all said improvements for Oberlin Reserve Phase III. The City would be holding occupancy permits until either the temporary turn around or permanent cul-de-sac is installed.

Thank You,

A handwritten signature in black ink that reads "Darryl Norris". The signature is written in a cursive style with a large, sweeping initial "D".

Norris Builders, Inc.
Darryl Norris-Pres.