

RESOLUTION NO. 24-11

CITY OF BEAVERCREEK

SPONSORED BY COUNCIL MEMBER BALES ON THE 11TH DAY OF MARCH 2024.

A RESOLUTION DECLARING THE NECESSITY FOR THE CONSTRUCTION OR REPAIR OF CERTAIN SIDEWALKS, CURBS, OR GUTTERS IN THE CITY OF BEAVERCREEK

WHEREAS, the City's sidewalks are aging and in need of repair and maintenance; and

WHEREAS, the City implemented a sidewalk assessment program via Resolution 24____ in order to repair and maintain the City's sidewalks; and

WHEREAS, Ohio Revised Code Section 729.02 authorizes the City to require the construction or repair of sidewalks, curbs or gutters of abutting property owners within the City; and

WHEREAS, if the abutting property owner does not perform such construction or repairs, the City may make the necessary construction or repairs and assess such construction or repairs to the property owner; and

WHEREAS, in accordance with Ohio Revised Code Section 729.02, the plans, specifications, and estimate of the cost of such construction or repair have been filed with the Clerk of Council; and

WHEREAS, that upon such filing with the Clerk of Council, the City Council may declare the necessity for the construction or repair of such sidewalks, curbs or gutters by the passage of resolution.

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

SECTION I. City Council hereby declares that it is necessary for the preservation of the public health, safety and welfare of the City of Beavercreek to construct or repair certain sidewalks, curbs or gutters within the City of Beavercreek at the locations as attached hereto, made a part hereof, and referenced as Exhibit A.

SECTION II.

The plans, specifications, and estimate of the cost of such construction or repair, now on file in the office of the Clerk of Council, are hereby approved.

SECTION III.

The abutting property owners of the sidewalk, curb or gutter needing construction or repair, shall construct or repair such sidewalk, curb or gutter in accordance with the plans and specifications on file in the office of the Clerk of Council.

SECTION IV.

Such sidewalks, curbs or gutters shall be constructed or repaired by the abutting property owners no later than 60 days.

SECTION V.

In the event any such abutting property owner does not complete the required construction or repair of such sidewalk, curb or gutter which abut his or her property in accordance with the plans and specifications and within the time prescribed by this Resolution, Council will cause the construction or repair to be done and will assess the cost thereof against the lots and lands abutting thereon.

SECTION VI.

The Clerk of Council, or his or her designee, is hereby directed to serve notice of the passage of this Resolution on the abutting property owners of the locations set forth in Exhibit A in accordance with Ohio Revised Code Section 729.03.

SECTION VII.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were done in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION VIII.

This Resolution shall take effect and be in full force from and after the date of its passage.

PASSED this 11th day of March 2024.



DON ADAMS, MAYOR

ATTEST:



DEBBIE HAINES, CLERK OF COUNCIL

PREPARED BY: CITY ATTORNEY

SUMMARY

**A RESOLUTION DECLARING THE NECESSITY FOR THE CONSTRUCTION OR
REPAIR OF CERTAIN SIDEWALKS, CURBS, OR GUTTERS IN THE CITY OF
BEAVERCREEK**

4887-5070-5323, v. 1

Exhibit 'A'

2024 Sidewalk Repair Program

| House Number | Street | Owner Name | Issue to be addressed | Walk Width (ft.) | Repair Length (ft.) | Estimated Quantity (sf) | Contract Unit Cost (\$/sf) | Estimated Replacement Cost | Date Repair Area Marked with |
|--------------|----------------|------------------------------------|--------------------------------|------------------|---------------------|-------------------------|----------------------------|----------------------------|------------------------------|
| 589 | Rustic Trail | Fred & Marianne Barbano | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 579 | Rustic Trail | Charles & Gwyneth Russell | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 569 | Rustic Trail | Deborah Rhodes | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 557 | Rustic Trail | Thomas Wenzel | Crack over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 513 | Rustic Trail | Erin & Randy Knightner | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 510 | Rustic Trail | Rodney & Diana Berlin | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 522 | Rustic Trail | Rochinda Neanene | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 528 | Rustic Trail | Leslie Nurie Wightman, Trustee | Joint lifted over 4/7" | 4 | 15 | 60 | \$ 18.00 | \$ 1,080.00 | 3/1/2024 |
| 532 | Rustic Trail | Sabrina & Terry Lingle | Joint lifted over 1/2" | 4 | 45 | 180 | \$ 18.00 | \$ 3,240.00 | 3/1/2024 |
| 544 | Rustic Trail | Roland & Cindy Dutton | Joint lifted over 1/2" @ apron | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 525 | Rustic Trail | Julie Christian | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 600 | Rustic Trail | James & Susan Blackman | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 610 | Rustic Trail | Walter Lukukonis | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 590 | Rustic Trail | Jeffrey & Laura Davis | Joint lifted over 1/2" | 4 | 6 | 24 | \$ 18.00 | \$ 432.00 | 3/1/2024 |
| 519 | Viking Landing | Tanya & Jason Cahill | Joint lifted over 1/2" @ apron | 4 | 20 | 80 | \$ 18.00 | \$ 1,440.00 | 3/1/2024 |
| 526 | Viking Landing | Eileen Bocher | Crack over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 2156 | Tourney Trail | Robert Christopher & Teresa Walter | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 2146 | Tourney Trail | Zachary & Tara Brown | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 2156 | Tourney Trail | Duncan Diversall | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 1272 | Windsor Drive | Cody Rasmussen | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 2266 | Princess Drive | Karen & Christopher Ochs | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 2155 | Princess Drive | Nicholas & Nina Fielding | Joint lifted over 1/2" | 4 | 10 | 40 | \$ 18.00 | \$ 720.00 | 3/1/2024 |
| 2164 | Princess Drive | Mitchell & Meredith Rocha | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| 2174 | Princess Drive | Eric Zhou & LiJiabing | Joint lifted over 1/2" | 4 | 5 | 20 | \$ 18.00 | \$ 360.00 | 3/1/2024 |
| Totals = | | | | 231 | 924 | | | \$ 16,632.00 | |

Please note that if the City assesses the cost of the work, the final charges will include the actual construction costs, an administrative fee of \$50, plus any applicable interest charges.