

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

Exhibit 'A'

2024 Sidewalk Repair Program

House Number	Street	Greene Co Parcel ID	Owner Name	Issue to be addressed	Walk Width (ft)	Repair Length (ft)	Estimated		Contract Unit	Estimated		Marked with
							Quantity (sf)	Cost (\$/sf)		Replacement Cost	Paint	
589	Rustic Trail	BA2000600030012000	Fred & Marianne Barbaro	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
579	Rustic Trail	BA2000600030012200	Charles & Gwyneth Russell	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
569	Rustic Trail	BA2000600030012200	Deborah Rhodes	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
537	Rustic Trail	BA2000600030012300	Thomas Wenzel	Crack over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
513	Rustic Trail	BA2000600030014500	Erin & Randy Knightner	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
510	Rustic Trail	BA2000600030015000	Rodney & Diana Berlin	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
522	Rustic Trail	BA2000600030013900	Rochonda Nenonene	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
528	Rustic Trail	BA2000600030013800	Leslie Nurte Wrightman, Trustee	Joint lifted over 1/2"	4	15	60	\$ 18.00	\$	1,080.00	3/11/2024	
532	Rustic Trail	BA2000600030013500	Sabrina & Terry Lingie	Joint lifted over 1/2"	4	45	180	\$ 18.00	\$	3,240.00	3/11/2024	
544	Rustic Trail	BA2000600030012800	Roland & Cindy Dutton	Joint lifted over 1/2" @ apron	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
525	Rustic Trail	BA2000600030014200	Julie Christian	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
600	Rustic Trail	BA2000600030011200	James & Susan Blackman	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
610	Rustic Trail	BA2000600030011100	Walter Jutukonis	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
590	Rustic Trail	BA2000600030011300	Jeffrey & Laura Davis	Joint lifted over 1/2"	4	6	24	\$ 18.00	\$	432.00	3/11/2024	
519	Rustic Trail	BA2000600030013300	Tanya & Jason Cahill	Joint lifted over 1/2" @ apron	4	20	80	\$ 18.00	\$	1,440.00	3/11/2024	
526	Viking Landing	BA2000600030013100	Eileen Bocher	Crack over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
2156	Tourney Trail	BA2000500230003200	Robert Christopher & Teresa Walker	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
2146	Tourney Trail	BA2000500230003300	Zachary & Tara Brown	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
2166	Tourney Trail	BA2000500230003100	Duncan Dversdell	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
1272	Windsor Drive	BA2000500230001100	Cody Rasmussen	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
2266	Princess Drive	BA2000500190017500	Karen & Christopher Ochs	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
2165	Princess Drive	BA2000500230005000	Nicholas & Nina Yielding	Joint lifted over 1/2"	4	10	40	\$ 18.00	\$	720.00	3/11/2024	
2164	Princess Drive	BA2000500230005300	Michael & Meredith Rocha	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
2174	Princess Drive	BA2000500230005200	Eric Zhou & Li Jianbing	Joint lifted over 1/2"	4	5	20	\$ 18.00	\$	360.00	3/11/2024	
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.