

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2013-43

By Nick Haschka Sponsored By Mayor Cyril M. Kiser

## AN ORDINANCE

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR ASPHALT OVERLAYS, CONCRETE REMOVAL AND REPLACEMENT, CRACK SEALING AND BITUMINOUS SURFACE TREATMENTS TO VARIOUS CITY STREETS FOR THE ANNUAL STREET MAINTENANCE AND REHABILITATION PROGRAM, AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED** by the Council of the City of Berea, State of Ohio;

**SECTION 1.** That the Director of Public Service be, and hereby is authorized to advertise for bids and, after approval of the Board of Control, to enter into one or more contracts with the lowest, most responsive and responsible bidder(s) for asphalt, concrete, crack sealing and bituminous surface treatments for improvements to various City streets for the 2013 Street Maintenance and Rehabilitation Program, in accordance with plans and specifications on file in the office of the City Engineer.

**SECTION 2.** That the Director of Finance be, and hereby is, authorized and directed to pay out such contract sum(s) and charge the same to, and the funds therefore are hereby appropriated from the General Capital Improvement Fund and Water Capital Improvement Fund designated for accounting purposes as Fund No. 400 for the purposes set forth in Section 1 hereinabove.

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

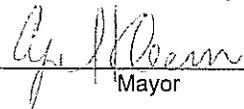
**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that effective implementation of the 2013 Street Maintenance and Rehabilitation Program must begin at the earliest date so as to maximize repair time. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: May 6, 2013

  
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President of Council

ATTEST: Alycia Vahr  
Clerk of Council

APPROVED: May 9, 2013

  
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Mayor

Approved as to Form:

  
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Director of Law