

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2015-44

By Richard T. Malott Sponsored By Mayor Cyril M. Kleem  
AN ORDINANCE

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO ONE OR MORE CONTRACTS FOR THE CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND REPLACEMENT OF A PART OF TROTTER LANE, BRIDLE LANE, YEARLING DRIVE, CANTER CIRCLE, PADDOCK CIRCLE, SHETLAND CIRCLE, SURREY CIRCLE AND STARLITE DRIVE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the area of Trotter Lane, Bridle Land, Yearling Drive, Canter Circle, Paddock Circle, Shetland Circle, Surrey Circle and Starlite Drive has deteriorated so severely that it requires significant construction, reconstruction, improvement, repair and replacement; and

**WHEREAS**, the City Council and Administration find that comprehensive construction, reconstruction, improvement, repair and replacement is needed for the area of Trotter Lane, Bridle Land, Yearling Drive, Canter Circle, Paddock Circle, Shetland Circle, Surrey Circle and Starlite Drive, and should take place over a three year time period; and

**WHEREAS**, the City, as a part of its 2015 Road Program, has budgeted the funds for the work to be done on this year's phase of this project.

**NOW, THEREFORE, 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 and directed to advertise for bids and, after approval by the Board of Control, to enter into one or more contracts with the lowest most responsive and responsible bidder(s) for the construction, reconstruction, improvement, repair and replacement of the streets in the area of Trotter Lane, Bridle Land, Yearling Drive, Canter Circle, Paddock Circle, Shetland Circle, Surrey Circle and Starlite Drive, all in accordance with the 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, designated for accounting purposes as Fund No. 400, for the purpose(s) 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 as a part of the effective implementation of the 2015 Street Maintenance and Rehabilitation Program, this project 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 18, 2015

ATTEST: [Signature]  
Clerk of Council

APPROVED: May 19, 2015

[Signature]  
President of Council

[Signature]  
Mayor

Approved as to Form:

[Signature]  
Director of Law