

COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2016-50

By Nick Haschka Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL AGREEMENTS WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF ROCK SALT FOR THE 2016-2017 WINTER SEASON, EXPRESSLY REPEALING ORDINANCE NO. 2016-30, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Berea desires to participate with ODOT in the purchase of sodium chloride (rock salt) for use in the 2016-2017 winter season, all in accordance with R. C. Section 5513.01(B).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That the Director of Public Service is hereby authorized to enter into any and all Agreements with the Ohio Department of Transportation for the City's participation in and purchase of the rock salt necessary for the 2016-2017 winter, and expressly repealing Ordinance No. 2016-30.

SECTION 2. That the City will purchase 1,500 tons of salt exclusively from the vendor awarded the sodium chloride contract for the County in which the City is located.

SECTION 3. That the City agrees to be bound by the terms and conditions of such contract and to be responsible for payment directly to the vendor for the quantities purchased under the contract; and further to hold the Director and the Department of Transportation harmless for any claims or disputes arising out of participation in a contract pursuant to R. C. Section 5513.01(B).

SECTION 4. 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 5. 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 ODOT requires that the participation ordinance be submitted to them in May of 2016 in order to be eligible for participation in the program. 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 16, 2016

ATTEST: [Signature]
Clerk of Council

APPROVED: May 17, 2016
[Signature]
Mayor

[Signature]
President of Council

Approved as to Form:

[Signature]
Director of Law