

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2016-64

By Nick Haschka Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ONE OR MORE CONTRACTS WITHOUT PUBLIC BIDDING FOR THE REPLACEMENT, INSTALLATION AND REPAIR OF THE HVAC SYSTEM SERVICING CITY HALL, AND DECLARING AN EMERGENCY.

WHEREAS, Item IX-4 of the Charter of the City of Berea provides that the Council may authorize a contract expending the funds of the City without public bidding for any item and/or service declared necessary as an emergency by three-quarters (3/4) vote of all members elected to Council; and

WHEREAS, the air conditioning system and other components of the HVAC system in the City Hall building are no longer functional; and

WHEREAS, the HVAC system requires immediate replacement, installation and repair.

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

SECTION 1. That the Council of the City of Berea declares by a vote of three-quarters (3/4) of its members that the replacement, installation and repair of the HVAC system servicing City Hall is an emergency.

SECTION 2. That the Director of Public Service be, and hereby is, authorized to enter into one or more contracts without public bidding for the replacement, installation and repair to the HVAC system servicing Berea City Hall.

SECTION 3. 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 therefor are hereby appropriated from, the General Capital Fund, designated for accounting purposes as Fund No. 400, for the purposes set forth in Section 1 hereinabove.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 action, 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 the replacement, installation and repair of the HVAC system servicing City Hall must begin at the earliest possible date. 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: July 11, 2016

ATTEST: [Signature]
Clerk of Council

APPROVED: July 21, 2016

[Signature]
President Pro Tempore of Council

[Signature]
Acting Mayor

Approved as to Form:

[Signature]
Director of Law