

# BEREA CITY COUNCIL

*City of Berea, Ohio*

## ORDINANCE NO. 2023-1

By: Councilwoman Mary K. Brown Sponsor: Mayor Cyril M. Kleem

### AN ORDINANCE

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE CONSTRUCTION OF A FINISHED WATER GROUND STORAGE TANK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, in early 2021 an old and obsolete water tank located at the Water Plant was demolished, leaving just one water tank remaining; and

**WHEREAS**, rules promulgated by the Ohio Environmental Protection Agency require that water supply facilities maintain a minimum of two finished water storage tanks to ensure disinfectant contact time and for redundancies during emergencies and maintenance procedures; and

**WHEREAS**, the EPA has directed that the City of Berea construct a second finished water ground storage tank in order to provide the required redundancy.

**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 advertise for bids and to enter into one or more contracts for the construction of a finished water ground storage tank.

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

**SECTION 3.** That is if 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.


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**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 the EPA has requested that the City take immediate action to provide the required redundancy. 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: January 3, 2023


  
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President of Council

ATTEST:   
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Clerk of Council

APPROVED: January 3, 2023

  
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Mayor

APPROVED AS TO FORM:

  
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Director of Law