

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-17

By Jim Maxwell Sponsored By Mayor Cyril M. Kleon

## AN ORDINANCE

### **AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ONE OR MORE CONTRACTS WITHOUT PUBLIC BIDDING FOR THE REPLACEMENT OF THE ROOF OF BEREA 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**, for many years the roof of Berea City Hall has repeatedly failed, requiring a patchwork of repairs; and

**WHEREAS**, for many years, funds were tentatively earmarked to provide extensive repairs and/or replacement of the roof, but due to the deterioration of other City infrastructure, those funds were redirected; and

**WHEREAS**, in addition to routine maintenance, the City has paid more than \$7,000 per year to make patchwork reactive repairs; and

**WHEREAS**, the roof continues to deteriorate and leak into the recently renovated space of the Berea Municipal Court; and

**WHEREAS**, reactive repairs are no longer feasible and do not add any value to the function of the roof; and

**WHEREAS**, the roof of Berea City Hall needs to be replaced immediately in order to prevent further damage to the space utilized by the Berea Municipal Court.

**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 roof on 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 roof at 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 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 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 for providing for the usual daily operations of a municipal department, and for the further reason that the replacement, installation and repair of the roof on Berea 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.

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-17

By Maxwell Sponsored By Mayor Klein

PASSED: April 6, 2020

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: April 7, 2020

[Signature]  
Mayor

Approved as to Form:  
[Signature]  
Director of Law