

# COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2017-9

By Rick Skoczen 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 JANANNA DRIVE, VIVIAN DRIVE AND  
KAYE STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the area of Jananna Drive, Vivian Drive and Kaye Street has deteriorated so  
severely that it requires significant construction, reconstruction, improvement, repair and  
replacement; and

WHEREAS, Council and the Administration of the City of Berea find that a comprehensive  
construction, reconstruction, improvement, repair and replacement is needed for the area of  
Jananna Drive, Vivian Drive and Kaye Street; and

WHEREAS, Council and the Administration of the City of Berea have determined that this  
work should be performed during 2017.

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

**SECTION 1.** That the Director of Public Service, or by designation, the City Engineer, be,  
and hereby is, authorized and directed to advertise for bids and, after approval by the Board of  
Control, 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 Jananna Drive, Vivian Drive and Kaye Street, 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 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 effective implementation, 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: February 21, 2017

ATTEST: Allyn Eas  
Clerk of Council

APPROVED: February 28, 2017

President of Council

Mayor

Approved as to Form:

Mark D  
Director of Law

Cyril M. Kleem  
Mayor