

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2023- __

By: _____

Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH
THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO PROVIDE CERTAIN
SERVICES RELATIVE TO THE CITY SEWERS, AS DETERMINED FROM TIME-TO-TIME, TO
FURTHER ADVANCE THE CITY'S SANITARY AND STORM SEWER MAINTENANCE PROGRAM,
APPROPRIATING THE FUNDS THEREFORE, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Berea owns and operates certain sanitary and storm sewers, catch basins, manholes, culverts and storm water detention and retention basins located in the public right-of-way and in or along easements, excluding any sanitary sewers owned and maintained by the Northeast Ohio Regional Sewer District; and

WHEREAS, pursuant to Ordinance No. 2017-34, the City of Berea entered into a contract with the Cuyahoga County Department of Public Works to provide certain services relative to the city sewers, as determined from time-to-time, to further advance the City's sanitary and storm sewer maintenance program; and

WHEREAS, the Council of the City of Berea subsequently authorized extending the contract through six yearly amendments; and

WHEREAS, the City wishes to enter into a new contract with the Cuyahoga County Department of Public Works to provide the same services, commencing April 1, 2023; and

WHEREAS, the City desires that the County directly bill the City for performing said services.

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

SECTION 1. That the Director of Public Service be, and hereby is, authorized to enter into a contract in substantially the same form as Exhibit A, with the Cuyahoga County Department of Public Works to provide certain services relative to the City sewers, as determined from time-to-time, to further advance the City's sanitary and storm sewer maintenance program for an amount not to exceed \$550,000.

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SECTION 2. 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 Sewer Capital Improvement Fund, designated for accounting purposes as Fund No. 420 and the Sewer Revenue Fund, designated for accounting purposes as Fund No. 520, for the purposes 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 certain services relative to the City's sanitary and storm sewer maintenance program should immediately commence. 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:

President of Council

ATTEST: _____
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law