

# COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2016-87

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 SELECTIVE DEMOLITION OF A PORTION OF THE WEST CENTER STREET BRIDGE OVER THE VALLEY PARKWAY, AND DECLARING AN EMERGENCY.

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

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 City was advised by the contractor conducting the ODOT bridge inspection that the West Center Street Bridge over the Valley Parkway is in critical condition; and

WHEREAS, the City was advised that the selective demolition of the bridge is necessary in order to prevent a bridge beam failure or collapse; and

WHEREAS, the City was advised that the selective demolition of the bridge should be done before the next winter freeze/thaw cycle in order to protect the safety of the community.

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 selective demolition of the West Center Street Bridge over the Valley Parkway 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 selective demolition of the West Center Street Bridge over the Valley Parkway.

**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 selective demolition must be completed at the earliest possible date, before the next winter freeze/thaw cycle. 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.

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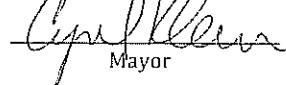
By Haschka Sponsored By Mayor Kleem

PASSED: November 21, 2016

  
President of Council

ATTEST: Philip Eas  
Clerk of Council

APPROVED: November 22, 2016

  
Mayor

Approved as to Form:

John S. Burchard  
Director of Law