

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2024- __

By: _____ Sponsor: Mayor Cyril M. Kleem; Councilman Chris McManis

AN ORDINANCE

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SOUTHWEST GENERAL HEALTH CENTER FOR THE LEVY OF A TAX AND THE PAYMENT OF THE PROCEEDS THEREOF FOR THE MAINTENANCE AND SUPPORT AND AS COMPENSATION FOR THE USE OF SAID HEALTH CENTER, AND DECLARING AN EMERGENCY.

WHEREAS, Southwest General Health Center, with its principal office in the City of Middleburg Heights, Ohio, has tendered to the City of Berea a contract covering the use, maintenance and support of said Health Center by the inhabitants of this City during a five (5) year period; and

WHEREAS, the tendered contract provides principally and in substance: (a) that the City agrees to submit to its electors for approval or disapproval at the general election to be held on November 5, 2024, the question of levying a tax of one (1) mill in excess of the ten mill limitation upon its taxable property for the five-year tax levy period comprising the years 2025 to 2029, both inclusive, to be collected in years 2026 to 2030, which amount represents a renewal of a tax of one (1) mill now being levied for such purpose for the maintenance and support and as compensation for the use of the Health Center, and subject to the approval thereof at such election, to cause such levy to be made and the proceeds thereof to be appropriated and paid to the Health Center for the purposes aforesaid; and (b) that the Health Center agrees that during the calendar years 2026 to 2030, both inclusive, the buildings, facilities and equipment in use by it for Health Center or health care service shall be at the service of and to the extent of their capacity and, subject to like use by other political subdivisions having similar contracts, provide treatment to the sick and disabled inhabitants of the City except those who, in the opinion of a majority of the Health Center Trustees, may be able to pay therefor, and that the City shall be entitled to select at least one (1) member of the Board of Trustees of the Health Center to serve during said term of years and that the remaining members of the Board shall be selected according to the provisions of its constitution and/or by-laws either now in effect or hereinafter lawfully enacted.

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

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into a contract with Southwest General Health Center, as set forth in Exhibit A, attached hereto and incorporated herein by reference, and to do all things necessary in furtherance thereof.

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SECTION 2. 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 3. 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 continued availability of adequate Health Center facilities for the inhabitants of this City cannot otherwise be assured. 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