

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2015-67

By Nick Haschka Sponsored By Mayor Cyril M. Kleem

## AN ORDINANCE

**AUTHORIZING AND DIRECTING THE MAYOR OR HIS DESIGNEE TO ENTER INTO VARIOUS CONTRACTS AND AGREEMENTS FOR A WATER METER AND WATER METER TRANSMITTING UNIT REPLACEMENT PROGRAM, AUTHORIZING THE DIRECTOR OF FINANCE TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK EXPENDITURES, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Berea water treatment and distribution system is a vital and essential part of our infrastructure; and

WHEREAS, regular maintenance and upkeep of the system includes replacement of, and upgrades to, water meters used by homes and businesses connected to the system; and

WHEREAS, the Council of the City of Berea hereby determines that an ongoing program of water meter and water meter transmitting unit replacement and upgrade is an essential part of the upkeep and maintenance of the water distribution system of the City of Berea.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BERE, STATE OF OHIO:**

**SECTION 1.** The Mayor and/or his designee, on behalf of the city of Berea, is authorized to enter into agreements with providers approved by the Board of Control for the purchase of water meters and meter transmitting units (MTUs) and technical services to integrate the new MTUs with the existing Automated Meter Reading System (AMR). All such agreements shall be approved by the Board of Control before execution.

**SECTION 2.** The Mayor and/or his designee, on behalf of the City of Berea, is further authorized and directed to advertise requests for qualifications, receive submissions and enter into contract or contracts with a professional installation firm or firms to schedule appointments, replace meters and MTUs, and provide project management for the scheduling and replacement of meters and MTUs. This contract shall require Board of Control approval before execution.

**SECTION 3.** The Mayor and/or his designee, on behalf of the City of Berea, is further authorized, after approval by the Board of Control, to enter into a professional services contract with a qualified company for project oversight services during the replacement period.

**SECTION 4.** The Mayor and/or his designee, on behalf of the City of Berea, is further authorized and directed to apply for and enter into contract with the Ohio Environmental Protection Agency, through the OWDA, for a low interest Water Supply Revolving Loan Account (WSRLA) in an amount calculated to provide for the conduct of the program, approved by OWDA, and to be amortized over a maximum twenty-year period.

**SECTION 5.** The Director of Finance, on behalf of the City of Berea, is authorized and directed to receive all loan and revenue proceeds and track expenditures related to the project in a Water Meter/MTU Replacement Fund, and to draw warrants upon receipt of vouchers duly approved by the proper departmental authority.

**SECTION 6.** 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.

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**SECTION 7.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it is immediately necessary to avoid delay to the Water Meter and MTU Replacement Program. 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: November 2, 2015

[Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: November 2, 2015  
[Signature]  
Mayor

Approved as to Form:

[Signature]  
Director of Law