

RESOLUTION NO. 2021- 1

A RESOLUTION AUTHORIZING AN EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$45,000 TO BROADWAY EXCAVATING FOR THE EMERGENCY REPAIR OF A 7' STORM SEWER AT 441 FAIRWAY, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to R.C. 735.051, the legislative authority of a municipality may, by two thirds majority vote, authorize the director of public service to enter into a contract for work to be done without formal bidding or advertising in the case of a real and present emergency arising in connection with the operation and maintenance a municipal public service department, utility, or department of public safety; and

WHEREAS, the Director of Public Service, together with the City Engineer, have identified a real and present emergency need to repair a seven (7) foot diameter storm sewer located in the right of way and apron at 441 Fairway, within the City of Willowick, Ohio, that requires immediate repair such that formal bidding or advertising would compromise the public peace, health, safety, and welfare of the inhabitants of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOWICK, THE COUNTY OF LAKE, AND THE STATE OF OHIO:

SECTION 1. That an expenditure of an amount not to exceed Forty-Five Thousand Dollars (\$45,000) to Broadway Excavating., 27111 Wolf Road, Bay Village, Ohio, for repair and associated work to a 7' storm sewer at 441 Fairway, Willowick, Ohio, is hereby approved and the Mayor is authorized to proceed to enter into a contract with Broadway Excavating in accordance with the quote annexed hereto as Exhibit A, without formal bidding or advertising, said amount to be expended from the Stormwater Management Capital Improvement Fund (420).

SECTION 2. All formal actions of this Council concerning the passage of this Resolution were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for the further reason that this emergency repair is necessary to maintain the municipal storm sewer system and roadway, provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its adoption by Council and approval by the Mayor.

WHEREFORE, this Resolution shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Adopted by Council: _____, 2020

Robert Patton, Council President

Submitted to the Mayor: _____, 2020

Richard J. Regovich, Mayor

Approved by the Mayor: _____, 2020

ATTEST: _____
Angela Trend, Clerk of Council