

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
JENNIFER SOMMERS GREER
CHRISTOPHER HALLUM
JANET R. MAJKA

ORDINANCE NO. 2016-48

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXPEND UP TO \$30,000 FOR ASPHALT HAULING SERVICES REQUIRED FOR THE WORRELL ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, on February 25, 2016, Council adopted Ordinance No. 2016-7 accepting the bid of Osborne Concrete and Stone for the purchase of asphalt for the year 2016, said bid did not include the delivery of the asphalt; and

WHEREAS, on September 8, 2016, Council adopted Ordinance No. 2016-43 accepting the bid of Specialized Construction, Inc. of Cuyahoga Heights, Ohio for the Worrell Road Resurfacing Project; and

WHEREAS, the Worrell Road Resurfacing Project is currently underway and is being jointly undertaken by the Cities of Willoughby Hills and Kirtland with the project cost being shared equally by both Cities; and

WHEREAS, both cities received a grant from the Ohio Public Works Commission that will fund one half of the total project cost; and

WHEREAS, the asphalt to pave the road will be purchased from the Osborne Concrete and Stone Company as bid earlier this year; however, Osborne's price for asphalt does not include delivery to the job site, therefore, the City must rent trucks and drivers to haul the asphalt from Osborne's plant to Worrell Road; and

WHEREAS, Road Superintendent Mark Grubiss estimated that the cost of asphalt hauling would be approximately \$24,000 or less; accordingly, purchase orders to two trucking firms, Cuyahoga Valley Trucking and Badger Transfer, LLC have been issued for this service; and

WHEREAS, the above mentioned purchase orders are based upon the engineer's estimates of quantities and the amount of time it will take to drive from the asphalt plant to Worrell Road; and

WHEREAS, *Section 115.02 – Expenditures for all Departments* of the Codified Ordinances of the City of Willoughby Hills provides that the Mayor is authorized to make purchases for any department of the City for materials, supplies, equipment, labor, professional services or related items up to the amount of twenty-five thousand dollars (\$25,000) per purchase, provided that sufficient sums within such department(s) for such expenditures have been approved; and

WHEREAS, on October 7, 2016 the Finance Director issued an Interoffice Memo to the Council President and to the Members of Council requesting Council to authorize payment in excess of \$25,000 for the hauling of asphalt for the Worrell Road Resurfacing Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. Council hereby authorizes the expenditure of \$30,000 from the Road Levy Fund #270 for the cost of asphalt hauling services for the Worrell Road Resurfacing Project.

SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Municipality and further reason being to immediately provide for the expense of hauling services required for the Worrell Road Resurfacing Project as said expense will exceed the Mayor's authorized purchasing limit of \$25,000 set forth in Section 115.02 of the City's Codified Ordinances.

PASSED: October 27, 2016

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 27 day of October, 2016

Approved by the Mayor

October 27, 2016

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor