

ORDINANCE NO. 106-13

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH JONES & HENRY ENGINEERS, LTD. TO PERFORM
A SANITARY SEWER AND WATER RATE STUDY
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon desires to review its sanitary sewer and water rates to determine if they are sufficient to provide for future capital improvements to these systems in years to come; and

WHEREAS, the City Engineer and the Administration, after conducting a thorough review of all the qualifications of the various design professionals, is prepared to move forward with Jones & Henry Engineers, Ltd. for purposes of conducting the study; and

WHEREAS, Council, having reviewed the proposal for professional services submitted by Jones & Henry Engineers, Ltd., finds their proposal to be best suited to the rate study being contemplated and considers adoption of their proposal by the Administration to be in the best interests of the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the City is hereby authorized to enter into a contact/accept the proposal of Jones & Henry Engineering, Ltd. for professional engineering services to oversee the sanitary sewer and water rate study for the City of Avon, a copy of which is set forth in Exhibit A and incorporated herein by reference.

Section 2 - The Finance Director is hereby authorized to advance funds in the amount of Seventeen Thousand Dollars and no cents (\$17,000.00) from the Water Fund No. 611 and Seventeen Thousand Dollars and no cents (\$17,000.00) from the Sanitary Sewer #2 Fund No. 631 to meet the obligations incurred under the terms of this contract and to cover other costs incurred for legal services associated with this project. This Ordinance shall authorize said funds to be appropriated and encumbered by the Finance Director and paid pursuant to his directives.

Section 3 - 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to proceed with the sanitary sewer and water

rate study; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, President of Council

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director