ORDINANCE NO. 154-26

AN ORDINANCE AUTHORIZING AN EXPENDITURE TO FECHKO EXCAVATING FOR EMERGENCY EXCAVATION AND DEWATERING ON THE GRANGER ROAD WATER LINE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS: This Ordinance will provide for the efficient and lawful certifications to provide Municipal Services; and

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 2: The City of Medina contracted with NextGen Underground LLC to install a 24-inch steel casing and 16-inch waterline. The waterline installation project was to have been completed by August 31, 2026. There are large, open trenches on either side of Rocky River where waterline casing was to have been installed. NextGen has failed to complete installation of the steel casing and waterline pursuant to the written terms of the contract that involves these matters. The open trenches on either side of Rocky River constitute a dangerous hazard, and it is at this point necessary to contract with Fechko Excavating on an emergency basis so as to eliminate the hazard and complete the casing and waterline project.

SEC. 3: That the expenditure of $44,018.54 is hereby authorized to Fechko Excavating for the emergency excavation and dewatering on the Granger Road Water Line Project.

SEC. 4: That the funds to cover this expenditure are available in Account No. 108-0610-54414.

SEC. 5: 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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 6: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the current conditions constitute a danger to the public; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____ **SIGNED:** _____
President of Council

ATTEST: _____ **APPROVED:** _____
Clerk of Council

SIGNED: _____
Mayor