

ORDINANCE NO. 2016-112

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A HOSE TESTING EQUIPMENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND RAVENNA TOWNSHIP TO JOINTLY PARTICIPATE IN ACQUIRING HOSE TESTING EQUIPMENT FOR THE PURPOSE OF FIRE TRUCK HOSE TESTING; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enter into a Memorandum of Understanding with Ravenna Township to jointly participate in acquiring hose testing equipment for the purpose of fire truck hose testing; and

WHEREAS, the City of Kent will purchase the hose testing equipment and the total cost will be divided as follows: City of Kent will pay two-thirds (2/3), Ravenna Township will pay one-third (1/3); and

WHEREAS, the maintenance costs of the hose testing equipment will be divided the same way as above.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

**SECTION 1.** That Council does hereby authorize the City Manager, or his designee, to enter into a Memorandum of Understanding between the City of Kent and Ravenna Township to jointly participate in acquiring hose testing equipment for the purpose of fire truck hose testing, and is more fully described in the MOU attached and marked as Exhibit "A" attached hereto and incorporated herein.

**SECTION 2.** That 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: December 14, 2016  
Date

J. Fiala  
Jerry T. Fiala  
Mayor and President of Council

EFFECTIVE: December 14, 2016  
Date

ATTEST: Tara Grimm  
Tara Grimm, CMC  
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
TARA GRIMM, CMC  
CLERK OF COUNCIL  
(SEAL)

MEMORANDUM OF UNDERSTANDING  
REGARDING ACQUISITION AND USE OF PUMP TESTING EQUIPMENT

WHEREAS, Pursuant to R.C. 505.37(B), the board of township trustees of two or more townships, the legislative authorities of two or more political subdivisions, or a combination thereof, may through joint action, purchase, maintain, and operate firefighting equipment.

WHEREAS, Suffield Township, Brimfield Township, City of Kent, Village of Mogadore, Randolph Township, and Rootstown Township ("political subdivisions) desire to jointly participate in acquiring test gauges and test tips for the purpose of fire truck pump testing ("pump testing equipment"). The pump testing equipment is to be maintained and used as described herein.

Now Therefore, the participating political subdivisions, hereby agree as follows:

1. Suffield Township will purchase the test gauges and test tips and will send notice to the participating political subdivisions as to the total cost for the pump testing equipment, which shall be divided equally among the participating political subdivisions.
2. Suffield Township will keep the pump testing equipment at its fire station, with the participating political subdivisions having access to the equipment, with reasonable and appropriate days and times for usage being arrived at by the participating political subdivisions.
3. The maintenance costs of the pump testing equipment will be paid in equal shares by the participating political subdivisions, with notice of such costs being provided by Suffield Township to the participating political subdivisions.
4. Any participating political subdivision may terminate its participation in this joint arrangement by providing thirty (30) days prior written notice of its intent to terminate participation, after which time the political subdivision terminating participation shall be released from any future obligation under this memorandum of understanding, as well as relinquishing any right to any future use of the pump testing equipment.
5. The participating political subdivisions will adopt the appropriate ordinance or resolution to authorize execution of this document.

The participating political subdivisions, through their respective officials, have agreed to and executed this memorandum on the dates listed below their respective names.

**Signature page for pump test equipment consortium.**

For the **City of Kent**

By \_\_\_\_\_  
City Manager

\_\_\_\_\_  
Chief, City of Kent Fire Dept.

Date: \_\_\_\_\_