

ORDINANCE NO. 2022 -084

**AN ORDINANCE APPROVING THE EMERGENCY REPAIRS TO THE FAIRCHILD WATER TOWER COMPLETED BY KENMORE CONSTRUCTION COMPANIES, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.**

**WHEREAS**, on April 24, 2022, the tower failed and released its supply of water causing damage to the tower and surrounding area; and

**WHEREAS**, Kenmore Construction Companies was called for an emergency repair to the tower to stabilize the foundation; and

**WHEREAS**, the Service Department is requesting approval for the payment to Kenmore Construction Companies for the completion of the emergency repairs.

**WHEREAS**, pursuant to R.C 743.11 such emergency work is permitted without competitive bidding or advertising.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio:

**SECTION 1.** That the Kent City Council authorizes the City Manager or his designee to pay Kenmore Construction Companies for the emergency repairs to the Fairchild Water Tower and the competitive bidding requirements are hereby waived.

**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: August 17, 2022  
Date

August 17, 2022  
Date

EFFECTIVE: Date

ATTEST: Amy Wilkens  
Amy Wilkens  
Clerk of Council

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

I, AMY WILKENS, 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.* 2022-084, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON August 17, 2022.

(SEAL)

  
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AMY WILKENS  
CLERK OF COUNCIL