

CITY OF OBERLIN, OHIO

ORDINANCE No. 22-69 AC CMS

AN ORDINANCE DETERMINING THAT A REAL AND PRESENT EMERGENCY EXISTS IN THE OBERLIN MUNICIPAL LIGHT AND POWER SYSTEM DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HETRICK MFG. INC. OF LOWER BURRELL, PA, TO REMANUFACTURE ONE (1) JACKET WATER HEAT EXCHANGER AND ONE (1) LUBE OIL HEAT EXCHANGER AS AN EMERGENCY MEASURE

WHEREAS, the City owns, operates and maintains the Oberlin Municipal Light and Power System Department to supply light and power to the citizens of Oberlin; and

WHEREAS, the jacket water heat exchanger and lube oil heat exchanger on Engine #6 have failed and Engine #6 will be unable to meet peak shaving demand in May of 2023 unless the heat exchangers are remanufactured and replaced; and,

WHEREAS, the anticipated time for the removal, rebuilding and re-installation of the heat exchangers is estimated at up to 17 weeks.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That under the provisions of Section 735.051 of the Ohio Revised Code it is hereby declared and determined that a real and present emergency exists in the Oberlin Municipal Light and Power System Department due to the failure of the jacket water and lube oil heat exchangers on Engine #6 requiring that they must be replaced prior to the peaking season beginning in June of 2023 requiring immediate authority for the City Manager to enter into an agreement without advertisement or competitive bidding for the remanufacturing of the jacket water heat exchanger and lube oil heat exchanger.

SECTION 2. That subject to Law Director final approval, the City Manager is hereby authorized and directed to enter into a contract with the Hetrick Mfg., Inc. of Lower Burrell, PA, to remanufacture the jacket water and lube oil heat exchangers for Engine #6 in an amount not to exceed \$125,000.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or 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, 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 immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to facilitate the timely removal, remanufacturing and re-installation of the jacket water and lube oil heat exchangers in time for the peaking season beginning in May of 2023 so as to ensure the

continuous supply of light and power services to the citizens of Oberlin and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: November 7, 2022
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 11/08/2022

EFFECTIVE DATE: 11/07/2022