

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH NERONE & SONS, INC., FOR THE
LOWER POND DAM AND STREAM RESTORATION PHASE
1C PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, the Village solicited bids in accordance with Ohio law for the Lower Pond Dam and Stream Restoration Phase 1C project; and

WHEREAS, bids were received on January 4, 2012; and

WHEREAS, the Village Engineer reviewed and evaluated the bids received; and

WHEREAS, based upon the recommendation of the Village Engineer, the Village hereby determines Nerone & Sons, Inc., to be the lowest and best bidder.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into an agreement with Nerone & Sons, Inc., 19501 S. Miles Road, Warrensville Heights, Ohio, 44128, for the Lower Pond Dam and Stream Restoration Phase 1C project in an amount not to exceed sixty-one thousand two hundred dollars (\$61,200) in accordance with the specifications on file with the Village Engineer.

SECTION 2. That sufficient funds are hereby appropriated to pay for the agreement authorized herein.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the necessary dam and stream restoration work may begin immediately; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect

from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: January 9, 2012



Council President

Submitted to the Mayor for
his approval on this
10 day of January, 2012

Approved by the Mayor
January 10, 2012



Mayor

I hereby certify that Ordinance No. 2012- 02 was duly enacted on the 9 day of January, 2012, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council