

FIRST READING: 4-3-23
SECOND READING: 4-10-23
THIRD READING: 4-24-23

ORDINANCE NO. 33-23

BY: THOMAS J. HUNT

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO REIMBURSE ZENITH SYSTEMS FOR ELECTRIC UTILITY SERVICE CHARGES DURING THE CONSTRUCTION OF THE POLICE STATION IN AN AMOUNT NOT TO EXCEED \$45,659.50, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: Zenith Systems paid for all electric service charges during the construction of the Police Station beginning February 3, 2021 through July 1, 2022; and

WHEREAS: the City of Rocky River shall reimburse Zenith Systems for these charges at a cost not to exceed Forty Five Thousand Six Hundred Fifty Nine Dollars and 50/100 (\$45,659.50), as further described in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Mayor of the City of Rocky River is hereby authorized to reimburse Zenith Systems, 5055 Corbin Drive, Bedford Heights, OH 44128 in an amount not to exceed Forty Five Thousand Six Hundred Fifty Nine Dollars and 50/100 (\$45,659.50), as further described in the attached Exhibit "A".

SECTION 2. That funds for the payment of said services shall be paid from the General Fund Public Buildings-Electric account.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that it is necessary reimburse Zenith Systems in an expedient manner and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 24th, 2023


JAMES W. MORAN,
President of Council

PRESENTED
TO MAYOR: April 24th, 2023

APPROVED, April 24th, 2023

ATTEST:

SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
Mayor

It is hereby certified that the amount required for the execution of this Ordinance has been lawfully appropriated or authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the fund described herein free from any obligation or certification now outstanding.


MICHAEL THOMAS, CPA, Director of Finance

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 24th day of April, 2023.


Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 33-23 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 24th DAY OF April, 2023 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 33-23

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 24th DAY OF April, 2023.

Andrew G. Bujan
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

MEMORANDUM

DATE: March 30, 2023

TO: Councilman Thomas J. Hunt

CC: Councilman Moran

Mayor Bobst

Sue Pease

Rich Snyder

FROM: Mike Balla, Director of Public Facilities and Maintenance

RE: Zenith Systems reimbursement

During construction of the new Police Station, Zenith Systems paid for all the site electrical charges after the new building electrical service was installed. Once the City of Rocky River took possession of the new building the electrical service charges were never transferred to the City of Rocky River.

Once this oversite was discovered, the billing was corrected and after comparing bills directly from First Energy and Zenith, it was determined that the City of Rocky River should reimburse Zenith Systems for the charges between February 3, 2021 through July 1, 2022 totaling Forty-Five Thousand Six Hundred Fifty-Nine Dollars and 50/100 (\$45,659.50).