

VILLAGE OF WINDHAM
OHIO
RESOLUTION NO. R-2010-21

A RESOLUTION AUTHORIZING DESIGN PROFESSIONAL SERVICES AGREEMENT
WITH BURGESS & NIPLE AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Windham has determined that Main Street section from the Ravenna Arsenal Gate to the Ohio Turnpike Overpass within the Village requires various improvements including gutter planning, minor pavement repairs and pavement resurfacing, all of which hereinafter are referred to as the "Main Street Project"; and

WHEREAS, in order to pay for the Main Street Project, the Village of Windham has applied for and received various grants; and

WHEREAS, an engineering firm is needed in order to provide design professional services to the Village of Windham for the improvements of the Main Street Project; and

WHEREAS, at its regular meeting held on April 28, 2010, the Council of the Village of Windham passed a motion authorizing the Mayor and the Fiscal Officer to enter into a contract with the engineering firm of Burgess & Niple for design professional services for the Main Street Project; and

WHEREAS, the Council of the Village of Windham wishes to ratify the action taken by motion at the April 28, 2010 regular council meeting to approve the design professional contract with Burgess & Niple.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The actions taken by the Mayor, Fiscal Officer and other members of the administration and staff of the Village of Windham pursuant to the motion to approve the Burgess & Niple design professional contract for the Main Street Project are hereby approved and ratified.

Section 2: That the actions of the Mayor and the Fiscal Officer executing the contract between the Village of Windham and Burgess & Niple, in substantial conformity with the Exhibit attached hereto and marked for identification as Exhibit "A" are hereby ratified.

Section 3: This Resolution is declared to be an emergency measure effective immediately upon its passage by Council and approval by the Mayor, necessary to preserve the public health, safety, morals and general welfare of the citizens of the Village of Windham, and for the further reason that the Village of Windham needs to have the contract in place in order to pursue competitive bidding in a timely fashion on the Main Street Project so that the Project can be accomplished in the summer of 2010.

Section 4: It is hereby found and determined that all actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Passed as an emergency this 26th day of May 2010.

Vote of Council: Ayes: Mrs. Rininger, Mrs. Meszaros, Mr. Garrett, Mrs. Barrett, Mr. Snyder, Mrs. Miranda Nays: None.

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Mayor, Robert Donham II

Approved as to form:

Thomas Reitz, Solicitor