

RESOLUTION R-2017-5

A RESOLUTION ACKNOWLEDGING AND APPROVING AMENDMENTS TO THE WVFD JOINT FIRE DISTRICT RESOLUTION, AND APPROVING ACTION IN RESPONSE THE AMENDMENT

WHEREAS, the Village of Windham is a member of the WVFD Joint Fire District, (hereinafter the "WVFDJFD"); and

WHEREAS, in conformity with the regulations contained in the Joint Resolution for the Creation and Operation of the WVFD Joint Fire District (hereinafter the "Joint Resolution"), on October 12, 2016 the WVFDJFD has amended the Joint Resolution; and

WHEREAS, the amendment to the Joint Resolution adjusted some of the obligations of the Village of Windham to the WVFDJFD, and specifically created an obligation to annually pay \$7,000.00 in two equal payments of \$3,500.00 to the WVFDJFD beginning in 2016 and ending in 2019; and

WHEREAS, the Council of the Village of Windham has decided to take the action necessary to carry into effect the Village responsibilities with respect to this payment under the Joint Resolution as amended; and

WHEREAS, the Council of the Village of Windham also has asked that Article XXI, Water be clarified by the addition of text which prohibits personal use of the water provided by the Village to the WVFDJFD Joint Fire District..

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: That the Village Council acknowledges the amendments to the Districts Joint Resolution set forth in the Exhibit attached hereto and marked for identification as Exhibit "A" and resolves to remain in the WVFDJFD.

Section 2: That the Village Council approves the payment of \$7,000.00 annually, in two payments each year of \$3,500.00 to the WVFDJFD beginning in 2016 and ending in 2019 as satisfaction in full of the Village obligation to provide Dispatch services to the WVFDJFD for the first 10 years of the existence of the WVFDJFD. The Fiscal Officer is hereby authorized to make the payments set forth in this Resolution, and to the extent the Village has not made payments which are at this time due the Fiscal Officer is authorized to make payment as is needed to bring the payments to the WVFDJFD for dispatch services current.

Section 3: The payments set forth in Section 2 of this Resolution are not authorized until the WVFDJFD commits to the Village, by separate Resolution, that upon the payment of \$7,000.00 in conformity with the payment schedule set forth in Section 2 of this Resolution the Village obligation to the WVFDJFD to provide Dispatch services to the WVFDJFD will be fully satisfied and no further obligation then exists from the Village to the WVFDJFD for Dispatch services.

Section 4: That the Village Council approves the insertion of the following sentence at the end of the first paragraph in Article XXI of the Joint Resolution: "The WVFD Joint Fire District agrees

that in consideration of the Village providing water without charge, individuals are prohibited from using the water supplied to the WVFD Joint Fire District for any purpose not directly related to the operation of the District.”

Section 5: 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.

First Reading January 24, 2017
Second Reading February 28, 2017
Passed in Council on Third Reading March 28, 2017

Vote of Council: Ayes: 5
 Nays: 0

By: _____
Deborah Blewitt, Mayor

Attest:

Fiscal Officer – Cheree Taylor

Approved as to form:

Village Solicitor – Thomas Reitz