

RESOLUTION 2023 - 03

A RESOLUTION TO APPROVE AN AGREEMENT WITH OHIO EDISON TO INSTALL LED STREET LIGHTS IN THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY.

WHEREAS, a number of street lights exist in the Village of Windham; and

WHEREAS, many of these street lights are inoperable and in need of repair; and

WHEREAS, the sole provider of streetlights in the Village is a utility that has a monopoly on the provision of electric service and street lights, and monopoly holder is the Ohio Edison Company; and

WHEREAS, the Ohio Edison Company has offered an agreement to replace, as needed, the existing failed street lights in the Village with light emitting diode (LED) lights, which LED lights are more energy efficient and do not generate as much heat as the HPS, Mercury, and Metal Halide lights that will be replaced.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, Portage County, Ohio at least two-thirds (2/3) of all members elected thereto concurring:

Section 1: The Village Council of Windham, Portage County, Ohio, hereby acknowledges that the replacement of street lights in the Village of Windham is only available from the Ohio Edison Company, that is the Ohio Edison Company is the sole source of the lights needed by the Village.

Section 2: The Village Council of Windham, Portage County, Ohio, hereby authorizes the Mayor and the Fiscal Officer to execute an agreement in substantial conformity with the attached LED Street Lighting Agreement marked for identification as Exhibit A and incorporated herein by reference, and to execute the associated Tariff Option 3 in substantial conformity with the attached Schedule C.

Section 3: This Resolution is hereby declared to be an emergency measure, becoming effective immediately on passage by Council and approval by the Mayor, necessary to protect the health, safety, morals and general welfare of the community, and for the further reason that the Village of Windham is presently in need of repair or replacement of many street lights.

Section 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Passed as an Emergency on May 23, 2023.

Attest:

Approved:

Fiscal Officer, *Katrina Washington*

Mayor, *Scott Garrett*

Approved as to Legal Form:

Solicitor, *Thomas Reitz*