

**A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT FOR FINANCING WITH KANSAS STATE BANK TO PAY FOR THE REPLACEMENT OF WATER METERS THROUGHOUT THE WHOLE OF THE VILLAGE AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Windham has previously been advised by the Village Administrator that the majority of the water meters throughout the whole of the Village are in poor condition and in need of replacement; and

**WHEREAS**, the Council of the Village of Windham has authorized advertisement for bids from suitable contractors to replace substantially all of the water meters within the Village and has subsequently awarded a contract to Utility Sales Agency, LLC as the lowest responsive and responsible bidder; and

**WHEREAS**, the cost of this overall replacement of water meters will be substantial and credit will be needed in order to pay for the replacement in a timely fashion.

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

**Section 1:** The actions of the Mayor, Fiscal Officer and Village Administrator in obtaining financing with Kansas State Bank are hereby ratified, confirmed and approved.

**Section 2:** The Mayor and the Fiscal Officer are hereby authorized to execute on behalf of the Village, a financing agreement with Kansas State Bank in substantial conformity with the attached Exhibit "A".

**Section 3:** This Resolution is declared to be an emergency measure, effective immediately upon its passage and approval by the Mayor, and 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 apply for financing now in order to have funds on hand to pay for the replacement of water meters throughout the whole of the Village at the earliest possible time.

**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 by Council as an Emergency on this the 20<sup>th</sup> day of December, 2011.

Vote of Council: Ayes: Mrs. Barrett, Mrs. Miranda, Mr. Garrett, Mr. Snyder, Mrs. Meszaros

Nays: None.

Attest:

Approved:

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Village Fiscal Officer, Lloyd Billman

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Mayor, Robert Donham II

Approved as to Legal Form:

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Solicitor, Thomas Reitz