

RESOLUTION R-2010-55

A RESOLUTION AUTHORIZING SUPPORT TO THE PORTAGE COUNTY DISTRICT LIBRARY FOR THE BRANCH WITHIN THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY

WHEREAS, the Portage County Public Library has provided a useful, beneficial and regularly used service to the citizens in the Village of Windham by maintaining a branch of the Portage County Public Library within the Village of Windham at 9647 East Center Street for many years; and

WHEREAS, circumstances have arisen where it is in the best interest of both the Portage County Library and the Village of Windham that the location for the Windham Branch of the Portage County Library should no longer be maintained at 9647 East Center Street, within the Village of Windham; and

WHEREAS, the Portage County Library has located its Windham Branch 9647 East Center Street in property owned by, and leased from, the Village of Windham; and

WHEREAS, relocation of the Windham Branch of the Portage County Library from the property at 9647 East Center Street does not diminish the commitment of the Village of Windham to maintain a branch of the Portage County Library within the Village of Windham.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Windham, Portage County, Ohio, two thirds (2/3rds) or more of the members thereto concurring that:

SECTION 1: Supporting a branch of the Portage County Public Library located within the municipal limits of the Village of Windham is an action which advances a public purpose and increases the general welfare of the citizens within the Village.

SECTION 2: The Village of Windham hereby commits to support the Portage County Public Library in an amount up to Eight Hundred Dollars (\$800.00) per month, in order to maintain a branch of the Portage County Library within the Village, conditioned upon the following requirements:

A) That the Portage County Library relocates and maintains the Windham Branch of the Library within the Windham Village municipal limits.

B) The complete release and discharge of the Village of Windham from any and all liabilities resulting from a certain agreement between the Village of Windham and the Board of Trustees of the Portage County Library dated February 19, 1986 and from the termination of the tenancy of the Portage County Library at 9647 East Center Street within the Village of Windham, whether such tenancy results from an oral or written lease or any other verbal understanding or course of conduct.

SECTION 3: The payments contemplated in this Resolution shall begin on January 1, 2011 or as soon thereafter as the Portage County Library relocates a library branch within the Village Municipal limits.

SECTION 4: This Resolution is declared to be an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor, for the reason that it is essential to assure the Portage County Library Consortium of the Village Council's continued economic support for a branch of the Portage County Library Consortium located within the Village of Windham.

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

Passed by Council as an emergency on the 23rd of November, 2010.

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

ATTEST:

APPROVED:

Fiscal Officer, Lloyd Billman

Mayor Robert Donham, II

Approved as to form:

Solicitor, Thomas Reitz