

RESOLUTION R-2013-21

**A RESOLUTION AUTHORIZING THE USE OF VILLAGE EMPLOYEES, AS DIRECTED
BY THE VILLAGE ADMINISTRATOR, TO COMPLY WITH THE CULVERT
REPLACEMENT POLICY ESTABLISHED BY THE VILLAGE ADMINISTRATOR**

WHEREAS, pursuant to the authority set forth in Ohio Revised Code 735.273, the Village Administrator has the authority to establish policies with respect to the administration of utilities and infrastructure within the Village of Windham; and

WHEREAS, the Village Administrator has established a culvert replacement policy wherein culverts underneath driveways designed to manage storm water within the Village can be replaced by a mutual effort between the landowner and the Village of Windham so as to benefit the whole of the Windham community by enhancing storm water management; and

WHEREAS, the Council of the Village of Windham desires, by this Resolution, to acknowledge and approve the use of Village employees in the fashion set forth in the Village Administrator's policy so as to improve the storm water management within the Village.

NOW THEREFORE BE IT RESOLVED by a majority of the members elected to the Village Council as follows:

Section 1: The culvert replacement policy, marked hereto as Exhibit A, established by the Village Administrator is hereby acknowledged and accepted.

Section 2: The use of Village employees to undertake the work described in the culvert replacement policy established by the Village Administrator is hereby expressly approved.

Section 3: 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 this council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

Passed by Council on First Reading, June 25, 2013

Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Ms. Blewitt, Mrs. Barrett, Mrs. Miranda
Nays: None.

Mayor, Robert W. Donham, II

ATTEST:

Fiscal Officer, Lloyd Billman

Approved as to form:

Thomas Reitz, Solicitor

Resolution R-2013-21 Exhibit A

Village of Windham Culvert Replacement Policy and Request for Assistance

The following policy is established with respect to replacement or installation of storm water drainage culverts or pipes under driveways within the Village of Windham.

If time and resources allow, the Village of Windham may assist landowners in the installation or replacement of driveway culverts at residential homes located in the Village of Windham. To qualify for consideration for assistance the following conditions must be met in advance of the performance of any work by Village employees.

1. The site of the proposed installation must be within a recorded Village right of way or utility easement adjacent to property owned by the person requesting the assistance (Homeowner).
2. The Homeowner must supply all materials for the job.
3. The Homeowner is responsible for having property marked by the Ohio Utilities Protection Service (1-800-362-2764) before any work is performed.
4. The Homeowner must be on site while job is being done.
5. The Homeowner must sign a waiver releasing the Village of Windham from any damage which may occur during the installation or replacement of the culvert.
6. Installation or replacement will be scheduled by the Village Administrator.

7. No work will be done on rental property except by special arrangement with the owner and the Village Administrator.

I acknowledge the above requirements and request culvert assistance from the Village of Windham.

X _____
Homeowner

Date

Reviewed and Accepted:

X _____
Village Administrator

Date