

RESOLUTION R-2016-30

A RESOLUTION AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE WINDHAM VILLAGE WWTP PHASE I IMPROVEMRNTS PROJECT BETWEEN THE VILLAGE OF WINDHAM AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Windham has previously directed and authorized the Village of Windham (hereinafter referred to as the "LGA") to undertake the Windham Village WWTP Phase I Improvements Project which consists of:

- a. One (1) new disc filters to replace the existing traveling bridge sand filter, including all demolition and installation.
- b. Replacement of the EQ tank meter chamber equipment,
- c. Oxidation ditch cleaning and structural repairs,
- d. Aerators, platforms and hoists for the oxidation ditch,
- e. Replace scum draw-off troughs and gear mechanisms in final clarifiers
- f. Aeration system for the EQ tank, and
- g. Sludge drying bed repairs; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the "OWDA") to finance costs of the planning of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, Ohio, two thirds or more of the members thereto concurring:

Section 1. That the LGA hereby approves the planning of the aforesaid Windham Village WWTP Phase I Improvements Project in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for State Planning Project" as set forth in Exhibit A (the "Cooperative Agreement") and hereby authorizes the Mayor and the Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA in substantial conformity with that set forth in Exhibit A.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution/ordinance were passed 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 Ohio Revised Code.

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 preserve *the health, safety and general welfare of the citizens of the Village of Windham, for the reason that the immediate construction of the Windham Village WWTP Phase I Improvements Project at the earliest possible time will improve the sanitary system with serves the Village of Windham.*

Approved by the Village Council as an emergency on September 27, 2016.

Vote of Council: Ayes: 5
 Nays: 0

Attest:

Approved:

Village Fiscal Officer, Cheree Taylor

Mayor, Deborah Blewitt

Approved as to Legal Form:

Solicitor, Thomas Reitz