

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO.: 2021-R-11

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR RED CAP PARK RECREATIONAL DEVELOPMENT AND DECLARING AN EMERGENCY

WHEREAS, the Village owns the property located in the village known as Red Cap Park; and

WHEREAS, the Village Administrator represents that the village owns the property in fee simple free of any restrictions of record that would interfere or impair with the use of the property; and

WHEREAS, the village is being considered for a Capital Improvement Grant from the Ohio Department of Natural Resource (ODNR) for capital Improvements to Red Cap Park to be used for Recreational Development to include new playground equipment with resurfacing; and

WHEREAS, to obtain the grant, the Ohio Department of Natural Resource (ODNR) requires the village to enter into a Capital Improvement Community Park, Recreation / Conservation Project Pass Through Grant Agreement; and

WHEREAS, the Fiscal Officer represents and warrants that the village is not subject to a finding for recovery under ORC Section 9.24; and

WHEREAS, in those villages that have established the position of village administrator, the village administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than fifty thousand dollars. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That the Village Administrator is hereby authorized and directed to enter into a Capital Improvement Community Park, Recreation / Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resource (ODNR) for capital improvements to Red Cap Park to be used for Recreational Development to include new playground equipment with resurfacing (ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE).

SECTION 2. That the Village accepts from ODNR Forty-Nine Thousand Dollars (\$49,000.00), via qualifying advance and reimbursement, to be used toward the total costs of the Project. (see Agreement Section 1)

SECTION 3. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

SECTION 4. That as security for performance of Village's obligations under the Agreement, the Village is authorized to convey to ODNR an interest in the property, consisting of the right to use and occupy the property and facilities funded in whole or in part with grant funds should village default. (See Agreement Section 9)

SECTION 5. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 731.17(A)(2)]

SECTION 6. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): ***The Ohio Department of Natural Resources asserts that time is of the essence. (see Agreement Section 32, page 9)***

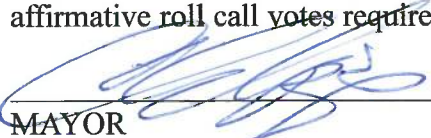
SECTION 7. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 12 day of April, 2021.

AUTHENTICATION and ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.


MAYOR


FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 6 NAYS: 0 ABSTAIN: 0

First Reading: April 12, 2021
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

APPROVED AS TO FORM


VILLAGE SOLLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not

less than fifteen days prior to the effective date at the following locations:

- 1) *Wakeman Public Library, 18 East Abbott Street; and*
- 2) *Electronically online at official Village website; and*
- 3) *Wakeman Post Office, 17 West Main Street; and*
- 4) *Village of Wakeman Municipal Building, 59 Hyde Street; and*
- 5) *Mickey Mart, 52 West Main Street.*


FISCAL OFFICER

ATTACHMENT