

VILLAGE COUNCIL OF WAKEMAN, OHIO
ORDINANCE NO. 2023-O-03

WATER RESERVE REPLACEMENT FUND

AN ORDINANCE AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO EXPEND MONEY FROM THE WATER RESERVE REPLACEMENT FUND TO PAY FOR CERTAIN REPAIRS, MAINTENANCE AND CAPITAL IMPROVEMENTS TO THE VILLAGE WATER DISTRIBUTION SYSTEM AND DECLARING AN EMERGENCY.

WHEREAS, the Village provides and regulates a supply of water, and provides for the management and control of water works for the protection of such water supply. (See ORC 715.08 and 743.02 et seq.) (See also Chapter 921 of the Wakeman Codified Municipal Code of Ordinances);and

WHEREAS, the village previously established and currently maintains a Water Reserve Replacement Fund to be utilized for emergency repairs and capital improvements to the Village water distribution system; and

WHEREAS, Council previously authorized the Village Administrator to prepare and submit an application to participate in the Ohio Public Works (OPWC), State Capital Improvement Program (SCIP) for the Farmer Street/Cooper Ex & West Abbott St. Waterline Replacement Project in Resolution No.: 2022 -R-22; and 2022-R-26

WHEREAS, the Fiscal Officer reports that there are insufficient funds in the Water Fund (Water System Operating Fund) to pay the local share for the Farmer Street/ Cooper Ex & West Abbott St Waterline Replacement; and

WHEREAS, the Fiscal Officer requests authorization to expend money from the Water Reserve Replacement Fund to pay for the necessary repair, maintenance and capital improvements to include paying the Village's local share.

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

SECTION 1. That Council hereby finds and determines that it is necessary to make capital improvements to the Farmer/Cooper Ext. & West Abbott St. Water Line Replacement Project.

SECTION 2. That Council further finds and determines that there are insufficient funds in the Water Fund (Water System Operating Fund) for Farmer/Cooper Ext & West Abbott St Waterline Replacement Project and that it is necessary to expend funds from the Water Reserve Replacement Fund.

SECTION 3. That the Fiscal Officer is hereby authorized and directed to expend funds not to exceed Twenty-Four Thousand Dollars (\$24,000.00) from the Water Reserve Replacement Fund for the purpose of repairs, maintenance and capital improvements for the Farmer/Cooper ex. & West Abbott St Waterline Replacement Project as part of the Village water distribution system.

SECTION 4. DISPENSE WITH THREE READINGS. [R.C. 731.17(A)(2)] 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.

SECTION 5. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance 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): *For the preservation and ongoing efficient operations of the village water distribution system.*

SECTION 6. PUBLIC MEETING. 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.

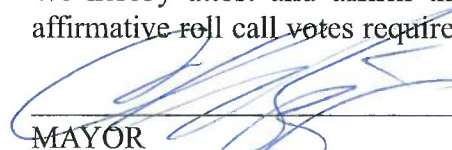
PASSED AND ADOPTED on this 13 day of March, 2023.

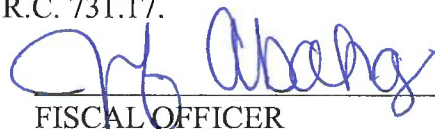
Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

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

First Reading: March 13, 2023
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 [See also RC 731.21(B)]:


VILLAGE SOLICITOR, 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, 42 West Main Street.


FISCAL OFFICER/COUNCIL CLERK