

VILLAGE OF WAKEMAN, OHIO
RESOLUTION NO. 2019-R-23

OPERATOR OF RECORD
WATER/SEWERAGE
OAC 3745-7-02

A RESOLUTION DESIGNATING AN OPERATOR OF RECORD TO OVERSEE THE TECHNICAL OPERATION OF THE PUBLIC WATER AND SEWERAGE SYSTEMS AND AUTHORIZING AND DIRECTING THE MAYOR AND THE VILLAGE FISCAL OFFICER TO ENTER INTO CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, the Village of Wakeman, Ohio owns and operates a public water system provided by RC 715.08. See also Chapter 921 of the Wakeman Municipal Code; and

WHEREAS, the Village of Wakeman, Ohio also owns and operates a sewerage system provided by RC 715.40. See also Chapter 925 of the Wakeman Municipal Code; and

WHEREAS, Section 3745-7-02 of the Ohio Administrative Code requires that the owner or operator of a public water and/or sewerage system shall designate one or more operator of record to oversee the technical operation of the works, systems, plants and facilities; and

WHEREAS, the Fiscal Officer has informed Council that the contract/agreement for the previously designated licensed water/sewerage Operator of Record will expire on **November 30, 2019**.

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

SECTION 1. That Wakeman Village Council hereby determines it is necessary to retain the services of a licensed Operator of Record to oversee the technical operation of the public water system and the sewerage system and comply with Ohio Environmental Protection Agency rules and regulations.

SECTION 2. DESIGNATION OF OPERATOR OF RECORD. That as required by Sections 3745-7-02(A)(1) and (2), the following is hereby designated as Operator of Record for the Village of Wakeman public water and sewerage systems:

BRENT DUNCAN
Water #WS3-1102050-10
Wastewater #WWS 1102050-13

SECTION 3. AUTHORIZE AGREEMENT. That the Mayor and the Fiscal Officer are hereby authorized and directed to enter into a contract/agreement ATTACHED HERETO and incorporated herein by reference, by and between the Village of Wakeman, Ohio and the designated licensed Operator of Record.

SECTION 4. DURATION. That the term of the contract/agreement authorized herein

shall be for the period of TWELVE MONTHS.

SECTION 5. SCHEDULE OF PAYMENT. That Council hereby authorizes a monthly retainer of Ninety-five Dollars (\$95.00), plus Fifty dollars and 00/100 (\$50.00) per visit.

SECTION 6. NOTIFICATION. That pursuant to Section 3745-7-02(A)(1)(a) and (2)(b) the Village of Wakeman shall notify the director of the Ohio Environmental Protection Agency of the identity of an operator of record upon initiation or termination of service or upon request by the director.

SECTION 7. That this Resolution shall supersede any and all other previous Resolutions/Ordinances relating to the designation of the licensed Operator of Record.

SECTION 8. 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 9. 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 immediate effectiveness is necessary to assure uninterrupted service.*

SECTION 10. 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 Ordinance/Resolution shall take effect at the earliest period allowed by law.

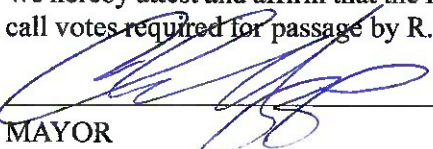
PASSED AND ADOPTED on this 14 day of October, 2019.

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

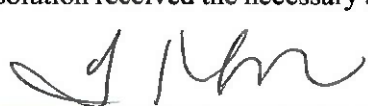
YEAS: 6 NAYS: 0 ABSTAIN: 0

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: October 14, 2019

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



Steve Palmer, Village Solicitor

CERTIFICATE OF POSTING

(RC 731.21 and 731.25)

In a municipal corporation in which no newspaper is generally circulated, I hereby certify pursuant to R.C. 731.24, that a 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 St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Mickey Mart, 52 West Main Street.


FISCAL OFFICER