

RESOLUTION 38-2016

**A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO AN AGREEMENT REGARDING LEASE OF PROPERTY AND A RIGHT OF ENTRY AGREEMENT ON BEHALF OF THE VILLAGE OF COMMERCIAL POINT FOR THE EXAMINING AND TESTING OF PROPERTY FOR WATER SERVICE CAPACITY AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village Council has determined a need to explore the possibility of expanding its water service capacity; and

**WHEREAS**, the Village Engineer, Mayor and Village Solicitor have negotiated agreements (Exhibits A and B) with a land owner; and

**WHEREAS**, the Village Council desires to accept the negotiated agreement; and

**WHEREAS**, the Village Administrator and/or Mayor are authorized to enter into these agreements on behalf of the Village.

**NOW THEREFORE**, be it resolved by the Council of the Village of Commercial Point, Pickaway County, Ohio, a majority or more of the members elected thereto concurring that:

**SECTION 1:** The Council of the Village of Commercial Point hereby authorizes and directs the Village Administrator and/or Mayor to enter into agreements on behalf of the Village to explore expanding the Village's water service capacity, copies of which are attached hereto as Exhibits A and B.

**SECTION 2:** The Council of the Village of Commercial Point hereby authorizes and directs the Village Fiscal Officer to issue a check in the amount of Five Thousand and 00/100 Dollars (\$5,000.00) payable to Robert Hess, Trustee, for the "Entry Price."

**SECTION 3:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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 Ohio Revised Code.

**SECTION 4:** That this resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The Village is at near capacity for water services to ensure the health and welfare of the citizens' immediate exploration is needed.

[Signatures on the following page]

Vote on Suspension of Readings:

Motion by: Ben Townsend 2<sup>nd</sup> Mark Geiger

Roll Call:

Yes Mark Geiger  
Yes David Sadler

Yes Ben Townsend  
Yes Brad Laxton

Yes Scott O'Neil  
    Nicole Evans

Vote on Passage of the Ordinance and declaring it an emergency:

Motion by: Ben Townsend 2<sup>nd</sup> David Sadler

Roll Call:

Yes Mark Geiger  
Yes David Sadler

Yes Ben Townsend  
Yes Brad Laxton

Yes Scott O'Neil  
    Nicole Evans

Adopted this 1 day of August, 2016.

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Gary Joiner, Mayor

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Wendy Hastings, Fiscal Officer

Approved as to Form:

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Michael D. Hess, Law Director