

RESOLUTION NO.: 2013-R10
SPONSOR: MAYOR NORTON
INTRODUCED: FEBRUARY 12, 2013
ASSIGNED TO: FINANCE

A RESOLUTION APPROVING EXPENDITURES THAT EXCEEDED THE AUTHORITY GRANTED BY CITY COUNCIL IN RESOLUTION 2011-R72, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.

WHEREAS, on February 28, 2012, City Council approved Resolution 2011-R72 entitled, A Resolution Authorizing Contracts for Engineering Services for the 2012 Road Resurfacing Program. Resolution 2011-R72 authorized the City to hire specific engineering firms to provide services and included a dollar limit on the amount payable to those firms; and

WHEREAS, City Council passed Resolution 2011-R72 to comply with the provisions of Ordinance 2010-04, which require City Council approval for all professional contracts for engineering services; and

WHEREAS, partly due to the fact that the 2011 Road Resurfacing Program continued into 2012, the engineering firm of KCI has been paid and will be owed a total of One Hundred Sixty Seven Thousand Three Hundred Eighty Dollars (\$167,380.00) which exceeds the Seventy Five Thousand Dollar (\$75,000.00) limit authority granted by Resolution 2011-R72; and

WHEREAS, TMS was paid Thirty Three Thousand Nine Hundred Seventy Three Dollars and Seventy Five Cents (\$33,973.75) during 2012, which exceeded the limit of Thirty Thousand Dollars (\$30,000.00) granted by Resolution 2011-R72 due to work performed on the 2011 project which was not invoiced and paid until 2012; and

WHEREAS, it is necessary for City Council to approve the expenditures over and above dollar limit authority previously granted by them; and

WHEREAS, the services provided by KCI and TMS were performed; were necessary and served the public health, interest, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

City Council authorizes and approves the additional expenditures of Ninety Six Thousand Three Hundred Fifty Three Dollars and Seventy Five Cents (\$96,353.75) for services provided by KCI and TMS pursuant to the authority granted by Resolution 2011-R72. City Council specifically finds that the services were provided, were necessary, and benefited the health, safety, and welfare of the citizens of Green.

SECTION TWO:

City Council authorizes any additional appropriations and payment for these engineering services.

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: MARCH 12, 2013

Molly Stevens
Molly Stevens, Clerk

Dave France
Dave France, Council President

APPROVED: MARCH 12, 2013

Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: MARCH 12, 2013

ON ROLL CALL: Colopy -yes France -yes Humphrey -yes Knodel -yes
Neugebauer -yes Reed -yes Summerville -yes Adopted 7-0

Suburbanite publication on MARCH 17 and MARCH 24, 2013

Molly Stevens
Molly Stevens, Clerk

02/06/2013 Approved as to form and content by Stephen J. Pruneski, Law Director SP 2/6/13