

RESOLUTION 2011-21

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF  
HIRAM AND HIRAM COLLEGE AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Hiram, as authorized by the Council in Resolution 2010-22 has applied for an Ohio Public Works Commission grant for the project known as the Hinsdale Road East Extension Project, and has subsequently been awarded the grant; and

WHEREAS, the Village of Hiram and Hiram College have previously entered into an agreement between the Village of Hiram and Hiram College through which Hiram College has committed to pay the fifty percent (50%) match to which the Village committed when it applied for and accepted the grant, which agreement for contribution was authorized by Resolution 2011-10, passed by the Village Council on July 12, 2011; and

WHEREAS, after competitively bidding the Hinsdale Road East Extension Project, it has come to the attention of the Council of the Village of Hiram that the potential exists that the total cost of the project to exceed the grant amount of Three Hundred Fifty Five Thousand Dollars (\$355,000.00), and that the Village of Hiram will be financially responsible for not only its fifty percent (50%) match, but also all the costs in excess of Three Hundred Fifty Five Thousand Dollars (\$355,000.00); and

WHEREAS, the Council of the Village of Hiram has received a commitment from Hiram College to supply the necessary funding for all the costs in excess of Three Hundred Fifty Five Thousand Dollars (\$355,000.00); and

WHEREAS, both Hiram College and Hiram Village have found it desirable to memorialize the commitment of Hiram College to pay one hundred percent (100%) of the cost of the Hinsdale Road East Extension Project which is in excess of the grant amount of Three Hundred Fifty Five Thousand Dollars (\$355,000.00).

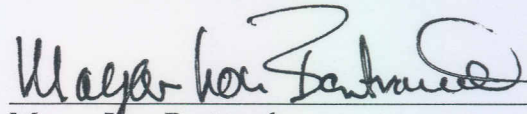
NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The Mayor and the Fiscal Officer are hereby authorized to enter into an agreement with Hiram College in substantial conformity with the Agreement marked as Exhibit "A", attached hereto and incorporated herein by reference.

Section 2: This Resolution and the action herein is declared to be an emergency measure, becoming effective immediately upon passage by Council and approval by the Mayor, to protect the health, safety, morals and general welfare of the Village, and for the further reason that the Village of Hiram has relied upon the commitment of Hiram College in applying for and receiving the Ohio Public Works grant for the Hinsdale Road East Extension Project, and it is necessary to have an Agreement in place memorializing the commitment of Hiram College to pay one hundred percent (100%) of the cost overruns in excess of Three Hundred Fifty Five Thousand Dollars (\$355,000.00) before going forward with the Project.

Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that the deliberations of the Council and 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 Revised Code of the State of Ohio.

PASSED IN COUNCIL AS AN EMERGENCY on the 13<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Mayor Lou Bertrand

ATTEST:

  
\_\_\_\_\_  
Fiscal Officer

Approved as to form:

  
\_\_\_\_\_  
Solicitor

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 201-21 has been duly posted in the required 5 places.

9-14-11 Kay E. Ziska  
Date Fiscal Officer, Village of Hiram