

VILLAGE OF BOSTON HEIGHTS

COUNCIL MEETING - 7:00PM

SEPTEMBER 11, 2013

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

RECOGNITION OF 09/11 DISASTER – MOMENT OF SILENCE

ROLL CALL

ALSO: Mayor Bill Goncy, Fiscal Officer Betty Klingenberg, Solicitor Marshal Pitchford, Engineer Dave Krock

Antal **X** - Baxter **absent/late** - D.Blakeney **X** - G.Blakeney **X** - Fenn **X** - Polyak **X**

APPROVAL OF AGENDA

APPROVED “as amended” though no amendment was made at the meeting and agenda was as posted earlier.

CORRESPONDENCE

NONE

APPROVAL OF MINUTES:

May 8, 2013

May 28, 2013 (Special Meeting)

June 12, 2013,

July 10, 2013

Aug 14, 2013

Aug 22, 2013 (Special Meeting)

No corrections, minutes approved en masse

OPEN FORUM

NONE

ORDINANCES

ORDINANCE 2013-6-20
(Third Reading)

ADOPTED: ORD 2013-6-20

ORDINANCE AMENDING CHAPTER 1121 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BOSTON HEIGHTS TO ADOPT THE 2010 AMENDED VERSION OF THE SUMMIT COUNTY SUBDIVISION REGULATIONS AS THE PLATTING RULES AND REGULATIONS FOR THE VILLAGE

ED.NOTE: A Public Hearing was held just before this meeting. No comments.

RESOLUTIONS

RESOLUTION 2013-9-44 A RESOLUTION AUTHORIZING CHANGE ORDER NO 1 FOR
(First Reading) CONTRACT WITH TRI MOR CORPORATION AS TO HINES HILL
ROAD PROJECT AND DECLARING AN EMERGENCY

ADOPTED: RES 2013-9-44

NOTE: Engineer Dave Krock explained that this added charge authorizes the Hines Hill Road contractor to do cement stabilization of the new roadbed west of Wooded View Dr., as per an option in the original bid.

RESOLUTION 2013-9-45 A RESOLUTION HONORING THE SERVICE AND DEDICATION
(First Reading) OF THE MEMBERS OF THE VILLAGE OF BOSTON HEIGHTS
FIRE DEPARTMENT FOR THE VALUABLE PUBLIC SERVICE
THEY HAVE RENDERED TO OUR COMMUNITY

ADOPTED: RES 2013-9-45

NOTE: Mayor Goncy showed and read a plaque that will be placed in the Village's Fire Station.

RESOLUTION 2013-9-46 A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST
(First Reading) FROM VALLEY FIRE DISTRICT SHARED SERVICES FOR
SEPTEMBER 30, 2013 AND DECLARING AN EMERGENCY

ADOPTED: RES 2013-9-46

NOTE: Fiscal Officer Betty Klingenberg says starting the new fire contract with Valley Fire a day earlier avoids having a single day pay period for the soon-to-be-closed Fire Department.

REPORTS

MAYOR

B. GONCY

Valley Fire District to hold an Open House at the Boston Heights Fire Station – 09/29/2013
Motion to approve (Village support of event): **APPROVED. This will be 1-3PM on Sunday 9/29/2013.**

Accept donation from Newburgh Heights – MOTION (K-9 Transport Unit)
Motion to approve (Village acceptance): **APPROVED. This allows use of a BHPD officer's K-9 dog.**

Fall Festival – 09/21/13
Motion to approve (Village support of event): **APPROVED.**

Mayor Goncy asked Council to authorize the donation of some unused police cruiser lightbars to the Village of Peninsula. APPROVED.

Mayor Goncy noted that he had signed on the Village's behalf a "regional prosperity memorandum of interest" for a local development working group.

Councilor Frank Baxter appeared at this point, explaining that he was coming in from out of town.

Mayor Goncy, the Mayor's Court Magistrate, and the Deputy Clerk of Courts will attend a mandatory seminar for the Mayor's Court operations.

FISCAL OFFICER

B. KLINGENBERG

Ms. Klingenberg said the first edition of a more extensive Village Newsletter will be mailed soon, and should appear quarterly thereafter. [Ed.Note: Previous newsletters have been principally the work of the Mayor].

She will be gone to Columbus for software training for several days. She will have more information on fiscal reports at the next Finance Committee meeting, including findings of the state auditors.

SAFETY COMMITTEE

F. BAXTER

Next meeting Tue, 9/17/2013 6PM. To discuss a proposal to provide police services to Boston Twp, etc.

ROAD COMMITTEE

D. BLAKENEY

Next meeting Mon, 9/16/2013 6PM.

LANDS AND BUILDINGS COMMITTEE

G. BLAKENEY

Most recent meeting discussed possible security system for the Services building, as well as roof repairs for that building, plus winterization of the Village Hall windows. The Village Hall paving project starts next week. The Park Board discussed plans for the Fall Festival in conjunction with the Cemetery Association.

CEMETERY TRUSTEES

R. FENN

[CEMETERY COMMITTEE]

The Cemetery Association discussed plans for the Fall Festival in conjunction with the Park Board .

ECONOMIC DEVELOPMENT COMMITTEE

R. ANTAL

Next meeting 6:30pm before Finance Committee 9/24/2013 .

PLANNING COMMISSION / BZA

D. POLYAK

[ZONING COMMITTEE]

PC approved site plan and some signage for Steinway Piano Gallery on E. Hines Hill Road at the former Liberty Harley Davidson building. More Planning and Zoning Code reviews are in progress. The Comprehensive Zoning Plan Committee will be reviewing its first draft next week 9/18/2013 7PM.

ENGINEER

DAVE KROCK

Engineer Krock reported that the Village Hall paving project will begin Mon, 9/16/2013. W. Hines Hill Road reconstruction is in progress, and access interruptions are in effect. Akron-Peninsula Road repairs are complete and chipseal is next. All other chipseal and fog seal has been performed on Village roads for this year. Problems with drainage repairs continue to be assessed, and hopefully fixed or charged to the contractor's bond. No word on the results of the application for a playground grant for the Park. Route 303 bridge over the Bike & Hike Trail will be resurfaced by the State of Ohio and may cause traffic disruptions. The Mayor added that the City of Hudson will be performing a temporary repair on the Village's blocked culvert on Walters Road, causing a one-day traffic disruption, probably on a Saturday.

OLD BUSINESS **None.**

NEW BUSINESS

**Mayor Gony announced a Special Council Meeting for 7PM Tue, 9/17/2013.
[Ed. NOTE: This meeting was later cancelled)**

EXECUTIVE SESSION

An executive session was called to include the Council, Mayor and Solicitor “to discuss pending litigation.”

ADJOURN

NOTICE

The complete text of each such Ordinance or Resolution may be obtained or viewed at the Boston Heights Village Hall, 45 East Boston Mills Road in the Office of the Fiscal Officer during office hours.

VILLAGE OF BOSTON HEIGHTS
ORDINANCE NO: 2013-6-20
THIRD READING / **ADOPTED**

AN ORDINANCE AMENDING CHAPTER 1121 OF CODIFIED ORDINANCES OF THE VILLAGE OF BOSTON HEIGHTS TO ADOPT THE 2010 AMENDED VERSION OF THE SUMMIT COUNTY SUBDIVISION REGULATIONS AS THE PLATTING RULES AND REGULATIONS FOR THE VILLAGE

WHEREAS, the Village of Boston Heights has adopted Platting Rules and Regulations for the purposes of regulating and governing subdivisions and development of real property within the Village of Boston Heights, Ohio; and,

WHEREAS, the Council of the Village of Boston Heights finds cause to update those regulations in order to incorporate the current edition of the Summit County Subdivision Regulations, as amended, which is entitled “General Rules and Regulations for Plats and Subdivisions in the Unincorporated Area of Summit County, Ohio”; and,

WHEREAS, the Council desires to adopt those regulations as a standard ordinance and code in accordance with Ohio R.C. 731.231 and in compliance with the applicable sections of Ohio R.C. 711;

WHEREAS, the Council has received the recommendation of the Planning Commission of the Village of Boston Heights in favor of this adoption; and,

WHEREAS, the Council has conducted a duly noticed public hearing regarding the same.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, County of Summit, State of Ohio:

Section 1: That Chapter 1121 of the Codified Ordinances, entitled “Platting Rules and Regulations,” be repealed in its entirety and replaced with the document attached as Exhibit “A,” entitled “Platting Rules and Regulations.”

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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.

PASSED:

BILL GONCY, Mayor

ATTEST:

BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Ordinance **2013-6-20** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 11th day of September, 2013.

ED.NOTE:

The document “General Rules and Regulations for Plats and Subdivisions in the Unincorporated Areas of Summit County, Ohio” as amended and adopted by the County of Summit Council on May 24, 2010 is here:

http://www.co.summit.oh.us/images/stories/Development/Planning/Sub_regs_05242010.pdf

CHAPTER 1121 Platting Rules and Regulations

1121.01 RULES AND REGULATIONS ADOPTED.

- (a) The “General Rules and Regulations for Plats and Subdivisions in the Unincorporated Areas of Summit County, Ohio” as amended and adopted by the County of Summit Council on May 24, 2010, and enacted effective on that date, and referred to herein as the “the County Subdivision Regulations”, are hereby adopted and promulgated within the Village of Boston Heights effective immediately, and each and all of the regulations, provisions, penalties, conditions and terms of said County Subdivision Regulations are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with and subject to the additions, insertions, deletions and changes prescribed elsewhere in this Chapter, and are referred to herein as “these Village Regulations”.
- (b) These Village Regulations are adopted for the purposes of regulating and governing the subdivision and development of real property within the Village of Boston Heights, Ohio.
- (c) The provisions of the County Subdivision Regulations shall be interpreted and construed so as to achieve their essential purposes within the structure of the Village Planning Commission, Engineer, Mayor, Zoning Inspector, and Council, subject to the additions, insertions, deletions and changes prescribed elsewhere in this Chapter.
- (d) Except as otherwise provided in this chapter, where a conflict exists between the County Subdivision Regulations and any other chapter or section of the Codified Ordinances of the Village of Boston Heights, such conflict shall be resolved as set forth in Section 1101.05 of these Village Regulations, and in such a fashion so as to achieve the essential purposes and objectives as set forth in Section 1101.02, et seq., of these Village Regulations.

1121.02 ADDITIONS, INSERTIONS, DELETIONS AND CHANGES TO THE COUNTY SUBDIVISION REGULATIONS.

For the purposes of the adoption of the County Subdivision Regulations by the Village of Boston Heights, the following provisions and sections of the County Subdivision Regulations as specified in this chapter are hereby revised as follows:

- (a) Except as otherwise provided in this chapter, all instances of the following terms shall be replaced in the County Subdivision Regulations as follows:

- (1) “*Summit County*” and “*the County of Summit*” and “*the County*” shall be replaced by “*the Village of Boston Heights*”;
 - (2) “*unincorporated area of Summit County*” shall be replaced by “*area of the Village of Boston Heights*”, and shall refer to the incorporated area of the Village and any such unincorporated areas as may be subject to the platting authority of the Village of Boston Heights;
 - (3) “*COSE*” and “*County of Summit Engineer’s Office*” and “*County Engineer*” and “*County Engineer of Summit County*” and “*Engineer of Summit County*” shall be replaced by “*Village Engineer*” except where that reference is to a manual or standards document;
 - (4) “*County Council*” and “*Council of Summit County*” shall be replaced by “*Village Council*”;
 - (5) “*County Executive*” and “*Executive of Summit County*” shall be replaced by “*Mayor of the Village of Boston Heights*”;
 - (6) “*Director, Department of Law*” and “*Director of the Law Department for the County Executive of Summit County*” shall be replaced by “*Village Solicitor*”;
 - (7) “*County Prosecutor*” and “*Prosecuting Attorney of Summit County*” shall be replaced by “*Village Solicitor*”;
 - (8) “*Department of Building Standards*” and “*Department of Building Standards of Summit County*” shall be replaced by the title of that agency or officer specified in Title 13 of these Codified Ordinances as the building authority for the Village of Boston Heights;
 - (9) “*Department of Community and Economic Development*” and “*Planning Department*” shall be replaced by “*Village Zoning Inspector*”;
 - (10) “*Planning Authority*” and “*Summit County Planning Commission*” shall be replaced with “*Planning Commission of the Village of Boston Heights*”, and any reference to the number of members of that Planning Commission is stricken;
 - (11) “*Board of Township Trustees*” shall be replaced with “*Mayor and Village Council*”.
 - (12) “*County Fiscal Officer*” shall be replaced with “*Village Fiscal Officer*” except for those references to the property taxation, recording and land conveyance functions of the County Fiscal Office;
 - (13) Any other reference to “*Township*” in the sense of a specific township entity shall be replaced with “*Village of Boston Heights*”;
 - (14) Any reference to “*Township Zoning Resolution*” and like terms shall be replaced with “*the Zoning Ordinance*”;
 - (15) The terms "allotment" and "subdivision" are used herein synonymously.
- (b) Section 1101.05(b) is stricken in its entirety.
- (c) Section 1102.03(a)(77) is replaced in its entirety with

“(77) Riparian Setback. The area set back from each bank of a watercourse to protect the riparian area and watercourse from impacts of development, and streamside residents from impacts of flooding and loss through erosion. Riparian setbacks are those lands within the Village of Boston Heights that fall within the area defined by the criteria set forth in Chapter 1181 of Title Nine of Part Eleven of the Codified Ordinances of the Village of Boston Heights establishing Riparian Setbacks within the Village.”

- (d) Section 1102.03(a)(85) is replaced in its entirety with
“(85) Special Conditions Agreement. An agreement between a Developer/Subdivider and the Planning Commission, as approved by Village Council, which supplements the requirements of the Subdivision Regulations, other applicable regulatory requirements, and the jurisdictional authority of other county, state or federal departments or agencies.”
- (e) Section 1102.03(a)(100) is replaced in its entirety with
“(100) Village Planning Commission. (Planning Commission). That legally constituted body established by Chapter 1101 of Title One of Part Eleven of the Codified Ordinances of the Village of Boston Heights, and so designated as the Planning Commission of the municipality in conformance with Ohio Revised Code Section 713.03.”
- (f) Section 1102.03(a)(107) (“Township Trustee”) is stricken in its entirety.
- (g) Section 1102.03(a)(108) is replaced in its entirety with
“(108) Village Zoning Inspector. (Zoning Inspector). That person or agency so appointed as the enforcement officer for the Zoning Ordinance, under the terms of Chapter 1143 of Title Five of Part Eleven of the Codified Ordinances of the Village of Boston Heights.”
- (h) Section 1103.03(a) (“Minor Subdivisions”) shall have appended
“Where the requirements of this section conflict with the terms of Section 1171.03(b) of Title Nine of Part Eleven of the Codified Ordinances of the Village of Boston Heights, the terms of that section shall govern.”
- (i) Section 1103.04(a) (“Summit County Planning Commission Review Authority”) shall have appended
“For the purposes of this section, the Village Engineer shall act as the duly designated Staff of the Planning Commission and so may act as the Review Authority as herein defined. The Village Engineer shall fully inform and advise the Village Planning Commission of all review and action taken under such authority.”
- (j) Section 1109.03 (“Drainage Design”) shall have replaced the phrase

“in the name of the County Council as approved by the County Executive pursuant to Section 3.04 of the Summit County Charter”
with the phrase
“in the name of the Village of Boston Heights”

- (k) Section 1111.04 (“Fees”) is replaced in its entirety with
“Fees, deposits and charges for all applications, permits, and activities carried out under these Village Regulations shall be governed by Sections 1101.05 and 1101.06 of Title One of Part Eleven of the Codified Ordinances of the Village of Boston Heights.”
- (l) The Application Forms given in the Appendices of the County Subdivision Regulations shall be considered advisory only, and the Village Planning Commission shall create and approve such forms as it finds necessary to carry out the functions of these Village Regulations.
- (m) Appendix N (“Summit County Riparian Ordinance”) is stricken in its entirety.

1121.03 STANDARD CODE DOCUMENT MADE AVAILABLE TO THE PUBLIC

A complete copy of the County Subdivision Regulations which is the standard code document specified in this Chapter, along with the additions, insertions, deletions and changes prescribed elsewhere in this Chapter, is on file with the Village Fiscal Officer and also on file in the law library of the County of Summit, State of Ohio. Said Village Fiscal Officer shall have copies available for distribution to the public at cost.

1121.04 SUBMITTAL OF PLATS; REQUIREMENTS.

- (a) The Village Engineer shall act as the Staff and Engineer of the Village Planning Commission for the purposes of this Chapter.
- (b) All applications submitted under this Chapter shall be in the form prescribed and approved by the Village Planning Commission, and shall be made within the times and deadlines approved by the Village Planning Commission for the conducting of its business.
- (c) All applications submitted under this Chapter shall be accompanied by plans and drawings as prescribed, and in the forms required, by these Village Regulations.
- (d) No application under this Chapter shall be considered for review by the Village Planning Commission unless the Village Engineer certifies the completeness and sufficiency of the application and its attachments, and confirms receipt of all lawful fees, deposits, charges and bonds as certified by the Village Fiscal Officer.
- (e) Application for variance to these Village Regulations shall be considered by the Planning Commission subject to the rules and procedures of Section 1111.06 of the

County Subdivision Regulations, as specifically adopted and amended in this Chapter.

1121.05 PLANNING COMMISSION CONTROL AS TO LOCATION AND USE OF STRUCTURES.

- (a) The Village Planning Commission is hereby given the right to require that the plan, design, location, grade line and use of any structure to be erected on an allotment be first submitted to the Village Planning Commission.
- (b) Before the Village Planning Commission approves the final or record plat, it shall require that the use be one which appears to be the most appropriate and suitable and complies with all zoning regulations of the Village.

1121.06 APPROVAL WITHOUT PLAT.

Applications for approval without plat of a Minor Subdivision, in accordance with Ohio Revised Code 711.131 and Section 1102.03(a)(97) and 1103.03 of these Village Regulations, may be made to the Village Engineer.

- (a) For the purposes of this section, the Village Engineer is authorized to act as the Reviewing Authority, in lieu of the Planning Commission, to consider, review and approve or deny such application. The Village Engineer shall fully inform and advise the Planning Commission of all review and action taken under such authority.
- (b) An application hereunder shall be in the form prescribed and approved by the Village Planning Commission, and shall be considered within the time frame and deadlines prescribed by Ohio Revised Code 711.131 and these Village Regulations.
- (c) Such application shall be governed by the procedure given in Section 1103.04 of these Village Regulations, entitled "Minor Subdivision Procedure", and shall be accompanied by plans and drawings as prescribed, and in the forms required, by these Village Regulations.
- (d) No application hereunder shall be considered for review by the Reviewing Authority unless the Village Engineer certifies the completeness and sufficiency of the application and its attachments, and confirms receipt of all lawful fees, deposits, charges and bonds as certified by the Village Fiscal Officer.

VILLAGE OF BOSTON HEIGHTS
RESOLUTION NO: 2013-9-44
FIRST READING / **ADOPTED**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO 1 FOR CONTRACT WITH
TRI MOR CORPORATION AS TO HINES HILL ROAD PROJECT AND DECLARING
AN EMERGENCY**

WHEREAS, the Village of Boston Heights, County of Summit, State of Ohio put to bid publicly work for reconstruction and repairs to Hines Hill Road; and,

WHEREAS, Tri Mor Corporation was awarded the contract on August 14, 2013; and,

WHEREAS, the contract's original date was August 14, 2013 for said work; and,

WHEREAS, Tri Mor Corporation has submitted a Change Order for the replacement of In-place Asphalt Recycling with Cement Soil Stabilization, which is functionally the acceptance of Bid Alternate #1,

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, County of Summit, State of Ohio as follows:

Section 1: That Change Order No. 1 for the Hines Hill Road contract for Tri Mor Corporation is authorized as provided herein. Specifically, the Change Order accepts Bid Alternate #1, replacing the base bid of In-Place Asphalt Recycling with Cement Soil Stabilization for Section #1 of the project. Removal of the In-Place Asphalt Recycling item is a net deduction of \$46,040.00. The addition of Cement Soil Stabilization is \$75,000.00. This results in a net change to the current contract amount of additional \$28,960.00. The revised total contract amount is now \$ 1,166,820.00.

Section 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued reconstruction of deteriorated infrastructure within the Village and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

BILL GONCY, Mayor

ATTEST:

BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution **2013-9-44** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 11th day of September, 2013.

VILLAGE OF BOSTON HEIGHTS
RESOLUTION NO: 2013-9-45
FIRST READING/ **ADOPTED**

**A RESOLUTION HONORING THE SERVICE AND DEDICATION OF THE
MEMBERS OF THE VILLAGE OF BOSTON HEIGHTS FIRE DEPARTMENT FOR
THE VALUABLE PUBLIC SERVICE THEY HAVE RENDERED TO OUR
COMMUNITY**

WHEREAS, For almost a century now, the Boston Heights Fire Department has served our community; and,

WHEREAS, Volunteer firefighters and fire departments not only provide the critical service of fire protection but also engage in other activities of great benefit and importance to the communities they serve; and,

WHEREAS, Firefighting is one of the most hazardous professions and requires extensive training, strength, endurance, courage and a selfless concern for the safety of the citizens of the Village of Boston Heights; and,

WHEREAS, It takes a special dedication, a strong desire to help others and a tireless sense of community to forsake precious time with family and friends to respond to the signal that a neighbor is in need; and,

WHEREAS, Citizens across our community are inspired by and indebted to our Village's noble firefighters who have exhibited courage and bravery every day in the course of their duties; and,

WHEREAS, It is the sense of this Council to honor the Boston Heights Fire Department and acknowledge the countless acts of courage, bravery, heroism and sacrifice exhibited by the department throughout the years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1: That this Council pause in its deliberations to honor and thank the Village of Boston Heights Fire Department.

Section 2: That this Council, by this resolution, recognize and honor the Village of Boston Heights Fire Department for the valuable public service it has rendered to our community over the years.

Section 3: That the residents of the Village of Boston Heights are encouraged to thank and honor the members of the Boston Heights Fire Department for their service.

PASSED:

BILL GONCY, Mayor

ATTEST:

BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution **2013-9-45** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 11th day of September, 2013.

VILLAGE OF BOSTON HEIGHTS
RESOLUTION NO: 2013-9-46
FIRST READING/ **ADOPTED**

A RESOLUTION AUTHORIZING THE MAYOR TO REQUEST FROM VALLEY FIRE DISTRICT SHARED SERVICES FOR 9/30/13 AND DECLARING AN EMERGENCY

WHEREAS, the Valley Fire District and the Village of Boston Heights have entered into a Shared Services Arrangement for the provision of fire protection, emergency medical, and dispatch services beginning on October 1, 2013; and,

WHEREAS, the Village's last payroll for the month of September ends on September 29, 2013; and,

WHEREAS, the Valley Fire District has approved the provision of such services for September 30, 2013 on a per diem basis under its Resolution 2013-0830-02.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1: That the Mayor is hereby authorized to request that the Valley Fire District provide fire protection, emergency medical, and dispatch services commencing on September 30, 2013, at 12:00 a.m. through 11:59 p.m. on September 30, 2013. The request and agreement shall be in accordance with and be provided under the same terms of the Shared Services Agreement, previously approved and attached hereto as Exhibit "A."

Section 2: That the Valley Fire District shall be paid \$550 for the provision of these services on September 30, 2013.

Section 3: That the Mayor and Fiscal Officer are hereby authorized to sign all necessary documentation in order to fill the purpose and intents of this Resolution and the document attached at Exhibit "A."

Section 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and welfare of the community, to ensure that fire protection, emergency medical and dispatch services are provided on a continuous basis, and otherwise comply with the requirements of the Ohio Revised Code and shall take effect and be in force from and after its passage.

PASSED:

BILL GONCY, Mayor

ATTEST:

BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution **2013-9-46** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this 11th day of September, 2013.