

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2023-22**

**A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL
OFFICER TO EXECUTE AMENDMENT NO. 1 TO AN AGREEMENT FOR
WATERLINE IMPROVEMENTS ON ZOAR ROAD WITH THE DREES COMPANY,
AND DECLARING AN EMERGENCY**

WHEREAS, per Resolutions No. 2021-10, the South Lebanon then-Village Council entered into an agreement with the Warren County Board of Commissioners to purchase water from the Warren County Water and Sewer Department to serve various areas with the City including areas along Zoar Road; and,

WHEREAS, on September 15, 2022, authorized by Resolution No. 2022-40, the City entered into an agreement with the Drees Company to construct the water service connection with the Warren County Water & Sewer Department on Zoar Road, per the agreement with the Warren County Board of Commissioners; and,

WHEREAS, additional work was required to properly complete the connection to and installation of a master water meter as well as additional water main along Zoar Road was required, and,

WHEREAS, the Drees Company has provided the costs for the additional work in addition to the amount provided with the September 15, 2022, Agreement in the attached agreement amendment; and,

WHEREAS, immediate action is required to close out the Project and invoice Dress for the remaining water connection fees due at this time, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the Council approves and authorizes the Mayor and Fiscal Officer to execute Amendment No. 1 to an Agreement relating to Highmeadow Subdivision with the Drees Company, a copy of which is attached hereto.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

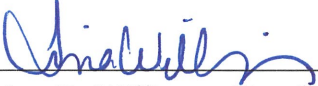
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Section 3. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 4th day of May, 2023.

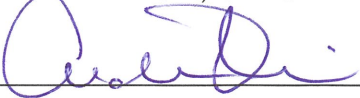
Attest: 
Petrina D. Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: <u>5/4/2023</u> (if applicable)	Effective Date - <u>5/4/2023</u>
Vote - <u>4</u> Yeas <u>-</u> Nays	
First Reading - / /2023	Effective Date - / /2023
Second Reading - / /2023	
Third Reading - / /2023	
Vote - ____ Yeas ____ Nays	

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: 
Date: 5/4/2023

AMENDMENT NO. 1 TO AGREEMENT

Amendment No. 1

Date of Amendment: May 4, 2023

Original Agreement: Zoar Road Master Meter Project

Original Agreement Date: September 15, 2022

Per the Agreement date September 15, 2022, between the City of South Lebanon ("City") and the Drees Company ("the Developer"), additional work was required by the Developer for the proper completion of the Project. The Developer has provided a list of the additional costs (Exhibit "A") and the City hereby approves the additional costs associated with this work.

All condition of the original agreement shall apply in full to conditions of the amendment unless designated otherwise.

THE DREES COMPANY

SIGNATURE: _____

NAME: _____

TITLE: _____

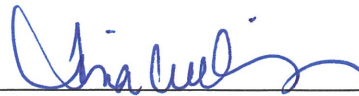
DATE: _____

CITY OF SOUTH LEBANON:



James D. Smith, Mayor

DATE: 5/4/23



Petrina D. Williams, Fiscal Officer

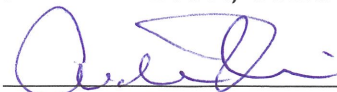
DATE: 5/4/23

APPROVED AS TO FORM:

ANDREW P. MEIER

CITY SOLICITOR

SOUTH LEBANON, OHIO

By: 

Date: 5/4/2023