

RESOLUTION NO. 2014-05

A RESOLUTION AUTHORIZING CHARLES NEFF OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH NEW CINGULAR WIRELESS PCS FOR THE RENTAL OF CERTAIN REAL ESTATE OWNED BY THE VILLAGE OF MOUNT STERLING FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, AND OPERATING A CELL PHONE TOWER AND A COMMUNICATION FACILITY AND DECLARING AN EMERGENCY

WHEREAS, the Village of Mount Sterling owns certain real estate, and;

WHEREAS, because of the location of the real estate, the Village was contacted by New Cingular Wireless PCS, an AT&T subsidiary, to construct a cell phone tower and communication facility to serve the need of Mount Sterling and the surrounding community, and;

WHEREAS, after much negotiation and consideration, the Administration of Village of Mount Sterling has arrived at an agreement for Council’s consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MOUNT STERLING, STATE OF OHIO

SECTION I.

Council of the Village of Mount Sterling has reviewed the attached Option and Lease Agreement. See Attached Agreement which is incorporated by reference herein. After careful consideration and discussion, Council authorizes Charles Neff, Mayor or his designee, to enter into and execute the Option and Lease Agreement.

SECTION II.

This resolution is hereby declared to be an emergency measure and is necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the Village of Mount Sterling. The emergency existing is extension of cell phone service to the Village of Mount Sterling and the surrounding area, thus providing better access to emergency and non-emergency services serving the citizens and businesses of the Village and community. This resolution shall be in full force and effective upon the passage and signing by the Mayor.

SECTION III.

That the Clerk of Council, pursuant to O.R.C. 731.23, shall cause to be published in a manner required by law, this resolution.

PASSED:

ATTEST:

Clerk of Council

Mayor

Submitted to Mayor:_____

APPROVED:

Date of Approval:_____

Mark J. Pitstick, Law Director
Approved as to Form

I, Bonnie Liff, the Clerk of Council, hereby certifies that Resolution No. 2014-05 was published in _____ Newspaper for once a week for two consecutive weeks beginning on the _____ day of _____, 20__ and ending on the ____day of _____, 20___. See Attached Sworn Affidavit of Posting by the Newspaper. Further, I certify that a complete copy of the Ordinance was posted in the lobby of Village Hall.

Clerk of Council