

RESOLUTION: 03-2022
ADOPTED: MAY 4, 2022

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO EXECUTE A CONTRACT WITH RICHARD FITCH TO PROVIDE WASTEWATER OPERATION SERVICES AND DECLARING AN EMERGENCY

WHEREAS, the Village of Kirkersville owns and operates a 100,000 GPD wastewater treatment plant facility. The WWTP discharges into the headwaters of South Fork of the Licking River and must be operated by an individual/company with a valid State of Ohio Class II Operator's license; and

WHEREAS, the Village of Kirkersville's previous contract with Kincaid Wastewater Services for operating the WWTP expired, and the parties could not agree to the terms of a new contract; and

WHEREAS, Richard Fitch has been in the wastewater/water industry for ten years and currently works as the Chief Operator for the City of Johnstown's Wastewater Treatment Plant. He, therefore, understands the need to keep the WWTP in compliance with the Ohio EPA by maintaining and timely submitting discharge monitoring reports, sampling as needed, and overseeing treatment throughout the facility, as well as the collection system; and

WHEREAS, Richard Fitch currently holds an OEPA Class III Wastewater Professional Operators license and his business partner (Logan Drake) currently holds a OEPA Class II Wastewater Professional Operators license; and

WHEREAS, Council for the Village of Kirkersville knows it needs an operator with the education, experience, and licensing to operate its WWTP and believes Richard Fitch and Logan Drake meet this standard.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Kirkersville, County of Licking, State of Ohio:

SECTION 1: The Mayor and Fiscal Officer are hereby authorized to execute a contract on behalf of the Village, in substantially the same form and content as the contract attached hereto as Exhibit A and incorporated herein by reference, with Richard Fitch.

SECTION 2: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

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 any and all deliberations of this 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 of the laws of the State of Ohio.

SECTION 4: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the

further reason that the Village needs to enter into this contract as soon as possible to make certain operations of the WWTP are not interrupted and comply with all OEPA requirements. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council.

Passed in Council this 4 day of May 2022.

ATTEST: Shirley A Roskoski, Fiscal Officer

APPROVED:

Approved as to form this 21st day of April 2022:



Brian M. Zets
Village Solicitor