

RESOLUTION NO. 18-2023

ADOPTED: DECEMBER 6, 2023

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, the Village of Kirkersville wants to enter into an agreement with the Southwest Licking Community Water and Sewer District through which the District will provide potable drinking water services to the residents and businesses within the Village, and the District is willing and able to provide such services; and

WHEREAS, the Village of Kirkersville will assist with funding the initial delivery of this service through economic development mechanisms including, but not limited to, tax increment financing (TIF), joint economic development districts (JEDD), or New Community Authority (NCA); and

WHEREAS, the Village and the District are authorized by Section 9.482, Chapter 349, Chapter 6119, Chapter 5709, and Chapter 715 of the Ohio Revised Code to engage in this Agreement; and

WHEREAS, Council for the Village of Kirkersville believes it is time for Village residents and businesses to have a public water source and this Agreement provides a reasonable mechanism to fund such an important public improvement which will be paid for by the anticipated new commercial development in the Village.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Kirkersville, County of Licking, State of Ohio, a majority of the members elected thereto concurring:

SECTION 1: Council for the Village of Kirkersville hereby authorizes and directs the Mayor and Fiscal Officer to execute an Intergovernmental Cooperation Agreement, in substantially the same form and content as the Agreement attached hereto as Exhibit A, with the Southwest Licking Community Water and Sewer District.

SECTION 2: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.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 passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Kirkersville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements 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 Council needs to execute this Agreement and return it to the Water District by November 2, 2023 so that the District does not miss the OPWC Grant Application deadline. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

First Reading: October 4, 2023

Second Reading: November 1, 2023

Third Reading: December 6, 2023

Passed in Council this 6 day of December 2023.

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Attest: Shirley Roskoski  
Fiscal Officer

APPROVED:

Approved as to form this 19<sup>th</sup> day of October 2023:



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Brian M. Zets  
Village Solicitor