

(Mayor Potter)

**CITY OF KIRTLAND**

**RESOLUTION NUMBER 21-R-83**

**A RESOLUTION AUTHORIZING THE CLOSEOUT OF  
THE GILDERSLEEVE DRIVE DRAINAGE PROJECT  
CONTRACT WITH BADGER TRANSFER LLC, AND  
DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kirtland has previously entered into a Contract with Badger Transfer LLC for a drainage project on Gildersleeve Drive; and

**WHEREAS**, Badger Transfer LLC has successfully completed the Contract; and

**WHEREAS**, it is necessary to complete the closeout procedure.

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

**SECTION I:** The Mayor be and is hereby authorized to accept the credit amount of Five Thousand Two Hundred Forty-Five Dollars and Seventy-Eight Cents (\$5,245.78). The City Engineer has approved the closeout of the project.

**SECTION II:** The Director of Finance be and is authorized and instructed to credit the amount provided for in Section 1 of this Resolution upon passage hereof and return said credits to the Lake County, Ohio Stormwater Management pursuant to Section Five of the original Memorandum of Understanding outlining the Duties of the City.

**SECTION III:** This Council determines that the work included in the Contract with Badger Transfer LLC has been completed and the Contract may be closed out with a final project cost of Thirty-Eight Thousand Seven Hundred Fifty-Four Dollars and Twenty-Two Cents (\$38,754.22).

**SECTION IV:** The Mayor be and is hereby authorized to execute all documents necessary to complete the closeout of this contract in accordance with this Resolution.

**SECTION V:**

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed 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.

(b) This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to provide for the usual and daily operations of the City in maintaining the streets and roads of the City and to closeout said contract. Therefore, this resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Submitted to the Mayor for his  
Approval on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

ATTEST:

Approved by the Mayor, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Clerk of Council  
Closeout of Gildersleeve Drive Drainage Project

\_\_\_\_\_  
Mayor Kevin F. Potter