

Village of Mantua, Ohio
ORDINANCE 2013-26

**AN ORDINANCE AUTHORIZING THE SETTLEMENT OF THE VILLAGE OF
MANTUA'S CLAIM AGAINST AKE ENVIRONMENTAL AND
CONSTRUCTION SERVICES, AND DECLARING AN EMERGENCY.**

WHEREAS, the Village of Mantua has instituted a legal action for the recovery of certain moneys due from Ake Environmental and Construction Services pursuant to contractual agreement; and

WHEREAS, Ake Environmental and Construction Services has offered the Village a lump sum payment of \$7,000.00 to settle this claim; and

WHEREAS, the Service committee has recommended acceptance of this offer in settlement of this claim; and

WHEREAS, this Council must approve any compromises of the Village's monetary claims against other parties.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Portage County, Ohio, two thirds (2/3) or more of the members elected thereto concurring, that:

SECTION 1: This Council hereby approves and accepts the offer for full and complete settlement of Portage County Municipal Court Case Number 2012-CVF-3695-R, made by Ake Environmental and Construction Services, in the amount of \$7,000.00.

SECTION 2: The Village Solicitor is hereby authorized and directed to communicate with Ake Environmental and Construction Services regarding their payment of \$7,000.00 into the Village Treasury, and upon receipt of such funds, to file such documents with the Portage County Municipal Court as necessary to terminate the legal action.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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.

SECTION 4: This Ordinance is hereby declared to be an emergency measure, in order to permit settlement of the aforementioned legal action and permit the Village to receive the offered funds at the earliest possible time, and shall become effective immediately upon its passage by two-thirds or more of the members elected to the Mantua Village Council.

Passed in Council this 16th day of April, 2013.

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ATTEST:

Linda Clark, Mayor

Jenny August, Clerk of Council

I, Jenny August, Clerk of the Village of Mantua, Ohio, hereby certify that this Ordinance was duly published by public posting at pre-designated posting places on the ____ day of _____, 2013.

Jenny August, Mantua Village
Clerk-Treasurer

Approval as to legal form by:

Michele Stuck, Village Solicitor