

RESOLUTION NO. 2013-1905

**A RESOLUTION AUTHORIZING THE APPROVAL AND ISSUANCE OF A WARRANT FOR PAYMENT OF \$183,863.01 TO SPEER BROTHERS, INC., AND DECLARING AN EMERGENCY.**

**WHEREAS**, Speer Brothers, Inc. submitted an Application for Payment to the City of Fremont for \$183,863.01 for final payment for the Fifth Street Reconstruction Project, and prior certification of the fiscal officer was not obtained pursuant to Ohio Revised Code Section 5705.41(D), therefore

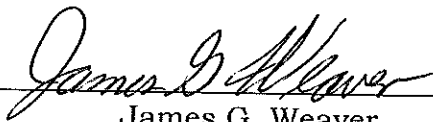
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FREMONT, STATE OF OHIO:**

**SECTION 1.** City Council hereby authorizes the approval and issuance of a warrant in payment of the amount of \$183,863.01 to Speer Brothers, Inc.; and

**SECTION 2.** 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 this Council, and that 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, including Section 121.22 of the Revised Code of Ohio.

**SECTION 3.** The immediate operation of the provisions of this resolution is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need of the Auditor to draw a warrant for disbursement and pay Speer Brothers, Inc. within the 30-day time period set forth in ORC Section 126.30.

This resolution, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this resolution shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.

  
James G. Weaver  
President of Council

PASSED: 9-19-13

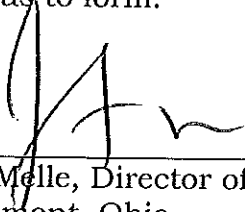
Effective date: 9-19-13

YEAS: 7 NAYS: 0

  
Elaine J. Huntley, City Council Clerk

  
James H. Ellis III, Mayor

Approved as to form:

A handwritten signature in black ink, appearing to read 'J. Melle', written over a horizontal line.

James F. Melle, Director of Law  
City of Fremont, Ohio