

**RESOLUTION NO.:** 2019-R10 (*AMENDED FEBRUARY 26, 2019*)  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** FEBRUARY 12, 2019 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE UNAPPROPRIATED BALANCE OF *GENERAL FUND* AND THE PIPELINE SETTLEMENT FUND TO THE FIRE STATION NO. 3 CONSTRUCTION ACCOUNT, *RECLASSIFY AN ADVANCE AS A TRANSFER*, MAKING ~~AN~~ APPROPRIATIONS, AND DECLARING AN EMERGENCY.**

WHEREAS, it has been determined the City of Green would like to build Fire Station No. 3; and

WHEREAS, Fire Station No.3 Construction Project was removed from the 2019 Capital Budget; and

WHEREAS, the construction of Fire Station No. 3 is an appropriate expenditure for a use of Pipeline Settlement funds; and

WHEREAS, the proposed Fire Station No. 3 will increase the Fire Division's response capability, while providing improved safety for its Citizens and Community; and

WHEREAS, Resolution 2017-R70 appropriated Five Hundred Thousand Dollars (\$500,000.00) in the 2018 Capital Budget for Satellite Fire Station #3; and

WHEREAS, Resolutions 2018-R34 and 2018-R68 authorized entering into a contract with Prime AE Group, Inc., not to exceed Three Hundred Forty-One Thousand Nine Hundred Eighty-Eight Dollars (\$341,988.00) for architectural, design services and construction documents and drawings; and

WHEREAS, Resolution 2018-R88 authorized entering into a contract with Infinity Construction, Co. for pre-construction services, construction documents, personnel and general conditions costs and the construction managers fees at an estimated cost of Three Hundred Forty-One Thousand Three Hundred Fifteen Dollars (\$341,315.00); and

***WHEREAS, Resolution 2018-R88 approved the advance of Two Hundred Thousand Dollars (\$200,000.00) from the General Fund to the Capital Projects Reserve Fund to provide the necessary cash flow for the cost of the pre-construction services; and***

***WHEREAS, due to the available funds in the Capital Projects Reserve Fund repayment is no longer expected, as it has been deemed necessary to reclassify the outstanding advance as a transfer and to have Council authorize such transfer; and***

WHEREAS, Resolution 2018-R87A appropriated One Hundred Twenty-Five Thousand Dollars (\$125,000.00) for land acquisition for Fire Station #3; and

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WHEREAS, the City desires to appropriate additional funds for the Construction Phase Compensation Fee and the cost to construct Fire Station No. 3., *and further wishes to set aside an additional Three Million Dollars (\$3,000,000.00) in the Pipeline Settlement Fund for the future construction of Fire Station No. 4.*

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:**

**SECTION ONE:**

The City of Green has determined constructing Fire Station No. 3 is an appropriate expenditure of Pipeline Settlement Funds as a safety force expense to protect the City and its residents.

**SECTION TWO:**

Green City Council authorizes the Finance Director to transfer ~~Four Million Six Hundred Thousand Dollars (\$4,600,000.00)~~ *Three Million Dollars (\$3,000,000.00)* to the Capital Projects Reserve Fund (Fund 401) from the unappropriated balance of the Pipeline Settlement Fund (Fund 245) *and One Million Four Hundred Thousand Dollars (\$1,400,000.00) to the Capital Projects Reserve Fund from the unappropriated balance of the General Fund (Fund 100).* Any unused monies from ~~this transaction Pipeline Settlement~~ *the General Fund transfer* not used for the construction will be transferred back to the ~~Pipeline Settlement~~ *General Fund*.

**SECTION THREE:**

Green City Council authorizes the Finance Director to appropriate Thirty-Six Thousand Six Hundred Ten Dollars (\$36,610.00) to the Satellite Fire Station #3 Account (Acct #401-3300-53610), from the unappropriated balance of the Capital Projects Reserve Fund for the balance of the proposed Construction Phase Compensation agreement.

**SECTION FOUR:**

Green City Council further authorizes the Finance Director to appropriate Four Million Three Hundred Eighty-Seven Thousand One Hundred Five Dollars (\$4,387,105.00) to the Satellite Fire Station #3 Account (Acct #401-3300-53610), from the unappropriated balance of the Capital Projects Reserve Fund for the construction of Fire Station #3, recognizing Infinity Construction as the Construction Manager at Risk. Green City Council further authorizes the Finance Director to make payment to Infinity Construction Co. for both the Construction Phase Compensation and the Construction Manager at Risk services provided through the established purchase order process.

**SECTION FIVE:**

*Green City Council approves the reclassification of the outstanding amount of the 2018 advance owed to the General Fund from the Capital Projects Reserve Fund, in the amount of Two Hundred Thousand Dollars (\$200,000.00) to a transfer. Council further approves the Transfer of Five Million Dollars (\$5,000,000.00) from the Income Tax Fund to the General Fund to provide adequate cash flow to support the General Fund.*

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**SECTION ~~FIVE~~ SIX:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION ~~SIX~~ SEVEN:**

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that services may begin immediately. Provided that this legislation receives the affirmative vote of three-fourths ( $\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Nichole Baldinger, Clerk of Council, Interim

\_\_\_\_\_  
Bob Young, Council President

APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2019

ON ROLL CALL:	Babbitt	Dyer	Humphrey	Shaughnessy
	Speight	Yeargin	Young	

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Baldinger, Clerk of Council, Interim

