

**RESOLUTION NO.:** 2021-R34 (*AMENDED JUNE 8, 2021*)  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** MAY 11, 2021 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH VASCO ASPHALT COMPANY FOR THE RECONSTRUCTION OF THE TENNIS COURTS AND PICKLE BALL COURTS AT BOETTLER PARK, MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.**

WHEREAS, the Boettler Park Tennis Courts were constructed in 1997; and

WHEREAS, the Service Department has discovered significant surface cracks and settling of the asphalt courts; and

WHEREAS, the Service Department has consulted with a professional firm to investigate and evaluate the current court conditions and various methods of repair for improving court playability; and

WHEREAS, the City of Green determines the best remedy to improve playability is to reconstruct the courts; and

WHEREAS, the City of Green Parks and Recreation Board supports the recommendation of the Service Department to City Council to appropriate funds from the unappropriated balance of the Parks Capital Reserve Fund to reconstruct these courts.

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

**SECTION ONE:**

Green City Council authorizes the Mayor to enter into an Agreement with Vasco Asphalt Company, based upon the scope of services, a copy of which is attached hereto and incorporated herein as **AMENDED** Exhibit "A".

**SECTION TWO:**

The requirement for competitive bidding is waived pursuant to Section 210.05 of the Codified Ordinances of the City of Green. This purchase is in accordance with the National Cooperative Purchasing Alliance ("NCPA") Contract No. 08-20, a copy of which is attached hereto as Exhibit "B", and pursuant to Ohio Revised Code Section 125.04. The Mayor is hereby authorized and directed to enter into an Agreement with Vasco Asphalt Company for the reconstruction of the tennis courts and pickle ball courts at Boettler Park, a copy of which is attached as **AMENDED** Exhibit "A".

**SECTION THREE:**

Green City Council authorizes the Finance Director to make payment to Vasco Asphalt Company for this Project through the established purchase order procedure.

**SECTION FOUR:**

The Finance Director is authorized to appropriate the sum of **Two Hundred Fourteen Thousand Eight Hundred Eleven Dollars and Thirty Cents (\$214,811.30)** ~~One Hundred Ninety Seven Thousand Six Hundred Sixty Two Dollars and Thirty Cents (\$197,662.30)~~ to the Boettler Park Tennis/Pickleball Courts Account (Acct. #402-7800-53632) from the unappropriated balance of the Parks Capital Projects Fund.

**SECTION FIVE:**

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 open meetings 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:**

Green City 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 the need for this is immediate. 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 Messner, Clerk of Council

\_\_\_\_\_  
Rocco Yeargin, Council President

APPROVED: \_\_\_\_\_, 2021

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

ENACTED EFFECTIVE: \_\_\_\_\_, 2021

ON ROLL CALL:   Babbitt                      Brandenburg              DeVitis              France  
                                  Meager                      Shaughnessy              Yeargin

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

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Nichole Messner, Clerk of Council