

RECORD OF ORDINANCES

Ordinance No. 1994-2

Passed July 11, 1994

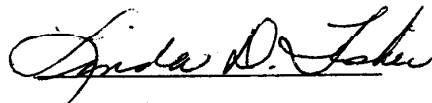
An ordinance authorizing and directing the Mayor to enter into an agreement for lighting the streets, highways and public places of the Village of Venedocia, Ohio.

Be it ordained by the Council of the Village of Venedocia, Ohio, and it is hereby ordained by authority of the same.

SECTION 1. That the Mayor of said Village be and she hereby is authorized, directed and empowered to enter into an agreement for lighting the streets, highways and public places of the Village of Venedocia, Ohio.

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 11th day of July, 1994.



Mayor

ATTEST: 7/11/94



Clerk

VILLAGE OF VENEDOCIA, OHIO

STREET LIGHTING AGREEMENT

EFFECTIVE: NOVEMBER 1, 1994

This AGREEMENT, entered into this 3RD day of OCTOBER, 1994 by and between OHIO POWER COMPANY, hereafter called the Company, and the Village of Venedocia hereafter called the Customer.

W I T N E S S E T H:

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto agree with each other as follows:

1. The Company agrees to furnish and the Customer agrees to accept and pay for street lighting service, during the term of this agreement, consisting of the number, size and type of lamps as listed on Attachment A, incorporated by reference as if fully rewritten herein.

2. The Customer agrees to accept the service herein specified during the term of this agreement and to pay therefor at the applicable rates currently in effect or any subsequent revision thereto as specified in Tariff S.L. which has been approved by the Public Utilities Commission of Ohio.

3. Upon receipt of a written notice from a duly authorized representative of the Customer, the Company agrees to install additional lamps. Such lamps shall be provided by the Company and paid for by the Customer in accordance with rates specified in Tariff S.L. in effect at the time the additional lamps are added.

The parties recognize that a period of time will necessarily elapse before all the new lamps can be obtained and installed. The Company will install the additional lamps as rapidly as labor conditions and material deliveries will permit.

4. All material furnished by the Company shall remain the property of the Company and may be removed at the termination of this agreement if the Company so desires.

5. This agreement shall be and remain in full force and effect for an initial term of one year from and after the 1st. day of **November, 1994**, and thereafter in successive terms of one-year each, until either party shall give at least 60 days' notice in writing to the other of its intention to discontinue the service at the end of any term.

6. If the Customer shall default in the payment of any bills as hereinbefore provided, the Company may at its option, after having given 10 days' written notice of its intention to do so, discontinue the service herein contracted for and continue to withhold the supply of electric energy for street lighting until such time as the Customer has made payment for all bills in which it is in arrears. Any such suspension of service by the Company shall not terminate this agreement unless Company so elects.

7. The Customer as further consideration for the promises and agreements made by the Company herein set forth hereby grants to the said Company the privilege of the use of the streets, alleys and public places of said Customer for the purpose of placing its poles and equipment for carrying out this agreement.

8. The Customer agrees that during the life of this agreement it will provide in its annual budgets and estimates and levy of taxes sufficient funds to pay the Company any amounts due it.

9. All and singular the terms and conditions of this agreement shall be binding upon and inure to the benefit of the parties hereto, their respective successors and/or assigns.

10. This agreement cancels and supersedes all previous agreements relating to the supply of the service described herein.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their duly authorized officers the day and year first above written.

OHIO POWER COMPANY

Richard J. Papp
Western Region Manager

VILLAGE OF VENEDOCIA

By Donald L. Lisk
Mayor

ATTEST:

Ernest A. Linn
Clerk

Form of Certificate of Fiscal Officer

Village of Venedocia, Ohio
OCTOBER 3, 1994

Pursuant to Section 5705.41 of the Revised General Code of Ohio, I hereby certify that the amount of money required to meet the expenditure involved in the above street lighting agreement, to which this certificate is attached, during the fiscal year in which said agreement is made has been lawfully appropriated for such purpose and is in the treasury (or in the process of collection), to the credit of an appropriate fund for said street lighting agreement, free from any previous encumbrances.

Ernest A. Linn
CLERK/TREASURER
Title of Fiscal Officer

Village of Venedocia, Ohio

ATTACHMENT A

Village of Venedocia

<u>Number</u>	<u>Size in Lumens</u>	<u>Type</u>	<u>Type of Pole</u>
28	9000	HPS	Wood

I, Suzette L. Wimer, Clerk of Council of the Village of Venedocia, Ohio, do hereby certify as follows:

1. That the following is a true copy of an ordinance enacted by the Council of the Village of Venedocia, Ohio, on the 11th day of July, 1994.

ORDINANCE NO. 1994-2

An ordinance authorizing and directing the Mayor to enter into an agreement for lighting the streets, highways, and public places of the Village of Venedocia, Ohio.

Be it ordained by the Council of the Village of Venedocia, Ohio, and it is hereby ordained by authority of the same.

SECTION 1. That the Mayor of said Village be and he hereby is authorized, directed, and empowered to enter into an agreement for lighting the streets, highways, and public places of the Village of Venedocia, Ohio.

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 11th day of July, 1994.

Linda D. Fisher
Mayor

ATTEST: 07/11/94

Suzette L. Wimer
Clerk

2. That the following is a true copy of a portion of the minutes of a meeting of the Council of the Village of Venedocia, Ohio, held on the 11th day of July, 1994, and correctly sets forth the procedure of said Council of the passage of the Ordinance mentioned.

VILLAGE OF VENEDOCIA, OHIO

Minutes of meeting of Council held at 6:00 P.M. on July 11, 1994.

The Village Council met in regular session at the Council Chambers in the Village Hall.

Mayor Linda Fisher at the chair.

There were present:

Doug Ruen
Paul Price
Jeff Coil
Gloria Leiter
Vernon Hobbs
Lee Lare

Ordinance No. 1994-2 said ordinance being intitlled "An ordinance authorizing and directing the Mayor to enter into a contract for lighting the streets of the Village of Venedocia, Ohio" was introduced by Mayor Linda Fisher.

Ordinance No. 1994-2 was then read section by section and in its entirety by the Clerk.

Moved by Vernon Hobbs, seconded by Doug Ruen that statutes and rules requiring ordinances to be fully and distinctly read on three different days be suspended and Ordinance No. 1994-2 be given its second and third readings.

Upon roll call, the vote upon the motion was follows:

Doug Ruen, aye
Paul Price, aye
Jeff Coil, aye
Gloria Leiter, aye
Vernon Hobbs, aye
Lee Lare, aye

Yeas - Six Nays -0, motion carried.

Ordinance No. 1994-2 was fully and distictly read by the Clerk the second and third times.

Moved by Vernon Hobbs, seconded by Doug Ruen that Ordinance No. 1994-2 be adopted and passed as read.

Upon roll call, the vote upon the motion was as follows:

Doug Ruen, aye
Paul Price, aye
Jeff Coil, aye
Gloria Leiter, aye
Vernon Hobbs, aye
Lee Lare, aye

Yeas - Six Nays -0, motion carried.

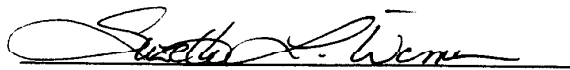
The Mayor thereupon declared Ordinance No. 1994-2 duly enacted and adopted.

That there being no English newspaper published and of general circulation in the Village of Venedocia, Ohio, said Ordinance No. 1994-2 above was duly published by posting true copies thereof at five (5) of the most public places in said municipal corporation as determined by the Council as follows:

One at Lions Club Building
One at Flat Lands Supply, Inc.
One at Venedocia Post Office
One at Venedocia Town Hall
One at Ohio Electro Polishing Co.

Each for a period of fifteen (15) days commencing on the second day of August, 1994.

In witness thereof, I have hereunto set my hand and seal of said Village on this 11th day of July, 1994.



Clerk of Council of the
Village of Venedocia, Ohio