

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule _____
RESOLUTION NO: <u>  2016 -12-50  </u>	Yes _____	Second Reading _____	Yes <u>  X  </u>
INTRODUCED BY <u>  R. ANTAL  </u>	No <u>  X  </u>	Third Reading _____	No _____

**RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF BOSTON HEIGHTS TO ENTER INTO AN AGREEMENT WITH THE CITY OF CUYAHOGA FALLS REGARDING DISPATCH AND RELATED SERVICES AND DECLARING AN EMERGENCY**

**WHEREAS;** the City of Cuyahoga Falls currently has, and is offering, dispatch and other related services; and,

**WHEREAS;** the Village of Boston Heights desires to contract with the City of Cuyahoga Falls for such services; and,

**WHEREAS;** both the City of Cuyahoga Falls and the Village of Boston Heights are desirous of establishing a dispatch services contract; and,

**WHEREAS;** the Village of Boston Heights recognizes that this service contract will enable the Village of Boston Heights to spend its resources in a manageable way and with certainty; and,

**WHEREAS;** this agreement will allow the Village of Boston Heights to immediately preserve the public peace, health, safety, convenience and welfare of its taxpayers and the inhabitants thereof;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Boston Heights, Summit County, Ohio as follows:

**Section 1:** That the Mayor of the Village of Boston Heights is hereby authorized and directed to immediately enter into a contract with the City of Cuyahoga Falls regarding dispatch and related services. Said agreement is attached hereto as Exhibit "A."


**Section 2:** That the Mayor and Fiscal Officer are hereby authorized and directed to sign all necessary paperwork to effectuate the entering of, execution and implementation of said agreement.

**Section 3:** That, to the extent no already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

**Section 3:** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4:** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the timely transition of dispatch services at the end of 2016 from Richfield to the City of Cuyahoga Falls and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

  
BILL GONCY, MAYOR

ATTEST:

  
BETTY KLINGENBERG, FISCAL OFFICER

I, Betty Klingenberg, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing Resolution **2016-12-50** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **13<sup>th</sup> day of December, 2016**.

AGREEMENT

This Agreement made this 13<sup>th</sup> day of December, 2016 by and between the Village of Boston Heights and the City of Cuyahoga Falls.

WHEREAS, Village of Boston Heights, hereinafter known as "Boston Heights", has requested and for an adequate consideration the City of Cuyahoga Falls, hereinafter known as "Cuyahoga Falls," has agreed to furnish certain telephone and radio communication services to Boston Heights.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

1. Cuyahoga Falls hereby agrees to provide the following services to Boston Heights:
  - a. Receive all E-911 calls for Boston Heights.
  - b. To dispatch the Boston Heights police cruisers; notify ambulance service as required by the above phone calls.
  - c. Transfer all Boston Heights' fire and EMS calls to Richfield.
  - d. Provide L.E.A.D.S. information in accordance with L.E.A.D.S rules to the police department; to make emergency phone calls; and provide other emergency communication services as requested by the Boston Heights police department.
  - e. To allow inquiry access to the call/incident files in the TAC CAD software and voice recording system to the Boston Heights police department upon request.
  
2. Boston Heights hereby agrees to make the following payments to Cuyahoga Falls commencing on the 1<sup>st</sup> day of January, 2017 through the 31<sup>st</sup> day of December, 2021.
  - a. FOR THE FIRST YEAR: \$33,493.00, annually payable at the rate of \$2,791.00 per month from January 1, 2017 through December 31, 2017;
  - b. FOR THE SECOND YEAR THROUGH AND INCLUDING THE FIFTH YEAR: a 3% increase will be applied and included each year following the first year of this Agreement

IN WITNESS WHEREOF, the City of Cuyahoga Falls and the Village of Boston Heights, pursuant to ordinances duly adopted by their respective authorized officers, hereunto set their hands as of the date below written:

WITNESSETH:

Catherine J. Meacham

Cynthia J. Hewson

APPROVED AS TO FORM:

Russell W. Balthis

Russell W. Balthis

Director of Law

Date: 12-19-16

THE CITY OF CUYAHOGA FALLS, OHIO

Don Walters

Don Walters

Mayor

Date: 12-19-16

WITNESSETH:

Betsy Kungenberg

12-13-16

THE VILLAGE OF BOSTON HEIGHTS

Bill Goncy

By: Bill Goncy

Mayor

Date: 12-13-16

APPROVED AS TO FORM:

Marshal M. Pitchford

Marshal M. Pitchford

Solicitor for Boston Heights

Date: 12/13/16

2  
3  
4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. 95 - 2016

6  
7  
8 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO  
9 AN AGREEMENT TO PROVIDE DISPATCH AND RELATED  
10 SAFETY SERVICES TO THE VILLAGE OF BOSTON HEIGHTS,  
11 AND DECLARING AN EMERGENCY.

12  
13 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State  
14 of Ohio, that:

15  
16 Section 1. The Mayor is hereby authorized to enter into an agreement to provide dispatch  
17 and related safety services to the Village of Boston Heights in a form substantially similar to the  
18 draft on file with the Clerk of Council.

19  
20 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions  
21 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
22 herewith and which have not previously been repealed are hereby ratified and confirmed.

23  
24 Section 3. It is found and determined that all formal actions of this Council concerning and  
25 relating to the passage of this ordinance were taken in an open meeting of this Council and that  
26 all deliberations of this Council and of any committees that resulted in those formal actions were  
27 in meetings open to the public, in compliance with all legal requirements including Chapter 107  
28 of the Codified Ordinances.

29  
30 Section 4. This ordinance is hereby declared to be an emergency measure necessary for the  
31 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga  
32 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the  
33 members elected or appointed to Council, it shall take effect and be in force immediately upon its  
34 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest  
35 period allowed by law.

36  
37  
38 Passed: 12-27-16

39 Mary Ellen Pyke  
40 President of Council

41 Jane M. Cannon  
42 Clerk of Council

43  
44  
45 Approved: 12-28-2016

46 [Signature]  
47 Mayor