

RESOLUTION NO. 143-15

BY: **JEFFREY CROSSMAN**

A RESOLUTION TO GRANT A MORAL CLAIM TO NIKOLAY LIZHNYAK FOR TEMPORARY SANITARY HOLDING TANK CLEAN-OUT REIMBURSEMENT AT 6938 BROADVIEW ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, resident Nikolay Lizhnyak purchased the home located at 6938 Broadview Road in the City of Parma in November of 2014. This home was awaiting a new sanitary sewer and connection that was associated with the sewer improvement project on Broadview Road. Prior to this permanent sewer and connection, he incurred clean-out charges of the temporary sanitary holding tank for three (3) months in the amount of \$400.00 per month and is now seeking reimbursement from the City; and,

WHEREAS, the improvement project was scheduled to be completed prior to him incurring these out-of-pocket expenses and the City should have cleaned out the temporary holding tank at its expense during that time as it had done by agreement with the previous owner;

NOW, THEREFORE; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That this Council of the City of Parma hereby grants a moral claim to Nikolay Lizhnyak in the amount of \$1,200.00 to reflect the settlement for monetary damages suffered as a result of using a septic service for the clean-out of a temporary holding tank at 6938 Broadview Road in the City of Parma in 2014 and 2015.

Section 2. That said moral claim shall be paid from Fund No. 605-605-Liability Insurance; Account No. 65319-14315-Claims Out.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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.

Section 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to finalize the settlement for this claim, and this Resolution shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO