

# Village of Bolivar, Ohio

Ordinance Number: O-18-2024

**TITLE: AN ORDINANCE TO AUTHORIZE A CONTRACT WITH MAST’S TREE SERVICE, LLC FOR TREE CLEANUP AND REMOVAL SERVICES; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Bolivar, Ohio desires authorize a contract with Mast’s Tree Service, LLC; and

**WHEREAS**, the Legislative Authority for the Village of Bolivar desires to authorize the Mayor of the Village of Bolivar and/or the Fiscal Officer for the Village of Bolivar to execute the contract with Mast’s Tree Service, LLC as set forth herein.

**NOW THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, COUNTY OF TUSCARAWAS, STATE OF OHIO, A MAJORITY OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

SECTION 1. The Village Council for the Village of Bolivar hereby approves and authorizes a contract between the Village of Bolivar and Mast’s Tree Service, LLC in a total amount not to exceed \$ 1,950.00.

SECTION 2. The Village Council hereby authorizes the Mayor of the Village of Bolivar and/or the Fiscal Officer for the Village of Bolivar to execute the agreement with Mast’s Tree Service, LLC for water billing software services.

SECTION 3. It is expressly understood by the Village of Bolivar and Mast’s Tree Service, LLC that all services shall be performed as an independent contractor and any agreement with the Village of Bolivar shall not constitute an employment relationship.

SECTION 4. Except for costs and expenses incurred by the Village of Bolivar as set forth herein, Mast’s Tree Service, LLC shall be solely responsible for and shall reimburse the Village of Bolivar for, any direct and indirect damages, liabilities, losses, costs, and expenses (including reasonable attorney’s fees and out of pocket disbursements) arising out of services performed under any agreement between the Village of Bolivar and Mast’s Tree Service, LLC.

SECTION 5. Mast’s Tree Service, LLC shall maintain adequate insurance to cover against any loss and shall pay and remain current with any required Worker’s Compensation premiums for itself and any of his employees.

SECTION 6. This Ordinance repeals all previous Ordinances, Resolutions, or parts thereof in conflict herewith.

SECTION 7. It is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 8. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, and general welfare for the reason that the Village of Bolivar is in immediate need of tree removal and cleanup services; and, this Ordinance shall be in full force and effective immediately upon its passage.

**PASSED IN COUNCIL** this \_\_\_\_ day of \_\_\_\_\_ 2024.

Attest:

\_\_\_\_\_  
Mayor Robert Lloyd

\_\_\_\_\_  
Maria App, Fiscal Officer

Approved as to Legal Form by:

\_\_\_\_\_  
Stephan P. Babik, Village Solicitor