

TEMPORARY RESOLUTION NO. 142-11

PERMANENT RESOLUTION NO. 145-11

A RESOLUTION TO APPROVE A LEASE WITH HORIZON TELECOM, INC.
AND THE SUBSIDIARY, HORIZON VIEW CABLE

WHEREAS, an ARRA Stimulus monies have funded a statewide fiber project to connect the state with fiber optic; and

WHEREAS, Horizon Telecom, Inc. is the contractor building the infrastructure; and

WHEREAS, the City and Horizon desire to enter into a mutually beneficial lease to provide Horizon a Point of Presence (POP) facility on a City parcel and in exchange provide the City with fiber access not currently available;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO.

SECTION 1. The Service-Safety Director is hereby authorized to enter into a lease with Horizon Telecom, Inc., and its subsidiary Horizon View Cable pursuant to Exhibit A.

SECTION 2. The Lease in the form presently on file with the Clerk of Council, is hereby approved and authorized with changes therein not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the Service-Safety Director. The Service-Safety Director for and in the name of this City, is hereby authorized to execute the Lease provided further that the approval of changes thereto by the Service-Safety Director, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the Service-Safety Director's execution any amendments that are not inconsistent with the Resolution and not substantially adverse to this City.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 9/26/11 after 2nd reading. Vote: Yeas 8 Nays 0

Approved: 9/26/11

Clerk: Jeresa Lee Sandy

Kenneth O'Callahan
President of Council

Donald H. Smith
Mayor

Offered by: Randy D. [Signature]

Second by: Melody L. Bobbitt

Requested by Finance Committee