

RESOLUTION 81-5

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND FORMALLY DECLARING THE POLICY OF THE CITY OF FRIEND TO REQUIRE ALL CONTRACTORS PERFORMING SERVICES WHICH REQUIRE THE CUTTING OF PAVEMENT, DIGGING IN STREETS AND ALLEYS, TUNNELLING UNDER OR HANGING ANY TYPE OF APPARATUS ABOVE CITY STREETS AND ALLEYS, WITH THE EXCEPTION OF THOSE UTILITIES AND SERVICES WHICH HAVE BEEN HERETOFORE OR MAY IN THE FUTURE BE GRANTED FRANCHISES, IN EMERGENCY SITUATIONS ONLY, TO NOTIFY THE CITY CLERK AND THE SUPERINTENDENT OF UTILITIES AT THE CITY HALL IN THE CITY OF FRIEND PRIOR TO COMMENCING ANY SUCH WORK AND NOT TO PROCEED WITH ANY SUCH WORK UNTIL AUTHORIZED TO DO SO; AND FURTHER DECLARING THE POLICY OF THE CITY OF FRIEND TO DENY, DISALLOW, AND NOT PAY ANY BILLS OR CLAIMS RESULTING FROM SERVICES ALLEGEDLY PERFORMED BY CONTRACTORS WITHOUT THE EXPRESS WRITTEN AUTHORITY OF THE CITY OF FRIEND.

BE IT RESOLVED by the Mayor and City Council of the City of Friend, Saline County, Nebraska, as follows, to-wit:

1. The Mayor and City Council of the City of Friend declare it to be the policy and the legal requirement that any contractor performing any services for anyone within the corporate limits of the City of Friend which require the cutting of pavement or digging up of streets in streets and alleys or the tunnelling under or hanging apparatus above the streets and alleys in the City of Friend, with the exception of those utilities and services which have been heretofore or may in the future be granted franchises, in emergency situations only, be required to notify the City Clerk and the Superintendent of Utilities of the project proposed and not to proceed with regard to such project until authorized to do so by the Superintendent of Utilities. Failure to so notify the City Clerk and the Superintendent of Utilities and proceeding with such work without the authority or authorization to proceed from the Superintendent of Utilities shall be a misdemeanor punishable by a fine not to exceed the sum of \$100.00.

2. The Mayor and City Council of the City of Friend declare it further to be the policy of the Mayor and City Council of the City of Friend to deny, disallow and not pay any bills or claims filed by contractors for services allegedly performed for the City of Friend unless the City has requested the services by express written request and authorization to proceed with such work by the City Clerk and the Superintendent of Public Utilities. No claims for services of any kind whatsoever shall be paid by the City of Friend under any circumstances unless the contractor shall have obtained from the City Clerk and the Superintendent of Utilities written authorization to proceed to perform services for the City of Friend; and furthermore, that the City Clerk and the Superintendent of Utilities shall not authorize or order any such services to be performed by any contractor until they have been previously authorized to do so by the direction of the Mayor and the City Council contained in a Motion which is passed by a majority of the City Council members whenever the sum involved is estimated to exceed the sum of \$2,000.00. That in the event of emergency or lack of an estimate of the cost of such services, the Clerk or the City Superintendent be authorized to call an emergency session of the Mayor and City Council in order to obtain their approval.

DATED this 5TH day of May, 1981.