



CITY OF PATASKALA

RESOLUTION 2024-021

Passed February 20, 2024

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH VERDANTAS LLC AND PRIME AE GROUP, INC.

WHEREAS, Hull and Associates, Inc. as predecessor in interest to Verdantas LLC, entered into an agreement with the City of Pataskala for a project known as the City of Pataskala Water Reclamation Facility-Oxidation Ditch & Phosphorus Reduction Improvements (“the Project”); and

WHEREAS, Hull, as predecessor in interest to Verdantas, entered into a Master Service Agreement with PRIME AE Group, Inc. to perform certain task orders for the Project.

WHEREAS, disputes arose regarding the Project and the City Pataskala raised concerns related to the Project; and

WHEREAS, before resorting to litigation, the City of Pataskala, Verdantas, and Prime agreed to try to resolve all claims by and between them arising from, or related to, the Project; and

WHEREAS, representatives from the City of Pataskala, Verdantas, and Prime attended a mediation on January 18, 2024. After a long day of mediation, the Parties came to a tentative agreement; and

WHEREAS, Council for the City of Pataskala is satisfied with the terms of the tentative agreement and now wants to approve formally and officially the same.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section 1: The City Administrator is hereby authorized and directed to execute a Settlement Agreement and Mutual Release, in substantially the same form and content as the Agreement attached hereto as Exhibit A and incorporated herein by reference, with Verdantas LLC and Prime AE Group, Inc.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that any and 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 of the laws of the State of Ohio.

Section 3: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

Jessica M. Cumbo, Clerk of Council

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director