

ORDINANCE NO. 21-017

AN ORDINANCE APPROVING THE EMERGENCY SHORELINE RESTORATION WORK TO BE PERFORMED AT THE PAPER DISTRICT MARINA BY MARK HAYNES CONSTRUCTION OF NORWALK, OHIO, IN THE AMOUNT OF \$18,420.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the west side of the Amphitheater at the Paper District Marina is in dire need of shoreline protection due to continued erosion and loss of land due largely to high water levels in recent years and wave-action from the bay; and

WHEREAS, years of exposure to wave action and “shelf ice” damage at the point where the water meets the land has caused erosion and a drop-off in many areas where the land has given way into the water; and

WHEREAS, it is crucial that the shoreline restoration work be performed as soon as possible to protect the shoreline and prevent further erosion and to safeguard the City’s investments in this area; and

WHEREAS, the emergency work consists of shaping the embankment and tying large stone into the subgrade in combination with fabric material and smaller stone to “lock in” the larger stone and will extend about 170 linear feet along the west side of the Amphitheater at the Paper District Marina; and

WHEREAS, pursuant to the Ohio Revised Code, the emergency nature of the shoreline restoration work at Shoreline Park obviates the necessity to comply with formal competitive bidding and advertising and as a result, quotes were requested from five (5) local construction companies who perform shore restoration work of which two (2) quotations were submitted and the quote from Mark Haynes Construction of Norwalk, Ohio, was determined to be the lowest and best quote; and

WHEREAS, the total cost for the emergency shoreline restoration work at the Paper District Marina on the west side of the Amphitheater to be performed by Mark Haynes Construction is \$18,420.00 and will be paid with funds from the Parks and Recreation Capital Projects Fund; and

WHEREAS, approval is being requested in companion legislation for the emergency shoreline restoration work at Shoreline Park; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately proceed with the restoration work to prevent further deterioration of the shoreline and furthermore, to complete during the winter when the ground is frozen to minimize any collateral damage; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in

PAGE 2 - ORDINANCE NO. 21-017

accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission confirms the finding of a real and present emergency regarding the shoreline restoration work at the Paper District Marina and authorizes and directs the City Manager and/or Finance Director to make payment to Mark Haynes Construction of Norwalk, Ohio, in an amount **not to exceed** Eighteen Thousand Four Hundred Twenty and 00/100 Dollars (\$18,420.00), consistent with the quote submitted by Mark Haynes Construction of Norwalk, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: February 8, 2021