

**ORDINANCE NO. 23-044**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COMMISSIONERS OF ERIE COUNTY, OHIO, FOR COSTS ASSOCIATED WITH THE 2023 BARDSHAR ROAD IMPROVEMENTS PROJECT, AS PART OF AN ERIE COUNTY PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, throughout the years, the City has made efforts to enclose portions of the ditch along Bardshar Road and install storm sewer infrastructure as these ditches pose hazards to vehicles that veer off the pavement with its narrow shoulder and furthermore, the deep ditches run close to the roadway, jeopardizing the edges of the pavement; and

**WHEREAS**, installing pipe of appropriate size and filling the ditch not only allows drainage flows to continue, but it also safeguards the pavement and provides room for wider shoulders for vehicle correction, farm equipment and emergency pull-offs; and

**WHEREAS**, in early 2022, Staff was notified of a proposed storm sewer project along Bardshar Road abutting the City limits spearheaded by the Erie County Engineer's office and through conversations with the Erie County Engineer's office, it was agreed to include a portion of the ditch along Bardshar Road abutting their project, into their project, as this area contains the deepest open ditches of the entire roadway; and

**WHEREAS**, the 2023 Bardshar Road Improvement Project consists of adding 150' of 18" storm sewer dedicated for carrying stormwater flowing Northward and filling in the ditch from the corporate limits on Bardshar Road, south of Firelands Winery, and heading northward along the east side; and

**WHEREAS**, the Erie County Engineer's office performed the design of the City's portion of the project in-house and upon completion of competitive bidding, the lowest bidder submitted an alternative bid for the City's portion of the project in the amount of \$17,676.00; and

**WHEREAS**, the City will reimburse Erie County for 100% of the cost of the City's portion of the project estimated not to exceed \$17,676.00 based on bids and will be paid with Sewer Funds; 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 appropriate the necessary funds as the project is anticipated to begin March and so payment can be made to the County upon receipt of invoice; 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

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emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in 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. The City Manager is authorized and directed to enter into an Agreement with the Board of Commissioners of Erie County, Ohio, for costs associated with the 2023 Bardshar Road Improvements Project, as part of an Erie County Project.

Section 2. The City Manager and/or Finance Director is authorized and directed to make payment to Erie County upon invoice for the costs associated with the 2023 Bardshar Road Improvements Project, as part of an Erie County project, in an amount **not to exceed** Seventeen Thousand Six Hundred Seventy Six and 00/100 Dollars (\$17,676.00).

Section 3. 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 4. 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 5. 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.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: February 27, 2023