

ORDINANCE NO. 23-172

AN ORDINANCE RATIFYING THE EMERGENCY INSTALLATION OF A NEW TRAFFIC CABINET AND EQUIPMENT FOR THE INTERSECTION AT U.S. ROUTE 4 (HAYES AVENUE) AND WEST PERKINS AVENUE; AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR THE FINANCE DIRECTOR TO EXPEND FUNDS TO NATIONAL LIGHT & POWER, INC., OF SANDUSKY, OHIO, IN THE AMOUNT OF \$8,310.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, on April 14, 2023, a motorist struck and damaged a traffic cabinet located at the intersection of U.S. Route 4 (Hayes Avenue) and W. Perkins Avenue, causing a traffic light outage; and

WHEREAS, this City Commission was notified at their April 24, 2023, regularly scheduled meeting of the emergency nature of the situation and a motion was passed approving the emergency purchase to replace the damaged equipment at this intersection; and

WHEREAS, pursuant to Section 24 of the City Charter the emergency nature of the work obviates the necessity to comply with formal competitive bidding and advertising; and

WHEREAS, the total cost for the installation of the traffic cabinet and equipment is \$8,310.00 and will be paid with Traffic Funds and all costs associated with the repair will be billed to the driver's insurance company; and

WHEREAS, approval is being requested in companion legislation to expend funds to Path Master, Inc., of Twinsburg, Ohio, for the purchase of the traffic cabinet and equipment in the amount of \$43,138.00; 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 make payment for services already performed; 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 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 approves and ratifies the emergency purchase of a new traffic cabinet and equipment for the intersection at U.S. Route

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4 (Hayes Avenue) and W. Perkins Avenue and authorizes and directs the City Manager and/or Finance Director to expend funds to National Light & Power, Inc., of Sandusky, Ohio, at an amount **not to exceed** Eight Thousand Three Hundred Ten and 00/100 Dollars (\$8,310.00).

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:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: August 28, 2023