

## ORDINANCE NO. 23-200

**AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO THE TREASURER OF STATE, OHIO DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE ROUTE 2 IN THE CITY OF SANDUSKY BY THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PERIOD OF JULY 1, 2022, THROUGH JUNE 30, 2023; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky consented to the maintenance of State Route 2 within the corporate limits of the City by the Ohio Department of Transportation (ODOT) by Ordinance 8203-C, passed on March 27, 1978, and further agreed to annually pay the Ohio Department of Transportation for maintenance that included but is not limited to snow plowing; and

**WHEREAS**, since 1978, the City and the Ohio Department of Transportation have entered into numerous agreements, modifying the obligations of the City and ODOT based upon current needs; and

**WHEREAS**, in 2022, ODOT proposed to separate Snow Removal and Maintenance and/or Repair into two (2) separate agreements summarized as follows:

Maintenance and/or Repair:

ODOT will perform routine maintenance and repairs such as pothole patching, crack sealing, pavement markings, striping, storm sewer cleaning, ditch operations, sweeping activities, sign repairs, overhead lighting, and guardrail repairs. ODOT will also perform all drainage repairs less than \$15,000. Any drainage repairs exceeding \$15,000 shall remain the responsibility of the respective responsible party.

Snow Removal:

Since 2018, the City has accepted responsibility for snow and ice control of State Route 101 south of the City's corporation limits totaling 0.2 miles of two- and four-lane roadways, including the State Route 2 overpass. In turn, ODOT will perform snow and ice control for the portions of State Route 2 that are in the City limits.

**WHEREAS**, this City Commission approved the agreements with the Ohio Department of Transportation for the Maintenance and/or Repair Agreement by Ordinance No. 22-102, passed on May 23, 2022, and for the Snow Removal Agreement by Ordinance No. 22-165, passed August 22, 2022; and

**WHEREAS**, the cost for maintenance services for the period of July 1, 2022, through June 30, 2023, is \$14,571.07 and will be paid with the City's State Highway 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 to

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allow payment to be made to the Treasurer of State, Ohio Department of Transportation as soon as possible for services already provided and consistent with the invoice received September 19, 2023, and due on October 19, 2023; 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 hereby authorizes and directs the City Manager and/or Finance Director to make payment to the Treasurer of State, Department of Transportation for the maintenance of State Route 2 for the period of July 1, 2022, through June 30, 2023, in an amount **not to exceed** Fourteen Thousand Five Hundred Seventy-One and 07/100 Dollars (\$14,571.07), consistent with the invoice received by the City.

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

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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: October 9, 2023