

RESOLUTION NO. 039-23R

A RESOLUTION AMENDING ORDINANCE NO. 036-23R, PASSED ON AUGUST 28, 2023; AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE FOR THE DOWNTOWN STREET PAVING PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the last downtown street resurfacing project was in 1999 as part of a larger scale streetscape project and the blocks of Market Street beyond Jackson and Wayne Streets were paved in 1976 and the pavement surfaces have outlived their useful life with potholes prevalent on most of the blocks of streets; and

WHEREAS, the Downtown Street Paving Project involves the milling and paving of the most deteriorated surface course of asphalt, repairing/replacing full-depth sections, adjusting manholes and improving drainage and striping within the project area; and

WHEREAS, subsequent to approve of the Resolution, the amount of funds to be requested was increased and therefore it is necessary to amend Resolution No. 036-23R; and

WHEREAS, the current estimated cost for the Downtown Street Paving Project is \$492,615.00 and the City is requesting funds in the amount of **\$246,307.50 (50%)** and if awarded, the City's portion of the project will be **\$246,307.50 (50%)** and will be paid with annual resurfacing funds from the City's 2024 budget; and

WHEREAS, a certified copy of the legislation approving the project is required by the governing body of the applicant; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the amended Resolution for the grant application package that was already submitted to the OPWC District 5 Integrating Committee by the deadline; 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 **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and NOW, THEREFORE,

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

PAGE 2 - RESOLUTION NO. 039-23R

Section 1. This City Commission hereby amends Ordinance No. 036-23R, passed on August 28, 2023.

Section 2. This City Commission hereby approves the submission of an application for financial assistance with the Ohio Public Works Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the Downtown Street Paving Project and authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

Section 2. If any section, phrase, sentence, or portion of this Resolution 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 Resolution 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 Resolution 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