

ORDINANCE 20 - 23

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO RENEW THE EASEMENT AGREEMENT, AUTHORIZED BY ORDINANCE 17-08, AND ENTERED INTO WITH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES ON AUGUST 2, 2008, AND DECLARING AN EMERGENCY

WHEREAS, the City of Port Clinton, entered into an agreement with Ottawa County, Ohio and the State of Ohio, dated December 30, 2004, for the City to receive sanitary sewer flow from the Camp Perry Training Site and other properties located in Erie Township, Ottawa County, Ohio (the Agreement); and

WHEREAS, the necessary sewer lines have been installed by Ottawa County, along with sewer lift station to operate the sewer collection and transmission lines to the City Sanitary Sewer System; and

WHEREAS, it was necessary for the City to acquire an easement from the State of Ohio for the location, operation and access to sanitary lift stations at the Camp Perry Training Site; and

WHEREAS, the State of Ohio, by and through the Department of Administrative Services on behalf of the Adjunct's General's Department, was willing to grant an easement to the City for the purpose to install, construct, reconstruct, use, operate, maintain, repair, replace, remove, service, and improve sanitary sewer lift stations and pipelines on State owned property.

WHEREAS, legislation was passed in Ordinance 14-08, authorizing the Director of Safety and Service to enter into an Easement Agreement with Ottawa County, Ohio and the State of Ohio; and

WHEREAS, the City of Port Clinton entered into an Easement Agreement with Ottawa County, Ohio and the State of Ohio, dated August 2, 2008, for a term of fifteen (15) years, commencing on August 2, 2008 and expiring on August 1, 2023; and

WHEREAS, the City would like to renew the Easement Agreement with Ottawa County, Ohio and the State of Ohio for another term of fifteen (15) years; and

WHEREAS, this Council finds and determines it is in the City's best interest to renew the Easement Agreement with the Ottawa County, Ohio and the State of Ohio for another term of fifteen (15) years.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PORT CLINTON, STATE OF OHIO:

Section 1. The Director of Safety and Service is hereby authorized and directed to renew the easement agreement with the State of Ohio for the location and operation of sanitary sewer lift stations and pipelines on State owned property, for the purpose of receiving wastewater flow from Camp Perry Training Site and other properties in Erie Township, Ottawa County, Ohio for a term of fifteen (15) years.

Section 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City and for the further reason that the original easement agreement expired on August 1, 2023 and it is necessary for the City to pass legislation to allow the Director of Safety and Services to renew the agreement immediately; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2023

President of Council

Attest: _____
Clerk of Council

Approve _____, 2023

Mayor