

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8084 FORM NO. 30043

Ordinance No. 2023-8 Passed May 10, 2023

AN ORDINANCE TO APPROVE THE RENEWAL AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE VILLAGE OF THURSTON, OHIO FOR THE REMOVAL AND CONTROL OF SNOW AND ICE PURSUANT TO ORDINANCE 2021-25 AND THE DECLARATION OF AN EMERGENCY

This Agreement is made by and between the State of Ohio, Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223, acting by and through its Director, hereinafter referred to as the "ODOT" and the Village of Thurston, 2215 Main Street, Thurston, OH 43157 hereinafter referred to as the "VILLAGE" and shall be referred to singularly as "party" and collectively as "parties".

WHEREAS, the legislative authority of the VILLAGE has granted its consent to the Village Administrator and Fiscal Office to renew the agreement dictated in Ordinance 2021-25 effective July 1, 2023 and remain in force until June 30, 2025; and

WHEREAS, it is in the interest and safety of the traveling public and it serves to manage public resources of ODOT and VILLAGE in an efficient manner that ODOT perform snow and ice removal and control on SR256 within the VILLAGE; and

WHEREAS, the ordinance will need to be passed on an emergency basis in order to allow the works to be done in a timely fashion;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THURSTON, FAIRFIELD COUNTY, OHIO, THREE FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: The Village Administrator and Fiscal Office are hereby authorized to renew the agreement dictated in Ordinance 2021-25 effective July 1, 2023, and remain in force until June 30, 2025 per attached renewal agreement (Schedule A); and

SECTION 2: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Thurston, Ohio. This ordinance shall become effective immediately in order to record the proper entries.

Mary M Boring
Mary Boring, Mayor

DATE OF PASSAGE: 5-10-23

EFFECTIVE DATE: 5-10-23

ATTEST: Aaron L. Reedy
Aaron L. Reedy, Fiscal Officer

ODOT Agreement No. 36934-A
Ordinance No. 2021-25
(2023-8 Schedule A)

**RENEWAL OF THE SNOW AND ICE AGREEMENT
BETWEEN THE OHIO DEPARTMENT OF TRANSPORTATION
AND THE VILLAGE OF THURSTON**

This AMENDMENT is entered into by and between the Ohio Department of Transportation whose address is 1980 West Broad Street, Columbus, Ohio 43223 (hereinafter referred to as "ODOT"), and the Village of Thurston, Ohio, whose address is 2215 Main Street, Thurston, Ohio 43157, collectively referred to as "the Parties".

Pursuant to subsection 4.1 of the Agreement having ODOT Agreement Number 36934, the Parties wish to enter into a written amendment renewing the Agreement.

The Parties hereby agree that the renewal of the Agreement shall be effective on July 1, 2023, and remain in full force and effect until June 30, 2025, unless terminated earlier as provided in subsection 4.2 of the Agreement.

The Parties agree that all other terms and conditions of the Agreement shall remain the same.

Any person executing this Amendment in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this Amendment.

Any Party hereto may deliver a copy of its counterpart signature page to this Amendment via fax or e-mail. Each Party hereto shall be entitled to rely upon a facsimile or electronic signature of any other party delivered in such a manner as if such signature were an original.

The Parties have executed this Amendment as of the last day and year written below.

VILLAGE OF THURSTON

By: _____
Carlyle Sparrow, Village Administrator

Date: _____

By: _____
Aaron L. Reedy, Fiscal Officer

Date: _____

STATE OF OHIO

Department of Transportation

By: _____
Jack Marchbanks, Director

Date: _____