

SPONSOR: Heard/Stewart

ORDINANCE NO. 86-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF JACKSON, OHIO, AND USRC HOLDINGS, INC., AN OHIO CORPORATION, WHOSE ADDRESS IS 7846 W. CENTRAL AVENUE, TOLEDO, OHIO 43617, FOR THE LEASE OF THE CITY OWNED RAILROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jackson is the owner of a railroad; and

WHEREAS, USRC Holdings, Inc., an Ohio corporation, currently leases the right to operate the City owned railroad; and

WHEREAS, the City and USRC Holdings, Inc., desire to amend the current lease agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section One. The Mayor, or his designated representative, is authorized to enter into an Agreement between the City of Jackson, Ohio, and USRC Holdings, Inc., an Ohio corporation, whose address is 7846 W. Central Avenue, Toledo, Ohio 43617, for the lease of the City owned railroad. A copy of the Agreement is attached hereto as Exhibit "A".

Section Two. This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to enter into this agreement as soon as possible to timely and adequate address the issues concerning the City's railroad and continue the operations of the City's railroad. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section Three. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Four. It is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Date: _____

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

Approved:

Date: _____

MAYOR

Dead- NOT removed from table on 8/13.