

Sponsor: Smith/Brown

ORDINANCE NO. 74-11

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO AUTHORIZE AN AGREEMENT WITH U.S. RAIL CORPORATION FOR REPAIRS TO THE RAILROAD AND FOR PAYMENT TO U.S. RAIL CORPORATION FINDING THAT EMERGENCY CONDITIONS EXIST SO AS TO OBTAIN THE FORMAL BIDDING AND ADVERTISING REQUIREMENTS FOR CONTRACTS AND DECLARING AN EMERGENCY.

WHEREAS, it has been determined that the railroad owned by the City suffered significant damages as a result of the May 11, 2011 flood and that immediate and emergency action was required to continue rail operation to local customers; and

WHEREAS, it has been determined that U.S. Rail Corporation was able to provide the necessary labor in order to avoid prolonged disruption of rail service for a total cost of \$ 50,000; and

WHEREAS, this matter constituted a real and present emergency for the continued operation of the City owned railroad, under the authority of R.C. 735.051, the conditions obviate requirements for formal bidding and advertising for contracts.

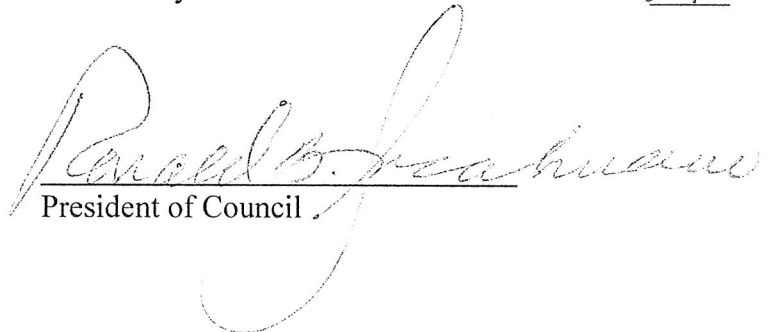
NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. The legislative authority of the City of Jackson hereby authorizes the Director of Service and Public Safety of the City of Jackson, Ohio to enter into a contract with U.S. Rail Corporation at a price not to exceed \$ 50,000.

Section 2. This matter is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio and that, under the authority of R.C. 735.051, the conditions obviate requirements for formal bidding and advertising for contracts.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, wherein meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 29th day of December, 2011.



President of Council

ATTEST:

Jean Brown
Clerk of the Legislative Authority

Approved this 29th day of December, 2011.

Randy R. Heath
Mayor