

RESOLUTION NO. 2018- 2061

A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO AN EXTENSION TO THE SANITARY SEWAGE COLLECTION AND TREATMENT AGREEMENT BETWEEN THE CITY AND THE COUNTY TERMINATED THROUGH SEPTEMBER 30, 2019 AND DECLARING AN EMERGENCY.

WHEREAS, the Sanitary Sewage Collection and Treatment Agreement between the City and the county was scheduled to terminate in December, 2014; and

WHEREAS, both the City of Fremont and Sandusky County desire to continue negotiating the terms of the existing agreement; and

WHEREAS, this negotiation will continue past the current deadline, and it is in the best interest and welfare of the City of Fremont to extend this agreement; and

WHEREAS, Sandusky County and the City of Fremont need to pass legislation granting this extension through September 30, 2019,

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

SECTION 1. The Mayor and Safety Service Director are hereby authorized to sign the Supplemental Agreement Contract to extend the Sanitary Sewage Collection document and Treatment Agreement between the City and the County through September 30, 2019 (attached as Exhibit A).

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the City of Fremont. Said emergency being the need to sign the extension in an expeditious manner as to comply with time deadlines.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.



Jamie Hallford
President of Council



Angie Ruiz
Pro-Ter

PASSED: 9-6-18
Effective Date: 9-6-18
YEAS: 6 NAYS: 0



Robert Gross, City Council Clerk



Daniel R. Sanchez, Mayor

Res557

Approved as to form:



James F. Melle, Director of Law
City of Fremont, Ohio



**SUPPLEMENTAL AGREEMENT BETWEEN
CITY OF FREMONT AND COUNTY OF SANDUSKY**

THIS SUPPLEMENTAL AGREEMENT made and entered into this ____ day of _____, 2018, by and between the City of Fremont, Ohio, by its Director of Public Service and Safety and its Mayor, duly authorized on its behalf by an ordinance heretofore passed by its Council, hereinafter referred to as the "City," and the County of Sandusky, Ohio, by at least two of its County Commissioners, duly authorized on its behalf by a resolution heretofore adopted by its Board of County Commissioners, hereinafter referred to as the "County."

WHEREAS, the County has, by resolutions duly adopted by its Board of County Commissioners on November 24, 1964, October 31, 1974 and August 12, 1976, duly established and enlarged Sandusky County Sewer District No. 1 ("Sewer District No. 1") for the purpose of preserving and promoting the public health and welfare; and

WHEREAS, the City and the County have heretofore entered into an agreement dated February 1, 1973, as amended and supplemented by supplemental agreements dated January 7, 1975, December 26, 1978, June 16, 1979, June 19, 1980, April 21, 1987, September 10, 1987, October 15, 1991, June 9, 1994, September 19, 1996, August 11, 2011, January 8, 2012 and March 10, 2015 and continuing in effect as so amended and supplemented by tacit agreement of the parties until the date hereof (that agreement, as so amended and supplemented and in effect until the date hereof, is hereafter referred to as the "Original Agreement") with respect to the provision of sanitary sewage collection and treatment service by the City for the area set forth in that Original Agreement (the "Original Service Area") which Original Service Area includes a portion of Sewer District No. 1;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the City and County do hereby promise and agree:

Section 1: The Original Agreement shall be extended for a period ending on September 30, 2019 for a negotiation period for a new agreement between the City and the County.

IN WITNESS WHEREOF, the City and the County have caused this Supplemental Agreement to be executed by their respective officers thereunto duly authorized as of the day and year first above written.

CITY OF FREMONT

Approved as to Form:

Director of Public Service and Safety

City Solicitor
City of Fremont

Mayor

COUNTY OF SANDUSKY

Approved as to Form:

Paul J. Murray 7/27/18

Assistant Prosecuting Attorney
Sandusky County

County Commissioners

**SUPPLEMENTAL AGREEMENT BETWEEN
CITY OF FREMONT AND COUNTY OF SANDUSKY**

THIS SUPPLEMENTAL AGREEMENT made and entered into this ___ day of _____, 2014, by and between the City of Fremont, Ohio, by its Director of Public Service and Safety and its Mayor, duly authorized on its behalf by an ordinance heretofore passed by its Council, hereinafter referred to as the "City," and the County of Sandusky, Ohio, by at least two of its County Commissioners, duly authorized on its behalf by a resolution heretofore adopted by its Board of County Commissioners, hereinafter referred to as the "County."

WHEREAS, the County has, by resolutions duly adopted by its Board of County Commissioners on November 24, 1964, October 31, 1974 and August 12, 1976, duly established and enlarged Sandusky County Sewer District No. 1 ("Sewer District No. 1") for the purpose of preserving and promoting the public health and welfare; and

WHEREAS, the City and the County have heretofore entered into an agreement dated February 1, 1973, as amended and supplemented by supplemental agreements dated January 7, 1975, December 26, 1978, June 16, 1979, June 19, 1980, April 21, 1987, September 10, 1987, October 15, 1991, June 9, 1994, September 19, 1996, August 11, 2011 and January 8, 2013 (that agreement, as so supplemented, is hereafter referred to as the "Original Agreement") with respect to the provision of sanitary sewage collection and treatment service by the City for the area set forth in that Original Agreement (the "Original Service Area") which Original Service Area includes a portion of Sewer District No. 1;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the City and County do hereby promise and agree:

Section 1: The City agrees to accept and receive sanitary sewage and wastes originating in the Original Service Area and the additional areas described on Exhibits A and B to this Supplemental Agreement.

Section 2: Except as provided in Section 1, the Original Agreement shall be extended for a period ending on June 30, 2015 for a negotiation period for a new agreement between the City and the County.

IN WITNESS WHEREOF, the City and the County have caused this Supplemental Agreement to be executed by their respective officers thereunto duly authorized as of the day and year first above written.

CITY OF FREMONT

Approved as to Form:

Director of Public Service and Safety

City Solicitor
City of Fremont

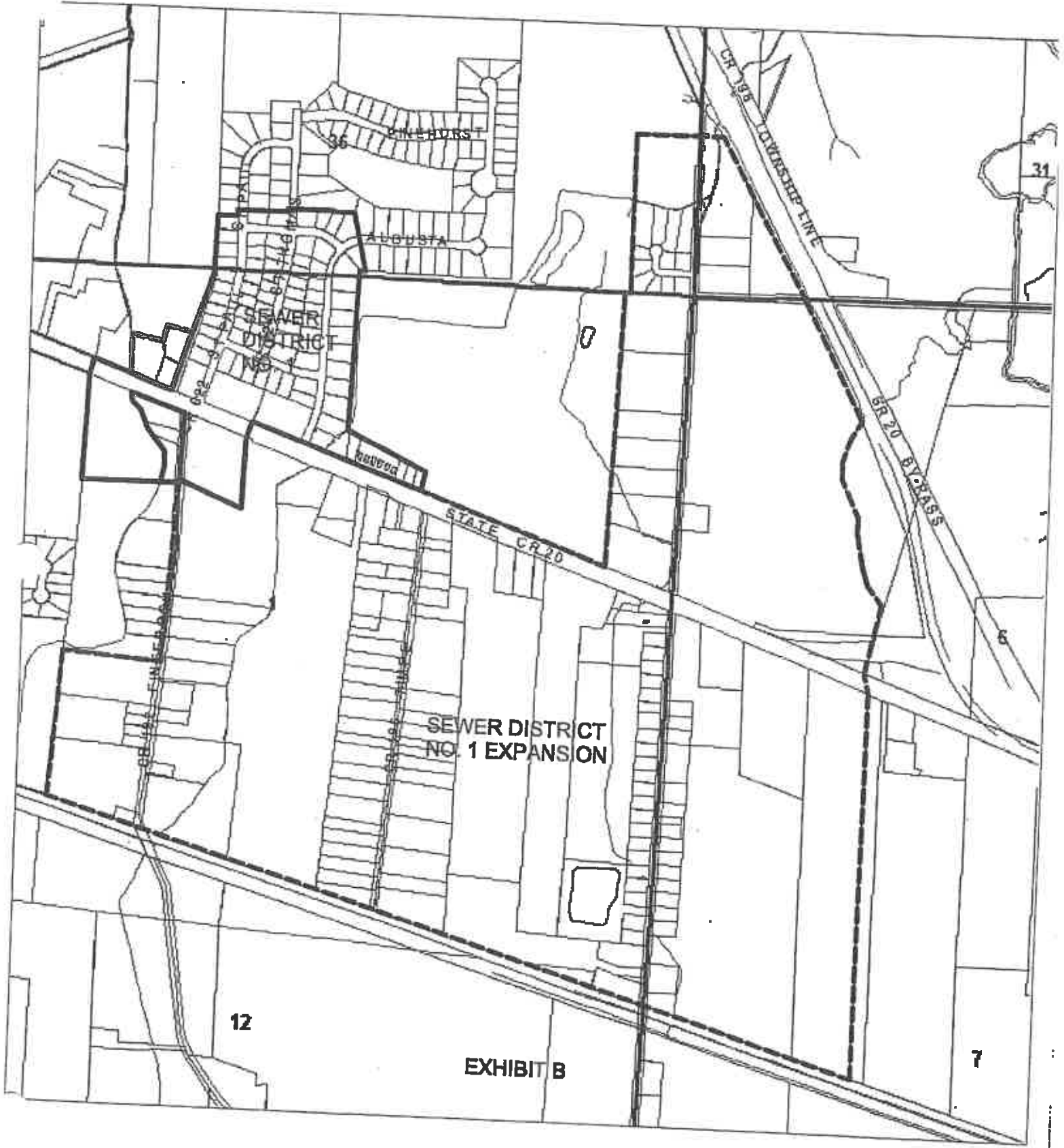
Mayor

COUNTY OF SANDUSKY

Approved as to Form:

Assistant Prosecuting Attorney
Sandusky County

County Commissioners

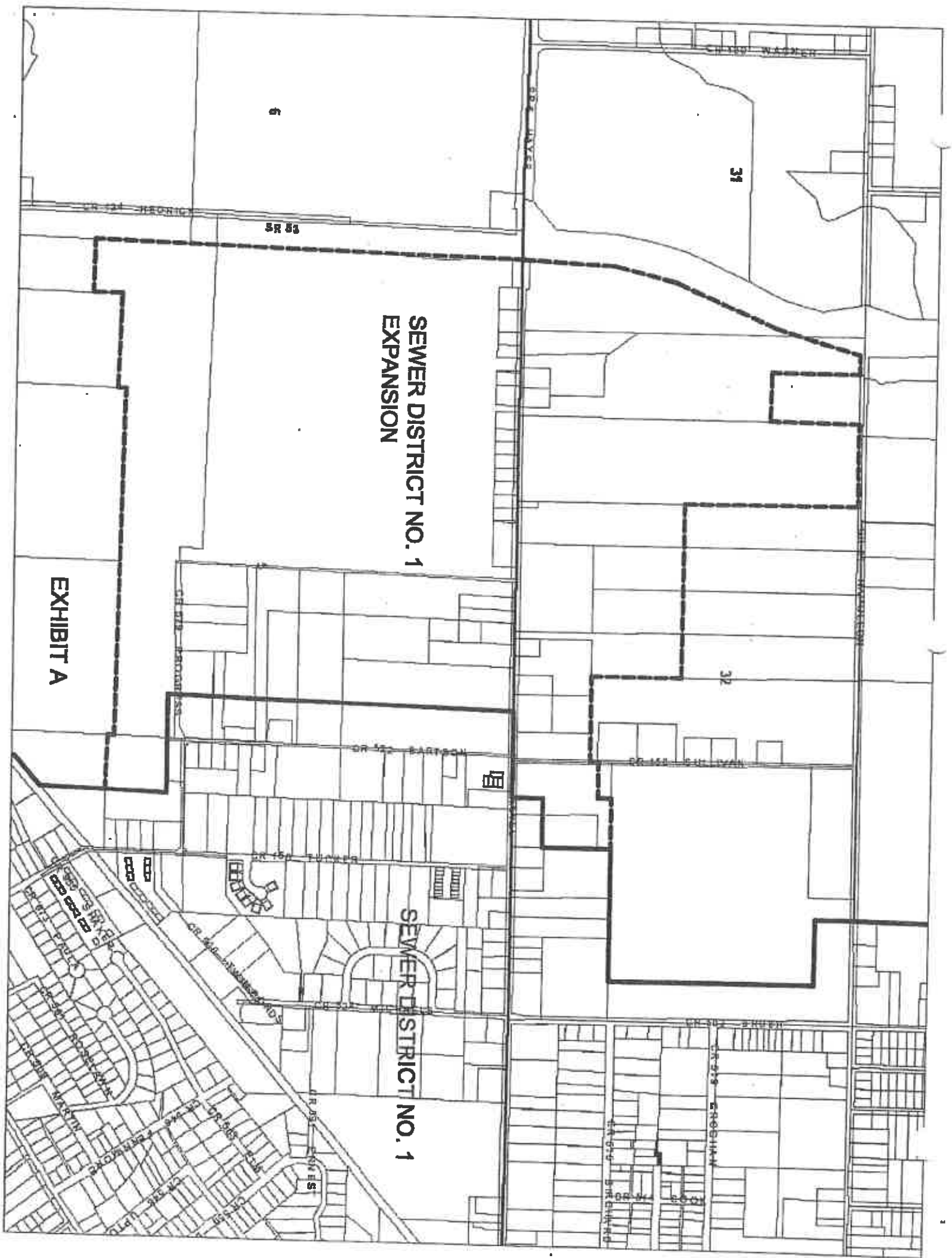


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EXHIBIT B

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SEWER DISTRICT NO. 1
EXPANSION

EXHIBIT A

SEWER DISTRICT NO. 1