

ORDINANCE NO. 85-20

**AN ORDINANCE RATIFYING THE ACTION OF THE MAYOR IN GRANTING AN
EASEMENT TO COLUMBIA GAS FOR THE INSTALLATION OF
A GASLINE ON SCHNEIDER COURT TO SERVICE THE BENDIX SITE
AND DECLARING AN EMERGENCY**

WHEREAS, Columbia Gas contacted the City in July, 2020 requesting an easement across the frontage of property owned by the City at 35400 Schneider Ct. (the City's Service Garage); and

WHEREAS, the City was in the process of reviewing the easement when Geis, the construction contractor for the Bendix, requested the City's assistance in getting Columbia Gas to install the pipeline before the arrival of winter (Geis is hoping to have heat in the building this winter to speed up its completion); and

WHEREAS, the City then learned that Columbia Gas will not place a construction project on its schedule until any and all easements required have been obtained; and

WHEREAS, in an effort to get the project on Columbia's construction schedule as soon as possible, the City expedited review of the easement and the Mayor executed same on August 26, 2020; and

WHEREAS, Council, having reviewed the easement with Columbia Gas and the circumstances under which the Mayor acted, finds it to be in the best interests of the health, safety and welfare of the citizens of Avon to ratify the action of the Mayor in executing same and thereby facilitating construction the gas line on Schneider Court at the earliest possible future date.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 - That Council hereby ratifies the action of the Mayor in executing an easement between the City of Avon (Grantor) and Columbia Gas (Grantee) for the installation of a gas line within said easement along and within City owned frontage at 35400 Schneider Ct. a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.

Section 2 - That it is 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 of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity of ratifying the action of the Mayor granting a gas line easement to Columbia Gas for the purpose of expediting construction of a gas line on Schneider Court to service Bendix; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 85-20 (Con't.)

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director