

RESOLUTION:	<u>2023- 20</u>	FIRST READING	<u>APRIL 10, 2023</u>
		SECOND READING	<u>WAIVED</u>
INTRODUCED BY:	<u>CHRIS BELL</u>	THIRD READING	<u>WAIVED</u>

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT WINTER CONTRACT (018-24) FOR ROAD SALT**

WHEREAS, the Village of South Russell (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid (018-24) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:


- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1, 2023, by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 et seq., Ohio Revised Code.

SECTION 3. This Resolution shall be effective at the earliest time allowed by law.

Passed this 10 th day of April, 2023.


Mayor – President of Council

Attest:


Fiscal Officer

I certify that Resolution No. 2023-20 was duly enacted on the 10 th day of April, 2023 by the Council of the Village of South Russell and published in accordance with the Codified Ordinances of the Village.


Fiscal Officer

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING
TUESDAY, APRIL 18, 2023 – 7:00 P.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Bell, Berger, Canton, Cavanagh, Galicki, Porter

OFFICIALS PRESENT: Street Commissioner Alder, Solicitor Matheney, Administrative Assistant Galicki

VISITORS: Liz Manchester, Manor Brook Dr.; Claire Roush, Paw Paw Lake Dr.; Kevin Keesler, Cascades Dr.; Nancy Moran, Manor Brook Dr.; Casey Forbes, Snyder Rd.; Richard Haber, Paw Paw Lake Dr.; Kent Kristensen, Paw Paw Lake Dr.; Robert O'Brien, Paw Paw Lake Dr.; Joe Pianeki, Paw Paw Lake Dr.; Terry Mitchell, Paw Paw Lake Dr.; Heidi Baumgart, Paw Paw Lake Dr.; Chris Smith, Fox Ln.; Laila Stephenson, Teaberry Circle

The Mayor called the Special Council meeting to order and the Administrative Assistant read the roll.

Bell made a motion to approve up to 1,000 tons committed by the Village to ODOT and to authorize the Street Commissioner to submit electronically to ODOT for that tonnage for the salt program, seconded by Porter. Galicki questioned the amount of salt being ordered given that the Village experienced a mild winter and wondered if it would exceed the capacity for storage. Porter said it would not. Galicki noted that the current salt dome is nearly full, and yet more had been ordered. The Street Commissioner explained that the order will be for next year and will not be used until after 2024. Galicki did not anticipate that the Village would be using any salt between now and next year. Bell replied that the salt currently in the dome might be used in October through December, and then the Village will begin to get salt delivery in January. The Street Commissioner added if need be. Bell acknowledged that Galicki raised a good point that the committee could consider if the trends are towards mild winters. Porter noted that the Village used to order 1,500 to 1,700 tons. The Street Commissioner explained that it was 1,700 tons, which was reduced to 1,500 and then to 1,000. **Voice vote – ayes, all. Motion carried.**

ORDINANCES/RESOLUTIONS:

Galicki provided a second reading of an ordinance amending the Annual Appropriations increasing Manor Brook Fund expenses \$19,000.

STORM WATER PRESENTATION/DISCUSSION

The Mayor explained the meeting was a follow-up to the storm water meeting in January. The agenda included discussion of the Manor Brook floodplain project, the proposed Phase II Manor Brook project, Hydro-Flo device that was installed, Central Retention Basin, status of the three Erosion Special Improvement District (ESID) projects, the recommendations to control water in the Village park, silt removal discussion with Congressman Joyce, the quality of septic systems