



CITY OF PATASKALA

**RESOLUTION 2021-057**

Passed November 1, 2021

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A FIRST AMENDMENT TO THE 2020 WATER SERVICE CONTRACT BETWEEN THE CITY AND THE SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT**

*WHEREAS*, the City of Pataskala Utility Department operates and maintains a water distribution system as well as a sanitary sewer collection system; and

*WHEREAS*, the Southwest Licking Water and Sewer District also operates and maintains a water distribution system and a sanitary sewer collection system; and

*WHEREAS*, pursuant to Resolution 2020-033, Council for the City of Pataskala authorized a Water Service Contract between the City of Pataskala and the Southwest Licking Water and Sewer District; and

*WHEREAS*, the City of Pataskala and the Southwest Licking Water and Sewer District then entered into a Water Service Contract on March 26, 2020; and

*WHEREAS*, Section 19 of the 2020 Water Service Contract states that no contract amendments, modifications, or waivers “shall be valid unless in writing and signed by the Parties.”; and

*WHEREAS*, the City of Pataskala and the Southwest Licking Water and Sewer District jointly agree that one deadline contained under Section 14A of the 2020 Water Service Contract must be amended.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

Section 1: Council for the City of Pataskala hereby authorizes and directs the City Administrator to execute a First Amendment to the 2020 Water Service Contract, in substantially the same form and content as the Amendment attached hereto as Exhibit A and incorporated herein by reference.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that

all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 3: All prior legislation and/or any parts thereof and/or any attachments thereto, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof

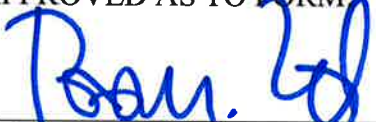
Section 4: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

  
Kathy M. Hoskinson, Clerk

  
Michael W. Compton, Mayor

APPROVED AS TO FORM:

  
Brian M. Zets, Law Director

**RESOLUTION 2021-057 Exhibit A**

**FIRST AMENDMENT TO THE  
WATER SERVICE CONTRACT  
BETWEEN  
THE CITY OF PATASKALA, OHIO  
AND  
SOUTHWEST LICKING COMMUNITY  
WATER AND SEWER DISTRICT**

WHEREAS, the City of Pataskala and the Southwest Licking Water and Sewer District entered into a Water Service Contract on March 26, 2020; and

WHEREAS, Section 19 of the 2020 Water Service Contract states that no contract amendments, modifications, or waivers “shall be valid unless in writing and signed by the Parties.”; and

WHEREAS, the City of Pataskala and the Southwest Licking Water and Sewer District jointly agree that the deadline contained in Section 14A of the 2020 Water Service Contract must be amended.; and

WHEREAS, the City of Pataskala and the Southwest Licking Water and Sewer District agree to amend the 2020 Water Service Contract as follows:

**14. State Route 310 Interconnection.**

- A. Once the District starts servicing Scotland Ridge Phase 2 and the Highland Estates and State Route 310 Properties, the previously existing City infrastructure between the Highland Hills and Beechwood Trails subdivisions will serve as a location for interconnection between the District and the City Infrastructure, which such location shall be determined by the Utility Director of Pataskala and the General Manager of the District within the area designated in Exhibit A for the location of the Interconnection. Within three (3) months of receiving notice in written form that the District is able to provide water service to the Scotland Ridge Phase 2, Highland Estates and State Route 310 Properties, the engineering of the State Route 310 Interconnection will commence in accordance with subsection B of this section. Construction of the State Route 310 interconnection will be completed **within 18 months following the approval of the engineering plan**, barring conditions outside of the control of the Parties, including but not limited to, strikes, war, riot, weather conditions, or acts of God.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to the 2020 Water Services Contract to be executed by their duly authorized officers on the dates appearing below.

*[Signatures Appear on the Next Page]*

**CITY OF PATASKALA**

**SOUTHWEST LICKING COMMUNITY  
WATER AND SEWER DISTRICT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Brian M. Zets, Law Director

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Andrew King, District Attorney