



## CITY OF PATASKALA

### RESOLUTION 2023-020

Passed February 21, 2023

#### **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE ROAD MAINTENANCE AGREEMENT BETWEEN THE CITY OF PATASKALA AND ETNA TOWNSHIP**

*WHEREAS*, in July 2000, the City of Pataskala and Etna Township entered into an agreement, pursuant to R.C. 5579.03 regarding the maintenance of certain portions of Refugee Road (the “Road Maintenance Agreement”), and

*WHEREAS*, the City of Pataskala and Etna Township now want to amend the Road Maintenance Agreement for the purpose of amending the cost-sharing responsibilities of certain areas covered by the Road Maintenance Agreement, and cooperatively work together on future improvements to the area of Refugee Road from Etna Parkway east to State Route 310.

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

Section 1: Council for the City of Pataskala hereby authorizes and directs the City Administrator to execute an Amendment to Road Maintenance Agreement, in substantially the same form and content as the Amendment attached hereto as Exhibit A and incorporated herein by reference, with Etna Township.

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

ATTEST:

  
Kathy M. Hoskinson, Clerk of Council

  
Michael W. Compton, Mayor

APPROVED AS TO FORM:

  
Brian M. Zets, Law Director

AMENDMENT  
CITY OF PATASKALA AND ETNA TOWNSHIP  
TO JOINTLY MAINTAIN REFUGEE ROAD

WHEREAS, on or as of July 10<sup>th</sup>, 2000, the City of Pataskala in Licking County (the “City”) and Etna Township in Licking County (the “Township”) entered into an agreement, pursuant to Ohio Revised Code Section 5579.03 regarding the maintenance of certain portions of Refugee Road (the “Road Maintenance Agreement”), and

WHEREAS, the parties desire to amend the Road Maintenance Agreement for the purpose of amending the cost-sharing responsibilities of certain areas covered by the Road Maintenance Agreement, and cooperatively work together on future improvements to the area of Refugee Road from Etna Parkway east to State Route 310.

WHEREAS, it is in the best interest of the residents and visitors to the City and Township for the parties to enter into this Amendment (the “Amendment”).

NOW THEREFORE, The City of Pataskala and Etna Township, Licking County Ohio mutually agree to the following:

1. The word “maintenance” set forth within the Road Maintenance Agreement is hereby superseded and replaced with the following:
  - a. The word “maintenance” for the purposes of this agreement includes paving, repaving, right-of-way maintenance and regulation, signage, snow removal, berm maintenance, pothole repair and right-of way mowing.
2. The City and Township recognize that remaining in-depth work on the stretch of Refugee Road between Etna Parkway and St. Rt 310 will be necessary in the future. The City and Township agree to partner on any major construction/reconstruction/expansion projects, when the major construction/reconstruction/expansion projects are deemed necessary by the Township and City. When possible, these projects will include the Licking County Engineer and the Licking County TID.
3. In the event of any conflict between this Amendment and the Road Maintenance Agreement, this Amendment shall control. Except as otherwise amended herein, the provisions of the Road Maintenance Agreement shall remain in full force and effect.

4. Execution of this Amendment shall take place upon formal action of the legislative authority, if required, of each party.

Entered into this \_\_\_ day of \_\_\_\_\_, 2023.

FOR THE CITY OF PATASKALA

By: \_\_\_\_\_ Title: \_\_\_\_\_

Attest: \_\_\_\_\_ Title: \_\_\_\_\_

FOR ETNA TOWNSHIP, LICKING COUNTY, OHIO

FOR THE CITY OF PATASKALA

By: \_\_\_\_\_ Title: \_\_\_\_\_

Attest: \_\_\_\_\_ Title: \_\_\_\_\_