

ORDINANCE NO. 235 (22-23)

An Ordinance to authorize and direct the Director of Public Safety and Service for the City of Marietta, Ohio, to enter into a contract with J. Trent King, d.b.a. King Dirt and Pipe of Waterford, Ohio, for the Marietta Community Dog Park at Jackson Hill Drainage Project, and declaring an EMERGENCY.

WHEREAS, the Marietta Community Dog Park, situated within the Jackson Hill Park, located at 1201 Cisler Drive, in the City of Marietta, Ohio needs to have a drainage problem fixed; and

WHEREAS, J. Trent King, doing business as King Dirt and Pipe of 257 Culver Run Road, Waterford, Ohio, 45786, has agreed to fix the drainage issue by installing a four inch (4") perforated drain pipe, and adding a bed of 57-wash gravel on top of the drain pipe, along with adding a four inch (4") layer of dirt on top of the gravel; and

WHEREAS, J. Trent King, estimates that his time and labor in fixing the drainage problem at the Marietta Community Dog Park at Jackson Hill, will be approximately twenty thousand dollars (\$20,000.00); and

WHEREAS, Doctor, Mark A. Stonehill, of Marietta, Ohio, has graciously agreed to pay for the labor and materials invested by J. Trent King, in correcting the drainage problem that currently exists at the Marietta Community Dog Park at Jackson Hill in the City of Marietta, Ohio;

WHEREAS, the City of Marietta, Ohio wishes to enter into a contract with J. Trent King, doing business as, King Dirt and Pipe, of 257 Culver Run Road, Waterford, Ohio 45786 for having the drainage problem fixed at the Marietta Community Dog Park at Jackson Hill in the City of Marietta, Ohio, per Exhibit "A" attached hereto and incorporated herein; and

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WHEREAS, the Marietta Community Dog Park at Jackson Hill Drainage Project shall be performed by J. Trent King, d.b.a. King Dirt and Pipe, under the direct supervision of the Director of Public Safety and Service for the City of Marietta, Ohio; and

WHEREAS, before J. Trent King, d.b.a. King Dirt and Pipe, begins the project, Doctor Mark A. Stonehill shall deposit with the City Auditor's Office of Marietta, Ohio, the sum of Twenty Thousand Dollars, to be used to pay King Dirt and Pipe for its services in correcting the drainage problem at the Marietta Community Dog Park at Jackson Hill; and

WHEREAS, J. Trent King, d.b.a. King Dirt and Pipe shall submit all invoices for his labor and materials to the Auditor of the City of Marietta, Ohio, for payment by the Auditor; and

WHEREAS, should the Project exceed the estimated sum of Twenty Thousand Dollars (\$20,000.00), Doctor Mark A. Stonehill, agrees to pay the overage by depositing additional funds with the Marietta City Auditor, so that she may pay King Dirt and Pipe for the overage; and

WHEREAS, should the total project costs be lower than the estimated sum of Twenty Thousand Dollars (\$20,000.00), the City Auditor shall return the unused funds to Dr. Mark A. Stonehill; now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

Section 1: That the Director of Public Safety and Service for the City of Marietta, Ohio is hereby authorized to enter into a contract with J. Trent King, doing business as King Dirt and Pipe of 257 Culver Run Road, Waterford, Ohio, 45786, for the Marietta Community Dog Park at Jackson Hill Drainage Project, per Exhibit "A" attached hereto.

- Section 2: Mark A. Stonehill, of Marietta, Ohio, shall be responsible for paying for all labor and materials invested by J. Trent King, which is estimated to be approximately Twenty Thousand Dollars (\$20,000.00) in correcting the drainage problem that currently exists at the Marietta Community Dog Park at Jackson Hill in the City of Marietta, Ohio.
- Section 3: The Marietta Community Dog Park at Jackson Hill Drainage Project shall be performed by J. Trent King, d.b.a. King Dirt and Pipe under the direct supervision of the Director of Public Safety and Service for the City of Marietta, Ohio.
- Section 4: Before J. Trent King, d.b.a. King Dirt and Pipe, begins the project, Doctor Mark A. Stonehill shall deposit with the City Auditor's Office of Marietta, Ohio, the sum of Twenty Thousand Dollars (\$20,000.00), to be used to pay King Dirt and Pipe for its services in correcting the drainage problem at the Marietta Community Dog Park at Jackson Hill.
- Section 5: J. Trent King, d.b.a. King Dirt and Pipe shall submit all invoices for his labor and materials to the Auditor of the City of Marietta, Ohio, for payment by the Auditor to King Dirt and Pipe.
- Section 6: Should the Project exceed the estimated sum of Twenty Thousand Dollars (\$20,000.00), Doctor Mark A. Stonehill, agrees to pay the overage by depositing additional funds with the Marietta City Auditor, so that she may pay King Dirt and Pipe for the overage
- Section 7: Should the total project costs be lower than the estimated sum of Twenty Thousand Dollars (\$20,000.00), the City Auditor shall return the unused funds to Dr. Mark A. Stonehill.
- Section 8: The City of Marietta, Ohio does hereby expresses its sincere appreciation to Dr. Mark A. Stonehill for his generous contribution to the City of Marietta, in getting the drainage problem at the Marietta Community Dog Park at Jackson Hill, fixed.
- Section 9: The Clerk of Council shall be and is hereby directed to spread a copy of this Ordinance on the minutes of the Marietta City Council and to forward a copy thereof to Dr. Mark A. Stonehill with an appropriate expression of this council's thanks.

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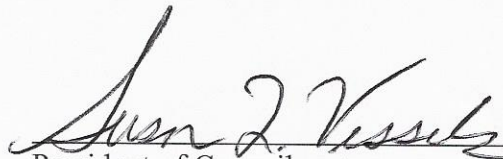
- Section 10: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
- Section 11: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that this Project needs to be completed before the spring rains begin.

WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

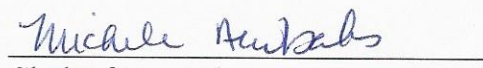
Introduced by the Public Lands and Buildings Committee, William Farnsworth, Chairman.


Chairman

Passed this 16th day of March, 2023.


President of Council

ATTEST:


Clerk of Council

Approved this 16th day of March, 2023.

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Mayor

First Reading March 16, 2023

Second Reading Suspended

Third Reading Suspended