

ORDINANCE NO. 8-18

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO A RIGHT OF ENTRY AND LICENSE AGREEMENT WITH THE PORT CLINTON LIGHTHOUSE CONSERVANCY FOR THE CONSTRUCTION, LOCATION AND USE OF A BOATHOUSE STRUCTURE IN WATERWORKS, AND DECLARING AN EMERGENCY

WHEREAS, the City and the Port Clinton Lighthouse Conservancy (hereafter PCLC) have met and negotiated the terms of a Right of Entry and License Agreement in which the City proposes to license to PCLC a specifically described location within the property commonly known as Waterworks Park for the PCLC to use to locate a wooden boathouse structure in close proximity to the so called Derby Pond, and to have access to the structure, and

WHEREAS, this Council finds and determines that the City should enter into a Right of Entry and License Agreement with the PCLC in the form attached hereto as Exhibit A, which agreement allows the PCLC to place the boathouse structure in close proximity to the lighthouse structure on the City's lakefront.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Director of Safety and Service is hereby authorized and directed to enter into and to execute the Right of Entry and License Agreement with the Port Clinton Lighthouse Conservancy in the form attached hereto as Exhibit A, but with such changes therein as are not materially inconsistent with this Ordinance and not substantially adverse to the City and that are permitted by law and shall be approved on the City's behalf by its officers authorized to execute the same. The approval of such changes and that such changes are not materially inconsistent with this Ordinance and not substantially adverse to the City, shall be conclusively evidenced by the signing of the Agreement by the Safety Service Director.

Section 2. The Mayor, the Auditor, the Treasurer, the Director of Safety and Service, the Director of Law and other City officials, as appropriate, are each authorized and directed to take any and all such other actions, including execution and delivery of any further agreements or instruments as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that the PCLC has submitted its plans for a building permit for the Boathouse Structure so that it may commence construction of the structure this spring and have it ready for use this tourist season; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2018

President of Council

Attest: _ Clerk of Council

Approved _____, 2018

Mayor