

ORDINANCE NO. 2009- 123

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A GRANT FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE OEPA WATER POLLUTION CONTROL FUND, UP TO \$1,000,000 FOR THE PLUM CREEK STREAM RESTORATION PROJECT, AUTHORIZING THE ENVIRONMENTAL COVENANT TO BE SIGNED, APPROPRIATING THE FUNDS THEREFOR, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to apply for a grant through the American Recovery and Reinvestment Act of 2009, through the Ohio Water Pollution Control Fund; and

WHEREAS, the City of Kent, Ohio wishes to apply for a grant up to \$1,000,000 for the Plum Creek Stream Restoration Project; and

WHEREAS, the Kent City Council wishes to authorize the City Manager, or his designee, to apply for said grant and sign the Environmental Covenant with the Ohio EPA..

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to apply for a grant, up to \$1,000,000, for the Plum Creek Stream Restoration Project, and hereby authorizes the City Manager, or his designee, to sign the Environmental Covenant with the OEPA, said agreement is marked Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: 11/18/2009
DATE

MAYOR & PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Resolution No. 2009- 123 was duly enacted this 18 day of November, 2009 by the Council of the City of Kent, Ohio.

CLERK OF COUNCIL