

ORDINANCE NO. 2010-16

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE OEPA WATER POLLUTION CONTROL FUND, UP TO \$1,366,527.00 FOR THE PLUM CREEK STREAM RESTORATION PROJECT AND AUTHORIZING THE APPROPRIATION OF THE FUNDS, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ENTER INTO THE WATER POLLUTION CONTROL LOAN FUND FULL PRINCIPAL FORGIVENESS ASSISTANCE AGREEMENT WITH THE OEPA FOR THE GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to accept 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 accept the grant for up to \$1,366,527.00 for the Plum Creek Stream Restoration Project; and

WHEREAS, the Kent City Council wishes to authorize the City Manager, or his designee, to accept said grant and sign the Water Pollution Control Loan Fund Full Principal Forgiveness Assistance Agreement with the Ohio EPA; and

WHEREAS, the Kent City Council wishes to approve the appropriation of said grant funds for the Plum Creek Restoration Project; and

WHEREAS, time is of the essence to get the above accomplished quickly enough to qualify for receiving said grant funds.

NOW, THEREFORE, BE IT ORDAINED 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 accept a grant for up to \$1,366,527.00, for the Plum Creek Stream Restoration Project.

SECTION 2. That Council does hereby authorize the City Manager, or his designee, to sign the Water Pollution Control Loan Fund Full Principal Forgiveness Assistance Agreement with the OEPA, said agreement is marked Exhibit "A", attached hereto and incorporated herein.

SECTION 3. That Council does hereby authorize the appropriation of said funds for the Plum Creek Restoration Project.

SECTION 4. 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 5. 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: 2/3/2010 _____ DATE MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2010-16 was duly enacted this 16 day of
February, 2010, by the Council of the City of Kent, Ohio

CLERK OF COUNCIL