

ORDINANCE NO. 2012-15

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MATCHING ENVIRONMENTAL GRANT AGREEMENT WITH THE THOMAS & BETTS COMPANY, THE GRANTEE, FOR UP TO \$75,000.00, FOR THE ASSESSMENT OF A LEAKING SLURRY WALL LOCATED AT 800 MOGADORE ROAD, KENT, OHIO, AND ALLOCATING FUNDS FOR SAID GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and the Thomas & Betts Company are applying for an environmental clean up grant from the State of Ohio Department of Development Clean Ohio Revitalization Fund; and

WHEREAS, as assessment of contaminants leaking around or through the slurry wall currently in place needs to take place before other clean up work can begin; and

WHEREAS, the Council authorizes and allocates funds to pay for said Grant out of Fund 301-Capital; and

WHEREAS, the City of Kent, Ohio is willing to give a dollar for dollar matching grant to the Thomas & Betts Company for the slurry wall assessment work, in an amount up to \$75,000.00; and

WHEREAS, the Thomas & Betts Company is willing to accept the matching grant; and

WHEREAS, the grant agreement needs to be approved prior to January 20, 2012, necessitating the approval of the Grant on an emergency basis,

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 to execute the Matching Grant Agreement with the Thomas & Betts Company, attached hereto as Exhibit A, for the assessment of the leakage through or around the slurry wall located at 800 Mogadore Road, Kent, Ohio in an amount up to \$75,000.00.

SECTION 2. That council does authorize and allocate funds out of Capital Fund #301 to pay for said matching grant.

SECTION 3. 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 4. 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: 1/18/2012
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2012- 14 was duly enacted this 18th day of

January, 2012, by the Council of the City of Kent, Ohio

CLERK OF COUNCIL