

RESOLUTION NO. R-21-20

**A RESOLUTION AUTHORIZING THE MAYOR
TO EXECUTE ANY AND ALL DOCUMENTS AND AGREEMENTS
NECESSARY TO PROCURE THE LWCF (LAND AND WATER
CONSERVATION FUNDS) GRANT FOR THE PURCHASE OF
PROPERTY AT 39115 DETROIT ROAD (PP#04-00-001-103-001)
AND DECLARING AN EMERGENCY**

WHEREAS, in 2018 the City was presented with an opportunity to expand Veterans Memorial Park by the purchase of the KB Compost Services, LLC property at 39115 Detroit Road; and

WHEREAS, acquisition of the 16.65 acre site would enable significant expansion of the park and is seen as a way to enhance physical activity and wellness options for Avon's residents; and

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources (ODNR), administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund program (LWCF), and;

WHEREAS, Council, on November 12, 2018, passed Resolution R-29-18 in support of an application for Land and Water Conservation Funds (LWCF) through the Ohio Department of Natural Resources (ODNR) to defray the cost of purchasing said property at 39115 Detroit Road, PP#04-00-001-103-001; and

WHEREAS, an ODNR appraisal has been completed and funding has now been approved; and

WHEREAS, Avon City Council finds it to be in the best interests of the health, safety and welfare of the citizens of Avon that the City accept the ODNR funding and follow through with the purchase of the property by authorizing the Mayor to execute all documents and agreements necessary to procure the funding and complete the transaction for the purchase of this land.

**NOW THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 – That the Mayor of the City of Avon is hereby authorized and directed to execute any and all documents necessary to procure ODNR funding in the amount of Three Hundred and Ten Thousand (\$310,000) Dollars or roughly half the purchase price of the property located at 39115 Detroit Road, PP#04-00-001-103-001.

Section 2 – Furthermore, the Mayor is authorized to enter into a purchase agreement for the acquisition of said property for an amount not to exceed Six Hundred and Thirty-Two Thousand (\$632,000) Dollars. The Finance Director is hereby authorized to make payment in said amount from the Park Development Fund No. 251

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In addition, the Finance Director is authorized to increase this appropriation by a reasonable amount for engineering and legal fees associated with this project.

Section 3 – That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those 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 4 – That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to authorize the Mayor to execute all documents necessary to procure funds from LWCF and to acquire the property at 39115 Detroit Road; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director