

ORDINANCE NO. 51-22

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT AWARD AGREEMENT TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS GRANT PROGRAM FOR VARIOUS PARK IMPROVEMENTS WITHIN VETERAN'S MEMORIAL PARK AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources ("ODNR"), provides financial assistance to political subdivisions for the purpose of providing public recreation through the State of Ohio NatureWorks Grant Program; and

WHEREAS, Avon City Council resolved through the passage of R-12-21 on May 24, 2021 that it was in the best interests of the City of Avon to seek financial assistance from ODNR NatureWorks Grant Program for the purpose of funding a portion of certain recreation projects; and

WHEREAS, prior to the passage of R-12-21 the Avon City Administration had identified a need to add various park improvements, including a pavilion, simple playground equipment, benches, picnic tables and asphalt paths, within the newly expanded Veteran's Memorial Park in the area formerly owned by Kurtz Brothers that was acquired in 2021 with the assistance of a private donation and a Land & Water Conservation Fund grant administered by the Ohio Department of Natural Resources; and

WHEREAS, in June of 2021, the City Administration then submitted a Round 27 NatureWorks grant funding application seeking a grant of \$98,675.00 toward a \$179,140 project cost; and

WHEREAS, upon evaluation of the various grant applications submitted and the grant funds available in Round 27 ODNR agreed to offer a partial grant award in the amount of \$42,425.00 to the City of Avon but with the stipulation that the original project scope will be fully constructed; and

WHEREAS, to accept the grant award, it is necessary for the contract document attached hereto and noted as [Exhibit "A"](#) be executed by the City of Avon; and

WHEREAS, Council finds that the proposed project, as generally described in the attached excerpt of the NatureWorks grant application and noted as [Exhibit "B"](#), will promote the health, safety, and welfare benefits to the residents of the City of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 – That the Mayor is hereby authorized to execute the attached contract document which will accept a partial NatureWorks Round 27 grant award. Further, Council agrees and directs the Mayor to perform the full Veteran's Memorial Park Enhancement Project as described in the grant application submitted to ODNR in June of 2021.

Section 2 – Council hereby agrees to provide the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Grant Program Contract.

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 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 Ordinance 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 execute said grant contract and substantially complete the noted project during the 2022 construction season; therefore, this Ordinance 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