

ORDINANCE NO. 54-22

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A
GRANT AWARD AGREEMENT TO PARTICIPATE IN THE STATE
CAPITAL BUDGET 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 via the State Capital Budget process to political subdivisions who apply and are selected by the Ohio House, the Ohio Senate and the Ohio Governor for the purpose of undertaking projects of lasting benefit to the subject community; and

WHEREAS, Avon City Administration worked cooperatively with local state legislators to make an application for funding related to the desired improvements to the former Kurtz Property which became part of Veteran's Memorial Park and is now known as Eagle Point Park; and

WHEREAS, the Avon City Administration submitted in December of 2019 a State Capital Budget funding application seeking a grant of \$600,000.00 toward a \$1,082,345.00 project which included plans for pavement, utility, restroom, fishing pier and other miscellaneous improvements at what is now known as Eagle Point Park; and

WHEREAS, upon evaluation of the various grant funding requests submitted from around the state, an award to Avon in the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00) was provided in the 2020 state capital budget; and

WHEREAS, the One Hundred Thousand and 00/100 Dollars (\$100,000.00) budget award is administered by the Ohio Department of Natural Resources which requires the contract document attached hereto and noted as [Exhibit "A"](#) to be executed by the City of Avon; and

WHEREAS, due to the limited amount of the award, the funds will be used to complete various demolition and paving efforts at Eagle Point Park as well as to construct a fishing pier which 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 this Council hereby authorizes the Avon Mayor to execute the attached contract document which will accept a partial 2020 State Capital Budget award in the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00).

Section 2 – The City of Avon does agree to obligate the funds required to satisfactorily complete a portion of the proposed project and become eligible for reimbursement under the terms of the program contract.

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 Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and

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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 the grant contract and substantially complete the project during the 2022 construction season and be reimbursed the funds from the grant; 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