



ORDINANCE 2019-39
Adopted August 20, 2019

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE SOLE AND EXPRESS PURPOSE OF FINANCING OR REIMBURSING COSTS OF THE LIBERTY ROAD AND SELDOM SEEN ROAD INTERSECTION IMPROVEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Fund created under Section 164.14 of the Revised Code is to benefit local subdivisions for the construction, reconstruction, improvement, or planning of transportation infrastructure; and

WHEREAS, pursuant to Section 164.05 of the Revised Code, the Director of the OPWC is empowered to (i) enter into agreements with Local subdivisions to provide loans, grants, and local debt support and credit enhancements for Capital Improvement Projects; and (ii) authorize payments to Local Subdivisions or their Contractors for costs incurred for Capital Improvement Projects which have been approved by the Director; and

WHEREAS, pursuant to Section 164.14 of the Revised Code, the Director is empowered to review and approve or disapprove requests for financial assistance from the District Public Works Integrating Committees in accordance with the criteria set forth in Divisions C and E of Section 164.14 of the Revised Code; and

WHEREAS, the City of Powell desires to engage in the acquisition, construction, reconstruction, improvement, or planning of the Capital Improvement Project described in Appendix A of the Project Agreement, attached hereto as Exhibit "A"; and

WHEREAS, the Project has been duly recommended to the Director pursuant to Section 164.14 of the Revised Code by the District Public Works Integrating Committee of the City; and

WHEREAS, the Director desires to approve the City's request for a grant of financial assistance to finance certain costs of the Project, such moneys being allocated out of the State and Local Government Highway distribution fund to the State Capital Improvement Fund in the State Treasury.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: The City Manager is hereby authorized and directed to enter into an Agreement with the Ohio Public Works Commission (OPWC) for the sole and express purpose of financing or reimbursing costs of the Liberty Road and Seldom Seen Road Intersection Improvements Project, substantially pursuant to the terms and conditions as identified in the *Ohio Public Works Commission Project Grant Agreement/State Capital Improvement Program Agreement*, attached hereto as Exhibit "A" consisting of nineteen (19) pages and incorporated herein by reference.

Section 2: The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Powell.

Section 3: This Ordinance is hereby deemed to be an emergency measure in order to insure the timely filing of said Project Agreement with the Ohio Public Works Commission to secure funding for the Liberty Road and Seldom Seen Road Pavement Improvements Project, same being deemed necessary for the immediate preservation of the public peace, safety and welfare of the

City Council

Jon C. Bennehoof, Mayor

Frank Bertone

Tom Counts

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout

inhabitants of the City of Powell; therefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

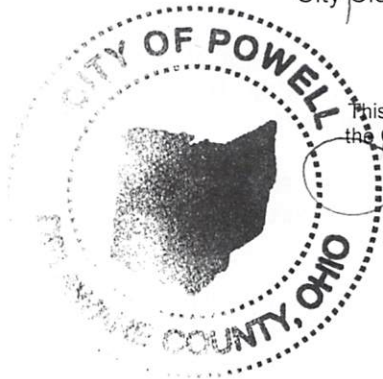
VOTE ON SUSPENSION OF RULES: Y 6 N 0

VOTE ON ORDINANCE 2019-39: Y 6 N 0

Jon C. Bennehoof 9/3/2019
Jon C. Bennehoof Date
Mayor

Karen J. Mitchell 9/4/2019
Karen J. Mitchell Date
City Clerk

EFFECTIVE DATE: August 20, 2019



This legislation has been posted in accordance with the City Charter on this date 9/4/2019

Karen J. Mitchell City Clerk