

**RESOLUTION NO. R-20-17**

**A RESOLUTION IN SUPPORT OF SEEKING CLEAN OHIO TRAILS FUND GRANT FUNDING FOR THE CONSTRUCTION OF A MULTI-PURPOSE PATH FROM STATE ROUTE 254 TO STATE ROUTE 611 ( AND REAFFIRMING THE CITY'S COMMITMENT OF LOCAL FUNDS NECESSARY TO COMPLETE THE PROJECT) AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Avon is desirous of improving intercommunity connectivity pathways throughout the city as a way to enhance transportation, physical activity and wellness options for its residents, and;

**WHEREAS**, the proposed multi-purpose path route from State Route 254 (Detroit Road) to State Route 611 (Colorado Avenue) along the existing high tension power line route would serve as a first step to linking existing recreation facilities off of Colorado Avenue with existing school facilities along and near Detroit Road to the numerous existing residential neighborhoods located in between, and;

**WHEREAS**, the State of Ohio, through the Ohio Department of Natural Resources (ODNR), administers financial assistance for public recreation purposes, through the Clean Ohio Trails Fund Program (COTF), and;

**WHEREAS**, the City of Avon desires to seek financial assistance from the Clean Ohio Trails Fund for the proposed path project described above in the amount of \$500,000 to be applied toward construction expenses of the estimated \$1,333,000 project, and;

**WHEREAS**, Avon City Council passed Resolution R-5-17 on January 23, 2017 authorizing the Avon Mayor to make application to ODNR for said COTF program funds in relation to the described project, and;

**WHEREAS**, ODNR subsequently reviewed Resolution R-5-17 and as part of its application review noted that the Resolution lacked a commitment from the applicant to obligate the local funds necessary to complete the project and seek reimbursement from ODNR if this project is awarded funding from the COTF program.

**WHEREAS**, Avon City Council finds that this proposed improvement will significantly further the health, safety and welfare of the citizens of Avon and the community by improving connectivity through a more expansive public transportation system and firmly commits to the expenditure of local funds necessary to complete the project.

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

Section 1 - That the Mayor of the City of Avon is authorized to file an application with the Ohio Department of Natural Resources seeking grant funds in the amount of \$500,000 from the Clean Ohio Trails Fund Program to offset construction costs associated with the construction of a Multi-Purpose Path from State Route 254 (Detroit Road) to State Route 611 (Colorado Avenue) along the existing high tension electrical power line route.

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Section 2 - The City of Avon further agrees to obligate funds necessary to complete this project and seek reimbursement from ODNR if this project is awarded funding from the COTF program.

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.

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 support an application for COTF funds for the year 2017 prior to a predetermined ODNR comment response deadline of July 1, 2017; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig L. Witherspoon, 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