

SPONSOR: Heath/C. Brown

ORDINANCE NO. 116-07

AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS IN THE SEWER FUND AND IN THE SCMR FUND, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section One. The original appropriation ordinance, as it relates to the Sewer Fund is hereby modified so as to appropriate additional moneys as follows:

FUND	CATEGORY	AMOUNT	AMENDED APPROPRIATION
SEWER FUND	711-7525-54005 (Utility Distribution Systems)	\$ 400,000.00	\$ 490,000.00

Section Two. This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to modify the appropriations as soon as possible in order that the invoice may be paid as soon as possible. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section Three. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Four. In is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Date: 10-22-07

Ronald B. Spearman
PRESIDENT OF COUNCIL

Heath Brown
CLERK OF COUNCIL

Date: 10-25-07

Approved: [Signature]
MAYOR

MEMO

Date: 08/30/2007
To: Jack Detty
From: Wendy Sexton
RE: Ordinance Request

Please prepare an Ordinance for the next City Council Meeting for additional appropriations as follows:

711-7525-54005	Utility Distribution Systems	\$400,000.00
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The additional appropriations above are for the \$400,000.00 reimbursement to Luigino's per the agreement with the City dated March 21, 2005.

This should be considered an emergency so that the invoice can be paid as soon as possible.

DATE: August 30, 2007
TO: JACK DETTY, LAW DIRECTOR
FROM: WENDY SEXTON, DEPUTY AUDITOR
RE: ADDITIONAL APPROPRIATIONS

Please prepare an Ordinance for the next council meeting for supplemental appropriations as follows:

FUND	LINE ITEM	DESCRIPTION	AMOUNT	AMENDED APPROPRIATION
SEWER FUND	711-7525-54005	UTILITY DISTRIBUTION SYSTEMS	\$ 400,000.00	\$ 490,000.00
			\$ 400,000.00	\$ 490,000.00

4. CITY agrees that LUIGINO'S can mitigate wetlands located on real estate described in EXHIBIT C by establishing wetlands on real estate described in EXHIBIT D owned by CITY and known as Jackson Salt Lick Creek Nature Preserve. Said mitigation shall be in full compliance with all federal and state statutes and regulations.

5. LUIGINO'S agrees to participate with the CITY by executing all necessary documents for the CITY to apply and receive federal and state grants for the CITY'S proposed sewage plant expansion. If the CITY is successful in securing grants, CITY agrees to reimburse LUIGINO'S from sewer or utility funds for infrastructure required for LUIGINO'S pretreatment plant in the amount of \$400,000. The infrastructure includes portions of the sewer system to and from the pretreatment plant and any required pumping stations. Invoices to and reimbursements by the CITY will not exceed \$400,000.

6. City shall grant an easement to Luigino's over the existing gravel driveway for ingress and egress to the property purchased by Luigino's.

This Agreement shall be governed by the Laws of the State of Ohio.

This Agreement shall inure to the benefit of the parties, their successors and assigns.