

SPONSOR: E. Brown/Adams

## ORDINANCE NO. 5-09

AN ORDINANCE TO AUTHORIZE THE MAYOR TO APPROVE THE OHIO PUBLIC WORKS COMMISSION GRANT AS SOON AS POSSIBLE, AND DECLARING AN EMERGENCY.

WHEREAS, the City has previously applied and been approved for an Ohio Public Works Commission Grant (OPWC) for the State Route 93 Water Main Replacement Project; and

WHEREAS, it is anticipated the agreement for the OPWC Grant should be made available in late January, and once the Agreement is available it will be necessary for the Mayor to execute the Agreement; and

WHEREAS, in accordance with OPWC guidelines the bid on the project should not be awarded until after the OPWC Agreement is executed by the Mayor; and

WHEREAS, in order to meet tight timelines on the Project, it will be necessary to award the bid on the project as quickly as possible after the Mayor signs the OPWC Agreement; and

WHEREAS, the City has received bids, but has not yet awarded a contract on the Project pending the execution of the OPWC Agreement by the Mayor.

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

**Section One.** The Mayor of the City of Jackson is hereby authorized and directed to execute the OPWC Agreement as soon as such Agreement is provided by the OPWC.

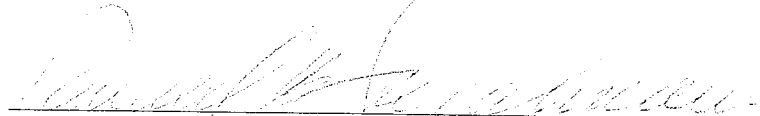
**Section Two.** This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to authorize this action as soon as possible so this project can commence and proceed in a timely manner. 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.

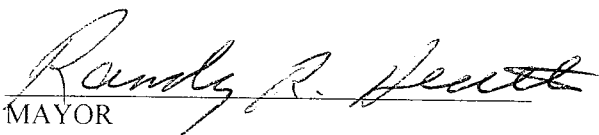
Date: 1-12-04

  
PRESIDENT OF COUNCIL

  
CLERK OF COUNCIL

Approved:

Date: 1-14-09

  
MAYOR