

CITY OF FAIRVIEW PARK
ORDINANCE NO. 20-40
REQUESTED BY: MAYOR PATRICK J. COONEY
SPONSORED BY: COUNCILWOMAN KING
CO-SPONSORED BY: COUNCILMAN MINEK

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATION TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF FAIRVIEW PARK FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES/INFRASTRUCTURE, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY

WHEREAS, the City of Fairview Park (“City”) seeks to upgrade its existing wastewater facilities and infrastructure by completing a planning study that addresses the management of excess sanitary flow and other issues related to wastewater infrastructure; and

WHEREAS, the City intends to apply for a WPCLF loan for the planning, design and/or construction of the wastewater facilities and infrastructure; and

WHEREAS, the WPCLF application requires the government authority to pass legislation for the application of a loan and the execution of an agreement, as well as designating a dedicated repayment source; and

WHEREAS, the project vicinity includes all areas of the City for which flow is processed at the North Olmsted Waste Water Treatment Plant and serviced by the West 227 Street Lift Station; and

WHEREAS, said planning study will determine an implementation strategy to address issues related to wastewater infrastructure that occur in this section of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, COUNTY OF CUYAHOGA AND STATE OF OHIO:

SECTION 1. That the Mayor and City Administration are hereby authorized to apply for a Water Pollution Control Loan Fund (WPCLF) loan in the amount of Four Hundred Fifty Thousand Dollars (\$450,000), sign all documents for and enter into a WPCLF agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of water facilities and infrastructure on behalf of the City of Fairview Park, Ohio.

SECTION 2. That the dedicated source of repayment shall be the Capital Projects Fund (Fund 811).

SECTION 3. That the Mayor and City Administration are authorized to file all documents and execute all agreements and pay all fees necessary to accept WPCLF funds; and that the funds are appropriated solely for purposes described in this Ordinance.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare; and for the further reason that the application and legislation must be submitted by the October 15, 2020 deadline; and provided it received an affirmative vote of a majority plus one of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

PASSED: 10.05.20
APPROVED: 10.06.20

1st reading: 10.05.20
2nd reading: Suspended
3rd reading: Suspended

Michael P. Kilbane, President of Council

Patrick J. Cooney, Mayor

Liz L. Westbrooks, Clerk of Council