

22-2009

September 29, 2009

**AN ORDINANCE AUTHORIZING AND DIRECTING THE
MUNICIPAL MANAGER OF THE VILLAGE OF WOODLAWN TO
FILE APPLICATIONS FOR
BROWNFIELDS ASSESSMENT GRANT FUNDS WITH THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AND DECLARING AN EMERGENCY**

WHEREAS, the United States Environmental Protection Agency is making grant funds available to communities for the environmental assessment of properties and the Village of Woodlawn is interested in applying for these fund to encourage the redevelopment of a number of properties located within the Village; and

WHEREAS, if the grant is approved, and the Village receives funding from the United States Environmental Protection Agency, the grant will cover the cost to inventory, characterize, assess and conduct cleanup and redevelopment planning and community involvement on multiple Brownfields sites to be determined by the Village Council within the community; and

WHEREAS, completing Phase I and Phase II Environmental Assessments will make these properties eligible for future Clean Ohio Revitalization Funds and will give the Village the opportunity to request funds for future environmental acquisition, clean-up, and/or demolition; and

WHEREAS, it is necessary to timely file the application in order to qualify for a grant from the United States Environmental Protection Agency; and

WHEREAS, neither application for nor receipt of this grant, if awarded, will have any effect on the Village's General Fund because the grant does not require a match and 100% of the assessments can be paid for by the grant; and

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF WOODLAWN HEREBY ORDAINS:

SECTION 1. That the Village Manager is hereby authorized and directed to file applications for United States Environmental Protection Agency Brownfields Assessment Grants on behalf of the citizens of the Village of Woodlawn, Ohio and if awarded to enter into any agreement necessary to receive those funds from the United States Environmental Protection Agency for the cost to inventory, characterize, assess and conduct cleanup and redevelopment planning and community involvement related to Brownfields sites to be determined by the Village.

SECTION 2. That if any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. That this Village Council finds and determines that all formal actions of this Village Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Village Council and that all deliberations of this Village Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Woodlawn, said emergency being the necessity to meet a federal application deadline for funding that will benefit the economic health of our community.

VICE MAYOR WILLIE NORTON

Attest: _____

Date: **September 29, 2009**

Clerk of Council, Barbara L. Battle

CERTIFICATE

I, Barbara L. Battle, Clerk of Council of the Village of Woodlawn, Ohio, hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Council of the Village of Woodlawn, Ohio, on the 29th day of September, 2009.

Barbara Battle, Clerk of Council

Approved as to form:

Matthew W. Fellerhoff, Law Director