

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A WETLAND MITIGATION PURCHASE AGREEMENT FOR WETLAND IMPACTS AT WALKER ROAD PARK AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the requirements of Section 401 of the Clean Water Act, the City is obliged to mitigate impacts to 1.34 acres of isolated wetlands at the Walker Road Park, located at 31612 Walker Road, Avon Lake, Lorain County, Ohio; and

WHEREAS, the City desires to enter into an agreement to purchase mitigation credits with a mitigation bank for wetland impacts at Walker Road Park and to place a deposit for said purchase; and

WHEREAS, 50 percent of the cost of the mitigation credits will be reimbursed by the City of Bay Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to execute a Wetland Mitigation Purchase Agreement to purchase mitigation credits and place a deposit with a mitigation bank for wetland impacts at the Walker Road Park Basin.

Section No. 2: That the Mayor is hereby authorized to purchase 4.1 credits at \$65,000 per acre from the Grafton Swamp Bank.

Section No. 3: That the Mayor is hereby authorized to make a deposit of 15 percent in order to secure the credits for the mitigation bank.

Section No.4: That 50 percent of the costs of the mitigation credits will be reimbursed by the City of Bay Village.

Section No. 5: That 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 which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 6: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to purchase mitigation credits for wetland impacts and to protect the environment, thus for the health, safety, and

welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

1st reading: 2/26/2024

2nd reading:

3rd reading:

PASSED: 3/04/2024

/s/ Martin E. O'Donnell
President of Council

POSTED: 3/07/2024

APPROVED: 3/05/2024

ATTEST: /s/ Valerie E. Rosmarin
Clerk of Council

/s/ Mark A. Spaetzel
Mayor