

ORDINANCE 2023 - 003

AN ORDINANCE AUTHORIZING THE SETTLEMENT & RELEASE AGREEMENT BETWEEN THE CITY OF KENT AND FIORITTO CONSTRUCTION, LLC, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent and Fioritto Construction, LLC, have reached a Settlement & Release Agreement mutually agreed upon by both parties in terms substantially comparable to the terms contained in the document attached as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. Based upon the recommendation of City Council, the City of Kent and Fioritto Construction, LLC, have mutually agreed upon a Settlement & Release Agreement in terms substantially comparable to the terms contained in the document as Exhibit "A", attached hereto and incorporated herein.

SECTION 2. 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 of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: January 18, 2023
Date

J T Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: January 18, 2023
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2023-003, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON January 18, 2023.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL