

**CITY OF PEWEE VALLEY  
MUNICIPAL ORDER 2, SERIES 2022  
A MUNICIPAL ORDER RELATING TO THE USE OF AMERICAN RESCUE PLAN  
ACT (ARPA) FUNDS TO REPAIR THE CENTRAL AVENUE PARK ACCESS AND  
DRAINAGE FACILITIES AND WATER QUALITY IN THE CITY OF PEWEE  
VALLEY**

**Whereas**, the City Council of the City of Pewee Valley is considering a project to refurbish and add to the pervious sidewalks, drainage facilities and access for the disabled in its Central Avenue Park facility,

**Whereas**, the United States Congress passed the American Rescue Plan Act (ARPA SLFRF) Program, signed into law on March 11, 2021, which provides individual local governments an allotment of funds for a variety of purposes related to the pandemic,

**Whereas**, ARPA's permissible purposes include the provision of services that impact Qualified Census Tracts (hereinafter 'QCT') and assist communities disproportionately impacted by the Covid-19 pandemic (hereinafter 'Pandemic') such as school-aged children, senior citizens, and those with lower income levels (United States Treasury, Coronavirus State and Local Fiscal Recovery Funds, Frequently Asked Questions, June 24, 2021 (hereinafter 'Treasury Guidance') and 24.3% of Pewee Valley's population is aged 65 and over, 20.8% are under 18 years of age,

**Whereas**, Central Avenue Park is the only and heavily used public park in the City of Pewee Valley and it has been determined that gathering and recreating in outdoor environments mitigates the chance of becoming ill due to the pandemic in comparison to gathering and recreating indoors (Centers for Disease Control guidance- May 28, 2021),

**Whereas**, the City of Pewee Valley intends to refurbish the pervious pavement sidewalk within the park and include additions to the pervious pavement of the sidewalk which will allow ADA compliance access to the park facilities from the Central Avenue access point. The park is

accessed by a sidewalk that has been designed to allow water to infiltrate, through the use pervious pavement. The drainage for the park also goes through bioswales to create a green footprint for the Central Avenue Park. Those green infrastructure components need repair and upgrading because of the heavy usage during the Covid 19 pandemic. Further, access for the disabled will be extended to Central Avenue through the installation of ADA additions to the sidewalk system to provide greater accessibility to the park facilities for the public. These improvements will allow residents greater access to gather in an open-air environment and enjoy a variety of recreational opportunities, including, but not limited to, hiking, walking, and picnicking, and the outdoor area will allow for social distancing and recreating in the city and allows for residents to walk to and from the park, further encouraging outdoor recreation and socialization, and benefiting the community by building stronger neighborhoods and communities (Treasury Guidance- 2.11 & 2.18),

**Whereas**, promoting healthy childhood environments is a permissible Treasury Guidance purpose (2.11) and will be accomplished by providing the youth in the City of Pewee Valley own a park where they can participate in sports, play and a variety of other means of exercise, and a majority of Pewee Valley recorded population is less than 5 minutes from the park by motor vehicle, and 10 minutes by walking, and a majority of the population of the city is within 1 mile of the park,

**Whereas**, the drainage site work for the park refurbishment also includes needed gray infrastructure stormwater drainage improvement project that extends the green infrastructure of the Central Avenue Park, providing a water quality benefit and ARPA's permissible purposes include the provision of measures to manage, reduce, treat, or recapture stormwater or subsurface drainage for projects which are eligible under the EPA Clean Water State Revolving Fund,

**Whereas**, the City of Pewee Valley wishes to use the ARPA SLFRF funding, in whole or in part, for this project and to authorize the Mayor to execute any documents which are deemed necessary by the US Treasury to participate in the American Rescue Plan State and Local Fiscal Recovery Funds and to have full authority to function as the authorized correspondence for the proposed project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF PEWEE VALLEY,  
KENTUCKY:**

**Section 1.** The City of Pewee Valley was allotted ARPA SLFRF funding which may be utilized for purposes related to pandemic mitigation, including refurbishment of public spaces such as parks and the Central Avenue Park refurbishment, as set out above in the Whereas clauses, is an appropriate use of ARPA funding as it will provide a benefit to the city residents of all ages and economic standing during this pandemic and for years to come, not just during this pandemic.

**Section 2.** The City of Pewee Valley was allotted ARPA SLFRF funding which may be utilized for purposes related to pandemic mitigation, including gray infrastructure projects such as the drainage and pervious pavement sidewalk improvements included in the Central Avenue Park refurbishment, as set out above in the Whereas clauses, which is an appropriate use of ARPA funding as it will provide a benefit to the city residents of all ages and economic standing during this pandemic and for years to come, not just during this pandemic and is an eligible stormwater project according to the EPA's Clean Water State Revolving Fund (CWSRF) regulations.

**Section 3.** The City of Pewee Valley hereby authorizes the Mayor to execute the necessary agreement(s) to implement the Central Park Refurbishment and Drainage Project, utilizing ARPA SLFRF funding, in whole or in part. The City Council further authorizes the Mayor to execute any documents which are deemed necessary by the US Treasury to participate in the American Rescue Plan State and Local Fiscal Recovery Funds and to have full authority to function as authorized correspondent for the proposed project.

**Section 4.** The project will be referred to as Project Number #2, Series 2022, City of Pewee Valley Central Avenue Park Refurbishment Project. The City of Pewee Valley hereby finds that the cite to the specific authority for this project is, (a) responding to the public health emergency and may be found in the Interim Final Rule 31-CFR Part 35, Section 602(c)(1)(a) and Section 603(c)(1)(a). Further support is provided by the Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions, at Item 2.18, which is attached, and (b) an investment in infrastructure and may be found in the Interim Final Rule 31-CFR Part 35, Section 602(c)(1)(c) and Section 603(c)(1)(c). Further support is provided by the Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions, at Item 6.1, 6.7, 6.14 and 6.15, which are attached.

This Municipal Order shall take effect upon its passage and approval as required by law.

Adopted this 3rd, day of January 2022.

Bob Rogers  
Bob Rogers, Mayor

ATTEST:

Denise Haney  
Denise Haney, City Clerk

Those in Favor:

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Those Opposed:

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