

ORDINANCE NO. 2018-17

AMENDING ORDINANCE 2018-02 AUTHORIZING THE VILLAGE ADMINISTRATOR AND MAYOR TO FILE A LOAN APPLICATION AND ENTER INTO A LOAN AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY NECESSARY FOR THE PROJECT 7 (LAWRENCE, HARRISON, CHURCH ST.) SEWER SEPARATION PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Ordinance 2018-02 was passed by Council at the January 8, 2018 meeting with the omission of Ohio Environmental Protection Agency in the title or body of the ordinance; and

WHEREAS, the Village of Swanton desires to obtain a loan from the Ohio Environmental Protection Agency (hereinafter referred to as the "OEPA")/Ohio Water Development Authority (hereinafter referred to as the "OWDA") to finance the cost of the construction of the Project 7 Sewer Separation which includes Lawrence, Harrison, and Church Streets on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the Village of Swanton intends to apply for and enter into a Water Pollution Control Loan Fund Agreement (WPCLF) from OEPA/OWDA for the construction of the Project 7 Sewer Separation which includes Lawrence, Harrison, and Church Streets; and

WHEREAS, the OEPA/OWDA has indicated its willingness to make a loan for that purpose and on those terms;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SWANTON, THE COUNTY OF FULTON, STATE OF OHIO:

SECTION 1. That the Mayor and/or Village Administrator hereby are authorized to file a WPCLF loan application with OEPA/OWDA for the purpose of funding approximately \$1.4 million in long term obligations; said funding is necessary to construct the Project 7 Sewer Separation which includes Lawrence, Harrison, and Church Streets located in the Village of Swanton.

SECTION 2. That, if approved, the Village Administrator is hereby authorized to execute any and all documentation that may be required by OEPA/OWDA to secure and administer an Agreement for a loan for the purpose stated therein.

SECTION 3. That the Village of Swanton hereby approves the issuance of the aforesaid long term obligations in cooperation with the OEPA/OWDA under the provisions, terms and conditions set forth in the "Water Pollution Control Fund Agreement" as set forth in EXHIBIT A (the "Agreement")

and hereby authorizes the Mayor and/or Village Administrator to execute the Agreement with the OEPA/OWDA substantially in the form set forth in EXHIBIT A and any other necessary loan agreements.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in 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 including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the inhabitants of the community; and for the further reason to comply with the OEPA/OWDA time constraints which must be met in order to receive such a loan. Therefore, this Ordinance shall take effect immediately upon its passage by Council and approval by the Mayor, providing it receives the statutory requirements for passage; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

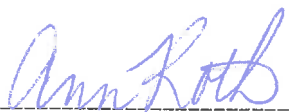
Motion to Suspend the Rules and Declare and Emergency

Moved: Rochelle                      Second: Westhoven                      YEAS: 6                      NAYS: 0

Vote on Passage

Moved: Rochelle                      Second: Westhoven                      YEAS: 6                      NAYS: 0

Date of Passage: June 11, 2018

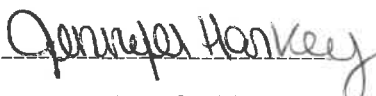


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Ann Roth, Mayor

Attest:

I, Jennifer Harkey Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2018-17, passed on June 11, 2018



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Jennifer Harkey, Fiscal Officer