

ORDINANCE 2023-04

AUTHORIZING THE VILLAGE ADMINISTRATOR AND MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE VILLAGE OF SWANTON FOR PLANNING, DESIGN, AND/OR CONSTRUCTION OF PROJECTS 3, 11 & 12 COMBINED SEWER SEPARATION PROJECT AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN AND DECLARING AN EMERGENCY

WHEREAS, The Village of Swanton is required to separate its combined sewer system; and

WHEREAS, the Village of Swanton desires intends to apply for Water Pollution Control Loan Fund (WPCLF) for planning, design, and/or construction of Project 3, 11 & 12 Combined Sewer St. Richard's Court, Hickory, Oak, Elm, Maple, Birch, Forrester, Airport Highway, and South Main Street); and

WHEREAS, the Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source;

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 apply for WPCLF loan agreement, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design, and/or construction of Project 3, 11 & 12 Combined Sewer Separation; on behalf of the Village of Swanton, Ohio

SECTION 2. That the dedicated source of repayment will be the Debt Service Fund-WRRF (5742)

SECTION 3. 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 4. 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 an Emergency

Moved: Kania                      Second: S. Disbrow                      YEAS: 5                      NAYS: 0

Vote on Passage

Moved: Kania                      Second: Messenger                      YEAS: 5                      NAYS: 0

Date of Passage: April 26, 2021



Neil Toeppe, Mayor

Attest:

I, Shannon Shulters, Village Administrator of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2023-04, passed on February 13, 2023.



Shannon Shulters, Village Administrator