

ORDINANCE NO. 2017-097, AS AMENDED

AN ORDINANCE APPROPRIATING AND TRANSFERRING FUNDS AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1: That the following sums be and the same are hereby appropriated and transfer:


FROM: CIT Fund – Capital Improvements \$ 280,000.00
Restricted Account

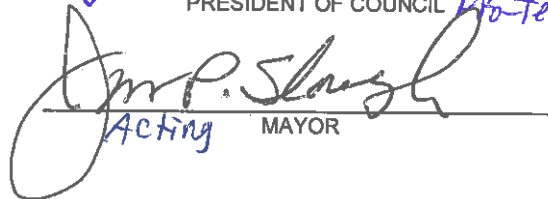
TO: Dalzell Ditch Cleaning *Project No. 32542200* \$ 280,000.00

SECTION 2: That the actions of the Mayor be ratified and that she be authorized to pay fifty percent (50%) of the construction costs to be assessed to properties located within the City of Findlay corporation boundaries up to three hundred thousand dollars (\$300,000.00) all in accordance with the W.A.B. Dalzell Single County Ditch petition dated March 20, 2014 and as in accordance with and pursuant to Project No. 325422 contained within the 2014 Capital Improvements Plan. Said Funds shall be advanced to the County in accordance with an agreement to be formalized between the City and County.

SECTION 3: 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 City of Findlay, Ohio, and for the further reason it is immediately necessary to appropriate and transfer said funds so that the City's portion of the construction costs may be paid. Whereby the County will return any and all unused funds to the City.

WHEREFORE, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.


PRESIDENT OF COUNCIL *Pro-Tem*


Acting MAYOR

PASSED October 17, 2017

ATTEST Denise DeVore
CLERK OF COUNCIL

APPROVED October 17, 2017

Office of the Mayor

Lydia L. Mihalik

318 Dorney Plaza, Room 310
Findlay, OH 45840

Telephone: 419-424-7137 • Fax: 419-424-7245
www.findlayohio.com

Paul E. Schmelzer, P.E., P.S.
Safety Director

Brian A. Thomas, P.E., P.S.
Service Director

This agreement is hereby entered into between the City of Findlay, Ohio, 318 Dorney Plaza, RM 310, Findlay, Ohio, hereinafter referred to as "FINDLAY" and the Hancock County Commissioners, (address here) hereinafter referred to as "COMMISSIONERS", this day of
2017.

WHEREAS, the W.A.B. Dalzell Single County Ditch was originally petitioned for improvement by FINDLAY on October 18, 1996 which petition was dismissed by COMMISSIONERS in 2008; and,

WHEREAS, FINDLAY re-submitted a petition for improvement of the W.A.B. Dalzell Single County Ditch on April 10, 2014 with FINDLAY agreeing to pay fifty percent (50%) of the construction costs to be assessed to the properties located within the City of Findlay Corporation boundaries up to Three Hundred Thousand and 00/100 Dollars (\$300,000.00) with permanent maintenance costs to be fully assessed to the benefitted property owners, and,

WHEREAS, FINDLAY'S estimated contribution for construction, landowner assessment and maintenance amounts to approximately Two Hundred Seventy-two Thousand Two Hundred Forty Nine and 47/100 Dollars (\$272,249.47); and

WHEREAS, Findlay has appropriated the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) to the Dalzell Ditch Cleaning Project No. 32542200 in accordance with the terms of this agreement; and,

WHEREAS, upon passage of Ordinance No. 2017-097, as amended, and execution of this agreement, FINDLAY will agree to advance to COMMISSIONERS the entire sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) to the Dalzell Ditch Cleaning project, Findlay Project No. 32542200, with the understanding that any unnecessary and/or unused funds will be returned to FINDLAY.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed by its duly authorized representative on the date(s) indicated below:

Lydia L. Mihalik, Mayor

Date

Commissioner

Date

Commissioner

Date

Commissioner

Date

Flag City, USA