

ORDINANCE NO. 2013-072

AUTHORIZING THE CITY OF FINDLAY TO APPLY FOR AND OBTAIN A LOAN FROM THE OHIO WATER DEVELOPMENT AUTHORITY IN AN AMOUNT NOT EXCEEDING \$10,000 FOR THE PURPOSE OF DESIGN WORK RELATED TO THE MODIFICATION, REPAIR AND/OR REPLACEMENT OF CLEAR WELLS AT THE WATER TREATMENT PLANT AND MAKING RELATED IMPROVEMENTS TO THE MUNICIPAL WATER SYSTEM, INCLUDING ALL APPURTENANCES THERETO; AND AUTHORIZING AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

WHEREAS, the City of Findlay's (the "City") municipal water system is in need of certain repairs and improvements, including the modification, repair and/or replacement of clear wells at the water treatment plant and making related improvements to the municipal water system, including all appurtenances thereto (the "Project"); and

WHEREAS, this Council of the City of Findlay (the "Council") hereby determines that it will be beneficial for the City to obtain a loan from the Ohio Water Development Authority ("OWDA") to fund design work related to the project;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Findlay, State of Ohio, that:

SECTION 1. It is hereby declared necessary for the City to obtain a loan (the "Loan") from OWDA to fund design work related to the Project. The amount of the Loan shall not exceed \$10,000.

SECTION 2. The Mayor and Service-Safety Director are hereby authorized to and directed to (1) apply for the Loan from OWDA; (2) execute a loan agreement or such other agreements as OWDA may require to secure and fund the Loan; and (3) take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to facilitate the closing and funding of the Loan. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance as they in their discretion shall deem necessary or appropriate. The Auditor of the City of Findlay, Ohio is specifically authorized to execute any and all documents necessary to apply for and obtain a loan from OWDA.

SECTION 3. The principal and interest on the Loan and any fees associated with the Loan shall be paid out of the available revenues of the City's water system.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken 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, including Ohio Revised Code Section 121.22.

SECTION 5. 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, and for the further reason it is immediately necessary to begin design work on the Project.

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

Randy C Ward
PRESIDENT OF COUNCIL *Pro-Tem*

Lydia Mihalick
MAYOR

PASSED October 15, 2013

ATTEST Denise DeVore
CLERK OF COUNCIL

APPROVED October 15, 2013

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of an ordinance duly adopted by the Council of the City of Findlay, Ohio on October 15, 2013.

Denise DeVore
Clerk of Council
City of Findlay, Ohio