

# RECORD OF ORDINANCES

Ordinance No. 2016-09

Passed June 14, 2016

## **AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A WATER SUPPLY REVOLVING LOAN ACCOUNT LOAN AGREEMENT AND DECLARING AN EMERGENCY**

WHEREAS, the Ohio Water Development Authority (“OWDA”) has been created, among other reasons, to carry forward the declared public policy of the State of Ohio to preserve, protect, upgrade, conserve, develop, utilize, and manage the water resources of the State, to prevent or abate the pollution of water resources, to promote the beneficial use of waters of the State for the protection and preservation of the comfort, health, safety, convenience, and welfare, and the improvement of the economic and general welfare and employment opportunities of, and the creation of jobs for, the people of the State, and to assist and cooperate with other governmental agencies in achieving such purposes through the establishment, operation, and maintenance of water development projects pursuant R.C. Chapter 6121; and

WHEREAS, pursuant to the Safe Drinking Water Act Amendments of 1996 (“SDWA”), states can provide low-cost loans and other types of assistance from a drinking water state revolving fund to eligible public water supply systems to finance the costs of infrastructure needed to achieve or maintain compliance with SDWA requirements; and

WHEREAS, the State of Ohio has created a drinking water state revolving fund, designated the Drinking Water Assistance Fund (“DWAF”), and within the DWAF has created the Water Supply Revolving Loan Account (the “WSRLA”), pursuant to R.C. 6109.22 to provide low-cost loans and other types of financial assistance as set forth in said Section; and

WHEREAS, in order to promote the health, safety, and welfare of its residents, the Village of Thurston needs to replace several non-functional gate valves and hydrants (the “Project”). The total estimated cost of the Project is Ninety-Eight Thousand, Six Hundred Eighty Dollars and No Cents (\$98,680.00). However, the Village of Thurston does not have the available funds to complete this much needed Project; and

WHEREAS, Council for the Village of Thurston is desirous of obtaining financing for this necessary Project using funds from the WSRLA; and

WHEREAS, the State of Ohio is willing to provide financing to the Village of Thurston for the Project; and

WHEREAS, Council for the Village of Thurston has determined it needs to enter into an agreement to set forth its respective obligations with respect to the financing, construction, operation, and ownership of the Project.

**NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:**

**SECTION 1:** The Mayor is hereby authorized and directed to execute a Water Supply Revolving Loan Account Loan Agreement, in substantially the same form and content as the agreement attached hereto as Exhibit A and incorporated herein by reference, with the Ohio Environmental Protection Agency and the Ohio Water Development Agency.

**SECTION 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

# RECORD OF ORDINANCES

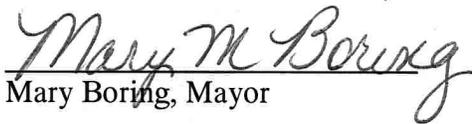
Ordinance No. \_\_\_\_\_

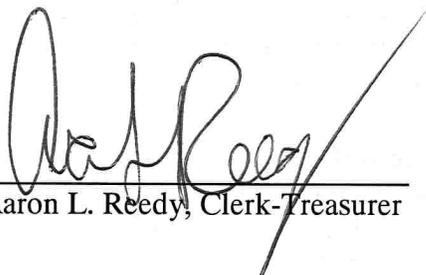
Passed \_\_\_\_\_, 20\_\_\_\_

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason the Village must return a signed copy of the Agreement and this legislation before the June 30, 2016 OWDA Board Meeting. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Passed in Council this 14 day of June 2016.

  
Mary Boring, Mayor

ATTEST:   
Aaron L. Reedy, Clerk-Treasurer

APPROVED:

Approved as to form this 14<sup>th</sup> day of June 2016.



\_\_\_\_\_  
Brian M. Zets, Esq.  
Village Solicitor