

# RECORD OF ORDINANCE

Date Presented 3/14/2023

Sponsor Mayor Sandine Ordinance No. 13-23 Date Passed March 14, 2023

**AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR THE PLANNING AND CONSTRUCTION OF THE IRON FILTER PROJECT AND THE JACKSON LAKE UTILITY EXTENSION PROJECT BETWEEN THE VILLAGE OF LITHOPOLIS AND THE OHIO EPA AND/OR THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village of Lithopolis (hereinafter referred to as the "LGA") is planning two projects in need of funding this year, ie. the Iron Filter project and the Jackson Lake Utility Line Extension project; and

**WHEREAS**, the LGA desires to obtain a funding through loans from the Ohio Environmental Protection Agency (hereinafter referred to as the "OEPA") and/or the Ohio Water Development Authority (hereinafter referred to as the "OWDA") to finance costs of the planning and construction of such facilities on the terms set forth in the Cooperative Agreement (defined below) or other documentation as required; and

**WHEREAS**, the OEPA and the 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 LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;**

**Section 1.** That the LGA hereby approves the planning and construction of the aforesaid Iron Filter project and the Jackson Lake Utility Line Extension project in cooperation with the OEPA and/or OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for State Planning Project" as set forth in Exhibit A (the "Cooperative Agreement"), or other cooperative agreements as required, and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreements with the OEPA and/or OWDA as necessary and substantially in the form set forth in Exhibit A.

**Section 2.** 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 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 Section 121.22 of the Ohio Revised Code.

**Section 3.** 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 Village of Lithopolis for the reason that the immediate construction of the Iron Filter project and the Jackson Lake Utility Line extensions at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing redundancy in the water treatment process and providing safe utility services for the residents of Jackson Lake, this ordinance shall be in full force and effect from and immediately after its passage.

Attest/Date: Jacita Brown Clerk Signed/Date: [Signature] Mayor 3/14/23

Approved as to form: [Signature] Jon M. Browning

First Reading 3/14/23 Second Reading waived

Revised Second Reading \_\_\_\_\_ Third Reading waived

VOTE FOR 5 AGAINST 0