

ORDINANCE 11-91

AN ORDINANCE AUTHORIZING, DIRECTING AND/OR APPROVING VARIOUS ACTS, AGREEMENTS AND PAYMENTS BY THE SPENCER VILLAGE BOARD OF TRUSTEES FOR PUBLIC AFFAIRS IN ORDER TO CONSTRUCT THE PENFIELD TO SPENCER WATER LINE, PUMPING STATION AND METER VAULT IMPROVEMENT AND THUS OBTAIN THROUGH RURAL LORAIN COUNTY WATER AUTHORITY A PERMANENT SOURCE OF THE SPENCER VILLAGE WATER SUPPLY AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED, By the Council of the Village of Spencer, Ohio, three-fourths of its members concurring herein, as follows:

1. The purchase agreement of the pump station site in Penfield Township from Lawrence and Patricia Jackson for the sum of Five Thousand and 00/100 Dollars (\$5,000.00) plus closing expenses in accordance with a purchase agreement and an addendum thereto entered into by the Village of Spencer and Mr. & Mrs. Jackson is hereby authorized and approved and the Clerk is authorized and directed to convey funds to the designated escrow agent to carry out said purchase agreement as required by its terms and conditions.

2. The Spencer Village Board of Trustees for Public Affairs is hereby authorized and directed to expend its funds and other funds obtained by the Village of Spencer to pay to the Rural Lorain County Water Authority the sum of One Hundred Ninety-three Thousand Nine Hundred Forty-five and 00/100 Dollars (\$193,945.00) for the construction of the Penfield to Spencer Water Line in accordance with the contract for said water line construction previously

entered into by Spencer Village and said water authority. The Spencer Village Board of Trustees for Public Affairs is further authorized and directed to expend its funds and other funds obtained by Spencer Village to pay to the Rural Lorain County Water Authority the necessary amounts for construction and equipping of the pumping station in Penfield Township estimated to cost \$50,000.00 and the meter vault at or near the Spencer Village corporation limits estimated to cost \$20,000.00 in accordance with the contract for same previously entered into by Spencer Village and said Water Authority. The Spencer Village Board of Trustees for Public Affairs is further authorized and directed to pay from its funds and from other funds obtained by the Village of Spencer the required amounts for the obtaining of real estate easements over private property for the construction of said water line, including payment of the easement considerations to the landowners, recording fees and negotiators fees and to further pay to the Spencer Village Solicitor legal fees for the water line improvement of \$2,000.00. Appropriation for such expenditures are hereby made.

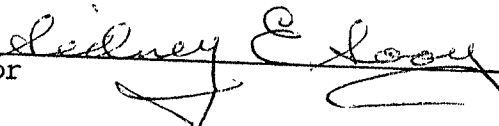
3. The Spencer Village Board of Trustees for Public Affairs is hereby authorized and directed to expend its funds on a monthly basis for the purchase of water from the Rural Lorain County Water Authority for the permanent source of the water supply of the Village of Spencer in accordance with an agreement to be entered into with said water authority on terms and conditions and amounts

approved by said Board. Said contract for the purchase of water with said water authority is hereby approved.

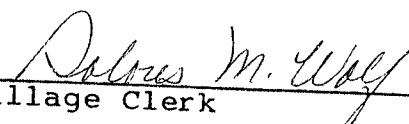
4. Upon the representation of the Board of Trustees for Public Affairs, the Spencer Village Council expects and approves the expenditure by the Board of Trustees of approximately \$17,000.00 per year for the next five (5) years from water user fees to pay on the Village loan obligations for this water lien project.

5. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the Village of Spencer, Ohio and for the practical reason that entering into the various agreements and making the various payments called for in this Ordinance are necessary to comply with previous contracts and agreements entered into by the Village and to preserve a safe and sufficient water supply for the Village, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: August 28, 1991


Mayor

ATTEST:


Village Clerk