

## ORDINANCE NO. 11-15

### **AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF A WASTEWATER IMPROVEMENT PROJECT BETWEEN THE VILLAGE OF SPENCER AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Spencer (hereinafter referred to as the "LGA") has determined the need for a construction loan from the Ohio Water Development Authority for the construction of the Spencer Wastewater Improvement Project in 2015; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the "OWDA") to finance costs of the construction of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, 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 Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

Section 1. That the LGA hereby approves the construction of the aforesaid Wastewater Improvement Project in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for State Construction Project" as set forth in "Exhibit A" (the "Cooperative Agreement") attached hereto and incorporated herein, and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA 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 was 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 said Village of Spencer for the reason that the immediate construction of the Wastewater Improvement Project at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing safe wastewater treatment; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage.

Passed: July 7, 2015

  
\_\_\_\_\_  
DAN DeROSSETT, Mayor

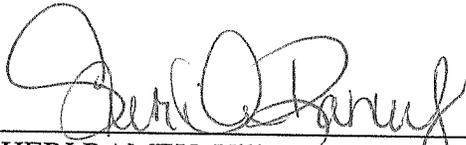
Attest:

  
\_\_\_\_\_  
SHERI RAMEY, Village Fiscal Officer

**CLERK'S CERTIFICATE**

The undersigned Spencer Village Fiscal Officer does hereby certify that the foregoing is a true and correct copy of Ordinance No. 11-15 duly passed by the Council of the Village of Spencer, Ohio, on July 7, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7<sup>th</sup> day of July, 2015, at Spencer, Ohio.

  
\_\_\_\_\_  
SHERI RAMEY, Village Fiscal Officer