

## RESOLUTION NO. 2016-15

### A RESOLUTION AUTHORIZING AND REQUESTING THAT THE LOGAN COUNTY ENGINEER PREPARE A PETITION TO UPGRADE AND MAKE A PERMANENT MAINTENANCE ASSESSMENT AS REQUIRED FOR THE SMITH AND SYCKLES DITCH

WHEREAS, the Village of Belle Center, Ohio, by and through its legislative council, is responsible to control, maintain, and supervise the infrastructure of the Village of Belle Center, Ohio.

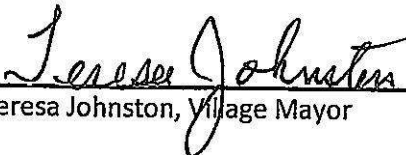
AND WHEREAS there currently exists a drainage ditch known as the Smith & Syckles Ditch which drains into the Liggitt Ditch.

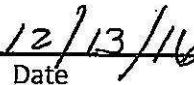
AND WHEREAS there now appears to be needed improvements, maintenance, and/or repairs and construction relating to such ditch continue its present purpose,


NOW, THEREFORE, BE IT RESOLVED by Council of the Village of Belle Center, Ohio, as follows:

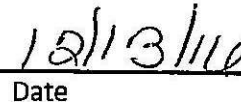
1. The Village Council of Belle Center, Ohio, hereby authorizes, empowers and requests that the Logan County Engineer prepare a petition to upgrade and place on permanent maintenance assessment the ditch known as the Smith & Syckles Ditch.
2. The Council hereby requests that the county engineer provide updated information regarding maintenance to be performed, the cost of all such maintenance, and updated reports relating to any assessments which will be attendant to this action.

This resolution shall be effective immediately upon its passage at the regularly scheduled council meeting on the 13<sup>th</sup> day of December, 2016.

  
Teresa Johnston, Village Mayor

  
Date

  
Audry Porter, Village Fiscal Officer

  
Date

**The Village of Belle Center, Ohio**  
**Resolution No. 2016-14**

**RESOLUTION AUTHORIZING THE MAYOR TERESA JOHNSTON TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF NATURAL GAS FOR THE VILLAGE'S NATURAL GAS AGGREGATION PROGRAM**

**WHEREAS**, the electorate of Belle Center has previously authorized the Village to aggregate eligible retail natural gas loads located within the governmental boundaries of Belle Center and enter into service agreements for the sale and purchase of natural gas, such aggregation to occur automatically except where any person elects to opt out; and

**WHEREAS**, in accordance with Chapter 4901:1-27 of the Ohio Administrative Code, and Section 4929.20 of the Ohio Revised Code, the Village is required to submit a CERTIFICATION APPLICATION OHIO NATURAL GAS GOVERNMENTAL AGGREGATORS to the PUCO; and

**WHEREAS**, the Village has engaged in a fair and open process to request proposals for supplying natural gas for the future from such certified natural gas suppliers; and

**WHEREAS**, to obtain the most competitive price, the process of entering into a contract for the supply of natural gas requires the Village to accept a proposal within hours after it is submitted, which short-time requires delegation of authority to the MAYOR to enter into a contract.

**NOW THEREFORE**, The Village of Belle Center hereby resolves:

**Section 1:** That the MAYOR TERESA JOHNSTON, is authorized to complete, sign, and submit a CERTIFICATION APPLICATION OHIO NATURAL GAS GOVERNMENTAL AGGREGATORS to the PUCO.

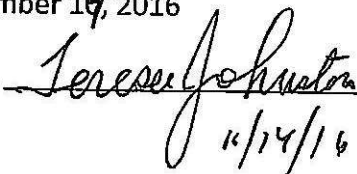
**Section 2:** That the MAYOR, TERESA JOHNSTON, is authorized to execute contracts for and to take such other steps as necessary for the purchase of natural gas for Village use from a retail natural gas supplier for a period of at least 12 months if:

1) The natural gas rate is based on the recommendation of Supernova Partners, LLC, Affordable Gas & Electric Company, LLC, the Village's consultant for its aggregation program; and

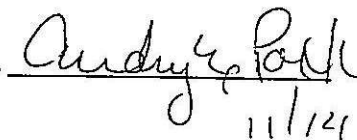
**Section 3:** That the MAYOR TERESA JOHNSTON shall notify the Village Council at the next available meeting, of actions taken pursuant to the Resolution.

Passed: November 16, 2016

ATTEST: MAYOR

  
11/14/16

FISCAL OFFICER

  
11/14/16

**The Village of Belle Center, Ohio**  
**Resolution No. 2016-13**

**RESOLUTION AUTHORIZING THE MAYOR TERESA JOHNSTON TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ELECTRICITY FOR THE VILLAGE'S ELECTRICITY AGGREGATION PROGRAM**

**WHEREAS**, the electorate of Belle Center has previously authorized the Village to aggregate eligible retail electric loads located within the governmental boundaries of Belle Center and enter into service agreements for the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out; and

**WHEREAS**, in accordance with Chapter 4901:1-24 of the Ohio Administrative Code, Chapter 4901:1-21 of the Ohio Administrative Code, and Section 4928.08 of the Ohio Revised Code, the Village is required to submit a CERTIFICATION APPLICATION FOR ELECTRIC GOVERNMENTAL AGGREGATORS to the PUCO; and

**WHEREAS**, the Village has engaged in a fair and open process to request proposals for supplying electricity for the future from such certified electricity suppliers; and

**WHEREAS**, to obtain the most competitive price, the process of entering into a contract for the supply of electricity requires the Village to accept a proposal within hours after it is submitted, which short-time requires delegation of authority to the MAYOR TERESA JOHNSTON to enter into a contract.

**NOW THEREFORE**, The Village of Belle Center hereby resolves:

**Section 1:** That the MAYOR TERESA JOHNSTON, is authorized to complete, sign, and submit a CERTIFICATION APPLICATION FOR ELECTRIC GOVERNMENTAL AGGREGATORS to the PUCO.

**Section 2:** That the MAYOR TERESA JOHNSTON, is authorized to execute contracts for and to take such other steps as necessary for the purchase of electricity for Village use from a retail electrical supplier for a period of at least 12 months if:

1) The electricity rate is based on the recommendation of Supernova Partners, LLC, Affordable Gas & Electric Company, LLC, the Village's consultant for its aggregation program; and

**Section 3:** That the MAYOR TERESA JOHNSTON shall notify the Village Council at the next available meeting, of actions taken pursuant to the Resolution.

Passed: November 10, 2016

ATTEST: MAYOR

*Teresa Johnston* 11/14/16

FISCAL OFFICER

*Andy K. Parker* 11/14/16

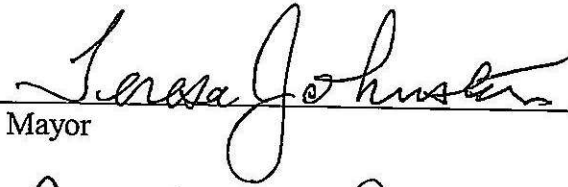
## ORDINANCE 2016-13

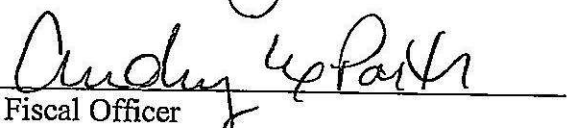
**A ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS IN THE AMOUNT OF \$ 851,080.68 FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO FOR THE YEAR 2017 WHICH IS APPROVED AT THE PROGRAM LEVEL AND DECLARING AN EMERGENCY IN SAID VILLAGE.**

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center until the Annual Appropriation Ordinance can be completed.

Section II: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in full force and effective immediately upon passage and approval of the Mayor.

APPROVED 12/13/16   
Mayor

ATTEST 12/13/16   
Fiscal Officer

Date : 12/13/2016



**The Village of Belle Center, Ohio**  
**Resolution No. 2016-12**

**RESOLUTION AUTHORIZING THE ADOPTION OF AN ELECTRIC POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, OHIO**

**WHEREAS**, the electorate of Belle Center has previously authorized the Village to aggregate eligible retail electric loads located within the governmental boundaries of Belle Center and enter into service agreements for the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out; and

**WHEREAS**, the Village has executed an agreement with Supernova Partners, LLC, Affordable Gas & Electric Company, LLC to provide consulting services to assist with the development and implementation of an electric power aggregation program and the Village has held two public hearings on the Plan of Operation and Governance.

**NOW, THEREFORE**, The Village of Belle Center hereby resolves:

**Section 1:** The Village Council of Belle Center hereby adopts an Electric Power Aggregation Plan of Operation and Governance for The Village of Belle Center pursuant to PUCO regulations.

**Section 2:** A copy of said Plan is hereby attached and marked as "Exhibit A" and is made part of this resolution.

**Section 3:** This Resolution will adopt the The Village of Belle Center's Electric Power Aggregation Plan of Operation and Governance for the Belle Center electric aggregation program to allow eligible residents to reduce their electric bill as quickly as possible, provided the resolution receives the affirmative vote of the majority of members elected to the Village Council, it shall take effect and be in force from and after the earliest time allowed by law.

Passed: November 14, 2016

Attest: MAYOR

Loresee Johnston 11/14/16

FISCAL OFFICER

Andy C. Roth 11/14/16

## ORDINANCE 2016-12

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center this supplement appropriation in the total amount of \$ 54,636 is required.

Section II: Detail by Fund Type:

GENERAL-ADVERTIZING:	1000-790-325-0000	\$4,000.00
STREET CONST/MAINTENANCE/UNIFORMS:	2011-620-270-0000	\$212.00
WATER OPERATING/UNIFORMS:	5101-539-270-0000	\$212.00
GARBAGE OPERATING/UNIFORMS:	5601-569-270-0000	\$212.00
WATER CAP IMPRVMT/ENGNG SRVC.	5701-539-346-0000	\$50.000.00

Section III: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in force and effective immediately upon passage and approval of the Mayor.

APPROVED

Leresa A. Johnson 9/13/16  
Mayor

ATTEST

Andy G. Roth 9/13/16  
FISCAL OFFICER

Date: 09/13/2016

**The Village of Belle Center, Ohio**  
**Resolution No. 2016-11**

**RESOLUTION AUTHORIZING THE ADOPTION OF A NATURAL GAS AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE VILLAGE OF BELLE CENTER, LOGAN COUNTY, OHIO**

**WHEREAS**, the electorate of Belle Center has previously authorized the Village to aggregate eligible retail natural gas loads located within the governmental boundaries of Belle Center and enter into service agreements for the sale and purchase of natural gas, such aggregation to occur automatically except where any person elects to opt out; and

**WHEREAS**, the Village has executed an agreement with Supernova Partners, LLC, Affordable Gas & Electric Company, LLC to provide consulting services to assist with the development and implementation of a natural gas aggregation program and the Village has held two public hearings on the Plan of Operation and Governance.

**NOW, THEREFORE**, The Village of Belle Center hereby resolves:

**Section 1:** The Village Council of Belle Center hereby adopts a Natural Gas Aggregation Plan of Operation and Governance for The Village of Belle Center pursuant to PUCO regulations.

**Section 2:** A copy of said Plan is hereby attached and marked as "Exhibit A" and is made part of this resolution.

**Section 3:** This Resolution will adopt The Village of Belle Center's Natural Gas Aggregation Plan of Operation and Governance for the Belle Center natural gas aggregation program to allow eligible residents to reduce their natural gas bill as quickly as possible, provided the resolution receives the affirmative vote of the majority of members elected to the Village Council, it shall take effect and be in force from and after the earliest time allowed by law.

Passed: November 10<sup>th</sup>, 2016

Attest: MAYOR

*Teresa Johnston*

11/14/16

FISCAL OFFICER

*Andy K. Porter*

11/14/16

**VILLAGE OF BELLE CENTER, OHIO**  
**ORDINANCE NO. 2016-11**

**AN ORDINANCE PROHIBITING MOTORIZED VEHICLE TRAFFIC  
ON PROPERTY KNOWN AS RAILROAD RIGHT-OF-WAY**

**WHEREAS** pursuant to the Ohio Revised Code Section 723.01, the Village Council of the Village of Belle Center, Ohio, has the authority to regulate the use of streets and all public highways and public grounds and, further, is given the care, supervision, and control of such property, and

**WHEREAS**, the Village has determined that there is currently public ground between the village proper and the railway which is often referred to as the railroad right-of-way, and

**WHEREAS**, the Village has determined that use of that property by motorized vehicles creates a traffic flow problem on the entrance and exit from the property onto other public highways, as well as creating a safety risk for those on that property while doing so on a motorized vehicle,

**NOW, THEREFORE, BE IT ORDAINED** that the Council of the Village of Belle Center, Ohio, establishes the following policy, rules, and regulations regarding these public grounds as follows:

1. No person shall leave a village highway, alley, street, or any other village property and enter onto the railroad right-of-way on a motorized vehicle.
2. No person shall operate a motorized vehicle on the railroad right-of-way which is under the control of the Village of Belle Center, Ohio.
3. Motorized vehicles shall include, but shall not be limited to, ATVs, four-wheelers, two-wheelers, three-wheelers, golf carts, motorcycles, and dirt bikes.
4. No person who has entered onto the railroad right-of-way through any means may exit the railroad right-of-way onto a village street, alley, or thoroughfare or any other property owned by the Village of Belle Center, Ohio.
5. Any violation of this Ordinance shall constitute a fourth degree misdemeanor traffic offense and shall be punishable in accordance with the provisions of the Ohio Revised Code as relates to fourth degree misdemeanors.


This ordinance was moved, seconded, and approved at the first reading at the regularly scheduled Council meeting in August, 2016; it was moved, seconded and passed at the regularly

scheduled Council meeting in September, 2016, on its second reading; and it was moved, passed and therefore, passed as a final reading on its third reading at the regularly scheduled Council meeting on the 11<sup>th</sup> day of October, 2016.

This ordinance shall, therefore, become effective and operative as soon as is allowable by law and shall become enforceable by law enforcement officers immediately upon its passage.

10-11-16

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
President of Council

## RESOLUTION 2016-10

### A RESOLUTION ENACTED BY THE VILLAGE OF BELLE CENTER FOR THE PURPOSE OF GRANTING CALDWELL TANK OF LOUISVILLE, KY. THE CONTRACT ON THE WATER TOWER PROJECT AS RECOMMENDED BY POGGEMEYER DESIGN GROUP

3 BIDS WERE RECEIVED AND OPENED ON OCTOBER 13, 2016

CALDWELL TANKS INC	\$986,000.00
ALT#1	\$10,100.00
ALT#2	\$25,370.00

MAGUIRE IRON	\$1,038,000.00
ATL #1	\$12,500.00
ALT #2	\$24,190.00

PHOENIX FABRICATORS	\$1,090,993.00
ALT#1	\$12,000.00
ALT#2	\$12,390.00

LOWEST BID CALDWELL TANKS  
RECOMMENDATION FROM POGGEMEYER DESIGN GROUP- CALDWELL TANKS

BELLE CENTER VILLAGE COUNCIL ON THIS DAY OCTOBER 17, 2016 ACCEPTS BY  
RESOLUTION CALDWELL TANK

MOTION MADE BY COUNCIL MEMBER Garnett Roebuck

2<sup>ND</sup> MADE BY COUNCIL MEMBER Dione Campbell

ROLL CALL VOTE: 4/0 IN FAVOR  
OCTOBER 17, 2016

Dust Plink

Garnett Roebuck

Dione Campbell

Mayor Leroy Johnson

John C. Lowery

Fiscal Officer Cindy Upchurch

## ORDINANCE 2016-10

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

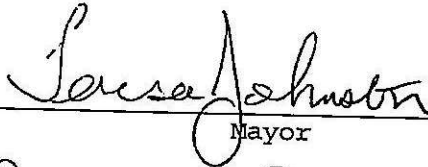
Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center this supplement appropriation in the total amount of \$ 1,000.00 is required.

Section II: Detail by Fund Type:

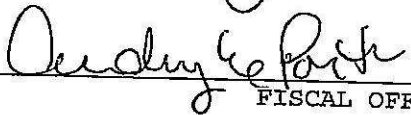
MEDICARE : 5601-569-213-000 : \$500.00  
SOCIAL SECURITY: 1000-710-212-0000 : \$500.00

Section III: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in force and effective immediately upon passage and approval of the Mayor.

APPROVED

  
Mayor

ATTEST

  
FISCAL OFFICER

Date: 08/02/2016



RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(VILLAGE COUNCIL)

Revised Code, Secs. 5705.34-5705.35

RES-2016-09

The Council of the Village of Belle Center, Logan County, Ohio,  
met in regular session on the 13th day of September, 20 16, at  
the office of Village of Belle Center with the following members present:

Dione Campbell  
Rick Bednarki  
William McCormick  
John Lowery  
Garnet Roebuck  
Dustin Plikerd

Mr. Dustin Plikerd Moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Logan County, Ohio, has abolished the  
Tax Budget for the next succeeding fiscal year commencing January 1<sup>st</sup>, 20 17 and

WHEREAS, The Budget Commission of Logan County, Ohio, has certified its  
action thereon to this Council together with an estimate by the County Auditor of the rate of each tax  
necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill  
limitation; therefore, be it

RESOLVED, By the Council of the Village of Belle Center, Logan County,  
Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the  
same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax  
necessary to be levied within and without the ten mill limitation as follows:

# SCHEDULE A

## SUMMARY OF THE AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Com- mission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
General Fund		\$ 25,000.00	2.70	
General Bond Retirement Fund				
Park Fund				
Recreation Fund				
Fund				
Fund				
TOTAL		\$ 25,000.00	2.70	

SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIED

FUND	Maximum Rate Authorized To be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>		
Current expense levy authorized by voters on _____, 20 ____		
Not to exceed _____ years.		
<b>SPECIAL LEVY FUNDS:</b>		
Levy Authorized by voters on _____, 20 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 20 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 20 ____		
Not to exceed _____ years.		
Levy Authorized by voters on _____, 20 ____		
Not to exceed _____ years.		

And be it further

*RESOLVED, That the Clerk of this Council be and he/she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.*

Mr. Rick Bednarki Seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

M	<u>Dione Campbell</u>	<u>Yes</u>
M	<u>Rick Bednarki</u>	<u>Yes</u>
M	<u>William McCormick</u>	<u>Yes</u>
M	<u>John Lowery</u>	<u>Yes</u>
M	<u>Garnet Roebuck</u>	<u>Yes</u>
M	<u>Dustin Plikerd</u>	<u>Yes</u>
M	_____	_____

Adopted the 13<sup>th</sup> day of September, 20 16

Attest

Andy Repach  
Clerk of Council

Mayor Teresa Johnson  
President of Council

**CERTIFICATE OF COPY**

**ORIGINAL ON FILE**

The State of Ohio, Logan County, ss.

I, \_\_\_\_\_, Clerk of the Council of the Village of Belle Center,  
Ohio within and for said County, and in whose custody the Files and Records of said Board are  
required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and  
copied from the original \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Now on file, that the foregoing has been compared by me with said original documents, and that the  
same is a true and correct copy thereof.

WITNESS my signature, this 13 day of September, 20 16

Andy Upsh  
Clerk of Council

*A copy of this Resolution must be certified to the County Auditor before the first day of October in each year, or at such later date as  
may be approved by the Board of Tax Appeals.*

ORDINANCE 2016-09

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECTUATE AN OPT-OUT GAS SERVICE AGGREGATION PROGRAM PURSUANT TO OHIO REVISED CODE 4929.26; AND DIRECTING THE LOGAN COUNTY COUNCIL OF ELECTIONS TO SUBMIT THE BALLOT QUESTION TO THE ELECTORS; AND AUTHORIZING AN AGREEMENT WITH AN AGENT FOR SUCH PURPOSES.

**WHEREAS**, pursuant to ORC Section 4929.26, the Municipality is authorized to act as an aggregator by establishing an automatic opt-out governmental aggregation program for the provision of competitive retail gas service for the benefit of certain gas customers within the Municipality so that consumers may realize lower cost gas supplies and other benefits from the aggregation and combined purchasing of gas supplies that they would not otherwise be able to have individually; and

**WHEREAS**, the Municipality may exercise such authority jointly with any other Municipality; and

**WHEREAS**, in the public interest, the Municipality desires to submit to the electors of the Municipality the question of whether the Municipality should create an Natural Gas Aggregation program to facilitate competitive retail gas service to promote gas savings, lower gas supplies, and other benefits in accordance with ORC Section 4929.26; and

**WHEREAS**, The Municipality has adopted this Ordinance pursuant to the authority conferred by Article XVIII Section 4 of the Ohio Constitution and ORC Section 4929.26.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF BELLE CENTER, OHIO, AS FOLLOWS:**

**Section 1.** The Village Council determines that it is in the best interest of the Village of Belle Center, OH ("Municipality") and certain gas service consumers located within the incorporated areas of the Municipality to establish an opt-out gas service aggregation program (the "Program").

**Section 2.** That, provided that the ballot measure regarding the Program is approved by the electors of the Municipality pursuant to Section 9 of this Ordinance, the Municipality is hereby authorized to aggregated, in accordance with Ohio Revised Code 4929.26, the retail gas service loads located within the boundaries of the Municipality.

**Section 3.** That, for the Program, the Village Manager or a duly designated authority or consultant is hereby authorized, on behalf of the Village Council, to enter into service agreements to facilitate the sale and purchase of service for gas loads.

**Section 4.** That the Village Administrator or a duly designated authority or consultant, on behalf of the Village Council may exercise such authority jointly with any other political subdivision of the State of Ohio, to the full extent permitted by law, and for such purpose, the Village Administrator or a duly designated authority or consultant is hereby authorized to execute and deliver any necessary agreement(s) with such other political subdivisions, if any, in order to establish such Program.

**Section 5.** That the Program does not apply to persons meeting any of the following criteria:

1. A customer has opted out of the aggregation

2. A customer in contract with a certified gas service company
3. A customer that has a special contract with an gas distribution utility
4. A customer that is not located within the governmental aggregator's governmental boundaries
5. A customer is not eligible for the aggregation by utility or Public Utilities Commission of Ohio rules.

**Section 6.** That the Program authorized by this Ordinance shall not aggregate the retail gas loads of mercantile customers, as those customers are defined in ORC 4929.01, without prior, affirmative consent of each such customer within the boundaries of the Municipality subject to the Program

**Section 7.** That the Council of Elections of Logan County is hereby directed to submit the following question to the electors of the Municipality at the election to be held on November 8, 2016:

*Shall the Village of Belle Center have the authority to aggregate retail gas loads located within the governmental boundaries of the Village of Belle Center and enter into service agreements for the sale and purchase of gas, such aggregation to occur automatically except where any person elects to opt out?*

Yes \_\_\_\_\_ No \_\_\_\_\_

**Section 8.** That the Village Clerk is hereby directed to file this authorizing Ordinance and other related matters with the appropriate election officials no later than ninety (90) days prior to the November 8, 2016 election as required by ORC 4929.26. The Program shall not take effect unless approved by the majority of the electors voting upon the proposed ballot question at the election held pursuant to this section and ORC 4929.26.

**Section 9.** That, upon approval by a majority of electors voting at the election provided for in Section 8 of this Ordinance, the Village Administrator is hereby authorized to, individually or jointly, with any other political subdivisions in the state of Ohio, develop a plan of operation and governance for the Program.

**Section 10.** That at least two public hearings on the plan of operation and governance shall be held prior to taking a vote on adoption of the plan. Notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Municipality. The notice shall summarize the plan and state the date, time, and location of each hearing.

**Section 11.** No plan adopted by the Village Council shall aggregate any retail customers in the Municipality unless it in advance clearly discloses to the person whose retail gas service is to be so aggregated that the person will be enrolled automatically in the Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of the enrollment. The stated procedure shall allow any person enrolled in the Program to opt out of the Program once every 36 months without paying a switching fee. Any such person that opts out of the Program pursuant to the stated procedure shall default to the gas distribution utility providing distribution service for the person's retail gas service load, until the person chooses an alternative supplier.

**Section 12:** That this Ordinance shall become effective immediately following its passage.

Passed:

6-0 in favor July 12, 2016

Approved:

Mayor Leroy A. Johnson  
Mayor/President/Chairman

Attest:

Audrey G. Pugh



## RESOLUTION 2016-08

**A RESOLUTION BY THE VILLAGE OF BELLE CENTER, OHIO, AUTHORIZING AND REQUESTING THE LOGAN COUNTY AUDITOR TO PLACE DELINQUENT WATER/SEWER/REFUSE UTILITY ACCOUNTS ASSESSMENTS AGAINST VARIOUS LANDOWNERS TO BE PLACED ON THEIR TAX BILLS**

WHEREAS, at the regularly scheduled council meeting held on the 13<sup>th</sup> day of September, 2016, it was moved by council person Dustin Pfligerd and seconded by council person Reck Bednarki

That a list of 3 delinquent water/sewer/refuse accounts be delivered to the Logan County Auditor for the purpose of placing and assessing such charges on the tax billing for each of the land owners of the delinquent properties. All members were present and all members voted Aye.

BE IT RESOLVED by the Village Council of the Village of Belle Center, Ohio, by unanimous vote that each of the following property owners (including parcel numbers and amounts) be placed on the tax bill for the property owners.

FURTHER RESOLVED that these charges shall take place as soon as the Logan County Auditor has approved them and placed them on the tax bills. Those in question are on the attached Exhibit A listing property owner, the property address, the parcel number, the amount of money and the reason for the assessment. Reason: Delinquent utility account

**EXHIBIT A:**

Janel Kelly Hilbrand ,	202 Charles St.	#39-009-18-04-001-000	\$580.02
Leeanna Eyzaguirre,	306 E. Main St	#39-022-06-10-015-001	\$2,070.44
Lori Rose,	115 E. Buckeye St,	#39-022-05-05-010-000	\$504.98

Approved:

Mayor Loreen A. Johnston 9/13/16

Fiscal Officer Andy Up Park 9/13/16

**ORDINANCE NO. 2016-08**

**AN ORDINANCE ESTABLISHING THE RATES FOR OUT-OF-TOWN WATER CUSTOMERS OF THE VILLAGE OF BELLE CENTER, OHIO**

WHEREAS pursuant to Ohio Revised Code Section 743.04, a Village in order to pay the expenses of conducting and managing a water system has the authority to assess and collect water rent and to charge a sufficient amount as is necessary to provide for the costs of the system; and

WHEREAS, a review has been made of the relative cost of providing service for village residents versus those outside the Village of Belle Center, Ohio, who need the water supply from the Village of Belle Center, Ohio; and,

WHEREAS, it has been determined that there are reasons to distinguish and differentiate between the rates charged to in-village residents and those outside of the village, including, but not limited to, infrastructure costs, the fact that in-village residents are also paying a village income tax, the possibility that out-of-town residents are often in less populated areas and, therefore, economies of scale are not always available, and the determination of the capacity and load of the village limits was originally based principally upon the number of village residents,

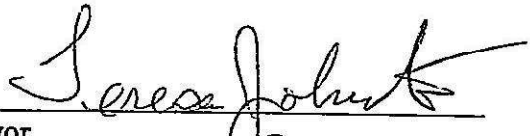
**NOW, THEREFORE, BE IT ORDAINED** that the Council of the Village of Belle Center, Ohio, establishes the following policy and rate regulations:

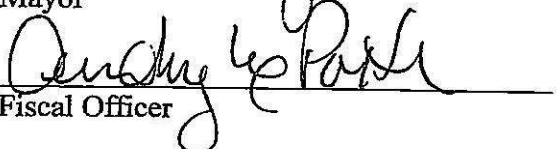
1. By this Ordinance, the initial or base rate is not being changed or modified.
2. Water users outside of the boundaries and limits of the Village of Belle Center, Ohio, shall be charged a rate for water consumption which is Thirty-Three Percent (33%) higher so that they will be charged the same rate as in-village residents plus a 33% surcharge for the exact same delivery and service.
3. The 33% surcharge shall apply to the base rate and shall also apply to any overage or additional usage charges so that out-of-village residents shall pay the 33% surcharge.

This ordinance was moved, seconded, and approved at the first reading at the regularly scheduled Council meeting on the 14<sup>th</sup> day of June, 2016; it was moved, seconded and passed at the regularly scheduled Council meeting on the 12<sup>th</sup> day of July, 2016; and it was moved, passed and, therefore, passed as a final reading on its third reading at the regularly scheduled Council meeting on the 2d day of August, 2016.

This ordinance shall, therefore, become effective and operative as soon as is allowable by law. The rate increase shall be effective as of September 1, 2016.

\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Fiscal Officer

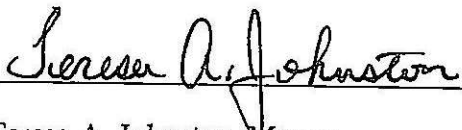
**RESOLUTION NO. 2016-07**

**A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO  
MAKE INTERFUND TRANSFERS WHEN NEEDED WITH THE  
EXCEPTION TO NOT INCLUDED ANY PAYROLL FUNDS.**

The Village Council of the Village of Belle Center, Ohio, at a regular scheduled council meeting on the 2nd day of August, 2016, hereby takes action as follows:

It was moved by William McCormick and seconded by Dione Campbell that the Village of Belle Center Council approved of Village Fiscal Officer making internal fund transfers within the same fund, exception to not include payroll funds.

A roll call vote was taken with all Council members voting in favor 6-0



Teresa A. Johnston, Mayor



William B. McCormick, President of Council

Date: 8-5-16



Audry Porter, Fiscal Officer

Date : 8/5/16

## ORDINANCE 2016-07

AN ORDINANCE TO MAKE COMMERCIAL/BUSINESS SEWER CUSTOMER RATES EQUAL TO RESIDENTIAL SEWER RATES. BUSINESS'S WILL NOW PAY THE SAME SEWER RATE OF RESIDENTIAL CUSTOMERS AT WHATEVER THE CURRENT RATE MAY BE SET AT FOR RESIDENTIAL USERS. EFFECTIVE DATE OF RATE CHANGE TO BE JULY 2016

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

APPROVED

Mayor Loresa Johnson  
Mayor

ATTEST

Audrey Upsher  
FISCAL OFFICER

Date: 06/14/2016

## RESOLUTION 2016-06

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center this supplement appropriation in the total amount of \$ 26,000.00 is required.

Section II: Detail by Fund Type:

WATER CAPITAL IMPROVEMENT FUND : \$ 20,000.00

WATER, SEWER & REFUSE : \$2,000 EACH FOR WAGE INCREASES

Section III: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in force and effective immediately upon passage and approval of the Mayor.

APPROVED

Jeresa Johnston  
Mayor

ATTEST

Andy Updegraff  
FISCAL OFFICER

Date: 03/16/2016

## ORDINANCE 2016-06

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center this supplement appropriation in the total amount of

Section II: Detail by Fund Type:

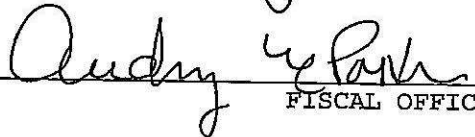
TRASH 5601-569-432-000	\$2,000
SEWER 5201-543-420-000	\$500

Section III: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in force and effective immediately upon passage and approval of the Mayor.

APPROVED

  
Mayor

ATTEST

  
FISCAL OFFICER

Date: 06/14/2016



**RESOLUTION 2016-05**  
**A RESOLUTION TO INCREASE THE HOURLY PAY OF EMPLOYEES OF THE**  
**VILLAGE OF BELLE CENTER, OHIO**

Be it resolved by the Village Council of Belle Center, Ohio, in a regularly scheduled monthly meeting on March 16, 2016, as follows:

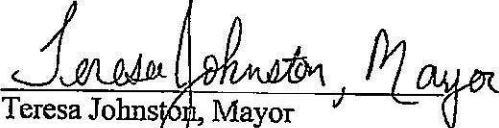
WHEREAS, the Council of the Village of Belle Center, Ohio, is responsible for the welfare, general well being and maintenance and control of matters relating to the Village of Belle Center, Ohio, and

WHEREAS, the Village has certain employees who are presently paid on an hourly basis and one other employee who is paid on a salaried basis, and whereas, to remain competitive and to properly compensate the employees of the Village of Belle Center, Ohio,

It was moved, seconded, and voted unanimously at the regularly scheduled council meeting on March 16, 2016, to increase the rate of pay of Village employees as follows:

1. For hourly employees, namely, John Linson, Frank Harrod, Darren Savage, and temporary employee Travis Hower, shall each have their hourly rate of pay increased by \$.50 per hour.
2. Village Administrator Gerald Houchin, who is on a salary basis, shall have his annual salary increased to \$8,000 per year and in addition the Village shall pay the appropriate Public Employees Retirement System contribution above and beyond that \$8,000 base pay.

Having been moved, seconded and passed by unanimous vote, this resolution shall become effective at the earliest time allowable.

  
Teresa Johnston, Mayor

  
William McCormick, President of  
Council

**ORDINANCE NO. 2016-05**

**AN ORDINANCE ESTABLISHING NEW DUMPSTER RATES  
FOR IN-TOWN AND OUT-OF-TOWN USERS OF THE  
VILLAGE OF BELLE CENTER, OHIO REFUSE SYSTEM**

WHEREAS pursuant to Ohio Revised Code Section 735.02, the village council of the Village of Belle Center, Ohio, has the authority and ability to manage the garbage and refuse service for the Village; and

WHEREAS, the Village has previously determined that the Village as a function of the municipal services shall offer and require trash pickup, whether individually or through dumpsters; and

WHEREAS, rates have previously been set in an attempt to provide for the management, operation, and control of the garbage and refuse system through the revenues generated by trash pickup; and

WHEREAS, it has been determined that the rates should be re-established and, further, that the rates charged to in-village residents and those outside of the Village shall be different based upon the fact that the decisions relating to garbage and refuse collection and control were originally based upon the number of village residents and also the fact that out-of-town residents live in less populated areas, more remote areas, and that the economies of scale and the cost of pickup and servicing are potentially and actually greater for out-of-town residents than those within the Village of Belle Center, Ohio,

NOW, THEREFORE, BE IT ORDAINED that the council of the Village of Belle Center, Ohio, establishes the following policy and rate regulations regarding its garbage and trash and refuse pickup services:

1. Effective September 1, 2016, all rates set forth herein shall become effective.
2. The rate for in-town (those within the village limits), usage of dumpsters shall be Twenty Dollars (\$20.00) per yard which provides for and includes one dump per week.
3. For out-of-town users (those outside of the village incorporation limits), the base rate shall be Twenty-Six Dollars and Sixty Cents (\$26.60) per yard, which provides for one dump per week, which reflects a Thirty-Three Percent (33%) higher rate than those for in-town users.
4. An additional Three Dollars and Thirty-Three Cents (\$3.33) per tip, or dump, shall be charged for a second dump or tip so that the additional charge per

month for a second weekly tip each week shall be Fourteen Dollars and Forty-Three Cents (\$14.43) per month for in-town dumpster users.

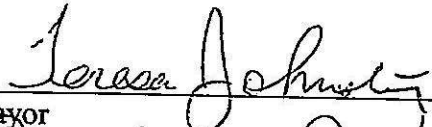
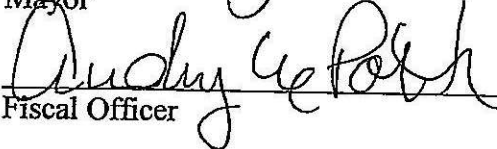
5. An additional 33% charge shall apply for a second tip or dump per week for out-of-town users of the dumpster.

6. There shall be a Forty Dollars (\$40.00) charge for a one-time rental of a three-yard dumpster, which shall provide for a single dump.

This ordinance was moved, seconded, and approved at the first reading at the regularly scheduled Council meeting on the 14<sup>th</sup> day of June, 2016; it was moved, seconded and passed at the regularly scheduled Council meeting on the 12<sup>th</sup> day of July, 2016; and it was moved, passed and, therefore, passed as a final reading on its third reading at the regularly scheduled Council meeting on the 2d day of August, 2016.

This ordinance shall, therefore, become effective and operative as soon as is allowable by law and the rates shall be effective September 1, 2016.

\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Fiscal Officer

**RESOLUTION NO. 2016-04**

**A RESOLUTION TO INCREASE THE CREDIT TO BELLE CENTER VILLAGE  
HOUSEHOLDS THAT HAVE VILLAGE SEWER GRINDER PUMP ELECTRIC  
BEING ROUTED THROUGH THEIR PRIVATE METERS**

The Village Council of Belle Center, Ohio, having control over the public utilities and the maintenance, operation and function of the Village utilities, has determined it reasonable, necessary and appropriate to increase the amount of credit given to households within the Village of Belle Center, Ohio, that have sewer grinder pump electricity routed through their private meters. While there has been an attempt to meter all electric consumption through meters which are billed to the Village, in at least sixteen households which are easily identifiable, the Village of Belle Center, Ohio, has had sewer grinder pump electricity routed through private meters of these households. The credit since 2003 to these households has been \$4.00 per month and the new credit shall be a \$12.00 credit per month to each of these households which shall be reflected on the sewer billing.

**BE IT RESOLVED**, by the Village of the Council of Belle Center, Ohio, after motion, second, and a unanimous vote that the credit granted to households who have the Village sewer grinder pump electricity running through their private meters shall be increased from \$4.00 per month credit to a \$12.00 per month credit effective the 16 day of March, 2016.

Teresa Johnston, Mayor  
Teresa Johnston, Mayor

William B. McCormick  
William McCormick, President of Council

## ORDINANCE NO. 2016- 04

### AN ORDINANCE AUTHORIZING ACCESS TO BANKING RECORDS

The Council of the Village of Belle Center, Ohio, has previously established the Union Banking Company and continues to establish the Union Banking Company as its depository bank for banking purposes and practices for the Village of Belle Center, Ohio. The Village has previously designated those people who are signatory and authorized signatories upon the bank accounts and other accounts of record at the Union Banking Company. While the signatures required to transact banking matters is necessary to effectuate the business of the Village, the Village now passes this Ordinance to establish those people who may seek information from the bank, access the banking records of the Village matters and accounts, and otherwise be permitted to inspect, review, and obtain copies of any and all banking records of the Village of Belle Center, Ohio as the same may be deposited with the Union Banking Company.

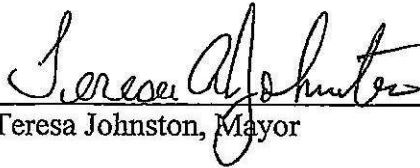
Upon motion and second at the regularly scheduled Council meeting on May 10, 2016, the requirement of three readings of this Ordinance was dispensed with and this ordinance shall be affected as an emergency measure upon a single reading. It was thereafter moved and seconded to pass the Ordinance and the Ordinance was passed by action of Council.


Now, therefore, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. The Village financial officer, also referred to statutorily as the Village Fiscal Officer, shall have access to any and all banking records of the Village of Belle Center, Ohio, as the same on deposit with the Union Banking Company. She may obtain copies; she may make inquiries; and the bank may respond to inquiries; request for copies; or request for information about any of the accounts.

2. In light of the fact that the Ohio Revised Code confers upon the Mayor of the Village the obligation to see all Ordinances, bylaws and Resolutions are faithfully obeyed and further, allows a Mayor to protest against any expenditure authorized by the Legislative Authority, supervise the conduct of all officers of the Village, and file charges against delinquent officers, all of the same rights, duties and powers listed in paragraph 1 above shall also be conferred upon the Mayor of the Village of Belle Center, Ohio, currently Teresa Johnston. She shall, therefore, also have the right and power and may obtain copies; she may make inquiries; and the bank may respond to inquiries; request for copies; or request for information about any of the accounts.

This measure having passed as an emergency measure, shall take force and be effective as soon as allowable by law.

  
Teresa Johnston, Mayor

  
William McCormick, President of  
Council

  
Audrey Porter, Fiscal Officer

Dated May 10, 2016

**RESOLUTION NO. 2016-03**

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL ESTATE  
TO RICHLAND TOWNSHIP AND FURTHER DESIGNATING PROPER  
PERSONS SIGN THE DEED**

The Village Council of the Village of Belle Center, Ohio, at a regular scheduled council meeting on the 9<sup>th</sup> day of February, 2016, hereby takes action as follows:

It was moved by Garnet Roebuck and seconded by Dione Campbell that the Village of Belle Center, Ohio transfer to the Trustees of Richland Township, certain real estate which houses their building and which has inadvertently remained titled in the Village of Belle Center for years.

A roll call vote was taken with all Council members voting in favor 6-0

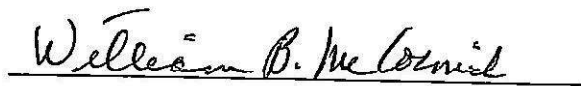
Now, therefore, be it ordained by the Council of the Village of Belle Center, Ohio as follows:

1. A deed shall be signed transferring the interest of the Village of Belle Center in a 50' by 75' tract and being a portion of Lot 28 of the Village of Belle Center, Ohio, which land is now titled in the name of the Village of Belle Center, so that the property is transferred to the Trustees of Richland Township, Ohio.
2. The Mayor, Teresa A. Johnston and the President of Council, William B. McCormick, shall be authorized to sign the deed on behalf of the Village Council.
3. This shall become effective immediately.
4. The resolution is necessary to create title to real estate in the proper authority and to correct past errors where the title to the property remained titled in the Village of Belle Center, Ohio, rather than the grantees herein, passed at a regular Council meeting on the 9<sup>th</sup> day of February, 2016.

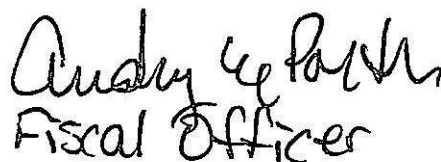


Teresa A. Johnston, Mayor

Date: 3/15/16



William B. McCormick, President of Council

  
Fiscal Officer



## ORDINANCE 2016-03

AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO AND DECLARING AN EMERGENCY IN SAID VILLAGE.

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio three-fourths (3/4) of the members thereto concurring:

Section I: BE IT RESOLVED by the Council of the Village of Belle Center, State of Ohio, that to provide for the current expenses of the said Village of Belle Center this supplement appropriation in the total amount of \$ 2,000.00 is required.

Section II: Detail by Fund Type:

WATER OPERATING SUPPLIES FUND: \$2,000  
FUND 5101-539-420-0000

Section III: This Ordinance is hereby necessary to preserve the fiscal financial responsibilities of the Village of Belle Center, Ohio and shall be in force and effective immediately upon passage and approval of the Mayor.

APPROVED

James Johnston, Mayor

ATTEST

Audrey C. Parker  
FISCAL OFFICER

Date: 05/10/2016

ORDINANCE NO. 2016-02

AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN

WHEREAS, the Logan County Solid Waste Management District, by its Solid Waste Policy Committee, has adopted a Solid Waste Management Plan for the District; and

WHEREAS, pursuant to Ohio Revised Code Section 3734.55(B), the Board of County Commissioners and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan by ordinance or resolution; and

WHEREAS, the Village of Belle Center, Logan County, Ohio have reviewed the Plan and considered it at a duly called meeting; and

WHEREAS, the Plan furthers the public interest; and

NOW THEREFORE BE IT ORDAINED, that the Solid Waste Management Plan of the Logan County Solid Waste Management District, adopted by the Solid Waste Policy Committee on January 21, 2016, is hereby approved;

AND BE IT FURTHER ORDAINED, that a copy of this Ordinance of Approval shall promptly be delivered, or caused to be delivered, to the Solid Waste Management Policy Committee of the Logan County Solid Waste Management District.

Motion made by Diane Campbell, seconded by William McCormick  
Upon call of the roll the following vote resulted:

5 in favor  
0 against

Passed this 12<sup>th</sup> day of April, 2016.

Teressa Johnston  
Mayor

W.B. McCormick  
President of Council

Resolution No. 2016-01

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF BELLE CENTER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE VILLAGE OF BELLE CENTER FOR DESIGN AND /OR CONSTRUCTION OF AN ELEVATED WATER TANK; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Village of Belle Center needs to replace its existing water storage tank; and

WHEREAS, the Village of Belle Center intends to apply for Water Supply Revolving Loan Account (WSRLA) for the design and construction of the structure; and

WHEREAS, the Ohio Water Supply Revolving Loan Account requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by the Council of the Village of Belle Center, Ohio:

SECTION 1. The Mayor be and is hereby authorized to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for design and construction of the water tank replacement project on behalf of the Village of Belle Center, Ohio.

SECTION 2. That the dedicated source of repayment will be user fees and the general fund if needed.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: JAN. 12 after 1 reading.

Approved: 6-0 vote

Attest: Charles M. Dina  
Clerk

Mayor Teresa L. Johnston  
~~President of Council~~ MAYOR

W.B. Mc Cormick  
Mayor - PRESIDENT OF  
COUNCIL

### EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT THE Village of Belle Center, Ohio, in consideration of the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, to it paid by HERSCHEL CUMMINGS, a single man, and VERA DEMARSH, a single woman, the receipt of which is hereby acknowledged and pursuant to Resolution No. 20162 of the Village Council of Belle Center adopted January 12, 2016, does hereby GRANT, BARGAIN, SELL AND CONVEY to the said Herschel Cummings and Vera DeMarsh, for their joint lives, remainder to the survivor of them, their heirs and assigns forever, a permanent and assignable easement over the following described real estate:

SEE ATTACHED LEGAL DESCRIPTION MARKED "EXHIBIT A"

This easement is granted by the Grantor herein to benefit the following described real estate currently owned by the Grantees:

SEE ATTACHED LEGAL DESCRIPTION MARKED "EXHIBIT B"

This easement is given as a result of the improvements located on the lot described on "Exhibit B" encroaching into an alley owned by the Village of Belle Center, Ohio. This easement shall be appurtenant to and benefit the Grantees property described hereintofores and shall be for the use of the Grantees, their successors and assigns provided however, that should Grantees ever move their improvements or if the improvements should be destroyed, then this easement shall be extinguished.

IN WITNESS WHEREOF, the said Village of Belle Center, by Teresa Johnston, Mayor, and Bill McCormick, President of Council, have hereunto set their hands this 12<sup>th</sup> day of January, 2016.

EXHIBIT A

Being situated in the County of Logan, State of Ohio, Township of Richland and in the Village of Belle Center and bounded and described as follows:

Being 2 feet off the East side of the 20 foot alley running parallel to and adjacent to Lot 15 as known and designated on the recorded plat of said Village of Belle Center, Richland Township, Logan County, Ohio.

Witness my official signature and seal on the day last above mentioned.

  
\_\_\_\_\_  
Notary Public

ORDINANCE NO. 2016-1

AN ORDINANCE TO APPROVE THE FINAL APPROPRIATIONS  
FOR CALENDAR YEAR 2016 FOR THE VILLAGE OF BELLE CENTER, OHIO

At the regularly scheduled council meeting on the 9<sup>th</sup> day of February, 2016, it was moved by Dustin Plikerd and seconded by John Lowery that the requirement of three readings be dispensed with and the Ordinance to approve the final appropriations for the calendar year 2016 for the Village of Belle Center, Ohio, be passed upon a single reading. A vote was taken by roll call and the vote was 6-0 in favor of suspending the rules and passing this ordinance upon a single reading.

Thereafter, it was moved by Dione Campbell and seconded by Rick Bednarki that the Ordinance be passed and enacted upon a single reading. Again, a roll call vote was taken and the Ordinance passed by a 6-0 margin.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, that the final appropriation for 2016 as is detailed and outlined in the attached Exhibit A, which is marked Exhibit A and incorporated herein by reference, be approved as the final appropriations for the year.

Date: Feb. 9, 2016

Teresa Johnston  
Teresa Johnston, Mayor of the  
Village of Belle Center

Bill McCormick  
Bill McCormick, President of Council for the  
Village of Belle Center

Audrey Porter  
Audrey Porter, Fiscal Officer for the  
Village of Belle Center

2015-12  
ORDINANCE NO. ~~2016 AND 2017~~

**AN ORDINANCE EMPLOYING STEVEN R. FANSLER AS THE VILLAGE  
SOLICITOR FOR THE 2016 AND 2017 CALENDAR YEAR.**

WHEREAS, the Village of Belle Center, Ohio, believes that it has a need to employ a Solicitor for assistance in legal matters for the years of 2016 and 2017,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that the Ohio Revised Code requires the appointment and/or hiring of a Village Solicitor or in the alternative that it employs someone to assist it with its legal matters,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that it is necessary and appropriate based upon its needs to hire a Village Solicitor,

AND WHEREAS, at a special council meeting held Dec. 16 2015, it was moved by Rick Bednarki and seconded by Bill McCormick that Mr. Fansler be hired as the Village Solicitor for the calendar years 2016 and 2017 at a rate of \$620.00 per month and further that he be a PERS employee of the Village,

THEREAFTER, at the <sup>special</sup> regular meeting held on Dec. 16, 2015, it was moved by Rick Bednarki and seconded by Bill McCormick that the requirement of three (3) different readings be dispensed with and that this measure pass as an emergency measure at the meeting on Dec. 2015 upon one reading. A roll call was taken with the following result:

Those voting in favor of the motion to dispense with three readings and to passing this ordinance on an emergency measure were as follows:

<u>John Lowery</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Dustin Plickerd</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Dione Campbell</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Rick Bednarki</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Garnet Roebuck</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Bill McCormick</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

THEREAFTER, a vote was taken on the underlying ordinance and those voting in favor were as follows:

<u>John Lowery</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Dustin Plickerd</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Dione Campbell</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Rick Bednarki</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Garnet Roebuck</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Bill McCormick</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, that:

SECTION 1: Steven R. Fansler is hereby employed as Village Solicitor for the Village of Belle Center, Ohio, for the year of 2016 and 2017.

SECTION 2: Mr. Fansler's rate of pay shall be \$ **620.00 per month** and he shall be considered a PERS employee of the Village and PERS withholding shall be done by the Clerk.

SECTION 3: Mr. Fansler shall attend at least one meeting per month and shall otherwise respond to questions or request for legal advice or opinions from the Village of Belle Center, Ohio and shall prepare ordinances as necessary for the Village of Belle Center, Ohio.

SECTION 4: In the event extraordinary services are required, the Village shall consult with Attorney Steven R. Fansler and they shall reach an agreement as to the rate of pay or compensation for any such extraordinary services.

SECTION 5: This shall be effective as of JAN. 1, 2016, ~~2013~~ as a result of the passage of this measure on an emergency basis of the Council of the Village of Belle Center, Ohio.

PASSED: Dec., 2015.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
President of Council



2015-12  
ORDINANCE NO. ~~2016 AND 2017~~

**AN ORDINANCE EMPLOYING STEVEN R. FANSLER AS THE VILLAGE SOLICITOR FOR THE 2016 AND 2017 CALENDAR YEAR.**

WHEREAS, the Village of Belle Center, Ohio, believes that it has a need to employ a Solicitor for assistance in legal matters for the years of 2016 and 2017,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that the Ohio Revised Code requires the appointment and/or hiring of a Village Solicitor or in the alternative that it employs someone to assist it with its legal matters,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that it is necessary and appropriate based upon its needs to hire a Village Solicitor,

AND WHEREAS, at a special council meeting held Dec. 16 2015 it was moved by Rick Bednarki and seconded by Bill McCormick that Mr. Fansler be hired as the Village Solicitor for the calendar years 2016 and 2017 at a rate of \$620.00 per month and further that he be a PERS employee of the Village,

THEREAFTER, at the <sup>special</sup> regular meeting held on Dec. 16, 2015 it was moved by Rick Bednarki and seconded by Bill McCormick that the requirement of three (3) different readings be dispensed with and that this measure pass as an emergency measure at the meeting on Dec. 16, 2015 upon one reading. A roll call was taken with the following result:

Those voting in favor of the motion to dispense with three readings and to passing this ordinance on an emergency measure were as follows:

<u>John Lowery</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Dustin Plickard</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Dione Campbell</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Rick Bednarki</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Garnet Roebuck</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Bill McCormick</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

THEREAFTER, a vote was taken on the underlying ordinance and those voting in favor were as follows:

<u>John Lowery</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Dustin Plickard</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Dione Campbell</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Rick Bednarki</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<u>Garnet Roebuck</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<u>Bill McCormick</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, that:

SECTION 1: Steven R. Fansler is hereby employed as Village Solicitor for the Village of Belle Center, Ohio, for the year of 2016 and 2017.

SECTION 2: Mr. Fansler's rate of pay shall be **\$ 620.00 per month** and he shall be considered a PERS employee of the Village and PERS withholding shall be done by the Clerk.

SECTION 3: Mr. Fansler shall attend at least one meeting per month and shall otherwise respond to questions or request for legal advice or opinions from the Village of Belle Center, Ohio and shall prepare ordinances as necessary for the Village of Belle Center, Ohio.

SECTION 4: In the event extraordinary services are required, the Village shall consult with Attorney Steven R. Fansler and they shall reach an agreement as to the rate of pay or compensation for any such extraordinary services.

SECTION 5: This shall be effective as of JAN. 1, 2016, ~~2013~~ as a result of the passage of this measure on an emergency basis of the Council of the Village of Belle Center, Ohio.

PASSED: Dec., 2015.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
President of Council

BELLE CENTER ORDINANCE NO. 2015- 10

AN ORDINANCE TO AMEND ORDINANCE NO. 2015-10 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF BELLE CENTER REGARDING  
MUNICIPAL INCOME TAX

WHEREAS, the Home Rule Amendment of the Ohio Constitution, Article XVII, Section 3, provides that "Municipalities shall have authority to exercise all powers of local self-government," and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities; and

WHEREAS, Article XIII, Section 6 of the Ohio Constitution provides that the General Assembly may restrict a municipality's power of taxation to the extent necessary to prevent abuse of such power, and Article XVIII, Section 13 of the Ohio Constitution states that "laws may be passed to limit the powers of municipalities to levy taxes and incur debts for local purposes;" and

WHEREAS, the General Assembly has determined that it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio; and

WHEREAS, more specifically, the General Assembly enacted H.B. 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is "levied in accordance with the provisions and limitations specified in [Chapter 718];" and

WHEREAS, upon a detailed review of H.B. 5 and the Codified Ordinances of the Village of Belle Center, this Ordinance is found and determined by this Council to enact the amendments required prior to the January 1, 2016 deadline to be in accord with the provisions and limitations specified in Chapter 718 of the Revised Code; and

WHEREAS, Council also finds and determines that the constitutionality of certain provisions of the state-mandated code may have been put in question by recent decisions of the Ohio Supreme Court regarding, among other things, taxation of professional athletes, but these provisions must be included if the municipal income tax code is to be "levied in accordance with the provisions and limitations specified in [Chapter 718]" and thus reluctantly are adopted by this Council but are disclaimed to the extent they are unlawful or unconstitutional;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BELLE CENTER, STATE OF OHIO, THAT:

Section 1. That Ordinance No. \_\_\_\_\_ of the Codified Ordinances be amended to read as set forth in the document entitled "Village of Belle Center Income Tax Ordinance No. 2015- 10" attached hereto as Exhibit A and incorporated herein by reference.

Section 2. That this Ordinance shall take effect and be in force from and after January 1, 2016.

DATE PASSED: Dec. 16, 2015

William B. Ke Cosmick  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_

Mayor Donald Fulmer  
MAYOR

Dec. 16, 2015  
DATE APPROVED

APPROVED AS TO FORM:

Steven R. Fansler  
LEGAL COUNSEL  
Steven R. Fansler  
Solicitor for the Village of Belle Center  
212 N. Detroit  
PO Box 764  
West Liberty, Ohio 43357

ORDINANCE 2015-10 VILLAGE OF BELLE CENTER INCOME TAX

AMENDMENT: SEPTEMBER 22, 2016

SECTION 6- CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, three-fourths (3/4) of the members thereto concurring:

Section I: AMENDMENT TO THIS SECTION 6 WILL READ AS FOLLOWS:

Every individual tax payer in Belle Center, Ohio, who is required to and does pay or has acknowledged liability for a municipal tax to another municipality or measure by the same income, qualifying wages, commissions, net profit, other commission, may claim a nonrefundable credit against the tax imposed by the chapter/ordinance upon satisfactory evidence that the tax has been paid to another municipality subject to Division C of this section the credit shall not exceed 100% of the amount obtained by multiplying the income qualifying wages, commissions, net profits, and other commissions subject to the other municipality by the lower of the tax rate in such other municipality of the tax rate imposed under this chapter/ordinance.

Section II: This ORDINANCE is declared an emergency made necessary for the health and welfare of the citizens of the Village of Belle Center, Ohio and shall be in full force and retroactive to January 1, 2016 upon its passage.

PASSED Rick Bebmach William B. Mc Cormick  
PASSED John C. Lowrey Harriet Reeluck  
PASSED \_\_\_\_\_

APPROVED Teresa A. Johnson Date September 22, 2016  
Mayor

ATTEST Audrey E. Packer Date September 22, 2016  
Fiscal Officer

**BELLE CENTER ORDINANCE NO. 2015- 09**

**AN ORDINANCE PROHIBITING PARKING IN VIOLATION OF ANY POSTED TRAFFIC CONTROL SIGNS OR DEVICES THROUGHOUT THE VILLAGE**

**WHEREAS**, the Village Council of the Village of Belle Center, Ohio, is authorized regarding and responsible for the regulation of alleys, streets, and other thoroughfares throughout the Village of Belle Center, Ohio, and

**WHEREAS**, the Village has separately determined that there shall be a regulation of certain parking because of location, ease of passage, and further to at all times promote the free flow of traffic throughout the Village of Belle Center,

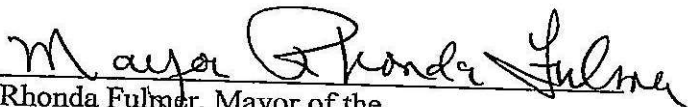
**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Belle Center, Ohio as follows:

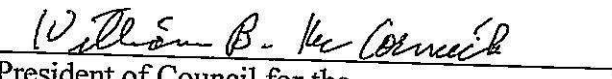
1. It shall be required of all motorists or others operating any vehicle within the Village of Belle Center, Ohio, that they obey any traffic signs or other traffic control devices throughout the Village of Belle Center, Ohio.
2. A violation of any posted sign or other posted or visible or obvious traffic control device shall be a minor misdemeanor punishable at all times in accordance with the penalties for other minor misdemeanors in the Bellefontaine Municipal Court.
3. The violation shall be considered a violation of parking/traffic control violations or "failure to obey posted parking and/or traffic control devices."

This Ordinance passed at a single reading after action was taken to waive the three-reading requirement at the regularly scheduled Belle Center, Ohio Council meeting on July 14, 2015.

As a result, immediately upon its passage on July 14, 2015, this Ordinance shall become effective.

Date: July 14, 2015

  
Rhonda Fulmer, Mayor of the  
Village of Belle Center

  
President of Council for the  
Village of Belle Center

ORDINANCE NO. 2615-07

**AN ORDINANCE CREATING A COMPREHENSIVE MANDATORY TRASH PICKUP  
AND DISPOSAL SYSTEM FOR THE VILLAGE OF BELLE CENTER, OHIO**

WHEREAS, the Village of Belle Center, Ohio, has the right, duty, and responsibility pursuant to Ohio Revised Code Section 715.01 (general powers) and Ohio Revised Code Section 715.43 (specific power or authority) to provide for the collection and disposition of sewage, garbage, and other refuse and, if required, to establish, maintain, and regulate plans for disposal thereof,

AND WHEREAS the Village of Belle Center has had a series of ordinances and regulations relating to trash pickup which present a less than comprehensive and unified system,

AND WHEREAS the Village Council now determines that it is necessary and appropriate as a body to create a comprehensive, unified, and mandatory trash pickup and disposal system,

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. The Village of Belle Center, Ohio, hereafter requires that all residents of the Village of Belle Center, Ohio, who are householders or who are using water, must use the municipal garbage collection service, except as modified herein.
2. A reasonable fee shall be charged for such service for each user.
3. The use of a comprehensive and mandatory system confers each of the following benefits upon the Village and its residents:
  - A. Efficiencies of scale and cost are realized by mandatory compliance.
  - B. As a result, the Village can offer the service at the cheapest possible rate knowing the number of subscribers and those that are required and mandated to utilize this service.
  - C. The workers within the trash collection service will have greater efficiency by stopping at each location rather than making a determination which users or subscribers are a part of the system and which are not.
  - D. Each resident of the Village will be required to follow the same rules and regulations relating to the collection of, setting out of, and disposal of trash, garbage, and refuse.



4. Each person subject to this ordinance shall be entitled to place out three (3) thirty-gallon bags or the equivalent on a weekly basis without any additional or extra charge. All trash must be bagged.
5. The current rate shall be Twelve Dollars (\$12.00) per month per user or subscriber. There shall be an additional charge of Two Dollars (\$2.00) per additional bag which will be noted by the collectors and which will be billed by the Village.
6. All bags of trash must be placed curbside for easy pickup and removal.
7. Grass, brush, limbs, or other items which are picked up as spring cleaning or any other time by the Village shall be separated out from the three bag maximum of trash per week. All such refuse, including grass, brush, limbs, or the like, shall be placed curbside for pickup and must also be bundled in a way conducive to easy collection and pickup by the village workers. Any and all limbs under 24 inches in length shall be placed in a container of some sort for easy pickup.
8. Certain items are prohibited from being picked up pursuant to the village trash service, including televisions, batteries, paint and containers of paint, tires, paint products, chemicals or unknown liquids, fluorescent light bulbs, computer monitors and other electronics.
9. Residents, owners, or other described users or subscribers may opt out of this service when on vacation or extended winter vacation or second residences. An opt out must be done in writing properly filed with the Village offices and will require a reinstatement fee of \$25.00 to be paid at the opt out time.
10. The owner of a property shall ultimately be responsible for payment of the monthly trash charge. That charge may be passed on to a tenant or other resident of the property. However, in the event of nonpayment, the owner of record of the property shall be responsible to pay any arrearage, deficiency, or amounts due for times that the usage charge and collection fee is applicable.
11. On or before the annual date for certification of delinquent taxes and assessments to the county auditor, a review shall also be made of delinquent trash collection fee users and these delinquent accounts shall also be imported for assessment to the real estate property taxes.
12. Nonresident business owners may opt out of the trash service. Resident business owners may opt out of having a double charge by being billed at only the billed address which will also be the only pickup location. The same rates relating to excess or additional bags shall apply, and there shall not be three bags allowable to the individual and three bags allowable to the business.
13. If you are just a household that utilizes the village trash service and you live outside of the corporation limit, the charge will be Sixteen Dollars (\$16.00) per month per user or subscriber. There shall be an additional charge of Two Dollars (\$2.00) per additional bag which will be noted by the collectors and which will be billed by the Village.

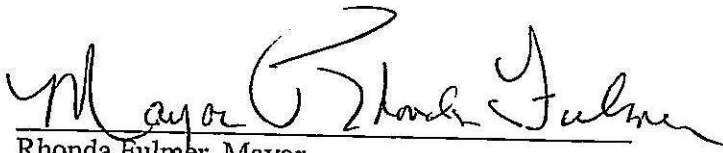


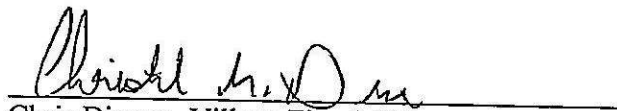
14. Dumpster fees for those who employ a dumpster on a personal or business basis shall be charged and based upon a per yard rate of Twelve Dollars (\$12.00) per yard unless or until changed with one weekly pickup. There shall additionally be a surcharge of Three Dollars (\$3.00) per yard for customers who are outside of the corporation limit but who are enjoying the benefits of the village trash and dumpster service. Additional weekly pickups can be arranged and shall be charged at the standard yardage rate.

15. This Ordinance shall be effective from the date of its passage to every person, resident, or consumer within the definitional provisions of this Ordinance. No person who has heretofore opted out of the village system can continue to opt out, and there is no grandfathering of people who previously did not have village trash service. From the effective date of this Ordinance, it shall be comprehensive, mandatory, and shall apply to all within the definitions of this Ordinance.

It was properly moved and seconded and approved by the necessary vote to pass this Ordinance on \_\_\_\_\_ reading(s).

ATTEST:

  
Rhonda Fulmer, Mayor

  
Chris Dinovo, Village Fiscal Officer

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

**ORDINANCE NO. 2015- 06**

**AN ORDINANCE ESTABLISHING THE POLICIES REGARDING  
WATER DEPOSITS FOR THE VILLAGE OF BELLE CENTER, OHIO,**

Be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

SECTION ONE: All non-property and property owners must pay a deposit in the amount of One Hundred and Fifty Dollars (\$150.00) before service is provided.

SECTION TWO: The deposit shall be retained by the Village of Belle Center, Ohio, for so long as the customer continues to have water service at that address or any other qualifying address within the Village of Belle Center, Ohio, or outside of the Village of Belle Center, Ohio, if a qualifying account.

SECTION THREE: In the event the customer has a delinquency in the water charge, the deposit may be utilized as an offset against the delinquent water bill rather than to be refunded to the accountholder. In the event the deposit is ever used as an offset against a delinquent water bill account, in order for a restoration of services, the customer must first re-establish the deposit so that \$150.00 is always on deposit as a deposit so long as the customer is an account holder or user.

SECTION FOUR: Unless there is a delinquent account against which an offset shall occur, all deposits shall be refunded to the person making the deposit when that person ceases to be a water user or when that person moves out of the Village of Belle Center, Ohio.

SECTION FIVE: All customers who have had service disconnected for nonpayment or delinquency shall be charged a fee in the amount of Twenty-Five Dollars (\$25.00) if done during normal business hours and Fifty Dollars (\$50.00) if done at any time outside of normal business hours before service shall be restored after the disconnection.

SECTION SIX: Any payment not made on a monthly billing shall be charged a late fee of ten percent (10%) after the 15<sup>th</sup> day of the month.

SECTION SEVEN: Any account which is sixty (60) days delinquent may at the option of the fiscal officer or other appropriate village official be disconnected. Failure on the part of the Village to disconnect immediately upon a 60-day delinquency does not waive the right of the Village to do a disconnection of the service more than 60 days after the delinquency occurs.

This ordinance was passed on three readings. The first reading was the regularly scheduled council meeting of May 12, 2015; the second reading was the regularly scheduled council meeting of June 9, 2015; and the third reading was the regularly scheduled council meeting on July 14, 2015.

Reg Mtg. 5/12/15 ✓  
Reg Mtg. 6/9/15 ✓  
Re-mt - 7/14/15

ATTEST:

Passed this 14 day of July, 2015.

Mayor Richard Fulmer  
Mayor

Christine M. Dineen  
Village Fiscal Officer

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

**ORDINANCE NO. 2015- 05**

**AN ORDINANCE TO TRANSFER \$25,000.00 FROM THE  
GENERAL FUND TO THE SEWER FUND**

WHEREAS the Village Council of the Village of Belle Center, Ohio, has determined that an additional Twenty-Five Thousand Dollars (\$25,000.00) is necessary in the sewer fund, and

Whereas the amount of money in question has not previously been allocated from the general fund to the sewer fund,

Now be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. There shall immediately be a transfer from the general fund to the sewer fund in the amount of \$25,000.00.

2. By motion, second, and an unanimous 6-0 vote, the rules were suspended requiring three separate readings and the Ordinance was passed on a single reading at the regularly scheduled council meeting on May 12, 2015.

3. Following the vote to suspend the rules, the Council on a 6-0 vote passed this Ordinance and make it effective as soon as is permissible.

ATTEST:

Passed this 12<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Village Fiscal Officer

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

**BELLE CENTER RESOLUTION NO. 2015- 62**

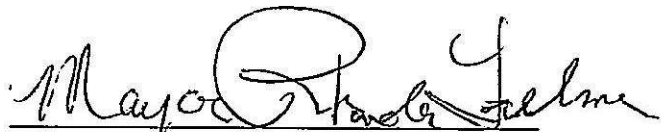
**A RESOLUTION BY THE VILLAGE OF BELLE CENTER, OHIO,  
AUTHORIZING AND REQUESTING THE LOGAN COUNTY AUDITOR TO PLACE  
DELINQUENT WATER BILL AND/OR DELINQUENT SEWER BILL ASSESSMENTS  
AGAINST VARIOUS LANDOWNERS TO BE PLACED ON THEIR TAX BILLS**

**WHEREAS**, at the regularly scheduled council meeting held on the 11<sup>th</sup> day of August, 2015, it was moved by BILL McCORNIC K and seconded by Diane Campbell that a list of delinquent water and sewer bills be delivered to the Logan County Auditor for the purposes of placing and assessing such charges on the tax billing for each of the land owners of the delinquent properties. All members were present and all members voted aye.

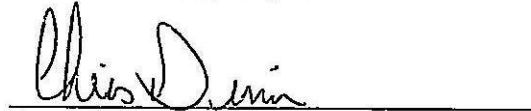
**BE IT RESOLVED** by the Village Council of the Village of Belle Center, Ohio, by unanimous vote that each of the following property owners (including parcel numbers and amounts) be placed on the tax bill for the property owners.

**FURTHER RESOLVED** that these charges shall take place as soon as the Logan County Auditor has approved them and placed them on the tax bills. Those in question are on the attached **Exhibit A** listing the property owner, the property address, the parcel number, the amount of money and the reason for the assessment.

Date: August 11, 2015



Rhonda Fulmer, Mayor



Chris Dinovo, Fiscal Officer

**BELLE CENTER RESOLUTION NO. 2015- 02**

**A RESOLUTION BY THE VILLAGE OF BELLE CENTER, OHIO,  
AUTHORIZING AND REQUESTING THE LOGAN COUNTY AUDITOR TO PLACE  
DELINQUENT WATER BILL AND/OR DELINQUENT SEWER BILL ASSESSMENTS  
AGAINST VARIOUS LANDOWNERS TO BE PLACED ON THEIR TAX BILLS**

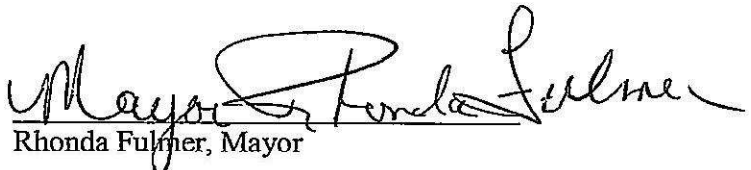
**WHEREAS**, at the regularly scheduled council meeting held on the 11<sup>th</sup> day of August, 2015, it was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that a list of delinquent water and sewer bills be delivered to the Logan County Auditor for the purposes of placing and assessing such charges on the tax billing for each of the land owners of the delinquent properties. All members were present and all members voted aye.

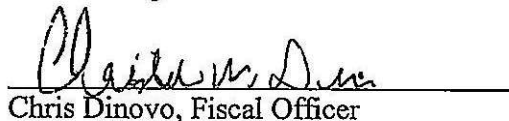
**BE IT RESOLVED** by the Village Council of the Village of Belle Center, Ohio, by unanimous vote that each of the following property owners (including parcel numbers and amounts) be placed on the tax bill for the property owners.

**FURTHER RESOLVED** that these charges shall take place as soon as the Logan County Auditor has approved them and placed them on the tax bills. Those in question are on the attached **Exhibit A** listing the property owner, the property address, the parcel number, the amount of money and the reason for the assessment.

**IT IS FURTHER RESOLVED** that any and all payments made as to amounts which were part of the certification of assessment to the county auditor's office must be paid through the Logan County Treasurer's Office and may not be added or paid as a part of the ongoing or regular payments made to the village utility department.

Date: August 11, 2015

  
Rhonda Fulmer, Mayor

  
Chris Dinovo, Fiscal Officer

*Amended* ORDINANCE NO. 2015-01

**AN ORDINANCE TO INCREASE UTILITY RATES FOR WATER, SEWER, AND TRASH WITHIN THE VILLAGE OF BELLE CENTER, OHIO**

The Village Council of Belle Center, Ohio, having control over the public utilities, has determined that it is necessary to increase the rates for various Village utilities, including, water, sewer and trash, effective the 10<sup>th</sup> day of February, 2015, on the following schedule:

A. There shall be a three percent (3%) increase on the base rate of usage for each water hookup or available usage for each water hookup in accordance with the attached Exhibit A. There shall be a three percent (3%) increase for overage usage, also in accordance with the Attached Exhibit A. The present bulk water rate shall also be modified and shall be in accordance with the attached Exhibit A.

B. The sewer rates shall also be modified and increased and for calendar years 2015 2016, and 2017 shall be in accordance with the attached Exhibit A.

C. Garbage rates shall additionally be increased and for the years 2015, 2016, and 2017, shall be in accordance with the attached Exhibit A.

These increases were determined to be necessary, however, the Council had three readings on the ordinance because of the impact upon the citizenry of Belle Center, Ohio. It was, therefore, moved, seconded, and passed on three separate readings at regularly scheduled Council meetings and became effective upon its passage at the third reading on February 10, 2015. The new rates for water, sewer, and trash shall be effective and billed at the first available billing after the passage of this Ordinance.

  
Teresa Johnston, Mayor

3/16/16

  
William McCormick, President of Council

3/16/16

EXHIBIT A  
VILLAGE OF BELLE CENTER  
PO BOX 508  
BELLE CENTER OH 43310  
937-464-6012  
(937) 464-5012 FAX

Village of Belle Center Water, Sewer & Garbage Rates  
Approved Feb 10, 2015 Ordinance 2015-01

**2015 WATER RATES**

Base up to 2,000	\$10.30
Over 2,000 gallons up to 25,000	\$2.32 per 1000 gallons
Over 25,000 gallons	\$1.67 per 1000 gallons
Bulk water	\$7.21
Water Capital Improvement Fund	\$10.00

**2016 WATER RATES**

Base up to 2,000	\$10.61
Over 2,000 gallons up to 25,000	\$2.39 per 1000 gallons
Over 25,000 gallons	\$1.72 per 1000 gallons
Bulk water	\$7.43
Water Capital Improvement Fund	\$10.00

**2017 WATER RATES**

Base up to 2,000	\$10.92
Over 2,000 gallons up to 25,000	\$2.46 per 1000 gallons
Over 25,000 gallons	\$1.77 per 1000 gallons
Bulk water	\$7.65
Water Capital Improvement Fund	\$10.00

**SEWER RATES**

2015	\$43.26
2016	\$44.56
2017	\$45.90

**GARBAGE RATES**

2015	\$12.36
2016	\$12.73
2017	\$13.11



Resolution No. 2015-01

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE VILLAGE OF BELLE CENTER FOR DESIGN OF AN ELEVATED WATER TANK AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Village of Belle Center needs to replace its existing water storage tank; and

WHEREAS, the Village of Belle Center intends to apply for Water Supply Revolving Loan Account for the design of the structure; and

WHEREAS, the Ohio Water Supply Revolving Loan Account requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by the Council of the Village of Belle Center, Ohio:

SECTION 1. The Mayor is hereby authorized to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for design of the water tank replacement project on behalf of the Village of Belle Center, Ohio.

SECTION 2. That the dedicated source of repayment will be user fees and the general fund if needed.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1/13/15 after 1 reading.

Approved: S-O

Attest: Christel M. Dinn  
Clerk

William B. McCombs  
President of Council

Mayor Rhonda Feltner  
Mayor

~~\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_~~

(approved resolution within 10 days) Jan 21, 2015

and filed  
Jan 20, 2015  
date with Chris Dinn  
I received by Chris Dinn  
1-21-15

Resolution No. 2015-01

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE VILLAGE OF BELLE CENTER FOR DESIGN OF AN ELEVATED WATER TANK AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN:

WHEREAS, the Village of Belle Center needs to replace its existing water storage tank; and

WHEREAS, the Village of Belle Center intends to apply for Water Supply Revolving Loan Account for the design of the structure; and

WHEREAS, the Ohio Water Supply Revolving Loan Account requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; now therefore,

BE IT RESOLVED by the Council of the Village of Belle Center, Ohio:

SECTION 1. The Mayor is hereby authorized to apply for a WSRLA loan, sign all documents for and enter into a Water Supply Revolving Loan Account Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for design of the water tank replacement project on behalf of the Village of Belle Center, Ohio.

SECTION 2. That the dedicated source of repayment will be user fees and the general fund if needed.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1/13/15 after 1 reading.

Approved: \_\_\_\_\_

Attest:  
Clerk

Christel M. Dineen

William B. McConkey  
President of Council

Mayor

Mayor refused to sign this resolution.

ORDINANCE NO. 2015- 01

**AN ORDINANCE TO INCREASE THE WATER CONSUMPTION AND BASE RATES  
FOR WATER WITHIN THE VILLAGE OF BELLE CENTER, OHIO**

The Village Council of Belle Center, Ohio, having control over the public utilities, has determined that it is necessary to increase the water rates effective the 10<sup>th</sup> day of February, 2015, on the following schedule:

A. There shall be a three percent (3%) increase on the base rate of usage for each water hookup or available usage for each water hookup up to 2,000 gallons per month. The current rate of Ten Dollars (~~\$10.00~~) per month per account holder shall therefore be increased to Ten Dollars and Thirty Cents (~~\$10.30~~) per month as the base rate.

B. There shall be a three percent (3%) increase for overage usage. Therefore, the present rate is Two Dollars and Twenty-Five Cents (~~\$2.25~~) per thousand gallons for all usage over 2,000 gallons and up to 25,000 gallons (potentially 23,000 gallons of water). The new charge shall, therefore, be Two Dollars and Ninety-Two Cents (~~\$2.92~~) per thousand gallons for each of these 23,000 gallons. An extra ~~\$2.92 shall be charged for any portion of a new one-thousand-gallon increment.~~

C. The present bulk water rate of Seven Dollars (\$7.00) per thousand gallons should be increased by three percent (3%) so that the new charge shall be Seven Dollars and Twenty-One Cents (\$7.21) per thousand gallons for bulk water usage.

These increases were determined to be necessary, but the Council had three readings. It was moved, seconded, and passed at the regularly scheduled January 2015 meeting, the regularly scheduled February 2015 meeting, and the regularly scheduled March 2015 meeting. The new water rates shall be effective and shall be billed at the first available billing after the passage of this ordinance.

_____	_____
_____	_____
_____	_____

ATTEST:

\_\_\_\_\_  
Rhonda Fulmer, Mayor

\_\_\_\_\_  
Village Fiscal Officer

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

ORDINANCE NO. 2014- 10

**AN ORDINANCE TO INCREASE THE WATER RATE  
FOR THE VILLAGE OF BELLE CENTER, OHIO  
RESIDENTS INCREMENTALLY**

WHEREAS, the Village of Belle Center, Ohio, believes that it has the obligation to provide by ordinance for the care, supervision, and management of its water plant and operations pursuant to Ohio Revised Code Section 735.27 and other relevant sections,

AND WHEREAS the Village no longer has a Board of Trustees of Public Affairs but instead has a village administrator,

AND WHEREAS the rates for service and charges for municipally-owned utilities shall be determined by the legislative authority of the Village pursuant to Ohio Revised Code Section 735.273 and other relevant sections,

AND WHEREAS the village administrator has recommended that certain operating expenses and long range physical plant expenses mandate that an increase should occur relating to the water rate for each village tap and, further, that the present rates are inadequate to provide for the cost of operation and the costs of planning for future needs of the Belle Center water system,

AND WHEREAS the village council has therefore determined that for the purpose of paying all expenses relating to conducting and managing the water system, a water assessment in the amount of Five Dollars (\$5.00) per month per tap is necessary, effective March 1, 2014, and a second increase in the amount of an additional Five Dollars (\$5.00) per month per tap is necessary effective September 1, 2014,

AND WHEREAS, the Village Council moved, seconded, and passed the within ordinance on a first reading at the regularly scheduled December 2013 council meeting (December 10) and the Council further moved, seconded and passed the ordinance by roll call vote on a second reading at the regularly scheduled January council meeting (January 14, 2014) and the council then held a third and final reading at the regularly scheduled council meeting in February (February 11, 2014) and unanimously passed the ordinance upon a roll call vote.

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, upon three readings, upon proper notice, upon a majority or better passage on each of the three readings as follows:

**SECTION 1:** Each and every water tap in the Village of Belle Center, Ohio, now in existence or hereinafter established shall pay a monthly water rate in the amount of the present charge together with an additional Five Dollar (\$5.00) per month charge effective March 1, 2014. There shall then be an additional Five Dollars (\$5.00) per month charge added to that charge effective September 1, 2014.

SECTION 2: The fiscal officer as the billing clerk or any other person employed as such billing clerk shall include an additional Five Dollar (\$5.00) charge on the March 1, 2014 billing and a second Five Dollar (\$5.00) additional charge effective with the September 1, 2014 billing and each month thereafter.

ATTEST:

\_\_\_\_\_  
Chris Dinovo, Fiscal Officer

\_\_\_\_\_  
Rhonda Fulmer, Mayor

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

ORDINANCE NUMBER 2014-08

AN ORDINANCE AMENDING ORDINANCE NO. 2004-06  
REGARDING CLEAN WATER CONNECTIONS TO THE  
SANITARY SEWER SYSTEM; PROVIDING NOTIFICATIONS  
AND COMPLIANCE SCHEDULES FOR CORRECTIVE ACTIONS  
AND SETTING FORTH ENFORCEMENT ACTIONS

**WHEREAS**, the Village of Belle Center has been notified by the Logan County Water Pollution Control District of sanitary sewer overflows occurring in the sanitary sewer system as a result of clean water intrusion and the requirement to actively locate and mitigate the sources of the clean water; and

**WHEREAS**, the sources of clean water intrusion is a result of illegal and improper clean water connections to the sanitary sewer including but not limited to: foundation drain connections; sump pump connections ; and downspout/yard drain connections; and can include groundwater intrusion from broken sewer laterals; and

**WHEREAS**, sanitary sewer overflows are a violation of the Ohio EPA regulations; the Logan County Water Pollution Control District regulations and the Village of Belle Center Ordinances; and

**WHEREAS**, In 2004 the Council for the Village of Belle Center adopted Ordinance 2004-06 which authorized Village personnel to enter onto private property to locate the sources of the clean water connections and further prohibit these connections; and

**WHEREAS**, the Council for the Village of Belle Center now finds it necessary to amend Ordinance 2004-06 to provide compliance schedules for corrective actions and to provide further enforcement actions for non-compliance.

**NOW, THEREFORE, BE IT ORDAINED** by three-fourth (3/4) of the Council of the Village of Belle Center, concurring as follows:

**SECTION 1: Prohibitions:** No person shall cause or knowingly permit storm water runoff or ground water to be introduced into the sanitary sewer system either by gravity or by pumping or to allow continued groundwater intrusion from broken sewer laterals.

**SECTION 2: Authority:** Village employees or authorized agent have the right, upon twenty four (24) hour notice, to enter the premises or business of any user of the sanitary sewer system to conduct a survey of the plumbing and the connection to that system, to perform any flow, pressure or smoke tests they deem necessary to determine whether an clean water connection exists or if there is a failed/broken sewer lateral.

**SECTION 3: Notification:** Should the Village employee(s) or authorized agent(s) discover, during the survey, a property with a clean water connection or has a failed sewer lateral; the Village shall take the following actions:

- a. The Village shall notify the property owner in writing advising of the results of the survey and the requirement to remove the clean water connection or to repair the sewer lateral within thirty (30) days at the property owner's sole expense.
- b. The property owner shall have the right to review such results of the survey with Village personnel and shall be provided guidance on the needed corrective actions.

**SECTION 4: Penalty:** Any user/property owner found to be in non-compliance after due notice has been given by the Village shall be subject to the imposition of a civil penalty of up to twenty dollars (\$20) per violation. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. In addition to the penalties provided herein, the Village may recover reasonable attorney's fees, court costs, court reporter's fees, and additional operational and

management costs directly related to the offense and other expenses of litigation by appropriate suit at law against the property owner.

- a. Such penalty shall be added on the monthly sewer fee collected by the Village.
- b. The Village shall have the right to collect on any unpaid fees including certifying the unpaid fees as delinquent on the property tax duplicate for collection.

**SECTION 5: Termination of Service.** Once the source of the clean water intrusion has been abated, whoever reconnects a clean water connection to the sanitary sewer shall have their sanitary sewer service terminated. The property shall then be referred to the Logan County Health Department. The Village of Belle Center may recover costs directly associated with this action.

**SECTION 6: Adoption** This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village of Belle Center. The Ordinance is effective immediately upon its adoption.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Fiscal Officer/Clerk



**ORDINANCE NO. 2014-06**

**AN ORDINANCE CREATING A COMPREHENSIVE MANDATORY TRASH PICKUP  
AND DISPOSAL SYSTEM FOR THE VILLAGE OF BELLE CENTER, OHIO**

WHEREAS, the Village of Belle Center, Ohio, has the right, duty, and responsibility pursuant to Ohio Revised Code Section 715.01 (general powers) and Ohio Revised Code Section 715.43 (specific power or authority) to provide for the collection and disposition of sewage, garbage, and other refuse and, if required, to establish, maintain, and regulate plans for disposal thereof,

AND WHEREAS the Village of Belle Center has had a series of ordinances and regulations relating to trash pickup which present a less than comprehensive and unified system,

AND WHEREAS the Village Council now determines that it is necessary and appropriate as a body to create a comprehensive, unified, and mandatory trash pickup and disposal system,

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. The Village of Belle Center, Ohio, hereafter requires that all residents of the Village of Belle Center, Ohio, who are householders or who are using water, must use the municipal garbage collection service.
2. A reasonable fee shall be charged for such service for each user.
3. The use of a comprehensive and mandatory system confers each of the following benefits upon the Village and its residents:
  - A. Efficiencies of scale and cost are realized by mandatory compliance.
  - B. As a result, the Village can offer the service at the cheapest possible rate knowing the number of subscribers and those that are required and mandated to utilize this service.
  - C. The workers within the trash collection service will have greater efficiency by stopping at each location rather than making a determination which users or subscribers are a part of the system and which are not.
  - D. Each resident of the Village will be required to follow the same rules and regulations relating to the collection of, setting out of, and disposal of trash, garbage, and refuse.
4. Each person subject to this ordinance shall be entitled to place out three (3) thirty-gallon bags or the equivalent on a weekly basis without any additional or extra charge. All trash must be bagged.

5. The current rate shall be Twelve Dollars (\$12.00) per month per user or subscriber. There shall be an additional charge of Two Dollars (\$2.00) per additional bag which will be noted by the collectors and which will be billed by the Village.

6. All bags of trash must be placed curbside for easy pickup and removal.

7. Grass, brush, limbs, or other items which are picked up as spring cleaning or any other time by the Village shall be separated out from the three bag maximum of trash per week. All such refuse, including grass, brush, limbs, or the like, shall be placed curbside for pickup and must also be bundled in a way conducive to easy collection and pickup by the village workers. Any and all limbs under 24 inches in length shall be placed in a container of some sort for easy pickup.

8. Certain items are prohibited from being picked up pursuant to the village trash service, including televisions, batteries, paint and containers of paint, tires, paint products, chemicals or unknown liquids, fluorescent light bulbs, computer monitors and other electronics.

9. Residents, owners, or other described users or subscribers may opt out of this service when on extended vacation or extended absence of two months or more. An opt out must be done in writing properly filed with the Village offices and will require a reinstatement fee of \$25.00 to be paid at the opt out time.

10. The owner of a property shall ultimately be responsible for payment of the monthly trash charge. That charge may be passed on to a tenant or other resident of the property. However, in the event of nonpayment, the owner of record of the property shall be responsible to pay any arrearage, deficiency, or amounts due for times that the usage charge and collection fee is applicable.

11. On or before the annual date for certification of delinquent taxes and assessments to the county auditor, a review shall also be made of delinquent trash collection fee users and these delinquent accounts shall also be imported for assessment to the real estate property taxes.

12. Residents who are also business owners within the village corporation limits will be subject to a separate trash account for each location otherwise subject to all of the rules of this Ordinance.

13. If you are just a household that utilizes the village trash service and you live outside of the corporation limit, the charge will be Sixteen Dollars (\$16.00) per month per user or subscriber. There shall be an additional charge of Two Dollars (\$2.00) per additional bag which will be noted by the collectors and which will be billed by the Village.

14. Dumpster fees for those who employ a dumpster on a personal or business basis shall be charged and based upon a per yard rate of Twelve Dollars (\$12.00) per yard unless or until changed with one weekly pickup. There shall additionally be a surcharge of Three Dollars (\$3.00) per yard for customers who are outside of the corporation limit but who are enjoying the benefits of the dumpster service. Additional weekly pickups can be arranged and shall be charged at the standard yardage rate.

15. This Ordinance shall be effective from the date of its passage and shall first be billed in the October billing statement of October 2014 to every person, resident, or consumer within the definitional provisions of this Ordinance. No person who has heretofore opted out of the village system can continue to opt out, and there is no grandfathering of people who previously did not have village trash service. From the effective date of this Ordinance, it shall be comprehensive, mandatory, and shall apply to all within the definitions of this Ordinance.

It was moved by Bill McCormick and seconded by Dionne Campbell to pass this Ordinance on its first reading at the regularly scheduled council meeting on August 12, 2014. The vote was 6-0. It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to pass the Ordinance on its second reading at the rescheduled but regular council meeting held September 3d, 2014. It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ at the regularly scheduled council meeting on October 14, 2014, that the Ordinance be passed on a third and final reading.

As a result, this Ordinance is effective as of the 14th day of October, 2014, immediately upon its passage.

ATTEST:

\_\_\_\_\_  
Rhonda Fulmer, Mayor

\_\_\_\_\_  
Village Fiscal Officer

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

ORDINANCE NO. 2014-05

AN ORDINANCE PROHIBITING TRUCK TRAFFIC ON CHARLES STREET  
WITHIN THE VILLAGE OF BELLE CENTER, OHIO

WHEREAS, the Village Council of Belle Center, Ohio, is charged with providing for the general safety and public service of the residents of Belle Center, Ohio,

AND WHEREAS pursuant to Ohio Revised Code Section 723.01, the legislative authority has specific statutory powers regarding the care, supervision, and control of streets,

AND WHEREAS Charles Street within the Village of Belle Center, Ohio, has often been utilized as a shortcut or a route attractive to trucks and loaded trucks,

AND WHEREAS Charles Street does not have adequate foundation, thickness, and structure to withstand the weight of these trucks, and to allow such trucks to traverse Charles Street would, therefore, cause damage, destruction, and be of additional expense to the Village of Belle Center, Ohio,

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. A truck shall be any vehicle commonly referred to as a truck greater than a pickup truck. It shall specifically include, but not be limited to, semis, tractor trailers, farm implements, equipment, and machinery, and every truck greater than a pickup truck which has a load not greater than a pickup truck's load capacity.

2. No truck shall operate on Charles Street in Belle Center, Ohio.

3. A violation of this section causes <sup>risk</sup> ~~risk~~ to the public safety and general good of the Village as well as presenting a risk of unneeded and additional maintenance, expense, and repair cost.

4. As a result, a violation of this section shall be a traffic offense and shall be a fourth degree misdemeanor subject to all fines and penalties of a fourth degree misdemeanor under Ohio law and shall be enforceable by law enforcement as such.

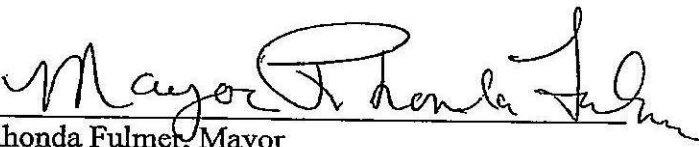
It was moved by DUSTIN PLIKERD and seconded by BLU Mc CORMICK that the requirement of three readings be dispensed with and that this Ordinance be passed as an emergency measure upon a single reading. The roll call vote was as follows:

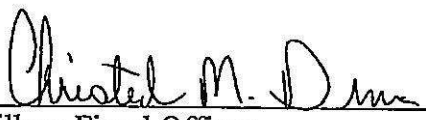
Vote 6-0 To Pass as Emergency

Vote 6-0 To Pass Underlying Ordinance.

As a result, based upon this emergency measure, the Ordinance is effective as of August 12, 2014, upon its passage.

ATTEST:

  
Rhonda Fulmer, Mayor

  
Village Fiscal Officer

  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

**ORDINANCE NO. 2014- 02**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF  
A VILLAGE OF BELLE CENTER VEHICLE**

WHEREAS, the Village of Belle Center, Ohio, acting through its legislative council determined the need for the Village to possess, own, and operate a truck with certain improvements including, but not limited to, a salt spreader, a snow plow, and a dump bed,

AND WHEREAS the Village Administrator has done research and sought bids relating to the purchase of such a vehicle,

AND WHEREAS the Council of the Village of Belle Center, Ohio, has determined that the best option for the Village is the purchase of a vehicle meeting the following specifications:

See attached Exhibit A incorporated herein by reference relating to a certain 2014 Ford F-550 chassis cab with dump body, central hydraulics, salt spreader, and snow plow.

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. The Village has a need for and accordingly is hereby authorizing the expenditure of funds to purchase the 2014 Ford F-550 truck in accordance with the specifications of the attached Exhibit A.

2. A purchase order shall issue authorizing the expenditure of \$66,988.00 for the purchase, however, under the following provisions:

A. An immediate purchase order for a twenty-five percent (25%) down payment, being \$16,747.00.

B. Four annual payments with the first due and payable on the one-year anniversary date of the acceptance of and delivery of the aforementioned pickup truck, in four equal installments representing the balance due after the initial down payment and including interest at the rate of five percent (5%).

3. Gerald Houchin as the village administrator is hereby authorized to sign the promissory note on behalf of the Village and further authorized to sign the security agreement and other necessary papers to procure financing of the vehicle.

4. That Gerald Houchin is authorized specifically to enter into all necessary paperwork in accordance with the above terms with the Union Banking Company, specifically authorizing him to do each of the following:

**ORDINANCE NO. 2014-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE PURCHASE OF  
A VILLAGE OF BELLE CENTER VEHICLE**

WHEREAS, the Village of Belle Center, Ohio, acting through its legislative council determined the need for the Village to possess, own, and operate a truck with certain improvements including, but not limited to, a salt spreader, a snow plow, and a dump bed,

AND WHEREAS the Village Administrator has done research and sought bids relating to the purchase of such a vehicle,

AND WHEREAS the Council of the Village of Belle Center, Ohio, has determined that the best option for the Village is the purchase of a vehicle meeting the following specifications:

See attached Exhibit A incorporated herein by reference relating to a certain 2014 Ford F-550 chassis cab with dump body, central hydraulics, salt spreader, and snow plow.

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, as follows:

1. The Village has a need for and accordingly is hereby authorizing the expenditure of funds to purchase the 2014 Ford F-550 truck in accordance with the specifications of the attached Exhibit A.

2. A purchase order shall issue authorizing the expenditure of \$66,988.00 for the purchase, however, under the following provisions:

A. An immediate purchase order for a twenty-five percent (25%) down payment, being \$16,747.00.

B. Four annual payments with the first due and payable on the one-year anniversary date of the acceptance of and delivery of the aforementioned pickup truck, in four equal installments representing the balance due after the initial down payment and including interest at the rate of five percent (5%).

3. Gerald Houchin as the village administrator is hereby authorized to sign the promissory note on behalf of the Village and further authorized to sign the security agreement and other necessary papers to procure financing of the vehicle.

4. That Gerald Houchin is authorized specifically to enter into all necessary paperwork in accordance with the above terms with the Union Banking Company, specifically authorizing him to do each of the following:



A. Enter into a financing arrangement for an initial full price of \$66,988.00.

B. Sign paperwork and deliver a check relating to a 25% down payment in the amount of \$16,747.00 to be contemporaneously paid on the date of delivery of the vehicle.

C. Sign the necessary note, security agreement, and documents to provide for five percent (5%) interest throughout the life of the loan.

D. Enter into paperwork and sign all paperwork establishing a four-annual-installment repayment plan.

E. Annual payments in the amount of one-fourth (1/4) each year of the remaining balance together with the accumulated interest at an annual interest rate of five percent (5%).

AND, WHEREAS, at the regular council meeting on January 14, 2014, it was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ to pass this ordinance on an emergency measure upon one reading. A roll call vote was taken and those voting in favor of the emergency passage are as follows:

_____	_____
_____	_____
_____	_____

THEREAFTER, it was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the underlying ordinance be approved. A roll call vote was taken with the following voting "Yes":

_____	_____
_____	_____
_____	_____

This Ordinance shall therefore be effective upon its passage upon one reading at the regularly scheduled council meeting of the Village Council of Belle Center, Ohio, on the 14<sup>th</sup> day of January, 2014.



**AUTHORIZING LEGILATION**  
**RESOLUTION No. 02 -2014**

**THE VILLAGE OF BELLE CENTER CITY COUNCIL, LOGAN COUNTY PASSED THE FOLLOWING RESOLUTION AUTHORIZING SCOTT COLEMAN, LOGAN COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED**

**WHEREAS**, the State Capital Improvement program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to the public infrastructure, and

**WHEREAS**, the Village of Belle Center Council, Logan County is planning to make capital improvements to \_\_\_\_\_

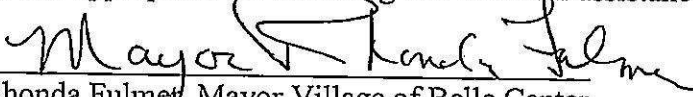
**WHEREAS**, the infrastructure improvement herein above described is considered to be a priority need for the community and is qualified project under the OPWC programs.


**NOW THEREFORE, BE IT RESOLVED** by the Village of Belle Center City Council, Logan County

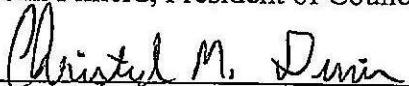
Section 1: That Scott Coleman, Logan County Engineer is hereby authorized to apply to the OPWC for funds as described above.

Section 2: That Scott Coleman, Logan County Engineer is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance

Passed: 8-12-2014  
Date

  
Rhonda Fulmer, Mayor Village of Belle Center

  
Dustin Plikerd, President of Council Village of Belle Center

  
Christopher M. Dinovo Fiscal Officer Village of Belle Center

**ORDINANCE NO. 2014-**

**AN ORDINANCE TO INCREASE THE WATER RATE  
FOR THE VILLAGE OF BELLE CENTER, OHIO  
RESIDENTS INCREMENTALLY**

WHEREAS, the Village of Belle Center, Ohio, believes that it has the obligation to provide by ordinance for the care, supervision, and management of its water plant and operations pursuant to Ohio Revised Code Section 735.27 and other relevant sections,

AND WHEREAS the Village no longer has a Board of Trustees of Public Affairs but instead has a village administrator,

AND WHEREAS the rates for service and charges for municipally-owned utilities shall be determined by the legislative authority of the Village pursuant to Ohio Revised Code Section 735.273 and other relevant sections,

AND WHEREAS the village administrator has recommended that certain operating expenses and long range physical plant expenses mandate that an increase should occur relating to the water rate for each village tap and, further, that the present rates are inadequate to provide for the cost of operation and the costs of planning for future needs of the Belle Center water system,

AND WHEREAS the village council has therefore determined that for the purpose of paying all expenses relating to conducting and managing the water system, a water assessment in the amount of Five Dollars (\$5.00) per month per tap is necessary, effective March 1, 2014, and a second increase in the amount of an additional Five Dollars (\$5.00) per month per tap is necessary effective September 1, 2014,

AND WHEREAS, the Village Council moved, seconded, and passed the within ordinance on a first reading at the regularly scheduled December 2013 council meeting (December 10) and the Council further moved, seconded and passed the ordinance by roll call vote on a second reading at the regularly scheduled January council meeting (January 14, 2014) and the council then held a third and final reading at the regularly scheduled council meeting in February (February 11, 2014) and unanimously passed the ordinance upon a roll call vote.

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, upon three readings, upon proper notice, upon a majority or better passage on each of the three readings as follows:

**SECTION 1:** Each and every water tap in the Village of Belle Center, Ohio, now in existence or hereinafter established shall pay a monthly water rate in the amount of the present charge together with an additional Five Dollar (\$5.00) per month charge effective March 1, 2014. There shall then be an additional Five Dollars (\$5.00) per month charge added to that charge effective September 1, 2014.

SECTION 2: The fiscal officer as the billing clerk or any other person employed as such billing clerk shall include an additional Five Dollar (\$5.00) charge on the March 1, 2014 billing and a second Five Dollar (\$5.00) additional charge effective with the September 1, 2014 billing and each month thereafter.

ATTEST:

\_\_\_\_\_  
Chris Dinovo, Fiscal Officer

\_\_\_\_\_  
Rhonda Fulmer, Mayor

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*

**ORDINANCE NO. 2014-**

**AN ORDINANCE ESTABLISHING KELLER AVENUE  
IN BELLE CENTER, OHIO**

WHEREAS, the legislative authority of the Village of Belle Center, Ohio, has the statutory right relating to care, supervision, and control of streets and public thoroughfares,

AND WHEREAS a certain thirty-foot strip of property now surfaced in tar and chip running between Main Street and Buckeye Street (State Route 274) has been created and is being used as a thoroughfare or public way,

AND WHEREAS the Village of Belle Center, Ohio, through its council hereby establishes this strip of property as a public street,

BE IT ORDAINED by the Council of the Village of Belle Center, Ohio, that:

1. The thirty-foot strip of property now surfaced by tar and chip running between Main Street and Buckeye Street (State Route 274) is hereby declared and established to be a street of the Village of Belle Center, Ohio; and

2. The name of the street shall be and hereby is "Keller Avenue", and

3. This street or avenue shall hereafter be under the care, supervision, and control of the public highways and streets of the Village of Belle Center, Ohio, and the Village shall cause the same to be kept open, in repair, and free from nuisance, and available for public thoroughfare.

THEREFORE, at the regularly scheduled council meeting on the 10<sup>th</sup> day of December, 2013, it was moved and seconded and unanimously passed that this ordinance should be effective upon a single reading and should pass as an emergency measure; and at the same time, place, and date at a regularly scheduled council meeting, the underlying ordinance was passed and approved by a unanimous 6-0 vote.

This Ordinance shall, therefore, be effective from December 10, 2013 forward, immediately following its passage.

ATTEST:

---

Rhonda Fulmer, Mayor

**ORDINANCE NO. 2014-**

**AN ORDINANCE EMPLOYING STEVEN R. FANSLER AS THE VILLAGE  
SOLICITOR FOR THE 2014 CALENDAR YEAR.**

WHEREAS, the Village of Belle Center, Ohio, believes that it has a need to employ a Solicitor for assistance in legal matters for the year of 2014,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that the Ohio Revised Code requires the appointment and/or hiring of a Village Solicitor or in the alternative that it employs someone to assist it with its legal matters,

AND WHEREAS, the Village of Belle Center, Ohio, has determined that it is necessary and appropriate based upon its needs to hire a Village Solicitor,

AND WHEREAS, at the regular council meeting held January 14, 2014, it was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that Mr. Fansler be hired as the Village Solicitor for the calendar year 2014 at a rate of \$550.00 per month and further that he be a PERS employee of the Village,

AND WHEREAS, at the regular meeting held on January 14, 2014, it was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the requirement of three (3) different readings be dispensed with and that this measure pass as an emergency measure at the meeting on January 14, 2014 upon one reading. A roll call was taken with the following result:

Those voting in favor of the motion to disperse with three readings and to passing this ordinance on an emergency measure were as follows:

	Yes	No		Yes	No
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

THEREAFTER, a vote was taken on the underlying ordinance and those voting in favor were as follows:

	Yes	No		Yes	No
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

NOW, THEREFORE, be it ordained by the Council of the Village of Belle Center, Ohio, that:

SECTION 1: Steven R. Fansler is hereby employed as Village Solicitor for the Village of Belle Center, Ohio, for the year of 2014.

SECTION 2: Mr. Fansler's rate of pay shall be **\$ 550.00 per month** and he shall be considered a PERS employee of the Village and PERS withholding shall be done by the Clerk.

SECTION 3: Mr. Fansler shall attend at least one meeting per month and shall otherwise respond to questions or request for legal advice or opinions from the Village of Belle Center, Ohio and shall prepare ordinances as necessary for the Village of Belle Center, Ohio.

SECTION 4: In the event extraordinary services are required, the Village shall consult with Attorney Steven R. Fansler and they shall reach an agreement as to the rate of pay or compensation for any such extraordinary services.

SECTION 5: This shall be effective as of January 1, 2014, as a result of the passage of this measure on an emergency basis of the Council of the Village of Belle Center, Ohio.

PASSED: \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
President of Council

*This instrument prepared by Steven R. Fansler, Attorney at Law,  
212 North Detroit Street, P.O. Box 764, West Liberty, Ohio 43357*