Dayton Legal Blank, Inc.		Form No. 30043	
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A RESOLUTION REQUE TOTAL CURRENT TA REVENUE THAT WOUL LEVY FOR POLICE I AND DECL	RESOLUTION NO. 2009-05  STING THE COUNTY AUDITOR TO X VALUATION AND THE DOLLAR ALD BE GENERATED BY 2 MILL FOR PROTECTION IN THE VILLAGE OF A ARING THE SAME AN EMERGENCY	MOUNT OF A RENEWAL ANTWERP, (.	

would be generated by 2 mill for a renewal levy for police protection pursuant to Ohio Revised Code Section 5705-19(J).

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp,

County Auditor to certify the current tax valuation and the dollar amount of revenue that

Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by 2 mill pursuant to Ohio Revised Code Section 5705.19(J). The Village of Antwerp is requesting this certification in order to place a renewal levy on the ballot for the upcoming general election for police protection.

Section 2. This Resolution is in accordance with the Secretary of State's Advisory Opinion No. 2003.04.

Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of the Council and of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and necessary for the provision of police protection in the Village. This Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

ENACTED THIS <u>18+4</u> day of May, 2009.

Koy le Lore Ray DeLong, Mayor

Attest:

South Baker, Liscal Officer Loretta Baker, Fiscal Officer

Paulding County, Ohio, that:

_ 1	Dayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No	Passed	, 20	

#### **RESOLUTION NO. 2009-06**

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE EAST SIDE OF LOT 30 PT, BLOCK C IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1204S05100); AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 30 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1204S05100) on the east side of such commonly known as 301 North Main Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 30 Pt, Bicck C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1204S05100) on the east side of such Lot, commonly known as 301 North Main Street, Antwerp, Ohio, said Lot owned by David W. Bradtmueller and Tamara S. Bradtmueller.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

Lot 30 PT, BLOCK C, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1204S05100, COMMONLY KNOWN AS 301 NORTH MAIN STREET, ANTWERP, OHIO.

Section 3. That the owners of said lot and land, David W. Bradtmueller and Tamara S. Bradtmueller, shall construct and/or repair the sidewalk located on the east side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

Dayton Legal Blank, Inc.	Form No. 300
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<del>                            </del>	valk shall be cor.structed and/or repaired by David W. Bradtmueller s the owners of the property Iccated at 301 North Main Street,
and Tamara S. Bradtmueller, as	1 1 2

Section 5. In the event such sidewalk is not constructed and/or repaired by David W. Bradtmueller and Tamara S. Eradtmueller in accordance with the plans and specifications and within the time prescribed in this resolution, the Village of Antwerp will so construct and/or repair the sidewalk and assess the costs thereof against the lots and lands abutting such sidewalk.

Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of having all the sidewalks along Main Street repaired and/or constructed for the well being and safety of the residents and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 18th day of May, 2009.

Goy le Long

Ray DeLong, Mayor Village of Antwerp

Attest

Spetta Baker, Liscal Officer Loretta Baker, Fiscal Officer

Ι	Dayton Legal Blank, Inc.		Form No. 30043	
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#### **ORDINANCE NO. 2009-15**

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS FROM THE WATER FUND (E1) TO THE WEST DAGGETT / STONE STREET WATERLINE REPLACEMENT PROJECT FUND (D5) IN THE AMOUNT OF \$26,625.00, AND DECLARING THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the Water Fund (E1) to the West Daggett / Stone Street Waterline Replacement Project Fund (D5), and

WHEREAS, the Village Council must approve certain transfers according to the laws of the State of Ohio, and

WHEREAS, the Village Council deems it in the best interest of the Village to transfer funds from the Water Fund (E1) to the West Daggett / Stone Street Waterline Replacement Project Fund (D5) for the purpose of providing the funds to support this waterworks improvement project, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the Water Fund (E1) to the West Daggett / Stone Street Waterline Replacement Project Func (D5).

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the total sum of Twenty-Six Thousand Six Hundred Twenty-Five Dollars and Zero Cents (\$26,625.00) from the Water Fund (E1) to the West Daggett / Stone Street Waterline Replacement Project Fund (D5). This sum may be transferred from the Water Fund (E1) to the West Daggett / Stone Street Waterline Replacement Project Fund (D5) in such increments as the Village Fiscal Officer deems it necessary based on the invoices received for the West Daggett / Stone Street Waterline Replacement Project up to the total amount of Twenty-Six Thousand Six Hundred Twenty-Five Dollars and Zero Cents (\$26,625.00).

Stone Street Waterline Replacement Project in the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the West Daggett / Stone Street Waterline Replacement Project, and this Ordinance shall be in full force and effect immediately after its

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passag	ge; otherwise, it shall take	effect and be in fo	rce after the earlie	st period allowed	by law.	
Date	6/16/2009		Ray U	Long		
Attes			Ray DeLong,	illage of Antwerp		
£.	ta Baker, Fiscal Officer	_				
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#### **ORDINANCE NO: 2009-16**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ANTWERP, OHIO TO REQUIRE APPLICATIONS FOR THE ISSUANCE OF SIDEWALK PERMITS PRIOR TO ANY CONSTRUCTION, REPAIR OR REPLACEMENT OF SIDEWALKS IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended by the adoption of a motion to amend the Zoning Ordinance to require an application for the issuance of sidewalk permits prior to any construction, repair or replacement of the sidewalks in the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendment within sixty (60) days from making a motion to amend the zoning ordinance in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on the 27<sup>th</sup> day of May, 2009, in compliance with Section 708 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of said public hearing was published and notice of the public hearing was sent to property owners in compliance with Sections 709 and 710 of the Zoning Ordinance of the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendment to the Zoning Ordinance as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission that the Zoning Ordinance be amended to require an application for the issuance of sidewalk permits prior to any construction, repair or replacement of any sidewalks in the Village of Antwerp, Ohio.

Section 2. The amendment requiring an application for the issuance of a sidewalk permit prior to any construction, repair or replacement of any sidewalks shall be incorporated into the Zoning Ordinance of the Village of Antwerp upon the date this Ordinance becomes effective by law. As part of the application process, the standards and specifications governing the construction, repair or replacement of sidewalks in the Village of Antwerp, Ohio, will be provided to the applicant in order to ensure compliance with those standards and specifications.

Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

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the pu to ve specif effect	blic health, safety and ify that prior to any ications are obtained firmmediately after its	is deemed an emergency not welfare, and for the further construction, repair or replacements of the Village offices, and so passage; otherwise, it sha	reason that in order to it lacement of sidewalks it this Ordinance shall be	nstitute a proces he standards an e in full force an
	st period allowed by la	day of June	, 2009.	
		Bu.	1 L	
		Ray DeLoi	ng, Mayor	
Attes	<b>:</b> :			
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Loret	ta Baker, Fiscal Office	er		
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Dayton Legal Blank, Inc.		Form No. 30043	
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#### **ORDINANCE NO: 2009-17**

# AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ANTWERP, OHIO TO AMEND THE REAR AND SIDE YARD SETBACK REQUIREMENTS FOR RESIDENTIAL DISTRICTS, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended by the adoption of a motion to amend the Zoning Ordinance to reduce the rear and side yard setback requirements in R-1 (Single Family District), R-1-A (Single Family District - Alternate), and R-2 (Multi-Family District) districts to a minimum of five (5) feet in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendment within sixty (60) days from making a motion to amend the zoning ordinance in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on the 27<sup>th</sup> day of May, 2009, in compliance with Section 708 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of saic public hearing was published and notice of the public hearing was sent to property owners in compliance with Sections 709 and 710 of the Zoning Ordinance of the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendment to the Zoning Ordinance as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoring Commission that the Zoning Ordinance be amended reducing the rear and side yard setback requirements to a minimum of five (5) feet in the residential districts, specifically, in R-1 (Single Family District), R-1-A (Single Family District - Alternate), and R-2 (Multi-Family District) districts

Section 2. The amendment in the rear and side yard setback requirements for the residential districts shall be incorporated into the Zoning Ordinance of the Village of Antwerp upon the date this Ordinance becomes effective by law.

Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is deemed an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason to comply with Section 711 of the Zoning Ordinance, which requires the Village Council to act within thirty (30) days of the

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nublic hearing on the pro	posed amendment, and this Ordinance shall be	in full force and offe
	sage; otherwise, it shall take effect and be en	
period allowed by law.	sage, otherwise, it shall take effect and be en	norced after the earne
period allowed by law.		
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	Ray Delong, Mayor	
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III	Ray Decoilg, Mayor 7	
Attest		
Loute Bak	Ber	
Attest: <i>South</i> Bak  Lorena Baker, Fiscal Office	Ber	

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#### **ORDINANCE NO. 2009-18**

## AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amencing of appropriations pursuant to Chio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

<u>Section 1:</u> This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

<u>Section 2:</u> The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPR	OPRIATION
		AMOUNT	
		Original	New Amount
B2 6A 250 State Highway Capital Improvement	Increase Appropriation	\$5,000.00	\$11,000.00
B1 6E 230 Street Traffic Lights-Signs-Signals	Increase Appropriation	\$3,800.00	\$6,000.00
B1 6E 240 Street Traffic Signals Oper & Maint.	Increase Appropriation	\$2,000.00	\$4,000.00
A1 3B 24C Parks Operation & Maintenance	Increase Appropriation	\$5,000.00	\$7,000.00

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

<u>Section 4:</u> This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Dayton Legal Blank, Inc.		Form No. 30043	$\equiv$
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Date 4/16/2009  Mayor Bay Wa Long			
Attest:  South Baker  Fiscal Officer		•	

Dayton Legal Blank, Inc.		Form No. 30043	
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#### **ORDINANCE NO. 2009-19**

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00 AND DECLARE THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

Section 2. This ordinance is necessary to provide for the operating funds for the Police department of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Chio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the Police department necessary for the well being of the residents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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#### **ORDINANCE NO. 2009-20**

#### AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
D5 5D 250 West Daggett/Stone St. Waterline	Increase Appropriation	\$0	\$266,250.00
E1 5F 230 Water Distribution Contractual	Increase Appropriation	\$5,000.00	\$10,925.00

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Date\_ 7-20-09

Koy OrLong
tta Baker Mayor

Attest:

. D	ayton Legal Blank, Inc.			Ferm No. 30043	
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#### **ORDINANCE NO. 2009-21**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE TO PAY A PORTION OF THE COST OF INSTALLING THE LIFT STATION IN THE COLONY SUBDIVISION IN THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp authorized the bidding of the project to install a lift station in the Village of Antwerp, Paulding County, Ohio, in the Colony Subdivision; and

WHEREAS, the bidding process was completed and a contract was awarded to the lowest and best bidder to install the lift station; and

WHEREAS, a lift station has been installed in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio; and

WHEREAS, the Village of Antwerp must continue to pay a portion of the cost incurred in installing the lift station in the Colory Subcivision, even though the Village implemented a Tax Increment Financing (TIF) program that will redirect real estate tax monies to offset said financing for the improvement in the future.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County. Ohio:

Section 1. A Note in the principal amount of \$120,663.66 shall be issued for the purpose set forth herein, which is to pay a portion of the cost of installing the lift station in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio, with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear interest at a rate not exceeding 3.00% annually for one year, payable at maturity, to-wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take, cause to be taken, or has taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it or persons acting for it, will, among other acts of compliance, apply proceeds all in a manner and to the extent necessary to assure exclusion of that interest under the internal Revenue Code. The Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Attest:

Loretta Baker, Fiscal Officer

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	Dayton Legal Blank Inc.	<u> </u>	
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	Section 5. It is hereby determined and recited that a to be done precedent to and in the issuance of the Note, is binding obligations of the Village of Antwerp, have hap regular and due form as required by law; that the full fair shall be and is hereby irrevocably pledged for the prompt thereof at maturity; that no limitation of indebtedne constitutional, will have been exceeded in the issuance of section 6. The Fiscal Officer, or other officer, in	n order to mak opened, been d th, credit and r payment of th ess or taxation aid Note.	e them legal, valid and one, and performed in revenue of said Village e principal and interest n, either statutory or prepare, execute and
	deliver to the purchaser of said Note a preliminary and appropriate disclosure document in connection with the sale Section 7. The Mayor and Fiscal Officer of said	e and delivery	cf the Note.
:	and execute the Note on behalf of said Village and the C such efficials in that regard.	•	*
	Section 3. It is found and determined that all form and relating to the passage of this Ordinance were adopted and that all deliberations of the Council and of any of its confidence, were in meetings open to the public, in compliance all lawful ordinance and any applicable provisions of Section	d in an open mommittees that with all legal	neeting of this Council, resulted in such formal requirements including
	Section 9. This Ordinance is hereby declared to be the immediate preservation of the public health, safety at further reason that the Village must continue to pay a port lift station installed in the Colony Subdivision for the Ordinance shall be in full force and effect immediately after effect and be in force after the earliest period allowed by la	nd welfare of tion of the cost well being of ter its passage;	the Village and for the incurred by having the the residents and this
	Section 10. This Ordinance shall be retroactive and Note referenced in the prior Ordinance for the issuance of lift station in the Colony Subdivision located in the Villa Ohio, also known as Ordinance No. 2007-16.	a Note for the	purpose of installing a
	Date: 8/17/04	$\rho$	

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#### ORDINANCE NO. 2009-22

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND FOR THE PURPOSE OF WATER REPAIRS AND CAPITAL IMPROVEMENTS AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$30,893.48 shall be issued in anticipation of issuance of bond for the purpose set forth herein to make necessary water repairs and capital improvements with a financing cost thereof incurred in connection with the issuance of said Note. Specifically, the necessary water repairs and capital improvements are water plant repairs, including waterline repair, high service pump repair, clear well repair, oackwash pit repair, and a water distribution study for the replacement of the water tower by the Village of Antwerp, Ohio.

Section 2. Said Note shall bear an interest rate not exceeding 3.01% for one year, payable at majurity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the majurity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general colligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be cone precedent to and in the issuance of the Note in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebteliness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other

Dayton Lega	Bank, Inc.		Form No. 30043
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	appropriate disclosure docu	ment in connection with the sa	ale and delivery of the Note.
	Section 7. The Mayor and I the Note on behalf of said	•	e hereby authorized to sign and execute
	relating to the passage of the all deliberations of the Couwere in meetings open to the ordinances and any application. Section 9. This Ordinance	is Ordinance were adopted in an incil and of any of its committee public, in compliance with all ble provisions of Section 121.2 is hereby declared to be an ordinal and ordin	ctions of the Council concerning and open meeting of this Council, and that es that resulted in such formal action, legal requirements including all lawful 22 of the Ohio Revised Code.  emergency measure necessary for the elfare of the Village and for the further
	reason that the Village is in being of the residents and	immediate need of water repair this Ordinance shall be in full	s and capital improvements for the well force and effect immediately after its er the earliest period allowed by law.
	Date: 8/17/09	<u>*</u>	
		Ray DeLong	Long, Mayor
	Attest: Loutta Bo	rker.	
	Loretta Baker, Fiscal Offic		

	D	ayton Legal Blank, Inc.
. ·		Ordinance No
		ORDINANCE NO. 2009-23
	AN O TO	RDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS THE STREET FUND IN THE AMOUNT OF \$ 15,000.00 AND DECLARE THE SAME TO BE AN EMERGENCY
	from t	WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds to General Fund to the Street Fund, and
	Section	WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code n 5705.14, and
		WHEREAS, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14 (E), which is does not require a vote of the Village Council to authorize transfers from the General Fund to any other of the Village, and
	the un	WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705. 4, with derstanding that the Village is not required to seek any other approvals as may be required for other ers of funds under Ohio Revised Code Section 5705.14.
	Ohio	NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County,
	dollar	Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of fifteen thousand is from the General Fund to the Street Fund.
	Villag	Section 2. This ordinance is necessary to proved for operating funds for the street department of the see of Antwerp.
	Councin con	Section 3. It is found and determined that all formal actions of the Council concerning and relating to ssage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the cil and of any of its committees that resulted in such formal action, were in meetings open to the public, appliance with all legal requirements including all lawful ordinances and any applicable provisions of the Chio Revised Code.
	in imr reside	Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate vation of the public health, safety and welfare of the Village and for the further reason that the Village is mediate need of funds for the operation of the street department necessary for the well being of the ents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall effect and be in force after the earliest period allowed by law.
	Date	8/17/09  Mayor of the Village of Antwerp
	Attest	Gretta Baker Fiscal Officer

D	aytor Legal Blank, Inc.
$\overline{}$	
	Ordinance No R 2009- Passed
RE	SOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE
	TEN MILL LIMITATION
	Rev. Code, Sec. 5705.15, .191, .192, .194, .21, .26
	The 2 Village of Paul de la Company of Paul de la Company of Compa
	Turi West 1, 1901 A 2 County, Onto, met in Lea 0.19 (
sessi	on on the 17th day of August, 2009, at the office of
	Village of astwerp with the following members present:
	RON Farns worth Pres.
	Mike Rohrs
	Larry Ryan
	Karen Lee
	Jan Recb
•	M Larry Ryan Tom Van Verah  moved the adoption of the following Resolution:
inst	WHEREAS, The amount of taxes which may be raised within the ten mill limitation will be efficient to provide an adequate amount for the necessary requirements of said seconds.
	Village of activers failding County, Ohio;
the	
,	RESOLVED, by the 2 COUNCIL of the
V i me	Mage of Antwerp. Paulding County, Ohio, two-thirds of all mbers elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limi-
tat	ion for the benefit of Vi Mage of artwerp
for	the purpose of 4 DECOMING AND MAINTAINING MOTOR vehicles.
	communications and other equipment used directly in the operation
0	of a police department and payment of salaries of police personnel.
	O.R.C. 5705.19 (J)
at	a rate not exceeding £wo (1) mills for each one dollar of valuation, which
an	nounts to twenty Clats (Here insert rate expressed in dollers and cents)
	reach one hundred dollars of valuation, for 5
,	5 years 2009-2013
****	1 Vanagual - C a tru + C 2 m 11c
	· a renewal of a try of 2 mills
•••	
.i.	
	RESOLVED, That the question of levying additional taxes be submitted to the electors of said
	Village of antwerp
a	the Gineral Primary Special delection to be held at the usual voting places within
S	ail, UTHURE OF WATOUPP
	on the 3rd day of November 2009, and be it further
	RESOLVED, That said levy be placed upon the tax list of the current year after the February settlement next succeeding the election, if

RESOLV	ED, That the Clerk of this 2 VI HAGE OF LLE WILD  The Country of this 2 VI HAGE OF LET WILD  The Bolian of Elections
Pauldin	County, Ohio,
and notify sad	Board of Elections to cause notice of sisction on the question of lecying said tax to paired by law.
_	Nike Rohrs seconded the Motion and the roll being called
	tion the vote resulted as follows:
M : M	Jan Reeb yes
M	Larry Rvan yes
M	Row Farnswith yes
<i>M</i> .	Karen Lee xes
M.	Tom Vanulenah yes
Adopte	he 17th day of August 2009
1st	Reading 6/15/cg
ZNa	Reading 6/15/69 Reading 7-20-09 Village of Cutwerp (Name of Subdivision)
. This Resolution	taulding county, Cong
Levy 570a.194.	Commissioners, Council of the City or Village, Board of Education, or Board of Covership Trustees.
<ol> <li>Here insert any</li> <li>For all the sub-</li> </ol>	or to fit the purposes listed in Sec. 1705.13 R.C. Not applicable to accord districts.  "Bloom including schools under 5705.13, the life indeptedness as the number of years the levy is to run.  one of the following:
ac = are:	ii tjonal tax of mi.le" .eval of an existing tax of mills"
"are:	swhi of a tax of mile ann, an norease of rzi is to constitute a tax o mills * swhi of a part of a mill existing leve, being a reduction of mills to constitute a tax o * mills* lacement of tax of mills*
a re	olsectment of mills and an increase of mills to constitute s (ax of mills " olsectment of part of an existing levy, being a redu:tisn of mills , to constitute a tax of mills" sales see \$705.212, 5705.213 C.R.C.
6. See Emergency 7. This notice to cortime.	Bathol Levy under 5706.194, Also 5705.21, 5706.212, 5705.238 schools. De given by the Board of Elections shall be published in a newspaper of general angulation in the mounty office in wick. See 5708.19, 194 R.D.
	$\bigcap_{i \in \mathcal{I}} \mathcal{I}_i$
The State of	onio, Pau ding County, ss. Escal of City or Hoticerp
۷,۸	Glerk of VIIIA 22 St HATEURY
do hereby ce	rtify that the foregong is taken and copied from the Record of the Proceedings of said
Villa	; that the same has been compared by me with the Pesalution on said Record
	True and correct copy thereof.  To signature, this 17 th day of Avgust Loss.  Sputta Baker  Fiscul Arcey
	Sputta Baker
	1-15CH 54+1CE;
	C Sill A
	County, Ohio County, Ohio E TEN Deputy
	Coord TTO 1
0	NO N
No. B. 2009-07	RESOLUTION T NECESSARY CXCESS OF THI LL LIMITATION
R.24	SOL LIM
No	N EX
	RESOLUTIO RESOLUTIO ARING IT NECESSA MILL LIMITAT
•	RESOLUTION CLARING IT NECESSARY TO LEV TAX IN EXCESS OF THE TEN MILL LIMITATION  Deput
1	

]	Dayton Legal Blank, Inc.	· ·	Form No. 30043	
	Ordinance No.	Passed	, 20	

### RESOLUTION NO. 2009-08

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE WEST SIDE OF LOT 16 PT, BLOCK C IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1204S00700); AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 16 Pt, Block C in the Village of Antwerp. Ohio (Paulding County tax parcel ID #1204S00700) on the west side of such Lot, commonly known as 414 North Main Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Chio:

Section 1. That Council approves the plans, specifications, and estimate of cost or. file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 16 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1204S00700) on the west side of such Lot, commonly known as 414 North Mair. Street, Antwerp, Ohio, said Lot owned by Chase Home Finance, LLC of 3415 Vision Drive, Columbus, Ohio 43219.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 16 PT, BLOCK C, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO. TAX PARCELID #1204S00700, COMMONLY KNOWN AS 414 NORTH MAIN STREET, ANTWERP, OHIO.

<u>Section 3</u>. That the owners of said lot and land, Chase Home Finance, LLC, shall construct and/or repair the sidewalk located on the west side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

D	
j	ayton Legal Blank, Inc. Form No. 30043
	Ordinance No
wi	Section 4. That the sidewalk shall be constructed and/or repaired by Chase Home Finance, C, as the owners of the property located at 414 North Main Street, Antwerp, Ohio 45813, thin thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer
Fir thi	Section 5. In the event such sidewalk is not constructed and/or repaired by Chase Home nance, LLC in accordance with the plans and specifications and within the time prescribed in secolution, the Village of Antwerp will so construct and/or repair the sidewalk and assess the sts thereof against the lots and lands abutting such sidewalk.
all	Section 6. It is found and determined that all formal actions of the Council concerning and ating to the passage of this Resolution were adopted in an open meeting of this Council, and that deliberations of the Council and of any of its committees that resulted in such formal action, re in meetings open to the public, in compliance with all legal requirements.
fur rej be	Section 7. This Resolution is hereby declared to be an emergency measure necessary for immediate preservation of the public health, safety and welfare of the Village and for the ther reason that the Village is in immediate need of having all the sidewalks along Main Street aired and/or constructed for the well being and safety of the residents and this Resolution shall in full force and effect immediately after its passage; otherwise, it shall take effect and be in ce after the earliest period allowed by law.
	Passed this <u>17+h</u> day of August, 2009.
At	Ray De Long, Mayor Village of Antwerp  Loute Bake / Liscal Officer
L	retta Baker, Fiscal Officer

	ILLOOM	D OF ORDII	NANCES		
·	<u> </u>				
Daytor Legal Blank, Inc.	1		-	Form No. 303-	13
Ordinance No		Passed		, 20	
	RF	SOLUTION NO	2009-00		
PREPARE A COMMISSI IMPROVEM	TION AUTHORIZING AND SUBMIT AN APP ON STATE CAPITA MENT PROGRAM A G THE SAME AN EM	G THE MAYOR O LICATION TOPAL L IMPROVEMENT AND TO EXECUT	F THE VILLAGE O RTICIPATE IN THE NT AND/OR LOCA	OHIO PUBLIC L TRANSPOR	WORK FATIO
	the State Capital Impro financial assistance to p				
	the Village of Antwerp from Harrmon Road to		e capital improvement	s to the USR 24 V	Vaterli
	the infrastructure impro y and is a qualified proj				
NOW THER	EFORE, BE IT RESC	DLVED by the Coun	cil of the Village of A	ntwerp, State of C	Ohio:
Section 1: The as described a	at the Mayor of the Vill	age of Antwerp is he	ereby authorized to ap	ply to the OPWC	fer fund
	e Mayor of the Village and appropriate for obta			nto any agreement	s as ma
passage of this council and of in compliance	s found and determined s Resolution were adopt any of its committees the with all legal regulation of the Ohio Revised C	ed in an open meetin at resulted in such fo ns including all law	g of this council, and ormal action, were in m	that all deliberationeetings open to the	ns of the ep_blic
preservation of is in immediate this Resolution	is Resolution is hereby f the public health, safet the need of waterline repair to shall be in full force at force after the earliest p	y, and welfare of the airs and capital impr nd effect immediatel	Village and for the fur ovements for the well y after its passage; oth	ther reason that the being of the resid	Villag €nts an
ADOPTED:	8/17/09 Date		Bas	O Lora	

Local Baker Fiscal Officer

 Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	
ORDINAN	ICE NO. 2009-24	
AN ORDINANCE AUTHORIZING T ENTER INTO A CONTRACT WIT WATER LINE IMPROVEMENTS O DECLARING T	TH THE LOWEST AND BEST B	IDDER FOR THE
WHEREAS, the Village of Antwe Daggett and Stone Streets in the Village services provided to residents on those stre	e of Antwerp which improvement	ts will affect the water
WHEREAS, the Village of Antwe perform the necessary labor, services and and		<u> </u>
WHEREAS, Lingvai Excavating, amount of \$115,718.50 to perform the n and Stone Streets water line.	LLC submitted the lowest and moecessary work for the improvement	est responsive bid in the national nati
NOW, THEREFORE, BE IT OR ANTWERP, COUNTY OF PAULDING,	DAINED BY THE COUNCIL FO STATE OF OHIO:	OR THE VILLAGE OF
Section 1. That the Mayor of the Villa with any and all necessary documents and provided a bid in the amount of \$115,718 Streets water line.	age of Antwerp is authorized to enterillary to this contract, with Linguai 8.50 for the improvements to the V	Excavating, LLC, who
Section 2. It is found and determined Answerp, Ohio, concerning and relating meetings of the Council, and that all del resulted in such formal action, were in requirements.	liberations of the Council and any	were adopted in open of its committees that
Section 3. This Ordinance is hereby immediate preservation of the public heareason that the Village is in immediate ne Streets for the well being of the resident immediately after its passage; otherwise, allowed by law.	ed of water line improvements on a tas, and this Ordinance shall be in	age and for the further West Daggest and Stone in full force and effect
Date: 9-8-09 ATTEST:	DeLong, Mayor	)
ATLEST:  Antta Baker  Loretta Baker, Fiscal Officer		

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20

### ORDINANCE NO. 2009-25

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAUMEE LANDING SUBDIVISION, PHASE NO. 2 (LOTS 16-18) TO THE ADDITION TO THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, PURSUANT TO ORDINANCE NO. 94-17, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp approved the preliminary plat of the Maumee Landing Subdivision submitted by Olen McMichael, the developer for the Maumee Landing Subdivision. Said preliminary plat was discussed, approved and accepted by the council at its regular meeting on May 8, 2006; however, the minutes from that meeting failed to reflect council's action on the preliminary plat. At the special meeting of the council on July 30, 2008, the council renewed its motion to accept the preliminary plat for the Maumee Landing Subdivision, which motion was passed by a unanimous vote of the council members present.

WHEREAS, Olen McMichael has submitted the final plat of the Maumee Landing Subdivision, Phase No. 2 (Lots 16-18) to the Village of Antwerp Planning Commission, as well as to the Village of Antwerp Council, as required by Ordinance No. 94-17, the Village Subdivision Ordinance.

WHEREAS, the Planning Commission recommended that the final plat for Phase No. 2 (Lots 16-18) of the Maumee Landing Subdivision and the infrastructure improvements provided thereon be accepted with the modification that the final coat of asphalt for the streets identified in the final plat be applied no later than one (1) year from the date the Village Council passes an ordinance accepting the final plat of Phase No. 2 of the Maumee Landing Subdivision.

WHEREAS, the final plat has been prepared by a licensed land surveyor, and in accordance with the Subdivision Ordinance, Ordinance No. 94-17, action will be taken by Village Council within thirty (30) days after the submission of the final plat.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

SECTION 1. That the recommendation of the Planning Commission as to the final plat of the Maumee Landing Subdivision, Phase No. 2 (Lots 16-18) to the addition to the Village of Antwerp, Paulding County, Ohio, described in Exhibit A, which is attached hereto and made a part hereof, is hereby approved including the modification thereof that the final coat of asphalt for the streets identified on the final plat be applied no later than one (1) year from the date of the passage of this Ordinance by the Village Council, and that the final plat of the Maumee Landing Subdivision. Phase No. 2 (Lots 16-18) is hereby accepted, subject to the contingencies provided in Section 1 of Ordinance No. 94-16.

SECTION 2. That the Village's engineer shall, upon the written request by the developer herein, inspect the construction of the streets, sewers, water mains, fire hydrants, and other infrastructure improvements identified in the plat and make a determination whether those improvements have been constructed in accordance with the specifications set forth in the approved plat and that such improvements are in good repair, which such findings shall be

Dayton Legal Blank, Inc.		Form No. 3004
Ordinance No.	Passea	, 20
·		
endorsed on the approved plat, and such improvements for public use by the Village.		n acceptance of the
SECTION 3. That all or parts of dr heretofore dedicated are hereby dedicated to are for the construction, operation and mainte and beneath the surface of the ground and,	public use as such, and easement enance of all public and private up	its shown on the plat tility purposes above
and maintenance of service connections to all subject to the streets being constructed in ac Ordinance No. 94-16, said streets identified	adjacent lots and lands and for st cordance with the specifications	orm water drainage, and requirements of
SECTION 4. That none of the lots a all infrastructure improvements, as shown of the Village of Antwerp, Paulding County	n the attached plat, have been con	
SECTION 5. That all requirements Ordinance No. 94-17, including, but not lim adoption of the plat, the dedication of the signature of Village officials concerned with and improvements, and certification by the property involved.	nited to, a notarized certification streets and other public areas, the specifications and inspection of the specifications and inspection of the specifications.	of the owners of the he approval and the of utility installations
SECTION 6. That the Fiscal Office authorized to record the final plat with certification of the Paulding County Recorder recording fees are the responsibility of the control of the contr	the Paulding County Recorder that the plat has been recorded.	and to obtain the
SECTION 7. It is found and determ and relating to the passage of his Ordinance that all deliberations of the Council and of action, were in meetings open to the public	were adopted in an open meeting f any of its committees that resu	of this Council, and ited in such formal
SECTION 8. This Ordinance is her for the immediate preservation of the public further reason that the final plat for the real Village's Subdivision Ordinance and this Ordinance its passage; otherwise, it shall take effective	health, safe y and welfare of the estate must be approved in order dinance shall be in full force an	e Village and for the r to comply with the d effect immediately
law.  Date: 9-8-09 C	Ray DeLong, Mayor	

Exhibit "A

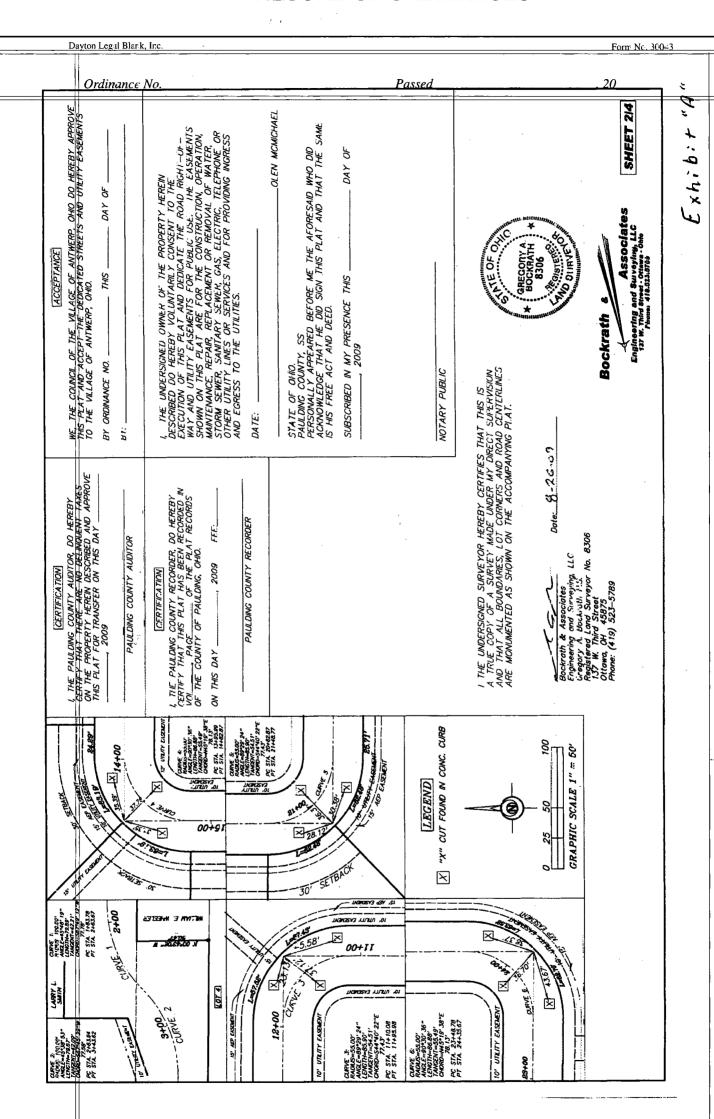
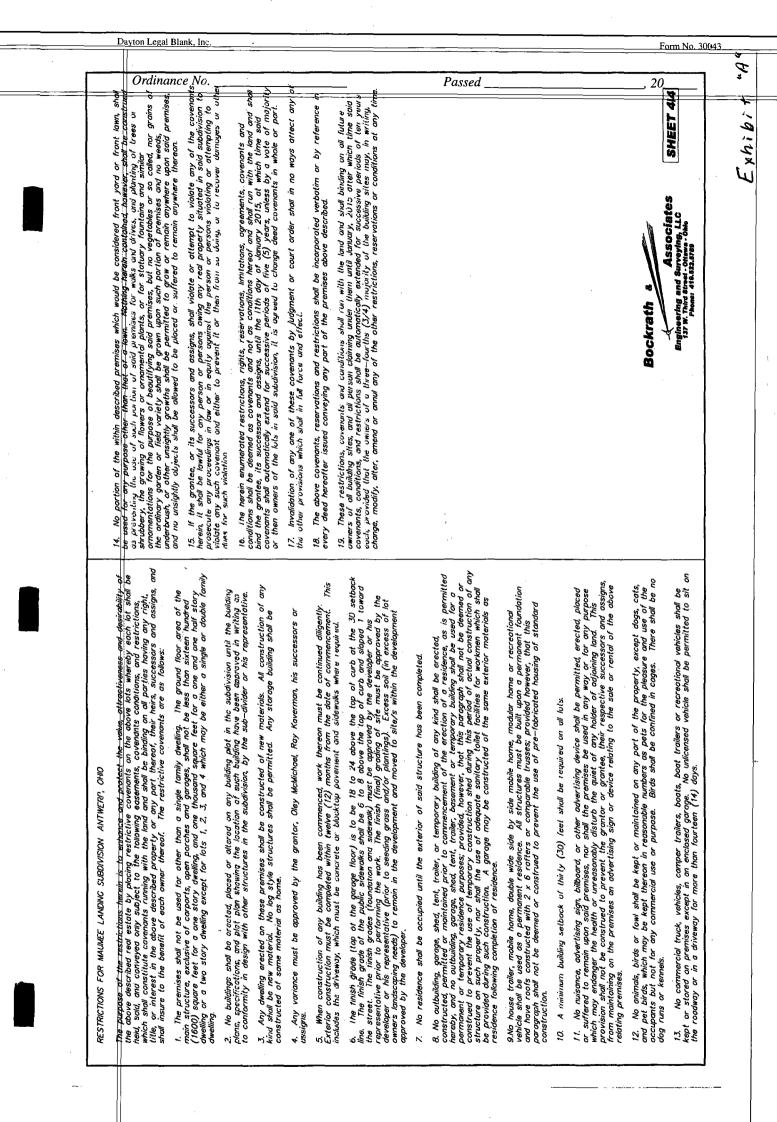


Exhibit "



I	Day on Legal Blank, Inc.		Ferm No. 3C043	
	Ordinance No	Passed	, 20	

#### MAUMEE LANDING SUBDIVISION - PLAT 1 (LOTS 16-18)

Situated as being part of the East Half of Section 23, Town 3 North, Range 1 East, Village of Antwerp, Paulding County, Ohio, also being part of a tract of land as recorded in Official Record Volume 509, Page 1732 of the Deed Records of Paulding County, Ohio and more particularly described as follows:

Beginning at a 5/8 inch rebar found marking the Southeast corner of the Northeast Quarter of Section 28 and the PCINT OF BEGINNING;

Thence North 89°51'06" West along the South line of the Northeast Quarter of Section 28 (also being the North line of Dutchman's Cove Subdivision as recorded in Plat Volume 10, Page 67) a distance of 688.21 feet to a 5/8 inch rebar found marking the Southeast corner of Lot 15A of Maumee Landing Subdivision – Phase 1 as recorded in Plat Volume 10, Page 203 of the Paulding County Record of Plats, passing a 5/8 inch rebar with ID cap set at 265.01 feet and at 415.00 feet;

Thence North 45°19'38" East along the Easterly line of said Lot 15A a distance of 269.47 feet to a 5/8 inch rebar found on the South right-of-way line of Maumee Lane (recorded in Plat Volume 10, Page 203) marking the Northeasterly corner of said Lot 15A, passing a 5/8 inch rebar found at 69.48 feet;

Thence along the said South right-of-way line of Maumee Lane the following three ccurses:

Along a curve to the left having a radius of 80.00 feet, a delta of 44°44'42", an arc length of 62.48 feet, and a chord which bears South 67°02'43" East having a chord distance of 60.90 feet to a point of tangency;

South 89°25'04" East a distance of 200.01 feet to a point of curve, passing a 5/8 inch rebar with ID cap set at 25.71 feet and at 175.71 feet;

Along a curve to the left having a radius of 80.00 feet, a delta of 44°54'07", an arc length of 62.70 feet, and a chord which bears North 68°07'52" East having a chord distance of 61.10 feet to a 5/8 inch rebar with ID cap set.

Thence South 44°19'13" East along a new division a distance of 263.07 feet to the POINT OF BEGINNING, said parcel containing 2 021 acres of land, more or less, of which 0.000 acres consists of the platted right-of-way of Maumee Lane and 2.021 acres consists of platted Lots 16 through 18.

Subject to all legal highways, easements, and restrictions of use whether apparent anc/or of record and is from an actual field survey performed in July, 2009, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath. Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the

to be North 89 degrees 51 minutes 06 seconds West and are for the purpose of angle determination only.

	Duran Land Blanc Inc.	· · · · · · · · · · · · · · · · · · ·	T N 00010
	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No.	Passed	, 20
			PID No. 81458
	<u>Prel</u>	liminary Legislation	
	·	Ordinan	2000-26
			ce # <u>2009 - 26</u> ection: PAU-24-3.59
	The following is an Ordinance	enacted by the Village of	Antwern Ohio
	hereinafter referred to as the Local Pu		
	project.		
•			
	SECTION I - Project Description		
	WHEREAS, the LPA has identified the	need for the described project:	•
	WITEREAS, the LFA has identified the	need for the described project.	•
	This project proposes to reconstruct Riv	ver St. (old US24) from SR49 to the	western park entrance
	dr ve located inside the Village of Ant		-
	concrete pavement and reconstructing		
	Project will also include lighting and str		ed where necessary due
	to reconstructing the pavement. Some s	idewalks will be replaced.	•
	WHEREAS, a portion of described pro	ject is within the Village corporation	n limits.
	NOW THEREFORE, be it ordained by	the Village of Antwern of Par	Iding County Ohio
	THEREFORE, be it oldamed by	the vinage of Antwerp of Fat	sang County, Onto.
	SECTION II - Consent Statement		
	Being in the public interest, the LPA giv	es consent to the Director of Transpo	ertation to complete the
	above described project.	os consent to the Bhoster of Transpe	
	SECTION III - Cooperation Stateme	ent '	
	The LPA shall cooperate with the Dir	ector of Transportation in the above	e described project as
	follows:	color of Transportation in the above	e descritora project as
		•	
	The LPA hereby agrees to pay for the e	•	•
	amount of Federal Highway funds allo		
	hundred percent (100%) of all costs for under Ohio Laws, unless performance i		-
	SECTION IV - Utilities and Right-of	-Way Statement	
	The LPA agrees that all right-of-way	required (if applicable) for the de-	verified project will be
	acquired and/or made available in accor	rdance with current State and Federa	Fregulations The IPA
	also understands that right-of-way cost		a regulations. The LI A
	3		•

on Legal Dizik Inc.		Form No.	. 30043
Ordinance No	Passed	, 20	PID No. 81458
	accommodations, relocations and res FR 65 and the ODOT Utilities Manu		ll comply with
SECTION V - Maintenance		•	
maintenance for the project in limited to, Title 23, U.S. Code. the maintenance of the project	et, and unless otherwise agreed, the I accordance with all applicable state at Section 116; (2) provide ample finant (3) maintain the right-of-way, keeping for public highway purposes.	nd federal law, inc icial provisions, as	luding, but not snecessary, for
SECTION VI - Authority to	Sign		
	Village of Antwerp is here nter into agreements with the Directo project.	· ·	. 11
Passed: <u>Sept.</u> (Date)	8 , 20 <u>09</u> .		
Attestec: <u>Foetla</u> Attestec: <u>Foetla</u> E	Baker (Mayor)	Res >	<u> </u>
Attestec: Justa E	Romala L. (Preside	Facus S	
project(s) and to promote high	nereby declared to be an emergency neway safety. Following appropriate leg pon its passage and approval, otherw st period allowed by law.	sislative action, it s	hall take effect
•			

D	ayton Legal Blank, Inc.	·	<u> </u>	Form No. 30043
-	Ordinance No		Passed	, 20
				PID No. 81458
		CED TETT	TE OF CORY	
		4	TE OF COPY OF OHIO	
		SIAIL	or offic	
V	illage of Antwerp	of <u>Paulding</u>	County, Ohio	
I,	ore Ha Boke	, as Clerk of the V	illage of Antwerp of	Paulding County_, Ohio,
do he	reby certify that the f	oregoing is a true and o	correct copy of ordinan	ce adopted by the legislative
Author	rity of the said <u>Vi</u>	llage of Antwerp of	n the <u>8th</u> day of	<u>Sept</u> , 20,
nroce	e publication of such	n ordinance nas been m eferendum unon such o	lade and certified of rec ordinance have been tal	ord according to law: that no ken; and that such ordinance
certif	ied of publication the	ereof are of record in	2009-26	, Page
	• .	((	Ordinance/Orcinance Record	No.)
IN W	TNESS WHEREO	F I have hereunto sul	oscribed my name and	affixed my official seal, if
applic	able, this 8 + 1	day of	<u>Sept</u> , 20	09.
			P	3. P
ý.			Sportla E	Jake
	(SEAL)		ntwerp of Pauld	ling County, Ohio.
	(II Applicable)	(LPA)		
				roject herein described.
	ror the Villa	(LPA)	Paulding Cou	nty, Ohio
			•	
A ttas	6 1	B	•	
Attes	greas	Bake	8 IP	, Date <u>09/08/200</u> 9
			Contractual Officer (Mayor)	, Daic <u>01/08/200</u> /
	•		ľ	
****	***********	*******	*******	*******
		77 47 6		
		For the Si	tate of Ohio	
•				
		Love Love	Ene M Molitore	(B), Date 9/16/09
		Dire	ector, Ohio Department of Tra	ansportation
Attes	-			. •
	] , 			
Rev. 6	/26/00		3	
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	H			•

R 2009-10

#### 0 0 3 6 RESOLUTION ACCESTING THE COMMISSION AND AUTHORIZING THE ETERMINED BY THE BUDGET ND CERTIFYING THEM TO THE

	(Village Council)	by emera	jeney
Dayton Legal Blank Inc. Rev	vised Code, Secs. 5705.34,	35	Form No. 30043
The Council of the Village of Antwerp session on the 3/51 day of with the following members present:	Pas Paulding Co.	unty, Ohio, met in	, 20 cg v lar c of Antwe
SEP 2 2 2009  AUDITOR FAULDING COUNTY		Karen Larry Jan Mike Ron F	Ryan
WHEREAS, This Council in accordance we for the next succeeding fiscal year comme  WHEREAS, The Budget Commission of P together with an estimate by the County Air and what part thereof is without, and what	eith the provisions of law hat ancing January 1 <sup>st</sup> , 2010; as a audding County, Ohio, has auditor of the rate of each ta	as previously adop and certifed its action ax necessary to be	n thereon to this Council e levied by this Council,
RESOLVEC, By the Council of the Village amounts and rates, as determined by the laccepted; and be it further	of Antwerp	, Paulding Cou	nty, Ohio, that the
RESOLVED, That there be and is hereby necessary to be levied within and without to	·		e rate of each tax

#### **SCHEDULE A**

#### Summary of Amounts Required From General Property Tax Approved By **Budget Commission and County Auditor's Estimated Tax Rates**

Total	\$32721.	\$156,212.	1.80		12.80
2005 Current Expense		17256.			1.00
2004 POLICE		32523.			2.00
2008 FIRE & EMS Levy		17793.			1.00
2006 Cemetery		13805.			.80
1986 EMS _evy		5176.		·	.50
1984 Police Levy		56927.			5.50
1976 FIRE Levy		12732.			2.00
General Fund	\$32721.		1.80		
	Columr I	Column II	[]]	IV	
			Limit	Limit	
	Limitation	Limitation	10 Mi!l	10 Mill	
Fund	Inside 10 Mill	10 Mill	Inside	Outside	
	Commission	Levies Outside	Rate To B	le Levied	
	By Budget	Derived From	Estimate Of Tax		
	Amount Approved	Amount To Be	County Auditor's		

\$14,252,190.

Ag/Res

3,168,360.

Com/In

<u>757,823.</u>

 ${\bf PP}$ 

18,178,373.

Total

Schedule B

# Levies Culate COR DINANCE Svies

Fund Ordinance No	2.00 5.50	\$56927
Special Revenue Funds:  1976 EMS levy authorized by voters on 11-05-85 for not to exceed CONT years.  1984 POLICE Levy authorized by voters on 05-08-34 for not to exceed CONT. years  1986 EMS Levy authorized by voters on 11-04-86 For not to exceed CONT. years  2006 Cemetery Levy authorized by voters on 11-06-07	2.00 5.50	**Column II) \$12732 \$56927
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1986 EMS Levy authorized by voters on 11-04-86 For not to exceed CONT. years  2006 Cemetery Levy authorized by voters on 11-06-07		
For not to exceed CONT. years  2006 Cemetery Levy authorized by voters on 11-06-07		
For not to exceed CONT. years  2006 Cemetery Levy authorized by voters on 11-06-07		
2006 Cemetery Levy authorized by voters on 11-06-07	.80	\$13805
	.80	\$13805
for not to exceed 5 years.		
2008 FIRE & EMS Levy authorized by voters on 11-05-02	1.00	\$17793
for not to exceed 5 years.		
2004 POLICE Levy authorized by voters on 03-C2-G4	2.00	\$32523
for not to exceed 5 years.	2.00	70202
	<del></del>	
2005 CURRENT EXPENSE Levy authorized by voters on 11-08-05	1.00	\$17256
for not to exceed 5 years.	. *	

Attest:

and be it further

Soutta Baker Clerk of Council

President of Council

3	Dayton Legal Blank, Inc.			Form No. 30043	
	Ordinance No	· · · · · · · · · · · · · · · · · · ·	Passed	, 20	

### RESOLUTION NO. 2009- //

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE WEST SIDE OF LOT 16 PT, BLOCK C IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1204S00700); AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 16 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1204S00700) on the west side of such Lot, commonly known as 414 North Main Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 16 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12C450C700) on the west side of such Lot, commonly known as 414 North Main Street, Antwerp, Ohio, said Lot owned by Secretary of Housing and Urban Development of 3 Advantage Court, Bordentown, New Jersey 08505.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 16 PT, BLOCK C, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCELID #1204S00700, COMMONLY KNOWN AS 414 NORTH MAIN STREET, ANTWERP, OHIO.

<u>Section 3</u>. That the owners of said lot and land, Secretary of Housing and Urban Development, shall construct and/or repair the sidewalk located on the west side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

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 Ordinance No.	Passed	, 20

Section 4. That the sidewalk shall be constructed and/or repaired by Secretary of Housing and Urban Development as the owners of the property located at 414 North Main Street, Antwerp, Ohio 45313, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Secretary of Housing and Urban Development in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Secretary of Housing and Urban Development in accordance with the plans and specifications and within the time prescribed in this resolution, the Village of Antwerp will so construct and/or repair the sidewalk and assess the costs thereof against the lots and lands abutting such sidewalk.

Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of having all the sidewalks along Main Street repaired and/or constructed for the well being and safety of the residents and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 21 day of September, 2009.

Ray DeLong, Mayor Village of Antwerp

Attest

Foutla Baker
Loretta Baker, Fiscal Officer

Ordinance No	Dayton Legal Blank, Inc.		Form No. 30043	
		Passed		

## ORDINANCE No. 2009- 27

AN ORDINANCE AMENDING ORDINANCE NO. 2000-08, SAID ORDINANCE PROVIDING FOR THE DEMOLITION OF INSECURE AND UNSAFE BUILDINGS LOCATED IN THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an ordinance establishing the procedures for the demolition of insecure and unsafe buildings located in the Village of Antwerp, Ohio, said ordinance designated as Ordinance No. 2000-08, and passed by an emergency vote of the Council of the Village of Antwerp, Ohio, on February 29, 2000; and

WHEREAS, the Council, in order to amend certain procedures in determining the insecure unsafe nature of buildings in the Village of Antwerp, Ohio as provided in Ordinance No. 2000 hereby amends Ordinance No. 2000-08 as further set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. That Ordinance No. 2000-08 is amended to read as follows:

WHEREAS, the Council of the Village of Antwerp, Paulding County, Ohio, has observed the existence of certain buildings and structures within the Village in such an advanced state of disrepair as to endanger the health, safety and welfare of the citizens of the community and determined that legislation is necessary to abate the nuisance thereby permitted to exist by certain property owners.

NOW, THEREFORE, be it ordained by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. No owner of a building, dwelling or structure within the boundaries of the Village of Antwerp, Ohio, shall permit the same to remain in such an advanced state of disrepair as to endanger the health, safety and welfare of the citizens of the community or as to be a public nuisance by reason of its condition.

Section 2. The Village of Antwerp Chief of Police shall have free access at any reasonable hour upon showing appropriate identification when a building is excupied, to make inspection, examination, and survey of any building, dwelling or structure located within the Village of Antwerp, where the Chief of Police has probable cause to believe the building, dwelling or structure is unsafe, insecure, structurally defective or in an unhealthful, unsanitary condition, and thereby dangerous to the citizens of the Village of Antwerp, Ohio.

Section 3. Upon a determination by the Chief of Police of the Village of Antwerp that any building, dwelling or structure is in such an advanced state of disrepair by reason of defective or inadequate plumbing or sanitary facilities or faulty or defective electrical wiring; accumulation of debris, filth, rubbish or garbage;

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general deterioration of the structure by reason of age, neglect, exposure to the elements or vandalism; partial damage to the structure by reason of deterioration or damage to the foundation; or any combination of these deficiencies so as to endanger the health, safety and welfare of the public creating a public nuisance, the Chief of Police shall give written notice, by certified mail, to the holders of legal or equitable liens of record upon the real property on which such building, dwelling or structure is located and to the owners of record of such property at the last known address of said lienholders and owners, directing them to effect the repairs necessary to put the building, dwelling or structure in a reasonably safe condition within thirty (30) days of the receipt of such notice, or if any of the lienholders or owners are unknown and cannot be located, by publishing a notice in a newspaper of general circulation in the Village of Antwerp for a period of not less than two (2) consecutive weeks, notifying said lienholders and/or owners to effect such repairs as are necessary to put the building in a reasonably safe condition within thirty (30) days of the second notice. No repairs shall be made unless requirements of applicable governmental building and/or zoning codes are complied with in making the repairs. In making the determination whether a building, dwelling or structure creates a public nuisance under this Section, the Chief of Police may utilize the services of a building inspector, building and/or demolition contractor or other suitable person.

Section 4. Within thirty (30) days after the receipt of such notice or the last publication of the same in a newspaper, as provided herein, the owner may appeal in writing to the Council of the Village of Antwerp, Ohio the finding by the Chief of Police that any such building, dwelling or structure is in such an advanced state of disrepair as to endanger the health, safety and welfare of the public.

Section 5. Upon receipt of written appeal as provided for in Section 4 hereof, Council shall set the matter for hearing within thirty (30) days after receiving said notice of appeal and the owner shall have an opportunity to appear before the Council and to present evidence that the building, dwelling or structure in not in such an advanced state of disrepair for any of the reasons set forth in Section 3 of this Ordinance as to endanger the health, safety and welfare of the public, therefore not creating a public nuisance.

Section 6. If no appeal is filed from the finding of the Chief of Police within the thirty (30) day period referenced in Section 4 of this Ordinance or if the Council affirms the findings of the Chief of Police and determines the building, dwelling or structure involved to be a public nuisance, Council shall order the Village Administrator to advertise for bids for the demolition and removal of the building, dwelling or structure (unless demolition cost does not exceed \$25,000.00) in accordance with requirements of all applicable governmental building and/or zoning codes. In the event Council is apprised that the owner has appealed its determination to the proper state court, then all proceedings shall be stayed pending final determination by the proper state court and appellate courts.

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Section 7. That all charges, costs and expenses arising out of or connected with the demolition and removal of any insecure, unsafe or unhealthful building, dwelling or structure pursuant to this Ordinance, shall be paid by the owner of the premises upon which any such building, dwelling or structure is situated, within ninety (90) days after the demolition or removal thereof as provided for in this Ordinance, and if not paid within said ninety (90) day period, the Fiscal Officer of the Village of Antwerp shall certify to the Auditor of Paulding County, Ohio, the total costs of such demolition or removal, and the County Auditor shall place the costs on the tax list and duplicate of the property, with the interest and penalties allowed by law, and be collected as other taxes pursuant to Section 715.261(B)(1) of the Ohio Revised Code.

Section 8. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

**Section 9.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public safety, health, peace and welfare, by reason of the fact that the demolition of insecure, unsafe and unhealthful buildings and structures will prevent possible injury to the citizens of this community, as well as eliminate the existence of conditions conducive for the growth of contagious, malignant and infectious diseases and shall therefore become effective immediately upon its passage.

Section 10. Previous Ordinances and Rules of the Village that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 2. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village in that it is necessary to amend Ordinance No. 2000-08 regarding the demolition and removal of any insecure, unsafe or unhealthful building, dwelling or structure located in the Village of Antwerp, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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		Ordinance No.		. ·	Passed		_, 20	
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-		DACCED	this 19th day	of Catabar 20	· •			
		PASSED	uns <u>· · · · · · · · · · · · · · · · · · ·</u>	of Cetober, 20	09.	٨		
					Kombi f. J Mayor, Village	of Antwerp	<del></del>	
					Council +	President	as Acting	g maye
	A	TEST:						
		Loutta	Baker					
	Fi	scal Officer, V	illage of Antwe	rp				
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Dayton Legal Blank, Inc.		
		Form Na. 30043
Ordinance No.	Passed	, 20
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#### **ORDINANCE NO. 2009-28**

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00 AND DECLARE THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Chio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

Section 2. This ordinance is necessary to provide for the operating funds for the Police department of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the Police department necessary for the well being of the residents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

	Dayten Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	. 20
Date			
May	or of the Village of Antwerp Council	Pres as acti	ng Mayor
Atte Fisc	st: al Officer: Southa Baker		

j	Dayton Legal Blank, Inc.		Form No. 30043	
=	Ordinance No.	Passed	, 20	
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ORDINANCE NO. 2009 - 29

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND TO PAY A PORTION OF THE COST OF CONSTRUCTING, FURNISHING AND EQUIPPING AN EMERGENCY MEDICAL SERVICE BUILDING AND IMPROVING ITS SITE, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohic:

Section 1. A Note in the principal amount of \$39,020 39 shall be issued in anticipation of issuance of bond for the purpose of paying a portion of the cost of constructing, furnishing and equipping an emergency medical service building and improving its site with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear an interest rate not exceeding 4% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and

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Bayton Began Brank, Inc.		TWINTING 20012
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- II	ote a preliminary and final official connection with the sale and deliver	
Section 7. The Mayor and Fiscal Of the Note on behalf of said Village.	fficer of said Village are hereby autho	orized to sign and execute
relating to the passage of this Ordina all deliberations of the Council and were in meetings open to the public, ordinances and any applicable prov	ined that all formal actions of the ence were adopted in an open meeting of any of its committees that resulte in compliance with all legal requirent isions of Section 121.22 of the Ohic	of this Council, and that ad in such formal action, nents including all lawful Revised Code.
immediate preservation of the publi reason that the Village is in immedi emergency medical services to the	by declared to be an emergency made health, safety and welfare of the V ate need of an emergency medical seresidents, and this Ordinance shall be wise, it shall take effect and be in force	illage and for the further rvice building to provide e in full force and effect
Date: 10-19-09		
Attest:		SUNCII President as Acting Mayor
Loretta Baker, Fiscal Officer		

_1	Dayton Legal Blank, Inc		Form No. 30043	
,	Ordinance No.	Passed	, 20	
		,		

# ORDINANCE NO. 2009-30

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A COLLECTION SERVICES AGREEMENT WITH GENERAL AUDIT CORPORATION, D/B/A KEYBRIDGE MEDICAL REVENUE MANAGEMENT; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwer's Emergency Medical Services ("EMS") has been attempting to collect past due accourts for the provision of emergency medical services; and

WHEREAS, the EMS believes that a collection services agency will be able to assist the EMS in collecting the past due accounts for the provision of emergency medical services; and

WHEREAS, General Audit Corporation, d/b/a KeyBridge Medical Revenue Management ("KeyBridge"), by way of a Collection Services Agreement, will assist the EMS in attempting to collect the past due accounts for the provisions of emergency medical services, based on a contingency fee arrangement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into the Collection Services Agreement with KeyBridge in order for KeyBridge to assist the EMS in attempting to collect the past due accounts for the provision of emergency medical services. A copy of the Collection Services Agreement is attached hereto and incorporated herein by reference

Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all celiberations of the Council and of any of its committees that result in such formal action, were in meetings open to the public, in compliance with all legal requirements.

This Ordinance is hereby declared to be an emergency measure necessary for the Section 3. immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of obtaining the revenue that may be collectible on the past due accounts for the provision of emergency medical services and in order to attain the professional collection services of KeyBridge, the Agreement must be executed in order to allow the collection of these past due accounts to commence immediately, and this Ordinance shall be in force Rowled I favored

Mayor, Village of Antwerp

Row Farnsworth Coone !

President

as acting

Mayor and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed: 10 - 19 , 2009.

Attest:

P:\MLF\Antwerp\Ordinance\2009\KeyBrid.ze-Antwerp EMS Agreement.rev.wpd.1

	ayton Legal Blank, Inc.
	Ordinance No
	KeyBridge Medical Revenue Management
GENERAL AU	TION SERVICES AGREEMENT (this "Agreement") is made and entered into by and between ANTWERP EMS ("Clien") and DIT CORPORATION DBA KEYBRIDGE MEDICAL REVENUE MANAGEMENT ("KeyBridge") as of the date of execution of by a duly authorized representative of KeyBridge (the "Effective Date").
In consideration	n of the mutual promises, covenants and agreements contained in this Agreement, the parties agree as follows:
1. <u>SER</u>	VICES .
"Servi time b under terms	hereby agrees to place certain accounts of Client with KeyBridge and engages KeyBridge to perform for Client the services (the ces") set forth on the Collection Services Addendum to this Agreement, as amended, restated or otherwise modified from time to the mutual written agreement of Client and KeyBridge (the "Addendum") with respect to Client's accounts placed with KeyBridge his Agreement (each an "Account" and collectively, the "Accounts"), and KeyBridge hereby accepts such engagement subject to the of this Agreement. In connection with performance of the Services, Client hereby authorizes KeyBridge to indorse in Client's name posit and collection all payments received on the Accounts.
during date t KeyB	count Profile, setting forth certain estimates and information relating to the accounts that Client intends to place with KeyBridge of the Term of this Agreement appears on the Addendum. An account of Client shall be deemed to be placed with KeyBridge on the lat KeyBridge enters such account into its computerized collection system. An account of Client shall cease to be placed with radge (and upon Client's written request, shall be returned to Client) when such account is: (a) paid in full; (b) placed with KeyEridge and Client notifies KeyBridge in writing of such error; and/or (c) closed by KeyBridge.
2. <u>CLI</u>	ENT RESPONSIBILITIES AND OBLIGATIONS
2.1	Requests by KeyBridge; Information. Client shall cooperate with KeyBridge to fulfill all requests made to Client by KeyBridge and deemed by KeyBridge, in its sole discretion, to be necessary or appropriate in performing KeyBridge's obligations under this Agreement, and shall provide to KeyBridge in the format requested by KeyBridge any and all information necessary to enable KeyBridge to perform the Services anc/or requested by KeyBridge. As part of such responsibility, Client shall provide to KeyBridge in the format requested by KeyBridge:
	(a) All billing and previous paymen: information deemed by KeyBridge to be necessary or appropriate in performing the Services;
	(b) Access to requested itemized bills and signature verifications;
	(c) Notification of Client's receipt of a payment related to any Account within five (5) business days after Client's receipt of any such payment;
<i>;</i>	(d) Status reports or updates on any Account upon Client acquiring information relevant to KeyBridge's performance of the Services, such as bankruptcy filings or changes of address or employment related to any Account; and
	(e) Such additional items or information set forth on the Addendum.
2.2	Accuracy of Information. Client covenants to KeyBridge that all information provided to KeyBridge by Client shall be accurate and complete, and Client recognizes and agrees that KeyBridge has no obligation to review or verify such information for accuracy or completeness and shall have no responsibility with respect to the accuracy or completeness of such information.
2.3	Notice of Restrictions; Special Instructions. At the time any information is provided to KeyBridge by Client or any account is placed with KeyBridge by Client, Client shall notify KeyBridge in writing of any and all:
	(a) Restrictions (legal or otherwise) on such information or account(s), including all restrictions (if any) on such information or account(s) in connection with the Health Insurance Portability and Accountability Act of 1996, as amenced, and all regulations promulgated thereunder ("HIPAA"); and
_	(b) Special instructions to be followed by KeyBridge in providing the Services (such as, for example, listings of specific persons who are to be excluded from follow-up services due to their "VIP" status or for any other unspecified reasons).

Notices of Information Practices. Client covenants that the Services to be performed by KeyBridge under this Agreement are consistent with the notice of information practices provided to Client's patients, if any.

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- 2.5 <u>Cessation of Client Collection Activities.</u> During the period an account is placed with KeyBridge under this Agreement, Client shall cease, and cause the cessation of, all collection activity with respect such account by Client or any third parties.
- 2.6 Referral of Payment Contacts to KeyBridge. Client shall direct all persons contacting Client with respect to any Account to KeyBridge in lieu of making payment arrangements directly with such person(s).
- 2.7 <u>Taxes</u>. All taxes and other levies in the nature of sales, use cr excise taxes resulting from the Services provided to Client hereunder shall be the sole responsibility of Client and shall be paid by Client directly
- 2.8 Additional Client Responsibilities and Obligations. Client hereby undertakes the additional obligations and makes covenants set forth on the Addendum.

#### 3. FEES

- 3.1 Fees. As compensation for KeyBridge performance of the Services, for each Account, Client shall pay to KeyBridge a contingency fee equal to the percentage of Gross Collections on such Account as set forth on the Addendum. Such contingency fee shall include all costs associated with the development of the account interface. No contingency fees will be charged on Accounts for which collections are not received. KeyBridge may deduct its contingency fees prior to remittance of amounts to be returned to Client under this Agreement. "Gross Collections" with respect to each Account shall mean all amounts collected on an Account, excluding post-collection interest earned via KeyBridge trust or other bank accounts and/or judgment interest, if any which shall be retained by KeyBridge.
- 23.2 Paymen: Terms. Client shall pay to KeyBridge, within thirty (30) days from the date an invoice is delivered to Client, all amounts due and payable to KeyBridge under this Agreement. Any amount due and payable to KeyBridge under this Agreement and not paid within thirty (30) days from the date an invoice is delivered to Client shall be delinquent and will bear interest at the lesser of one and one-half percent (1 ½%) per month or the maximum monthly rate a lowed by applicable law.

#### 3.3 Accounts Referred For Legal Action.

- (a) If Client authorizes KeyBridge to refer an Account to an attorney for legal action and KeyBridge so refers the Account, in addition to the contingency fee paid by Client, for each Account referred to an attorney for legal action Client shall advance to KeyBridge a deposit of \$40.00 for court costs prior to initiation of the legal action. All court costs exceeding \$40.00 shall be advanced by KeyBridge. An amount of Gross Collections equal to the aggregate advances for court costs made by Client and KeyBridge with respect to an Account described in this Section 3.3(a) shall be set aside and at the time for reimbursement set forth in Section 3.3(c), such amount set aside shall be applied first to reimburse Client at the time for related to such Account and then to reimburse KeyBridge for amounts, if any, advanced by KeyBridge for court costs related to such Account.
- (b) If the debtor on an Account is also the debtor on other accounts placed with KeyBridge by other clients of KeyBridge, Client and such other clients of KeyBridge may agree to, as permitted by and in accordance with applicable law, assign their respective accounts to KeyBridge so that a single action against the debtor on all such accounts may be made in the name of KeyBridge. In such event, Client shall pay to KeyBridge its share of a deposit of \$70.00 (the amount of such share shall be determined by KeyBridge, but shall not exceed \$35.00) for court costs prior to initiat on of such legal action in the name of KeyBridge. All court costs exceeding \$70.00 shall be advanced by KeyBridge. An amount of Gross Collections equal to the aggregate advances for court costs made by Client and KeyBridge with respect to an Account described in this Section 3.3(b) shall be set aside and at the time for reimbursement set forth in Section 3.3(c), such amount set aside shall be applied first to reimburse the share of the \$70.00 deposit advanced by Client related to such Account and then to reimburse KeyBridge for amounts, if any, advanced by KeyBridge for court costs related to such Account.
- (c) Reimbursement of any deposit made by Client under this Section 3.3 or for any court costs advanced by KeyBridge with respect to an Account shall occur after application of Gross Collections (other than amounts set aside under Sections 3.3(a) or 3.3(b)) to the balance of such Account.
- (d) The parties do not intend for KeyBridge to receive a contingency fee on amounts to be applied to the reimbursement of court cost advances and therefore, for the purpose of calculating KeyBridge contingency fee on an Account cescribed in this Section 3.3, Gross Collections shall not include amounts set aside for reimbursement of any deposit made by Client under this Section 3.3 or for any court costs advanced by KeyBridge with respect to such Account.

#### 4. <u>INITIAL TERM, RENEWALS AND TERMINATIONS</u>

4.1 Term. The term of this Agreement shall initially be the one (1) year period following the Effective Date (the "Initial Term") and shall automatically renew for additional one-year periods unless either party delivers to the other written notice of termination of

	Da	yton Legal Blank, Inc From No. 30043
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		this Agreement at least ninety (90) days prior to the then-current expiration date of this Agreement. The Initial Term and all renewals thereof may be referred to in this Agreement as the "Term".
	4.2	Termination. After the Initial Term, this Agreement may be terminated by either party, with or without cause, upon ninety (90) days prior written notice to the other.
	4.3	Breach. Either party may terminate this Agreement upon any breach by the other party (a) of Article 5 of this Agreement or (b) of any other covenant, term or condition of this Agreement where the other party fails to cure such breach within ten (10) business days after receipt of written notice of such breach from the non-breaching party.
	4.4	Post-Termination Relationship. In the event that this Agreement is terminated, regardless of the reason for such termination, KeyBridge shall be entitled to receive any fees earned or accrued which remain unpaid at the time of termination. Additionally, KeyBridge, at its option, may continue performing the Services with respect to the Accounts placed with KeyBridge on or before the date of termination. As compensation for KeyBridge performance of such Services, Client shall pay to KeyBridge fees based on the terms set forth on the Addendum in accordance with the terms of Article 3 of this Agreement. If Client requires the return to Client of any Accounts existing on the date of termination. Client shall pay to KeyBridge a processing fee equal to 5% of the remaining balance on all such Accounts.
	4.5	Finality of Accounting to Client. On or before the 15th day of each month during the Term, KeyBridge will furnish Client with a statement indicating Gross Collections and fees under this Agreement with respect to each Account for which collection or partial collection was made during the preceding month. Client shall examine each such statement and raise any objections to the statement, in writing, within thirty (30) days after the receipt of such statement. Client's failure to so object to such statement shall be deemed a full and final acceptance by Client of KeyBridge's accounting for the month at issue.
5.	CON	FIDENTIALITY
	5.1	Confidentiality of KeyBridge Information. Client acknowledges that the systems and procedures employed by KeyBridge in providing the services are confidential and the sole property of KeyBridge. Client shall not disclose to any person or entity other than KeyBridge any information it receives concerning such systems and procedures, KeyBridge's business practices or other secrets or confidential information of KeyBridge.
	5.2	Confidentiality of Client Information. KeyBridge shall not disclose to any person or entity not affiliated with KeyBridge (other than KeyBridge's advisors) any information not generally available to the public about Client, and/or if applicable, any of Client's patients, received by KeyBridge in the course of providing the Services, except as required to provide the Services, or as otherwise required by law. Notwithstanding the preceding sentence, Client agrees that KeyBridge may use Client information for statistical compilation purposes so long as Client and/or patient/debter (if applicable), identifying information is kept confidential in accordance with applicable law.
	5.3	Confidentiality of Agreement Terms. Without KeyBridge's prior written consent, Client shall not in any manner or form disclose, provide or otherwise make available to any third parties, in whole or in part, this Agreement or any term hereof.
	5.4	HIPAA. If KeyBridge, under the terms of this Agreement, is a "Business Associate" of Client as defined under HIPAA, KeyBridge will comply with all of the requirements of HIPAA described in the Business Associates Addendum to this Agreement (if any).
6.	DISC	LAIMER OF WARRANTIES
	COLL	RIDGE HAS NOT, DOES NOT, AND WILL NOT REPRESENT(ED), WARRANT(ED), OR GUARANTEE(D) THE ECTION OR TIMING OF ANY COLLECTION OF ANY ACCOUNTS PLACED WITH KEYBRIDGE UNDER THIS EMENT.
7.	LIM	TATION OF LIABILITY
	paid to	idge's liability for damages (if any) arising out of or it connection with this Agreement will not exceed the aggregate fees actually KeyBridge by Client for the Services, and in no event shall KeyBridge be liable in connection with this Agreement to any person profits or other incidental, special, or consequential damages under any circumstances. Further, KeyBridge shall not in any way be any person for the uncollectability of any Accounts.
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e NON	INDUCEMENT			
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of the o	cther, either directly or indirectly, on divert or hire away, any person emp	eriod following the Term, neither KeyBi its own behalf or in the service or on be loyed by the other, whether or not such int is pursuant to a written agreement, for	half of others, solicit, divert or hire av person is a full-time, part-time or ten	vay, or attempt to
9. <u>ACCI</u>	ESS TO BOOKS, DOCUMENT	S AND RECORDS		
Agreer years a Depart author this Ag Service twelve (4) year	ment is \$10,000 or more over a twelvarier the furnishing by KeyBridge of training the Health and Human Services ized representative of the Secretary of greement and all books, documents a es; and (b) if KeyBridge carries out the [12] month period, with a related or are after the furnishing of the service by the Secretary or the Comptroller	the Social Security Act is applicable ve (12) month period, and only in such the Services under this Agreement, upon the "Secretary") or the United States of the Comptroller, KeyBridge will make and records of KeyBridge that are necessed duties of this Agreement through a subganization, such subcontract shall contained pursuant to such subcontract, the region of any duly authorized representative organization that are necessary to verify the	circumstances, then: (a) until the exponentiation of the Secretary of Comptroller General (the "Comptrol available to the Secretary or the Comptrol start to certify the nature and extent becontract with a value or cost of \$10,0 in a clause to the effect that, until the elated organization shall make available the Secretary or the Comptroller, the	tration of four (4) the United States ler"), or any duly ptroller, a copy of cf the cost of the CO or more over a expiration of four ble, upon written
10. <b>MISC</b>	CELLANEOUS			
10.1	KeyBridge has in its sole discretion	ling any other provision of this Agreer deemed uncollectible and KeyBridge shaccount shall cease to be placed with Key	all return the same to Client. Upon K	any Account that cyBridge's return
10.2	other circumstances or events occur applicable law, not feasible or unec this Agreement. If Client and Keyl after receipt of a request for reneg	n. If any change in any law applicable or(s) which KeyBridge in good faith de conomical, then the parties shall immedia Bridge fail to reach a renegotiated agree octiation given under this Section, the prior written notice to the other party or so	etermines to render this Agreement in ately and in good faith renegotiate the ment satisfactory to both parties with party requesting such renegotiation in	n violation of any relevant terms of in thirty (30) days
10.3	constitute the entire agreement between	is Agreement, the Addendum and the Boveen the parties with respect to the subjectween Client and KeyBridge and candege.	ect matter hereof and supersede all price	or written and ora
10.4	No Waiver. All rights of KeyBridg Agreement will not adversely affor subsequent breach or threatened bre	ge hereunder are cumulative. The non-ect KeyBridge's subsequent exercise of ach.	exercise or waiver of any right by Key of the same right or any other right	Bridge under thi
10.5	Notices. Any notices to be given delivered to	under this Agreement shall be in writ	ting and will be effective on date of	receipt if sent of
If to KeyBridge		If to Client:		
Scott Koenig, P KeyBridge Med 2348 Baton Rou	ical Revenue Management	Darlene Merriman Antwerp EMS Antwerp, OH 45813		
Lima. OH 4586	_	interiorp, Ott 10012		11 .

With a copy to:

With a copy to:

Mary A. Lee
Director of Administrative Services
KeyBridge Mecical Revenue Management
2348 Baton Rouge Ave
Lima, OH 45805

Melanie L. Farr Haller & Colvin, P.C. 444 East Main Street Fort Wayne IN 46802

Or, in either case to such other address or individual as the party to be notified may, by proper notice hereunder, have directed.

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	10.6	Independent Contractor Status. KeyBridge shall perfo employee, agent, partner or joint venturer with Client. K offices.			
	10.7	Severability. If any provision of this Agreement, or portiforce and effect.	on thereof, is declared invalid, the	he remaining provisions will remain in ful	ı
	10.8	Assignment. This Agreement is binding upon, irures to legal representatives, permitted assigns and successors. Client without the written consent of KeyBridge.			
	10.9	Governing Law; Construction. This Agreement is made laws of the State of Ohio This Agreement has been reand any ambiguities in the construction of this Agreeme Agreement. Headings appear in this Agreement solely Agreement or a modification or limitation on the text of the solution of t	viewed by and is entered into be nt shall not be construed agains for convenience of reference a	etween competent and experienced parties t any particular party as the drafter of this and shall not be construed as part of this	\$
	10.10	Authorization. KeyBridge and Client each represent as behalf to be duly authorized by appropriate corporate a Client, as the case may be.			
	10.11	Insurance. At all times during the term of this Agreemen insurance and insurance against theft by employees.	t, KeyBridge agrees to maintain	in full force and effect errors and omission	1
	10.12	<u>Time</u> . Time is of the essence with respect to this Agreem	ent.		
	10.13	Survival. Articles 3, 5 and 11 of this Agreement shall sur	rvive the termination of this Agre	eement.	
11.	INDE	MNIFICATION	et e		
	velunte includi by KeyBr KeyBr paid in incur to omission involve breach unfair	idge hereby covenants and agrees to indemnify and notice ers and permitted assigns, from and against all penaltieing, but not limited to, any reasonable attorney's fees, that Bridge's breach of its obligations or covenants under the idge or KeyBridge's employees in performing the Servicidge, its officers, directors, partners, successors and permit settlement, losses and expenses including, but not limited the extent the same are (a) caused by Client's breach of ons or willful miscenduct of Client or Client's employeed in the provision of healthcare or healthcare billing seed or otherwise failed in its charity care, charitable trust or otherwise improper charges to an uninsured or under are services and/or made charges to an uninsured or under	s, fines, damages, costs, amoun any of the foregoing may suffer is Agreement or the negligent a tes. Client hereby covenants at tted assigns, from and against all to, any reasonable attorney's ferits obligations or covenants under or agents and/or (b) if Client ervices, related to claims or alle or other similar obligations, mainsured person or improperly or	ts paid in settlement, losses and expenses or incur to the extent the same are caused acts or omissions or willful misconduct on agrees to indemnify and hold harmless and penalties, fines, damages, costs, amounties, that any of the foregoing may suffer or der this Agreement or the negligent acts of or any of its affiliates are in any manner egations that Client or any of its affiliates de excessive, undiscounted, unreasonable runfairly attempted to collect charges for	S-1-1-5 S t t-1-5-5
IN WITH	NESS W	HEREOF, the parties hereto have executed this Agreemer	at in duplicate as of the Effective	Date.	
ANTWE	RP EM	s	KEYBRIDGE MEDICAL RE	VENUE MANAGEMENT	
By: Si	Source of the second	De Long	By: Signature		
Name:	Ray I	Detong	Name:	·	
Title: 💆	1.1149	e Mayor 20/2009	Title:	· · ·	
Date:	10/0	20/2009	Date:		

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#### COLLECTION SERVICES ADDENDUM

THIS COLLECTION SERVICES ADDENDUM (this "Addendum") is part of the Collection Services Agreement attached hereto (the "Agreement") made and entered into by and between ANTWERP EMS ("Client"), and KEYBRIDGE MEDICAL REVENUE MANAGEMENT ("KeyBridge"), and is subject to all of the terms and conditions contained therein. Unless defined in this Addendum, capitalized terms used herein shall have the respective meaning ascribed to such terms in the Agreement.

(1) <u>SERVICES</u>. The Services to be performed by KeyBridge for Client pursuant to the Agreement are set forth in this Section 1:

KeyBridge shall seek to obtain collection of the Accounts through specific follow-up, tracking, rebilling and customary collection activities, and will, with respect to the Accounts:

- (a) Develop account and payment interfaces from files created by Client;
- (b) Send notices and make regular telephone attempts to collect the Accounts, as required and in accordance with applicable law;
- (c) Prepare and send to Client periodic reports as an acknowledgement of account placement;
- (d) Prepare and send to Client a monthly statement indicating Gross Collections received for the previous month, along with a check in an amount equal to such Gross Collections due Client, less any amounts KeyBridge is entitled to retain under the Agreement, and/or an invoice for the amount due KeyBridge under the Agreement, as the case may be;
- (e) Report the Accounts to credit bureaus on a monthly basis, including updated balances;
- (f) Refer specific Accounts to an attorney for legal action or to an out-of-state ACA affiliated collection agency, if KeyBridge determines that such action is necessary or advisable for collection and, with respect to referrals to attorneys, Client approves of the referral of the specific Account at issue;
- (g) Skip trace the Accounts that have inaccurate demographic or telephone information; and
- (h) Monitor debtor payment schedules for timely receipt of funds.

### (2) ACCOUNTS.

(a) Minimum Balance. Accounts must be a minimum of \$5.00 with an aggregate total of \$25.00 per patient or guarantor when placed electronically. Manually entered accounts must have a minimum balance of \$25.00 per patient or guarantor.

Account Profile				
Estimated Annual Account Volume (\$)	Estimated Annual Number of Accounts Placed			
As needed basis	As needed basis			
Estimated Average Account Balance	Estimated Average Account Age From Date of Service			
As needed basis	As needed basis			

- (3) FEES. The percentage on which the contingency fee for each Account is calculated shall be:
  - (a) <u>Basic fee</u>. 35% regardless of age of the Account, unless the Account at issue is referred to an attorney for legal action, forwarded to an out-of-state collection agency.
  - (b) Legal action. 50% if the Account at issue is referred to an attorney for legal action.
  - (c) Forwarded Accounts, 50% if the Account at issue is referred to an out-of-state collection agency.

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(4) ADDITIONAL CLIENT RES	SPONSIBILITIES AND (	DBLIGATIONS. Additiona	d covenants, responsibilities and	d obligatio
Clier: pursuant to the Agreeme	nt are set forth in this Section	on 4	· .	
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(5) ADDITIONAL REVERING	E DECDONCIBII ITIEC	AND ODLICATIONS	A 4 41st1	11 2114
(5) ADDITIONAL KEYBRIDG obligations of KeyBridge pursu	ant to the Agreement are se	AND OBLIGATIONS.	Additional covenants, response	onsibilities
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				.:
	:			;
TNESS WHEREOF, the parties hereto l	nave executed this Addendu	m in du≘licate as of Effective	e Date	
TNESS WHEREOF, the parties hereto h	nave executed this Addendu	m in durlicate as of Effective	e Date.	<u> </u>
	nave executed this Addendu			
VERP EMS	nave executed this Addendu		e Date . REVENUE MANAGEMENT	
VERP EMS	nave executed this Addendu	KEYBRIDGE MEDICAL		
VERP EMS Signature	nave executed this Addendu	KEYERIDJE MEDICAL		
RAY Delong	nave executed this Addendu	KEYERID JE MEDICAL  By: Signature  Name:		
VERPEMS  Boy Delong  Ray Delong  Village Mayor	nave executed this Addendu	KEYBRIDGE MEDICAL  By: Signature		-
VERPEMS  Boy Delong  Ray Delong  Village Mayor	nave executed this Addendu	KEYERID JE MEDICAL  By: Signature  Name:	REVENUE MANAGEMENT	
RAY Delong	nave executed this Addendu	KEYERIDGE MEDICAL  By: Signature  Name: Title:	REVENUE MANAGEMENT	
VERPEMS  Boy Delong  Ray Delong  Village Mayor	nave executed this Addendu	KEYERIDGE MEDICAL  By: Signature  Name: Title:	REVENUE MANAGEMENT	-
VERPEMS  Boy Delong  Ray Delong  Village Mayor	nave executed this Addendu	KEYERIDGE MEDICAL  By: Signature  Name: Title:	REVENUE MANAGEMENT	

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#### **ORDINANCE NO. 2009-31**

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WhEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

<u>Section 1:</u> This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

<u>Section 2:</u> The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	<b>NEW APPRO</b>	OPRIATION
		AMOUNT	
		Original	New Amount
E1 5F 250 Casing pipes	Decrease Appropriation	\$50,000.00	\$0

<u>Section 3:</u> This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

<u>Section 4:</u> This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Date 11/17/2009

Mayor Jan de

Attest:

Fiscal Officer

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# ORDINANCE NO. 2009-32

AN ORDINANCE REPLACING ORDINANCE NO. 83-27 AND TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURFOSE OF WATERWORKS SYSTEM AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County. Ohio:

Section 1. A Note in the principal amount of \$189,002.07 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's waterworks system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note. Said Note shall be used to pay off the current principal balance and interest due as of November 22, 2009, for the Note issued by Capmark Finance, Inc. for \$189,002.07, said Note issued for the capital improvements to the Village's waterworks system. Said Note with Capmark Finance, Inc. has a current interest rate of 7.37500%, and the issuance of a Note from the Antwerp Exchange Bank for this principal balance and accrued interest with an interest rate not to exceed 4% results in the Village reducing the term of said obligation and reducing the financing costs thereof. Ordinance No. 83-27 entitled An Ordinance Authorizing the Issuance of Waterworks System First Mortgage Revenue Bonds of the Village of Antwerp, Ohio, et al. is hereby replaced by this Ordinance.

Section 2. Said Note shall bear an interest rate not exceeding 4% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law, that the full faith, credit and revenue of said Village shall be and is

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	d for the prempt payment of the pof indebtedness or taxation, either stance of said Note.	
deliver to the purchaser o	scal Officer, or other officer, is au f said Note a preliminary and fina timent in connection with the sale an	l official statement or any of
Section 7. The Mayor and I the Note on behalf of said	Fiscal Officer of said Village are here Village.	eby authorized to sign and exec
relating to the passage of the all deliberations of the Couwere in meetings open to the	I determined that all formal actions is ordinance were adopted in an open incil and of any of its committees the public, in compliance with all legal ble provisions of Section 121.22 of	n meeting of this Council, and last resulted in such formal act requirements including all last
immediate preservation of reason that the Village is in residents and this ordinary	e is hereby declared to be an emer the public health, safety and welfare in immediate need of a waterworks are shall be in full force and effec- ect and be in force after the earliest	e of the Village and for the fur system for the well being of ct immediately after its passa
Date: 11/17/200	<u>9</u>	
	Ray Do Long, May	Long yor Z
Attest:		
Goretla Bar	keu	
Loretta Baker, Fiscal Offic	eer	

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#### **RESOLUTION NO. 2009-12**

### A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE NORTH SIDE OF LOT 13 EAST ½ AND EAST ½ WEST ½ LOT 13, DAGGET 1<sup>ST</sup> ADDITION IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1210S02900)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 13 East ½ and East ½ West ½ Lot 13, Dagget 1st Addition in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12 0S02900) on the north side of such Lot, commonly known as 403 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 13 East ½ and East ½ West ½ Lot 13. Dagget 1<sup>st</sup> Addition in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1210S02900) on the north side of such Lot, commonly known as 403 West River Street, Antwerp, Ohio, said Lot owned by Bainbridge O. Rasey, 403 West River Street, P.O. Box 573, Antwerp, Ohio 45813.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 13 E ½ & E ½ W ½ LOT 13 DAGGET 1<sup>ST</sup> ADD, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1210S02900, COMMONLY KNOWN AS 403 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owner of said lot and land, Bainbridge O. Rasey, shall construct and/or repair the sidewalk located on the north side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

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Dayton Legal Blank	Inc.	Form No. 30043
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(30) Bai	ne owner of the property located at 403 West R days from the date of service of notice to habridge O. Rasey in accordance with Ohio Review Section 5. In the event such sidewalk is not ey in accordance with the plans and specific plution, the Village of Antwerp will so construct eof against the lots and lands abutting such sidewith the passage of this Resolution were adoption to the passage of this Resolution were adoption of the passage of this Resolution were adoption to the passage of this Resolution to the passage of this Resolution were adoption to the passage of this Resolution to the passage of the passage of this Resolution to the passage of this Resolution to the passage of this Resolution to the passage of the passag	ot constructed and/or repaired by Bainbridge O. ations and within the time prescribed in this t and/or repair the sidewalk and assess the costs
in n	aw.	and be enforced after the earliest period allowed
	ENACTED THIS 2/5+ day of	DeLong, Mayor
	est:  South Baker  etta Baker, Fiscal Officer  et Reading: 10-19-09	
Sec	ond Reading: 11-16-09  rd Reading: 12-21-09	

 Dayton Legal Flank, Ir.c.	·	Form No. 30043	_
 Ordinance No	Passed	, 20	
			-

#### **RESOLUTION NO. 2009-13**

### A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE NORTH SIDE OF LOT 2 WEST 53 FEET SOUTH, BLOCK D IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1205S00500)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 2 West 53 Feet South, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205S00500) on the north side of such Lot, commonly known as 413 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Onio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 2 West 53 Feet South, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205S00500) on the north side of such Lot, commonly known as 413 West River Street, Antwerp, Ohio, said Lot owned by Marlin Philip, 4604 Kingsbury Drive, Fort Wayne, Indiana 46835.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 2 W 53 FT S, BLOCK D, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1205S00500, COMMONLY KNOWN AS 413 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owner of said lot and land, Marlin Phil p, shall construct and/or repair the sidewalk located on the north side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

Dayton L	egal Blank, Inc.				Form No. 3	30043	
Ord	inance No		Passed		, 26	•	
	Section 4. That owner of the property longer of the date of service accordance with Ohio	e of notice to be serv	ver Street, Antwe ed by the Village	ro, Ohio 458	13, within t	hirty (30) da	ays
	Section 5. In the accordance with the plus Village of Antwerp with the lots and lands abut	ll so construct and/or	s and within the	time prescri	bed in this:	resolution,	the
	relating to the passage all deliberations of the in meetings open to the Section 7. This	Council and of any of	re adopted in an outpet its committees the ce with all legal to	open meetin nat resulted in requirement	g of this Co n such form s.	uncil, and t al action, w	hat ere
	by law.  ENACTED TI	HS <u>えい</u> day of	Decem 1	ber	, 2009.		
		· · · · · · · · · · · · · · · · · · ·	Ray De Long.	Long			
		Baka					
		10-19-09	<u>-</u> 1	·			
	Second Reading: Third Reading:	12-21-09	<del>-</del>				

Da	ayton Legal Blank, Inc		Form No. 30043
		· · · · · · · · · · · · · · · · · · ·	
	Ordinance No	Passed	
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#### RESOLUTION NO. 2009-14

# A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE SOUTH SIDE OF LOT 6 FORDER ADDITION IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1215S00800)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 6 Forder Addition in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1215S00800) on the south side of such Lot, commonly known as 414 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Onio:

Section 1. That Council approves the plans, specifications, and estimate of cost or file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 6 Forder Acdition in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1215S00800) on the south side of such Lot, commonly known as 414 West River Street, Antwerp, Ohio, said Lot owned by James and Kimberly Smallwood, 414 West River Street, P.O. Box 286, Antwerp, Ohio 45813.

Section 2. That the let and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 6 FORDER ADD, VILLAGE CF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1215S00800, COMMONLY KNOWN AS 414 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owners of said lot and land, James and Kimberly Smallwood, shall construct and/or repair the sidewalk located on the south side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

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Dayton Le	gal Blank, Inc.				Form No. 30043	
Ordi	nance No		Passed		20	
	Smallwood as the own within thirty (30) days upon James and Kimbe	from the date of services of services of the services of the event such sidew accordance with the	cated at 414 West ice of notice to be cordance with Ohio alk is not construplans and specific	River Street, served by the to Revised Concreted and/or rations and wit	Antwerp, Oh Village Fisconde Section 7 epaired by Jhin the time	hio 45813, cal Officer 729.03. James and prescribed
	costs thereof against th	e lots and lands abut found and determine of this Resolution wer Council and of any of	ing such sidewalk d that all formal ac re adopted in an op its committees tha	tions of the Coen meeting of tresulted in su	ouncil conce f this Counci	erning and il, and that
	Section 7. This by law.	Resolution shall take	effect and be enfo	rced after the	earliest perio	od allowed
	ENACTED TH	IIS <u>A/s†</u> day of	Decemb Ray Delong, M	Long	009.	
	Attest:  Loretta Baker, Fiscal	Baker Officer	· · · · · · · · · · · · · · · · · · ·			
	First Reading:  Second Reading:  Third Reading:	10-19-09 11-16-09 12-21-09				

Dayton Lega; Blank, Inc.		Form No. 30043
Ordinance No	 Passed	, 20

#### **RESOLUTION NO. 2009-15**

# A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE NORTH SIDE OF LOT 3, BLOCK D IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1205S00600)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 3, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1295S00600) on the north side of such Lot, commonly known as 415 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/cr repair of the sidewalk abutting Lot 3, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205 S00600) on the north side of such Lot, commonly known as 415 West River Street, Antwerp, Chio, said Lot owned by Marlin Philip, 4604 Kingsbury Drive, Fort Wayne, Indiana 46335.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 3, BLOCK D, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1205S00600, COMMONLY KNOWN AS 415 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owner of said lot and land, Marlin Philip, shall construct and/or repair the sidewalk located on the north side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

Section 4. That the sidewalk shall be constructed and/or repaired by Marlin Philic as the

D	Darton Legal Blank, Inc.		Form No. 30043	
	Ordinance No	Passed	. 20	
				,
		to be served by the Village	p, Ohio 45813, within thirty (30) da Fiscal Officer upon Marlin Philip	-
	accordance with the plans and spe	ecifications and within the tact and/or repair the sidewal	ed and/or repaired by Marlin Philip time prescribed in this resolution, to k and assess the costs thereof again	he
	relating to the passage of this Reso	olution were adopted in an old of any of its committees that	nctions of the Council concerning at open meeting of this Council, and that resulted in such formal action, we equirements.	nat
	Section 7. This Resolution by law.	shall take effect and be enf	orced after the earliest perioc allow	ed
	ENACTED THIS 21st	lay of <u>Decembe</u>	<u>,</u> 2009.	
		Ray DeLong, M	Long Mayor	<u></u> -
	Attest:  Loute Baker	<u> </u>		
	Loretta Baker, Fiscal Officer			
	First Reading: 10-19-0	9	·	
	Second Reading. 11-16-0	9		
	Third Reading: 12-21-6	79		

Grdinance No   Passed 20	Dayton Legal Blank, Inc.	·	· ·	Form No. 30C43	
Grdinance No   Passed 20					
· · · · · · · · · · · · · · · · · · ·	Grdinance No		Passed		

#### **RESOLUTION NO. 2009-16**

# A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE SOUTH SIDE OF LOT 7 WEST ½ FORDER ADDITION IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1215S00600)

WHEREAS, Council for the Village of Antwerp. Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 7 West ½ Forder Addition in the Village of Antwerp. Ohio (Paulding County tax parcel ID #1215S00600) on the south side of such Lot, commonly known as 416 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 7 West ½ Forder Addition in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1215S00600) on the south side of such Lot, commonly known as 416 West River Street, Artwerp, Ohio, said Lot owned by Thomas E. Gaisford, 7955 Road 51, Payne, Ohio 45880.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 7 W ½ FORDER ADD, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1215S00600, COMMONLY KNOWN AS 416 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owner of said lot and land, Thomas E. Gaisford, shall construct and/or repair the sidewalk located on the south side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

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.	Continued That the discount	lle ale 11 le a acceptant de 1 an é		$\sim$
	Section 4. That the sidewal the owner of the property located at	· · · · · · · · · · · · · · · · · · ·		11 '
	days from the date of service of no			
	Gaisford in accordance with Ohio	Revised Code Section 72	9.03.	
	Section 5. In the event su	ich eidewalk is not oorst	mustad and/or ranginad by	Гаориса Б
	Gaisford in accordance with the p			
	resolution, the Village of Antwerp	will so construct and/or re		
	thereof against the lots and lands a	butting such sidewalk.		
	Section 6. It is found and d	etermined that all formal	actions of the Council conc	erning and
	relating to the passage of this Resol			I -
	all deliperations of the Council and	<del>-</del>		ction, were
	in meetings open to the public, in o	compliance with all legal	requirements.	1
	Section 7. This Resolution	shall take effect and be en	forced after the earliest peri-	od allowed
	by law.			.
	ENACTED THIS 2/sta	lay of Decemb	er2009.	
		Hay &	Jana	
		Ray DeLong,		<del>  .</del>
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	Attest:			.    .
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	South Baler	· · · · · · · · · · · · · · · · · · ·		
	Loretta Baker. Fiscal Officer			.    -
		_		
	First Reading: 10-19-0	9		
			• • • •	
	Second Reading: 11-16-0			
	Third Reading:	79		

D	ayton Legal Blank, Inc	 	 <u> </u>		Form No. 30043	
	Ordinance No	 	Passed	 	20	

#### **RESOLUTION NO. 2009-17**

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK ON THE NORTH SIDE OF LOT 4 40 FEET EAST, BLOCK D IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #1205S00700)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk abutting Lot 4 40 Feet East, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205S00700) on the north side of such Lot, commonly known as 417 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk abutting Lot 4 40 Feet East, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205S00700) on the north side of such Lot, commonly known as 417 West River Street, Antwerp, Ohio, said Lot owned by David H. Mickelson, Trustee, and Sandra J. Mickelson, Trustee, 417 West River Street, P.O. Box 756, Antwerp, Ohio 45813.

Section 2. That the lot and land abutting upon the sidewalk to be constructed and/or repaired is described as follows:

LOT 4 40 FT E, BLOCK D, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #1205S00700, COMMONLY KNOWN AS 417 WEST RIVER STREET, ANTWERP, OHIO.

Section 3. That the owners of said lot and land, David H. Mickelson, Trustee, and Sandra J. Mickelson, Trustee, shall construct and/or repair the sidewalk located on the north side of said lot and land described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

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Da	syton Legal Blank, Inc.			Form No. 30043	11
	Ordinance No	Passed		, 20	
1					
	Section 4. That the sidewalk shall	he constructed as	nd/or renaired t	w David H. Mial	alcon
	Trustee, and Sandra J Mickelson, Trustee,	as the owners of	the property loc	cated at 417 West	River
	Street, Antwerp, Ohio 45813, within thirty by the Village Fiscal Officer upon David H	(30) days from th I. Mickelson, Tru	ie date of servic stee, and Sand⊓	e of notice to be a J. Mickelson, T	served nustee.
	in accordance with Ohio Revised Code Se	ction 729.03.	,	,	
	Section 5. In the event such side				
	Mickelson, Trustee, and Sandra J. Mic specifications and within the time preserved				
	construct and/or repair the sidewalk and as such sidewalk.	ssess the costs the	reof against the	lots and lands at	outting
	Section 6. It is found and determin				
	relating to the passage of this Resolution wall deliberations of the Council and of any of	of its committees t	hat resulted in s		
	in meetings open to the public, in complia	nce with all legal	requirements.		
	Section 7. This Resolution shall tall by law.	ke effect and be er	nforced after the	earliest period al	llowed
,	oy law.			•	
	ENACTED THIS 15t day of _	Decemb	er,	2009.	
,	· : 	R	10 0	,	
		Ray DeLong,	Mayor		
				•	.    .
	Attest:				\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
	Gretta Baker				
,	Loretta Baker, Fiscal Officer				
	First Reading:				. •
	Second Reading: //-/6-09			.*	
	Third Reading: 12-21-09				

. 101 1 1		Form No. 3C043		
Dayton Legal Blank, Inc				
Ordinance No	Passed	, 20		
Oramance No.			=	

#### RESOLUTION NO. 2009-18

A RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO DELAY THE UNITED STATES POSTAL SERVICE FROM MOVING ITS FACILITY FOR PROCESSING MAIL ORIGINATING IN THE 458 ZIP CODE FROM THE LIMA PROCESSING AND DISTRIBUTION CENTER TO THE TOLEDO FACILITY UNTIL THE EFFECT OF SUCH PROPOSAL ON COSTS AND DELIVERY STANDARDS IS FULLY INVESTIGATED; AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the United States Postal Service has proposed the consolidation of the originating mails for the 458 zip code into the Toledo Processing and Distribution Center; and

WHEREAS, this consolidation may not serve the public's best interest; and

WHEREAS, the economy of the local communities may be negatively impacted as a result of the relaxation of overnight delivery standards for those communities in the 458 zip code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohic:

Section 1: That the Council of the Village of Antwerp, Ohio, does hereby request Congressional Intervention on this proposal until a General Accounting Office (GAO) investigation can be conducted on the feasibility study concerning the increased cost of transportation and the relation of delivery standards for those communities now served by the Lima Processing and Distribution Plant.

Section 2: It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason to protect the interests of the residents of the Village of Antwerp in regard to the mail delivery for those residing in the 458 zip code, and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED this a / A day of December, 2009.

Ray DaLong, Mayor Village of Antwerp, Ohio

Attest:

Oyoutta Baker Loretta Baker, Fiscal Officer

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Dayton Legal Blank, Inc.			Form: No. 30043	
Orainance No	· · · · · · · · · · · · · · · · · · ·	Passed	, 20	
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#### ORDINANCE NO. 2009-33

AN ORDINANCE TO ESTABLISH SPEED LIMITS ON WEST RIVER STREET IN THE VILLAGE OF ANTWERP, OHIO, IN ACCORDANCE WITH OHIO REVISED CODE § 4511.21(B)(3), AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Ohio Department of Transportation has opened the new U.S. Highway 24, and the old U.S. Highway 24 is no longer designated as a U.S. Highway and is now designated as a "through highway" within the corporation limits of the Village of Antwerp, Ohio, in accordance with the Ohio Revised Code; and

WHEREAS, the speed limit posted on West River Street (formerly U.S. Fighway 24) at the intersection with Wentworth Drive to the west corporation limit of the Village of Antwers, Ohio is fifty (50) miles per hour based on the prior determination by the Ohio Department of Transportation that this portion of the highway was a "state route" outside a business district; and

WHEREAS, the Council, in accordance with Ohio Revised Code § 4511.21(B)(3), hereby deems that the previously posted speed limit on West River Street at the intersection with Wentworth Drive to the west Village corporation limit is no longer in compliance with the Ohio Revised Code as West River Street (formerly U.S. Highway 24) is a through highway and shall be posted at thirty-five (35) miles per hour at the intersection with Wentworth Drive to the west corporation limit of the Village of Antwerp, Ohio.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Vil age of Antwerp, Paulding County, Ohio as follows:

- Section 1. The speed limit on West River Street at the intersection with Wentworth Drive to the west corporation limit of the Village of Antwerp, Ohio, shall be thirty-five (35) miles per hour in accordance with Ohio Revised Code § 45.1.21(B)(3).
- Section 2. The Village Administrator is hereby authorized to purchase the necessary speed limit signs for the proper posting of the inirty-five (35) miles per hour speed limit on West River Street at the intersection with Wentworth Drive to the west corporation limit of the Village of Antwerp, Ohio, and to have the necessary speed limit signs posted.
  - Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of  $\S 121.22$  of the Ohio Revised Code.
  - Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

	Dayton Legal Blank, Inc.		Form No. 2
	Ordinance No	Passed	, 20
•	Passed this <u>21st</u> day of December, 2009.		•
		B. 11	
		Ray DeLong, M	layor
		Village of Antw	

Lorena Baker, Fiscal Officer

Dayton Legal Blank, Inc.				Form No. 30043	<u> </u>
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Ordinance No		Passed	<u> </u>	, 20	·.
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#### **ORDINANCE NO. 2009-34**

# AN ORDINANCE ESTABLISHING SALARIES FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2010, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, it is desirable that the salaries of Village officials and employees for the year 2009 be set forth in an Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. That beginning with the first pay period of year 20 % the salaries of Village officials and employees be as follows:

Village Official	2009	2010		
Mayor	\$6,000.00	Same		-
Council Members	\$1 800.00	Same		
Fiscal Officer	\$22,000.00	\$22,660.00		
Village Administrator	\$34,681.00	\$35,721.43		
Chief of Police	\$35,137.01	\$36,191.12		
Assistant Chief of Police	\$25,750.00	Same		
Police - Full Time - On Probation	\$22,218.00 to \$25,443.15	\$22,884.54 to \$26209.53		-
Police - Full Time	\$25,443.00 to \$30096.60	\$26,209.38 to \$30,999.50		
Police - Part Time	\$10.30 to \$15.45	\$10.61 to \$15.91	per hour	
Police - Reserves	\$10.30 to \$12.36	\$10.61 to \$12.73	per hour	
Fire Chief	\$2,060 00	\$2,121.80		
Fire Dept. Secretary	\$324.45	\$334.18		
Fire Chief Assistant	\$324.45	\$334.18		
	\$8.79	\$9.05	per meeti	ng
	\$11.41	\$11.75	first hour	
	\$8.89	\$9.16	each add hour	

Dayto	n Legal Bank, Inc.			Form No. 30	043	
	ordinance No		Passed	, 20		

	Village Official	2009	2010	
Fir	e Captains	\$95.79	\$98.66	
Fir	e Lieutenants	\$63.95	\$68.96	
Vo	lunteer Fireman	\$8.79	\$9.05	per meeting
		\$8.79	\$9.05	first hour
		\$8.79	\$9.05	each add. hour
ΕŅ	/IS Coordinator	\$2,060.00 to \$3,090.00	\$2,121.80 to \$3,182.70	
ΕN	/IS Maintenance Man	\$581.95	\$599 41	
EN	AS Drivers	\$7.80	\$8.03	per hour
E۱	T - A (BLS-Basic Life Support)	\$9.42	\$9.70	per hour
ΕN	T - B (Immediate Life Support)	\$12.17	\$12.54	per hour
ΑIJ	EMS Personnel	\$9.06	\$9.33	per meeting
Ge	neral Labor/Utilities Billing Clerk	\$7 25 to \$11.47	\$7.47 to \$11.81	per hour
Ma	yor's Court Clerk/EMS Billing Clerk	\$7 25 to \$11.47	\$7.47 to \$11.81	per hour
Те	ch I Water/Sewer/Assigned Duties	\$9 89 to \$13.70	\$10.19 to \$14.11	per hour
Те	ch II Water/Sewer/Assigned Duties	\$12.41 to \$16.63	\$12.78 to \$17.13	per hour

Section 2. Any and all other benefits to which Village officials and employees may be entitled are as set forth in the Village of Antwerp's Personnel Manual.

Section 3. This Ordinance repeals any other ordinance inconsistent therewith.

<u>Section 4</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village.

Section 5. This Ordinance shall be in full force and effect and after the earliest period allowed by law.

Passed: 12-21, 2009.

Ray DeLong: Mayor

Attest: South Baker
Loretta Baker, Fiscal Officer

Dayton Legal Blank, Inc.			Form No. 30043	
Ordinance No	<del></del>	Passed	, 20	

#### ORDINANCE NO. 2009-35

## AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

<u>Section 1:</u> This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
A1 7C 230 Mayor's Court Contractual	Increase Appropriation	\$900.00	\$1,119.34
A1 7C 239 State Rotary Fees	New Appropriation	\$0.00	\$1,012.50
A1 7I 230-CCA Fees	Increase Appropriation	\$15,000.00	\$19,313.38
A1 7K 230 Solicitor Contractual	Decrease Appropriation	\$25,000.00	\$14,467.04
A1 7X 270 General Fund Transfer	Increase Appropriation	\$145,000.00	\$147,700.00
B1 6B 212 Street Maint & Repair Benefits	Increase Appropriation	\$5,834.50	\$9,424.41
B1 6B 240 Street Maint & Repair Oper & Maint	Increase Appropriation	\$18,000.00	\$23,042.64
B5 1A 230 Law Enforc Training	Increase Appropriation	\$800.00	\$912.76
B146D 211 Storm Sewer Wages	Increase Appropriation	32,531.88	\$11,000.00
B146D 212 Storm Sewer Benefits	Increase Appropriation	\$391.17	\$1,406.22

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	B146D 240 Storm Sewer Supplies	Increase Appropriation	\$4,800.00	\$5,580.09		
	E1 5D 211 Water Filtration Wages	Increase Appropriation	\$70,752.01	\$74,700.00		
	E1 5D 220 Water Filtration/travel training	Increase Appropriation	\$800.00	\$909.59		
	E1 5I 230 Lands & Building Contractual	Increase Appropriation	S250.00	\$270.55		
	E1 5X 260F Principal Payment	Increase Appropriation	\$2,500.00	\$2,830.00		
	E2 5B 211 Sewer Billing Clerk Salary	Increase Appropriation	\$2,600.00	\$2,921.40		
	E2 5B 212 Sewer Billing Clerk Benefits	Increase Appropriation	\$430.00	\$529.64		
	E2 5C 212 Sewer Fumping Employees Benefits	Increase Appropriation	\$14,446.76	\$18,550.00		
	E2 5C 220 Sewer Pumping Travel/Training	Increase Appropriation:	\$350.00	\$372.36		
	E2 5X 260 Sewer Loan	Increase Appropriation	\$62,000.00	\$62,350.00		
	E6 5F272 Utility Deposit Refunded	Increase Appropriation	\$200.00	\$255 25		
	H1 1A211 Police Salary Wages	Increase Appropriation	\$105,000.00	\$115,550.00		
	H3 1A 230 Street Lighting Contractual Services	Increase Appropriation	\$16,500.00	\$18,410.05		
	H3 1A 240 Street Lighting					
	Oper & Maint	Increase Appropriation	\$3,000.00	\$6,885.00		

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

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Date 12-21-09		•
Mayor <u>By U.L.</u> Attest:	0	
Sovetta Bar Fiscal Officer	ku	

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#### **ORDINANCE NO. 2009-36**

An ORDINANCE to make appropriations for Current Expenses and other Expenditures of the Village of Antwerp, State of Chic, during the fiscal year ending December 31, 2010, and declaring the same an emergency.

Section 1. BE IT RESCLVED by the Council of Village of Antwerp, State of Ohio, that, to provide for the current expenses and other expenditures of the said Village of Antwerp during the fiscal year ending December 31, 2069 the following sums be and they are hereby set aside and appropriated as follows;

Section 2. That there he appropriated from the GENERAL FUND for contingencies for purposes not otherwise provided for, to be expended in accordance with the provisions of Section 5705.40 R.C., the sum of \$443,236.75

Section 3. That there be appropriated from the STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND in the sum of \$86,641.14.

Section 4. That there be appropriated from the STATE HIGHWAY AND IMPROVEMENT FUND in the sum of \$5,000.00.

Section 5. That there be appropriated from the STORM SEWER FUND in the amount of \$67,400.66.

Section 6. That there be appropriated from the FED-MAYOR'S COURT FUND in the sum of \$2,200.00

Section 7. That there be appropriated from the LAW ENFORCEMENT TRAINING in sum of \$1,000.00.

Section 8. That there be appropriated from the PERMISSIVE TAX BUDGET in the sum of \$25,000.00.

Section 9. That there be appropriated from the FIRE FUND in the sum of \$41,160.00.

Section 10. That there he appropriated from the EMS FUND in the sum of \$99,245.39.

Section 11. That there be appropriated from the DEPOT PROJECT in the sum of \$400,219.00

Section 12. That there be appropriated from the WATER FUND in the sum of \$442,410.27.

Section 13. That there be appropriated from the SEWER FUND in the sum of \$313,035.61.

Section 14. That there be appropriated from the **DEPOSIT FUND** in the sum of \$800.00.

Section 15. That there be appropriated from the CEMETERY FUND in the sum of \$14,950.00

Section 16 That there be appropriated from the INDIGENT DRIVER FUND in the sum of \$0.

Section 17 That there be appropriated from the FOJ FUND in the sum of \$0.

Section 18. That there be appropriated from the POLICE FUND in the sum of \$205,200.00

Section 19. That there be appropriated from the STREET LIGHTING FUND in the sum of \$42,000.00

Section 20. That there be appropriated from the EMS VEHICLE REPLACEMENT FUND in the sum of \$0.

Section 21. That there be appropriated from the WEST DAGGETT/STONE ST. WATERLINE FUND in the sum of \$244,371.08.

Section 22. Total of all appropriations \$2,433,869.90.

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SECTION 23. And the Fiscal Officer is any of the foregoing appropriations upon officers authorized by law to approve the provided that no warrants shall be drawn accordance with law or ordinance. Proviappeal of two-thirds vote of Council for purposes other than those covered by other than those covered by other preservation of the public health, safety	n receiving proper certificates and volume the same, or an ordinance or resolution or paid for salaries or wages except to ided further that the appropriations for items of expense constituting a legather specific appropriations herein matchy declared to be an emergency measure.	uchers therefore approved by the board on of council to make the expenditure opersons employed by authority of and contingencies can only be expended up tal obligation against the village, and ade.
Section 5705.39, O.R.C - "No appropriate appropriating authoritya certificate outstanding appropriations, do not exceed appropriation does not exceed such offine receiving from the appropriating author."  The State of Ohio Paul-ling County, ss.	e that the total appropriations from ea ed such official estimate or amended cial estimate, the county auditor shall ity a certified copy of the appropriation	official estimate. When the light give such certificate forthwith upon
I, Loretta Baker, Fiscal Officer of Villa Records are required by the Laws of the Appropriation Ordinance is taken and c original and that the same is a true and of	ge of Antwerp in said County, and in e State of Ohio to be kept, do hereby copied from the original Ordinance ha	cert fy that the foregoing Annual
	•	
12-21-09		
Passed / 2 2 2	<del></del>	President of Council
Passed 12-21-09  Attest: Southan Bake Fiscal Officer		1103rdone of Council

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#### **ORDINANCE NO. 2009-37**

#### ORDINANCE TO ESTABLISH TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

**WHEREAS,** the Council of the Village of Antwerp, Paulding County, Ohio (the "Council") is desirous of holding monthly regular council meetings; and

**WHEREAS,** the Council, in accordance with Ohio Revised Code § 731.46, is establishing the time and place of regular meetings of the Council.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. Regular meetings of the Council shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio.

Section 2. Regular meetings of the Council shall be held on third (3<sup>rd</sup>) Monday of each month at 5:30 p.m. (Eastern Standard Time), except for those third (3<sup>rd</sup>) Mondays that are deemed a holiday under the personnel manual of the Village of Antwerp, then the regular council meeting shall be the fourth (4<sup>th</sup>) Monday of that month.

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January, 2010, and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of the members of the Council with notice of said change in meeting time and/or place to be given to the local media and any other person requesting such notification.

Section 4. It is found and determined that all formal action of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the time and place of regular Council meetings be established. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 2/st day of December, 2009.

Ray DeLong, Mayor Village of Antwerp

Attest

Loretta Baker, Fiscal Officer

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## ORDINANCE NO. <u>2010-01</u>

## AN ORDINANCE AUTHORIZING THE LEASE OF REAL ESTATE OWNED BY THE VILLAGE OF ANTWERP, OHIO PURSUANT TO OHIO REVISED CODE SECTION 721.03; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio, owns real estate consisting of 22.4 acres of tillable farm ground, located in Section 35 of Carryall Township, more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Real Estate").

WHEREAS, the Real Estate is not needed for any municipal purpose and the Council of the Village of Antwerp, Ohio, deems it necessary to let bids for the lease of said Real Estate be occupied and used for agricultural purposes only.

WHEREAS, the Council, pursuant to Ohio Revised Code Section 721 03 desires to lease the Real Estate for agricultural purposes only to the highest bidder, after advertisement once a week for five (5) consecutive weeks in a newspaper of general circulation within the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

<u>Section 1</u>. That the Real Estate be leased to the highest bidder for agricultural purposes only, said lease to be for a five (5) year period commencing from the Effective Date of the Lease Agreement by and between the Village of Antwerp, Ohio as the landowner and the highest bidder as the renter.

Section 2. That the Fiscal Officer for the Village of Antwerp is hereby instructed and directed to cause legal notice to bidders to be published for five (5) consecutive weeks in a newspaper of general circulation within the Village of Antwerp, Ohio. The Village of Antwerp reserves the right to reject any and all bids.

Section 3. That attached hereto and marked as Exhibit B is a true and accurate copy of the proposed form Lease Agreement to be used by the Village of Antwerp, Ohio, containing the terms and conditions of leasing the Real Estate, and said terms and conditions are incorporated herein by reference. Said proposed form Lease Agreement is to be made available to prospective bidders.

Section 4. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

<u>Section 5</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the welfare, convenience and prosperity of the Village of Antwerp and necessary to permit the letting of bids for the lease of the Real Estate for agricultural purposes

only prior to the commencement of the planting season, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in full force after the earliest period allowed by law.  Passed:		Dayton Legal Blank, Inc.	<u></u>	Form No. 30043
and effect immediately after its passage; otherwise, it shall take effect and be in full force after the earliest period allowed by law.  Passed:		Crdinance No	Passed	; 20
$\cdot$ $\parallel$	and earl Pas	effect immediately after its passage liest period allowed by law.  sed: _/-/2, 2010.  est:  Linutta Bakec	; otherwise, it shall take effect and be	e in full force after the

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#### **ORDINANCE NO. 2010-02**

## AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CRANE TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas; and

**WHEREAS**, the Village of Antwerp and Crane Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Crane Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

<u>Section 1</u>. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village", will provide emergency medical services to that portion of Crane Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$2,800.00 to be paid on a cuarterly basis with payments pf \$700.00 each, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2010.

<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac

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compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

<u>Section 5</u>. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$50.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

**Section 7**. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Crane Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remaincer shall be in full force and effect.

Section 9. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

<u>Section 10</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the compensation to be paid to the Village for providing emergency medical services to the

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Township, and this Ordinance shall be in full force and effect immediately after its passage otherwise, it shall take effect and be in force after the earliest period allowed by law.  ENACTED THIS	
enacted this	
enacted this	
MAYOR, VILLAGE OF ANTWERP  Attest:  Baker	age;
MAYOR, VIELAGE OF ANTWERP  Attest:  Loutta Baker	
MAYOR, VIELAGE OF ANTWERP  Attest:  Loutta Baker	
Loutta Baker	
Fiscal Officer	
1 <sup>st</sup> Reading	
2 <sup>nd</sup> Reading 2 - 8 - 10	٠.
3 <sup>rd</sup> Reading 2-22-10	

Ordinance No	

#### **ORDINANCE NO. 2010-03**

#### AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH HARRISON TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE

**WHEREAS**, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

**WHEREAS**, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas; and

WHEREAS, the Village of Antwerp and HARRISON Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Harrison Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as 'the Village', will provide emergency medical services to that portion of Harrison Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$1,319.00 to be paid annually in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2010.

<u>Section 2</u>. That the Council of the Village of Antwerp. Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fract on thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

**Section 4a.** That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures,

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bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

<u>Section 5</u>. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

**Section 6**. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$50.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Harrison Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Ccuncil concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

<u>Section 10</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the compensation to be paid to the Village for providing emergency medical services to the

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	s Ordinance shall be in fu take effect and be in for		mediately after its passage; period allowed by law.
ENACTED THIS	22N0 day of	February	, 2010.
Atte <b>s</b> t:	MAYOR, VIII.	AGE OF ANTWERP	
Fiscal Officer	Baker	<u> </u>	
1 <sup>st</sup> Reading	1-25-10		
2 <sup>nd</sup> Reading	2-8-10	<u></u>	•
3 <sup>rd</sup> Reading	2.22-10	<u>.                                    </u>	
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#### ORDINANCE NO. 2010-04

## AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE.

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide and

**WHEREAS**, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas; and

**WHEREAS**, the Village of Antwerp and Carryall Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Carryal Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP. COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village" will provide emergency medical services to that portion of Carryall Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge which equates to the total sum collected by the Township by way of tax settlement monies, which amount will be paid to the Village as the Township collects such tax settlement monies from the County Auditor's office, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2010.

<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

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<u>Section 4a</u>. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

**Section 4b**. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

**Section 5**. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected or behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

<u>Section 6</u>. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$50.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Carryall Townsh p to provide emergency medical services for the consideration identified herein.

**Section 8**. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

**Section 10**. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the

C:\DOCUMENTS AND SETTINGS\CLERKTREASURER'MY DOCUMENTS\WYFILES\2010 OF DINANCES\2010-04-EMS - CONTRACT - CARRYALL.DOC

Dayto	n Legal Blank, Inc.			Form No. 30043	
0	rdinance No	Passed _		, 20	
	the compensation Township, and this	the Village have an agreem to be paid to the Village for p Ordinance shall be in full fo take effect and be in force a	providing emergency rce and effect immed	/ medical services diately after its pas	to the
	ENACTED THIS _	22 Nd day of		, 2010.	
	Attest:  Loutto Fiscal Officer  1st Reading  2nd Reading	MAYOR, VILLAGE  Baker  1-25-10  2-8-10	OF ANTWERP		
	3 <sup>rd</sup> Reading	2-22-10	- ;	·	

1	Dayton Legal Blank, Inc.	· · · · · · · · · · · · · · · · · · ·	Fern
	Ordinance No	Passed	, 20
	ORDINANCE NO	O. 2010-05	,
A	ORDINANCE AUTHORIZING THE VILLA FUNDS TO THE POLICE FUND IN		
cert	WHEREAS, the Village Fiscal Officer has air, funds from the General Fund to the Pol		necessary to tra
Rev	WHEREAS, the Village Council must applied Code Section 5705.14, and	oprove certain transfe	ct tnauerud ere
	WHEREAS, this is a Transfer of Funds 5.14(E), which transfer does not require a sfers from the general fund to any other fur	vote of the Village	Council to auth
Ohi- to s	WHEREAS, the Village Council elects to neral Fund to the Police Fund even though direction 5705 14, with the un eek any other approvals as may be require vised Code Section 5705.14	said approval is not nderstanding that the	required pursua √⊞age∃s not req
Pau	NOW THEREFORE, BE IT ORDAINED	by the Council of the	e Village of Ant
	Section 1. The Village Fiscal Officer is enty seven thousand five hundred Dollars (\$ice Fund.		
Poli	Section 2. This ordinance is necessary ice department of the Village of Antwerp.	to provide for the op	erating funds fo
of the resultega	Section 3. It is found and determined cerning and relating to the passage of this or his Council, and that all deliberations of the ulted in such formal action, were in meetings all requirements including all lawful ordinance .22 of the Ohio Revised Code.	dinance were adopte Council and of any o s open to the public, i	o in an open me f its committees n compliance wi
Villa obe ordi	Section 4 This Ordinance is hereby essary for the immediate preservation of thage and for the further reason that the villar ration of the Police department necessary for ance shall be in full force and effect immediately and be in force after the earliest per	e public health, safet age is in immediate n or the well being of th diately after its passag	y and welfare of eed of funds for ne residents and
Dat	e 2 - 22 - 10		
	$A = O \circ O$	est Fiscal Officer	P 1 P

· <del>-</del>	Dayton Legal Blank, Inc.	RECORD C	OF ORDINANC	·	0042
	Ordinanca No	1-25-10	Passed	Form No. 30	0043
	2 <sup>nd</sup> Reading_	2-8-10			
	3 <sup>rd</sup> Reading	2-22-10			_

Daytor Legal	Elank, Inc.	•		Form No. 300=3
Ordina	nce No.	Passed	· · · · · · · · · · · · · · · · · · ·	20
		ORDINANCE NO. 2010		
<b>ОНІФ ВАЅІ</b>	C CODE, 2010 EDITION	ADOPTING AND ENACTING ON, AS THE CODE OF ORI _, OHIO, <del>AND DECLARING</del>	DINANCES FOR THE	
and classified	d and are insufficient in fo	I and permanent ordinances of orm and substance for the comp nicipality and for the proper co	lete preservation of the p.	•
	EAS, American Legal Polities in Chio.	ublishing Corporation publishes	s a Code of Ordinances su	itable for adoption
	of the public peace, hea	ovide for the usual daily operatilta, safety and general welfare		
		T ORDAINED BY THE L		ORITY OF THE
Section 1.	Legislative Authority, which may have been	shing's Ohio Basic Code, 2010 is hereby adopted and enacted previously adopted by the munts entirety by this Chio Basic C	Any prior version of the nicipality is hereby repeal	e Ohio Basic Code
Section 2.	the Mayor and Clerk of shall be kept in its initial a permanent ordinance directed to publish a su	Legal Publishing's Ohio Basic of the Legislative Authority, as all form on file in the office of the record of the municipality. The manary of all new matters contact \$731.23 Such summary is a	required by Ohio Revise the Clerk of the municipal e Clerk of the municipal cained in the Code of Ord	ed Code § 731.23, lity and retained as ty is authorized and inances as required
Section 3.	provision of the Chio repealed as of the effe	esolutions or parts thereof who Basic Code, 2010 Edition, a ctive date of this ordinance, ex the Ohio Basic Code, 2010 Ed	s adopted in Section 1 lecept as follows	hereof, are hereby
	such enactment, or enactment shall no in violation of an therefor. For such	ed or incurred under any legisla or an action or proceeding for the ot be construed to relieve any peny such legislative provision, the purposes, any such legislates repeal for the purpose of rev	e enforcement of such rig erson from punishment fo nor to affect an indictm tive provision shall con	ht or liability. Such or an act committed ent or prosecution
				-

ayton Legal Blank, Inc	Form No. 30043	
Ordinance No.	Passed, 20	
	B) The repeal provided above shall not affect:	
	(1) The grant or creation of a franchise, license, right, easement or privilege,	
	(2) The purchase, sale, lease or transfer of property;	
	(3) The appropriation or expenditure of money or promise or guarantee of payment.	•
	(4) The assumption of any contract or obligation;	
•	(5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness	;
	(6) The levy or imposition of taxes, assessments or charges;	
	(7) The establishment, naming, vacating or grade level of any street or public way;	
	(8) The dedication of property or plat approval;	
	<ul><li>(9) The annexation or detachment of territory;</li><li>(10) Any legislation enacted subsecuent to the adoption of this ordinance.</li></ul>	
*	(11) Any legislation specifically superseding the provision of the Ohio Basic Code.	
	iny logistation specifically superseding the provision of the onto basic code.	
Section 4.	Whenever reference is made in any documents, publications, or signs of the municipality, including ut not limited to traffic tickets and traffic-central signs, to a section as it existed in a former dition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as absequently amended, revised, recodified, or renumbered.	r
Section 5.	his ordinance is declared to be an emergency measure necessary for the immediate preservation f the peace, health, safety and general welfare of the people of this municipality, and shall take ffect at the earliest date provided by law.	
Date Passed:	7-22-10	
Attest:	Mayor Wa Long	
	Louta Baker	
	Clerk of the Legislative Authority	

Da	yton Legal B	Blank, Inc. Form No.	30.743
	Ordinan	nce No	
			-
		Exhibit A	
		EXHIDIT A	·
		OHIO DAGLO CONTE 4010 ENTERON CHRANADY OF CONTENEDO	
		OHIO BASIC CODE, 2010 EDITION — SUMMARY OF CONTENTS	
Notica	is hereby	y given that on the 22 valuar of February 2010, there was enacted by the Legislative	Authority
of the N	<b>Junicipal</b>	y given that on the 22 va day of February, 2010, there was enacted by the Legislative lity of Antwere, Ohio, an ordinance entitled "An Ordinance Approving, Add	opting and
Enactin	g Americ	ican Legal Publishing's Ohio Basic Code, 2010 Edition, as the Code of Ordinances for the Munic	ipality of
-H	nt we	erp, Ohio."	
A surror	nary of th	he subjects, including all new matters contained in the Code of Ordinances, as adopted, are as foll	owe The
		ic Code provisions are based directly on state law.	ows. The
	,		
		TITLE I: GENERAL PROVISIONS	
		Chapter 10: General Provisions	
Section			
	10.01	Short titles	
-	10.02	Definitions	
	10.03 10.04	Rules of construction Revivor; effect of amendment or repeal	
	10.04		
	10.06	Conflicting provisions	
	10.07	Severability	
	10.08 10.09	Reference to offices Errors and omissions	
	10.05	Ordinances repealed	
i	10.11	Ordinances unaffected	
	10.12		-
	10.13 10.14	Application to future ordinances Interpretation	
}	10.14		,
	10.16		
	10.17	Preservation of penalties, offenses, rights and liabilities	
	10.18	Determination of legislative intent	
	10.99	General penalty	
		Collection Politically	
	<del></del>		
ĺ		TITLE III: ADMINISTRATION	·
		Chapter 30: General Provisions	
Section	30.01	Application of Title III	-
	30.02	Qualifications; oaths	
	30.03	Bonds of officers and employees; amount	,
	30.04	Additional bond; where bonds recorded and kept	
* .	30.05 30.06	Approval of bonds Sufficiency of form of bond	
	30.00	Filling vacancies in offices	
	30.08	Public records available	
	30.09	Records Commission	
	30.10 30.11	Meetings of public bodies to be open; exceptions; notice	-
	30.11	Municipal officers may attend conference or convention; expenses Residency requirements prohibited; exceptions	
	20,12	residently requirement promotests, encoptacing	
		Chapter 31: Executive Authority	
Section		General Provisions	
-	i	Cont. M. I 10 Pageonas	
	31.001	Executive power; where vested	
		$oldsymbol{\mathrm{f}}$	
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Dayton	Legal Blank, Inc.		Ferm No. 30043
Or	dinance No	Passed	20
		Mayor	
	31.016 31.017 31.018	Term of Mayor; power and duties General duties of the Mayor Communications to the Legislative Authority Protest against excess of expenditures	
	31.020 31.021 31.022	Supervision of conduct of officers Annual report to the Legislative Authority Mayor to file charges against delinquent officers Vacancies in office of Mayor Disposition of fines and other moneys	
		Clerk	•
	31.041 31.042 31.043	Election, term, qualifications of the Clerk Powers and duties of Clerk Books and accounts; merger of offices Seal of Clerk Combined offices of Clerk and Treasurer; Fiscal Officer	
	'	Treasurer	
	31.061 31.062 31.063 31.064	Election, term, qualifications of the Treasurer Accounts of Treasurer Powers and duties Quarterly account; annual report Receipt and disbursement of funds Duty of delivering money and property	
	÷	Street Commissioner	
	31.081	Qualifications General duties Assistants	
į		Other Officials	
	31.101 31.102	Legal counsel Administrator Board of Trustees of Public Affairs Fire Engineer, Engineer and Superintendent of Markets	
Con		Chapter 32: Legislative Authority	
Sec	ction	General Provisions	
	32.002 32.003 32.004 32.005 32.006 32.007 32.008	Members of the Legislative Authority; election; terms of office President Pro Tempore; employees Vacancy when President Pro Tempore becomes Mayor Qualifications of members of the Legislative Authority Compensation and bonds of municipal officers and employees Vacancy Judge of election and qualification of members; quorum and special Rules; journal; expulsion of members Meetings	meetings
	32.010 32.011 32.012	General powers Failure to take oath or give bond Notice when new bond required Care, supervision and management of public institutions	

Da	yton Legal Bl	ark, Inc. Form No. 30343	_
	yton Legat Bi	d.ix, iiic.	_
	Ordinano	ce No, 20,	-
			_
	:	Contracts, Bids and Proceedings	
	32.025	Contracts by the Legislative Authority or Administrator	
	32.026	Bids and proceedings	
		Alterations or modifications of contract Contract restrictions	
,		Award to lowest responsive and responsible bidder	
		Ordinances and Resolutions	
		Ordinances and resolutions as evidence	
		Passage procedure	
		Style of ordinances Subject and amendment of ordinances and resolutions	
		Authentication and recording of ordinances and resolutions	
	32.045	Publication of ordinances and resolutions; proof of publication and circulation	
		Notice for proposed amendments to the municipal Charter Times of publication required	
	32.048	Publication and certification of ordinances in book form	
,		Adoption of technical ordinances and codes	
		Certificate of Clerk as to publication Publication when no newspaper published in municipality	
		Effect of not making publication	
	32.053	Ordinances providing for appropriations or street improvements; emergency ordinances	
		Initiative and Referendum	
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		More than one ordinance required; application of subchapter	
	32.073	Presentation of petitions	
		Copy of proposed ordinance or measure to be filed with Clerk Words to be printed in red	
		Designation of committee filing petition; public inspection of petitions; ordinances passed	
	,	or repealed prior to election	
	32.077 32.078	Itemized statement by petition circulator Prohibited practices relative to petitions	
		Accepting premiums for signing	
	32.080	Threats in securing signatures	
	32.081	Application of subchapter if Charter adopted	
		Chapter 33: Judicial Authority	
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	33.01	Jurisdiction in ordinance cases and traffic violations	
	33.02 33.03	Powers of Mayor and Mayor's Court Magistrate in criminal matters  Duties of Mayor and Mayor's Court Magistrate; fees; office; seal	
	33.04	Mayor's Court Magistrate	
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		Contempt of Court	
·	22.20		
	33.20 33.21	Summary punishment for contempt Acts in contempt of court	
	33.22	Hearing	
	33.23	Contempt action for failure to pay support, failure to comply or interference with a	
	33.24	visitation order; summons Right of accused to bail	
	33.25	Hearing on contempt; penalties; support orders; failure to withhold or deduct money	
	22.06	pursuant to support order	
	33.26 33.27	Imprisonment until order obeyed Proceedings when party released on bail fails to appear	
		The second secon	

Ι	Dayton Legal	Blank, Inc.		Form No. 3	0043	
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Į	Ordina	nce No.	Passed	, 20		
	Oraina	33.28				<u> </u>
		33.29	Judgment final			
		33.30	Alternative remedy			
						·
			Chapter 34: Police Department			
	Section					İ
		34.01	Marshal and Police Chief synonymous			
		34.02	Appointment of Marshal			
		34.03				
		34.04 34.05	Auxiliary police units			
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		34.07	General powers			
		34.07	Powers and duties of Marshal	·		
		34.09	Disposition of fines and penalties			
		34.10	Property recovered by police	•		
		34.11	Disposition to claimant			
		34.12	Sale of unclaimed property; disposition of proceeds			
		34.13	Expenses of storage and saie; notice			
		34.14	Contracts for police protection; nonresident service without contract			-
		34.15	Peace officer administering oaths; acknowledging complaints, summonses af	fidavits and		
			returns of court orders	-100 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7		
•						\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
			Chapter 35: Fire Department			
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		100	General Provisions	•		
						[[
		35.01	Municipal fire regulations; fire department			
		35.02		cords check i	for firefig	hters
		35.03	Schooling of officers and firefighters of fire department			11
		35.04 35.05	Legislative Authority may purchase engines and equipment			
	1	35.05	Buildings for department Records	•		Ц
		35.07	Maximum consecutive hours for firefighters on duty			
		35.08	Investigation of cause of fire	•		ļ. ,
		35.09	Right to examine buildings, premises, and vehicles			
		35.10	Burning buildings for firefighting instruction or research			
	·	35.11	Impersonating fire safety inspector			
		35.12	Standards for equipment			11
	[ -	35.13	Persons entitled to be known as firefighters		. ,	.
		35.14	Firefighting and emergency services agreements			
		35.15	Regulation of construction in fire limits		•	
						1
			Volunteer Firefighters' Dependents Fund Board			
		25.20	Deficitions	•		1
	1	35.30	Definitions Establishment			.
	1	35.31 35.32	Establishment Membership: vacancies	•		
		35.32	Membership; vacancies Election and term of members	•		
		35.34	Organization; rules and regulations; roster			
		35.35	Compensation and expenses of Board; legal advisor			
		55.55	Componential disposition of Doute, 105th day 1501			
			Chapter 36: Civil Actions Against the Municipality			$\parallel$
	Section		,			
	-	36.01	Definitions			
		36.02	Nonliability of municipality; exceptions			1
		36.03	Defenses and immunities			
	1	36.04	Limitation of actions			
	1	36.05	Damages			
		36.06	Satisfaction of judgments			
	,	36.07		-		
		36.08 36.09	Liability insurance Certain actions unaffected			
	-	36.10	Certain actions unaffected  Certain charges against municipal officers filed with Probate Judge; proceed	linge		
		20.10	Cerami charges against municipal officers filed with Floodic Judge, proceed	migo		
	1					11

	Da	yton Legal Bl	ark, Inc.	Form No. 300	)43
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	·		TITLE V: PUBLIC WORKS		
			[Reserved]		
·	,		TITLE VII: TRAFFIC CODE		
			Chapter 70: General Provisions		
	Section		General Provisions		
		70.01 70.02 70.03 70.04 70.05 70.06 70.07 70.08 70.09 70.10 70.11 70.12	Definitions Compliance with order of police officer Emergency vehicles to proceed cautiously past red or stop signal Exceptions generally; emergency, public safety and coroner vehicles exempt Persons riding or driving animals upon roadways Prohibitions against pedestrians and slow-moving vehicles on freeways Use of private property for vehicular travel Names of persons damaging real property by operation of vehicle to be provided Limited access highways; barriers along; vehicles to enter and leave at designate Through highways Officer may remove ignition key Removal of vehicles after accidents	to owner d intersections	
			Traffic-Control Devices		
		70.30 70.31 70.32 70.33 70.34 70.35 70.36 70.37 70.38 70.39 70.40	Obeying traffic-control devices Signal lights Signals over reversible lanes Ambiguous or non-working traffic signals Pedestrian-control signals Flashing traffic signals Unauthorized signs and signals prohibited Alteration, defacement, or removal prohibited Unauthorized possession or sale of devices Signal preemption devices; prohibitions Traffic law photo-monitoring devices		
		70.99	Penalty		
	Section		Chapter 71: Licensing Provisions  Motor Vehicle Licensing		
		71.01 71.02 71.03 71.04 71.05 71.06 71.07	Display of license plates or validation stickers; registration Improper use of noncommercial motor vehicle Operating motor vehicle ordered immobilized; forfeiture Operation or sale without certificate of title Display of certificate of registration Use of unauthorized plates Operating without dealer or manufacturer license plates		
			Driver's Licenses		
		71.20 71.21 71.22 71.23 71.24 71.25 71.26 71.27 71.28	Prohibited acts Permitting minor to operate vehicle prohibited; temporary instruction permit; pro License required as driver or commercial driver on public or private property; no Employment of a minor to operate a taxicab prohibited Restriction against owner lending vehicle for use of another Suspension of driver's licenses; license suspended by court of record Display of license Prohibition against false statements Driving under suspension or in violation of license restriction		
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Dayton Lega	l Blank, Irc.		Form No. 30043
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i		Operating motor vehicle without valid license	
	71.30	Driving under OVI suspension	
	71.31	Driving under financial responsibility law suspension or cancellation	•
	71.32	Failure to reinstate license	
		Commercial Driver's Licenses	
	71.45	Definitions	
	71.46	Use of actual gross weight in lieu of rating	
	71.47	Prohibited acts	
	71.48	Prerequisites to operation of commercial motor vehicle	
	71.49	Physical qualification to operate commercial motor vehicles	
	71.50	Criminal offenses	
	71.51	Application of federal regulations	
	71.52	Employment of drivers of commercial vehicles	*
	71.99	Penalty	
		1 omity	
		Chapter 72: Traffic Rules	•
Section		Chapter 12. Traine Rules	• • •
Section		General Provisions	
i		General Fronsichs	
	72 001	Tampa of travel among mandanana	
		Lanes of travel upon roadways	
		Driving through safety zone	
		Vehicles traveling in opposite directions	
,	72.004	Rules governing overtaking and passing of vehicles	
ľ		Permission to overtake and pass on the right	•
		Driving to left of center line	÷
		Prohibition against driving upon left side of roadway	
		Hazardous zones	
* .		One-way highways and rotary traffic islands	
	72.010	Rules for driving in marked lanes	
	72.011	Space between moving vehicles	
	72.012	Divided roadways	
		Rules for turns at intersections	
		U-turns and turning in roadway prohibited	
		Starting and backing vehicles	•
1		Turn and stop signals	
		Hand and arm signals	
	,,	The same will be a second	
		Right-of-Way	· *
		rigio of may	
	72 030	Right-of-way at intersections	·
		Right-of-way when turning left	·
		Right-of-way at through highways, stop signs; yield signs	
		Stop at sidewalk area; stop signs on private roads and driveways	
		Right-of-way on public highway	•
		Pedestrian on sidewalk has right-of-way	
		Right-of-way of public safety vehicles	
			•
		Funeral procession has right-of-way	•
		Pedestrians yield right-of-way to public safety vehicle	
		Pedestrian on crosswalk has right-of-way	
		Right-of-way yielded to blind person	
	72.041	Right-of-way yielded by pedestr an	·
			+
		Pedestrians	
		Pedestrian movement in crosswalks	•
		Pedestrian walking along highway	•
		Prohibition against soliciting rides; riding on outside of vehicle	•
		Pedestrian on bridge or railroad crossing	
1		Persons operating motorized whee chairs	•
	72.060	Intoxicated or drugged pedestrian hazard on highway	•
		Operation of electric personal assistive mobility devices	
1			*

Эа	yton Legal Bl	ank, Inc	Form No. 30043
	Ordinano	re No Passed	, 20
		Grade Crossings	
,		Stop signs at grade crossings	
		Driving vehicle across railroad grade crossing	
		Vehicles required to stop at grade crossings	
	12.018	Slow-moving vehicles or equipment crossing railroad tracks	
	**	School Buses	
		School Dases	•
	72.090	Regulations concerning school buses	·
		Violation of regulations; report; investigation; citation; warning	
		Restrictions on the operation of school buses	
	72.093	School bus inspection	
	72.094	School bus not used for school purposes	
		Licensing by Department of Public Safety	
		Registration and identification of school buses	
		School bus marking	
		Flashing light signal lamps Occupant restraining device for operator	
1	12.099	Occupant restraining device for operator	
		Prohibitions	
]		•	
		Obstruction and interference affecting view and control of driver	
		Occupying travel trailer while in motion	
. !		Driving upon closed highway prohibited	•
1	72.118	Driving upon sidewalk area or paths exclusively for bicycles	
		Obstructing passage of other vehicles Following an emergency or public vehicle prohibited; approaching stationary public s	nfatu
-	12.120	vehicle with caution	alety
	72.121	Driving over unprotected fire hose	
	72.122	Placing injurious mater al on highway or depositing litter from motor vehicle	
	72.123	Transporting child not in child-restraint system prohibited	
		Occupant restraining devices	
		Use of engine brakes prohibited	•
:	7226	Operating motor vehicle while wearing earphones or earplugs	
´		Chauffeured limousines and livery services Operating traction engine upon improved highway	•
		Cracking exhaust noises; peeling out	
ļ		Shortcutting across private property	
	·	Chapter 73: Motor Vehicle Crimes	
Section		General Provisions	
		General Provisions	
Ì	<b>73.C1</b>	Driving under the influence of alcohol or drugs	
	73.C2	Implied consent	•
Ì	73.03		
İ	73.04	Driving commercial vehicle with impaired alertness or ability; use of drugs	
	73.05	Reckless operation of vehicles	
	73.06	Reckless operation off streets and highways; competitive operation.	
	73.07 73.08	Operator to be in reasonable control	
	73.08	Immobilizing or disabling device violation Street racing defined; prohibited on public highways	
•	73.19	Speed limits	•
	73.11	Slow speed or stopping	
!	73.12	Emergency vehicles excepted from speed limitation	
:	73.13	Speed regulations on bridges	
	73.14	Fresenting false name or information to officer	
	73.15	Frohibition against resisting officer	
	1		

Dayton Legal Blank, In	nc.	Form No. 30043
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	Stopping After Accident	
73.30	Exchange of identity and vehicle registration	
73.31	Accident involving injury to persons or property	
73.32	Accident involving damage to realty	
73.33	Failure to report accident	
	C1	
Section	Chapter 74: Equipment and Loa	ads
Section	Equipment	•
	<b></b>	
74.01		•
74.02		
74.03		
74.04		
74.05		
74.06		
74.07		· · · · · · · · · · · · · · · · · · ·
74.08		
	Obscured lights on vehicles	
74.10 74.11		
74.11		lectors on multi-wheel
74.12	agricultural tractors or farm machinery	icctors on matti-wheel
74.13		
74.14		
74.15		
74.16		
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74.18	Number of lights permitted; red and flashing lights	
74.19		ze vehicles
74.20		
74.21		
74.22		n.
74.23		•
74.24 74.25		
74.26		
74.27		
74.28		· ·
74.29		
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74.31		ed glass or reflectorized material
74.32		•
74.33		
74.34		
74.35		•
74.36 74.37		. •
74.38		
74.39		
74.57	, All oces	
	Loads	•
74 50	Darmit required to avoid load limits	· ·
74.50 74.51		
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	90.29	Failure to register dog or dog kenn	i, italistet of owners	sinp certificate, form st	ating dog s prior b	CHAVIOI
	90.30	Hindering the capture of unregister		4,		
	90.30	Unlawful tag	ten nog	•		
	90.32	Rights of blind, deaf or hearing im	naired or mobility	impaired person or tra	iner with accietance	a doa
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	90.35	Jacklighting prohibited	eguation of sale an	u uispiay		
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	91.57	Open burning in restricted areas				-
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İ	92.12	Misrepresentation by a minor under 21 years		
	92.13	Sale to underage persons prohibited		
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,	93.21	Unsanitary vaults		
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·	93.43 93.44	Procedure when owner fails to comply with notice Written return to County Auditor; amount as a lien upon property		
	/J. TT	The return to county Addition, amount as a near upon property		
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00.60	The state of the state of	
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	Construction and Repair	·
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-	.			ted in certain area				
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	.		Implied consent					;
<del></del>				erators prohibited ifined to ski zone:				
				ed when towing sl			,	•
		96.17	Water skiing afte	er dark prohibited			•	
•				n device required	for tower po	ersor	•	-
			Ski jumps prohib Permit for specia					
				al water events lled inflatable ves	sels prohibite	ed		
				, walking on mov				
	li li		Engine warm-up					
				n devices for chil				•
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			Anchor requiren					
		96.28	Specification for	fire extinguisher	S	•		
	· -			ontrol device req				
				irement on power f junk vessels or c		nre		- · ·
				required; noise le				
		96.33	Safety equipmen	t on rental vessel				
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	·			ence of negligence	e			
	•			r operating perso	nal watercraf	ì		
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• •		96.48	Manufacturer's	or importer's cert	tificate			
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.*		90.30	remanently uis	piayed nuii ideiit.	Headel Eann	DCI		
		96.99	Penalty					
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		,		IIILE AI.	DUSTRESS	RESCLATIO	IND	
				Chapte	er 110: Gene	ral Previsions		•
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	_		Application for	ed to engage in ce	rtain ousines	ses, exceptions	•	
	- :		Issuance of licer					
			Date and duration					-
			License not tran					
			Revocation or si	ate to be displayed uspension				
			Appeal and review					
				•				
	.	110.99	General penalty	for Title XI				
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			Vehicle equipment and maintenance		
			Designation of taxicabs	-	
			Taximeter and display of rates required Number of passengers allowed	* · · · · ·	-
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-		Telecommunications harassment
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	132.11	Unlawful display of law enforcement emblem
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1		Safety of crowds attending live entertainment performances
ł	132.14	Misconduct involving a public transportation system
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İ		Sexual imposition
٠.		Public indecency
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	133.03	Voyeursin
	133.00	Polygraph examinations for victims: restrictions on use
		Procuring
	133.08	Soliciting; loitering to engage in
.	133.09	Prostitution
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٠	133.11	Displaying matter harmful to juveniles
		Deception to obtain matter harmful to juveniles
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		Declaratory judgment
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ı	134.01	Definitions
1		Prohibitions against gambling; exception
1		Operating a gambling house
.		Public gaming
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-		Regulations concerning operation of licensed bingo game
-		Records to be kept
		Requirements for bingo game operators
į		Bingo games for amusement only
	134.10	Prohibitions where instant bingo game is conducted
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	134.14	Skill-based amusement machines; prohibited con	duct		
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	135.13	Nonsupport of dependents			
	135.14	Endangering children			
	135.13	Interference with custody; interference with supp Domestic violence	ort orders		
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		Contributing to unruliness or delinquency of a ch	ild		
		Failure to provide for functionally impaired pers			
	135.20	Patient abuse or neglect; patient endangerment:	exceptions: false	statements: retaliation	
,	135.21	Interference with right of person to engage in ho	using transaction	s because of race, relig	ion, or the like
·	135.22	Ethnic intimidation		•	
	135.23	Violating a protection order, consent agreement,	anti-stalking pro	tection order or order	
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		Illegal distribution of cigarettes or other tobacco	nrodiiete: transa	rtion scane	•
	135.26	Nonsmoking areas in places of public assembly	products, sransa	ction seatis	
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•		Compounding a crime			
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ļ		Obstructing official business  Obstructing justice			
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	136.09	Having an unlawful interest in a public contract			-
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		Dereliction of duty		•	•
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	136.15	Illegal conveyance of prohibited items onto granified accompany of the illegal	ounds of a deter	ition facility or other	
	136 1/	specified governmental facilities False report of child abuse or neglect			
	136.15	Assaulting police dog or Lorse, or assistance dog	•		
	136.16	Disclosure of confidential peace officer informat	ion		
	136.17	Intimidation of crime vict m or witness	- <del></del>		-
	136.18	Using sham legal process		•	
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	136.20	Misuse of 9-1-1 system			
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		Using weapons while intoxicated	
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	137.05	Possessing criminal tools	·
	137.06	Failure to secure dangerous ordnance	
	137.07	Unlawful transactions in weapons	
		Underage purchase of firearm or handgun	
		Pointing and discharging firearms and other weapons	
		License or permit to possess dangerous ordnance	
		Possession of an object indistinguishable from a firearm in a school safety zone	
		Possession of deadly weapon while under detention	
		Concealed handgun licenses: possession of a revoked or suspended license; additiona.	
		restrictions; posting of signs prohibiting possession	
	137.14	Defaced firearms	
		Chapter 128, Drug Offenses	
ection		Chapter 138: Drug Offenses	:
	138.01	Definitions	
		Trafficking in controlled substances; gift of marihuana	
		Drug abuse	
•		Possessing drug abuse instruments	- 11 .
		Permitting drug abuse	
		Illegal cultivation of marihuana	
		Abusing harmful intoxicants	
		Illegal dispensing of drug samples	
٠.		Federal prosecution bar to municipal prosecution	-   - '
•		Nitrous oxide: improper dispensing or distribution; possession in a motor vehicle	
		Laboratory report required	li i
•		Counterfeit controlled substances	
	138.13	Use, possession, or sale of drug paraphernalia	
		Controlled substance or prescription labels	
		Possession, sale and disposal of hypodermics	
		Controlled substance schedules	
	138.17	Unlawful furnishing of prescription to enable persons to be issued handicapped parking	1
	,	placards or license plates	
	138.18	Pseudoephedrine sales	
		TITLE XV: LAND USAGE	
	•		.
ection		Chapter 150: General Provisions	
outon		Parks and Recreation	
•			
	150.01		
-	150.02	Board of Park Trustees	
•			
		Planning and Zoning	
	150 15		
		Planning Commission	
	150.16	Board of Zoning Appeals	-    '
		DADALLEL DEFENDENCES	
		PARALLEL REFERENCES	
,		Ohio Legislative History References – Master Table Disposition Table	
			-    -
		INDEX	- []

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	. 20
This summary of contents has been Municipality of Anturerp	en verified and authorized for publica, Ohio.	tion by the Legislative Authority of the
Signed: Roy U	Long Jutta Clerk of the Legisla	
1st Reading	1-25-10	
2 vd Reading	2-8-10	
3 rd Reading	2-22-10	

ton Legal Blank, Inc.	·			Form N	lo. 30043	
Ordinance No		Passed	<i>l</i>			
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	CERTIFICA	TION OF	CODIFIED OF	MINANCES		
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	·		·	4		
We, Ray Defong Municipality of hereby certify that the compiled, renumber correct as and constitutions.	ed as to sections,	, codified a	nd printed herev	vith in compone	nt codes an	d titles are, Ohio.
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			Journa	a Daker	<u></u>	
			Clerk of the Leg	gislative Author	ıty	
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	Dayton Legal Blank, Inc.	
	Ordinance NoPassed	. 20
==		
	RESOLUTION NO. 2010-01	
	A RESOLUTION REQUESTING THE COUNTY AUDITOR TO VILLAGE OF ANTWERP THE TOTAL CURRENT TAX VAL DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENIFOR A RENEWAL LEVY FOR CURRENT EXP	UATION AND THE ERATED BY 1 MILL
,	WHEREAS, the Council for the Village of Antwerp finds it r County Auditor to certify the current tax valuation and the dollar would be generated by 1 mill for a renewal levy for current exper street lighting fund, pursuant to Ohio Revised Code Section 570	amount of revenue the ses, which includes t
	NOW THEREFORE, BE IT RESOLVED by the Council of Paulding County, Ohio, that:	f the Village of Antwe
1	Section 1. The Village of Antwerp is requesting the Courtent tax valuation and dollar amount of revenue that would pursuant to Ohio Revised Code Section 5705 19(A). The Village this certification in order to place a renewal levy on the ballot for election for current expenses, which includes the street lighting for	be generated by 1 r of Antwerp is requesti or the upcoming gene
	Section 2. This Resolution is in accordance with the Secretor No. 2003-04.	etary of State's Adviso
	Section 3. It is found and determined that all formal action Village of Antwerp, Ohio concerning or relating to the passage adopted in an open meeting of the Council, and that all delibera	
;	any of its committees that resulted in such formal action, were in public, in compliance with all legal requirements.	tions of the Council a
1		tions of the Council a in meetings open to
1	public in compliance with all legal requirements.  Section 4. This Resolution shall take effect and be in force allowed by law.	tions of the Council a in meetings open to
1	publication compliance with all legal requirements.  Section 4. This Resolution shall take effect and be in force.	tions of the Council a in meetings open to
;	public in compliance with all legal requirements.  Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Ray DeLong, Ma	tions of the Council a in meetings open to e after the earliest per
;	Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Attest	tions of the Council a in meetings open to e after the earliest per
;	Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Ray DeLong, Manager Baker	tions of the Council a in meetings open to e after the earliest per
	Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Attest  Loretta Baker, Fiscal Officer	tions of the Council a in meetings open to e after the earliest per
	Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Attest  Loretta Baker, Fiscal Officer	tions of the Council a in meetings open to e after the earliest per
	Section 4. This Resolution shall take effect and be in force allowed by law.  Passed this And day of February, 2010.  Ray DeLong, Manager Baker	tions of the Council a in meetings open to e after the earliest per

	1
	11
Ordinance No	

### **ORDINANCE NO. 2010-07**

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

<u>Section 2:</u> The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION			
	·	AMOUNT			
		Original	New Amount		
E1 5F 250 Casing Pipes	Increase Appropriation	\$50,000.00	\$52,468.36		
A1_7J 230 Workers Comp	Increase Appropriation	\$48,000.00	\$60,274 34		
B7 7A 250 Mayor's Ct Capital					
Outlay	Increase Appropriation	\$200.00	\$550.00		
H3 1A240 Street Lighting Oper					
and Maint	Increase Appropriation	\$25,000.00	\$27,000.00		

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Ordinance No Passed	 
Date 2-22-10	
Mayor Bay Dong  Attest:  Buetta Baker  Fiscal Officer	

Legal Blank, Iric.	·	Form No. 30	(43
rdinance No.	Passed	. 20	
	-		
	ORDINANCE NO. 20	iU-U8	
AN ORDINANCE AUTHOR TO THE WATER FUND IN		.00 AND DECLARE THE SA	
WHEREAS, the Village from the General Fund to the W	e Fiscal Officer has determined ater Fund, and	I that it is necessary to transfer	certain fund
WHEREAS, the Villag Section 5705.14, and	e Council must approve certai	n transfers pursuant to Ohio I	Revised Cod
WHEREAS, this is a transfer does not require a vote o fund of the Village, and	ansfer of funds pursuant to Ohi f the Village Council to authoriz		
WHEREAS, the Village Water Fund even though said ap the understanding that the Villa transfers of funds under Ohio Ro	ge is not required to seek any	tc Chio Revised Code Section.	5705.14, wit
NOW THEREFORE, B Ohio:	E IT ORDAIN ED by the Counc	il of the Village of Antwerp, Pau	ıld ng Count
Section 1. The Village (\$50,000.00) from the General I	Fiscal Officer is hereby authorund to the Water Fund.	orized to transfer the sum of F	ifty thousan
Section 2. This ordinance Village of Antwerp.	e is necessary to provide for op	erating funds for the Water dep	artment of th
Section 3. It is found an the passage of this ordinance were Council and of any of its commin compliance with all legal requestion 121.22 of the Ohio Rev	ttees that resulted in such forma uirements including all lawful	fthis Council, and that all delib I action, were in meetings open	perations of the to the
Section 4. This Ordinan preservation of the public health in immediate need of funds for residents and this ordinance sha take effect and be in force after	the operation of the police deplied in full force and effect imm	ge and for the further reason that partment necessary for the well nedictely after its passage; other	nt the Village II being of th
Date 2-22-10		May he La	
Attest:		Mayor of the Village of An	rverp

<u></u> _	Daytor: Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	20

### **ORDINANCE NO. 2010-09**

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

<u>Section 2:</u> The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION		
		AMOUNT		
		Original	New Amount	
D6 5E 250 E. River Waterline	Increase Appropriation	\$0	\$3045.00	
H3 1A 240 Street Lighting				
(Hwy 24)	Increase Appropriation	\$27,000 00	\$31,614.00	
		<u> </u>		

Section 3: This Ordinance is hereby declared to be an emergency reasure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Dayton Legal Blank, Inc.		Form No. 30043	_
Ordinance No	Passed	, 20	
Date 3-25-10			
Mayor Roy lle Long  Attest:			

	Dayton Legal Blank, Inc.			
	Ordinance No	Pass	ed	
		RÃO	10=02	Dayton Legal Blank, Inc., Form No. 11015
		TEN MILL. I Rev. Code, 3ec. 5705. 1.	LIMITATION 151, 192, .194, .21, .26	A TAX IN EXCESS OF THE
	The 2	'ellage		of
	session on the 47	7th day of May	Count	ty, Ohio, met in Regular (Regular or Special) 2010, at the office of
	Ullage of	antwerp	with the followin	ie members present:
	8 1			Reeb President
			Mike	Rohrs
				y Ryan
				c Derek
			Rud	ic Reeb
	Mrs Jan	r Reeb		option of the following Resolution
	WHEREAS, The insufficient to provide	e amount of taxes which may	be raised with	in the ten mill limitation will b irements of said *
	therefore be it	of anteresp		Paulding County, Ohi
				of th
	Uillage of a members elected the	ntivery Parks	Ling cessed to levu a	County, Ohio, two-thirds of a tax in excess of the ten will lim
	tation for the benefit	of	Ilrae of	antwerp
	for the purpose of '	Current 6	Glame of Subdi	antweys
			5705,19	
		,		······
				each one dollar of valuation, which
	amounts to	+ en Cen + S (Here instrict rate expre		
		5 year	rs 2010, 20	011, 2012, 2013, 201
•	,	,	4	-2015- 1B
		and the second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second second s		
	. 6	1 renewal of	a tax	of 1 m:11
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				<u> </u>
	DECOLUES 5	pl , d · · · · · · · · · · ·	11	1 1 1 1 2 2 2
	ii .	· -		be submitted to the electers of se
	said 3	(General, Primary, Special)  1 age Of Anti-	e'ection to be l Ulrp	held at the usual voting places wit
	11	0		
	on the and	day of Novemb	er .	2010; and be it further
	RESOLVED.	That said levu be placed und	on the tax list of	ACIC; and be it further the current year after the Februa of the electors voting thereon v

ayton Legal Blank, Inc.	Form No. 30043	
o 11		
Ordinance No	RESOLVED, That the Clerk of this Village of 20 Hatwerp  be and he is hereby directed to certify a copy of this Resolution to the Board of Elections,	<del>,</del>
	be and he is hereby directed to certify a copy of this Resolution to the Board of Elections,	······
	Paulding County, Ohio, on or before Aug 19+4	2010
	and notify said Board of Elections to cause notice of election on the question of levying said be given as required by law.	l tax to
	Mr. Mike Rohrs seconded the Motion and the roll being	z called
.*	upon its adoption the vote resulted as follows:	
	Mrs. Jan Rech yes	
	Mr. Mike Rohrs yes	
	Mr. Lorry Ryan , yes	•
	Mr Steve Derck yes	
	Mr. Rodie Reeb , yes	:
	_	010
	(Clerk or Auditor) Fiscal	Cfficer
	3rd Reading 5-17-10 Jillage of Antu	perp
	Paulding Cour	nty, Ohio
,	<ol> <li>This Resolution is to be passed and pertified to the Board of Elections 75 days prior to the election upon which it will be voted, except see Lavy 5705.194.</li> </ol>	nergency School
	" a replacement ofmills and an increase ofmills to constitute a tax ofmills"  " a replacement of part of an exist ng levy, being a reduction ofmills, to constitute a 'ax sfmills"  Schools also see 5745.212, 5705 2:5 C.R.C.  6. See Emergency School Levy under 5705 194, Also 5705.21, 5705.212, 5705.213 achools.  7. This notice to be given by the Board of Elections shall be published in a newspaper of general circulation in the county once a week. See 5705.19, for time.	191, .194 R.C.
	The State of Ohio, Pariding County, ss.  I, Lorotta Baker, Glerk of Glerk of	Antwerp
	do hereby certify that the foregong is taken and copied from the Record of the Proceeding  Uilage, that the same has been compared by me with the Resolution on sa and that it is a true and correct copy thereof.	
		1010
	Sylvalia Daker	<del>Clerk</del> Fisca: offi
	Hatwery Antwery County, Ohio E TEN  C TEN  Deputy	
	n twe	
	R2010-6  1e 6 P SOLUTION WECESSARY T CESS OF THE LIMITATION	
	CESS CESS OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF THE PROPERTY OF T	
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Dayton Legal Blank, Inc.		Form No. 1
Ordinance No	Passed	, 20
	,	DTE 140
		R.C. §5705.03(F Rev. 5/0
Certific	cate of Estimated Property Tax Reven	ue
The county auditor of Paulding	County, Ohio, does hereby certify the f	ollowing:
1. On February 24, 2019,	the taxing authority of the Village of An	twerp certified a copy of
its resolution or ordinance adop	oted February 22, 2010, requesting the c	ounty auditor to certify
the current tax valuation of the	subdivision and the amount of revenue	that would be produced
one and zero tenths (1.0) mill r	enewal, to levy a tax outside the ten-mil	l limitation for the
purpose of current expenses, p	oursuant to Revised Code §5705.19(A), t	o be placed on the ballo
at the November 2, 2010 electi	on. The levy type is a renewal five (5) y	year levy, commencing t
year 2010, first due in calendar	year 2011.	
2. The <i>estimated</i> property	tax gross revenue that will be produced	by the stated millage,
assuming the tax valuation of t	he subdivision remains constant through	nout the life of the levy,
calculated to be \$18,028.*		
3. The total tax valuation	of the subdivision used in calculating th	e estimated property tax
revenue is \$18,280,130.		
		_
Sharan K. Our	xpsox_	3-9-10
January Joseph		

Dayton Le zal Blank, Inc

### RECORD OF ORDINANCES

		101111110130013
Ordinance No	Passed	, 20
·		
(Ordinance No. <b>2009-26</b> )		PID No. <b>81458</b>
	Project No	(2010)

### RESOLUTION NO. 2010-\_*03*\_\_\_

A RESOLUTION FOR THE APPROPRIATION OF FUNDS IN REGARD TO THE HIGHWAY PROJECT IDENTIFIED HEREIN AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE STATE OF OHIO PROVIDING FOR THE PAYMENT OF MONEY FOR SAID PROJECT, AND DECLARING THE SAME AN EMERGENCY.

The following Final Resolution enacted by the Village of Antwerp, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA," in the matter of the stated described project.

WHEREAS, on 8th day of September, 2009, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

Reconstruct a portion of U.S. Route 24 inside the Village of Antwerp with new pavement and curb and gutter. Improvements will be made as part of the abandonment of U.S. Route 24 to the local governments. The project is approximately 0.2 miles long. Incidental construction within the project limits includes water line replacement, replacement of storm sewers, new curb ramps at intersections and reconstruction of drives, lying within the Village of Antwerp.

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid fund set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of Thirty-One Thousand Six. Hundred Fourteen and 30/100 Dollars (\$31,614.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority;

Dayton Legal Blank, Inc

Form No. 50043

Ordinance No. WHEREAS, the LPA desires the Director of Fasisportation to proceed with the Afforesaid highway improvement.

NOW, THEREFORE, be it resolved by the Council of the Village of Antwerp, Paulding County, Chio:

- That the estimated sum of Thirty-One Thousand Six Hundred Fourteen and 00/100 Dollars (\$31,614.00), is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The LPA hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
- Section 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- Section 3. That the LPA enter into a contract with the State, and that Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- Section 4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.
- Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in an opening meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.
- Section 6. This Resolution is deemed an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason that this Resolution and the required contract(s) shall be returned to the Ohio Department of Transportation, Office of Estimating, no later than March 29, 2010, in order to allow the construction project to commence (said construction project as described herein). This Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.
- This is to certify that the LPA has compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA and which Resolution was duly passed by the LPA on the Astroday of March, 2010, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

Dayton Legal Blank, Inc.	<u> </u>		Form No. 30043	
Ordinance No		Passed	, 20	
= ====			<u> </u>	
Section 8.	The LPA further certifies that is recorded in the journal of sai and under date of March 2.5	id LPA in Volume		11
		Legislative Aut Village of Anto	•	
		Ray DeLoi	y De Long	
ATTEST:				207
<del></del>	ta Baker			
Loretta Baker	, Fiscal Officer			

 Dayton Legal B ank. Inc.		Form No. 30043
Ordinance No	Passed ORDINANCE NO. 2010-10	. 20
· · · · · · · · · · · · · · · · · · ·	RIZING THE VILLAGE FISCAL OFFICE UND IN THE AMOUNT OF \$27,500.00 IT AN EMERGENCY.	
	e Fiscal Officer has determined that it is ral Fund to the Police Fund, and	necessary to transfer
WHEREAS, the Villag Revised Code Section 5705.	ge Council must approve certain transfe .14, and	ers pursuant to Ohio
5705.14(E), which transfer of	Transfer of Funds pursuant to Ohio Redoes not require a vote of the Village and to any other fund of the Village, and	Council to authorize
General Fund to the Police I Ohio Revised Code Section 5	ge Council elects to approve the Transform Fund even though said approval is not 5705.14, with the understanding that the vas may be required for other transfers .14.	required pursuant to Village is not required
NOW THEREFORE, Paulding County, Ohio:	BE IT ORDAINED by the Council of the	e Village of Antwerp,
	pe Fiscal Officer is hereby authorized to hundred Dollars (\$27,500.00) from the	
Section 2. This ordin	ance is necessary to provide for the op age of Antwerp.	erating funds for the
concerning and r∋lating to the of this Council, and that all d resulted in such formal actic	nd and determined that all formal act e passage of this ordinance were adopted leliberations of the Council and of any of n, were in meetings open to the public, in all lawful ordinances and any applicable Code.	ed in an open meeting of its committees that n compliance with all
necessary for the immediate Village and for the further re operation of the Police depa ordinance shall be in full forc	linance is hereby declared to be an expreservation of the public health, safe eason that the Village is in immediate northeent necessary for the well being of the and effect immediately after its passageter the earliest period allowed by law.	ty and welfare of the need of funds for the he residents and this
Date: 4-19-10		f -
May or of the Village of Antw	Attest Fiscal Officer:erp	Greater Baker

Dayton Legal Blank, Inc.	• .		Form No. 30043	
Ordinance No		Passed	, 20	

#### ORDINANCE NO. 2010-11

# AN ORDINANCE ESTABLISHING THE SALARY FOR THE OFFICE OF MAYOR OF THE VILLAGE OF ANTWERP, OHIO, FOR THE ENSUING TERM OF OFFICE COMMENCING IN THE YEAR 2012

WHEREAS. Council for the Village of Antwerp, Ohio, pursuant to Ohio Revised Code § 731.13, is fixing the compensation of the Mayor for the Village of Antwerp, Ohio, for the ensuing term of office and is doing so at a meeting held not later than five (5) days prior to the last day fixed by law for filing as a candidate for the office of Mayor.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County. Ohio:

Section 1 That beginning with the first pay period of the year 2012, the next ensuing term of office for the Mayor of the Village of Antwerp, Ohio, the salary for the office of Mayor for the Village of Antwerp, Ohio shall be \$8,000.00 on an annual basis. If Council determines that Mayor's Court should no longer be conducted in the Village of Antwerp, which determination shall be made on or before the Mayor taking office, the annual salary for the office of the Mayor of the Village of Antwerp, Ohio, shall be \$6,000.00 for the ensuing term of office.

Section 2. That beginning with the first pay period of the year 2016, the annual salary for the Mayor of the Village of Antwerp, Ohio, shall increase by \$800.00, and an \$800.00 increase in annual salary shall take effect for each ensuing term thereafter.

Section 3. This Ordinance repeals any other ordinance inconsistent therewith.

Section 4. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any cf its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall be in full force and effect and after the earliest period allowed by law.

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No.	Passed	, 20
Passed: 7-19 , 2010.		
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Attest:	Ray DeLong, Mayor	
South Baker		
Loretta Baker, Fiscal Officer		
First Reading: <u>5 - 17 - 10</u>		•
First Reading: <u>5 - 17 - 10</u> Second Reading: <u>6 - 14 - 10</u>		
Third Reading: 7 - 19 - 10		

Dayton Legal Blank, Inc.		Forn No. 30043	
Ordinance No.	Passed	, 20	

#### **ORDINANCE NO. 2010-12**

# AN ORDINANCE ESTABLISHING THE SALARY FOR THE OFFICE OF COUNCIL MEMBER OF THE VILLAGE OF ANTWERP, OHIO, FOR THE ENSUING TERM OF OFFICE COMMENCING IN THE YEAR 2012

WHEREAS, Council for the Village of Antwerp, Ohio, pursuant to Ohio Revised Code § 731.13, is fixing the compensation for a member of the Council of the Village of Antwerp, Ohio, for the ensuing term of office and is doing so at a meeting held not later than five (5) days prior to the last day fixed by law for filing as a candidate for the office of Council.

NOW. THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That beginning with the first pay period of the year 2012, the next ensuing term of office for a member of the Council of the Village of Antwerp, Ohio, the salary for a newly elected member of the Council for the Village of Antwerp, Ohio shall be \$3,000.00 on an annual basis. That the \$3,000.00 annual compensation for a member of the Council for the Village of Antwerp, Ohio, shall take effect as a newly elected member of the Council takes office for the ensuing term of office.

Section 2. That beginning with the first pay period of the year 2014, the annual salary for a newly elected member of the Council of the Village of Antwerp, Ohio, shall increase by \$400.00, and a \$400.00 increase in annual salary shall take effect for each ensuing term thereafter.

<u>Section 3</u>. This Ordinance repeals any other ordinance inconsistent therewith.

Section 4. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance shall be in full force and effect and after the earliest period allowed by law.

Dayton Legal Blank, Inc.	· · · · · · · · · · · · · · · · · · ·	Form No. 30043
Ordinance No	Passed	, 20
Passed: 7-19, 2010.  Attest:	Ray DeLong, Mayor	
First Reading: 5-17-10 Second Reading: 6-14-10		
Third Reading: 7-19-10		

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-	Ordinance No.	,	Passed	20	

### ORDINANCE NO. 2010-13

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 2007-30 ESTABLISHING A PROGRAM TO CHARGE A USER FEE FOR THE DELIVERY OF EMERGENCY MEDICAL RESCUE SERVICES PROVIDED BY THE VILLAGE OF ANTWERP EMS, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp. Ohic, adopted an ordinance establishing a program to charge a user fee for the delivery of emergency medical rescue services provided by the Village of Antwerp EMS, said ordinance designated as Ordinance No. 2007-30 and passing by a majority vote of the Council of the Village of Antwerp, Ohio, after three (3) readings, on December 26, 2007; and

WHEREAS, the Council, by way of Ordinance No. 2607-30, established a section, specifically Section 5, providing amounts to be placed into the EMS Vehicle Replacement Fund for user fee collected; and

WHEREAS, the Council determines that it is appropriate to place additional funds in the EMS Vehicle Replacement Fund of the user fee collected and in order to amend the amount to be placed in the EMS Vehicle Replacement Fund, the Council of the Village of Antwerp amends Section 5 of Ordinance No. 2007-30 as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. That Section 5 of Ordinance No. 2007-30 establishing a program to charge a user fee for the delivery of emergency medical rescue services provided by the Village of Antwerp is amended to read as follows:

"Section 5. That all amounts collected as a result of Ordinance No. 2007-30 shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected (except from partial payments, Medicare or Medicaid) shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund."

Section 2. Previous ordinances and/or any portions thereof, including Section 5 of Ordinance No. 2007-30, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal

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_	immedi necessa placed shall be	ate preservation of the ry to amend Section 5 o into the EMS Vehicle R	e public health, sof Ordinance No. 2 Replacement Fund immediately after	afety and welfare of the 2007-30 in order to allow for the Village of Antweet	easure necessary for the he Village in that it is wadditional funds to be verp, and this Ordinance t shall take effect and be
	PASSE	D this 14th day of Jun	ne, 2010.		
				Ray Vi Low	<b>√</b> 4
· · · .				Mayor, Village of A	n verp
	ATTE		-		
		retta Baker Officer, Village of Antw	erp		

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### ORDINANCE NO. 2010-14

AN ORDINANCE AUTHORIZING AN AGREEMENT BY AND BETWEEN THE VILLAGE OF ANTWERP, OHIO AND ATWOOD MOBILE PRODUCTS, INC. FOR THE SUPPLY AND PURCHASE OF WATER AND PROVISION OF SEWER SERVICE, AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the Village of Antwerp, Ohio has previously supplied water to Atwood Mobile Froducts, Inc. and treated sewage discharge from its facility; and

WHEREAS, it is desirable for the Village to have an agreement with Atwood Mobile Products, Inc. for the sale and purchase of water and treatment of sewage discharge from its facility by the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

Section 1. The Village of Antwerp, Ohio is hereby authorized to enter into an agreement for furnishing water and receiving sewage for treatment with Atwood Mobile Products, Inc. pursuant to the following rates and terms:

#### FOR CALENDAR YEAR 2010:

- A. Atwood Mobile Products, Inc. shall pay the Village a monthly charge for the transportation and treatment of water delivered from the Village to Atwood Mobile Products, Inc. The monthly charge for water so delivered to Atwood Mobile Products, Inc. shall be \$2.75 for each 1,000 gallons of water, plus a flat rate of \$15.48 per quarter which shall be paid at the rate of \$5.16 per month.
- B. Atwood Mobile Products, Inc. shall pay the Village the sum of \$1.50 per 1,000 gallons of sewage collected into the Village's sewer treatment system from Atwood Mobile Products, Inc.'s facility for treatment per month, plus a flat rate of \$35.25 per quarter which shall be billed at the rate of \$11.75 per month

### FOR CALENDAR YEARS 2011, 2012 AND 2013:

- A. Atwood Mobile Products, Inc. shall pay the Village a monthly charge for the transportation and treatment of water delivered from the Village to Atwood Mobile Products, Inc. The monthly charge for water so delivered to Atwood Mobile Products, Inc. shall be \$2.92 for each 1,000 gallons of water, plus a flat rate of \$16.41 per quarter which shall be paid at the rate of \$5.47 per month.
- B. Atwood Mobile Products, Inc. shall pay the Village the sum of \$1.59 per 1,000 gallors of sewage collected into the Village's sewer treatment system from Atwood Mobile Products, Inc.'s facility for treatment per month, plus a flat rate of \$37.38 per quarter which shall be billed at the rate of \$12.46 per month
- Section 2. That Atwood Mobile Products, Inc. shall install, operate and maintain in accordance with the Village's regulations all required meters.
- Section 3. The agreement by and between the Village of Antwerp, Ohio and Atwood Mobile Products, Inc. for the supply and purchase of water and provision of sewer service shall be in effect until December 31, 2013.

Ferr No. 30043

### **RECORD OF ORDINANCES**

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	cooper	nd/or sewer service is supplied to be at ate with the Village in having said proper said property annexed into the corporat	ty annexed and further will n	not resist annexation proceedings
	Mobile necessa	Products, Inc. fail or refuse to execute ry for annexation within the aforesaid ter operty annexed or resist said annexation	said annexetion petition and n (10) day period or fail to co	d/or other documents and things operate with said Village to have
	increas seventy sewer	e water and/or sewer rates to outside corp -five percent (75%) of the rates to Atwo service has been previously supplied but	oration limits rates to includ od Mobile Products, Inc. =s p t only after the Village of A	e the same rates listed above plus property where said water and/or
	Section	written notice to Atwood Mobile Produ 4. The agreement by and between the V ply and purchase of water and provision	illage of Antwerp, Ohio and .	Atwood Mobile Products, Inc. for
	Section passag	5. It is found and determined that all of this Ordinance were adopted in an o	formal actions of the Councilpen meeting of the Council	cil concerning or relating to the , and that all deliberations of the
	comp.i	l and any cfits committees that resulted ance with all legal requirements, include 121.22 of the Ohio Revised Code.		·
	preserv supply Ordina	6. This Ordinance is hereby declared ation of the welfare, convenience and provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the provision of the	osperity of the Village of An f sewer services to Atwood diately after its passage; othe	twerp and necessary to allow the Mobile Products, Inc., and this
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	rasseu	, 2010	Ray Derong, Mayor Village of Antwerp	0
	Attest:			
		retta Baker Baker, Fiscal Officer		
	Accer	ed by Atwood Mobile Products, Inc:		
	Ву:<	Di E Sinda		
	Its:	MYTERIAL IV VALABER	·	

Date signed:

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#### **ORDINANCE NO. 2010-15**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE TO PAY A PORTION OF THE COST OF INSTALLING THE LIFT STATION IN THE COLONY SUBDIVISION IN THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp authorized the bidding of the project to install a lift station in the Village of Antwerp, Paulding County, Ohio, ir. the Colony Subdivision; and

WHEREAS, the bidding process was completed and a contract was awarded to the lowest and best bidder to install the lift station; and

WHEREAS, a lift station has been installed in the Colony Subdivision located in the Village of Artwerp, Paulding County. Ohio; and

WHEREAS, the Village of Antwerp must continue to pay a portion of the cost incurred in installing the lift station in the Colony Subdivision, even though the Village implemented a Tax Increment Financing (TIF) program that will redirect real estate tax monies to offset said financing for the imprevement in the future.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohic:

Section 1. A Note in the principal amount of \$101,694.78 shall be issued for the purpose set forth herein, which is to pay a portion of the cost of installing the lift station in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio, with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear interest at a rate not exceeding 3.00% annually for one year, payable at maturity, to-wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take cause to be taken, or has taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

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- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1- 1-	credit	Section 4. The Note snall be the full general obligation of the Village and revenue of said Village are hereby pledged for the prompt payment of	nd the full faith, the same.
	to be	Section 5. It is hereby determined and recited that all acts, conditions and one precedent to and in the issuance of the Note, in order to make them	legal, valid and
	regula	g obligations of the Village of Antwerp, have happened, been done, a r and due form as required by law; that the full faith, credit and revenue e and is hereby irrevocably pledged for the prompt payment of the prince	e of said Village
	thereo	f at maturity; that no limitation of indebtedness or taxation, eith utional, will have been exceeded in the issuance of said Note.	ner statutory or
		Section 6. The Fiscal Officer, or other officer, is authorized to prepr to the purchaser of said Note a preliminary and final official statementate cisclosure document in connection with the sale and delivery of the	ent or any other
		Section 7. The Mayor and Fiscal Officer of said Village are hereby a secute the Note on behalf of said Village and the Council approves any officials in that regard.	uthorized to sign action taken by
	and th	Section 8. It is found and determined that all formal actions of the Collating to the passage of this Ordinance were adopted in an open meeting at all deliberations of the Council and of any of its committees that resulte, were in meetings open to the public, in compliance with all legal requireful ordinance and any applicable provisions of Section 121.22 of the Ohio	g of this Council, ed in such formal ements including
	furthe	Section 9. This Ordinance is hereby declared to be an emergency measurediate preservation of the public health, safety and welfare of the Vir reason that the Village must continue to pay a portion of the cost incuration installed in the Colony Subdivision for the well being of the re	llage and for the red by having the
	Ordin	ance shall be in full force and effect immediately after its passage; other and be in force after the earliest period allowed by law.	wise, it shall take
	lift sta	Section 10. This Ordinance shall be retroactive and take effect as of the referenced in the prior Ordinance for the issuance of a Note for the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance for the issuance of a Note for the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance shall be retroactive and take effect as of the reference of the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance shall be retroactive and take effect as of the reference of the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance shall be retroactive and take effect as of the reference of the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance shall be retroactive and take effect as of the purposition in the Colony Subdivision located in the Village of Antwerp, Countries of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the Prior Ordinance shall be retroactive and take effect as of the P	ose of installing a
	Ohio,	also known as Crdinance No. 2009-21.	
	Date:	G-14-10  Ray DeLong, Mayor	
	Attest		
	Loren	ta Baker, Fiscal Officer	

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### ORDINANCE NO. 2010-\_ 16\_

# AN ORDINANCE TO RETAIN THE SERVICES OF A ZONING INSPECTOR FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Village of Antwerp deems it necessary to retain the services of a person to conduct inspections in the Village of Antwerp for zoning related matters, including zoning enforcement issues, compliance with zoning ordinances, and issuance of any and all necessary permits.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohic as follows:

- <u>Section 1</u>. The Village shall retain the services of a person to conduct inspections in the Village of Antwerp for zoning related matters, including zoning enforcement issues, compliance with zoning ordinances, and issuance of any and all necessary permits.
- Section 2. The Village will compensate the zoning inspector for zoning services rendered on behalf of the Village at the rate of One Thousand Dollars (\$1,000.00) on an annual basis, plus Fifteen Dollar (\$15.00) for each zoning permit issued by the zoning inspector.
- Section 3. The Village Fiscal Officer is authorized to issue compensation to the zoning inspector at the rate of Two Hundred-Fifty Dollars (\$250.00) on a quarterly basis, and the Fifteen Dollar (\$15.00) for each zoning permit issued throughout the calendar year shall be disbursed at the end of the year.
  - Section 4. This Ordinance shall be retroactive and take effect as of January 1, 2010.
- <u>Section 5</u>. The zoning inspector position will be governed by the terms of this Ordinance and the Zoning Ordinance, and the zoning inspector will not be an employee of the Village of Antwerp, Ohio.
- Section 6. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.
- Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the Village needs the services of a zoning inspector. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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	PASSED this <u>14th</u> day of June, 2010.		
		Bay Os Long Mayor, Village of Antwerp	· · · · · · · · · · · · · · · · · · ·
ATTI	EST:		
J	oretta Baker		
Fiscal	Officer, Village of Antwerp		

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#### **RESOLUTION NO. 2010-04**

A RESOLUTION OF THE VILLAGE OF ANTWERP TO ACQUIRE REAL ESTATE AND ACCEPT DONATION OF REAL ESTATE FOR PURPOSE OF OBTAINING GRANT TO DEMOLISH INSECURE AND UNSAFE BUILDINGS, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp has found it necessary to acquire title to the real estate located at 118 N. Oswalt Street and 120 N. Oswalt Street, in the Village of Antwerp, Ohio, more particularly described in the attached **Exhibit A** incorporated herein by reference (the "Real Estate"), for the purpose of obtaining a grant to fund the costs to demolish the insecure and unsafe buildings located on the Real Estate; and

WHEREAS, the owner of the Real Estate, Eddie Snyder, has agreed to donate the Real Estate to the Village of Antwerp, Ohio, for the purpose of the Village of Antwerp obtaining the grant to cover the costs associated with demolishing the insecure and unsafe buildings located on the Real Estate; and

WHEREAS, the Council for the Village of Antwerp, in exercising its general powers under OHIO REVISED CODE § 715.01, et seq., has found it necessary to acquire the Real Estate by donation for the purpose of securing the grant funds to demolish the insecure and unsafe buildings located on the Real Estate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Artwerp, Paulding County, Ohio:

Section 1. This council considers it necessary to acquire the Real Estate located at 118 N. Oswalt Street and 120 N. Oswalt Street, in the Vi lage of Antwerp, Ohio, more particularly described in **Exhibit A** incorporated herein by reference, for the purpose of obtaining a grant to fund the demolition of the insecure and unsafe buildings located on the Real Estate.

Section 2. The village solicitor is authorized to obtain a report of search for the real estate. Once it is determined that seller has marketable title to the real estate, the Village will proceed with a conveyance of the Real Estate to the Village of Antwerp, Ohio. The Mayor is authorized to provide a donation letter to the owner of the Real Estate advising him as to the donation of the Real Estate for the purpose identified herein. The Village Administrator is authorized to record the instruments conveying fee simple title in the Real Estate to the Village of Antwerp, Ohio.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances, resolutions and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further

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reason that it is necessary to pro	ceed with the demo	ition of the income	e and ungo≟o h	uli denga las
on the Real Estate, and this Res	olution shall be in f	ull force and effect	immediately a	fter its pass
otherwise, it shall take effect a	nd be in force after	the earliest period	allowed by la	w.
ENACTED THIS	444 day of June, 20	010.		•
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		Ray DeLong, M	ayor of the Vil	age of Ant
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### Tract I:

Situated in the County of Paulding, State of Ohio, Village of Antwerp, and bounded and described as follows:

Being all of Lot One Hundred Twenty-eight (128) of the Original Plat of the Village of Antwerp, in said County and State.

#### Tract II:

Situated in the County of Paulding, in the State of Ohio, and in the Village of Antwerp, to-wit:

Lot Number Eleven (11) in Banks Addition to the aforesaid Village except fifty (50) feet by parallel lines of the south side thereof.

#### Tract III:

Situated in the Village of Antwerp, County of Paulding, and State of Ohio:

Town Lot Number Seven (7) in Banks Addition to the Village of Antwerp, Paulding County, State of Ohio, as shown, numbered, known and described in the recorded plat of said addition on record in the Recorder's Office of said County and State.

### Tract IV:

Situated in the Village of Antwerp, County of Paulding, and State of Ohio:

The North Half (½) of Lot Twenty-nine (29) in Murphy Addition to the Village of Antwerp, Ohio, as shown, known, numbered and described on the recorded plat of said addition on record in the Recorder's Office at Paulding, Ohio, and commencing at a stake or stone on the South side of Woodcox Street at the Northeast corner of Lot Seven (7) in Banks Addition to Antwerp, Ohio; thence South to the Northeast corner of Lot Eleven (11) of said Banks Addition; thence East to the East line of said Lot Twenty-nine (29) of Murphy Addition; thence North along the East line of said Lot Twenty-nine (29) to the South line of Woodcox Street; thence West along the South line of Woodcox Street to the place of beginning. Said premises are subject to all easements apparent or of record.

#### Tract V:

Situated in the Village of Antwerp, County of Paulding, State of Ohio:

Lot Number Four (4) in Banks Addition to the aforesaid Village; also Lot Number Five (5) in Banks Addition to the aforesaid Village, less and excepting therefrom a parcel of land Thirty-six (36) feet and seven (7) inches wide taken by parallel

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lines off the West side of said Lot Number Five (5) in said Banks Addition to the aforesaid Village.

Tract VI:

Situated in the Township of Carryall. County of Paulding and State of Onio:

A tract or parcel of land in the West Half (½) of the Southeast Quarter (½) of Section Twenty-seven (27) of Township Three (3) North, Range One (1) East, known as Carryall Township of said Paulding County, Ohio.

Commencing at a point on the Southerly line of the public highway known as U.S. Route 24, said point of commencement being Three Hundred Eighty-one (281) feet distant in an Easterly direction on and along said line of said highway from the intersection of said Southerly line of said highway with the line between the East Half (½) and West Half (½) of said Section Twenty-seven (27); thence Easterly Two Hundred (200) feet on and along said Southerly line of said highway to a point; thence South along a line drawn parallel with the said line between the East and the West Halves (½) of said Section Twenty-seven (27) to a point on the Northerly line of the right-of-way of the Wabash Railroad Co.; thence Westerly on and along said Northerly line of said right-of-way of said railroad company to a point from whence a line drawn North and parallel with said line between said East and West Halves (½) of said Section Twenty-seven (27) will intersect said Southerly line of said highway at the point of beginning; theree North on and along said line drawn parallel to said line between said East and West Halves (½) of said Section Twenty-seven (27) to the place of beginning, containing one (1) acre

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Lot Number Eight (8) in Bank's Addition	n to the Villag	e of Antw	erp, Paulding C	ounty, Ohio	
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#### **RESOLUTION NO. 2010-05**

A RESOLUTION OF THE VILLAGE OF ANTWERP TO ACQUIRE REAL ESTATE AND ACCEPT DONATION OF REAL ESTATE FOR PURPOSE OF RECONSTRUCTING AND/OR REHABILITATING STRUCTURES AND IMPROVEMENTS LOCATED ON REAL ESTATE FOR PUBLIC COMMUNITY CENTER/MUSEUM FOR THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp has found it necessary to acquire title to the real estate described as Parcel ID No. 12-36-002-00, in the Village of Antwerp, Ohio, more particularly described in the attached **Exhibit A** incorporated herein by reference (the "Real Estate"), for the purpose of reconstructing and/or rehabilitating the structures and improvements on the Real Estate for a public community center and/or museum for the Village of Antwerp, Ohio; and

WHEREAS, the life estate owner of the Real Estate. Marjorie A. Krutsch, and the remainder interest holders, Michael A. Krutsch, Mary J. Lorenger, Rita M. Biddle, a'k/a Rita J. Biddle, David J. Krutsch, and Robert J. Krutsch, have agreed to donate the Real Estate to the Village of Antwerp, Ohio, for the purpose of the Village reconstructing and/or rehabilitating the structures and improvements on the Real Estate for a public community center and/or museum for the Village of Antwerp, Ohio; and

WHEREAS, the Council for the Village of Antwerp, in exercising its general powers under OHIO REVISED CODE § 715.01, et seq. has found it necessary to acquire the Real Estate by donation for the purpose of reconstructing and/or rehabilitating the structures and improvements on the Real Estate for a public community center and/or museum for the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. This council considers it necessary to acquire the Real Estate located at Parcel ID No. 12-36-002-00, in the Village of Antwerp, Ohio, more particularly described in **Exhibit A** incorporated herein by reference, for the purpose of reconstructing and/or rehabilitating the structures and improvements on the Real Estate for a public community center and/or museum for the Village of Antwerp, Ohio.

Section 2. The Mayor is authorized to provide a conation letter to the owners of the Real Estate advising them as to the donation of the Real Estate for the purpose identified herein. The Village Administrator is authorized to record the instruments conveying fee simple title in the Real Estate to the Village of Antwerp, Ohio.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful

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ordinances, resolutions and any app	icable provisions of Section	121.22 of the Ohio Revised Co
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#### **Legal Description**

TRACT #2

LEGAL DESCRIPTION

FOR THE VILLAGE OF ANTWERP, INC

PRESENT OWNER: MICHAEL A. KRUTSCH, MARY J. LORENGER, RITA J. BIDDLE, ROBERT J. KRUTSCH, AFTER

DAVID J. KRUTSCH AND MARJORIE A. KRUTSCH L.E.

DEED REF: O.R. VOL. 264, PAGE 117-119

PT. OF PARCEL ID NO. 12-36-002-00

A parcel of land located in the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section No. 33, T3N, R1E, of First Principal Meridian, Carryall Township, Village of Artwerp, Paulding County, Ohio, said land lying between the Southerly right-of-way line U.S. Route 24 (River Street) prior to 1958, and the North right-of-way line of the Wabash Railroad (aka Norfolk and Western Railroad, Maumee and Western Railroad, etc.), being more particularly described as follows:

Commencing at a iron pin (found) marking the Southeast corner of said Section No. 28; the ICE N 89° 20' 25" W on the South line of said Section No. 28 a measured distance of Two Hundred Thirtytwo and 44/100 (232.44) feet (P.R. 231.08 feet), to the True Point of Beginning, said point being on the North right-of-way line of said Wabash Railroad and passing through a iron pin found at a distance of 231.48 feet; thence S 71° 58' 35" W on the Northerly right-of-way line of said Wabash Railroad, a distance of Eight Hundred Fifty-three and 00/100 (853.00) feet to a 5/3 inch iron pin set, said point being at the intersection of the Northerly right-of-way of said Wabash Railroad and the Southerly right-of-way of said U.S. Route 24, (said point being 30.00 feet right of Station No. 160 + 50.75 per centerline survey ODOT survey of centerline recorded in the Paulding County Ohio Recorder's office in Bcck Vol. 2, Pages 143-150); thence N 68\* 40' 45" E parallel to and 30 feet Southerly of the centerline of said U.S. Route 24 a measured distance of Seven Hundred Thirty and 04/100 (730.04) feet to a 5/8 inch iron pin set, said point being at the grantor's most Northerly property comer and at the intersection of the Southerly line of said U.S. Route 24 night-of-way and the North line of aforesaid Section No. 33, said point being 30.00 feet right of centerline Station 167 + 80.79 (P.R. Station 167 + 58.5); thence S 89\* 20' 25" E on the North line of said Section No. 33 a measured distance of One Hundred Thirty -one and 08/100 (131,08) feet to the place of beginning, said parcel containing 0.411 Acres more or less, subject to existing easements, restriction and road rights-of-way of record. Existing Highway easement D.R. Vol. 158, Page 299, containing 5059.51 sq. ft. or 0.1162 acres more ore less. Remainder of Parcel 12-35-002-00 being 30.939.

Note: All bearings used herein are assumed for descriptive purposes only and are not referenced to true or Magnetic North.

This legal description is based on prior deeds, survey of record, State of Ohio right-or-way records, and a field survey completed in September 2009 for PDG Project No. 1490-056 by Merlin Max Butler. Ohio Surveyor No. 6366 - Poggemeyer Design Group, Inc., 935 Cleveland Avenue, Defiance, Ohio 43512.

Merlin Max Butler, P.S. Ohio Surveyor No. 6366 February 18, 2010

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### RESOLUTION NO. 2010- 06

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN INDEMNIFICATION AGREEMENT BY AND BETWEEN TDM3, LTD., LOUIS LENGACHER, AND MARY LENGACHER AND THE VILLAGE OF ANTWERP FOR STORING AND PROTECTING MUSEUM CONTENTS; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, TDM3, Ltd., Louis Lengacher, Mary Lengacher and the Village of Antwerp have proposed an indemnification agreement for the storage and protection of the museum contents at the facility located at 204 Archer Drive, Antwerp, Ohio 45813; and

WHEREAS, the Village of Antwerp desires to enter into the indemnification agreement for the storage and protection of the museum contents with TDM3, Ltd., Louis Lengacher, and Mary Lengacher, and to authorize the Mayor of the Village of Antwerp, Ohio to enter into this indemnification agreement for the storage and protection of the museum contents by TDM3, Ltd., Louis Lengacher and Mary Lengacher at the facility located at 204 Archer Drive, Antwerp, Ohio 45813; and

WHEREAS, the purpose of such indemnification agreement is to allow for the Village to provide proper housing and protection of the museum contents, retain ownership of those museum contents and allow the parties to the indemnification agreement to set forth the terms thereof

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County. Ohio:

- <u>Section 1</u>. That TDM3, Ltd., Louis Lengacher, and Mary Lengacher will provide the proper housing and protection of the museum contents on behalf of the Village of Antwerp, Ohio at the facility located at 204 Archer Drive, Antwerp, Ohio 45813.
- Section 2. That the Mayor of the Village of Antwerp, Ohio has the authority to enter into an indemnification agreement for the storage and protection of the museum contents with TDM3, Ltd., Louis Lengacher, and Mary Lengacher at the facility located at 204 Archer Drive, Antwerp, Ohio 45813, and a copy of the Indemnification Agreement is attached hereto as Exhibit A incorporated herein by reference.
- Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 4. This Resolution is hereby declared to be an emergency measure necessary the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of locating an appropriate facility to house and protect the museum contents and this Resolution shall be in full force and effect immediately after

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	its passage; otherwise, it shall take  Passed this		n force after the earliest per	od allowed by law.
			Ray De Lorreg Ray De Long, Mayor Village of Antwerp	
	Attest:  South Baker  Loretta Baker, Fiscal Officer			

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#### **INDEMNIFICATION AGREEMENT**

This Indemnification Agreement ("Agreement") is made and entered into as of this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2010, by and between the Village of Antwerp, Ohio, an Ohio municipal corporation ("Village"), and TDM3, Ltd., an Ohio limited liability company, d/b/a Essen House Restaurant and Manor House Assisted Living, Louis Lengacher, an Indiana resident, and Mary Lengacher, an Indiana resident (collectively "TDM3"). The Village and TDM3 are referred to herein individually as a "party" and collectively herein as the "parties".

WHEREAS, the Village owns and currently has in its possession the contents of the Otto E. Ehrhart-Paulding County Historical Society Museum ("Society"), which contents were given to the Village on March 12, 1962, by the Society on the condition that the contents be properly housed and protected for the safety of the museum collection ("museum contents").

WHEREAS, on September 17, 2005, The Industrial Solutions Group, Inc. issued a report assessing the airborne concentrations of arsenic dust as well as potential arsenic dust concentrations accumulated on the surfaces within the museum located at 118 North Main Street, Antwerp, Ohio 45813, where the museum contents are currently housed. A copy of this report is attached hereto and incorporated herein by reference. As a result of this report, the insurance company for the Village recommended that the museum at its current location (118 North Main Street, Antwerp, Ohio 4583) be closed to the public. The museum closed in early 2006.

WHEREAS, the Village has found an alternate location for the museum contents, the TDM3 facility located at 204 Archer Drive, Antwerp, Ohio 45813, which location will be able to accommodate the storage of the museum contents and provide the proper housing and protection for the safety of the museum contents.

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Add agree signed

WHEREAS, TDM3 agrees to store the museum contents on behalf of the Village and provide the proper housing and protection of the museum contents until they can be displayed to the public. The Village shall retain ownership of the museum contents.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Village and TDM3 hereby agree as follows:

- 1. The Village has given a copy of the report prepared by the Industrial Solutions Group, Inc. dated September 17, 2005, and the recommendations set forth therein regarding the removal of the museum contents to TDM3, and TDM3 acknowledges the receipt of such report.
- 2. The parties agree that the Village retains ownership of the museum contents in accordance with the gift made by the Society to the Village of those museum contents. In order to provide the proper housing and protection of those museum contents, the museum contents will be transported to the facility located at 204 Archer Drive, Antwerp, Ohio 45813.
- 3. TDM3 agrees to store the museum contents at its facility located at 204 Archer Drive, Antwerp, Ohio 45813. TDM3 agrees to store the museum contents and provide the proper housing and protection of those museum contents on behalf of the Village. The parties agree that they will both endeavor to find an appropriate location to display the museum contents to the public, which location may be at the 204 Archer Drive facility in Antwerp, Ohio.
- 4. The Village agrees to insure the museum contents for the purpose of protecting the museum contents from any loss and/or damage.

- 5. The parties agree that in the event TDM3 shall no longer occupy the facility located at 204 Archer Drive, Antwerp, Ohio 45813, the Village retains the authority and shall remove the museum contents from the 204 Archer Drive facility.
- 6. The Village shall indemnify and hold TDM3, its subsidiaries, affiliates, officers, directors, employees, agents, successors, lessors, mortgagees, and assigns harmless from and against any and all judgments, losses, damages, liabilities, claims, demands, suits, costs, action or proceeding, or expenses (including attorney fees) that are asserted against or incurred by TDM3 arising out of or in connection with any claim related to the museum contents.
- 7. TDM3 shall promptly give notice to the Village of any claim for indemnification under this Agreement ("Indemnification Claim") and shall give the Village a reasonable opportunity to defend, at the Village's sole expense and with counsel selected by the Village, any Indemnification Claim. The Village, at its sole cost and expense, will diligently provide for the defense of any action or suit upon the museum contents; provided, however, that TDM3 may participate in the defense, at its own option and expense. If, within thirty (30) days of receipt of written notice of an Indemnification Claim, the Village fails to undertake the defense of an Indemnification Claim, TDM3 shall have the right, but not the obligation, to defend and to compromise or settle (exercising reasonable business judgment) the Indemnification Claim for the account of and at the risk and expense of the Village.
- 8. Each party shall make available such information and assistance as the other party shall reasonably request in connection with an Indemnification Claim.
- 9. TDM3 shall not assign this Agreement without the prior written consent of the Village, which consent may be withheld in the Village's sole and absolute discretion.

10. This Agreement shall be binding upon the parties and their respective successors and permitted assigns.

11. This Agreement shall be governed and construed in accordance with the laws of the State of Ohio.

12. This Agreement constitutes the complete and exclusive agreement between the parties. It supersedes all prior written and oral statements. This Agreement may not be amended without the prior written consent of the parties.

This Indemnification Agreement has been executed by the parties duly authorized as of the date first set forth above.

The Village of Antwerp

TDM3, Ltd., d/b/a Essen House Restaurant and Manor House Assisted Living Facility

By: Ray DeLong, Mayor

Louis Lengacher, President

Louis Lengacher, Individually

Mary Lengacher, Individually

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## RESOLUTION NO. 2010- 07

A RESOLUTION AUTHORIZING THE MAYOR TO PROVIDE THE CITY OF CLEVELAND CENTRAL COLLECTION AGENCY WITH WRITTEN NOTICE WITHDRAWING FROM THE AGENCY CREATED IN THE AGREEMENT FOR THE CENTRAL COLLECTION OF MUNICIPAL INCOME TAX BETWEEN THE CITY OF CLEVELAND AND THE VILLAGE OF ANTWERP; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, on July 18, 2006, an agreement was entered into by and between the City of Cleveland and the Village of Antwerp for the City of Cleveland to collect the municipal income tax on behalf of the Village of Antwerp, Ohio (the "Agreement"); and

WHEREAS, the Village of Antwerp desires to terminate the Agreement and provide the Administrator of the Central Collection Agency of the City of Cleveland with written notice of withdrawal from the Agency created under the Agreement in compliance with Article VI of the Agreement; and

WHEREAS, the Council of the Village of Antwerp authorizes the Mayor to send written notice of withdrawal by overnight courier for delivery no later than July 1, 2010, to Administrator of the Central Collection Agency.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulging County, Ohio:

<u>Section 1</u>. That the Village of Antwerp will provide the necessary written notice withdrawing from the Agency created in the Agreement for the Central Collection of Municipal Income Tax between the City of Cleveland and the Village of Antwerp.

Section 2. That the Mayor of the Village of Antwerp, Ohio has the authority to send the written notice of withdrawal by overnight courier for delivery no later than July 1, 2010, to the Administrator of the Central Collection Agency for a withdrawal from the Agency created under the Agreement to become effective as of December 31, 2010.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village must send the written notice of withdrawal for receipt no later than July 1, 2010, and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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Attest: Locetta Baker	Ray DeLong, Mayor Village of Antwerp	
Loretta Baker, Fiscal Officer		
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## RESOLUTION NO. 2010-08

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE VILLAGE OF ANTWERP ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS FUND D6-EAST RIVER WATERLINE REPLACEMENT FUND FOR THE US 24 WATERLINE REPLACEMENT PROJECT (OPWC PROJECT NUMBER CE23N) WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO; AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village of Antwerp reasonably expects to receive reimbursement for the US 24 Waterline Replacement Project, OPWC Project Number CE23N, as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is Ninety-Four Thousand One Hundred Dollars and Zero Cents (\$94,100.00).

Section 3. The Fiscal Officer of the Village of Antwerp is hereby directed to file a copy of this Resolution with the Village of Antwerp for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village must send this Resolution to the Ohio Public Works Commission within sixty (60) days of commencement of the project in order to qualify for reimbursement, and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Ray DeLong, Mayor

Village of Antwerp

Antest:

Loretta Baker, Fiscal Officer

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# RESOLUTION NO. 2010-09

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO THE AGREEMENT FOR PARTICIPATION IN A REGIONAL COUNCIL OF GOVERNMENTS; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Regional Council of Governments has proposed an Agreement for Participation in a Regional Council of Governments to establish a central collection facility for the purpose of administering the income tax laws of various municipal corporations, including the Village of Antwerp; and

WHEREAS, the Village of Antwerp desires to enter into the Agreement for Participation in a Regional Council of Governments.

Now, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. That the Regional Council of Governments will provide administrative services for the purpose of collecting income taxes on behalf of the Village of Antwerp.

Section 2. That a true and accurate copy of the Agreement for Participation in a Regional Council of Governments is attached hereto and marked as **Exhibit A** and incorporated herein by reference.

Section 3. That the Mayor of the Village of Artwerp has the authority to enter into the Agreement for Participation in a Regional Council of Governments in connection with the collection of income taxes on behalf of the Village of Antwerp.

Section 4 It is found and determined that all formal actions of the council concerning and relating to the passage of this Resolution were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that Regional Income Tax Agency must obtain all tax records from the current income tax administrator on or before October 15, 2010, and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 19+4 day of July, 2010.

Ray DeLong, Mayor Village of Antwerp

Joutta Baker Loretta Baker, Fiscal Officer

Dayton Legal Blank, Inc.		Form No 30043	
Ordinance No.	Passea	, 20	
	OPDINANCE NO 2010 17		•

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00 AND DECLARING IT AN EMERGENCY.

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revisec Code Section 5705.14, and

WHEREAS, this is a Transfer of Funcs pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

Section 2. This c dinance is necessary to provide for the operating funds for the Police department of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the Police department necessary for the well being of the residents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date: 7 - 19 - 10

Mayor of the Village of Antwerp

Attest Fiscal Officer: South Baker

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No.	Passed	, 20
	ORDINANCE NO. 2010-18	

AN ORDINANCE ACCEPTING THE PROPOSAL OF ORDC FOR THE IMPROVEMENT OF A GRADE CROSSING SURFACE AT HARRMANN STREET/COUNTY ROAD 43 AND CLOSURE OF

THE MADISON STREET GRADE CROSSING IN THE VILLAGE OF ANTWERP, OHIO

WHEREAS, in order to provide consent for the permanent closure to vehicular and pedestrian traffic of a public grade crossing as recommended by the Ohio Rail Development Commission ("ORDC"), and Maumee and Western Railroad ("MAW Railroad"), the Council of the Village of Antwerp has reviewed the proposal set forth herein, and;

WHEREAS, a proposal has been made to change the character of Madison Street, DOT# 477 826H by prohibiting through vehicular and pedestrian traffic over the at-grade, MAW Railroad crossing thereby benefitting the safety of the traveling public, and;

WHEREAS, if vehicular and pedestrian traffic at the grade crossing is discontinued, the Village of Antwerp ("VILLAGE"), and ORDC have agreed to arrange for the accommodation, funding, and installation of improvements to the VILLAGE highway system, and;

**WHEREAS**, the VILLAGE agrees with the foregoing and desires to provide its consent to permit permanent closure of the aforementioned public grade crossing subject to the terms and conditions set forth herein, and;

WHEREAS, the proposal has been submitted to the VILLAGE and the VILLAGE finds the proposal to be in the best interest of the community and will enhance the safety of the traveling public and will result in a needed improvement to the VILLAGE's highway system.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

SECTION 1. That this Council hereby declares it to be in the public interest that the consent of the VILLAGE be and hereby is given to the MAW Railroad to construct the herein described improvement in accordance with plans, specifications and estimates as approved by the Executive Director of ORDC.

SECTION 2. That this Council hereby authorizes and approves changing the character of Madison Street, by barricading and prohibiting traffic across the at-grade railroad crossing traversing the street. Said changes will not occur until improvements in SECTION 3 are complete.

SECTION 3. That this Council hereby accepts the offer of the ORDC to provide funding to install or facilitate the following safety improvements to the VILLAGE highway system:

Harrmann Street, County Road 43, DOT# 477 820S: Grade crossing surface reconstruction improvement.

SECTION 4. The VILLAGE agrees to perpetuate and maintain all advance warning signs and pavement markings on the approaches to the at-grade crossings in conformance with the Ohio Manual of Uniform Traffic Control Devices, as acopted under section 4511.11 of the Ohio Revised Code. The VILLAGE further agrees to provide for the maintenance of highway traffic during the

Dayton Legal Blank, Inc.

## RECORD OF ORDINANCES

Ordinance Naturetion of the improvements by either closing the road with no signed detour or by designating

a temporary detour with all necessary incidentals and assuming and bearing the cost of erecting, maintaining and removing signs and barricades required to close the crossing and detour traffic.

**SECTION 5**. That the VILLAGE administration is hereby authorized to execute any and all documents and to do all other things they deem necessary to effectuate the purposes of this Legislation, including entering into any contractual agreements with MAW Railroad and ORDC.

**SECTION 6**. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

**SECTION 7**. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed: 9-20, 2010

Ray BeLong, Mayor

Village of Antwerp, Okio

Attest:

Loretta Baker, Fiscal Officer

1st reading: 7-19-10

2nd reading: 8 - 16 - 10

3rd reading: 9-20-10

	Dayton Legal Blank, Inc.	<u> </u>		Form No. 30043	_
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# ORDINANCE NO. 2010- 19

# AN ORDINANCE ESTABLISHING RULES AND REGULATIONS GOVERNING OUTDOOR WOOD-FIRED BOILERS IN THE VILLAGE OF ANTWERP, OHIO

WHEREAS, the Council for the Village of Antwerp, Ohio deems it necessary to regulate outdoor wood-fired boilers in the Village of Antwerp, Ohio, in order to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens due to the air pollution and fire hazards of outdoor wood-fired boilers.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Ohio:

#### Section 1: Purpose

This Ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Village of Antwerp, Ohio due to the air pollution and fire hazards of outdoor burning.

#### Section 2: Applicability

This Ordinance applies to all outdoor wood-fired boilers within the Village of Antwerp, Ohio. This Ordinance does not apply to: (1) grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances; (2) burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in this Ordinance; and (3) the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

#### Section 3: Severability

Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

#### Section 4: Definitions

4.1. "Clean Wood" means natural wood which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products

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Ordinance No	Passed	, 20	

and has not been treated with, including but not limited to copper chromium arsenate, creosote, or pentachlorophenol.

- 4.2. "Fire Chief" means the Chief of the Antwerp Fire Department or other person authorized by the Fire Chief.
- 4.3. Outdoor Wood-fired Boiler" (OWB) means a fuel burning device designed to (1) burn wood or other approved solid fuels; (2) that the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans; and (3) heats building space and/or water via the distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture. An OWB may also be referred to as an Outdoor Wood-fired Furnace or Outdoor Wood-fired Hydronic Heater.
- 4.4. "Nuisance" means emission of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration that may be injurious to human, plant or animal life or to property, or that unreasonably interferes with the comfortable enjoyment of life or property.
- 4.5. Police Chief" means the Chief of the Antwerp Police Department or other person authorized by the Police Chief.
- 4.6. "Refuse" means any waste material except Clean Wood.

#### Section 5: Outdoor Wood-fired Boilers

An OWB may be installed and used in the Village of Antwerp, Ohio only in accordance with the following provisions:

- 5.1. No person shall burn any Refuse or any of the following items in an CWB:
- (a) Any wood that does not meet the cefinition of Clean Wood;
- (b) Refuse, rubbish or garbage, including but not limited to appliances, food wastes, food wraps, packaging, paint or painted materials, furniture, composite shingles, or other household or business wastes;
- (c) Tires;
- (d) Lawn clippings or yard waste;
- (e) Materials containing plastic, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fibers, plastic films and plastic containers;
- (f) Materials containing rubber and synthetic rubber-like products;
- (g) Waste petroleum products;
- (h) Paints and paint thinners;
- (i) Chemicals;

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- (j) Coal;
- (k) Glossy or colored papers;
- (l) Construction and demolition debris;
- (m) Plywocd;
- (n) Particle board;
- (o) Manure;
- (p) Animal carcasses;
- (q) Asphalt products;
- (r) Materials containing asbestos;
- (s) Materials containing lead, mercury, or other heavy or toxic metals;
- (t) Waste oil or other oily wastes;
- (u) Newspaper, corrugated cardboard, container board, office paper or any paper with ink or dye products; or
- (v) Hazardous substances, including but not limited to batteries, household chemicals, pesticides, used oil, gasoline, paints, varnishes, and solvents.
- 5.2. No person shall install or allow the installation of an OWB less than twenty-five (25) feet from all property lines and less than one hundred (100) feet from the nearest residence, including attached garage, or place of business which is not on the same property as the OWB or is not served by the OWB
- 5.3. No person shall install or allow the installation of an OWB with a permanent stack extending less than two (2) feet higher than the peak of any roof structure located within three hundred (300) feet of the OWB.
- 5.4. No person shall operate ar OWB from the thirtieth (30th) of April to the thirtieth (30th) of September.
- 5.5. No person shall operate an OWB except in conformance with the manufacturer's operating and maintenance instructions.
- 5.6. Sixty (60) days after the effective date of this Ordinance, all existing and installed OWBs shall be located at least twenty-five (25) feet from all property lines and at least one hundred (100) feet from the nearest residence, including attached garage, or place of business which is not on the same property as the OWB or is not served by the OWB. Any existing or installed OWB that does not meet these setback requirements shall be removed or rendered permanently inoperable within thirty (30) days pursuant to the notice provided in accordance with subsection 5.9 of this Ordinance.
- 5.7. Sixty (60) days after the effective date of this Ordinance, all existing and installed OWBs shall have a permanent stack extending no less than two (2) feet higher than the peak of any roof structure located within three hundred (300) feet

Dayton Legal	Blank, Inc.				Form No. 30043	
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of the OWB. Any existing or installed OWB that does not meet this stack height requirement shall be removed or rendered permanently inoperable within thirty (30) days pursuant to the notice provided in accordance with subsection 5.9 of this Ordinance.

- 5.8. If there is an existing OWB already installed and there is new construction of a residence within three hundred (300) feet of such OWB, then the owner of such OWB shall conform to the stack height requirements of this Ordinance within sixty (60) days of the date such construction is complete.
- 5.9. If the cwner or operator of an OWE fails to comply with the setback requirements and stack height requirements set forth herein, the Village shall send written notice, by certified mail, giving the owner /operator of the OWB thirty (30) days from the date the Village mails the notice to come into compliance with this Ordinance. If there is insufficient compliance with this Ordinance upon the passage of the thirty (30) day period, the Village may pursue any and all remedies set forth in Section 7, including but not limited to preliminary and permanent injunctive relief to remove the OWB or render it permanently inoperable.
- 5.10. No rain caps are allowed unless required by manufacturer specifications. Rain caps can restrict the flow of air and help to create a Nuisance condition.
- 5.11. No OWB, regardless of the date of installation, is allowed to operate when conditions cause any visible smoke plume to cross onto adjacent owner's land and buildings for 12 minutes or more in any hour. Sending smoke on adjacent land or buildings for 12 minutes or more is a Nuisance and a violation of this Ordinance.
- 5.12. No person operating an OWB shall use a fuel other than:
- (a) Clean Wood;
- (b) wood pellets made from Clear Wood;
- (c) home heating oil, natural gas, or propane that complies with all applicable sulfur limits and is used as a starter or supplemental fuel for dual-fired OWBs; or (d) other fuels as approved by the Ohio EPA.
- 5.13. Prior to first installation of the OWB, the owner or occupant of the property shall obtain a permit from the Administrator of the Village of Antwerp, at which time the owner/occupant will be supplied with a copy of this Ordinance, and any amendments or related legislation hereafter approved, in order to install the OWB in compliance with the rules and regulations of the Village of Antwerp governing OWBs. Thereafter, the owner/occupant shall obtain an annual permit from the Village of Antwerp before using the OWB for the season. There is no fee for the permit. An annual permit expires on May 1 of each year. Any violation of this Ordinance shall void the permit.

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#### Section 6: Right of Entry and Inspection

The Fire Chief, Police Chief, or any authorized officer, agent, employee or representative of the Village of Antwerp, Ohio may inspect any property for the purpose of ascertaining compliance with the provisions of this Ordinance.

#### Section 7: Enforcement, Injunctive Relief and Penalties

- 7.1. The Fire Chief, Folice Chief, or any authorized officer, agent, employee or representative of the Village of Antwerp, Ohio is authorized to enforce the provisions of this Orcinance.
- 7.2. In the event of any violation of this Ordinance or any prevision contained herein, the Village shall be entitled to obtain from any court of competent jurisdiction preliminary and permanent injunctive relief, including the right to damages sustained by the Village for a violation of this Ordinance.
- 7.3. If the Village seeks enforcement of this Ordinance through court proceedings, the Village shall be entitled to seek reimbursement for any court costs, reasonable attorney fees and other litigation expenses the Village incurs in enforcing this Ordinance.
- 7.4. The penalty for violation of any portion of this Ordinance shall be a forfeiture of not less than \$75.00 or more than \$500.00, plus the costs of prosecution. Each day of continued violation shall be a separate and distinct violation. Penalties are doubled for second and subsequent offenses committed within any three (3) year period. All fine proceeds shall be deposited in the general fund.
- 7.5. In addition to any fine assessed for violation of this Ordinance, a person utilizing or maintaining an outdoor wood-fired boiler shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire

#### Section 8: Repeal of prior inconsistent ordinances

- 8.1. This Ordinance repeals any other ordinance inconsistent therewith.
- 8.2. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

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relating to the passa Council, and that al resulted in such form with all legal require	ermined that all formal actions of ge of this Ordinance were adopted deliberations of the Council and actions, were in meetings operements including all lawful or 121.22 of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the Ohio Revised Council and Including all services of the	ted in an open meeting of the and any of its committees that in to the public, in compliance dinances and any applicable
Section 10: Effective Date	·-	
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	Ray De	Long, Mayor of Antwerp, Ohio
	Ray De	
Passed: 9-20  Attest:	Ray De Village	
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8-16-10

9-20-10

Second Reading:

Third Reading:

Dayton Legal Blank, Inc.	Form No. 30043	
Ordinance No	 , 20	
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## ORDINANCE NO. 2010- 20

AN CRDINANCE TC PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND FOR THE PURPOSE OF WATER REPAIRS AND CAPITAL IMPROVEMENTS AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$17,823.37 shall be issued in anticipation of issuance of bond for the purpose set forth herein to make necessary water repairs and capital improvements with a financing cost thereof incurred in connection with the issuance of said Note. Specifically, the necessary water repairs and capital improvements are water plant repairs, including waterline repair, high service pump repair, clear well repair, backwash pit repair, and a water distribution study for the replacement of the water tower by the Village of Antwerp, Ohio.

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 5. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

on Legal Blank, Inc.		Form: No. 30043
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Section 7 The Mayor an	nd Fiscal Officer of said Village are here	eby authorized to sign and exect
the Note on behalf of sai	_	oby additional to orgin and once
Section 9 It is found	and determined that all formal action	o of the Council concerning of
	this Ordinance were adopted in an open	9
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Date: 8-16.	-10	
,	(Roull)	Jones
	Ray DeLong, May	yor
		,
Attest:	- 0	
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		ORDINANCE NO. 2010-21	
	AN ORDINANCE AUTH	ORIZING THE VILLAGE FISCAL OFFI	CER TO
	III	THE GENERAL FUND TO THE SEWER F	4
	AMOUNT OF \$10,000.00, A	ND DECLARE THE SAME TO BE AN EM	<b>TERGENCY</b>
	WHEREAS the Village Fisca	l Officer has determined that it is necessary to	transfer certain funds
fron	n the General Fund to the Sewer Fu	•	transfer certain funds
	,	ncil must approve certain transfers pursuant to	o Ohio Revised Code
Sect	tion 5705.14, and		
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		ot required to seek any other approvals as may	
tran	sfers of funds under Ohio Revised	Code Section 5705.14.	-
;	NOW THEREFORE DE IT O	DDANIED by the Council of the Village of Anto	vom Davidina Caunty
Ohi		RDAINED by the Council of the Village of Antv	verp, Faulding County,
		Officer is hereby authorized to transfer the sum of	Ten Thousand Dollars
(\$10	0,000.00) from the General Fund to	o the Sewer Fund.	
	Section 2. This ordinance is n	ecessary to provide operating funds for the se	wer department of the
Vill	age of Antwerp.		•
tha		mined that all formal actions of the Council con sted ir. an open meeting of this Council, and that	
	. 11 0	at resulted in such formal action, were in meeting	
		ents including all lawful ordinances and any ap	
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•	- 11	peration of the sewer department necessary for	<del>-</del>
resi	dents and this ordinance shall be in	full force and effect immediately after its passa	
ake	e effect and be in force after the ear	liest period allowed by law.	
Date	e 8-16-10		
Dal		Soy	16 Lana
		Mayor of the Villag	ge of Antwerp
Att	est:		•
	Bretta Bakar		•
Fisa	cal Officer		
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Dayton Legal Blank, Inc.		Form No. 30043	}
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#### **ORDINANCE NO. 2010-22**

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER
TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE
EAST RIVER WATERLINE REPLACEMENT CE22N/CE23N
PROJECT FUND (D6) IN THE AMOUNT OF \$23,525.0C,
AND DECLARING THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the East River Waterline Replacement CE22N/CE23N Project Fund (D6), and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code § 5705.14, and

WHEREAS, this is a transfer of funds pursuant to Ohio Revised Code § 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the General Fund to any other Fund of the Village, and

WHEREAS the Village Council elects to approve the Transfer of Funds from the General Fund to the East River Waterline Replacement CE22N/CE23N Project Fund (D6) even though said approval is not required pursuant to Ohio Revised Code § 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfer of funds under Ohio Revised Code § 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the total sum of Twenty-Three Thousand Five Hundred Twenty-Five Dollars and Zero Cents (\$23,525.00) from the General Fund to the East River Waterline Replacement CE22N/CE23N Project Fund (D6). This sum may be transferred from the General Fund to the East River Waterline Replacement CE22N/CE23N Project Fund (D6) in such increments as the Village Fiscal Officer deems it necessary based on the invoices received for the East River Waterline Replacement CE22N/CE23N Project up to the total amount of Twenty-Three Thousand Five Hundred Twenty-Five Dollars and Zero Cents (\$23,525.00).

Section 2. This transfer of funds is necessary to provide the funds for the East River Waterline Replacement CE22N/CE23N Project in the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

 Dayton Legal Blank, Inc.	· · · · · · · · · · · · · · · · · · ·	Form No. 30043
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Section 4. This Crdinance necessary for the immediate prese Village and for the further reason the River Waterline Replacement CE2 force and effect immediately after the earliest period allowed by	at the Village is in immediate need 2N/CE23N Project, and this Ordin s passage; otherwise, it shall take	y and welfare of the of funds for the East nance shall be in full
Date 8-16-10	Ray DeLong, Mayor of the Village	of Antwerp
Attest:  Loretta Baker, Fiscal Officer	•	

Dayton Legal Blank, Inc.			
		Form No. 10043	
Ordinance No	Passed	, 20	

# ORDINANCE NO. 2010-23

AN ORDINANCE CAUSING A LIST OF ESTIMATED ASSESSMENTS FOR SIDEWALK CONSTRUCTION, REPAIR AND INSTALLATION ON WEST RIVER STREET BE PREPARED AND PLACED ON FILE WITH THE VILLAGE FISCAL OFFICER, PUBLICATION OF THE SAME, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, passed Resolutions of Necessity for the repair and/or construction of sidewalks abutting properties located at 403 West River Street, 413 West River Street, and 415 West River Street, set forth in Resolution Nos. 2009-12, 2009-13, and 2009-15; and

WHEREAS, notice of the passage of Resolution Nos. 2009-12, 2009-13, and 2009-15 were properly served on the owners of record for those properties, and said owners failed to repair and/or construct the sidewalks in accordance with the Resolution of Necessity; and

WHEREAS, the Village of Antwerp has completed the repair and/or construction of the sidewalks identified in the Resolutions of Necessity, and the Council, in accordance with Ohio Revised Code Section 729.07, deems it necessary to cause the Fiscal Officer of the Village of Antwerp, Ohio, to prepare a List of Estimated Assessments, which list shall be placed on file with the Village Fiscal Officer and published in accordance with Ohio Revised Code Section 729.08.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Artwerp, Paulding County, Ohio, as follows:

- Section 1. Council directs the Fiscal Officer to prepare a list of estimated assessments of the cost and expense of the sidewalk construction, repair or installation for the 2010 West River Street Sidewalk Project. The Fiscal Officer has prepared and submitted to a Council a proposed List of Estimated Assessments (a copy of which is attached hereto as Exhibit A and incorporated herein), and the same is hereby adopted and confirmed by the Council of the Village of Antwerp.
- Section 2. The List of Estimated Assessments shall be placed on file with the Fiscal Officer for public inspection, and a Notice of Assessment shall be published for three consecutive weeks in a newspaper of general circulation in the Village of Antwerp, Ohio, stating that the List of Estimated Assessments has been made and is on file with the Fiscal Officer public inspection and examination of persons interested therein.
- Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.
- Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No.	Passed	, 20
Passed this 16th day	of August, 2010.  Ray DeLong, Mayo Village of Antwerp	
Attest:  Loretta Baker, Fiscal Office		

403 West River Street

413 and 415 West River Street

n Legal Blank, Inc.	<u> </u>			Fo	orm No. 30043
rdinance No		Passed	· .	, 20_	<del></del>
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	9/1009	AGE of A	IART	UEDO	
	VILL	igh of A	LJVI	NATACA	
	,	118 N. Main	St.		
	·	P.O. Box 10			
* .		Antwerp, OH 4	5813		
Mayor:	419-258-7422			Fiscal Officer:	419-258-224
Administrator:	419-258-2371			Fax:	419-258-133
					` .
					·
	OF ESTIMATED 010 SIDEWALK F				
	UIU SIDE WALK P	CI AIR A. ID CO	101 RUC	HOMINOUDC	· A
Lot/	Land Abutting Sidew	alk	Total C	Cost of Sidewalk C	onstruction,
Construction, Repair or Installation		Untion	Repair or Installation		

\$880.00

\$2,688.00

on Legal Blank, Inc.			Form No. 30043	
 Ordinance No	<i>F</i>	Passed	, 20	
 				_

#### **RESOLUTION NO. 2013-10**

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING THE SAME AN EMERGENCY.

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

**WHEREAS**, the Village of Antwerp is planning to make capital improvements to the W. Daggett Street Repaying Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Ohio Public Works Commission ("OPWC") programs.

**NOW THEREFORE. BE IT RESOLVED** by the Council of the Village of Antwerp, State of Ohio:

**Section 1:** That the Mayor of the Village of Antwerp is hereby authorized to apply to the OPWC for funds as described above.

**Section 2:** The Mayor of the Village of Antwerp is further authorized to enter into any agreements as may be necessary and appropriate for obtaining the financial assistance.

Section 3: It is found and determined that all formal actions of the council concerning and relating to the passage of this Resolution were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village and for the further reason that the Village is in immediate need of waterline repairs and capital improvements for the well being of the residents and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in full force after the earliest period allowed by law.

Cayton Legal Blank. Inc.	·		Form No. 30043	
Ordinance No	·	Passed .	, 20	
ADOPTED:	8-16-10			
			Realle Les	
			Ray Delong, Mayor	
ATTEST:	·			
- Louis	tta Baku			
Fiscal Officer				· . 

Ha 1:

## **RECORD OF ORDINANCES**

Dayton Legal Blank, In	Inc.	Form No. 30043
Ordinance N	No(1) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETER	RMINED BY THE BUDGET
	COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND	
,	R 2010 - 11 COUNTY AUDITOR By Em (Village Council) Revised Code, Secs. 5705.34,35.	ergency
	The Council of the Village of Antwerp , Paulding County, Ohio	, met in <u>- cqular</u>
.	session on the 20 +h day of Sep+ , 2010, at the office of Vill	age of Antwerp Town
.	with the following members present:	
		n Reeb
		like Rohrs
		lory Ryan
	<u> </u>	aren her
	S	tere Derck
	R	arry Ryan  Aren Lec  teve Derck  Odie Reeb
٠,	Mike Rohns moved the adoption of the	following Resolution:
	WHEREAS, This Council in accordance with the provisions of law has previou	slv adopted a Tax Budget
	for the next succeeding fiscal year commencing January 1st 2011; and	· ,   · · · · · · · · · · · · · · · · ·
	WHEREAS, The Budget Commission of Paulding County, Ohio, has certified it	its action thereon to this Council
	together with an estimate by the County Auditor of the rate of each tax necess	
	and what part thereof is without, and what part within, the ten mill tax limitation	• • • • • • • • • • • • • • • • • • • •
	RESOLVED, By the Council of the Village of Antwerp, Pauld	ling County, Ohio, that the
•	amounts and rates, as determined by the Budget Commission in its certification	on, be and the same are hereby
	accepted; and be it further	
	RESOLVED, That there be and is hereby levied on the tax cuplicate of said V	illage the rate of each tax
	necessary to be levied within and without the ten mill limitation as follows:	
		·
- <del> </del>		

#### SCHEDJ\_E A

## Summary of Amounts Required From General Property Tax Approved By Budget Commission and County Auditor's Estimated Tax Rates

	Amount Approved	Amount To Be	County A	uditor's
	By Budget	Derived From		
•	Commission	Levi∈s Outside	Rate To B	e Levied
Fund	Inside 10 Mill	C Mill	Inside	Outside
	Limitation	Lim.tation	. 10 Mill	10 Mill
			Limit	Limit
	Column I	Column II	Ш	IV
General Fund	\$32904.		1.80	
1976 FIRE Levy		12826.		2.00
1984 Police Levy		57344.		5.50
1986 EMS Levy		5213.		.50
2006 Cemetery		13934.		.80
2008 FIRE & EMS Levy		17964.		1.00
2004 POLICE		32807.		2.00
2005 Current Expense		17417.		1.00
Total	\$32904.	\$157,505.	1.80	12.80

\$14,464,870. Ag/Res 3,019,620. Com/In 795,640. PP 18,280,130. Total

Schedule B

ayton Legal Blank, Inc.			Form No. 30043	
Ordinance No	Levies Gutside 10 Mill Lim	itation, Exclusive	cf Debt Levies	· .
	Fund	Date of Vote	Maximurr Rate Authorized To Be Levied	County Auditor Estimate of Yield of Levy (Carry to Schedule Column II)
	Special Revenue Funds: 1976 EMS levy authorized by voters on for not to exceed CONT years.	11-05-85	2.00	-\$128
	1984 POLICE Levy authorized by voters on for r.ot to exceed CONT. years.	05-08-84	5.50	\$57
	1986 EMS Levy authorized by voters on For not to exceed CONT. years	11-04-86	.50	\$5
	2006 Cemetery Levy authorized by voters on for not to exceec 5 years.	11-08-05	.80	\$13
,	2008 FIRE & EMS Levy authorized by voters on for not to exceed 5 years.	11-06-07	1.00	\$17
	2004 POLICE Levy authorized by voters on for not to exceed 5 years.	11-03-09	2.00	\$32
	2005 CURRENT EXPENSE Levy authorized by voters on for not to exceed = years.	11-08-05	1.00	\$17
	and be it further			.
	RESCLVED. That the Clerk of this Council be, and he is the County Auditor of saic County.	hereby directed to	o certify a copy of this	Resolution to
	Mi Ns Jan Recbseconded the Resolution resulted as follows	on and the roll bei	ng called upon its add	pptior the vote
	MINIS Jan Reeb MIYMs Mike Rohrs MIYMs Larry Ryan		γε γε γε	<u>s</u>
	MD/Ms. Rudic Reeb MD/Ms. Steve Derck			<u>.s</u>
	Mr./Ms. Mr./Ms.		ye	 
	Adopted the 20+1 day of Sept 2010	·	<del></del>	
	Attest:	an	ue a Ree	el
	Fretta Baker  Glerk of Council  Fiscal Officer		Fresider	nt of Council
			•	.

CERTIFICATE OF COPY Original On File

				0043
	Ordinance No		, 20	
		1, LoreHa Baker ,Clerk of the Council of the Village of_	Antwerp	_1
		Within and for said County, and in whose custody the Files and Records of sai	•	
		Laws of the state of Ohio to be kept, do hereby certify that the foregoing is take		al
		minutes of the regular Council m	necting	
		now or file that the foregoing has been compared by me with said original doc	cument, and that the same is	1
-		a true and correct copy thereof.		
•				
•		Witness my signature, this 20th day of Scpt 2010	•	
		Loute Baker	6.5	
		Clerk of Counci	<del>-</del> il ·	
			<del>"</del>	
	1			
		(1) A copy of this Resolution must be certified to the County Auditor within the time presi	cribed by Sec. 5705.34 R. C., or at s	such
	]] .	later date as may be approved by the Board of Tax Appeals.		
		0.0 11		
		Resolution No		
		Resolution No. R 2010 - 11  Council of the Village of Antwerp Paulding County Ohio		
		Council of the Village of Hn1Werp Paulding County Ohio		
4.5			•	
		RESOLUTION	•	
			SET 001111001011 1110	
		ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUD AUTHORIZ NG THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO	DGET COMMISSION AND	
			TO THE COUNTY AUDITOR.	
		(VILLAGE COUNCIL)	TO THE COUNTY AUDITOR.	
			TO THE COUNTY AUDITOR.	
	,		TO THE COUNTY AUDITOR.	
			TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20 2010_	TO THE COUNTY AUDITOR.	-
		(VILLAGE COUNCIL)	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20 2010_	TO THE COUNTY AUDITOR.	-
		ADOPTED Sept 20 2010_	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20 2010_	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20, 2010	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20 2010_	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20 2010	TO THE COUNTY AUDITOR.	
		ADOPTED Sept 20, 2010	TO THE COUNTY AUDITOR.	-

Ì	Dayton Legal Blank, Inc.		Form No. 30043	<u> </u>
	Ordinance No.	 Passed	, 20	

#### ORDINANCE NO. <u>2010</u>- 25

AN ORDINANCE LEVYING ASSESSMENTS FOR THE COSTS AND EXPENSES INCURRED IN CONSTRUCTING AND REPAIRING CERTAIN SIDEWALKS ON WEST RIVER STREET IN THE VILLAGE OF ANTWERP, OHIO, (SEE RESOLUTIONS 2009-12, 2009-13, AND 2009-15); AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, passed Resolutions of Necessity for the repair and/or construction of sidewalks abutting properties located at 403 West River Street, 413 West River Street, and 415 West River Street, as set forth in Resolution Nos. 2009-12, 2009-13, and 2009-15; and

WHEREAS, notice of the passage of Resolution Nos. 2009-12, 2009-13, and 2009-15 were properly served on the owners of record for those properties, and said owners failed to repair and/or construct the sidewalks in accordance with the Resolution of Necessity; and

WHEREAS, the Village of Antwerp has completed the repair and/or construction of the sidewalks identified in the Resolutions of Necessity, and the Council has caused a list of estimated assessments to be prepared and filed with the Village Fiscal Officer's Office and a notice of assessment to be published, all in accordance with Ohio Revised Code Section 729.07 and 729.08, and no objections have been filed ac said assessments;

WHEREAS, the Council of the Village of Antwerp deems it necessary to assess the costs of the repair and/or construction of the sidewalks identified herein on the real property duplicates for those identified properties in accordance with Ohio Revised Code Section 729.09.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. The amounts the Village of Antwerp, Ohio incurred in the costs and expenses of repairing and/or constructing the sidewalks abutting properties on 403 West River Street, 413 West River Street, and 415 West River Street (shown on the list of estimated assessments previously adopted and attached hereto and incorporated herein as Exhibit A) are hereby levied and assessed upon the lots and lands abutting upon the sidewalks in the amounts reported on Exhibit A.

Section 2. The assessment against each lot or parcel of land shall be payable within thirty (30) days after the first publication of the notice of this Ordinance. All payments shall be made at the office of the Village Fiscal Officer. All assessments and installments thereof remaining unpaid at the expiration of the thirty (30) day period shall be certified by the Fiscal Officer to the County Auditor as provided by law to be placed by the County Auditor on the tax duplicate and collected in three (3) annual installments as other taxes are collected.

Section 3. That the Fiscal Officer shall cause a notice of the adoption of this Ordinance to be published once in a newspaper of general circulation in the Village and to continue on file in her office said list of estimated assessments.

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D;	ayton Legal Blank, Inc.				Fern No. 30043
	Ordinance No		Passed		20
	Section 4. The Fiscal Offi- dinance to the County Auditor vidinance.				
al in	Section 5. It is found and detailing to the passage of this Ordinar deliberations of the Council and an meetings open to the public, in dinances and any applicable provision.	nce were adopted by of its committee compliance with a	in an open meetings that resulted in all legal requirer	ng of the Courcil such formal action nents including	, and that ons, were
fu	Section 6. This Ordinance is immediate preservation of the pull force and effect immediately after the earliest period allowed by	blic health, safet er its passage; oth	y and welfare. T	This Crdinance s	hall be in
	Passed this 20 May of Sep	tember, 2010.			
			Rey DeLor Village of		7
	ttest:  Loutta Bake  oretta Baker, Fiscal Officer				

Legal Blank, Inc.	<u> </u>	·	For	m_No. 30043	
rdinance No		Passed	. 20		
	VILL	AGE of ANT	WERP		
		118 N. Main St. P.C. Gox 1046 Antwerp, OH 45813			
Mayor: Administrator:	419-258-7422 419-258-2371		Fiscal Officer: Fax:	419-258-2241 419-258-1337	7
					•
		D ASSESSMENTS FOR W REPAIR AND CONSTRUC			
	Land Abutting Side action, Repair or Ins		Cost of Sidewalk C Repair or Installa	STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE OF THE STATE	
403 West River S	Street			\$88	0.0
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Dayton Legal Blank, Inc.	****	· · · · · · · · · · · · · · · · · · ·	Form No. 30043
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Ordinance No		Passed	, 20
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#### ORDINANCE NO. 2010-26

AN ORDINANCE REPLACING ORDINANCE NO. 82-27 AND TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF SANITARY SEWERAGE SYSTEM,
AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$546,827.78 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's sanitary sewerage system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note. Said Note shall be used to pay off the current principal balance and interest due as of November 4, 2010, for the Note issued by Berkadia for \$546,827.78, said Note issued for the capital improvements to the Village's sanitary sewerage system. Said Note with Berkadia has a current interest rate of 5%, and the issuance of a Note from the Antwerp Exchange Bank for this principal balance and accrued interest with an interest rate not to exceed 2.5% results in the Village reducing the term of said obligation and reducing the financing costs thereof. Ordinance No. 82-27 entitled An Ordinance Authorizing the Issuance of Sanitary Sewerage System First Mortgage Revenue Bonds of the Village of Antwerp, Ohio, et al. passed on September 20, 1982, is hereby replaced by this Ordinance

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village

Legal Blank, Inc.		Form No.	30043
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		·	
shall be and is hereby irrevocably ple thereon at maturity; that no limit constitutional, will have been exceed	tation of indebtedn	ness or taxation, either	- 11
Section 6. The Village Fiscal Offic deliver to the purchaser of said No appropriate cisclosure document in c	te a preliminary and	d final official statement of	or any other
Section 7. The Mayor and Fiscal execute the Note on behalf of said Vi		age are hereby authorized	to sign and
Section 8. It is found and determine relating to the passage of this ordinal that all deliberations of the Council action, were in meetings open to including all lawful ordinances and Revised Code.	nce were adopted in and of any of its co the public, in con	n an open meeting of this committees that resulted in impliance with all legal :	Council, and such formal requirements
Section 9. This Ordinance is herebinmediate preservation of the publifurther reason that the Village is in ibeing of the residents and this ordin passage; otherwise, it shall take effective	ic health, safety and immediate need of a ance shall be in full	d welfare of the Village sanitary sewerage system force and effect immedia	and for the for the well tely after its
Date:			
	Ray DeLong	Mayor , Mayor	
Attest:	. •		
Loretta Baker, Fiscal Officer		•	

I	Dayton Legal Blank, Inc.		Form No. 30043
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		20.0-24 4 pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-24 A pages  No.0-2	
		N.e.	

Dayton Legal Blank, Inc.		Form No. 30043	
Ordinance No	Passed	, 20	

Dayton Legal Blank, Inc.			Form No. 30043
	,		
Ordinance No	<del></del>	Passed	, 20

#### ORDINANCE NO. 2010 - 28

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A CONTRACT WITH ED MEYER, D/B/A MEYER EXCAVATING FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 301 E. WOODCOX, ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp passed an Ordinance for the demolition of insecure, unsafe, and structurally defective buildings located in the Village of Antwerp, Ordinance No. 2009-27; and

WHEREAS, the procedure required under Ordinance No. <u>2009-27</u> has been complied with and there having been no appeal filed by the property owner, the Council of the Village of Antwerp accepted the bid submitted by Ed Meyer, d/b/a Meyer Excavating for the demolition of the insecure, unsafe, and structurally defective building located at 301 E. Woodcox, Antwerp, Ohio 45813; and

WHEREAS, Ed Meyer. d/b/a Meyer Excavating will provide all supervision, personnel, equipment, tools and materials to perform all operations necessary for the demolition of the structure located at 301 E. Woodcox, Antwerp, Ohio, in accordance with the proposed Agreement by and between the Village and Ed Meyer d/b/a Meyer Excavating in exchange for a lump sum payment of \$4,930.00, payable at the satisfactory completion of the services.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

Section 1. The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into the Agreement with Ed Meyer, d/b/a Meyer Excavating for the demolition fo the structure located at 301 E. Woodcox, Antwerp, Ohio 45813.

Section 2. That all charges, costs and expenses arising out of or connected with the demolition and removal of the structure located at 301 E. Woodcox, Antwerp, Ohio, shall be paid by the owner of the premises upon which the structure is situated, within ninety (90) days after the demolition or removal thereof. If these charges, costs and expenses are not paid within said 90-day period, the Village Fiscal Officer shall certify all charges, costs and expenses to demolish this structure to the Auditor of Paulding County, Ohio, at which time the lien shall vest, and the Auditor shall place the same on the tax daplicate of the County, with the interest and penalties allowed by law, and be collected as other taxes.

Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that result in such formal action, were in meetings open to the public, in compliance with all legal requirements

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,	Attest: <u>Loretta Baker</u> Loretta Baker, Fiscal Offi	icer	of the vallage of Antwerp

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#### **AGREEMENT**

Pursuant to Ohio Revised Code Section 731.141, this **AGREEMENT** is made and entered into this **18th** day of **0ct**, 2010 by and between the Village of Antwerp, County of Paulding, State of Ohio ("hereinafter referred to as the "Village") and Ed Meyer, d/b/a Meyer Excavating, an Independent Contractor (hereinafter referred to as "Contractor").

IN CONSIDERATION of the mutual agreements hereinafter contained, and subject to the terms and conditions hereinafter stated, it is hereby agreed by the parties as follows:

1. Contractor will perform the following services for the Village:

All supervision, personnel, equipment, tools and materials to perform all operations necessary for the demolition of the structure located at 301 E. Woodcox, Antwerp, Ohio 45813.

2. The Village shall pay for said work in the following manner:

\$4,930.00 lump sum payment at the satisfactory completion of the services identified in paragraph 1.

- 3. Notwithstanding the same, the Village may terminate this Agreement by giving thirty (30) days written notice to Contractor. Moreover, the Village may terminate this Agreement with five (5) days notice to Contractor for unsatisfactory performance.
- 4. Contractor hereby represents that it is an independent contractor and the parties hereby agree that this is not an employment contract and Contractor is not an employee of the Village. The Village shall provide no employment benefits whatsoever to Contractor, te-wit: unemployment insurance, heath insurance, retirement benefits or Worker's Compensation insurance. Contractor is responsible for payment of all applicable taxes, including federal, state, and local taxes. Contractor agrees to fully indemnify and hold harmless the Village, its elected efficials, its officers, agents, employees and volunteers from any and all coligations, liabilities or claims which may arise as a direct or indirect consequence of Contractor's performance of this Agreement and the service agreed to be performed by Contractor herein or the actions of the Contractor, its officials, agents, employees and any subcontractors employed by the Contractor. Contractor will name the Village of Antwerp as an additional insured on its insurance policy. No contract will be accepted without this agreement.
- 5. Contractor shall abide by all applicable laws and regulations including local, state, and federal.

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6. The Contractor's insurance coverage shall be primary insurance as respects the Village, its elected officials, officers, agents, employees or volunteers and that any insurance maintained by the Village, its elected officials, officers, agents, employees or volunteers shall be excess to the Contractor's insurance and shall not contribute to it. The Contractor shall provide or have on file with the Village a copy of which is hereby attached, a Certificate of Insurance for the following:

#### Type of Insurance

Comprehensive Commercial General Liability Insurance (including Premises-Operation; Contractual Liability; Product Liability and Completed Operation; Broad Form Property Damage)
(General Aggregate at least \$1,00,000.00)

Comprehensive Automobile Liability Insurance (Combine Single Limit at least \$1,000,000.00)

Worker's Compensation Insurance

- 7. The Contractor shall take all necessary precautions to ensure against damage to existing structures (other than the structure being demolished), concrete, asphalt, pavements, gravel, lawns, and other surfaces. The Contractor shall perform a site inspection and provide the Village with a copy of damaged areas prior to the first work provided for in this Agreement. Damaged areas caused by the Contractor shall be repaired with materials consistent in quality and workmanship to match the existing adjacent work. This includes, but is not limited to, any damage to pavements, sidewalks, curbs, underground utilities, Village facilities, or private property. Any such damage shall be repaired or replaced, at no additional cost to the Village. Any landscape/lawn damage to any property (public or private) will be the responsibility of the Contractor.
- 8. Equipment, materials, or supplies owned by the Contractor shall not be left or stored on Village property, unless written permission is obtained by the Village, nor shall such equipment, materials, or supplies owned by the Contractor be left or stored on the property located at 301 E. Woodcox, Antwerp, Ohio, unless Contractor has obtained the permission of the property owner.
- 9. Contractor shall at all times provide an adequate force of experienced and qualified workers to perform such work as may be required. Contractor shall be able to be reached by pager or cell phone during business hours and emergency hours. Contractor shall provide the Village with all appropriate phone numbers, including any pager or cell phone numbers.
- 10. Contractor must b∈ available to perform the requested services under this Agreement within \_\_\_\_ days of said request for services by the Village.

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- In the performance of work, all specific traffic and safety regulations shall be carefully observed. There shall be no infringements upon adjacent properties. Training of employees and monitoring of crews for compliance and safety shall be the sole responsibility of the Contractor.
- 12. Contractor further covenants that in exchange for the consideration received as a result of this Agreement, it will perform as follows:
  - a. All work shall be completed in a workmanlike manner and in compliance with all building codes and other applicable laws.
  - b. To the extent required by law, all work shall be performed by individuals duly licensed and authorized by law to perform said work.
  - c. Contractor may, at its discretion, engage subcontractors to perform work hereunder, provided Contractor shall fully pay said subcontractor and in all instances remain responsible for the proper completion of the Contract.
  - d. Contractor warrants it is adequately insured for injury to its employees and others incurring loss or injury as a result of the acts of Contractor, its employees and subcontractors.
  - e. Contractor shall, at its own expense, obtain all the necessary permits for the work to be performed.
  - f. Contractors who have employees must provide proof of Warker's Compensation coverage. Contractors who employ or use independent contractors or subcontractors must provide their identity and proof of appropriate insurance coverage satisfactory to the Village.
- 13. This Agreement shall not be assignable by either party hereto without the prior written consent of the other party.
- If, for whatever reason, the Contractor fails to provide services in accordance with this Agreement, the Village has the right potential the services of another contractor for the demolition services and the Contractor shall be responsible for the additional costs incurred by the Village in retaining the services of a replacement contractor, plus an additional ten percent (10%) of these costs, to be paid to the Village upon demand.
- 15. If legal action is initiated by either party for the purpose of enforcing or interpreting this Agreement, the Village shall be entitled to recover from the Contractor all damages the Village is entitled to in equity and under the law, including, but not limited to, it's attorney's fees and costs.
- 16. The validity and interpretation of any of the terms or provisions of this Agreement or of the rights or duties of any of the parties hereunder shall be governed by the laws of the State of Ohio.
- 17. The invalication of any clause or provision of this Agreement shall have no effect

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Ì		18. Any notice required to be	given hereund	er, shall be given as follows:
		The Village of Antwerp		Ed Meyer, d/b/a Meyer Excavating
		Attn: Sara Keeran, Administrato	r ·	Ed Meyer, Owner
		118 North Main Street		17197 CR 45
		P.O. Box 1046		Antwerp, Ohio 45813
		Antwerp, Ohio 45813		· . •
		Telephone: (419) 258-2371		Telephone: (419) <u>506-00</u> 0 2
		Fax: (419) 258-1337		Fax: 419-542-8450
	and		-	
	•	Haller & Colvin, P.C.		
	• •	Attn: Melanie L. Farr, Esq.		
		444 East Main Street	•	
		Fort Wayne, Indiana 46802		· .
		19. This term of this Agreen	nami shall comm	nence on the 18 day of Oct ,
				and effect thereafter until the day of
	•	, 20 .		
			•	·
		Executed at Antwerp	, Ohi	o, cn the day and year first above written.
		"VILLAGE"		"CONTRACTOR"
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	VILL	AGE OF ANTWERP		MEYER, D/B/A MEYER
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	Ву: <u>г.</u>	ful Wing	By:_	Edward Grage
		y DeLong Village Mayor		Ed Meyer e: Owner
		Village Mayor	Date	·
	Date:_	10/22/2010	Date	
	•	•		
	Attest	By: Loretta Baker		
		etta Baker		· .
		Village Fiscal Officer		
		10-22-10		

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## ORDINANCE NO. 2010 - 27

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND TO PAY A PORTION OF THE COST OF CONSTRUCTING, FURNISHING AND EQUIPPING AN EMERGENCY MEDICAL SERVICE BUILDING AND IMPROVING ITS SITE, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$23,256.20 shall be issued in anticipation of issuance of bond for the purpose of paying a portion of the cost of constructing, furnishing and equipping an emergency medical service building and improving its site with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indeptedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and

deliver to the purchaser of said Note a preliminary and final official statement or any appropriate disclosure document in connection with the sale and delivery of the Note.  Section 7 The Mayor and Fiscal Officer of said Village are hereby authorized to sign and exithe Note on behalf of said Village.  Section 8. It is found and determined that all formal actions of the Council concerning relating to the passage of this Ordinance were adopted in an open meeting of this Council, and all deliberations of the Council and of any of its committees that resulted in such formal actions of the reason to the public, in compliance with all legal requirements including all lateral ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.  Section 9 This Ordinance is hereby declared to be an emergency measure necessary for immediate preservation of the public health, safety and welfare of the Village and for the fureason that the Village is in immediate need of an emergency medical service building to preemergency medical services to the residents, and this Ordinance shall be in full force and emergency medical service building to preemergency medical services to the residents, and this Ordinance shall be in full force and emergency medical service building to preemergency	n Legal Blank, Inc.		Form No. 30643
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#### **ORDINANCE NO. 2010-29**

## AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CRANE TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance services to outlying areas; and

WHEREAS, the Village of Antwerp and Crane Township have negotiated the terms and conditions of the Village providing emergency medical service to certain portions of Crane Township.

## NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village", will provide emergency medical service to that portion of Crane Township as provided in an Agreement to Provice Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$3,500.00 for calendar year 2011, an annual charge of \$3,605.00 for calendar year 2012, and an annual charge of \$3,713.15 for calendar year 2013, with the annual charges to be paid on a quarterly basis in each calendar year, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2011.

Section 2. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

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<u>Section 4a</u>. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Crane Township to provide emergency medical service for the consideration identified herein, said Agreement to be effective as of January 1, 2011.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

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Sect	ion 10. This Ordinance	is hereby declared to be an emergency measure	necessary for the
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Day	ton Legal Blank, Inc. Form No. 30043
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	ORDINANCE NO. 2010-30
	AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE WATER FUND IN THE AMOUNT OF \$ 40,000.00 AND DECLARE THE SAME TO BE AN EMERGENCY
	WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Water Fund, and
	WEEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and
	WHEREAS, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14 (E), which transfer does not require a vote of the Village Council to authorize transfers from the General Fund to any other fund of the Village, and
	WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Water Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for transfers of funds under Ohio Revised Code Section 5705.14.
	NCW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:
	Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Forty thousand (\$40,000.00) from the General Fund to the Water Fund.
	Section 2. This ordinance is necessary to provide for operating funds for the Water department of the Village of Antwerp.
	Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.
	Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the water department necessary for the well being of the residents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.
	Date

Mayor of the Village of Antwerp

D:	ayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 20

#### ORDINANCE NO. 2010-31

AN ORDINANCE TO PROVIDE FCR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF A WATERWORKS SYSTEM IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$173,562.15 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's waterworks system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note. Said Note represents the balance due on the Note issued in reference to Ordinance No. 2009-32 (loan number 42329) after payment of \$23,000.00 by the Village of Antwerp on said loan.

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is nereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

Dayton Le	gal Blank, Inc.		Form No. 30043	
Ordi	nance No	Passed	, 20	
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	•			
	the Note on behalf of said Villag	ge.	e hereby authorized to sign and exec	
	relating to the passage of this ord all deliberations of the Council a	inance were adopted in an and of any of its committe lic, in compliance with all	ctions of the Council concerning open meeting of this Council, and the that resulted in such formal actions are requirements including all laws 22 of the Ohio Revised Code.	hat on,
	immediate preservation of the pureason that the Village is in imm	ablic health, safety and we mediate need of a waterw all be in full force and	emergency measure necessary for elfare of the Village and for the furtorks system for the well being of effect immediately after its passaliest period allowed by law.	her the
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	Date: 11-15-10			
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			2. 0	
		Per Dolong	May	
		Ray DeLong,	Mayor	
	Attest:			
. '	P			l
·	South Caker			
No.	Loretta Baker, Fiscal Officer	*		

	Dayton Legal Blank, Inc		Form No. 30043	<del>.</del>
·	Grdinance No	Passed	, 20	
	+			

### RESOLUTION NO. 2010 12

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS RELATED TO THE VILLAGE OF ANTWERP CRA #04A AND THE COMMUNITY REINVESTMENT AREA PROGRAM APPLICATION OF MIDWEST SENIOR TRUST, d/b/a MANOR HOUSE ASSISTED LIVING AND ESSEN HOUSE RESTAURANT; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant ("Manor House"), owner of property located in the Community Reinvestment Community Area designated as the Village of Antwerp CRA #04A, has filed an application pursuant to the resolution passed by the Village of Antwerp Council establishing this Community Reinvestment Area:

WHEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Agreement with Manor House concerning its Community Reinvestment Area Program Application, said Agreement providing a term of tax exemption of ten (10) years;

WHEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Compensation/Donation Agreement related to Manor House's tax exemption provided in the Community Reinvestment Area Agreement for 2010; and

WHEREAS, the Board of Education for the Antwerp Local School received a copy of the Community Reinvestment Area Agreement for 2010 and have sent the Village a certified copy of its resolution approving the Community Reinvestment Area Agreement for 2010.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. The Mayor of the Village of Antwerp is hereby authorized to enter into and execute on behalf of the Village of Antwerp the Community Reinvestment Area Agreement for 2010 with Manor House, and the Community Reinvestment Area Compensation/Donation Agreement related to Manor House.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village necessary for the well being of the residents and this resc ution shall be in full force and effect immediately after its passage, otherwise, it shall take effect and be in force after the earliest period allowed by law.

C:\Documents and Settings\Antwerp Village\Local Settings\Temporary Internet Files\Content\_IE5\12L12KDQ\Resolution\_CRA\_Agreement\_with\_Essen\_House[1].doc

		Form No. 30043	}
Ordinance No	Passed	, 20	
Date:	Ray DeLong, Mayor of	Fthe Village of Antwo	erp

Attest:

Snetta Baker Loretta Baker, Fiscal Officer

		ayton Legal Blank, Inc.	<del></del>	
	<u> </u>	Ordinance No.	Passed	
		0	RDINANCE NO. 2010-32	
		11		LDING COUNTY, OHIO,
	is des	WHEREAS, the Council of strous of holding monthly regul		ng County, Ohio (the "Council")
	the ti	WHEREAS, the Council, in me and place of regular meeting		1 Code § 731.46, is establishing
,	Paulo	NOW THEREFORE, BE ing County, Ohio as follows:	IT ORDAINED by the Coun	cil of the Village of Antwerp,
	1181	Section 1. Regular meetings North Main Street in the Village		he Council Chambers located at
	holid	h at 5:30 p.m. (Eastern Standard	d Time), except for those third ( of the Village of Antwerp, then	on third (3 <sup>rd</sup> ) Monday of each (3 <sup>rd</sup> ) Mondays that are deemed a the regular council meeting shall
	at the	ry, 2011, and be subject to ame	ndment at the request of the Ma Council with notice of said chan	etings of the Council starting in eyor of the Village of Antwerp or age in meeting time and/or place in notification.
	delib meet	ng to the passage of this Ordina crations of the Council and any	nce were adopted in an open me of its committees that resulted ompliance with all legal requ	on of the Council concerning or seeing of the Council, and that all in such formal actions, were in sirements including all lawful Revised Code.
	time effec	diate preservation of the public and place of regular Council me	c health, safety and welfare, an etings be established. This Ord	gency measure necessary for the d for the further reason that the linance shall be in full force and and be in force after the earliest
		Passed this 2014 day of De	cember, 2010. Ray D	eLong, Mayor e of Antwerp

Lorena Baker, Fiscal Officer

I	Dayton Legal Blank, Inc. Form No. 30043	<u> </u>
	Ordinance No	
	RESOLUTION NO. <u>2010</u> - 13	
	A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO EXECUTE THE FIRST AMENDMENT TO THE 2010 COMMUNITY REINVESTMENT AREA EXEMPTION AGREEMENT BY AND BETWEEN MIDWEST SENIOR TRUST, d/b/a MANOR HOUSE ASSISTED LIVING AND ESSEN HOUSE RESTAURANT AND THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY	
	WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant ("Manor House") and the Village of Antwerp, Ohio (the "Village") entered into the 2010 Community Reinvestment Area Exemption Agreement by and between Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant and the Village of Antwerp, Ohio (the "Agreement") in November, 2010, and in accordance with Resolution No. 2010-32;	0 a
	WHEREAS, the Manor House is required to pay services fees to Paulding County Economic Development, Inc. ("PCED") in accordance with the Agreement; and	С
	WHEREAS, the Agreement must be amended in order to reflect the current service fees to be paid by Manor House to PCED.	Ĺ
	NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County Ohio:	ב ב
	Section 1. The Mayor of the Village of Antwerp is hereby author zed to enter into and execute or behalf of the Village of Antwerp the First Amendment to the 2010 Community Reinvestment Area Agreement by and between Manor House and the Village.	
	Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.	l
	Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village necessary for the well being of the residents and this resolution shall be in full force and effect immediately after passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.	l
	Date: 12-20-10 Box Willy	
	Ray DeLong, Mayo of the Village of Antwerp	

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Dayten Legal Blank, Inc.	·	Form No. 30043
Ordinance No	Passed	20

# FIRST AMENDMENT TO THE 2010 COMMUNITY REINVESTMENT AREA EXEMPTION AGREEMENT BY AND BETWEEN MIDWEST SENIOR TRUST, D/B/A MANOR HOUSE ASSISTED LIVING & ESSEN HOUSE RESTAURANT AND THE VILLAGE OF ANTWERP, OHIO

This first amendment to the 2010 Community Reinvestment Area Exemption Agreement by and between Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant and the Village of Antwerp, Ohio (the "Agreement") is amended as set forth herein, all other terms and conditions of said Agreement to remain in full force and effect.

WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant ("Manor House") and the Village of Antwerp, Ohio (the "Village") entered into the Agreement in November, 2010, a true and accurate copy of which is attached hereto as Exhibit 1, and the parties desire to amend the Agreement as specifically set forth herein, with the understanding that all other provisions remain in full force and effect as provided in the Agreement attached as Exhibit 1;

WHEREAS, the Manor House is required to pay annual review fees to Paulding County Economic Development, Inc. ("PCED") in order to comply with the terms and conditions of the Agreement. In order to amend the Agreement to reflect the current service fees to be paid by Manor House to PCED, this first amendment is hereby entered into by the parties.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree to amend the Agreement as follows:

Page 5. paragraph 6 of the Agreement amended, in part, to increase the service fee to PCED:

The Village shall perform such acts as are reasonably necessary or appropriate to affect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documents required by Section 3735. of the Ohio Revised Code. Manor House shall pay an annual review fee equal to ten percent (10%) of the dollar value of the tax savings afforded Manor House under this agreement. The fee shall be paid once per year for each year this agreement is in effect, upon completion of the annual review of said agreement, and upon receipt of invoice from the Enterprise Zone Manager of Faulding County Economic Development, Inc. as set forth in the Compensation/Donation Agreement attached hereto at Appendix 2.

I. Except as amended herein above, all other provisions of the Agreement attached hereto as **Exhibit 1** shall remain in full force and effect.

on L	egal B.ank, Inc.			Form No. 30043	
T. Ord	inance No		Passed	, 20	
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		Ol	RDINANCE 201	0-33	-
•		,		PROPOSAL OF THE OHIO FOR THE IMPROVEMENT	- 11
	OF CR424	AND WENT	WORTH STREE	ET IN THE VILLAGE OF E SAME AN EMERGENCY	
				Ordinance # <u>2016 - 3</u>	
		•	County/Reu	te/Section: DEF-US24-Abandon	ment
	The following is an Paulding County, matter of the stated description.	Ohio, hereinat	enacted by the fter referred to as th	Village of Antwerp ne Local Public Agency (LPA),	in the
	•				.
	SECTION I - Project I	Description	•		
	WHEREAS, the LPA ha	as identified the	e need for the descri	bed project:	
	424 and Wentworth Street proposed to grind and televation and carb revearequirements. Longitumarkings, cross walks, are any necessary man	eet in the Villa then pave with al. Handicap c idinal (centerl etc.) pavement thole height a	ge of Antwerp. For a asphalt concrete, urb ramps will be in ines and edgelines markings will also djustments or pain	on uncurbed sections of County is roadway sections that are curbed while maintaining the existing substalled where necessary to meet so and auxiliary (stop pars, rail be included with this project. If ting of parking stalls, it will not feather than the country of the village after ODOT's project.	I, it is urface ADA ilroad there of be
	WHEREAS, a portion o	f described pro	ject is within the vil		
	NOW THEREFORE, be	t ordained by		twerp of Paulding County, Oh	io
	SECTION II - Consent	Statement			
	Being in the public inter the above described proj	_	ives consent to the	Director of Transportation to com	plete
٠	SECTION III - Ccoper	ration Stateme	ent		-
	The LPA shall cooserat follows:	e with the Dir	ector of Transporta	tion in the above described proje	ect as
	improvement project. In included within the Stat	n the event that e's highway in es are determin	t the village request aprovement project ned by the State to b	necessary costs of the State's high is certain features or appurtenances is design and construction, and vote not necessary for the State's pro-	es oe vhich

E:	ayton Legal Blank, Inc.		Form No. 30043
	Ordinance No.	Passed	, 20
			PID No. 82895
SEC'	FION IV - Utilities and Right-o	of-Way Statement	
acqui	red and/or made available in ac	y required (if applicab $\epsilon$ ) for the descrecordance with current State and Federy costs include eligible utility costs.	ibed project will be ral regulations. The
The l	PA agrees that all utility accornance the current provisions of 23 CFR	mmodations, relocations and reimburs 65 and the ODOT Utilities Manual.	ements will comply
SEC	TION V - Maintenance		
	tain the right-of-way and keep it blic highway purposes.	t free of obstructions, and hold said rig	ght-of-way inviolate
SEC	IION VI - Authority to Sign		
The _ of the Trans	Mayor of said Village of Antwerp portation necessary to complete	Village of Antwerp is hereby emptone to enter into agreements the above described project.	
Passe	d: <u>Navernder 15</u> , 20	10	
Attest	ed: South Baker ed: Louth Baker	officer Mayor	Ley DO
Attest	ed: Lovetta Baker	Janue (	2 Keeb
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effect	t(s) and to promote highway sat	red to be an emergency measure to exfety. Following appropriate legislative on its passage and approval, otherwise est period allowed by law.	action, it shall take

Lagai Blank, Inc.		Form No.	30043
		20	
dinance No	Passed	, 20	PID No. 8
	•		PID No. 8
•	CERTIFICATE OF COP	Y	Įį
	STATE OF OHIO		
			Ĭ
Village of Antwerp	of <u>Paulding</u> Co	unty, Ohio	
•	sucral applica	•	
^	, as <del>Clerk</del> of the <u>Village o</u>		ling Coun
Ohio, do hereby certify the	hat the foregoing is a true and corr	ect copy of ordinance	e adopte
	of the said <u>Village of Antwerp</u>		
20 10, that the publicati	ion of such <u>ordinance</u> has been m	ade and certified of rec	ord accor
	gs looking to a referendum upon su		
that such <u>ordinance</u>	certified of publication thereof are	e of record in <u>Vol</u>	ume 8
Page <u>208</u> .		•	
IN WITHER WITTER		1 00 1 0	
	F, I have hereunto subscribed my n		ficial seal
applicable, this 1611 di	ay of <b>Nosember</b> , 20	<u> </u>	
	_	,	
	Inetta	Baker	
	Glerk / Lise	al officer	<del></del>
		V C	
(CEAL)	Willogo of Amtruom	of Doulding Count	ohic
(SEAL) (If Applicable)	Village of Alitweip	of <u>Paulding Count</u>	<u>.y,</u> Offic
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	ed as a basis for proceeding with the		ed.
For the Village of Anty	werp of Faulding Count	y, Ohio	
Attest: Mulli	all		
Allesi. 7 2007 para	Bull of	Date 1	1-16.10
	Contactual Officer (		
		$\bigcup$	•
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	Fantha Stata of Ohio		
	Fer the State of Ohio		
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Aftest			
Attest:		. Date	
Attest:	Disector, Ohio Depar	, Date trinent of Transportation	

Page 3 of 3

Rev. 5/26/00

	Dayton Legal Blank, Inc.	 -		Form No. 30043
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	Ordinance No	 Passed	, 20	()

#### **ORDINANCE NO. 2010-34**

## AN ORDINANCE ESTABLISHING SALARIES FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2011, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, it is desirable that the salaries of Village officials and employees for the year 2011 be set forth in an Ordinance.

NOW, THEREFCRE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. That beginning with the first pay period of year 2011, the salaries of Village officials and employees be as follows:

	Village Official	2010	2011	
Мау	or	\$6,000.00	Same	
Cou	ncil Members	\$1,800.00	Same	
Fisc	al Officer	\$22,660.00	\$23,226.50	
`√ Ila	ge Administrator	\$35,721.43	\$36,614.47	
Chie	of Police	\$36,191.12	\$37.095.90	
Ass	stant Chief of Police	\$25,750.00	Same	
Poli	e - Full Time - On Probation	\$22,884.54 to \$26,209.53	\$23,456.65 to \$26,864.77	
Poli	e - Full Time	\$26209.38 to \$30,999.50	\$26864.61 to \$31774.49	
Poli	ce - Part Time	\$10.61 to \$15.91	\$10.88 to \$16.31	per hour
Poli	e - Reserves	\$10.61 to \$12.73	\$10.88 to \$13.05	per hour
Fire	Chief	\$2,121.80	\$2,174.85	•
Fire	Dept. Secretary	\$334.18	\$342.53	
Fire	Chief Assistant	\$334.18	\$342.53	
		\$9.05	\$9.28	per meeting
		\$11.75	\$12.04	first hour
		\$9.16	\$9.39	each add hour

Dayton Legal Blank, Inc.		Form No. 30043		
Ordinance No	Passed	, 20	_	

Village Official	2010	2011		
Fire Captains	\$98.66	\$101.13		
F re Lieutenants	\$68.96	\$70.68		
Volunteer Fireman	\$9.05	\$9.28	per meetir	ıg
	\$9.05	\$9.28	first hour	
	\$9.05	\$9.28	each add. hour	
EMS Ccordinator	\$2,121.80 to \$3,182.70	\$2,174.85 to \$3,262.27		
EMS Maintenance Man	\$599.41	\$614.40		-
EMS Drivers	\$8.03	\$8.23	per hour	
EMT - A (BLS-Basic Life Support)	\$9.70	\$9.94	per hour	
EMT - B (Immediate Life Support)	\$12.54	\$12.85	per hour	
All EMS Personnel	\$9.33	\$9.56	per meetir	g
General Labor/Utilities Billing Clerk	\$7.47 to \$11.81	\$7.66 to \$12.11	per hour	
Mayor's Court Clerk/EMS Billing Clerk	\$7.47 to \$11.81	\$7.66 to \$12.11	per hour	
Tech I Water/Sewer/Assigned Duties	\$10.19 to \$14.11	\$10.44 to \$14.46	per hour	
Tech II Water/Sewer/Assigned Duties	\$12.78 to \$17.13	\$13.10 to \$17.56	per hour	

Section 2. Any and all other benefits to which village officials and employees be entitled are as set forth in the Village of Antwerp's Personnel Manual.

Section 3. This Ordinance repeals any other ordinance inconsistent therewith.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village.

Section 5. This Ordinance shall be in full force and effect and after the earliest period allowed by law.

Passed: 12-20 , 2010.

Attest: Baker Ray DeLong, Mayor Loretta Baker, Fiscal Officer

				_
Day	ton Legal Black, Inc.		Form No. 30043	
	Ordinance No. 🕛 🔃	Passed	, 20	

#### **ORDINANCE NO. 2010-35**

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Chio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to amend the following appropriations:

	,	NEW	
FUND	DESCRIPTION	APPROPRIATION	
		AMOUNT	
			New
`		Original	Amour
	Increase	,	
Al 1A 220 Police Training	Appropriation	4,000.00	4381.05
	Increase		
Al 3B 212 Park Benefits	Appropriation	6,884.81	7371.34
	Increase		-
Al 4A 230 Zoning Insp Cont	Appropriation	300.00	\$1,315.00
	Increase		
Al 7B 2121 Admin Benefits	Appropriation	1,208.00	\$1,527.30
	Increase		
A1 7B 230 Council Contrac	Appropriation	11,900.00	\$14,359.62
·	Increase		
Al 7B 240 Council Oper & Maint	Appropriation	4,000.00	\$4,502.26
	Increase		
A1 7C 230 Mayors Court Centrac	Appropriation	1,100.00	\$1,160.32
	Increase		
Al 7C 239 State Rotary Fees	Appropriation	10,000.00	\$10,540.50
	Increase		
Al 7D 212 Fiscal Off Benefits	Appropriation	8,245.00	\$9,848.22
·	Increase		
A1 7E 230 Land & Buildings Cont	Appropriation	12,360.00	\$15,368.76
Al 7E 240 Lands and Buildings Oper	Increase		
and Maint	Appropriation	7,000.00	\$7,127.37

Ordinance	A1 7I 230 CCA Fees Inc Tax	Increase Appropriation	, 20		
					1
				\ \	
		Appropriation			
	11.57/250 0 = 1=		15,000.00	\$18,0	93.
		Increase			
	A1 7X 270 Gen Fund Transfer	Appropriation	195,000.00	\$221,0	25.
	D1 (D 211 G)	Increase		ļ	ĺ
	B1 6B 211 Street Wages	Appropriation	16,417.88	\$17,8	09.
	D1 (D 010 G)	Increase		.	
	B1 6B 212 Street Benefits	Appropriation	5,723.26	\$6,0	15.
	21 (0.220 0 5 1	Increase			
	31 6C 230 Snow Removal	Appropr_ation	3,000.00	\$5,6	02.
	2014 211 E	Increase			
	39 1A 211 Fire wages	Appropration	10,600.30	\$11,5	<u> 79.</u>
	D111D 240 EMC C	Increase			
	B111B 240 EMS Oper	Appropriation	12,000.00	\$19,5	<u>00.</u>
	DILLID OCO FILICIA	Increase			١.
	B111B 260 EMS Loan Repay	Appropriation	39,020.39	\$40,5	<u>81.</u>
	D146D 010 01 D G1	Increase			
	B146D 212 Storm Benefits	Appropriation	7,640.58	\$7,8	<u>72.</u>
	D5 7V 070	Increase			
	D5 7X 270 trans to Water	Appropriation	0.00	\$11,3	<u>07.</u>
	20022	Increase			
	D6 5E 250 E River waterline	Appropriation	3,045.00	\$37,4	41.
	DI 54 510 CL 1 D	Increase			L.
	E1 5A 212 Clerk Benefits	Appropriation	4,098.59	\$4,7	76.
	E1 54 620 CL 1	Increase			1_
	E1 5A 230 Clerk centrac	Appropriation	500.00	\$6	35.
	EL CD 010 W. CL 1 D. C.	Increase	227.42		
	E1 5B 212 Water Clerk Benefits	Appropriation.	805.49	\$8	<u>53.</u>
	T1 5D 011 W	Increase		]	
	E1 5D 211 Water wages	Appropriation	64,924.83	\$69,5	13.
		Increase		000	
	E1 5D 212 Water Emp Benefits	Apprepriation	26,391.61	\$29,1	<del>/0</del> .
	E1 5F 240 Page 1 C1	Increase	0.000.00	<b>.</b>	
	E1 5F 240 Repair Clamps	Appropriation	2,000.00	\$3,5	33.
	E2 5A 212 Savian Claula Barraf	Increase	4.006.50	Ø4 7	
	E2 5A 212 Sewer Clerk Benef	Appropriation	4,098.59	\$4,7	φU.
	E2 5A 220 Clork Cont	Increase	500.00	<b>ው</b> /	25
	E2 5A 230 Clerk Cont	Appropriation Increase	500.00	20	35.
	E2 5B 212 Sewer Clerk Benefits		402.74	<b>₽</b> A	<b>5</b> 1.
	L2 3D 2 2 Sewer Clerk Delicitis	Appropriation Increase	402.74	<b>D4</b>	. ۱ ب
•	E2 5C 211 Sewer Wages	Appropriation	25,618.95	\$27,8	87
	22 JC 211 Sewel Wages	Increase	25,010.93	_ φ∠/,δ	٠/ بو
	E2 5C 212 Sewer benefits	l i	10,200.00	\$12,0	46
	DE JU ZIZ Sewer benefits	Appropriation Increase	10,200.00	Φ1∠,∪	٥.
	FC 5C 220 Sower Cont Sor	1	38,000.00	\$44,3	Q
	E2 5C 230 Sewer Cont Ser	Appropriation	30,000.00	φ44,3	70.
	G5 24 270 Compton: Touch Trans	Increase	14,400.00	\$14,5	Q 5
	G5 2A 270 Cemetary Trust Trans G7 7X 240 FOJ Supplies	Appropriation Increase appr	14,400.00		85. 36.

Dayton Legal Blank, Inc.		Form No. 300
Ordinance No	Passed	, 20
1	Increase	
H3 1A 230 Street Lighting	Appropriation	17,000.00 \$20,177.60
11.5 Tr 25 5 Street Estating	, ippropriate	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
·		
Section 3: This Ordi	nance is hereby declared t	to be an emergency
measure necessary for the		
safety and welfare and well		
· · · · · · · · · · · · · · · · · · ·		
	nance shall take effect and	be in full force from
Section 4: This ordin and after the earliest period		be in full force from
		be in full force from
		be in full force from
		be in full force from
		be in full force from
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and after the earliest period		be in full force from
		be in full force from
Date 12-20-10	d allowed by law.	be in full force from
Date 12-20-10	d allowed by law.	be in full force from
and after the earliest period	d allowed by law.	be in full force from
Date 12-20-10	d allowed by law.	be in full force from
Date 12-20-10  Mayor Kay Mayor	2 Long	be in full force from
Date 12-20-10  Mayor Ray Mayor Land Attest:	2 Long	be in full force from
Date 12-20-10  Mayor Kay Mayor	d allowed by law.	be in full force from
Date 12-20-10  Mayor Ray Mayor Land Attest:	2 Long	be in full force from
Date 12-20-10  Mayor Ray Mayor Land Attest:	2 Long	be in full force from

Dayton Legal Blark, Inc.		Form No. 30043	
Ordinance No.		, 20	
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#### ORDINANCE NO. 2010-36

An ORDINANCE to make appropriations for Current Expenses and other Expenditures of the Village of Answers. State of Ohio, during the fiscal year ending December 31, 2011, and declaring the same an emergency.

Section 1. BE IT ORDAINED by the Council of Village of Antwerp, State of Ohio, that, to provide for the current expenses and other expenditures of the said Village of Antwerp during the fiscal year ending December 31, 2010 the following sums be and they are hereby set aside and appropriated as follows.

Section 2. That there be appropriated from the GENERAL FUND for contingencies for purposes not otherwise provided for, to be expended in accordance with the provisions of Section 5705.40 R.C., the sum of \$429,153.75

Section 3. That there be appropriated from the STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND in the sum of \$78,293.04.

Section 4. That there be appropriated from the STATE HIGHWAY AND IMPROVEMENT FUND in the sum of \$5,000.00.

Section 5. That there be appropriated from the STORM SEWER FUND in the amount of \$65,865.10.

Section 6. That there be appropriated from the FED-MAYOR'S COURT FUND in the sum of \$2,700.00

Section 7. That there be appropriated from the LAW ENFORCEMENT TRAINING in sum of \$600.00.

Section 8. That there be appropriated from the PERMISSIVE TAX BUDGET in the sum of \$25,000.00.

Section 9. That there be appropriated from the FIRE FUND in the sum of \$38,260.00.

Section 10. That there be appropriated from the EMS FUND in the sum of \$87,562.61.

Section 11. That there be appropriated from the DEPOT PROJECT in the sum of \$376,344.64

Section 12. That there be appropriated from the WATER FUND in the sum of \$529,223.91.

Section 13. That there be appropriated from the SEWER FUND in the sum of \$802,004.87.

Section 14. That there be appropriated from the DEPOSIT FUND in the sum of \$800.00.

Section 15. That there be appropriated from the CEMETERY FUND in the sum of \$15,050.00

Section 16. That there be appropriated from the INDIGENT DRIVER FUND in the sum of S0.

Section 17. That there be appropriated from the FOJ FUND in the sum of \$0.

Section 18. That there be appropriated from the POLICE FUND in the sum of \$209,600.00

Section 19. That there be appropriated from the STREET LIGHTING FUND in the sum of S18,000.00

Section 20. That there be appropriated from the EMS VEHICLE REPLACEMENT FUND in the sum of \$0.

Section 21. That there be appropriated from the EAST RIVER WATERLINE REPLACEMENT FUND in the sum of \$139,557.58.

Section 22. Total of all appropriations \$2,823,015.50.

SEC TION 23. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer for payment any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the bootficers authorized by law to approve the same, or an ordinance or resolution of council to make the expend provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended appeal of two-tairds vote of Council for items of expense constituting a legal obligation against the village, a purposes other than those covered by other specific appropriations herein made.  SECTION 24 This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.  CERTIFICATE  Section 5705.39, O.R.C - "No appropriation measure shall become effective until the county auditor files the appropriating authoritya certificate that the total appropriations from each fund, taken together with all of outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith up receiving from the appropriating authority a certified copy of the appropriation measure"  The State of Ohio Paulding County, ss.  I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.			·	· .
SEC TION 23. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer for payment any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the be officers authorized by law to approve the same, or an ordinance or resolution of council to make the expend provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the village, a purposes other than those covered by other specific appropriations herein made.  SECTION 24. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.  CERTIFICATE  Section 5705.39, O.R.C - "No appropriation measure shall become effective until the county auditor files the appropriating authority a certificate that the total appropriations from each fund, taken together with all of outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith up receiving from the appropriating authority a certified copy of the appropriation measure"  The State of Ohio Paulding County, ss.  I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.	_	Dayton Legal Blank, Inc.		Form No. 30043
any of the foregoing appropriations upon receiving proper certificates and vouchers therefore approved by the be officers authorized by law to approve the same, or an ordinance or resolution of council to make the expende provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the village, a purposes other than those covered by other specific appropriations herein made.  SECTION 24 This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.  CERTIFICATE  Section 5705.39, O.R.C - "No appropriation measure shall become effective until the county auditor files the appropriating authority a certificate that the total appropriatiors from each fund, taken together with all of outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the excunty auditor shall give such certificate forthwith up receiving from the appropriating authority a certified copy of the appropriation measure"  The State of Ohio Paulding County, ss.  I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.	-		Passed	, 20
CERTIFICATE Section 5705.39, O.R.C - "No appropriation measure shall become effective until the county auditor files the appropriating authoritya certificate that the total appropriations from each fund, taken together with all of outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith up receiving from the appropriating authority a certified copy of the appropriation measure"  The State of Ohio Paulding County, ss.  I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.		any of the foregoing appropriations upon receiving profficers authorized by law to approve the same, or provided that no warrants shall be crawn or paid for saccordance with law or ordinance. Provided further tappeal of two-thirds vote of Council for items of expensions.	proper certificates and vouchers there an ordinance or resolution of coun salaties or wages except to persons en that the appropriations for contingency expense constituting a legal obligation	efore approved by the board or neil to make the expenditures; mployed by authority of and in sies can only be expended upon
Section 5705.39, O.R.C - "No appropriation measure shall become effective until the county auditor files the appropriating authoritya certificate that the total appropriations from each fund, taken together with all of outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official estimate, the county auditor shall give such certificate forthwith up receiving from the appropriating authority a certified copy of the appropriation measure"  The State of Ohio Paulding County, ss.  I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.				ıry for the immediate
I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files. Journals, Records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance has been compared by me with the soriginal and that the same is a true and correct copy thereof.		Section 5705.39, O.R.C - "No appropriation meas the appropriating authoritya certificate that the total outstanding appropriations, do not exceed such official appropriation does not exceed such official estimate	sure shall become effective until the all appropriations from each fund, take a lateral estimate or amended official ester, the county auditor shall give such	aken together with all other timate. When the certificate forthwith upon
Real Real		I, Loretta Baker, Fiscal Officer of Village of Antwer Records are required by the Laws of the State of Oh Appropriation Ordinance is taken and copied from the	nio to be kept, do hereby certify that the original Ordinance has been com	the foregoing Annual
Passed 12-20-10 President of Council		Passed 12-20-10	Janice	e a Reeb

Loute Baker Fiscal Officer

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	Dayton Legel Blanx, Ir.c.		Fo1 Ng. 3
	Ordinance No	Passed	, 20
	ORDI	NANCE NO. 2010-37	
	N ORDINANCE AUTHORIZING INDS TO THE POLICE FUND IN IT		
cen	WHEREAS, the Village Fiscal tain funds from the General Fund	Officer has determined that it i I to the Police Fund and	s necessary to trans
Re	WHEREAS, the Village Cour vised Code Section 5705.14, and	ncil must approve certain trans	ifers pursuant to O
	WHEREAS, this is a Transfe 05.14(E), which transfer does no nsfers from the general fund to a		Council to author
Chi to s	WHEREAS, the Village Cour neral Fund to the Police Fund ev to Revised Code Section 5705.14 seek any other approvals as may vised Code Section 5705.14.	, with the understanding that the	t required pursuant e Village is not requi
· Pai	NOW THEREFORE, BE IT Culding County, Ohio:	DRDAINED by the Council of t	he Village of Antwe
Fift	Section 1. The Village Fisca een Thousand (\$15 000.00) from	l Officer is hereby authorized the General Fund to the Polic	
Pol	Section 2. This ordinance is lice department of the Village of	necessary to provide for the c Antwerp.	perating funds for
cf t res leg	Section 3. It is found and neerning and relating to the passathis Council, and that all deliberatuated in such formal action, were all requirements including all awful. 22 of the Onio Revised Code.	ions of the Council and of any in meetings open to the public,	ted in an open meet of its committees t , in compliance with
lliv eqc brc	Section 4. This Ordinance cessary for the immediate presentage and for the further reason the ration of the Police department in linance shall be in full force and elegified and be in force after the	nat the Village is in immediate necessary for the well being of ffect immediate y after its pass	ety and welfare of need of funds for the residents and t age; otherwise, it sl
Da	te: ! 2 - 2.0 - 10		
	ver of the Village of Antwerp	Attest Fiscal Officer(	Loutea Ba

Dayton Legal Blank, Inc.	<u> </u>	·	Form No. 30043	
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D	ayton Legal Blank, Inc.		Form No. 3004	
	Ordinance No.	Passed	, 20	

Dayton Legal Blank, Inc.	<del></del>		<u>·</u>
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Ordinance No	 Passea		
	 		<del></del>

## ORDINANCE NO: 2010- 39

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ANTWERP, OHIO TO AMEND SECTION 501 REQUIRING VERIFICATION OF STATE BUILDING PERMITS IN REQUESTING ISSUANCE OF ZONING PERMIT FOR BUSINESS USE, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended, by the adoption of a motion, to amend the Zoning Ordinance of the Village of Antwerp to include language in Section 501 requiring verification of state building permits in requesting issuance of a zoning permit for business use, said recommendation made in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendment within sixty (60) days from making a motion to amend the zoning ordinance in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on the 20<sup>th</sup> day of December, 2010, in compliance with Section 708 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of said public hearing was published and any required notice mailed to property owners in compliance with Sections 709 and 710 of the Zoning Ordinance of the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendment to the Zoning Ordinance as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission that the Zoning Ordinance be amended to include language in Section 501 requiring verification of state building permits in requesting issuance of a zoning permit for business use, a copy of the amendment is attached hereto and incorporated herein by reference.

Section 2. The amendment to the language ir. Section 501 shall be incorporated into the Zoning Ordinance of the Village of Antwerp upon the date this Ordinance becomes effective by law.

Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

	Dayton Legal Flank, Inc.		Form No. 3004
	Grainance No.	Passed	
	the public health, safety and wel the Zoning Ordinance, which re- public hearing on the proposed a	eemed an emergency measure necessar lfare, and for the further reason to con- quires the Village Council to act with amendment, and this Ordinance shall the therwise, it shall take effect and be e	in thirty (30) days of the oe in full force and effect
	ENACTED THIS <u>30+h</u> da	ay of December, 2010.	
		Ray Detong, Mayor	1
· ·,	Attes:: Lasta Bake		
	Loretta Baker, Fiscal Officer		

		•
Dayton Legal Blank, Inc.		Fcrm No. 30043
Ordinance No	Passed	
ARTICLE 500		
ENFORCEMEN	Ι <b>Τ</b>	
SECTION 501	Zoning Permits Required.	
	No building or other structure shall be erected, moved, ad any building, structure, or land be established or change issued by the Zoning Inspector. Zoning permits shall be provisions of this ordinance unless the Zoning Inspector reof Zoning Appeals deciding an appeal, conditional use, or whose a business use is contingent on verification that any rebeen obtained and approved by the State.	ed in use without a permit therefor issued only in conformity with the ceives a written order from the Board variance. Issuance of a zoning permi
SECTION 502	Contents of Application for Zoning Permit.	
	The application for zoning permit shall be signed by the ow and exactness of all information supplied on the application that the permit shall expire and may be revoked if work substantially completed within two and one-half (2-1/2) ye shall contain the following information:	n. Each application shall clearly state c has not begun within one year o
	1. Namε, address, and phone number of applicant;	
:	2 Legal description of property;	
	3. Existing use;	
	4. Proposed use;	
	5. Zoning district;	
	6. Two copies of plans drawn to scale showing the action to be built upon; the exact size and location of and the location and dimensions of the proposed	fexisting buildings on the lot, if any
	7. Building he ghts;	
	8. Number of off-street parking spaces or loading be	erths;
	9. Number of dwelling units;	
	10 Such other matters as may be necessary to determ	nine conformance with, and provid

Da	ayton Legal Blank, Inc.			Form No. 30343	
	Ordinance No	· 	Passed	, 20	
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#### **ORDINANCE NO: 2010- 40**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ANTWERP, OHIO TO AMEND SECTIONS 306.01 AND 306.02, PERMITTED USES AND CONDITIONAL USES IN A BUSINESS DISTRICT, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended, by the adoption of a motion, to amend the Zoning Ordinance of the Village of Antwerp to include additional permitted and conditional uses in a Business District (B-1), said recommendation made in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendment within sixty (60) days from making a motion to amend the zoning ordinance in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio, and

WHEREAS, the Council of the Village of Answerp held a public hearing on this recommendation on the 20th day of December, 2010, in compliance with Section 708 of the Zoning Ordinance of the Village of Answerp, Ohio, after notice of said public hearing was published and any required notice mailed to property owners in compliance with Sections 709 and 710 of the Zoning Ordinance of the Village of Answerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulaing County. Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendment to the Zoning Ordinance as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission that the Zoning Ordinance be amended to include additional permitted and conditional uses in a Business District (B-1), a copy of the amendment is attached hereto and incorporated herein by reference.

Section 2. The amendment to the permitted and conditional uses in a Business District (B-1) shall be incorporated into the Zoning Ordinance of the Village of Antwerp upon the date this Ordinance becomes effective by law.

Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Dayton Legal Blank, Inc.		Fern	n No. 30043
Ordinance No	Passed	, 20	· ·
the public healt the Zoning Ord public hearing of immediately aft period allowed	Ordinance is deemed an emergency in safety and welfare, and for the furtinance, which requires the Village Con the proposed amendment, and this er its passage; otherwise, it shall take by law.  IS	ther reason to comply with ouncil to act within thirty (3 Ordinance shall be in full for effect and be enforced at	Section 711 of 30) days of the orce and effect
Attest:  South Loretta Baker,	Ray Del. Ray Del. Fiscal Officer	ong, Mayor	

D	ayton Legal Blank, Inc.					Form No. 30
	Ordinance No	· 		Passed		, 20
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			В-1			
SECTI	ON 306 BUSINES	S DISTRIC	<del>.</del>			
INTER	₹ <b>T</b> :		de for essential commercity's economic and funct			pon which the
SECT	ON 306.01	Permitte	d Uses:			
		a)	Financial Institutions			
	<i>;</i>	b)	Dry Cleaning			
		·c)	General merchandising in goods, groceries, dairy p		·	
. ]		d) ·	Professional Offices			
. [		e)	Automobile equipment a or body repairs	nd supplies not incl	uding major engi	ne overnauling
, .    -  -		f)	Restaurants - no alcoholi	c beverages		
. [		<b>g</b> }	Theaters	•		
		h)	Liquor sales for off premi	ise consumption		
	,	i) .	Lodges, fraternal organiz	ations, private clubs	;	
		j);	Nursing home			
		k)	Assisted living facility			· ·
		b	Extended care facility			
		m)	Rehabilitation clinic			
		n)	Senior activity center			
		o)	Youth activity center			
		၁)	Physical fitness center			
		q)	Schools, libraries, govern facilities of a similar natu		atment plants, an	d governmental
		1)	Church			
		s)	Notwithstanding anythin structure existing on De remodeled, provided the applicable R-1 or R-2 zo	cember 20, 2010, addition, enlargeme	may be added t nt, or remodeling	o, enlarged, or
		t).	Similar uses which are no service delivery			on or method of

Dayton Legal Blank, Inc.		· · ·	Form No. 30043	
Ordinance No.		Passed	20	
		B-1 contd		
SECTION 30€.02	Conditi	onal Uses:		
	a)	Major automobile engine and body repair		
· .	b)	Gasoline filling stations		
	c)	Restaurants - Alcoholic Beverages		
	d) .	Bars and grills		
	e)	Second or third floor dwelling units		-
	f)	Other intensive commercial uses which d so by reason of their operation or method of se	*	cts
	g)	Single-family detached dwelling units and reconly single-family residential uses and prim on December 20, 2010, on individual loreconstruction of such existing residential structure is destroyed, be permitted under the destruction, the rebuilt structure shall composite accessory structures and uses may be permitted.	nary residential structures exist ts or tracts be permitted; or all structures, in the event so his provision. In the event of so with the then applicable R-1 As part of the review, residen	ing the uch uch I or
SECTION 306.03	Yard R	equirem ents		
	a)	Front Yard - No front yard set back required	d.	
	b)	Side Yard - No side yard set back requirer materials are utilized.	ment if fire resistant construct	ion
	c) .	Rear Yard - A minimum rear yard set back o	of 30 ft. shall be required.	
	d)	Height - The maximum permissible height s	shall be 3 stories or 40 ft.	
	e)	Parking - A minimum of one (1) off street pa sales space, or major portion thereof, shall		t. of
	f)	Off Street Loading - A minimum of one (1) loading/unloading space for each 5 be required. The initial off-street capable of accommodating one 50' ingress and egress clearances.	5000 sq. ft. of gross floor area s loading/unloading space sha	be

Day	ton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 29

#### ORDINANCE NO. 2011-01

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH HARRISON TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE AND DECLARING THE SAME AN EMERGENCY.

**WHEREAS**, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

**WHEREAS**, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas: and

WHEREAS, the Village of Antwerp and HARRISON Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Harrison Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village", will provide emergency medical services to that portion of Harrison Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$1,319.00 to be paid annually in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2011.

<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

<u>Section 4a</u>. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintain ng an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures,

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bandaging, assisting in chilcbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

**Section 6**. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Harrison Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

<u>Section 10</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the compensation to be paid to the Village for providing emergency medical services to the

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Township, and this Ordinance shall be otherwise, it shall take effect and be		, ,
Section 11. This Ordinance shall be expiration of the prior Ordinance and Service to Harrison Township, also keep the control of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the prior of the pr	pe retrospective in nature and I Agreement for the provision o	take effect as of the of Emergency Medical
ENACTED THIS 12th day of	January	_, 2011.
III	VILLAGE OF ANTWERP	
Atest: Soretta Baker		
Fiscal Officer		

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#### **ORDINANCE NO. 2011-02**

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas and

WHEREAS, the Village of Antwerp and Carryall Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Carryall Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village", will provide emergency medical services to that portion of Carryall Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge which equates to the total sum collected by the Township by way of tax settlement monies, which amount will be paid to the Village as the Township collects such tax settlement monies from the County Auditor's office, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2011.

<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

**Section 3**. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

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Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

Section 4b. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Onio aw.

<u>Section 5</u>. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

**Section 7**. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Carryall Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resclution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohic Revised Code.

**Section 10**. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the

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the compensation Township, and this	t the Village have an ago to be paid to the Village s Ordinance shall be in fo take effect and be in for	for providing emerge ull force and effect im	ency medical services mediately after its pa	to the
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ENACTED THIS _	<i>12 +h</i> day of	January	, 2011.	
•	MAYOR WIL	AGE OF ANTWERP		<u> </u>
Attest:	WATOR	AGE OF ANTWERP		
_ Loute	Baker			
Fiscal Officer				

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#### **RESOLUTION NO. 2011-01**

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE VILLAGE OF ANTWERP THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY EIGHT TENTHS OF ONE MILL FOR A RENEWAL LEVY FOR CEMETERY EXPENSES, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Visage of Antwerp finds it necessary to request the County Auditor to certify the current tax valuation and the dollar amount of revenue that would be generated by eight tenths of one mill for a renewal levy for cemetery expenses pursuant to Ohio Revised Code Section 5705.19(T).

NOW THEREFORE, BE IT RESCLVED by the Council of the Village of Antwerp, Paulding County, Ohio, that:

Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by eight tenths of one mill pursuant to Ohio Revised Code Section 5705.19(T). The Village of Antwerp is requesting this certification in order to place a renewal levy on the ballot for the upcoming general election for expenses associated with maintaining and operating a cemetery.

Section 2. This Resolution is in accordance with the Secretary of State's Advisory Opinion No. 2003.04.

Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Chio concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all celiberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health safety and welfare of the Village and necessary for the Village of Antwerp to operate and maintain the cemetery in the Village. This Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 12+h day of January, 2011.

Ray DeLong, Mayor

Attest:

Spritta Baker Loretta Baker, Fiscal Officer

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#### RESOLUTION NO. 2011- クス

A RESOLUTION REPEALING RESOLUTION NO. 2010-12, SAID RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS RELATED TO THE VILLAGE OF ANTWERP CRA #04A AND THE COMMUNITY REINVESTMENT AREA PROGRAM APPLICATION OF MIDWEST SENIOR TRUST, D/B/A MANOR HOUSE ASSISTED LIVING AND ESSEN HOUSE RESTAURANT; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp passed Resolution No. 2010-12 by emergency measure on November 15, 2010, said Resolution authorizing the Mayor of the Village of Antwerp, Ohio to enter into any and all necessary agreements related to the Village of Antwerp CRA #04A and the Community Reinvestment Area Program Application of Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant; and Declaring the Same Emergency, which reads as follows:

WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant ("Manor House"), owner of property located in the Community Reinvestment Community Area designated as the Village of Antwerp CRA #04A, has filed an application pursuant to the resolution passed by the Village of Antwerp Council establishing this Community Reinvestment Area;

WEEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Agreement with Manor House concerning its Community Reinvestment Area Program Application, said Agreement providing a term of tax exemption of ten (10) years;

WHEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Compensation/Donation Agreement related to Manor House's tax exemption provided in the Community Reinvestment Area Agreement for 2010; and

WEEREAS, the Board of Education for the Antwerp Local School received a copy of the Community Reinvestment Area Agreement for 2010 and have sent the Village a certified copy of its resolution approving the Community Reinvestment Area Agreement for 2010.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County Ohio:

Section 1. The Mayor of the Village of Antwerp is hereby authorized to enter into and execute on behalf of the Village of Antwerp the Community Reinvestment Area Agreement for 2010 with Manor House, and the Community Reinvestment Area Compensation/Donation Agreement related to Manor House.

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W)	EREAS, the Council has decided t	o repeal Resolution No. 2010-	12 in its entirety.
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Attest:

Loretta Baker, Fiscal Officer

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## RESOLUTION NO. 2011- 03

A RESOLUTION REPEALING RESOLUTION NO. 2010-13, SAID RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO EXECUTE THE FIRST AMENDMENT TO THE 2010 COMMUNITY REINVESTMENT AREA EXEMPTION AGREEMENT BY AND BETWEEN MIDWEST SENIOR TRUST, D/B/A MANOR HOUSE ASSISTED LIVING AND ESSEN HOUSE RESTAURANT AND THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp passed Resolution No. 2010-13 by emergency measure on December 20, 2010, said Resolution authorizing the Mayor of the Village of Antwerp, Ohio to execute the First Amendment to the 2010 Community Reinvestment Area Exemption Agreement by and between Midwest Senior Trust, d/5/a Manor House Assisted Living and Essen House Restaurant and the Village of Antwerp, Ohio; and Declaring the Same an Emergency, which reads as follows:

WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant ("Manor House") and the Village of Antwerp, Ohio (the "Village") entered into the 2010 Community Reinvestment Area Exemption Agreement by and between Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant and the Village of Antwerp, Ohio (the "Agreement") in November, 2010, and in accordance with Resolution No. 2010-12;

WHEREAS, the Manor House is required to pay services fees to Paulding County Economic Development, Inc. ('PCED") in accordance with the Agreement; and

WHEREAS, the Agreement must be amended in order to reflect the current service fees to be paid by Manor House to PCED.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County Ohio:

<u>Section 1</u>. The Mayor of the Village of Antwerp is hereby authorized to enter into and execute on behalf of the Village of Antwerp the First Amendment to the 2010 Community Reinvestment Area Agreement by and between Manor House and the Village.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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	Section 3. This Resolution is necessary for the immediate or of the Village necessary for the be in full force and effect immediate and be in force after the	eservation of the public has well being of the resident ediately after its passage earliest period allowed by	nealth, safety and vers and this resolutions; otherwise, it shape y law.	welfare on shall all take
NC	HEREAS, the Council has decided  OW, THEREFORE, BE IT RESO	•		·
	urty, Ohio: ction 1. Resolution No. 2010-13 is	hereby repealed.		
to del in	ction 2. It is found and determined the passage of this Resolution were liberations of the council and of any meetings open to the public, in columnates, resolutions and any applications.	e adopted in an open mee of its committees that res ompliance with all legal	eting of this counc ulted in such formate regulations include	il, and that all al action, were ling all lawful
im to Re eff	ction 3. This Resolution is hereby mediate preservation of the public he repeal Resolution No. 2010-13 in or investment Area Exemption Agreen ect immediately after its passage; other of allowed by law	ealth, safety and welfare of der to allow the parties to nent for 2011, and this Re	f the Village in that o enter into a revise solution shall be in	it is necessary ed Community of full force and
	test:	Ray DeLor Village of A	<u>.                                    </u>	· · · · · · · · · · · · · · · · · · ·
Lo	Souta Goken oretta Baker. Fiscal Officer			

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#### **RESOLUTION NO. 2011-04**

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS RELATED TO THE VILLAGE OF ANTWERP CRA #04A AND THE COMMUNITY REINVESTMENT AREA PROGRAM APPLICATION OF MIDWEST SENIOR TRUST, d/b/a MANOR HOUSE ASSISTED LIVING AND ESSEN HOUSE RESTAURANT; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Midwest Senior Trust, d/b/a Manor House Assisted Living and Essen House Restaurant ("Manor House"), owner of property located in the Community Reinvestment Community Area designated as the Village of Antwerp CRA #04A. has filed an application pursuant to the resolution passed by the Village of Antwerp Council establishing this Community Reinvestment Area;

WHEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Exemption Agreement with Manor House concerning its Community Reinvestment Area Program Application, said Agreement providing a term of tax exemption of ten (10) years;

WHEREAS, the Village of Antwerp desires to enter into a Community Reinvestment Area Compensation / Donation Agreement related to Manor House's tax exemption provided in the Community Reinvestment Area Exemption Agreement for 2011; and

WHEREAS, the Board of Education for the Antwerp Local School received a copy of the Community Reinvestment Area Exemption Agreement for 2011 and have sent the Village a certified copy of its resolution approving the Community Reinvestment Area Exemption Agreement for 2011 and the Compensation / Donation Agreement attached thereto at Appendix 2.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwers, Paulding County Ohio:

<u>Section 1</u>. The Mayor of the Village of Antwerp is hereby authorized to enter into and execute on behalf of the Village of Antwerp the Community Reinvestment Area Exemption Agreement for 2011 with Manor House, and the Community Reinvestment Area Compensation / Donation Agreement related to Manor House.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

<u>Section 3</u>. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and necessary for the well being of the residents and this Resolution shall be in full force and effect immediately after its

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passage; otherwise, it shall t	ake effect and be	in force after the earliest	t period allowed by law.
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Date: 1 - 12 - 1	<u>/</u>		
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	· <u>I</u>	Ray DeLorg, Mayor of	the Village of Antwerp
Attest:			
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Loretta Baker, Fiscal Offic	cer		
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# COMMUNITY REINVESTMENT AREA EXEMPTION AGREEMENT Pursuant to Ohio Revised Code § 3735.61

# Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant

#### 2011

This agreement made and entered into by and between the Village of Antwerp, Paulding County, Ohio a municipal government, with its main offices located at 118 North Main Street, Antwerp, Ohio 45813 (the "Village") and Vidwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant, with its main offices located at 204 Archer Drive, Antwerp, OH 45813, ("Manor House").

WHEREAS, the Village has encouraged the development of real property located in the area designated as a Community Reinvestment Area ("Village of Antwerp CRA #04A"); and

WHEREAS, Manor House is desirous of further remcceling and expanding a commercial building that is being used as an assisted living facility and restaurant to also be used as an assisted living Alzheimer's facility, extended care facility, rehabilitation facility, senior activity center, youth activity center and ice cream shop, and the refurbishing of the gymnasiums, pool and fitness facility (the "PROJECT") within the boundaries of the aforementioned Village of Antwerp CRA #04A, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

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WHEREAS, the Village by Resolution No. 2004-07 adopted October 12, 2004 designated the area as a "Community Reinvestment Area" pursuant to Chapter 3735.66 of the Ohio Revised Code; and

WHEREAS, effective August 26, 2005, the Director of Development of the State of Ohio determined that the aforementioned area designated in said Resolution No. 2004-07 contains the characteristics set forth in Section 3735.66 of the Ohio Revised Code and certified said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, the Village having the appropriate authority for the stated type of project is desirous of providing Manor House with incentives available for the development of the PROJECT in the Village of Antwerp CRA #04A under Chapter 3735.66 of the Ohio Revised Code; and

WHEREAS, Manor House has submitted a proposed application for the Community Reinvestment Area Program (attached as **Exhibit A**) to the Housing Inspector on behalf of the Village, (the "APPLICATION") and

WHEREAS, Manor House has remitted the required state application fee of \$750.00 made payable to the Ohio Department of Development with the application to be forwarded with the final agreement; and

WHEREAS, the Housing Inspector has reviewed the application of Manor House and has recommended the application for approval to the Virlage Council on the basis that Manor House appears qualified by financial responsibility and business experience to c.\documents and settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral settings\clerktreasurer\orangle oral set

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create and p	reserve employment op	pportunities in the Vil	llage of Antwerp C	RA #04A and
improve the	economic climate of the	e Village; and		
WHEREAS,	the PROJECT site as p	proposed by Manor I	House is located in	the Antwerp
Local Schoo	l District and the Boar	d of Education of A	ntwerp Local Sch	ool has been
not fied in	accordance with Sec	tion 5709.83 and	been given a	copy of the
APPLICATIO	N; and			
WHEREAS,	pursuant to Section	3735.67(A) and in	conformance with	n the format
required und	er Section 3735.671(B)	of the Ohio Revised	Code, the parties	nereto desire
to set forth th	neir agreement with resp	oect to matters herei	nafter contained.	
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NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Manor House shall further remodel and expand an existing facility at 204 Archer Drive, Antwerp, Ohio 45813. Said facility is located on part of Parcel No. 120300200 as the same is known and designated on the Auditor's revised list of lots located in the Lot 17 PT Block B, Antwerp Village, Paulding County, Ohio. The PROJECT will entail remodeling and expanding the existing structure to create a complex consisting of an assisted living Alzheimer's wing with 14 suites, an extended care unit with 14 suites, a rehabilitation to home clinic, senior activity center, youth activity center, ice cream shop, and the refurbishing of gymnasiums, pool, and fitness center.

The PROJECT will involve a total investment by Manor House, not including acquisition costs, of Five Million One Hundred Thirty-eight Thousand Three Hundred and Twenty-three Dollars (\$5,138,323.00), plus or minus 10% at PROJECT site. The maximum investment for the PROJECT to qualify for exemption is \$5,652,155.30 and a minimum investment for the PROJECT to qualify is \$4,624,490.70. Proposed estimated cost of the new construction is \$3,623,803.00, remodeling of said commercial facility is \$991,413.00 with an estimated additional \$265,400.00 in Machinery and Equipment, \$237,707.00 in

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-	•	and \$20,000.00 in new inventory. Th 325,000.00 and the current size of the	
	1	ebruary 14, 2011, and all acquisition will be completed by February 14, 2013	
2.	months after the commencer	within a time period not exceeding ment of expansion and remodeling of only (20) new full-time and twenty-five by December 13, 2016.	f the aforesaid
	Hundred Fifty-Nine Thousand	r of employees will result in approxid Do <b>ll</b> ars (\$759,000.00) in new annua 05 per hour (\$23,000.00 annually); r (\$11,960.00 annually).	l payroll. The
3.	information reasonably required compliance with the agreer	to the proper tax incentive review uired by the council to evaluate the ment, including returns filed pursual Code if requested by the council.	ne applicant's
4.	improvements made to the P	Manor House a tax exemption for ROJECT site identified in Section 1 all Ohio Revised Code and shall be in	bove pursuant
	Years of Tax Exemption	Tax Exemption Am	<u>ount</u>
	10 Years	100% of the amount by expansion and remodeling assessed value of the PRO exempted from real property	increases the JECT shall be
	be taxable were that property commence before February	the first year for which the real property not exempted from taxation. No exalt 14, 2011 (date improvements to beging the projected date for the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of the formula of	remption shall n) nor extend
	Manor House shall maintain Development, Inc.	n a membership to Paulcing Cour	nty Economic
	for the Village approval of texemptions herein contained	nat, as part of this agreement, and in the term of the percentage and ter d, Manor House will enter into an a r the purposes of making compensa	m of the tax agreement as

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payment to the Village and others, and these compensation/donation payments are a condition of compliance for the purpose of this CRA Agreement.

- 5. Manor House shall pay such real property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If Manor House fails to pay such taxes or file such returns and reports, all exemptions from taxation granted under this agreement are rescinded beginning with the year for which such taxes charged or such reports or returns are required to be filed and thereafter.
- 6. The Village shall perform such acts as are reasonably necessary or appropriate to affect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documents required by Section 3735, of the Ohio Revised Code. Manor House shall pay an annual review fee equal to ten percent (10%) of the dollar value of the tax savings afforded Manor House under this agreement. The fee shall be paid once per year for each year this agreement is in effect, upon completion of the annual review of said agreement, and upon receipt of invoice from the Enterprise Zone Manager of the Paulding County Economic Development, Inc. as set forth in the Compensation/Donation Agreement attached hereto at Appendix 2.
- 7. If the Village revokes the designation of the area, entitlements granted under this agreement shall continue for the number of years specified under agreement, unless Manor House materially fails to fulfill its obligations under this agreement and the Village terminates or modifies the exemptions from taxation pursuant to this agreement.
- 8. If Manor House materially fails to fulfill its obligations under this agreement, or if the Village determines that the certification as to delinquent taxes required by this agreement is fraudulent, the Village may terminate or modify the exemptions from taxation granted under this agreement, and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement.
- 9. Manor House hereby certifies that at the time this agreement is executed, Manor House does not owe any delir quent real property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Manor House is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Revised Code, or, if such delinquent taxes are owed, Manor House currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et sec., or such a petition has been filed against Manor House. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

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10.	Manor House further after delinquent taxes to the State of any moneys to the State of any environmental law state agency or a political Manor House and the approved by formal action for the agreement to ta approval.  The Village has cevelo Reinvestment Area tax operations. By executing	firmatively covenants that it does not tate of Ohio or a political subdivision or a state agency for the administrations of the State; or (3) any other mone subdivision of the State that are past Village acknowledge that this agricular of the legislative authority of the Villake effect. This agreement takes oped a policy to ensure recipient benefits practice non-discriminate this agreement, Mancr House is co	nct owe: (1) any n of the State; (2) on or enforcement, eys to the State, a due.  The ement must be age as a condition effect upon such the state of Community ory hiring in its emmitting to follow
		oractices and acknowledges that no y on the basis of race, religion, sex /.	
12.	State cr local political second community Reinvestment has knowingly made a false obtain Community Reinvesto immediately return all large Agreement pursuant any future economic develor a political subdivision purovides a false statement guilty of falsification, a 2921.13(F)(1), which is pure Ohio Revised Code, include a term of imprisonment of		ning approval for e of Manor House tical subdivision to e shall be required nity Reinvestment all be ineligible for my state agency or Any person who essistance may be pursuant ORC apter 2929. of the ollars (\$1,000.00),
13.	determined that Manor Homember (as those terms Ohio Revised Code) has agreement under Division	granted under this agreement shall louse, any successor to the applicar are defined in Division (E) of Sections violated the prohibition against on (E) of Section 3735.671 or Section Code prior to the time prescribed lo	nt, or any related n 3735.671 of the entering into this tions 5709.62 or
14.	This agreement is not tra approval of the Village.	ansferable or assignable without the	express, written

yton Le	gal Blank, Inc				Form No. 30043	
Ordi	nance No		Passed		, 20	
	pursuant t this/A Manor Ho	o Resclution No. th day of <u>Jo</u> use Assisted Livi		is caused this inst 2011, and Midwe Restaurant by Mel ent to be executed	rument to be exected Senior Trust, win Fahs, Presided on thisd	cuted d/b/a ent of
	,a			VILLAGE OF ANT By: Mayor, Ray De	1_	
	State of O	hio Paulding	ss			
	said Coun who ackno	ty, personally app owledged that he	, 2011, ceared Ray DeLong, is authorized to sig deed and the free w	Mayor of the Vill n the foregoing in	age of Antwerp, ( strument and tha	Ohio,
			ave hereunto affixed		this official seal	this
				Notary Public Commission Expire	es:	

	•		
	Ordinance No.	Passed	, 20
		Vidwest Senior	Trust, d/b/a Manor
	·		ing & Essen House
		Restaurant	•
-			
	·	By:	
		Melvin Fahs	
		•	Board of Trustees
Ctct	of Ohio		•
	of Ohio		
Jou.	lity of Fadicing 7		•
On t	his day of	, 2011, before me, a No	tary Public in and for
	County, personally appeared Me		
	est Senior Trust, d/b/a Manor I		
ackn	owledged that he is authorized to	sign the foregoing instrume	nt and that the same
acti	his free will and deed and the free	e will act and deed of the cor	nnanv
	·		inpunty.
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I	Dayton Leg	gal Blank, Inc.	Form No. 30043	:
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-				
		APPENDIX 2		
		Community Reinvestment Area Compensation/Do Related To Midwest Senior Trust, d/b/a Manor I	Hcuse Assisted	· · · · · · · · · · · · · · · · · · ·
		Living & Essen House Restaurar	nt	
-		This Agreement between the Village of Antwerp. Oh (the "Village"), the Board of Education of the Antwerp Local District (the "School"), Midwest Senior Trust, d/b/a Manor Essen House Restaurant (the "Company"), and Paul Development, Inc. ("PCED") specifies the manner and proceed Ohio Revised Code (ORC) §5709.82 authorizing general correvenue sharing on new Municipal Income Tax revenues related Community Reinvestment Area Project in the area des CRA #04A.	al School, a Public School, a Public School, be used pursuant mpensation and income lating to the Company, a	nool g & mic it to tax and
		Whereas, the Ohio Community Reinvestment Area & §3735., authorizes the granting of real property tax exinvestments; and,	•	RC new
		Whereas, the Village by Resolution No. 2004-07, add on October 12, 2004, designated the area as a Community R to Chapter 3735.66 of the Ohio Revised Code; and	ptec by the Village Cou einvestment Area pursu	ncil ant
		Whereas, effective August 26, 2005, the Director of Director of Director of Director of Director determined that the aforementioned area contains the Section 3735.36 of the Ohio Revised Code and certified streinvestment area under said Chapter 3735., designating Antwerp CRA #04A; and,	characteristics set forth said area as a commu	n in in in
		Whereas, the School and the Vantage Vocational Sc of the Company's application and Community Reinvestment the formal approval as required within ORC §5709.83; and	TI.	
		Whereas, the Village has acted pursuant to Resolutio  /-/2  Community Reinvestment Area Exemption Agreement was Agreement authorizes a ten (10) year tax exemption to the Community Reinvestment Agreement authorizes a ten (10) year tax exemption to the Community Reinvestment Agreement authorizes a ten (10) year tax exemption to the Community Reinvestment Agreement authorizes a ten (10) year tax exemption to the Community Reinvestment Agreement authorizes a ten (10) year tax exemption to the Community Reinvestment Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement Agreement	ne Vllage to enter into vith the Company, w	а
		Whereas, the Company is benefiting from such tarrealizes the same; and,	x incentive programs	and
		Whereas, the Village and the School pursuant to ORC a Community Reinvestment Area Compensation/Donation Abenefits relating to the aforementioned Community Reinvestment	Agreement concerning	the

Agreement.

D:	ayton Legal Blank, Inc.	<u> </u>		 Fcrr No. 30043		
					1	
	Ordinance No		Passed	 29		

Now therefore, in consideration of the forgoing and of the mutual promises, covenants and agreements hereinafter set forth the Village, the School, the PCED and the Company agrees as follows:

PAYMENTS. Payments will be calculated based upon the actual investments made related to the Company's expansion project as described in the Exhib ts to the Community Reinvestment Area Exemption Agreement which the Company entered into in the year 2011, said Community Reinvestment Area Exemption Agreement and all exhibits being incorporated into this Agreement by reference thereto, and will be an amount equal to approximately thirty-seven percent (37%) of the taxes the Company would have been required to pay had the Company not entered into a Community Reinvestment Area Exemption Agreement with the Village.

**DISTRIBUTION OF FUNDS.** The Company agrees to make payments described hereinafter attributable to the School, the Village, Vantage Vocational School, and to the PCED for distribution to those parties.

PAYMENT AMOUNT. The average annual payment to the School is twenty-five percent (25%) of the tax exemptions afforded to the Company, ten percent (10%) of the tax exemptions to the Village for the establishment of an infrastructure fund, and two percent (2%) of the tax exemptions to Vantage Vocational School, covered by a separate agreement by which Vantage Vocational School expressly consented to receiving a smaller percentage of the tax exemption than provided to the other school district and/or taxing units herein.

PAYMENT SCHEDULE. The first payment will be made on or before November 1 of each year, commencing the year when any of the real property described in Exhibit "A", including Exhibits of the subject Community Reinvestment Area Exemption Agreement would first be taxable were that property not exempted from taxation, and continuing for each year thereafter that the tax exemptions continue pursuant to said Community Reinvestment Area Exemption Agreement.

DEFAULT. Failure to comply with the terms of this Agreement by the Company will result in the forfeiture of the above mentioned development incentives and termination of the subject Community Reinvestment Area Exemption Agreement.

the Company in Exhibit "A" including Exhibits of the subject Community Reinvestment Area Exemption Agreement, are greater or lesser than proposed, the dollar amount of payments will be adjusted according to the amount of actual investments.

FULL OBLIGATION OF VILLAGE. The Parties agree that this Compensation/Donation Agreement shall constitute full and final payment to the School as now or may in the future be required of the Village, representing the anticipated tax revenues which the School would have received had the tax exemptions as the result of the subject Community Reinvestment Area Exemption Agreement not been granted to Company. Further, the School by executing this agreement waives and releases the

ayton Lega, Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
Village from any further obligate Reinvestment Area Exemption Ag	tion of payment relate greement	ed to this subject Community
In Witness whereof, the pa the date indicated in the notarizati		Agreement to be executed on
		r Trust, d/b/a Manor House & Essen House Restaurant
	Ву	
	Melvin Fahs	he Board of Trustees
State of Ohio } County of Paulding } SS		
Cn this day of said County, personally appeared Midwest Senior Trust, d/b/a Ma acknowledged that he is authorize act is his free will and deed and the	d Melvin Fahs, Preside nor House Living & E ed to sign the foregoing	ssen House Restaurant, who instrument and that the same
In testimony whereof I have he		me and this official seal this
day of	, 2011.	
	, 2011.	

Ė	bay on Legal Blank, Inc.	_Sorm No. 30043
	Ordinance No	Passed, 20
		Village of Antwerp, Ohio Consent to Agreement
e e		By Bay DeLong
		Resolution No 2011-04
	e of Ohio } nty of Paulding } SS	
said who	County, personally appeared Ray acknowledged that he is authorized	_, 2011, before me, a Notary Public in and for DeLong, Mayor of the Village of Antwero, Ohio, ed to sign the foregoing instrument and that the ne free will act and deed of the Village.
In 5	estimony whereof I have hereunt 1 th day of <u>January</u> , 2	Soutta Baker
•		Commission Expires: March 30, 2011

Payton Legal Blank, Inc.	Form No. 30043
Ordinance No.	Passed, 20
	Board of Education of the Antwerp Local School
	By Mark Hartman, Superintendent
	Resolution No.
State of Ohio } County of Paulding } SS	
said County, personally appeared M School District who acknowledged that	, 2011, before me, a Notary Public in and for Mark Hartman, Superintendent of Antwerp Local at he is authorized to sign the foregoing instrument ll and deed and the free will act and deed of the
In testimony whereof I have hereu	nto affixed my name and this official seal this _, 2011.
	Notary Public Commission Expires:

Da	nyten Legal Blank, Inc.	Form No. 30 143
	Ordinance No	Passed
ļ		Paulding County Economic Development
		Inc.
	·	
		Ву
		David R. Derck, President
State	of Ohio }	
Cour	nty of Paulding } SS	
On t	nis day of	, 2011, before me, a Notary Public in and
or s	aid County, personally appeared	David R. Derck, President of the Paulding County
		acknowledged that he is authorized to sign the
		ne act is his free will and deed and the free will and
deed	of the PCED.	
	stimony whereof I have hereu	nto affixed my name and this official seal this
	stimony whereof I have hereu day of	nto affixed my name and this official seal this, 2011.
	stimony whereof I have hereu	nto affixed my name and this official seal this, 2011.
	stimony whereof I have hereu day of	nto affixed my name and this official seal this, 2011.
	stimony whereof I have hereu day of	, 2011.
	stimony whereof I have hereu day of	Notary Public
	stimony whereof I have hereu day of	, 2011.

. ]			Form No. 30043	
	Ordinance No	Passed	, 20	

#### RESOLUTION NO. 2011-05

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO, TO EXECUTE A REVOCABLE ENCROACHMENT PERMIT FOR ENCROACHMENT IN THE RIGHT-OF-WAY LOCATED ON KROOS DRIVE IN THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, The Artwerp Exchange Bank Company owns real estate located at the corner of Kroos Drive and Canal Street in the Village of Antwerp, Ohio, more legally described as follows:

Situated in the County of Paulding, in the State of Ohio, and in the Village of Antwerp:

Known as being parts of Lots Seventeen (17) and Eighteen in Webber's First Addition to the Village of Antwerp, Paulding County, Ohio, bounded and described as follows:

Beginning at the Southwesterly corner of Lot Number Seventeen (17); thence Northeasterly along the Southeasterly lines of Lots Seventeen (17) and Eighteen (18), a distance of Eighty-four (84) feet; thence Northerly and Westerly to a point in the rear line of Lot Number Seventeen (17) which is measured Forty-four and eighty hundredths (44.80) feet Northeasterly from the Northwesterly corner of Lot Seventeen (17), thence Westerly and Southerly along the rearline of Lot Seventeen (17) to the Northwesterly corner thereof; thence Southerly along the Westerly line of Lot Seventeen (17) to the place of beginning.

Subject to all rights, restrictions, covenants, conditions, highways, right-of-ways, easements, and encumbrances either apparent or of record.

Parcel No. 12-33S-019-00, pt. Lots 17 and 18.

WHEREAS, a carport (the "encroachment") affiliated with the real estate described herein encroaches in the Village's right-of-way located on Kroos Drive, a Plat of Survey identifying said encroachment is attached hereto as **Exhibit A**, and made a part hereof;

WHEREAS, the Village of Antwerp desires to execute a Revocable Encroachment Permit in regard to the encroachment in the Village's right-of-way on Kroos Drive in order to allow the encroachment to remain in said right-of-way, said permission being granted by the Village of Antwerp and revocable at the will of the Village and upon the terms and conditions set forth in the Revocable Encroachment Permit.

**NOW, THEREFORE**, be it resolved by the Council of the Village of Antwerp, Paulding County, Ohio.

<u>Section 1</u>. The Mayor of the Village of Antwerp is hereby authorized to execute a Revocable Encroachment Permit regarding the encroachment in the Village's right-of-way on Kroos Drive.

# 0257

g	ayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	
	on 2. The Village Administrator sl the Paulding County Recorder's of		
relati that	on 3. It is found and determined to the passage of this Resolution all deliberations of the Council and the meetings open to the public	on were adopted in an open meetind of any of its committees that re	ng of this Council, and esulted in such formal
imme the r force	on 4. This Resolution is hereby of the public he esolution of the encroachment issue and effect immediately after its parallest period allowed by law.	alth, safety and welfare of the VII ne identified herein, and this Reso	lage and necessary for plution shall be in full
Date	1-18-11	Ray DeLong, Mayor Village of Antwerp	•
Attes	Gretta Baker	v mage of Antwerp	
Lore	tta Baker, Fiscal Officer		•

_]	Dayton Legal Blank, Inc	·		 Form No. 30043	
	Ordinance No	· ·	Passed	 20	
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#### REVOCABLE ENCROACHMENT PERMIT

January 18, 2011

The Village of Antwerp, Paulding County, State of Ohio ("Village"), hereby grants permission to The Antwerp Exchange Bank Company, its successors and assigns ("Grantee"), upon the terms and subject to the conditions of this permit, to maintain that portion of the carport (the "engroachment"), which is located within the Kroos Drive right-of-way. A legal description of the affected property and a plat of survey showing the nature and extent of the encroachment upon the right-of-way are so noted on the attached **Exhibit A**, made a part hereof.

The term of the permission granted by this encroachment permit shall be such that it is revocable at the will of the Village. While this permit is in effect, the encroachment shall be maintained by the Grantee in a neat and orderly fashion and the permit shall not in any way prejudice or preclude the Village with respect to the future use of the Village's property, or right-of-way, including that portion of which the encroachment is located. This permit may be terminated at any time by the Village. Upon termination of the permit, Grantee shall, within sixty (60) days of termination, remove or cause to be removed from the Village's property, said encroachment at the Grantee's sole expense, repairing any damage done to the Village property occasioned by such removal. The encroachment cannot be replaced once it has been removed. The encroachment as the same now exists shall in no manner be added to or enlarged than its present scope or dimensions.

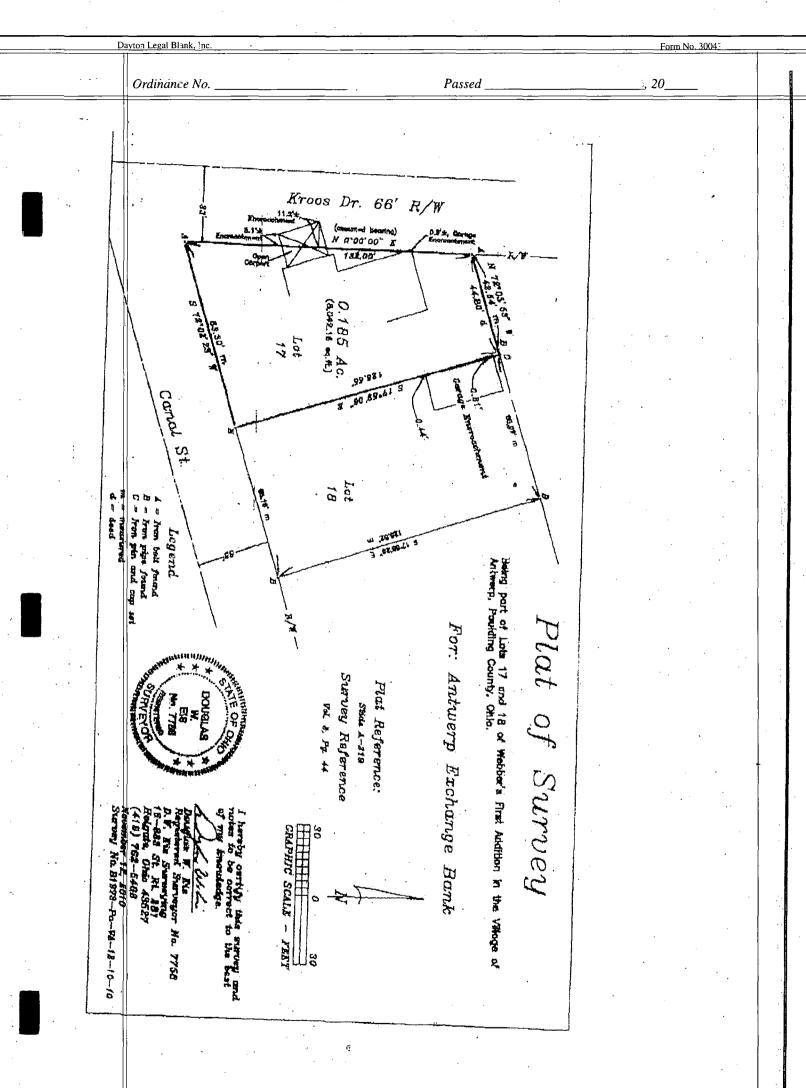
By maintaining the encroachment and accepting the benefits conferred by this permit, the Grantee shall indemnify and hold harmless the Village from and against any and all liability and claims of any kind or character, including but not limited to possible damage, death, and personal injury resulting from any and all acts, claims, omissions, maintenance and existence and

 $P:\label{p:locality} P:\label{p:locality} P:\labe$ 

 Dayton Legal Blank, Inc.		Form No. 3004
Grdinance No.	Passed	, 20
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placement of the said encroachment.	This indemnification and hold harn	aless in favor of the
Village shall run with the land.		· ·
This permit herein granted in	no way confers upon the Grantee any	right or title to the
Village's property and the rights of the	•	
This permit shall be binding upon the	•	
be recorded with the Paulding Count	_	
record and all prior instrument refere		326-0328; Vol. 420,
Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of Page 121 of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Official Records of the Of	aulding County, Ohio.	
	Bay 10 Los	v~
	RAY DELONG, Mayo	
Attesa:	Village of Antwerp	
	e e	
Goretta Baker	·	
LORÉTTA BAKER, Fiscal Officer		
Resolution No.: 2011-05		
Notification Date: January _/ 9 , 201	1	
This instrument prepared by Melanie L.	. Farr, Attorney at Law and Village S	olicitor for the
Village of Antwerp, Ohio.		
:		
P:\MLF antwerp\Lothamer Estae\doc\Revocable Encroachment Permit.sls.\	wpd.2	•
1		

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
	Exhibit A	
Situated in the County of	of Paulding, in the State of Ohio, and	l ir. the Village of Antwerp:
<i>U</i> .	of Lots Seventeen (17) and Eighteen ulding County, Ohio, bounded and de	i I
the Southeasterly lines of feet; thence Northerly a which is measured For Northwesterly corner of Let Seventeen (17) to the	resterly corner of Lot Number Sevente of Lots Seventeen (17) and Eighteen and Westerly to a point in the rear l rty-four and eighty hundredths (44 Lot Seventeen (17); thence Westerly e Northwesterly corner thereof, thence the place of beginning.	(18), a distance of Eighty-four (84) line of Lot Number Seventeen (17) (4.80) feet Northeasterly from the vand Southerly along the rearline of
Subject to all rights, rest encumbrances either app	rictions, covenants, conditions, highwarent or of record.	ways, right-of-ways, easements, and
Parcel No. 12-33S-019-	00, pt. Lots 17 and 18.	
Prior Instrument Reference Paulding County, Ohio.	nce: Vol. 541, Page 0326; Vcl. 420,	Page 121 of the Official Records of

P:\MLF\Antwerp\Lothamer Estae\doc\Revocable Encroachment Permit.sls. 200 3



Legal Blank, Inc.		Form No. 30043
rdinance No	Passed	, 20
	ORDINANCE NO. 2011-0	0.3
	ANCE APPROVING, ADOPTING AND ENACTING AN	
OF A	IC CODE, 2011 EDITION, AS THE CODE OF ORDINA  1 twe rp  OHIO, AND DECLARING AN	EMERGENCY.
and classified	EAS, the present general and permanent ordinances of the ned and are insufficient in form and substance for the complete peneral welfare of the municipality and for the proper conductions.	reservation of the public peace, heal
	EAS, American Legal Publishing Corporation publishes a Collities in Ohio.	ode of Ordinances suitable for adopt
preservation effect at an e	EAS, it is necessary to provide for the usual daily operation of of the public peace, health, safety and general welfare of the early date.  THEREFORE, BE IT ORDAINED BY THE LEGIS LITY OF, OHIO:	e municipality that this ordinance ta
Section 1.	American Legal Publishing's Ohio Basic Code, 2011 Edit Legislative Authority, is hereby adopted and enacted. Any which may have been previously adopted by the municipal is hereby replaced in its entirety by this Ohio Basic Code,	y prior version of the Ohio Basic Co lity is hereby repealed as obsolete a
Section 2.	Cne copy of American Legal Publishing's Ohio Basic Code the Mayor and Clerk of the Legislative Authority, as requishall be kept in its initial form on file in the office of the Clar permanent ordinance record of the municipality. The Cler directed to publish a summary of all new matters contained by Ohio Revised Code § 731.23. Such summary is attached	e, 2011 Edition, certified as correct pired by Ohio Revised Code § 731.2 lerk of the municipality and retained rk of the municipality is authorized at in the Code of Ordinances as require
Section 3.	All ordinances and resolutions or parts thereof which ar provision of the Ohio Basic Code, 2011 Edition, as adorepealed as of the effective date of this ordinance, except a (A) The enactment of the Ohio Basic Code, 2011 Edition, or liability accrued or incurred under any legislative pach enactment, or an action or preceeding for the enfo	opted in Section 1 hereof, are here as follows: shall not be construed to affect a rigprovision prior to the effective date
	enactment shall not be construed to relieve any person in violation of any such legislative provision, nor to	from punishment for an act commit

notwithstanding its repeal for the purpose of revision and codification.

	ayten Legal Blank, Inc	·		Form No. 30043
	Ordinance No.		Passed	, 20
	(B) The	repeal provided above sha	all not affect:	
	(1)	The grant or creation of a	a franchise, license, right, easement	or privilege;
	(2)	The purchase, sale, lease	or transfer of property;	
	(3)	The appropriation or exp	enditure of money or promise or gu	arantee of payment;
. (1	(4)	The assumption of any co	ontract or obligation;	
	(5)	The issuance and delivery	of any bonds, obligations or other in	struments of in debtedness;
	(6)	The levy or imposition of	f taxes, assessments or charges;	
	(7)	The establishment, namin	ng, vacating or grade level of any st	reet or public way;
	(8)	The dedication of propert	ty or plat approval;	
	(9)	The annexation or detach	ment of territory;	
}	(10)	Any legislation enacted s	ubsequent to the adoption of this ord	dinance.
	(11)	Any legislation specifical	ly superseding the provision of the	Ohio Basic Code.
Section 5			emergency measure necessary for the	aa immaadiata maaamuatiam
	-	the earliest date provided	neral welfare of the people of this m by law.	-
	-			-
Date Passed:	-	the earliest date provided		-
11	effect at	the earliest date provided		unicipality, and shall take
Passed:	effect at	the earliest date provided	Bay Of Le	unicipality, and shall take

Legal Blank	Inc.	Form No. 300-3	
dinance I	No	, 20	
•		Exhibit A	
		OHIO BASIC CODE, 2011 EDITION — SUMMARY OF CONTENTS	
Matica i			 
of the M	s nereby [unicipal]	given that on the day of, 2011, there was enacted by the Legislative ity of, Ohio, an ordinance entitled "An Ordinance Approving, Add an Legal Publishing's Ohio Basic Code, 2011 Edition, as the Code of Ordinances for the Munic	Authori
Enacting	g Americ	an Legal Publishing's Ohio Basic Code, 2011 Ecition, as the Code of Ordinances for the Munic	pality o
	<u></u>	, Onio."	
A summ majority	ary of the of Basic	e subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follow Code provisions are based directly on state law.	ws. T
		TITLE I: GENERAL PROVISIONS	
		Chapter 10: General Provisions	
Section	10.01	•	
	10.01 10.02	Short titles Definitions	
	10.03	Rules of construction	}
	10.04	Revivor; effect of amendment or repeal	
	10.05	Construction of section references	
		Conflicting provisions	
	10.07	Severability Reference to officer	
	10.08 10.09	Reference to offices Errors and omissions	H
•	10.10	Ordinances repealed	ll .
	10.11	Ordinances unaffected	
	10.12	Ordinances saved	
	10.13	Application to future ordinances	
	10.14 10.15	Interpretation Amendments to code; amendatory language	
	10.16	Statutory references	
	10.17	Preservation of penalties, offenses, rights and liabilities	
	10.18	Determination of legislative intent	
	10.99	General penalty	
	10.77	Control permity	
<u></u>	<del>-</del> -	TITLE III: ADMINISTRATION	
		Chapter 30: General Provisions	
Section		· ·	
	30.01	Application of Title III	
	30.02 30.03	Qualifications; oaths Bonds of officers and employees; amount	
	30.04	Additional bond; where bonds recorded and kept	
	30.05	Approval of bonds	
	30.06	Sufficiency of form of bond	
	30.07	Filling vacancies in offices Public records available	
	30.08 30.09	Records Commission	
	30.10	Meetings of public bodies to be open; exceptions; notice	
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	95.02 95.03 95.04 95.05 95.06	Disposition of vehicle ordered in Disposition of abandoned unk in Abandonment of junk motor veh	notor vehicles	sition	
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		96.15	Water skiing confined to ski zones		
		96.16	Observer required when towing skier		1
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		96.18	Personal flotation device required for towed person		
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		96.20	Permit for special water events		
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		96.27	Anchor requirements		
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		96.29	Backfire flame control device required		]}
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		96.31	Abandonment of junk vessels or outboard motors		
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	1	95.33	Safety equipment on rental vessels		
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		96.41	Tags indicating expiration date; attachment of identification number		
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		96.47	Certificate of title; exceptions	(x,y) = (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y) + (x,y	
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#### ORDINANCE NO. 2011-04

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00 (and declaring the same an emergency)

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

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	Poli	Section 2. This ordinance department of the Village	ce is necessary to provide for the coof Antwerp.	pperating funds for the
	and form inclu	relating to the passage of this that all deliberations of the all action, were in meetings of	determined that all formal actions of sordinance were adopted in an open of Council and of any of its committees open to the public, in compliance with any applicable provisions of Section	meeting of this Council, s that resulted in such
	the f	he immediate preservation of further reason that the Village artment necessary for the we	e is hereby declared to be an emerger the public health, safety and welfare is in immediate need of funds for the ellibeing of the residents and this of its passage; otherwise, it shall take	of the Village and for operation of the Police dinance shall be in full
		the earliest period allowed		
	Mar	or of the Village of Antwerp	Attest Fiscal Officer:	Loute Bake

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#### ORDINANCE NC. 2011-05

## ORDINANCE TO RETAIN THE SERVICES OF MELANIE L. FARR AS SOLICITOR FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village is authorized by law to retain the services of legal counsel to be known as the Village Solicitor, and

WHEREAS, the Council deems it necessary to retain the services of legal counsel to act as Solicitor for the Village in civil, contract, and criminal matters.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Faulding County, Ohio as follows:

- Section 1. Legal counsel shall be provided to act in civil, contract, and criminal matters for the Village, and the person retained as such counsel shall be known as the Solicitor of the Village of Antwerp; and
- Section 2. The Village will compensate the Solicitor for legal services rendered on behalf of the Village at the rate of One Hundred Dollars (\$100.00) per hour, plus out-of-pocket expenses for long distance telephone charges, fax charges, postage, and photocopying at the rate of No Dollars and Fifteen Cents (\$0.15) per page. This Ordinance to retain the legal services of a Solicitor shall be in force and effect for a period not exceeding two (2) years.
- Section 3. Melanie L. Farr, an attorney at law, is licensed to practice law in the State of Ohio, and is hereby appointed as Solicitor for the Village of Antwerp, Paulding County, Ohio.
- Section 4. This Ordinance shall be retroactive and take effect as of the expiration of the prior Ordinance retaining the services of such counsel as the Solicitor of the Village of Antwerp, also known as Ordinance No. 2009-12
- Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

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Villa imm	diate preservation of the pubge needs to be represented by	te is hereby declared to be an entergency meablic health, safety and welfare, and for the fay legal counsel. This Ordinance shall be in erwise, it shall take effect and be in force at March, 2011.	urther reason that the
		Ray Do Long, Mayor Village of Antwerp	7
Attes	t: Lasta Baka		

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#### ORDINANCE NO. 2011- 06

AN ORDINANCE APPROVING PRELIMINARY PARTICIPATORY
LEGISLATION FOR THE PROJECT IDENTIFIED AS
PAU-ANTWERP DEPOT RESTORATION, PID 83311, 90781,
AND DECLARING THE SAME AN EMERGENCY 90783,

The following is an Ordinance enacted by the Village of Antwerp, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

#### **SECTION I - Project Description**

WHEREAS, the LPA has identified the need for the described project:

This project proposes to renovate the interior, exterior and surrounding property of the Antwerp railroad depot structure, including restoration of basic utility services.

WHEREAS, a portion of described project is within the Village corporation limits.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, CHIO:

#### **SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

#### **SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

Ohio Department of Transportation ("ODOT") and Federal Highway Administration ("FHWA") shall agree to pay 80% of the necessary and eligible costs of the LPA's improvement project up to the Federal funds cap for this project of \$295,000. The LPA shall be responsible for the matching 20% of these construction and construction engineering costs, and then 100% of all costs exceeding the capped federal maximum for this project. The LPA's portion of the construction and construction engineering costs for this project will be covered by a grant received from the Ohio Cultural Facilities Commission, approved in February, 2011, for \$106,000. In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

#### SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) for the described project will be

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	acquired and/or made available in accordance also understands that right-of-way cos		egulations. The LPA
	The LPA agrees that all utility accommon the current provisions of 23 CFR 65 a		ents will comply with
	SECTION V - Maintenance		
-	Upon completion of the project, and un maintenance for the project in accordance limited to, Title 23, U.S. Code, necessary, for the maintenance of the obstructions: and (4) hold said right-or	nce with all applicable state and federa Section 116; (2) provide ample firate project; (3) maintain the right-of-wa	al law, including, but ancial provisions, as by, keeping it free of
	SECTION VI - Authority to Sign	•	
	The Mayor of said Village of Antwerp to enter into agreements with the Dir described project.	· -	-
	SECTION VII - Passage in Open M	eetings	
	It is found and determined that all for concerning or relating to the passage of and that all deliberations of the Legislares utted in such formal actions, were in requirements including all lawful order the Ohio Revised Code.	this Ordinance were adopted in open a ative Authority of the LPA and any of a meetings open to the public, in comp	meetings of the LPA, of its committees that pliance with all legal
	SECTION VIII - Emergency Measur	re	
	This Ordinance is hereby declared to be health, safety and welfare, and for the This Ordinance shall take effect and otherwise it shall take effect and be in	further reason to expedite the project be in force immediately upon its pa	et referenced herein. ssage and approval.
	Passed: Manch 24 (Eate)	_, 2011.	
	Attested: <u>foretta 4 Ba</u>		ora
	The said	O Comment	D. 8

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	CERTIFICATE OF COPY STATE OF OHIO	
Village of Antwerp of Pau	lding County, Ohio	
certify that the foregoing Authority of the said Village publication of such ordinal proceedings looking to a	Officer of the Village of Antwerp of is a true and correct copy of ordinge of Antwerp on the 24+th day of	inance adopted by the Legislative  March, 2011, that the f record according to law: that no have been taken; and that such
IN WITNESS WHEREOF applicable, this2	F, I have hereunto subscribed my na 4+h day of March	me and affixed my official seal, if
•		Fiscal Officer
(SEAL)		ntwerp of Paulding County, Ohio. PA)
	accepted as a basis for preceeding w Antwerp of Paulding County, Ohio A)	with the project herein described.
Attest: Dara Kee	Boy W Lon Contractual Officer (Mayo	Date $\frac{3}{35}/3011$
*************		**********
	For the State of Ohio	
	Director, Ohio Departme	nt of Transportation
Attest: Duny 740	5	

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## ORDINANCE NO. 2011-<u>07</u>

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 2005-07, PREVIOUSLY AMENDED BY ORDINANCE NO. 2008-15, ESTABLISHING REGULATIONS FOR USE OF WATER, METHODS OF PAYMENT, COLLECTION METHODS, AND WATER RATES FOR THE VILLAGE OF ANTWERP. COUNTY OF PAULDING, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing regulations for use of water, methods of payment, collection methods, and water rates for the Village of Antwerp County of Paulding. Ohio designated as Ordinance No. 2005-07, to which Section 5 of said Ordinance was amended by Ordinance No. 2008-15 and said amending Ordinance was passed by a majority vote of the Council of the Village of Antwerp, Ohio, after a third reading, on May 19, 2008; and

WHEREAS, the Council, by way of Ordinance 2008-15, amended a section, specifically Section 5, providing the due date, imposing additional charges for late payments, and providing deadlines to terminate service to the users/consumers of the Village's water utility system; and

WHEREAS, in order to include a processing fee for the certification process of delinquent water charges to the County Auditor, the Council of the Village of Antwerp further amends Section 5 of Ordinance No. 2005-07 as identified in Ordinance No. 2008-15 and as further provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohic:

Section 1. Section 5 of Ordinance No. 2005-07 as previously amended by Ordinance No. 2008-15 of the Village of Antwerp, Ohio, is amended to read as follows:

"Section 5.

A. The Village of Antwerp will issue bills to users/consumers of water within the Village corporation limits on a quarterly basis. The charges for water are due the fifteenth (15<sup>th</sup>) of the month following the month the bill is issued to the user/consumer. Specifically, the Village will issue bills to users/consumers the first business day of the following months: January, April, July and October. The charges for water are then due the fifteenth (15<sup>th</sup>) day of the following months: February, May, August and November. The bill mailed in January and due on or before February 15<sup>th</sup> will be for water charges incurred in September, October and November. The bill mailed in April and due on or before May 15<sup>th</sup> will be for water charges incurred in December, January and February. The bill mailed in July and due on or before August 15<sup>th</sup> will be for water charges incurred in March, April and May. Finally, the bill mailed in October and due on or before November 15<sup>th</sup> will be for water charges incurred in June, July and August. The term "business day" as used in this Ordinance means "Monday through Friday, except for federal or state holidays.

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B. If any charge for water is not paid when due (which is the 15th of the month following the month the bill is issued to the user/consumer and more specifically defined in Section 5(A) of this Ordinance), a late charge of ten percent (10%) of the amount of the principal balance set forth on the bill shall be added to the amount due and collected by the Village of Antwerp. When any water account is not paid in ten (10) business days from the date the bill is due (see Section 5(A) above), water service to the user/consumer shall be terminated by the Village of Antwerp, with the notice of termination signed by the Village Administrator. Further, said user's/consumer's water service shall not be restored until the user/consumer has paid all past due accounts, late charges, and a \$25.00 service fee to have the water service reconnected. The past due accounts and other charges referenced herein will be certified by the Village to the Paulding County Auditor for these charges to be placed upon the real property tax list and considered a lien on the property and collected in the same manner as other taxes. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process."

Section 2. Previous ordinances and/or any portions thereof, including Section 5 of Ordinance No. 2005-07 and Ordinance No. 2008-15, and rules of the Village of Antwerp that not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

<u>Section 4</u>. This Ordinance is hereby declared to be an emergency measure for the preservation of the public health, safety and welfare, and for the further reason to include the processing fee to certify the charges to the County Auditor. This Ordinance shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

ENACTED THIS 18th day of Horis

pris , 2011.

Ray DeLong, Mayor

Village of Antwer

Attest:

Loretta Baker, Fiscal Officer

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## ORDINANCE NO. 2011-08

# AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 2008-04 ESTABLISHING THE REGULATIONS OF WEEDS WITHIN THE VILLAGE OF ANTWERP; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing the regulations of weeds within the Village of Antwerp, said Ordinance designated as Ordinance No. 2008-04 and passing by a majority vote of the Council of the Village of Antwerp, Ohio, after the third reading, on March 17, 2008; and

WHEREAS, the Council, by way of Ordinance 2008-04, established a section, specifically Section 5, providing the process to certify charges for the cutting and destroying of noxious weeds to the County Auditor for the amounts to be entered upon the real estate tax duplicate; and

WHEREAS, in order to include a processing fee for the certification process of charges for cutting and destroying of noxious weeds to the County Auditor, the Council of the Village of Antwerp amends Section 5 of Ordinance No. 2008-04 as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Section 5 of Ordinance No. 2008-04 of the Village of Antwerp, Ohio, is amended to read as follows:

"Section 5. Written Return to County Auditor; Amount as a Lien Upon Property. If the Village Administrator pursues the procedure allowed under Section 4 of this Ordinance for the cutting and destroying of noxious weeds, the Village Administrator shall make a written return to the County Auditor of his/her action under Section 4 of this Ordinance, with a statement of the charges for the services, the amount paid for labor, the fees of the officers serving the notices, and a proper description of the premises. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process. These amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the Village with the general fund."

Section 2. Previous Orcinances and/or any portions thereof, including Section 5 of Ordinance No. 2008-14 and Ordinance No. 1998-10, and rules of the Village of Answerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were

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	blic, in compliance with all legal reable provisions of § 121.22 of the Ohi	
preservation of the public processing fee to certify the be in force immediately up	Ordinance is hereby declared to be a health, safety and welfare, and for the charges to the County Auditor. This con its passage and approval, otherwalliest period allowed by law	he further reason to include the s Ordinance shall take effect and
ENACTED THIS	181h day of April	, 2011.
	Ray DeLong Village of A	g, Mayor ntwerp
Attest:  Loretta Baker, Fiscal Off	<u>lu</u> icer	

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ORDINANCE NO. 2011- 09

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 81-32, PREVIOUSLY AMENDED BY ORDINANCE NO. 2008-16, ESTABLISHING RATES AND CHARGES FOR USE AND SERVICE OF THE MUNICIPAL SEWAGE WORKS FOR THE MUNICIPALITY OF ANTWERP, COUNTY OF PAULDING, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing rates and charges for use of sanitary sewage system for the Village of Antwerp County of Paulding, Ohio designated as Ordinance No. 81-32, to which Section 4 of said Ordinance was amended by Ordinance No. 2008-16 and said amending Ordinance was passed by a majority vote of the Council of the Village of Antwerp, Ohio, after a third reading, on May 19, 2008; and

WHEREAS, the Council, by way of Ordinance 2008-16, amended a section, specifically Section 4, providing the due date, imposing additional charges for late payments, and providing deadlines to terminate service to the users/consumers of the Village's sanitary sewer system; and

WHEREAS, in order to include a processing fee for the certification process of delinquent sanitary sewer charges to the County Auditor, the Council of the Village of Antwerp further amends Section 4 of Ordinance No. 81-32 as identified in Ordinance No. 2008-16 and as further provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Chio:

Section 1. Section 4 of Ordinance No. 81-32 as previously amended by Ordinance No. 2008-16 of the Village of Antwerp, Ohio, is amended to read as follows:

"Section 4.

A. The Village of Antwerp will issue bills to users/consumers of the sanitary sewer system within the Village corporation limits on a quarterly basis. The charges for sanitary sewer are due the fifteenth (15th) of the month following the month the bill is issued to the user/consumer. Specifically, the Village will issue bills to users/consumers the first business day of the following months: January, April, July and October. The charges for sanitary sewer are then due the fifteenth (15th) day of the following months: February, May, August and November. The bill mailed in January and due on or before February 15th will be for sanitary sewer charges incurred in September, October and November. The bill mailed in April and due on or before May 15th will be for sanitary sewer charges incurred in December, January and February. The bill mailed in July and due on or before August 15th will be for sanitary sewer charges incurred in March, April and May. Finally, the bill mailed in October and due on or before November 15th will be for sanitary sewer charges incurred in June, July and August. The term "business day" as used in this Ordinance means "Monday through Friday, except for federal or state holidays.

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_	B. If any charge for	r sanitary sewer is not paid when due (wh	ich is the 15th of the	

month following the month the bill is issued to the user/consumer and more specifically defined in Section 4(A) of this Ordinance), a late charge of ten percent (10%) of the amount of the principal balance set forth on the bill shall be added to the amount due and collected by the Village of Antwerp. When any sanitary sewer account is not paid in ten (10) business days from the date the bill is due (see Section 4(A) above), sanitary sewer service to the user/consumer shall be terminated by the Village of Antwerp, with the notice of termination signed by the Village Administrator. Further, said user's/consumer's sanitary sewer service shall not be restored until the user/consumer has raid all past due accounts, late charges, and a \$25.00 service fee to have the sanitary sewer service reconnected. The past due accounts and other charges referenced herein will be certified by the Village to the Paulding County Auditor for these charges to be placed upon the real property tax list and considered a lien on the property and collected in the same manner as other taxes. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process."

Section 2. Previous ordinances and/or any portions thereof, including Section 4 of Ordinance No. 81-32 and Ordinance No. 2008-16, and rules of the Village of Antwerp that not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Chio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure for preservation of the public health, safety and welfare, and for the further reason to include the processing fee to certify the charges to the County Auditor. This Ordinance shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

ENACTED THIS 18th day of April , 2011.

Ray DeLong, Mayor Village of Antwerp

Attest:

Doutla Caker
Loretta Baker, Fiscal Officer

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## ORDINANCE NO. 2011- /O

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2008-49
ESTABLISHING POLICIES AND PROCEDURES
FOR THE CONSTRUCTION, RECONSTRUCTION, REPAIR,
REPLACEMENT, AND MAINTENANCE OF SIDEWALKS, CURBS AND
GUTTERS IN THE VILLAGE OF ANTWERP, OHIO;
AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing policies and procedures for the construction, reconstruction, repair, replacement, and maintenance of sidewalks, curbs and gutters in the Village of Antwerp, Ohio designated as Ordinance No. 2008-49 and passing by a majority vote of the Council of the Village of Antwerp, Ohio, after a third reading, on October 27, 2008; and

WHEREAS, the Council, by way of Ordinance 2008-49, established a section, specifically Section 1, providing the duty to keep sidewalks in repair and clean of ice and snow; and

whereas, in to amend this section to include charges for the Village to remove any snow or ice in violation of this policy and to certify these charges to the County Auditor, the Council of the Village of Antwerp amends Section 1 of Ordinance No. 2008-49 as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1 of Ordinance No. 2008-49 of the Village of Antwerp, Ohio, is amended to read as follows:

"Section 1. Duty to Keep Sidewalks in Repair and Clean of Ice and Snow.

No owner or occupant of lots or lands abutting any sidewalk, curb or gutter shall fail to keep the sidewalks, curbs and gutters in repair and free from snow, ice or any nuisance, and to remove from such sidewalks, curbs or gutters all snow and ice accumulated thereon within a reasonable time, which will ordinarily not exceed twelve (12) hours after any storm during which snow or ice has accumulated. If the owner and/or occupant of the lots or lands abutting any sidewalk fails to keep the sidewalks, curbs, and gutters free from snow or ice as required herein, the Village shall cause the snow and/or ice accumulation to be removed from said sidewalks and charge \$15.00 for each snow ice removal occurrence. The Village shall bill these charges to the owner and/or occupant at the end of the winter season. If the charges are not paid within thirty (30) days of the date of the billing, the Village will certify these charges to the County Auditor. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process. These

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amounts, when allowed, shall be such lands from and after the dareturned to the Village with the g	ate of entry and be	- · · · · · · · · · · · · · · · · · · ·
Section 2. Previous Ordinance Ordinance No. 2008-49, and rules of 1 Ordinance are hereby set aside, revoked	he Village of Antv	werp that are not consistent with this
Section 3. It is found and determined to the passage of this Ordinance all deliberations of the Council and any of in meetings open to the public, in compordinances and any applicable provision	were adopted in operation of its committees the pliance with all le	at resulted in such formal action, were gal requirements including all lawful
Section 4. This Ordinance is preservation of the public health, safety processing fee to certify the charges to the in force immediately upon its passage force from and after the earliest period a	y and welfare, and he County Aucitor ge and approval, o	. This Ordinance shall take effect and
ENACTED THIS 1814 day o	of Apri	<u>/</u>
	Ray D Villag	eLong, Mayor Ce of Antwerp
Attest: Loutta Baker		
Loretta Baker, Fiscal Officer		

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#### ORDINANCE NC. 2011-\_//

AN ORDINANCE AMENDING SECTION 9 OF ORDINANCE NO. 2005-21
ESTABLISHING A STORM WATER UTILITY PROGRAM, METHODS
OF PAYMENTS, REGULATIONS, COLLECTION METHODS
AND STORM WATER RATES; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing a storm water utility program, methods of payments, regulations, collection methods and storm water rates, saic Ordinance designated as Ordinance No. 2005-21 and passing by a majority vote of the Council of the Village of Antwerp, Ohio, as an emergency measure on December 19, 2005; and

WHEREAS, the Council, by way of Ordinance 2005-21, established a section, specifically Section 9, providing that past due storm water utility bills will be assessed the cost thereof against the real estate duplicate with the County Auditor; and

WHEREAS, in order to amend the process for the certification of delinquent charges to the County Auditor, the Council of the Village of Antwerp amends Section 9 of Ordinance No. 2005-21 as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Section 9 of Ordinance No. 2005-21 of the Village of Antwerp, Ohio, is amended to read as follows:

"Section 9. Past due storm water utility bills of any users/consumers, and late charges as identified in Section 8 of this Ordinance, will be certified to the Paulding County Auditor for these charges to be placed upon the real property tax list and considered a lien on the property and collected in the same manner as other taxes. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process."

Section 2. Previous Ordinances and/or any portions thereof, including Section 9 of Ordinance No. 2005-21 and Ordinance No. 2005-10, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

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			an emergency measure for the
	preservation of the public health, s		
	processing fee to certify the charges		
	be in force immediately upon its pa	assage and approval, otherw	ise it shall take effect and be in
	force from and after the earliest per	riod allowed by law.	
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	ENACTED THIS 18+1/10	lay of Hpril	, 2011.
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	•	Ray DeLon	g, Mayor
		Village of A	antwerp
	Attest:		•
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	Doutta Enden		
	Loretta Baker, Fiscal Officer		.

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	- 11			D DECLARING THE SAME A	· · · · · · · · · · · · · · · · · · ·
					,
	11		-	Antwerp finds it necessary to estable	=
•		•	no Revised Code § 3 Antwerp V.E.T.S. N	5705.13 for the purpose of receiv	ing donations and/or
	Contin	outions from the A	intwerp v.E.1.5. N	Temoriai.	•
	NOW	, THEREFORE,	BE IT RESOLVE	<b>D</b> by the Council of the Village o	f Antwerp, Paulding
	Count	ty, Ohio, that:		·	
	South	n 1 The Coureil	Laftha Village of A	antwerp authorizes the Fiscal Offi	car of the Village of
	- 11			t fund for the purpose of receivi	_
	11	=	-	Memorial, in accordance with	_
	§ 570	5.131.			•
	Soction	n ? The revenue	curhorized to be ple	and in this fund shall he manay do	noted to the Antworn
	11		-	ced in this fund shall be money don Antwerp V.E.T.S. Memorial to the	<del>_</del>
	11		•	es on the memorial tablets located in	•
	in the	Village of Antwer	rp, Ohio.		
	Sacti	on ? The evene	an cuthonimad to be	ownered and from this found are ar	ary and all magazane
, ,	11	-		e expended from this fund are and/or maintenance of the veteran	-
	-11	•	_	e Park in the Village of Antwerp,	
-	adopt	ed by the Antwerp	V.E.T.S. Memoria	al are attached hereto as Exhibit "	A" and incorporated
	nereir	by reference.	. ,		
	Section	on 4. It is found	and determined the	at all fermal actions of the Council	cil of the Village of
	- 11			ne passage of this Resolution were	•
	- 11		-	rations of the Council and any of	
• •	11		action, were in mee	etings open to the public, in comp	oliance with all legal
	requi	rements.			
	Section	on 5. This Resolu	ution is hereby dec	lared to be an emergency measu	re necessary for the
	- 11		· · · · · · · · · · · · · · · · · · ·	, safety and welfare of the Villag	•
. •	11		•	nonexpendable trust fund for the	
. *	1		•	E.T.S. Memorial. This Resolution	
	11	st period allowed b		therwise, it shall take effect and	be in force after the
	.				
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	Attes	<b>f•</b>		Ray DeLong, Mayor Village of Antwerp	$\mathcal{O}$
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			Exhibit H	=

BYLAWS FOR VETERANS MEMORIAL PARK TO BE SUBMITTED TO TOWN COUNCIL

ANY NAMES FOR THE VETERANS MEMORIAL OR CHANGES OF ANY TYPE TO THE PARK GROUNDS BY ANY INDIVIDUAL OR ORGANIZATION NEED TO BE SUBMITTED TO THE PARK BOARD FOR THEIR APPROVA. THEN ON TO THE TOWN COUNCIL WHEN NEEDED.

NAMES FOR THE VETERANS MEMORIAL NEED TO FOLLOW THESE GUIDELINES; HAVE AN HONARABLE OR MEDICAL DISCHARGE AND BE ACCOMPANIED BY THE FOLLOWING INFORMATION; A COPY OF THERE DD214 OR SEPERATION PAPERS; A COPY OF ARMED FORCES SERVICE RECORD; A COPY OF VETERANS IDENTIFICATION CARD; A COPY OF AN OBITUARY OR NEWS ARTICLE STATING MILIATRY SERVICE AND PROOF OF RESIDENCY IN ANTWERP SCHOOL DISTRICT; PHOTO OF VETERAN IN UNIFORM OR PHOTO OF MILITARY PLAQUE ON A TOMBSTONE; VETERAN AT SOME POINT MUST HAVE LIVED IN ANTWERP SCHOOL DISTRICT OR BE BURIED IN A CEMETERY LOCATED IN THE SCHOOL DISTRICT AND PROVIDE LOCATION OF RESIDENCE. VETERAN MUST PROVIDE THERE FULL NAME DATES OF SERVICE AND LOCATION OF RESIDENCE.

ENGRAVING WILL BE CONTROLLED BY THE PARK BOARD AND REMAIN THE SAME FONT AS THE ORIGINAL ENGRAVING. THERE WILL NE NO PRIVATE ENGRAVING OR ALTERATION OF ANY TYPE. NO INDIVIDUAL IS ALLOWED TO HAVE ANY NAME ADDED. THE WORK SHOULD BE COMPLETED BY THE MEMORIAL DESIGNER. ENGRAVING SHOULD BE COMPLETED AS NEEDED, LOOKING AT MEMORIAL DAY AND VETERANS DAY AS A PREFERRED DATE OF COMPLETION. A DONATION FEE OF \$75.00 IS NEEDED FOR EACH NAME UNLESS VETERAN IS RECENTLY DISCHARGED.

WE ARE IN THE PROCESS OF FORMING A GOVERNING BOARD FOR THE VETERANS MEMORIAL ONLY. THIS WILL BE MADE UP OF THE PARK BOARD AND ONE OTHER NONVOTING PERSON FROM EACH OF THE FOLLOWING ORGANIZATIONS, OR GINAL VETS COMMITTEE, ANTWERP AMERICAN LEGION AND ANTWERP VFW.

NAMES MUST FOLLOW THE THE PROTOCAL SET BY THE PARK BOARD. AND BE SUBMITTED TO EITHER KEITH WEST OR NANCY LICHTY.

	Fo.m № 300±3
ton Legal Blank, Inc	R 2011-00
Crdinance No	Passed Passed 20
	TEN MILL LIMITATION
	Rev. Code Sec. S775.15, 191, 192, 184, 2., 25
	The 2 Tillage of
	litura County, Ohio, met in Carlais (Rignar or Special)
Sé	ession on the 12 th day of May, at the office of
·	Antwerp Town tail with the following members present:
	Jan Rect
	Mike Rohns
	Steve Derck
	Kaven Lee
	Rudie Rech
     <b>i</b>	WHEREAS. The amount of taxes which racy be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said.
 	therefore be it the thing therefore be it therefore be it therefore be it the thing therefore be it the thing therefore be it the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing the thing
	RESOLVED, by the duril of the
1	July of itetuers fulling Conty This two trices of all
	members elected thereto concurring, that it is nedessary to say a tax in excess of the ten mill limi-
	tation for the benefit of July untilled
	for the perpose of Miletaring and Operating a
	Ceme Flix
	Oec 5705,19(T)
	at a rate not exceeding 8/10 mills for each one deltar of paluation, which
	amounts to light resta
	Here insert rate supressed in Collars and cents)
	for each one hundred dollars of valuation, for 5 Ullive
	6011-4012-2013-2014 2015
	· a reserved top of gight testes of one mil
.    .	
	RESOLVED. That he question of levying additional taxes be submitted to the electors of said
	Dulage of Gatules Oliv
:	College Control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of the control of th
\\\\.	at the Flittie Special election to be held at the usual sorting places within said. What M. Call. O. Call.
	$\sim 10^{-10}$
-	on the 8th day of Milliadel 3011; and be infurince
	RESOLVED. That said levy be placed upon the tex list of the current year after the February settlement next succeeding the election, if was fluctuated of the elections voting thereon core in favor thereof; and be it further

ayton Legal Blank, Inc.			Form No. 30043
	Bu Passes		11
Ordinance No.	Passe	ECL	20
		RESOLUTION ARING IT NECESSARY TO LEVY TAX IN EXCESS OF THE TEN MILL LIMITATION	Non
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mills"  mills once a week See 5705.19, 191, 194 R.C.	*driction ofimilis to constitute a taz ofsale to constitute of tax of anilis of anilis, to be tax of anilis, to tax of a few of anilis, to constitute a tax of anilis, to be tax of anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, to anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, anilis, a	i of so existing tax 10 mills"  si of a kar of	
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		n the vote resulted as foll	
Motion and the roll being called	əyt bəbnəcəs	idie Reeb	H IN
ot xet bias gniyusl fo noitesup saft	se notice of election on	Bourd of Elections to cau	hins yfiron lann uper en noarg od
		County, Ohio,	^
MLLW Liections,		), That the Clerk of this ' by directed to certify a ce	

· .	D	ay on Legal Blank, inc. Form No. 30043
		Ordinance No
	•	
		ORDINANCE NO. 2011-12
	AN	ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS
	TO	THE WATER FUND IN THE AMOUNT OF \$ 20,000.00 AND DECLARE THE SAME TO BE
		AN EMERGENCY
*		
		WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds
	from	the General Func to the Water Fund, and
	-	WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code
•	Sect	ion 5705.14, and
	- '	WHEREAS, this is a transfer of funds pursuant to Chio Revised Code Section 5705.14 (E), which
	tran	sfer does not require a vote of the Village Council to authorize transfers from the General Fund to any other
		of the Village, and
*	10_10	er me vinige, and
	ļ	WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the
	Wes	er Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with
		inderstanding that the Village is not required to seek any other approvals as may be required for other
		fers of funds under Ohio Revised Code Section 5705.14.
	uran	Hers of funds ander Offic Revised Code Section 5765.14.
		NOW THE DECORE DE IT CODA DIED by the Council of the Vices of Annue of Daviding Court
	<u> </u>	NOW THEREFORE, BE IT CRDAINED by the Council of the Village of Antwerp, Paulding County.
	Ohi	
		Q 4' : The William District Committee with a sign of the same of Taylor decreases
		Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty thousand
	(321	,000.00) from the General Fund to the Water Fund.
		G. His G. This adiabase is a second to any wide for an anaroling for the Water demonstrator of the
	T 7 18	Section Z. This ordinance is necessary to provide for operating funds for the Water department of the
*	VIII.	age of Antwerp.
		Section 3. It is found and determined that all formal actions of the Council concerning and relating to
•		assage of this ordinance were adopted in an open meeting of this Counzil, and that all celiberations of the
		neil and of any of its committees that resulted in such formal action, were in meetings open to the public,
		ompliance with all legal requirements including all lawful ordinances and any applicable provisions of
	Sect	ion 121.22 of the Ohio Revised Code.
		Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate
		ervation of the public health, safety and welfare of the Village and for the further reason that the Village is
		nmediate need of funds for the operation of the water department necessary for the well being of the
		dents and this ordinance shall be in full force and effect immediately after its passage; otherwise, it shall
	taxe	effect and be in force after the earliest period allowed by law.
,	- Dat	5-16-11
		But ill In
		Mayor of the Village of Antwerp
	Atte	st:
		$\varphi$
		Moutia Paka
	Fisc	al Officer

Dayton Legal 3 ank, In	ic.			Form No. 30043		 
Ordinance No	),	Passed	· ,	, 20		
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## ORDINANCE NO: 2011- /3

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF ANTWERP, OHIO, TO REZONE CERTAIN LOTS ADJACENT TO SOUTH ERIE STREET IN THE VILLAGE OF ANTWERP FROM SINGLE FAMILY DISTRICT (R-1) OR MULTIPLE FAMILY DISTRICT (R-2) TO BUSINESS DISTRICT (B-1), AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended, by the adoption of a motion, to amend the Official Zoning Map of the Village of Antwerp and re-zone or change the classification of certain lots in the Village of Antwerp, specifically, Lots 22 through Lot 31, Jump's Addition, Johnson's Addition Lot 1, Lots 7 through Lot 16 of Block F, Lots 1 through Lot 4 of Deventer's Subdivision, and outlots S-34 PT NW 1/4 SE 1/4; PT W 1/2 NE 1/4; PT NW 1/4 SE 1/4 and PT NW 1/4 SE 1/4, which Lots are adjacent to South Erie Street in the Village of Antwerp, from Single Family District (R-1) or Multiple Family District (R-2) to Business District (B-1), said recommendation made in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendment within sixty (60) days from making a motion to amend the zoning map in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

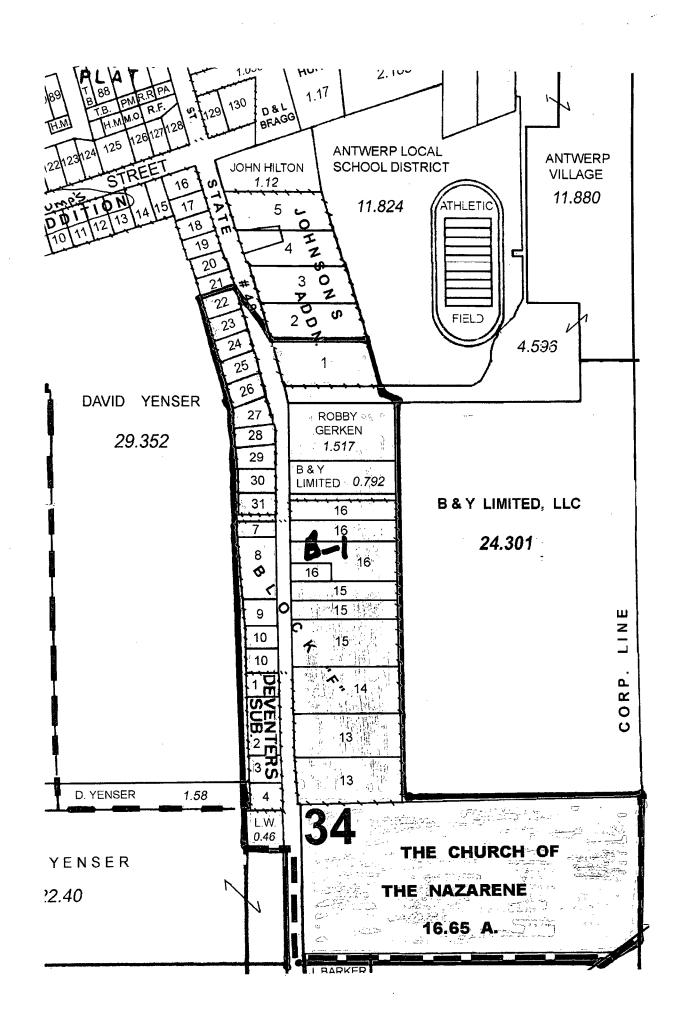
WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on the 2<sup>nd</sup> day of May, 2011, in compliance with Section 708 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of said public hearing was published and any required notice mailed to property owners in compliance with Sections 709 and 710 of the Zoning Ordinance of the Village of Antwerp, Chio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendment to the Official Zoning Map as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission that the Official Zoning Map be amended and that the real estate located at Lots 22 through Lot 31, Jump's Addition, Johnson's Addition Lot 1, Lots 7 through Lot 16 of Block F, Lots 1 through Lot 4 of Deventer's Subdivision, and outlets S 34 PT NW 1/4 SE 1/4; PT W ½ NE 1/4; PT NW 1/4 SE 1/4 and PT NW 1/4 SE 1/4, which Lots are adjacent to South Erie Street in the Village of Antwerp, be re-zoned or the classification of this real estate changed from Single Family District (R-1) or Multiple Family District (R-2) to Business District (B-1).

	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 20
•	Section 2 The amendmen	nt in Section 1 shall be incorporated into th	e Official Zoning Man of
	•	pon the date this Ordinance becomes effective and the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of the composition of t	
		erein by reference is a map depicting the ar	
	the zoning map amendment		
	Section 3. It is found and	d determined that all formal actions of the	e council concerning and
		his Ordinance were adopted in an open me	
		e council and of any of its committees tha	
	11 .	pen to the public, in compliance with all le	
		any applicable provisions of Section 121	.22 of the Ohio Revised
	Code.		
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,	Section 4. This Ordinance	e is deemed an emergency measure necessa	ry for the preservation of
,	T I	e is deemed an emergency measure necessand welfare, and for the further reason to co	- · ·
,	the public health, safety ar	nd welfare, and for the further reason to co	mply with Section 711 of
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	the public health, safety and the Zoning Ordinance, whi public hearing on the proposition immediately after its passa period allowed by law.	and welfare, and for the further reason to co ich requires the Village Council to act with osed amendment, and this Ordinance shall age; otherwise, it shall take effect and be of the day of May, 2011.	imply with Section 711 of ann thirty (30) days of the be in full force and effect enforced after the earliest
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	the public health, safety and the Zoning Ordinance, while public hearing on the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the proposition of the propositi	and welfare, and for the further reason to cook ich requires the Village Council to act with osed amendment, and this Ordinance shall age; otherwise, it shall take effect and be of the day of May, 2011.  Ray DeLong, Mayor Village of Antwerp, Ohio	imply with Section 711 of ann thirty (30) days of the be in full force and effect enforced after the earliest

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## ORDINANCE NO. 2011- 14

AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE NO. 2009-27, WHICH ORDINANCE AMENDED ORDINANCE NO. 2000-08, PROVIDING FOR THE DEMOLITION OF INSECURE AND UNSAFE BUILDINGS LOCATED IN THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp. Ohio, adopted an Ordinance providing for the demolition of insecure and unsafe buildings located in the Village of Antwerp, Ohio, designated as Ordinance No. 2009-27, which amended Ordinance No. 2000-08, and Ordinance No. 2009-27 was passed by a majority vote of the Council of the Village of Antwerp, Chio, as an emergency measure, on October 19, 2009; and

WHEREAS, the Council, by way of Ordinance No. 2009-27 amended certain procedures in determining the insecure and unsafe nature of buildings in the Village of Antwerp; and

WHEREAS, in order to include a processing fee for the certification process of demolition charges to the County Auditor, the Council of the Village of Antwerp amends Ordenance No. 2009-27, specifically Section 7 of Ordinance No. 2009-27, as further provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohic:

Section 1. Section 7 of Ordinance No. 2009-27 of the Village of Antwers, Ohio, is amended to read as follows:

"Section 7.

That all charges, costs and expenses arising out of or connected with the demolition and removal of any insecure, unsafe or unhealthful building, dwelling or structure pursuant to this Ordinance, shall be paid by the owner of the premises upon which any such building, dwelling or structure is situated, within ninety (90) days after the demolition or removal thereof as provided for in this Ordinance, and if not paid within said ninety (90) day period, the Fiscal Officer of the Village of Antwerp shall certify to the Auditor of Paulding County, Ohio, the total costs of such demolition or removal, and the County Auditor shall place the costs on the tax list and duplicate of the property, with the interest and penalties allowed by law, and be collected as other taxes pursuant to Section 715.261(B)(1) of the Ohio Revised Code. The Village shall charge a \$25.00 processing fee to each account certified to the County Auditor for collection from the real property taxes. The processing fee shall pay the expenses relating to the coordination of activities for the certification process."

Section 2. Previous ordinances and/or any portions thereof, including Section 7 of Ordinance No. 2009-27 and Ordinance No. 2000-08, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

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	all deliberations of the C					
	in meetings open to the					
	ordinances and any app		_			
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	Section 4. Th	is Ordinance is	hereby decla	ered to be an en	nergency me	asure for the
	preservation of the pub		. •			4 - 4 - H
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	be in force immed ately					
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!			R	Ray DeLong, Ma	урт	
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	Doute Ban	bec.				
	Loretta Baker, Fiscal	Officer				

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(R	eference: Ordinance No. 2011-06)			Project No.		(2011)
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#### **RESOLUTION NO. 2011-08**

FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE GENERAL PORTION OF THE RAILROAD DEPOT PROJECT IDENTIFIED HEREIN, AND DECLARING THE SAME AN EMERGENCY.

The following Final Resolution enacted by the Village of Antwerp, hereinafter referred to as the Legislative Authority or Local Public Agency (LPA), in the matter of the stated described project, specifically the general portion for the stated described project.

WHEREAS, on 24th day of March, 2011, the LPA enacted legislation (Ordinance No. 2011-06) proposing cooperation with the Director of Transportation for the described project:

Renovate an existing  $30' \times 75'$  former railroad depot and restore basic services to the building, with parking, handicapped accessibility, and drainage improvements, lying within the Village of Antwerp;

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Enhancement funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In view of the fact that the LPA's share of the project is now estimated in the amount of Forty Four Thousand Four Hundred and --- 00/100 Dollars (\$44,400.00) less OCFC Grant in the amount of Forty Four Thousand Four Hundred and --- 00/100 Dollars (\$44,400.00) leaving a balance due in the amount of Zero and --- 00/100 Dollars (\$0.00) therefore, the Village will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described project and has transmitted copies of same to this legislative authority; and

WHEREAS, this legislative authority desires the Director of Transportation to proceed with the aforesaid project.

NOW, THEREFORE, be it resolved:

Dayton Legal Blank, Inc.	Form No. 30043
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Oramance No.	
	PID No. 83311
Section 1.	That the LPA hereby requests the Director of Transportation to proceed with the
Section 1.	aforesaid project.
	atoresatu project.
Section 2.	That the LPA enter into a contract with the State, and that Mayor be, and is hereby
	authorized to execute said contract for improving the described project.
Section 3.	That the LPA transmit to the Director of Transportation a fully executed copy of
	this Resolution.
Section 4.	It is found and determined that all formal actions of the Council concerning or
	relating to the passage of this Resolution were adopted in an opening meeting of the
	Courcil, and that all deliberations of the Council and any of its committees that
	resulted in such formal actions, were in meetings open to the public, in compliance
	with all legal requirements including all lawful ordinances and any applicable
	provisions of Section 121.22 of the Ohio Revised Code.
Section 5.	This Resclution is deemed an emergency measure necessary for the preservation
bootion b.	of the public health, safety and welfare, and for the further reason that this
	Resolution and the required contract(s) shall be returned to the Ohio Department
	of Transportation, Office of Estimating, no later than May 29, 2011, in order to
	allow the project to commence (said project as described herein). This Resolution
	shall be in full force and effect immediately after its passage; otherwise, it shall
	take effect and be in force after the earliest period allowed by law.
Section 6.	This is to certify that the LPA has compared the foregoing copy of Resolution with
	the original record thereof, found in the record of the proceedings of the LPA, and
	which Resolution was duly passed by the LPA on the 16th day of May, 2011, and
	that the same is a true and correct copy of the record of said Resolution and the
	action of said LPA thereon.
Section 7.	The LPA further certifies that said Resolution and the action of said LPA thereon
	is recorded in the journal of said LPA in Volume, at Page, at Page,
	and under date of May 16, 2011.
	Legislative Authority of the Village of Antwerp
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	Hoy Willow
	Ray DeLong, Mayor
	Village of Antwerp, Onio
ATTEST:	
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In.	to Baker
I oretta Rake	er, Fiscal Officer
Lorona Dake	

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(Re	ference: Ordinance No. 2011-06)	Preject No.	(2011)
· :	RESOLUT	ION NO. 2011-09	

FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE MECHANICAL PORTION OF THE RAILROAD DEPOT PROJECT IDENTIFIED HEREIN, AND DECLARING THE SAME AN EMERGENCY.

The following Final Resolution enacted by the Village of Antwerp, hereinafter referred to as the Legislative Authority or Local Public Agency (LPA), in the matter of the stated described project, and specifically the mechanical portion for the stated described project.

WHEREAS, on 24<sup>th</sup> day of March, 2011, the LPA enacted legislation (Ordinance No. 2011-06) proposing cooperation with the Director of Transportation for the described project:

Renovate an existing  $30' \times 75'$  former railroad depot and restore basic services to the building, with parking, handicapped accessibility, and drainage improvements, lying within the Village of Antwerp;

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Enhancement funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In view of the fact that the LPA's share of the project is now estimated in the amount of Six Thousand Three Hundred Eighty and - - - 00/100 Dollars (\$6,380.00) less OCFC Grant in the amount of Six Thousand Three Hundred Eighty and - - - 00/100 Dollars (\$6,380.00) leaving a balance due in the amount of Zero and - - - 00/100 Dollars (\$0.00) therefore, the Village will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described project and has transmitted copies of same to this legislative authority; and

WHEREAS, this legislative authority desires the Director of Transportation to proceed with the aforesaid project.

NOW, THEREFORE, be it resolved:

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	Section 1.	That the I PA here	by requests the Director of T		No. <b>90781</b>
•	Section 1.	aforesaid project.	by requests the Encour of T	tunsportunion to proceed	
· · · .	Section 2.		into a contract with the State, ute said contract for improvin		
	Section 3.	That the LPA transthis Resolution.	smit to the Director of Transp	oortation a fully execute	d copy of
	Section 4.	relating to the pass Council, and that resulted in such for with all legal requ	termined that all formal action age of this Resolution were added all deliberations of the Councernal actions, were in meetings all lawful on 121.22 of the Ohio Revise	opted in an opening mee il and any of its comm open to the public, in co il ordinances and any	ting of the ittees that ompliance
	Section 5.	of the public hear Resolution and the of Transportation, allow the project to shall be in full for	deemed an emergency measure, and the required contract(s) shall be Office of Estimating, no late of commence (said project as dece and effect immediately after the earliest periods.	for the further reason returned to the Ohio D or than May 29, 2011, i escribed herein). This I er its passage; otherwis	that this epartment n order to Resolution
	Section 6.	the original record which Resolution	that the LPA has compared the thereof, found in the record of was duly passed by the LPA of true and correct copy of the thereon.	f the proceedings of the on the 16 <sup>th</sup> day of May,	LPA, and 2011, and
	Section 7.		certifies that said Resolution a ournal of said LPA in Volume May 16, 2011.		
			Legislative	Authority of the Village	of Antwerp
			Thay	Me Long	
•				ng, Mayor Antwerp, Ohio	
	ATTEST:				
	Done	ta Baker			
	Loretta Bak	er, Fiscal Officer			

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		<del></del>		PID 1	No. <b>90782</b>
(R	eference: Ordinance No. 20	11-06)	Project No.		(2011)
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#### **RESOLUTION NO. 2011-10**

FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PLUMBING PORTION OF THE RAILROAD DEPOT PROJECT IDENTIFIED HEREIN, AND DECLARING THE SAME AN EMERGENCY.

The following Final Resolution enacted by the Village of Antwerp, hereinafter referred to as the Legislative Authority or Local Public Agency (LPA), in the matter of the stated described project, and specifically the plumbing portion for the stated described project.

WHEREAS, on 24<sup>th</sup> day of March, 2011, the LPA enacted legislation (Ordinance No. 2011-06) proposing cooperation with the Director of Transportation for the described project:

Renovate an existing  $30' \times 75'$  former railroad depot and restore basic services to the building, with parking, handicapped accessibility, and drainage improvements, lying within the Village of Antwerp;

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Enhancement funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In view of the fact that the LPA's share of the project is now estimated in the amount of Four Thousand Four Hundred and ----00/100 Dollars (\$4,400.00) less OCFC Grant in the amount of Four Thousand Four Hundred and ----00/100 Dollars (\$4,400.00) leaving a balance due in the amount of Zero and ----00/100 Dollars (\$0.00) therefore, the Village will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described project and has transmitted copies of same to this legislative authority; and

WHEREAS, this legislative authority desires the Director of Transportation to proceed with the aforesaid project.

NOW, THEREFORE, be it resolved:

Dayton Legal Blank, Inc.		Form No. 30043
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		PID No. <b>90782</b>
Section 1.	That the LPA. hereby requests the Director	or of Transportation to proceed with the
	aforesaid project.	
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Section 2.	That the LPA enter into a contract with the authorized to execute said contract for important the contract for important the contract for important the contract for important the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with the contract with	
Section 3.	That the LPA transmit to the Director of 'this Resolution.	Transportation a fully executed copy of
	this resolution.	
Section 4.	It is found and determined that all forma	al actions of the Council concerning or
	relating to the passage of this Resolution w	
	Council, and that all deliberations of the	·
	resulted in such formal actions, were in me with all legal requirements including all	<b>O</b> 1
	provisions of Section 121.22 of the Ohio	11
Section 5	This Resolution is deemed an emergency	measure necessary for the preservation
	of the public health, safety and welfare	· 11 `
	Resolution and the required contract(s) sh	- II
	of Transportation, Office of Estimating,	
	allow the project to commence (said project shall be in full force and effect immediate	
	take effect and be in force after the earlies	
Section 6.	This is to certify that the LPA has compare	
	the original record thereof, found in the re	cord of the proceedings of the LPA, and
	which Resolution was duly passed by the	LPA on the 15 <sup>th</sup> day of May, 2011, and
	that the same is a true and correct copy of action of said LPA thereon.	of the record of said Resolution and the
	action of said Li A district.	
Section 7.	The LPA further certifies that said Resolu	tion and the action of said LPA thereon
	is recorded in the journal of said LPA in V	olume 5, at Page 3 1, 4,
	and under date of May 16, 2011.	
	Legi	slative Authority of the Viliage of Antwerp
	$\mathcal{A}$	of the Long
	•	<b>DeLong, May</b> or Antwerp, Ohio
ATTEST:	VIII	ige of Antwerp, Onto
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Loretta Bake	r, Fiscal Officer	

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			PIO No. 90783	
(Re	eference: Ordinance No 2011-06)		Project No. (2011)	,

#### **RESOLUTION NO. 2011-11**

FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE ELECTRICAL PORTION OF THE RAILROAD DEPOT PROJECT IDENTIFIED HEREIN, AND DECLARING THE SAME AN EMERGENCY.

The following Final Resolution enacted by the Village of Antwerp, hereinafter referred to as the Legislative Authority or Local Public Agency (LPA), in the matter of the stated described project, and specifically the electrical portion for the stated described project.

WHEREAS, on 24<sup>th</sup> day of March, 2011, the LPA enacted legislation (Crdinance No. 2011-06) proposing cooperation with the Director of Transportation for the described project:

Renovate an existing 30' x 75' former railroad depot and restore basic services to the building, with parking, handicapped accessibility, and drainage improvements, lying within the Village of Antwerp;

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The Village agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid Enhancement funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

In view of the fact that the LPA's share of the project is now estimated in the amount of Five Thousand Nine Hundred Forty and ----00/100 Dollars (\$5,940.00) less OCFC Grant in the amount of Five Thousand Nine Hundred Forty and ----00/100 Dollars (\$5,940.00) leaving a balance due in the amount of Zerc and ----30/100 Dollars (\$0.00) therefore, the Village will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described project and has transmitted copies of same to this legislative authority; and

WHEREAS, this legislative authority desires the Director of Transportation to proceed with the aforesaid project.

**NOW, THEREFORE**, be it resolved:

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			PIO No. 90783
Section 1.		s the Director of	Transportation to proceed with the
	aforesaid project.		
Section 2.	That the LPA enter into a con authorized to execute said co		e, and that Mayor be, and is herebying the described project.
Section 3.	That the LPA transmit to the this Resolution.	Director of Tran	sportation a fully executed copy of
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Section 4.			tions of the Council concerning or
			dopted in an opening meeting of the acil and any of its committees that
			gs open to the public, in compliance
	with all legal requirements	including all law	ful ordinances and any applicable
	provisions of Section 121.22	of the Ohio Revis	sed Code.
Section 5.	This Resolution is deemed an	emergency meas	ure necessary for the preservation
	of the public health, safety	and welfare, an	d for the further reason that this
			e returned to the Ohio Department
		•	ter than May 29, 2011, in order to described herein). This Resolution
			fter its passage; otherwise, it shall
	take effect and be in force aft	er the earliest per	riod allowed by law.
Section 6.	This is to certify that the LPA	has compared the	foregoing copy of Resolution with
			of the proceedings of the LPA, and
			on the 16 <sup>th</sup> day of May, 2011, and record of said Resolution and the
	action of said LPA thereon.	street copy of the	record of said Resolution and the
Section 7.	The LPA further certifies tha	t said Resolution	and the action of said LPA thereon
	is recorded in the journal of sa		$e \underline{5}$ , at Page $\underline{3/Z}$ ,
	and under date of May 16, 20	011.	
		Legislativ	e Authority of the Village of Antwerp
		Rus	Moland
		Ray DeL	ong, Mayor
		Village of	f Antwerp, Ohic
ATTEST:			
hour	to Bake		
Loreita Bake	r, Fiscal Officer		

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## RESOLUTION NO. 2011-12

A RESOLUTION AMENDING RESOLUTION NO. 2011-07 ESTABLISHING A NONEXPENDABLE TRUST FUND FOR THE PURPOSE OF RECEIVING DONATIONS AND/OR CONTRIBUTIONS FROM THE ANTWERP V.E.T.S. MEMORIAL, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Village of Antwerp, Ohio, adopted a Resolution establishing a nonexpendable trust fund for the purpose of receiving donations and/or contributions from the Antwerp V.E.T.S. Memorial designated as Resolution No. 2011-07 and passing by a majority vote of the Council of the Village of Antwerp, Ohio, as an emergency measure, on April 18, 2011; and

WHEREAS, by way of Resolution No. 2011-07, Council authorized the Fiscal Officer of the Village of Antwerp to establish a nonexpendable trust fund for the purpose of receiving donations and/or contributions from the Antwerp V.E.T.S. Memorial, in accordance with Ohic Revised Code § 5705.131; and

WHEREAS, after passing Resolution No. 2011-07, the Fiscal Officer of the Village of Antwerp was notified by the State Auditor's Office that instead of establishing a nonexpendable trust fund for this purpose under Ohio Revised Code § 5705.131, the Village of Antwerp should create a special revenue fund to account for the donations, contributions and the related expenditures of the Antwerp V.E.T.S. Memorial pursuant to Ohio Revised Code § 5705.12, and the State Auditor's Office specifically granted permission to the Village of Antwerp to establish the special revenue fund for this purpose.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Resolution No. 2011-07 of the Village of Antwerp, Ohio, is amended to read as follows:

A RESOLUTION ESTABLISHING A SPECIAL REVENUE FUND PURSUANT TO OHIO REVISED CODE § 5705.12 FOR THE PURPOSE OF ACCOUNTING FOR DONATIONS, CONTRIBUTIONS AND RELATED EXPENDITURES FOR THE ANTWERP V.E.T.S. MEMORIAL, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Village of Antwerp finds it necessary to establish a special revenue fund to account for the donations, contributions and any related expenditures of the Antwerp V.E.T.S. Memorial pursuant to Ohio Revised Code § 5705.12.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio, that:

<u>Section 1</u>. The Council of the Village of Antwerp authorizes the Fiscal Officer of the Village of Antwerp to establish a special revenue fund for the purpose of

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	Ordinance No	Passed		
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accounting for donations, contributions and related expenditures for the Antwerp V.E.T.S. Memorial, in accordance with Ohio Revised Code §5705.12, with such permission granted by the Auditor of the State for the establishment of such fund.

Section 2. The revenue authorized to be placed in this fund shall be money donated to the Antwerp V.E.T.S. Memorial and contributed by the Antwerp V.E.T.S. Memorial to the Village, as well as payments received for the engraving of names on the memorial tablets located in the Riverside Park in the Village of Antwerp, Ohio.

<u>Section 3</u>. The expenses authorized to be expended from this fund are any and all necessary expenses for the improvements, repair and/or maintenance of the veteran's memorial and its immediate surrounding area in the Riverside Park in the Village of Antwerp, Ohio. The By-Laws adopted by the Antwerp V.E.T.S. Memorial are attached hereto as Exhibit "A" and incorporated herein by reference.

<u>Section 4</u>. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

<u>Section 5</u>. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village, and necessary for the Village of Antwerp to establish the special revenue fund for the donations, contributions and related expenditures for the Antwerp V.E.T.S. Memorial. This Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

<u>Section 2</u>. Previous Ordinances, Resolutions, and any portions thereof, including Resolution No. 2011-07, and Rules of the Village of Antwerp that are not consistent with this Resolution are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 4. This Resolution is hereby declared to be an emergency measure for the preservation of the public health, safety and welfare, and for the further reason to correctly identify the type of fund to be established and as authorized by the Auditor of the State, specifically, to create the special revenue fund pursuant to § 5705.12 of the Ohio Revised Code. This Resolution shall take

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BYLAWS FOR VETERANS MEMORIAL PARK TO BE SUBMITTED TO TOWN COUNCIL

ANY NAMES FOR THE VETERANS MEMORIAL OR CHANGES OF ANY TYPE TO THE PARK GROUNDS BY ANY INDIVIDUAL OR ORGANIZATION NEED TO BE SUBMITTED TO THE PARK BOARD FOR THEIR APPROVAL THEN-ON TO THE TOWN COUNCIL WHEN NEEDED.

NAMES FOR THE VETERANS MEMORIAL NEED TO FOLLOW THESE GUIDELINES; HAVE AN HONARABLE OR MEDICAL DISCHARGE AND BE ACCOMPANIED BY THE FOLLOWING INFORMATION; A COPY OF THERE DD214 OR SEPERATION PAPERS; A COPY OF ARMED FORCES SERVICE RECORD; A COPY OF VETERANS IDENTIFICATION CARD; A COPY OF AN OBITUARY OR NEWS ARTICLE STATING MILIATRY SERVICE AND PROOF OF RESIDENCY IN ANTWERP SCHOOL DISTRICT; PHOTO OF VETERAN IN UNIFORM OR PHOTO OF MILITARY PLAQUE ON A TOMBSTONE; VETERAN AT SOME POINT MUST HAVE LIVED IN ANTWERP SCHOOL DISTRICT OR BE BURIED IN A CEMETERY LOCATED IN THE SCHOOL DISTRICT AND PROVIDE LOCATION OF RESIDENCE. VETERAN MUST PROVIDE THERE FULL NAME DATES OF SERVICE AND LOCATION OF RESIDENCE.

ENGRAVING WILL BE CONTROLLED BY THE PARK BOARD AND REMAIN THE SAME FONT AS THE ORIGINAL ENGRAVING. THERE WILL NE NO PRIVATE ENGRAVING OR ALTERATION OF ANY TYPE. NO INDIVIDUAL IS ALLOWED TO HAVE ANY NAME ADDED. THE WORK SHOULD BE COMPLETED BY THE MEMORIAL DESIGNER. ENGRAVING SHOULD BE COMPLETED AS NEEDED. LOOKING AT MEMORIAL DAY AND VETERANS DAY AS A PREFERRED DATE OF COMPLETION. A DONATION FEE OF \$75.00 IS NEEDED FOR EACH NAME UNLESS VETERAN IS RECENTLY DISCHARGED.

WE ARE IN THE PROCESS OF FORMING A GOVERNING BOARD FOR THE VETERANS
MEMORIAL ONLY. THIS WILL BE MADE UP OF THE PARK BOARD AND ONE OTHER NONVOTING
PERSON FROM EACH OF THE FOLLOWING ORGANIZATIONS, ORIGINAL VETS COMMITTEE,
ANTWERP AMERICAN LEGION AND ANTWERP VFW.

NAMES MUST FOLLOW THE THE PROTOCAL SET BY THE PARK BOARD. AND BE SUBMITTED TO EITHER KEITH WEST OR NANCY LICHTY.

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#### **ORDINANCE NO. 2011-15**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE TO PAY A PORTION OF THE COST OF INSTALLING THE LIFT STATION IN THE COLONY SUBDIVISION IN THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp authorized the bidding of the project to install a lift station in the Village of Antwerp, Paulding County, Ohic, in the Colony Subdivision; and

WHEREAS, the bidding process was completed and a contract was awarded to the lowest and best bidder to install the lift station; and

WHEREAS, a lift station has been installed in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio; and

WHEREAS, the Village of Antwerp must continue to pay a portion of the cost incurred in installing the lift station in the Colony Subdivision, even though the Village implemented a Tax Increment Financing (TIF) program that will redirect real estate tax monies to offset said financing for the improvement in the future.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$89,745.62 shall be issued for the purpose set forth herein, which is to pay a portion of the cost of installing the lift station in the Colory Subdivision located in the Village of Antwerp, Paulding County, Ohic, with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear interest at a rate not exceeding 3.00% annually for one year, payable at maturity, to-wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take, cause to be taken, or has taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds all in a manner and to the extent necessary to assure exclusion of that interest under the Internal Revenue Code. The Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required

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to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

<u>Section 6</u>. The Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village and the Council approves any action taken by such officials in that regard.

Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 9. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village must continue to pay a portion of the cost incurred by having the lift station installed in the Colony Subdivision for the well being of the residents and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

<u>Section 10</u>. This Ordinance shall be retroactive and take effect as of the expiration of the Note referenced in the prior Ordinance for the issuance of a Note for the purpose of installing a lift station in the Colony Subdivision located in the Village of Antwerp, County of Paulding, Ohio, also known as Ordinance No. 2010-15.

Date:

6-27-11

Attest:

Loretta Baker, Fiscal Officer

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#### **RESOLUTION NO. 2011-13**

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO, TO ENTER INTO A LETTER CONTRACT WITH POGGEMEYER DESIGN GROUP, INC. FOR ANTWERP OPWC WEST DAGGETT STREET RESURFACING PROJECT (PDG PROPOSAL NO. 01-2010/2000), AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Poggemeyer Design Group, Inc. ("FDG") has provided the Village of Antwerp, Ohio ("Village") with a proposed letter contract for the provision of professional engineering services on the project known as Antwerp OPWC West Daggett Street Resurfacing, PDG Proposal No. 01-2010/2000 (the "Project"), and

WHEREAS, the Village desires to enter into the letter contract for professional engineering services with PDG to assist the Village with the Project; and

WHEREAS, the Village desires to allow the Mayor for the Village to enter into the letter contract for professional engineering services with PDG for the services of registered professional engineers to assist the Village with the Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Pauloing County, Ohio:

- Section 1. PDG will provide professional engineering services to the Village in connection with the Project, services identified in the letter contract for the Project (a copy of which is attached hereto and incorporated herein by reference).
- Section 2. The Mayor of the Village has authority to enter into the letter contract for professional engineering services with PDG in connection with the Project. The Village Fiscal Officer is authorized to certify the availability of Village Funds for the letter contract by and between PDG and the Village for the Project.
- Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village has been granted OPWC financial assistance for the Project and the Village needs the professional engineering services of PDG to proceed with the Project, and this Resolution shall be in force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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June 2, 2011

Ms. Sara Keeran Village of Antwerp 118 N. Main Street P.O. Box 1046 Antwerp, OH 45813

Re:

Antwerp OPWC West Daggett Street Resurfacing

PDG Proposal No. 01-2010/2000

Dear Ms. Keeran:

As previously discussed during your telephone conversation with Ms. Melinda Warner of our office, Poggemeyer Design Group, Inc. (PDG) is previoing this letter contract for review and execution. PDG proposes to provide professional engineering services to assist the Village with the West Daggett Street Resurfacing project (hereinafter referred to as the "project").

The Village shall be responsible for providing a detailed summary of the requirements for the project, including any special considerations or services needed. In addition, the Village will provide all pertinent existing data related to this project to PDG.

Basic services provided under this contract will consist of the following:

Preparing contract specifications and necessary drawings for the resurfacing and utility adjustments

Assist the Village with bidding to include reviewing bids and making a recommendation to the Village

Assist the Village with construction administration to include attending a preconstruction meeting and reviewing contractor's pay requests

PDG will complete these services within twelve (12) months following execution of this agreement.

The fee for providing these basic services is a lump sum fee of \$7,500, including reimbursables, and is broken down as follows:

Phase 30	Preliminary	ŀ
Phase 40	Design	)
Phase 60	Bidding	)
Phase 71	Construction Administration	)

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Ms. Sara Keeran, Adm June 2, 2011 Page 2	inistrator		
	quired which are not included in the based on its current hourly rate sch		ove,
•	hly invoices for services, with paymond potential finance charges.	ents being due within thirty	(30)
i	on the project upon receipt of this e vithin the time frame specified above	1	<b>i</b> will
adjustment of this fee v	ond two (2) months from the executi will be negotiated, taking into conside es and applicable pay scales will be c	eration the impact of such d	elay.
agreement between PI in writing after agreen understanding of our a contract in the space pi other copy for your files	with Exhibits A (2 pages) and B (DG and the Village in respect to the prient by both parties. If this letter of greement, please sign the original arovided below and return the original s. This contract will be open for acceptly PDG or the Village in writing.	project and may only be mod contract accurately reflects and enclosed copies of this l and one copy to PDG, retail	lified your etter n the
If there are any question	ons, please do not hesitate to contac	at this office.	
Sincerely,			
POGGEMEYER DESI			
R.LIEW	eau	·	
Richard E. Weaver, P. Principal Owner	<b>E</b> .		
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By: By lb 3	long		
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#### **EXHIBIT A**

#### **OWNER'S RESPONSIBILITIES**

DESIGN GROUP

OWNER shall provide all criteria and full information as to OVNER'S requirements for the Project and shall give prompt written notice to ARCHITECT/ENGINEER whenever OWNER observes or otherwise becomes aware of any defect in the work. The OWNER may designate representatives to act with authority on OWNER'S behalf on various aspects of the Projects.

#### **REUSE OF DOCUMENTS**

Drawings and Specifications are instruments of service and are and shall remain the property of the ARCHITECT/ENGINEER whether the Project for which they are made is executed or not. The OWNER shall be permitted to retain copies, including reproducible copies, of Drawings and Specifications for information and reference in connection with the OWNER'S use and occupancy of the Project. The Drawings and Specifications shall not be used by the CWNER on other projects, for additions to this Project, or for completion of this Project by others provided the ARCHITECT/ENGINEER is not in default under this Agreement, except by agreement in writing and with appropriate compensation to the ARCHITECT/ENGINEER.

Any reuse without written verification or adaptation by the ARCHITECT/ENGINEER for other than the specific purpose intended, will be at OWNER'S sole risk and without liability or legal exposure to ARCHITECT/ENGINEER.

#### **REIMBURSABLE EXPENSES**

Reimbursable Expenses are included in the compensation fee for basic and additional services and are the actual expenses incurred by ARCHITECT/ENGINEER or ARCHITECT/ENGINEER'S independent professional associates or consultants, directly or indirectly, in connection with the Project. These include expenses for: transportation: obtaining bids or proposals from Contractor(s); toll telephone calls; reproduction of reports, Drawings, Specifications, Bidding Documents; pictures, stakes, monuments, and similar Project-related items.

#### **TERMINATION**

The obligation to provide further services under this Agreement may be terminated by either party (upon seven day's written notice) in the event of substantial failure by the other party to perform in accordance with the terms hereof, through no fault of the terminating party. In the event of any termination, ARCHITECT/ENGINEER will be paid in full for all services rendered to the date of termination, all Reimbursable Expenses and termination expenses.

EXHIBIT A Page 1 of 2



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#### 5. SUCCESSORS AND ASSIGNS

OWNER and ARCHITECT/ENGINEER each is hereby bound as are the partners, successors, executors, administrators and legal representatives of OWNER and ARCHITECT/ENGINEER in respect to any covenants, agreements and obligations of this Agreement. Nothing contained in this Agreement shall prevent ARCHITECT/ENGINEER from employing such independent professional associates and consultants as ARCHITECT/ENGINEER may deem appropriate to assist in the performance of services hereunder.

#### 6. HAZARDOUS WASTE AND ASBESTOS INDEMNIFICATION CLAUSE

In consideration of the unavailability of professional liability insurance for services involving or relating to hazardous waste elements of this Agreement, or the removal of encapsulation of asbestos, it is further agreed that the OWNER shall indemnify and hold harmless ARCHITECT/ENGINEER and their consultants, agents and employees from and against all claims, damages, losses, and expenses, direct and indirect, or consequential damages, including but not limited to, fees and charges of attorneys and court and arbitration costs arising out of or resulting from the performance of the work related to hazardous waste or asbestos activities.

The above indemnification provision extends to claims against ARCHITECT/ENGINEER which arise out of, are related to, are based upon the dispersal, discharge, escape, release, or saturation of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids, gases or any other material, irritant, contaminant or pollutant in or into atmosphere or on, onto, upon, in or into the surface or subsurface (a) soil, (b) water or watercourses, (c) objects, or (d) any tangible or intangible matter, whether sudden or not.

#### 7. SALES TAX ON ENGINEERING DRAWINGS AND PLANS

OWNER states that the objects of this contract are to obtain ARCHITECT/ENGINEER'S professional expertise and skill, as well as ARCHITECT/ENGINEER'S professional consultation. OWNER and ARCHITECT/ENGINEER agree that all drawings and plans are an inconsequential portion of the transaction with a reasonable value allocable to those crawings and plans of no more than ten percent (10%) of the total compensation earned under this Agreement (estimated cost of the plans and drawing materials including reproduction costs). OWNER and ARCHITECT/ENGINEER each believes that this contract is not taxable under the Ohio sales or use tax laws. However, if a sales tax or use tax should be assessed, then payment of the tax shall be the OWNER'S responsibility.

### 8. LIMITATION OF LIABILITY CLAUSE

The ARCHITECT/ENGINEER'S liability to the OV/NER for any cause or combination of causes is, in the aggregate, limited to an amount no greater than the total compensation earned under this Agreement.

EXHIBIT A Page 2 of 2

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		EXHIBIT B
	1. CEF	RTIFICATE OF OWNER'S ATTORNEY
		Melanie L. Fary , the undersigned, duly authorized
	I,	acting legal representative of the <u>Village of Antwerp</u> , do hereby
		fy as follows:
		,, 40 15.115.
		ve examined the attached contract and the manner of execution thereof, and I am
		e opinion that each of the aforesaid agreements has been duly executed by the
		er parties thereto acting through their duly authorized representatives; that said esentatives have full power and authority to execute said agreements on behalf of
		respective parties named thereon; and that the foregoing agreements constitute
		and legally binding obligations upon the parties executing the same in accordance
	with	terms, conditions and provisions thereof.
	Det	: June 27 2011 Seal:
	Date	Seal:
	Sign	ed Mulavie 9. Fan Seal:
	Title	: Village Attorney R.D.
	2. CER	TIFICATION REGARDING THE AVAILABILITY OF FUNDS
	Atte	, , , , , , , , , , , , , , , , , , , ,
		Village of Antwerp hereby certify that the money to
		t this contract has been lawfully appropriated for the purpose of this contract and the treasury of Antwerp or is in the process of so lection to the credit
		e appropriate fund, free from prior encumbrance.
	Date	Seal:
	Sign	ed Loutta Baker
	O.g.	ed: Southa Baker Fiscal Officer
	Title	Fiscal Officer

EXHIBIT B Page 1 of 1

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	GOVERNM In accor		INESS ANI ection 2909.3				<b>;</b>				
This	LARATION REGARDING MATERIAL ASSISTA form serves as a declaration by an applicant for artment of State Terrorist Exclusion List ("TEL").	or a governme	nt contract or fu	ndina of ma	terial assistanc	e/nonassista	ince to an or the TEL.	gentzei	ion or	n the U.S.	
OM	enswer of "yes" to any question, or the failure to nization identified on the U.S. Department of St an organization or knowingly making false state	ate Terrorist E	kclusion List has	: been provi	ded. Failure to	disclose the	provision of	materi	assiste al ess	ence to an istence to	
finat	the purposes of this declaration, "material suppo iclel services, communications, lodging, training, stances, explosives, personnel, transportation, an	safe houses. 1	laise documente	tion or ident	ification, comm	unicetions e	securities, fu quipment, fac	ınds, tr cilities,	ensfer wespo	r of funds, ons, lethal	
C	OMPLETE THIS SECTION ONLY IF YO	OU ARE AN	INDEPENDE	NT CON	TRACTOR						
LA	STNAME		FIRST NAME					M			
H	ME ADDRESS										
a	Y	STATE		ZiP		COUNT	Y				
но	MF PHONE		WORK	PHONE							
C	OMPLETE THIS SECTION ONLY IF YO	OU ARE A C	OMPANY, B	USINESS	OR ORGAN	VIZATION					
	SINESS/ORGANIZATION NAME Poggemeyer Design Group			٠.	PHON	E	782-3067	,			
BU	SINESS ADDRESS 935 Cleveland Avenue					(/					
Cl		STATE	io	ZIP	3512	COUNT	Y Defian	ce			
BU	SINESS/ORGANIZATION REPRESENTATIVE N		10			TITLE	DCL IOI				
n	CLARATION					· · · · · · · · · · · · · · · · · · ·					
In a	sccordance with section 2909.32 (A)(2)(b) of treesch question, indicate either "yes," or "no" in the	e space provide	ed. Responses m			your knowle	odge.			_	
	Are you a member of an organization on the U.S Have you used any position of prominence you h					nization on I	the U.S.		Yes	X No	
	Department of State Terrorist Exclusion List? Have you knowingly solicited funds or other thing								Yes	X No	
	List?		_						Yes	X No	
	Have you solicited any individual for membership								Yes	X No	
	Have you committed an act that you know, or re- organization on the U.S. Department of State Te	rronst Exclusion	n List?						Yes	X No	
₽.	Have you hired or compensated a person you kn Exclusion List, or a person you knew to be engated	ded ju bisuujud Jem to be si wei	nder of en organ , assisting, or ca	rying out en	act of terrorism	ient of State 1?	i enonst		Yes	X No	
f an Depa	applicant is prohibited from receiving a govern atment of Public Safety to review the prohibition.	ment contract Piease see the	or funding due ( Ohio Homeiand	to a positive Security We	indication on b site for inform	this form, th nation on how	ie applicant i v to file a req	may re- uest for	quest revie	the Ohlo W.	
her decidence corrections Deposit the assessions	RTIFICATION  aby certify that the answers I have made to a pretion is not completed in its entirety, it will rectness of this declaration. I understand that artment of State Terrorist Exclusion List, or know that the state of the company of disclosure that material assistance to an organization. If I am eigning this on this certification on behalf of the company, it	not be process; failure to dis- nowingly making y making to any anization iden behalf of a co	ed and I will be close the provi- ng false stateme question, or the tifled on the U. ompany, busine	e automatico sion of mat ents regardi e failure to a S. Departm es or organ	ally disquelified erial assistant ing material as answer "no" to ent of State To ization. I here	d. I understate to an organization of an organization of any question of a contract of the contract of the contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contract of a contrac	and that I an ganization id such an org on on this de lusion List h	n respo dentifie penizet eclerati es bee	onsibi donis ionis onsh noro	e for the the U.S. a felony all serve vided by	
(PP)	ACANT SIGNATURE	,					DATE	./_			

Dayton Legal Blank Co.		Form No. 30043
Ordinance No	Passed	19

#### **RESOLUTION NO. 2011-14**

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO, TO ENTER INTO A GRANT/LOAN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION FOR ANTWERP-OPWC WEST DAGGETT STREET RESURFACING PROJECT, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, The Ohio Public Works Commission ("OPWC") has approved the request for financial assistance of the Village of Antwerp, Ohio ("Village") for a project entitled "West Daggett Street Resurfacing", referred to herein as the "Project"; and

WHEREAS, OPWC will be releasing the Grant/Loan Agreement to the Village for the Project on July 1, 2011; and

WHEREAS, the Village desires to enter into the Grant/Loan Agreement with OPWC for the Project, and desires to allow the Mayor of the Village to enter into the Grant/Loan Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio:

- Section 1. OPWC has approved the Village's request for financial assistance in connection with the Project.
- Section 2. OPWC will release a Grant/Loan Agreement to the Village for the Project on July 1, 2011.
- Section 3. The Mayor of the Village has the authority to enter into the Grant/Loan Agreement with OPWC for the Project, and any and all other officers of the Village are allowed to provide any necessary information, certifications or other documentation necessary for the Village to enter into the Grant/Loan Agreement with the OPWC for the Project.
- Section 4. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village has been granted OPWC financial assistance for the Project and the Village must enter into the Grant/Loan Agreement in order to proceed with the Project, and this Resolution shall be in force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

)	ayton Legal Blank Co.		Form No. 30043
	Ordinance No	Passed	19
	Passed this 37th day of	f June, 2011.	
		Ray DeLong, Village of An	Lorg Mayor d twerp

Attest:

Loretta Baker, Fiscal Officer

Dayton Legal Blank, Inc.		Form Nc. 30043
Ordinance No.	Passed	, 20

PID No. 85088

### ORDINANCE NO. 2011-16

### AN ORDINANCE APPROVING PRELIMINARY CONSENT LEGISLATION FOR THE PROJECT IDENTIFIED AS VAN/PAU SR 49/111-5.42/12.34/6.82, PID 85088, AND DECLARING THE SAME AN EMERGENCY

The following is an Ordinance enacted by the Village of Antwerp, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

#### **SECTION 1 - Project Description**

WHEREAS, the LPA has identified the need for the described project:

This project proposes to pave 1 ¾" of asphalt concrete in uncurbed sections of SR 49 from the north corporation line of Payne to the north corporation line of Antwerp excluding the section of SR 49 that was replaced/resurfaced with the construction of the new interchange at relocated US 24. For roadway sections that are curbed, it is proposed to grind 1 ½" and pave 1 ½" of asphalt concrete. Handicap curb ramps will be installed where necessary to meet ADA requirements. Longitudinal (centerlines and edgelines) and auxiliary (stop bars, railroad markings, cross walks, etc.) pavement markings will also be included with this project. Parking stall painting and any necessary manhole adjustments will not be included in this project and will be the responsibility of the LPA after the Ohio Department of Transportation's ("ODOT") project is complete.

WHEREAS, a portion of described project is within the LPA corporation limits.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

#### **SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

#### **SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

ODOT and Federal Highway Administration ("FHWA") shall assume and bear 100% of the necessary costs of the State's highway improvement project. In the event that the LPA requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State to be not necessary for the State's project, the LPA shall contribute 100% of the cost of those items.

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	Ordinance No	-
	SECTION IV - Utilities and Right-of-Way Statement	
	The LPA agrees that all right-of-way required (if applicable) for the described project will acquired and/or made available in accordance with current State and Federal regulations. The LP also understands that right-of-way costs include eligible utility costs.	
	The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 55 and the ODOT Utilities Manual.	th
	SECTION V - Maintenance	
	Maintain the right-of-way, keeping it free of obstructions, and hold said right-of-way inviolate f public highway purposes.	or
	SECTION VI - Authority to Sign	
	The Mayor of said Village of Antwerp is hereby empowered on behalf of the Village of Antwe to enter into agreements with the Director of Transportation necessary to complete the abordescribed project.	
	SECTION VII - Passage in Open Meetings	
	It is found and determined that all formal actions of the Legislative Authority of the LP concerning or relating to the passage of this Ordinance were adopted in open meetings of the LP and that all deliberations of the Legislative Authority of the LPA and any of its committees the resulted in such formal actions, were in meetings open to the public, in compliance with all leg requirements including all lawful ordinances and any applicable provisions of Section 121.22 the Ohio Revised Code.	A, at al
	SECTION VIII - Emergency Measure	
	This Ordinance is hereby declared to be an emergency measure necessary for the preservation the public health, safety and welfare, and for the further reason to expedite the project reference herein. This Ordinance shall take effect and be in force immediately upon its passage a approval, otherwise it shall take effect and be in force from and after the earliest period allow by law.	ed nd
	Passed: June 27, 2011.  Attested: Spretta Baler Ray On Long	
	Attested: Spetta Baler Bay Long (Mayor)	
	Attested:	
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	C	CERTIFICATE OF COPY	
		STATE OF OHIO	
Village of	Antwerp of Paulding Co	unty, Ohio	,
	D-1 Di1 OCC	CALANTI AND CALANT CO. 111 C.	
1, Loretta	Baker, as Fiscal Officer of t the foregoing is a true	f the Village of Antwerp of Paulding Co and correct copy of ordinance adopt	unty, Ohio, do hereby
		twerp on the <u>17</u> day of June, 2011,	
such ordi	ance has been made and	d certified of record according to law	: that no proceedings
		ordinance have been taken; and that su	
or publica	non mercor are or recore	in Vol 5, Page Or (Ordinance/Ordinance	Record No.)
IN WITN	ESS WHEREOF, I have	hereunto subscribed my name and affix	ed my official seal, if
applicable	, this <u>274h</u> day	y of <u>June</u> , 2011.	,,
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		Fiscal	Defficer
	(SEAL)	Village of Antwerp of Pa	ulding County Ohio
	(ODITE)	vinage of Antwerp of 12	mang County, Onto.
The second		de Conservation and an extension	
	llage of Antwerp of Paul	sis for proceeding with the project here ding County. Ohio	in described.
	go or ranoworp or run		
		Contractual Officer (Mayor)	Date 6/27/2011
	8	( )	•
Attest:	pretta Bake	•	
*****	<i> </i>  *************	*******	******
		For the State of Ohio	
		_	Date
		Director, Ohio Department of Transportation	
Attest:			
Attest:			,
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Dayto	n Legal Blank, Inc. Form No. 30043
C	Prdinance No
	ORDINANCE NO. 2011-17
	ONDINANCE NO. 2011-17
	AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER
	FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00
	(and declaring the same an emergency)
	WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfe
	certain funds from the General Fund to the Police Fund, and
	WHEREAS, the Village Council must approve certain transfers pursuant to Oh
	Revised Code Section 5705.14, and
	WHEREAS, this is a ⊤ransfer of Funds pursuant to Ohio Revised Code Section
	5705.14(E), which transfer does not require a vote of the Village Council to authorize
	transfers from the general fund to any other fund of the Village, and
	WHEREAS, the Village Council elects to approve the Transfer of Funds from the
	General Fund to the Police Fund even though said approval is not required pursuant to Oh
	Revised Code Section 5705.14, with the understanding that the Village is not required to see
	any other approvals as may be required for other transfers of funds under Ohio Revised Coo
,	Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

Dayton Legal Blank, Inc.		Form No. 30043
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Section 2. This ordina	nce is necessary to provide for the op-	perating funds for the
Police department of the Village		poruming runnes for the
Section 3. !t is found ar	d determined that all formal actions of t	he Council concerning
	nis ordinance were adopted in an open n	
	e Council and of any of its committees	-
	open to the public, in compliance with	
	and any applicable provisions of Section	
Revised Code.	• • • • • • • • • • • • • • • • • • • •	
Section 4. This Ordinar	ce is hereby declared to be an emergen	cy measure necessary
for the immediate preservation	of the public health, safety and welfare	of the Village and for
the further reason that the Villag	e is in immediate need of funds for the	operation of the Police
department necessary for the v	vell being of the residents and this ord	inance shall be in full
force and effect immediately at	er its passage; otherwise, it shall take	effect and be in force
after the earliest period allowed	by law.	
Date: 6-27-11	<u> </u>	
Day We Long	Attest Fiscal Officer:	Fretta Bak
Mayor of the Village of Antwerp		

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RESO	LUTION No. 2011- <u>15</u>	· 	
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A RESOLUTION OF	THE VILLAGE OF ANTWERP, OH	IO. DECLAR	ING TH
	I ACE TO ADDRODDIATE DOODE		

A RESOLUTION OF THE VILLAGE OF ANTWERP, OHIO, DECLARING THE INTENT OF THE VILLAGE TO APPROPRIATE PROPERTY FOR PROVIDING A WATER SUPPLY FOR THE VILLAGE AND ITS INHABITANTS, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp has found it necessary to appropriate property for the providing of a water supply for the Village and its inhabitants by the construction of wells, pumps, cisterns, aqueducts, water, pipes, dams, reservoirs, reservoir sites and/or waterworks, and for the protection thereof, as allowed pursuant to Ohio Revised Code § 719.01; and

WHEREAS, the Village of Antwerp is declaring its intent to appropriate property and to proceed under the provisions of Ohio Revised Code Chapter 163; and

WHEREAS, the Village of Antwerp has considered other properties in order to seek an easement to connect water pipes owned by the Village of Antwerp and contained in the Maumee Landing Subdivision in order to connect to Dutchman's Cove Subdivision for the supply of adequate water pressure in Dutchman's Cove and improve water quality in Maumee Landing, and has determined that the extension of the water pipes from Maumee Landing to Dutchman's Cove should occur between and on properties located at 102 Sycamore Street (Legal: Lot 1 Dutchman's Cove), and 104 Sycamore Street (Legal: Lot 2, Dutchman's Cove), Village of Antwerp, shown on Exhibit A attached hereto, which is a map of the properties identified.

**NOW, THEREFORE, BE IT RESOLVED,** by the Council of the Village of Antwerp, Paulding County, State of Ohio:

SECTION 1. The Village of Antwerp Council considers it necessary and declares its intention to seek an appropriation of an easement for providing a sufficient water supply for the Village and its inhabitants by the construction of wells, pumps, cisterns, aqueducts, water pipes, dams, reservoirs, reservoir sites and/or waterworks, and for the protection thereof, specifically, the extension of water pipes located in Maumee Landing Subdivision to Dutchman's Cove Subdivision, said easement located between and on the properties located at 102 Sycamore Street (Legal: Lot 1 Dutchman's Cove), and 104 Sycamore Street (Legal: Lot 2, Dutchman's Cove), Village of Antwerp, as shown in the map attached hereto as Exhibit A.

**SECTION 2.** The Mayor is authorized to cause written notice of the passage of this resolution to be given to the owners and persons in possession or having an interest of record in the premises identified herein. The notice shall be served and returned according to law.

SECTION 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including all lawful

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## RESOLUTION No. 2011- 15

A RESOLUTION OF THE VILLAGE OF ANTWERP, OHIO, DECLARING THE INTENT OF THE VILLAGE TO APPROPRIATE PROPERTY FOR PROVIDING A WATER SUPPLY FOR THE VILLAGE AND ITS INHABITANTS, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp has found it necessary to appropriate property for the providing of a water supply for the Village and its inhabitants by the construction of wells, pumps, cisterns, aqueducts, water, pipes, dams, reservoirs, reservoir sites and/or waterworks, and for the protection thereof, as allowed pursuant to Ohio Revised Code § 719.01; and

WHEREAS, the Village of Antwerp is declaring its intent to appropriate property and to proceed under the provisions of Ohio Revised Code Chapter 163; and

WHEREAS, the Village of Antwerp has considered other properties in order to seek an easement to connect water pipes owned by the Village of Antwerp and contained in the Maumee Landing Subdivision in order to connect to Dutchman's Cove Subdivision for the supply of adequate water pressure in Dutchman's Cove and improve water quality in Maumee Landing, and has determined that the extension of the water pipes from Maumee Landing to Dutchman's Cove should occur between and on properties located at 102 Sycamore Street (Legal: Lot 1 Dutchman's Cove), and 104 Sycamore Street (Legal: Lot 2, Dutchman's Cove), Village of Antwerp, shown on Exhibit A attached hereto, which is a map of the properties identified.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Antwerp, Paulding County, State of Ohio:

SECTION 1. The Village of Antwerp Council considers it necessary and declares its intention to seek an appropriation of an easement for providing a sufficient water supply for the Village and its inhabitants by the construction of wells, pumps, cisterns, aqueducts, water pipes, dams, reservoirs, reservoir sites and/or waterworks, and for the protection thereof, specifically, the extension of water pipes located in Maumee Landing Subdivision to Dutchman's Cove Subdivision, said easement located between and on the properties located at 102 Sycamore Street (Legal: Lot 1 Dutchman's Cove), and 104 Sycamore Street (Legal: Lot 2, Dutchman's Cove), Village of Antwerp, as shown in the map attached hereto as Exhibit A.

SECTION 2. The Mayor is authorized to cause written notice of the passage of this resolution to be given to the owners and persons in possession or having an interest of record in the premises identified herein. The notice shall be served and returned according to law.

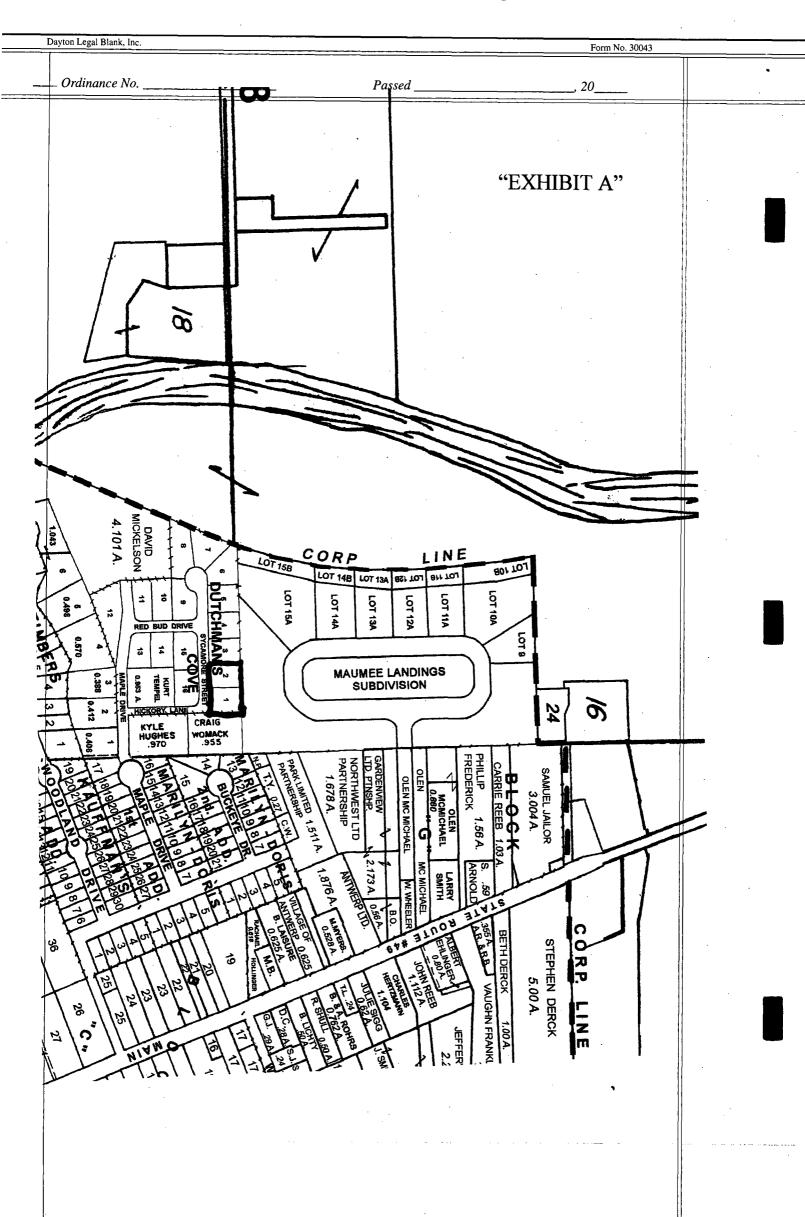
SECTION 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including all lawful ordinances, resolutions and any applicable provisions of Section 121.22 of the Ohio Revised Code.

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Antwerp, Of meetings of resulted in s requirements the Ohio Re	hio, concerning or relating to the Council and that all delibe uch formal action, were in me s, including all lawful ordinand vised Code.	hat all formal actions of the Council the passage of this Ordinance we exations of the Council and any of etings open to the public, in completes and any applicable provisions of the council to the public of the council to the public of the council to the public of the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the council to the counci	re adopted in open its committees that liance with all legal of Section 121.22 of
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		Tom VanVlerah, Mayor	Ken
Attest:			
Lore ta Baker	La Baker , Fiscal Officer		
1 <sup>st</sup> reading:	12-17-12		
2 <sup>nd</sup> reading: _	1-14-13		
3 <sup>rd</sup> reading: _	2-25-13		
Passed:	2-25-13		

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SECTION 4. This resolution is hereby de	eclared to be an emergency me	as are necessary for the
immediate preservation of the rublic heal that the Village is in need of extending th	e water pipes identified herein f	or the well being of the
residents and this resolution shall be in otherwise, it shall take effect and be in for		
Passed this/8+hday of	-	
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	Bay De	
	Ray DeLong, Mayor	
	Village of Antwerp	
Attest:		
Goutla Baker		
	<b></b>	
Goutla Baker		



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#### **RESOLUTION NO. 2011-16**

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK AND PORTION OF DRIVEWAY ON THE SOUTH SIDE OF PT SE ½ OUTLOTS S-28 IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #12-36S-017-00), AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construct on and/or repair of the sidewalk and driveway portion intersecting the sidewalk abutting PT SE ½ Outlots S-28 in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12-36S-017-00) on the south side of such Lot, commonly known as 514 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revisec Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and driveway portion and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk and driveway portion identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp. Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk and driveway portion intersecting the sidewalk abutting PT SE ½ Outlots S-28 in the Village of Antwerp, Chio (Paulding County tax parcel ID #12-36S-017-00) on the south side of such Lot, commonly known as 514 West River Street, Antwerp, Chio, said Lot owned by Shawn Powell, P.O. Box 516, Antwerp, Ohio 45813.

Section 2. That the lot and land abutting upon the sidewalk and driveway portion to be constructed and/or repaired is described as follows:

PT SE ½ OUTLOTS S-28, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #12-36S-017-00, COMMONLY KNOWN AS 514 WEST RIVER STREET, ANTWERP, OHIO.

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 Dayton Legal Blank, Inc.			Form No. 30043	_
Ordinance No.		Passed		
the sidewalk and in accordance we section a by Shawn Power 45813, within the Officer upon Shaprescribed in this and driveway possible of the parall deliberations were in meeting section the immediate processor of the construction in accordance with the construction in accordance with the sidewalk and section accordance with the sidewalk and section accordance with the sidewalk and section accordance with the sidewalk and in accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the section accordance with the se	d driveway portion located that the specifications on 4. That the sidewalk and II, as the owner of the prairty (30) days from the drawn Powell, in accordance is resolution, the Village ortion and assess the costs of the Council and of a sopen to the public, in a coreservation of the public at it is necessary to reparts the season, and this Resolution are season, and this Resolution and season, and this Resolution are season, and this Resolution and the season.	ed on the south side file in the office of d driveway portion roperty located at 51 late of service of not nee with Ohio Revisional and driveway the with the plans and of Antwerp will so a thereof against the lined that all formal a were adopted in an ony of its committees compliance with all reby declared to be it health, safety and air such sidewalk and tion shall be in full the	Powell, shall construct and/or repair of said lot and land described herein the Village Fiscal Officer.  shall be constructed and/or repaired 4 West River Street, Antwerp, Ohicice to be served by the Village Fiscal Sed Code Section 729.03.  y portion are not constructed and/or ad specifications and within the time construct and/or repair the sidewalk lots and lands abutting such sidewalk actions of the Council concerning and pen meeting of this Council, and the sthat resulted in such formal action legal requirements.  an emergency measure necessary for dividing and effect immediately after it the earliest period allowed by law.	n dod rek: dit, ref
Attest:  South Loretta Baker,	ED THIS <u>15th</u> day of Baker Fiscal Officer	August Ray DeLong, I	, 2011.  Mayor	_

7100/000/00014165-1.JB

D	ayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No.	Passed	. 20	•
			<u> </u>	+

#### **RESOLUTION NO. 2011-17**

A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK AND PORTION OF DRIVEWAY ON THE SOUTH SIDE OF PT SE 1/4 OUTLOTS S-28 IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #12-36S-016-00), AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk and driveway portion intersecting sidewalk abutting PT SE 1/4 Outlots S-28 in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12-36S-016-00) on the south side of such Lot, commonly known as 516 West River Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and driveway portion and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk and driveway portion identified herein to be made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Artwerp, Paulding County Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost or file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk and driveway portion intersecting the sidewalk abutting PT SE 1/4 Outlots S-28 in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12-36S-016-00) on the south side of such Lot, commonly known as 516 West River Street, Antwerp, Ohio, said Lot owned by Shawn Powell, P.O. Box 516, Antwerp, Ohio 45813.

Section 2. That the lot and land abutting upon the sidewalk and driveway portion to be constructed and/or repaired is described as follows:

PT SE 1'4 OUTLOTS S-28, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, TAX PARCEL ID #12-36S-016-00, COMMONLY KNOWN AS 516 WEST RIVER STREET, ANTWERP, OHIO.

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D	ayton Legal Blank, Inc.		Form No. 30043	
Ť			7.07.7.1.2.00.1.2	
l	Ordinance No	Passed	, 20	
	Section 4. That the side by Shawn Powell, as the owner 45813, within thirty (30) days to Officer upon Shawn Powell, in Section 5. In the even repaired by Shawn Powell in prescribed in this resolution, the and driveway portion and assess Section 6. It is found as relating to the passage of this Reall deliberations of the Council were in meetings open to the passage of this resolution. This Resolution is meeting to the passage of this Reall deliberations of the Council were in meetings open to the passage of this Resolution is meeting to the passage of this Resolution for the passage of this Resolution is meeting open to the passage of this Resolution season, and the construction season, and the	cation located on the south side of cations on file in the office of the dewalk and driveway portion shows of the property located at 516 from the date of service of notice an accordance with Ohio Reviseon accordance with the plans and the Village of Antwerp will so constitute the costs thereof against the lot and determined that all formal act resolution were adopted in an open and of any of its committees the public, in compliance with all let tion is hereby declared to be an after the public health, safety and the public health, safety and the public health, safety and the safety are to repair such sidewalk and one Resolution shall be in full for	west River Street, Antwerp, Ohe to be served by the Village Fiscal Code Section 729.03.  portion are not constructed and/specifications and within the time construct and/or repair the sidewal and lands abutting such sidewal tions of the Council concerning aren meeting of this Council, and the hat resulted in such formal actions.	in ed io al or ne lk . or ne of ts
	ENACTED THIS <u>/5</u>	My day of August Ray Delong, Ma		
	Attest:  South Bake Loretta Baker, Fiscal Officer			

7100/000/C0014179-1 JB

TIEGOTID OF CITDINANOES
Dayton Legal Blank, Inc. Form No. 30043
Ordinance No
RESOLUTION NO. 2011-18
A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO
TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC
WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL
TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS
REQUIRED, AND DECLARING THE SAME AN EMERGENCY.
WHEREAS, The State Capital Improvement Program and the Local Transportation
Improvement Program both provide financial assistance to political subdivisions for capital
improvements to public infrastructure, and
WHEREAS, the Village of Antwerp is planning to make capital improvements to Cleveland
 and West Washington Streets, which improvements will be known as the Cleveland/W.
Washington Street Repaving Project, and
WHEREAS, the infrastructure improvement herein above described is considered to be a
priority need for the community and is a qualified project under the Ohio Public Works
Commission (OPWC) programs.
NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, State of
Ohio:
Section 1: That the Mayor of the Village of Antwerp is hereby authorized to apply to the
OPWC for funds as described above.
Section 2: The Mayor of the Village of Antwerp is further authorized to enter into any

agreements as may be necessary and appropriate for obtaining the financial assistance.

Section 3: It is found and determined that all formal actions of the council concerning and

Ordinance No	Passed	, 20
and that all deliberat	ions of the council and of any of n meetings open to the public, in	ed in an open meeting of this council f its committees that resulted in compliance with all legal regulations visions of Section 121.22 of the
immediate preservation for the well being of	on of the public health, safety, and Village is in immediate need of so of the residents and this Resolut passage; otherwise, it shall take	emergency measure necessary for the nd welfare of the Village and for the treet repairs and capital improvements ion shall be in full force and effect effect and be in full force after the
ADOPTED: 8	A	Delong, Mayor
ATTEST:	Baker_	

	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No.	Passea	, 20
		ORDINANCE NO. 2011-18	
	A CONTRACT WIT RE PROTECTION SERVICES F	THE MAYOR AND THE FISCAL OF TH HARRISON TOWNSHIP FOR FRO OR THE YEARS 2012, 2013, AND 20 HE SAME AN EMERGENCY	OVIDING
pas	WHEREAS, the Village of A provided fire protection services	Antwerp owns a fire truck and related to outlying areas; and	equipment and has in the
con		Antwerp and Harrison Township have re protection services to certain portion	_
	W THEREFORE, BE IT CRDAI UNTY OF PAULDING, OHIO:	NED BY THE COUNCIL OF THE V	ILLAGE OF ANTWERP,
pro Pro an	vide fire protection services to the	verp Fire Department, hereinafter referred at portion of Harrison Township iden "Agreement") and shall be compensated by year 2012, \$3,501.00 for the year 20	tified in an Agreement to d by the Township paying
ide	ntified in Section 1 above, and an	t an annual invoice to the Township for y and all charges provided for on the ir (30) days from the date the invoice is	evoice shall be paid by the
	tion 3. All amounts collected blished by the Fiscal Officer as for	as a result of this Ordinance shall bollows: the Fire Fund.	e placec into the fund(s)
Ag		e Fiscal Officer of the Village are au to provide fire protection services for the	
Ord Ord	linance, then the provisions of	r ordinance or resolution is found to this Ordinance shall prevail. Further by that portion shall be held invalid and	er, if any portion of this
		ed that all formal actions of the Councire adopted in an open meeting of t	

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_	Dayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No.	Passed	, 20	
	-			
	meetings open to the public	l and any of its committees that result, in compliance with all legal requirents in Section 121.22 of the Ohio Revis	nents including all lawful ordin <mark>an</mark> c	
	immediate preservation of the Village and Township protection services to the	the is hereby declared to be an emethe public health, safety and welfare of must agree to the terms and condition. Township in anticipation of the cubrice and effect immediately after its patient period allowed by law.	of the Village and for the reason to ions for the Village to provide for irrent agreement expiring and t	hat fire this
	Passed: August	1 <u>5</u> , 2011.	Oslom	_
		RAY DEL Village of	ONG, Mayor Antwerp	
	Attest:		-	
	Gretta Bake	w		
	LORETTA BAKER, Fiscal	Officer		
	Village of Antwerp		1	

	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No.	Passed	, 20
		ORDINANCE NO. 2011-19	
		SKDINANCE NO. 2011-19	
	NTO A CONTRACT WITH CAR	IG THE MAYOR AND THE FISCAL RYALL TOWNSHIP FOR PROVIDIO 012, 2013, AND 2014, AND DECLA EMERGENCY	NG FIRE PROTECTION
pa	WHEREAS, the Village of A ast provided fire protection services	Antwerp owns a fire truck and related to outlying areas; and	equipment and has in the
со	-	Artwerp and Carryall Township have re protection services to certain portion	_
	OW THEREFORE, BE IT OR NTWERP, COUNTY OF PAULDI	RDAINED BY THE COUNCIL ( ING, OHIO:	OF THE VILLAGE OF
wi Pr pa	ill provide fire protection services to covide Fire Protection Services (the	twerp Fire Department, hereinafter reto that portion of Carryall Township idented "Agreement") and shall be composed for the year 2012, \$5,135.00 for the	entified in an Agreement to bensated by the Township
id	entified in Section 1 above, and any	an annual invoice to the Township f y and all charges provided for on the in (30) days from the date the invoice is	nvoice shall be paid by the
	ection 3. All amounts collected stablished by the Fiscal Officer as for	as a result of this Ordinance shall bollows: the Fire Fund.	pe placed into the fund(s)
_		e Fiscal Officer of the Village are at opposite fire protection services for t	

Section 5. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in

<u>Section 6</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all

herein.

full force and effect.

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ayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
meetings open to the public,	and any of its committees that result in compliance with all legal requirem s in Section 121.22 of the Ohio Revise	ents including all lawful ordinances
immediate preservation of the Village and Township protection services to the	e is hereby declared to be an eme ne public hearth, safety and welfare of must agree to the terms and condition. Township in anticipation of the cur rece and effect immediately after its patiest period allowed by law.	f the Village and for the reason that ons for the Village to provide fire rrent agreement expiring, and this
Passed: Augus 7	RAVDELO	ONG, May
Attest:	Village of A	Antwerp
Loutta Ba	ker	
LORETTA BAKER, Fiscal	Officer	
Village of Antwerp		

Dayton Legal Blank, Inc.		Form No. 30043	
Dayton Segar Diana,			
Ordinance No	Passed	, 20	

### **ORDINANCE NO. 2011-20**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND FOR THE PURPOSE OF WATER REPAIRS AND CAPITAL MPROVEMENTS AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$4,268.95 shall be issued in anticipation of issuance of bond for the purpose set forth herein to make necessary water repairs and capital improvements with a financing cost thereof incurred in connection with the issuance of said Note. Specifically, the necessary water repairs and capital improvements are water plant repairs, including waterline repair, high service pump repair, clear well repair, backwash pit repair, and a water distribution study for the replacement of the water tower by the Village of Antwerp, Ohio.

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day; the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculation and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Dayton Legal Blank, Inc.		Form No. 30043	
Ordinance No	Passed	, 20	
			<del>                                     </del>

### **ORDINANCE NO. 2011-20**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE IN ANTICIPATION OF THE ISSUANCE OF BOND FOR THE PURPOSE OF WATER REPAIRS AND CAPITAL MPROVEMENTS AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$4,268.95 shall be issued in anticipation of issuance of bond for the purpose set forth herein to make necessary water repairs and capital improvements with a financing cost thereof incurred in connection with the issuance of said Note. Specifically, the necessary water repairs and capital improvements are water plant repairs, including waterline repair, high service pump repair, clear well repair, backwash pit repair, and a water distribution study for the replacement of the water tower by the Village of Antwerp, Ohio.

Section 2. Said Note shall bear an interest rate not exceeding 2.5% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day; the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculation and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

	Dayton Legal Blank, Inc.		Form No. 30C43	
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	Ordinance No	Passed	, 20	
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Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 9. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of water repairs and capital improvements for the well being of the residents and this Ordinance shall be in full force

Dayton Legal B.ark, Inc.		Form No. 30043
Ordinance No	. Passed	
and effect immediately afte the earliest period allowed		ll take effect and be in force after
Enacted this <u>/5+4</u> day of	August, 2011.	
Ray De L		y DeLong, Mayor lage of Antwerp, Ohio
Attest:		
<u>Joretta Baker</u> Loretta Baker, Fiscal Office		

Daytor	Legal Blank, Inc.		Form No. 30043
0	rdinance No	Passed	, 20
AN O		DINANCE NO. 2011- <u>2/</u> ZING THE MAYOR OF THE VILLAGE	OF ANTWERP TO
		A LEASE AGREEMENT WITH METAL C.; AND DECLARING THE SAME AN E	
("MetaLl other equ	NK") to construct and ma	een approached and asked to allow Metal intain a communications building, along with mmunications Facility, on or near the Water Tof Antwerp; and	n its existing antenna and
of high sp	eed internet access for the	Village to have a Lease Agreement with Met residents of the Village of Antwerp and the VtaLINK's generator for the telemetry at the	illage of Antwerp public
by the Co	uncil on September 24, 20	ase Agreement by and between the Village a 07, will be terminated with the execution of the cased and replace the 2007 Antenna Site Lea	e new Lease Agreement,
NOW, The Ohio:	HEREFORE, BE IT ORI	<b>DAINED</b> by the Council of the Village of An	twerp, Paulding County,
Agreeme Commun Antwerp,	nt with MetaLINK for the ications Facility on the Wand to construct and main	llage of Antwerp, Ohio, is hereby authoring continued use of antenna and other equivater Tower located at 302 East Washington stain a communications building at this same like Lease attached hereto and incorporated hereto.	ipment necessary for a street in the Village of ocation, pursuant to the
to execute	The Council for the Ville the Lease Agreement for the porated herein by referen	age of Antwerp, Ohio, authorizes the Mayor the considerationprovided within the Lease A ace.	of the Village of Antwerp greement attached hereto
Ohio, cor Council,	ncerning and relating to the and that all deliberations or	ined that all formal actions of the Council of the passage of this Ordinance were adopted in the Council and of any of its committees that he public, in compliance with all legal requires	an oper meeting of the at resulted in such formal
preservati constructi as practic	ion of the public health, ion of the communications able, and this Ordinance shall a shall be able.	by declared to bear emergency measure necessafety and welfare of the Village and for facility will require additional approvals to all all be in full force and effect immediately after the earliest period allowed by law.	r the further reason that low construction as soon
Enacted t	his 15th day of August	t, 2011.	
Attest:		Ray Delong, Mayor V Village of Antwerp	

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Loretta Baker, Fiscal Officer

	Dayton Legal В:апк, Inc. Form: No. 30343
	Ordinance No
	ORDINANCE NO. 2011-22  AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE VILLAGE OF ANTWERP OPWC WEST DAGGETT
	STREET RESURFACING PROJECT; AND DECLARING THE SAME AN EMERGENCY
	WHEREAS, the Village of Antwerp is in need of improvements to West Daggett Street located in the Village of Antwerp, which street improvements will include resurfacing said street; and
	WHEREAS, the Village of Antwerp requested bids to be submitted for the work required to perform the necessary labor, services and materials to make the necessary street improvements; and
	WHEREAS, API Construction Corp. submitted the lowest and most responsive bid in the amount of \$79,836.00 to perform the necessary work for the improvements to West Daggett Street.
	NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:
	Section 1. That the Mayor of the Village of Antwerp is authorized to enter into a contract, along with any and all necessary documents ancillary to this contract, with API Construction Corp., who provided a bid in the amount of \$79,836.00 for the improvements to West Daggett Street.
	Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in open meetings of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
-	Section 3. This Ordinance is hereby declared to be an emergency measure necessary immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of street improvements to West Daggett Street, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.
	Date: 8-15-11  Ray Delong, Mayor of the Willage of Antwerp, Ohio
	ATTEST:
	Loretta Baker, Fiscal Officer

{7100/000/00014767-1.ANH}

D	ayton Legal Blank, Inc.	Form No. 30043
	Ordinance No.	
		(1) 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. 5705.34,35.
		The Council of the Village of Antwerp Paulding County, Ohio, met in regular session on the 19+4 day of Sept 2011, at the office of Village of Antwerp Town
	-	session on the 19+4 day of Sept , 2011, at the office of Village of Antwern Town with the following members present:
		Mike Rohrs
		Mike Rohrs  Larry Ryan  Karen Lee
		Steve Derek
		Rudic Reeb Jan Reeb
		Jan Recb moved the adoption of the following Resolution:
		WHEREAS, This Council in accordance with the provisions of law has previously accorded a Tax Budget for the next succeeding fiscal year commencing January 1 <sup>st</sup> , 2012; and
		WHEREAS, The Budget Commission of Paulding 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 tax limitation; therefore be it
		<b>RESOLVED</b> , By the Council of the Village of <u>Antwerp</u> , Paulding 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
		<b>RESOLVED</b> , 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 Amounts Required From General Property Tax Approved By

#### Summary of Amounts Required From General Property Tax Approved B Budget Commission and County Auditor's Estimated Tax Rates

Total	\$33616.	\$158,189.	1.80	12.80
2005 Current Expense	,	17498.		1.00
2004 POLICE		32956.		2.00
2008 FIRE & EMS Levy		18049.		1.00
2006 Cemetery		13998.		.80
1986 EMS Levy		5235.		.50
1984 Police Levy		57580.		5.50
1976 FIRE Levy		12873	A	2.00
General Fund	\$33616.		1.80	
	Column 1	Column II	Limit	Limit
Fund	Inside 10 Mill Limitation	C Mill Limitation	Inside *0 Mill	Outside 10 Mill
Find	Amount Approved Ey Budget Commission	Amount To Be Derived From Levies Outside	County Auditor's Estimate Of Tax Rate To Be Levied	

\$14,531,160. Ag/Res 3,350,260. Com/In 794,380. ?P

Total

18,675,800.

Schedule B

I	Dayton Legal Blank, Inc.			Form No. 30043	
	Ordinance No	Passed		, 20	
		Levies Outside 10 Mill Lin	nitation, Exclusive	of Debt Levies	3,
		Fund	Date of Vote	Maximum Rate Authorized To Be Levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
		Special Revenue Funds: 1976 EMS levy authorized by voters on for not to exceed CONT years.	11-05-85	2.00	\$12873
		1984 POLICE Levy authorized by voters on for not to exceed CONT. years.	05-08-84	5.50	\$57580
		1986 EMS Levy authorized by voters on For not to exceed CONT years	11-04-86	.50	\$5235
		2006 Cemetery Levy authorized by voters on for not to exceed 5 years.	11-08 <del>-</del> 05	.80	\$13998
		2008 FIRE & EMS Levy authorized by voters on for not to exceed 5 years.	11-06-07	1.00	\$18049
		2004 POLICE Levy authorized by voters on for not to exceed 5 years.	11-03-09	2.00	\$32956
	*	2005 CURRENT EXPENSE Levy authorized by voters or for not to exceed 5 years.  and be it further  RESOLVED, That the Clerk of this Council be, and he is		1.00	\$17498
		the County Auditor of said County.  Mr/Ms. Steve Derek seconded the Resolution resulted as follows:	on and the roll bein	g called upon its adopt	tion the vote
		MD/Ms. Mike Rohrs		, yes	
		MD/Ms. <u>Larry Ryan</u> MD/Ms. <u>Rudic Recb</u>		, <u>yes</u>	
		MP/Ms. Steve Derck		yes yes	
		Mr.M. Jan Reeb		<u>yes</u>	
		Mr.Ms. <u>Karen Lee</u> Mr.Ms.		,	
		Mr./Ms.			
		Adopted the <u>19th</u> day of <u>Sep tembor</u> ; 2011_	<u>.</u>		
		Attest:	Jani	ue a Ree	l .
		South Baker  Clerk of Council  Fiscal Officer	U	President o	ouncil .
		CERTIFICATI Original			
		The State of Ohio, Paulding County, ss.			
		1 Loretta Baker Clerk of the Council	il of the Village of	Antwerp	₩ .

Dayton Legal Blank, Inc.		· · · · · · · · · · · · · · · · · · ·	Form No. 30043
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	Mithin and for said County and	in Johann as introduction Files and Decords of	· facial Carrail are required by the
	•	in whose custody the Files and Records of kep., do hereby certify that the foregoing is	•
	Laws of the state of Office to be h	the requiar Counci	A see finance
	777770.03	THE PEGETAL COORET	! W=c1149
	now on file that the foregoing ha	as been compared by me with said original	document and that the same is
	a true and correct copy thereof.	20 20 311 0011.par od D. Mo Will Cala Origina.	accumon, and mar mo camo is
			•
	Witness my signature, this 19	th day of <u>September</u> 2011	
		Latte Bak	
		Clerk of Cou	
		1	•
	Resolution No		
		<u>n.t.ωc.r.μ</u> Paulding County Ohi	
	Council of the Village of H	Paulding County Ohi	0
		RESOLUTION	
	ACCEPTING THE AMOUNTS A	AND RATES AS DETERMINED BY THE B	UDGET COMMISSION AND
	AUTHORIZING THE NECESSA	F.Y TAX LEVIES AND CERTIFYING THEI (VILLAGE COUNCIL)	V TO THE COUNTY AUDITOR.
		(VILLAGE COUNCIL)	<u> </u>
9			•
	ADOPTED Sunt	<i>i9</i> 2011	
	NOOT IED	, 2011	
	South Baker	, Clerk of Council	
			<u> </u>
		* <b>F</b>	
	Filed	. <u>2311</u>	
	SEP 2 2 2	20-1	
		County Auditor.	
	AUDITO PAULDING CO	R :	
	By PAULDING CO	CCNTY Deputy.	

Dayton Legal Blank, Inc.			Form No. 30043	
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PID No. 88349

### ORDINANCE NO. 2011-<u>23</u>

# AN ORDINANCE APPROVING PRELIMINARY PARTICIPATORY LEGISLATION FOR THE PROJECT IDENTIFIED AS PAU-ANTWERP SIDEWALKS PID 88349, AND DECLARING THE SAME AN EMERGENCY

The following is an Ordinance enacted by the Village of Antwerp, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

### **SECTION I - Project Description**

WHEREAS, the LPA has identified the need for the described project:

This project proposes to construct sidewalks on the north side along a portion of Canal Street, leading to the Antwerp Local School facilities. Cross Canal Street at Kroos Drive, and continue along the east side of Waterworks Drive and connect to the existing path that goes to the school. Project will construct 5' wide sidewalks to connect existing sidewalk to the new Antwerp Local Schools.

WHEREAS, a portion of described project is within the Village corporation limits.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

### **SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

### **SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA hereby agrees to pay for the entire cost of the improvement, including environmental, preliminary engineering, right-of-way and construction costs, less the amount of State Highway funds allocated to this project by the Ohio Department of Transportation (ODOT). In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

### SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The

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	Dayton Legal Blank, Inc.	Form No. 3004
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	LPA also understands that right-cf-way costs include eligible utility costs.	
	The LPA agrees that all utility accommodations, relocations and reimbursements will cothe current provisions of 23 CFR 65 and the ODOT Utilities Manual.	mply with
	SECTION V - Maintenance	
·	Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide maintenance for the project in accordance with all applicable state and federal law, included to, Title 23, U.S. Code, Section 116; (2) provide ample financial provincessary, for the maintenance of the project; (3) maintain the right-of-way, keeping obstructions: and (4) hold said right-of-way inviolate for public highway purposes.	uding, but risions, as
	SECTION VI - Authority to Sign	
	The Mayor of the Village of Antwerp is nereby empowered on behalf of the Village of to enter into agreements with the Director of Transportation necessary to complete described project.	
	SECTION VII - Passage in Open Meetings	
	It is found and determined that all formal actions of the Legislative Authority of concerning or relating to the passage of this Ordinance were adopted in open meetings of and that all deliberations of the Legislative Authority of the LPA and any of its comm resulted in such formal actions, were in meetings open to the public, in compliance with requirements including all lawful ordinances and any applicable provisions of Section the Ohio Revised Code.	the LPA, ittees that h all legal
	SECTION VIII - Emergency Measure	
·	This Ordinance is hereby declared to be an emergency measure necessary for the prese the public health, safety and welfare, and for the further reason to expedite the project representation and to promote highway safety. This Ordinance shall take effect and be immediately upon its passage and approval, otherwise it shall take effect and be in force after the earliest period allowed by law.	eferenced in force
	Passed: 10-17 , 2011.	
	Attested: South Baker Business (Biscal Officer)  Attested: Mayor Baker Business (Biscal Officer)  Attested: Mayor Business (Biscal Officer)	
	Attested (MAN CHOLOR)	

Lega Blank Inc.		Form No. 30043
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	CERTIFICATE OF COPY STATE OF OHIO	
Village of Antwerp of Pau	lding County, Ohio	
certify that the foregoing Authority of the said Villag of such ordinance has been looking to a referendum up	Officer of the Village of Antwerp of is a true and correct copy of ordinge of Antwerp on the 17th day of the made and certified of record according to such ordinance have been taken of record in (Ordinance/Ordinance Record)	inance adopted by the Legislative October, 2011, that the publication ording to law: that no proceeding and that such ordinance certifies
	F, I have hereunto subscribed my na  h cay of October	
		Fiscal Officer
(SEAL) (I* applicable)	Village of A	ntwerp of Paulding County, Ohio
0 0 1	l as a basis for proceeding with the p of Paulding County, Ohio	project herein described.
Attest: Muke	Bonactual Officer (Mayo	Date / D/17/2
***********	*********	*********
	For the State of Ohio	
		, Date
	Director, Ohio Department of	Transportation
Attest:		

	Dayton Legal Blank, Inc. Form No. 30043
	Ordinance No
	ORDINANCE NO. 2011-24
	AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER
	FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00
	(and declaring the same an emergency)
	WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer
cer	tain funds from the General Fund to the Police Fund, and
	WHEREAS, the Village Council must approve certain transfers pursuant to Ohio
Re	vised Code Section 5705.14, and
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	WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section
	OS.14(E), which transfer does not require a vote of the Village Council to authorize
เาล	nsfers from the general fund to any other fund of the Village, and
	WHEREAS, the Village Council elects to approve the Transfer of Funds from the
Ge	eneral Fund to the Police Fund even though said approval is not required pursuant to Ohio
Re	vised Code Section 5705.14, with the understanding that the Village is not required to seek
an	other approvals as may be required for other transfers of funds under Ohio Revised Code
Se	ction 5705.14.
	NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp,
Pa	ulding County, Ohio:
	Socian 1. The Village Fiscal Officer is hereby sutherized to transfer the same of
	Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of

Twenty seven thousand five hundred Dollars (\$27,500.0C) from the General Fund to the

Police Fund.

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Opption 2 This		for the energina funda for the
	ordinance is necessary to provide	e for the operating funds for the
Police department of the	Village of Antwerp.	· .
Section 3. It is fo	und and determined that all formal	actions of the Council concerning
and relating to the passag	e of this ordinance were adopted in	n an open meeting of this Council
and that all deliberations	of the Council and of any of its	committees that resulted in sucl
formal action, were in me	etings open to the public, in comp	pliance with all legal requirement
including all lawful ordina	nces and any applicable provision	ns of Section 121.22 of the Ohio
Revised Code.		
Section 4. This C	rdinance is hereby declared to be a	an emergency measure necessar
	vation of the public health, safety a	
•	e Village is in immediate need of fu	
• .	r the well being of the residents a	
	tely after its passage; otherwise, it	
after the earliest period a		t shall take chest and so in lord
alter the earliest period (	monou by lan.	
Date:	,	
Bow D. D.	Attact Fiers	al Officer: Loutha Bake
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Mayor of the Village of Anwerp

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### **ORDINANCE NO. 2011-25**

AN ORDINANCE AMENDING ORDINANCE NO. 2008-63 AUTHORIZING THE CHANGE OF WATER AND SEWER RATES, TAP FEES AND RE-CONNECT FEES FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance Authorizing the Change of Water and Sewer Rates, Tap Fees and Re-connect Fees for the Village of Antwerp, County of Paulding, Ohio, designated as Ordinance No. 2008-63, said Ordinance passed by a majority vote of the Council of the Village of Antwerp, Ohio, after three readings, on 1-19-2009; and

WHEREAS, the Council of the Village cf Antwerp, Ohio, provided in Section 1 of Ordinance No. 2008-63 that it would review annually the water rates to determine the sufficiency of those rates established in Ordinance No. 2008-63; and

WHEREAS, the Council of the Village of Antwerp, Ohio, reviewed the water rates and has determined that the water rates currently in effect are insufficient and additional revenue is needed in the Water Fund for operational expenses, including any necessary expansion of the utility facilities for future needs for the provision of water to Village residents; and

WHEREAS, in order to increase the water rates for users/consumers inside and outside the Village corporation limits, the Council of the Village of Antwerp, Ohio, amends Ordinance No. 2008-63 as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Ordinance No. 2008-63 of the Village of Antwerp, Ohio, is amended to read as follows:

WHEREAS, it has come to the attention of the Council of the Village of Antwerp, Ohio, that additional revenue is needed in the water and sewer funds in order to operate these utilities adequately, expand facilities, and provide better and more efficient service in the future; and

WHEREAS, the Council of the Village of Antwerp, Ohio, has determined it to be in the best interest of the Village for each occupied unit within a multiple unit dwelling be billed the minimum water and sewer charges as provided herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Water rates for all users/consumers of water within the Village corporation limits shall be increased 3% effective January 1, 2012. An increase

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of 3% shall also be implemented on January 1, 2013, and January 1, 2014, which rate increases will be reviewed annually to determine whether the increases established herein are sufficient.

Section 2. The quarterly water rates for users/consumers within the Village corporation limits effective January 1, 2012, will be as follows: A minimum of \$19.60 for each tap plus \$4.33 for each one thousand (1,000) gallons of all water used. As to those users/consumers that qualify for the homestead tax exemption, the quarterly water rates will be a minimum of \$15.24 for each tap plus \$2.71 for each one thousand (1,000) gallons of all water used. The user/consumer claiming the homestead tax exemption must provide proof to the Village Administrator that the user/consumer qualifies for this tax exemption in order to receive the reduced water rates. The quarterly water rates effective January 1, 2013, and January 1, 2014, will be as follows:

January 1, 2013	\$19.60 minimum charge plus \$4.46 for each one thousand (1,000) gallons
January 1, 2014	\$19.60 minimum charge plus \$4.59 for each one thousand (1,000) gallons

Section 3. The minimum water rate provided above will be charged for each occupied unit in a multiple unit dwelling. Multiple unit dwellings include apartment complexes, mobile home trailer courts, or any other dwelling containing multiple units, which will be collectively referred to herein as "Multiple Unit Dwelling(s)."

Section 4. Water may be purchased at the waterworks located in the Village of Antwerp. The purchase price of said water shall be \$4.70 for each one thousand (1,000) gallons. The purchaser of said water shall sign their name and the number of gallons of water pumped on the clipboard provided for that purpose located at the waterworks. Each purchaser shall be billed once each year on the first (1st) day of November, and the water bill for the purchase of bulk water is due and payable on or before the fifteenth (15th) day of November of that same year.

Section 5. Users/consumers of water outside the Village corporation limits shall pay the same rate as users/consumers identified in section 2 above plus an additional seventy-five percent (75%) of that rate, which results in the following rates: A minimum of \$33.52 for each tap plus \$7.58 for each one thousand (1,000) gallons of all water used, effective January 1, 2012. The quarterly water rates effective January 1, 2013, and January 1, 2014, will be as follows:

January 1, 2013	\$33.52 minimum charge plus \$7.80 for each one thousand (1,000) gallons
January 1, 2014	\$33.52 minimum charge plus \$8.03 for each one thousand (1,000) gallons

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Section 6. In the event that water service is disconnected to any user/consumer, water service shall not be restored until all past due accounts, late charges, a \$35.00 service fee and any other applicable fees are paid to the Village for the water service to be reconnected. When a building is vacated and the owner/occupant of said building notifies the Village to discontinue water service to the building, the property owner must do either of the following: (1) have the water meter removed, the water service disconnected, and a fee of \$35.00 is hereby established to reinstall the meter and reconnect the water service; or (2) have the water disconnected at the water meter, leave the water meter in place, and pay the quarterly minimum charge for each tap.

Section 7. The tapping fee for a 3/4 inch waterline will be \$750.00 per tap. In the event a road cut is necessary or the tap must be pushed under a street, alley or highway, the tapping fee will be \$950.00 per tap.

Section 8. Sewer rates for all users/consumers within the Village corporation limits shall remain at the rates effective January 1, 2011, established in Ordinance No. 2008-63. The sewer rates will be reviewed annually to determine whether the rates currently established are sufficient.

Section 9. The quarterly sewer rates for users/consumers within the Village corporation limits effective January 1, 2011, are a minimum charge of \$45.03 (including first six thousand (6,000) gallons) plus \$1.90 for each one thousand (1,000) gallons over the first six thousand (6,000) gallons.

Section 10. The quarterly sewer rates of users/consumers outside the Village corporation limits shall pay the same rate as users/consumers identified in section 9 above plus an additional fifty percent (50%) of that rate, which results in the following quarterly sewer rates: minimum charge of \$90.51 (including first six thousand (6,000) gallons) plus \$4.77 for each one thousand (1,000) gallons over the first six thousand (5,000) gallons

Section 11. In the event that sewer service is disconnected to any user/consumer, sewer service shall not be restored until all past due accounts, late charges, a \$35.00 service fee and any other applicable fees are paid to the Village for the sewer service to be reconnected.

Section 12. The fee to connect into the Village sewer line is \$150.00 per application. In the event a road cut is necessary or the connection must be pushed under a street, alley or highway, the sewer connection fee is \$250.00 per application. In addition to this application fee, the user/consumer shall be responsible for all expenses relating to said connection, including but not limited to, tapping saddle, piping from Village sewer line, required clean outs, backfill, and road repair.

Dayton Legal Blank, Inc.		Form No. 30043	
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Section 13. Each occupied unit within a Multiple Unit Dwelling shall pay the minimum water and sewer charges provided herein. In the event that water and/or sewer usage is greater than the total of the minimum usage billed to each unit (to be determined by the meter at the Multiple Unit Dwelling), the overage shall be charged to the owner of said Multiple Unit Dwelling. The owner of each Multiple Unit Dwelling shall certify to the Village Administrator the number of occupied units within the Multiple Unit Dwelling and shall promptly notify the Village Administrator of any change in the number of occupied units within the Multiple Unit Dwelling. The Village Administrator may independently verify the number of occupied units within the Multiple Unit Dwelling as certified by the owner.

Section 14. The amounts to be charged and paid by the industrial users/consumers of the water and sewer utility services of the Village of Antwerp are established by the contracts in effect for each industrial user/consumer.

Section 15. Previous ordinances and/or any portions thereof, including Ordinance Nos. 81-32, 82-24, 94-05, 2002-14, 2005-07, 2008-15, 2008-16, and 2008-63, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 16. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 17. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Section 2. Previous ordinances and/or any portions thereof, including Ordinance No. 2008-63, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

ENACTED THIS 19th day of December, 2011.

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	Dayton Legal Blank, Inc.		======================================
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### RESOLUTION NO. 2011-20

# A RESOLUTION OPPOSING THE STATE OF OHIO CENTRALIZING MUNICIPAL INCOME TAX COLLECTION, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, during recent discussions on the State Biennial Budget Bill (HB 153), suggestion has been made that the Department of Taxation for the State of Ohio may centralize the collection of municipal income taxes resulting in removing the ability of municipalities to collect and administer their own locally approved municipal income tax in derogation of the Village of Antwerp's right to home rule; and

WHEREAS, while the current pending legislation does not contain any provision for the State of Ohio to centralize and control the collection of municipal income taxes, the legislation may be amended before final consideration requiring the centralizing of municipal income tax at the state level; and

WHEREAS, local municipal income tax is the largest source of revenue for the Village of Antwerp, Ohio, and any disruption or interference with the current collection process may harmful to the financial operations of the Village of Antwerp; and

WHEREAS, the prospect of state controlled municipal income tax collection presents numerous administrative difficulties including, but not limited to, the administration of various local tax ordinances at the state level; the retention and/or access to tax records; the timing and frequency of distribution of collected revenues to the municipality; the reporting of tax collections to the municipality; and the impact of planned budget and staffing cuts on the Ohio Department of Taxation's ability to undertake and properly perform the administration of municipal income tax; and

WHEREAS, in the wake of sweeping reductions in the Local Government Fund, municipalities in the State of Ohio cannot afford another potential loss of revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

<u>Section 1</u>. The Council of the Village of Antwerp, Ohio, hereby declares its strong opposition to any effort by the State of Ohio to centralize and control the collection of municipal income taxes in Ohio, and urges the Governor and General Assembly to reject and/or oppose any amendment to pending legislation or the introduction of new legislation that may propose centralizing the collection and/or control of municipal income taxes at the state level.

<u>Section 2</u>. The Village Fiscal Officer is hereby authorized and directed to send a certified copy of this Resolution to Governor John Kasich and Local Representatives of the Ohio Legislature

<u>Section 3</u>. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, peace, safety and welfare and for the further reasons stated in the preamble hereof. This Resolution shall take effect and be in force immediately upon

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Long, Mayor  of Antwerp	
or Antwerp	

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### RESOLUTION NO. 2011-21

# A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR CONSTRUCTING THE SIDEWALK AND PORTION OF DRIVEWAY ON THE SOUTH SIDE OF LOT 30 PT, BLOCK C IN THE VILLAGE OF ANTWERP, OHIO (TAX PARCEL ID #12-04S-051-00)

WHEREAS, Council for the Village of Antwerp, Ohio ("Council") has deemed it necessary to require construction and/or repair of the sidewalk and driveway portion intersecting the sidewalk abutting Lot 30 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12-04S-051-00) on the south side of such Lot, commonly known as 301 North Main Street, Antwerp, Ohio; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and an estimate of the cost of such construction and/or repair to be prepared, showing the location and dimensions of such sidewalks and driveway portion and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal Officer; and

WHEREAS, the plans, specifications, and estimate of the cost of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the sidewalk and driveway portion identified herein to be pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Faulding, State of Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the sidewalk and driveway portion intersecting the sidewalk abutting Lot 30 Pt, Block C in the Village of Antwerp, Ohio (Paulding County tax parcel ID #12-04S-051-00) on the south side of such Lot, commonly known as 301 North Main Street, Antwerp, Ohio, said Lot owned by David W. Bradtmueller and Tamara S. Bradtmueller.

Section 2. That the lot and land abutting upon the sidewalk and driveway portion to be constructed and/or repaired is described as follows:

Lot 30 PT, BLOCK C, VILLAGE OF ANTWERP, PAULDING CCUNTY, OHIO, TAX PARCEL ID #12-04S-051-00, COMMONLY KNOWN AS 301 NORTH MAIN STREET, ANTWERP, OHIO.

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of sa Villa	mueller, shall construct and/or repair to do not and land described herein in accept Fiscal Officer.  Section 4. That the sidewalk and	id lot and land, David W. Bractmue he sidewalk and driveway portion locat cordance with the specifications on file driveway portion shall be constructed adtimueller, as the owners of the prop	ed on the south side in the office of the and/or repaired by
be se	, <del>-</del> ·	within thirty (30) days from the date of accordance with Ohio Revised Code Stanueller.	
speci const	red by David W. Bradtmueller and I fications and within the time prescr	lewalk and driveway portion are not amara S. Bradtmueller in accordance ibed in this resolution, the Village of iveway portion and assess the costs the	with the plans and of Antwerp will so
delib	ng to the passage of this Resolution w	ined that all formal actions of the Courter adopted in an open meeting of this its committees that resulted in such for with all legal requirements.	Council, and that all
allow	Section 7. This Resolution shall be down by law.  Passed this, 9th day of	pe in full force and effect from and after	er the earliest period
Attes	t:	Ray DeLong, Mayor / 7. Village of Antwerp	om Van Vlerah
d	foretta Baker ta Baker, Fiscal Officer		
First	reading: 11 - 21 - 1-1		
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Second reading: 12-19-11 Third reading: 1-9-12	ay:on Legal Blank, Inc.		Form No. 300	43
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7100/00/00039266-1.MLF	Second reading: $12-19-11$ Third reading: $1-9-11$			
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	STATEMENT	
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	M VILLAGE OF ANTWERP	<del>.</del>
	301 N. MAIN	· ·
	ANTWERP: OHIO	
	IN ACCOUNT WITH	
	NICHOLAS MARTINEZ 218 S. Main St.	
	Pauldng, OH 45879	37
	CEMENT STEPS, PATIO SIDEWALKS, DRIVEWAYS  399-4308 — 399-7173 - CELL	ROOFING - ELECTR PAINTING - CARPEN
	LABOR AND MATERIAL ON	
	A SIDEWALK 180x4x4	
	I!LL REMOVE THE OLD	
	SIDEWALK AND REPLACE I	
	WITH A NEW SIDEWALK	
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	- Good Brewn	
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]	Dayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No	Passed	, 20	

### ORDINANCE NO. 2011-26

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF SANITARY SEWERAGE SYSTEM IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Ccuncil of the Village of Antwerp, Paulding County, Ohio:

Section 1. A Note in the principal amount of \$498,486.29 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's sanitary sewerage system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note.

Section 2. Said Note shall bear an interest rate not exceeding 2.25% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.

Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.

Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.

Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.

Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

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D;	ayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 20
relati all d were ordin	on 8. It is found and determined thing to the passage of this ordinance we eliberations of the Council and of any in meetings open to the public, in compances and any applicable provisions of the public decediate preservation of the public health	ere adopted in an open meeting of its committees that resulted apliance with all legal requirement of Section 121.22 of the Ohio Reclared to be an emergency mea	of this Council, and that in such formal action, ents including all lawful evised Code.
reaso resid	on that the Village is in immediate need ents and this ordinance shall be in wise, it shall take effect and be in force	of a sanitary sewerage system f full force and effect immedia	or the well being of the tely after its passage;
Date			
		Ray DeLong, Mayor	,
Attes	st: Snetta Baker tta Baker, Fiscal Officer		

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Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	
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	ORDINANCE NO. 2011-2	7
		OFFICER TO TRANSFER FUNDS IND DECLARE THE SAME TO BE
WHEREAS, the Villa from the General Fund to the	-	it is necessary to transfer certain funds
WHEREAS, the Villa Section 5705.14, and	age Council must approve certain tra	nsfers pursuant to Ohio Revised Code
		vised Code Section 5705.14 (E), which nsfers from the General Fund to any other
Water Fund even though said the understanding that the Vil	approval is not required pursuant to Oh	fer of Funds from the General Fund to the nio Revised Code Section 5705.14, with approvals as may be required for other
NOW THEREFORE, Ohio:	BE IT ORDAINED by the Council of t	he Village of Artwerp, Paulcing County,
Section 1. The Village (\$45,000.00) from the General		transfer the sum of Forty Five thousand
Section 2. This ordina Village of Antwerp.	ance is necessary to provide for operating	ng funds for the Water department of the
the passage of this ordinance v Council and of any of its com	were adopted in an open meeting of this mittees that resulted in such formal acti requirements including all lawful ordin	of the Council concerning and relating to Council, and that all deliberations of the ion, were in meetings open to the public, nances and any applicable provisions of
preservation of the public heal in immediate need of funds the residents and this ordinance s	Ith, safety and welfare of the Village an for the operation of the water departm	ency measure necessary for the immediate d for the further reason that the Village is nent necessary for the well being of the ately after its passage; otherwise, it shall
Date	Ç	Anyor of the Village of Antwerp
Attest:	· ·	1240r of the Vallage of Antwerp
Fiscal Officer  Ba	ka	

 Dayton Legal Blank, Inc.		Form No. 30043	
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### **ORDINANCE NO. 2011-28**

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
A1 7A 230	General Mayor Contrac	600.00	1,100.00
A1 7C 239	State Rotary Fees	11,000.00	1,110.00
A1 7E 250	Lands & Buildings Capital	500.00	2,500.00
A1 7I 231	Audit Fees	12,000.00	14,093.54
A1 7J 230	Workman Comp	48,000.00	35,475.27
B1 6B 250	Street Repair Capitol	10,000.00	10,889.00
B11 1B 220	EMS Travel & Training	9,000.00	9,278.44
B11 1B 250	EMS Capital Outlay	2,000.00	2,669.72
B153B 240	Vet's Memorial Expense	0.00	920.00
D5 5D 250	Caggett Street Resurfacing	0.00	\$87,248.90
D6 7X 270	Trans back to General	0.00	\$5,825.13
E1 5D 220	Water Filtration Travel	200.00	\$574.60
E1 5X 260L	OPWC Loan-US 24	0.00	\$694.56
E2 5D 250	Automotive Capital Outlay	0.00	\$6,800.00
G7 7X 240	FOJ Supplies	0.00	\$22.00

l Blank, Inc.		Form No. 30043
ance No	Passed	, 20
Section 3: Th	is Ordinance is hereby declared to	be an emergency
measure necessary f	or the immediate preservation of the	ne public health, safety
and welfare and well	being of the residents.	
Section 4: Th	is ordinance shall take effect and	be in full force from ar
after the earliest peri	od allowed by law.	
Date //- 1/- /	· <b>/</b>	
Date	<u>·</u>	
Mayor Roy 1	1 L	
Wayor May W	7	
Attest:	V	
- Loretta	Baker	
Fiscal Officer		•

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	Ordinance No	·	Passed	, 20	
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### ORDINANCE NO. 2011-<u>29</u>

# AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Chio ("Village") enacted an Ordinance on March 24, 2011, an Ordinance approving preliminary participatory legislation for the project identified as PAU-Antwerp RR Depot Restoration, PID Number 83311 (referred to herein as "the railroad depot project"), known as Ordinance No. 2011-96; and

WHEREAS, the Village enacted several final Resolutions authorizing the Mayor to enter into a contract for the general portion, mechanical portion, plumbing portion, and electrical portion of the railroad depot project, said Resolutions known as Resolution Nos. 2011-08, 2011-09, 2011-10 and 2011-11; and

WHEREAS, the State of Ohio, Ohio Department of Transportation ("ODOT") thereafter let the depot project for bid, with the understanding with the Village that local contractors not on the ODOT preferred list would be able to bid on the project; and

WHEREAS, due to language included in the bid requiring contractors to be on ODOT's preferred list, no local contractors bid on the depot project, and the bids received substantially exceeded the estimates for the depot project; and

WHEREAS, the Village and ODOT have agreed that the Village will let the project and that the Village and ODOT will enter into an LPA Federal Local-Let Project Agreement for the railroad depot project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into the LPA Federal Local-Let Project Agreement with the State of Ohio, Department of Transportation, for the project known as PAU-Antwerp RR Depot, PID Number 83311, Agreement Number 24740, a true and accurate copy of said Agreement is attached hereto and incorporated herein by reference.

Section 2. By way of passage of Ordinance No. 2011-06, the Council authorized the Mayor to enter into agreements with the Director of Transportation necessary to complete this project; however, at the time of the passage of Ordinance No. 2011-06, the Council did not anticipate that the Village would be letting the project, and as such, hereby empowers and authorizes the Mayor to enter into the Agreement referenced in Section 1 herein above.

Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an

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Ordinance No	Passed	, 20	
open meeting of the Council, are that resulted in such formal action requirements.			
Section 4. This Ordinand immediate preservation of the p project referenced herein. This passage and approval; otherwise allowed by law.	Ordinance shall take effect as	re of the Village and to expeding the inforce immediately af	te the ter its
PASSED://~ 2	, 2011.		
	Ravelel	Mayor	
Attest:	<u></u>	, , , , , , , , , , , , , , , , , , ,	

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### ORDINANCE NO. 2011-*30*

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF A WATERWORKS SYSTEM IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

- Section 1. A Note in the principal amount of \$154,901.20 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's waterworks system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note. Said Note represents the balance cue on the Note issued in reference to Ordinance No. 2010-31 (loan number 42525) after payment of \$23,000 00 by the Village of Antwerp on said loan
- Section 2. Said Note shall bear an interest rate not exceeding 2.25% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.
- Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.
- Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.
- Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.
- Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

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Ordinance No	Passed	, 20
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Section 7. The Mayor and F the Note on behalf of said V		ereby authorized to sign and execute
Section 8 It is found and	determined that all formal action	ons of the Council concerning and
1		en meeting of this Council, and that
1 2		that resulted in such formal action,
		al requirements including all lawful
ordinances and any applicab	ole provisions of Section 121.22 o	of the Ohio Revised Code.
G .: O TI: O I:		
	•	ergency measure necessary for the re of the Village and for the further
<u> </u>	-	es system for the well being of the
		ect immediately after its passage;
ctherwise, it shall take effec	et and be in force after the earliest	t period allowed by law.
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	Rey DeLong, Ma	ayor O
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#### ORDINANCE NO. 2011-31

# AN ORDINANCE ESTABLISHING SALARIES FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2012, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, it is desirable that the salaries of Village officials and employees for the year 2012 be set forth in an Ordinance.

NOW, THEREFORE, BE !T ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. That beginning with the first pay period of year 2012, the salaries of Village cfficials and employees be as follows:

	Village Official	2011	2012
Мa	or	\$5,000.00	\$8,000.00
Cou	ncil Members -existing	\$1.800.00	\$1,800.00
Nev	v Council Members	\$1,800.00	\$3,000.00
Fisc	cal Officer	\$23,226.50	\$26,000.00
Vill	age Administrator	\$36,614.47	\$40,000.00
Chi	ef of Police	\$37095.90	\$38,208.78
Ass	istant Chief of Police	\$25,750.00	Same
Pol	ce - Full Time - On Probation	\$23,456.65 to	\$23,527.02 to
		\$26,864.77	\$26,945.36
Pol	ce - Full Time	\$26,864.61 to	\$26,945.20 to
		\$31,774.49	\$31,869.81

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Village Official	2011	2012	
Police - Part Time	\$10.88 to \$16.31	\$11.21 to \$16.80	per hour
Police - Reserves	\$10.88 to \$13.05	\$11.21 to \$13.44	per hour
Fire Chief	\$2, 74.85	S2,240.10	
Fire Dept. Secretary	\$342.53	\$352.81	
Fire Chief Assistant	\$342.53	\$352.81	4 000000
	\$9.28	\$9.56	per meeting
	\$12.04	\$12.40	first hour
	\$9.39	\$9.67	each add.
Fire Captains	\$101.13	\$104.16	
Fire Lieutenants	\$70.68	\$72.80	
Volunteer Fireman	\$9.28	\$9.56	per meeting
	\$9.28	\$9.56	first hour
	\$9.28	\$9.56	each add.
EMS Coordinator	\$2,174.85 to \$3,252.27	\$2.240.10 to \$3,360.14	
EMS Maintenance Man	\$614.40	\$632.83	
EMS Assistant		\$300.00	
EMS Secretary		\$300.0C	
EMS Drivers	\$8.23	\$8.48	per hour
EMT - A (BLS-Basic Life Support)	\$9.94	\$10.24	per hour
		I	

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	Village Official	2011	2012	
EM	- B (Immediate Life Support)	\$12.85	\$13.24	per hour
All	MS Personnel	\$9.56	\$9.85	per meeting
Ger	eral Labor/Utilities Billing Clerk	\$7.66 to \$12.11	\$7.89 to \$12.47	per hour
May	or's Court Clerk/EMS Billing Clerk	\$7.66 to \$12.11	\$7.89 to \$12.47	per hour
Тес	n I Water/Sewer/Assigned Duties	\$10.44 to \$14.46	\$10.75 to \$14.89	per hour
Tec	II Water/Sewer/Assigned Duties	\$13.10 to \$17.56	\$13.49 to \$18.09	per hour

Section 2. Any and all other benefits to which Village officials and employees may be entitled are as set forth in the Village of Antwerp's Personnel Manual.

Section 3. This Ordinance repeals any other ordinance inconsistent therewith.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village.

Section 5. This Ordinance shall be in full force and effect and after the earliest period allowed by law.

	Dayton Legal Blank, Inc.		Frm No. 30043	
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#### **ORDINANCE NO. 2011-32**

## AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

<u>Section 1:</u> This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

<u>Section 2:</u> The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
A1 3B 212	Park Benefits	8,610.89	8988.26
A1 7B 2111	Administrator Salary	3,661.45	3872.78
A1 7B 2121	Administrator Benefits	1,500.00	1724.63
A1 7C 211	Mayor's Court Salary	4,666.00	4676.36
A1 7D 212	Fiscal Officer Benefits	11,140.91	11,532.88
A1 7X 270	General Fund Transfer	160,000.00	172,500.00
A1 7X 272	General Fund Advance	0.00	16,823.63
B1 6B 211	Street Maint Wages	17,321.04	18,240.10
B1 6B 212	Street Maint Benefits	6,172.00	6,344.45
B5 1A 230	Law Enforcement Training	600.00	9
B11 1B 211	EMS Salaries	22,000.00	23,957.00
B11 1B 240	EMS Oper and Maint	16,000.00	16,500.00
3146 D 212	Storm Sewer Benefits	7,900.00	7,934.50
D4 8A 230	Depot Rehabilation Ex	376,344.64	16,823.63
E1 5A 212	Water Clerk Benefits	5,570.45	5,579.22
E1 5B 212	Water Billing Clerk Benefits	825.73	874.14

Dayton Legal Blank, Inc.		<del>-</del>	Form No. 30043
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E1 5D 211	Water Filtration Wages	68,023.55	69,700.00
E1 5D 212	Water Filtration Benefits	27,793.94	28,270.66
E1 5D 230	Water Filter Cont Serv	29,000.00	35,500.00
E2 5A 212	Sewer Clk Benefits	5,570.45	5,914.67
E2 5B 212	Sewer Billing Clk Benefits	412.87	462.03
E2 5C 211	Sewer Pumping Salaries	26,750.14	29,800.00
E2 5C 212	Sewer Pumping Benefits	10,447.03	11,073.53
G8 7X 240	Mayors Ct Misc	0.00	163.00
G8 7X 275	Payment to State	0.00	17,036.50
G8 7X 2751	Payment to Village	0.00	59,041.99
H1 1A 211	Police wages	120,000.00	120,755.99
H3 1A 23C	Street Lighting	18,000.00	22,440.48

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Date 12-19-11

Mayor Tay Os Lone

utta Baku

Attest:

Fiscal Officer

I	Dayton Legal Blank, Inc.	r-	Form No. 30043
	Ordinance No.	Passed	, 20
		ORDINANCE NO. 2011-	.33
		priations for Current Expenses and other E ding December 31, 2012, and declaring the	expenditures of the Village of Antwerp, State he same an emergency.
	current expenses and other expend		werp, State of Ohio, that, to provide for the ng the fiscal year ending December 31, 2012 ollows;
		opriated from the GENERAL FUND for accordance with the provisions of Section	contingencies for purposes not otherwise 5705.40 R.C., the sum of \$419,733.83
	Section 3. That there be appropriately FUND in the sum of \$79,955.31.	ated from the STREET CONSTRUCTI	ON, MAINTENANCE AND REPAIR
	Section 4. That there be appropria \$5,000.00.	ated from the STATE HIGHWAY AND	IMPROVEMENT FUND in the sum of
-	Section 5. That there be appropri	ated from the STORM SEWER FUND	in the amount of \$64,800.77
	Section 6. That there be appropri	ated from the FED-MAYOR'S COURT	FUND in the sum of \$5,500.00
	Sect on 7. That there be appropri	ated from the LAW ENFORCEMENT	TRAINING in sum of \$0
	Section 8. That there be appropri	ated from the PERMISSIVE TAX BUD	GET in the sum of \$21,000.00.
	Section 9. That there be appropri	ated from the FIRE FUND in the sum of	f \$38,500.00.
	Section 10. That there be appropriate the section 10.	riated from the EMS FUND in the sum o	of \$75,225.00.
	Section 11. That there be appropr	riated from the DEPOT PROJECT in th	ne sum of \$400,219.00
	Section 12. That there be approp	oriated from the WATER FUND in the s	um of \$511,195.51
	Section 13. That there be appropr	riated from the SEWER FUND in the su	ar: of \$735,620.48
	Section 14. That there be approp	priated from the DEPOSIT FUND in the	sum of \$800.00.
	Section 15. That there be approp	priated from the CEMETERY FUND in	the sum of \$15,050.00
	Section 16. That there be approp	riated from the INDIGENT DRIVER F	UND in the sum of \$0.
	Section 17. That there be approp	oriated from the FOJ FUND in the sum of	f \$0.
	Section 18. That there be approp	priated from the POLICE FUND in the s	sum of \$216,400.00
	Section 19. That there be approp	riated from the STREET LIGHTING F	UND in the sum of \$22,000.00
	Section 20. That there be approp	oriated from the EMS VEHICLE REPLA	ACEMENT FUND in the sum of \$0.
	Section 21. That there be approp	oriated from the VET'S MEMORIAL FU	UND in the sum of \$600.00
	Section 22. That there be approp	oriated from the MAYOR'S COURT AC	CCOUNT FUND in the sum of \$71,200.00.

Section 23. Total of all appropriations \$2,682,799.90

Dayton Legal Blank, Inc.		Form No. 30043
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from any of the foregoing appropriations up or officers authorized by law to approve the provided that no warrants shall be drawn or accordance with law or ordinance. Provide appeal of two-thirds vote of Council for it purposes other than those covered by other	declared to be an emergency measure necessary for	ore approved by the board or make the expenditures; yed by authority of and in an only be expended upon a sainst the village, and for
Section 5705.39, O.R.C -"No appropriation appropriating authority a certificate that the outstanding appropriations, do not exceed appropriation does not exceed such official	CERTIFICATE  In measure shall become effective until the county a lie total appropriations from each fund, taken togetl such official estimate or amended official estimate al estimate, the county auditor shall give such certi a certified copy of the appropriation measure."	her with all other e. When the
Records are required by the Laws of the St	of Antwerp in said County, and in whose custody tate of Ohio to be kept, do hereby certify that the fied from the original Ordinance has been compare rect copy thereof.	oregoing Annual
Passed 12-19-11  Attest: South Baker Fiscal Officer	Bay Va Presiden	Losave nt of Council

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Passed	, 20	
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#### ORDINANCE NO. 2011-34

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$25000.00 (and declaring the same an emergency)

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty five thousand Dollars (\$25,000.00) from the General Fund to the Police Fund.

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 Da	iyton Legal Blank Inc.		Form No. 300
	Ordinance No	Passed	, 20
Police	Section 2. This ordinance is department of the Village of A	s necessary to provide for the o	perating funds for the
	Section 3. It is found and det	ermined that all formal actions of the distance were adopted in an open r	_
11		incil and of any of its committees	_
11		to the public, in compliance with	
- 11	ling all lawful ordinances and a ed Code.	any applicable provisions of Section	on 121.22 of the Ohio
	Section 4. This Ordinance is	hereby declared to be an emergen	ncy measure necessary
for the	e immediate preservation of the	e public health, safety and welfare	of the Village and for
	•	n immediate need of funds for the	·
.		eing of the residents and this ord	
JJ	and effect immediately after its the earliest period allowed by la	passage; otherwise, it shall take aw.	effect and be in force
Date:	12-19-11		
	y De Luy	Attest Fiscal Officer:	Loute Bak
Mayor	r of the Village of Antwerp		·
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Dayton Lega: Blank, Inc. Form No.		Form No. 30043		
	Ordinance No	Passed	, 20	

#### **ORDINANCE NO. 2011-35**

## ORDINANCE TO ESTABLISH TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Paulding County, Ohio "Council") is desirous of holding monthly regular council meetings; and

WHEREAS, the Council, in accordance with Ohio Revised Code § 731.46, is establishing the time and place of regular meetings of the Council.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village cf Antwerp, Paulding County, Ohio as follows:

Section 1. Regular meetings of the Council shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio.

Section 2. Regular meetings of the Council shall be held on the third (3<sup>rd</sup>) Monday of each month at 5:30 p.m. (Eastern Standard Time), except those third (3<sup>rd</sup>) Mondays that are deemed a heliday under the personnel manual of the Village of Antwerp, then the regular council meeting shall be the fourth (4<sup>th</sup>) Monday of that month. The regular meeting of the Council for January 2012 shall be conducted on January 9, 2012. The regular meeting of the Council for February 2012 shall be conducted on February 21, 2012.

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January, 2012, and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of the members of the Council with notice of said change in meeting time and/or place to be given to the local media and any other person requesting such notification.

Section 4. It is found and determined that all formal action of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the time and place of regular Council meetings be established. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force the earliest period allowed by law.

{7100/000/00047891-1.ANH}

Passed this 19th day of December, 2011.  Passed	Dayton Legal Blank, Inc.		Form No. 30043
Ray Deflong, Mayor Village of Antwerp  Attest:  Loretta Baker, Fiscal Officer		Passed	
Attest:  Loretta Baker, Fiscal Officer	Passed this 19th day of Dece	Royl	Long Mayor
{7100/000/00047891-1.ANH} 2	Loutte Baker	Village of An	ntwerp
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	Dayton Legal Blank, Inc.	<u> </u>	Form No. 30043	
	Ordinance No	Passed	. 20	
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#### ORDINANCE NO. 2012-01

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH HARRISON TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergercy ambulance vehicle and has in the past provided emergency ambulance service to outlying areas; and

WHEREAS, the Village of Antwerp and HARRISON Township have negetiated the terms and conditions of the Village providing emergency medical services to certain portions of Harrison Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

<u>Section 1</u>. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as "the Village", will provide emergency medical services to that portion of Harrison Township identified in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$1,319.00 to be paid annually in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2012.

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<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereo-

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

Section 4b. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid

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by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

<u>Section 6</u>. All amounts collected as a result of this Orcinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Harrison Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 9</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

<u>Section 10</u>. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the

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compensation to be paid to the Villag	ge for providing emergency med	ical services to
Township, and this Ordinance shall be	in full force and effect immediate	ly after its passa
otherwise, it shall take effect and be in	force after the earliest period all	owed by law.
Section 11. This Ordinance shall be retr	rospective in nature and take effec	t as of the expira
of the prior Ordinance and Agreement	for the provision of Emergency	Medical Service
Harrison Township, also known as Ord	nance No. 2011-01.	
ENACTED THIS9+h day of	January 20	012
49, 5:	<del></del>	)
	Jane V Moorroo	<b>\</b>
MAYOR, V	ILLAGE OF ANTWERP	
Attest:		
rucot.		
Gnetta Baker  Fiscal Officer		

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#### ORDINANCE NO. 2012-02

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; anc

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance service to outlying areas; and

WHEREAS, the Village of Antwerp and Carryall Township have negotiated the terms and conditions of the Village providing emergency medical services to certain portions of Carryall Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department, hereinafter referred to as the Village, will provide emergency medical services to that portion of Carryall Township identified in an Agreement to Provide Emergency Medical Services (the Agreement) and shall be compensated by the Township paying an annual charge which equates to the total sum collected by the Township by way of tax settlement monies, which amount will be paid to the Village as the Township collects such tax settlement monies from the County Auditor's office, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in

Dayton Legal Blank, Inc.		F->rm No. 30043
Ordinance No	Passed	, 20

Section 2 of this Ordinarice. The user fees as established shall take effect at 12:01 A.M. on January 1, 2012.

<u>Section 2</u>. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.0C plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

<u>Section 3</u>. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio aw.

Section 4b. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Onio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall

	Dayton Legal Blank, Inc.		Form No 30043	
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be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Carryall Township to provide emergency medical services for the consideration identified herein.

<u>Section 8</u>. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 9. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

	Dayton Legal Blank, Inc.		Forti No. 30043
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	Section 10. This Ordinance is here	by declared to be an emergency	measure necessary for
	the immediate preservation of the he	alth, safety and welfare of the pul	blic, and for the further
	reason that the Village have an ag	greement in place with the Town	riship that reflects the
	compensation to be paid to the Vi	llage for providing emergency m	nedical services to the
	Township, and this Ordinance shall I	be in full force and effect immedia	ately after its passage;
	otherwise, it shall take effect and be	in force after the earliest period	allowed by law.
	Section 11. This Ordinance shall	be retrospective in nature and	take effect as of the
	expiration of the prior Ordinance as	nd Agreement for the provision	of Emergency Medical
	Service to Carryall Township, also k	nowr as Ordinance 2011-02.	
	ENACTED THIS 9+1 day of	January,	2012.
	MAYOR.	100moo O. Van Ver	al
	Attest:	, VILLAGE OF ANTWERP	
·	Spetta Baker Fiscal Officer		

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#### ORDINANCE NO. 2012-03

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2012 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF ANTWERP, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Ccde of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF ANTWERP, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2012 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2012 Edition.
- One copy of American Legal Publishing's Ohio Basic Code, 2012 Edition, certified as correct by the Mayor and Fiscal Officer of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Fiscal Officer of the municipality and retained as a permanent ordinance record of the municipality. The Fiscal Officer of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A."
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2012 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
  - (A) The enactment of the Ohio Basic Code, 2012 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision

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		prior to the effective date of such enactment, or an action or preenforcement of such right or liability. Such enactment shall to relieve any person from punishment for an act committed any such legislative provision, nor to affect an indictment therefor. For such purposes, any such legislative provision sfull force notwithstanding its repeal for the purpose of codification.	not be construed d in violation of t or prosecution shall continue in
	(B)	<ul> <li>The repeal provided above shall not affect:</li> <li>(1) The grant or creation of a franchise, license, riginarivilege;</li> <li>(2) The purchase, sale, lease or transfer of property;</li> <li>(3) The appropriation or expenditure of money or promise payment;</li> <li>(4) The assumption of any contract or obligation;</li> <li>(5) The issuance and delivery of any bends, obligationstruments of indebtedness;</li> <li>(6) The levy or imposition of taxes, assessments or charge The establishment, naming, vacating or grade level public way;</li> <li>(8) The dedication of property or plat approval;</li> <li>(9) The annexation or detachment of territory;</li> <li>(10) Any legislation enacted subsequent to the adoption of this or legislation supercedes prior ordinances of the municinar ordinance adopting prior versions of the Ohio Basic</li> </ul>	e or guarantee of ations or other es; of any street or this ordinance. dinance and said pality, including
Secti	munic sectio extend	ever reference is made in any documents, publications, of ipality, including but not limited to traffic tickets and traffic-con as it existed in a former edition of the Ohio Basic Code, the land apply to the section referred to as subsequently an fied, or renumbered.	ontrol signs, to a reference shall
Secti	preser	ordinance is declared to be an emergency measure necessary for vation of the peace, health safety and general welfare of the ipality, and shall take effect at the earliest date provided by law.	e people of this
Date	Passed: 2	21-12	
		Mayor Van	Con

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Dayton Legal Blank,	Inc.		Form No. 30043	
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Fisc	al Officer of the Legislative			
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			Exhibit A	
		OHIO BASIC CODE, 2012	EDITION — SUMMARY OF C	CONTENTS
Notice of the Notice Notice Notice Notice Notice Notice Notice Notice Notice Notice Notice Notice Notice Notice	is here Junici g Am	eby given that on the day of _ ipality of Antwerp erican Legal Publishing's Ohio Basic rp, Ohio."	, 2012, there was enact, Ohio, an ordinance entitled "An Crdin Code, 2012 Edition, as the Code of Ordinance entitled"	ed by the Legislative Authority nance Approving, Adopting and nances for the Munic pality of
		of the subjects, including all new matter asic Code provisions are based direct	ers contained in the Code of Ordinances, ally on state law.	as adopted, are as follows. The
•		TITLE I	: GENERAL PROVISIONS	
C4:		Chap	ter 10: General Provisions	
Section	10.0			
	10.0 10.0			
	10.0		repeal	
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	100	8 Reference to offices		
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	10 1	2 Ordinances saved		
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	10.1	6 Statutory references		
	10.1 10.1			
	10.9	9 General penalty		
www.jaraharand		TITLE	III: ADMINISTRATION	
<b>6</b>		Chap	ter 30: General Provisions	
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	30.0	2 Qualifications; oaths		
	30.0 30.0			
	30.0	5 Approval of bonds	corded and kept	
	30.0			
	30.0 30.0			
	30,0	9 Records Commission		
	30.1 30.1		ppen; exceptions; notice nference or convention; expenses	
	30.1			
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Section		General Provisions		
	31.0	01 Executive power; where vested		
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Oran		1 usseu	_, 20
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	21.015	Term of Mayor; power and duties General duties of the Mayor	
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	31.017	Protest against excess of expenditures	
	31.019	Supervision of conduct of officers	
	31.020	Annual report to the Legislative Authority	
	31.021	Mayor to file charges against delinquent officers	
		Vacancies in office of Mayor	
	31.023	Disposition of fines and other moneys	
		CIL	•
		Clerk	
	F1 040	Election, term, qualifications of the Clerk	
	31.041	Powers and duties of Clerk	
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		Seal of Clerk	
	31.044	Combined offices of Clerk and Treasurer; Fiscal Officer	
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		Receipt and disbursement of funds	
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		General duties	
		Assistants	
		Other Officials	
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		Administrator	
		Board of Trustees of Public Affairs	
	31.103	Fire Engineer, Engineer and Superintendent of Markets	
		Chapter 32: Legislative Authority	
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		General Provisions	
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	32.003	Qualifications of members of the Legislative Authority	
		Compensation and bonds of municipal officers and employees	
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	32.008	Rules; journal; expulsion of members	
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			Ordinances and Resolutions	,
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			Adoption of technical ordinances and codes	
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	32	.051	Publication when no newspaper published in municipality	
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	32	.076	Designation of committee filing petition; public inspection of petitions; ordinances passed	
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1	33.29	Judgment final	
-	33.30	Alternative remedy	
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	34.02	Appointment of Marshal	
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Da	ayton Legal Blank, Inc.		Form: No. 30043
	Ordinance No	Passed	, 20
T Municipal Signed:	ity of <u>Antwerp</u>	en verified and authorized for publication by the, Ohio.    Something Ball   Clerk of the Legislative Author	

CERTIFICATION OF CODIFIED ORDINANCES  We, **Jem Vanulerah**, Mayor, and **Lerc Ha **Enker**, Clerk of the Legislative Authority of **Latucep**, Ohio, pursuant to Ohio Revised Code §8 731 23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and tiles are correct as and constitute the Code of Ordinances for the Municipality of **Antucep**, Ohio.  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **Description**  **	ayton Legal Blank, Inc.		Form No. 30043
We, Tom Vanvierah, Mayor, and Lore tha Baker, Clerk of the Legislative Authority of the Municipality of Antwerp, Ohio, pursuant to Ohio Revised Code §§ 731 23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of Antwerp Ohio.  Decrease Decrease Authority of Mayor	Ordinance No	Passed	, 20
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 Dayton Legal Blank, Inc. Form No. 30045
 Ordinance No.         Passed
ORDINANCE NO. 2012-04
AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER
FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00
(and declaring the same an emergency)
WHEFEAS, the Village Fiscal Officer has determined that it is necessary to transfer
certain funds from the General Fund to the Police Fund, and
WHEREAS, the Village Council must approve certain transfers pursuant to Ohio
Revised Code Section 5705.14, and
WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section
5705.14(E), which transfer does not recuire a vote of the Village Council to authorize
transfers from the general fund to any other fund of the Village, and
WHEREAS, the Village Council elects to approve the Transfer of Funds from the
General Fund to the Police Fund even though said approval is not required pursuant to Ohio
Revised Code Section 5705.14, with the understanding that the Village is not required to seek
any other approvals as may be required for other transfers of funds under Ohio Revised Code
Section 5705.14.
NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwers,
Paulding Ccunty, Ohio:
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of
Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the
Polige Fund.

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No.	Passed	, 20
Section 2. This	ordinance is necessary to provid	le for the operating funds for the
Police department of the	Village of Antwerp.	
Section 3. It is fo	und and determined that all forma	actions of the Council concerning
and relating to the passag	ge of this ordinance were adopted	in an open meeting of this Council,
and that all deliberations	of the Council and of any of its	committees that resulted in such
		pliance with all legal requirements
	ances and any applicable provision	ons of Section 121.22 of the Ohio
Rev sed Code.		
Section 4 This O	ordinance is hereby declared to be	an emergency measure necessary
	-	and welfare cf the Village and for
	•	unds for the operation of the Police
	•	and this ordinance shall be in full
force and effect mmedia	tely after ts passage; otherwise,	it shall take effect and be in force
after the earliest period a	allowed by law.	
1		
Date: 2 - 21 - 12	·	
		tour B
Tamo D'bond		al Officer: Jacta Baker
Mayor of the Village of A	ntwerp	

-			
	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	20
	11		

#### **ORDINANCE NO. 2012-05**

## AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to ame...d the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	·
		AMOUNT	
		Original	New Amount
A1 7J 230	Workman Comp	34,000.00	42955.77
E1 5I 250	Lands Capital Outlay	1,000.00	4970.00
E2 5D 250	Automotive Capital Outlay	0.00	5250.00

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Date	
Mayor 12 mm D. Van Veral	7
Attest: <u>Loutsa Baker</u>	Fiscal Officer

Dayton Legal Blank, Inc		Fcrm No. 20043
Ordinance No.	Passed	_, 20

#### **ORDINANCE NO. 2012-06**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO THE AGREEMENT WITH POGGEMEYER DESIGN GROUP FOR CONSULTANT SERVICES ON THE PAU-ANTWERP RR DEPOT PROJECT, PID #83311 / FEDERAL PROJECT #E071(113), CONSULTANT AGREEMENT #16989; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village") has entered into the LPA Federal Local-Let Project Agreement with the State of Ohio, Department of Transportation, for the project identified as PAU-Antwerp RR Depot Restoration, PID #83311 / Federal Project #E071(113) (referred to herein as "the Railroad Depot Project"); and

WHEREAS, the Village desires to retain the services of Poggemeyer Design Group to act as the consultant for the preparation of the Railroad Depot Project; and

WHEREAS, the State of Ohio, Department of Transportation, has provided a proposed Consultant Agreement, Agreement #16989, for the Village to enter into with Poggemeyer Design Group for Poggemeyer Design Group to act as the consultant for the Village on the Railroad Depot Project.

NOW, THEREFORE, be it ordained by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into the Consultant Agreement #16989 by and between the Village and Peggemeyer Design Group for Poggemeyer Design Group to act as the consultant on the Railroad Depot Project. A true and accurate copy of said Agreement is attached hereto and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village and to expedite the project referenced herein. This Ordinance shall take effect and be in force immediately after its passage and approval; otherwise, it shall take effect and be in force and after the earliest period allowed by law.

{15072/000/00061649-1.SLS}

	Dayton Legal Blank, Inc.	Form No. 30043
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Att		12. Tom VanVlerah, Mayor Village of Antwerp
Loi	retta Baker retta Baker, Fiscal Officer	

{15072/000/00061649-1.SLS}

Ι	ton Legal Blank, Inc. Forta No. 30043	
	Ordinance No	
		==
	VILLAGE OF ANTWERP	
	AGREEMENT NO. 16989	
		\   
	This Agreement No. 16989 entered into this <u>21st</u> day of <u>February</u> , 2012, by and between Village of Antwerp, acting by and through the Mayor, hereinafter referred to as the Village and Poggemeyer Design Group, hereinafter referred to as the Consultant, with an office located at 1168 N. Main Street, Bowling Green, OH, 43402.	
	WITNESSETH:	
	That the Village and the Consultant, for the mutual considerations herein contained and specified, have agreed and do hereby agree as follows:	
	CLAUSE I - WORK DESCRIPTION	
	The Consultant agrees to perform Construction Inspection and keeping of records and documents, Construction Administration and Testing as may be authorized by the Village for Antwerp Railroad Depot in Paulding County, Ohio, identified as PAU-Antwerp RR Depot.	
	CLAUSE II - INVOICE & PROJECT SCHEDULE	
	The Village and the Consultant agree to the attached Invoice and Project Schedule including the overall Agreement length, and Scheduled Submittal dates and Review Times set out in the Project Schedule.	
	The Consultant agrees to submit the completed Invoice and Project Schedule transmittal letter together with the updated Invoice and Project Schedule for all billing purposes for all Parts of this Agreement every thirty (30) days as follows:	
	(a) Signed original transmittal letter and invoice (IPS) and three (3) copies of same.	· ļ
İ	CLAUSE III - PRIME COMPENSATION	
	The Village agrees to compensate the Consultant for the performance of the Work specified in this Agreement as follows:	
	Part 1: Construction Inspection.	
	Rates of Pay Compensation as authorized for each Classification delineated below plus non-salary direct costs. The maximum prime compensation shall not exceed Eleven Thousand, Six Hundred Forty-One dollars (\$11,641.00). All costs shall be included in the maximum prime compensation.	

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#### Agreed Rates of Pay are established as follows:

Firm Name	Classification	Hourly Rate	Overtime Premium Rate
Poggemeyer	Project Mgr.	\$152.00	\$0.00
Poggemeyer	Project Architect	\$124.00	\$0.00
Poggemeyer	Clerical	\$41.00	\$0.00
Poggemeyer	Project Administrator	\$103.00	\$0.00
Poggemeyer	Sr. Technician	\$57.00	\$0.00

Prime Compensations, only as agreed and by proper modification of this Agreement and authorized in writing by the Village, may be added to or subtracted from under the authority of the Department of Transportation's "Specifications for Consulting Services. 2010 Edition".

#### CLAUSE IV - INCORPORATION BY REFERENCE

The following documents, or specified portions thereof, are hereby incorporated into and made a part of this Agreement as though expressly rewritten herein:

- (a) The Department of Transportation's "Specifications for Consulting Services, 2010 Edition".
- (b) The attached Scope of Services.
- (c) The Invoice & Project Schedule.
- (d) The most current Office of Budget and Management Travel Policy as published on the State of Ohio Website (http://obm.chio.gov/MiscPages/TravelRule).

#### CLAUSE V - GENERAL PROVISIONS

Any person executing this Agreement in a representative capacity hereby warrants that he/she has been culy authorized by his/her principal to execute this Agreement on such principal's behalf.

Additionally, it is expressly understood by the parties that none of the rights, duties and obligations described in this Agreement shall be binding on either party until such time as the expenditure of funds is certified by the Director of Budget and Management, pursuant to Section 126.07 of the Ohio Revised Code.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by affixing the signature of the duly authorized officer of Consultant and the signature of the Mayor.

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_			
		Poggemeyer Design Group	
		Ву:	
		Title:	
		Village of Antwerp	
		Tom VanVlerah, Mayor	eroby
	APPROVED AS TO FORM:		
	By: Mielary Jan		
	Title: Village Volicitor		

Dayton Legal Blank, Inc.		Form No. 30043
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 RES	SOLUTION NO. 2012-01	

# A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE VILL AGE OF ANTWERP THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY ONE MILL FOR A

SERVICES, AND DECLARING THE SAME AN EMERGENCY

REPLACEMENT LEVY FOR FIRE PROTECTION AND EMERGENCY MEDICAL

WHEREAS, the Village of Antwerp Council finds it necessary to request the County Auditor to certify the current tax valuation and the dollar amount of revenue that would be generated by a replacement of one mill; and

WHEREAS, the Council for the Village of Antwerp deems it necessary to request the certification from the County Auditor in order for the Village of Antwerp to place a replacement levy on the ballot for the upcoming general election for fire protection and emergency medical services.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio, that:

Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by one mill. The purpose of requesting this certification from the County Auditor is for the Village to place a replacement levy on the ballot for the upcoming general election for fire protection and emergency medical services.

Section 2. This Resolution is in accordance with the Secretary of State's Advisory Opinion No. 2003.04.

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Section 3. It is	found and determined that all form	mal actions of the Council of th
Village of Antwerp, Ohio	concerning and relating to the	passage of this Resolution wer
adopted in an open mee	ting of the Courcil, and that all de	eliberations of the Council and ar
of its committees that res	sulted in such formal action, were	in meetings cpen to the public,
compliance with all lega	al requirements including all lawf	ful ordinance and any applicab
provisions of Section 121	.22 of the Ohio Revised Code.	
Section 4. This	Resolution is deemed an emerg	gency measure necessary for th
preservation of the public	c health, safety and welfare of the	Village and for the further reason
that it is necessary for	the Village of Antwerp to obtain	this information from the Coun
Auditor in order to place	a replacement levy on the ballot for	r the upcoming general election for
fire protection and emer	gency medical services. This Re	sclution shall be in full force ar
effect immediately after i	its passage; otherwise, it shall tak	ke effect and be in force after the
earliest period allowed b	y law.	
•		
41.		
ENACTED THIS A 181	day of <u>February</u>	, 2012.
	T.	am Var Vard Mayor
A though.		om VanVlerah, Mayor
Attest:		
Loute Ba	Les .	
Loretta Baker, Fiscal O		
Luiella Dakei, Fiscai O	HICE	

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#### **RESOLUTION NO. 2012-02**

A RESOLUTION OF THE VILLAGE OF ANTWERP, OHIO AUTHORIZING THE VILLAGE ADMINISTRATOR TO APPLY FOR THE VILLAGE TO PARTICIPATE IN THE SAFE ROUTES TO SCHOOL PROGRAM AND TO EXECUTE ANY AND ALL NECESSARY CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION RELATED TO SAME, AND DECLARE THE SAME AN EMERGENCY.

WHEREAS, the United States Congress has reserved funds to encourage primary and middle school students to walk and bicycle to school by assisting local public authorities with the cost of improvements necessary to the safe use of non-motorized transportation; and,

WHEREAS, Safe Reutes to School funds are administered by the Ohio Department of Transportation and awarded to local units of government selected for funding by the Department of Transportation; and,

WHEREAS, the Village of Antwerp and the Antwerp Local School District have developed a School Travel Plan for the Antwerp Local School; and,

WHEREAS, the School Travel Plan includes a project known as the Harrmann Road and E. Canal Sidewalk Improvement Project, which Project is a transportation activity eligible to receive federal funding; and,

WHEREAS, the Village of Antwerp desires to submit an application for federal funding for the Project identified herein.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1: That the Village of Antwerp adopts and approves the School Travel Plan developed in cooperation with the Antwerp Local School.

Section 2: That the Village Administrator is directed to prepare and submit an application, on behalf of the Village of Antwerp, to the Department of Transportation, requesting Safe Route to School funds for the Harrmann and E. Canal Sidewalk Improvement Project ("Project").

Section 3: The total cost of the Project is estimated to be \$172,700.00, of which the Village, if awarded the funds, further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

Section 4: If the application is approved for funding, the Village Administrator, on behalf of the Village of Antwerp, is hereby empowered to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described Project.

Section 5: It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal {7100/000/00063152-1.MLF}

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		all lawful ordinances and resolutions of a Section 121.22 of the Ohio Revised Code.	the Village of Antwerp, and	an
	preserve the health, sa application for Safe Rou submitted to receive time	Resolution is hereby declared to be an fety and welfare of the community and tes to School funding deadline is due immely consideration for funding. This Resoluts passage; otherwise, it shall take effect	for the further reason that rediately and applications must olution shall be in full force	th st b an
	Passed: 2-21-12	Mayor of the Village	of Artwerp	-
	Attest:	- Res		

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#### **RESOLUTION NO. 2012-03**

A RESOLUTION AMENDING RESOLUTION NO. 2012-01 REQUESTING
THE COUNTY AUDITOR TO CERTIFY TO THE VILLAGE OF ANTWERP
THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT
OF REVENUE THAT WOULD BE GENERATED BY ONE MILL FOR A
REPLACEMENT LEVY FOR FIRE PROTECTION AND EMERGENCY MEDICAL
SERVICES, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Village of Antwerp, Ohio, adopted a Resolution requesting the County Auditor to certify to the Village of Antwerp the total current tax valuation and the dollar amount of revenue that would be generated by one mill for a replacement levy for fire protection and emergency medical services designated as Resolution No. 2012-01 and passing by a majority vote of the Council for the Village of Antwerp, Ohio, as an emergency measure, on February 21, 2012; and

WHEREAS, by way of Resolution No. 2012-01, the Fiscal Officer of the Village of Antwerp, Ohio, requested the County Auditor to certify the total current tax valuation and dollar amount of revenue that would be generated by one mill for the said replacement levy; and

WHEREAS, after passing Resolution No. 2012-01, and seeking the current tax valuation from the County Auditor, the Fiscal Officer of the Village of Antwerp was notified by the Paulding County Auditor's Office that the Village should identify the relevant years for the proposed replacement levy in the legislative measure; and the Village must further amend this Resolution as the Village is requesting that the County Auditor certify the requested dollar amount for a renewal levy (not a replacement levy).

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Resolution No. 2012-01 of the Village of Antwerp, Ohio, is amended to read as follows:

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE VILLAGE OF ANTWERP THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY ONE MILL FOR A RENEWAL LEVY FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR A FIVE YEAR PERIOD COMMENCING IN 2013, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council for the Village of Antwerp finds it necessary to request the Auditor of Paulcing County to certify the current tax valuation and the dollar amount of revenue that would be generated by a renewal of one mill; and

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WHEREAS, a renewal of a tax for the benefit of the Village of Antwerp for the purpose of fire protection and emergency medical services at a rate not exceeding one mill for each one dollar of valuation is necessary as the current levy for such purposes expires at the end of the calendar year 2012; and

WHEREAS, the Council for the Village of Antwerp deems it necessary to request the certification from the County Auditor in order for the Village of Antwerp to place a renewal levy on the ballot for the upcoming general election for fire protection and emergency medical services for a five (5) year period, commencing in 2013, first due in calendar year 2014.

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Village of Antwerp, Paulding County, Ohio, that:

Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by one mill. The purpose of requesting this certification from the County Auditor is for the Village to place a renewal levy on the ballot for the upcoming general election for fire protection and emergency medical services. The renewal levy will be for a five (5) year period commencing in 2013, first due in calendar year 2014.

Section 2. This Resolution is in accordance with the Secretary of State's Advisory Opinion No. 2003.04.

Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinance and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution is deemed an emergency measure necessary for the preservation of the public health, safety and welfare of the Village and for the further reason that it is necessary for the Village of Antwerp to obtain this information from the County Auditor in order to place a renewal levy on the ballot for the upcoming general election for fire protection and emergency medical services. This Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

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relat delil mee	2012-01, and rules of the Very set aside, revoked and he Section 3. It is found aring to the passage of this Reperations of the Council and ings open to the public,	nd determined that all formal actions of the solution were adopted in open meetings of the any of its committees that resulted in such in compliance with all legal requirement	vith this Resolution  Council concerning his Council, and that a formal action, were ts including all law
of th	Section 4. This Resolution public health, safety and wroposed renewal levy. This	corovisions of Section 121.22 of the Ohio R con hereby declared to be an emergency mean evelfare, and for the further reason to identify as Resolution shall take effect and be in force, it shall take effect and be in force from and	sure for the preservat fy the relevant years ce immediately upon
	PASSED this 19+4day	of March, 2012.	
	: : :	Tcm VanVlerah, Mayor Village of Antwerp	end
		- I	

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_	Dayton Legal Blank, Inc.	Form No. 30043
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	RESOLUTION 20	012-04
	A RESOLUTION DETERMINING TO PROCEED WIT OF THE QUESTION OF LEVYING A TAX IN EXC	ll l
	ORC SECTIONS 5705.19, 5705.191	1, 5705.25, AND 5705.26
	THE COUNCIL OF THE VILLAGE OF ANTWERP OF PAULDI OF THE COUNCIL ON THE 18th DAY OF, 2	•
	THE COUNCIL MET AT TOWN HALL FOR THE VILLAGE STREET, ANTWERP, OHIO, WITH THE FOLLOWING MEMB	ERS PRESENT:
		Jan Reeb  Ken Reinhart  Rudie Recb  Karen Lec  Steve Derck
	-	Ken Reinhart
	-	Rudie Recb
		Karen Lec
		Steve Derck
		Larry Ryan

MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, ON THE 19<sup>TH</sup> DAY OF MARCH, 2012, THE COUNCIL OF THE VILLAGE OF ANTWERP ADOPTED A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY TO THE VILLAGE OF ANTWERP THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY ONE MILL FOR A RENEWAL LEVY FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FOR A FIVE (5) YEAR PERIOD COMMENCING IN 2013; AND

WHEREAS, THE COUNTY AUDITOR HAS CERTIFIED TO THE VILLAGE OF ANTWERP THAT THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE IS \$18,777,840.00, AND THE DOLLAR AMOUNT OF REVENUE THAT WILL BE PRODUCED ANNUALLY BY THE MILLAGE STATED BELOW WOULD BE \$18,146.00.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO THAT:

SECTION 1. THE COUNCIL OF THE VILLAGE OF ANTWERP DESIRES AND DETERMINES TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF LEVYING A TAX FOR ONE MILL FOR THE BENEFIT OF THE VILLAGE OF ANTWERP, PAULDING COUNTY. OHIO FOR THE PURPOSE OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AT A RATE NOT EXCEEDING ONE MILL FOR EACH ONE DOLLAR OF VALUATION, WHICH AMOUNTS TO TEN CENTS (\$0.10) FOR EACH ONE HUNDRED DOLLARS OF VALUATION FOR FIVE (5) YEARS. AND WHICH LEVY IS A RENEWAL LEVY OF AN EXISTING LEVY OF ONE MILL.

SECTION 2. THE QUESTION OF APPROVING THE LEVY SHALL BE SUBMITTED TO THE ELECTORS OF THE VILLAGE OF ANTWERP AT THE ELECTION TO BE HELD ON THE  $6^{TH}$  DAY OF NOVEMBER, 2012, FIRST DUE

{7100/061/00070708-1.MLF}

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i I		ANCE WITH THE PROVISIONS OF ORC 57	05.34, IF A MAJOR
OF THE ELL	ECTORS VOTING THEREON VOTE	IN FAVOR THEREOF.	
		LLAGE OF ANTWERP IS DIRECTED TO CE	
		S OF PAULDING COUNTY, OHIO, NOT LES D BOARD OF ELECTIONS TO CAUSE NOT	
	TION OF LEVYING SAID TAX TO B		ICE OF ELECTION
SECTION A	L IT IS FOUND AND DETERMIN	NED THAT ALL FORMAL ACTIONS OF T	HE COUNCIL OF
		D RELATING TO THE ADOPTION OF THE	
ADOPTED	IN AN OPEN MEETING OF THE C	OUNCIL, AND THAT ALL DELIBERATION (	OF THE COUNCIL A
		TED IN THOSE FORMAL ACTIONS WERE IT	N MEETINGS OPEN
_	C, IN COMPLIANCE WITH LAW.		
Jan		NDED THE F.ESOLUTION AND THE ROLL I	BEING CALL UPON
ADOPTION	I, THE VOTE RESULTED AS FOLLO	ows:	
		Larry Ryan	Ves
		Jan Reeb	100
			y ca
		Karen Lee	Yes
		Ken Reinhart Rudie Recb	Ves
		Rudie Recb	Vac
			700
		Steve Derck	yes
İ			
ADOPTED 1	THE 18th DAY OF JUA	1 ° , 2012.	
ADOINED	MIL 7771 DAT OF	, 2012.	
		- Fretta Baker	•
		FISCAL OFFICER	
		•	
FIRST READ	DING: 4-16-12		
SECOND DE	DING: H-16-12  EADING: 5-21-12	,	
	1 10 19		•
THIRD REA	DING:	·	
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<del></del>		
STATE OF OHIO, PAULDING	COUNTY:	
FOREGOING IS TAKEN AN VILLAGE OF ANTWERP, AN	OFFICER OF THE VILLAGE OF ANTWERP D COPIED FROM THE RECORD OF PRO ID THE SAME HAS BEEN COMPARED 3 TRUE AND CORRECT COPY THEREOF.	OCEEDINGS OF THE COUNCIL OF
WITNESS MY SIGNATURE T	HIS 18th DAY OF JUNE	2012.
	P	0 0
•	<u> </u>	to Baker
	FISCAL OFFICER	*.
		D@D 144
		DTE 140 R.C. §5705.03(
•		Rev. 5/
Co-	tificate of Fatimeted Busy and Tox	T Devemme
Cer	tificate of Estimated Property Tax	K Revenue
The county auditor of Paulo	ling County, Ohio, does hereby certi	ify the following:
1. On March 22, 2012.	the taxing authority of the Village of	of Antwerp certified a copy of it
	pted March 19, 2012, requesting the	
	subdivision and the amount of rever	
	ills, to levy a tax outside the ten-mil	- 1
, ,	rvices, pursuant to Revised Code §:	
	012 election. The levy type is a rene	•
•	, first due in calendar year 2014.	ewar nive (3) year revy,
commencing tax year 2013	, list due in calchdai year 2014.	
2. The estimated prope	erty tax gross revenue that will be pr	roduced by the stated millage.
•	of the subdivision remains constant	
calculated to be \$18,146.*	or the back vibroit remains obligation	
Calculated to be \$10,140.		
3. The total tax valuati	ion of the subdivision used in calcula	ating the estimated property tax
revenue is \$18,777,840.		
{7100/061/00070708-1,MI	.F}	·
	·	
( ) hundra	y. July	3-22-12
Auditor's signs	and real	Data

\*NOTE: This is ONLY an estimate and is based on gross tax collars collected.

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	Dayton Legal Blank, Inc.			Form No. 30043
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		RESO	DLUTION NO. 2012-05	
	A RESC	LUTION AUTHOR	IZING THE MAYOR OF TH	E VILLAGE OF
	ANTWERP,	OHIO, TO SIGN T	HE AGREEMENT ISSUED	BY THE PAULDING
	COUNTY E	OARD OF COMM	ISSIONERS FOR THE FOR	RMATION OF THE
	PAUL	DING COUNTY E	MERGENCY MANAGEMEN	T AGENCY,
		AND DECLARIN	G THE SAME AN EMERGE	ENCY
	WHEREAS,	the Village of Antw	verp, Ohio ("Village"), has be	een provided a copy of the
	Resolution passed	by the Paulding	County Board of Commi	ssioners, said Resolution
	authorizing the forn	nation of the Pauld	ing County Emergency Man	agement Agency ("EMA");
			evant provisions of the Ohio n agreement for a countywic	
			<b>9</b>	
	NOW THE		RESOLVED by the Council	of the Village of Antwerp,
			llage of Antwerp, Ohio, is he	
	Agreement issued I	by the Paulding Co	ounty Board of Commissione	rs for the formation of the
	Paulding County Er	nergency Managen	nent Agency.	
	Section 2.	A true and accurate	copy of the Resolution pass	ed by the Paulding County
	Board of Commiss	sioners regarding	the formation of the EMA	is attached hereto and
	incorporated herein			
		-		
	Section 3.	The Fiscal Officer of	of the Village of Antwerp, Oh	io, is hereby authorized to
			urer of Paulding County for p	•

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		Form No. 30043
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County EMA.	·	
Section 4. It is found	and determined that all fo	ormal actions of the Council of the
Village of Antwerp, Ohio, cor	ncerning and relating to the	e passage of this Resolution were
adopted in an open meeting o	of the Council, and that all d	eliberations of the Council and any
of its committees that resulted	in such formal action, were	in meetings open to the public, and
in compliance with all legal re	quirements.	
	-	e an emergency measure necessary
		, and welfare of the Village and to
		ein. This Resolution shall take effect
		al; otherwise, it shall take effect and
be in force from and after the	earliest period allowed by	law.
PASSED: 3-19-	20:2	
TAGGED.		Doma O. Vankers
		Tom VanVlerah, Mayor
Attest:	,	Village of Antwerp
Loute Baker		

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#### ORDINANCE NO. 2012-07

# AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PAU-ANTWERP RR DEPOT RESTORATION PROJECT, PID #83311 / FEDERAL PROJECT #E071(113); AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village") entered into the LPA Federal Local-Let Project Agreement with the State of Ohio, Department of Transportation, for the project identified as PAU-Antwerp RR Depot Restoration, PID #83311 / Federal Project #E071 (113) referred to herein as the "Railroad Depot Project"; and

WHEREAS, the Village received bids for the required work on the Railroad Depot Project, and the bids have been reviewed by the Consultant retained by the Village, Poggemeyer Design Group; and

WHEREAS, Poggemeyer Design Group provided the tabulation of bids to the Village and recommended that the Village award the contract to the low bidder (on all Items of the project), contingent upon the funds being encumbered; and

WHEREAS, Birchwood Construction. LLC, 15609 Power Dam Road, Defiance, Ohio 43512, submitted the lowest and most responsive bid in the amount of \$269.680.00 to perform all necessary work for the repairs and improvements to the Railroad Depot Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

- Section 1. That the Village hereby awards the contract to Birchwood Construction, LLC to perform all necessary work for the repairs and improvements to the Railroad Depot Project, said award contingent upon the funds being encumpered.
- Section 2. Cnce the funds are encumbered for the Railroad Depot Project, the Mayor of the Village of Antwerp is authorized to enter into a contract, along with any and all necessary documents ancillary to this contract, with Birchwood Construction, LLC, who provided a bid in the amount of \$269,680.00 for the repairs and improvements to the Railroad Depot Project.
- Section 3. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in open meetings of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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yton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
	inance is hereby declared to be an enough the public health, safety and welfar	
	effect immediately after its passage; of	
force after the earliest per	riod allowed by law.	
Date: 4-16-12	<u> </u>	James D. Van Ver D
		James D. Jan V. Cotto
	Tom VanVlerah,	Mayor
ATTEST:		
South Ba	kei	
Loretta Baker, Fiscal Off		

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Dayton Legal Blark, Inc.		Form No. 30
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OR	DINANCE NO. 2012-08	
AN ORDINANCE AUTHORIZING T FROM THE GENERAL FUND TO TO DECLARE TH		NT OF \$ 45,000.00 ANI
WHEREAS, the Village Of Antw from the General Fund to the Water Fund	erp Ohio has determined that it is necess, and	ary to transfer certain fund
WHEREAS, the Village Counci Section 5705.14, and	l must approve certain transfers pursua	ant to Ohio Revised Cod
WHEREAS, this is a transfer of transfer does not require a vote of the Village, and	funds pursuant to Ohio Revised Code S ge Council to authorize transfers from the	* * *
WHEREAS, the Village Council Water Fund even though said approval is the understanding that the Village is not transfers of funds under Ohio Revised Co	required to seek any other approvals as	Code Section 5705.14, wit
NOW THEREFORE, BE IT ORD	OAINED by the Council of the Village of	Antwerp, Paulding Count
Section 1. The Village Fiscal Off dollars (\$45,000.00) from the General Fu	icer is hereby authorized to transfer the send to the Water Fund.	sum of Forty five thousan
Section 2. This ordinance is necessible Village of Antwerp.	sary to provide for operating funds for the	ne Water department of th
Section 3. It is found and determine the passage of this ordinance were adopted Council and of any of its committees that in compliance with all legal requirements Section 121.22 of the Ohio Revised Code	resulted in such formal action, were in manifering all lawful ordinances and an	that all deliberations of the neetings open to the public
Section 4. This Ordinance is here preservation of the public health, safety an in immediate need of funds for the operaresidents and this ordinance shall be in futake effect and be in force after the earlies	ation of the water department necessary	ner reason that the Village y for the well being of the
Date 5-21-12		(
		Village of Antwerp
Attest:	Mayor of the v	mage of America
Loutes Baker Fiscal Officer		

_			Form Nc. 30043	
Γ	Dayton Legal Blank, Inc.			
	Ordinance No	Passed	20	· 

#### **ORDINANCE NO. 2012-09**

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP FOR CONSULTANT SERVICES ON THE PAU-SRTS-ANTWERP PROJECT, PID #88349 / FEDERAL PROJECT #E100(476), CONSULTANT AGREEMENT #16946; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village") passed Crdinance 2011-23 on October 17, 2011, approving preliminary participatory legislation for the project identified as PAU-Antwerp Sidewalks (Safe Routes to School project), PID 88349 (referred to herein as "the SRTS Project"); and

WHEREAS, the Village desires to retain the services of Poggemeyer Design Group to act as the consultant for the preparation of the SRTS Project; and

WHEREAS, the State of Ohio, Department of Transportation, has provided a proposed Consultant Agreement, Agreement #16946, for the Village to enter into with Poggemeyer Design Group for Poggemeyer Design Group to act as the consultant for the Village on the SRTS Project.

NOW, THEREFORE, be it ordained by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. The Mayor of the Village of Antwerp, Ohic, is hereby authorized to enter into the Consultant Agreement #16946 by and between the Village and Poggemeyer Design Group for Poggemeyer Design Group to act as the consultant on the SRTS Project. A true and accurate copy of said Agreement is attached hereto and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village and to expedite the project referenced herein. This Ordinance shall take effect and be in force immediately after its passage and approval; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

{7100/000/00082772-1 MLF}

 Dayton Legal Blank, Ir	oc.			Form No. 30043
 Ordinance No	2	i	Passed	, 20
Passed:	5-21	, 2012.	Tom VanVler Village of An	
Attest:	Baker		Visitege of All	.cwc_p
Loretta Baker, Fi	scal Officer			

{7100/000/00082772-1 MLF}

Dayton Legal Blank, Inc.		Form No. 30043	<u> </u>
Ordinance No	Passed		

#### ORDINANCE NO. 2012-13

## AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00 (and declaring the same an emergency)

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Chio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval is not required pursuant to Ohio Revised Code Section 5705.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Section 5705.14.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Artwerp. Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the Police Fund.

	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 20
F	Section 2. This orcinance is necessary Police department of the Village of Antwerp.	y to provide for the ope	erating funds for the
<b>.</b> a	Section 3. It is found and determined that relating to the passage of this ordinance were		
а	and that all deliberations of the Council and of	any of its committees t	hat resulted in such
	formal action, were in meetings open to the put	•	,
	including all lawful ordinances and any applical	ole provisions of Section	121.22 o <sup>-</sup> the Ohio
F	Revised Code.	_	
	Section 4. This Ordinance is hereby dec	lared to be an emergency	/ measure necessary
fo	for the immediate preservation of the public hea	alth, safety and welfare o	of the Village and for
ti	the further reason that the Village is in immediate	e need of funds for the op	peration of the Police
d	department necessary for the well being of the	residents and this ordin	ance shall be in full
fo	force and effect immediately after its passage;	otherwise, it shall take e	ffect and be in force
a	after the earliest period allowed by law.		
	Date: 6-18-12		
-	Mayor of the Village of Antwerp	Attest Fiscal Officer:	Zovetla Baker

Dayton Legal Blank, Inc.		Form No. 30043	
Ordinance No	Passed	, 20	
	<del></del>		

#### **ORDINANCE NO. 2012-11**

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE TO PAY A PORTION OF THE COST OF INSTALLING THE LIFT STATION IN THE COLONY SUBDIVISION IN THE VILLAGE OF ANTWERP. COUNTY OF PAULDING, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp authorized the bidding of the project to install a lift station in the Village of Antwerp, Paulding County, Ohio, in the Colony Subdivision; and

WHEREAS, the bidding process was completed and a contract was awarded to the lowest and best bidder to install the lift station; and

WHEREAS, a lift station has been installed in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio; and

WHEREAS, the Village of Antwerp must continue to pay a portion of the cost incurred in installing the lift station in the Colony Subdivision, even though the Village implemented a Tax Increment Financing (TIF) program that will redirect real estate tax monies to offset said financing for the improvement in the future.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

- Section 1. A Note in the principal amount of \$72,445.36 shall be issued for the purpose set forth herein, which is to pay a portion of the cost of installing the lift station in the Colony Subdivision located in the Village of Antwerp, Paulding County, Ohio, with a financing cost thereof incurred in connection with the issuance of said Note.
- Section 2. Said Note shall bear interest at a rate not exceeding 2.25% annually for one year, payable at maturity, to-wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.
- Section 3. The Village covenants that it will take, cause to be taken, or has taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.
- Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.
  - Section 5. It is hereby determined and recited that all acts, conditions and things required

	D	ayton Legal Blank, Inc.		Form No. 3004
		Ordinance No	Passed	, 20
	to be	done precedent to and in	n the issuance of the Note, in order to mal	ke them legal, valid and
	bind	ing obligations of the Vi	llage of Antwerp, have happened, been	cone, and performed in
			ired by law; that the full faith, credit and ably pledged for the prompt payment of the company of the prompt payment of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the company of the c	
		11	o limitation of indebtedness or taxation can be considered as a second constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constant of the constan	on, either statutory or
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	deliv		Officer, or other officer, is authorized aid Note a preliminary and final official	<b>1 1</b>
			ent in connection with the sale and delivery	
			r and Fiscal Officer of said Village are he	
		execute the Note on beha officials in that regard.	alf of said Village and the Council appro-	ves any action taken by
	04011			
	and 1		and determined that all formal actions of this Ordinance were adopted in an open:	
			e Council and of any of its committees that to the public, in compliance with all lega	
			applicable provisions of Section 121.22 of	
		Section 9. This Ordina	ance is hereby declared to be an emergenc	y measure necessary for
		mmediate preservation of	f the public health, safety and welfare of	the Village and for the
			must continue to pay a portion of the coscolony Subdivision for the well being of	
•		11	e and effect immediately after its passage earliest period allowed by law.	; otherwise, it shall take
	V-1-0-0		•	
	Note		nance shall be retroactive and take effect as ordinance for the issuance of a Note for the	
		tation in the Colony Sub also known as Ordinance	odivision located in the Village of Antwe	rp, County of Paulding,
	Omo	, also known as Ordinano	0140. 2011-13.	
	Date	6-18-12		
			Tom VanVlerah, Ma	
	Attes	 s <b>t:</b>	10m vanvieran, wa	2901
		Brutta Baker		
	Lore	ta Baker, Fiscal Officer	<del></del>	•

Dayton Legal Blank, Inc.			Form No. 30043	
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	Ordinance No	Fassed		

#### **RESOLUTION NO. 2012-06**

A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE VILLAGE OF ANTWERP ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS CLEVELAND/WASHINGTON STREET IMPROVEMENT FUND FOR THE CLEVELAND/WASHINGTON STREET PAVEMENT IMPROVEMENT CE13P WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Ohio Public Works Commission ("OPWC") must follow guidelines relating to the disbursement of funds to local subdivisions who have received a loan, and the Village of Antwerp, Chio ("Village") has received a loan from OPWC for the Cleveland/Washington Street Improvement project; and

WHEREAS, the Village must declare its official intent for the loan issued for this project by OPWC in order to seek reimbursement from the OPWC for project costs.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

- Section 1. The Village reasonably expects to receive a reimbursement for the project named Cleveland/Washington Street Improvement as set forth in Appendix A of the Project Agreement, with the proceeds of bonds to be issued by the State of Ohio.
- Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the Village is \$48,418.00.
- Section 3. The Fiscal Officer of the Village is hereby directed to file a copy of this Resolution with the Village for the inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the OPWC.
- Section 4. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village has been granted OPWC financial assistance for the project identified herein and the Village must declare its official intent in order to seek reimbursement from the OPWC for project costs, and this Resolution shall be in force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

{7100/061/00095559-} SLS}

Dayton Legal Blank, Inc.		Form No. 30043.
Ordinance No	Passed	, 20
PASSED this //&/hday o	of July, 2012.	
	Tom VanVlerah, M Village of Antwerp	
Attest:		
Loretta Baker, Fiscal Officer	) L1	

Dayton Legal Blark, Inc.		Form No. 30043	
Ordinance No.	Passed	, 20	·

#### ORDINANCE NO. 2012-12

#### AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations.

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40, and

NOW THEREFORE. BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: This Ordinance is necessary for the immediate preservation of the public peace, health or safety.

Section 2: The Fiscal Officer is hereby authorized to amend the following appropriations:

	FUND	DESCRIPTION	NEW APPROPRIATION		
			AMOUNT	:	
			Original	New Amount	
ng set-restroom repair	A1 3B 250	Parks Capital	4,000.00	11,300.00	0
tment to real estate ment-EMA expense	A1 7B 230	Council Contractual	12,500.00	16,000.00	0
dtmuellers sidewalk	A1 7E 250	Lands & Building Capital	500.00	2,380.00	0
st Daggett Street Loan	B1 6D 261	Loan CE440	0.00	708.70	0
: for Dutchman's Cove	D5 5D 250	Cleveland/Washington St	0.00	96,835.00	0
, for Dutchman's Cove	E1 5E 250	Water Pumping Capital	1,500.00	1,663.20	0

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and well being of the residents.

Section 4: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Date	8/20/2012	_	
√ayor	domas D.	Jan Koud	
Attest:	Loute	Baker	Fiscal Office

 Dayton Legal Blark, Inc. Form No. 3202		Form No. 30043	43	
Ordinance No	Passed	_, 20		

#### ORDINANCE NO. 2012-13

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE CLEVELAND/ WASHINGTON STREET PAVEMENT IMPROVEMENTS, OPWC PROJECT NO. E12P/CE13P LOAN; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village") is in need of improvements to Cleveland and Washington Streets located in the Village, which street improvements will include resurfacing said streets; and

WHEREAS, the Village passed Resolution No. 2012-05 declaring its official intent and reasonable expectation of the Village on behalf of the State of Ohio (the Borrower) to reimburse its Cleveland/Washington Street Improvement Fund for the Cleveland/Washington Street Pavement Improvement with the proceeds of tax exempt debt of the State of Ohio; and

WHEREAS, the Village received a loan from the Ohio Public Works Commission ("OPWC") for the Cleveland/Washington Street Improvement project, OPWC Project No. E12P/CE13P Loan; and

WHEREAS, the Village advertised for bids to be submitted for the work required to perform the necessary labor, services and materials to make the necessary street improvements for the Cleveland/Washington Street Improvement project; and

WHEREAS, Poggemeyer Design Group provided the tabulation of bids to the Village and recommended that the Village award the contract to the low bidder; and

WHEREAS, API Construction Corp., 11808 SR 205E, P.O. Box 191, Laotta, Indiana 46763, submitted the lowest and most responsive bid in the amount of \$74,405.00 to perform all necessary work for street improvements on the Cleveland/Washington Street Improvement project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

Section 1. That the Village hereby awards the contract to API Construction Corp. to perform all necessary work for street improvements on the Cleveland/Washington Street Improvement project.

Section 2. That the Mayor of the Village of Antwerp is authorized to enter into a contract, along with any and all necessary documents ancillary to this contract, with API Construction Corp., who provided a bid in the amount of \$74,405.00 for street improvements on the Cleveland/Washington Street Improvement project. The Mayor is also authorized to execute the OPWC Request to Proceed for Contractor. Upon receiving OPWC's approval, the Village can issue the Notice to Proceed.

{7|00/062/00119723-1 MLF}

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Ordinance	No Passe	d	., 20	
	Section 3. It is found and determine concerning and relating to the passage of the of the Council, and that all deliberations or resulted in such formal action, were in medall legal requirements.	nis Ordinance were adopte for the Council and any of	ed in open meeting its committees th	gs at
	Section 4. This Ordinance is hereby defor the immediate preservation of the public for the further reason that the Village is is Cleveland and Washington Streets, and the immediately after its passage; otherwise, earliest period allowed by law.	health, safety and welfaren immediate need of strees of ordinance shall be in f	e of the Village are timprovements full force and effe	id to ct
	Date: 8/20/12	Tom Van Vlerah, Mayor	Keral	
	ATTEST:  Loretta Baker, Fiscal Officer			

D	ayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passeá	, 20
<del>-</del>			

#### **ORDINANCE NO. 2012-14**

AN ORDINANCE AUTHORIZING THE PAULDING COUNTY ENGINEER'S OFFICE TO INSTALL GUARDRAILS AS PART OF THE CLOSURE OF THE MADISON STREET GRADE CROSSING, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, passed an Ordinance accepting the proposal of the Ohio Rail Development Commission ("ORDC") for the improvement of a grade crossing surface at Harrmann Street / County Road 43 and the closure of the Madison Street grade crossing in the Village of Antwerp, Ohio ("Village"), Ordinance No. 2010-18, and;

WHEREAS, the improvement of the grade crossing surface at Harrmann Street / County Road 43 is complete and the Village must close the Madison Street grade crossing, and;

WHEREAS, the Paulding County Engineer's Office has agreed to assist the Village in closing the grade crossing at Madison Street and will erect and install guardrails on both sides of the Madison Street grade crossing, and;

WHEREAS, the Village agrees to compensate the Paulcing County Engineer's Office for erecting and installing the guardrails on both sides of Madison Street to close the grade crossing.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

SECTION 1. That the Council of the Village of Antwerp, Ohio authorizes the Paulding County Engineer's Office to erect and install guardrails on both sides of Madison Street to close the grade crossing.

SECTION 2. That the Council provides such authorization to the Paulding County Engineer's Office in compliance with Ordinance No. 2010-18, by which the Council authorized and approved changing the character of Madison Street, by barricading and prohibiting traffic across the at-grade railroad crossing traversing the street upon the completion of the improvement of the grade crossing surface at Harrmann Street / County Road 43.

<u>SECTION 3</u>. That the Council hereby authorizes the Village Fiscal Officer to remit payment to the Paulding County Engineer's Office for the erection and installation of the guardrails on both sides of the Madison Street grade crossing.

SECTION 4. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

{7100/062/00119718-1 MLF}

ayton Legal Blank, Inc.		Form No. 30043
Ordinance No.	Passed	
the immediate preservation reason that the Village method the grade crossing surface	012 Tom Van	Fare of the Village and for the further ossing now that the improvement to is complete, and this Ordinance shall
Attest:  South Box Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Concerts Baker, Fiscal Con		

D:	ayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No.	Passed	, 20	
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## ORDINANCE NO. 2012- 15

#### AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE WATERLINE IMPROVEMENT REPAIRS ON SOUTH ERIE STREET; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village") is in need of capital improvements to its existing waterline on South Erie Street, which repairs will affect the water services provided to residents on South Erie Street and the immediate area surrounding this street; and

WHEREAS, the Village passed Resolution No. 2012-07 authorizing the Mayor of the Village to prepare and submit an application to participate in the Ohio Public Works Commission ("OPWC") State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required for the waterline repairs and/or replacement along South Erie Street; and

WHEREAS, the Village requested bids to be submitted for the work required to perform the necessary labor, services and materials to make the waterline improvements; and

WHEREAS, Poggemeyer Design Group provided the tabulation of bids to the Village and recommended that the Village award the contract to the low bidder; and

WHEREAS, All Purpose Contracting, Inc. submitted the lowest and most responsive bid in the amount of \$101,480.50 to perform the necessary work for the repairs and improvements to the South Erie Street waterline.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

- Section 1. That the Village hereby awards the contract to All Purpose Contracting, Inc. to perform all necessary work for the waterline improvements on South Erie Street.
- Section 2. That the Mayor of the Village is authorized to enter into a contract, along with any and all necessary documents ancillary to this contract, with All Purpose Contracting, Inc., who provided a bid in the amount of \$101.480.50 for the repairs and improvements to the South Erie Street waterline.
- Section 3. It is found and determined that all formal actions of the Council of the Village concerning and relating to the passage of this Ordinance were adopted in open meetings of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

7100/062/00124032-1 MLF

I	Dayton Lega: Blank, Inc.		Form: No. 30043
	Ordinance No.	Passed	, 20
	the immediate preservat further reason that the for the well being of	inance is hereby declared to be an emion of the public health, safety and we Village is in immediate need of waterlithe residents, and this Ordinance shassage; otherwise, it shall take effect an	lfare of the Village and for the ne repairs on South Erie Street all be in full force and effect
	Date: 9-10	<u></u>	D. Van Kerd
	ATTEST:  Loretta Baker, Fiscal Of	Tom Van Vi	lerah, Mayor

 Dayton Legal Blar.k, Inc.	· ·	Form No. 30043
Ordinance No	Passed	, 20
OF	RDINANCE NO. 2012-16	
AN ORDINANCE AUTHORIZIN	G THE VILLAGE FISCAL OFFICI	ER TO TRANSFER
FUNDS TO THE POLICE	CE FUND IN THE AMOUNT OF	\$27,500.00
	aring the same an emergency)	
WHEREAS, the Village Fisc	al Officer has determined that it i	s necessary to transfer
certain funds from the General Fun	d to the Police Fund, and	
WHEREAS, the Village Co	uncil must approve certain trans	sfers pursuant to Ohio
Revised Coce Section 5705.14, an	d ·	•
WHEREAS, this is a Trans	sfer of Funds pursuant to Ohio	Revised Code Section
5705.14(E), which transfer does	not require a vote of the Village	e Council to authorize
transfers from the general fund to a	any other fund of the Village, and	
	unci elects to approve the Trans	
General Fund to the Police Fund ev		
Revised Code Section 5705.14, with	n the understanding that the Village	e is not required to seek
any other approvals as may be requ	irec for other transfers of funds un	der Ohio Revised Code
Section 5705.14.		

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp,

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of

Twenty seven thousand five hundred Dollars (\$27,500.00) from the General Fund to the

Paulding County, Ohio:

Police Fund.

Mayor of the Village of Antwerp

on Legal Blank, Inc.			Form No.	30043
Ordinance No	Passed		, 20	
	ordinance is necessar	y to provide for	the operating	funds for the
Police department of the	e Village of Antwerp.			
Section 3. It is t	ound and determined th	at all formal actio	ons of the Cour	ncil concerning
and relating to the passa	age of this ordinance we	e adopted in an	open meeting o	of this Council,
and that all deliberation	s of the Council and of	any of its comi	mittees that re	sulted in such
formal action, were in n	neetings open to the pul	olic, in compliance	e with all lega	I requirements
including all lawful ordin	nances and any applica	ble provisions of	Section 121.2	2 of the Ohio
Revisec Code.				
Section 4. This	Ordinance is hereby dec	lared to be an en	nergency meas	sure necessary
for the immediate prese	ervation of the public hea	alth, safety and v	welfare of the	Village and for
the further reason that the	he Village is in immediat	e need of funds f	or the operatio	n of the Police
department necessary	or the well being of the	residents and t	his ordinance :	shall be in full
force and effect immedia	ately after its passage;	otherwise, it sha	II take effect a	nd be in force
after the earliest period	a lowed by law.			
_				
Date: 9-17-12	2			
			.0	
70-01	which have	Attest Fiscal Off	icer: <i>Suzu</i>	ta Bak

Dayton Legal Blank, Inc.	Form No. 30043
(1) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET  COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE	, 20
R2012-08 COUNTY AUDITOR By Emergency (Village Council) Revised Code, Secs. 5705.34,35.	
The Council of the Village of Antwerp , Paulding County, Ohio, met in regular session on the 17 th day of Sept , 2012, at the office of Village of Antwerp Town hal	•
with the following members present:	•
Larry Ryan  Kenneth Reinhart  Karen Lee  Rudie Reeb	
Steve Derck  Jan Reeb	:
* Larry Ryan moved the adoption of the following Resolution:	:
WHEREAS. This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1 <sup>st</sup> , 2013; and  WHEREAS. The Budget Commission of Paulding County, Ohic, 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 tax limitation; therefore be it	
RESOLVED, By the Council of the Village of Antwerp, Paulding 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:	·
SCHEDIII E A	

#### SCHEDULE A

# Summary of Amounts Required From General Property Tax Approved By Budget Commission and County Auditor's Estimated Tax Rates

	Amount Approved By Budget Commission	Amount To Be Derived From Levies Outside	County A Estimate Rate To E	Of Tax
Fund	Inside 10 Mill Limitation	10 Mill Limitation	Inside 10 Mill Limit	Outside 10 Mill Limit
	Column I	Column II		IV
General Fund	\$33800.		1.80	
1976 FIRE Levy		12975.		2.00
1984 Police Levy		57949.		5.50
1986 EMS Levy		5269.		.50
2006 Cemetery		14075.		.80
2008 FIRE & EMS Levy		18146.		1.00
2004 POLICE		33138.		2.00
2005 Current Expense		17593.		1.00
Total	\$33800.	\$159,145.	1.80	12.80

\$14,553,280 Ag/Res 3,402,040 Com/In 822,520 PP 18,777,840 Total

Schedule B
Levies Outside 10 Mill Limitation, Exclusive of Debt Levies

linance No	Passed		, 20
		Maximum Rate	County Auditoria
		Authorized	County Auditor's Estimate of
Fund	Date of Vote	To Be Levied	Yield of Levy (Carry to Schedule A,
<u> </u>			Column II)
Special Revenue Funds: 1976 FIRE levy authorized by voters on	11-05-85	2.00	640075
for not to exceed CONT years.	11-05-65	2.00	\$12975
1984 POLICE Levy authorized by voters cn for not to exceed CONT. years.	05-08-84	5.50	\$57949
1986 EMS Levy authorized by voters on For not to exceed CONT. years	11-34-86	.50	\$5269
2006 Cemetery Levy authorized by voters on for not to exceed 5 years.	11-08-11	.80	\$14075
2008 FIRE & EMS Levy authorized by voters on for not to exceed 5 years.	11-06-07	1.00	\$18146
2004 POLICE Levy authorized by voters on for not to exceec 5 years.	11-03-09	2.00	\$33138
2005 CURRENT EXPENSE Levy authorized by voters on for not to exceed 5 years.	11-02-10	1.00	\$17593
the County Auditor of said County.			
Mr.Ms. Ken Rein har teconded the Resolution	n and the roll bein	ig called upon its adop	otion the vote
resulted as follows	n and the roll bein	g called upon its ado	otion the vote
resulted as follows  Mr. (Ms) <u>Jan Reeb</u>	n and the roll bein	g called upon its ado	
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee	n and the roll bein		··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Min.(Ms) Larry Ryan	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Mn.(Ms) Larry Byan  Mn.(Ms) Rudie Reeb	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Mp.(Ms) Larry Ran  Mp.(Ms) Rudie Reeb  Mp.(Ms) Steve Derch	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Mn.(Ms) Larry Byan  Mn.(Ms) Rudie Reeb	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karcu Lee  Mp.(Ms) Larry Byan  Mp.(Ms) Rudie Reeb  Mp.(Ms) Steve Derch  Mp.(Ms) Ken Reinhart	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Mp.(Ms) Larry Ryan  Mp.(Ms) Rudie Reeb  Mp.(Ms) Steve Derch  Mp.(Ms) Ken Reinhart  Nr.(Ms)	n and the roll bein	, <u>ye</u>	··· .
resulted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karen Lee  Mp.(Ms) Larry Ryan  Mp.(Ms) Rudie Reeb  Mp.(Ms) Steve Derch  Mp.(Ms) Ken Reinhart  Nr.(Ms)		, <u>ye</u>	··· .
Adopted the 17th day of September, 2012		, <u>ye</u>	··· .
Adopted the 17th day of September, 2012		, <u>ye</u>	··· .
Accepted as follows  Mr.(Ms) Jan Reeb  Mr.(Ms) Karev Lee  Mr.(Ms) Karev Lee  Mr.(Ms) Larry Bran  Mr.(Ms) Rudie Reeb  Mr.(Ms) Steve Derch  Mr.(Ms) Ken Reinhart  Nr.(Ms) Mr.(Ms)  Adopted the 17th day of September, 2012  Attest:  Loretta, Baken	y Ja	, <u>ye</u>	··· .

Day	ton Legal Blank, Inc.			Form No. 30043
	Ordinance No	Passed		_, 20
Within and fo	or said County and in whose custody the	Files and Records of said Council are required by the		_
. 11		that the foregoing is taken and copied from the original	,	:
		r Council meeting		
ow on file. ti	hat the foregoing has been compared by	Te with said original document, and that the same is		
. 11	prect copy thereof.			
		the second		
/itness my	signature, this!7+4day ofSe	o † 2012		
	signature, this <u>!744</u> day of <u>Se</u>	Bak		
	aprice			
		Clerk of Council		
		, , , , , , , , , , , , , , , , , , , ,		,
.				:
A copy of the	his Resolution mus: be certified to the Councy A	auditor within the time prescribed by Sec. 5705.34 R. C., or at such		
- 11	ay be approved by the Board of Tax Appeals.	and the same processings by cool or color to co, or at cash		
				•
esolution N	0			
	o			
ouncil of the	e Village of HNTWERP	Paulding County Oh o		
	PERO	LUTION		
CCEDTINIC	and the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second o			
UTHORIZI	NG THE AMOUNTS AND RATES AS DETE	RMINED BY THE BUDGET COMMISSION AND CERTIFYING THEM TO THE COUNTY AUDITOR.		
·.		E COUNCIL)		
DOPTED	Sep + 17, 2012_			
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0	retta Baker , Clerk o Cc	uncil		
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	SEP 1 9 2012			
	AUDITOR County Auditor	·		
	PAULDING COUNTY			
y	Deputy.			
				:

Dayton Legal Black, Inc. Form No.			
	Ordinance No Passed	20	
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#### ORDINANCE NO. 2012- 17

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF SANITARY SEWERAGE SYSTEM IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

- Section 1. A Note in the principal amount of \$447,429.84 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's sanitary sewerage system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note.
- Section 2. Said Note shall bear an interest rate not exceeding 2% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.
- Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.
- Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.
- Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.
- Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

7100/062/00133559-1 MLF

Section 7. The Note on Section 8.	ace No.	Passeder of said Village are hereby authorized to	
Section 7. The Note on Section 8.	ne Mayer and Fiscal Office		
the Note on Section 8.	•	er of said Village are hereby authorized to	
all deliberati were in meet ordinances a Section 9. immediate p	e passage of this ordinance ons of the Council and of ings open to the public, in a and any applicable provision This Ordinance is hereby reservation of the public he	d that all formal actions of the Council were adopted in an open meeting of this any of its committees that resulted in succompliance with all legal requirements in ans of Section 121.22 of the Ohio Revise declared to be an emergency measure ealth, safety and welfare of the Village a need of a sanitary sewerage system for	l concerning and Council, and that ach formal action, acluding all lawful ed Code.  necessary for the and for the further
the residents otherwise, it	and this ordinance shall	force after the earliest period allowed by Tom Van Vierah, Mayor	after its passage; by law.
	r, Fiscal Officer		

7100/062/00133559-1 MLF

Dayton Legal Blank, Inc.		Form No. 20042	
Orainance No	Passea	, 26	
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#### **ORDINANCE NO. 2012-18**

AN ORDINANCE ESTABLISHING A REASONABLE METHOD TO PROVIDE NOTICE OF THE TIME AND PLACE OF REGULARLY SCHEDULED MEETINGS AND TIME, PLACE AND PURPOSE OF SPECIAL AND EMERGENCY MEETINGS FOR THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio (the "Council") is desirous of establishing a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings for the Village of Antwerp, Ohio (the "Village"); and

WHEREAS, the Council, in accordance with Ohio Revised Code § 731.46, established the time and place of regular meetings of the Council by Ordinance No. 2011-35; and

WHEREAS, the Council, in accordance with Ohio Revised Code § 121.22(F), establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings by publishing notice on the website for the Village.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. The Village establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings by publishing notice of these meetings on the Village's website located at the following web address: <a href="http://www.villageofantwerp.com/calendar.htm">http://www.villageofantwerp.com/calendar.htm</a>. Unless otherwise noted, all public meetings shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio.

Section 2. The Village will notify persons of the media that have requested advance notice of public meetings by sending notice of these meetings to the electronic mail address provided by the media person. Any other member of the public that requests advance notice of public meetings shall provide the Village Fiscal Officer with a pre-addressed and stamped envelope for notices to be mailed directly to the person requesting notice.

Section 3. It is found and cetermined that all formal action of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that {7100/062/00140126-1 MLF}

	n E	COND OF ONDINANCE	
	Dayton Legal Blank, Inc.		Form No. 30043
	Ordinance No	Passed	, 20
_	the Village must establish a reasonabl		
	scheduled meetings and time, place Ordinance shall be in full force and		
	effect and be in force after the earlies		otherwise, it shall take
	Passed this day of Nov	rember, 2012.	
		•	
		Tom VanVle	D.Vanvel
		Village of An	
	Attest:	J	•
	Loute Baker		
	Loretta Baker, Fiscal Officer	,	
			,

egal Blank, Inc.		Form No. 30043
linance No	Passed	, 20
	ORDINANCE NO. 2012-1	19
FROM THE GENERAL	HORIZING THE VILLAGE FISCAL L FUND TO THE WATER FUND IN T DECLARE THE SAME TO BE AN EI	THE AMOUNT OF \$ 30,000.0 $\phi$ A
WHEREAS, the V from the General Fund to	Village Of Antwerp Ohio has determined the Water Fund, and	hat it is necessary to transfer certain t
WHEREAS, the Section 5705.14, and	Village Council must approve certain tra	ansfers pursuant to Ohio Revised
	is a transfer of funds pursuant to Ohio Revote of the Village Council to authorize tra	
Water Fund even though s the understanding that the	Village Council elects to approve the Transaid approval is not required pursuant to O Village is not required to seek any other thio Revised Code Section 5705.14.	hio Revised Code Section 5705.14,
NOW THEREFO Ohio:	RE, BE IT ORDAINED by the Council of	the Village of Antwerp, Paulding Co
	illage Fiscal Officer is hereby authorized the General Fund to the Water Fund.	I to transfer the sum of Thirty thou
Section 2. This ord Village of Antwerp.	dinance is necessary to provide for operati	ing funds for the Water department of
the passage of this ordinan Council and of any of its c	and and determined that all formal actions ce were adopted in an open meeting of this ommittees that resulted in such formal act all requirements including all lawful ording Revised Code.	s Council, and that all deliberations of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the put of the
preservation of the public in immediate need of fun- residents and this ordinand	rdinance is hereby declared to be an emerghealth, safety and welfare of the Village and for the operation of the water departnees shall be in full force and effect immediafter the earliest period allowed by law.	nd for the further reason that the Ville nent necessary for the well being o
Date		Mayor of the Village of Antwerp
Attest:		mayor of the vinage of Antwe.p
Loute B Fiscal Officer	ara	

Da	yton Legal Blank, Inc.		Form No. 30043	
	Ordinance No	Passed		
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#### ORDINANCE NO. 2012-20

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF A NOTE FOR THE PURPOSE OF A WATERWORKS SYSTEM IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

- Section 1. A Note in the principal amount of \$135,396.02 shall be issued by the Antwerp Exchange Bank to the Village of Antwerp for the Village's waterworks system capital improvement with a financing cost thereof incurred in connection with the issuance of said Note.
- Section 2. Said Note shall bear an interest rate not exceeding 2% for one year, payable at maturity, to wit: one year after date of said Note. In the event of default, the Note shall become immediately due and payable. Said maturity date shall occur one year from the date of said Note provided the maturity date is not a business day, the Note shall mature on the first business day immediately preceding such date.
- Section 3. The Village covenants that it will take or cause to be taken such actions which may be required of it for the interest on the Note to remain excluded from gross income for federal income tax purposes, and will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, apply proceeds, all in a manner and to the extent necessary to assure such exclusion of that interest under the Internal Revenue Code. The Village Fiscal Officer and any other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications as may be appropriate to assure such exclusion of that interest.
- Section 4. The Note shall be the full general obligation of the Village and the full faith, credit and revenue of said Village are hereby pledged for the prompt payment of the same.
- Section 5. It is hereby determined and recited that all acts, conditions and things required to be done precedent to and in the issuance of the Note, in order to make them legal, valid and binding obligations of the Village of Antwerp, have happened, been done, and performed in regular and due form as required by law; that the full faith, credit and revenue of said Village shall be and is hereby irrevocably pledged for the prompt payment of the principal and interest thereon at maturity; that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Note.
- Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.
- Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

{7100/062/00141902-1 ANH}

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	20
relating to the passage of this all deliberations of the Counce were in meetings open to the pordinances and any applicable.  Section 9. This Ordinance is immediate preservation of the reason that the Village is in	ordinance were adopted in an operation of any of its committees public, in compliance with all legs provisions of Section 121.22 of a hereby declared to be an ember public health, safety and welfar immediate need of a waterwork	ons of the Council concerning and en meeting of this Council, and that that resulted in such formal action al requirements including all lawful the Ohio Revised Code.  ergency measure necessary for the re of the Village and for the further as system for the well being of the fect immediately after its passage
	and be in force after the earliest	period allowed by law.
Attest:  South Baker, Fiscal Officer	Ber	

Da	ayton Legal Blank, Inc.		For	orm No. 30043
	Ordinance No.	Fassed	, 20	

#### **RESOLUTION NO. 2012-09**

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO, TO EXECUTE A REVOCABLE ENCROACHMENT PERMIT FOR ENCROACHMENT IN THE RIGHT-OF-WAY LOCATED ON RAILROAD STREET IN THE VILLAGE OF ANTWERP, OHIO; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Gary Paul Spillner and Barbara Jo Spillner, husband and wife, own real estate located at 403 Railroad Street in the Village of Antwerp, Ohio, more legally described as follows:

See attached Exhibit "A".

Subject to all rights, restrictions, covenants, conditions, highways, right-of-ways, easements, and encumbrances either apparent or of record.

Parcel Nos. 12-05S-014-00; 12-05S-015-00; 12-05S-016-00; 12-10S-051.00.

WHEREAS, a garage (the "encroachment") affiliated with the real estate described herein encroaches in the Village's right-of-way located on Railroad Street, a Plat of Survey identifying said encroachment is attached hereto as Exhibit "B", and made a part hereof;

WHEREAS, the Village of Antwerp desires to execute a Revocable Encroachment Permit in regard to the encroachment in the Village's right-of-way on Railroad Street in order to allow the encroachment to remain in said right-of-way, said permission being granted by the Village of Antwerp and revocable at the will of the Village and upon the terms and conditions set forth in the Revocable Encroachment Permit.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

<u>Section 1</u>. The Mayor of the Village of Antwerp is hereby authorized to execute a Revocable Encroachment Permit regarding the encroachment in the Village's right-of-way on Railroad Street.

<u>Section 2</u>. The Village Fiscal Officer is authorized to provide the executed Revocable Encroachment Permit to a representative of Pontiac Title to record the executed Revocable Encroachment Permit with the Paulding County Recorder's Office cross-referencing the Deed for the real estate.

<u>Section 3</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and necessary for

{7100/061/00142502-1 MLF}

ayton Legal Blar.k, Inc.		Form Nc 30C43
Ordinance No.	Passed	, 20
force and effect immediately at the earliest period allowed by la	fter its passage; otherwise, it sl	and this Resolution shall be in full shall take effect and be in force after
Date: 11-19-12 Attest:	Tom Van Vlera Village cf Antwe	· · · · · · · · · · · · · · · · · · ·
Lorette Rober Fiscal Officer	er_	

Dayton Legal Blank, Inc.			Form No. 30043	
	Ordinance No.	Passed	, 20	

#### "EXHIBIT A"

Legal Description - Gary Deprimio

A parcel of land being known as a part of Lot No. 8 of Mock "D" of the Village of Antwerp, Ohio; also Lot 14 in Daggett's First Addition to the Village of Antwerp, Ohio; also a parcel of land being a part of the Southwest Quarter (1/4) of Section 27, Town 3 North, Range 1 East, Village of Antwerp, Paulding County, Ohio, and which is more particularly described 68 follows;

Commencing at an iron pin in the Northwest corner of said Lot No. 8, Block "D", thence North 71 degrees 26:-50" East (assumed bearing for the purposes of this description) on the North line of block "D" and the Southerly right-of-way line of the Norfolk and Western Railroad, Two Hundred Sixty and Zero Hundredths (260,00) feet to an iron pin; thence South 17 degrees 04'-46" East, Ten and Zero Hundredths (10.00) feet to the point of beginning; -- thence North 71 degrees 26'-50" East and parallel with said Railroad right-of-way, One Hundred Twenty-six and Zero Hundredths (126.00) feet to a point; thence South 17 degrees 04'-45" East, Fifty and Zero Hundredths (50.00) feet to an iron pin; thence North 71 degrees 26'50" East and parallel with said Railroad right-of-way, Seventy-four and Nineteen Hundredths (74.19) feet to an iron pin at the Northeast corner of Lot 14 of Daggett's First Addition to the Village of Antwerp, Ohio; thence South 17 degrees 04'-46" East on the Easterly line of said Lot 14 and said Lot line extended, One Hundred Eightyseven and Twelve Hundredths (187.12) feet to an iron pin on the South line of the Southwest Quarter (1/4) of said Section 27: thence South 90 degrees 00" West on the said South line of the Southwest Quarter (1/4) of Section 27, Two Hundred Nine and Thirty-four Hundredths (209.34) feet to an iron pin; thence North 17 degrees 94'-46" West, One Hundred Seventy and Forty-nine Hundredths (170.49) feet to the point of beginning.

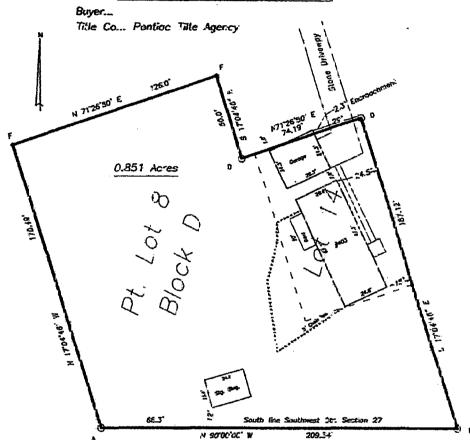
Containing 0.851 acres of land, more or less

Dayton Legal Black Inc.	Form No. 30045
Ordinance No Fassed	20

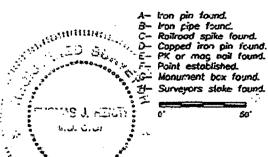
# Certificate of Location

Being known as Lct No. 14 in Daggett's First Addition; clso a part of Lot 8 in Block "D" in the Southwest quarter (1/4) of Section 27, Village of Antwerp, Carryall Township, Paulaing County, Ohic.

Seller... Gary Paul Spillner & Barbara Jo. Spillner



# Legend



*390435* 9

EXHIBIT B"

#### ORDINANCE NO. 2012-21

OŁ	TNUOMA	∃HT MI	CE ENND	THE POL	OT SONU	т язэги <b>ля</b> т	оню ту	, чя в м ти м
OŁ	VILLAGE	<b>3HT FC</b>	OFFICER (	E FISCAL	E AIFFYCI	HT SNIZIROH	NCE YOU	ANIORO NA

(yang the same an emergency)

\$27,500.00

WHEREAS, the Village Pięcal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio

Revised Code Section 5705.14, and

WHEREAS, this is a Transfer of Funds pursuant to Ohio Revised Code Section 5705.14(E), which transfer does not require a vote of the Village Council to authorize transfers from the general fund to any other function of the Village, and

WHEREAS, the Village Council elects to approve the Transfer of Funds from the General Fund to the Police Fund even though said approval it not required pursuant to Ohio Revised Code Section 57C5.14, with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code

Section 57C5.14

NCW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Onjo:

7

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Twenty seven thousand and five hundred Do lars (S27,500.00) from the General Fund to the

Dayton Legal Blank, Inc		Form Nc. 30043
Ordinance No	Passed	, 20
Police Fund.	. •	
Section 2. This or	rdinance is necessary to provi	de for the operating funds for the
Police department of the V	'illage of Antwerp.	
Section 3. It is four	nd and determined that all form	al actions of the Council concerning
and relating to the passage	of this ordinance were adopted	in an open meeting of this Council,
and that all deliberations	of the Council and of any of it	s committees that resulted in such
formal action, were in mee	tings open to the public, in cor	mpliance with all egal requirements
including all lawful ordinan	ces and any applicable provisi	ions of Section 121.22 of the Ohio
Revised Code.		
Section 4. This Cro	linance is hereby daclared to be	e an emergency measure necessary
for the immediate preserva	ition of the public health, safety	; and welfare of the Village and for
the further reason that the	Village is in immediate need of	funds for the operation of the Police
department necessary for	the well being of the residents	and this ordinance shall be in full
force and effect immediate	ly after its passage; otherwise,	it shall take effect and be in force
after the earliest period alle	owed by law.	`\
/		
Date: 12-17-12		

Mayor of the Village of Antwerp

Attest Fiscal Officer: Joutha Baker

 Dayton Legal Blank, Inc.	Form No.	30043
Ordinance No Passed	, 20	
ORDINANCE NO. 2012-2	54	
ORDINANCE NO. 2012-2	:1	
AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL	OFFICER OF THE VILLAGE (	OF
ANTWERP, OHIO TO TRANSFER FUNDS TO THE POL	ICE FUND IN THE AMOUNT (	OF
\$27,500.00		
(and declaring the same an em	ergency)	
WHEREAS, the Village Fiscal Officer has determine		sfer
certain funds from the General Fund to the Police Fund, a	and	
WHEREAS, the Village Council must approve of	ertain transfers pursuant to Oi	hio
Revised Code Section 5705.14, and	ortain transfers paradent to Of	1.10
WHEREAS, this is a Transfer of Funds pursuan	t to Ohio Revised Code Secti	ion
5705.14(E), which transfer does not require a vote of	the Village Council to authori	ize
transfers from the general fund to any other fund of the V	'illage, and	
WHEREAS the Village Council elects to annual	a tha Tanadau at Fanta ta	
WHEREAS, the Village Council elects to approve General Fund to the Police Fund even though said approv		
Revised Code Section 5705.14, with the understanding that		
any other approvals as may be required for other transfers		
Section 5705.14.		
NOW THEREFORE, BE IT ORDAINED by the C	Council of the Village of Antwe	erp,
Paulding County, Ohio:		

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of

Twenty seven thousand and five hundred Dollars (\$27,500.00) from the General Fund to the

ayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
Police Fund.		
Section 2. This of	rdinance is necessary to provi	ide for the operating funds for the
Police department of the V	/illage of Antwerp.	
Section 3. It is foul	nd and determined that all form	al actions of the Council concerning
and relating to the passage	of this ordinance were adopted	d in an open meeting of this Council
and that all deliberations of	of the Courcl and of any of it	ts committees that resulted in such
formal action, were in mee	tings open to the public, in cor	mpliance with all legal requirements
including all lawful ordinan	ces and any applicable provis	ions of Section 121.22 of the Ohio
Revised Code.		
Section 4. This Ord	dinance is hereby declared to be	e an emergency measure necessary
for the immediate preserva	ition of the public health, safety	y and welfare of the Village and fo
the further reason that the	Village is in immediate need of	funds for the operation of the Police
•	~	and this ordinance shall be in ful
		, it shall take effect and be in force
after the earliest period all	owed by law.	

Mayor of the Village of Antwerp

Attest Fiscal Officer: Loutla Baker

	Dayton Legal Blank, Inc.		Form No. 30043	-
	Ordinance No	Passed	, 20	
-				-

#### **ORDINANCE NO. 2012-22**

#### AN ORDINANCE TO ESTABLISH TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Paulding County, Ohio is desirous of holding monthly regular council meetings; and

WHEREAS, in accordance with Ohio Revised Code Section 731.46, the Council for the Village hereby establishes the time and place of regular meetings of the Council as provided herein.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. Regular meetings of the Council shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio

Section 2. Regular meetings of the Council shall be held on the third (3<sup>rd</sup>) Monday of each month at 5:30 p.m. (Eastern Standard Time), except for those third (3<sup>rd</sup>) Mondays that are deemed a holiday under the personnel manual of the Village of Antwerp, then the regular council meeting shall be the fourth (4<sup>th</sup>) Monday of that month. The regular meeting of the Council for January 2013 shall be conducted on January 14, 2013. The regular meeting of the Council for February 2013 shall be conducted on February 25, 2013.

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January 2013, and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of the members of the Council. Notice of any change in the time and/or place of a regular meeting of the Council shall be provided in accordance with Ordinance No. 2012-18.

Section 4. It is found and determined that all formal action of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the time and place of regular Council meetings be established. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

{7100/062/00149739-2MLF}

	0488 RI	ECORD OF ORDINANCE	S	
1	Dayton Legal Blank, Inc.		Form No. 30043	
	Ordinance No.	Passed		
	Passed this	T V	om VanVlerah, Mayor illage of Antwerp	

{7100/062/00149739-2MLF}

Dayton Legal Blank. Inc.		Fo-m No. 30043	_
Ordinance No	Passed	, 20	

#### **ORDINANCE NO. 2012-23**

# AN ORDINANCE ESTABLISHING COMPENSATION FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2013, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, it is desirable that the compensation of Village officials, employees, appointees, and volunteers for the Village of Antwerp, Ohio for the year 2013 be set forth in an Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. That beginning with the first pay period of year 2013, the compensation of Village officials and employees be as follows:

Village Official	2012	2013
Mayor	\$8,000.00	\$8,000.00
Council Members -existing	\$1,800.00	\$1,800.00
Newly elected Council Members	\$3,000.00	\$3,000.00
Fiscal Officer	\$26,000.00	\$26,520.00
Village Administrator	\$40,000.00	\$40,800.00
Chief of Police	\$38208.78	\$40,972.96
Assistant Chief of Police	\$25,750.00	Same
Police - Full Time - On Probation	\$23,527.02 to \$26,945.36	\$23,997.56 to \$27484.27

Dayton Legal Blank, Inc.			Form No. 30043	
	Ordinance No	Passed	, 20	

•		T	
Village Official	2012	2013	
Police - Full Time	\$26,945.20 to \$31,869.81	\$27,484.10 to \$32,507.21	
Police - Part Time	\$11.21 to \$16.80	\$11.43 to \$17.14	per hour
Police - Reserves	\$11.21 to \$13.44	\$11.43 to \$13.71	per hour
Fire Chief	\$2,240.10	\$2,284.90	Base amount- plus hrly rate as below
Fire Dept. Secretary	\$352.81	\$359.87	Base amount- plus hrly rate as below
Fire Chief Assistant	\$352.81	\$359.87	Base amount- plus hrly rate as below
	\$9.56	\$9.75	per meeting
	\$12.40	\$12.65	first hour
	\$9.67	\$9.86	each add. hour
Fire Captairs	\$104.16	\$106.24	Base amount- plus hrly rate as below
Fire Lieutenants	\$72.80	\$74.26	Base amount plus hrly rate as below
Volunteer Fireman	\$9.56	\$9.75	per meeting

Dayton Legal Blank, Inc.		Form No. 30043	_
Ordinance No	Passed	, 20	

	Village Official	2012	2013	
Volu	inteer Fireman	\$9.56	\$9.75	first hour
Volu	inteer Fireman	S9.56	\$9.75	each add. hour
EM	Coordinator	\$2,240.10 to \$3,360.14	\$2284.90 to \$3,427.34	Base amount- plus hrly rate as below
EMS	Maintenance Man	\$632.83	\$645.49	Base rate plus hrly rate below
EMS	Assistant	\$300.CO	\$300.00	Base rate plus hrly rate below
EMS	Secretary	\$300.CO	\$300.00	Base rate plus hrly rate below
EMS	Drivers	\$8.48	\$8.65	per hour
EM	- A (BLS-Basic Life Support)	\$10.24	\$10.44	per hour
EM	- B (Immediate Life Support)	\$13.24	\$13.50	per hour
All E	MS Personnel	\$9.85	\$10.05	per meeting
Gen	eral Labor/Utilities Billing Clerk	\$7.89 to \$12.47	\$8.05 to \$12.72	per hour
Мау	or's Court Clerk/EMS Billing Cierk	\$7.89 to \$12.47	\$8.05 to \$12.72	per hour
Tec	Nater/Sewer/Assigned Duties	\$10.75 to \$14.89	\$10.97 to \$15.19	per hour
Tec	n II Water/Sewer/Assigned Duties	\$13.49 to \$18.09	\$13.76 to \$18.45	per hour

Section 2. Any and all other benefits to which Village officials and employees may be entitled are as set forth in the Village of Antwerp's Personnel Manual, subject to any and all amendments thereto.

Dayton Legal Blank, Inc.		Form No. 30043	
Ordinance No	Passed	, 20	
Section 3. It is fo	ound and determined that all for	mal actions of the Council conce	rning
and relating to the passag	ge of this ordinance were adopte	ed in an open meeting of this Co	uncil,
and that all deliberations	of the Council and of any of	its committees that resulted in	such
formal action, were in me	eetings open to the public, in c	ompliance with all legal requirer	nents
including all lawful ordina	ances and any applicable prov	isions of Section 121.22 of the	Ohio
Revised Ccde.			
Section 5. This C	Ordinance repeals any other or Ordinance is hereby declared to vation of the public health, safe	be an emergency measure nece	ssary
Section 6. This Callowed by law.	Ordinance shall be in full force a	and effect and after the earliest p	eriod
Passed: 12-17	2012.	Sust nd acon	
9		√anVlerah, Mayor	
Attest: South	e Baker Loretta i	Baker, Fiscal Officer	

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20

#### ORDINANCE NO. 2012-24

# AN ORDINANCE AUTHORIZING THE FISCAL OFFICER OF THE VILLAGE OF ANTWERP, OF IO TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations and

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1: The Fiscal Officer is hereby authorized to amend the following appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
<u> </u>		Original	New Amount
A1 1A 240	Police Oper/Remodel	8,000.C0	0
A1 1A 250	Police Cap from Fines	7,200.00	0
A1 3B 211	Park Salary	14,056.00	14,600.00
A1 3B 212	Park Benefits	9,617.83	11,600.00
A1 3B 230	Park Contractual	1,000.00	1,120.00
A1 3B 240	Parks Oper and Maint	7,500.00	9,500.00
A1 3B 250	Park Capitol	11,000.00	14,929.10
A1 7A 211	General Mayor Salary	8,000.00	8,004.00
A1 7A 212	General Mayor Benefits	1,300.00	4,043.19
A1 7A 230	General Mayor Contractual	1,000.00	1,112.56
A1 7B 2111	Administrator Salary	4,000.00	4,241.70
A1 7B 2121	Administrator Benefits	1,600.00	1,950.00
A1 7B 212	Council Benefits	2,000.00	2,075.87
A1 7C 211	Mayor's Court Clerk Salary	4,810.00	4,990.00
A1 7C 212	Mayor's Court Clerk Benefits	850.00	860.00
A1 7D 212	Fiscal Officer Benefits	12,450.00	12,900.00
	Lands & Building Oper and		
A1 7E 240	Maint	13,000.00	13,500.00
A1 7X 270	General Fund Transfer	175,000.00	185,000.00

n Legal Blank, Inc.			
rdinance No	Fassed	, 20	.
A1 7X 272	General Fund Advence	0.00	7,139
B1 6B 211	Street Maint Wages	18,351.92	20,595
B1 6B 212	Street Maint Benefits	6,803.39	7,300
B1 6B 240	Street Maint Oper & Maint	21,000.00	16000
B1 6B 250	Street Maint & Repair Cap.	10,000.00	12,355
B2 6A 250	State Highway Cap Improv	5,000.00	
B9 1A 211	Fire Salary	11,000.00	11,160
B9 1A 212	Fire Benefits	1,300.00	1,460
B111B211	EMS Salaries	25,000.00	27,000
B111B 212	EMS Benefits	4,725.00	6,600
B146D 211	Storm Sewer Wages	20,356.18	12,650
B146D 212	Storm Sewer Benefits	9,105.67	6,850
B16X 250	Safe Routes to School	0.00	10,25
D4 8A 230	Depot Rehabiltaion	400,219.00	240,042
	Cleveland/Washington St		
D5 5D 360	Repair	96,835.00	9,316
D7 5D 250	S. Erie Waterline	0.00	18,024
E1 5A 212	Water Clerk Benefits	6,175.68	6,240
E1 5B 211	Water Billing Salary	5,503.68	5,722
E1 5B 212	Water Billing Clerk Benefits	850.32	980
E1 5D 211	Water Filtration Emp Wages	71,732.76	81,400
E1 5D 212	Water Filtration Emp Benefits	30,603.77	35,000
E1 5D 220	Water Filt Cont Services Utilities	20,000,00	40.000
E1 5D 230 E 1 5F 240		30,000.00	40,000 4,565
E1 5G 240	Water Dist Repair Clamps  Meter Supplies and Mat	3,500.00 5,000.00	8,360
E1 5G 250	Water Meters Cap Outlay	7,500.00	10,242
E1 3G 230 E2 5A 212	Sewer Clerk Benefits	6,175.68	6,350
E2 5B 211	Sewer Clerk Benefits  Sewer Billing Wages	2,751.85	2,860
E2 5B 212	Sewer Billing Clerk Benefits	425.16	50
E2 5B 212 E2 5C 211	Sewer Pumping Salary	28,176.42	40,000
E2 5C 212	Sewer Pumping Benefits	11,461.15	16,500
E2 5C 22C	Sewer Travel and Training	350.00	538
E2 5C 230	Sewer Pump Cont Serv Utilities	30,000.00	36,000
E2 5C 230	Other Contractual Svs. Poggem	6,000.00	10,500
E2 5X 260A	Loan Lift Station	92,437.99	92,44
G 5 2A 230	Cemetary Trust Auditors Fees	550.00	567
G8 7X 240	Mayor's Court Misc	200.00	2,000
G8 7X 240 G8 7X275	Mayor's Ct Payment to State	16,000.00	6200
G8 7X 2751	Mayor's Ct Payment to Village	55,000.00	29000
H1 1A 211	Police Wages	122,000.00	124,000
HI 1A 211	1 Office wages	122,000.00	25,200

Dayton Legal Blank, Inc.		Form No. 34
Ordinance No	Passed	, 20
	I	
Section 2: This Ordinana	no in housely, declared to be an or	
	ce is hereby declared to be an erediate preservation of the public li	•
and welfare and well being of the		nealur, salety
and wenare and wen being or a	ie reducino.	
Section 3. It is found an	nd determined that all formal actio	ons of the Council
	passage of this ordinance were a	
	at all deliberations of the Council	-
	n formal action, were in meetings	-
in compliance with all legal rec	quirements including all lawful or	dinances and any
applicable provisions of Section	121.22 of the Ohio Revised Cod	ce.
Section 4: This ordinand	e shall take effect and be in fu	force from and
after the earliest period allowed	by law.	
Date 12-17-12		
Date		
Mayor Idomos Q. Vank		
Wayor Ironos U. vanve	)	
Attest:		
Loute Bake	<u> </u>	
Fiscal Officer		

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
	ORDINANCE NO. 2012	-25
	propriations for Current Expenses and other E ending December 31, 2013, and declaring t	Expenditures of the Village of Antwerp, State the same an emergency.
current expenses and other exp		twerp, State of Ohio, that, to provide for the ing the fiscal year ending December 31, 2013 ollows;
Section 2. That there be an	propriated from the GENERAL FUND for	r contingencies for purposes not otherwise

provided for, to be expended in accordance with the provisions of Section R.C. 5705.40, the sum of \$479,110,69.

Section 3. That there be appropriated from the STREET CONSTRUCTION, MAINTENANCE AND REPAIR

Section 4. That there be appropriated from the STATE HIGHWAY AND IMPROVEMENT FUND in the sum of

- Section 5. That there be appropriated from the STORM SEWER FUND in the amount of \$37,688.92.
- Section 6. That there be appropriated from the FED-MAYOR'S COURT FUND in the sum of \$5,500.00.
- Section 7. That there be appropriated from the LAW ENFORCEMENT TRAINING in sum of \$0.
- Section 8. That there be appropriated from the PERMISSIVE TAX BUDGET in the sum of \$21,000.00.
- Section 9. That there be appropriated from the FIRE FUND in the sum of \$40,000.00.

FUND in the sum of \$81,938.70.

\$5,000,00.

- Section 10. That there be appropriated from the EMS FUND in the sum of \$89,000.00.
- Section 11. That there be appropriated from the DEPOT PROJECT in the sum of \$163,076.82.
- Section 12. That there be appropriated from the WATER FUND in the sum of \$483,447.90.
- Section 13. That there be appropriated from the SEWER FUND in the sum of \$742,615.44.
- Section 14. That there be appropriated from the DEPOSIT FUND in the sum of \$800.00.
- Section 15. That there be appropriated from the CEMETERY FUND in the sum of \$14,070.00.
- Section 16. That there be appropriated from the INDIGENT DRIVER FUND in the sum of \$0.
- Section 17. That there be appropriated from the FOJ FUND in the sum of \$0.
- Section 18. That there be appropriated from the POLICE FUND in the sum of \$249,700.00.
- Section 19. That there be appropriated from the STREET LIGHTING FUND in the sum of \$21,000.00.
- Section 20. That there be appropriated from the EMS VEHICLE REPLACEMENT FUND in the sum of \$0.
- Section 21. That there be appropriated from the VET'S MEMORIAL FUND in the sum of \$600.00.
- Section 22. That there be appropriated from the MAYOR'S COURT ACCOUNT FUND in the sum of \$24,700.00.

	Dayto	on Legal Blank, Inc.			Form No 0043
	(	Ordinance No.		=	, 20
		23. That there be appropriated from of \$87,518.89.	n the CLEVELAND/WASHII	NGTON STREET REPA	AIR PROJECT
		24. That there be appropriated from of \$122,150.26.	m the SOUTH ERIE WATER	LINE REPLACEMENT	PROJECT in
-	Section \$38,671	25. That there be appropriated from .00.	m the SAFE ROUTES TO SC	HOOL PROJECT in the	sum of
	Section	26. That there be appropriated from	m the FEMA FUND in the sum	n of <b>\$3,291.0</b> 7.	
	Section	27 Total of all appropriations S	52,710,849.69.		
	from an or office provide accorda appeal	ON 28. And the Fiscal Officer is here y of the foregoing appropriations upers authorized by law to approve the d that no warrants shall be drawn or note with law or ordinance. Provide of two-thirds vote of Council for it s other than those covered by other	con receiving proper certificates are same, or an ordinance or reso paid for salaries or wages except druther that the appropriations tems of expense constituting a	and vouchers therefore appolution of council to make pt to persons employed by for contingencies can only legal obligation against the	roved by the board the expenditures; authority of and in be expended upon
	SECTION Preserva	ON 29. This Ordinance is hereby dation of the public health, safety an	eclared to be an emergency me d welfare and well being of the	asure necessary for the im residents.	mediate
	this ordi	30. It is found and determined that nance were adopted in an open meeters that resulted in such formal anents including all lawful ordinance.	eting of this Council, and that all action, were in meetings open	deliberations of the Councito the public, in complian	cil and of any of its nce with all legal
	appropr outstand appropr	O.R.C 5705.39, -"No appropriated iating authority a certificate that the ling appropriations, do not exceed iation does not exceed such official g from the appropriating authority	e total appropriations from each such official estimate or amend I estimate, the county auditor sh	h fund, taken together with led official estimate. Wher hall give such certificate fo	n all other n the
	The Sta	te of Ohio Paulding County,			
	Records that the	a Baker, Fiscal Officer of Village of the Village of Antwerp, Ohio a foregoing Annual Appropriation Ced by me with the said original and	re required by the Laws of the Strdinance is taken and copied fr	State of Ohio to be kept, d om the original Ordinance	lo hereby certify
	Passed _	12-17-12 Loute Baker		President of Co	Reeb
	Attest:	Joretta Baker	Fiscal Officer		

. !	Dayton Legal Blank, Inc.		Form No. 30043		
	Ordinance No	Passed	, 20		

#### **ORDINANCE NO. 2012-26**

AN ORDINANCE TO REGULATE PARKING ON CERTAIN PORTIONS OF THE NORTH SIDE OF ARCHER DRIVE LOCATED IN THE VILLAGE OF ANTWERP, OHIO, AND TO PROHIBIT PARKING ON CERTAIN PORTIONS OF THE SOUTH SIDE OF ARCHER DRIVE, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, due to the increase in events conducted at the facilities located on Archer Drive in the Village of Antwerp, Ohio, the Council of the Village deems it necessary to regulate parking on certain portions of the north side of Archer Drive in order to allow sufficient parking spots for the participants using the facilities located on Archer Drive; and

WHEREAS, due to the narrowness of Archer Drive, Council deems it necessary to prohibit parking on certain portions of the south side of Archer Drive.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding, Ohio:

Section 1. Parking is allowed on the north side of Archer Drive in the Village of Antwerp, Ohio, from the extended portion of Cleveland Street to the main entrance of the facility located at 204 Archer Drive, Antwerp, Ohio, said parking to be angle parking.

Street to the main entrance of the facility located at 204 Archer Drive, Antwerp, Ohio.

Section 3. The Administrator for the Village of Antwerp is hereby authorized to purchase any necessary signage for parking on Archer Drive as designated herein as well as to have the angle parking lines painted on the north side as designated herein in accordance with all legal requirements.

Section 4. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including all lawful ordinances and any applicable provisions of Section 121.22 of the Chio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that parking regulations are necessary for the portions designated herein of Archer Drive and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

**ENACTED THIS** /7-4 day of December, 2012.

{7!00/000/00149552-1 TW}

Dayton Legal Blank, Inc.		Form No. 30043
Ordinance No	Passed	, 20
Attest:  South Baker  Loretta Baker, Fiscal Officer	Tom Var.Vlerah, Ma	ayor

{7100/000/00149552-1 TW}

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	Dayton Legal Blank, Inc.		Fcrm No. 30043	
	Ordinance No	Passed	, 20	
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#### **ORDINANCE NO. 2012-27**

AN ORDINANCE TO DESIGNATE THE NAME OF A STREET LOCATED IN THE VILLAGE OF ANTWERP, OHIO, WHICH STREET WILL BE AN EXTENSION OF AND NAMED EAST WOODCOX STREET, AND SAID STREET TO BE DESIGNATED A ONE-WAY STREET WITH DESIGNATED PARKING ON THE SOUTH SIDE THEREOF

WHEREAS, there is a street located behind the park in the Village of Antwerp, Ohio, that is unnamed, said street running in a westerly/easterly direction behind the park and located in between Island Street and East River Street; and

WHEREAS, the Council hereby designates this street an extension of and named as East Woodcox Street; and

WHEREAS, in order to expedite the flow and direction of traffic and provide for the safety of passengers and motor vehicles and pedestrians, the Council hereby designates this extended portion of East Woodcox Street as a one-way street running from west to east; and

WHEREAS, the Council hereby regulates the parking on this extended portion of East Woodcox Street to allow angle parking on the south side of this extended portion of East Woodcox Street.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The street running behind the park located in the Village of Antwerp, Ohio, located in between Island Street and East River Street is hereby designated as an extension of and named East Woodcox Street. The Administrator for the Village of Antwerp is hereby authorized to purchase any necessary signage to designate this street as East Woodcox Street.

Section 2. In order to expedite the flow and direction of traffic and to provide for the safety of passengers and motor vehicles and pedestrians on the extended portion of East Woodcox Street, the Council hereby designates this extended portion of East Woodcox Street a one-way street running from west to east behind the park located in the Village of Antwerp, Ohio. The Administrator for the Village of Antwerp is hereby authorized to purchase any necessary signage to designate the running of the one-way direction for this extended portion of East Woodcox Street.

Section 3. The Council hereby designates that angle parking will be allowed on the south side of this extended portion of East Woodcox Street. The Village Administrator is hereby authorized to purchase any necessary signage and to mark the angle parking designations on the south side of this extended portion of East Woodcox Street in accordance with all legal requirements.

{7130/000/00149559-1 Tv/}

 BARRETT BROTHERS - DAYTON, OHIO	Form 6220S
Ordinance No	
ORDINANCE NO. 2021-01	. 1
AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$5,793.13 FROM THE GENERAL FUND TO THE SEVERANCE PAY RESERVE FUND, AND DECLARING THE SAME AN EMERGENCY	
WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Severance Pay Reserve Fund to accumulate the necessary resources for the payment of accumulated benefits as may be appropriate, which may include accumulated sick leave and/or vacation leave, and/or for payments in lieu of taking compensatory time off, payable upon the termination of employment or retirement of officers and employees of the Village of Antwerp, Chio; and	
WHEREAS, the Village Council, pursuant to Onio Revised Code Section 5705.13(B), may transfer money to this special revenue fund from any other fund of the Village; and	
WHEREAS, the Village Council desires to transfer funds from the General Fund to the Severance Pay Reserve Fund to accumulate the necessary resources for the purposes set forth in Chio Revised Code Section 5705.13(B).	
NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:	
<u>Section 1</u> . The Village Fiscal Officer is hereby authorized to transfer the sum of Five Thousand Seven Hundred Ninety-Three and 13/100 Dollars (\$5,793.13) from the General Fund to the Severance Pay Reserve Fund.	·
Section 2. The transfer of these funds from the General Fund to the Severance Pay Reserve Fund is necessary to accumulate the resources for the payment of accumulated benefits as may be appropriate, which may include accumulated sick leave and/or vacation leave, and/or for payments in lieu of taking compensatory time off, payable upon the termination of employment or retirement of officers and employees of the Village of Antwerp, Ohio.	
Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.	
Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village must accumulate the necessary resources for the reasons set forth hereinabove and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.	
Date: 1 00 000	

Jar Reet
Mayor of the Village of Antwerp

7100/114/010 8215-1 MLF

Aimee Lichty, Fiscal Officer

Attest:

BARRETT BROTHERS - DATTON, ONIO		Form 6220S		
Ordinance No	Passed			

#### **ORDINANCE NO. 2021-02**

# AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$114,000.00 FROM THE GENERAL FUND TO THE PCLICE FUND, AND DECLARING THE SAME AN EMERGENCY

**WHEREAS**, the Village Fiscal Officer has determined that it is necessary to transfer ce tain funds from the General Fund to the Police Fund to provide necessary funding for the operations of the police department, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14(E), which requires a majority vote of the Village Council to authorize transfers from the General Fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the transfer of funds from the General Fund to the Police Fund with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Sections 5705.15 and 5705.16.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Chio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of One Hundred Fourteen Thousand Dollars and Zero Cents (\$114,000.00) from the General Fund to the Police Fund.

<u>Section 2</u>. The transfer of these funds from the General Fund to the Police Fund is necessary for the operation of the police department of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Chio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the police department necessary for the well being of the residents and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date 1. 30.3031

Ja∕n Reeb,

Mayor of the Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer

7100/114/01018218-1 MLF

		ILO	OND OF ONDINANOES
<del></del>	•	BARRETT BROTHERS - DAYTON, OHIO	· · · · · · · · · · · · · · · · · · ·
		Ordinance No	
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₹?			
		_	RDINANCE NO. 2021-03
	AN	TWERP, OHIO, INCLUDING PLICABLE STATEMENTS A	THE PERSONNEL MANUAL FOR THE VILLAGE OF ANY AND ALL AMENDMENTS THERETO AND ALL ATTACHED THERETO, FOR CALENDAR YEAR 2021, RING THE SAME AN EMERGENCY
	Mar atta	ual, including any and all	of the Village of Antwerp desires to adopt the Personnel amendments thereto and all applicable statements of Antwerp, Ohio, to be in effect for calendar year 2021.
	Cos	NOW, THEREFORE, BE nty of Paulding, State of Ohi	IT ORDAINED by the Council of the Village of Antwerp, o:
	ther	iding any and all amendmeto, for calendar year 202 ndments thereto and all ap	e of Antwerp, Ohio adopts the Personnel Manual, eents thereto and all applicable statements attached 21. The Personnel Manual, including any and all plicable statements, is kept in the office of the Fiscal
	me con	cerning and relating to the ting of this Council, and the	and determined that all formal actions of the Council passage of this Ordinance were adopted in an open nat all deliberations of the Council and of any of its formal action, were in meetings open to the public, in ments.
	the be i	ervation of the public health Personnel Manual for calend	ce is deemed an emergency measure necessary for the safety and welfare and for the further reason to adopt dar year 2021, and this Ordinance shall take effect and passage; otherwise, it shall take effect and be in force by law.
	Dat	1.20.2021	
			Jan Reeb, Mayor
	Atte	st:	
		1	

7100/114/01018213-1 MLF

Aimee Lichty, Fiscal Officer (

BARRETT BROTHERS - DAYTON, OFIC	•	Form 6220S	
Ordinance No		.,	

#### **ORDINANCE NO. 2021-05**

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2021 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio ("Village") has in the past adopted the American Legal Publishing's Ohio Basis Coce for the complete preservation of the public peace, health, safety and general welfare of the Village and for the proper conduct of its affairs; and

WHEREAS, the American Legal Publishing Corporation publishes this Code of Ordinances each year suitable for adoption by municipalities in Ohio; and

WHEREAS, it is necessary to provide for the usual daily operation of the Village and for the immediate preservation of the public peace, health, safety and general welfare Village that this Ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

- Section 1. American Legal Publishing's Chio Basic Code, 2021 Edition, as reviewed and approved by the Council of the Village, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the Village is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2021 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2021 Edition, certified as correct by the Mayor and Fiscal Officer of the Village, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Fiscal Officer of the Village and retained as a permanent ordinance record of the Village. The Fiscal Officer of the Village is authorized and directed to publish a summary of all new matters contained in the Code of Crainances as required by Onic Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A."
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Chio Basic Code, 2021 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows:
  - (A) The enactment of the Ohio Basic Code, 2021 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

7100/114/01018219-1 MLF

Ordii	nance No	
	(B) The r	epeal provided above shall not affect: The grant or creation of a franchise, license, right, easement o privilege;
	(2) (3)	The purchase, sale, lease or transfer of property; The appropriation or expenditure of money or promise o guarantee of payment;
	(4) (5)	The assumption of any contract or obligation; The issuance and delivery of any bonds, obligations or othe instruments of indebtedness;
	(6) (7)	The levy or imposition of taxes, assessments or charges; The establishment, naming, vacating or grade level of any street or public way;
	(8) (9) (10)	The dedication of property or plat approval; The annexation or detachment of territory; Any legislation enacted subsequent to the adoption of this
,	(11)	Ordinance; and Any legislation enacted prior to the adoption of this Ordinance and said legislation was enacted to supersede prior ordinances adopted by the Council of the Village, including a provision contained in prior versions of the Ohio Basic Code.
Section 4.	Village, inclused section as it shall extend	eference is made in any documents, publications, or signs of the iding but not limited to traffic tickers and traffic-control signs, to a existed in a former edition of the Chio Basic Code the reference and apply to the section referred to as subsequently amended edified, or renumbered.
Section 5.	and relating meeting of the its committee	nd determined that all formal actions of the Courcil concerning to the passage of this Ordinance were adopted in an operals Council, and that all deliberations of the Council and of any ones that resulted in such formal action, were in meetings open to compliance with all legal requirements.
Section 6.	immediate p	nce is declared to be an emergency measure necessary for the reservation of the peace, health safety and general welfare of the e Village, and shall take effect at the earliest date provided by
Date Passed	: Jan 2	Jan Reel Mayor
Attest:		

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Ordinance I	No	Passed	 1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-			
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#### NOTE REGARDING OHIO REVISED CODE § 9.68

As amended by House Bill 228, and effective on December 28, 2019, Ohio Revised Code § 9.68 reads:

#### 9.68 Right to Bear Arms - Challenge to Law.

- (A) The individual right to keep and bear arms, being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio, the general assembly finds the need to provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, taxation, keeping, and reporting of loss or theft of firearms, their components, and their ammunition. The general assembly also finds and declares that it is proper for law-abiding people to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil action for acting in defense of themselves or others. Except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay, or process, including by any ordinance, rule, regulation, practice, or other action or any threat of citation, prosecution, or other legal process, may own, possess, purchase, acquire, transport, store, carry, sell, transfer, manufacture, or keep any firearm, part of a firearm, its components, and its ammunition. Any such further license, permission, restriction, delay, or process interferes with the fundamental individual right described in this division and unduly inhibits law-abiding people from protecting themselves, their families, and others from intruders and attackers and from other legitimate uses of constitutionally protected firearms, including hunting and sporting activities, and the state by this section preempts, supersedes, and declares null and void any such further license, permission, restriction, delay, or process.
- (B) A person, group, or entity adversely affected by any manner of ordinance, rule, regulation, resolution, practice, or other action enacted or enforced by a political subdivision in conflict with division (A) of this section may bring a civil action against the political subdivision seeking damages from the political subdivision, declaratory relief, injunctive relief, or a combination of those remedies. Any damages awarded shall be awarded against, and paid by, the political subdivision. In addition to any actual damages awarded against the political subdivision and other relief provided with respect to such an action, the court shall award reasonable expenses to any person, group, or entity that brings the action, to be paid by the political subdivision, if either of the following applies:
- (1) The person, group, or entity prevails in a challenge to the ordinance, rule, regulation, resolution, practice, or action as being in conflict with division (A) of this section.
- (2) The ordinance, rule, regulation, resolution, practice, or action or the manner of its enforcement is repealed or rescinded after the civil action was filed but prior to a final court determination of the action.

#### (C) As used in this section:

- (1) The possession, transporting, or carrying of firearms, their components, or their ammunition include, but are not limited to, the possession, transporting, or carrying, openly or concealed on a person's person or concealed ready at hand, of firearms, their components, or their ammunition.
  - (2) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.
- (3) "Reasonable expenses" include, but are not limited to, reasonable attorney's fees, court costs, expert witness fees, and compensation for loss of income.
  - (D) This section does not apply to either of the following:
- (1) A zoning ordinance that regulates or prohibits the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for residential or agricultural uses;
- (2) A zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of firearms, firearm components, or ammunition for firearms may occur, provided that the zoning ordinance is consistent with zoning ordinances for other retail establishments in the same geographic area and does not result in a de facto prohibition of the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for commercial, retail, or industrial uses.

There is widespread uncertainty as to the effect of this law on municipal ordinances that relate to firearms and weapons (such as Ohio Basic Code Chapter 137), and the law is currently being challenged on several grounds. Before issuing citations for any firearms- or weapons-related offenses under any Ohio Basic Code sections, please consult with the Village Attorney and/or the Ohio Municipal League for advice and direction.

### CERTIFICATION OF CODIFIED ORDINANCES

We, Jan Recb, Mayor, and Aimee Lichty Clerk of the Legislative Authority, of the
To, which is a second of the Legislative Hamiltonia, of the
Municipality of Antwerp, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42,
hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged,
compiled, renumbered as to sections, codified and printed herewith in component codes and titles are
correct as and constitute the Code of Ordinances for the Municipality of Antwerp, Ohio.

layor

Clerk of the Legislative Authority

## ORDINANCE NO. <u>2021-0</u>5

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2021 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF \_\_\_\_\_\_\_, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

**WHEREAS**, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

# NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF ANTWEYO, OHIO:

- Section 1. American Legal Publishing's Ohio Basic Code, 2021 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2021 Edition.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2021 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2021 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
  - (A) The enactment of the Ohio Basic Code, 2021 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

- (B) The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege;
  - (2) The purchase, sale, lease or transfer of property;
  - (3) The appropriation or expenditure of money or promise or guarantee of payment;
  - (4) The assumption of any contract or obligation;
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
  - (6) The levy or imposition of taxes, assessments or charges;
  - (7) The establishment, naming, vacating or grade level of any street or public way;
  - (8) The dedication of property or plat approval;
  - (9) The annexation or detachment of territory;
  - (10) Any legislation enacted subsequent to the adoption of this ordinance.
  - (11) Any legislation specifically superseding the provision of the Ohio Basic Code.
- Section 4. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.
- Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date

Passed: 1.30.3031

Attest:

Mayor

Clerk of the Legislative Authority

#### Exhibit A

#### OHIO BASIC CODE, 2021 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 15th day of \_\_\_\_\_\_\_\_, 2021, there was enacted by the Legislative Authority of the Municipality of \_\_\_\_\_\_\_\_, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2021 Edition, as the Code of Ordinances for the Municipality of \_\_\_\_\_\_\_ <u> Hntwerp</u> \_, Ohio." A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law. TITLE I: GENERAL PROVISIONS Chapter 10: General Provisions Section 10.01 Short titles Definitions 10.02 10.03 Rules of construction 10.04 Revivor; effect of amendment or repeal Construction of section references 10.05 10.06 Conflicting provisions 10.07 Severability 10.08 Reference to offices 10.09 Errors and omissions 10.10 Ordinances repealed 10.11 Ordinances unaffected 10.12 Ordinances saved 10.13 Application to future ordinances 10.14 Interpretation 10.15 Amendments to code; amendatory language 10.16 Statutory references 10.17 Preservation of penalties, offenses, rights and liabilities Determination of legislative intent 10.18 10.99 General penalty TITLE III: ADMINISTRATION Chapter 30: General Provisions Section 30.01 Application of Title III 30.02 Qualifications; oaths 30.03 Bonds of officers and employees; amount 30.04 Additional bond; where bonds recorded and kept 30.05 Approval of bonds 30.06 Sufficiency of form of bond 30.07 Filling vacancies in offices 30.08 Public records available 30.09 Records Commission 30.10 Meetings of public bodies to be open; exceptions; notice 30.11 Municipal officers may attend conference or convention; expenses Residency requirements prohibited; exceptions 30.12 Chapter 31: Executive Authority Section General Provisions

31.001 Executive power; where vested

### Mayor

	31.016 31.017 31.018 31.019 31.020 31.021 31.022	Term of Mayor; power and duties General duties of the Mayor Communications to the Legislative Authority Protest against excess of expenditures Supervision of conduct of officers Annual report to the Legislative Authority Mayor to file charges against delinquent officers Vacancies in office of Mayor Disposition of fines and other moneys
		Clerk
	31.041 31.042 31.043	Election, term, qualifications of the Clerk Powers and duties of Clerk Books and accounts; merger of offices Seal of Clerk Combined offices of Clerk and Treasurer; Fiscal Officer
		Treasurer
	31.061 31.062 31.063 31.064	Election, term, qualifications of the Treasurer Accounts of Treasurer Powers and duties Quarterly account; annual report Receipt and disbursement of funds Duty of delivering money and property
		Street Commissioner
	31.081	Qualifications General duties Assistants
		Other Officials
	31.101 31.102	Legal counsel Administrator Board of Trustees of Public Affairs Fire Engineer, Engineer and Superintendent of Markets
Continu		Chapter 32: Legislative Authority
Section		General Provisions
	32.002 32.003 32.004 32.005 32.006 32.007 32.008 32.009 32.010 32.011 32.012	Members of the Legislative Authority; election; terms of office President Pro Tempore; employees Vacancy when President Pro Tempore becomes Mayor Qualifications of members of the Legislative Authority Compensation and bonds of municipal officers and employees Vacancy Judge of election and qualification of members; quorum and special meetings Rules; journal; expulsion of members Meetings General powers Failure to take oath or give bond Notice when new bond required Care, supervision and management of public institutions
		Contracts, Bids and Proceedings
		Contracts by the Legislative Authority or Administrator Bids and proceedings

		Contract restrictions
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This	summary of contents	has been verified	l and authorized	for publication	by the Legislative	<ul> <li>Authority</li> </ul>
Municipality of	of Antwerp	, Ohio	•	_	. •	•
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Signed:	Jan K	ew	ىگ	mael	ucher	
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of the

	BARRETT BROTHERS - DAYTON OHIO
	Ordinance No Passed
	ORDINANCE NO. 2021-04
	ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN ADDENDUM TO THE AGREEMENT FOR COLLECTION, TRANSPORTATION AND ISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ANTWERP, OHIO
Vi	WHEREAS, the Village of Antwerp entered into an Agreement with Real Waste Disposal, LLC representation, transportation and disposal of residential solid waste within the corporate limits of the lage of Antwerp, Ohio (the "Agreement"), for a one (1) year period beginning April 1, 2020, and ding on March 31, 2021 and
ex	WHEREAS, the Agreement provides that in its sole discretion, the Village of Antwerp may tend the term of the Agreement for four (4) successive one (1) year periods; and
A	WHEREAS, the Village desires to extend the Agreement for a one (1) year period beginning or 1, 2021, and ending on March 31, 2022; and
in	WHEREAS, the Council of the Village of Antwerp authorizes the Village Administrator to enter to an Addendum to the Agreement for the one (1) year period extension.
	OW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NTWERP, COUNTY OF PAULDING, OHIO:
Rath the an the	etton 1. That the Village of Antwerp elects to extend the one (1) year period of the Agreement with Waste Disposal, LLC for the collection, transportation and disposal of residential solid waste within exprorate limits of the Village of Antwerp, Ohio, for a one (1) year period beginning on April 1, 2021, and ending on March 31, 2022, and the Village Administrator is authorized to enter into an Addendum to Agreement for this extension, which Addendum is attached hereto and incorporated herein by ference.
th	ction 2. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.
pa the pu	ection 3. It is found and determined that all formal actions of the Council concerning or relating to the stage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of council and any of its committees that resulted in such formal actions, were in meetings open to the blic, in compliance with all legal requirements including all lawful ordinances and any applicable ovisions in Section 121.22 of the Ohio Revised Code.
Se	ction 4. This Ordinance shall take effect and be in force after the earliest period allowed by law.
Pa	ssed: March 15 . 2021.  Jan Reeb, Mayor

7100/115/01148979-1 MLF

Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: Jan 20,2021
Second Reading: Feb. 17, 2021

Third Reading: Max 15 2021

CIHO, NOTYAG - SASHTONS THANKS Ordinance No. Fassed\_ ADDENDUM TO AGREEMENT FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ANTWERP, OHIO THIS ADDENDUM is to amend an Agreement for the Collection, Transportation and Disposal of Residential Sol d Waste within the Corporate Limits of the Village of Antwerp, Ohio between the Village of Antwerp, Ohio, and Real Waste Disposal, LLC ("Agreement"), which Agreement was entered into as of the le day of Morch, 2020. The term of this Agreement was for a one (1) year period beginning on April 1, 2020, and ending on March 31, 2021. The Village elects to extend the Agreement for a one (1) year period as provided in Section 1.1 of the Agreement and the Agreement is amended to reflect the term of the Agreement is for a one (1) year period beginning on April 1, 2021, and ending on March 31, 2022 All other terms and conditions of the Agreement shall remain in full force and effect. IN WITNESS WHEREOF, the parties hereto have executed this Addendum this 15 day of <u>March</u>, 2021. Sara Keeran, Administrator Village of Antwerp ATTEST: Aimee Lichty, Fiscal Officer

APPROVED AS TO FORM:

Melanie L. Farr, Village Solicitor

Real Waste Disposal, LLC

Ву:

Name: RyAN Cassifer

Title: <u>Member</u>

7100/16/01148980-1 MLF

Passed

		Form 6220S	
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	Ordinance No		I

# ORDINANCE NO. 2021- OU

AN ORDINANCE VACATING THAT PORTION OF BUFFALO STREET EXTENDED WHICH RUNS EAST AND WEST PARALLEL TO EAST CANAL STREET BETWEEN LOTS LOCATED AT 406 SOUTH ERIE STREET, ERIE STREET, W. BUFFALO STREET (PARCEL NOS. 12-17S-008-00, 12-26S-049-00, AND 12-26S-050-00) AND 502 SOUTH ERIE STREET (PARCEL NO. 12-17S-009-00) IN ANTWERP, OHIO, AND RESERVING AN EASEMENT

WHEREAS, Section 723.04 of the Ohio Revised Code provides for statutory proceedings to vacate a street, alley or portion thereof by the legislative authority upon petition by a person owning a lot in the immediate vicinity of the street or alley; and

WHEREAS, on January 5, 2021, John and Sheila Hilton, the owners of the lot at 502 South Exte Street, Antwerp, Ohio Parcel No. 12-17S-009-00), and Mason Gerken, the owner of the lots at 406 South Erie Street Erie Street, and W. Buffalo Street, Antwerp, Ohio (Parcel Nos. 12-17S-008-00, 12-26S-049-00, and 12-26S-050-00), filed a Petition for Vacating a street that runs east and west parallel to East Canal Street in between these parcels, known as Buffalo Street Extended, and as more particularly described in the survey of the proposed vacated street submitted with the petition; and

WHEREAS, waivers and consents to the proposed street vacation have been filed by all abutting lot owners and notice of the intention of this Council to vacate said street is not required pursuant to Section 723.06 of the Chio Revised Code; and

WHEREAS, pursuant to Section 723.04 of the Ohio Revised Code, the Council of the Village of Antwerp held a hearing at its regularly scheduled meeting on February 17, 2021, at 7:00 a.m. to consider the petition to vacate; and

WHEREAS, Council finds that there is good cause for such vacation of said street, as petitioned, and such vacation will not be detrimental to the general interests; and

WHEREAS, Council has decided to proceed with the vacation as petitioned.

NOW THEREFORE, BE II ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. The portion of Buffalo Street Extended that runs east and west parallel to East Canal Street between lots 406 South Erie Street, Erie Street, W. Buffalo Street (Parcel Nos. 12-17S-008-00, 12-26S-049-00, and 12-26S-050-00) and 502 South Eric Street (Parcel No. 12-17S-009-00), in the Village of Antwerp, Ohio, and as more particularly described in the survey submitted with the petition and the legal description for such vacated street (parcel 1 and parcel 2 as identified therein and attached hereto as Exhibit A), be and hereby is vacated.

7100/119/01160439-1 MLF

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

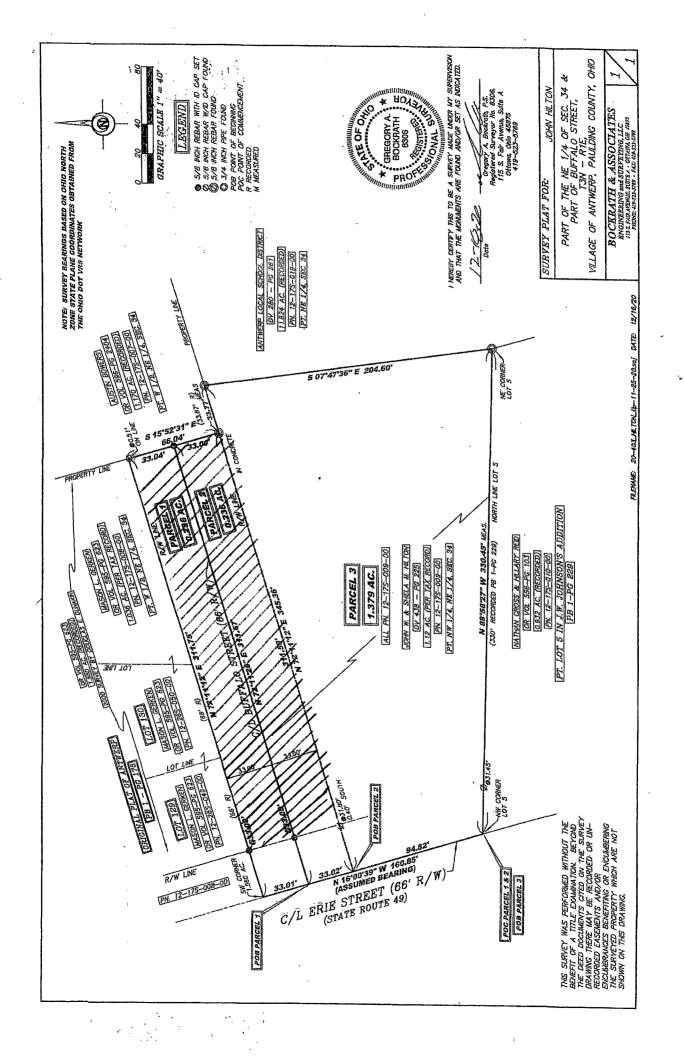
BARRETT EROTHERS - DAYTON, OHIO Ordinance No. Passed. Section 2. That a permanent easement for utilities and drainage shall be reserved on, over, and under the area to be vacated in accordance with Section 723.041 of the Ohio Revised Code. Section 3. That the survey and legal description (parcel 1 and parcel 2 as identified therein) accompanying said petition be referred to the Fiscal Officer for filing with the Paulding County Auditor and Recorder, along with the original Ordinance or a certified copy to be recorded in the official records of the Paulding County Recorder's Office. Section 4. Any and all other ordinances, resolutions, sections, or parts thereof inconsistent or in conflict with the terms of this Ordinance are hereby repealed. Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful crdinances and any applicable provisions in Section 121.22 of the Okio Revised Code. Section 6. This Ordinance shall take effect and be in force after the earliest period allowed by law. Jan/Reeb, Mayor Village of Antwerp Attest: Aimee Lichty, Fiscal Officer Village of Antwerp

First Reading: Fcb 17, 2021

Second Reading: Mar 15, 2021

Third Reading: April 19, 2021

	BARRETT BROTHERS - DAYTCN, OHIO	Form 6220S
	Ordinance No Passed	
=		
	CERTIFICATE OF COPY	
	Village of Antwerp )	•
	I, Aimee Lichty, the Fiscal Officer of the Village of Antwerp, Ohio, do hereby foregoing is a true and correct copy of the Orginance adopted by the council of the day of April, 2021; that the publication of such Ordinance and certified of record according to law; that no proceedings looking to a refere Ordinance have been taken; and that such Ordinance and the certificate of public of record in the official Ordinance Book for the Village of Antwerp, Ohio.	f said Village on has been made endum upon such
	I have hereunto subscribed my name and affixed my official seal this 19 day of Aimee Lichty, Fiscal Office	hu
	Village of Antwerp, Ohio	
	ACCEPTED AND RECORDED by the Paulding County Records, 2021.	or's Office on



#### Bockrath & Associates Engineering and Surveying, LLC 115 S. Fair Avenue, Suite A - Ottawa, OH 45875 (419) 523-5789

#### PARCEL 1 0.236 ACRES

Situated as being part of the Northeast Quarter of Section 34 and part of Buffalo Street, Town 3 North, Range 1 East, Village of Antwerp, Paulding County, Ohio and more particularly described as follows:

Commencing at a point marking the Northwest corner of Lot 5 in J.W. Johnson's Addition as recorded in Plat Book 1, Page 229 of the Paulding County Deed Records, also being on the centerline of Eric Street;

Thence North 16°00'39" West along the centerline of Erie Street a distance of 127.84 feet to a point on the centerline of Buffalo Street and the POINT OF BEGINNING;

Thence continuing North 16°00'39" West along the centerline of Erie Street a distance of 33.01 feet to a point marking the intersection of the Westerly extension of the North right-of-way line of Buffalo Street with the centerline of Erie Street, also being the Southwest corner of a 1.560 acre tract of land as recorded in Official Record Volume 595, Page 623 of the Paulding County Deed Records;

Thence North 72°11'12" East along said Westerly extension and the North right-of-way line of Buffalo Street a distance of 311.75 feet to a point marking the Southeast corner of said 1.560 acre tract, also being on the West line of a 1.170 acre tract of land as recorded in Official Record Volume 596, Page 2404 of the Paulding County Deed Records and passing a 5/8 inch rebar with ID cap set at 33.00 feet;

Thence South 15°52'31" East along the West line of said 1.170 acre tract a distance of 33.04 feet to a 5/8 inch rebar with ID cap set on the centerline of Buffalo Street and passing a 5/8 inch rebar with ID cap found at 0.51 feet;

Thence South 72°11'26" West along said centerline a distance of 311.67 feet to the POINT OF BEGINNING, passing a 5/8 inch rebar with ID cap set at 278.67 feet, said tract containing 0.236 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual field survey performed in November, 2020, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the centerline of Erie Street to be North 16°00'39" West and are for the purpose of angle determination only.

GREGORY A. \* BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOCKRATH B306 BOC

Gregory A. Bockrath P.S.

Registered Surveyor No. 8306 Bockrath & Associates

Engineering and Surveying, LLC

#### Bockrath & Associates Engineering and Surveying, LLC 115 S. Fair Avenue, Suite A - Ottawa, OH 45875 (419) 523-5789

#### PARCEL 2 0.236 ACRES

Situated as being part of the Northeast Quarter of Section 34 and part of Buffalo Street, Town 3 North, Range 1 East, Village of Antwerp, Paulding County, Ohio and more particularly described as follows:

Commencing at a point marking the Northwest corner of Lot 5 in J.W. Johnson's Addition as recorded in Plat Book 1, Page 229 of the Paulding County Deed Records, also being on the centerline of Erie Street;

Thence North 16°00'39" West along the centerline of Erie Street a distance of 94.82 feet to a point on the Westerly extension of the South right-of-way line of Buffalo Street and the POINT OF BEGINNING;

Thence continuing North 16°00'39" West along the centerline of Erie Street a distance of 33.02 feet to a point on the centerline of Buffalo Street;

Thence North 72°11'26" East along the centerline of Buffalo Street a distance of 311.67 feet to a 5/8 inch rebar with ID cap set on the West line of a 1.170 acre tract of land as recorded in Official Record Volume 596, Page 2404 of the Paulding County Deed Records and passing a 5/8 inch rebar with ID cap set at 33.00 feet;

Thence South 15°52'31" East along the West line of said 1.170 acre tract a distance of 33.00 feet to a 5/8 inch rebar found in concrete marking the Southwest corner of said 1.170 acre tract, also being on the South right-of-way line of Buffalo Street;

Thence South 72°11'12" West along said South right-of-way line a distance of 311.59 feet to the POINT OF BEGINNING, passing a point at 279.79 feet (referenced by a 5/8 inch rebar with ID cap found lying 0.40 feet South of said point), said tract containing 0.236 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual field survey performed in November, 2020, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the centerline of Erie Street to be North 16°00'39" West and are for the purpose of angle determination only.

GREGORY A. BOCKRATH BOCKRATH BOCKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH BOOKRATH B

Gregory A. Bockrath P.S. Registered Surveyor No. 8306

Bockrath & Associates

Engineering and Surveying, LLC

#### **ORDINANCE NO. 2021-07**

# AN ORDINANCE TO RETAIN THE SERVICES OF MELANIE L. FARR AS SOLICITOR FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Paulding County, Ohio (the "Village") is authorized by law to retain the services of legal counsel to be known as the Village Solicitor; and

**WHEREAS,** the Council of the Village deems it necessary to retain the services of legal counse; to act as Solicitor for the Village in civil, contract, and criminal matters.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. Legal counsel shall be provided to act in civil, contract, and criminal matters for the Village, and the person retained as such counsel shall be known as the Solicitor of the Village of Antwerp.

Section 2. The Village will compensate the Solicitor fcr legal services rendered on behalf of the Village at the rate of One-Hundred Forty Dollars (\$140.00) per hour, plus legal support staff used by the Solicitor and out-of-pocket expenses incurred in providing such legal services, including but not limited to postage and photocopying at the rate of No Dollars and Fifteen Cents (\$0.15) per page. This Ordinance to retain the legal services of a Solicitor shall be in force and effect for a period not exceeding two (2) years commencing on June 1, 2021.

Section 3. Melanie L. Farr, an attorney at law, is licensed to practice law in the State of Ohio, and is hereby appointed as Solicitor for the Village of Antwerp Paulding County, Ohio.

Section 4. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

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Section 5. This Ordinance is necessary for the immediate preservati for the further reason that the Village round ordinance shall be in full force and efficient shall take effect and be in force after the Passed this day of	needs to be represented by legal of fect immediately after its passage; e earliest period allowed by law.	welfare, and counsel. This
	Jan Reeb, Mayor	
	Village of Antwerp, Ohio	
Attest:		
Aimee Lichty, Fiscal Officer		

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Ordinance No	Passed	,

#### **ORDINANCE NO. 2021-08**

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAUMEE LANDING SUBDIVISION - PHASE 9 (LOT 19) TO THE ADDITION TO THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, PURSUANT TO ORDINANCE NO. 94-17, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp approved the preliminary plat of the Maumee Landing Subdivision submitted by Olen McMichael, the developer for the Maumee Landing Subdivision. Said preliminary plat was discussed approved and accepted by the council at its regular meeting on May 8, 2006; however, the minutes from that meeting failed to reflect council's action on the preliminary plat. At the special meeting of the council on July 30, 2008, the council renewed its motion to accept the preliminary plat for the Maumee Landing Subdivision, which motion was passed by a unanimous vote of the council members present.

WHEREAS, Olen McMichael has submitted the final plat of the Maumee Landing Subdivision - Phase 9 (Lot 19) to the Village of Antwerp Planning Commission, as well as to the Village of Antwerp Council, as required by Ordinance No. 94-17, the Village Subdivision Ordinance.

**WHEREAS,** the Planning Commission recommended that the final plat for Phase 9 (Lot 19) of the Maumee Landing Subdivision and the infrastructure improvements provided thereon be accepted.

**WHEREAS**, the final plat has been prepared by a licensed land surveyor, and in accordance with the Subdivision Ordinance, Ordinance No. 94-17, action will be taken by the Village Council within thirty (30) days after the submission of the final plat.

**NOV!**, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulaing County, Ohio:

**Section 1.** That the recommendation of the Planning Commission as to the final plat of the Maumee Landing Subdivision - Phase 9 (Lot 19) to the addition to the Village of Antwerp, Paulding County, Ohio, described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby approved, and that the final plat of the Maumee Landing Subdivision - Phase 9 (Lot 19) is hereby accepted.

Section 2. That the Village's engineer shall, upon the written request by the developer here h, inspect the construction of the streets, sewers, water mains fire hydrants, and other infrastructure improvements identified in the plat and make a determination whether those improvements have been constructed in accordance with the specifications set forth in the approved plat and that such improvements are in good repair, which such findings shall be endorsed on the approved plat and such endorsement shall constitute an acceptance of the improvements for public use by the Village.

**Section 3**. That all or parts of drives, roads and avenues as shown on the plat and not here ofore dedicated are hereby dedicated to public use as such and easements

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 BARRETT BROTHERS - DAYTON, OHIO Form 6220S	
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shown on the plat are for the construction, operation and maintenance of all public and private utility purposes above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage, said streets identified by the developer on <a href="Exhibit A">Exhibit A</a> .  Section 4. That none of the lots as proposed on the plat be sold to any third party until all infrastructure improvements, as shown on the attached plat, have been completed and accepted by the Village of Antwerp, Paulding County, Ohio.  Section 5. That all requirements for the final plat have been provided as set forth in Ordinance No. 94-17, including, but not limited to, a notarized certification of the owners.	
of the adoption of the plat, the dedication of the streets and other public areas the approval and the signature of Village officials concerned with the specifications and inspection of utility installations and improvements, and certification by the County	

certification of the Paulding County Recorder that the plat has been recorded. The payment of the recording fees are the responsibility of the developer.

Section 7. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Crdinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that

resulted in such formal action, were in meetings open to the public, in compliance with

authorized to record the final plat with the Paulding County Recorder and to obtain the

That the Fiscal Officer for the Village of Antwerp, Ohio, is hereby

Auditor that there are no unpaid taxes on the property involved.

all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the final plat for Phase 9 (Lot 19) of the Maumee Landing Subdivision must be approved in order to comply with the Village's Subdivision Ordinance and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED THIS 3rd day of May, 2021.

lan Reeb. Mayor

Attest:

Aimee Lichty, Fiscal Officer

Form 6220S

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	Passed	

BARRETT BROTHERS - DAYTON, OHIO

#### **ORDINANCE NO. 2021-09**

AN ORDINANCE AMENDING SECTION 8 ON TAPPING FEES FOR WATERLINES IN ORDINANCE NO. 2016-27 ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 2014-21 AUTHORIZING THE CHANGE OF WATER RATES FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO

WHEREAS, the Council of the Village of Antwerp previously enacted Ordinance No. 2016-27 amending Ordinance No. 2014-21 authorizing the change of water rates and setting those rates for 2015, 2016, and 2017 in the Village of Antwerp. Ohio, and

**WHEREAS**, Ordinance No. 2016-27 in Section 8 also set the tapping fees for waterlines; and

**WHEREAS**, due to the need to address the increase in costs in the event a boring is required to connect to the Village's waterline, the tap fee must also be increased.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

**Section 1**. That Section 8 of Ordinance No. 2016-27 currently reads as follows:

Section 8. The tapping fee for a ¾ inch waterline will be \$750.00 per tap. In the event a road cut is necessary or the tap must be pushed under a street, alley or highway, the tapping fee will be \$950.00 per tap. The tapping fee for a ¾ inch waterline will be \$750.00 per tap, which includes a ¾ inch meter and meter setter. If the waterline requirements are greater than ¾ inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. In the event a boring is required to connect to the Village's waterline, the tap fee will be \$1,350.00 per tap. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the Village's waterline, including but not limited to tapping saddle, piping to connect to the Village's waterline, backfill, and road repairs caused by any digging and/or boring activities.

Section 2. That Section 8 of Ordinance No. 2016-27 is amended to read as follows:

Section 8. The tapping fee for a ¾ inch waterline will be \$750.00 per tap. In the event a road cut is necessary or the tap must be pushed under a street, alley or highway, the tapping fee will be \$950.00 per tap. The tapping fee for a ¾ inch waterline will be \$750.00 per tap, which includes a ¾ inch meter and meter setter. If the waterline requirements are greater than ¾ inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. In the event a boring is required to connect to the Village's waterline, the tap fee will be \$1,400.00 per tap. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the Village's waterline,

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	including but not limited to tapping saddle, piping to connect to the Village's waterline, backfill, and road repairs caused by any digging and/or boring activities.	
	Section 3. Previous ordinances and/or any portions thereof, including Section Ordinance No. 2016-27, and rules of the Village of Antwerp that are not consistenthis Ordinance are hereby set aside, revoked and held for naught. However, any provisions of existing Ordinances authorizing the charge of water rates and/or provided water service in the Village that are not inconsistent with the provisions of Ordinance shall remain in full force and effect, including any non-conflicting prevision Ordinance Nos. 2014-21, 2016-13, 2016-27 (amending Ordinance No. 2014-21), 2017, and 2019-09.	t with other vision of this ons of
	Section 4. It is found and determined that all formal actions of the Council concernant relating to the passage of this Ordinance were adopted in open meetings of Council, and that all deliberations of the Council and of any of its committees that resin such formal action, were in meetings open to the public, in compliance with all requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code	f this ulted legal
	Section 5. This Ordinance shall be in full force and effect from and after the eaperiod allowed by law.	arliest
	Enacted this 19 day of July, 2021.	
	Jath Reeb Mayor of the Village of Antwerp	•
	Attest:	
	Aimee Lichty, Fiscal Office	
	First Reading: May 17,2021	
	Second Reading: June 21, 2021	
	Third Reading: 19, 3021	

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Ordinance No.:

--Passed\_

#### **ORDINANCE NO. 2021-10**

AN ORDINANCE AMENDING ORDINANCE NO. 2020-12 ESTABLISHING COMPENSATION FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2021, SPECIFICALLY AMENDING SECTION 1 ON THE COMPENSATION FOR THE POSITION OF VILLAGE ADMINISTRATOR, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio previously enacted Ordinance No. 2020-12 establishing the compensation for the Village of Antwerp, Ohio for the calendar year 2021, which Ordinance was passed after three readings on December 21, 2020; and

WHEREAS, Ordinance No. 2020-12 established the compensation for the Village Administrator and the person serving in that role at the time of the passage of this Ordinance has since retired; and

WHEREAS, the Council amends the compensation for the position of the Village of Administrator in light of the qualifications and experience of a new appointee to this position and prior to such appointment taking effect.

NOW. THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp,

Ohio:

Section 1. Section 1 of Ordinance No. 2020-12 currently reads as follows:

Section 1. That compensation and wage rates for the various V llage officials, employees, appointees, and volunteers for calendar year 2021 is hereby adopted as follows:

Position	Compensation	/ Wage Rate
Mayor	\$9,600.00	Base annual salary
Council Members –existing Newly elected Council Members	\$3,800.00	Base annual salary
Fiscal Officer	\$27,338.74	Base annual salary
Village Administrator	\$48,986.60	Base annual salary
Chief of Police	\$49,193.82	Base annual salary
Police - Full Time - On Probation	\$28,811.69 to \$32,98.48	Base annual salary
Police - Full Time	\$32,975.17 to \$39,029.15	Base annual salary

BARRETT BROTHERS - DAYTON, OHIO

Form 62209

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

Position	Compensation	/ Wage Rate
Police - Part Time	\$10.66 to \$20.58	per hour
Police - Reserves	\$10.66 to \$16.46	per hour
Fire Chief	\$2,743.56	Base annual salary
Fire Dept. Secretary	\$432.06	Base annual salary
Fire Chief Assistant	\$432.06	Base annual salary
	\$11.71	per meeting
	\$15.20	first hour
	\$11.83	each add'i hour
Fire Captains	\$127.55	Base annual salary
Fire Lieutenants	\$89.18	Base annual salary
Volunteer Fireman	\$11.71	per training hour
	\$11.71	first hour
	\$11.71	each add'l hour
EMS Coordinator	\$2,743.33 to \$4,114.98	Base annual salary
EMS Maintenance Man	\$775.09	Base annual salary
EMS Assistant	\$360.19	Base annual salary
EMS Secretary	\$360.19	Base annual salary
EMS Drivers	\$10.38	per hour
EMR	\$11.46	per hour
EMT – A (BLS – Basic Life Support)	\$12.54	per hour
EMT - B (Immediate Life Support)	\$16.21	per hour
All EMS Personnel	\$12.08	per training hour
General Labor/Utilities Billing Clerk	\$9.66 to \$15.28	per hour
Mayor's Court Clerk/EMS Billing Clerk	\$9.66 to \$15.28	per hou <sup>r</sup>
Tech I Water/Sewer/Assigned Duties	\$16.20 to \$20.91	per hour
Tech II Water/Sewer/Assigned Duties	\$17.88 to \$23.00	per hour

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Ordinance No	Passed

Section 2. Section 1 of Ordinance No. 2020-12 is amended to read as follows:

Section 1. That compensation and wage rates for the various Village officials, employees, appointees, and volunteers for calendar year 2021 is hereby adopted as follows:

Position	Compensation / Wage Rate	
Mayor	\$9,600.00	Base annual salary
Council Members –existing Newly elected Council Members	\$3,800.00	Base annual salary
Fiscal Officer	\$27,338.74	Base annual salary
Village Administrator	\$59,600.00	Base annual salary
Chief of Police	\$49,193.82	Base annual salary
Police - Full Time - On Probation	\$28,811.69 to \$32,98.48	Base annual salary
Police - Full Time	\$32,975 17 to \$39,029 15	Base annual salary
Police - Part Time	\$10.66 to \$20.58	per hour
Police - Reserves	\$10.66 to \$16.46	per hour
Fire Chief	\$2,743.56	Base annual salary
Fire Dept. Secretary	\$432.06	Base annual salary
Fire Chief Assistant	\$432.0 <del>6</del>	Base annual salary
	\$11.71	per meeting
	\$15.20	first hour
	\$11.83	each add'l hour
Fire Captains	\$127.55	Base annua salary
Fire Lieutenants	\$89.18	Base annua salary
Volunteer Fireman	\$11.71	per training nour
	\$11.71	first hour

Ordinance No. \_\_\_

Passed\_

Position	Compensation / Wage Rate	
EMS Coordinator	\$2,743.33 to \$4,114.98	Base annual salary
EMS Maintenance Man	\$775.09	Base annual salary
EMS Assistant	S360 19	Base annual salary
EMS Secretary	\$360.19	Base annual salary
EMS Drivers	\$10.38	per hour
EMR	\$11.46	per hour
EMT – A (BLS – Basic Life Support)	\$12.54	per hour
EMT - B (Immediate Life Support)	\$16.21	per hour
All EMS Personnel	\$12.08	per training hour
General Labor/Utilities Billing Clerk	\$9.66 to \$15.28	per hour
Mayor's Court Clerk/EMS Billing Clerk	\$9.66 to \$15.28	per hour
Tech I Water/Sewer/Assigned Duties	\$16.20 to \$20.91	per hour
Tech II Water/Sewer/Assigned Dutles	\$17.88 to \$23.00	per hour

Section 3. Previous ordinances and/cr any portions thereof, including Section 1 of Ordinance No. 2020-12, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught and this Ordinance repeals any other ordinance or any sections thereof inconsistent therewith.

**Section 4.** It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code

**Section 5**. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village, and necessary in light of the need to appoint a new Village Administrator, and this Ordinance shall be in full force and effect after the earliest period allowed by law.

Passed: June 28 , 2021.

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	BARRETT BROTHERS - DAYTON, OHIO		Form 6220S
	Ordinance No	Passed	
Atte	est: nee Lichty, Fiscal Officer	Jan Reeb Mayor of the Village of Antwerp	

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Ordinance No	Passed		,	

# ORDINANCE NO. 2021-09

AN ORDINANCE AMENDING SECTION 8 ON TAPPING FEES FOR WATERLINES IN ORDINANCE NO. 2016-27 ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 2014-21 AUTHORIZING THE CHANGE OF WATER RATES FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO

WHEREAS, the Council of the Village of Antwerp previously enacted Ordinance No. 2016-27 amending Ordinance No. 2014-21 authorizing the change of water rates and setting those rates for 2015, 2016, and 2017 in the Village of Antwerp, Ohio; and

WHEREAS, Ordinance No. 2016-27 in Section 8 also set the tapping fees for waterlines; and

WHEREAS, due to the need to address the increase in costs in the event a boring is required to connect to the Village's waterline, the tap fee must also be increased

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

Section 1. That Section 8 of Ordinance No. 2016-27 currently reads as follows:

Section 8. The tapping fee for a ¾ inch waterline will be \$750.00 per tap. In the event a road cut is necessary or the tap must be pushed under a street, alley or highway, the tapping fee will be \$950.00 per tap. The tapping fee for a ¾ inch waterline will be \$750.00 per tap, which includes a ¾ inch meter and meter setter. If the waterline requirements are greater than ¾ inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. In the event a boring is required to connect to the Village's waterline, the tap fee will be \$1,350.00 per tap. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the Village's waterline, including but not limited to tapping saddle, piping to connect to the Village's waterline, backfill, and road repairs caused by any digging and/or boring activities.

Section 2. That Section 8 of Ordinance No. 2016-27 is amended to read as follows:

Section 8. The tapping fee for a ¾ inch waterline will be \$750.00 per tap. In the event a road cut is necessary or the tap must be pushed under a street, alley or highway, the tapping fee will be \$950.00 per tap. The tapping fee for a ¾ inch waterline will be \$750.00 per tap, which includes a ¾ inch meter and meter setter. If the waterline requirements are greater than ¾ inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. In the event a boring is required to connect to the Village's waterline, the tap fee will be \$1,400.00 per tap. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the Village's waterline.

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BARRETT BROTHERS - DAYTON, OHIO

Ordinance No.

Passed.

#### **ORDINANCE NO. 2021-11**

# AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO RESIDE OUTSIDE THE VILLAGE OF ANTWERP

WHEREAS, the Mayor of the Village of Antwerp appointed Brian A. Davis to be the Village Administrator, and such appointment was approved by a majority vote of the Village Council at its special council meeting on June 28, 2021; and

WHEREAS, Ohio Revised Code § 735.271 provides that the Village Administrator shall become a resident of the municipality within six months of his appointment by the Mayor and confirmation of such appointment by Council, unless his residence cutside the municipality is approved by ordinance; and

WHEREAS, Brian A. Davis resides in Bryan, Ohic, which allows a travel time of approximately thirty (30) minutes for him to arrive from his residence to the Village of Antwerp.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That Brian A. Davis' residence outside the Village of Antwerp is approved so long as he continues to reside at his current residence or so long as he continues to reside at a location within thirty (30) miles of the Village corporation limits.

Section 2. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall take effect and be in force after the earliest period allowed by law.

Passed **Sept. 30**, 2021

Jan Reeb, Mayor Village of Antwerp

Attest

Aimee Lichty, Fiscal Office:
Village of Antwerp

First Reading: 7-19-21

Second Reading: 8-14-21

Third Reading: 9.30.21

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Ordinance No	Passed	

#### **ORDINANCE NO. 2021-12**

AN CRD NANCE AMENDING ORDINANCE NO. 2020-12 ESTABLISHING COMPENSATION FOR THE VILLAGE OF ANTWERP, OHIO FOR THE CALENDAR YEAR 2021, SPECIFICALLY AMENDING SECTION 1 TO ADD A NEW POSITION WITH THE TITLE "SUPERVISOR"

WHEREAS, the Council of the Village of Antwerp, Ohio previously enacted Ordinance No. 2020-12 establishing the compensation for the Village of Antwerp, Ohio for the calendar year 2021, which Ordinance was passed after three readings on December 21, 2020; and

WHEREAS, Ordinance No. 2020-12 established the compensation for the Village of Antwerp for each position; and

WHEREAS, Ordinance No. 2020-12 was amended on June 28, 2021, by emergency measure, to increase the compensation for the position of Village Administrator; and

WHEREAS, the Council, by motion, approved the addition of a new position with the title "Supervisor", which position will have direct oversite of the following areas and report directly to the Village Administrator: streets, water, sewer, utilities, and Village properties. Those employed in the positions of General Labor, Tech 1 Water, and Tech 2 Water will report directly to the Supervisor. The pay range for Supervisor is \$23.00 per hour to \$30.00 per hour.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

**Section 1**. Section 1 of Ordinance No. 2020-12 (as amended by Ordinance No. 2021-10) currently reads as follows:

Section 1. That compensation and wage rates for the various Village officials, employees, appointees, and volunteers for calendar year 2021 is hereby adopted as follows:

Position	Compensation / Wage Rate		
Mayor	\$9,600.00	Base annual salary	
Council Members –existing Newly elected Council Members	\$3,800.00	Base annual salary	
Fiscal Officer	\$27,338.74	Base annual salary	
Village Administrator	\$59,600.00	Base annual salar,	
Chief cf Police	\$49 193.82	Base annual salar,	

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BARRETT BROTHERS - DAYTON, OHIO

BARRETT EROTHERS - DAYTON, OHIO Form 5220S

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Position	Compensation	/ Wage Rate
Folice - Full Time - On Probation	\$28,811.69 to \$32,98.48	Ease annual salary
Police - Full Time	\$32,975.17 to \$39,029.15	Base annual salary
Police - Part Time	\$10.66 to \$20.58	per nour
Police - Reserves	\$10.66 to \$16.46	per nour
Fire Chief	\$2,743.56	Base annual salary
Fre Dept. Secretary	\$432.06	Ease annual salary
Fire Chief Assistant	\$432.06	Base annual salary
	\$11.71	per meeting
4	\$15.20	first hour
	\$11.83	each add'l hour
Fire Captains	\$127.55	Ease annual salary
Fire Lieutenants	\$89.18	Base annual salary
Volunteer Fireman	\$11.71	per training hour
	\$11.71	frst hour
	\$11.71	each add'l hour
EMS Coordinator	\$2,743.33 to \$4,114.98	Base annual salary
EMS Maintenance Man	\$775.09	Base annual salary
∃MS Assistant	\$360.19	Base annual salary
EMS Secretary	\$360.19	3ase annual salary
EMS Drivers	\$10.38	per hour
EMR	\$11.46	oer hour
EMT – A (BLS – Basic Life Support)	\$12.54	per hour
EMT - B (Immediate Life Support)	\$16.21	per hour
All EMS Personnel	\$12.08	per training hour
General Labor/Utilities Billing Clerk	\$9.66 to \$15.28	per hour

BARRETT BROTHERS - DAYTON, OHIO	<u>.</u>	Form 6220S

Ordinance No	Passed
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Position	Compensation / Wage Rate		
Mayor's Court Clerk/EMS Billing Clerk	\$9.66 to \$15.28 per hour		
Tech , Water/Sewer/Assigned Duties	\$16.20 to \$20.91 per hour		
Tech II Water/Sewer/Assigned Duties	\$17.83 to \$23.00 per hour		

Section 2. Section 1 of Ordinance No. 2020-12 is amended to read as follows:

Section 1. That compensation and wage rates for the various Village officials, employees, appointees, and volunteers for calendar year 2021 is hereby acopted as follows:

Position	Compensation	/ Wage Rate
Mayor	\$9,600.00	Base annual salary
Council Members –existing Newly elected Council Members	\$3,800.00	Base annual salary
Fiscal Officer	\$27,338.74	Base annual salary
Village Administrator	\$59,600.00	Base annual salary
Chief of Police	\$49,193.82	Base annual salary
Police - Full Time - On Probation	\$28,811.69 to \$32,98.48	Base annual salary
Police - Full Time	\$32,975.17 to \$39,029.15	Base annual salary.
Police - Part Time	\$10.66 to \$20.58	per hour
Police - Reserves	\$10.65 to \$16.46	per hour
Fire Chief	\$2,743.56	Base annual salary
Fire Dept. Secretary	\$432.06	Base annual salary
Fire Chief Assistant	\$432.06	Base annual salary
·	\$11.71	per meeting
	\$15.20	first hour
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Fire Lieutenants	\$89.18	Base annual salary
Volunteer F reman	\$11.71	per training hour
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EMS Assistant	\$360.19	Base annual salary
EMS Secretary	\$360.19	Ease annual salary
EMS Drivers	\$10.38	per hour
EMR	\$11.46	per hour
EMT – A (BLS – Basic Life Support)	\$12.54	per hour
EMT - B (Immediate Life Support)	\$16.21	per hour
All EMS Personnel	\$12.08	per training hour
Supervisor	\$23.00 to \$30.00	per hour
General Labor/Utilities Billing Clerk	\$9.66 to \$15.28	per hour
Mayor's Court Clerk/EMS Billing Clerk	\$9.66 to \$15.28	per hour
Tech I Water/Sewer/Assigned Duties	\$16.20 to \$20.91	per hour
Tech II Wate:/Sewer/Assigned Duties	\$17.88 to \$23.00	per hour

Section 3. Previous ordinances and/or any portions thereof, including Section 1 of Ordinance No. 2020-12, Ordinance No. 2021-10 amending Section 1 of Ordinance No. 2020-12, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught and this Ordinance repeals any other ordinance or any sections thereof inconsistent therewith.

Section 4. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all

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_	BARRETT BROTHERS - DAYTON, OHIO		Form 62205
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	legal requirements including 121.22 of the Ohio Revise	ng all lawful ordinances and any a ed Code.	applicable provisions of Section
	Section 5. This On period allowed by law.	dinance shall be in full force and o	effect from and after the earliest
	Enacted this <u>AO<sup>t h</sup></u> day of		Reel
	·	Jan Reeb Mayor of t	the Village of Antwerp
	Attest:  Aimee Lichty, Fiscal Office	er	
	First Reading: 7 · 19 ·	21	
	Second Reading: 8-10	1.21	
	Third Reading: 9.30	<u> </u>	

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ORDINANCE NO. 2021-15

AUDITOR **FAULDING COUNTY** 

AN ORDINANCE VACATING THAT PORTION OF ERIE STREET EXTENDED, WHICH RUNS NORTH AND SOUTH FARALLEL TO SOUTH MAIN STREET BETWEEN LOTS 14 AND 5 LOCATED AT 106 STONE STREET AND 202 STONE STREET (PARCEL NOS. 12-02S-004-00 and 12-11S-001-00) IN ANTWERP, OHIO, AND RESERVING AN EASEMENT

WHEREAS, Section 723.04 of the Ohio Revised Code provides for statutory proceedings to vacate a street, alley or portion thereof by the legislative authority upon petition by a person owning a let in the immediate vicinity of the street or alley; and

WHEREAS, on May 27, 2021, Todd Cook and Jeff Cook, the owners of Lots 14 and 5 located at 106 Stone Street and 202 Stone Street, Antwerp, Ohio (Parcel Nos. 12-02S-004-00 and 12-11\$001-00), filed a Petition for Vacating a street that runs north and scuth parallel to South Main Street in between these parcels, known as Erie Street Extended, and as more particularly described in the survey of the proposed vacated street submitted with the perition; and

WHEREAS, waivers and consents to the proposed street vacation have been filed by all abutting lot owners and notice of the intention of this Council to vacate said street is not required pursuant to Section 723.06 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 723.04 of the Onio Revised Code, the Council of the Village of Antwerp held a hearing prior to its regularly scheduled meeting on July 19, 2021, at 5:15 p.m. to consider the petition to vacate; and

WHEREAS, Council finds that there is good cause for such vacation of said street, as petitioned, and such vacation will not be detrimental to the general interests; and

WHEREAS, Council has decided to proceed with the vacation as petitioned.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. The portion of Erie Street Extended that runs north and south parallel to South Main Street between Lots 14 and 5 located at 106 Stone Street and 202 Stone Street (Parcel Nos. 12-02\S-004-00 and 12-11S-001-00) in the Village of Antwerp, Ohio, and as more particularly described in the survey submitted with the petition and the legal description for such vacated street (parcel 1 as identified therein and attached hereto as Exhibit A), be and hereby is vacated.

Section 2. That a permanent easement for utilities and drainage shall be reserved on, over, and under the area to be vacated in accordance with Section 723.041 of the Chio Revised Code.

202100002765
Filed for Record in
FAULDING COUNTY, OHIO
CAROL E TEMPLE, COUNTY RECORDER
09-30-2021 At 03:19 pm.

58.00

58.00

OR Volume

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REETT BRCTHERS - DAYTON, OHIO	Form 6220S			
Ordinance No.	Passed		,	
	VOL 603 PAGE 2611	Ļ		
Section 3 That the	survey and legal description (parcel	l 1 ag ident	ified therein) as	

Section 3. That the survey and legal description (parcel 1 as identified therein) accompanying said petition be referred to the Fiscal Officer for filing with the Paulding County Auditor and Recorder, along with the original Ordinance or a certified copy to be recorded in the official records of the Paulding County Recorder's Office.

<u>Section 4</u>. Any and all other ordinances, resolutions, sections, or parts thereof inconsistent or in conflict with the terms of this Ordinance are hereby repealed.

<u>Section 5</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance shall take effect and be in force after the earliest period allowed by law.

Passed: <u>Sept. 20</u>, 2021

Jan Reeb, Mayor Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: July 19 2021

Second Reading: Aug 14, 202)

Third Reading: Sept. 2020

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No.:

Passed.

VJL603 PAGE 2615

CERTIFICATE OF COPY

Village of Antwerp

) ss:

County of Paulding

Aimee Lichty, the Fiscal Officer of the Village of Antwerp, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the council of said Village on the day of Scotton 2021; that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and the certificate of publication thereof are of record in the official Ordinance Book for the Village of Antwerp, Ohio.

I have hereunto subscribed my name and affixed my official seal this **20** day of **September**, 2021.

Aimee Lichty, Fiscal Officer Village of Antwerp, Chio

ACCEPTED AND RECORDED by the Paulding County Recorder's Office on September 30, 2021. Carol E. Jemple, Recorder

7100/1-9/01205685-2MLF

1

# Bockrath & Associates Engineering and Surveying, LLC 115 S. Fair Avenue, Suite A - Ottawa, OH 45875 (419) 523-5789

#### ERIE STREET VACATION - PARCEL 1 - 0.059 ACRES

Situated as being part of Erie Street between Stone Street and the Norfolk and Western Railroad in Daggett's Second Addition to the Village of Antwerp, Paulding County, Ohio, and more particularly described as follows:

Beginning at a 5/8 inch rebar with ID can set marking the Southeast corner of Lot 14 in Block "A" as recorded in Deed Volume 274, Page 441 and marking the intersection of the West right-ef-way line of Erie Street with the North right-of-way line of Stone Street and the POINT OF BEGINNING;

Thence North 19°03'47' West along the East line of said Lot 14 a distance of 39.07 feet to a point on the South right-of-way of the Norfolk and Western Railroad marking the Northeast corner of said Lot 14, passing an iron pipe found at 36.37 feet;

Thence North 71°57'22" East along said South right-of-way line a distance of 66.01 feet to a point marking the Northwest corner of Lot 5 in Daggett's Second Addition to the Village of Antwerp as recorded in Deed Volume 274, Page 441;

Thence South 19°03'47" East along the West line of said Lot 5 a distance of 39.16 feet to a point marking the Southwest corner of said Lot 5, referenced by an iron pipe found lying 0.37 feet North and 0.13 feet West of said point, passing an iron pipe found at 4.65 feet;

Thence South 72°02'08" West along a new division a distance of 66.01 feet to the POINT OF BEGINNING, said vacated Erie street containing 0.059 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/of of record and is from an actual field survey performed in May, 2021, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the North right-of-way line of Stone Street to be South 72°02'08" West and are for the purpose of angle determination with the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of angle determination of the purpose of the purpose of the purpose of the purpose of angle determination of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of the purpose of

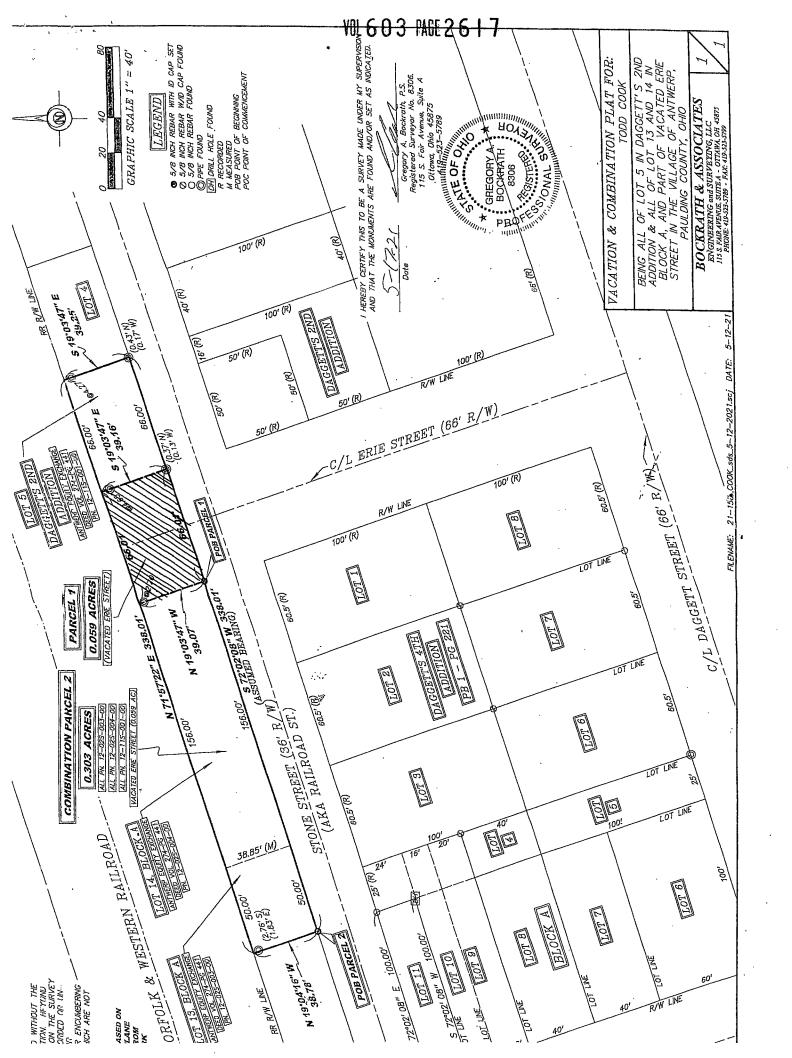
GREGORY BOCKRAT

MANTHAM

Registered Surveyor No. 8306 Gregory A. Bockrath

Bockrath & Associates

Engineering and Surveying, LLC



### **Bockrath & Associates Engineering and Surveying, LLC** 115 S. Fair Avenue, Suite A - Ottawa, OH 45875 (419) 523-5789

#### ERIE STREET VACATION - PARCEL 1 - 0.059 ACRES

Situated as being part of Erie Street between Stone Street and the Norfolk and Western Railroad in Daggett's Second Addition to the Village of Antwerp, Paulding County, Ohio, and more particularly described as follows:

Beginning at a 5/8 inch rebar with ID cap set marking the Southeast corner of Lot 14 in Block "A" as recorded in Deed Volume 274, Page 441 and marking the intersection of the West rightof-way line of Erie Street with the North right-of-way line of Stone Street and the POINT OF BEGINNING;

Thence North 19°03'47" West along the East line of said Lot 14 a distance of 39.07 feet to a point on the South right-of-way of the Norfolk and Western Railroad marking the Northeast corner of said Lot 14, passing an iron pipe found at 36.37 feet;

Thence North 71°57'22" East along said South right-of-way line a distance of 66.01 feet to a point marking the Northwest corner of Lot 5 in Daggett's Second Addition to the Village of Antwerp as recorded in Deed Volume 274, Page 441;

Thence South 19°03'47" East along the West line of said Lot 5 a distance of 39.16 feet to a point marking the Southwest corner of said Lot 5, referenced by an iron pipe found lying 0.37 feet North and 0.13 feet West of said point, passing an iron pipe found at 4.65 feet;

Thence South 72°02'08" West along a new division a distance of 66.01 feet to the POINT OF BEGINNING, said vacated Erie street containing 0.059 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual field survey performed in May, 2021, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the North right-of-way line of Stone Street to be South 72°02'08" West and are for the purpose of angle determination of Stone Street to be South 72°02'08" West and are for the purpose of angle 

Registered Surveyor No. 8306

Gregory A. Bockrath

Bockrath & Associates

Engineering and Surveying, LLC

#### ORDINANCE NO. 2021-16

# AN ORDINANCE AUTHORIZING THE ADMINISTRATOR OF THE VILLAGE OF ANTWERP, OHIO TO ENTER INTO AN AGREEMENT WITH JONES & HENRY ENGINEERS, LTD. FOR PROFESSIONAL ENGINEERING SERVICES ON THE WATER TREATMENT PLANT GENERAL PLAN, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio ("Village") passed a motion on July 19, 2021, selecting and ranking the qualified engineering firms as part of its qualifications-based selection (QBS) process to select an engineer to perform the professional engineering services on the Water Treatment Plant (WTP) General Plan for the Village; and

WHEREAS, the Village's WTP is in need of significant upgraces or complete reconstruction, and the WTP General Plan includes a complete assessment of the existing infrastructure, recommendations for alternatives for the improvements, and assistance with funding as necessary to make upgrades and improvements to the WTP or construction of a new plant (the "Project"); and

WHEREAS, the Council ranked Jones & Henry Engineers, Ltd. as the most qualified engineering firm for this Project and proceeded to negotiate an agreement with Jones & Henry Engineers, Ltd. for the Project; and

WHEREAS, the Village desires to enter into an agreement with Jores & Henry Engineers. Ltd. for professional engineering services for the WTP General Plan; and

WHEREAS, Jones & Henry Engineers, Ltd. has provided a proposed Agreement for the Village to enter into with Jones & Henry Engineers, Ltd. for the professional engineering services referenced above on the Project.

NOW, THEREFORE, be it ordained by the Council of the Village of Antwerp, County of Paulding, State of Ohic:

Section 1. The Administrator of the Village of Antwerp, Ohio, is hereby authorized to enter into the Agreement by and between the Village and Jones & Henry Engineers, Ltd. for Jones & Henry Engineers, Ltd. to provide professional engineering services for the Water Treatment Plant General Plan, as more specifically defined in Appendix 1 to Exhibit A of the Agreement. A true and accurate copy of said Agreement is attached hereto and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

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-	BARRETT BROTHERS - DAYTON, OHIO Form 6220S	
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	Section 3. This Ordinance is hereby declared to be an emergency mean necessary for the immediate preservation of the public health, safety, and welfare of Village and to expedite the Project for better water quality for the Village are residents. This Ordinance shall take effect and be in force immediately after passage and approval; otherwise, it shall take effect and be in force from and after earliest period allowed by law.	of the d its er its
	Passed: <u>Sixteniber 20</u> , 2021.  Jan Reeb, Mayor Village of Antwerp	
	Attest:	
	Aimee Lichty, Fiscal Officer	



August 4, 2021

Mr. Brian Davis Village Administrator 503 West River PO Box 1046 Antwerp, Ohio 45813

Subject:

Village of Antwerp

**Engineering Services for WTP** 

Water Treatment Plant General Plan

Via: E-mail

Dear Mr. Davis:

Jones & Henry Engineers is pleased to submit this proposal to the Village of Antwerp for the Water Treatment Plant (WTP) General Plan. The Village's WTP is in need of significant upgrades or complete reconstruction. The first stage of this process is to perform a complete assessment of the existing infrastructure, recommend alternatives for the improvements, and assist with funding as necessary. A scope for Funding Assistance and Water Rate Study follows the General Plan Scope.

#### **General Plan Scope**

The primary goal of the study is to determine project costs for identifying promising funding sources and preparation of funding applications. It is our recommendation to prepare the report following the OEPA Elements of a General Plan that is required for the Water Supply Revolving Loan Account (WSRLA) fund application. A copy of the guidelines is attached to the end of our proposal. The finished report following these guidelines can also be easily modified for use with other funding agencies such as USDA.

Our scope includes the engineering work to develop a General Plan following OEPA guidelines noted above. The name of each guideline section and the highlights of work to be performed in each section are provided below.

As part of the project, we will meet with the Village for a project kickoff to obtain the necessary documents and review the final report expectations; review of the preliminary draft of the report at 60% completion where project costs will be presented; and upon completion of the final draft document. Bound hard copies and electronic files of the final report will be provided for the Village's use and sent to OEPA.

#### **Introduction and Purpose**

• This is where we state the obvious that the purpose of the project is to make upgrades and improvements to the WTP or recommend the construction of a new plant.

#### **Existing Situation**

Includes an overview of the raw water supply, well conditions, and raw water quality.



Mr. Brian Davis August 4, 2021 Page 2

- Note any problems in the existing treatment and distribution system from quality and quantity (pressure and flow) perspectives.
- Obtain historical population and water demand data for the Village and water service area. The water demand or usage data will have to be categorized by residential, commercial, institutional, and industrial customers or reasonable facsimile thereof.
- Develop a description and assessment of the existing water treatment facility including treatment processes, equipment, structural, architectural, mechanical, electric, and control.

#### **Future Conditions**

- Includes a description of major water department projects anticipated for the next twenty years such as water line replacement; looping dead-ends; new elevated tank; distribution aeration installation; and meter replacement.
- Utilize the population and water demand data for the Village and service area that was acquired in the Existing Situation Section to project future water demands. This subsection will confirm the present and future water system capacity for the Village.
- Village perception for future incorporated area or service area expansion will be noted here.
- If requested, we can provide a hydraulic water model of the water distribution system. This is not included in our scope at this time.

#### **Alternatives**

- Other alternatives available to the Village will be discussed in this section. Viable alternatives for
  upgrading existing equipment or constructing a new plant will be considered. Preliminary cost
  estimates, operating costs, and life-cycle cost analyses will be prepared for the evaluation along with
  non-technical comparisons.
- A regional approach investigation must be included such as the possibility of connecting to another water system.

#### Selected Alternative

- This section will include the rationale used for the best-fit improvements for the Village and will include technical and non-technical aspects.
- We will prepare a detailed description of the project that will include existing process capacities; the basis of design; process flow diagram; preliminary treatment plant upgrades and new process addition layout; preliminary site plan; and plan of new yard piping.
- Project schedule from design through new treatment plant improvements startup.



Mr. Brian Davis August 4, 2021 Page 3

#### **Preliminary Estimate**

- Project costs will be presented in this section. We will work with the Village's water rate consultant to assist with projected water rate impacts.
- If requested, we can provide the Village with a Water and Sewer Rate analysis.

#### **Public Participation**

 We will include public participation activities that were performed to inform the citizens of the Village about the project. Activities may include council meeting minutes, public meetings, and presentations.

#### **Environmental Issues**

- In this section, we describe environmental features that may be affected by the project such as stream
  crossings, woodlots, and wetlands. We would anticipate the environmental impacts should be minimal,
  given the proposed process addition will take place adjacent to the existing WTP site.
- We will include a discussion of storm water and erosion-control measures that will be implemented during construction.

#### **Funding**

 We will include the anticipated funding sources that will be used for the project. A more detailed discussion will be included, once the projected project costs are developed.

#### **Compliance Schedule**

For the Village of Antwerp, this section does not apply at this time.

#### Attached to the proposal are:

OEPA Elements of a General Plan Following WSRLA Guidelines

#### **Water Rate Study and Funding Assistance**

Jones & Henry will prepare a water rate analysis spreadsheet that may be used in projecting water rates. The rate analysis will show historic and projected water fund revenues, expenses, and fund balance. The spreadsheet will allow revenues and expenses to be projected based on assumptions for growth and inflation. Future capital improvement projects may be included based on the Village's needs. Water rates will be projected to meet the City's revenue requirements and maintain an adequate fund balance.

Our services for the rate analysis are based using the existing rate structure in the water rate spreadsheet. Evaluating changes in the rate structure would require additional time and expense.

The following information will be required to prepare the spreadsheet:

- 1. Actual and budgeted revenues, expenses, and fund balance for the years from 2015 through 2020.
- 2. Current debt service schedules and reserve requirements.



Mr. Brian Davis August 4, 2021 Page 4

- 3. Capital improvement projects and associated costs are to be included in the spreadsheet. This will include the Water Treatment Plant Improvements identified in the General Plan.
- 4. Number of customers by meter size.
- 5. Billable water consumption by rate bracket.

#### **Estimated Fees**

Our estimated fee to provide the services outlined above are as detailed below:

WTP General Plan	\$34,000
Water Rate Study and Funding Assistance	<u>\$15,000</u>
Total	\$49,000

Actual charges will be based on time and expense times a factor and will not exceed the estimated fee without approval from the Village.

All of the above-mentioned services will be performed by or under the direct supervision of a professional engineer. The standard of care for all professional engineering performed by Jones & Henry Engineers, Ltd. will be the care and skill ordinarily used by members of the profession practicing under similar circumstances at the same time and in the same locality. Jones & Henry makes no warranties, express or implied, in connection with the services described in this Agreement.

We appreciate the Village's consideration of Jones & Henry for this work. If you have questions or need further clarification of the proposal, please contact me; direct phone 567-661-0254 or PLatta@JHEng.com.

Sincerely,

JONES & HENRY ENGINEERS, LTD.

Peter A. Latta, CDT Toledo Office Director

PAL/bjm Enc.

#### Elements of a General Plan for Water Treatment Plant Design and/or Construction Projects Funded Through the Water Supply Revolving Loan Account (WSRLA)

All applications for water treatment plant design and/or construction funding through the WSRLA must include a general plan. The general plan must contain the following information, where applicable.

#### **Introduction and Purpose**

Discuss why the project is needed and provided documentation of need. Be sure to include any compliance issues or standards violations. The types of projects eligible for funding through the WSRLA are discussed in Appendix D of the Drinking Water Assistance Fund Draft Management and Intended Use Plan. Types of specific projects ineligible for funding are discussed in Appendix C of the Drinking Water Assistance Fund Draft Management and Intended Use Plan.

#### **Existing Situation**

- Describe the raw water sources, capacities, and water quality data.
- Discuss all existing drinking water problems in the study and/or service area (this includes treatment, distribution and issues associated with the plant).
- Describe the existing service area and current population to be served.
- Provide the existing water demand. Water demands should be broken down into residential, commercial and industrial categories.
- Provide an engineering description of the existing facilities.

#### **Future Conditions**

- Describe other projects anticipated over the next twenty years.
- Provide the projected average and peak water demands based on population trends. Water demands should be broken down by residential, commercial and industrial. Projections should be for at least 20 years in five year increments.
- Describe the projected service area and the projected population to be served.

#### Alternatives

Describe the project alternatives considered and the rationale for the selected alternative; this description should include the technical, managerial, financial, operational and local decision making rationale for the selected approach. Where environmental resources (e.g., stream, wetlands, woodlots, etc.) may be present, it will be important to demonstrate how avoidance of impacts to such resources was included in the alternative evaluation and selection process. A regionalization alternative must be included for projects that are for new water treatment plants or major plant rehabilitations, or plant expansions. A cost analysis must include any required construction, operation, maintenance, and ongoing disposal costs.

#### **Selected Alternative**

The basis for choosing the selected alternative needs to be clearly identified – i.e., lowest capital cost, greater ease of operation, most reliable, fewest environmental impacts, etc. – thereby helping demonstrate that it is, in fact, the cost-effective alternative. In addition, the selected alternative needs to be described in sufficient detail, including the following:

- Provide an engineering description of the facilities to be constructed, including a basic layout (schematic and site plan) sizing of treatment units and a desired approved capacity of the treatment facilities. The methodology for determining approved capacities for treatment facilities can be found in the document titled Approved Capacity Planning and Design Criteria for Establishing Approved Capacity for: 1) Surface Water And Ground Water Supply Sources, 2) Drinking Water Treatment Plants (WTPs), and 3) Source/WTP Systems (Approved Capacity).
- Provided a description of all existing and proposed raw water sources and their desired approved capacity.
   The methodology for determining approved capacities for raw water sources can be found in the Approved Capacity document.
- The engineering description must include proposed use of existing facilities (if applicable), treatment and disposal to be installed, including the construction phases (if overall project is to be completed in steps).
- Describe how this project will address current compliance issues, if applicable.
- All proposed facilities must be sized for current needs with a moderate allowance for future growth.
   Describe how any water treatment residuals will be properly disposed of, whether on-site, via a publicly-owned wastewater treatment facility, or to a receiving stream, following proper treatment and in compliance with the appropriate discharge permit.

An estimated schedule for designing, bidding, constructing and initiating operation of the proposed facilities should also be included.

#### **Preliminary Estimate**

Provide a preliminary estimate of the proposed project's cost and the associated impact on local user rates. If rates will have to be increased to support the project, an estimate of the necessary increase should be included.

#### **Public Participation**

Provide information regarding public participation for the project, to date, such as minutes from council meetings, public meetings or newspaper articles. If future public participation activities are planned, or needed, they should also be described, keeping in mind that the more controversial a project could be (e.g., major rate increases needed, it's proposed to abandon a local facility in favor of regionalizing with a more distant utility, etc.), the more critical it is to have public involvement and support.

#### **Environmental Issues**

Describe the project area's major resources (e.g., streams, wetlands, woodlots, historic structures, etc.), the likely impacts, if any, of project implementation on these resources, how impacts to these resources can be avoided or minimized, and other agencies that may already have been contacted to help address these resource issues. In addition, construction-related impacts specific to the type of work proposed should be identified (e.g., noise, dust, traffic disruption, erosion and sediment runoff, etc.), along with applicable best management practices to address them. (Please contact Ohio EPA – DEFA for further assistance with these topics).

#### **Funding**

Describe all anticipated sources of funding for the project, if known. Otherwise, identify likely funding sources to be pursued.

#### Compliance schedule

For systems presently out of compliance for drinking water requirements, submit a detailed compliance schedule with applicable milestone dates for the significant events that are necessary to attain compliance.

BARRET	T BRO	THERS - DA	YTCN.	OHIO

Fc. m	6220S
LO: III	02270

Ordinance No.

Passed\_

#### **ORDINANCE NO. 2021-17**

AN ORDINANCE ESTABLISHING COMPENSATION FOR THE VILLAGE CF ANTWERP, OHIO FOR THE CALENDAR YEAR 2022

WHEREAS, O.R.C. Section 731.13 provides that the legislative authority of a village shall fix compensation, and the Village Council hereby fixes the compensation of Village officials, employees, appointees, and volunteers for the Village of Antwerp, Ohio for the calendar year 2022 as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

Section 1. That compensation and wage rates for the various Village officials, employees, appointees, and volunteers for calendar year 2022 is hereby adopted as follows:

Position	Compensation	/ Wage Rate
Mayor	\$9,600.00	Base annual salary
Council Members –existing Newly elected Council Members	\$3,800.00 to \$4,200.00	Base annual salary
Fiscal Officer	\$30,932.46	Base annual salary
Village Administrator	\$59,600.00	Base annual salary
Chief of Po ice	\$53,661.66	Base annual salary
Police - Full Time - On Propation	\$29,964.16 to \$34,318.42	Base annual salary
Police - Full Time	\$34,294.18 to \$40,590.32	Base annual salary
Police - Part Time	\$11.09 to \$21.40	per hour
Police - Reserves	\$11.09 to \$17.12	per hour
Fire Chief	\$2,853.36	Base annual salary
Fire Dept. Secretary	\$449.34	Base annual salary
Fire Chief Assistant	\$449.34	Base annual salary
	\$12.18	per meeting
	\$15.81	first hour
	\$12.30	each add'l hour

7100/114/01:15873-1 OUT

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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

Position	Compensation	/ Wage Rate
Fire Captains	\$132.66	Base annual salary
Fire Lieutenants	\$92.76	Bașe annual salary
Volunteer Fireman	\$12.18	per training hour
	\$12.18	first hour
	\$12.18	each add'l hour
EMS Coordinator	\$2,853 06 to \$4,279 58	Base annual salary
EMS Maintenance Man	\$306.18	Base annual salary
EMS Assistant	\$374.64	Base annual salary
EMS Secretary	\$374.64	Base annual salary
EMS Drivers	\$10.80	per hour
EMR	\$11.92	per hour
EMT – A (BLS – Basic Life Support)	\$13.04	per hour
EMT - B (Immediate Life Support)	\$16.86	per hour
All EMS Personnel	\$12.56	per training hour
Supervisor	\$23.92 to \$31.20	per hour
General Labor/Utilities Billing Clerk	\$10,05 to \$15.89	per hour
Mayor's Court Clerk/EMS Billing Clerk	\$10.05 to \$15.89	per hour
Tech I Water/Sewer/Assigned Duties	\$16.85 to \$21.75	per hour
Tech II Water/Sewer/Assigned Duties	\$18.60 to \$23.92	per hour

Section 2. Each Department Head has the authority to establish a wage rate and change in an employee's compensation within the wage structure above based upon the Village's finances and an employee's level of education, performance, attendance, certifications / licensures, knowledge, skill, abilities, variety and scope of responsibilities, and such other attributes the Department Head considers necessary for the position.

7100/114/01115873-1 OUT

BARRETT BROTHERS - DAYTON, OHIO Ordinance No. Passed. Section 3. Any and all other benefits to which Village officials and employees may be entitled are as set forth in the Village of Antwerp's Personnel Manual, subject to any and all amendments thereto, and any applicable Ordinances and Resolutions of the Village. Section 4. It is found and cetermined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code. Section 5. All prior legislation, or any part thereof, which is inconsistent with this Ord hance is hereby repealed as to the inconsistent parts thereof. Section 6. This Ordinance shall take effect and be in fc ce from and after the earliest period allowed by law. Enacted this <u>33</u> day of <u>November</u>, 2021 Mayor of the Village of Antwerp Attest: Aimee Lichty, Fiscal Office First Reading: Sept 20, 2021 Second Reading: Dct 18, 2021

7100/1 4/01115873-1 OUT

Third Reading: Nov 23, 2021

	RECORD OF ORDINANCES	
_	BARRETT BROTHERS - DAYTON, OHIO Fcm 6220S	
	Ordinance No Passed	
	ORDINANCE NO. 2021-19	:
	AN ORDINANCE AUTHORIZING THE ADMINISTRATOR OF THE VILLAGE	OF
	ANTWERP TO ENTER INTO A REVISED INDEPENDENT CONTRACTOR AGREEMENT FOR A HOUSING INSPECTOR IN ACCORDANCE WITH	
	ORDINANCE NO. 2016-17	:
	WHEREAS, the Council of the Village of Antwerp. Ohio passed Ordinance No. 2	016-26
	to authorize the Village Administrator to enter into an Agreement with an independent con	tractor
	to act as housing inspector in accordance with Ordinance No. 2016-17 adopting minus building standards for residential properties in the Village of Antwerp, Ohio (the "Village")	); and
	WHEREAS, the Village Administrator entered into an Agreement with Bruce Es	ssex to
	act as the housing inspector in accordance with Ordinance No. 2016-26; and	
	WHEREAS, the Village Administrator seeks authority to make certain revisions	
	Agreement, including but not limited to, increasing the amount of the inspection fee to redwellings or dwelling units in accordance with Ordinance No. 2016-17.	inspect
	NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Ar	twerp,
	County of Paulding, State of Ohio:	_
	Section 1. The Administrator of the Village of Antwerp, Ohio, is hereby author	
	make revisions to the Independent Contractor Agreement for a Housing Inspector, and to into the revised Independent Contractor Agreement by and between the Village and Bruce	Essex
	for him to be the housing inspector in accordance with Ordinance No. 2016-17. A tr	ue and
	accurate copy of said revised Agreement is attached hereta and incorporated herein by refe	rence.
	Section 2. It is found and determined that all formal actions of the Council of the	Village
	of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopte	in an
	open meeting of the Council, and that all deliverations of the Council and any of its com-	mittees
	that resulted in such formal action, were in meetings open to the public, and in compliant all legal requirements.	be with
	Section 3. This Ordinance shall take effect and be in force from and after the	agrliect
	period allowed by law.	
	Passed this 23 day of Nov, 202	
	Ian Reeb, Mayor	
	Attest:	

Aimee Lichty, Fiscal Officer

First Reading: Sept 20, 2021
Second Reading: Oct 18, 2021
Third Reading: Nov 23, 2021

7100/119/01246453-1 MLF

Ordinance No		
	Ordinance No	Passed,

#### **ORDINANCE NO. 2021-18**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ALL NECESSARY DOCUMENTS FOR THE PURCHASE OF REAL ESTATE OWNED BY ALAN E. FRANKLIN LOCATED AT 402 STONE STREET, ANTWERP, OHIO, SPECIFICALLY THE 0.048 ACRES OF SAID REAL ESTATE IN WHICH ANTWERP'S LIFT STATION IS LOCATED, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio, installed a lift station on real estate owned by Alan E. Franklin, which is part of Auditor's Parcel I.D. No. 12-33S-002-05, located at 402 Stone Street. Antwerp, Ohio 45813, said real estate more particularly described in the **Exhibit A** attached hereto and incorporated herein by reference (the "Real Estate"); and

WHEREAS, the Real Estate is needed for municipal purposes and the Council of the Village of Antwerp, Ohio, in exercising its general powers under Ohio Revised Code § 715.01, et seq., and the specific power to acquire by purchase real estate under Ohio Revised Code § 717.01(A), finds it necessary to purchase the Antwerp Lift Station 0.048 acres as identified in **Exhibit A**.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. It is hereby found that the Real Estate identified above and more fully described in Exhibit A, attached hereto and incorporated herein by reference, currently owned by Alan E. Frank in, is needed for municipal purposes and that it is in the best interest of the Village that said property be purchased due to the existence of Antwerp's Lift Station on said Real Estate.

Section 2. The Mayor is authorized to enter into the Real Estate Purchase Agreement and all necessary documents to effectuate the purchase of the Real Estate. A copy of the proposed Real Estate Purchase Agreement is attached hereto and marked as **Exhibit B**.

Section 3. The Village shall pay \$3,100.00 for the purchase of the Real Estate.

Section 4. It is hereby found and determined that all formal actions of this Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure, necessary to purchase the Real Estate where the Antwerp Lift Station is located, and it shall take effect immediately upon its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this **20<sup>th</sup>** cay of **Sept.**, 2021.

BARRETI BROTHERS - DAYTON, OHIO	Form 62203	
 Ordinance No	Passed	
	• •	
	Jan Reeb, Mayor of the Village of Antwerp	
Attest:  Aimee Lichty, Fiscal Office	<u></u>	

7100/119/01246517-1 MLF

#### ORDINANCE NO. 2021-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT AND ALL NECESSARY DOCUMENTS FOR THE PURCHASE OF REAL ESTATE OWNED BY ALAN E. FRANKLIN LOCATED AT 402 STONE STREET, ANTWERP, OHIO, SPECIFICALLY THE 0.048 ACRES OF SAID REAL ESTATE IN WHICH ANTWERP'S LIFT STATION IS LOCATED, AND DECLARING THE SAME AN EMERGENCY

**WHEREAS**, the Village of Antwerp, Ohio, installed a lift station on real estate owned by Alan E. Franklin, which is part of Auditor's Parcel I.D. No. 12-33S-002-05, located at 402 Stone Street, Antwerp, Ohio 45813, said real estate more particularly described in the **Exhibit A** attached hereto and incorporated herein by reference (the "Real Estate"); and

**WHEREAS**, the Real Estate is needed for municipal purposes and the Council of the Village of Antwerp, Ohio, in exercising its general powers under Ohio Revised Code § 715.01, *et seq.*, and the specific power to acquire by purchase real estate under Ohio Revised Code § 717.01(A), finds it necessary to purchase the Antwerp Lift Station 0.048 acres as identified in **Exhibit A**.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. It is hereby found that the Real Estate identified above and more fully described in Exhibit A, attached hereto and incorporated herein by reference, currently owned by Alan E. Franklin, is needed for municipal purposes and that it is in the best interest of the Village that said property be purchased due to the existence of Antwerp's Lift Station on said Real Estate.

<u>Section 2</u>. The Mayor is authorized to enter into the Real Estate Purchase Agreement and all necessary documents to effectuate the purchase of the Real Estate. A copy of the proposed Real Estate Purchase Agreement is attached hereto and marked as **Exhibit B**.

Section 3. The Village shall pay \$3,100.00 for the purchase of the Real Estate.

<u>Section 4</u>. It is hereby found and determined that all formal actions of this Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

<u>Section 5</u>. This Ordinance is hereby declared to be an emergency measure, necessary to purchase the Real Estate where the Antwerp Lift Station is located, and it shall take effect immediately upon its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this **20<sup>th</sup>** day of **Sept.**, 2021.

Jan Reeb, Mayor of the Village of Antwerp

Attest;

Aimee Lichty, Fiscal Officer

#### REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement ("Agreement") is made effective as of the **20** day of 2021 (the "Effective Date"), by Alan E. Franklin, a single man ("Seller") and the Village of Antwerp, an Ohio municipal corporation ("Buyer").

1. **PROPERTY TO BE SOLD.** The property to be sold and purchased under this Agreement is described as follows:

Situated in the County of Paulding in the State of Ohio and in the Township of Carryall.

See survey and legal description of Antwerp Lift Station 0.048 acres attached as Exhibit A and incorporated herein by reference.

Part of Parcel No. 12-33S-002-05 located at 402 Stone Street, Antwerp, Ohio 45813 (the "Real Estate"), including any and all permanent improvements, fixtures, tenements, hereditaments, rights, privileges, interest, easements and appurtenances belonging or in any wise pertaining to the Real Estate. The legal description of the Real Estate will be the same as the legal description prepared by Michael L. Howbert of Howbert Surveying, LLC.

- 2. **PURCHASE PRICE/PAYMENT.** The purchase price for the Real Estate is Three Thousand One Hundred Dollars (\$3,100.00) (the "Purchase Price"). The Purchase Price shall be paid in cash at Closing.
  - 3. **EARNEST MONEY.** None.
- 4. CONVEYANCE OF REAL ESTATE, TITLE, CLOSING EXPENSES, AND PRORATIONS.
- 4.1 Seller represents and warrants to Buyer that as of the date of Closing, Seller will have good, merchantable and marketable title to the fee simple estate in the Real Estate. At Closing, Seller shall deliver to Buyer a Warranty Deed granting to Buyer the fee simple estate in the Real Estate, free and clear of any and all liens, leases, mortgages and other encumbrances of any kind or nature whatsoever.
- 4.2 Buyer shall pay the following costs and expenses at or in connection with Closing: (i) preparation of the Real Estate Purchase Agreement, Warranty Deed, Conveyance Fee Statement of Value and Receipt form, Seller's Affidavit and Attorney's Certificate of Title; (ii) recording any documents relating to the transfer of title into the Real Estate as contemplated in this Agreement; (iii) transfer fees for the transfer of the Real Estate; (iv) Buyer's attorney fees; and (v) all other costs and expenses required to be paid by Buyer under this Agreement, including any and all costs for closing the transaction contemplated by this Agreement.
- 4.3 Seller shall pay the following costs and expenses at or in connection with Closing: (i) the taxes and assessments due with respect to the Real Estate, as provided in this Agreement; (ii) the costs of recording the satisfaction of any unreleased mortgage on the Real Estate, and any other document necessary to make title to the Real Estate marketable; (iii) any and all conveyance fees charged for the transfer of the real estate; (iv) Seller's attorney fees; and (v) all other costs and expenses required to be paid by Seller under this Agreement.
  - 4.4 The conveyance of the Real Estate shall be subject to the following:

- 4.4.1 Seller shall pay taxes for the Real Estate which are payable during the year in which Closing occurs, and taxes payable during the succeeding year, including the second installment. Buyer shall assume and pay all subsequent taxes.
- 4.4.2 Seller shall pay any assessments or charges upon or applying to the Real Estate for public improvements or services which, on the date of Closing, have been or are being constructed or installed on or about the Real Estate, or are serving the Real Estate.
- 5. **POSSESSION.** The possession of the Real Estate shall be delivered to Buyer at Closing, if applicable, in its present condition, ordinary wear and tear excepted.
- 6. **TITLE INSURANCE AND SURVEY.** Buyer has obtained a survey of the Real Estate. Title insurance is not required.

#### 7. RISK OF LOSS; CONDEMNATION.

- 7.1 Risk of loss by damage or destruction to the Real Estate prior to the Closing shall be borne by Seller. Seller's property insurance on the Real Estate may be canceled as of the date of Closing and the Buyer shall bear the risk and provide their own insurance from the date of Closing, forward.
- 7.2 If prior to the Closing, any governmental or other entity having condemnation authority shall institute an eminent domain proceeding against any portion of the Real Estate, or notify Seller of their intention to institute such proceedings, Buyer shall be entitled to terminate this Agreement within 20 days after notice has been delivered to Buyer of the institution or threat of eminent domain proceedings with the exception of any condemnation proceeding commenced by the Buyer. If Buyer elects not to terminate this Agreement, then Seller shall assign to Buyer, at Closing, all of Seller's interest in such condemnation proceedings and in any resulting award.
- 8. **ENVIRONMENTAL MATTERS.** Seller represents that to the best of its knowledge, without having made any inquiry, there does not currently exist any actual or potential contamination of the soil, subsoil, groundwater or any other portion of any parcel of the Real Estate by any hazardous or toxic substance, or petroleum product, or any constituent thereof.
- 9. **REAL ESTATE BROKER.** Buyer and Seller represent to each other that the services of a real estate broker have not been retained to handle this transaction by either party.

#### 10. MISCELLANEOUS.

- 10.1 **Binding Agreement.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.
- 10.2 Closing Date. The Closing contemplated herein shall take place no later than thirty (30) days after the full execution of this Agreement. In the event Closing does not occur by this date, and neither Seller nor Buyer is in default of this Agreement, either party shall have the right to terminate this Agreement.
- 10.3 **Remedies.** If a party breaches any or all of its obligations under this Agreement, the non-defaulting party may seek the following remedies, which shall be cumulative and are not mutually exclusive:

- 10.3.1 All legal and equitable remedies available (including, without limitation, specific performance of this Agreement);
  - 10.3.2 Termination of this Agreement;
- 10.3.3 The reasonable attorney fees, expenses and costs incurred by the non-defaulting party in connection with a default by the defaulting party, excluding consequential damages.
- 10.3.4 The failure to enforce a breach of this Agreement shall not be construed as a waiver of the right to enforce such breach at a later time or enforce any other breach. If a party consists of more than one person, each person who is a party shall be jointly and severally liable for such party's defaults.
- 10.4 Entire Agreement. This Agreement contains the entire agreement between the parties with respect to the subject matter of this Agreement; all representations, promises and prior or contemporaneous understandings between the parties with respect to the subject matter of this Agreement are merged into and expressed in this Agreement; and any and all prior agreements between the parties with respect to the subject matter of this Agreement are canceled. The agreements contained in this Agreement shall not be amended, modified or supplemented without the written agreement of the parties at the time of such amendment, modification or supplement.
- 10.5 Notices. All notices and other communications hereunder shall be in writing and shall be deemed to have been duly given if sent by registered or certified mail, postage prepaid, return receipt requested, addressed as below set forth or to such other address as shall be furnished in writing by either party to the other:

If to Seller:

Alan E. Franklin 402 Stone Street Antwerp, Ohio 45813

If to Buyer:

Village of Antwerp

Attn: Village Administrator

P.O. Box 1046

Antwerp, Ohio 45813

With Copy to:

Melanie L. Farr, Esq. HallerColvin PC 444 East Main Street Fort Wayne, IN 46802 Facsimile: (260) 422-0274 Email: mfarr@hallercolvin.com

- 10.6 Governing Law. This Agreement shall be governed in all respects whether as to validity, construction, capacity, performance, or otherwise by the laws of the State of Ohio.
- 10.7 *Gender*. Whenever reasonably necessary, pronouns of any gender shall be deemed synonymous, as shall singular and plural pronouns.
- 10.8 Execution by Facsimile Reproduction or by Electronic Means/Counterparts. The parties agree that this Agreement may be transmitted by them for execution by facsimile reproduction

or electronic means. The parties intend that facsimile or electronic signatures on this Agreement shall be binding on them. This Agreement may be executed in several counterparts, each of which shall be deemed an original, but together the counterparts shall constitute one and the same document.

#### [THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

[SIGNATURE PAGES FOLLOW.]

1	•
	has executed this Agreement this 20th day of sted this Agreement as of the date set forth next to its
	SELLER:  Alan E. Franklin
	BUYER:
DATED: <u>9-20-21</u> , 2021	Village of Antwert  Jan Reeb, Mayor
Attest:	V
Airnee Lichty, Fiscal Officer	

DESCRIPTION CHECKED

& APPROVED

PLDG. CO. ENGINEER'S OFFICE

BY A POR CALED

#### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that ALAN E. FRANKLIN, an unmarried man of Paulding County, Ohio, for valuable consideration paid, grants with general warranty covenants, to: the VILLAGE OF ANTWERP, an Ohio Municipal corporation, whose tax mailing address is: 118 North Main Street, Antwerp, Ohio 45813, the following real estate: Situated in the Village of Antwerp, County of Paulding, State of Ohio as follows:

See attached legal description and survey of the Antwerp Lift Station, a 0.048 acre parcel.

Subject to all legal highways, right-of-ways, zoning restrictions and easements either apparent or of record.

Part of Auditor's Parcel I.D. No. 12-33S-002-05 Property Address: 402 Stone Street, Antwerp, Ohio 45813 Prior Instrument Reference: Volume 541, Page 815

This document signed this 25 day of July , 2022.

STATE OF OHIO	)
	) SS:
COUNTY OF PAULDING	)

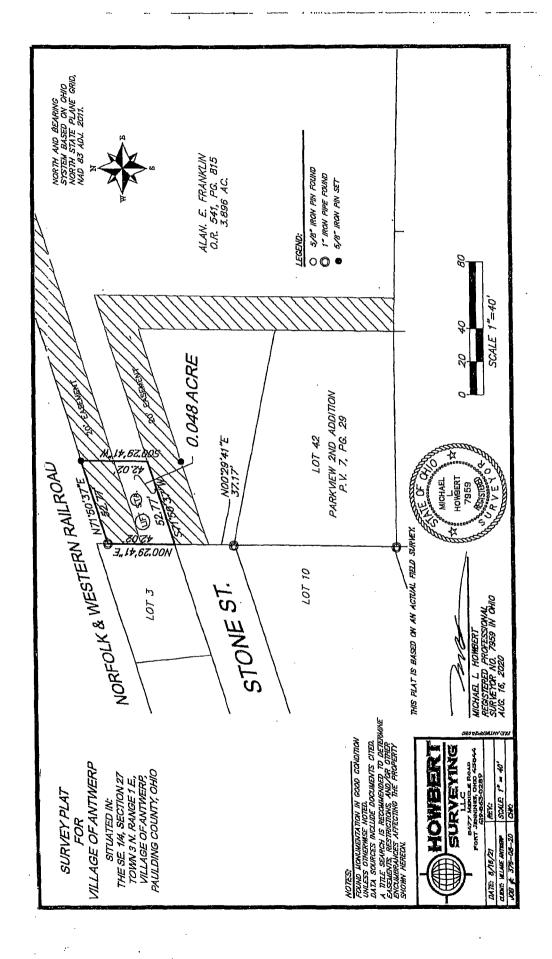
Before me, a notary public in and for said County and State, personally appeared the above individual: Alan E. Franklin, an unmarried man, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.



AIMEE C LICHTY
Notary Public
State of Ohio
My Comm. Expires
March 9, 2025

Notary Public,
State of Ohio
My Commission Expires:

Prepared by: Melanie L. Farr, HallerColvin PC, 444 East Main Street, Fort Wayne, IN 46802.





# Description Antwerp Lift Station 0.048 Acre

Situated

Thence

Thence

Thence

in the Southeast quarter of Section 27, Town 3 North, Range 1 East, Village of Antwerp, Paulding County, Ohio, being part of a 3.896 acre tract, heretofore conveyed to Alan E. Franklin by deed recorded in Official Record Volume 541, Page 815 of said County Deed Records and being more particularly described as follows:

Commencing at the northwest corner of Lot 42 of Parkview 2<sup>nd</sup>. Addition as platted in Plat Book 7, Page 29, being a 5/8" iron pin found;

Thence along the west line of said 3.896 acre tract, N.00°29'41"E., a distance of 37.17 feet to the *Principal Point of Beginning*, being a 5/8" iron pin set;

continuing along said west line, N.00°29'41"E., a distance of 42.02 feet to a 5/8" iron pin found in the south line of the Norfolk an Western Railroad;

running on said south line, N.71°50'37"E., a distance of 52.77 feet to a 5/8" iron pin set;

along a new division line on the following two (2) courses and distances:

S.00°29'41"W., a distance of 42.02 feet to a 5/8" iron pin set;
 S.71°50'37"W., a distance of 52.77 feet to the Point of Beginning;

Containing 0.048 acre, more or less, and being subject to all legal highways, rights-of-way, easements, restrictions, covenants, and/or conditions of record.

The above description based on a survey prepared by Michael L. Howbert, Registered Professional Surveyor No. 7959, in August of 2021. The basis of bearing is based on Ohio North State Plane Grid, NAD 83, Adjustment 2011.

Michael L. Howbert, P.S.



20070004107 Filed F. Perund In PARLOIMO 198800% ORDA CARGE E TURNIEW COUNTY RECERCES 05-11-2010 At 11:04 dx PARTING NOT LAIDE DE Villan SOT File 1201 - 2019

#### PARTIAL RELEASE OF MORTGAGE

FOR VALUE RECEIVED, Partners 1<sup>st</sup> Federal Credit Union (Formerly North American Philips Federal Credit Union, Philips Electronics Federal Credit Union, or Philips Federal Credit Union or General Credit Union, Insurance Employee Federal Credit Union, Centerline Federal Credit Union, NAVL Employees Federal Credit Union) hereby releases from the lien of certain mortgage executed by Alan E Franklin and recorded in the Records of Mortgages of Paulding County, Ohio, Instrument No. 201200001088, the following portion of the real estate therein described, to wit:

#### SEE ATTACHED LEGAL DESCRIPTION

But said mortgage is to be and remain in full force and effect as to all other real estate therin described.

IN TESTIMONY WHEREOF, Tami Brumett, Chief Lending Officer has hereunto set her hand this 6 day of May 2022.

By:

Tami Brumett, Chief Lending Officer

STATE OF INDIANA, ALLEN COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said State and County, personally came Partners 1<sup>st</sup> Federal Credit Union (Formerly North American Philips Federal Credit Union, Philips Electronics Federal Credit Union, or Philips Federal Credit Union or General Credit Union, Insurance Employee Federal Credit Union, Centerline Federal Credit Union, NAVL Employees Federal Credit Union), by Tami Brumett, its Chief Lending Officer, well known to me to be the identical person named in and who executed the foregoing Release of Mortgage, and acknowledge the execution of the same.

### VOL 607 PAGE 2269

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal this 6 day of May, 2022.

Notally Public, Skylar Van Duyne

Resident of Allen County

Notary Public, State of Indiana Allen County

Commission Number NP0732856 My Commission Expires April 07, 2029

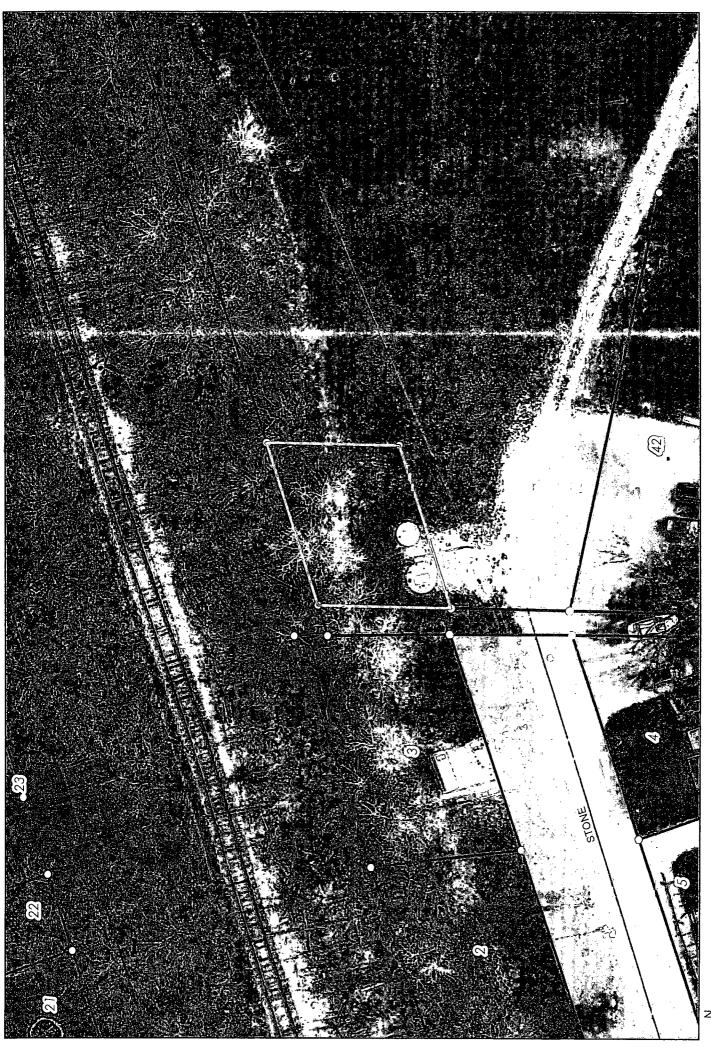
My Commission Exp res: 4/7/2029

Prepared at Partners 1st Federal Credit Union

By: Jennifer Neuschwanger

I affirm, under the penalites for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Jehnifer Veuschwanger, Mortgage Loan Servicer



Disclaimer: These maps are for visual reference only...not for survey purposes.

Date: 7/19/2022

Ordinance No	Passed	,,	

#### ORDINANCE NO. 2021-19

# AN ORDINANCE AUTHORIZING THE ADMINISTRATOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A REVISED INDEPENDENT CONTRACTOR AGREEMENT FOR A HOUSING INSPECTOR IN ACCORDANCE WITH ORDINANCE NO. 2016-17

WHEREAS, the Council of the Village of Antwerp, Ohio passed Ordinance No. 2016-26 to authorize the Village Administrator to enter into an Agreement with an independent contractor to act as housing inspector in accordance with Ordinance No. 2016-17 adopting minimum building standards for residential properties in the Village of Antwerp, Ohio (the "Village"); and

WHEREAS, the Village Administrator entered into an Agreement with Bruce Essex to act as the housing inspector in accordance with Ordinance No. 2016-26; and

WHEREAS, the Village Administrator seeks authority to make certain revisions to the Agreement, including but not limited to, increasing the amount of the inspection fee to re-inspect awellings or dwelling units in accordance with Ordinance No. 2016-17.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. The Administrator of the Village of Antwerp, Ohio, is hereby authorized to make revisions to the Independent Contractor Agreement for a Housing Inspector, and to enter into the revised Independent Contractor Agreement by and between the Village and Bruce Essex for him to be the housing inspector in accordance with Ordinance No. 2016-17. A true and accurate copy of said revised Agreement is attached hereto and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of the Council of the Village of Artwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 23 day of You, 2021.

Jan Reeb, Mayor

Attest:

Aimee Lichty, Fiscal Officer

First Reading: Sept 20, 2021
Second Reading: Oct 18, 2021
Third Reading: Nov 23, 2021

7100/1 9/01246453-1 MLF

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Orainance No	Passed	

#### **ORDINANCE NO. 2021-20**

#### AN ORDINANCE AMENDING CHAPTER 112 OF THE OHIO BASIC CODE ENTITLED PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS TO ADD A NEW SECTION PROHIBITING PARKING ON PUBLIC STREETS, RIGHTS-OF-WAY, AND SIDEWALKS OF MOBILE UNITS

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted the Ohio Basic Code, including Chapter 112 entitled Peddlers, Itinerant Merchants, and Solicitors; and

WHEREAS, the parking of mobile units on public streets, rights-of-way, and sidewalks, including designated parking spaces, by peddlers, itinerant merchants, and solicitors within the Village of Antwerp, Ohio, has caused concern with allowing traffic to travel in a safe and orderly fashion, both vehicular traffic on the public streets and pedestrian traffic on the public sidewalks; and

WHEREAS, due to the parking of mobile units on public streets, rights-of-way, and sidewalks creating an issue of safety and public concern by peddlers, itinerant merchants, and solicitors, the Council of the Village of Antwerp, Ohio, desires to prohibit mobile units from parking on public streets, rights-of-way, and sidewalks, including designated parking spaces, within the Village of Antwerp by peddlers, itinerant merchants, and solicitors; and

WHEREAS, Chapter 112 entitled Peddlers, Itinerant Merchants, and Solicitors is hereby amended to add a new section, Section 12.14, that prohibits peddlers, itinerant merchants, and solicitors from parking mobile units on public streets, rights-of-way, and sidewalks, including designated parking spaces, within the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

<u>Section 1</u>. That Section 112.14 is hereby added to the Ohio Basic Code as adopted by the Council of the Village of Antwerp to read as follows:

#### § 112.14 PARKING PROHIBITED

- (A) Peddlers, itinerant merchants, and solicitors are prohibited from parking any mobile units on public streets, rights-of-way, and sidewalks, including designated parking spaces, within the Village of Antwerp, Ohio, in order to conduct business or sell goods as contemplated by Chapter 112 of the Ohio Basic Code.
- (B) A mobile unit is defined as any apparatus or equipment that is used to peddle goods or solicit business, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to, motorized vehicles, trailers and hand propelled carts. The term "mobile unit" shall include food trucks.
- (C) Peddlers, itinerant merchants, and solicitors are not prohibited from parking said mobile units on public streets when such streets are closed for the purpose of allowing such vendors to set up mobile units to peddle goods or solicit business.

7100/119/01246415-1 MLF

•	RECORD OF ORDINANCES	
BARRETT BROTHERS - DAYTO	N.OHIO Form 62203	
Ordinance No	Passed	
Section Chapter I of the V revoked a Section : relating t all deliberation were in lawful or allowed be Passed the Attest:	nalty, see § 110.99  Previous ordinances and/or any portions thereof, including other provisions 12 of the Ohio Basic Code adopted by the Council of the Village of Antwerp, and rul llage of Antwerp that are not consistent with this Ordinance are hereby set as in the held for naught.  It is found and determined that all formal actions of the Council concerning a the passage of this Ordinance were adopted in open meetings of this Council, and the actions of the Council and of any of its committees that resulted in such formal action neetings open to the public, in compliance with all legal requirements including linances and any applicable provisions of Section 121.22 of the Ohio Revised Code.  This Ordinance shall take effect and be in force from and after the earliest per y law.  Jangkeeb, Mayor Village of Antwerp, Ohio	les de, nd nat on, all

1st Reading: <u>Sept 20, 2021</u>

2<sup>nd</sup> Reading: 0ct 18, 3021

3rd Reading: Nov 23, 2021

Ordinance No	Passed

#### **ORDINANCE NO. 2021-21**

AN ORDINANCE AMENDING ORDINANCE NO. 2010-16, AN ORDINANCE TO RETAIN THE SERVICES OF A ZONING INSPECTOR FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, SPECIFICALLY TO AMEND SECTIONS 2 AND 3 OF SUCH ORDINANCE TO INCREASE THE ANNUAL PAYMENT RATE FOR THE ZONING INSPECTOR, AND TO ALSO PROVIDE A ONE-TIME PAYMENT ON COMPLETION OF ZONING MAP UPDATE

WHEREAS, the Council of the Village of Antwerp previously enacted Ordinance No. 2010-16 to retain the services of a zoning inspector for the Village of Antwerp, Ohio, which Ordinance was passed as an emergency measure on June 14, 2010;

**WHEREAS**, Ordinance No. 2010-16 set the annual payment rate for the appointed position of zoning inspector at \$1,000.00 per year;

**WHEREAS**, the Council amends Sections 2 and 3 of Ordinance No. 2010-13 to increase the annual payment rate for the position of zoning inspector; and

WHEREAS, the Council amends said Ordinance to authorize a one-time payment to the zoning inspector upon completion of the Zoning Map update for the Village of Antwerp, Ohio, specifically updating the Zoning Map to accurately reflect any and all amendments thereto.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio as follows:

Section 1. Section 2 of Ordinance No. 2010-16 currently reads as follows:

Section 2. The Village will compensate the zoning inspector for zoning services rendered on behalf of the Village at the rate of One Thousand Dollars (\$1,000.00) on an annual basis, plus Fifteen Dollar (\$15.00) for each zoning permit issued by the zoning inspector.

Section 2 Section 2 of Ordinance No. 2010-16 is amended to read as follows:

Section 2. The Village will compensate the zoning inspector for zoning services rendered on behalf of the Village at the rate of Two Thousand Five Hundred Dollars (\$2,500.00) on an annual basis, plus Fifteen Dollar (\$15.00) for each zoning permit issued by the zoning inspector.

Section 3 of Ordinance No. 2010-16 currently reads as follows:

<u>Section 3</u> The Village Fiscal Officer is authorized to issue compensation to the zoning inspector at the rate of Two Hundred Fifty Dollars (\$250.00) on a quarterly basis, and the Fifteen Dollar (\$15.00) for each zoning permit issued throughout the calendar year shall be disbursed at the end of the year.

Section 4. Section 3 of Ordinance No. 2010-16 is amended to read as follows:

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_	BARRETT BROTHERS - DAYTON, OHIO				Form 6220S
_	Ordinance No	· · · · · · · · · · · · · · · · · · ·	Passed		
	zoning insperience quarterly ba	ector at the rate of Si	ix Hundred Twent Dollar (\$15.00) fo	I to issue compensation y-Five Dollars (\$625.00 or each zoning permit i the end of the year.	)) on a ∥
	of Ordinance No. 2 Ordinance are here	010-16, and rules of	the Village of Ant d and held for na	ns thereof, including Sec werp that are not consi- ught and this Ordinanco f.	stent with this
	Thousand Five Hun	dred Dollars (\$1,500.0	00) upon the comp	ntitled to a one-time pay eletion of the Zoning Map dments made to date.	yment of One amendments
	that all deliberations were in meetings o	ssage of this Ordinands of the Council and a pen to the public, in co	ce were adopted in any of its committee compliance with all	mal actions of the Count in an open meeting of the es that resulted in such for legal requirements incluse e Ohio Revised Code.	e Council, and ormal actions,
	Section 8. allowed by law, and January 1, 2022.	This Ordinance shad the annual payment	all take effect and rate increase set	l be in force after the e forth herein shall be eff	ective starting
	PASSED this	day of <u><b>Dec</b></u>	_, 2021.	an Reel	
			Jag∕R∈ Mayor,	eeb , Village of Antwerp	
	ATTEST:				
	Aimee Lichty Fiscal Officer, Vilia	ge of Antwerp		•	
	First reading: Do	+ 18,2021			
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Third reading: Dec 1, 2021

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

#### **ORDINANCE NO. 2021-22**

# AN ORDINANCE TO ESTABLISH THE TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, FOR CALENDAR YEAR 2022

WHEREAS, the Council of the Village of Antwerp, Paulding County, Ohio, is desirous of holding regular monthly council meetings in calendar year 2022; and

WHEREAS, in accordance with Ohio Revised Code Section 731.46, the Village Council hereby establishes the time and place of regular meetings of the Council for calendar year 2022 as provided herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

<u>Section 1</u>. Regular meetings of the Council shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Onio.

Section 2. Regular meetings of the Council shall be held on the third (3rd) Monday of each month at 5:30 p.m., except for those third (3rd) Mondays that are deemed a holiday under the personnel manual of the Village of Antwerp, then the regular council meeting shall be the third (3rd) Wednesday of that month at 5:30 p.m., which includes the regular meeting of the Council for January 2022, February 2022, and June 20,2022. The regular meeting of the Council for January 2022 will be held on January 19, 2022, at 5:30 p.m., the regular meeting of the Council for February 2022 will be held on February 16, 2022, at 5:30 p.m., and the regular meeting of the Council for June 20, 2022, will be held on June 15, 2022, at 5:30 p.m.

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January 2022 and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of a member of the Council. Notice of any change in the time and/or place of a regular meeting of the Council shall be provided in accordance with Ordinance No. 2012-18.

Section 4. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Enacted this 20 day of December 2021

Jan Reeb

Mayor of the Village of Antwerp

ATT#ST:~

Aimee Lichty, Fiscal Officer (

First Reading: Nov 23, 8021

Second Reading: Decl. 2021

Third Feading: <u>Sec 80, 302</u>

7100/1 4/01115797-1 MLF

BARRETT BROTHERS - DAYTON, OHIO		Form 6220S
Ordinance No.	Passed	
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#### **ORDINANCE NO. 2021-24**

#### AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$38,000.00 FROM THE GENERAL FUND TO THE POLICE FUND, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund to provide necessary funding for the operations of the police department, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

WHEREAS, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14(E), which requires a majority vote of the Village Council to authorize transfers from the General Fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the transfer of funds from the General Fund to the Police Fund with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Sections 5705.15 and 5705.16.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Thirty-Eight Thousand Dollars and Zero Cents (\$38,000.00) from the General Fund to the Police Fund.

Section 2. The transfer of these funds from the General Fund to the Police Fund is necessary for the operation of the police department of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immed at need of funds for the operation of the police department necessary for the well being of the residents and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date <u>bec 20, 202 l</u>

Mayor of the Village of Antwerp

Attest:

Aimee Lichty, Fiscal Office

7100/114/01018218-1 MLF

BARRETT BROTHERS - DAYTON, OHIO Form 6220S Ordinance No. Passed. **ORDINANCE NO. 2021-23** AN ORDINANCE ADOPTING AN AMENDMENT TO THE PERSONNEL MANUAL FOR THE VILLAGE OF ANTWERP, OHIO, SPECIFICALLY, AN AMENDMENT TO SECTION

XXI ENTITLED "HOLIDAYS" TO ADD THE NINETZENTH OF JUNE AS A HOLIDAY

WHEREAS, the Council of the Village of Antwerp desires to amend the Personnel Manual for the Village of Antwerp, Ohio, said amendment to be effective January 1, 2022.

NOW, THEREFORE, BE IT CRDAINED by the Council of the Village of Antwerp, County of Paulding, and State of Onio:

Section 1. The Council of the Village of Antwerp, Ohio, amends the Personnel Manual to add the nineteenth day of June (Juneteenth) as a paid holiday for full-time employees of the Village in Section XXI entitled "Holidays", subsection C

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Crdinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any cf its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Enacted this 30 day of December, 2021

Mayor of the Village of Antwerp

ATTEST:

Aimee Lichty, Fiscal Office

First Reading: \_\_\_

Second Reading:

Third Reading: <u>Dec. 30 2021</u>

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Ordinance No,	
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BARRETT BROTHERS - DAYTON, OHIO

#### **ORDINANCE NO. 2021-25**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A WRITTEN MODIFICATION OF THE LEASE AGREEMENT WITH PIONEER LINES FOR THE LEASE OF THE LAND FOR OPERATION OF A PARKING LOT, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio, leases real estate from the railroad, formerly with Wabash Railroad Company, later with Maumee & Western Railroad Corporation, and now with Pionee Lines, said lease agreement referenced as NDW 96070 and for the lease of the land for the operation of a parking lot used by residents and customers of the downtown business district; and

**WHEREAS**, Pioneer Lines notified the Village of its intent to modify the terms and conditions of said lease agreement, including an annual rental rate increase of \$500.00 effective January 1, 2022; and

WHEREAS, the Village Council had previously passed an ordinance to approve a lease agreement with the railroad, which ordinance was later repealed due to an inability to negotiate a reasonable annual lease term, so that the lease continued under its original terms; and

WHEREAS, the Village finds it to be in the best interest of the Village and its residents and businesses to continue to lease the downtown parking lot from Pioneer Lines, and in order to do so, the Village must acknowledge and accept the modification of the lease agreement, NDW 96070, as now presented.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Mayor is authorized to enter into a written modification of the lease agreement with Pioneer Lines for the lease of the land for the operation of the parking lot downtown, said lease agreement known as NDW 96070, and the terms and conditions of such written modification of the lease agreement are set forth in the November 5, 2021, letter from Pioneer Lines attached hereto and marked as **Exhibit 1**.

Section 2. The Village Fiscal Officer is authorized to pay the annual rental rate increase of \$500.00 effective January 1, 2022, pursuant to the terms and conditions set forth in Exhibit 1.

Section 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

7100/119/01285647-1 MLF

BARRETT BROTHERS - DAYTON, OHIO Form 6220S	
Ordinance No,	
Section 4. This Ordinance is hereby declared to be an emergency mean necessary to authorize the Mayor to enter into the written modification of the agreement that is effective January 1, 2022, and allow the residents and customers downtown business district to continue to use the parking lot covered by the agreement, and shall take effect immediately upon its passage; otherwise, it shall effect and be in force after the earliest period allowed by law.	lease of the lease
Passed this 20 day of <u>December</u> , 2021	
- Jan Reel	
Jan Reeb, Mayor of the Village of Antwert Attest:	
Aimee Lichty, Fiscal Officer	



# 5619 DTC PARKWAY, SUITE 650, GREENWOOD VILLAGE, CO 80111 MAIN: 720.506.9121 <u>www.pioneerlines.com</u>

November 5, 2021

Village of Antwerp 58 Main Street Antwerp, NY 13608 Agreement: NDW 96070 Effective: January 1, 2022

Railroad: Napoleon Defiance and Western Railway

RE: Pipeline Sewage
Land for operation of a paraing lot

Dear Village of Antwerp,

We are sending you this letter to provide you with due notice of the fact that the rental and certain other terms of your lease will be modified, on the date shown above, as a result of a programmed study of all Pioneer Lines' leases, licenses, and permits. In today's economic environment, it became necessary to conduct an internal audit and reassessment of your agreement terms.

The leased property was reviewed against several factors, which include but are not limited to, the type of encumbrance occupying the property, changes in value as compared to similar properties and uses, changes in administrative costs, and liability. This, we believe, is indicative of our attempt to properly determine the fair rental we are required to secure. In many instances in the past, our predecessor rail companies were faced with the necessity of quoting lease rentals without the benefit of a sophisticated valuation system to govern their decision, which resulted in unrealistically low rentals being applied in prior years. If you will consider the present situation in the light of current conditions, rather than by comparison of past charges, we hope you agree the new rental is fair and appropriate. In lieu of exercising the Railroad's right to terminate, we would prefer to arrive at an arrangement that will benefit both Parties.

It is Pioneer Lines' intent to modify the lease to reflect the following terms and conditions:

- The rental in your agreement is hereby revised to \$500 effective 01/01/2022.
- The revised rental, excluding taxes, will be as shown above, subject to revision at any rental billing date.
- The Customer agrees to pay the Railroad, upon receiving a bill therefor, all taxes, license fees, or other charges that may be levied or assessed locally against the premises.
- The Kailroad reserves the right to periodically adjust the rental at any time, by giving notice at any time, independent of the term of the agreement, of such adjustment to Customer at least thirty (30) days prior to the effective date of such adjustment.
- The rental shall be automatically increased by five percent (5%) annually, cumulative and compounded
- All rentals and other charges payable by the Customer under the terms of the agreement shall be paid to:



#### '5619 DTC PARKWAY, SUITE 650, GREENWOOD VILLAGE, CO 80111 MAIN: 720.506.9121 <u>www.pioneerlines.com</u>'

Pioneer Railroad Services, Inc. C/O Real Estate Department 75 Remittance Drive Dept. 4648 Chicago, IL 60675-4648

Effective with the date of the modified rental indicated above, any rental payments made by Customer of less than the rental stipulated shall be accounted for as a partial payment for application against the adjusted rental payable.

This letter is being forwarded in duplicate, the return of one copy indicating your acceptance will be sincerely appreciated. Should you fail to forward your signed acceptance, however, your occupation of the leased premises beyond the effective date depicted above will confirm to us that you have elected to continue occupying the site under the modified terms and conditions and will thus be billed accordingly. If you have any questions, please feel free to contact us at realestate@pioneerlines.com.

Sincerely,

Pioneer Lines Real Estate Department

Acknowledged and accepted by:

Signature

Date

Please return one executed original of this signature page along with a copy of this letter.

Ordinance No	. •	Passed		_,	_
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#### **ORDINANCE NO: 2021-26**

## AN ORDINANCE AMENDING THE OFFICIAL ZONING MAF OF THE VILLAGE OF ANTWERP, OHIO, TO REZONE CERTAIN PARCELS IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended, by the adoption of a motion, to amend the Official Zoning Map of the Village of Antwerp and rezone or change the classification of certain lots in the Village of Antwerp, specifically Parcel No. 12-38S-004.00 from Agricultural District (A-1) to Single Family District (R-1) and then nineteen (19) parcels from their current zoning classification to Gateway Commercial District (B-2), said parcels listed as the first twenty (20) parcels on **Exhibit A**, and said recommendation made in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendments to the Council at its regular meeting on October 18, 2021, and Council scheduled a public hearing in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Zoning Inspector, on behalf of the Planning and Zoning Commission, requested Council to modify the recommendation to amend the Zoning Map to include two (2) more parcels to be rezoned to Gateway Commercial District (B-2), specifically Parcel Nos. 12-38S-013-00 and 12-38S-021-01, which are included on Exhibit A, and Council passed a motion on October 18, 2021, to amend the recommendation and add these two parcels to be rezoned; and

WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on November 26, 2021, in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of said public nearing was published and any required notice mailed to property owners in compliance with Sections 708 and 709 of the Zoning Ordinance of the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Ccuncil adopts the recommendation of the Flanning and Zoning Commission, as modified, and approves the amendment to the Official Zoning Map as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission, as modified, that the Official Zoning Map be amended and that the real estate located at the property addresses and highlighted on the Zoning Map of the Village of Antwerp attached hereto as **Exhibit A** and incorporated herein by reference, be rezoned or the classification of these real estate parcels changed as noted thereon.

### **RECORD OF ORDINANCES** •

В	RRETT BROTHERS - DAYTON, OHIO Form 6220S	
	Ordinance No Passed	
	Section 2. The amendment in Section 1 shall be incorporated into the Official Zoning In the Village of Antwerp upon the date this Ordinance becomes effective by law.	Tap of
	Section 3. It is found and determined that all formal actions of the council concerning relating to the passage of this Ordinance were adopted in an open meeting of this counce that all deliberations of the council and of any of its committees that resulted in such action, were in meetings open to the public, in compliance with all legal requirements, including all lawful Ordinances and any applicable provisions of Section 121.22 of the Ohio Revised	il, and formal luding
	Section 4. This Ordinance is deemed an emergency measure necessary for the preservathe public health, safety and welfare, and for the further reason to comply with Section the Zoning Ordinance, which requires the Village Council to act within thirty (30) days public hearing on the proposed amendment, and this Ordinance shall be in full force and immediately after its passage; otherwise, it shall take effect and be in force after the eperiod allowed by law.	710 of of the effect
	PASSED THIS Of becember, 2021.	
	Ganice Reel	
	Jan Reeb, Mayor Village o∓ Antwerp, Ohio	
	Attest: Chree Lichty, Fiscal Officer	

## Exhibit A

# Village of Antwerp Planning & Zoning Commission Reccomended Zoning Map Changes

	Parcel	Owner	Adress	Current	Proposed
	raitei	Owitei	Auress	Zoning	Zoning
	12-385-004.00	WIESEHAN KEITH L TRUSTEE &	418 Canal St E	A-1	R-1
1		WIESEHAN SUSAN R TRUSTEE			
2	12-17S-020.02	B &Y Limited	A - Sec 34 OL - Lot 23&37&38&41	A-1	B-2
3	12-17S-022.00	B &Y Limited	A - Sec 34 OL - Lot 23	A-1	B-2
4	12-08S-019.00	Braedan Hormann	Main St N	B-1	B-2
5	12-17S-016-00	HOPS PLACE LLC	518 ERIE ST	R-1	B-2
6	12-17S-015-00	HOPS PLACE LLC	519 ERIE ST	R-1	B-2
7	12-17S-017-00	B&M PROPERTY MANAGEMENT	104 Waterplant Dr.	R-1	B-2
8	12-17S-018-00	Village of Antwerp	Waterplant Dr	R-2	B-2
9	12-17S-020.00	GERKEN ROBBY L GERKEN KATHLYN R	602 Erie St S	R-1	B-2
10	12-17S-020.01	Paulding Cty Commissioners	608 Erie St. S	R-1	B-2
11	12-17S-077.00	Paulding Cty Commissioners	608 Erie St. S	R-1	B-2
12	12-17S-088.00	Paulding Cty Commissioners	608 Erie St. S	R-1	B-2
13	12-07S-009.00	William Boylan	610 Erie St S	R-1	B-2
14	12-07S-010.00	CIC	612 Erie St S	R-1	B-2
15	12-075-011.00	Jamie Lawton	614 Erie St S	R-1	B-2
16	12-07S-012.00	Mike Smith	616 Erie St S	R-1	B-2
17	12-07S-013.00	Travis Keeran	618 Erie St S	R-1	B-2

18	12-07S-014.00	REINHART KRISTOPHER K REINHART SHERRY L	620 Erie St S	R-1	B-2
19	12-075-015.00	Albert Manella	622 Erie St S	R-1	B-2
20	12-07S-016.00	Chris Walters	624 Erie St S	R-1	B-2
21	12-38S-013.00	Clifford D. Bragg	410 River St. E	R-1	B-2
22	12-385-021.01	Paulding Cty Land Revitalization Corp.	504 River St. E	B-1	B-2

#### RECORD OF ORDINANCES

Form 6220S

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	Ondin No	n 1	
	Ordinance No	 Passed,	 
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BARRETT BROTHERS - DAYTON, OHIO

#### **ORDINANCE NO: 2021-27**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ANTWERP, OHIO TO AMEND ARTICLE 300 – ESTABLISHMENT AND PURPOSE OF DISTRICTS, SPECIFICALLY TO AMEND B-2 GATEWAY COMMERCIAL DISTRICTS, INCLUDING BUT NOT LIMITED TO PERMITTED, CONDITIONAL, ACCESSORY USES (AND THE TABLE ASSOCIATED WITH THIS SECTION), YARD REQUIREMENTS, EXTERIOR BUILDING MATERIALS, SIGNAGE, AND SCREENING, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp recommended, by the adoption of a motion, to amend the Zoning Ordinance of the Village of Antwerp, specifically amend Article 300 – establishment and purpose of districts, specifically amend B-2 Gateway Commercial Districts, including but not limited to permitted, conditional and accessory uses (and the table associated with this section), yard requirements, exterior building materials, signage, and screening, said recommendation made in compliance with Section 703 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Planning and Zoning Commission of the Village of Antwerp transmitted its recommendation on said proposed amendments to the Council at its regular meeting on October 18, 2021, and Council scheduled a public hearing in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio; and

WHEREAS, the Council of the Village of Antwerp held a public hearing on this recommendation on November 26, 2021, in compliance with Section 707 of the Zoning Ordinance of the Village of Antwerp, Ohio, after notice of said public hearing was published and any required notice mailed to property owners in compliance with Sections 708 and 709 of the Zoning Ordinance of the Village of Antwerp, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, that the Council adopts the recommendation of the Planning and Zoning Commission and approves the amendments to the Zoning Ordinance as follows:

Section 1. The Council of the Village of Antwerp moves to adopt the recommendation of the Planning and Zoning Commission that the Zoning Ordinance be amended, specifically amend Article 300 – establishment and purpose of districts, specifically amend B-2 Gateway Commercial Districts, including but not limited to permitted, conditional and accessory uses (and the table associated with this section), yard requirements, exterior building materials, signage, and screening. These amendments are reflected in **Exhibit A** attached hereto and incorporated herein by reference.

<u>Section 2</u>. The amendments in Section 1 shall be incorporated into the Zoning Ordinance of the Village of Antwerp upon the date this Ordinance becomes effective by law.

7:00/1 9/01285601-1 MLF

### **RECORD OF ORDINANCES**

Ordinance No Passed		
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		•
Section 3. It is found and determined that all formal actions of the coun relating to the passage of this Ordinance were adopted in an open meeting of the all deliberations of the council and of any of its committees that resulted in were in meetings open to the public, in compliance with all legal requirements, Ordinances and any applicable provisions of Section 121.22 of the Ohio Revis Section 4. This Ordinance is deemed an emergency measure necessary for the public health, safety and welfare, and for the further reason to comply with Zoning Ordinance, which requires the Village Council to act within thirty (30 hearing on the proposed amendment, and this Ordinance shall be in further immediately after its passage; otherwise, it shall take effect and be in force after allowed by law.	his council, ar such formal a including all lead Code.  e preservation Section 710 b) days of the all force and	d that ction, awful of the of the public effect
PASSED THIS 20 day of Dec., 2021.  Jan/Reeb, Mayor	-	
Attest:  Attest: Aimee Lichty, Fiscal Officer		

#### 309 B-2 GATEWAY COMMERICAL DISTRICT

INTENT: To provide for a high quality mixed-use development area located near US 24. This area is identified as being important to the Village of Antwerp in its Comprehensive Plan. It offers considerable development potential with easy highway access and the opportunity to express quality community character and image with development standards.

#### 309.01 Permitted, Conditional and Accessory Uses -also See Table in Section 310

#### (a) Permitted:

- 1) Crop cultivation
- 2) Road side produce or farm product stands
- 3) Public Use
- 4) Quasi-public Use
- 5) Single family detached dwelling units
- 6) Two Family dwelling units
- 7) Three family or more dwellings
- 8) Upper floor dwelling units
- 9) Schools, libraries, governmental buildings, treatment plants and governmental facilities of a similar nature.
- 10) Churches
- 11) Hospitals & clinics
- 12) Nursing homes, assisted living, extended care facilities
- 13) Funeral homes
- 14) Residential Garages & Outbuildings
- 15) Personal service businesses including barber shops, beauty parlors, shoe repair shops, laundry and dry cleaning pick-up stations, photography studios and similar businesses (not including a drive in or drive through facility).
- 16) General merchandising including, but not limited to, hardware, clothing, dry goods, groceries, dairy products, catalogue sales, office supplies, drug stores
- 17) Production and sales of art and art-related products such as pottery, paintings, graphic design, sculpture, jewelry, etc.
- 18) Financial Institutions and Restaurants (including a drive in or drive through facility).
- 19) Financial Institutions and Restaurants (not including a drive in or drive through facility).
- 20) Any retail or service business that involves a drive in or drive through
- 21) Professional Offices
- 22) Youth Activity Center
- 23) Lodges, fraternal organizations, private clubs
- 24) Physical fitness center
- 25) Gas Station (with or without convenience retail)
- 26) Theaters (indoor)

- 27) Motels and hotels.
- 28) Vehicle Sales and Service
- 29) Pharmacy
- 30) Coffee Shops
- 31) Animal hospitals and veterinary offices (no outside runs or kennels).
- (b) Conditional:
  - 1) Public utility substations & transmission facilities
  - 2) Major automobile engine and body repair
  - 3) Contractors' offices if when all equipment and construction materials area located within an enclosed building.
- (c) Accessory:
  - 1) Accessory Parking Areas

#### 309.02 Yard Requirements

#### **Business:**

- (d) Front Yard: The minimum front yard setback measured from the centerline of the street, shall be: 40 65 foot front yard setback required
- (e) Side Yard 20 foot side yard setback required
- (f) Rear Yard A minimum rear yard setback of 25 ft. shall be required.
- (g) Height The maximum permissible height shall be 3 stories or 40 ft.

#### Residential:

- (h) Front Yard: The minimum front yard setback measured from the centerline of the street, shall be:
  - a. 55 ft. for Single family detached
  - b. 55 ft. for two-family Dwelling Unit (D. U.)
  - c. 65 ft. for Apartment buildings
- (i) Side Yards:
  - a. Single family D.U. or Two-family D.U.
    - A minimum of 20% of the lot width shall be devoted to side yard setbacks. The minimum dimension of each side yard shall be 5 ft.
  - b. Apartment Buildings -
    - i. A minimum of 20% of the lot width shall be devoted to side yard sethacks
    - ii. The minimum dimensions of each side yard shall be 5 ft (ord. 2009-17).
    - iii. Side yards between two or more structures on the same parcel shall maintain a distance not less than the height of the tallest building.
    - iv. Whenever an apartment building is constructed adjacent to an R-1 District, the required side yard between such building and R-1 District shall be no less than one-half the height of the apartment building.
- (j) Rear Yards

- a. Single family D. U. or two-family D. U. The minimum rear yard setback shall be 5 ft (ord. 2009-17).
- b. Apartment Building The minimum rear yard requirement shall be 1-1/2 times the height of the tallest apartment building.
- (k) Height No structure shall be erected in excess of 3 stories or 40 ft.

#### 309.03 Lot Coverage and impervious Area Coverage

No more than 60 percent of a lot may be covered by principal or accessory buildings. Further, no more than 80 percent of a lot may be covered by impervious surfaces. Impervious surfaces include rooftops, parking areas, driveways, walkways, and similar surfaces that are paved, or otherwise improved to provide a hard and impervious surface.

#### 309.04 Residential Density

Multi-family residential development (condominiums, apartments, townhomes, etc.) may not exceed a density of 12 housing units per acre (net- exclusive of road right-of-way)

#### 309.04 Parking and Loading Off-Street

Parking Requirements are listed in Section 311. Further, parking lots should be designed to avoid large expanses of asphalt. Where possible, parking lots should wrap around two or more sides of a building. Wherever a parking area must abut a public street, a landscaped strip 10 feet wide is required to help separate the pedestrian from surfaces designed for vehicles. This landscaped strip should include a combination of man-made materials (such as fences or masonry columns) along with plant material that screens at least 50% of that parking area to a height of 3 feet.

#### 309.05 Sidewalks

Public sidewalks are required along the full frontage of the lot to be developed. Further, private sidewalks, or walkways are required to connect the public sidewalk to the building entrance. In instances where there is a parking lot between the building entrance and the public sidewalk, a defined pedestrian space shall be created using contrasting materials to define spaces for pedestrian movement

#### 309.06 Large Building Facades

Whenever a building or more than a 50,000 sq. ft. is proposed as a result of new construction, building consolidation, or renovation, steps to design the building to appear to be several smaller buildings should be taken where possible.

#### 309.07 Windows

Whenever a building faces a public street, at least 30 percent of the facade shall be windows.

#### 309.08 Wall Planes

No wall plane that is visible from any public street shall extend more than 50 feet without some type of significant break to add visual interest. Breaks may include off-sets to the wall plane or the use of multiple materials to add contrast and variation.

#### 309.09-8 Roof lines

Pitched roofs are generally preferred, but in cases where that is not possible, variations in the facade at the roof line are necessary to add visual interest. All roof-top mechanical equipment should be hidden from view.

#### 309.09 Exterior Building Materials

To provide an atmosphere of endurance and quality, building materials shall be primarily clay brick masonry with accents of natural stone, simulated stone, EIFS or metal finishes. Use of multiple exterior materials makes a building more complex and visually interesting. New construction should incorporate variations in exterior materials and renovation activity should seek to maintain (or add to) the visual complexity of the building. While brick materials are generally preferred, the use of multiple colors and materials is a key consideration to help make the building more complex and visually interesting. Exterior Design shall be subject to approval by the Planning & Zoning Commission.

#### **30**9.**10** Signage

Only ground mounted (monument-style) signs shall be permitted and designed to represent an extension of the building—displaying the same timelessness and quality as the primary structure. Materials shall be predominantly clay brick masonry, natural stone, or simulated stone. Signs may not be neon, LCD screen, animated or internally illuminated. Freestanding monument signs must also incorporate landscaping element to help frame the sign itself. The landscaped area around the sign shall be equal to an area that is two times the size of the monument sign itself (if it were lying flat on the ground). Building mounted signs shall only be mounted to an exterior wall of the building and may not be mounted on the roof or extend above the roof.

Proposed signage needs to be submitted and approved by the Planning & Zoning Commission before zoning application approval.

#### 309.11 Lighting

Building illumination is encouraged to accentuate the building facade or signage. The lighting source should generally be separate from the building with light washing onto the structure itself to highlight signage or architectural elements of the building. Only low intensity light should be used to accent signage or building elements without light "spillover" on to adjacent property. The light source affixed to a building should not direct light outward toward the street or any public space.

#### 309.12 Screening

Above ground utilities structures such as transformers, meters, manifolds, generators, switches, junctions, etc., shall be screened from view by masonry walls, wood fences, wood/plastic composite fences, decorative ornamental metal fences, or appropriate landscape coverage. trees or shrubs. Vinyl or chain link fencing shall not be allowed.

Land Uses P= Permitted,	<b>A-1</b>	R-1	R-1-A	R-2	B-1	B-2	l-1	I-2
C= Conditional, A=Accessory			T		n'S Shingan			
Agricultural Uses		To the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of the second of					*	
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Livestock farming	P					.l		
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Specialized animal raising and care	C	· }	75 MR # 644 Ay .		4 to He		· · · · · · · · · · · · · · · · · · ·	VIII. 41
Commercial billboards	C				.!			
Semi-public uses	. c				* **	P	·	
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Quarters for seasonal employees	A	,			•			
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Residential & Related Uses	<u> </u>	:		;	Market Indicate land			
Single family detached dwelling units		Р	P	P		Р	***************************************	
Two Family dwelling units			P	P		P		
Three family or more dwellings				Ρ		. P		. 1.
Upper floor dwel ing units					P	P		
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Hospitals & clinics		c	<b>C</b>		P	; P	* * * * * * * * * * * * * * * * * * * *	
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C= Conditional, A=Accessory	1	!		:		:		i
Public utility substations & transmission facilities		C	C	C	C	C .		
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Residential Accessory Buildings		A	Α	; A		1		
Mobile Home Parks		1	Р .					
Resident Parking Areas	1	1	,	Α			i	
Sign: Subdivision/Neighborhood/Community		. P	P	' Р	1	P	 	
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& Zoning Commission for approval prior to		•	:		!			;
permit being issued)				·				!
<b>Business and Related Uses</b>	agriculturalita et co prop	rife endic custo round a vocat	attendacione dell'agricologica collection.			Same spragners to see . I see		eny monners
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photography studios and similar businesses		•					1	i
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supplies, drug stores	}							
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design, sculpture, jewelry, etc.		,	:					!
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Financial Institutions and Restaurants (not			1	** *** *** **** ****	Р	Р	I	
including a drive in or drive through facility).		, , , , , , , , , , , , , , , , , , , ,					*	
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Professional Offices	!	i			P	Р	1	į
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Lodges, fraternal organizations, private clubs		1		c	F P	P		
Physical fitness center					Р	P		
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Land Uses P= Permitted,	A-1	R-1	R-1-A	R-2	B-1	B-2	<b>I-1</b>	I-2
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Greenhouse (commercial scale)	;			i				
Vehicle Sales and Service				!		<b>p</b>	-	-1
Pharmacy	·}				P	· P	<u> </u>	
Coffee Shops		1		4				
Animal hospitals and veterinary offices (no outside runs or kennels).	t .	<u>-</u>		:		. P	P .	
Kennels, animal hospitals and veterinary offices with outside runs and kennels.			1				P	
Carpenter or cabinet shop if conducted wholly within an enclosed building.	!						' Р	
Sexually-Oriented Businesses					€		; C	
Industrial and Related Uses								
Distributors' warehouses and wholesale outlets with no outdoor storage, and no processing or fabrication.							. P	,
Grain elevators, grain storage, feed sales and seed sales				1				Р
Fertilizer sales & application services	1							P
Contractors' offices if when all equipment and construction materials area located within an enclosed building.					4	С	P	
Contractors' offices with outside storage of		1			;		· P	1
equipment and construction materials Industrial plants manufacturing or assembling		· · · · · · ·			<b></b>	T		
the following: boats; small metal products such	;	1		•			1	
as bolts, nuts, screws, washers, rivets, nails,						!		
etc.; clothing; drugs and medicines; electrical	!	:				1	. P	
equipment; glass products from previously	İ	1		ļ		i	i	
manufactured glass; furniture and wood products; and plastic products for production	1	1				į		
of finished equipment.	1			1				
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molecular and chemical ecology.	:		*	:	1			1
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#### **ORDINANCE NO. 2021-28**

## AN ORDINANCE AUTHORIZING THE FISCAL OFFICER OF THE VILLAGE OF ANTWERP, OHIO TO AMEND APPROPRIATIONS AND DECLARING IT AN EMERGENCY

WHEREAS, the Fiscal Officer has determined that it is necessary to amend the following appropriations, and

WHEREAS, Council must approve the amending of appropriations pursuant to Ohio Revised Code Section 5705.40.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Ohio:

**Section 1:** The Fiscal Officer is hereby authorized to amend the following appropriat ons:

	LAGE				
2021	<b>REAP</b>	PRO	PRIA	TIONS	j

REAPPROP

	•	ORIGINAL		*
		APPR	ADJUSTMENT	BALANCE
		\$		
A01- GENER	RAL FUND	640,331.23	(170,079.97)	470,251.26
		\$		,
B01 - STREE	T FUND	151,138.12	(79,176.28)	71,961.84
	·	\$		
B02 - STATE	HIGHWAY FUND	10,000.00	(10,000.00)	
		\$		
B05 - LAW E	NFORCEMENT FUND	1,131.34	(1,131.34)	-
	1			
		\$		
B07 - FED-N	AYOR COURT	3,500.00	(1,285.00)	2,215.00
		\$		
DOD DEDRA	HOONE TAY	· · · · · · · · · · · · · · · · · · ·	(4 220 00)	22 770 02
B08 - PERM	ISSIVE IAX	25,000.00	(1,230.00)	23,770.00
	· · · · · · · · · · · · · · · · · · ·	\$		
B09 - FIRE F	UND	106,580.00	(14,956.47)	91,623.53
			(0.1,000.00)	
	•	\$		
B10 - FIRE T	RUCK LEVY FUND	50,592.30	(534.35)	50,057.95
		\$		
B11 - EMS F	UND	120,000.00	(23,370.40)	96,629.60

7100/104/00862 61-2BT

### **RECORD OF ORDINANCES**

BARKETT SKUTHERS - DATTON, UHIO			Form 6220S
·			
Ordinance No.	Passe	ed,	·

	\$		
B12 - EMS VEHICLE REPL FUND	-		
	<u>\$</u>		
B14 - SEVERANCE PAY RES FUND (NEW IN 2017)	67,103.56	(51 183.76)	15,919.80
2017)	07,103.30	(31.103.70)	13,919,00
	ţ		
B15 - VETS MEMORIAL	600.00	(600.00)	
100			
	\$		
B17 - IND DR ALCOHOL MONITOR	-		^
		·	
	\$		
B13 - CARES ACT OTHER USES	-	18,203.30	18,203.30
D40 . 00 UP 0 UP 0 D 4 V =	\$		,
B19 - COVID SUB-GRANT CAPITAL	-		-
·	\$		
B20 - FEMA FIRE GRANT CAPITAL	\$ 101,075.00	(3.741.67)	92,333.33
D20 - FEINIA FINE GRANT CAPITAL	191,073.00	(0,741.07)	92,333.33
	\$		
D05 - OPWC - CANAL/MAIN ST		-	
		-	
	\$		
E01 - WATER FUND	404,583.14	(68,689.84)	335,893.30
	\$		
E02 - WASTEWATER FUND	298,532.52	(38,443.38)	210,089.14
EGE TRACU	\$	4.050.00	64 050 00
E05 - TRASH	60,000.00	1,958.82	61,958.82
-	\$	\$	
E06 - DEPOSIT FUND	\$ 600.00	<b>456.16</b>	1,056.16
LOG - DEFOGITTOND	000.00	1,50120	1,000.10
	\$		
E08 - COMPOST FUND	11,000.00	(11,000.00)	
	\$		

7100/104/00862061-2BT

Passed.

Ordinance No.

	•		
	\$		
G05 - CEMETERY FUND	14,580.C0	1,661.26	16,241.26
	\$		
G06 - INDIGENT DRIVER	<del>-</del>	-	-
	\$		
G07 - FOJ FUND	2,536.28	(2,536.28)	-
	\$		
G08 - MAYORS COURT	35,000.0C	(10,318.90)	24,681.10
GUB - IMA I ONS COUNT	33,000.00	(10,510.50)	24,001.10
	\$		
H01 - POLICE FUND	282,500.00	(35,704.43)	246,795.57
	\$		
H03- STREET LIGHTING	21,700.00	(1,746.40)	19,953.60
	\$	\$	
GRAND TOTAL	2,446,933.49	(561,358.78)	\$1,8B5,574.71

**ORDINANCE NO. 2021-28** 

Section 2. It is found and determined that all formal actions of the Council concerning and reating to the passage of this Ordinance were acopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the appropriations identified herein need to be amended in 2021 and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date: <u>Dec 30, 2021</u>

Attest:

Jan/Reeb Mayor of the Village of Antwerp

Aimee Lichty, Fiscal Office

7100/104/00862061-2BT

#### **ORDINANCE NO. 2021-29**

#### AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF ANTWERP, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING THE SAME AN EMERGENCY

<u>Section 1</u>. BE IT ORDAINED by the Council of Village of Antwerp, State of Ohio, that, to provide for the current expenses and other expenditures of the said Village of Antwerp during the fiscal year ending December 31, 2022, the following sums be and they are hereby set aside and appropriated as follows:

Appropriations by Fund	Amount
A1 - General	\$ 558,373.00
B1 - Street Construction, Maintenance, and Repair	\$ 196,138.12
B2 - State Highway and Improvement	\$ 10,000.00
B5 - Law Enforcement Training	\$ 1,131.34
B7 - Fed-Mayor's Court	\$ 2,000.00
B8 - Permissive Tax Budget	\$ 25,000.00
B9 - Fire	\$ 73,500.00
B10 - Fire Truck	\$ -
B11 - EMS	\$ 132,000.00
B12 - EMS Vehicle Replacement	\$ 
B14 - Severance Pay Reserve Fund	\$ 55,356.76
B15 - VET's Memorial	\$ 600.00
B17 - Ind Dr Alcohol Monitor	\$ 
B18 - COVID Relief	\$ 176,296.04
B20 - FEMA - Grant	\$ 
D01- Permanent Improvement	\$ 42,151.00
E1 - Water	\$ 417,241.94
E2 - Sewer	\$ 282,732.52
E5 - Trash	\$ 62,000.00
E6 - Deposit	\$ 600.00
E8- Compost	\$ 15,000.00
E14 - Storm Sewer	\$ 51,000.00
G5 - Cemetery	\$ 22,080.00

Passed

Ordinance No.

	·		
G6 -	ndigent Driver	\$ -	-
G7 -	FOJ	\$ 2,536.	.28
G٤ -	Mayor's Court	\$ 25,000.	.00
H1 -	Police	\$ 295,500	.00
Н3 -	Street Lighting	\$ 21,700	.00
		\$2,467,937	.00

Section 2. The Fiscal Officer is hereby authorized to draw warrants on the Village Fiscal Officer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the village, and for purposes other than those covered by other specific appropriations herein made.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121 22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the appropriations identified herein need to be approved by council prior to January 1, 2022, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed <u>Dec 30 2021</u>

Dean Rister, President of Counci

Jan Reeb, Mayor

Attest

Aimee Lichty, Fiscal Officer

#### **RECORD OF ORDINANCES**

 DARKETT DRUTTERS - DATTON, UNIO	Form 622US	
Ordinance No	Passed	

#### **CERTIFICATE**

Section O.R.C 5705.39 - "No appropriation measure shall become effective until the county auditor files with the appropriating authority . . . a certificate that the appropriations from each fund, taken together with all other outstanding appropriations, do not exceed such official estimate or amended official estimate. When the appropriation does not exceed such official est mate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure . . . ."

The State of Onio Paulding County,

I, Aimee Lichty, Fiscal Officer of the Village of Antwerp in said County, and in whose custody the files, journals, and records are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing Annual Appropriation Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy thereof.

Witness my signature this 30 day of becember 2021.

A mee Lichty, Fiscal Officer V llage of Antwerp, Paulding Ccunty Ohio

6220S

Ordinance No.

Passed\_

#### **ORDINANCE NO. 2022-01**

## AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A DELINQUENT DEBT OLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND THE VILLAGE OF ANTWERP

WHEREAS, the Village of Antwerp, Ohio (the "Village") through its Emergency Medical Services ("EMS") Department has delinquent EMS debts; and

WHEREAS, pursuant to Ohio Revised Code § 131.02, the Village can request the Ohio Attorney General to undertake the collection of delinquent debts, including EMS debts; and

WHEREAS, the Village desires to enter into a Delinquent Debt Collection Agreement between the Ohio Attorney General and the Village for the collection of the EMS debts (the "Agreement").

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, and State of Ohio:

Section 1. The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into the Delinquent Debt Collection Agreement between the Ohio Attorney General and the Village of Antwerp for the purpose of the Ohio Attorney General collecting the EMS debts on behalf of the Village. A true and accurate copy of said Agreement and the Local Government Debt Collection Business Rules are attached hereto and incorporated herein by reference.

Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, and in compliance with all legal requirements.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law

PASSED this <u>March</u>, 2022.

Jan Reeb, Mayor of the Village of Antwerp, Ohio

Attest

Aimee Lichty, Fiscal Officer

First Reading: Jan 19, 2022

Second Reading: Feb 16, 2022

Third Reading: March 31,3033
7130/125/01295319-1 MLF

### **RECORD OF ORDINANCES**

	Form 6223S	·	BARRETT BROTHERS - CAYTON, OHIO	_
		Passed	Ordinance No.	
·				
			·	



Collections Enforcement Office 614-466-8360 Fax 614-752-9070

30 E Broad St, 14th Floor Columbus, OH 43215 www.OhioAttorneyGeneral.gov

## DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND

VILLAGE OF ANTWERP, OHIO

#### I. PARTIES

1.1. THIS DELINQUENT DEBT COLLECTION AGREEMENT (this "Agreement") is between the Ohio Attorney General (hereinafter "Attorney General") and

the Village of Antwerp, Ohio ("Political Subdivision"), collectively referenced herein as the "Parties."

#### II. PURPOSE

2.1. The Political Subdivision has requested that the Attorney General undertake, and the Attorney General agrees to undertake, the collection of delinquent debt owed to the Political Subdivision, pursuant to Ohio Revised Code ("O.R.C.") § 131.02. This Agreement sets forth the rights, duties and obligations of the Parties and the amounts to be charged, collected and allocated between the Political Subdivision and Attorney General. This Agreement will become effective in ten business days once fully executed ("Effective Date").

#### III. CERTIFICATION OF DEBT

- 3.1. The Parties agree that this Agreement shall apply to amounts owed to Political Subdivision that meet the criteria specified on the attached Exhibit "A" (hereinafter the "Debt"). The Parties may, from time to time, change the categories of debt to be certified to the Attorney General by amending Exhibit "A" pursuant to the discretion of the Section Chief of the Collections Enforcement Section of the Attorney General and the Mayor of the Political Subdivision. Such changes to the categories of debt identified on Exhibit "A" shall not be construed as an amendment or termination of this Agreement.
- 3.2. Political Subdivision hereby warrants that all Debts certified to the Attorney General for collection pursuant to this Agreement are or will be legally due and owing to Political Subdivision at the time of certification.
- 3.3. Political Subdivision hereby warrants that it has complied or will comply with all conditions precedent to the legality of certifying the Debt for collection prior to certifying the Debt to Attorney General pursuant to this Agreement.

- 3.4. Political Subdivision hereby warrants that it has obtained the approval of any person or entity whose approval is required as a condition to entering into this Agreement. True and correct copies of any such approvals shall be attached hereto as Exhibit "B."
- 3.5. Political Subdivision shall identify and itemize the amounts owed in any bills or mailings issued to the debtors prior to certifying the Debt pursuant to this Agreement. Such itemization shall separately identify penalties, fees, costs and interest, if any, added to the principal balance of the amounts owed. For all Debt certified under this Agreement, Political Subdivision shall maintain account records documenting the principal balance of the amounts owed, as well as any penalties, fees, costs and interest, from the date such debt becomes due and owing to Political Subdivision until the debt is paid in full, resolved or written off as specified herein.
- 3.6. Political Subdivision shall make all account records related to the Debt fully available to specified Attorney General personnel in order for the Attorney General to actively identify and pursue collection activities. Political Subdivision shall retain account records related to the Debt so long as the Debt remains outstanding, or until the Debt is resolved or written off as specified herein.
- 3.7. Political Subdivision agrees and shall forward all payments received on certified Debt to the Attorney General. In the event that Political Subdivision accepts a debtor's payment on Debt certified to the Attorney General, Political Subdivision agrees to promptly notify the Attorney General of the details of the payment, including date, amount, remitter, check or instrument number and forward the payment to the Attorney General.
- 3.8. In the event that any debtor owing Debt certified to the Attorney General files bankruptcy or other insolvency proceeding, Political Subdivision shall immediately notify the Attorney General of such filing. The Attorney General shall cease all collection efforts with regard to such Debt. Political Subdivision remains exclusively and solely responsible for protecting its interest in bankruptcy & other insolvency proceedings. Upon notice that Debt certified to the Attorney General is subject to bankruptcy or other insolvency proceeding, the Attorney General shall close the affected accounts and such accounts shall no longer be considered to be certified to the Attorney General. Other insolvency proceeding may include but is not limited to receivership or foreclosure.

#### IV. ALLOCATION OF FEES AND COLLECTION COSTS

4.1 The client may choose for each account certified to the Attorney General to bear interest (hereinafter "AGI") at the annual rate established by the Tax Commissioner under O.R.C. § 5703.47. Upon recovery AGI is paid to Political Subdivision, not to Attorney General. AGI may be waived, either by Political Subdivision or the Attorney General. Political Subdivision also has discretion to request that AGI not be assessed as an additional obligation of debtors. If this request is indicated, the cost of AGI will not be added to the Debt. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision as to AGI. If no preference is indicated, Attorney General may waive AGI at its discretion, and the addition of AGI to the Debt will increase the debtors' obligation. The AGI is in place of any separate accruing interest of the Political Subdivision on the Debt once certified to the Attorney General.

- 4.2 Pursuant to O.R.C. § 131.02, the Attorney General is authorized to deduct the Attorney General's collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General. Attorney General collection costs may be waived, either by the Attorney General or jointly by the Political Subdivision and the Attorney General. The Parties agree that the Attorney General will pass all Attorney General collection costs on to the debtor as an additional obligation of debtor. The Attorney General collection cost is 10% pursuant to O.R.C. § 109.08.
- 4.3 The Attorney General may also hire third party vendors to collect claims for Political Subdivision and to pay such third party vendors for their services ("TPV Fees") from funds collected by them. The Attorney General will assign Debt to TPVs in accordance with an established assignment strategy. TPV fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all TPV Fees on to debtors as an additional obligation of the debtors.
- 4.4 The Attorney General may appoint special counsel to collect claims for Political Subdivision and to pay such special counsel for their services ("Special Counsel Fees") from funds collected by them. The Attorney General will assign Debt to Special Counsel in accordance with an established assignment strategy. Special Counsel Fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all Special Counsel Fees on to debtors as an additional obligation of the debtors.
- 4.5 Political Subdivision may execute a different Service Level Agreement for each category of debt certified pursuant to this Agreement, and each Service Level Agreement shall be attached as additional pages of Exhibit "C."
- 4.6 Political Subdivision may change or terminate the Service Level Agreement(s) attached hereto as Exhibit "C" upon appropriate written notice as specified therein, and any change or termination of the Service Level Agreement(s) shall not be construed as an amendment or termination of this Agreement.

#### V. DISBURSEMENT PROCESS/PAYMENT OF COLLECTION COSTS

5.1 On a weekly basis the Attorney General shall disburse to the Political Subdivision the full amounts collected on the Debt minus any applicable collection costs or fees as outlined herein. The Political Subdivision and Attorney General shall have the authority to settle or compromise any account in the Debt which is agreed upon by the Political Subdivision and Attorney General as payment in full based on the best interests of the Parties. At the time of the Attorney General's disbursement to the Political Subdivision, the Political Subdivision will receive the amount collected minus the Attorney General's collection costs and any applicable TPV Fees or Special Counsel Fees pursuant to this Agreement.

- 5.2 The Parties agree that court cases and judgment liens shall not be dismissed or deemed satisfied without the Political Subdivision's consent that all the fees have been paid by the debtor liable for costs under the court case and/or judgment lien.
- 5.3 Disbursements to the Political Subdivision of amounts due hereunder may be made via state check or by Automated Clearing House ("ACH") deposit, at the Attorney General's discretion. Political Subdivision acknowledges that the Attorney General prefers to remit all payments by ACH deposit, and Political Subdivision agrees to execute an ACH payment authorization in accordance with the form attached hereto as Exhibit "D" within thirty (30) days after the Effective Date of this Agreement.

#### VI. CERTIFICATION AND CANCELLATION OF DEBT

- 6.1. Political Subdivision will certify only Debt to the Attorney General which is past due and final, in accordance with O.R.C. § 131.02(A). O.R.C. § 131.02 provides that the Attorney General and Political Subdivision may determine an appropriate time beyond the regular 45-day requirement to certify delinquent debt. Such exceptions may be made as the Attorney General and the Political Subdivision mutually agree are appropriate.
- General to, with the consent of the chief officer of an entity reporting a debt, cancel the debt or cause the same to be canceled. O.R.C. § 131.02(F)(2) provides a general statute of limitations of forty (40) years from the date of certification to collect claims. O.R.C. § 131.02(F)(1) allows the Attorney General to cancel uncollectible claims earlier, with the approval of the Political Subdivision. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision. If no preference is indicated, the write off period will be ten (10) years after the date of certification. Exceptions revising the write off period for specified claims or categories of debt may be agreed to by the Attorney General and the Political Subdivision as amendments to the Service Level Agreement, and such amendments shall not be construed as an amendment or termination of this Agreement.

#### VII. CONFIDENTIALITY

7.1. Any confidential debtor information made available to Attorney General in the course of performance of this Agreement shall be used only for the purpose of carrying out the provisions of this Agreement pursuant to the Attorney General's statutory obligations. Additionally, the Attorney General shall not sell any debtor information to any third parties.

#### VIII. LIABILITY

8.1. Each Party shall be responsible for its own acts and omissions and those of its officers, employees and agents.

#### IX. CHOICE OF LAW

9.1. This Agreement is made and entered into in the State of Ohio and shall be governed and construed in accordance with the laws of Ohio. Any legal action or proceeding related to this Agreement shall be brought in Franklin County, Ohio, and the Parties irrevocably consent to jurisdiction and venue in Franklin County, Ohio.

#### X. COMPLIANCE WITH LAW

10.1. The Parties, in the execution of their respective duties and obligations under this Agreement, agree to comply with all applicable federal, Ohio and local laws, rules, regulations and ordinances.

#### XI. RELATIONSHIP OF THE PARTIES

- 11.1. It is fully understood and agreed that a Party's personnel shall not at any time, or for any purpose, be considered as agents, servants, or employees of the other Party.
- 11.2. Except as expressly provided herein, neither Party shall have the right to bind or obligate the other Party in any manner without the other Party's prior written consent.

#### XII. MODIFICATION

12.1. This Agreement constitutes the entire agreement between the Parties, and any changes or modifications to this Agreement shall be made and agreed to by the Parties in writing.

#### XIII. TERMINATION/EXPIRATION

- 13.1. Either party may terminate this Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination, to the other Party via e-mail, facsimile transmission, mail, certified mail or personal delivery to the other Party's signatory to this Agreement.
- 13.2. If there is pending litigation in connection with any Debt, termination shall not be effective until the Attorney General terminates the legal representation in the litigation matter. The Attorney General shall be compensated for Debt collected and received prior to termination. The Parties agree to cooperate so as to effectuate a speedy and efficient transfer of the work to Political Subdivision.

#### XIV. SIGNATURES

Section Chief

14.1. The Parties may submit their signatures to the Agreement in counterparts, which taken together will constitute a valid enforceable Agreement. Facsimile or copied signatures shall be considered valid and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

Village of Antwerp, Ohio

Jan Reeb, Mayor

OHIO ATTORNEY GENERAL
DAVE YOST

By:

Lucas Ward

Date

3-21-12

Date

Date

## DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND

#### THE VILLAGE OF ANTWERP, OHIO

#### EXHIBIT "A"

The Parties agree that the following categories of debt may be certified to the Attorney General. All debt must be final with a minimum principal amount of \$100.00.

#### Examples of Categories of Debt to be certified:

- (a) Statutory fees as assessed by a Political Subdivision;
- (b) Civil court costs; and
- (c) Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
- (d) Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes.
- (e) Debt from a school system must be as a result of a contractual agreement.

#### Examples of Categories of Debt NOT to be certified:

- (a) Debt that is against a juvenile.
- (b) Debt against a presently incarcerated individual.
- (c) Debt that is involved in a bankruptcy, rental or foreclosure action.
- (d) Debt from any type of utility.
- (e) Debt resulting from code enforcement violations.
- (f) Debt that results from a red light camera violation/citation.

PLEASE NOTE: THE ATTORNEY GENERAL'S OFFICE RESERVES THE RIGHT TO DECLINE ACCEPTANCE OF ACCOUNTS BASED ON QUANTITY, VALUE, OR DEBT TYPE

## PLEASE LIST THE TYPE OF DEBTS YOU WILL BE CERTIFYING TO THE ATTORNEY GENERAL'S OFFICE:

EMS debts	
	·
·	
	·

## DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND

#### VILLAGE OF ANTWERP, OHIO

#### EXHIBIT "B"

The Delinquent Debt Co	ollection Agreement Between the Ohio At	torney General and
the Village of Antwerp, Ohio	, executed by Jan Reeb, Mayor	,
Village of Antwerp, Ohio	on <u>March 21</u> , 2022 is h	ereby ratified and approved.
POLITICAL SUBDIVISION A	AUTHORITY (I.E. COUNTY COMMISS	SIONERS, COUNCIL)
1 1 2	3/21/1	2022
Dupe U. Store	Date 3/21/22	
	Date	, 2022
Bu A Small	<u>3/21/22</u> Date	, 2022
POLITICAL SUBDIVISION I	LEGAL AUTHORITY (I.E. PROSECUT	OR, LAW DIRECTOR)
Mulani D. Fair	March 21  Date	, 2022

## DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND

#### THE VILLAGE OF ANTWERP, OHIO

### EXHIBIT "C" SERVICE LEVEL AGREEMENT

The following Service Level Agreement is made between the Attorney General of Ohio, Collections Enforcement Section ("AGO") and the Village of Antwerp, Ohio ("CLIENT"), collectively referenced herein as the "Parties". CLIENT authorizes and the Parties to this Service Level Agreement agree to the following (if no line is checked, the Parties' agreement is indicated by asterisk, which is the default agreement):

Attorney General Interest (AGI)	AGO is granted the authority to add AGI to the amount owed by the debtor to be paid to the client (see section IV (4.1) of the Debt Collection Agreement.
AGI	AGO is NOT granted the authority to add AGI to the amount owed by the debtor to be paid to the client.
If AGI is to be added	AGO is granted the authority to waive AGI*  CLIENT and AGO jointly waive AG Interest
Write Off Period:	*Selection must be 10 years or less Years (insert number of years)

Either Party may terminate this Service Level Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination to the other Party, via e-mail, facsimile transmission, regular U.S. mail, certified mail or personal delivery to the other Party's signatory to this Agreement. Regardless of the termination of this agreement, CLIENT is still legally obligated to certify its outstanding Debt pursuant to the Delinquent Debt Collection Agreement between the Parties, until that Agreement is separately terminated. This Service Level Agreement shall remain and continue in full force and effect unless modified or terminated in writing.

IN WITNESS WHEREOF, the Parties hereto have caused this Service Level Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

Village of Antwerp, Ohio

an Keel 3-21-22 2022

Date

OHIO ATTORNEY GENERAL

Bre //

Lucas Ward

Section Chief

Date

Ordinance No. \_

Passed.

#### **ORDINANCE NO. 2022-02**

## AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$114,000.00 FROM THE GENERAL FUND TO THE POLICE FUND, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Func to provide necessary funding for the operations of the police department, and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and

**WHEREAS**, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14(E), which requires a majority vote of the Village Council to authorize transfers from the General Fund to any other fund of the Village, and

WHEREAS, the Village Council elects to approve the transfer of funds from the General Fund to the Police Fund with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Sections 5705.15 and 5705.16.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. The Village Fiscal Cfficer is hereby authorized to transfer the sum of One Hundred Fourteen Thousand Dollars and Zero Cents (\$114,000.00) from the General Fund to the Police Fund.

Section 2. The transfer of these funds from the General Fund to the Police Fund is necessary for the operation of the police department of the Village of Antwerp.

Section 3. It is found and determ ned that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the police department necessary for the well being of the residents and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date

1-19.22

Jar, Reeb,

Mayor of the Village of Antwerp

At:est

Aimee Lichty, Fiscal Officer

7100/114/01018218-1 MLF

	RECORD OF ORDINANCES	
	BARRETT BROTHERS - DAYTON, OH IO Form 6220S	
,	Ordinance No	
	ORDINANCE NO. 2022-03	
	AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$4,173.00 FROM THE GENERAL FUND TO THE SEVERANCE PAY RESERVE FUND	
	WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain from the General Fund to the Severance Pay Reserve Fund to accumulate the necessary resource the payment of accumulated benefits as may be appropriate, which may include accumulated sick and/or vacation leave, and/or for payments in lieu of taking compensatory time off, payable upotermination of employment or retirement of officers and employees of the Village of Antwerp. Ohio	es for leave on the

**WHEREAS**, the Village Council, pursuant to Ohio Revised Code Section 5705.13(B), may transfer money to this special revenue fund from any other fund of the Village; and

WHEREAS, the Village Council desires to transfer funds from the General Fund to the Severance Pay Reserve Fund to accumulate the necessary resources for the purposes set forth in Ohio Revised Code Section 5705.13(B).

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

<u>Section 1</u>. The Village Fiscal Officer is hereby authorized to transfer the sum of Four Thousand One Hundred Seventy-Three and 00/100 Dollars (\$4,173.00) from the General Fund to the Severance Pay Reserve Fund.

Section 2. The transfer of these funds from the General Fund to the Severance Pay Reserve Fund is necessary to accumulate the resources for the payment of accumulated benefits as may be appropriate, which may include accumulated sick leave and/or vacation leave, and/or for payments in lieu of taking compensatory time off, payable upon the termination of employment or retirement of officers and employees of the Village of Antwerp, Ohio.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Onic Revised Code.

Section 4. This Ordinance shall take effect and be in force after the earliest period allowed by

Mayor of the Village of Antwerp

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law.

Date: Mar 81, 3022

Attest:

Aimee Lichty, Fiscal Officer

First reading: 1-19.2

Second reading: A · Lu AA

Third reading: 3.21.22

7100/125/01297303-1 MLF

	RECORD OF ORDINANCES
	BARRETT BROTHERS - DAYTON, OHIO
	Ordinance No
	ORDINANCE NO. 2022-04
ANT	ORDINANCE ADOPTING THE PERSONNEL MANUAL FOR THE VILLAGE OF WERP, OHIO, INCLUDING ANY AND ALL AMENDMENTS THERETO AND ALL ICABLE STATEMENTS ATTACHED THERETO, FOR CALENDAR YEAR 2022, AND DECLARING THE SAME AN EMERGENCY
	WHEREAS, the Council of the Village of Antwerp desires to adopt the Personne al, including any and all amendments thereto and all applicable statements ed thereto, for the Village of Antwerp, Ohio, to be in effect for calendar year 2022.
Cour	NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp by of Paulding, State of Ohio:
there	Section 1. The Village of Antwerp, Ohio, adopts the Personnel Manual ding any and all amendments thereto and all applicable statements attached to, for calendar year 2022. The Personnel Manual, including any and a diments thereto and all applicable statements, is kept in the office of the Fiscaler.
meet com	Section 2. It is found and determined that all formal actions of the Councerning and relating to the passage of this Ordinance were adopted in an opering of this Council, and that all deliberations of the Council and of any of its nittees that resulted in such formal action, were in meetings open to the public, in liance with all legal requirements.
the F be in	Section 3. This Ordinance is deemed an emergency measure necessary for the rvation of the public health, safety and welfare and for the further reason to adopersonnel Manual for calendar year 2022, and this Ordinance shall take effect and force immediately after its passage; otherwise, it shall take effect and be in force the earliest period allowed by law.
Date	1-19-22
	Jankeel Jan Reeb, Mayor
Attes	
_	
Aime	e Lichty, Fiscal Officer

7100/125/01297312-1 MLF

#### RECORD OF ORDINANCES

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 Ordinance No	Passed	,	
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#### ORDINANCE NO. 2022-05

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO SECOND ADDENDUM TO THE AGREEMENT FOR COLLECTION, TRANSPORTATION AND DISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ANTWERP, OHIO

WHEREAS, the Village of Antwerp entered into an Agreement with Real Waste Disposal, LLC for the collection, transportation and disposal of residential solid waste within the corporate limits of the Village of Antwerp, Ohio (the "Agreement"), for a one (1) year period beginning April 1, 2020, and ending on March 31, 2021; and

WHEREAS, the Agreement provides that in its sole discretion, the Village of Antwerp may extend the term of the Agreement for four (4) successive one (1) year periods; and

WHEREAS, the Council authorized the first extension of this Agreement for a one (1) year period beginning April 1, 2021, and ending on March 31, 2022; and

WHEREAS, the Village desires to extend the Agreement for another one (1) year period beginning April 1, 2022, and ending on March 31, 2023; and

WHEREAS, the Council of the Village of Antwerp authorizes the Village Administrator to enter into a Second Addendum to the Agreement for the one (1) year period extension.

## NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp elects to extend the one (1) year period of the Agreement with Real Waste Disposal, LLC for the collection, transportation and disposal of residential solid waste within the corporate limits of the Village of Antwerp, Ohio, for a one (1) year period beginning on April 1, 2022, and ending on March 31, 2023, and the Village Administrator is authorized to enter into a Second Addendum to the Agreement for this extension, which Addendum is attached hereto and incorporated herein by reference.

Section 2. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

<u>Section 3</u>. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

7100/125/01298027-1 MLF

BARRETT BROTHERS - DAYTON, OHIO

Form No. 30043

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## **RECORD OF ORDINANCES**

Dayton Legal Blank Co.		Form No. :
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Section 4. This Ordinance shall tall	ake effect and be in force after the earliest p	period allowed by
·		
Passed: March 31,	2022.	
,	Jan 1 Rosch	
	Jan Reeb, Mayor	
Attest:	Village of Antwerp	
A. mas higher		
Aimee Lichty, Fiscal Officer	<u></u>	
Village of Antwerp		
First Reading: Jan 19, 20	)22 	
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Second Reading: Feb 14, 20		
Third Reading: Yar Al, 60	1do	
Third Reading: Mar 21, 20	139	

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# SECOND ADDENDUM TO AGREEMENT FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ANTWERP, OHIO

THIS SECOND ADDENDUM is to amend an Agreement for the Collection, Transportation and Disposal of Residential Solid Waste within the Corporate Limits of the Village of Antwerp, Ohio between the Village of Antwerp, Ohio, and Real Waste Disposal, LLC ("Agreement"), which Agreement was entered into as of the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2020.

The term of this Agreement was for a one (1) year period beginning on April 1, 2020, and ending on March 31, 2021, which was renewed for a successive one (1) year period beginning on April 1, 2021, and ending on March 31, 2022. The Village now elects to extend the Agreement for another one (1) year period as provided in Section 1.1 of the Agreement and the Agreement is amended to reflect the term of the Agreement is for a one (1) year period beginning on April 1, 2022, and ending on March 31, 2023.

All other terms and conditions of the Agreement shall remain in full force and effect.

An other terms and conditions of the A	greement shan temam in tun toice and effect.
IN WITNESS WHEREOF, the parties day of March, 2022.	s hereto have executed this Second Addendum this
	Brian Davis, Administrator
ATTEST:	Village of Antwerp
Aimee Lichty, Fiscal Officer	
APPROVED AS TO FORM:	Real Waste Disposal, LLC
Melanie L. Farr, Village Solicitor	Name: RyAN Cassiter
	Title: Member

Dayton Legal Blank Co.		Form No. 30043
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#### **ORDINANCE NO. 2022-06**

## AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER \$7,500.00 FROM THE GENERAL FUND TO THE STREET LIGHTING FUND

WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Street Lighting Fund to provide the necessary revenue to pay the street lighting expenses from this fund; and

WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14; and

**WHEREAS**, this is a transfer of funds pursuant to Ohio Revised Code Section 5705.14(E), which requires a majority vote of the Village Council to authorize transfers from the General Fund to any other fund of the Village; and

WHEREAS, the Village Council elects to approve the transfer of funds from the General Fund to the Street Lighting Fund with the understanding that the Village is not required to seek any other approvals as may be required for other transfers of funds under Ohio Revised Code Sections 5705.15 and 5705.16.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

**Section 1**. The Village Fiscal Officer is hereby authorized to transfer the sum of Seven Thousand Five Hundred and 00/100 Dollars (\$7,500.00) from the General Fund to the Street Lighting Fund.

Section 2. The transfer of these funds from the General Fund to the Street Lighting Fund is necessary to provide the revenue to pay the street lighting expenses of the Village of Antwerp.

Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

**Section 4**. This Ordinance shall take effect and be in force after the earliest period allowed by

law.

Date 3 21.33

Jan Reeb

Mayor of the Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer

First reading: Jon 19

Second reading: Feb 14. 2

Third reading: March 21, 2026

7100/125/01297318-1 MLF

## RECORD OF ORDINANCES

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#### **ORDINANCE NO. 2022-07**

# AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2022 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio ("Village") has in the past adopted the American Legal Publishing's Ohio Basis Code for the complete preservation of the public peace, health, safety and general welfare of the Village and for the proper conduct of its affairs; and

WHEREAS, the American Legal Publishing Corporation publishes this Code of Ordinances each year suitable for adoption by municipalities in Ohio; and

WHEREAS, it is necessary to provide for the usual daily operation of the Village and for the immediate preservation of the public peace, health, safety and general welfare of the Village that this Ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

- American Legal Publishing's Ohio Basic Code, 2022 Edition, as reviewed and approved by the Council of the Village, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the Village is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2022 Edition, except as provided in Section 3 of this Ordinance.
- Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2022 Edition, certified as correct by the Mayor and Fiscal Officer of the Village, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Fiscal Officer of the Village and retained as a permanent ordinance record of the Village. The Fiscal Officer of the Village is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A."
- Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2022 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows:
  - (A) The enactment of the Ohio Basic Code, 2022 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

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Form No. 30043

Ordinance No.

Passed

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- (B) The repeal provided above shall not affect:
  - (1) The grant or creation of a franchise, license, right, easement or privilege;
  - (2) The purchase, sale, lease or transfer of property;
  - (3) The appropriation or expenditure of money or promise or guarantee of payment;
  - (4) The assumption of any contract or obligation;
  - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
  - (6) The levy or imposition of taxes, assessments or charges;
  - (7) The establishment, naming, vacating or grade level of street or public way;
  - (8) The dedication of property or plat approval;
  - (9) The annexation or detachment of territory;
  - (10) Any legislation enacted subsequent to the adoption of this Ordinance;
  - (11) Any legislation specifically superseding the provision of the Ohio Basic Code, such as legislation enacted prior to adoption of this Ordinance and said legislation was enacted to supersede prior ordinances adopted by the Council of Village, including a provision contained in prior versions of the Ohio Basic Code; and
  - (12) Any legislation enacted prior to the adoption of this Ordinance that amends any sections of prior versions of the Ohio Basic Code, including any legislation adding new sections to those sections contained in prior versions of the Ohio Basic Code, which includes but is not limited to the legislation to add section 112.14 to the Ohio Basic Code as provided in Ordinance No. 2021-20. The addition of any new sections previously adopted, including section 112.14, are hereby incorporated into the 2022 edition of the Ohio Basic Code.
- Whenever reference is made in any documents, publications, or signs of the Village, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.
- Section 5. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.
- Section 6. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health safety and general welfare of the people of the Village, and shall take effect at the earliest date provided by law.

## **RECORD OF ORDINANCES**

		Dayton Legal Blank Co.		Form No. 30043
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	Date	Passed: <b>Feb le</b> , 2022	Jan Rech	
	Atte	st: Curice Luckey ee Lichty, Fiscal Officer	Jan/Reeb, Mayor	

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#### NOTE REGARDING OHIO REVISED CODE § 9.68

As amended by House Bill 228, and effective on December 28, 2019, Ohio Revised Code § 9.68 reads:

#### 9.68 Right to Bear Arms - Challenge to Law.

- (A) The individual right to keep and bear arms, being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio, the general assembly finds the need to provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, taxation, keeping, and reporting of loss or theft of firearms, their components, and their ammunition. The general assembly also finds and declares that it is proper for law-abiding people to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil action for acting in defense of themselves or others. Except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay, or process, including by any ordinance, rule, regulation, practice, or other action or any threat of citation, prosecution, or other legal process, may own, possess, purchase, acquire, transport, store, carry, sell, transfer, manufacture, or keep any firearm, part of a firearm, its components, and its ammunition. Any such further license, permission, restriction, delay, or process interferes with the fundamental individual right described in this division and unduly inhibits law-abiding people from protecting themselves, their families, and others from intruders and attackers and from other legitimate uses of constitutionally protected fivearms, including hunting and sporting activities, and the state by this section preempts, supersedes, and declares null and void any such further license, permission, restriction, delay, or process.
- (B) A person, group, or entity adversely affected by any manner of ordinance, rule, regulation, resolution, practice, or other action enacted or enforced by a political subdivision in conflict with division (A) of this section may bring a civil action against the political subdivision seeking damages from the political subdivision, declaratory relief, injunctive relief, or a combination of those remedies. Any damages awarded shall be awarded against, and paid by, the political subdivision. In addition to any actual damages awarded against the political subdivision and other relief provided with respect to such an action, the court shall award reasonable expenses to any person, group, or entity that brings the action, to be paid by the political subdivision, if either of the following applies:
- (1) The person, group, or entity prevails in a challenge to the ordinance, rule, regulation, resolution, practice, or action as being in conflict with division (A) of this section.
- (2) The ordinance, rule, regulation, resolution, practice, or action or the manner of its enforcement is repealed or rescinded after the civil action was filed but prior to a final court determination of the action.
  - (C) As used in this section:
- (1) The possession, transporting, or carrying of firearms, their components, or their ammunition include, but are not limited to, the possession, transporting, or carrying, openly or concealed on a person's person or concealed ready at hand, of firearms, their components, or their ammunition.
  - (2) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.
- (3) "Reasonable expenses" include, but are not limited to, reasonable attorney's fees, court costs, expert witness fees, and compensation for loss of income.
  - (D) This section does not apply to either of the following:
- (1) A zoning ordinance that regulates or prohibits the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for residential or agricultural uses;
- (2) A zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of firearms, firearm components, or ammunition for firearms may occur, provided that the zoning ordinance is consistent with zoning ordinances for other retail establishments in the same geographic area and does not result in a de facto prohibition of the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for commercial, retail, or industrial uses.

There continues to be widespread uncertainty as to the effect of this law on municipal ordinances that relate to firearms and weapons (such as Ohio Basic Code Chapter 137), and the law is currently being challenged on several grounds. Before issuing citations for any firearms- or weapons-related offenses under any Ohio Basic Code sections, please consult with the Village Attorney and/or the Ohio Municipal League for advice and direction.

### Exhibit A

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		Nitrous oxide: improper dispensing or distribution; possession in a motor vehicle							
	138.11	Laboratory report required							
		Counterfeit controlled substances							
		Use, possession, or sale of drug paraphernalia							
		Controlled substance or prescription labels							
		Possession, sale and disposal of hypodermics Controlled substance schedules							
		Unlawful furnishing of prescription to enable persons to be issued handicapped parking							
	200.27	placards or license plates							
		Pseudoephedrine sales							
	138.19	Sale of pure caffeine product							
		THE PARTY OF A STORY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PAR							
		TITLE XV: LAND USAGE							
Continu	•	Chapter 150: General Provisions							
Section		Parks and Recreation							
		Recreation Board							
	150.02	Board of Park Trustees							
		Planning and Zoning							
	150 15	Diamina Commission							
		Planning Commission Board of Zoning Appeals							
	150.10	Doute of Zoning rippons							

This summary of contents has been verified and Municipality of, Ohio.	authorized for publication by the Legislative Authority of the
Signed: Jav Keeb	Clerk of the Legislative Authority

#### CERTIFICATION OF CODIFIED ORDINANCES

We, Jan Reeb, Mayor, and Aimee Lichty Clerk of the Legislative Authority, of the
Municipality of Antwerp, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42
ereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged
compiled, renumbered as to sections, codified and printed herewith in component codes and titles as
correct as and constitute the Code of Ordinances for the Municipality of Antwerd, Ohio

Mayor

Clerk of the Legislative Authority

	Dayton Legal Blank Co.					 	,	Form No. 30043
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	Ordinance No	 <b></b>		Passe	ed	 		19

#### **ORDINANCE NO. 2022-08**

AN ORDINANCE REPEALING ORDINANCE NO. 2020-07, AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2012-18 ESTABLISHING A REASONABLE METHOD TO PROVIDE NOTICE OF THE TIME AND PLACE OF REGULARLY SCHEDULED MEETINGS AND TIME, PLACE AND PURPOSE OF SPECIAL AND EMERGENCY MEETINGS FOR THE VILLAGE OF ANTWERP, OHIO,

AND DECLARING THE SAME AN EMERGENCY

WHEREAS, on April 20, 2020, the Council of the Village of Antwerp, Ohio, approved the passage of Ordinance No. 2020-07, an Ordinance amending Section 1 of Ordinance No. 2012-18 establishing a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings for the Village of Antwerp, Ohio, Section 1 pertaining to the posting to the Village's website as the reasonable method to provide notice of all such meetings; and

WHEREAS, the Council of the Village of Antwerp, Ohio, finds it necessary to further amend Section 1 of Ordinance No. 2012-18 and set forth the correct website address for the Village's calendar to provide notice of all such meetings; and

**WHEREAS**, the Council is repealing Ordinance No. 2020-07 in order to set forth the new website for the Village's calendar as the reasonable method to notify of the meetings of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Ordinance No. 2020-07 is repealed.

Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason to repeal the prior ordinance setting forth the Village's website address to provide notice of meetings of the Village, and to allow Council to approve a new amending ordinance providing the correct website address for this purpose, and this Ordinance shall take effect and be in force immediately upon its passage and approval; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed this day of February, 2022.

Jan Reeb, Mayor Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer

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#### **ORDINANCE NO. 2022-09**

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2012-18
ESTABLISHING A REASONABLE METHOD TO PROVIDE NOTICE OF THE TIME
AND PLACE OF REGULARLY SCHEDULED MEETINGS AND TIME, PLACE AND
PURPOSE OF SPECIAL AND EMERGENCY MEETINGS FOR THE VILLAGE OF
ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp, Ohio, adopted an Ordinance establishing a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings for the Village of Antwerp, Ohio, designated as Ordinance No. 2012-18 and passing by a majority vote and as an emergency measure by the Council of the Village of Antwerp, Ohio, on November 19, 2012; and

WHEREAS, the Council, by way of Ordinance 2012-18, established a section, specifically Section 1, providing the reasonable method to provide notice of all such meetings of the Village as the website address for the Village's calendar; and

WHEREAS, since the passage of Ordinance No. 2012-18, the Village has updated its website address and Section 1 of Ordinance No. 2012-18 needs amended to set forth the correct website address for the Village's calendar.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. That Section 1 of Ordinance No. 2012-18 currently reads as follows:

Section 1. The Village establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings by publishing notice of these meetings on the Village's website located at the following web address: <a href="http://www.villageofantwerp.com/calendar.htm">http://www.villageofantwerp.com/calendar.htm</a>. Unless otherwise noted, all public meetings shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio.

Section 2. That Section 1 of Ordinance No. 2012-18 is amended to read as follows:

Section 1. The Village establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings by publishing notice of these meetings on the Village's website located at the following web address: <a href="https://villageofantwerp.com/calendar/">https://villageofantwerp.com/calendar/</a>. Unless otherwise noted, all public meetings shall be held at the Council Chambers located at 118 North Main Street in the Village of Antwerp, Ohio.

Section 2. Previous Ordinances and/or any portions thereof, including Section 1 of Ordinance No. 2012-18 and Crdinance No. 2020-07, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

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Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the Village must update the website address to publish notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings. This Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this day of February, 2022.

Jan Reeb, Mayor Village of Antwerp

Attest:

Aimee Lichty, Fiscal Officer

### **ORDINANCE NO. 2022-10**

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 2021-22, AN ORDINANCE TO ESTABLISH A TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL FOR THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, FOR CALENDAR YEAR 2022, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp previously enacted Ordinance No. 2021-22 to establish the time and place of regular meetings of the Council for the Village of Antwerp, Paulding County, Ohio, for calendar year 2022; and

WHEREAS, in Section 3 of Ordinance No. 2021-22, there is a reference to Ordinance No. 2012-18, which is the ordinance that establishes a reasonable method to provide notice of the time and place of regularly scheduled meetings and time, place and purpose of special and emergency meetings for the Village of Antwerp, Ohio; and

WHEREAS, Section 1 of Ordinance No. 2012-18 was amended by Ordinance No. 2022-09 to update the website address for posting meeting notices as established in Ordinance No. 2012-18; and

WHEREAS, Section 3 of Ordinance No. 2021-22 needs amended to include the reference to Ordinance No. 2022-09 in order to include the proper website address for posting notices of such meetings, including the regular meetings of the Council of the Village for calendar year 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio, as follows:

**Section 1**. That Section 3 of Ordinance No. 2021-22 currently reads as follows:

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January 2022 and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of a member of the Council. Notice of any change in the time and/or place of a regular meeting of the Council shall be provided in accordance with Ordinance No. 2012-18.

Section 2. That Section 3 of Ordinance No. 2021-22 is amended to read as follows:

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January 2022 and be subject to amendment at the request of the Mayor of the Village of Antwerp or at the request of a member of the Council. Notice of any change in the time and/or place of a regular meeting of the Council shall be provided in accordance with Ordinance No. 2012-18 and Ordinance No. 2022-09 amending Section 1 of Ordinance No. 2012-18.

Section 3. Previous ordinances and/or any portions thereof, including Section 3 of Ordinance No. 2021-22, and rules of the Village of Antwerp that are not consistent with this Ordinanc are hereby set aside, revoked and held for naught.

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all ower law  Sec improcorrethe in f	ting to the passage of this Ordinal deliberations of the Council and e in meetings open to the publical ordinances and any applicable tion 5. This Ordinance is here hediate preservation of the public the reference governing meeting and place of regular Council of the earliest period allowers.	of any of its conic, in compliance provisions of S  by declared to be ic health, safety ting notices include in meetings for contents y after its passaged by law.	mmittees that resulted in succe with all legal requirements section 121.22 of the Ohio For an emergency measure of and welfare, and for the luded in Ordinance No. 202 calendar year 2022. This O	ch formal action, ents including all Revised Code.  necessary for the further reason to 1-22 establishing rdinance shall be
	Passed this 16 day of Feb	oruary, 2022.	Jay Reeb, Mayor Village of Antwerp	
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#### ORDINANCE NO. 2022-11

# AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CRANE TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE IN CALENDAR YEARS 2023, 2024, 2025, AND 2026

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance services to cutlying areas; and

WHEREAS, the Village of Antwerp and Crane Township negotiated the terms and conditions of the Village providing emergency medical service to certain portions of Crane Township.

### NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department (the "Village") will provide emergency medical service to that portion of Crane Township (the "Township") as provided in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$4,303.81 for calendar year 2023, an annual charge of \$4,303.81 for calendar year 2024, an annual charge of \$4,368.37 for calendar year 2025, and an annual charge of \$4,368.37 for calendar year 2026, with the annual charges to be paid on a quarterly basis in each calendar year, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2023.

<u>Section 2</u>. That the Council of the Village of Antwerp. Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

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Dayton Legal Blank Co.		Form No. 30043
Ordinance No	Passed	19

Section 3. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

Section 4b. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

Section 7. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Crane Township to provide emergency medical service for the consideration identified herein, said Agreement to be effective as of January 1, 2023.

Section 8. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 9. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

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	Ordinance No. Passed 19
	Section 10. This Ordinance shall take effect as of the expiration of the current agreement by and between the Village of Antwerp and Crane Township for the provision of emergency medical services in that portion of Crane Township as defined in the Agreement and be in full force and effect from and after the earliest period allowed by law.  Passed this 18 day of April , 2022.  Jap Reeb, Mayor
	Attest:  Aimee Lichty, Fiscal Officer (
	First reading: Feb 16, 2022
	Second reading: Mar 21, 2022
	Third reading: Apr 18, 2022

#### AGREEMENT TO PROVIDE EMERGENCY MEDICAL SERVICES

WHEREAS, the Mayor and Fiscal Officer of the Village were authorized to enter into this Agreement on April 18 , 2022, by an ordinance passed on said date, Ordinance No. 2022-11.

WHEREAS, the Board of Trustees of the Township were authorized to enter into this Agreement on Fab 21, 2022, by a resolution adopted on said date, Resolution No. 2022-02-07

IN CONSIDERATION of the mutual agreements hereinafter contained, and subject to the terms and conditions hereinafter stated, it is hereby agreed by the parties as follows:

- 1. The Village agrees to provide emergency medical services for certain portions of the Township, said territory described as follows:
  - Sections 1 through 10, 17 through 20, 29 through 32, and portions of sections 11 and 12 with the dividing line in those sections being the Maumee River and the services provided only north of the Maumee River for sections 11 and 12 in Crane Township.
- 2. The scope of the emergency medical services provided by the Village to the Township shall be the same as is regularly provided to residents of the Village of Antwerp.
- 3. Notwithstanding this Agreement to provide emergency medical services in the territory described above, the Village's primary obligation to provide emergency medical services is to the territory comprised within the Village's corporation limits and it shall not be a violation of any of the terms and/or conditions of this Agreement if for any reason the officer in charge of the emergency medical unit determines that the unit is unable and/or will be delayed in performing the services agreed to herein. The Village shall not be responsible for any loss and/or damages incurred as a result of failure to respond or respond timely to any call for emergency medical services in the Township and territory described above.
- 4. In exchange for providing the emergency medical services to the territory described herein, the Township agrees to compensate the Village as follows:

- (a) An annual charge of \$4,303.81 for calendar year 2023, an annual charge of \$4,303.81 for calendar year 2024, an annual charge of \$4,368.37 for calendar year 2025, and an annual charge of \$4,368.37 for calendar year 2026. The annual charge is to be paid on a quarterly basis by the Township to the Village in four (4) equal quarterly payments each payable to the Village the first business day of January, April, July and October in each calendar year; plus
- (b) Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof. Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

- 5. The Township authorizes the Village to bill patients / users of the emergency medical services and collect any monies due for the services provided by the Village for emergency medical services. The Village is also authorized to use a third-party billing and collection agency to perform these services, including but not limited to the Ohio Attorney General's office. The Village hereby agrees to submit bills to the patients / users for the fees established in Section 4(b) above, which are the same fees the Village charges its residents for the provision of emergency medical services. Any and all monies collected on behalf of the patients / users shall be sent to the Township on a monthly basis. Any and all payments made by Village between the effective date and the execution date of this Agreement shall be made to conform to the provisions of this Agreement.
- 6. The Village shall submit monthly invoices to the Township for the emergency medical services provided, billed, collected and paid to the Township and for any charges due and owing by the Township to the Village as provided in paragraph 4 above. Any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township. Failure to remit payment of said invoice could result in termination of this Agreement.
- 7. The volunteers, employees, agents, and/or officers of the Village that will provide the services to the Township as provided in this Agreement are deemed to be

acting within the scope of their employment in providing said services. The Village assumes the cost and/or expenses associated with any injury to those providing the services on behalf of the Village and/or any damage to equipment used in the performance of this Agreement. To the extent permitted under Ohio law, the Township agrees to fully indemnify and hold harmless the Village, its elected officials, its officers, agents, employees and volunteers from any and all obligations, liabilities or claims which may arise as a direct or indirect consequence of the Village's performance of this Agreement and the services agreed to be performed by the Village herein or the actions of the Village, its officials, agents, employees, volunteers, and any subcontractors employed by the Village. The Township will name the Village of Antwerp as an additional insured on its insurance policy. The Township's insurance coverage shall be primary insurance as it concerns the Village, its elected officials, officers, agents, employees or volunteers and that any insurance maintained by the Village, its elected officials, officers, agents, employees or volunteers shall be excess to the Township's insurance and shall not contribute to it.

- 8. The Village hereby represents that the individuals that will provide the emergency medical services are volunteers, employees, agents, and/or other officials acting on behalf of the Village. No principal-agent or employer-employee relationship is created by this Agreement. As such, the Township and any of its officials, employees, agents, and/or volunteers are not eligible to receive any benefits from the Village, including but not limited to, OPERS, vacation, sick leave, health insurance, life insurance, worker's compensation insurance, unemployment compensation, any form of retirement benefits (including social security eligibility), or other benefits based upon the status of the Village providing the emergency medical services as independent contractors of the Township. The Township is responsible for payment of all applicable taxes, including federal, state, and local taxes.
- 9. The Village and the Township each reserve the right to unilaterally terminate this Agreement, with or without cause, upon sixty (60) days written notice to the other party. Any such termination will not alter the obligation of the Village to bill and/or collect the fees for services provided during the term of the Agreement or to pay those fees to the Township. Likewise, any such termination will not alter the obligation of the Township to pay any amounts due and owing to the Village by way of this Agreement for services rendered prior to the termination of said Agreement. It is the responsibility of the Township to notify the users of these services within the territory described herein of the termination of this Agreement.
- 10. Each party shall maintain accurate records, reports and other documents to sufficiently and properly account for all costs and expenses incurred by each party in the performance of its obligations under this Agreement. These records shall be available in accordance with the public entity's public records policy for inspection, review, audit, or other legitimate purpose by an authorized representative of the other party, the State of Ohio, the Federal Government, or

representative of any, for a minimum of five (5) years after payment has been made pursuant to the terms of this Agreement or until after a State Audit, whichever occurs earlier.

- 11. This Agreement shall not be assignable by either party hereto without the prior written consent of the other party.
- 12. If legal action is initiated by either party for the purpose of enforcing or interpreting this Agreement, the prevailing party shall be entitled to its attorney's fees and costs in enforcing this Agreement.
- 13. The validity and interpretation of any of the terms or provisions of this Agreement or of the rights or duties of any of the parties hereunder shall be governed by the laws of the State of Ohio.
- 14. The invalidation of any clause or provision of this Agreement shall have no effect on the remaining provisions of this Agreement, and as such, the remaining Agreement shall remain in full force and effect, and be interpreted as consistently as possible.
- 15. Any notice required to be given hereunder, shall be given as follows:

#### Village of Antwerp

Attn: Administrator P.O. Box 1046 Antwerp, Ohio 45813 Telephone: (419) 258-2371

Fax: (419) 258-1337

and

Attn: EMS Coordinator P.O. Box 1046 Antwerp, Ohio 45813

Telephone: (419) 258-2241

Fax: (419) 258-1832

## Attn: Fiscal Officer 17374 45 127 COCIL OH 45821

**Township of Crane** 

- 16. This Agreement shall be effective as of January 1, 2023, and shall continue in full force and effect thereafter for the calendar years of 2023, 2024, 2025, and 2026, subject to the terms and conditions set forth herein. This Agreement supersedes any and all prior agreements between the Village and the Township pertaining to the provision of emergency medical services for prior years.
- 17. It is understood and agreed by the parties hereto that the signatories to the Agreement have been duly authorized to execute this Agreement on behalf of the respective parties, and that the parties hereby waive any challenge or defense to

Antwerf, Ohio, on the day and year first above Executed at written. "VILLAGE" "TOWNSHIP" TOWNSHIP OF CRANE VILLAGE OF ANTWERP Title: Title: Mayor, Date: Date: Aimee Lichty Title: Village Fiscal Officer Title: Date: 4-18.22

procedures surrounding the execution of this Agreement.

the validity of this Agreement based on lack of capacity, or irregularity in the

Date:

#### **ORDINANCE NO. 2022-12**

# AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH HARRISON TOWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE IN CALENDAR YEARS 2023, 2024, 2025, AND 2026

WHEREAS, the County of Paulding previously had a county-wide emergency ambulance service levy; and

WHEREAS, said levy has been discontinued county-wide; and

WHEREAS, the Village of Antwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance services to outlying areas; and

WHEREAS, the Village of Antwerp and Harrison Township negotiated the terms and conditions of the Village providing emergency medical service to certain portions of Harrison Township.

### NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department (the "Village") will provide emergency medical service to that portion of Harrison Township (the "Township") as provided in an Agreement to Provide Emergency Medical Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$1,319.00 in each calendar year 2023, 2024, 2025, and 2026, with the annual charges to be paid on a quarterly basis in each of these calendar years, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2023.

Section 2. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

Section 3. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

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Ordinance No.	Passed	19

Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

<u>Section 7</u>. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Harrison Township to provide emergency medical service for the consideration identified herein, said Agreement to be effective as of January 1, 2023.

Section 8. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 9. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

### **RECORD OF ORDINANCES**

Ordinance No	· ,	
Section 10. This Ordinance shall take e	ffect as of the expiration o	
Section 10. This Ordinance shall take e	ffect as of the expiration o	
by and between the Village of Antwerp and Hamedical services in that portion of Harrison Toy force and effect from and after the earliest perio	arrison Township for the pwnship as defined in the A dallowed by law.	provision of emergency
Passed this 18 day of April	, 2022.	
Attest:		
Aimee Lichty, Fiscal Officer		
First reading: Feb 14,2022		
Second reading: Mar 21, 2022	·	
Third reading: Apr 18, 2022		

Da	yton Legal Blank Co.		Form No. 30043
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_	Ordinance No	Passed	19
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### AGREEMENT TO PROVIDE EMERGENCY MEDICAL SERVICES

Pursuant to Ohio Revised Code Sections 505.84 and 9.60, this AGREEMENT is made
and entered into this 18th day of April, 2022, by and between the Village of
Antwerp, Paulding County, Ohio (hereinafter referred to as the "Village"), and the Township of
Harrison, Paulding County, Ohio (hereinafter referred to as the "Township"), for the Village to
provide emergency medical services to the Township for calendar years 2023, 2024, 2025, and
2026 as more specifically described herein.
WHEREAS, the Mayor and Fiscal Officer of the Village were authorized to enter into this Agreement on
WHEREAS, the Board of Trustees of the Township were authorized to enter into this Agreement on May 9 m, 2022, by a resolution adopted on said date, Resolution No. 2023.
IN CONSIDERATION of the mutual agreements hereinafter contained, and subject to the terms and conditions hereinafter stated, it is hereby agreed by the parties as follows:

- 1. The Village agrees to provide emergency medical services for certain portions of the Township, said territory described as follows:
  - Sections 1 through 12 of Harrison Township.
- 2. The scope of the emergency medical services provided by the Village to the Township shall be the same as is regularly provided to residents of the Village of Antwerp.
- 3. Notwithstanding this Agreement to provide emergency medical services in the territory described above, the Village's primary obligation to provide emergency medical services is to the territory comprised within the Village's corporation limits and it shall not be a violation of any of the terms and/or conditions of this Agreement if for any reason the officer in charge of the emergency medical unit determines that the unit is unable and/or will be delayed in performing the services agreed to herein. The Village shall not be responsible for any loss and/or damages incurred as a result of failure to respond or respond timely to any call for emergency medical services in the Township and territory described above.
- 4. In exchange for providing the emergency medical services to the territory described herein, the Township agrees to compensate the Village as follows:
  - (a) An annual charge of \$1,319.00 for each calendar year 2023, 2024, 2025, and 2026. The annual charge is to be paid on a quarterly basis by the Township to

the Village in four (4) equal quarterly payments each payable to the Village the first business day of January, April, July, and October in each calendar year; plus

(b) Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof. Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

- 5. The Township authorizes the Village to bill patients / users of the emergency medical services and collect any monies due for the services provided by the Village for emergency medical services. The Village is also authorized to use a third-party billing and collection agency to perform these services, including but not limited to the Ohio Attorney General's office. The Village hereby agrees to submit bills to the patients / users for the fees established in Section 4(b) above, which are the same fees the Village charges its residents for the provision of emergency medical services. Any and all monies collected on behalf of the patients / users shall be sent to the Township on a monthly basis. Any and all payments made by Village between the effective date and the execution date of this Agreement shall be made to conform to the provisions of this Agreement.
- 6. The Village shall submit monthly invoices to the Township for the emergency medical services provided, billed, collected and paid to the Township and for any charges due and owing by the Township to the Village as provided in paragraph 4 above. Any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township. Failure to remit payment of said invoice could result in termination of this Agreement.
- 7. The volunteers, employees, agents and/or officers of the Village that will provide the services to the Township as provided in this Agreement are deemed to be acting within the scope of their employment in providing said services. The Village assumes the cost and/or expenses associated with any injury to those providing the services on behalf of the Village and/or any damage to equipment used in the performance of this Agreement. To the extent permitted under Ohio

law, the Township agrees to fully indemnify and hold harmless the Village, its elected officials, its officers, agents, employees and volunteers from any and all obligations, liabilities or claims which may arise as a direct or indirect consequence of the Village's performance of this Agreement and the services agreed to be performed by the Village herein or the actions of the Village, its officials, agents, employees, volunteers, and any subcontractors employed by the Village. The Township will name the Village of Antwerp as an additional insured on its insurance policy. The Township's insurance coverage shall be primary insurance as it concerns the Village, its elected officials, officers, agents, employees or volunteers and that any insurance maintained by the Village, its elected officials, officers, agents, employees or volunteers shall be excess to the Township's insurance and shall not contribute to it.

- 8. The Village hereby represents that the individuals that will provide the emergency medical services are volunteers, employees, agents, and/or other officials acting on behalf of the Village. No principal-agent or employer-employee relationship is created by this Agreement. As such, the Township and any of its officials, employees, agents, and/or volunteers are not eligible to receive any benefits from the Village, including but not limited to, OPERS, vacation, sick leave, health insurance, life insurance, worker's compensation insurance, unemployment compensation, any form of retirement benefits (including social security eligibility), or other benefits based upon the status of the Village providing the emergency medical services as independent contractors of the Township. The Township is responsible for payment of all applicable taxes, including federal, state, and local taxes.
- 9. The Village and the Township each reserve the right to unilaterally terminate this Agreement, with or without cause, upon sixty (60) days written notice to the other party. Any such termination will not alter the obligation of the Village to bill and/or collect the fees for services provided during the term of the Agreement or to pay those fees to the Township. Likewise, any such termination will not alter the obligation of the Township to pay any amounts due and owing to the Village by way of this Agreement for services rendered prior to the termination of said Agreement. It is the responsibility of the Township to notify the users of these services within the territory described herein of the termination of this Agreement.
- 10. Each party shall maintain accurate records, reports and other documents to sufficiently and properly account for all costs and expenses incurred by each party in the performance of its obligations under this Agreement. These records shall be available in accordance with the public entity's public records policy for inspection, review, audit, or other legitimate purpose by an authorized representative of the other party, the State of Ohio, the Federal Government, or representative of any, for a minimum of five (5) years after payment has been made pursuant to the terms of this Agreement or until after a State Audit, whichever occurs earlier.

- 11. This Agreement shall not be assignable by either party hereto without the prior written consent of the other party.
- 12. If legal action is initiated by either party for the purpose of enforcing or interpreting this Agreement, the prevailing party shall be entitled to its attorney's fees and costs in enforcing this Agreement.
- The validity and interpretation of any of the terms or provisions of this Agreement 13. or of the rights or duties of any of the parties hereunder shall be governed by the laws of the State of Ohio.
- 14. The invalidation of any clause or provision of this Agreement shall have no effect on the remaining provisions of this Agreement, and as such, the remaining Agreement shall remain in full force and effect, and be interpreted as consistently as possible.
- 15. Any notice required to be given hereunder, shall be given as follows:

#### Village of Antwerp

Attn: Administrator P.O. Box 1046 Antwerp, Ohio 45813

Telephone: (419) 258-2371

Fax: (419) 258-1337

Attn: EMS Coordinator

Fax: (419) 258-1337

P.O. Box 1046

Antwerp, Ohio 45813 Telephone: (419) 258-1570

16. This Agreement shall be effective as of January 1, 2023, and shall continue in full force and effect thereafter for the calendar years of 2023, 2024, 2025, and 2026, subject to the terms and conditions set forth herein. This Agreement supersedes any and all prior agreements between the Village and the Township pertaining to the provision of emergency medical services for prior years.

17. It is understood and agreed by the parties hereto that the signatories to the Agreement have been duly authorized to execute this Agreement on behalf of the respective parties, and that the parties hereby waive any challenge or defense to the validity of this Agreement based on lack of capacity, or irregularity in the procedures surrounding the execution of this Agreement.

### Township of Harrison

Attn: TRUSTEES P.O. BOX103 PAYNE, OH 45880

and

Executed at Antwerp, Ohio, on the day and year first above written. "VILLAGE" "TOWNSHIP" VILLAGE OF ANTWERP Jan Reeb Title: Mayor Date: Aimee Lichty Title: Harrison Township Trustee Title: Village Fiscal Officer Date: 17-18-22

Date: 5-9-

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### ORDINANCE NO. 2022-13

AN ORDINARICE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL ROWNSHIP FOR PROVIDING EMERGENCY MEDICAL SERVICE IN CALLENDAR YEARS 2023, 2024, 2025, AND 2026

WHIREAS, the County of Paulting previously had a county-wide amergency ambayance services levy; and

WHITTEAS, send lavy has been discontinued county-wide, and

WHIREAS, the Village of Amwerp owns an emergency ambulance vehicle and has in the past provided emergency ambulance services to outlying areas; and

WHEREAS, the Village of Antwerp and Carryall Township negotiated the terms and conditions of the Village providing emergency medical service to Carryall Township.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

Section 1. That the Village of Antwerp Emergency Medical Services Department (the "Village") will provide emergency medical service to Carryall Township (the "Township") as provided in an Agreement to Provide Emergency Medical Services (the "Agreement") for calendars years 2023, 2024, 2025, and 2026, and the Village shall be compensated by the Township paying an annual charge which equates to the total sum collected by the Township by way of tax settlement monies, which amount will be paid to the Village of Antwerp as the Township collects such tax settlement monies from the Paulding County Auditor's office, in combination with a user fee for delivery of emergency medical rescue services rendered by the Village. The rate of the user fee shall be that as established in Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2023.

Section 2. That the Council of the Village of Antwerp, Ohio hereby authorizes and approves the following rates for emergency medical rescue services when services are rendered by the Village, to any person in the area provided in the Agreement, as follows:

Base rate per person: Basic Life Support (BLS) \$400.00 plus \$8.00 for each loaded mile or fraction thereof.

Base rate per person: Advance Life Support (ALS) \$500.00 plus \$8.00 for each loaded mile or fraction thereof.

Section 3. That the user fee shall be incurred by the user of the emergency medical rescue services provided by the Village upon treatment.

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Section 4a. That "Basic Life Support" (BLS) charges shall include by way of illustration the following: opening and maintaining an airway, giving positive pressure ventilation, cardiac compression, controlling hemorrhage, treatment of shock, immobilization of fractures, bandaging, assisting in childbirth, management of mentally disturbed patients, initial care of poison and burn patients, emergency extrication from entrapment, and any and all other procedures allowed by Ohio law.

<u>Section 4b</u>. That "Advance Life Support" (ALS) charges shall include by way of illustration the above Basic Life Support and also include the following: start IV infusions, manual defibrillation, administer epinephrine and other drugs, blood draws, start IO infusions, and any and all other procedures allowed by Ohio law.

Section 5. That the Village shall bill the users of the emergency medical services and collect any monies due for said services. Any and all monies collected on behalf of the users shall be sent to the Township on a monthly basis. The Village shall submit monthly invoices to the Township for the amounts billed, collected and then paid to the Township for the provision of emergency medical services, and any and all charges provided for on the invoice shall be paid by the Township to the Village within thirty (30) days from the date the invoice is received by the Township.

Section 6. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: \$75.00 of each user fee collected shall be placed into a Vehicle Replacement Fund and the remainder shall be placed into the EMS Revenue Fund. A transfer shall be done once or twice yearly from the EMS Revenue Fund to the Vehicle Replacement Fund.

Section 7. That the Mayor and the Fiscal Officer of the Village of Antwerp are authorized to enter into the Agreement with Carryall Township to provide emergency medical service for the consideration identified herein, said Agreement to be effective as of January 1, 2023.

Section 8. That if any other prior ordinance or resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid, only that portion shall be held invalid and the remainder shall be in full force and effect.

Section 9. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions in Section 121.22 of the Ohio Revised Code.

### **RECORD OF ORDINANCES**

	Dayton Legal Blank Co.	Form No.
	Ordinance No	d19
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br	Section 10. This Ordinance shall take effect as of the and between the Village of Antwerp and Carryall Towns	
me	edical services in Carryall Township as defined in the A	Agreement and be in full force and
	fect from and after the earliest period allowed by law.	
	Passed this 18 day of April, 2022.	
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	Jan Ke	eb
	Jan Reeb, May	or
A	ttest:	
	Une behan	
Ai	imee Lichty, Fiscal Officer	
Fi	irst reading: Feb 14, 2022	
	econd reading: Mar 21, 2022	
T	hird reading: Apr 18, 2022	
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### RECORD OF ORDINANCES

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