

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2009-05

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY 2 MILL FOR A RENEWAL LEVY FOR POLICE PROTECTION IN THE VILLAGE OF ANTWERP, AND DECLARING THE SAME AN EMERGENCY.

WHEREAS, the Council for the Village 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 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, Paulding County, Ohio, that:

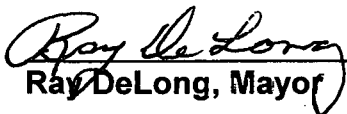
Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by 2 mill pursuant to Ohio Revised Code Section 5705.19(J). The Village of Antwerp is requesting this certification in order to place a renewal 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 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 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 18th day of May, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

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 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 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, Block 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.

RECORD OF ORDINANCES

0003

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

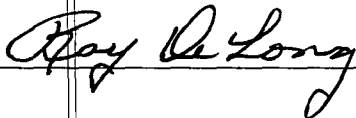
Section 4. That the sidewalk shall be constructed and/or repaired by David W. Bradtmueller and Tamara S. Bradtmueller, as the owners of the property located at 301 North Main Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer in accordance with Ohio Revised Code Section 729.03 upon David W. Bradtmueller and Tamara S. Bradtmueller.

Section 5. In the event such sidewalk is not constructed and/or repaired by David W. Bradtmueller and Tamara S. Bradtmueller 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.



Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Fund (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).

Section 2. This transfer of funds is necessary to provide the funds for the West Daggett / 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

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

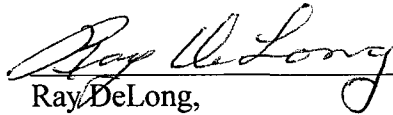
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Ordinance No. _____

Passed _____, 20____

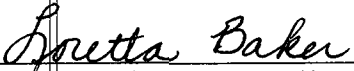
passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date 6/16/2009



Ray DeLong,
Mayor of the Village of Antwerp

Attest:



Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 27th 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.

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

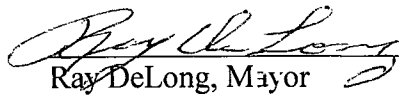
Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 that in order to institute a process to verify that prior to any construction, repair or replacement of sidewalks the standards and specifications are obtained from the Village offices, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 16 day of June, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 27th 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 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

RECORD OF ORDINANCES

0009

Dayton Legal Blank, Inc.

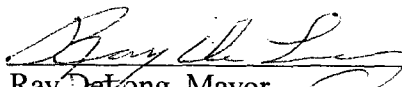
Form No. 30043

Ordinance No. _____

Passed _____, 20____

public hearing on the proposed amendment, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 16th day of JUNE, 2009.


Ray DeLong, Mayor

Attest:


Loreta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 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
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.

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

RECORD OF ORDINANCES

0011

Dayton Legal Blask, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Date

6/16/2009

Mayor

Ray De Long

Attest:

Louisa Baker

Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 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.

RECORD OF ORDINANCES

0013

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Date: 7-20-09

Ray W. Long
Mayor of the Village of Antwerp

Attest:
Fiscal Officer: Lynette Baker

Ordinance No. _____

Passed _____, 20____

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	\$256,250.00
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

Mayor

Ray D. Long

Attest:

Louella Baker

Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 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 \$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 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.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 300-3

Ordinance No. _____

Passed _____

20 _____

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 thereof 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 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 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 ordinance 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.

Section 10. 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. 2007-16.

Date: _____

8/17/09

Ray DeLong
Ray DeLong, Mayor

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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, 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 3.01% 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

Ordinance No. _____

Passed _____, 20____

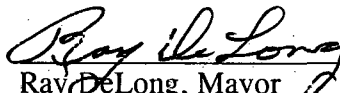
appropriate disclosure document in connection with the sale and delivery of the Note.

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

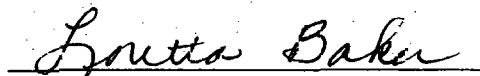
Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date: 8/17/09


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2009-23

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE STREET FUND IN THE AMOUNT OF \$ 15,000.00 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 Street 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 Street 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 fifteen thousand dollars from the General Fund to the Street Fund.

Section 2. This ordinance is necessary to provide for operating funds for the street 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.

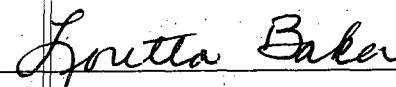
Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the street department necessary for the 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 _____

8/17/09


Mayor of the Village of Antwerp

Attest:

 Fiscal Officer

Ordinance No. R 2009-07 Passed 20
Dayton Legal Blank, Inc. Form No. 11015

RESOLUTION 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 Village of Antwerp, Paulding County, Ohio, met in Regular
(Regular or Special)
session on the 17th day of August, 2009, at the office of
Village of Antwerp with the following members present:

Ron Farnsworth Pres.
Mike Rohrs
Larry Ryan
Karen Lee
Jan Reeb
Tom VanVlerah

M Larry Ryan moved the adoption of the following Resolution:

WHEREAS, The amount of taxes which may be raised within the ten mill limitation will be
insufficient to provide an adequate amount for the necessary requirements of said

Village of Antwerp Paulding County, Ohio;
therefore be it

RESOLVED, by the Council of the
Village of Antwerp Paulding County, Ohio, two-thirds of all
members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limi-
tation for the benefit of Village of Antwerp
(Name of Subdivision)

for the purpose of providing and maintaining motor vehicles,
communications and other equipment used directly in the operation
of a police department and payment of salaries of police personnel.

O.R.C. 5705.15 (J)

at a rate not exceeding two (2) mills for each one dollar of valuation, which
amounts to twenty cents
(Here insert rate expressed in dollars and cents)

for each one hundred dollars of valuation, for 5 years 2009-2013

a renewal of a tax of 2 mills

RESOLVED, That the question of levying additional taxes be submitted to the electors of said
Village of Antwerp
at the General election to be held at the usual voting places within
(General, Primary, Special)
said Village of Antwerp
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 majority of the electors voting thereon vote
in favor thereof and be it further
(Percentage)

RECORD OF ORDINANCES

0021

Dayton Legal Blank, Inc.

Form No. 30643

RESOLVED, That the Clerk of this Village of Antwerp
be and he is hereby directed to certify a copy of this Resolution to the Board of Elections, 20
Paulding County, Ohio.

and notify said Board of Elections to cause notice of election on the question of levying said tax to
be given as required by law.

M Mike Rohrs seconded the Motion and the roll being called
upon its adoption the vote resulted as follows:

M	<u>Jan Reeb</u>	<u>yes</u>
M	<u>Larry Ryan</u>	<u>yes</u>
M	<u>Ron Farnsworth</u>	<u>yes</u>
M	<u>Karen Lee</u>	<u>yes</u>
M	<u>Tom VanVeenah</u>	<u>yes</u>

Adopted the 17th day of August 2009

1st Reading 6/15/09
2nd Reading 7-20-09

(Clerk or Auditor) Fiscal Officer
Village of Antwerp
(Name of Subdivision)
Paulding County, Ohio

- The Resolution is to be passed and certified to the Board of Election 75 days prior to the election upon which it will be voted, except see Emergency School Levy 5705.194.
- Board of County Commissioners, Council of the City or Village, Board of Education, or Board of Township Trustees.
- Name of Subdivision.
- Here insert any one of the purposes listed in Sec. 5705.19 R.C. Not applicable to school districts.
- For all the subdivisions including schools under 5705.19, the life indebtedness or the number of years the levy is to run.
Here insert one of the following:
 - "an additional tax of ____ mills"
 - "a renewal of an existing tax of ____ mills"
 - "a renewal of a tax of ____ mills and an increase of ____ mills to constitute a tax of ____ mills"
 - "a renewal of a part of a ____ mill existing levy, being a reduction of ____ mills to constitute a tax of ____ mills"
 - "a replacement of tax of ____ mills"
 - "a replacement of ____ mills and an increase of ____ mills to constitute a tax of ____ mills"
 - "a replacement of part of an existing levy, being a reduction of ____ mill, to constitute a tax of ____ mills"Schools also see 5705.212, 5705.213 R.C.
- See Emergency School Levy under 5705.194. Also 5705.21, 5705.212, 5705.213 schools.
- 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, 5705.21, 5705.213 R.C. for time.

The State of Ohio, Paulding County, ss. Fiscal Officer
I, Loretta Baker, Clerk of Village of Antwerp

do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of said
Village; that the same has been compared by me with the Resolution on said Record
and that it is a true and correct copy thereof.

Witness my signature, this 17th day of August 2009
Loretta Baker
Fiscal Officer

No. 82009-07
Village of Antwerp
Paulding County, Ohio
RESOLUTION
DECLARING IT NECESSARY TO LEVY A
TAX IN EXCESS OF THE TEN
MILL LIMITATION
Filed
By
Deputy

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 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 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, 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 PARCEL ID #1204S00700, COMMONLY KNOWN AS 414 NORTH MAIN STREET, ANTWERP, OHIO.

Section 3. 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.

RECORD OF ORDINANCES

0023

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____


Section 4. That the sidewalk shall be constructed and/or repaired by Chase Home Finance, LLC, as the owners of the property located at 414 North Main Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Chase Home Finance, LLC in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Chase Home Finance, LLC 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 17th day of August, 2009.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2009-09

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 USR 24 Waterline Replacement, from Harmon Road to Island Drive 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 this 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.

ADOPTED: _____

Date

8/17/09

ATTEST:

Fiscal Officer

Loretta BakerRay Delong
Ray Delong, Mayor

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2009-24

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE WATER LINE IMPROVEMENTS ON WEST DAGGETT AND STONE STREETS; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp is in need of improvements to the water line on West Daggett and Stone Streets in the Village of Antwerp which improvements will affect the water services provided to residents on those streets and the immediate area surrounding those streets; 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 water line improvements; and

WHEREAS, Lingvai Excavating, LLC submitted the lowest and most responsive bid in the amount of \$115,718.50 to perform the necessary work for the improvements to the West Daggett and Stone Streets water line.

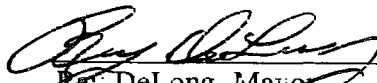
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

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 Lingvai Excavating, LLC, who provided a bid in the amount of \$115,718.50 for the improvements to the West Daggett and Stone Streets water line.

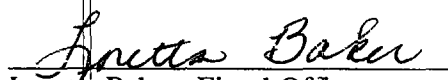
Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in open meetings of the Council, and that all deliberations of the Council and any of its committees that resulted in such 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 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 line improvements on West Daggett and Stone Streets 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: 9-8-09


Ray DeLong, Mayor

ATTEST:


Loretta Baker, Fiscal Officer

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 the 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

RECORD OF ORDINANCES

0027

Dayton Legal Blar k, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 heretofore dedicated are hereby dedicated to public use as such, and easements 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, subject to the streets being constructed in accordance with the specifications and requirements of Ordinance No. 94-16, said streets identified by the developer on Exhibit 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.

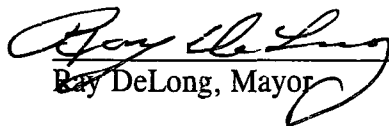
SECTION 5. That all requirements for the final plat have been provided as set forth in Ordinance No. 94-17, including, but not limited to, a notarized certification of the owners of the adoption of the plat, the dedication of the streets and other public areas, the approval and the signature of Village officials concerned with the specifications and inspection of utility installations and improvements, and certification by the County Auditor that there are no unpaid taxes on the property involved.

SECTION 6. That the Fiscal Officer for the Village of Antwerp, Ohio, is hereby authorized to record the final plat with the Paulding County Recorder and to obtain the certification of the Paulding County Recorder that the plat has been recorded. The payment of the recording fees are the responsibility of the developer.

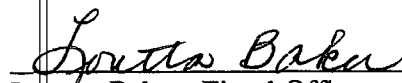
SECTION 7. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 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 the real estate 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.

Date: 9-8-09


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No.

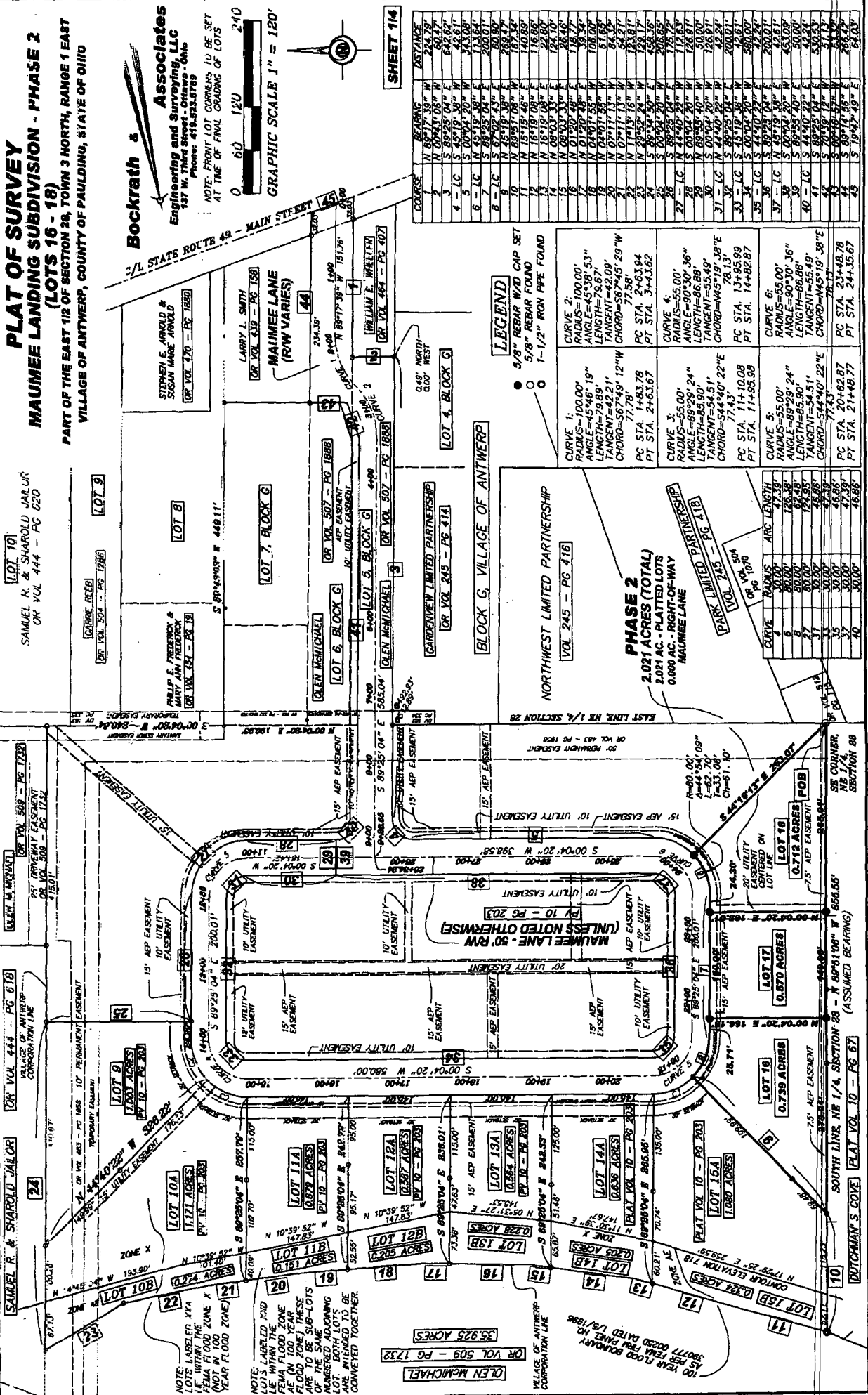
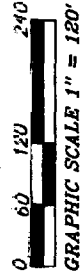
Passed

20

PLAT OF SURVEY
MAUMEE LANDING SUBDIVISION - PHASE 2
(LOTS 16 - 18)
PART OF THE EAST 1/2 OF SECTION 28, TOWN 3 NORTH, RANGE 1 EAST
VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO

Bockrath & Associates
Engineering and Surveying, LLC
137 W. Third Street - Ottawa, Ohio
Phone: 419.833.9789

NOTE: FRONT LOT CORNERS TO BE SET AT TIME OF FINAL GRADING OF LOTS



SHEET 114

LEGEND
● 5/8" REBAR W/D CAP SET
○ 5/8" REBAR FOUND
○ 1-1/2" ROP PIPE FOUND

COURSE	BEARING	DISTANCE
1	N 89° 17' 39" W	224.79'
2	N 0° 41' 08" W	60.19'
3	S 89° 25' 04" E	62.67'
4	- LC	42.61'
5	S 45° 19' 38" W	11.81'
6	- LC	200.01'
7	S 89° 25' 04" E	200.01'
8	- LC	60.90'
9	S 6° 40' 43" E	288.47'
10	N 89° 51' 08" W	167.54'
11	N 1° 15' 48" E	10.89'
12	N 16° 19' 08" E	16.86'
13	N 08° 43' 33" E	12.10'
14	N 08° 43' 33" E	12.10'
15	N 08° 43' 33" E	12.10'
16	N 01° 20' 48" E	18.77'
17	N 01° 20' 48" E	19.34'
18	N 04° 01' 53" W	106.00'
19	N 04° 01' 53" W	61.69'
20	N 02° 11' 13" W	84.91'
21	N 02° 11' 13" W	84.91'
22	N 11° 15' 16" W	121.81'
23	N 28° 52' 24" W	123.17'
24	S 89° 25' 04" E	458.36'
25	S 00° 04' 20" W	208.69'
26	S 89° 25' 04" E	175.72'
27	- LC	175.72'
28	S 45° 19' 38" W	12.63'
29	S 00° 04' 20" W	200.01'
30	S 00° 04' 20" W	200.01'
31	- LC	42.61'
32	S 89° 25' 04" E	200.01'
33	- LC	42.61'
34	S 45° 19' 38" W	580.00'
35	- LC	42.61'
36	S 45° 19' 38" W	200.01'
37	- LC	42.61'
38	S 89° 25' 04" E	45.09'
39	S 89° 25' 04" E	50.00'
40	- LC	42.61'
41	S 45° 19' 38" W	50.00'
42	S 89° 25' 04" E	50.00'
43	S 89° 25' 04" E	50.00'
44	S 89° 25' 04" E	50.00'
45	S 89° 25' 04" E	50.00'

CURVE	RADIUS	ANGLE	LENGTH	TANGENT	CHORD	PC STA.	PT STA.
CURVE 1:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 2:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 3:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 4:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 5:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 6:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 7:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 8:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 9:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 10:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 11:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 12:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 13:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 14:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 15:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 16:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 17:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 18:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 19:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 20:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 21:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 22:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 23:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 24:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 25:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 26:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 27:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 28:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 29:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 30:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 31:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 32:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 33:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 34:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 35:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 36:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 37:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 38:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 39:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 40:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 41:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 42:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 43:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 44:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167
CURVE 45:	100.00'	90° 00' 00"	62.83'	62.83'	62.83'	246.3167	246.3167

Exhibit "A"

Ordinance No. _____

Passed _____, 20____

MAURREE LANDING SUBDIVISION PLAT 1 (LOTS 16-18)
Situating as being part of the East Half of Section 28, 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 POINT 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 Dutchmans 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
Maurree 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 Maurree Lane (recorded in Plat Volume
10, Page 203) marking the Northeast 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 Maurree Lane the following three courses:

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 Maurree Lane and 2.021 acres consists of platted Lots 16
through 18;

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 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.

Bockrath & Associates
Engineering and Surveying, LLC
137 W. Third Street, Suite 600
Columbus, Ohio 43215
Phone: 419-323-5789

SHEET 3/4

Exhibit "A"

Restrictions	Ordinance No.	Passed	Page
<p>RESTRICTIONS FOR MAUMEE LANDING SUBDIVISION ANTWERP, OHIO</p> <p>The purpose of the restrictions herein is to enhance and protect the value, attractiveness and desirability of the above described real estate by placing restrictive covenants on the above lots whereby each lot shall be held, sold and conveyed only subject to the following easements, covenants, conditions, and restrictions, which shall constitute covenants running with the land and shall be binding on all parties having any right, title, or interest in the above described property, or any part thereof, their heirs, successors and assigns, and shall insure to the benefit of each owner thereof. The restrictive covenants are as follows:</p> <ol style="list-style-type: none">The premises shall not be used for other than a single family dwelling. The ground floor area of the main structure, exclusive of porches, open porches and garages, shall not be less than sixteen hundred (1600) square feet for a one story dwelling, and one thousand square feet for a one and one half story dwelling or a two story dwelling except for lots 1, 2, 3, and 4 which may be either a single or double family dwelling.No buildings shall be erected, placed or altered on any building plot in the subdivision until the building plans, specifications, and plot plan showing the location of such building have been approved in writing as to conformity in design with other structures in the subdivision, by the sub-divider or his representative.Any dwelling erected on these premises shall be constructed of new materials. All construction of any kind shall be new material. No log style structures shall be permitted. Any storage building shall be constructed of same material as home.Any variance must be approved by the grantor, Oley McMichael, Ray Koverman, his successors or assigns.When construction of any building has been commenced, work thereon must be continued diligently. Exterior construction must be completed within twelve (12) months from the date of commencement. This includes the driveway, which must be concrete or blocktop pavement and sidewalks where required.The finish grade (top of the garage floor) is to be 18 to 24 above the top of curb at the 30 setback line. The finish grade of the public sidewalks shall be 6 to 8 above the top of curb and sloped 1 toward the street. The finish grades (foundation and sidewalk) must be approved by the developer or his representative prior to performing the work. The finish (final) grading of site must be approved by the developer or his representative (prior to seeding grass and/or plantings). Excess soil (in excess of lot owners landscaping needs) to remain in the development and moved to site/s within the development approved by the developer.No residence shall be occupied until the exterior of said structure has been completed.No outbuilding, garage, shed, tent, trailer, or temporary building of any kind shall be erected, constructed, permitted or maintained prior to commencement of the erection of a residence, as is permitted hereby, and no outbuilding, garage, shed, tent, trailer, basement or temporary building shall be used for a permanent or temporary residence purposes; provided, however, that this paragraph shall not be deemed or construed to prevent the use of temporary construction shed during this period of actual construction of any structure on such property, nor shall the use of adequate sanitary toilet facilities for workmen which shall be provided during such construction. A garage may be constructed of the same exterior materials as residence following completion of residence.No house trailer, mobile home, double wide side by side mobile home, modular home or recreational vehicle shall be used as a permanent residence. All structures must be built upon a permanent foundation and have roofs constructed with 2 x 6 rafters or comparable trusses; provided however, that this paragraph shall not be deemed or construed to prevent the use of pre-fabricated housing of standard construction.A minimum building setback of thirty (30) feet shall be required on all lots.No nuisance, advertising sign, billboard, or other advertising device shall be permitted, erected, placed or suffered to remain upon said premises, nor shall the premises be used in any way or for any purpose which may endanger the health or unreasonably disturb the quiet of any holder of adjoining land. This provision shall not be construed to prevent the grantor or grantee, their respective successors and assigns, from maintaining on the premises an advertising sign or device relating to the sale or rental of the above relating premises.No animals, birds or fowl shall be kept or maintained on any part of the property, except dogs, cats, and pet birds, which may be kept thereon in reasonable numbers as pets for the pleasure and use of the occupants but not for any commercial use or purpose. Birds shall be confined in cages. There shall be no dog runs or kennels.No commercial truck, vehicles, camper trailers, boats, boat trailers or recreational vehicles shall be kept or stored on premises except in an enclosed garage. No unlicensed vehicle shall be permitted to sit on the roadway or in a driveway for more than fourteen (14) days.	<p>14. No portion of the within described premises which would be considered front yard or front lawn, shall be used for any purpose other than that of a lawn. Nothing herein contained, however, shall be construed as preventing the use of such portion of said premises for walks and drives, and planting of trees or shrubbery, the growing of flowers or ornamental plants, or for statutory fountains and similar ornamentalations for the purpose of beautifying said premises, but no vegetables or so called, nor grains of the ordinary garden or field variety shall be grown upon such portion of premises and no weeds, underbrush, or other unsightly growths shall be permitted to grow or remain anywhere upon said premises, and no unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon.</p> <p>15. If the grantee, or its successors and assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings in law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent it or then from so doing, or to recover damages or other relief for such violation.</p> <p>16. The herein enumerated restrictions, rights, reservations, limitations, agreements, covenants and conditions shall be deemed as covenants and not as conditions hereof and shall run with the land and shall bind the grantee, its successors and assigns, until the 11th day of January, 2015, at which time said covenants shall automatically extend for successive periods of five (5) years, unless by a vote of majority or then owners of the lots in said subdivision, it is agreed to change deed covenants in whole or part.</p> <p>17. Invalidity of any one of these covenants by judgment or court order shall in no ways affect any of the other provisions which shall in full force and effect.</p> <p>18. The above covenants, reservations and restrictions shall be incorporated verbatim or by reference in every deed hereafter issued conveying any part of the premises above described.</p> <p>19. These restrictions, covenants and conditions shall run with the land and shall binding on all future owners of all building sites, and all person claiming under them until January, 2015 after which time said covenants, condition and restrictions shall be automatically extended for successive periods of ten years each, provided that the owners of a three-fourths (3/4) majority of the building sites may, in writing, change, modify, alter, amend or annul any of the other restrictions, reservations or conditions at any time.</p>		20

Bockrath & Associates
Engineering and Surveying, LLC
137 W. Third Street - Ottawa - Ohio
Phone: 419.521.5789

SHEET 414

Exhibit "A"

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 POINT 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 courses:

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 and/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.

RECORD OF ORDINANCES

0033

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PID No. 81458

Preliminary Legislation

Ordinance # 2009-26

County/Route/Section: PAU-24-3.59

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 reconstruct River St. (old US24) from SR49 to the western park entrance drive located inside the Village of Antwerp. Improvements include completely removing the old concrete pavement and reconstructing with appropriately designed full depth asphalt pavement. Project will also include lighting and streetscaping. Waterlines will be replaced where necessary due to reconstructing the pavement. Some sidewalks will be replaced.

WHEREAS, a portion of described project is within the Village corporation limits.

NOW THEREFORE, be it ordained by the Village of Antwerp of Paulding County, 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 construction for the improvement, less the amount of Federal Highway funds allocated by ODOT, and further, the LPA agrees to bear one hundred percent (100%) of all costs for added construction items generating extra work contracts under Ohio Laws, unless performance is approved by the State of Ohio before work is authorized.

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 LPA also understands that right-of-way costs include eligible utility costs.

Ordinance No. _____

Passed _____, 20____

PID No. 31458

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S. Code, Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said Village of Antwerp is hereby empowered on behalf of the Village of Antwerp to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: Sept. 8, 2009
(Date)

Attested: Loretta Baker
(Clerk)

[Signature]
(Mayor)

Attested: Loretta Baker

Ronald L. Farnsworth
(President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it 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.

RECORD OF ORDINANCES

0035

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PID No. 81458

CERTIFICATE OF COPY
STATE OF OHIO

Village of Antwerp of Paulding County, Ohio

I, Loretta Baker, as Clerk of the Village of Antwerp of Paulding County, Ohio,
do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative
Authority of the said Village of Antwerp on the 8th day of Sept, 2009,
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
certified of publication thereof are of record in 2009-16, Page ____.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 8th day of Sept, 2009.

Loretta Baker
Clerk

(SEAL)
(If Applicable)

Village of Antwerp of Paulding County, Ohio.
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Antwerp of Paulding County, Ohio
(LPA)

Attest: Loretta Baker

Ray Hartung
Contractual Officer (Mayor)

Date 09/08/2009

For the State of Ohio

John M. Molitorio (JR), Date 9/16/09
Director, Ohio Department of Transportation

Attest: _____

0036

R 2009-10

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)

By emergency

Dayton Legal Blank Inc.

Revised Code, Secs. 5705.34, .35.

Form No. 30043

The Council of the Village of Antwerp, Paulding County, Ohio, met in regular
Ordinance No. 2151 session on the 21st day of Sept, 2009, at the office of Village of Antwerp
with the following members present:

FILED

SEP 22 2009

AUDITOR
PAULDING COUNTY

Karen Lee
Larry Ryan
Jan Reed
Mike Rohrs
Ron Farnsworth

Ron Farnsworth

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 1st, 2010; 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

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:

SCHEDULE A

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

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

\$14,252,190. Ag/Res
3,168,360. Com/In
757,823. PF
18,178,373. Total

Schedule B

Dayton Legal Blank, Inc.		Maximum Rate	County Auditor's
		Authorized	Estimate of
Fund	Date of Vote	To Be Levied	Yield of Levy
Ordinance No. _____	Passed _____		(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	\$12732.
1984 POLICE Levy authorized by voters on for not to exceed CONT. years	05-08-84	5.50	\$56927.
1986 EMS Levy authorized by voters on For not to exceed CONT. years	11-04-86	.50	\$5176.
2006 Cemetery Levy authorized by voters on for not to exceed 5 years.	11-06-07	.80	\$13805.
2008 FIRE & EMS Levy authorized by voters on for not to exceed 5 years.	11-05-02	1.00	\$17793.
2004 POLICE Levy authorized by voters on for not to exceed 5 years.	03-02-04	2.00	\$32523.
2005 CURRENT EXPENSE Levy authorized by voters on for not to exceed 5 years.	11-08-05	1.00	\$17256.

and be it further

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

Mr./Ms. Mike Rohrer seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. Larry Ryan _____
 Mr./Ms. Michael Adams _____
 Mr./Ms. Janice A. Keel _____
 Mr./Ms. R. R. X _____
 Mr./Ms. Ronald L. Farnsworth _____
 Mr./Ms. _____
 Mr./Ms. _____
 Mr./Ms. _____

Adopted the 21st day of Sept, 2009.

Attest:

Louetta Baker
 Clerk of Council

Ronald L. Farnsworth
 President of Council

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2009- 11

**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 #1204S00700) 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 PARCEL ID #1204S00700, COMMONLY
KNOWN AS 414 NORTH MAIN STREET, ANTWERP, OHIO.**

Section 3. 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.

RECORD OF ORDINANCES

0039

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

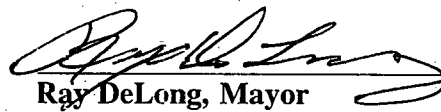
Section 4. That the sidewalk shall be constructed and/or repaired by Secretary of Housing and Urban Development as the owners of the property located at 414 North Main Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon 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:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 and unsafe nature of buildings in the Village of Antwerp, Ohio as provided in Ordinance No. 2000-08, 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 occupied, 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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Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 is 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.

Ordinance No. _____

Passed _____, 20____

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.

RECORD OF ORDINANCES

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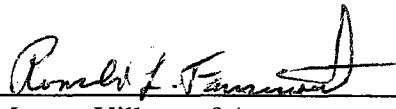
Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PASSED this 19th day of October, 2009.



Mayor, Village of Antwerp

Council President as Acting Mayor

ATTEST:



Fiscal Officer, Village of Antwerp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 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 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.

RECORD OF ORDINANCES

0045

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Date: 10-19-09

Ronald L. Farnsworth
Mayor of the Village of Antwerp Council Pres as acting mayor

Attest:
Fiscal Officer: Louella Baker

Ordinance No. _____

Passed _____, 20____

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, Ohio:

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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Dayton Legal Bank, Inc.

Form No. 3C043

Ordinance No. _____

Passed _____, 20____

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.

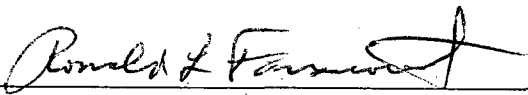
Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

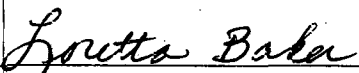
Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 an emergency medical service building to provide emergency medical services to 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: 10-19-09

Attest:


Ray DeLong, Mayor Council President
as Acting Mayor


Loretta Baker, Fiscal Officer

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 Antwerp Emergency Medical Services ("EMS") has been attempting to collect past due accounts 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:

Section 1. 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 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.

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 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 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:

Loretta Baker
Loretta Baker, Fiscal Officer

Ron Farnsworth
Mayor, Village of Antwerp

Ron Farnsworth / Council
President
as acting
Mayor

Ordinance No. _____

Passed _____, 20____



COLLECTION SERVICES AGREEMENT

THIS COLLECTION SERVICES AGREEMENT (this "Agreement") is made and entered into by and between ANTWERP EMS ("Client") and GENERAL AUDIT CORPORATION DBA KEYBRIDGE MEDICAL REVENUE MANAGEMENT ("KeyBridge") as of the date of execution of this Agreement by a duly authorized representative of KeyBridge (the "Effective Date").

In consideration of the mutual promises, covenants and agreements contained in this Agreement, the parties agree as follows:

1. SERVICES

Client hereby agrees to place certain accounts of Client with KeyBridge and engages KeyBridge to perform for Client the services (the "Services") set forth on the Collection Services Addendum to this Agreement, as amended, restated or otherwise modified from time to time by the mutual written agreement of Client and KeyBridge (the "Addendum") with respect to Client's accounts placed with KeyBridge under this Agreement (each an "Account" and collectively, the "Accounts"), and KeyBridge hereby accepts such engagement subject to the terms of this Agreement. In connection with performance of the Services, Client hereby authorizes KeyBridge to indorse in Client's name for deposit and collection all payments received on the Accounts.

An Account Profile, setting forth certain estimates and information relating to the accounts that Client intends to place with KeyBridge during the Term of this Agreement appears on the Addendum. An account of Client shall be deemed to be placed with KeyBridge on the date that KeyBridge enters such account into its computerized collection system. An account of Client shall cease to be placed with KeyBridge (and upon Client's written request, shall be returned to Client) when such account is: (a) paid in full; (b) placed with KeyBridge in error and Client notifies KeyBridge in writing of such error; and/or (c) closed by KeyBridge.

2. CLIENT 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 and/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 payment 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;
- (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 amended, 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).

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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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Ordinance No. _____

Passed _____, 20____

- 2.5 Cessation of Client Collection Activities. 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 Taxes. All taxes and other levies in the nature of sales, use or 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 the additional 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.
- 3.2 Payment 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 1/2%) per month or the maximum monthly rate allowed by applicable law.
- 3.3 Accounts Referred For Legal Action.
- 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's \$40.00 deposit related to such Account and then to reimburse KeyBridge for amounts, if any, advanced by KeyBridge for court costs related to such Account.
 - 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 initiation 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.
 - 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.
 - 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 described 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. INITIAL TERM, RENEWALS AND TERMINATIONS

- 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

Ordinance No. _____ Passed _____, 20____

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. CONFIDENTIALITY

- 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/debtor (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. DISCLAIMER OF WARRANTIES

KEYBRIDGE HAS NOT, DOES NOT, AND WILL NOT REPRESENT(ED), WARRANT(ED), OR GUARANTEE(D) THE COLLECTION OR TIMING OF ANY COLLECTION OF ANY ACCOUNTS PLACED WITH KEYBRIDGE UNDER THIS AGREEMENT.

7. LIMITATION OF LIABILITY

KeyBridge's liability for damages (if any) arising out of or in connection with this Agreement will not exceed the aggregate fees actually paid to KeyBridge by Client for the Services, and in no event shall KeyBridge be liable in connection with this Agreement to any person for lost profits or other incidental, special, or consequential damages under any circumstances. Further, KeyBridge shall not in any way be liable to any person for the uncollectability of any Accounts.

Ordinance No. _____

Passed _____, 20____

8. NON-INDUCEMENT

During the Term, and for the one (1) year period following the Term, neither KeyBridge nor Client shall, without the prior written consent of the other, either directly or indirectly, on its own behalf or in the service or on behalf of others, solicit, divert or hire away, or attempt to solicit, divert or hire away, any person employed by the other, whether or not such person is a full-time, part-time or temporary employee and whether or not such person's employment is pursuant to a written agreement, for a determined period or at-will.

9. ACCESS TO BOOKS, DOCUMENTS AND RECORDS

In the event that section 1861(v)(1)(I) of the Social Security Act is applicable to this Agreement because the value or cost of this Agreement is \$10,000 or more over a twelve (12) month period, and only in such circumstances, then: (a) until the expiration of four (4) years after the furnishing by KeyBridge of the Services under this Agreement, upon written request by the Secretary of the United States Department of Health and Human Services (the "Secretary") or the United States Comptroller General (the "Comptroller"), or any duly authorized representative of the Secretary or the Comptroller, KeyBridge will make available to the Secretary or the Comptroller, a copy of this Agreement and all books, documents and records of KeyBridge that are necessary to certify the nature and extent of the cost of the Services; and (b) if KeyBridge carries out the duties of this Agreement through a subcontract with a value or cost of \$10,000 or more over a twelve (12) month period, with a related organization, such subcontract shall contain a clause to the effect that, until the expiration of four (4) years after the furnishing of the services pursuant to such subcontract, the related organization shall make available, upon written request by the Secretary or the Comptroller, or any duly authorized representative of the Secretary or the Comptroller, the subcontract, and all books, documents and records of such organization that are necessary to verify the nature and extent of such costs.

10. MISCELLANEOUS

10.1 Return of Accounts. Notwithstanding any other provision of this Agreement, Client may at any time recall any Account that KeyBridge has in its sole discretion deemed uncollectible and KeyBridge shall return the same to Client. Upon KeyBridge's return of any such account to Client, such account shall cease to be placed with KeyBridge under this Agreement.

10.2 Changes in Law, Etc.; Renegotiation. If any change in any law applicable to this Agreement, any change in market conditions or other circumstances or events occur(s) which KeyBridge in good faith determines to render this Agreement in violation of any applicable law, not feasible or uneconomical, then the parties shall immediately and in good faith renegotiate the relevant terms of this Agreement. If Client and KeyBridge fail to reach a renegotiated agreement satisfactory to both parties within thirty (30) days after receipt of a request for renegotiation given under this Section, the party requesting such renegotiation may terminate this Agreement upon thirty (30) days' prior written notice to the other party or sooner if required by law.

10.3 Entire Agreement; Amendment. This Agreement, the Addendum and the Business Associates Addendum (if any) referenced herein constitute the entire agreement between the parties with respect to the subject matter hereof and supersede all prior written and oral agreements and understandings between Client and KeyBridge and can be amended or otherwise modified only by a writing executed by both Client and KeyBridge.

10.4 No Waiver. All rights of KeyBridge hereunder are cumulative. The non-exercise or waiver of any right by KeyBridge under this Agreement will not adversely affect KeyBridge's subsequent exercise of the same right or any other right for the same or subsequent breach or threatened breach.

10.5 Notices. Any notices to be given under this Agreement shall be in writing and will be effective on date of receipt if sent or delivered to

If to KeyBridge:

Scott Koenig, President
KeyBridge Medical Revenue Management
2348 Baton Rouge Ave
Lima, OH 45805

With a copy to:

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

If to Client:

Darlene Merriman
Antwerp EMS
Antwerp, OH 45813

With a copy to:

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.

RECORD OF ORDINANCES

0053

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____ 20____

- 10.6 Independent Contractor Status. KeyBridge shall perform the Services for Client as an independent contractor and not as an employee, agent, partner or joint venturer with Client. KeyBridge may assign the Accounts for handling and collection to any of its offices.
- 10.7 Severability. If any provision of this Agreement, or portion thereof, is declared invalid, the remaining provisions will remain in full force and effect.
- 10.8 Assignment. This Agreement is binding upon, inures to the benefit of and is enforceable by KeyBridge, Client and their respective legal representatives, permitted assigns and successors. This Agreement shall not be assigned or transferred, in whole or part, by Client without the written consent of KeyBridge.
- 10.9 Governing Law; Construction. This Agreement is made, entered into and will be construed and interpreted in accordance with the laws of the State of Ohio. This Agreement has been reviewed by and is entered into between competent and experienced parties and any ambiguities in the construction of this Agreement shall not be construed against any particular party as the drafter of this Agreement. Headings appear in this Agreement solely for convenience of reference and shall not be construed as part of this Agreement or a modification or limitation on the text of the Article, Section or paragraph to which they refer.
- 10.10 Authorization. KeyBridge and Client each represent and warrant themselves and the person executing this Agreement on their behalf to be duly authorized by appropriate corporate action to enter into this Agreement and/or act on behalf of KeyBridge or Client, as the case may be.
- 10.11 Insurance. At all times during the term of this Agreement, KeyBridge agrees to maintain in full force and effect errors and omission insurance and insurance against theft by employees.
- 10.12 Time. Time is of the essence with respect to this Agreement.
- 10.13 Survival. Articles 3, 5 and 11 of this Agreement shall survive the termination of this Agreement.

11. INDEMNIFICATION

KeyBridge hereby covenants and agrees to indemnify and hold harmless Client, elected officials, appointed officials, employees, agents, volunteers and permitted assigns, from and against all penalties, fines, damages, costs, amounts paid in settlement, losses and expenses including, but not limited to, any reasonable attorney's fees, that any of the foregoing may suffer or incur to the extent the same are caused by KeyBridge's breach of its obligations or covenants under this Agreement or the negligent acts or omissions or willful misconduct of KeyBridge or KeyBridge's employees in performing the Services. Client hereby covenants and agrees to indemnify and hold harmless KeyBridge, its officers, directors, partners, successors and permitted assigns, from and against all penalties, fines, damages, costs, amounts paid in settlement, losses and expenses including, but not limited to, any reasonable attorney's fees, that any of the foregoing may suffer or incur to the extent the same are (a) caused by Client's breach of its obligations or covenants under this Agreement or the negligent acts or omissions or willful misconduct of Client or Client's employees or agents and/or (b) if Client or any of its affiliates are in any manner involved in the provision of healthcare or healthcare billing services, related to claims or allegations that Client or any of its affiliates breached or otherwise failed in its charity care, charitable trust or other similar obligations, made excessive, undiscounted, unreasonable, unfair or otherwise improper charges to an uninsured or underinsured person or improperly or unfairly attempted to collect charges for healthcare services and/or made charges to an uninsured or underinsured person in excess of charges made to insured persons.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate as of the Effective Date.

ANTWERP EMS

KEYBRIDGE MEDICAL REVENUE MANAGEMENT

By: Ray DeLong
Signature
Name: Ray DeLong
Title: Village Mayor
Date: 10/20/2009

By: _____
Signature
Name: _____
Title: _____
Date: _____

Ordinance No. _____ Passed _____, 20____

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) SERVICES. 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 reasonable 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) Basic fee. 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.

RECORD OF ORDINANCES

0055

Dayton Legal Blank, Inc.

Form No. 500-2

Ordinance No. _____ Passed _____, 20____

- (4) **ADDITIONAL CLIENT RESPONSIBILITIES AND OBLIGATIONS.** Additional covenants, responsibilities and obligations of Client pursuant to the Agreement are set forth in this Section 4

- (5) **ADDITIONAL KEYBRIDGE RESPONSIBILITIES AND OBLIGATIONS.** Additional covenants, responsibilities and obligations of KeyBridge pursuant to the Agreement are set forth in this Section 5:

IN WITNESS WHEREOF, the parties hereto have executed this Addendum in duplicate as of Effective Date.

ANTWERP EMS

By: Ray DeLong
Signature

Name: RAY DELONG

Title: Village Mayor

Date: 10/20/2009

KEYBRIDGE MEDICAL REVENUE MANAGEMENT

By: _____
Signature

Name: _____

Title: _____

Date: _____

Ordinance No. _____ Passed _____, 20____

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:

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
E1 5F 250 Casing pipes	Decrease Appropriation	\$50,000.00	\$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 11/17/2009

Mayor [Signature]

Attest:
Loretta Baker
Fiscal Officer

RECORD OF ORDINANCES

0057

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2009-32

**AN ORDINANCE REPLACING ORDINANCE NO. 83-27 AND TO PROVIDE FOR THE
ISSUANCE OF A NOTE FOR THE PURPOSE 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

Ordinance No. _____

Passed _____, 20____

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 a waterworks system 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: 11/17/2009

Ray DeLong
Ray DeLong, Mayor

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 1ST 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 #1210S02900) 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 1st 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 1ST 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.

Ordinance No. _____

Passed _____, 20____

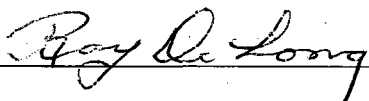
Section 4. That the sidewalk shall be constructed and/or repaired by Bainbridge O. Rasey as the owner of the property located at 403 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Bainbridge O. Rasey in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Bainbridge O. Rasey 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.

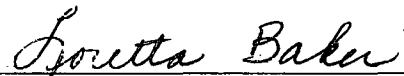
Section 7. This Resolution shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.



Ray DeLong, Mayor

Attest:



Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

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 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 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 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.

Ordinance No. _____

Passed _____, 20____

Section 4. That the sidewalk shall be constructed and/or repaired by Marlin Philip as the owner of the property located at 413 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Marlin Philip in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Marlin Philip 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.

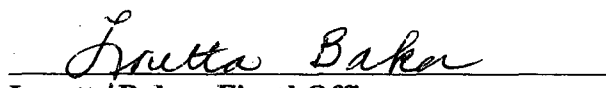
Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings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

Section 7. This Resolution shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

Ordinance No. _____ Passed _____, 20____

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 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 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, said Lot owned by James and Kimberly Smallwood, 414 West River Street, P.O. Box 286, 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 6 FORDER ADD, VILLAGE OF 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.

Ordinance No. _____ Passed _____, 20____

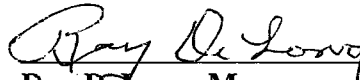
Section 4. That the sidewalk shall be constructed and/or repaired by James and Kimberly Smallwood as the owners of the property located at 414 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon James and Kimberly Smallwood in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by James and Kimberly Smallwood 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 shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

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 #1205S00600) 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/or repair of the sidewalk abutting Lot 3, Block D in the Village of Antwerp, Ohio (Paulding County tax parcel ID #1205S00600) on the north side of such Lot, commonly known as 415 West River Street, Antwerp, Ohio, 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 Philip as the

Ordinance No. _____

Passed _____ 20____

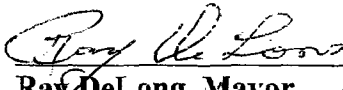
owner of the property located at 415 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Marlin Philip in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Marlin Philip 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.

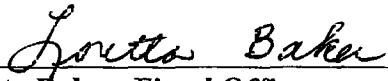
Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings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

Section 7. This Resolution shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

Ordinance No. _____

Passed _____ 20____

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, Antwerp, 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.

Ordinance No. _____

Passed _____, 20____

Section 4. That the sidewalk shall be constructed and/or repaired by Thomas E. Gaisford as the owner of the property located at 416 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Thomas E. Gaisford in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by Thomas E. Gaisford 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 shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.

Ray DeLong
Ray DeLong, Mayor

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

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 FTE, 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.

Ordinance No. _____

Passed _____, 20____

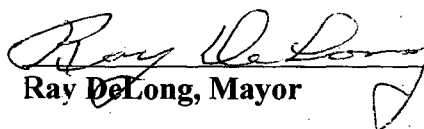
Section 4. That the sidewalk shall be constructed and/or repaired by David H. Mickelson, Trustee, and Sandra J. Mickelson, Trustee, as the owners of the property located at 417 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon David H. Mickelson, Trustee, and Sandra J. Mickelson, Trustee, in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk is not constructed and/or repaired by David H. Mickelson, Trustee, and Sandra J. Mickelson, Trustee, 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.

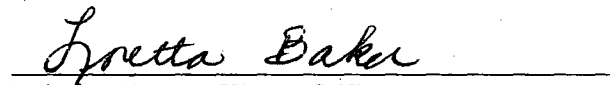
Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings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

Section 7. This Resolution shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 21st day of December, 2009.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 10-19-09

Second Reading: 11-16-09

Third Reading: 12-21-09

RECORD OF ORDINANCES

0071

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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.

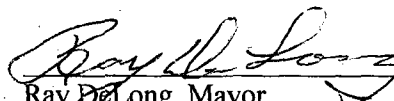
NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

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 21st day of December, 2009.


Ray DeLong, Mayor
Village of Antwerp, Ohio

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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. Highway 24) at the intersection with Wentworth Drive to the west corporation limit of the Village of Antwerp, 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 Village 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 § 4511.21(B)(3).

Section 2. The Village Administrator is hereby authorized to purchase the necessary speed limit signs for the proper posting of the thirty-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 § 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.

RECORD OF ORDINANCES

0073

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Passed this 21st day of December, 2009.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 2010, 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 \$26,209.53
Police - Full Time	\$25,443.00 to \$30,096.60	\$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 meeting
	\$11.41	\$11.75 first hour
	\$8.89	\$9.16 each add. hour

RECORD OF ORDINANCES

0075

Dayten Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Village Official	2009	2010
Fire Captains	\$95.79	\$98.66
Fire Lieutenants	\$63.95	\$68.96
Volunteer Fireman	\$8.79	\$9.05 per meeting
	\$8.79	\$9.05 first hour
	\$8.79	\$9.05 each add. hour
EMS Coordinator	\$2,060.00 to \$3,090.00	\$2,121.80 to \$3,182.70
EMS Maintenance Man	\$581.95	\$599.41
EMS Drivers	\$7.80	\$8.03 per hour
EMT - A (BLS-Basic Life Support)	\$9.42	\$9.70 per hour
EMT - B (Immediate Life Support)	\$12.17	\$12.54 per hour
All EMS Personnel	\$9.06	\$9.33 per meeting
General Labor/Utilities Billing Clerk	\$7.25 to \$11.47	\$7.47 to \$11.81 per hour
Mayor's Court Clerk/EMS Billing Clerk	\$7.25 to \$11.47	\$7.47 to \$11.81 per hour
Tech I Water/Sewer/Assigned Duties	\$9.89 to \$13.70	\$10.19 to \$14.11 per hour
Tech II Water/Sewer/Assigned Duties	\$12.41 to \$16.63	\$12.78 to \$17.13 per hour

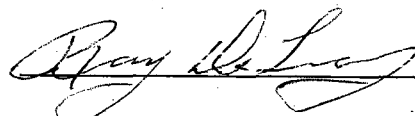
Section 2. Any and all other benefits to which Village officials and employees may be entitled are as set forth in the Village of Antwerp's Personnel Manual.

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

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: 12-21, 2009.



Ray DeLong Mayor

Attest: Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____ 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:

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 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	\$2,531.88	\$11,000.00
B146D 212 Storm Sewer Benefits	Increase Appropriation	\$391.17	\$1,406.22

RECORD OF ORDINANCES

0077

Dayton Legal Blank, Inc.

Form No. 300-3

Ordinance No. _____ Passed _____, 20____

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	\$909.69
E1 5I 230 Lands & Building Contractual	Increase Appropriation	\$250.00	\$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 Pumping 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.

Ordinance No. _____

Passed _____, 20____

Date 12-21-09Mayor *Roy DeLoe*

Attest:

Loretta Baker
Fiscal Officer

RECORD OF ORDINANCES

0079

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2009-36

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

Section 1. BE IT RESOLVED 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 **\$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 be 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**.

Ordinance No. _____

Passed _____, 20____

SECTION 23. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer 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 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 with the appropriating authority...a certificate that the total 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 estimate, the county auditor shall give such certificate forthwith upon 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 Artwerp 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 has been compared by me with the said original and that the same is a true and correct copy thereof.

Passed 12-21-09

President of Council

Attest: Loretta Baker
Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 (3rd) Monday of each month at 5:30 p.m. (Eastern Standard Time), 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 fourth (4th) 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 21st day of December, 2009.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-01**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 to 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:

Section 1. 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.

Section 5. 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

RECORD OF ORDINANCES

0083

Dayton Legal Blank, Inc.

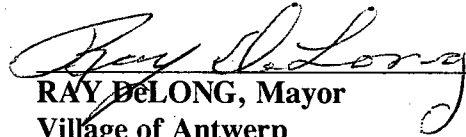
Form No. 30043

Ordinance No. _____

Passed _____, 20____

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: 1-12, 2010.


RAY DeLONG, Mayor
Village of Antwerp

Attest:


LORETTA BAKER, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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:

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 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 quarterly basis with payments of \$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.

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.

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

RECORD OF ORDINANCES

0085

Dayton Legal Blank, Inc.

Form No. 36043

Ordinance No. _____

Passed _____, 20____

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: \$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.

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.

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 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

Ordinance No. _____

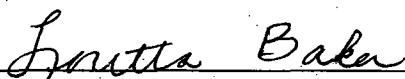
Passed _____, 20____

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 22ND day of February, 2010.


MAYOR, VILLAGE OF ANTWERP

Attest:


Fiscal Officer

1st Reading 1-25-10

2nd Reading 2-8-10

3rd Reading 2-22-10

Ordinance No. _____

Passed _____, 20____

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.

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.

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,

Ordinance No. _____

Passed _____ 20____

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: \$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 Harrison Township 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.

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.

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 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

RECORD OF ORDINANCES

0089

Dayton Legal Blank, Inc.

Form No. 00043

Ordinance No. _____

Passed _____, 20____

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 22nd day of February, 2010.

Ray DeLong
MAYOR, VILLAGE OF ANTWERP

Attest:

Louella Baker
Fiscal Officer

1st Reading 1-25-10

2nd Reading 2-8-10

3rd Reading 2-22-10

Ordinance No. _____

Passed _____, 20____

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 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, 2010.

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.

RECORD OF ORDINANCES

0091

Cayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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: \$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 Carryall Township 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.

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.

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

Ordinance No. _____

Passed _____, 20____

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 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 22nd day of February, 2010.

Ray W. Long
MAYOR, VILLAGE OF ANTWERP

Attest:

Lynette Baker
Fiscal Officer

1st Reading 1-25-10

2nd Reading 2-8-10

3rd Reading 2-22-10

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-05

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$27,500.00

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 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: 2-22-10

[Signature]
Mayor of the Village of Antwerp

Attest Fiscal Officer [Signature]

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 1-25-10 Passed 20

1st Reading 2-8-10

2nd Reading 2-22-10

3rd Reading 2-22-10

RECORD OF ORDINANCES

0095

Dayton Legal Blank, Inc.

Form No. 300-3

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-06

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2010 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 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 Antwerp, OHIO:

Section 1. American Legal Publishing's Ohio Basic Code, 2010 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, 2010 Edition.

Section 2. One copy of American Legal Publishing's Ohio Basic Code, 2010 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, 2010 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, 2010 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.

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;
- (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: 2-22-10

Attest:

Ray D. Long
Mayor

Louisa Baker
Clerk of the Legislative Authority

Ordinance No. _____ Passed _____, 20____

Exhibit A

OHIO BASIC CODE, 2010 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 22nd day of February, 2010, there was enacted by the Legislative Authority of the Municipality of Antwerp, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2010 Edition, as the Code of Ordinances for the Municipality of Antwerp, 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
10.02	Definitions
10.03	Rules of construction
10.04	Revivor; effect of amendment or repeal
10.05	Construction of section references
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
10.18	Determination of legislative intent
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
30.12	Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section	
	<i>General Provisions</i>
31.001	Executive power; where vested

Ordinance No. _____

Passed _____, 20____

Mayor

- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 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
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

Treasurer

- 31.060 Election, term, qualifications of the Treasurer
- 31.061 Accounts of Treasurer
- 31.062 Powers and duties
- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
- 31.065 Duty of delivering money and property

Street Commissioner

- 31.080 Qualifications
- 31.081 General duties
- 31.082 Assistants

Other Officials

- 31.100 Legal counsel
- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority**Section****General Provisions**

- 32.001 Members of the Legislative Authority; election; terms of office
- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
- 32.011 Failure to take oath or give bond
- 32.012 Notice when new bond required
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RECORD OF ORDINANCES

0115

Dayton Legal Blank, Inc.

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Ordinance No. _____ Passed _____, 20____

This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Antwerp, Ohio.

Signed:

Ray W. Long
Mayor

Loretta Baker
Clerk of the Legislative Authority

1st Reading : 1-25-10

2nd Reading : 2-8-10

3rd Reading : 2-22-10

Ordinance No. _____

Passed _____, 20____

CERTIFICATION OF CODIFIED ORDINANCES

We, Ray DeLong, Mayor, and Louella 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.

Ray DeLong
Mayor

Louella Baker
Clerk of the Legislative Authority

RECORD OF ORDINANCES

0117

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____

20 _____

RESOLUTION NO. 2010-01

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 1 MILL FOR A RENEWAL LEVY FOR CURRENT EXPENSES

WHEREAS, the Council for the Village 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 1 mill for a renewal levy for current expenses, which includes the street lighting fund, pursuant to Ohio Revised Code Section 5705-19(A).

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

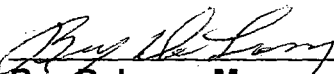
Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by 1 mill pursuant to Ohio Revised Code Section 5705 19(A). The Village of Antwerp is requesting this certification in order to place a renewal levy on the ballot for the upcoming general election for current expenses, which includes the street lighting fund.

Section 2. This Resolution is in accordance with the Secretary of State's Advisory 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 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 shall take effect and be in force after the earliest period allowed by law.

Passed this 22nd day of February, 2010.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 1-25-10

Second Reading: 2-8-10

Third Reading: 2-22-10

Ordinance No. _____

Passed _____, 20____

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.

Section 2: 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.

RECORD OF ORDINANCES

0119

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Date 2-22-10

Mayor Ray McLaughlin

Attest:

Lynette Baker
Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-08

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE WATER FUND IN THE AMOUNT OF \$ 50,000.00 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

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 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 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:

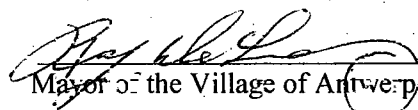
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Fifty thousand (\$50,000.00) from the General Fund to the Water Fund.

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

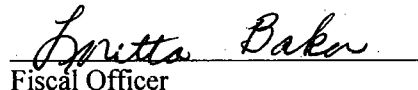
Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 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 2-22-10


Mayor of the Village of Antwerp

Attest:


Fiscal Officer

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.

Section 2: 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

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 _____, 20____

Date 3-25-10Mayor Ray McLong

Attest:

Louella Baker
Fiscal Officer

RECORD OF ORDINANCES

0123

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

R 2010-02

Dayton Legal Blank, Inc., Form No. 11015

¹ RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION

Rev. Code, Sec. 5705.15, 151, 152, 154, 21, 26

The ² Village of Antwerp, Paulding County, Ohio, met in Regular session on the 17th day of May, 2010, at the office of Village of Antwerp with the following members present:

Jan Reeb President

Mike Rohrs

Larry Ryan

Steve Derck

Rudic Reeb

Mrs. Jan Reeb moved the adoption of the following Resolution:

WHEREAS, The amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said ³

Village of Antwerp Paulding County, Ohio; therefore be it

RESOLVED, by the ⁴ Council of the Village of Antwerp Paulding County, Ohio, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of Village of Antwerp for the purpose of Current expenses

ORL 5705.19 (A)

at a rate not exceeding one mills for each one dollar of valuation, which amounts to ten cents

(Here insert rate expressed in dollars and cents)

for each one hundred dollars of valuation, for ⁵ 5 years 2010, 2011, 2012, 2013, 2014
and 2015 10

⁶ a renewal of a tax of 1 mill

RESOLVED, That the question of levying additional taxes be submitted to the electors of said Village of Antwerp at the General election to be held at the usual voting places within said Village of Antwerp on the and day of November, 2010, 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 majority of the electors voting thereon vote in favor thereof; and be it further

(Percentage)

Ordinance No. _____ Passed _____
RESOLVED, That the Clerk of this Village of Antwerp
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 19th 2010

and notify said Board of Elections to cause notice of election on the question of levying said tax to
be given as required by law.

Mr. Mike Rohrs seconded the Motion and the roll being called
upon its adoption the vote resulted as follows:

Mrs. Jan Reeb	yes
Mr. Mike Rohrs	yes
Mr. Larry Ryan	yes
Mr. Steve Derck	yes
Mr. Rodie Reeb	yes

Adopted the 17th day of May, 2010

1st Reading 3-25-10

2nd Reading 4-19-10

3rd Reading 5-17-10

Loretta Baker
(Clerk or Auditor) Fiscal Officer

Village of Antwerp
(Name of Subdivision)

Paulding County, Ohio

1. This Resolution is to be passed and certified to the Board of Elections 75 days prior to the election upon which it will be voted, except see Emergency School Levy 5705.194.
2. Board of County Commissioners, Council of the City or Village, Board of Education, or Board of Township Trustees.
3. Name of Subdivision.
4. Here insert any one of the purposes listed in Sec. 5705.19 R.C. Not applicable to school districts.
5. For all the subdivisions including schools under 5705.19, the life indebtedness or the number of years the levy is to run.
Here insert one of the following:
"an additional tax of ____ mills"
"a renewal of an existing tax of ____ mills"
"a renewal of a tax of ____ mills and an increase of ____ mills to constitute a tax of ____ mills"
"a renewal of a part of a ____ mill existing levy, being a reduction of ____ mills to constitute a tax of ____ mills"
"a replacement of tax of ____ mills"
"a replacement of ____ mills and an increase of ____ mills to constitute a tax of ____ mills"
"a replacement of part of an existing levy, being a reduction of ____ mills, to constitute a tax of ____ mills"
Schools also see 5705.212, 5705.213 G.R.C.
6. See Emergency School Levy under 5705.194. Also 5705.21, 5705.212, 5705.213 schools.
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, .191, .194 R.C. for time.

The State of Ohio, Paulding County, ss.
I, Loretta Baker, Fiscal Officer Village of Antwerp,
Clerk of

do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of said
Village; that the same has been compared by me with the Resolution on said Record
and that it is a true and correct copy thereof.

Witness my signature, this 17th day of May, 2010

Loretta Baker

Clerk
Fiscal Officer

No. R2010-02
Village of Antwerp

Paulding County, Ohio

RESOLUTION
DECLARING IT NECESSARY TO LEVY A
TAX IN EXCESS OF THE TEN
MILL LIMITATION

Filed

By

Deputy

RECORD OF ORDINANCES

0125

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

DTE 140R
R.C. §5705.03(B)
Rev. 5/06

Certificate of Estimated Property Tax Revenue

The county auditor of Paulding County, Ohio, does hereby certify the following:

1. On February 24, 2010, the taxing authority of the Village of Antwerp certified a copy of its resolution or ordinance adopted February 22, 2010, requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by one and zero tenths (1.0) mill renewal, to levy a tax outside the ten-mill limitation for the purpose of current expenses pursuant to Revised Code §5705.19(A), to be placed on the ballot at the November 2, 2010 election. The levy type is a renewal five (5) year levy, commencing tax year 2010, first due in calendar year 2011.
2. The *estimated* property tax gross revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$18,028.*
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$18,280,130.

Susan K. Simpson
Auditor's signature

3-9-10
Date

***NOTE:** This is **ONLY** an estimate and is based on **gross** tax dollars collected.

Ordinance No. _____ Passed _____, 20____

(Ordinance No. 2009-26) PID No. 81458
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 00/100 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;

0127

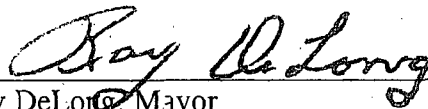
Section 7. This is to certify that the LPA has compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA and which Resolution was duly passed by the LPA on the 25th day of March, 2010, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

Ordinance No. _____

Passed _____, 20____

Section 8. 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 126, and under date of March 25th, 2010.

Legislative Authority of the
Village of Antwerp, Ohio


Ray DeLong, Mayor

ATTEST:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____ 20____

ORDINANCE NO. 2010-10

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 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 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: 4-19-10

[Signature]
Mayor of the Village of Antwerp

Attest Fiscal Officer: [Signature]

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

RECORD OF ORDINANCES

0131


Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Passed: 7-19, 2010.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 5-17-10

Second Reading: 6-14-10

Third Reading: 7-19-10

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.

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 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.

RECORD OF ORDINANCES

0133

Dayton Legal Blank, Inc.

Form No. 30043

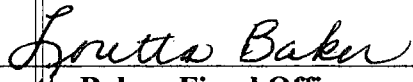
Ordinance No. _____

Passed _____, 20____

Passed: 7-19, 2010.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

First Reading: 5-17-10

Second Reading: 6-14-10

Third Reading: 7-19-10

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, Ohio, 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. 2007-30, established a section, specifically Section 5, providing amounts to be placed into the EMS Vehicle Replacement Fund for each 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 EMS 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

RECORD OF ORDINANCES

0135

Dayton Legal Blank, Inc.

Form No. 31C43


Ordinance No. _____

Passed _____, 20____

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 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 in that it is necessary to amend Section 5 of Ordinance No. 2007-30 in order to allow additional funds to be placed into the EMS Vehicle Replacement Fund for 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.

PASSED this 14th day of June, 2010.



Mayor, Village of Antwerp

ATTEST:



Fiscal Officer, Village of Antwerp

Ordinance No. _____

Passed _____, 20____

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 Products, 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 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 \$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.

RECORD OF ORDINANCES

0137

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

water and/or sewer service is supplied to be annexed into the Village of Antwerp, Ohio and further shall cooperate with the Village in having said property annexed and further will not resist annexation proceedings to have said property annexed into the corporation limits of the Village of Antwerp, Ohio. Should Atwood Mobile Products, Inc. fail or refuse to execute said annexation petition and/or other documents and things necessary for annexation within the aforesaid ten (10) day period or fail to cooperate with said Village to have said property annexed or resist said annexation, the Village of Antwerp, Ohio then shall have the right to increase water and/or sewer rates to outside corporation limits rates to include the same rates listed above plus seventy-five percent (75%) of the rates to Atwood Mobile Products, Inc.'s property where said water and/or sewer service has been previously supplied but only after the Village of Antwerp, Ohio has given two (2) months written notice to Atwood Mobile Products, Inc. to that effect.

Section 4. 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.

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 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 6. 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 allow the supply and purchase of water and provision of sewer services to Atwood Mobile Products, Inc., 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: 6-14, 2010

Ray DeLong
Ray DeLong, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Accepted by Atwood Mobile Products, Inc:

By: J E Smith

Its: MATERIAL MEMBER

Date signed: 5/26/2010

Ordinance No. _____

Passed _____, 20____

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, 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 \$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.

Ordinance No. _____

Passed _____, 20____

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 thereof 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 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.

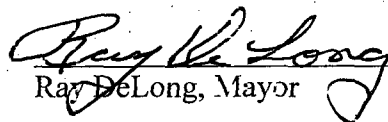
Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village and the Council approves any action taken by such officials in that regard.

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 ordinance 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.

Section 10. 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. 2009-21.

Date: 6-14-10


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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, Ohio as follows:

Section 1. 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.

Section 5. 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.

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PASSED this 14th day of June, 2010.

Ray De Long
Mayor, Village of Antwerp

ATTEST:

Louisa Baker
Fiscal Officer, Village of Antwerp

Ordinance No. _____

Passed _____, 20____

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 Antwerp, 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 Village 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

RECORD OF ORDINANCES

0143

Dayton Legal Blank, Inc.

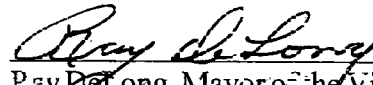
Form No. 30743

Ordinance No. _____

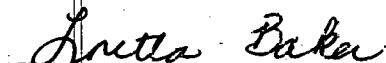
Passed _____, 20____

reason that it is necessary to proceed with the demolition of the insecure and unsafe buildings located on the Real Estate, 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.

ENACTED THIS 14th day of June, 2010.


Ray DeLong, Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

Snyder 118 Oswalt

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 off 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 ($\frac{1}{2}$) 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

RECORD OF ORDINANCES

0145

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 Ohio:

A tract or parcel of land in the West Half ($\frac{1}{2}$) of the Southeast Quarter ($\frac{1}{4}$) 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 (381) 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 ($\frac{1}{2}$) and West Half ($\frac{1}{2}$) 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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) of said Section Twenty-seven (27) will intersect said Southerly line of said highway at the point of beginning; thence North on and along said line drawn parallel to said line between said East and West Halves ($\frac{1}{2}$) of said Section Twenty-seven (27) to the place of beginning, containing one (1) acre

Ordinance No. _____

Passed _____

Snyder 120

Oswalt

Lot Number Eight (8) in Bank's Addition to the Village of Antwerp, Paulding County, Ohio.

Ordinance No. _____

Passed _____, 20____

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 donation 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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 reason that it is necessary to proceed with 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 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 14th day of June, 2010.



Ray DeLong, Mayor of the Village of Antwerp

Attest:



Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0149

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____

, 20____

Legal Description

TRACT #2

LEGAL DESCRIPTION

FOR THE VILLAGE OF ANTWERP, INC

PRESENT OWNER: MICHAEL A. KRUTSCH, MARY J. LORENGER, RITA J. LORENGER,
RITA J. BIDDLE, ROBERT J. KRUTSCH, AFTER
DAVID J. KRUTSCH AND MARJORIE A. KRUTSCH L.E.

DEED REF: O.R. VOL. 284, PAGE 117-119
PT. OF PARCEL ID NO. 12-36-002-C3

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 Antwerp, 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; thence N 89° 20' 25" W on the South line of said Section No. 28 a measured distance of Two Hundred Thirty-two 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 5/8 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 Book 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 corner and at the intersection of the Southerly line of said U.S. Route 24 right-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 1E7 + 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. 153, Page 299, containing 5059.51 sq. ft. or 0.1162 acres more or less. Remainder of Parcel 12-36-002-00 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-of-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

Ordinance No. _____

Passed _____, 20____

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:

Section 1. 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** and 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 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 locating an appropriate facility to house and protect the museum contents and this Resolution shall be in full force and effect immediately after

RECORD OF ORDINANCES

0151

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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

Passed this 14th day of June, 2010.

Ray DeLong
Ray DeLong, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

Dayion Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

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.

*Add after
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

By: Ray DeLong
Ray DeLong, Mayor

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

By: _____
Louis Lengacher, President

Louis Lengacher, Individually

Mary Lengacher, Individually

RECORD OF ORDINANCES

0153

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

RECORD OF ORDINANCES

0155

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

2012-11 2pg
2012-12 2pg
Agreement
4pg

Ordinance No. _____

Passed _____, 20____

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 the written notice of withdrawal by overnight courier for delivery no later than July 1, 2010, to the Administrator of the Central Collection Agency.

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

Section 1. 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.

RECORD OF ORDINANCES

0157

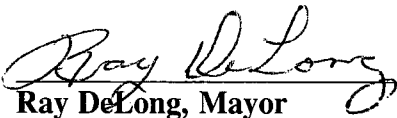
Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

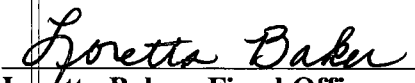
Passed _____, 20____

Passed this 28th day of June, 2010.



Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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.

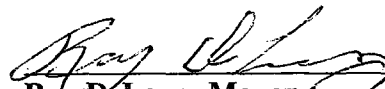
Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is Ninety-Four Thousand One Hundred Dollars and Zero Cents (\$94,100.00).

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.

Passed this 17th day of July, 2010.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Antwerp 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 19th day of July, 2010.


Ray DeLong, Mayor
Village of Antwerp

Attest:

Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE 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 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 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

[Signature]
Mayor of the Village of Antwerp

Attest Fiscal Officer: [Signature]

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 adopted under section 4511.11 of the Ohio Revised Code. The VILLAGE further agrees to provide for the maintenance of highway traffic during the


Ordinance No. ^{Passed} 20
~~Construction 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.

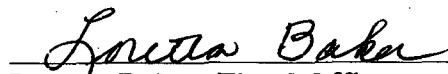
SECTION 6. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings 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 DeLong, Mayor
Village of Antwerp, Ohio

Attest:


Loretta Baker, Fiscal Officer

1st reading: 7-19-10

2nd reading: 8-16-10

3rd reading: 9-20-10

Ordinance No. _____

Passed _____, 20____

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

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 OWB:

- (a) Any wood that does not meet the definition 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;

RECORD OF ORDINANCES

0165

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

- (j) Coal;
- (k) Glossy or colored papers;
- (l) Construction and demolition debris;
- (m) Plywood;
- (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 an 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

Ordinance No. _____

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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 owner or operator of an OWB 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 Clean 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.

Ordinance No. _____

Passed _____, 20____

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, Police Chief, or any authorized officer, agent, employee or representative of the Village of Antwerp, Ohio is authorized to enforce the provisions of this Ordinance.

7.2. In the event of any violation of this Ordinance or any provision 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.

Ordinance No. _____

Passed _____, 20____


Section 9: Passage in open meetings

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.

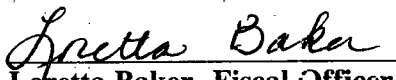
Section 10: Effective Date

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

Passed: 9-20, 2010.


Ray DeLong, Mayor
Village of Antwerp, Ohio

Attest:


Loretta Baker, Fiscal Officer

First Reading: 7-19-10Second Reading: 8-16-10Third Reading: 9-20-10

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-20

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 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 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.

Ordinance No. _____

Passed _____, 20____

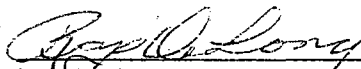
Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

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

Date: _____

8-16-10


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0171

Clayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2010-21

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE SEWER FUND IN THE AMOUNT OF \$10,000.00, 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 Sewer 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 Sewer 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:

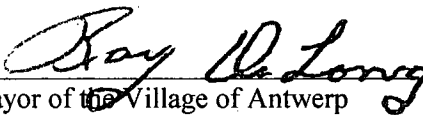
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Ten Thousand Dollars (\$10,000.00) from the General Fund to the Sewer Fund.

Section 2. This ordinance is necessary to provide operating funds for the sewer 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 sewer 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 8-16-10


Mayor of the Village of Antwerp

Attest:


Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 \$23,525.00,
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 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.

RECORD OF ORDINANCES

0173

Dayton Legal Blank, Inc.

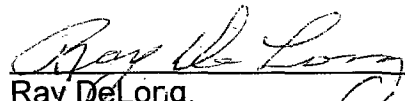
Form No. 39043

Ordinance No. _____

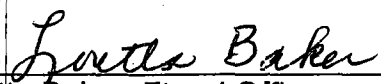
Passed _____, 20____

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 East River Waterline Replacement CE22N/CE23N Project, 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 8-16-10


Ray DeLong,
Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

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 Antwerp, 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 (3) 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 for 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.

RECORD OF ORDINANCES

0175

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Passed this 16th day of August, 2010.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

VILLAGE of ANTWERP

118 N. Main St.
P.O. Box 1046
Antwerp, OH 45813

Mayor: 419-258-7422
Administrator: 419-258-2371

Fiscal Officer: 419-258-2241
Fax: 419-258-1337

LIST OF ESTIMATED ASSESSMENTS FOR WEST RIVER STREET
2010 SIDEWALK REPAIR AND CONSTRUCTION PROJECT

Lot/Land Abutting Sidewalk Construction, Repair or Installation	Total Cost of Sidewalk Construction, Repair or Installation
403 West River Street	\$880.00
413 and 415 West River Street	\$2,688.00

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2010-10

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 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.

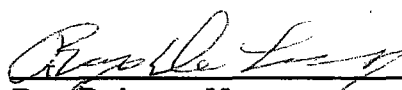
Section 2: The Mayor of the Village of Antwerp is further authorized to enter into any agreements as may be necessary and appropriate for obtaining the financial assistance.

Section 3: It is found and determined that all formal actions of the council concerning and 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.

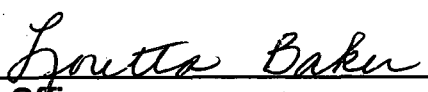
Section 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village and for the further reason that the Village is in immediate need of waterline repairs and capital improvements for the well being 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.

Ordinance No. _____

Passed _____, 20____

ADOPTED: 8-16-10
Ray DeLong, Mayor

ATTEST:


Fiscal Officer

RECORD OF ORDINANCES

0179

Dayton 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~~
R 2010-11 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 20th day of Sept, 2010, at the office of Village of Antwerp Town Hall with the following members present:

Jan Reeb
Mike Rohns
Larry Ryan
Karen Lee
Steve Derck
Rudie Reeb

Mike Rohns 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 1st 2011; 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

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:

SCHEDULE A

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

Fund	Amount Approved By Budget Commission Inside 10 Mill Limitation	Amount To Be Derived From Levies Outside 10 Mill Limitation	County Auditor's Estimate Of Tax Rate To Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
	Column I	Column II	III	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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Levies Outside 10 Mill Limitation, Exclusive of Debt Levies
Passed

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	\$12826.
1984 POLICE Levy authorized by voters on for not to exceed CONT. years.	05-08-84	5.50	\$57344.
1986 EMS Levy authorized by voters on For not to exceed CONT. years	11-04-86	.50	\$5213.
2006 Cemetery Levy authorized by voters on for not to exceed 5 years.	11-08-05	.80	\$13934.
2008 FIRE & EMS Levy authorized by voters on for not to exceed 5 years.	11-06-07	1.00	\$17964.
2004 POLICE Levy authorized by voters on for not to exceed 5 years.	11-03-09	2.00	\$32807.
2005 CURRENT EXPENSE Levy authorized by voters on for not to exceed 5 years.	11-08-05	1.00	\$17417.

and be it further

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

Mr./Ms. Jan Reeb recorded the Resolution and the roll being called upon its adoption the vote resulted as follows

Mr./Ms. <u>Jan Reeb</u>	<u>yes</u>
Mr./Ms. <u>Mike Rohrs</u>	<u>yes</u>
Mr./Ms. <u>Larry Ryan</u>	<u>yes</u>
Mr./Ms. <u>Rudie Reeb</u>	<u>yes</u>
Mr./Ms. <u>Steve Derck</u>	<u>yes</u>
Mr./Ms. <u>Karen Lee</u>	<u>yes</u>
Mr./Ms. _____	_____
Mr./Ms. _____	_____

Adopted the 20th day of Sept, 2010.

Attest:

Loretta Bala
Clerk of Council
Fiscal Officer

Janice A Reeb
President of Council

CERTIFICATE OF COPY
Original On File

RECORD OF ORDINANCES

0181

Dayton Legal Blank, Inc.

Form No. 30043

The State of Ohio, Paulding County, ss.
Ordinance No. _____

Passed _____, 20____

I, Loretta Baker, Clerk of the Council of the Village of Antwerp
Within and for said County, and in whose custody the Files and Records of said Council are required by the
Laws of the state of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original
minutes of the regular Council meeting

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

Witness my signature, this 20th day of Sept, 2010

Loretta Baker

Clerk of Council

(1) A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R. C., or at such
later date as may be approved by the Board of Tax Appeals.

Resolution No. R 2010-11

Council of the Village of Antwerp, Paulding County Ohio

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)

ADOPTED Sept 20, 2010

Loretta Baker, Clerk of Council

Filed _____, 2010

_____, County Auditor.

By _____ Deputy.

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2010-25

**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 to 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 tax 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.

RECORD OF ORDINANCES

0183

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

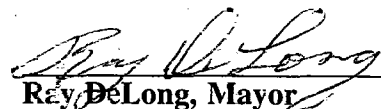
Passed _____, 20____

Section 4. The Fiscal Officer is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within thirty (30) days after the first publication of this Ordinance.

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.

Section 6. 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.

Passed this 20th day of September, 2010.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

VILLAGE of ANTWERP

118 N. Main St.
P.O. Box 1046
Antwerp, OH 45813

Mayor: 419-258-7422
Administrator: 419-258-2371

Fiscal Officer: 419-258-2241
Fax: 419-258-1337

**LIST OF ESTIMATED ASSESSMENTS FOR WEST RIVER STREET
2010 SIDEWALK REPAIR AND CONSTRUCTION PROJECT**

Lot/Land Abutting Sidewalk Construction, Repair or Installation	Total Cost of Sidewalk Construction, Repair or Installation
403 West River Street	\$880.00
413 and 415 West River Street	\$2,688.00

Ordinance No. _____

Passed _____, 20____

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

Ordinance No. _____

Passed _____, 20____

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.

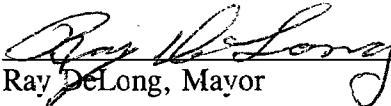
Section 6. The Village Fiscal Officer, or other officer, is authorized to prepare, execute and deliver to the purchaser of said Note a preliminary and final official statement or any other appropriate disclosure document in connection with the sale and delivery of the Note.

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

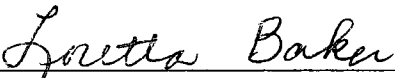
Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 a sanitary sewerage system 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: 11-1-10


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0187

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

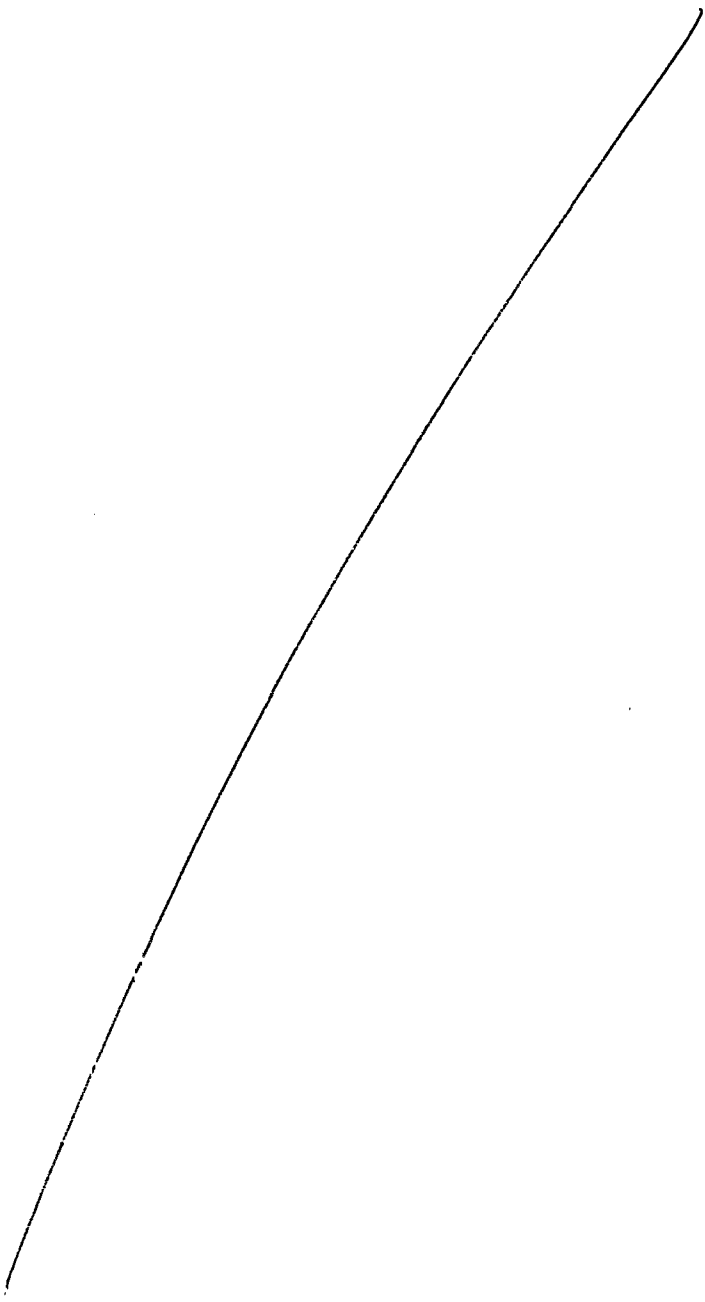
Passed _____, 20____

ONLY 2 pages Needed
for Ord 2010-26

2010-26
have 4 pages
No

Ordinance No. _____

Passed _____, 20____



Ordinance No. _____

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. 2009-27 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 of 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 duplicate 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.

Ordinance No. _____

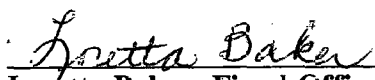
Passed _____, 20____

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 demolishing the insecure, unsafe and structurally defective building located at 301 E. Woodcox, Antwerp, Ohio, and this Ordinance 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.

Passed: 10-18-, 2010.


Ray DeLong, Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

AGREEMENT

Pursuant to Ohio Revised Code Section 731.141, this **AGREEMENT** is made and entered into this 18th day of Oct., 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, to-wit: unemployment insurance, health 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 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 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.

Ordinance No. _____

Passed _____, 20____

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 be available to perform the requested services under this Agreement within ____ days of said request for services by the Village.

RECORD OF ORDINANCES

0193

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

11. 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 Worker'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.
14. If, for whatever reason, the Contractor fails to provide services in accordance with this Agreement, the Village has the right to retain 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, its 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 invalidation of any clause or provision of this Agreement shall have no effect

Ordinance No. _____

Passed _____, 20____

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.

18. Any notice required to be given hereunder, shall be given as follows:

The Village of Antwerp

Ed Meyer, d/b/a Meyer Excavating

Attn: Sara Keeran, Administrator
118 North Main Street
P.O. Box 1046
Antwerp, Ohio 45813
Telephone: (419) 258-2371
Fax: (419) 258-1337

Ed Meyer, Owner
17197 CR 45
Antwerp, Ohio 45813

Telephone: (419) 506-0002
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 Agreement shall commence on the 18 day of Oct, 2010, and shall continue in full force and effect thereafter until the ____ day of _____, 20____.

Executed at Antwerp, Ohio, on the day and year first above written.

"VILLAGE"

"CONTRACTOR"

VILLAGE OF ANTWERP

**ED MEYER, D/B/A MEYER
EXCAVATING**

By: Ray DeLong
Ray DeLong
Title: Village Mayor
Date: 10/22/2010

By: Edward J Meyer
Ed Meyer
Title: Owner
Date: 10-22-10

Attest By: Loretta Baker
Loretta Baker
Title: Village Fiscal Officer
Date: 10-22-10

Ordinance No. _____

Passed _____, 20____

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 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

Ordinance No. _____

Passed _____, 20____


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 an emergency medical service building to provide emergency medical services to 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: 10-18-10


Ray DeLong, Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Provide 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.

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

Ordinance No. _____

Passed _____, 20____

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, 2011.

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 221.22 of the Ohio Revised Code.

RECORD OF ORDINANCES

0199

Dayton Legal Blank, Inc.

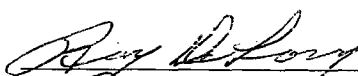
Form No. 3C043

Ordinance No. _____

Passed _____, 20____

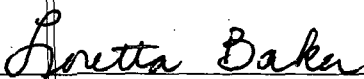
Section 10. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the compensation to be paid to the Village for providing emergency medical services to the 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 15th day of November, 2010.



MAYOR, VILLAGE OF ANTWERP

Attest:



Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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

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 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 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 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 11-1-10

Attest:

Loretta Baker
Fiscal Officer

[Signature]
Mayor of the Village of Antwerp

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-31

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 \$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 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.

Ordinance No. _____

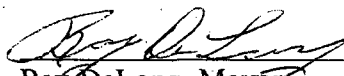
Passed _____, 20____

Section 7. The Mayor and Fiscal Officer of said Village are hereby authorized to sign and execute the Note on behalf of said Village.

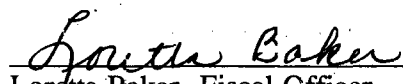
Section 8. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 a waterworks system 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: 11-15-10


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance 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 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.

RECORD OF ORDINANCES


Dayton Legal Blank, Inc.

Form No. 30043

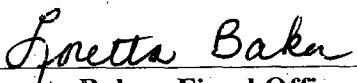
Ordinance No. _____

Passed _____, 20____

Date: 11-15-10


Ray DeLong, Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-32

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 (3rd) Monday of each month at 5:30 p.m. (Eastern Standard Time), 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 fourth (4th) Monday of that month.

Section 3. This Ordinance shall be in effect for regular meetings of the Council starting in January, 2011, 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 20th day of December, 2010.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2010-13

**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;

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:

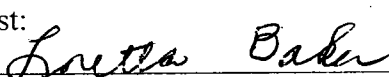
Section 1. The Mayor of the Village of Antwerp is hereby authorized to enter into and execute on behalf of the Village of Antwerp the First Amendment to the 2010 Community Reinvestment Area Agreement by and between Manor House and the Village.

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.

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

Date: 12-20-10


Ray DeLong, Mayor of the Village of Antwerp

Attest:

Loretta Baker, Fiscal Officer

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:

- I. 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 Paulding County Economic Development, Inc. as set forth in the Compensation/Duration Agreement attached hereto at Appendix 2.

- II. Except as amended herein above, all other provisions of the Agreement attached hereto as Exhibit 1 shall remain in full force and effect.

Ordinance No. _____ Passed _____, 20____

ORDINANCE 2010-33

AN ORDINANCE CONSENTING TO THE PROPOSAL OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF CR424 AND WENTWORTH STREET IN THE VILLAGE OF ANTWERP, OHIO, AND DECLARING THE SAME AN EMERGENCY.

Ordinance # 2010-33
County/Route/Section: DEF-US24-Abandonment

The following is an _____ ordinance enacted by the _____ Village of _____, Paulding County, 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 pave 1 3/4" of asphalt concrete on uncurbed sections of County Route 424 and Wentworth Street in the Village of Antwerp. For roadway sections that are curbed, it is proposed to grind and then pave with asphalt concrete, while maintaining the existing surface elevation and curb reveal. 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. If there are any necessary manhole height adjustments or painting of parking stalls, it will not be included in this project and will be the responsibility of the village after ODOT's project is complete.

WHEREAS, a portion of described project is within the village corporation limits.

NOW THEREFORE, be it ordained by the Council of Village of Antwerp of Paulding County, 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 FHWA shall assume and bear 100% of the necessary costs of the State's highway improvement project. In the event that the village 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 village shall contribute 100% of the cost of those items.

Ordinance No. _____

Passed _____, 20____

PID No. 82895

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 LPA 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 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said Village of Antwerp is hereby empowered on behalf of the Village of Antwerp to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: November 15, 2010.
(Date)

Attested: Loretta Baker
(Clerk) Fiscal officer

[Signature]
(Mayor)

Attested: Loretta Baker

[Signature]
(President of Council)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it 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.

Ordinance No. _____

Passed _____, 20____

PID No. 82895

CERTIFICATE OF COPY
STATE OF OHIO

Village of Antwerp of Paulding County, Ohio

Fiscal officer

I, Loretta Baker, as ~~Clerk~~ of the Village of Antwerp of Paulding County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said Village of Antwerp on the 15th day of November, 2010, 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 certified of publication thereof are of record in Volume 8, Page 108.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 16th day of November, 2010.

Loretta Baker
~~Clerk~~ *fiscal officer*

(SEAL)
(If Applicable)

Village of Antwerp of Paulding County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Antwerp of Paulding County, Ohio

Attest: [Signature]

[Signature], Date 11-16-10
Contractual Officer (Mayor)

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

RECORD OF ORDINANCES

0211

Dayton Legal Blank, Inc.

Form No. 30043

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, THEREFORE, 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
Mayor	\$6,000.00	Same
Council Members	\$1,800.00	Same
Fiscal Officer	\$22,660.00	\$23,226.50
Village Administrator	\$35,721.43	\$36,614.47
Chief of Police	\$36,191.12	\$37,095.90
Assistant Chief of Police	\$25,750.00	Same
Police - Full Time - On Probation	\$22,884.54 to \$26,209.53	\$23,456.65 to \$26,864.77
Police - Full Time	\$26209.38 to \$30,999.50	\$26864.61 to \$31774.49
Police - Part Time	\$10.61 to \$15.91	\$10.88 to \$16.31 per hour
Police - 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

Ordinance No. _____

Passed _____, 20____

Village Official	2010	2011	
Fire Captains	\$98.66	\$101.13	
Fire Lieutenants	\$68.96	\$70.68	
Volunteer Fireman	\$9.05	\$9.28	per meeting
	\$9.05	\$9.28	first hour
	\$9.05	\$9.28	each add. hour
EMS Coordinator	\$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 meeting
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 may be entitled are as set forth in the Village of Antwerp's Personnel Manual.

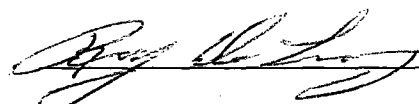
Section 3. This Ordinance repeals any other ordinance inconsistent therewith.

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.

Passed: 12-20, 2010.

Attest: Loretta Baker



Ray DeLong, Mayor
Loretta Baker, Fiscal Officer

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:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
A1 1A 220 Police Training	Increase Appropriation	4,000.00	4381.05
A1 3B 212 Park Benefits	Increase Appropriation	6,884.81	7371.34
A1 4A 230 Zoning Insp Cont	Increase Appropriation	300.00	\$1,315.00
A1 7B 2121 Admin Benefits	Increase Appropriation	1,208.00	\$1,527.30
A1 7B 230 Ccuncil Contrac	Increase Appropriation	11,900.00	\$14,359.62
A1 7B 240 Council Oper & Maint	Increase Appropriation	4,000.00	\$4,502.26
A1 7C 230 Mayors Court Ccntrac	Increase Appropriation	1,100.00	\$1,160.32
A1 7C 239 State Rotary Fees	Increase Appropriation	10,000.00	\$10,540.50
A1 7D 212 Fiscal Off Benefits	Increase Appropriation	8,245.00	\$9,848.22
A1 7E 230 Land & Buildings Cont	Increase Appropriation	12,360.00	\$15,368.76
A1 7E 240 Lands and Buildings Oper and Maint	Increase Appropriation	7,000.00	\$7,127.37

Ordinance No. _____

Passed _____, 20____

A1 7I 230 CCA Fees Inc Tax	Increase Appropriation	15,000.00	\$18,093.06
A1 7X 270 Gen Fund Transfer	Increase Appropriation	195,000.00	\$221,025.00
B1 6B 211 Street Wages	Increase Appropriation	16,417.88	\$17,809.23
B1 6B 212 Street Benefits	Increase Appropriation	5,723.26	\$6,015.35
B1 6C 230 Snow Removal	Increase Appropriation	3,000.00	\$5,602.59
B9 1A 211 Fire wages	Increase Appropriation	10,600.00	\$11,579.74
B111B 240 EMS Oper	Increase Appropriation	12,000.00	\$19,500.00
B111B 260 EMS Loan Repay	Increase Appropriation	39,020.39	\$40,581.20
B146D 212 Storm Benefits	Increase Appropriation	7,640.58	\$7,872.92
D5 7X 270 trans to Water	Increase Appropriation	0.00	\$11,307.19
D6 5E 250 E River waterline	Increase Appropriation	3,045.00	\$37,441.16
E1 5A 212 Clerk Benefits	Increase Appropriation	4,098.59	\$4,776.46
E1 5A 230 Clerk contrac	Increase Appropriation	500.00	\$635.74
E1 5B 212 Water Clerk Benefits	Increase Appropriation	805.49	\$853.72
E1 5D 211 Water wages	Increase Appropriation	64,924.83	\$69,513.81
E1 5D 212 Water Emp Benefits	Increase Appropriation	26,391.61	\$29,170.12
E1 5F 240 Repair Clamps	Increase Appropriation	2,000.00	\$3,553.50
E2 5A 212 Sewer Clerk Benef	Increase Appropriation	4,098.59	\$4,780.68
E2 5A 230 Clerk Cont	Increase Appropriation	500.00	\$635.73
E2 5B 212 Sewer Clerk Benefits	Increase Appropriation	402.74	\$451.78
E2 5C 211 Sewer Wages	Increase Appropriation	25,618.95	\$27,887.09
E2 5C 212 Sewer benefits	Increase Appropriation	10,200.00	\$12,056.95
E2 5C 230 Sewer Cont Ser	Increase Appropriation	38,000.00	\$44,348.52
G5 2A 270 Cemetary Trust Trans	Increase Appropriation	14,400.00	\$14,585.67
G7 7X 240 FOJ Supplies	Increase appr	0.00	\$136.80

RECORD OF ORDINANCES

0215

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

H3 1A 250 Street Lighting

Increase
Appropriation

17,000.00

\$20,177.60

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 12-20-10

Mayor

Ray DeLong

Attest:

Louetta Baker

Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2010-36

An ORDINANCE to make appropriations for Current Expenses and other Expenditures of the Village of Antwerp, 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 **\$300.00**.

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 **\$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 **\$209,600.00**

Section 19. That there be appropriated from the **STREET LIGHTING FUND** in the sum of **\$18,000.00**

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.**

RECORD OF ORDINANCES

0217

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

SECTION 23. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer 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 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 with the appropriating authority...a certificate that the total 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 estimate, the county auditor shall give such certificate forthwith upon 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, 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 has been compared by me with the said original and that the same is a true and correct copy thereof.

Passed

12-20-10

Janice A. Reeb
President of Council

Attest:

Loretta Baker
Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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RECORD OF ORDINANCES

0219

Dayton Legal Blank, Inc.

Form No. 300-3

Ordinance No. _____

Passed _____

20____

ORDINANCE NO. 2010-37

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF \$15,000.00 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 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 Fifteen Thousand (\$15,000.00) 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.

Date: _____

12-20-10

Mayor of the Village of Antwerp

Attest Fiscal Officer: _____

Loutta Baker

Ordinance No. 2010-38 TABLED UNTIL 2011
Passed (ZONING), 20

38
2 pages

RECORD OF ORDINANCES

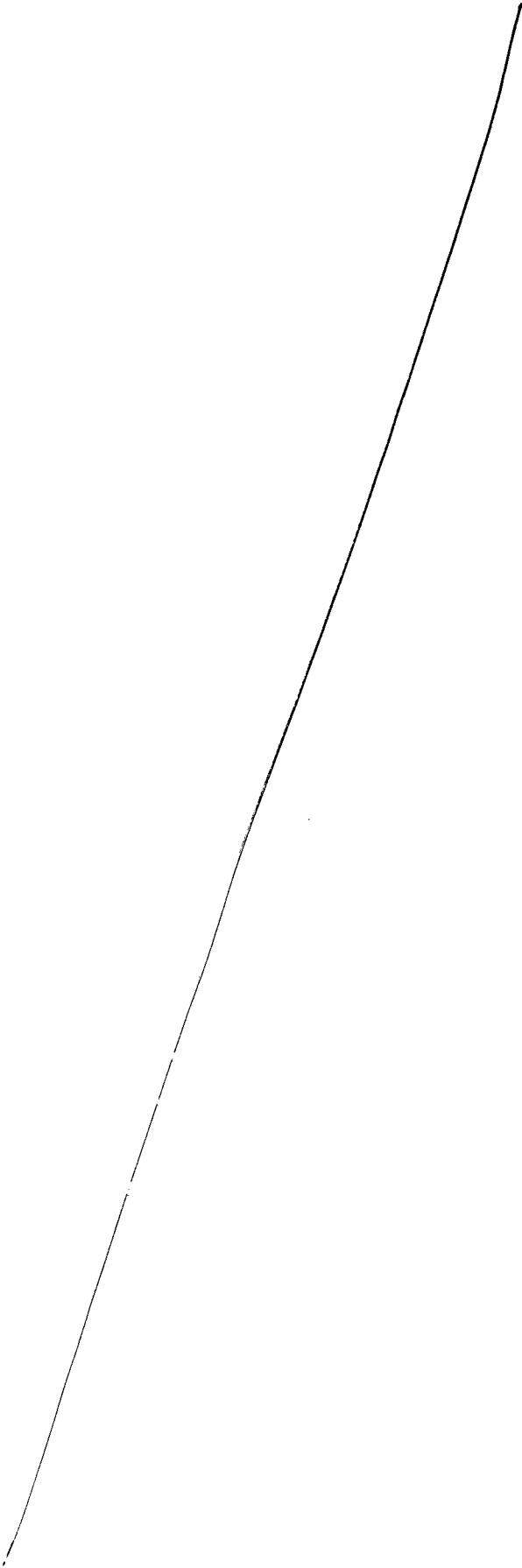
0221

Dayton Legal Blank, Inc.

Form No. 3004

Ordinance No. _____

Passed _____, 20____



Ordinance No. _____

Passed _____, 20____

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 20th 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 in 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.

RECORD OF ORDINANCES

0223

Dayton Legal Flak, Inc.

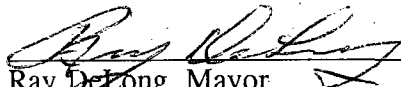
Form No. 30043

Ordinance No. _____

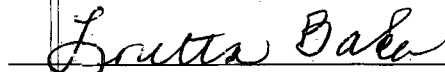
Passed _____, 20____

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 public hearing on the proposed amendment, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 20th day of December, 2010.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

ARTICLE 500

ENFORCEMENT

SECTION 501 Zoning Permits Required.

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefor, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this ordinance unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance. Issuance of a zoning permit for a business use is contingent on verification that any required state building permits have been obtained and approved by the State.

SECTION 502 Contents of Application for Zoning Permit.

The application for zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within one year or substantially completed within two and one-half (2-1/2) years. At a minimum, the application shall contain the following information:

- 1. Name, 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 actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed buildings or alteration;
- 7. Building heights;
- 8. Number of off-street parking spaces or loading berths;
- 9. Number of dwelling units;
- 10. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.

Ordinance No. _____

Passed _____, 20____

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 Antwerp 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 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 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.

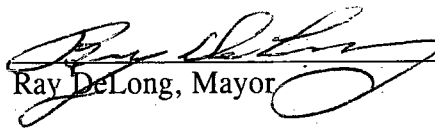
Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings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

Ordinance No. _____

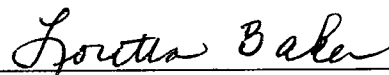
Passed _____, 20____

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 public hearing on the proposed amendment, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 20th day of December, 2010.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

B-1

SECTION 306 BUSINESS DISTRICT

INTENT: To provide for essential commercial, professional and service uses upon which the community's economic and functional needs are dependent.

SECTION 306.01

Permitted Uses:

- a) Financial Institutions
- b) Dry Cleaning
- c) General merchandising including, but not limited to, hardware, clothing, dry goods, groceries, dairy products, catalogue sales, office supplies, drug stores
- d) Professional Offices
- e) Automobile equipment and supplies not including major engine overhauling or body repairs
- f) Restaurants - no alcoholic beverages
- g) Theaters
- h) Liquor sales for off premise consumption
- i) Lodges, fraternal organizations, private clubs
- j) Nursing home
- k) Assisted living facility
- l) Extended care facility
- m) Rehabilitation clinic
- n) Senior activity center
- o) Youth activity center
- p) Physical fitness center
- q) Schools, libraries, governmental buildings, treatment plants, and governmental facilities of a similar nature
- r) Church
- s) Notwithstanding anything in Article 600 to the contrary, any R-1 or R-2 use or structure existing on December 20, 2010, may be added to, enlarged, or remodeled, provided the addition, enlargement, or remodeling conforms to the applicable R-1 or R-2 zoning provisions of this Ordinance
- t) Similar uses which are not offensive by reason of their operation or method of service delivery

Ordinance No. _____ Passed _____, 20____

B-1 contd

SECTION 306.02

Conditional 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 display one or more offensive aspects by reason of their operation or method of service delivery
- g) Single-family detached dwelling units and residential uses. It is intended that only single-family residential uses and primary residential structures existing on December 20, 2010, on individual lots or tracts be permitted; or the reconstruction of such existing residential structures, in the event such structure is destroyed, be permitted under this provision. In the event of such destruction, the rebuilt structure shall comply with the then applicable R-1 or R-2 zoning provisions of this Ordinance. As part of the review, residential accessory structures and uses may be permitted.

SECTION 306.03

Yard Requirements

- a) Front Yard - No front yard set back required.
- b) Side Yard - No side yard set back requirement if fire resistant construction materials are utilized.
- c) Rear Yard - A minimum rear yard set back of 30 ft. shall be required.
- d) Height - The maximum permissible height shall be 3 stories or 40 ft.
- e) Parking - A minimum of one (1) off street parking space for each 200 sq. ft. of sales space, or major portion thereof, shall be required.
- f) Off Street Loading - A minimum of one (1) 12' x 50' loading/unloading space for each 5000 sq. ft. of gross floor area shall be required. The initial off-street loading/unloading space shall be capable of accommodating one 50' tractor-trailer including necessary ingress and egress clearances.

Ordinance No. _____

Passed _____, 20____

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.

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.

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,

Ordinance No. _____

Passed _____, 20____

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 Harrison Township 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.

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.

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 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

RECORD OF ORDINANCES

0231

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

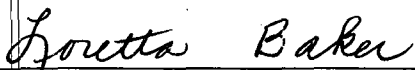
Township, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Section 11. This Ordinance shall be retrospective in nature and take effect as of the expiration of the prior Ordinance and Agreement for the provision of Emergency Medical Service to Harrison Township, also known as Ordinance No. 2011-01.

ENACTED THIS 12th day of January, 2011.


MAYOR, VILLAGE OF ANTWERP

Attest:


Fiscal Officer

Ordinance No. _____

Passed _____ 20____

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.

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.

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 36043

Ordinance No. _____

Passed _____, 20____

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 Carryall Township 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.

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.

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

Ordinance No. _____

Passed _____, 20____

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 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.

Section 11. This Ordinance shall be retrospective in nature and take effect as of the expiration of the prior Ordinance and Agreement for the provision of Emergency Medical Service to Carryall Township, also know as Ordinance 2011-02.

ENACTED THIS 12th day of January, 2011.


MAYOR, VILLAGE OF ANTWERP

Attest:

Louisa Baker
Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 Village 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 RESOLVED by the Council of the Village of Antwerp, Paulding County, Ohio, that:

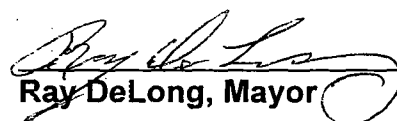
Section 1. The Village of Antwerp is requesting the County Auditor to certify the current tax valuation and dollar amount of revenue that would be generated by eight tenths of one mill pursuant to Ohio Revised Code Section 5705.19(T). The Village of Antwerp is requesting this certification in order to 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, 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.

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 12th day of January, 2011.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2011- 02

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 an 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;

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.

RECORD OF ORDINANCES

0237

Dayton Legal Blank, Inc.

Form No. 30043

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Passed _____, 20____

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 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.

WHEREAS, the Council has decided to repeal Resolution No. 2010-12 in its entirety.

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

Section 1. Resolution No. 2010-12 is hereby repealed.

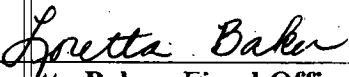
Section 2. It is found and determined that all formal actions of the council concerning and relating to the passage of this Resolution were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal regulations including all lawful ordinances, resolutions 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 in that it is necessary to repeal Resolution No. 2010-12 in order to allow the parties to enter into a revised Community Reinvestment Area Exemption Agreement for 2011, 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.

Date: 1-12-11


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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/b/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:

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 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.

RECORD OF ORDINANCES

0239

Dayton Legal Blank, Inc.

Form No. 30043

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Passed _____, 20____

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

WHEREAS, the Council has decided to repeal Resolution No. 2010-13 in its entirety.


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

Section 1. Resolution No. 2010-13 is hereby repealed.

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 regulations including all lawful ordinances, resolutions 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 in that it is necessary to repeal Resolution No. 2010-13 in order to allow the parties to enter into a revised Community Reinvestment Area Exemption Agreement for 2011, 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.

Date: 1-12-11


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 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 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.

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 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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Dayton Legal Blank, Inc.


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

Date: 1 - 12 - 11


Ray DeLong, Mayor of the Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

COPY

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 Midwest 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 remodeling 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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Dayton Legal Blank, Inc.

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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 Village Council on the basis that Manor House appears qualified by financial responsibility and business experience to

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Passed _____, 20____

create and preserve employment opportunities in the Village of Antwerp CRA #04A and improve the economic climate of the Village; and

WHEREAS, the PROJECT site as proposed by Manor House is located in the Antwerp Local School District and the Board of Education of Antwerp Local School has been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained.

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 the 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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new furniture and fixtures, and \$20,000.00 in new inventory. The value of the existing real property is \$5,325,000.00 and the current size of the structure is 39,000 square feet.

The PROJECT will begin February 14, 2011, and all acquisition, construction, remodeling, and installation will be completed by February 14, 2013.

2. Manor House shall create within a time period not exceeding thirty-six (36) months after the commencement of expansion and remodeling of the aforesaid facility, the equivalent of twenty (20) new full-time and twenty-five (25) part time permanent job opportunities by December 13, 2016.

This increase in the number of employees will result in approximately Seven Hundred Fifty-Nine Thousand Dollars (\$759,000.00) in new annual payroll. The full-time positions pay \$11.05 per hour (\$23,000.00 annually); the part-time positions pay \$11.05 per hour (\$11,960.00 annually).

3. Manor House shall provide to the proper tax incentive review council any information reasonably required by the council to evaluate the applicant's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.

4. The Village hereby grants Manor House a tax exemption for real property improvements made to the PROJECT site identified in Section 1 above pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

<u>Years of Tax Exemption</u>	<u>Tax Exemption Amount</u>
10 Years	100% of the amount by which the expansion and remodeling increases the assessed value of the PROJECT shall be exempted from real property taxation

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence before February 14, 2011 (date improvements to begin) nor extend beyond February 14, 2023 (10) years beyond projected date for completion of project).

Manor House shall maintain a membership to Paulding County Economic Development, Inc.

Manor House understands that, as part of this agreement, and in consideration for the Village approval of the term of the percentage and term of the tax exemptions herein contained, Manor House will enter into an agreement as found in Appendix No.2, for the purposes of making compensation/donation

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Passed _____, 20____

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 are 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 this 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 delinquent 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 seq., 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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Day-on Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

- Manor House further affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; or (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due.
10. Manor House and the Village acknowledge that this agreement must be approved by formal action of the legislative authority of the Village as a condition for the agreement to take effect. This agreement takes effect upon such approval.
 11. The Village has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminatory hiring in its operations. By executing this agreement, Manor House is committing to follow non-discriminatory hiring practices and acknowledges that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
 12. Manor House affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for Community Reinvestment Area incentives. If any representative of Manor House has knowingly made a false statement to the State or local political subdivision to obtain Community Reinvestment Area incentives, Manor House shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant ORC 2921.13(F)(1), which is punishable by the sanctions under Chapter 2929. of the Ohio Revised Code, including a fine of up to One Thousand Dollars (\$1,000.00), a term of imprisonment of up to six months, or both.
 13. Exemptions from taxation granted under this agreement shall be revoked if it is determined that Manor House, any successor to the applicant, or any related member (as those terms are defined in Division (E) of Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Sections 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.
 14. This agreement is not transferable or assignable without the express, written approval of the Village.

Ordinance No. _____ Passed _____, 20____

IN WITNESS WHEREOF, the Village of Antwerp, Ohio, by Ray DeLong, its Mayor, and pursuant to Resclution No. 2011-04, has caused this instrument to be executed this 12th day of January, 2011, and Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant by Melvin Fahs, President of the Board of Trustees, has caused this instrument to be executed on this _____ day of _____, 2011.

Attest:

VILLAGE OF ANTWERP, OHIO

Loretta Baker
Loretta Baker
Fiscal Officer

By: Ray DeLong
Mayor, Ray DeLong

State of Ohio }
County of Paulding } SS

On this _____ day of _____, 2011, before me a Notary Public in and for said County, personally appeared Ray DeLong, Mayor of the Village of Antwerp, Ohio, who acknowledged that he is authorized to sign the foregoing instrument and that the same act is his free will and deed and the free will act and deed of the Village.

In testimony whereof I have hereunto affixed my name and this official seal this _____ day of _____, 2011.

Notary Public
Commission Expires: _____

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Midwest Senior Trust, d/b/a Manor
House Assisted Living & Essen House
Restaurant

By: _____
Melvin Fahs
President of the Board of Trustees

State of Ohio }
County of Paulding } SS

On this ____ day of _____, 2011, before me, a Notary Public in and for
said County, personally appeared Melvin Fahs, President of the Board of Trustees of
Midwest Senior Trust, d/b/a Manor House Living & Essen House Restaurant, who
acknowledged that he is authorized to sign the foregoing instrument and that the same
act is his free will and deed and the free will act and deed of the company.

In testimony whereof I have hereunto affixed my name and this official seal this
____ day of _____, 2011.

Notary Public
Commission Expires: _____

Approved as to form:

Melanie Farr
Village of Antwerp Solicitor

Ordinance No. _____ Passed _____, 20____

APPENDIX 2

Community Reinvestment Area Compensation/Donation Agreement Related To Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant

This Agreement between the Village of Antwerp, Ohio, a municipal corporation (the "Village"), the Board of Education of the Antwerp Local School, a Public School District (the "School"), Midwest Senior Trust, d/b/a Manor House Assisted Living & Essen House Restaurant (the "Company"), and Paulding County Economic Development, Inc. ("PCED") specifies the manner and procedure to be used pursuant to Ohio Revised Code (ORC) §5709.82 authorizing general compensation and income tax revenue sharing on new Municipal Income Tax revenues relating to the Company, and the Community Reinvestment Area Project in the area designated Village of Antwerp CRA #04A.

Whereas, the Ohio Community Reinvestment Area Program, pursuant to ORC §3735., authorizes the granting of real property tax exemptions on eligible new investments; and,

Whereas, the Village, by Resolution No. 2004-07, adopted by the Village Council on 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 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., designating this area as Village of Antwerp CRA #04A; and,

Whereas, the School and the Vantage Vocational School were furnished notice of the Company's application and Community Reinvestment Area Agreement prior to the formal approval as required within ORC §5709.83; and

Whereas, the Village has acted pursuant to Resolution No. 2011-04, adopted 1-12, 2011, authorizing the Mayor of the Village to enter into a Community Reinvestment Area Exemption Agreement with the Company, which Agreement authorizes a ten (10) year tax exemption to the Company; and,

Whereas, the Company is benefiting from such tax incentive programs and realizes the same; and,

Whereas, the Village and the School pursuant to ORC 5709.82 elect to enter into a Community Reinvestment Area Compensation/Donation Agreement concerning the benefits relating to the aforementioned Community Reinvestment Area Exemption Agreement.

Ordinance No. _____

Passed _____, 20____

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 Exhibits 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.

INVESTMENT REDUCTION. In the event that the investments, as described by 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

Ordinance No _____ Passed _____, 20____

Village from any further obligation of payment related to this subject Community Reinvestment Area Exemption Agreement.

In Witness whereof, the parties have caused this Agreement to be executed on the date indicated in the notarization below their signature.

**Midwest Senior Trust, d/b/a Manor House
Assisted Living & Essen House Restaurant**

By _____
Melvin Fahs
President of the Board of Trustees

State of Ohio }
County of Paulding } SS

On this ____ day of _____, 2011, before me, a Notary Public in and for said County, personally appeared Melvin Fahs, President of the Board of Trustees of Midwest Senior Trust, d/b/a Manor House Living & Essen House Restaurant, who acknowledged that he is authorized to sign the foregoing instrument and that the same act is his free will and deed and the free will act and deed of the company.

In testimony whereof I have hereunto affixed my name and this official seal this ____ day of _____, 2011.

Notary Public
Commission Expires: _____

RECORD OF ORDINANCES

0253


Day-on Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Village of Antwerp, Ohio Consent to Agreement

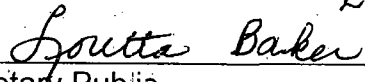
By 
Mayor, Ray DeLong

Resolution No 2011-04

State of Ohio }
County of Paulding } SS

On this 12th day of January, 2011, before me, a Notary Public in and for said County, personally appeared Ray DeLong, Mayor of the Village of Antwerp, Ohio, who acknowledged that he is authorized to sign the foregoing instrument and that the same act is his free will and deed and the free will act and deed of the Village.

In testimony whereof I have hereunto affixed my name and this official seal this 12th day of January, 2011.

 Loretta Baker
Notary Public
Commission Expires: March 30, 2011

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

On this _____ day of _____, 2011, before me, a Notary Public in and for said County, personally appeared Mark Hartman, Superintendent of Antwerp Local School District who acknowledged that he is authorized to sign the foregoing instrument and that the same act is his free will and deed and the free will act and deed of the school.

In testimony whereof I have hereunto affixed my name and this official seal this _____ day of _____, 2011.

Notary Public
Commission Expires: _____

RECORD OF ORDINANCES

0255

Dayton Legal Blank, Inc.

Form No. 30243

Ordinance No. _____

Passed _____, 20____

**Paulding County Economic Development
Inc.**

By _____
David R. Derck, President

State of Ohio }
County of Paulding } SS

On this _____ day of _____, 2011, before me, a Notary Public in and for said County, personally appeared David R. Derck, President of the Paulding County Economic Development, Inc., who acknowledged that he is authorized to sign the foregoing instrument and that the same act is his free will and deed and the free will and deed of the PCED.

In testimony whereof I have hereunto affixed my name and this official seal this _____ day of _____, 2011.

Notary Public
Commission Expires: _____

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 Antwerp 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 Northwestern corner of Lot Seventeen (17); thence Westerly and Southerly along the rearline of Lot Seventeen (17) to the Northwestern 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.

Section 1. 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.

RECORD OF ORDINANCES

0257

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

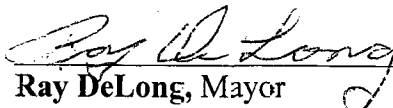
Passed _____, 20____

Section 2. The Village Administrator shall record the executed Revocable Encroachment Permit with the Paulding County Recorder's office cross-referencing the Deed for the real estate.

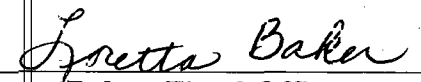
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were meetings 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 resolution of the encroachment issue identified herein, 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.

Date: 1-18-11


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 "encroachment"), 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

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.


Form No. 30043

Ordinance No. _____

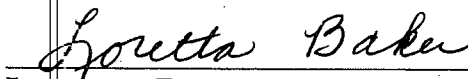
Passed _____, 20____

placement of the said encroachment. This indemnification and hold harmless 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 Grantee are limited to the terms and conditions hereof. This permit shall be binding upon the Grantee and its successors and assigns, and the same shall be recorded with the Paulding County Recorder's Office and cross-referenced to the Deed of record and all prior instrument references, specifically: Vol. 541, Pages 0326-0328; Vol. 420, Page 121 of the Official Records of Paulding County, Ohio.


RAY DELONG, Mayor
Village of Antwerp

Attest:


LORETTA BAKER, Fiscal Officer

Resolution No.: 2011- 05
Notification Date: January 19, 2011

This instrument prepared by Melanie L. Farr, Attorney at Law and Village Solicitor for the Village of Antwerp, Ohio.

Ordinance No. _____ Passed _____, 20____

Exhibit A

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.

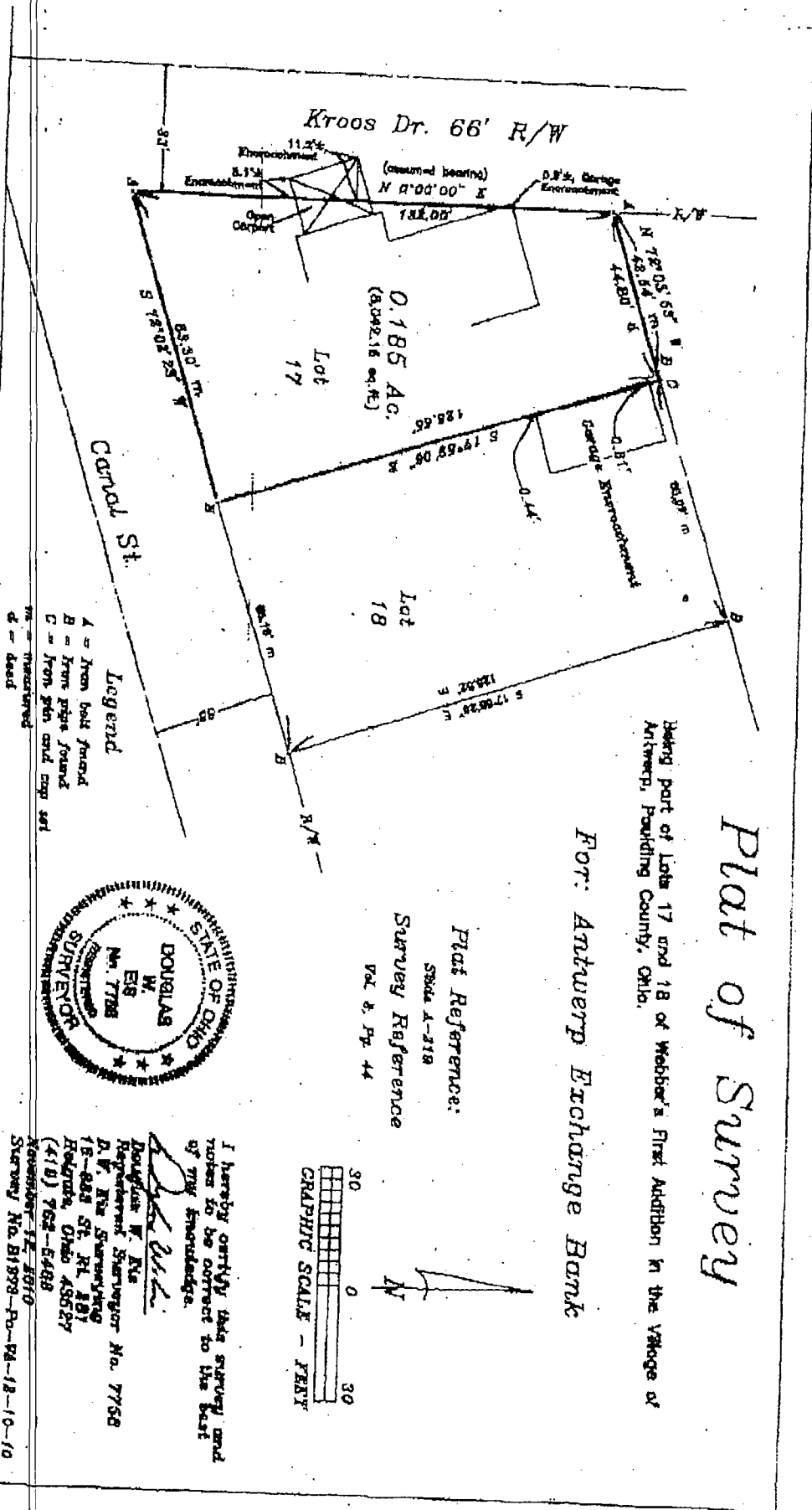
Subject to all rights, restrictions, covenants, conditions, highways, right-of-ways, easements, and encumbrances either apparent or of record.

Parcel No. 12-33S-019-00, pt. Lots 17 and 18.

Prior Instrument Reference: Vol. 541, Page 0326; Vol. 420, Page 121 of the Official Records of Paulding County, Ohio.

Ordinance No. _____

Passed _____, 20____



Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011-03

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2011 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 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 Antwerp, OHIO:

- Section 1.** American Legal Publishing's Ohio Basic Code, 2011 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, 2011 Edition.
- Section 2.** One copy of American Legal Publishing's Ohio Basic Code, 2011 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, 2011 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, 2011 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.

RECORD OF ORDINANCES

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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;
- (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: 3-24-11

Attest:

Ray D. Long
Mayor

Louetta Baker
Clerk of the Legislative Authority

Ordinance No. _____ Passed _____, 20____

Exhibit A

OHIO BASIC CODE, 2011 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the _____ day of _____, 2011, 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, 2011 Edition, as the Code of Ordinances for the Municipality of _____, 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
10.02	Definitions
10.03	Rules of construction
10.04	Revivor; effect of amendment or repeal
10.05	Construction of section references
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
10.18	Determination of legislative intent
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
30.12	Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section	
	<i>General Provisions</i>
31.001	Executive power; where vested

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Mayor

- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 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
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

Treasurer

- 31.060 Election, term, qualifications of the Treasurer
- 31.061 Accounts of Treasurer
- 31.062 Powers and duties
- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
- 31.065 Duty of delivering money and property

Street Commissioner

- 31.080 Qualifications
- 31.081 General duties
- 31.082 Assistants

Other Officials

- 31.100 Legal counsel
- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority

Section

General Provisions

- 32.001 Members of the Legislative Authority; election; terms of office
- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
- 32.011 Failure to take oath or give bond
- 32.012 Notice when new bond required
- 32.013 Care, supervision and management of public institutions

Ordinance No. _____

Passed _____, 20____

Contracts, Bids and Proceedings

- 32.025 Contracts by the Legislative Authority or Administrator
- 32.026 Bids and proceedings
- 32.027 Alterations or modifications of contract
- 32.028 Contract restrictions
- 32.029 Award to lowest responsive and responsible bidder

Ordinances and Resolutions

- 32.040 Ordinances and resolutions as evidence
- 32.041 Passage procedure
- 32.042 Style of ordinances
- 32.043 Subject and amendment of ordinances and resolutions
- 32.044 Authentication and recording of ordinances and resolutions
- 32.045 Publication of ordinances and resolutions; proof of publication and circulation
- 32.046 Notice for proposed amendments to the municipal Charter
- 32.047 Times of publication required
- 32.048 Publication and certification of ordinances in book form
- 32.049 Adoption of technical ordinances and codes
- 32.050 Certificate of Clerk as to publication
- 32.051 Publication when no newspaper published in municipality
- 32.052 Effect of not making publication
- 32.053 Ordinances providing for appropriations or street improvements; emergency ordinances

Initiative and Referendum

- 32.070 Initiative petitions
- 32.071 Referendum petitions
- 32.072 More than one ordinance required; application of subchapter
- 32.073 Presentation of petitions
- 32.074 Copy of proposed ordinance or measure to be filed with Clerk
- 32.075 Words to be printed in red
- 32.076 Designation of committee filing petition; public inspection of petitions; ordinances passed or repealed prior to election
- 32.077 Itemized statement by petition circulator
- 32.078 Prohibited practices relative to petitions
- 32.079 Accepting premiums for signing
- 32.080 Threats in securing signatures
- 32.081 Application of subchapter if Charter adopted

Chapter 33: Judicial Authority**Section*****General Provisions***

- 33.01 Jurisdiction in ordinance cases and traffic violations
- 33.02 Powers of Mayor and Mayor's Court Magistrate in criminal matters
- 33.03 Duties of Mayor and Mayor's Court Magistrate; fees; office; seal
- 33.04 Mayor's Court Magistrate
- 33.05 Powers to suspend driver's license in OVI cases

Contempt of Court

- 33.20 Summary punishment for contempt
- 33.21 Acts in contempt of court
- 33.22 Hearing
- 33.23 Contempt action for failure to pay support, failure to comply or interference with a visitation order; summons
- 33.24 Right of accused to bail
- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
- 33.26 Imprisonment until order obeyed
- 33.27 Proceedings when party released on bail fails to appear

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

- 33.28 Release of prisoner committed for contempt
- 33.29 Judgment final
- 33.30 Alternative remedy

Chapter 34: Police Department

Section

- 34.01 Marshal and Police Chief synonymous
- 34.02 Appointment of Marshal
- 34.03 Deputy marshals and police officers
- 34.04 Auxiliary police units
- 34.05 Offenses affecting employment of law enforcement officers; probationary period; final appointment
- 34.06 Removal proceedings; suspension; appeals
- 34.07 General powers
- 34.08 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 sale; notice
- 34.14 Contracts for police protection; nonresident service without contract
- 34.15 Peace officer administering oaths; acknowledging complaints, summonses, affidavits and returns of court orders

Chapter 35: Fire Department

Section

General Provisions

- 35.01 Municipal fire regulations; fire department
- 35.02 Fire Chief; Fire Prevention Officer; employment of firefighters; criminal records check for firefighters
- 35.03 Schooling of officers and firefighters of fire department
- 35.04 Legislative Authority may purchase engines and equipment
- 35.05 Buildings for department
- 35.06 Records
- 35.07 Maximum consecutive hours for firefighters on duty
- 35.08 Investigation of cause of fire
- 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
- 35.13 Persons entitled to be known as firefighters
- 35.14 Firefighting and emergency services agreements
- 35.15 Regulation of construction in fire limits

Volunteer Firefighters' Dependents Fund Board

- 35.30 Definitions
- 35.31 Establishment
- 35.32 Membership; vacancies
- 35.33 Election and term of members
- 35.34 Organization; rules and regulations; roster
- 35.35 Compensation and expenses of Board; legal advisor

Chapter 36: Civil Actions Against the Municipality

Section

- 36.01 Definitions
- 36.02 Nonliability of municipality; exceptions
- 36.03 Defenses and immunities
- 36.04 Limitation of actions
- 36.05 Damages
- 36.06 Satisfaction of judgments
- 36.07 Provision of employees' defense; consent judgments
- 36.08 Liability insurance
- 36.09 Certain actions unaffected
- 36.10 Certain charges against municipal officers filed with Probate Judge; proceedings

Ordinance No. _____ Passed _____, 20____

TITLE V: PUBLIC WORKS

[Reserved]

TITLE VII: TRAFFIC CODE

Chapter 70: General Provisions

Section

General Provisions

- 70.01 Definitions
- 70.02 Compliance with order of police officer
- 70.03 Emergency vehicles to proceed cautiously past red or stop signal
- 70.04 Exceptions generally; emergency, public safety and coroner vehicles exempt
- 70.05 Persons riding or driving animals upon roadways
- 70.06 Prohibitions against pedestrians and slow-moving vehicles on freeways
- 70.07 Use of private property for vehicular travel
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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Antwerp, Ohio.

Signed: Ray DeLong Mayor Louella Baker Clerk of the Legislative Authority

Ordinance No. _____

Passed _____, 20____

CERTIFICATION OF CODIFIED ORDINANCES

We, Ray DeLong, Mayor, and Loretta 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.

Ray DeLong
Mayor

Loretta Baker
Clerk of the Legislative Authority

Ordinance No. _____

Passed _____, 20____

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.

RECORD OF ORDINANCES

0285

Dayton Legal Blank, Inc.

Form No. 30343

Ordinance No. _____

Passed _____, 20____

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.

Date: 3-24-11

Ray DeLong
Mayor of the Village of Antwerp

Attest Fiscal Officer: Loretta Baker

Ordinance No. _____

Passed _____ 20____

ORDINANCE NO. 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, 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; 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.

RECORD OF ORDINANCES

0287

Dayton Legal Blank, Inc.

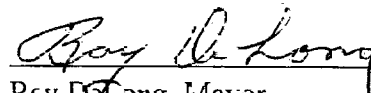
Form No. 30243

Ordinance No. _____

Passed _____, 20____


Section 6. 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 to be represented by legal counsel. 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 24th day of March, 2011.



Ray DeLong, Mayor
Village of Antwerp

Attest:



Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

PID No. 83311

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 90782,
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, 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:

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

Ordinance No. _____

Passed _____, 20____

acquired and/or made available in accordance with current State and Federal regulations. The LPA 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 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S. Code, Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said Village of Antwerp is hereby empowered on behalf of the Village of Antwerp to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII - Passage in Open Meetings

It is found and determined that all formal actions of the Legislative Authority of the LPA concerning or relating to the passage of this Ordinance were adopted in open meetings of the LPA, and that all deliberations of the Legislative Authority of the LPA 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 VIII - Emergency Measure

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 expedite the project referenced herein. 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: March 24, 2011.
(Date)

Attested: Goretta A. Baka
(Fiscal Officer)

[Signature]
(Mayor)

Attested: [Signature]

[Signature]
(President of Council)

Ordinance No. _____

Passed _____, 20____

CERTIFICATE OF COPY
STATE OF OHIO

Village of Antwerp of Paulding County, Ohio

I, Loretta Baker, as Fiscal Officer of the Village of Antwerp of Paulding County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the Legislative Authority of the said Village of Antwerp on the 24th day of March, 2011, 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 certified of publication thereof are of record in 2011, Page 271.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 24th day of March, 2011.

Loretta S. Baker
Fiscal Officer

(SEAL)

Village of Antwerp of Paulding County, Ohio.
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Antwerp of Paulding County, Ohio
(LPA)

Boyd DeLong, Date 3/25/2011
Contractual Officer (Mayor)

Attest: [Signature]

For the State of Ohio

James Wray King, Date 3/28/11
Director, Ohio Department of Transportation

Attest: [Signature]

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011- 07

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 Ohio:

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 (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 water 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 water charges incurred in September, October and November. The bill mailed in April and due on or before May 15th will be for water charges incurred in December, January and February. The bill mailed in July and due on or before August 15th will be for water charges incurred in March, April and May. Finally, the bill mailed in October and due on or before November 15th 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.

Ordinance No. _____

Passed _____, 20____


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 are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

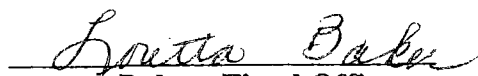
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings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

Section 4. 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 April, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Ordinances and/or any portions thereof, including Section 5 of Ordinance No. 2008-14 and Ordinance No. 1998-10, 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


Ordinance No. _____

Passed _____, 20____

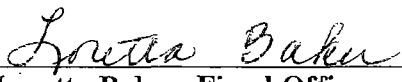
in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of § 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby declared to be an emergency measure 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 April, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Ohio:

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.

Ordinance No. _____

Passed _____, 20____

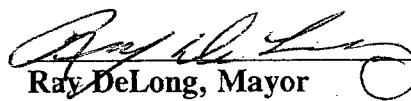
B. If any charge for sanitary sewer is not paid when due (which is the 15th of the month following the month the bill is issued to the user/consumer and more specifically defined in Section 4(A) of this Ordinance), a late charge of ten percent (10%) of the amount of the principal balance set forth on 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 paid 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 are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

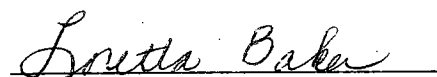
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings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

Section 4. 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 April, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011- 10

**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. 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

Ordinance No. _____ Passed _____, 20____

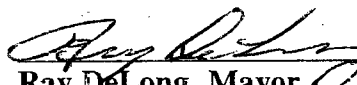
amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of entry and be collected as other taxes and returned to the Village with the general fund."

Section 2. Previous Ordinances and/or any portions thereof, including Section 1 of Ordinance No. 2008-49, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught.

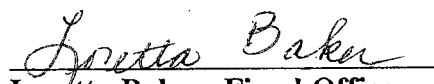
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings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

Section 4. 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 April, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011- 11

**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, said 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.

Ordinance No. _____

Passed _____, 20____

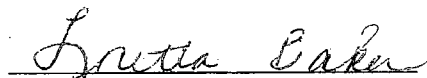
Section 4. This Ordinance is hereby declared to be an emergency measure for the preservation of the public health, safety and welfare, and for the further reason to include the processing fee to certify the charges to the County Auditor. This Ordinance shall take effect and be in force immediately upon 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 April, 2011.



Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2011- 07

A RESOLUTION 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 finds it necessary to establish a nonexpendable trust fund pursuant to Ohio Revised Code § 5705.131 for the purpose of receiving donations and/or contributions from the Antwerp V.E.T.S. Memorial.

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

Section 1. The Council of the Village of Antwerp authorizes 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 Ohio Revised Code § 5705.131.

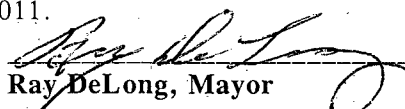
Section 2. The revenue authorized to be placed in this fund shall be money donated to the Antwerp V.E.T.S. Memorial and contributed by the Antwerp V.E.T.S. Memorial to the Village, as well as payments received for the engraving of names on the memorial tablets located in the Riverside Park in the Village of Antwerp, Ohio.

Section 3. 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.

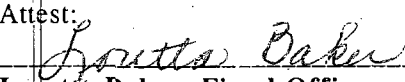
Section 4. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such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

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 necessary for the Village of Antwerp to establish the nonexpendable trust fund for the donations and/or contributions received from 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.

Passed this 18th day of April, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20

Exhibit A

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 HONORABLE 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 MILATRY 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 LCCATED IN THE SCHOOL DISTRICT AND PROVIDE LOCATION CF 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 PROTOCOL SET BY THE PARK BOARD. AND BE SUBMITTED TO EITHER KEITH WEST OR NANCY LICHTY.

RECORD OF ORDINANCES

0303

Dayton Legal Blank, Inc.

Form No. 300-3

Ordinance No. R 2011-06 ^{Passed} 20 Dayton Legal Blank, Inc., Form No. 11015 **RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION** Rev. Code Sec. 5705.19, 191, 192, 194, 2, 25

The Village of Antwerp Paulding County, Ohio, met in regular session on the 14th day of May, 2011, at the office of Antwerp Town Hall with the following members present:

Jan Reck
Mike Rehrs
Steve Derck
Karen Lee
Rodie Reck

M Larry Ryan moved the adoption of the following Resolution:

WHEREAS, The amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of said Village of Antwerp Paulding County, Ohio; therefore be it

RESOLVED, by the Council of the Village of Antwerp Paulding County, Ohio, two-thirds of all members elected thereto concurring, that it is necessary to levy a tax in excess of the ten mill limitation for the benefit of Village of Antwerp Maintaining and Operating a Cemetery for the purpose of Sec 5705.19 (T)

at a rate not exceeding 8/10 mills for each one dollar of valuation, which amounts to eight cents Here insert rate expressed in dollars and cents

for each one hundred dollars of valuation, for 5 years -
2011 - 2012 - 2013 - 2014
2015

a renewal tax of eight tenths of one mill

RESOLVED, That the question of levying additional taxes be submitted to the electors of said Village of Antwerp, Ohio at the General election to be held at the usual voting places within said Village of Antwerp, Ohio on the 8th day of November, 2011; 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 Majority of the electors voting thereon vote in favor thereof; and be it further

Ordinance No. _____

20

No. _____

Arthur W. Church
Franklin
County, Ohio

RESOLUTION
DECLARING IT NECESSARY TO LEVY A
TAX IN EXCESS OF THE TEN
MILL LIMITATION

Passed _____

By _____

Deputy _____

1st Reading 3-24-11
2nd Reading 4-18-11
3rd Reading 5-16-11

Clerk _____

Franklin Baker
Franklin Baker

Witness my signature, this _____ day of _____, 2011

and that it is a true and correct copy thereof.
I hereby certify that the foregoing is taken and copied from the Record of the Proceedings of said
City of _____

The State of Ohio, _____
Franklin Baker
County, ss. _____
Arthur W. Church
Clerk

1. This Resolution is to be passed and certified to the Board of Elections 75 days prior to the election upon which it will be voted, except see Emergency School Law 5705.194.
2. Board of County Commissioners, Council of the City or Village, Board of Education, or Board of Township Trustees.
3. Name of Subdivision.
4. Here insert any one of the purposes listed in Sec. 5705.19 R.C. Not applicable to school districts.
5. For all the subdivisions including schools under 5705.19, the life indebtedness or the number of years the levy is to run.
Here insert one of the following:
"an additional tax of _____ mills"
"a renewal of an existing tax of _____ mills"
"a renewal of a part of _____ mills and an increase of _____ mills to constitute a tax of _____ mills"
"a renewal of a part of _____ mill existing levy, being a reduction of _____ mills to constitute a tax of _____ mills"
"a replacement of tax of _____ mills"
"a replacement of _____ mills and an increase of _____ mills to constitute a tax of _____ mills"
"a replacement of part of an existing levy, being a reduction of _____ mills, to constitute a tax of _____ mills"
Schedule also see 5705.212, 5705.213 O.R.C.
6. See Emergency School Levy under 5705.194. Also 5705.21, 5705.213 schools.
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, 191, 194 R.C. For time.

County, Ohio

Franklin Baker

Arthur W. Church
(Clerk or Auditor)
(Name of Subdivision)

Adopted the _____ day of _____, 2011

Mrs. Jan Reed
Mike Rehrs
Larry Ryan
Steve Deek
Karen Lee
yes
yes
yes
yes
yes

upon its adoption the vote resulted as follows:

Mrs. Rodie Reed
seconded the Motion and the roll being called

and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law.

RESOLVED, That the Clerk of this _____
Arthur W. Church
County, Ohio, _____
be and he is hereby directed to certify a copy of this Resolution to the Board of Elections.

RECORD OF ORDINANCES

0305

Day or Legal Blank, Inc.

Form No. 30033

Ordinance No. _____

Passed _____, 20____

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 Fund to the Water 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 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 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 thousand (\$20,000.00) 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 5-16-11

Attest:

Loretta Baker
Fiscal Officer

[Signature]
Mayor of the Village of Antwerp

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO: 2011- 13

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 2nd 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, 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 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 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, 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).

RECORD OF ORDINANCES

0307

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

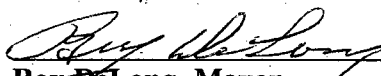
Passed _____, 20____

Section 2. The amendment in Section 1 shall be incorporated into the Official Zoning Map of the Village of Antwerp upon the date this Ordinance becomes effective by law. Attached hereto and incorporated herein by reference is a map depicting the area which is the subject of the zoning map amendment.

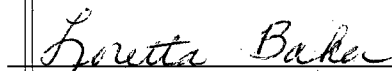
Section 3. It is found and determined that all formal actions of the council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of the council and of any of its committees that resulted in such formal action, were in meetings 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 public hearing on the proposed amendment, and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be enforced after the earliest period allowed by law.

ENACTED THIS 16th day of May, 2011.


Ray DeLong, Mayor
Village of Antwerp, Ohio

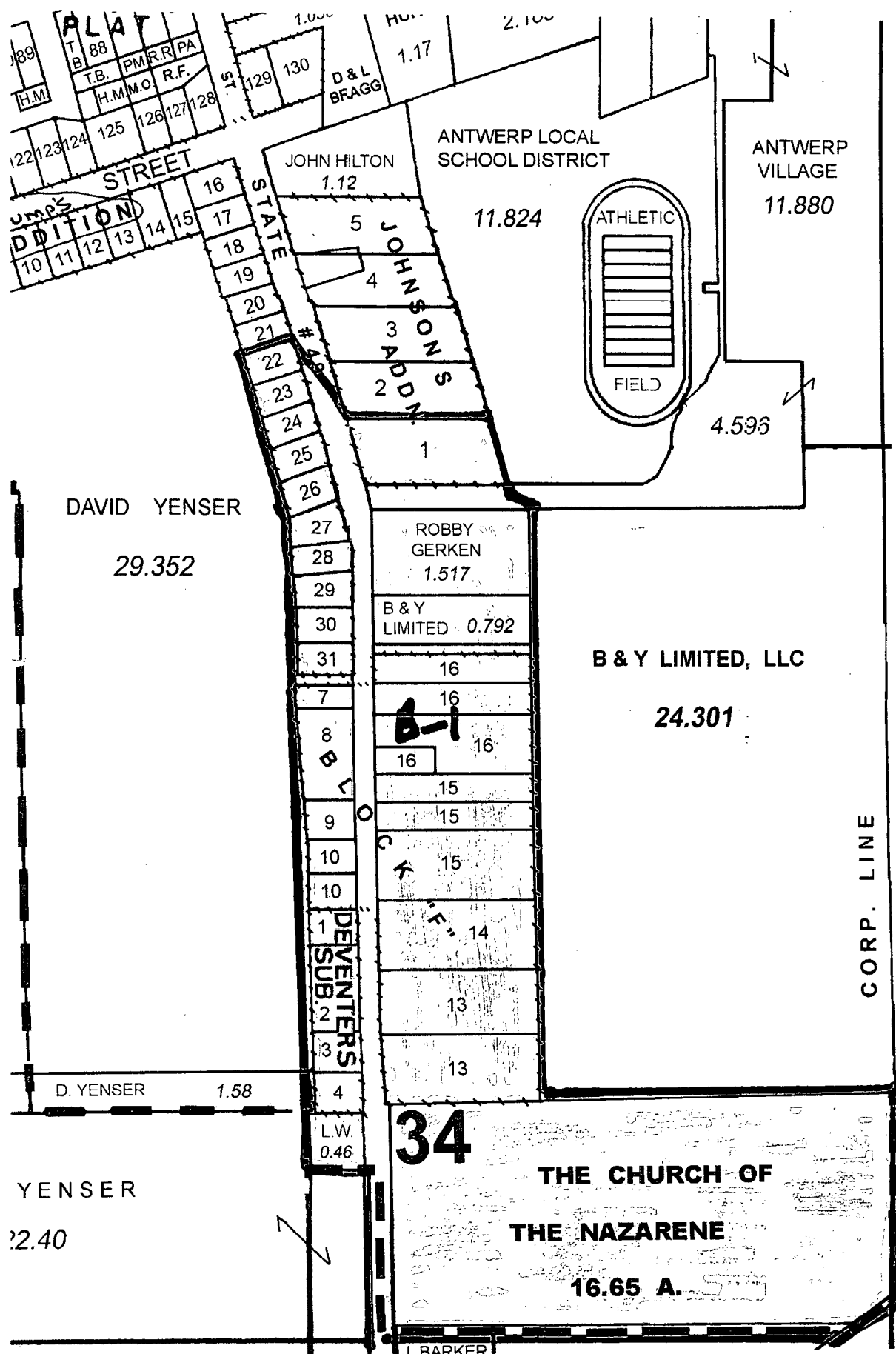
Attest:


Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

Form No. 30043

Passed _____, 20_____



Ordinance No. _____

Passed _____, 20____

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, Ohio, 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 Ordinance 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 Ohio:

Section 1. Section 7 of Ordinance No. 2009-27 of the Village of Antwerp, 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.


Ordinance No. _____

Passed _____, 20____

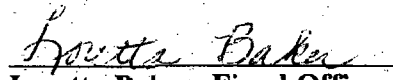
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings 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 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 16th day of May, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0311

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PID No. 83311

(Reference: Ordinance No. 2011-06)

Project No. _____ (2011)

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' 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 **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:


Ordinance No. _____

Passed _____, 20____

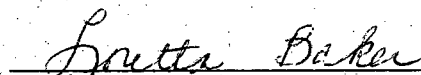
PID No. 83311

- Section 1. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid 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 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 5. 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 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 5, at Page 310, and under date of May 16, 2011.

Legislative Authority of the Village of Antwerp


Ray DeLong, Mayor
Village of Antwerp, Ohio

ATTEST:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

PID No. 90781

(Reference: Ordinance No. 2011-06)

Project No. _____ (2011)

RESOLUTION 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 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' 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 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.

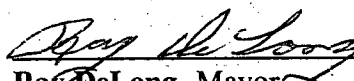
NOW, THEREFORE, be it resolved:

Ordinance No. _____ Passed _____, 20____

PID No. 90781

- Section 1. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid 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 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 5. 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 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 5, at Page 313, and under date of May 16, 2011.

Legislative Authority of the Village of Antwerp


Ray DeLong, Mayor
Village of Antwerp, Ohio

ATTEST:


Loretta Baker, Fiscal Officer

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Ordinance No. _____

Passed _____, 20____

PID No. 90782

(Reference: Ordinance No. 2011-06)

Project No. _____ (2011)

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 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' 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 **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:


Ordinance No. _____

Passed _____, 20____

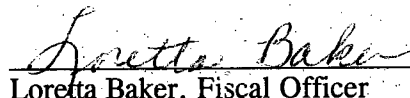
PID No. 90782

- Section 1. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid 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 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 5. 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 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 15th 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 5, at Page 315, and under date of May 16, 2011.

Legislative Authority of the Village of Antwerp

Ray DeLong, Mayor
Village of Antwerp, Ohio

ATTEST:


Loretta Baker, Fiscal Officer

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Ordinance No. _____

Passed _____, 20____

PIO No. 90783

(Reference: 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 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' 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 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.

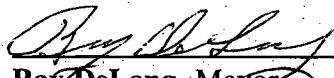
NOW, THEREFORE, be it resolved:

Ordinance No. _____ Passed _____, 20____

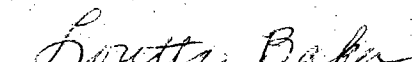
PIO No. 90783

- Section 1. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid 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 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 5. 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 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 5, at Page 317, and under date of May 16, 2011.

Legislative Authority of the Village of Antwerp


Ray DeLong, Mayor
Village of Antwerp, Ohio

ATTEST:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____ 20____

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 Ohio 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:

Section 1. 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

Ordinance No. _____

Passed _____, 20____

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.

Section 3. 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.

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 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.

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 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.

Section 2. 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

RECORD OF ORDINANCES

0321

Dayton Legal Blank, Inc.


Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 27th day of June, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

*Exhibit A***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 HONORABLE 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 PROTOCOL SET BY THE PARK BOARD. AND BE SUBMITTED TO EITHER KEITH WEST OR NANCY LICHTY .

Ordinance No. _____

Passed _____, 20____

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, 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 \$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 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.

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

Ordinance No. _____

Passed _____, 20____

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.

Section 6. 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.

Section 10. 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


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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. ("PDG") 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, Paulding 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.

Ordinance No. _____

Passed _____, 20____

Passed this 27th day of June, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____



**POGGEMEYER
DESIGN GROUP**

AN EMPLOYEE OWNED COMPANY

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. 01-2010/2C00

Dear Ms. Keeran:

As previously discussed during your telephone conversation with Ms. Melinda Warner of our office, Poggemeyer Design Group, Inc. (PDG) is providing 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 reimbursees, and is broken down as follows:

▶ Phase 30	Preliminary	\$1,000
▶ Phase 40	Design	\$2,500
▶ Phase 60	Bidding	\$2,000
▶ Phase 71	Construction Administration	\$2,000



Ordinance No. _____

Passed _____, 20____

POGGEMEYER
DESIGN GROUP

AN EMPLOYEE OWNED COMPANY

Ms. Sara Keeran, Administrator
June 2, 2011
Page 2

If work activities are required which are not included in the basic services described above, PDG can provide these based on its current hourly rate schedule.

PDG will provide monthly invoices for services, with payments being due within thirty (30) days of receipt to avoid potential finance charges.

PDG will begin work on the project upon receipt of this executed letter contract and will complete its services within the time frame specified above.

If there are delays beyond two (2) months from the execution of this contract, an equitable adjustment of this fee will be negotiated, taking into consideration the impact of such delay. Changes in price indices and applicable pay scales will be considered in these negotiations.

This letter contract, with Exhibits A (2 pages) and B (1 page), represents the entire agreement between PDG and the Village in respect to the project and may only be modified in writing after agreement by both parties. If this letter contract accurately reflects your understanding of our agreement, please sign the original and enclosed copies of this letter contract in the space provided below and return the original and one copy to PDG, retain the other copy for your files. This contract will be open for acceptance for a period of thirty (30) days, unless adjusted by PDG or the Village in writing.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

POGGEMEYER DESIGN GROUP, INC.

Richard E. Weaver, P.E.
Principal Owner

Accepted this 27th day of June, 2011 by the undersigned who is duly and legally authorized to enter into such legal contracts for the above-referenced entity.

VILLAGE OF ANTWERP

By: Buy the Long

Title: Village Mayor

Ordinance No. _____

Passed _____, 20____



**POGEMEYER
DESIGN GROUP**

AN EMPLOYEE OWNED COMPANY

EXHIBIT A

1. OWNER'S RESPONSIBILITIES

OWNER shall provide all criteria and full information as to OWNER'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.

2. 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 OWNER 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.

3. 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.

4. 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.



Ordinance No. _____

Passed _____, 20____



**POGGEMEYER
DESIGN GROUP**

AN EMPLOYEE OWNED COMPANY

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 drawings 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 OWNER 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



Ordinance No. _____

Passed _____, 20____


**POGGEMEYER
DESIGN GROUP**

AN EMPLOYEE OWNED COMPANY

EXHIBIT B

1. CERTIFICATE OF OWNER'S ATTORNEY

I, Melanie L. Farr, the undersigned, duly authorized and acting legal representative of the Village of Antwerp, do hereby certify as follows:

I have examined the attached contract and the manner of execution thereof, and I am of the opinion that each of the aforesaid agreements has been duly executed by the proper parties thereto acting through their duly authorized representatives; that said representatives have full power and authority to execute said agreements on behalf of the respective parties named thereon; and that the foregoing agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with terms, conditions and provisions thereof.

Date: June 27, 2011 Seal:

Signed: Melanie L. Farr

Title: Village Attorney R.D.

2. CERTIFICATION REGARDING THE AVAILABILITY OF FUNDS

Attest: I, Loretta Baker, Clerk/ Auditor of the Village of Antwerp hereby certify that the money to meet this contract has been lawfully appropriated for the purpose of this contract and is in the treasury of Antwerp or is in the process of collection to the credit of the appropriate fund, free from prior encumbrance.

Date: 6-27-11 Seal:

Signed: Loretta Baker

Title: Fiscal Officer



OHIO DEPARTMENT OF PUBLIC SAFETY
DIVISION OF HOMELAND SECURITY
<http://www.homelandsecurity.ohio.gov>

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GOVERNMENT BUSINESS AND FUNDING CONTRACTS
In accordance with section 2909.33 of the Ohio Revised Code

DECLARATION REGARDING MATERIAL ASSISTANCE/NONASSISTANCE TO A TERRORIST ORGANIZATION

This form serves as a declaration by an applicant for a government contract or funding of material assistance/nonassistance to an organization on the U.S. Department of State Terrorist Exclusion List ("TEL"). Please see the Ohio Homeland Security Division Web site for a copy of the TEL.

Any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

For the purposes of this declaration, "material support or resources" means currency, payment instruments, other financial securities, funds, transfer of funds, financial services, communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

COMPLETE THIS SECTION ONLY IF YOU ARE AN INDEPENDENT CONTRACTOR

LAST NAME		FIRST NAME		M
HOME ADDRESS				
CITY	STATE	ZIP	COUNTY	
HOME PHONE		WORK PHONE		

COMPLETE THIS SECTION ONLY IF YOU ARE A COMPANY, BUSINESS OR ORGANIZATION

BUSINESS/ORGANIZATION NAME			PHONE	
Poggemeyer Design Group, Inc.			(419) 782-3067	
BUSINESS ADDRESS				
935 Cleveland Avenue				
CITY	STATE	ZIP	COUNTY	
Defiance	Ohio	43512	Defiance	
BUSINESS/ORGANIZATION REPRESENTATIVE NAME			TITLE	

DECLARATION

In accordance with section 2909.32 (A)(2)(b) of the Ohio Revised Code

For each question, indicate either "yes," or "no" in the space provided. Responses must be truthful to the best of your knowledge.

- Are you a member of an organization on the U.S. Department of State Terrorist Exclusion List? ☐ Yes ☒ No
- Have you used any position of prominence you have with any country to persuade others to support an organization on the U.S. Department of State Terrorist Exclusion List? ☐ Yes ☒ No
- Have you knowingly solicited funds or other things of value for an organization on the U.S. Department of State Terrorist Exclusion List? ☐ Yes ☒ No
- Have you solicited any individual for membership in an organization on the U.S. Department of State Terrorist Exclusion List? ☐ Yes ☒ No
- Have you committed an act that you know, or reasonably should have known, affords "material support or resources" to an organization on the U.S. Department of State Terrorist Exclusion List? ☐ Yes ☒ No
- Have you hired or compensated a person you knew to be a member of an organization on the U.S. Department of State Terrorist Exclusion List, or a person you knew to be engaged in planning, assisting, or carrying out an act of terrorism? ☐ Yes ☒ No

If an applicant is prohibited from receiving a government contract or funding due to a positive indication on this form, the applicant may request the Ohio Department of Public Safety to review the prohibition. Please see the Ohio Homeland Security Web site for information on how to file a request for review.

CERTIFICATION

I hereby certify that the answers I have made to all of the questions on this declaration are true to the best of my knowledge. I understand that if this declaration is not completed in its entirety, it will not be processed and I will be automatically disqualified. I understand that I am responsible for the correctness of this declaration. I understand that failure to disclose the provision of material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List, or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree. I understand that any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided by myself or my organization. If I am signing this on behalf of a company, business or organization, I hereby acknowledge that I have the authority to make this certification on behalf of the company, business or organization referenced on page 1 of this declaration.

APPLICANT SIGNATURE

X *Kurt E. Wehr*

DATE

06/02/2011

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RECORD OF ORDINANCES

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.

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RECORD OF ORDINANCES


Dayton Legal Blank Co.

Form No. 30043

Ordinance No.

Passed 19

Passed this 27th day of June, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

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 I - 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.

Ordinance No. _____ Passed _____, 20____

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 LPA 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.

SECTION V - Maintenance

Maintain the right-of-way, keeping it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of said Village of Antwerp is hereby empowered on behalf of the Village of Antwerp to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII - Passage in Open Meetings

It is found and determined that all formal actions of the Legislative Authority of the LPA concerning or relating to the passage of this Ordinance were adopted in open meetings of the LPA, and that all deliberations of the Legislative Authority of the LPA 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 VIII - Emergency Measure

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason to expedite the project referenced herein. 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: June 27, 2011.
(Date)

Attested: Loretta Baker
(Fiscal Officer)

Attested: _____

Ray A. Long
(Mayor)
Janice A. Reeb
(President of Council)

RECORD OF ORDINANCES

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Dayten Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

CERTIFICATE OF COPY
STATE OF OHIO

Village of Antwerp of Paulding County, Ohio

I, Loretta Baker, as Fiscal Officer of the Village of Antwerp of Paulding County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the Legislative Authority of the said Village of Antwerp on the 27 day of June, 2011, 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 certified of publication thereof are of record in Vol 5, Page Ord 2011-16 Pg 335
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 27th day of JUNE, 2011.

Loretta Baker
Fiscal Officer

(SEAL)

Village of Antwerp of Paulding County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Antwerp of Paulding County, Ohio

Ray DeLong, Date 6/27/2011
Contractual Officer (Mayor)

Attest: Loretta Baker

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____

Ordinance No. _____ Passed _____, 20____

ORDINANCE 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 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.

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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.

Date: 6-27-11

Ray W. Long
Mayor of the Village of Antwerp

Attest Fiscal Officer: Gretta Baker

Ordinance No. _____

Passed _____, 20____

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

RECORD OF ORDINANCES

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Dayton Legal Blank Co.

Form No. 30043

<i>Ordinance No.</i>	<i>Passed</i>	<i>19</i>

Ordinance No.

Passed 19

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.

RECORD OF ORDINANCES

399

Dayton Legal Blank Co.

Form No. 30043

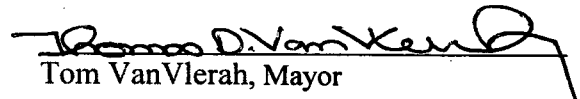
Ordinance No.

Passed 19

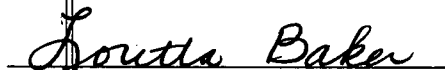
Section 4. It is found determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning or relating to the passage of this Ordinance were adopted in open meetings of the Council and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, 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 25 day of Feb, 2013.


Tom VanVlerah, Mayor

Attest:


Loreta Baker, Fiscal Officer

1st reading: 12-17-12

2nd reading: 1-14-13

3rd reading: 2-25-13

Passed: 2-25-13

<i>Ordinance No.</i>	<i>Passed</i>	<i>19</i>
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RECORD OF ORDINANCES

0341

Dayton Legal Blank, Inc.

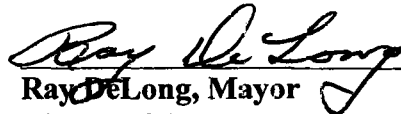
Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 reason that the Village is in need of extending the water pipes identified herein 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 force after the earliest period allowed by law.

Passed this 18th day of July, 2011.


Ray DeLong, Mayor
Village of Antwerp

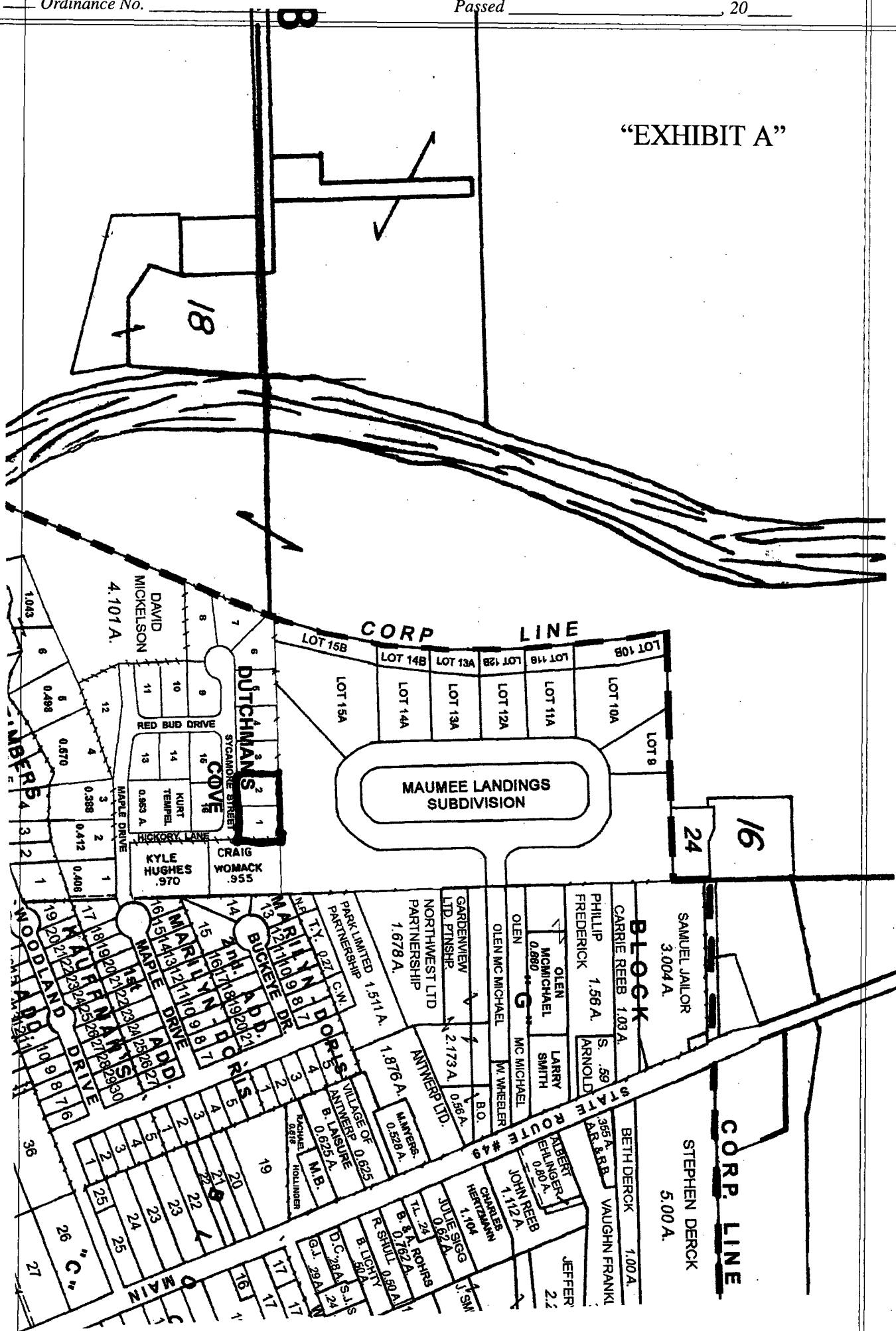
Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

"EXHIBIT A"



Ordinance No. _____

Passed _____, 20____

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 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, 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 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 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, 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, said Lot owned by Shawn Powell, P.O. Box 516, Antwerp, Ohio 45313.

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.

Ordinance No. _____

Passed _____, 20____

Section 3. That the owner of said lot and land, Shawn Powell, shall construct and/or repair the sidewalk and driveway portion 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.

Section 4. That the sidewalk and driveway portion shall be constructed and/or repaired by Shawn Powell, as the owner of the property located at 514 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Shawn Powell, in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk and driveway portion are not constructed and/or repaired by Shawn Powell 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 driveway portion 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 it is necessary to repair such sidewalk and driveway portion before the end of the construction season, 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.

ENACTED THIS 15th day of August, 2011.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 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; 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 Antwerp, 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.

Ordinance No. _____

Passed _____, 20____

Section 3. That the owner of said lot and land, Shawn Powell, shall construct and/or repair the sidewalk and driveway portion 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.

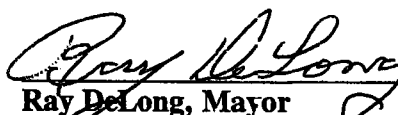
Section 4. That the sidewalk and driveway portion shall be constructed and/or repaired by Shawn Powell, as the owner of the property located at 516 West River Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon Shawn Powell, in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such sidewalk and driveway portion are not constructed and/or repaired by Shawn Powell 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 driveway portion 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 it is necessary to repair such sidewalk and driveway portion before the end of the construction season, 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.

ENACTED THIS 15th day of August, 2011.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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

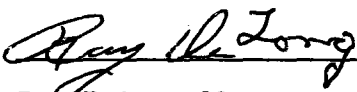
Ordinance No. _____

Passed _____, 20____

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 street 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.

ADOPTED: 8-15-11



Ray Delong, Mayor

ATTEST:



Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011-18

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO
A CONTRACT WITH HARRISON TOWNSHIP FOR PROVIDING
FIRE PROTECTION SERVICES FOR THE YEARS 2012, 2013, AND 2014, AND DECLARING
THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp owns a fire truck and related equipment and has in the past provided fire protection services to outlying areas; and

WHEREAS, the Village of Antwerp and Harrison Township have negotiated the terms and conditions of the Village providing fire protection 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 Fire Department, hereinafter referred to as "the Village", will provide fire protection services to that portion of Harrison Township identified in an Agreement to Provide Fire Protection Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$3,399.00 for the year 2012, \$3,501.00 for the year 2013, and \$3,606.00 for the year 2014.

Section 2. The Village shall submit an annual invoice to the Township for the annual fixed charge identified in Section 1 above, 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 3. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: the Fire Fund.

Section 4. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Harrison Township to provide fire protection services for the consideration identified herein.

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 full force and effect.


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

Ordinance No. _____ Passed _____, 20____

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 7. 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 reason that the Village and Township must agree to the terms and conditions for the Village to provide fire protection services to the Township in anticipation of the current agreement expiring 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: August 15, 2011.


RAY DELONG, Mayor
Village of Antwerp

Attest:


LORETTA BAKER, Fiscal Officer
Village of Antwerp

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011-19

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL TOWNSHIP FOR PROVIDING FIRE PROTECTION SERVICES FOR THE YEARS 2012, 2013, AND 2014, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp owns a fire truck and related equipment and has in the past provided fire protection services to outlying areas; and

WHEREAS, the Village of Antwerp and Carryall Township have negotiated the terms and conditions of the Village providing fire protection 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 Fire Department, hereinafter referred to as "the Village", will provide fire protection services to that portion of Carryall Township identified in an Agreement to Provide Fire Protection Services (the "Agreement") and shall be compensated by the Township paying an annual charge of \$4,985.00 for the year 2012, \$5,135.00 for the year 2013, and \$5,289.00 for the year 2014.

Section 2. The Village shall submit an annual invoice to the Township for the annual fixed charge identified in Section 1 above, 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 3. All amounts collected as a result of this Ordinance shall be placed into the fund(s) established by the Fiscal Officer as follows: the Fire Fund.


Section 4. That the Mayor and the Fiscal Officer of the Village are authorized to enter into the Agreement with Carryall Township to provide fire protection services for the consideration identified herein.

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 full force and effect.

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

Passed _____, 20____

Section 7. 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 reason that the Village and Township must agree to the terms and conditions for the Village to provide fire protection services to the Township in anticipation of the current agreement expiring, 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.


RAY DELONG, Mayor
Village of Antwerp

Loretta Baker
LORETTA BAKER, Fiscal Officer
Village of Antwerp

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 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 \$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.

{7100/000/00014769-1.MLF}

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.

{7100/000/00014769-1.MLF}

Ordinance No. _____ Passed _____, 20____

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

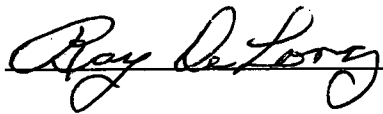
{7100/000/00014769-1.MLF}

Ordinance No. _____

Passed _____, 20____


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

Enacted this 15th day of August, 2011.

_____

Ray DeLong, Mayor
Village of Antwerp, Ohio

Attest:

_____

Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011- 21

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A LEASE AGREEMENT WITH METALINK TECHNOLOGIES, INC.; AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village has been approached and asked to allow MetaLINK Technologies, Inc. ("MetaLINK") to construct and maintain a communications building, along with its existing antenna and other equipment necessary for a Communications Facility, on or near the Water Tower located at 302 East Washington Street in the Village of Antwerp; and

WHEREAS, it is desirable for the Village to have a Lease Agreement with MetaLINK for the provision of high speed internet access for the residents of the Village of Antwerp and the Village of Antwerp public facilities, as well as the use of MetaLINK's generator for the telemetry at the Water Tower; and

WHEREAS, the Antenna Site Lease Agreement by and between the Village and MetaLINK, approved by the Council on September 24, 2007, will be terminated with the execution of the new Lease Agreement, which Lease Agreement will supersede and replace the 2007 Antenna Site Lease Agreement.

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

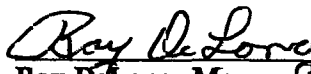
Section 1. The Mayor of the Village of Antwerp, Ohio, is hereby authorized to enter into a Lease Agreement with MetaLINK for the continued use of antenna and other equipment necessary for a Communications Facility on the Water Tower located at 302 East Washington Street in the Village of Antwerp, and to construct and maintain a communications building at this same location, pursuant to the terms and conditions set forth in the Lease attached hereto and incorporated herein by reference.

Section 2. The Council for the Village of Antwerp, Ohio, authorizes the Mayor of the Village of Antwerp to execute the Lease Agreement for the consideration provided within the Lease Agreement attached hereto and incorporated herein by reference.

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 resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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 construction of the communications facility will require additional approvals to allow construction as soon as practicable, 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 15th day of August, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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.

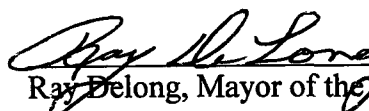
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, STATE OF OHIO:

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 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 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 Village of Antwerp, Ohio

ATTEST:


Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0359

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

(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

R 2011-19

(Village Council)

Revised Code, Secs. 5705.34, - .35.

By Emergency

The Council of the Village of Antwerp, Paulding County, Ohio, met in regular session on the 19th day of Sept, 2011, at the office of Village of Antwerp Township with the following members present:

Mike Rohrs
Larry Ryan
Karen Lee
Steve Derck
Rudie Reeb
Jan Reeb

Jan Reeb 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 1st, 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

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:

SCHEDULE A

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

Fund	Amount Approved By Budget Commission Inside 10 Mill Limitation	Amount To Be Derived From Levies Outside 10 Mill Limitation	County Auditor's Estimate Of Tax Rate To Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
	Column I	Column II	III	IV
General Fund	\$33616.		1.80	
1976 FIRE Levy		12873.		2.00
1984 Police Levy		57580.		5.50
1986 EMS Levy		5235.		.50
2006 Cemetery		13998.		.80
2008 FIRE & EMS Levy		18049.		1.00
2004 POLICE		32956.		2.00
2005 Current Expense		17498.		1.00
Total	\$33616.	\$158,189.	1.80	12.80

\$14,531,160. Ag/Res
3,350,260. Com/In
794,380. PP
18,675,800. Total

Ordinance No. _____ Passed _____, 20____

Levies Outside 10 Mill Limitation, Exclusive of Debt Levies

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.	11-08-05	.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 on for not to exceed 5 years.	11-02-10	1.00	\$17498.

and be it further

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

Mr./Ms. Steve Derck seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

<u>Mr./Ms. Mike Rohrs</u>	<u>yes</u>
<u>Mr./Ms. Larry Ryan</u>	<u>yes</u>
<u>Mr./Ms. Budie Reeb</u>	<u>yes</u>
<u>Mr./Ms. Steve Derck</u>	<u>yes</u>
<u>Mr./Ms. Jan Reeb</u>	<u>yes</u>
<u>Mr./Ms. Karen Lee</u>	<u>yes</u>
<u>Mr./Ms.</u>	<u></u>
<u>Mr./Ms.</u>	<u></u>

Adopted the 19th day of September, 2011.

Attest:

Loretta Baker
Clerk of Council
Fiscal Officer

Janice A. Reeb
President of Council

CERTIFICATE OF COPY
Original On File

The State of Ohio, Paulding County, ss.

I, Loretta Baker, Clerk of the Council of the Village of Antwerp

RECORD OF ORDINANCES

0361

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the state of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original

minutes of the regular Council meeting

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

Witness my signature, this 19th day of September 2011

Louella Baker

Clerk of Council

(1) A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R. C., or at such later date as may be approved by the Board of Tax Appeals.

Resolution No. 2011-19

Council of the Village of Antwerp Paulding County Ohio

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)

ADOPTED Sept 19, 2011

Louella Baker, Clerk of Council

Filed FILED 2011

SEP 22 2011

County Auditor.

AUDITOR
PAULDING COUNTY

By _____ Deputy.

Ordinance No. _____

Passed _____, 20____

PID No. 88349

ORDINANCE NO. 2011- 23**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

Ordinance No. _____

Passed _____, 20____

LPA 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 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S. Code, Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The Mayor of the Village of Antwerp is hereby empowered on behalf of the Village of Antwerp to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII - Passage in Open Meetings

It is found and determined that all formal actions of the Legislative Authority of the LPA concerning or relating to the passage of this Ordinance were adopted in open meetings of the LPA, and that all deliberations of the Legislative Authority of the LPA 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 VIII - Emergency Measure

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason to expedite the project referenced herein and to promote highway safety. 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: 10-17, 2011.
(Date)

Attested: Loretta Baker
(Fiscal Officer)

Attested: John Keenan

Ray W. L...
(Mayor)

Janice A. Leeb
(President of Council)

Ordinance No. _____ Passed _____, 20____

CERTIFICATE OF COPY
STATE OF OHIO

Village of Antwerp of Paulding County, Ohio

I, Loretta Baker, as Fiscal Officer of the Village of Antwerp of Paulding County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the Legislative Authority of the said Village of Antwerp on the 17th day of October, 2011, 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 certified of publication thereof are of record in 2011-23, Page _____.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 17th day of October, 2011.

Loretta Baker
Fiscal Officer

(SEAL)
(If applicable)

Village of Antwerp of Paulding County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Antwerp of Paulding County, Ohio

Brian Wilson, Date 10/17/2011
Contractual Officer (Mayor)

Attest: Maria Kernal

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____

Ordinance No. _____

Passed _____, 20____

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 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.

Ordinance No. _____

Passed _____, 20____

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.

Date: 10-17-11

Ray DeLong
Mayor of the Village of Antwerp

Attest Fiscal Officer: Loretta Baker

Ordinance No. _____

Passed _____, 20____

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 of 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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Ordinance No. _____

Passed _____, 20____

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

RECORD OF ORDINANCES

0369

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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 (6,000) 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.

Ordinance No. _____

Passed _____, 20____

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.

RECORD OF ORDINANCES

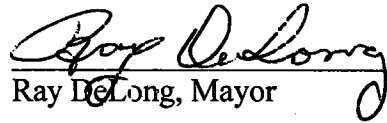
0371

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

1st reading: 10-17-2011

2nd reading: 11-21-2011

3rd reading: 12-14-2011

Ordinance No. _____

Passed _____, 20____

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 be 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:

Section 1. 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.

Section 2. 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.

Section 3. 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

RECORD OF ORDINANCES

0373

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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

Passed this 21 day of November, 2011.



Ray DeLong, Mayor
Village of Antwerp

Attest:



Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 made pursuant to the adoption of this Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Antwerp, County of Paulding, 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
COUNTY, OHIO, TAX PARCEL ID #12-04S-051-00, COMMONLY
KNOWN AS 301 NORTH MAIN STREET, ANTWERP, OHIO.

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Section 3. That the owners of said lot and land, David W. Bradtmueller and Tamara S. Bradtmueller, shall construct and/or repair the sidewalk and driveway portion 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.

Section 4. That the sidewalk and driveway portion shall be constructed and/or repaired by David W. Bradtmueller and Tamara S. Bradtmueller, as the owners of the property located at 301 North Main Street, Antwerp, Ohio 45813, within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer in accordance with Ohio Revised Code Section 729.03 upon David W. Bradtmueller and Tamara S. Bradtmueller.

Section 5. In the event such sidewalk and driveway portion are not constructed and/or repaired by David W. Bradtmueller and Tamara S. Bradtmueller 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 driveway portion 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 shall be in full force and effect from and after the earliest period allowed by law.

Passed this 9th day of January, 2012.

Ray DeLong
Ray DeLong, Mayor / Tom Van Vlerah
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

First reading: 11-21-11

Ordinance No. _____ Passed _____, 20____

Second reading: 12-19-11

Third reading: 1-9-12

Passed _____, 20____

OCT 24 2011 20

ANTWERP:OHIO



**ROOFING - ELECTRICAL
PAINTING - CARPENTRY**

LABOR AND MATERIAL ON
A SIDEWALK 180x4x4
I WILL REMOVE THE OLD
SIDEWALK AND REPLACE IT
WITH A NEW SIDEWALK

TOTAL \$2880.00

*for isolation of
Necessity -
Ernst Mueller*

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.

{7100/000/00039174-1.MLF}
7100/000/00039174-1.MLF

RECORD OF ORDINANCES

0379

Dayton Legal Blank, Inc.

Form No. 30043


Ordinance No. _____

Passed _____, 20____

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 a sanitary sewerage system 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: 11-21-11


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

{7100/000/00039174-1.MLF}
7100/000/00039174-1.MLF

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2011-27

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS TO THE WATER FUND IN THE AMOUNT OF \$ 45,000.00 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

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 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 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 Forty Five thousand (\$45,000.00) 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 11-21-11


Mayor of the Village of Antwerp

Attest:


Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Capital	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	Daggett 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

Ordinance No. _____

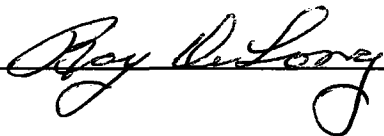
Passed _____, 20____

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 11-21-11

Mayor



Attest:



Fiscal Officer

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2011- 29

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, Ohio ("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. 2011-06; 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

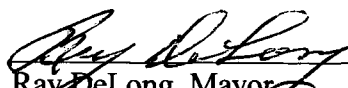
Ordinance No. _____

Passed _____, 20____

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.

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 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.

PASSED: 11-21, 2011.


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 due 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.

Ordinance No. _____

Passed _____, 20____

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 a waterworks system 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: 11-21-11


Ray DeLong, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 IT 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 officials and employees be as follows:

Village Official	2011	2012
Mayor	\$5,000.00	\$8,000.00
Council Members –existing	\$1,800.00	\$1,800.00
New Council Members	\$1,800.00	\$3,000.00
Fiscal Officer	\$23,226.50	\$26,000.00
Village Administrator	\$36,614.47	\$40,000.00
Chief of Police	\$37,095.90	\$38,208.78
Assistant Chief of Police	\$25,750.00	Same
Police - Full Time - On Probation	\$23,456.65 to \$26,864.77	\$23,527.02 to \$26,945.36
Police - Full Time	\$26,864.61 to \$31,774.49	\$26,945.20 to \$31,869.81

Ordinance No. _____ Passed _____, 20____

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	\$2,174.85	\$2,240.10	
Fire Dept. Secretary	\$342.53	\$352.81	
Fire Chief Assistant	\$342.53	\$352.81	
	\$9.28	\$9.56	per meeting
	\$12.04	\$12.40	first hour
	\$9.59	\$9.67	each add. hour
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. hour
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		\$300.00	
EMS Drivers	\$8.23	\$8.48	per hour
EMT - A (BLS-Basic Life Support)	\$9.94	\$10.24	per hour

RECORD OF ORDINANCES

0389

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Village Official	2011	2012
EMT - B (Immediate Life Support)	\$12.85	\$13.24 per hour
All EMS Personnel	\$9.56	\$9.85 per meeting
General Labor/Utilities Billing Clerk	\$7.66 to \$12.11	\$7.89 to \$12.47 per hour
Mayor's Court Clerk/EMS Billing Clerk	\$7.66 to \$12.11	\$7.89 to \$12.47 per hour
Tech I Water/Sewer/Assigned Duties	\$10.44 to \$14.46	\$10.75 to \$14.89 per hour
Tech 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.

Passed: 12-19, 2011.



Ray DeLong, Mayor

Attest: Loretta Baker Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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:

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

Section 2: The Fiscal Officer is hereby authcrized 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	0
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 Rehabilitation 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

RECORD OF ORDINANCES

0391

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

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 Ray DeLong

Attest:

Louella Baker
Fiscal Officer

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2011-33

An ORDINANCE to make appropriations for Current Expenses and other Expenditures of the Village of Antwerp, State of Ohio, during the fiscal year ending December 31, 2012, 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, 2012 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 **\$419,733.83**

Section 3. That there be appropriated from the **STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND** in the sum of **\$79,955.31**.

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 **\$64,800.77**

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 **\$38,500.00**.

Section 10. That there be appropriated from the **EMS FUND** in the sum of **\$75,225.00**.

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 **\$511,195.51**

Section 13. That there be appropriated from the **SEWER FUND** in the sum of **\$735,620.48**

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 **\$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 **\$216,400.00**

Section 19. That there be appropriated from the **STREET LIGHTING FUND** in the sum of **\$22,000.00**

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 **\$71,200.00**.

Section 23. **Total of all appropriations \$2,682,799.90**

RECORD OF ORDINANCES

0393

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

SECTION 24. And 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 25. 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.

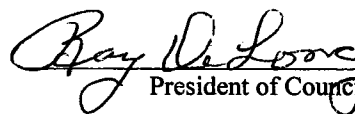
CERTIFICATE

Section 5705.39, O.R.C. - "No appropriation measure shall become effective until the county auditor files with the appropriating authority a certificate that the total 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 estimate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure."

The State of Ohio Paulding County,

I, Loretta Baker, Fiscal Officer of 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 has been compared by me with the said original and that the same is a true and correct copy thereof.

Passed 12-19-11


President of Council

Attest: 
Fiscal Officer

Dayton Legal Blank, Inc.		Form No. 30043	
Ordinance No. _____		Passed _____, 20____	
<p style="text-align: center;">ORDINANCE NO. 2011-34</p> <p style="text-align: center;">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)</p> <p>WHEREAS, the Village Fiscal Officer has determined that it is necessary to transfer certain funds from the General Fund to the Police Fund, and</p> <p>WHEREAS, the Village Council must approve certain transfers pursuant to Ohio Revised Code Section 5705.14, and</p> <p>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</p> <p>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.</p> <p>NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:</p> <p>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.</p>			

RECORD OF ORDINANCES

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Dayton Legal Blank, Inc.

Form No. 30-43

Ordinance No. _____

Passed _____, 20____

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.

Date: 12-19-11

Ray DeLong
Mayor of the Village of Antwerp

Attest Fiscal Officer: Louetta Baker

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 (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 the third (3rd) Monday of each month at 5:30 p.m. (Eastern Standard Time), except 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 fourth (4th) 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 after the earliest period allowed by law.

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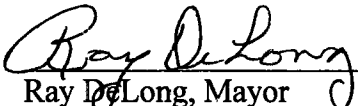
Dayton Legal Blank, Inc.

Form No. 30043

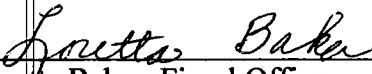
Ordinance No. _____

Passed _____, 20____

Passed this 19th day of December, 2011.


Ray DeLong, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 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, 2012.

Ordinance No. _____

Passed _____, 20____

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.

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

Ordinance No. _____ Passed _____, 20____

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 Harrison Township 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.

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.

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 further reason that the Village have an agreement in place with the Township that reflects the

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Ordinance No. _____

Passed _____, 20____

compensation to be paid to the Village for providing emergency medical services to the 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.

Section 11. This Ordinance shall be retrospective in nature and take effect as of the expiration of the prior Ordinance and Agreement for the provision of Emergency Medical Service to Harrison Township, also known as Ordinance No. 2011-01.

ENACTED THIS 9th day of January, 2012.



MAYOR, VILLAGE OF ANTWERP

Attest:



Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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; 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

Ordinance No. _____ Passed _____, 20____

Section 2 of this Ordinance. The user fees as established shall take effect at 12:01 A.M. on January 1, 2012.

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.

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

Ordinance No. _____

Passed _____, 20____

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.

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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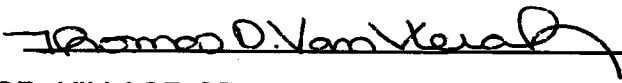
Ordinance No. _____

Passed _____, 20____

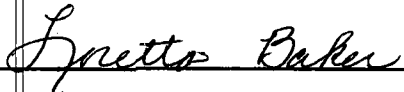
Section 10. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the public, and for the further reason that the Village have an agreement in place with the Township that reflects the compensation to be paid to the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

Section 11. This Ordinance shall be retrospective in nature and take effect as of the expiration of the prior Ordinance and Agreement for the provision of Emergency Medical Service to Carryall Township, also known as Ordinance 2011-02.

ENACTED THIS 9th day of January, 2012.


MAYOR, VILLAGE OF ANTWERP

Attest:


Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 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 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.
- Section 2. 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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Passed _____, 20____

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.

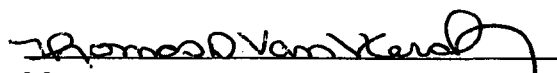
(B) The repeal provided above shall not affect:

- (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 enacted prior to the adoption of this ordinance and said legislation supercedes prior ordinances of the municipality, including an ordinance adopting prior versions 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: 2-21-12


Mayor

Ordinance No. _____

Passed _____, 20____

Attest:

Loretta Baker
Fiscal Officer of the Legislative Authority

Ordinance No. _____ Passed _____, 20____

Exhibit A

OHIO BASIC CODE, 2012 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the _____ day of _____, 2012, there was enacted by the Legislative Authority of the Municipality of Antwerp, Ohio, an ordinance entitled "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."

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
10.02	Definitions
10.03	Rules of construction
10.04	Revivor; effect of amendment or repeal
10.05	Construction of section references
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
10.18	Determination of legislative intent
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
30.12	Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section	
	<i>General Provisions</i>
31.001	Executive power; where vested

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Mayor

- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 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
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

Treasurer

- 31.060 Election, term, qualifications of the Treasurer
- 31.061 Accounts of Treasurer
- 31.062 Powers and duties
- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
- 31.065 Duty of delivering money and property

Street Commissioner

- 31.080 Qualifications
- 31.081 General duties
- 31.082 Assistants

Other Officials

- 31.100 Legal counsel
- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority

Section

General Provisions

- 32.001 Members of the Legislative Authority; election; terms of office
- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
- 32.011 Failure to take oath or give bond
- 32.012 Notice when new bond required
- 32.013 Care, supervision and management of public institutions

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Contracts, Bids and Proceedings

- 32.025 Contracts by the Legislative Authority or Administrator
- 32.026 Bids and proceedings
- 32.027 Alterations or modifications of contract
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- 32.029 Award to lowest responsive and responsible bidder

Ordinances and Resolutions

- 32.040 Ordinances and resolutions as evidence
- 32.041 Passage procedure
- 32.042 Style of ordinances
- 32.043 Subject and amendment of ordinances and resolutions
- 32.044 Authentication and recording of ordinances and resolutions
- 32.045 Publication of ordinances and resolutions; proof of publication and circulation
- 32.046 Notice for proposed amendments to the municipal Charter
- 32.047 Times of publication required
- 32.048 Publication and certification of ordinances in book form
- 32.049 Adoption of technical ordinances and codes
- 32.050 Certificate of Clerk as to publication
- 32.051 Publication when no newspaper published in municipality
- 32.052 Effect of not making publication
- 32.053 Ordinances providing for appropriations or street improvements; emergency ordinances

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- 32.070 Initiative petitions
- 32.071 Referendum petitions
- 32.072 More than one ordinance required; application of subchapter
- 32.073 Presentation of petitions
- 32.074 Copy of proposed ordinance or measure to be filed with Clerk
- 32.075 Words to be printed in red
- 32.076 Designation of committee filing petition; public inspection of petitions; ordinances passed or repealed prior to election
- 32.077 Itemized statement by petition circulator
- 32.078 Prohibited practices relative to petitions
- 32.079 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 Powers of Mayor and Mayor's Court Magistrate in criminal matters
- 33.03 Duties of Mayor and Mayor's Court Magistrate; fees; office; seal
- 33.04 Mayor's Court Magistrate
- 33.05 Powers to suspend driver's license in OVI cases

Contempt of Court

- 33.20 Summary punishment for contempt
- 33.21 Acts in contempt of court
- 33.22 Hearing
- 33.23 Contempt action for failure to pay support, failure to comply or interference with a visitation order; summons
- 33.24 Right of accused to bail
- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
- 33.26 Imprisonment until order obeyed
- 33.27 Proceedings when party released on bail fails to appear

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- 33.28 Release of prisoner committed for contempt
- 33.29 Judgment final
- 33.30 Alternative remedy

Chapter 34: Police Department**Section**

- 34.01 Marshal and Police Chief synonymous
- 34.02 Appointment of Marshal
- 34.03 Deputy marshals and police officers
- 34.04 Auxiliary police units
- 34.05 Offenses affecting employment of law enforcement officers; probationary period; final appointment
- 34.06 Removal proceedings; suspension; appeals
- 34.07 General powers
- 34.08 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 sale; notice
- 34.14 Contracts for police protection; nonresident service without contract
- 34.15 Peace officer administering oaths; acknowledging complaints, summonses, affidavits and returns of court orders

Chapter 35: Fire Department**Section*****General Provisions***

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- 35.02 Fire Chief; Fire Prevention Officer; employment of firefighters; criminal records check for firefighters
- 35.03 Schooling of officers and firefighters of fire department
- 35.04 Legislative Authority may purchase engines and equipment
- 35.05 Buildings for department
- 35.06 Records
- 35.07 Maximum consecutive hours for firefighters on duty
- 35.08 Investigation of cause of fire
- 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
- 35.13 Persons entitled to be known as firefighters
- 35.14 Firefighting and emergency services agreements
- 35.15 Regulation of construction in fire limits

Volunteer Firefighters' Dependents Fund Board

- 35.30 Definitions
- 35.31 Establishment
- 35.32 Membership; vacancies
- 35.33 Election and term of members
- 35.34 Organization; rules and regulations; roster
- 35.35 Compensation and expenses of Board; legal advisor

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- 36.02 Nonliability of municipality; exceptions
- 36.03 Defenses and immunities
- 36.04 Limitation of actions
- 36.05 Damages
- 36.06 Satisfaction of judgments
- 36.07 Provision of employees' defense; consent judgments
- 36.08 Liability insurance
- 36.09 Certain actions unaffected
- 36.10 Certain charges against municipal officers filed with Probate Judge; proceedings

Ordinance No. _____

Passed _____, 20____

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[Reserved]

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- 70.02 Compliance with order of police officer
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Ordinance No. _____ Passed _____, 20____

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RECORD OF ORDINANCES

0427

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Antwerp, Ohio.

Signed:

Thomas D. Van Kester
Mayor

Loretta Baker
Clerk of the Legislative Authority

Ordinance No. _____

Passed _____, 20____

CERTIFICATION OF CODIFIED ORDINANCES

We, Tom VanVlerah, Mayor, and Loretta 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.

Thomas D. VanVlerah
Mayor

Loretta Baker
Clerk of the Legislative Authority

RECORD OF ORDINANCES

0429

Dayton Legal Blank, Inc.

Form No. 30045

Ordinance No. _____

Passed _____, 20____

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)

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.

Ordinance No. _____

Passed _____, 20____

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.

Date: 2-21-12

James D. Vanderkoo
Mayor of the Village of Antwerp

Attest Fiscal Officer: Louella Baker

Ordinance No. _____ Passed _____, 20____

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 amend 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 2-21-12

Mayor Thomas D. Van Kester

Attest: Loretta Baker Fiscal Officer

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 Poggemeyer 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 from and after the earliest period allowed by law.

RECORD OF ORDINANCES

0433

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Passed: 2-21, 2012.

Thomas D. Van Vlerah
Tom VanVlerah, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

VILLAGE OF ANTWERP

AGREEMENT NO. 16989

This Agreement No. 16989 entered into this 21st day of February, 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.

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.

Ordinance No. _____

Passed _____, 20____

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.ohio.gov/MiscPages/TravelRule>).

CLAUSE V - GENERAL PROVISIONS

Any person executing this Agreement in a representative capacity hereby warrants that he/she has been duly 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.

Ordinance No. _____

Passed _____, 20____

Poggemeyer Design Group

By: _____

Title: _____

Village of Antwerp

James D. Van Vlerah
Tom VanVlerah, Mayor

APPROVED AS TO FORM:

By: Melanie C. Farr
Melanie C. Farr
Title: Village Solicitor

Ordinance No. _____

Passed _____, 20____

RESOLUTION NO. 2012-01

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 ONE MILL FOR A REPLACEMENT LEVY FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES, AND DECLARING THE SAME AN EMERGENCY

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.

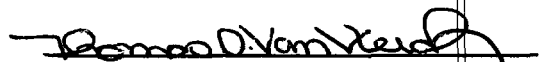
Ordinance No. _____

Passed _____, 20____

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.

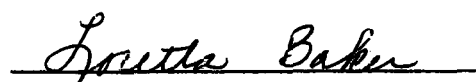
Section 4. This Resolution is deemed an emergency measure necessary for the preservation of the public health, safety and welfare of the Village and for the further reason that it is necessary for the Village of Antwerp to obtain this information from the County Auditor in order to place a replacement 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.

ENACTED THIS 21st day of February, 2012.



Tom VanVlerah, Mayor

Attest:



Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Routes 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}

Ordinance No. _____

Passed _____, 20____

requirements, including all lawful ordinances and resolutions of the Village of Antwerp, and any applicable provisions of Section 121.22 of the Ohio Revised Code.

Section 6: This Resolution is hereby declared to be an emergency measure necessary to preserve the health, safety and welfare of the community and for the further reason that the application for Safe Routes to School funding deadline is due immediately and applications must be submitted to receive timely consideration for funding. 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: 2-21-12

Thomas D. Van Vleet
Mayor of the Village of Antwerp

Attest:

Loretta Baker
Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Paulding County to certify the current tax valuation and the dollar amount of revenue that would be generated by a renewal of one mill; and

Ordinance No. _____

Passed _____, 20____

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.

RECORD OF ORDINANCES

0443

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

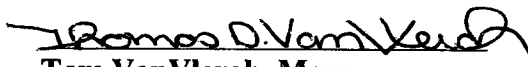
Passed _____, 20____

Section 2. Previous Ordinances, Resolutions, and any portions thereof, including Resolution No. 2012-01, and rules of the Village of Antwerp that are not consistent with this Resolution are hereby set aside, revoked and held for naught.

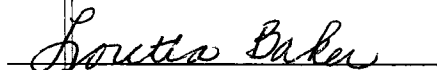
Section 3. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action, were in meetings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

Section 4. This Resolution hereby declared to be an emergency measure for the preservation of the public health, safety and welfare, and for the further reason to identify the relevant years for the proposed renewal levy. This Resolution 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 19th day of March, 2012.


Tcm VanVlerah, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

RESOLUTION 2012-04

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS
OF THE QUESTION OF LEVYING A TAX IN EXCESS OF THE TEN-MILL LIMITATION

ORC SECTIONS 5705.19, 5705.191, 5705.25, AND 5705.26

THE COUNCIL OF THE VILLAGE OF ANTWERP OF PAULDING COUNTY, OHIO, MET IN REGULAR SESSION
OF THE COUNCIL ON THE 18th DAY OF JUNE, 2012.

THE COUNCIL MET AT TOWN HALL FOR THE VILLAGE OF ANTWERP LOCATED AT 118 NORTH MAIN
STREET, ANTWERP, OHIO, WITH THE FOLLOWING MEMBERS PRESENT:

Jan Reeb

Ken Reinhart

Rudie Reeb

Karen Lee

Steve Derck

Larry Ryan

MOVED THE ADOPTION OF THE FOLLOWING RESOLUTION:

WHEREAS, ON THE 19TH 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 6TH DAY OF NOVEMBER, 2012, FIRST DUE

Ordinance No. _____

Passed _____, 20____

IN THE CALENDAR YEAR 2014, IN COMPLIANCE WITH THE PROVISIONS OF ORC 5705.34, IF A MAJORITY OF THE ELECTORS VOTING THEREON VOTE IN FAVOR THEREOF.

SECTION 3. THE FISCAL OFFICER OF THE VILLAGE OF ANTWERP IS DIRECTED TO CERTIFY A COPY OF THIS RESOLUTION TO THE BOARD OF ELECTIONS OF PAULDING COUNTY, OHIO, NOT LESS THAN NINETY DAYS BEFORE THE ELECTION, AND NOTIFY SAID BOARD OF ELECTIONS TO CAUSE NOTICE OF ELECTION ON THE QUESTION OF LEVYING SAID TAX TO BE GIVEN AS REQUIRED BY LAW.

SECTION 4. IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THE COUNCIL OF THE VILLAGE OF ANTWERP CONCERNING AND RELATING TO THE ADOPTION OF THIS RESOLUTION WERE ADOPTED IN AN OPEN MEETING OF THE COUNCIL, AND THAT ALL DELIBERATION OF THE COUNCIL AND OF ANY OF ITS COMMITTEES THAT RESULTED IN THOSE FORMAL ACTIONS WERE IN MEETINGS OPEN TO THE PUBLIC, IN COMPLIANCE WITH LAW.

Jan Reeb SECONDED THE RESOLUTION AND THE ROLL BEING CALL UPON ITS ADOPTION, THE VOTE RESULTED AS FOLLOWS:

<u>Larry Ryan</u>	<u>Yea</u>
<u>Jan Reeb</u>	<u>Yea</u>
<u>Karen Lee</u>	<u>Yes</u>
<u>Ken Reinhart</u>	<u>Yes</u>
<u>Rudie Reeb</u>	<u>Yes</u>
<u>Steve Derek</u>	<u>Yes</u>

ADOPTED THE 18th DAY OF June, 2012.

Louella Baker
FISCAL OFFICER

FIRST READING: 4-16-12

SECOND READING: 5-21-12

THIRD READING: 6-18-12

Ordinance No. _____

Passed _____, 20____

STATE OF OHIO, PAULDING COUNTY:

I, LORETTA BAKER, FISCAL OFFICER OF THE VILLAGE OF ANTWERP, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING IS TAKEN AND COPIED FROM THE RECORD OF PROCEEDINGS OF THE COUNCIL OF THE VILLAGE OF ANTWERP, AND THE SAME HAS BEEN COMPARED BY ME WITH THE RESOLUTION OF SAID RECORD, AND THAT IT IS A TRUE AND CORRECT COPY THEREOF.

WITNESS MY SIGNATURE THIS 18th DAY OF June 2012.

Loretta Baker
FISCAL OFFICER

DTE 140R
R.C. §5705.03(B)
Rev. 5/11

Certificate of Estimated Property Tax Revenue

The county auditor of Paulding County, Ohio, does hereby certify the following:

1. On March 22, 2012, the taxing authority of the Village of Antwerp certified a copy of its resolution or ordinance adopted March 19, 2012, requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by one and zero tenths (1.0) mills, to levy a tax outside the ten-mill limitation for the purpose of Fire and Emergency Medical Services, pursuant to Revised Code §5705.19(i), to be placed on the ballot at the November 6, 2012 election. The levy type is a renewal five (5) year levy, commencing tax year 2013, first due in calendar year 2014.
2. The *estimated* property tax gross revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$18,146.*
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$18,777,840.
{7100/061/00070708-1.MLF}

Claudia J. Tichel
Auditor's signature

3-22-12
Date

*NOTE: This is ONLY an estimate and is based on gross tax dollars collected.

Ordinance No. _____ Passed _____, 20____

RESOLUTION NO. 2012-05

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP, OHIO, TO SIGN THE AGREEMENT ISSUED BY THE PAULDING COUNTY BOARD OF COMMISSIONERS FOR THE FORMATION OF THE PAULDING COUNTY EMERGENCY MANAGEMENT AGENCY, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp, Ohio ("Village"), has been provided a copy of the Resolution passed by the Paulding County Board of Commissioners, said Resolution authorizing the formation of the Paulding County Emergency Management Agency ("EMA"); and

WHEREAS, pursuant to the relevant provisions of the Ohio Revised Code, the Village desires to participate and enter into an agreement for a countywide EMA.

NOW THEREFORE, BE IT RESOLVED 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 sign the Agreement issued by the Paulding County Board of Commissioners for the formation of the Paulding County Emergency Management Agency.

Section 2. A true and accurate copy of the Resolution passed by the Paulding County Board of Commissioners regarding the formation of the EMA is attached hereto and incorporated herein by reference.

Section 3. The Fiscal Officer of the Village of Antwerp, Ohio, is hereby authorized to remit the fee of \$750.00 to the Treasurer of Paulding County for participation in the Paulding

Ordinance No. _____

Passed _____, 20____

County EMA.

Section 4. 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, and in compliance with all legal requirements.

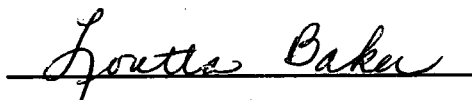
Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village and to allow the Village to participate in the EMA referenced herein. This Resolution shall take effect and be in force immediately after its passage and approval; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 3-19-, 2012.

Tom VanVlerah, Mayor

Village of Antwerp

Attest:



Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

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 encumbered.

Section 2. Once 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.

Ordinance No. _____

Passed _____, 20____

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 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: 4-16-12

Thomas D. Van Vlerah

Tom VanVlerah, Mayor

ATTEST:

Loretta Baker
Loretta Baker, Fiscal Officer

RECORD OF ORDINANCES

0451

Dayton Legal Blark, Inc.

Form No. 20043

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2012-08

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE WATER FUND IN THE AMOUNT OF \$ 45,000.00 AND DECLARE THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Of Antwerp Ohio has determined that it is necessary to transfer certain funds from the General Fund to the Water 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 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 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:

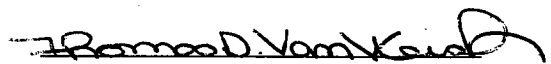
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Forty five thousand dollars (\$45,000.00) from the General Fund to the Water Fund.

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 5-21-12


Mayor of the Village of Antwerp

Attest:


Fiscal Officer

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 Ordinance 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, Ohio, 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.

RECORD OF ORDINANCES

0453

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Passed: 5-21, 2012.

Tom Van Vlerah
Tom Van Vlerah, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 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 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.

RECORD OF ORDINANCES

0455

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

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.

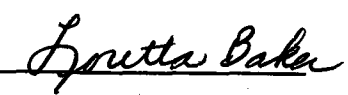
Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the Police department necessary for the 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.

Date: _____

6-18-12


Mayor of the Village of Antwerp

Attest Fiscal Officer: _____



Ordinance No. _____

Passed _____, 20____

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

RECORD OF ORDINANCES

0457

Dayton Legal Blank, Inc.

Form No. 50043

Ordinance No. _____

Passed _____, 20____

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.

Section 6. 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.

Section 10. 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. 2011-15.

Date: 6-18-12

Tom VanVlerah
Tom VanVlerah, Mayor

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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, Ohio ("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.

RECORD OF ORDINANCES

0459

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

PASSED this 16th day of July, 2012.

Tom Van Vlerah
Tom Van Vlerah, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

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
A1 3B 250	Parks Capital	4,000.00	11,300.00
A1 7B 230	Council Contractual	12,500.00	16,000.00
A1 7E 250	Lands & Building Capital	500.00	2,380.00
B1 6D 261	Loan CE440	0.00	708.70
D5 5D 250	Cleveland/Washington St	0.00	96,835.00
E1 5E 250	Water Pumping Capital	1,500.00	1,663.20

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

Mayor J. Ronald D. VanKerckhove

Attest: Loretta Baker Fiscal Officer

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.

Ordinance No. _____

Passed _____, 20____

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 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 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 street improvements to Cleveland and Washington Streets, 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: 8/20/12

Tom Van Vlerah
Tom Van Vlerah, Mayor

ATTEST:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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 Paulding 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.

SECTION 3. 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.

Ordinance No. _____

Passed _____, 20____

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 the Village must close the Madison Street grade crossing now that the improvement to the grade crossing surface at Harrmann Street / County Road 43 is complete, 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: 8/20, 2012


Tom Van Vlerah, Mayor
Village of Antwerp, Ohio

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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.

Ordinance No. _____ Passed _____, 20____

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 waterline repairs on South Erie Street 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: 9-10-12

Thomas D. Van Vlerah
Tom Van Vlerah, Mayor

ATTEST:
Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2012-16

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.

Ordinance No. _____ Passed _____, 20____

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.

Date: 9-17-12

James D. VanKer
Mayor of the Village of Antwerp

Attest Fiscal Officer: Louella Bala

RECORD OF ORDINANCES

0469

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 17th day of Sept, 2012, at the office of Village of Antwerp Townhall with the following members present:

Larry Ryan
Kenneth Reinhart
Karen Lee
Rudic Reeb
Steve Derek
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 1st, 2013; 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

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:

SCHEDULE A

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

Fund	Amount Approved By Budget Commission Inside 10 Mill Limitation	Amount To Be Derived From Levies Outside 10 Mill Limitation	County Auditor's Estimate Of Tax Rate To Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
	Column I	Column II	III	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

Ordinance No. _____

Passed _____, 20____

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 FIRE levy authorized by voters on for not to exceed CONT years.	11-05-85	2.00	\$12975.
1984 POLICE Levy authorized by voters on 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	11-04-86	.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 exceed 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.

and be it further

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

Mr./Ms. Ken Reinhart seconded the Resolution and the roll being called upon its adoption the vote resulted as follows

Mr./Ms. Jan Reeb yes
Mr./Ms. Karen Lee yes
Mr./Ms. Larry Ryan yes
Mr./Ms. Rudie Reeb yes
Mr./Ms. Steve Derch yes
Mr./Ms. Ken Reinhart yes
Mr./Ms. _____
Mr./Ms. _____

Adopted the 17th day of September, 2012.

Attest:

Loretta Baker
Clerk of Council

Janice A Reeb
President of Council

CERTIFICATE OF COPY
Original On File

The State of Ohio, Paulding County, ss.

I, Loretta Baker, Clerk of the Council of the Village of Antwerp.

RECORD OF ORDINANCES

0471

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the state of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original
minutes of the regular council meeting

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

Witness my signature, this 17th day of Sept 2012.

Loretta Baker
 Clerk of Council

(1) A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R. C., or at such later date as may be approved by the Board of Tax Appeals.

Resolution No. 2012-08

Council of the Village of Antwerp Paulding County Ohio

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)

ADOPTED Sept 17, 2012

Loretta Baker Clerk of Council

Filed

FILED
 2012

SEP 19 2012

AUDITOR County Auditor.

PAULDING COUNTY

By _____ Deputy.

Ordinance No. _____

Passed _____ 20____

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.

Dayton Legal Blank, Inc.

Form No. 3004

Ordinance No. _____

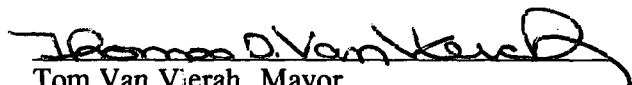
Passed _____, 20____

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 a sanitary sewerage system 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: 10-22-12


Tom Van Viera, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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: <http://www.villageofantwerp.com/calendar.htm>. 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 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 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}

RECORD OF ORDINANCES

0475

Dayton Legal Blank, Inc.


Form No. 300-3

Ordinance No. _____

Passed _____, 20____

the Village must establish 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. 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 19th day of November, 2012.


Tom VanVlerah, Mayor
Village of Antwerp

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2012-19

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE WATER FUND IN THE AMOUNT OF \$ 30,000.00 AND DECLARE THE SAME TO BE AN EMERGENCY

WHEREAS, the Village Of Antwerp Ohio has determined that it is necessary to transfer certain funds from the General Fund to the Water 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 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 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:

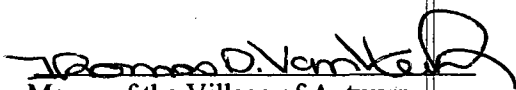
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Thirty thousand dollars (\$30,000.00) from the General Fund to the Water Fund.

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

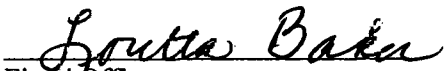
Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 11-19-12


Mayor of the Village of Antwerp

Attest:


Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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.

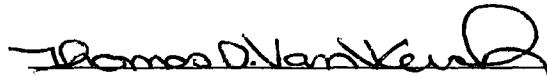
Ordinance No. _____

Passed _____, 20____

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 a waterworks system 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: 11-19-12


Tom Van Vlerah, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 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:

Section 1. 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.

Section 2. 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.

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 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

Ordinance No. _____

Passed _____, 20__

the resolution of the encroachment issue identified herein, 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.

Date: 11-19-12

Tom Van Vlerah
Tom Van Vlerah, Mayor
Village of Antwerp

Attest:

Loretta Baker
Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

“EXHIBIT A”

Legal Description – Gary Deprimio

A parcel of land being known as a part of Lot No. 8 of Block “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 as 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 Eighty-seven 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 04’-46” West, One Hundred Seventy and Forty-nine Hundredths (170.49) feet to the point of beginning.

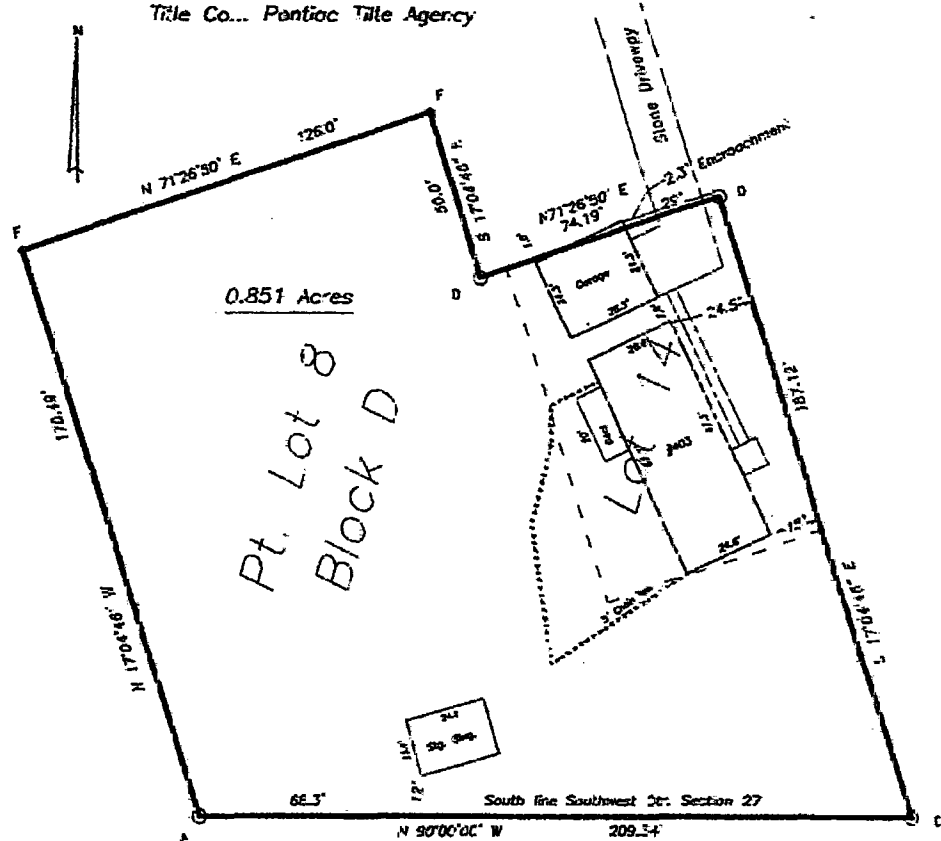
Containing 0.851 acres of land, more or less

Ordinance No. _____ Passed _____ 20____

Certificate of Location

Being known as Lot No. 14 in Daggett's First Addition; also a part of Lot 8 in Block "D" in the Southwest quarter (1/4) of Section 27, Village of Antwerp, Carryall Township, Paulding County, Ohio.

Seller... Gary Paul Spillner & Barbara Jo. Spillner
Buyer...
Title Co... Pontiac Title Agency



Legend

- A- Iron pin found.
- B- Iron pipe found.
- C- Railroad spike found.
- D- Capped iron pin found.
- E- PK or mag nail found.
- F- Point established.
- G- Monument box found.
- H- Surveyors stake found.



This parcel does not lie within the Flood Hazard Area.
Panel No.

390435 9

This report is designed for the use by a Title Insurance Company with residential loan policies. No corner markers were set and the location data herein is based on limited accuracy measurements. Therefore no liability will be assumed for any use of the data for new improvements or fences.

I hereby certify to the parties named above that the real estate herein was inspected under my supervision on the date indicated and that, to the best of my knowledge and belief, this report conforms with the requirements contained in Chapter 4733-39 of the Administrative Code and not a boundary survey pursuant to Chapter 4733-37 of the Administrative Code.

11-7-12
Thomas J. Henry, Registered Surveyor No. 5787

EXHIBIT "B"

Ordinance No. _____

Passed _____, 20____

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

Paulding County, Ohio:

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

Section 5705.14

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

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

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

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

(and declaring the same an emergency)

\$27,500.00

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF ANTWERP, OHIO TO TRANSFER FUNDS TO THE POLICE FUND IN THE AMOUNT OF

ORDINANCE NO. 2012-21

Ordinance No. _____

Passed _____, 20____

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.

Date: 12-17-12

Mayor of the Village of Antwerp

Attest Fiscal Officer:



RECORD OF ORDINANCES

0485

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2012-21

AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER OF THE VILLAGE OF ANTWERP, OHIO 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 and five hundred Dollars (\$27,500.00) from the General Fund to the

Ordinance No. _____

Passed _____, 20____


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.

Date: 12-17-12



Mayor of the Village of Antwerp

Attest Fiscal Officer: 

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 (3rd) Monday of each month at 5:30 p.m. (Eastern Standard Time), 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 fourth (4th) 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.

Ordinance No. _____

Passed _____, 20____

Passed this 17th day of December, 2012.

Thomas D. Van Vlerah
Tom VanVlerah, Mayor
Village of Antwerp

Attest:
Loretta Baker
Loretta Baker, Fiscal Officer

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

Ordinance No. _____

Passed _____, 20____

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 Captains	\$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

RECORD OF ORDINANCES

0491

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

Village Official	2012	2013	
Volunteer Fireman	\$9.56	\$9.75	first hour
Volunteer Fireman	\$9.56	\$9.75	each add. hour
EMS 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	\$300.00	\$300.00	Base rate plus hrly rate below
EMS Secretary	\$300.00	\$300.00	Base rate plus hrly rate below
EMS Drivers	\$8.48	\$8.65	per hour
EMT - A (BLS-Basic Life Support)	\$10.24	\$10.44	per hour
EMT - B (Immediate Life Support)	\$13.24	\$13.50	per hour
All EMS Personnel	\$9.85	\$10.05	per meeting
General Labor/Utilities Billing Clerk	\$7.89 to \$12.47	\$8.05 to \$12.72	per hour
Mayor's Court Clerk/EMS Billing Clerk	\$7.89 to \$12.47	\$8.05 to \$12.72	per hour
Tech I Water/Sewer/Assigned Duties	\$10.75 to \$14.89	\$10.97 to \$15.19	per hour
Tech 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.

Ordinance No _____

Passed _____, 20____

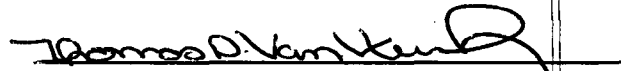
Section 3. It is found and determined that all formal actions of the Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 repeals any other ordinance inconsistent therewith.

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.

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

Passed: 12-17 2012.



Tom VanVlerah, Mayor

Attest: Loretta Baker Loretta Baker, Fiscal Officer

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 2012-24

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 appropriations:

FUND	DESCRIPTION	NEW APPROPRIATION	
		AMOUNT	
		Original	New Amount
A1 1A 240	Police Oper/Remodel	8,000.00	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
A1 7E 240	Lands & Building Oper and Maint	13,000.00	13,500.00
A1 7X 270	General Fund Transfer	175,000.00	185,000.00

Ordinance No. _____ Passed _____, 20____

A1 7X 272	General Fund Advance	0.00	7,139.29
B1 6B 211	Street Maint Wages	18,351.92	20,595.00
B1 6B 212	Street Maint Benefits	6,803.39	7,300.00
B1 6B 240	Street Maint Oper & Maint	21,000.00	16000.00
B1 6B 250	Street Maint & Repair Cap.	10,000.00	12,355.47
B2 6A 250	State Highway Cap Improv	5,000.00	0
B9 1A 211	Fire Salary	11,000.00	11,160.53
B9 1A 212	Fire Benefits	1,300.00	1,460.43
B111B211	EMS Salaries	25,000.00	27,000.00
B111B 212	EMS Benefits	4,725.00	6,600.00
B146D 211	Storm Sewer Wages	20,356.18	12,650.00
B146D 212	Storm Sewer Benefits	9,105.67	6,850.00
B16X 250	Safe Routes to School	0.00	10,253.00
D4 8A 230	Depot Rehabilitaion	400,219.00	240,042.18
D5 5D 360	Cleveland/Washington St Repair	96,835.00	9,316.11
D7 5D 250	S. Erie Waterline	0.00	18,024.79
E1 5A 212	Water Clerk Benefits	6,175.68	6,240.00
E1 5B 211	Water Billing Salary	5,503.68	5,722.00
E1 5B 212	Water Billing Clerk Benefits	850.32	980.00
E1 5D 211	Water Filtration Emp Wages	71,732.76	81,400.00
E1 5D 212	Water Filtration Emp Benefits	30,603.77	35,000.00
E1 5D 230	Water Filt Cont Services Utilities	30,000.00	40,000.00
E 1 5F 240	Water Dist Repair Camps	3,500.00	4,565.05
E1 5G 240	Meter Supplies and Mat	5,000.00	8,360.27
E1 5G 250	Water Meters Cap Outlay	7,500.00	10,242.00
E2 5A 212	Sewer Clerk Benefits	6,175.68	6,350.00
E2 5B 211	Sewer Billing Wages	2,751.85	2,860.00
E2 5B 212	Sewer Billing Clerk Benefits	425.16	501.00
E2 5C 211	Sewer Pumping Salary	28,176.42	40,000.00
E2 5C 212	Sewer Pumping Benefits	11,461.15	16,500.00
E2 5C 22C	Sewer Travel and Training	350.00	538.15
E2 5C 230	Sewer Pump Cont Serv Utilities	30,000.00	36,000.00
E2 5F 230	Other Contractual Svc. Poggem	6,000.00	10,500.00
E2 5X 260A	Loan Lift Station	92,437.99	92,445.36
G 5 2A 230	Cemetary Trust Auditors Fees	550.00	567.62
G8 7X 240	Mayor's Court Misc	200.00	2,000.00
G8 7X275	Mayor's Ct Payment to State	16,000.00	6200.00
G8 7X 2751	Mayor's Ct Payment to Village	55,000.00	29000.00
H1 1A 211	Police Wages	122,000.00	124,000.00
H3 1A 230	Street Lighting Contrac	22,000.00	25,200.00

RECORD OF ORDINANCES

0495

Dayton Legal Blank, Inc.

Form No. 3003

Ordinance No. _____

Passed _____, 20____

Section 2: 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 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 full force from and after the earliest period allowed by law.

Date 12-17-12

Mayor Thomas A. VanKer

Attest:

Louella Baker
Fiscal Officer

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. 2012-25

An ORDINANCE to make appropriations for Current Expenses and other Expenditures of the Village of Antwerp, State of Ohio, during the fiscal year ending December 31, 2013, 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, 2013 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 R.C. 5705.40, the sum of **\$479,110.69**.

Section 3. That there be appropriated from the **STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND** in the sum of **\$81,938.70**.

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 **\$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**.

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**.

RECORD OF ORDINANCES

0497

Dayton Legal Blank, Inc.

Form No. 0043

Ordinance No. _____ Passed _____, 20____

Section 23. That there be appropriated from the CLEVELAND/WASHINGTON STREET REPAIR PROJECT in the sum of \$87,518.89.

Section 24. That there be appropriated from the SOUTH ERIE WATERLINE REPLACEMENT PROJECT in the sum of \$122,150.26.

Section 25. That there be appropriated from the SAFE ROUTES TO SCHOOL PROJECT in the sum of \$38,671.00.

Section 26. That there be appropriated from the FEMA FUND in the sum of \$3,291.07.

Section 27.. Total of all appropriations \$2,710,849.69.

SECTION 28 .And 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 29. 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 30. 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.

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 total 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 estimate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure."

The State of Ohio Paulding County,

I, Loretta Baker, Fiscal Officer of Village of Antwerp in said County, and in whose custody the Files, Journals, and Records of the Village of Antwerp, Ohio 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 and has been compared by me with the said original and that the same is a true and correct copy thereof.

Passed 12-17-12

Janice A. Keel
President of Council

Attest: Loretta Baker Fiscal Officer

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.

Section 2. Parking is hereby prohibited on the south side of Archer Drive from Cleveland 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 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 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 17th day of December, 2012.

RECORD OF ORDINANCES

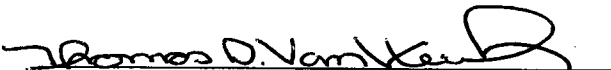
0499

Dayton Legal Blank, Inc.

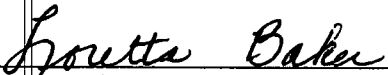
Form No. 30743

Ordinance No. _____

Passed _____, 20____


Tom Var.Vlerah, Mayor

Attest:


Loretta Baker, Fiscal Officer

Ordinance No. _____

Passed _____, 20____

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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

ORDINANCE NO. 2021-01

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, Ohio; and

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:

Section 1. 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: 1-20-2021

Jan Reel
Jan Reel

Mayor of the Village of Antwerp

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

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 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 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 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 1-20-2021



Jan Reeb,
Mayor of the Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

ORDINANCE NO. 2021-03

AN ORDINANCE ADOPTING THE PERSONNEL MANUAL FOR THE VILLAGE OF ANTWERP, OHIO, INCLUDING ANY AND ALL AMENDMENTS THERETO AND ALL APPLICABLE STATEMENTS ATTACHED THERETO, FOR CALENDAR YEAR 2021, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Council of the Village of Antwerp desires to adopt the Personnel Manual, including any and all amendments thereto and all applicable statements attached thereto, for the Village of Antwerp, Ohio, to be in effect for calendar year 2021.

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

Section 1. The Village of Antwerp, Ohio, adopts the Personnel Manual, including any and all amendments thereto and all applicable statements attached thereto, for calendar year 2021. The Personnel Manual, including any and all amendments thereto and all applicable statements, is kept in the office of the Fiscal Officer.

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 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 Ordinance is deemed an emergency measure necessary for the preservation of the public health, safety and welfare and for the further reason to adopt the Personnel Manual for calendar year 2021, and this Ordinance shall take effect and be in force immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date: 1-20-2021

Jan Reeb
Jan Reeb, Mayor

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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 Basic 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:

Section 1. American Legal Publishing's Ohio 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 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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

(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; and
- (11) 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. 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.

Date Passed: Jan 20, 2021


Jan Reeb, Mayor

Attest:


Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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, resolution, 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 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, 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.

Jan Reeb
Mayor

Aimee Lichty
Clerk of the Legislative Authority

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 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 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 Antwerp, 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: 1.20.2021

Attest:

Janice Reeb
Mayor

Denise Healy
Clerk of the Legislative Authority

Exhibit A

OHIO BASIC CODE, 2021 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 21st day of Jan, 2021, there was enacted by the Legislative Authority of the Municipality of Antwerp, 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 Antwerp, 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
- 10.02 Definitions
- 10.03 Rules of construction
- 10.04 Revivor; effect of amendment or repeal
- 10.05 Construction of section references
- 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
- 10.18 Determination of legislative intent
- 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
- 30.12 Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

Section

General Provisions

- 31.001 Executive power; where vested

Mayor

- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 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
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

Treasurer

- 31.060 Election, term, qualifications of the Treasurer
- 31.061 Accounts of Treasurer
- 31.062 Powers and duties
- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
- 31.065 Duty of delivering money and property

Street Commissioner

- 31.080 Qualifications
- 31.081 General duties
- 31.082 Assistants

Other Officials

- 31.100 Legal counsel
- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority

Section

General Provisions

- 32.001 Members of the Legislative Authority; election; terms of office
- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
- 32.011 Failure to take oath or give bond
- 32.012 Notice when new bond required
- 32.013 Care, supervision and management of public institutions

Contracts, Bids and Proceedings

- 32.025 Contracts by the Legislative Authority or Administrator
- 32.026 Bids and proceedings

- 32.027 Alterations or modifications of contract
- 32.028 Contract restrictions
- 32.029 Award to lowest responsive and responsible bidder

Ordinances and Resolutions

- 32.040 Ordinances and resolutions as evidence
- 32.041 Passage procedure
- 32.042 Style of ordinances
- 32.043 Subject and amendment of ordinances and resolutions
- 32.044 Authentication and recording of ordinances and resolutions
- 32.045 Publication of ordinances and resolutions; proof of publication and circulation
- 32.046 Notice for proposed amendments to the municipal Charter
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- 32.048 Publication and certification of ordinances in book form
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- 32.070 Initiative petitions
- 32.071 Referendum petitions
- 32.072 More than one ordinance required; application of subchapter
- 32.073 Presentation of petitions
- 32.074 Copy of proposed ordinance or measure to be filed with Clerk
- 32.075 Words to be printed in red
- 32.076 Designation of committee filing petition; public inspection of petitions; ordinances passed or repealed prior to election
- 32.077 Itemized statement by petition circulator
- 32.078 Prohibited practices relative to petitions
- 32.079 Accepting premiums for signing
- 32.080 Threats in securing signatures
- 32.081 Application of subchapter if Charter adopted

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- 33.01 Jurisdiction in ordinance cases and traffic violations
- 33.02 Powers of Mayor and Mayor's Court Magistrate in criminal matters
- 33.03 Duties of Mayor and Mayor's Court Magistrate; fees; office; seal
- 33.04 Mayor's Court Magistrate
- 33.05 Powers to suspend driver's license in OVI cases

Contempt of Court

- 33.20 Summary punishment for contempt
- 33.21 Acts in contempt of court
- 33.22 Hearing
- 33.23 Contempt action for failure to pay support, failure to comply or interference with a visitation order; summons
- 33.24 Right of accused to bail
- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
- 33.26 Imprisonment until order obeyed
- 33.27 Proceedings when party released on bail fails to appear
- 33.28 Release of prisoner committed for contempt
- 33.29 Judgment final
- 33.30 Alternative remedy

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Section

- 34.01 Marshal and Police Chief synonymous
- 34.02 Appointment of Marshal
- 34.03 Deputy marshals and police officers
- 34.04 Auxiliary police units
- 34.05 Offenses affecting employment of law enforcement officers; probationary period; final appointment
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- 132.14 Misconduct involving a public transportation system

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- 133.07 Procuring
- 133.08 Soliciting; loitering to engage in
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- 133.11 Displaying matter harmful to juveniles
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- 150.02 Board of Park Trustees

Planning and Zoning

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-

This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Antwerp, Ohio.

Signed:

Jan Reeb
Mayor

Quincey Hickory
Clerk of the Legislative Authority

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

ORDINANCE NO. 2021-04

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN 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 Village desires to extend the Agreement for a one (1) year period beginning April 1, 2021, and ending on March 31, 2022; and

WHEREAS, the Council of the Village of Antwerp authorizes the Village Administrator to enter into an 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, 2021, and ending on March 31, 2022, and the Village Administrator is authorized to enter into an 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.

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 in 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.

Passed: March 15, 2021.

Jan Reeb
Jan Reeb, Mayor

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Village of Antwerp

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: Jan 20, 2021

Second Reading: Feb. 17, 2021

Third Reading: Mar 15 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 3220S

Ordinance No. _____

Passed _____, _____

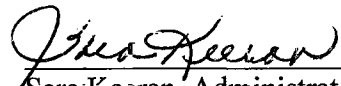
ADDENDUM TO AGREEMENT FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF RESIDENTIAL SOLID WASTE WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ANTWERP, OHIO

THIS ADDENDUM is to amend an Agreement for the Collection, Transportation and Disposal of Residential 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 16 day of March, 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 March, 2021.


Sara Keeran, Administrator
Village of Antwerp

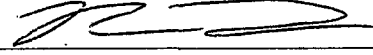
ATTEST:


Aimee Lichty, Fiscal Officer

APPROVED AS TO FORM:


Melanie L. Farr, Village Solicitor

Real Waste Disposal, LLC

By: 

Name: RYAN Cassiter

Title: member

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

ORDINANCE NO. 2021- 06

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 Erie 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 Ohio 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 IT 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 Erie 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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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.

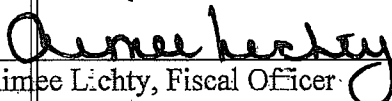
Section 5. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including all lawful 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: April 19, 2021.


Jan Reeb, Mayor
Village of Antwerp

Attest:


Aimée Lichty, Fiscal Officer
Village of Antwerp

First Reading: Feb 17, 2021

Second Reading: Mar 15, 2021

Third Reading: April 19, 2021

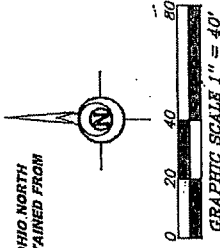
BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

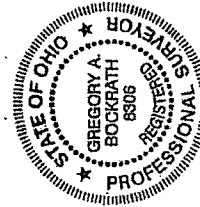
Passed _____, _____

3

NOTE: SURVEY BEARINGS BASED ON OHIO NORTH ZONE STATE PLANE COORDINATES OBTAINED FROM THE OHIO DOT VRS NETWORK



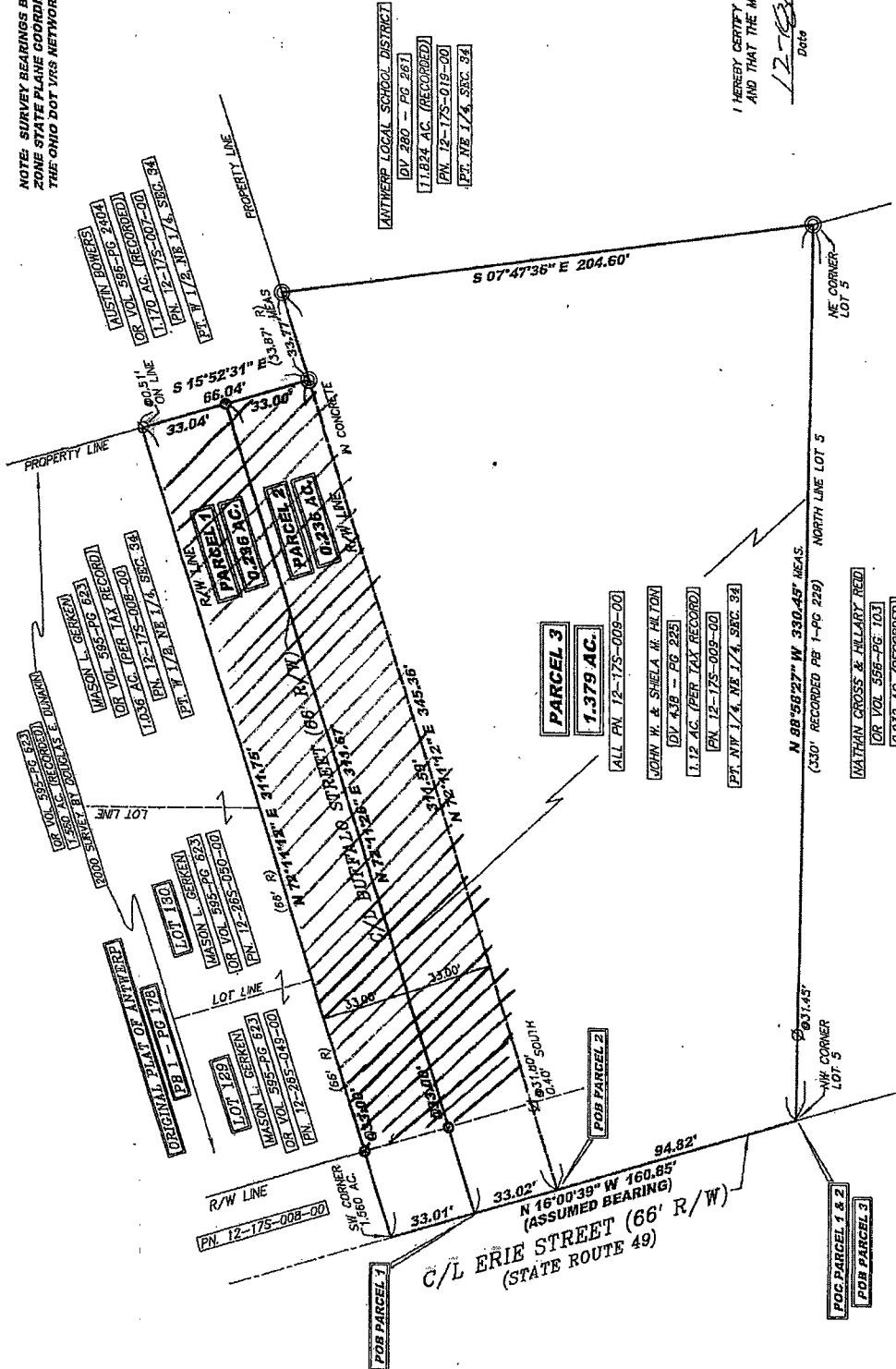
- LEGEND**
- 5/8 INCH REBAR WITH D CAP SET
 - 5/8 INCH REBAR W/O CAP FOUND
 - 3/4 INCH PIPE FOUND
 - POB POINT OF BEGINNING
 - POB POINT OF COMMENCEMENT
 - R RECORDED
 - M MEASURED



I HEREBY CERTIFY THIS TO BE A SURVEY MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS ARE FOUND AND/OR SET AS INDICATED.

12-18-20
Date
Gregory A. Bockrath, P.S.
Registered Surveyor No. 8306,
115 S. Fair Avenue, Suite A
Ottawa, Ohio 45875
419-923-9789

SURVEY PLAT FOR: JOHN HILTON	
PART OF THE NE 1/4 OF SEC. 34 & PART OF BUFFALO STREET, T3N - R1E, VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO	
BOCKRATH & ASSOCIATES ENGINEERING AND SURVEYING, LLC 115 S. FAIR AVENUE, SUITE A - OTTAWA, OHIO 45875 PHONE: 419-923-9789 • FAX: 419-923-9789	1 / 1



PT. LOT 5 IN I.W. JOHNSON'S ADDITION
[PB 1-PG 229]

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION. BEYOND THE DEED DOCUMENTS CITED ON THE SURVEY DRAWING THERE MAY BE RECORDED OR UNRECORDED EASEMENTS AND/OR ENCUMBRANCES BENEFITING OR ENCUMBERING THE SURVEYED PROPERTY WHICH ARE NOT SHOWN ON THIS DRAWING.

FILENAME: 20-101J.M.TOTAL.dwg 11-25-2020.ssf DATE: 12/18/20

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 Erie Street;

Thence North $16^{\circ}00'39''$ 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 $16^{\circ}00'39''$ 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 $72^{\circ}11'12''$ 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;

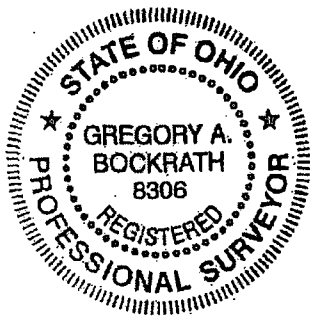
Thence South $15^{\circ}52'31''$ East along the West line of said 1.170 acre tract a distance of 33.04 feet to a 5/8 inch rebar with ID cap set on the centerline of Buffalo Street and passing a 5/8 inch rebar with ID cap found at 0.51 feet;

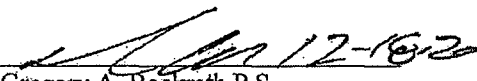
Thence South $72^{\circ}11'26''$ West along said centerline a distance of 311.67 feet to the POINT OF BEGINNING, passing a 5/8 inch rebar with ID cap set at 278.67 feet, said tract containing 0.236 acres of land, more or less.

PARCEL 1

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 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 $16^{\circ}00'39''$ 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 $16^{\circ}00'39''$ West along the centerline of Erie Street a distance of 33.02 feet to a point on the centerline of Buffalo Street;

Thence North $72^{\circ}11'26''$ 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 $15^{\circ}52'31''$ 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;

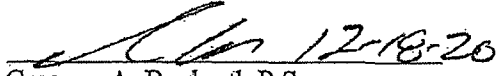
Thence South $72^{\circ}11'12''$ West along said South right-of-way line a distance of 311.59 feet to the POINT OF BEGINNING, passing a point at 279.79 feet (referenced by a 5/8 inch rebar with ID cap found lying 0.40 feet South of said point), said tract containing 0.236 acres of land, more or less.

PARCEL 2

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 P.S.
Registered Surveyor No. 8306
Bockrath & Associates
Engineering and Surveying, LLC

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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 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, 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 for 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.


RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

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 Village needs to be represented by legal counsel. 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 19 day of April, 2021.


Jan Reeb, Mayor
Village of Antwerp, Ohio

Attest:


Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 3220S

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 therein 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.

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 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 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 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 heretofore dedicated are hereby dedicated to public use as such, and easements

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

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 **Exhibit 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 Auditor that there are no unpaid taxes on the property involved.

Section 6. That the Fiscal Officer for the Village of Antwerp, Ohio, is hereby authorized to record the final plat with the Paulding County Recorder and to obtain the 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 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 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.


Jan Reeb, Mayor

Attest:


Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

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

Form 62-05

Ordinance No. _____

Passed _____, _____

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 8 of Ordinance No. 2016-27, and rules of the Village of Antwerp that are not consistent with this Ordinance are hereby set aside, revoked and held for naught. However, any other provisions of existing Ordinances authorizing the charge of water rates and/or provision of water service in the Village that are not inconsistent with the provisions of this Ordinance shall remain in full force and effect, including any non-conflicting provisions of Ordinance Nos. 2014-21, 2016-13, 2016-27 (amending Ordinance No. 2014-21), 2018-17, and 2019-09.

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

Enacted this 19 day of July, 2021.



Jan Reeb
Mayor of the Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer

First Reading: May 17, 2021

Second Reading: June 21, 2021

Third Reading: July 19, 2021

RECORD OF ORDINANCES

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 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	\$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

RECORD OF ORDINANCES

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'l 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 hour
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

RECORD OF ORDINANCES

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	\$3,800.00	Base annual salary
Newly elected Council Members		
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	\$432.06	Base annual salary
	\$11.71	per meeting
	\$15.20	first hour
	\$11.83	each add'l 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

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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	\$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 hour
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

Section 3. Previous ordinances and/or 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.

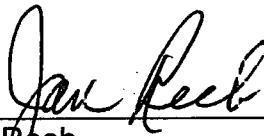
RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____



Jan Reeb
Mayor of the Village of Antwerp

Attest:



Aimee Lichty, Fiscal Officer

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BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 522JS

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 outside the municipality is approved by ordinance; and

WHEREAS, Brian A. Davis resides in Bryan, Ohio, which allows a travel time of approximately thirty (30) minutes for him to arrive from his residence to the Village of Antwerp.

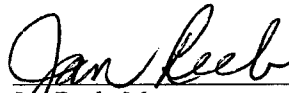
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ANTWERP, COUNTY OF PAULDING, OHIO:

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.

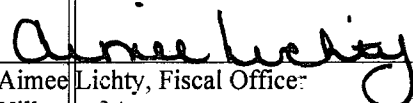
Section 2. It is found and determined that all formal actions of the Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such formal actions, were in meetings 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. 20, 2021.


Jan Reeb, Mayor
Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: 7-19-21

Second Reading: 8-16-21

Third Reading: 9-20-21

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 3220S

Ordinance No. _____

Passed _____, _____

ORDINANCE NO. 2021-12

AN ORDINANCE 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 oversight 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 salary
Chief of Police	\$49,193.82 Base annual salary

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

Position	Compensation / Wage Rate	
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	\$432.06	Base annual salary
	\$11.71	per meeting
	\$15.20	first hour
	\$11.83	each add'l 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

RECORD OF ORDINANCES

Ordinance No. _____ Passed _____, _____

Position	Compensation / Wage Rate
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 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 accepted 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 \$32,96.48 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	\$10.63 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'l hour
Fire Captains	\$127.55 Base annual salary

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

Position	Compensation / Wage Rate	
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
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 Water/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 62203


Ordinance No. _____

Passed _____, _____

legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

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

Enacted this 20th day of September, 2021.



Jan Reeb
Mayor of the Village of Antwerp

Attest:



Aimee Lichty, Fiscal Officer

First Reading: 7.19.21

Second Reading: 8.14.21

Third Reading: 9.20.21

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Instrument
202100002765

VOL 603 PAGE 2613

FILED

Ordinance No. _____

Passed _____

SEP 21 2021

ORDINANCE NO. 2021-15

AUDITOR
FAULDING COUNTY

**AN ORDINANCE VACATING THAT PORTION OF ERIE STREET EXTENDED,
WHICH 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. 12-02S-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 lot 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 12-11S-001-00), filed a Petition for Vacating a street that runs north and south 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 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 Ohio Revised Code; and

WHEREAS, pursuant to Section 723.04 of the Ohio 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. 12-02S-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 Ohio Revised Code.

7130/119/C1205685-2MLF

202100002765
Filed for Record in
FAULDING COUNTY, OHIO
CAROL E TEMPLE, COUNTY RECORDER
09-30-2021 At 03:19 pm.
VACATION 58.00
OR Volume 603 Page 2613 - 2617

Indexed

RECORD OF ORDINANCES

Form 6220S

BARRETT BROTHERS - DAYTON, OHIO

Ordinance No. _____

Passed _____

VOL 603 PAGE 2614

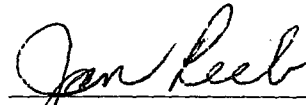
Section 3. That the survey and legal description (parcel 1 as identified therein) accompanying said petition be referred to the Fiscal Officer for filing with the Paulding County Auditor and Recorder, along with the original Ordinance or a certified copy to be recorded in the official records of the Paulding County Recorder's Office.

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 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: Sept. 20, 2021.


Jan Reeb, Mayor
Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: July 19, 2021

Second Reading: Aug 16, 2021

Third Reading: Sept. 20, 2021

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Passed

CERTIFICATE OF COPY

I have hereunto subscribed my name and affixed my official seal this 20 day of September, 2021.

Aimee Lichty
Aimee Lichty, Fiscal Officer
Village of Antwerp, Ohio

ACCEPTED AND RECORDED by the Paulding County Recorder's Office on
September 30, 2021. Carol E. Temple, Recorder

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

VOL 603 PAGE 2616

Ordinance No. _____

Exhibit A
Passed _____

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 right-of-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;

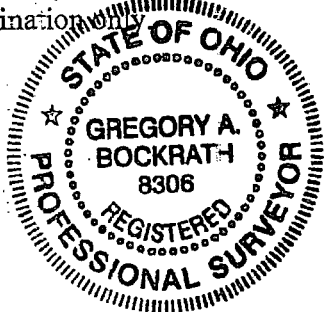
Thence North 71°57'22" East along said South right-of-way line a distance of 66.01 feet to a point marking the Northwest corner of Lot 5 in Daggett's Second Addition to the Village of Antwerp as recorded in Deed Volume 274, Page 441;

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;

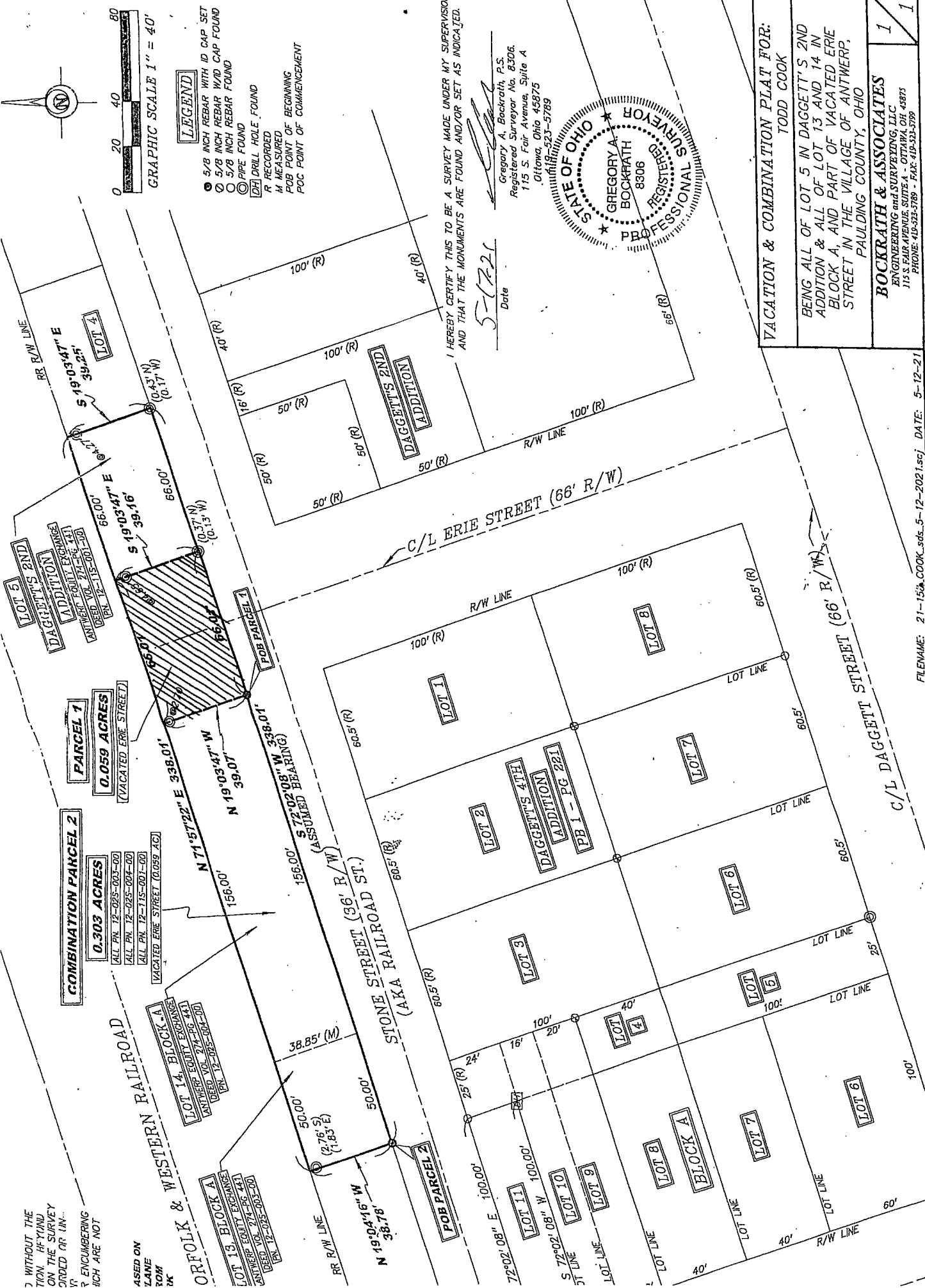
Thence South 72°02'08" West along a new division a distance of 66.01 feet to the POINT OF BEGINNING, said vacated Erie street containing 0.059 acres of land, more or less.

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 only.



[Signature] 5-17-21
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:

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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;

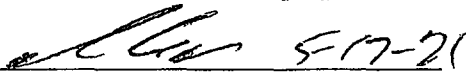
Thence South 19°03'47" East along the West line of said Lot 5 a distance of 39.16 feet to a point marking the Southwest corner of said Lot 5, referenced by an iron pipe found lying 0.37 feet North and 0.13 feet West of said point, passing an iron pipe found at 4.65 feet;

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 only.




Registered Surveyor No. 8306
Gregory A. Bockrath
Bockrath & Associates
Engineering and Surveying, LLC

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 622CS

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 upgrades 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 Jones & 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 Ohio:

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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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 for better water quality for the Village and its residents. 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.

Passed: September 20, 2021.

Jan Reeb
Jan Reeb, Mayor
Village of Antwerp

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer



Jones & Henry
ENGINEERS, LTD.

Fluid thinking®

3103 Executive Parkway, Suite 300, Toledo, OH 43606
Phone: 419.473.9611 JHEng.com

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

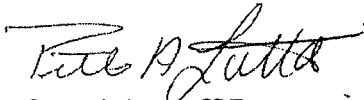
Actual charges will be based on time and expense times a factor and will not exceed the estimated fee without approval from the Village.

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.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

ORDINANCE NO. 2021-17

AN ORDINANCE ESTABLISHING COMPENSATION FOR THE VILLAGE OF 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 Police	\$53,661.66	Base annual salary
Police - Full Time - On Probation	\$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

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Position	Compensation / Wage Rate	
Fire Captains	\$132.66	Base annual salary
Fire Lieutenants	\$92.76	Base 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	\$306.13	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 \$15.39	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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6223S

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 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. All prior legislation, or any part thereof, which is inconsistent with this Ordinance is hereby repealed as to the inconsistent parts thereof.

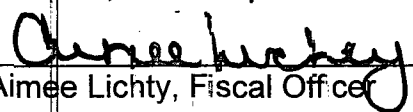
Section 6. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Enacted this 23 day of November, 2021



Jan Reeb
Mayor of the Village of Antwerp

Attest:



Aimee Lichty, Fiscal Officer

First Reading: Sept 20, 2021

Second Reading: Oct 18, 2021

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. 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 dwellings 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.

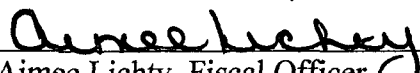
Section 2. It is found and determined that all formal actions of the Council of the Village of Antwerp, Ohio, concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and any of its committees that resulted in such 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 23 day of Nov, 2021


Jan Reeb, Mayor

Attest:


Aimee Lichty, Fiscal Officer

First Reading: Sept 20, 2021
Second Reading: Oct 18, 2021
Third Reading: Nov 23, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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. 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.

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 20th day of Sept, 2021.

7100/119/01246517-1 MLF

RECORD OF ORDINANCES

BAKRETT BROTHERS - DAYTON, OHIO

Form 62203

Ordinance No. _____ Passed _____, _____

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

Janice Reeb
Jan Reeb, Mayor of the Village of Antwerp

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.

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 20th day of Sept., 2021.

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

Janice Reeb
Jan Reeb, Mayor of the Village of Antwerp

REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement ("Agreement") is made effective as of the 20 day of Sept, 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.]

IN WITNESS WHEREOF, Seller has executed this Agreement this 20th day of September, 2021, and Buyer has executed this Agreement as of the date set forth next to its authorized officer's signature.

SELLER:

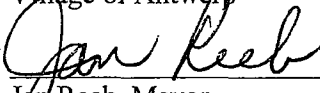


Alan E. Franklin

BUYER:

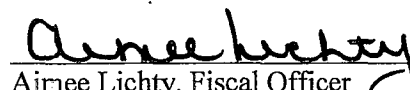
DATED: 9-20-21, 2021

Village of Antwerp



Jan Reeb, Mayor

Attest:



Airnee Lichty, Fiscal Officer

DESCRIPTION CHECKED
& APPROVED
PLDG. CO. ENGINEER'S OFFICE
BY LEE APPROVED

WARRANTY DEED

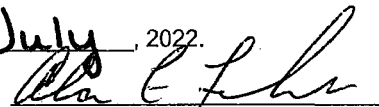
KNOW ALL MEN BY THESE PRESENTS that **ALAN E. FRANKLIN**, an unmarried man of Paulding County, Ohio, for valuable consideration paid, grants with general warranty covenants, to: the **VILLAGE OF ANTWERP, an Ohio Municipal corporation**, whose tax mailing address is: 118 North Main Street, Antwerp, Ohio 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.


ALAN E. FRANKLIN

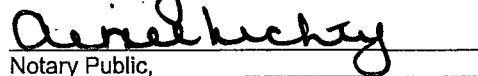
STATE OF OHIO)
) SS:
COUNTY OF PAULDING)

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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Paulding County, Ohio, this 25 day of July, 2022.

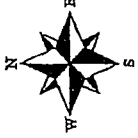


AIMEE C LICHTY
Notary Public
State of Ohio
My Comm. Expires
March 9, 2025


Notary Public,
State of Ohio
My Commission Expires: _____

Prepared by: Melanie L. Farr, HallerColvin PC, 444 East Main Street, Fort Wayne, IN 46802.

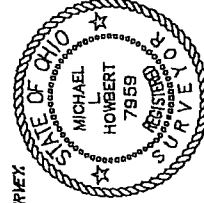
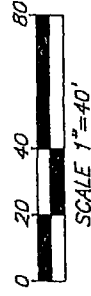
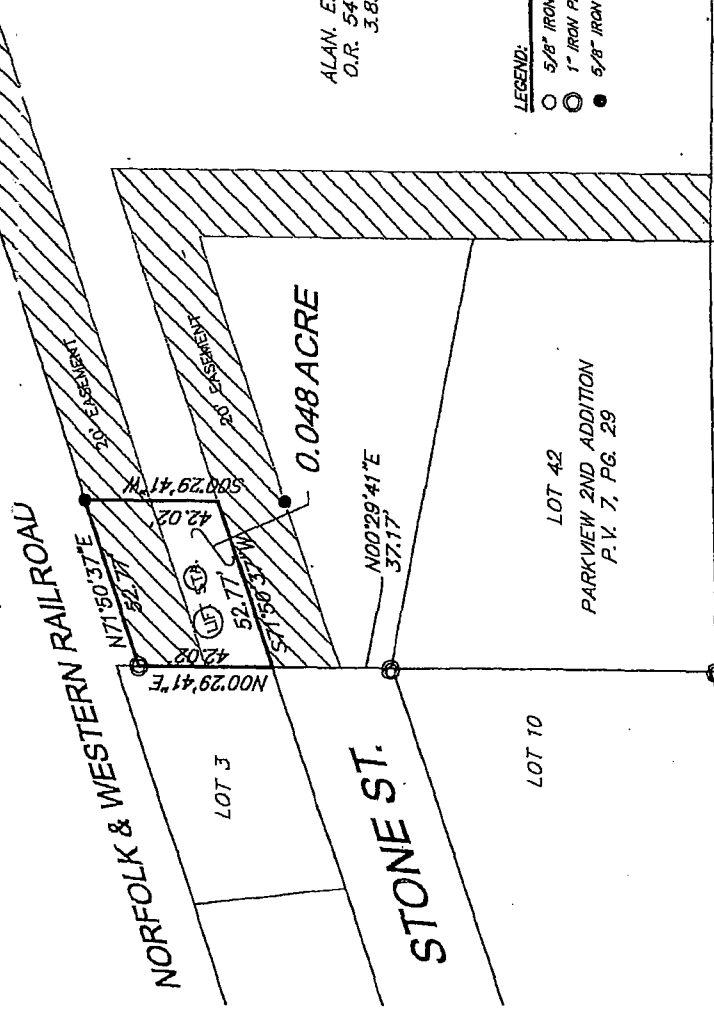
NORTH AND BEARING
SYSTEM BASED ON OHIO
NORTH STATE PLANE GRID,
NAD 83 ADL 2011.



ALAN E. FRANKLIN
O.R. 541, PG. 815
3.896 AC.

LEGEND:

- 5/8" IRON PIN FOUND
- 1" IRON PIPE FOUND
- 5/8" IRON PIN SET



THIS PLAT IS BASED ON AN ACTUAL FIELD SURVEY.

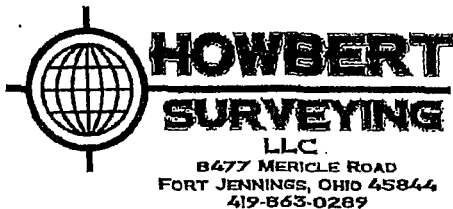
Michael L. Howbert
MICHAEL L. HOWBERT
REGISTERED PROFESSIONAL
SURVEYOR NO. 7859 IN OHIO
AUG. 16, 2020

**SURVEY PLAT
FOR**
VILLAGE OF ANTWERP

SITUATED IN:
THE SE 1/4, SECTION 27
TOWN 3 N. RANGE 1 E.,
VILLAGE OF ANTWERP,
PAULDING COUNTY, OHIO

NOTES:
FOUND MONUMENTATION IN GOOD CONDITION
UNLESS OTHERWISE NOTED.
DATA SOURCES INCLUDE DOCUMENTS CITED.
A TITLE SEARCH IS RECOMMENDED TO DETERMINE
EASEMENTS, RESTRICTIONS, AND/OR OTHER
ENCUMBRANCES AFFECTING THE PROPERTY
SHOWN HEREON.

HOWBERT SURVEYING LLC 8477 MORTIMER ROAD FORT JENNINGS, OHIO 43044-4 419-365-0283	
DATE: 8/16/21	REVIEW: [Signature]
CLIENT: VILLAGE OF ANTWERP	SCALE: 1" = 40'
JOB #: 378-08-20	CHK: [Signature]



Description
Antwerp Lift Station
0.048 Acre

Situated 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 2nd. 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;

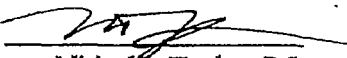
Thence continuing along said west line, N.00°29'41"E., a distance of 42.02 feet to a 5/8" iron pin found in the south line of the Norfolk an Western Railroad;

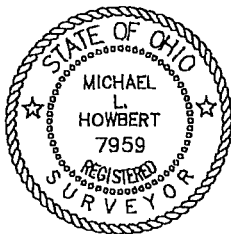
Thence running on said south line, N.71°50'37"E., a distance of 52.77 feet to a 5/8" iron pin set;

Thence along a new division line on the following two (2) courses and distances:
1. S.00°29'41"W., a distance of 42.02 feet to a 5/8" iron pin set;
2. 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.



Instrument
2022000119920220504 11:04
Filed in Paulding County, Ohio
CAROL E. TEMPLE, COUNTY RECORDER
05-11-2022 AT 11:04 AM
PAULDING COUNTY, OHIO
DE VILLAS 607 Page 2268 - 2279**PARTIAL RELEASE OF MORTGAGE**

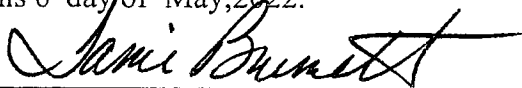
FOR VALUE RECEIVED, Partners 1st Federal Credit Union (Formerly North American Philips Federal Credit Union, Philips Electronics Federal Credit Union, or Philips Federal Credit Union or General Credit Union, Insurance Employee Federal Credit Union, Centerline Federal Credit Union, NAVL Employees Federal 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 therein 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

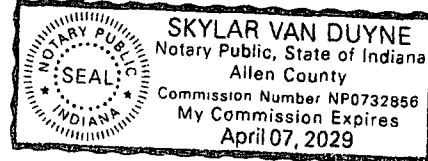
STATE OF INDIANA, ALLEN COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said State and County, personally came Partners 1st 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal
this 6 day of May, 2022.

Skylar Van Duyne
Notary Public, Skylar Van Duyne

Resident of Allen County



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.

Jennifer Neuschwanger
Jennifer Neuschwanger, Mortgage Loan Servicer



1 in = 30 ft

Disclaimer: These maps are for visual reference only...not for survey purposes.

Date: 7/19/2022

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 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. 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 dwellings 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 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 23 day of Nov, 2021.

Jan Reeb
Jan Reeb, Mayor

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

First Reading: Sept 20, 2021
Second Reading: Oct 18, 2021
Third Reading: Nov 23, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

waiting
on
signature

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance 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 112.14, 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:

Section 1. 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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 62203

Ordinance No. _____

Passed _____, _____

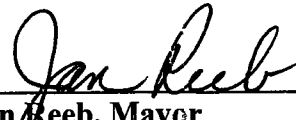
Penalty, see § 110.99

Section 2. Previous ordinances and/or any portions thereof, including other provisions of Chapter 112 of the Ohio Basic Code adopted by the Council of the Village of Antwerp, 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 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.

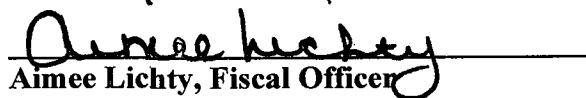
Section 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 23 day of Nov, 2021.



Jan Reeb, Mayor
Village of Antwerp, Ohio

Attest:


Aimee Lichty, Fiscal Officer

1st Reading: Sept 20, 2021

2nd Reading: Oct 18, 2021

3rd Reading: Nov 23, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 62203

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. 2010-16 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. Section 3 of Ordinance No. 2010-16 currently reads as follows:

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. Section 3 of Ordinance No. 2010-16 is amended to read as follows:

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Section 3. The Village Fiscal Officer is authorized to issue compensation to the zoning inspector at the rate of Six Hundred Twenty-Five Dollars (\$625.00) 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 5. Previous ordinances and/or any portions thereof, including Sections 2 and 3 of Ordinance No. 2010-16, 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 thereof.

Section 6. The zoning inspector shall also be entitled to a one-time payment of One Thousand Five Hundred Dollars (\$1,500.00) upon the completion of the Zoning Map amendments and the Zoning Map is updated to reflect any and all amendments made to date.


Section 7. 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 8. This Ordinance shall take effect and be in force after the earliest period allowed by law, and the annual payment rate increase set forth herein shall be effective starting January 1, 2022.

PASSED this 1 day of Dec, 2021.


Jan Reeb
Mayor, Village of Antwerp

ATTEST:


Aimee Lichty
Fiscal Officer, Village of Antwerp

First reading: Oct 18, 2021

Second reading: Nov 23, 2021

Third reading: Dec 1, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

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:

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 (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

ATTEST:



Aimee Lichty, Fiscal Officer

First Reading: Nov 23, 2021

Second Reading: Dec 1, 2021

Third Reading: Dec 20, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

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:

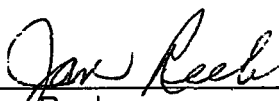
Section 1. The Village Fiscal Officer is hereby authorized to transfer the sum of Thirty-Eight Thousand Dollars and Zero Cents (\$38,000.00) from the General Fund to the Police Fund.

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.

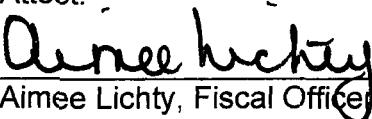
Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of funds for the operation of the police department necessary for the 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 Dec 20, 2021



Jan Reeb,
Mayor of the Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer

7100/114/01018218-1 MLF

RECORD OF ORDINANCES

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 NINETEENTH 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 ORDAINED by the Council of the Village of Antwerp, County of Paulding, and State of Ohio:

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 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 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



Jan Reeb
Mayor of the Village of Antwerp

ATTEST:


Aimee Lichty, Fiscal Officer

First Reading: Dec 1, 2021

Second Reading: Dec 20, 2021

Third Reading: Dec 30, 2021

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____

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 Pioneer 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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

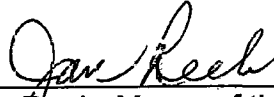
Form 6220S

Ordinance No. _____

Passed _____, _____

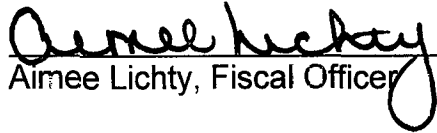
Section 4. This Ordinance is hereby declared to be an emergency measure, necessary to authorize the Mayor to enter into the written modification of the lease agreement that is effective January 1, 2022, and allow the residents and customers of the downtown business district to continue to use the parking lot covered by the lease agreement, and shall take effect immediately upon its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

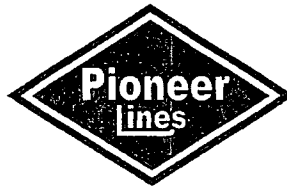
Passed this 20 day of December, 2021.



Jan Reeb, Mayor of the Village of Antwerp

Attest: _____


Aimee Lichty, Fiscal Officer



5619 DTC PARKWAY, SUITE 650, GREENWOOD VILLAGE, CO 80111
MAIN: 720.506.9121 WWW.PIONEERLINES.COM

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 parking lot

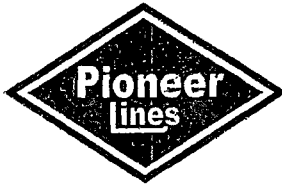
Dear Village of Antwerp,

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 Railroad 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 WWW.PIONEERLINES.COM

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:

Village of Antwerp, Ok

Customer

Jan Keck, Mayor

Signature

Jan Keck 12-20-21

Date

Please return one executed original of this signature page along with a copy of this letter.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

ORDINANCE NO: 2021-26

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP 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 re-zone 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 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, 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 re-zoned or the classification of these real estate parcels changed as noted thereon.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

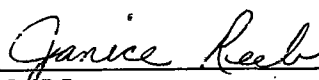
Passed _____

Section 2. The amendment in Section 1 shall be incorporated into the Official Zoning Map 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 requirements, 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 710 of the Zoning Ordinance, which requires the Village Council to act within thirty (30) days of the public hearing on the proposed amendment, 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 20th day of December, 2021.



Jan Reeb, Mayor
Village of Antwerp, Ohio

Attest:

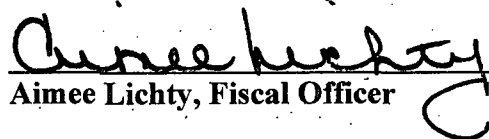

Aimee Lichty, Fiscal Officer

Exhibit A

Village of Antwerp Planning & Zoning Commission Reccomended Zoning Map Changes

	Parcel	Owner	Adress	Current Zoning	Proposed Zoning
1	12-38S-004.00	WIESEHAN KEITH L TRUSTEE & WIESEHAN SUSAN R TRUSTEE	418 Canal St E	A-1	R-1
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 LLC	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	12-07S-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	12-07S-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	12-38S-021.01	Paulding Cty Land Revitalization Corp.	504 River St. E	B-1	B-2

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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.

Section 2. 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.

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S


Ordinance No. _____

Passed _____

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.

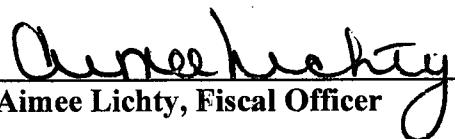
Section 4. This Ordinance is deemed an emergency measure necessary for the preservation of the public health, safety and welfare, and for the further reason to comply with Section 710 of the Zoning Ordinance, which requires the Village Council to act within thirty (30) days of the public hearing on the proposed amendment, 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 20 day of Dec, 2021.



Jan Reeb, Mayor
Village of Antwerp, Ohio

Attest:



Aimee Lichty, Fiscal Officer

B-2 GATEWAY COMMERCIAL 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.
 - i. 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 setbacks.
 - 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 of 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.

309.10 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.~~

310 PERMITTED, CONDITIONAL, ACCESSORY USE TABLE

Zoning Districts

Land Uses P= Permitted, C= Conditional, A=Accessory

	A-1	R-1	R-1-A	R-2	B-1	B-2	I-1	I-2
Agricultural Uses								
Dairy farming	P							
Crop cultivation	P					P		
Livestock farming	P							
Road side produce or farm product stands	P					P		
Specialized animal raising and care	C							
Commercial billboards	C							
Semi-public uses	C					P		
Farm homestead	A							
Quarters for seasonal employees	A							
Barns, silos, wind-mills, and similar structures or facilities customary and incidental to farming operations.	A							
Residential & Related Uses								
Single family detached dwelling units	P	P		P		P		
Two Family dwelling units		P		P		P		
Three family or more dwellings				P		P		
Upper floor dwelling units					P	P		
Schools, libraries, governmental buildings, treatment plants and governmental facilities of a similar nature.	P	P		P	P	P		
Churches	P	P		P	P	P		
Hospitals & clinics	C	C		C	P	P		
Nursing homes, assisted living, extended care fac.	C	C		C	C	P		
Funeral homes	C	C		C	P	P		

Zoning Districts

Land Uses P= Permitted, C= Conditional, A=Accessory	A-1	R-1	R-1-A	R-2	B-1	B-2	I-1	I-2
Public utility substations & transmission facilities		C	C	C	C	C		
Home Occupations		C	C	C		C		
Resident Office Space		C	C	C		C		
Residential Garages & Outbuildings		A	A	A		A		
Greenhouse (residential scale)		A	A	A				
Residential Accessory Buildings		A	A	A				
Mobile Home Parks			P					
Resident Parking Areas				A				
Sign: Subdivision/Neighborhood/Community signs (Plans must be submitted to the Planning & Zoning Commission for approval prior to permit being issued)	P	P		P		P		
Business and Related Uses								
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).					P	P		
General merchandising including, but not limited to, hardware, clothing, dry goods, groceries, dairy products, catalogue sales, office supplies, drug stores					P	P		
Production and sales of art and art-related products such as pottery, paintings, graphic design, sculpture, jewelry, etc.					P	P		
Financial Institutions and Restaurants (including a drive in or drive through facility).					C	P		
Financial Institutions and Restaurants (not including a drive in or drive through facility).					P	P		
Any retail or service business that involves a drive in or drive through					C	P		
Professional Offices					P	P		
Youth Activity Center					P	P		
Lodges, fraternal organizations, private clubs				C	P	P		
Physical fitness center					P	P		
Major automobile engine and body repair						C	P	
Gas Station (with or without convenience retail)						P		

Zoning Districts

Land Uses P= Permitted, C= Conditional, A=Accessory	A-1	R-1	R-1-A	R-2	B-1	B-2	I-1	I-2
Public Use						P		
Theaters (indoor)					P	P		
Motels and hotels.					C	P		
Greenhouse (commercial scale)							P	
Vehicle Sales and Service						P		
Pharmacy					P	P		
Coffee Shops					P	P		
Animal hospitals and veterinary offices (no outside runs or kennels).						P	P	
Kennels, animal hospitals and veterinary offices with outside runs and kennels.							P	
Carpenter or cabinet shop if conducted wholly within an enclosed building.							P	
Sexually-Oriented Businesses					C		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								P
Fertilizer sales & application services								P
Contractors' offices if when all equipment and construction materials area located within an enclosed building.						C	P	
Contractors' offices with outside storage of equipment and construction materials							P	
Industrial plants manufacturing or assembling the following: boats; small metal products such as bolts, nuts, screws, washers, rivets, nails, etc.; clothing; drugs and medicines; electrical equipment; glass products from previously manufactured glass; furniture and wood products; and plastic products for production of finished equipment.							P	
Life science technology and medical laboratories, including but not limited to biomedical engineering, materials engineering, biotechnology, genomics, proteomics, molecular and chemical ecology.							P	

Zoning Districts

Land Uses P= Permitted, C= Conditional, A=Accessory	A-1	R-1	R-1-A	R-2	B-1	B-2	I-1	I-2
Limited light manufacturing of prototypes and related research & development, where all processing, fabricating, assembly, or disassembly of items takes places wholly within an enclosed building and no outside storage of raw material or finished products are involved.							P	
Electronic computing facilities.							P	
Bulk storage of petroleum products.							C	
Warehouses.							P	
Research laboratories.							P	
Asphalt mixing plant.							C	
Cement product or cinder block manufacture.							C	
Iron, steel, brass or copper foundry.							C	
Metal stamping.							C	

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

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 appropriations:

VILLAGE OF ANTWERP 2021 REAPPROPRIATIONS		REAPPROP	
	ORIGINAL APPR	ADJUSTMENT	BALANCE
A01- GENERAL FUND	\$ 640,331.23	(170,079.97)	470,251.26
B01 - STREET FUND	\$ 151,138.12	(79,176.28)	71,961.84
B02 - STATE HIGHWAY FUND	\$ 10,000.00	(10,000.00)	-
B05 - LAW ENFORCEMENT FUND	\$ 1,131.34	(1,131.34)	-
B07 - FED MAYOR COURT	\$ 3,500.00	(1,285.00)	2,215.00
B08 - PERMISSIVE TAX	\$ 25,000.00	(1,230.00)	23,770.00
B09 - FIRE FUND	\$ 106,580.00	(14,956.47)	91,623.53
B10 - FIRE TRUCK LEVY FUND	\$ 50,592.30	(534.35)	50,057.95
B11 - EMS FUND	\$ 120,000.00	(23,370.40)	96,629.60

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

B12 - EMS VEHICLE REPL FUND	\$ -	-	-
B14 - SEVERANCE PAY RES FUND (NEW IN 2017)	\$ 67,103.56	(51,183.76)	15,919.80
B15 - VETS MEMORIAL	\$ 600.00	(600.00)	-
B17 - IND DR ALCOHOL MONITOR	\$ -	-	-
B18 - CARES ACT OTHER USES	\$ -	18,203.30	18,203.30
B19 - COVID SUB-GRANT CAPITAL	\$ -	-	-
B20 - FEMA FIRE GRANT CAPITAL	\$ 101,075.00	(8,741.67)	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	(88,443.38)	210,089.14
E05 - TRASH	\$ 60,000.00	1,958.82	61,958.82
E06 - DEPOSIT FUND	\$ 600.00	\$ 456.16	1,056.16
E08 - COMPOST FUND	\$ 11,000.00	(11,000.00)	-
E14 - STORM SEWER	\$ 38,850.00	(2,909.85)	35,940.15

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

G05 - CEMETERY FUND	\$ 14,580.00	1,661.26	16,241.26
G06 - INDIGENT DRIVER	\$ -	-	-
G07 - FOJ FUND	\$ 2,536.28	(2,536.28)	-
G08 - MAYORS COURT	\$ 35,000.00	(10,318.90)	24,681.10
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)	\$1,885,574.71

ORDINANCE NO. 2021-28

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 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: Dec 30, 2021

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

Jay Reeb
Jay Reeb
Mayor of the Village of Antwerp

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**

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, 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

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

G6 - Indigent Driver	\$ -
G7 - FOJ	\$ 2,536.28
G8 - Mayor's Court	\$ 25,000.00
H1 - Police	\$ 295,500.00
H3 - 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 Dec 30, 2021

Dean Rister
Dean Rister, President of Council

Jan Reeb
Jan Reeb, Mayor

Attest: Aimee Lichty
Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

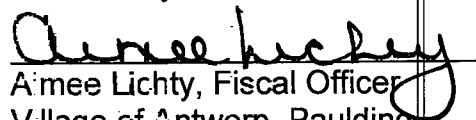
CERTIFICATE

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 total 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 estimate, the county auditor shall give such certificate forthwith upon receiving from the appropriating authority a certified copy of the appropriation measure"

The State of Ohio 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 December, 2021.


Aimee Lichty, Fiscal Officer
Village of Antwerp, Paulding
County, Ohio

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

ORDINANCE NO. 2022-01

AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF ANTWERP TO ENTER INTO A DELINQUENT DEBT COLLECTION 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 21 day of March, 2022.

Jan Reeb
Jan Reeb, Mayor of the Village of Antwerp, Ohio

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

First Reading: Jan 19, 2022

Second Reading: Feb 16, 2022

Third Reading: March 21, 2022

7100/125/012953-9-1 MLF

RECORD OF ORDINANCES

BARRETT BROTHERS - CAYTON, OHIO

Form 6223S

Ordinance No. _____

Passed _____, _____



DAVE YOST
OHIO ATTORNEY GENERAL

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.

6.2 The Parties acknowledge and agree that O.R.C. §131.02 empowers the Attorney 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

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

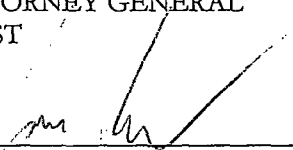


Jan Reeb, Mayor

3-21-22 2022
Date

OHIO ATTORNEY GENERAL
DAVE YOST

By:


Lucas Ward
Section Chief

4-4-22
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 Collection Agreement Between the Ohio Attorney General and
the Village of Antwerp, Ohio, executed by Jan Reeb, Mayor
Village of Antwerp, Ohio, on March 21, 2022 is hereby ratified and approved.

POLITICAL SUBDIVISION AUTHORITY (I.E. COUNTY COMMISSIONERS, COUNCIL)

Dean Reeb 3/21/ 2022
Jan Reeb 3/21/22 2022
Deputy M. Stone Date 3/21/22
Patricia Gail 3/21/22 2022
Date

B. A. Smith 3/21/22 2022
Date

POLITICAL SUBDIVISION LEGAL AUTHORITY (I.E. PROSECUTOR, LAW DIRECTOR)

Melanie D. Fair March 21 2022
Date

**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

Jan Reeb

3-21-22 2022

Date

OHIO ATTORNEY GENERAL
DAVE YCST

By: Lucas Ward

Lucas Ward
Section Chief

4-4-22

Date

RECORD OF ORDINANCES

BARRETT EROTHERS - DAYTON, OHIO

Form 6220S

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 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 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 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 1-19-22

Jar Reeb
Jar Reeb,
Mayor of the Village of Antwerp

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

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 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, Ohio; and

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:

Section 1. 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 Ohio Revised Code.

Section 4. This Ordinance shall take effect and be in force after the earliest period allowed by law.

Date: Mar 21, 2022

Jan Reeb
Jan Reeb
Mayor of the Village of Antwerp

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

First reading: 1-19-22

Second reading: 2-16-22

Third reading: 3-21-22

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

ORDINANCE NO. 2022-04

AN ORDINANCE ADOPTING THE PERSONNEL MANUAL FOR THE VILLAGE OF ANTWERP, OHIO, INCLUDING ANY AND ALL AMENDMENTS THERETO AND ALL APPLICABLE 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 Personnel Manual, including any and all amendments thereto and all applicable statements attached thereto, for the Village of Antwerp, Ohio, to be in effect for calendar year 2022.

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

Section 1. The Village of Antwerp, Ohio, adopts the Personnel Manual, including any and all amendments thereto and all applicable statements attached thereto, for calendar year 2022. The Personnel Manual, including any and all amendments thereto and all applicable statements, is kept in the office of the Fiscal Officer.

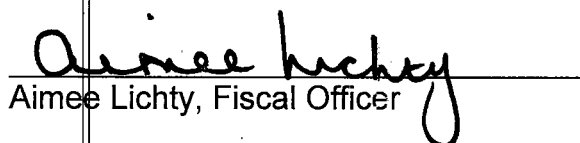
Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings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

Section 3. This Ordinance is deemed an emergency measure necessary for the preservation of the public health, safety and welfare and for the further reason to adopt the Personnel Manual for calendar year 2022, and this Ordinance shall take effect and be in force immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Date: 1-19-22


Jan Reeb, Mayor

Attest:


Aimee Lichty, Fiscal Officer

RECORD OF ORDINANCES

Ordinance No _____ Passed _____, _____

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.

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 in Section 121.22 of the Ohio Revised Code.

RECORD OF ORDINANCES

415

Dayton Legal Blank Co.

Form No. 30043

Ordinance No.

Passed 19

Section 4. This Ordinance shall take effect and be in force after the earliest period allowed by law.

Passed: March 21, 2022.

Jan Reeb
Jan Reeb, Mayor
Village of Antwerp

Attest:
Aimee Lichty
Aimee Lichty, Fiscal Officer
Village of Antwerp

First Reading: Jan 19, 2022

Second Reading: Feb 16, 2022

Third Reading: Mar 21, 2022

Dayton Legal Blank Co.

Form No. 30043

<i>Ordinance No.</i>	<i>Passed</i>	<i>19</i>

**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 1 day of April, 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.

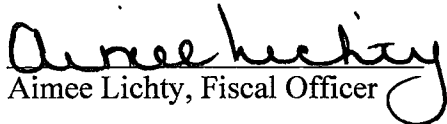
All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Addendum this 21 day of March, 2022.



Brian Davis, Administrator
Village of Antwerp

ATTEST:


Aimee Lichty, Fiscal Officer

APPROVED AS TO FORM:


Melanie L. Farr, Village Solicitor

Real Waste Disposal, LLC

By: 

Name: Ryan Cassiter

Title: Member

Ordinance No. _____

Passed _____ 19__

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 3-21-22



Jan Reeb
Mayor of the Village of Antwerp

Attest:



Aimee Lichty, Fiscal Officer

First reading: Jan 19, 2022

Second reading: Feb 16, 2022

Third reading: March 21, 2022

Ordinance No.

Passed 19

Ordinance No.

Passed 19

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:**

- Section 1.** 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.

Ordinance No. _____

Passed _____

19____

(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, such as 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; 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.

Section 4. 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

421

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. _____ Passed _____ 19__

Date Passed: Feb 16, 2022

Jan Reeb
Jan Reeb, Mayor

Attest:
Aimee Lichty
Aimee Lichty, Fiscal Officer

<i>Ordinance No.</i>	<i>Passed</i>	<i>19</i>
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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, resolution, 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 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

OHIO BASIC CODE, 2022 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 16 day of Feb., 2022, 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, 2022 Edition, as the Code of Ordinances for the Municipality of Antwerp, 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
- 10.02 Definitions
- 10.03 Rules of construction
- 10.04 Revivor; effect of amendment or repeal
- 10.05 Construction of section references
- 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
- 10.18 Determination of legislative intent
- 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
- 30.12 Residency requirements prohibited; exceptions

Chapter 31: Executive Authority

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- 31.001 Executive power; where vested

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- 31.015 Term of Mayor; power and duties
- 31.016 General duties of the Mayor
- 31.017 Communications to the Legislative Authority
- 31.018 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
- 31.022 Vacancies in office of Mayor
- 31.023 Disposition of fines and other moneys

Clerk

- 31.040 Election, term, qualifications of the Clerk
- 31.041 Powers and duties of Clerk
- 31.042 Books and accounts; merger of offices
- 31.043 Seal of Clerk
- 31.044 Combined offices of Clerk and Treasurer; Fiscal Officer

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- 31.060 Election, term, qualifications of the Treasurer
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- 31.063 Quarterly account; annual report
- 31.064 Receipt and disbursement of funds
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- 31.081 General duties
- 31.082 Assistants

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- 31.101 Administrator
- 31.102 Board of Trustees of Public Affairs
- 31.103 Fire Engineer, Engineer and Superintendent of Markets

Chapter 32: Legislative Authority

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- 32.002 President Pro Tempore; employees
- 32.003 Vacancy when President Pro Tempore becomes Mayor
- 32.004 Qualifications of members of the Legislative Authority
- 32.005 Compensation and bonds of municipal officers and employees
- 32.006 Vacancy
- 32.007 Judge of election and qualification of members; quorum and special meetings
- 32.008 Rules; journal; expulsion of members
- 32.009 Meetings
- 32.010 General powers
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- 32.013 Care, supervision and management of public institutions

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- 32.025 Contracts by the Legislative Authority or Administrator
- 32.026 Bids and proceedings

- 32.027 Alterations or modifications of contract
- 32.028 Contract restrictions
- 32.029 Award to lowest responsive and responsible bidder

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- 32.041 Passage procedure
- 32.042 Style of ordinances
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- 32.071 Referendum petitions
- 32.072 More than one ordinance required; application of subchapter
- 32.073 Presentation of petitions
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- 32.080 Threats in securing signatures
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- 33.01 Jurisdiction in ordinance cases and traffic violations
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- 33.21 Acts in contempt of court
- 33.22 Hearing
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- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
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- 34.06 Removal proceedings; suspension; appeals
- 34.07 General powers
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- 34.09 Disposition of fines and penalties
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- 35.09 Right to examine buildings, premises, and vehicles
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- 35.34 Organization; rules and regulations; roster
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- 70.32 Signals over reversible lanes
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- 70.35 Unauthorized signs and signals prohibited
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- 72.007 Prohibition against driving upon left side of roadway
- 72.008 Hazardous zones
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- 74.54 Weighing of vehicle; removal of excess load
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- 90.02 Confining animal found at large; publication of notice; lien
- 90.03 Unavoidable escapes
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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Antwerp, Ohio.

Signed:

Jan Leeb
Mayor

Aimee Hecht
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, 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.

Jan Reeb
Mayor

Aimee Lichty
Clerk of the Legislative Authority

Ordinance No. _____ Passed _____ 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.

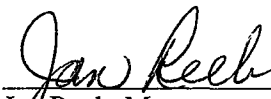
NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, County of Paulding, State of Ohio:

Section 1. Ordinance No. 2020-07 is repealed.

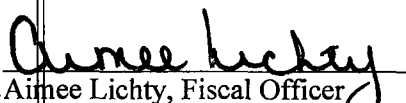
Section 2. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 16 day of February, 2022.


Jan Reeb, Mayor
Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer

Ordinance No.

Passed

19

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: <http://www.villageofantwerp.com/calendar.htm>. 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: <https://villageofantwerp.com/calendar/>. 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 Ordinance 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.


Ordinance No.

Passed 19

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.

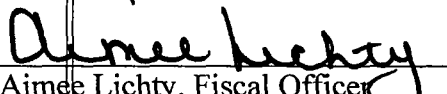
Section 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that the Village must update the website address to publish notice of the time and place of regularly scheduled meetings 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 16 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 Ordinance are hereby set aside, revoked and held for naught.

RECORD OF ORDINANCES

427

Dayton Legal Blank Co.

Form No. 30043


Ordinance No.

Passed 19

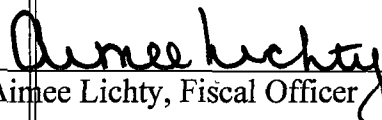
Section 4. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings 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 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 to correct the reference governing meeting notices included in Ordinance No. 2021-22 establishing the time and place of regular Council meetings for calendar year 2022. 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 16 day of February, 2022.


Jan Reeb, Mayor
Village of Antwerp

Attest:


Aimee Lichty, Fiscal Officer

Ordinance No.

Passed 19

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 outlying 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.

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.

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.

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.

Jan Reeb
Jan Reeb, Mayor

Attest:

Aimee Lichty
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

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 Crane, 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 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 Feb 21, 2022, 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

Township of Crane

Attn: Fiscal Officer
17374 45 127
Local OH 45821

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.

Executed at Antwerp, Ohio, on the day and year first above written.

"VILLAGE"

VILLAGE OF ANTWERP

By: Jan Reeb
Jan Reeb

Title: Mayor

Date: 4-18-22

By: Aimee Lichty
Aimee Lichty

Title: Village Fiscal Officer

Date: 4-18-22

"TOWNSHIP"

TOWNSHIP OF CRANE

By: Th. A. Stover

Title:

Date: Joe Schuch

By: Michael Meyer

Title:

Date: 5/19/2022

Ordinance No.

Passed 19

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.

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.

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 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

433

Dayton Legal Blank Co.

Form No. 30043

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 Harrison Township for the provision of emergency medical services in that portion of Harrison 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.

Jan Reeb
Jan Reeb, Mayor

Attest:

Aimee Lichty
Aimee Lichty, Fiscal Officer

First reading: Feb 16, 2022

Second reading: Mar 21, 2022

Third reading: Apr 18, 2022

Ordinance No.

Passed 19

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 April 18, 2022, by an ordinance passed on said date, Ordinance No. 2022- 12.

WHEREAS, the Board of Trustees of the Township were authorized to enter into this Agreement on May 9th, 2022, by a resolution adopted on said date, Resolution No. 2022-3.

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.
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

Township of Harrison

Attn: TRUSTEES
P.O. BOX 103
DAYNE, OH 45880
(419) 769-4708

and

Attn: EMS Coordinator
P.O. Box 1046
Antwerp, Ohio 45813
Telephone: (419) 258-1570
Fax: (419) 258-1337

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.

Executed at Antwerp, Ohio, on the day and year first above written.

"VILLAGE"

VILLAGE OF ANTWERP

By: Jan Reeb
Jan Reeb
Title: Mayor
Date: 4.18.22

By: Aimee Lichty
Aimee Lichty
Title: Village Fiscal Officer
Date: 4-18-22

"TOWNSHIP"

TOWNSHIP OF HARRISON

By: Chad Berschke
Title: Harrison Township Trustee
Date: May 9th 2022

By: Robert Young
Title: Harrison Township Trustee
Date: 5-9-22

Kerry Book
Harrison twp trustee
5-9-22

ORDINANCE NO. 2022-13

AN ORDINANCE AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH CARRYALL 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 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.

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 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.

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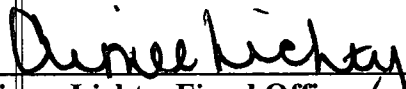
Section 10. This Ordinance shall take effect as of the expiration of the current agreement by and between the Village of Antwerp and Carryall Township for the provision of emergency medical services in Carryall Township as defined in the Agreement and be in full force and effect from and after the earliest period allowed by law.

Passed this 18 day of April, 2022.



Jan Reeb, Mayor

Attest:



Aimee Lichty, Fiscal Officer

First reading: Feb 16, 2022

Second reading: Mar 21, 2022

Third reading: Apr 18, 2022

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