

ORDINANCE NO. _____

MAKING SUPPLEMENTAL APPROPRIATIONS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,
STATE OF OHIO:

Section 1. That in addition to the sums heretofore appropriated,
certain sums be and the same hereby are, appropriated as follows:

- a. From the Community Corrections Fund to 287.150.5414
“Operating Expenses” the sum of \$180.07
- b. From the Police Fund to 510.211.5414 “Impound Costs”
the sum of \$2,500.00
- c. From the Sewer Fund to 635.360.5271 “Facility
Maintenance” the sum of \$25,000.00
- d. From the Waste Fund to 670.380.5236 “State and Local
Fees” the sum of \$12,000.00

Section 2. That this ordinance is hereby declared to be an emergency
measure necessary to the immediate preservation of the public health, safety
and welfare, and accordingly, shall be in full force and effect immediately
upon its passage.

Passed this _____ day of _____, 2011.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2011.

Mayor

ORDINANCE NO. _____

MAKING MISCELLANEOUS TRANSFERS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON,
STATE OF OHIO:

Section 1. That from the sum heretofore appropriated, the following sums be, and the same hereby are, transferred for current expenses and other expenditures as follows:

- a. From Account 670.370.5279 "Dumpster Maintenance" to Account 670.380.5314 "Landfill Vehicle Gas Expense" the Sum of \$5,000.00
- b. From Account 670.380.5312 "Landfill Vehicle Expense" to 670.380.5314 "Landfill Vehicle Gas Expense" the sum of \$7,500.00
- c. From Account 510.211.5342 "Police Uniforms" to 510.211.5243 "College Reimbursement" the sum of \$2,000.00

Section 2. That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this _____ day of _____, 2011.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2011.

Mayor

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

(VILLAGE COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of _____,
County, Ohio, met in _____ session on the _____ day of _____,
_____, at the office of _____ with the following members
present:

Mr./Ms. _____ 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, _____; an

WHEREAS, the Budget Commission of _____ County, Ohio has
certified its action thereon to this Board together with an estimate by the County Auditor of the
rate of each tax necessary to be levied by the 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 City of _____, _____ 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 City the
rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current expense levy authorized by voter on _____ years. not to exceed _____		
Current expense levy authorized by voter on _____ years. not to exceed _____		
Total General Fund outside 10 m. Limitation.	0.000	-
Park Fund: Levy authorized by voters on _____ for not to exceed _____ years.		
Recreation Fund: Levy authorized by voters on <u>May 3, 2005</u> for not to exceed <u>cont.</u> years.	1.250	275,226
Police Fund: Levy authorized by voters on <u>November 2, 1999</u> for not to exceed <u>cont.</u> years.	1.250	261,756
Fire & EMS Fund: Levy authorized by voters on <u>November 2, 1999</u> for not to exceed <u>cont.</u> years.	1.250	261,756
EMS Fund: Levy authorized by voters on <u>May 5, 1998</u> for not to exceed <u>cont.</u> years.	1.000	182,478
Fire & EMS Fund: Levy authorized by voters on <u>November 8, 2005</u> for not to exceed <u>cont.</u> years.	1.000	142,184

and be it further

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

Mr./Mrs. _____ seconded the Resolution and roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____, _____

Adopted the _____ day of _____, 20_____.

Attest:

President of Council

Clerk of Council

SCHEDULE A

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

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column 1	Column II	III	IV
General Fund		458,121	2.000	
Police Pension		68,718	0.300	
Sinking Fund		68,718	0.300	
Park Fund				
Recreation Fund	275,226			1.250
Police Fund	261,756			1.250
Fire & EMS Fund	261,756			1.250
EMS Fund	182,478			1.000
Fire & EMS Fund	142,184			1.000
TOTAL	1,123,400	595,557	2.600	5.750

CERTIFICATE TO COPY

ORIGINAL ON FILE

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the Village of
_____, within and for said County, and in whose custody the Fil
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 _____

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

WITNESS my signature, this _____ day of _____, _____

Clerk of Council

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

RECEIVED BY, AUDITOR'S OFFICE:

City of Wilmington

ORDINANCE NO. _____

AUTHORIZING AN AMENDMENT TO THE ENTERPRISE ZONE AGREEMENT BY AND BETWEEN THE CITY OF WILMINGTON, OHIO AND THE BOARD OF COMMISSIONERS OF CLINTON COUNTY, OHIO (Amending boundaries of Enterprise Zone 391)

WHEREAS, the Ohio Enterprise Zone Act ("the Act"), under Ohio Revised Code Section 5709.61 through 5709.69 has authorized counties, with the consent and agreement of affected municipalities and townships therein, to designate areas as Enterprise Zones and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county; and

WHEREAS, the Ohio Department of Development has heretofore certified the City of Wilmington ("City") as an Enterprise Zone, subsequently numbered Enterprise Zone No. 39, in a zone that includes the all the territory of the City of Wilmington as of October 2, 2003 (see Ordinance 4360 for the boundaries of the original Enterprise Zone), and

WHEREAS, the City finds it necessary to amend the current Enterprise Zone area to include land that has been annexed to the City of Wilmington since the Enterprise Zone was certified, and

WHEREAS, it is necessary for the Council to formally request from the County Commissioners of Clinton County, Ohio, ("The Board") the inclusion of the additional territory within the City of Wilmington in the Enterprise Zone and to include such an ordinance in a petition to the Director of the Department of Development of the State of Ohio to certify the area described as such a zone; and

WHEREAS, the Council finds and determines that amending the zone to include annexed property pursuant to the Ohio Revised Code Section 5709.632 will promote the economic welfare of the residents of the City by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of said municipality; and

WHEREAS, the Council understands that the Board of County Commissioners is required by law to administer all Enterprise Zones and that the Board's duly authorized Enterprise Zone administrator will also administer agreements within the annexed territory including 1) the establishment and operation of the Tax Incentive Review Council as specified in Ohio Revised Code Section 5709.85, 2) to ensuring that the Enterprise Zone Agreements contain the information required in Ohio Revised Code Section 5709.631, including but not limited to a description of the project, the amount to be invested, the number of jobs created and/or retained, the annual new payroll associated with these jobs, and the specific percentage and term of the tax exemptions being granted toward real and/or personal property, 3) forwarding copies of all Enterprise Zone Incentive Agreements to both the Ohio Department of Development and the Ohio Department of Taxation within fifteen days after the agreement is entered into, as specified in the Ohio Revised Code, 4) notifying affected school boards of proposed projects a minimum of fourteen days prior to formal local legislative consideration and to include comments by the school boards as part of the review process as required under Ohio Revised Code Section 5709.83, 5) maintaining a centralized record of all aspects of the Zone, including copies of the agreements, a list of the members of the Tax Incentive Review Council, and a summary of the Tax Incentive Review Council's annual review of each agreement, and 6) submitting a comprehensive annual zone activities report on or before March 31 of each year pursuant to Section 5709.68; and.

WHEREAS, the Council is requesting designation of an Enterprise Zone which includes all of the municipal corporation and meets population, boundary and distress requirements to be certified as an enterprise zone under Section 5709.63;

WHEREAS, the Council requests from the Board of County Commissioners the power and duty

to negotiate Enterprise Zone Agreements in its Enterprise Zone as permitted in Ohio Revised Code Section 5709.63 and that the Council agrees that the Mayor of the City of Wilmington, or designee, shall negotiate agreements and assist the Board of County Commissioners in the administration of the Enterprise Zone and that Council will approve all agreements before submitting agreements to the Board of county Commissioners for approval; and

WHEREAS, the Council is requesting inclusion of territory annexed to the City of Wilmington since 2005, which would expand the boundaries of the Enterprise Zone to include all parcels currently within the corporation limits of the City of Wilmington, as shown on the map attached hereto and incorporated herein by reference as **Exhibit A**.

NOW, THEREFORE BE IT ORDAINED, that the Council of the City of Wilmington hereby authorizes the Board of Commissioners of Clinton County, Ohio to include all property inside he corporation limits of the City of Wilmington as shown on **Exhibit A** in the City's Enterprise Zone (Enterprise Zone 391); and

BE IT FURTHER ORDAINED that the Clerk of the Board of County Commissioners of Clinton County, Ohio is hereby authorized to include this resolution in the petition to the Director of the Department of the State of Ohio to Amend the Enterprise Zone Agreement between the City of Wilmington, Ohio and the Board of Commissioners, Clinton County, Ohio.

This Ordinance shall have full force and effect from the earliest period allowed by law.`

Attest:

President of Council

Date:

Mayor

Date:

Clerk

Date:

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF _____ No. _____ AS TAKEN FROM THE RECORDS ON FILE IN THE OFFICE OF THE CLERK OF COUNCIL.

Laura A. Curliss, Clerk of Council
City of Wilmington

Resolution No. _____

AUTHORIZING THE SUBMITTAL OF A PROPOSAL WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A GRANT THROUGH THE U.S. DOT FEDERAL TRANSIT ADMINISTRATION (FTA), AS AUTHORIZED UNDER FEDERAL TRANSIT LAW, AS CODIFIED, 49 USC SECTION 5311, FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT PROPOSAL ACCEPTANCE

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Proposer, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an proposal for assistance under 49 USC Section 5311 the Proposer give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Proposer that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, OHIO,

Section 1. That the Mayor is authorized to execute and submit (a) proposal(s) on behalf of the City of Wilmington with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects pursuant to 49 U.S.C. Section 5311 and the Ohio Public Transit Grant Program.

Section 2. That the Mayor is authorized to execute and file with such proposal and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

Section 3. That the Mayor is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the proposal for the program of projects submitted to Federal Transportation Administration.

Section 4. That the Mayor is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part

of the project.

Section 5. That the Mayor is authorized to execute grant agreements on behalf of the City of Wilmington with the Ohio Department of Transportation for aid in the financing of operating and capital assistance projects.

Section 6. That this resolution shall take full force and effect from the earliest period allowed by law.

Passed this _____ day of _____, 2011.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2011.

Mayor

CERTIFICATION

The undersigned duly qualified and acting Clerk of Council of the City of Wilmington certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Council of the City of Wilmington held on _____, 2011.

If proposer has an official seal, impress here.

Laura A. Curliss

Clerk of Council

Date

Resolution No. _____

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2012 ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM

WHEREAS, the State of Ohio through its FY 2012 program has made available funds to assist public transportation systems in Ohio, and

WHEREAS, the City of Wilmington is the transit operator for the City and recipient of funds for the same from the Ohio Department of Transportation; and

WHEREAS, the City will abide by and observe all state and federal rules regarding this program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, OHIO,

Section 1. That the Mayor is authorized to execute a contract for the SFY 2012 Ohio Elderly and Disabled Transit Fare Assistance Program on behalf of the City of Wilmington.

Section 2. That the Director of the City Transportation Department is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with this application.

Section 3. This rRsolution shall have full force and effect from the earliest period allowed by law.

Passed this _____ day of _____, 2011.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2011.

Mayor
CERTIFICATION

The undersigned duly qualified and acting Clerk of Council of the City of Wilmington certifies that the foregoing is a true and correct copy of a

resolution, adopted at a legally convened meeting of the Council of the City of
Wilmington held on _____, 2011.

If proposer has an official seal, impress here.

Laura A. Curliss

Clerk of Council

Date