

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 General Fund to 110.181.5128 "Director of Law
Bureau of Employment Services" the sum of \$7,400.00
- b. From the General Fund to 110.181.5112 "Director of Law-
Victim/Witness Grant Salary" the sum of \$2,523.11

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 540.430.5225 "Recreation Equipment Lease" to Account 540.430.5333 "Park Maintenance" the Sum of \$3,000.00

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. _____

DECLARING PARCEL #2900136793, MORE COMMONLY KNOWN AS 415 COLUMBUS STREET, WILMINGTON, OHIO, TO BE SURPLUS PROPERTY, AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT FOR SAID PARCEL

WHEREAS, the City of Wilmington is the owner of Parcel #2900136793, which is more particularly described in Exhibit A (Clinton County, Ohio Property Record Card), and

WHEREAS, said Parcel is under the jurisdiction of the Water Department of the City of Wilmington and the Water Committee of Council has considered the merits of retaining or selling said parcel and hereby intend to enter into a purchase and sale agreement with the highest bidder in a competitive bidding process.

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

Section 1. That Parcel #2900136793 is hereby declared to be surplus property.

Section 2. That the Mayor is hereby authorized to enter into a Purchase and Sale Agreement and to take all action necessary to transfer the real property described in **Exhibit A** to the highest bidder in a competitive bidding process.

Section 3. That this Ordinance shall take 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

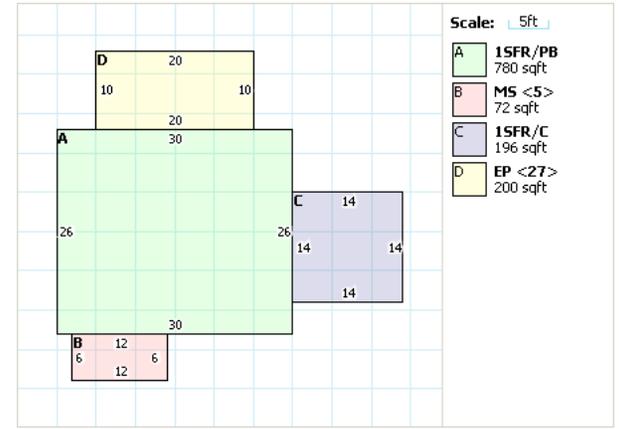
Clinton County, Ohio - Property Record Card

Parcel: 2900136793

Card: 1

GENERAL PARCEL INFORMATION

Owner CITY OF WILMINGTON
 Property Address 415 COLUMBUS ST
 Mailing Address 69 N SOUTH ST
 WILMINGTON OH 45177
 Land Use 510 SINGLE FAMILY OWNER OCCUPIED
 Legal Description MORRIS SD LT13



VALUATION

	Appraised	Assessed
Land Value	\$17,290.00	\$6,050.00
Improvements Value	\$30,100.00	\$10,540.00
Total Value	\$47,390.00	\$16,590.00
Taxable Value	\$16,590.00	

RESIDENTIAL

Building Style	1 Full Baths	1
Year Built	1922 Half Baths	0
Stories	1 Basement	1/4 BASEMENT
Finished Area	976 Heating	BASE
Recreation Room Area	0 Cooling	NONE
Finished Basement Area	0 Exterior Wall	
Rooms	6 Attic	NONE
Bedrooms	2 Number of Fireplace Openings	0
Family Rooms	0 Number of Fireplace Stacks	0

LAND

Land Type	Acreage	Depth(F)	Depth(R)	Frontage	Depth Factor	Actual Value
L1 - FRONT LOT	59	110	0	59	1096	17290

IMPROVEMENTS

SALES

Date	Conveyance Number	Land Only Sale	Price
	N		0

COMMERCIAL

RESOLUTION # _____

ADOPTING PRELIMINARY LEGISLATION FOR A “SAFE ROUTES TO SCHOOL” SIDEWALK PROJECT TO INSTALL MISSING PORTIONS OF SIDEWALK ON THE SOUTH SIDE OF TRUESDELL STREET BETWEEN RANDOLPH STREET AND NELSON AVENUE AND ON THE EAST SIDE OF NELSON AVENUE BETWEEN TRUESDELL AND WARREN DRIVE

WHEREAS, the City of Wilmington (hereinafter referred to as the Local Public Agency (LPA)), has identified a need for road rehabilitation in the City of Wilmington and desires to complete the following described roadway improvement project, to wit:

Install sidewalks along Nelson Avenue from Truesdell Street to Warren Drive and to install the missing sections of sidewalk on the south side of Truesdell Street between Nelson Avenue to Randolph Street, and

WHEREAS, the Ohio Department of Transportation desires to work with the City to accomplish said project and hereby requires Preliminary Legislation in order to commence the project.

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

SECTION I – Project Description

The project shall be known as the Wilmington Safe Routes to School project to wit: **PID No. 90896 County/Route/ Section: CLI Wilmington - SRTS.**

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 City is responsible for:

The Non-Federal share of the Preliminary Engineering Phase and the Non-Federal share of the Construction phase

100% of the Right of Way Phase

All cost for added construction items requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right of way required 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 accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the City shall:

- (1) Provide adequate maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, Title 23, U.S.C., 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 Service Director of said City of Wilmington is hereby empowered on behalf of the City of Wilmington to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION V – EMERGENCY RESOLUTION

This Resolution No. _____ 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.

Passed this _____ day of _____, 2011.

President of Council

ATTEST:

Clerk of Council

Approved by me this _____ day of _____, 2011.

Mayor

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