

The Village of Blanchester, County of Clinton, Ohio, met in regular session at 7:00 p.m., on December 8, 2022, at 318 E. Main Street, Blanchester, Ohio, with the following members present:

^{HOPKINS}
M. introduced the following ordinance and moved its adoption:

VILLAGE OF BLANCHESTER

ORDINANCE NO. 2022-031

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$64,000 OF BONDS BY THE VILLAGE OF BLANCHESTER, OHIO, FOR THE PURPOSE OF PURCHASING POLICE VEHICLES FOR THE VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, the Council of the Village of Blanchester, Ohio (the "Village") has requested the Fiscal Officer, as fiscal officer, to certify the maximum maturity of bonds, and such fiscal officer has estimated the life of the improvements as at least five (5) years, and certified that the maximum maturity of the bonds issued therefor as five (5) years; and

WHEREAS, the Council intends to finance a portion of the purchase price for police vehicles as described in Section 1 hereof, the cost which is to be financed with the proceeds of these bonds being not in excess of \$64,000; and

WHEREAS, this Village Council anticipates that principal and interest on such bonds will be paid from the general revenues of this municipality (the "Revenues"); and

WHEREAS, the Village of Blanchester has been notified by the United States of America, acting through the Rural Housing Service, United States Department of Agriculture (the "USDA") that the USDA will provide a 5-year loan in an aggregate principal amount of \$64,000 to finance a portion of the costs and expenses of the improvements described in Section 1 below; and

WHEREAS, such loan will be evidenced by the issuance of bonds (the "Bonds") payable from general revenues of the Village to be purchased by the USDA; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Blanchester (hereinafter called the "Council"), County of Clinton, Ohio:

SECTION 1. That it is necessary to issue Bonds of the Council in the principal sum of \$64,000 for the purpose of purchasing police vehicles, under authority of the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code. Said Bonds shall be dated the date of issuance, shall bear interest at the rate of two and one half percent (2.50%) per annum calculated on the basis of a 365-day year and payable annually on each date principal is payable or as otherwise set forth in the Certificate of Award, which is hereby authorized and which shall be executed by the Mayor or Fiscal Officer without further action of the Board. The Bonds shall mature in annual installments over a period of five (5) years after their issuance and shall be subject to optional redemption prior to maturity as set forth below.

<u>Date</u>	<u>Principal</u>
12/01/23	\$12,200
12/01/24	12,400
12/01/25	12,800
12/01/26	13,100
12/01/27	13,500

Said Bonds shall be numbered from R-1 upwards in order of issuance, as fully registered Bonds issued in denominations of \$100 or integral multiples thereof, provided that if the Government is the owner of the Bonds, the Bonds shall be issued as a single Bond in a principal amount equal to the aggregate principal amount of the Bonds from time to time.

With the Government purchasing all of the Bonds, the Bonds shall be initially issued as a single bond in the initial denomination of \$64,000, registered as to both principal and interest in the name of "United States of America, acting through the Rural Housing Service, United States Department of Agriculture", or as otherwise directed by the Government.

If the total par value of the Bonds is not paid by the Government to the Village at the time of initial delivery of the Bonds, such par value shall be advanced to the Village in one or more installments upon request of the Village, and interest shall accrue on the amount of each advance from the actual date of such advance.

The Bonds shall be callable for redemption prior to maturity at the option of the Village in whole or in part at any time in inverse order of maturity at a price equal to the principal amount to be redeemed plus accrued interest to the date of redemption. The Village shall send notice of such optional redemption by first class mail, postage prepaid, to the registered holders of the Bonds or portions thereof to be redeemed at least 30 days prior to the date of redemption. If less than all the Bonds of a single maturity are to be redeemed, the selection of Bonds or parts thereof to be redeemed shall be made in such manner as the Village shall determine. Upon such redemption of less than the entire principal amount of an outstanding Bond, a new Bond or Bonds of authorized denominations of the same maturity and for the unredeemed principal amount will be issued to the owner of the partially redeemed Bond in exchange therefor.

It is hereby determined that the issuance of the bonds upon the terms described herein, including the redemption provisions specified above, will be in the best interest of the Village.

SECTION 2. That said Bonds shall be executed by the Mayor and Fiscal Officer and may, but shall not be required to, bear the seal of the corporation. Said Bonds shall be designated "Vehicle Acquisition Limited Tax General Obligation Bonds", shall be payable at the office of the Village Fiscal Officer, as the paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Bonds, and all principal and interest on the Bonds shall be made on each interest payment date to the person whose name appears on the fifteenth day preceding each interest payment date on the Bond registration records to be maintained by the Paying Agent and Registrar as the registered holder thereof, by check or draft to the holder thereof, without deduction for exchange, collection, or service charges, and shall recite that they are issued pursuant to the provisions of applicable law of the State of Ohio and this ordinance.

The Bonds shall not be transferable until the entire principal amount thereof has been disbursed to the Village. Thereafter, the Bonds shall be transferable by the registered holder thereof in person or by such holder's attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Village and the Paying Agent and Registrar shall not be required to transfer any Bond during the fifteen-day period preceding any interest payment date or the mailing of a notice of redemption, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or Bonds of authorized denominations of the same maturity and for the same aggregate unpaid principal amount will be issued to the transferee in exchange therefor.

The Village and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the Village nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 3. That the Bonds shall be sold to United States of America, acting through the Rural Housing Service, United States Department of Agriculture (the "Purchaser") at the price of par amount of the Bonds. The proceeds from the sale of said Bonds, except the premium and accrued interest, if any, shall be used for the purpose aforesaid and for no other purpose; and any premium and accrued interest received from the sale shall be transferred to the Bond Retirement Fund to be applied to payment of the principal and interest on the Bonds in the manner provided by law.

SECTION 4. That the Bonds shall be the full general obligation of the Village, and the full faith, credit and revenue of the Village are hereby pledged for the prompt payment of the same. That, if not paid from other sources, for the payment of said Bonds there shall be levied annually a sufficient tax to pay the interest on and principal of such Bonds; such tax shall be inside the ten-mill limitation.

That for the payment of said Bonds and the interest thereon, the full faith, credit and revenues of the Village are hereby irrevocably pledged and for the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity, there shall be and is hereby levied on all the taxable property in said Village, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, inside of the limitations of Section 2 of Article XII of the Constitution of Ohio, which tax shall be sufficient in amount to provide for the payment of the interest upon said Bonds when and as the same falls due and to provide for the retirement and discharge of the principal of said Bonds at maturity.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest and the principal of said Bonds when and as the same fall due; provided,

however, to the extent that in each year other available funds, are appropriated and applied to the payment of the principal and interest of said Bonds, the amount of such tax shall be reduced by the amount of said funds so appropriated and applied to such payment.

SECTION 5. That this Council for and on behalf of the Village, hereby covenants that it will restrict the use of the proceeds of said Bonds hereby authorized in such manner and to such extent, if any, and take such other actions as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Section 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder. The Fiscal Officer or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed to give an appropriate certificate on behalf of the Village, on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Bonds are hereby designated "qualified tax-exempt obligations" for the purposes set forth in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Village does not anticipate issuing more than \$10,000,000 of "qualified tax-exempt obligations" during this calendar year.

SECTION 6. That so long as the Government is the holder of any of the Bonds, the Village will comply with all applicable regulations of the Government relating to the Project and the Bonds and with the Government's Loan Resolution (Form RD 1942-27) relating thereto adopted by this Village Council, and will not, among other things, defease the Bonds without the prior written consent of the Government. The provisions of such Loan Resolution are hereby accepted, approved, ratified and confirmed.

Without limiting the generality of the foregoing, so long as the Government is the owner of the Bonds and requires a fidelity bond, the Village shall obtain, and keep in force, a fidelity bond to the extent and in the amount required by the Government. Such fidelity bond shall be with a surety company approved by the Government, and the Government and the Village shall be named as co-obligees in such fidelity bond and the amount of such fidelity bond shall not be reduced without the prior written consent of the Government.

The Village shall, at any and all times, cause to be done all such further acts and things and cause to be executed and delivered all such further instruments as may be necessary to carry out the purpose of the Bonds and this ordinance. The provisions of this ordinance shall constitute a contract between the Village and the holders of any of the Bonds, and after the issuance of the Bonds this ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interest of the Bondholders, nor shall this Village Council adopt any law, ordinance or resolution in any way adversely affecting the rights of the Bondholders so long as any Bonds or interest thereon remains unpaid. All of the obligations set forth and covenants made under this ordinance are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon this Village Council and the various officers of the Village within the meaning of Section 2731.01 of the Ohio Revised Code.

SECTION 7. All appropriate officers and members of the Village are further authorized to make, execute, acknowledge and deliver such financing statements and other instruments or agreements as are, in the opinion of bond counsel, necessary to carry out the purposes of this ordinance.

SECTION 8. That the firm of Dinsmore & Shohl LLP (“Dinsmore”), is hereby engaged as the Village’s “bond counsel” and that the Mayor is hereby authorized and directed to execute and deliver the engagement letter of Dinsmore in the form on file with the Village.

SECTION 9. That it is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said Bonds in order to make the same legal, valid and binding obligations of this Council have been done, have happened and have been performed in regular and due form as required by law, and that said issue of Bonds and the tax for the payment of their principal and interest as the same fall due and are payable do not exceed any limitations of indebtedness or taxation fixed by law.

SECTION 10. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council; and that all deliberations of this 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 11. That the Fiscal Officer of this Council be and is hereby directed to forward a certified copy of this ordinance to the Clinton County Auditor.

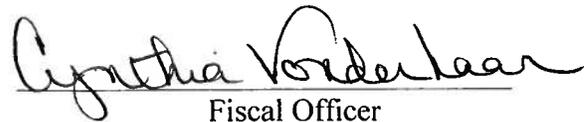
SECTION 12. That this Ordinance is hereby declared to be an emergency measure necessary for the presentation of the public peace, health, safety, comfort and welfare of the inhabitants of the Village of Blanchester and require immediate undertaking of the financing of the said Bonds for the purpose of purchasing police vehicles.

Mr. Parks seconded the motion, and the roll being called upon the question of adoption of the ordinance, the vote resulted as follows:

AYE: 6

NAY:

ADOPTED: December 8, 2022.


Cynthia Vorderhaar
Fiscal Officer

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted on the 8th day of December, 2022, and that on December __, 2022, I filed a certified copy of said ordinance with the county auditor.


Fiscal Officer

RECEIPT

Received this day a certified copy of the foregoing ordinance.

Clinton County Auditor

Dated: December __, 2022

CERTIFICATE

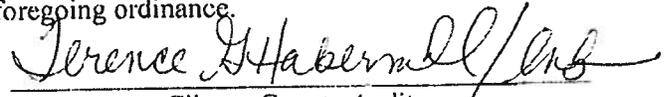
I hereby certify that the foregoing is a true and correct copy of an ordinance adopted on the 8th day of December, 2022, and that on December __, 2022, I filed a certified copy of said ordinance with the county auditor.



Fiscal Officer

RECEIPT

Received this day a certified copy of the foregoing ordinance.



Clinton County Auditor

Dated: December ^{9th}
7, 2022

**RECORD OF PROCEEDINGS
MINUTES OF VILLAGE OF BLANCHESTER REGULAR COUNCIL MEETING
DECEMBER 8, 2022**

The Village of Blancheater Council met in regular session on December 8, 2022 at 7:00 p.m. with the honorable Mr. John Carman, Mayor, presiding.

All Present stood and recited the Pledge of Allegiance and had Opening Prayer

Roll Call	Mr. Harry Brumbaugh	Present
	Mr. William Garner	Present
	Mr. Don Gephart	Present
	Mr. Reilly Hopkins	Present
	Mr. Tyler McCollister	Present
	Mr. Josh Parks	Present

Amended Agenda

It was moved by Mr. McCollister and seconded by Mr. Gephart to approve amended agenda, removing #1 Ordinance 2022.032 from new business, and adding Rezoning under new business.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. McCollister, Mr. Parks
Nay – None

Motion Passed

Public Comment

Mr. Constable spoke asking about possibly moving money from Land and Buildings and from the general fund to help the Police Department. Mr. McCollister thanked the Police Department for helping to recover some of the items that had been stolen from his property.

Guest Speaker: Brenda Wehmer, Dinsmore – discussed details and answered questions regarding the USDA loan we are getting for the Police Department for vehicles.

Minutes

It was moved by Mr. McCollister and seconded by Mr. Brumbaugh to approve minutes from November 10, 2022, meeting.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. McCollister, Mr. Parks
Nay – None

Motion Passed

Bills and Reallocations

It was moved by Mr. Hopkins and seconded by Mr. Gephart to approve Bills and Reallocations.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. McCollister, Mr. Parks
Nay – None

Motion Passed

Committee Reports

Finance Committee – Finance committee met and discussed the men’s bathroom renovation. Cost of renovation will be \$23,594. The food pantry has offered to give \$2,000 toward the project, as well as the BPA agreeing to pay a percentage of the cost as well. The finance committee voted to move forward and bring the project to the council for a vote stating that the project will not begin until after the first of the year.

It was moved by Gephart and seconded by Mr. Hopkins to move ahead with the \$23,594 renovation to the men’s bathroom, and that a congratulatory letter be sent to the contractor letting them know that they were awarded the job. Mr. Hopkins will supply the Mayor with the email address where the letter is to be sent.

Vote: Yea – Mr. Brumbaugh, Mr. Gephart, Mr. Hopkins, Mr. Parks
 Nay – Mr. McCallister, Mr. Garner

Motion Passed

It was moved by Mr. Gephart and seconded by Mr. Parks to excuse Mr. McCallister from the meeting at 7:24 pm

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. Parks
 Nay – None
 Absent – Mr. McCallister

Discussion of pay scale for Mayor and Council changes - take the \$30,000 out of Ordinance, the pay for the Mayor would be a straight \$17,000 a year, all council members and BPA board members would receive \$3,200 and remove any additional amounts for council pro tempore or BPA board chairman.

Mr. Hopkins and Mr. Gephart asked to have the Solicitor look up the ordinance review it and rewrite it to state the above amounts for the next meeting.

Safety & Service – Nothing new to report.

Cemetery – Carla is working with the software from UAN for the cemetery to see if it will work for what she needs. We are waiting for the contract from M.E.L.S. Services for the mowing and weed eating care of the cemetery.

Old Business

1. After hearing additional information from Sheakley regarding the Drug-Free Safety Program council decided to participate.

It was moved by Mr. Hopkins and seconded by Mr. Gephart to approve joining the Drug-Free program through Sheakley/BWC.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. Parks
Nay – None
Absent – Mr. McCollister

Motion Passed

New Business

1. Re-zoning of Dominos building at 209 South Broadway Street and adjacent property at 211 South Broadway to be rezoned from B1 to B4.

It was moved by Mr. Hopkins and seconded by Mr. Gephart to approve Re-zoning of 209 and 211 South Broadway Street.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. Parks
Nay – None
Absent- Mr. McCollister

Motion Passed

Department Reports

Solicitor – Nothing to report.

Parks – Breakfast with Santa went very well they served about 400 children. The lighting of the tree was well attended also.

Police – The Chief gave a report on November calls that the officers had responded to, as well as all of the activities that have been on going in the village recently. He also talked about the Chamber dinner where he received the years Chambers Choice award. The chief also discussed that Peoples Bank told him they are willing to donate \$1,000 toward and AED machine for the Police Department/Village, they are in the process of looking into pricing to find one to purchase. The Chief also mentioned we should be receiving approximately \$1,041.26 from the Opioid settlement fund this year.

Street – Nothing new to report

Zoning – BP has finally filled for a permit to begin the project on the station.

Fiscal – Fiscal Officer stated that she spent a day in Jeffersonville meeting with their Fiscal of Officer discussing the budget and other parts of the job. The Jeffersonville Fiscal Officer has agreed to help with the end of the year closing. The budget will be ready for review for the meeting on December 29, 2022.

Mayor – Mayor Carman stated UDF is actively working to complete open issues and working toward a closing date with Taco Bell. Orchard view phase 1 projects should go out for bid in approximately June, so hopefully the project could start in the fall. It was brought to council that Cyndi Vonderhaar had asked to transfer her sick day from her previous job, after talking with the

Solicitor he agreed that the transfer from one Government entity to another was completely legal.
So, Ms. Vonderhaar's sick days will be transferred.

It was moved by Mr. Hopkins and seconded by Mr. Gephart that the meeting be adjourned at
7:58 pm.

Vote: Yea – Mr. Brumbaugh, Mr. Garner, Mr. Gephart, Mr. Hopkins, Mr. Parks
Nay – None
Absent – Mr. McCollister

Motion Passed

Approved: December 29, 2022

Mayor: John M. Cannon

Attest: Cynthia J. Vonderhaar