

PUBLICATION OF RESOLUTIONS AND ORDINANCES

The entire text of the following legislation is on file at the Clerk's office at 130 N. High St., Hillsboro and available for inspection or copies from 8:00 a.m. to 4:30 p.m., Monday – Friday, excluding holidays. All legislation below was passed on October 10, 2017.

Signed: Lee Koogler, President of Council or Dick Donley, President Pro-Tem, Attest: Debbie Sansone, Clerk of Council, Approved: Mayor Hastings

Legislation can be found online at www.hillsboroohio.net>Public Notice>Legislation Publication

RESOLUTION 17-37 Approve Design Review Board Member Appointed by Mayor

RESOLUTION 17-38 Increase Appropriations and Advance Funds to Storm Sewer Fund (\$47,600)

RESOLUTION 17-39 Final Resolution ODOT PID 92000 Resurface SR 124 (\$40,524)

ORDINANCE 2017-08 Intent to Reimburse Temporary Advances for Capital Improvements and Acquisition for Sidewalk Improvements to be Made from Subsequent Borrowings

Debbie Sansone, Clerk

Hillsboro City Council

To Request Legislation: dsansone@hillsboroohio.net

(Please Publish November 10 and November 17, 2017)

RESOLUTION NO. 17 - 37

**A RESOLUTION TO APPROVE DESIGN REVIEW BOARD MEMBER
APPOINTED BY THE MAYOR**

WHEREAS, Hillsboro City Code 155.069 (B) provides for the appointment of Design Review Board members by the Mayor and approval by Council; and

WHEREAS, the following members were appointed by the Mayor to serve on the Design Review Board for the terms listed below:

Jim Gibbs *Historic Business District Property Owner* *Term Exp 11-01-18*
(Fulfills unexpired term of Mary Todd Hardeman)
Effective October 11, 2017

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Hillsboro, Ohio that:

SECTION ONE:

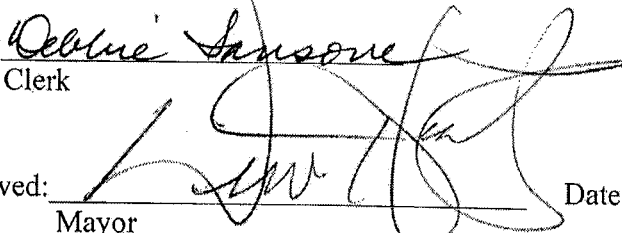
The City Council of Hillsboro hereby approves the Mayor's appointments to the Design Review Board.

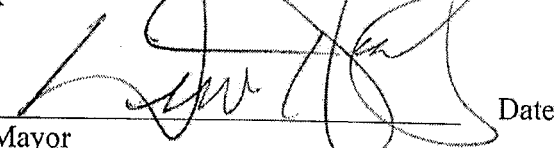
SECTION TWO:

This resolution shall become effective upon passage by a majority of the members of Council and approved by the Mayor.

Passed: 10/10/17

President: 

Attest: 
Clerk

Approved: 
Mayor

Date: 10/17/17

Approved as to Form and Legality: _____
By the Law Director

Recommended by the Auditor

RESOLUTION NO. 17- 38

A RESOLUTION TO INCREASE APPROPRIATIONS AND TO ADVANCE FUNDS

Be it RESOLVED by the Council of the City of Hillsboro, Ohio that:

SECTION ONE:

The Auditor is authorized to increase appropriations in the General Fund, specifically line item 101.790.527500 - Advances, by \$47,600.00.

SECTION TWO:

The Auditor is authorized to advance \$47,600.00 from the General Fund (101) to the Storm Sewer Fund (220). Said funds shall be used to fulfill contracts with Stantec Consulting Services, Inc. for the preparation of a Storm Water Master Plan and to assist the City in the formation of a Storm Water Utility.

SECTION THREE:

The Auditor shall pay back into the General Fund \$47,600.00 from the Storm Sewer Fund, as soon as is practical, in fiscal year 2018.

SECTION FOUR:

This resolution shall become effective upon passage by a majority of the members of Council and approval by the Mayor.

Passed: 10-10-17

President: _____

Attest: Debbie Sansone

Clerk

Approved: _____

Mayor

Date: 10/17/17

Approved as to Form and Legality:
By the Law Director _____

(Resolution No. 1512)

PID No. 92000
ODOT Project No. _____ (2017)

FINAL RESOLUTION

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

WHEREAS, on 13th day of April, 2015, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing SR 124 from Hillsboro Corp. limit to SR 506, lying within the City of Hillsboro; and

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

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the urban paving improvement, less the amount of Federal-Aid and State 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.

Also, the City agrees to assume and bear 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

The share of the cost of the LPA is now estimated in the amount of **Forty Thousand Five Hundred Twenty Four and - - - - 00/100 Dollars, (\$40,524.00)**, 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; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **Forty Thousand Five Hundred Twenty Four and - - - - 00/100 Dollars (\$40,524.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have 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 _____ day of _____, 2_____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2_____.

Legislative Authority of the
City of Hillsboro, Ohio

Mayor

Clerk (Secretary Ex-Officio)

SEAL
(If Applicable)

ORDINANCE NO. 2017 - 08

DELEGATING AUTHORITY TO MAKE DECLARATIONS OF OFFICIAL INTENT AND ALLOCATIONS WITH RESPECT TO REIMBURSEMENTS OF TEMPORARY ADVANCES DURING FISCAL YEARS 2017 AND 2018 MADE FOR CAPITAL IMPROVEMENTS AND ACQUISITIONS FOR SIDEWALK IMPROVEMENTS TO BE MADE FROM SUBSEQUENT BORROWINGS.

WHEREAS, Treasury Regulation §1.150-2 (the "Reimbursement Regulations"), issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended, (the "Code") prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of "bonds" under Section 150 of the Code ("Obligations") used to reimburse advances made for Capital Expenditures (as hereinafter defined) paid before the issuance of such Obligations may be deemed "spent" for purposes of Sections 103 and 141 to 150 of the Code and therefore, not further subject to any other requirements or restrictions under those sections of the Code; and

WHEREAS, such Reimbursement Regulations require that an Issuer (as hereinafter defined) make a Declaration of Official Intent (as hereinafter defined) to reimburse any Capital Expenditure paid prior to the issuance of the Obligations intended to fund such Capital Expenditure and require that such Declaration of Official Intent be made no later than sixty (60) days after payment of the Capital Expenditure and further require that any Reimbursement Allocation (as hereinafter defined) of the proceeds of such Obligations to reimburse such Capital Expenditures occur no later than eighteen (18) months after the later of the date the Capital Expenditure was paid or the date the property acquired with the Capital Expenditure was placed in service, except that any such Reimbursement Allocation must be made no later than three years after such Capital Expenditure was paid; and

WHEREAS, the Reimbursement Regulations provide that an Issuer may delegate the authority for making such Declarations of Official Intent and Allocations to one or more individuals; and

WHEREAS, this Council wishes to ensure compliance with the Reimbursement Regulations; and

WHEREAS, this Council intends to construct sidewalk improvements in the City (the "Project"). The City intends that the construction costs will be paid from the proceeds of municipal securities issued by the City for the Project;

NOW, THEREFORE, be it ordained by the City Council of the City of Hillsboro, Highland County, Ohio (the "City"):

SECTION 1. Definitions. That the following definitions apply to the terms used herein:

"Allocation" means written evidence that proceeds of Obligations issued subsequent to the payment of a Capital Expenditure are to reimburse the City for such payments. "To allocate" means to make such an allocation.

"Authorized Officer" means Mayor or City Auditor of the City and any persons with authority at the time to exercise functions of those offices.

"Capital Expenditure" means any expense for an item that is properly depreciable or amortizable or is otherwise treated as a capital expenditure for purposes of the Code, as well as any costs of issuing Reimbursement Bonds.

"Declaration of Official Intent" means a written declaration that the City intends to fund Capital Expenditures with an issue of Reimbursement Bonds and reasonably expects to be reimbursed from the proceeds of such an issue.

"Issuer" means either a governmental unit that is reasonably expected to issue Obligations or any governmental entity or 501(c)(3) organization that is reasonably expected to borrow funds from the actual issuer of the Obligations.

"Reimbursement" means the restoration to the City of money temporarily advanced from other funds, including moneys borrowed from other sources, of the City to pay for Capital Expenditures before the issuance of Obligations intended to fund such Capital Expenditures.

"To reimburse" means to make such a restoration.

"Reimbursement Bonds" means Obligations that are issued to reimburse the City for Capital Expenditures, and for certain other expenses permitted by the Reimbursement Regulations, previously paid by or for the City.

"Reimbursement Regulations" means Treasury Regulation §150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as applicable, prescribing conditions under which the proceeds of Obligations may be allocated to reimburse the City for Capital Expenditures and certain other expenses paid prior to the issuance of the Obligations such that the proceeds of such Obligations will be treated as "spent" for purposes of Sections 103 and 141 to 150 of the Code.

SECTION 2. Declaration of Official Intent.

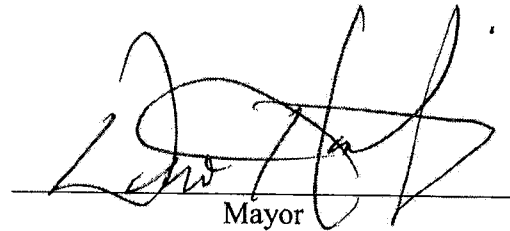
(a) The City declares that it reasonably expects that the Capital Expenditures described in Section (b), which were paid no earlier than sixty days prior to the date hereof, or which will be paid prior to the issuance of any Obligations intended to fund such Capital Expenditures, will be reimbursed with the proceeds of Obligations, representing a borrowing by the City or other governmental issuer in the maximum principal amount, for such Reimbursements, of \$65,000; and

(b) The Capital Expenditures made in fiscal years 2017 and 2018 to be reimbursed are to be used for the construction of sidewalk improvements in the City and related costs.

SECTION 3. Reasonable Expectations. The City does not expect any other funds (including the money advanced to make the Capital Expenditures that are to be reimbursed) to be reserved, allocated on a long-term basis, or otherwise set aside by the City or any other entity, with respect to the Capital Expenditures for the purposes described in Section 2(b).

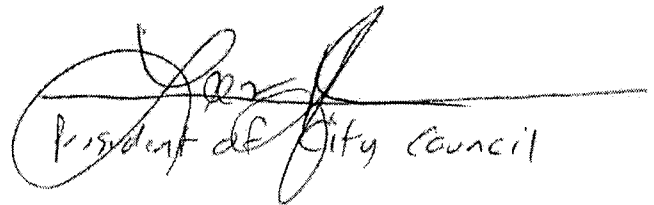
SECTION 4. Open Meeting. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

ADOPTED 10-10, 2017.


Mayor

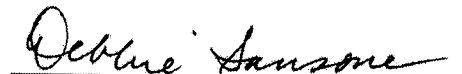
Attest:


Clerk of Council


President of City Council

CERTIFICATE

I, undersigned Clerk of Council of the City of Hillsboro, Ohio hereby certify that the above Ordinance is a true and correct copy as passed by the Council of the City of Hillsboro, this 10th day of October, 2017 and that at least a majority of the elected members voted in the affirmative on said motion.


Clerk of Council

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

The undersigned has been authorized by Ordinance No. 2017- adopted by the City Council of the City of Hillsboro, Highland County, on October 10, 2017, to make this declaration.

The City is, or will be, proceeding with the construction of sidewalk improvements in the City and related costs (the "Project"). In connection with the Project, the City expects to make capital expenditures in the amount set forth below and expects to advance from its own funds money to pay for some or all of such capital expenditures.

The City reasonably expects to issue its notes or bonds to pay for such capital expenditures, and reasonably expects to reimburse itself from the proceeds of such issue for moneys advanced by it.

Project

Estimated Capital
Expenditures

\$

**CITY OF HILLSBORO, HIGHLAND
COUNTY, OHIO**

By: _____

Title: _____

Dated: _____, 2017