

AMELIA VILLAGE COUNCIL AGENDA
SPECIAL MEETING OF COUNCIL
JUNE 18, 2021
VIA YOUTUBE LIVE 3:00 P.M.
ACCESSIBLE FROM [HTTPS://WWW.AMELIAVILLAGE.COM/](https://www.ameliavillage.com/)

CALL MEETING TO ORDER, INTRODUCTION

ROLL CALL

READING OF THE MINUTES

- May 21, 2021 Special Meeting

APPROVAL OF EXPENSES

- May, 2021

Finance Director Report – Report presented by William Gilpin

Law Director’s Report – Report presented by Kathleen Ryan

Mayor’s Report – Report presented by Todd Hart

LEGISLATION:

O-2021-14

AN ORDINANCE REAFFIRMING THE AUTHORITY OF THE DIRECTOR OF FINANCE TO TRANSFER \$31,490 FROM FUND “4101 PERFORMANCE BOND FUND” TO THE CLERMONT COUNTY TREASURER; AND DECLARING AN EMERGENCY.

O-2021-15

AN ORDINANCE BY THE COUNCIL OF AMELIA VILLAGE, OHIO DIRECTING THE FINANCE DIRECTOR TO REIMBURSE CURALEAF, INC. ITS DEPOSIT RELATED TO A 2017 LEASE AGREEMENT BETWEEN CURELEAF OHIO, INC. AND THE AMELIA COMMUNITY IMPROVEMENT CORPORATION, IN EXCHANGE FOR A RELEASE OF LIABILITY FROM CURALEAF, INC. AND DECLARING AN EMERGENCY

O-2021-16

AN ORDINANCE OF THE COUNCIL OF AMELIA VILLAGE, OHIO AUTHORIZING THE TRANSFER OF CERTAIN FUND BALANCES FROM RESPECTIVE FUNDS TO THE GENERAL FUND BY THE VILLAGE FINANCE DIRECTOR PURSUANT TO O.R.C. 5705.14 AND DECLARING AN EMERGENCY

DISCUSSION OF SCHEDULING OF FUTURE REGULAR, SPECIAL OR COMMITTEE MEETINGS

NEXT REGULAR COUNCIL MEETING – JULY 15, 2021 AT 7:00 P.M., LOCATION TBD

MOTION TO ADJOURN

(THIS AGENDA IS SUBJECT TO LAST MINUTE CHANGES)

DISCLAIMER: In the event of any technical difficulties or unforeseen circumstances that the Village administration and Council may encounter with the use of video conferencing technology, the Village Mayor reserves the right to cancel, end, or postpone the meeting at his discretion to maintain compliance with the Ohio Open Meetings Act.

RECORD OF PROCEEDINGS
AMELIA VILLAGE COUNCIL
May 21, 2021
Special Meeting

Amelia Village Council convened in the Special Meeting session at 3:12 pm via Zoom at

Mayor Hart called the meeting to order and asked for Roll Call. ROLL CALL:

Mr. Doug Fischer
Mr. Andrew Sturm

Mr. Clayton Fite
Ms. Regina Rumke
Mr. Matthew Walriven

Mr. Hacker was absent.

The Mayor read a statement regarding the meeting's compliance with the Open Meetings Act and COVID order.

Also Present: Kathleen Ryan - Village Solicitor, William Gilpin – Finance Director

Guests – None

Finance Director Gilpin stated that we were able to recover some funds outside of the scope of what we have been working on, including about \$23,600 in legal fees associated with the employee lawsuit as part of our insurance coverage with Hylant, a refund for cable franchise fees in the amount of \$11,360, and then a reimbursement of ESID-related legal fees from Greenworks in the amount of \$1,702, for a total \$36,662 outside of the typical revenue stream.

Mr. Gilpin discussed the appropriates-related legislation. He stated that Auditor of State originally said it would not test budgetary, before it decided Council must meet, but once Council was determined to meet, Auditor of State determined it will test budgetary law. Mr. Gilpin stated that it is impossible to amend appropriations down to the last day regarding the exact amounts, so he will do his best to allow Council to meet to amend appropriates as much as possible, and he will talk to the Auditor's office about their position on the Village's Certificate of Resources on the last day. He stated that the ongoing exit audit has held us to budgetary law thus far.

Ms. Ryan had nothing additional to report.

Fischer moved to approve the minutes from the April 23, 2021 Special Council meeting, and Rumke seconded the motion. All members present voted yea.

Mr. Fite asked if the Village is still paying the light bill. Mr. Gilpin stated that next month, the Duke Bill should have five accounts properly switched over. He stated that Duke has asked about last day for street lights, and Gilpin stated that because traffic lights are also on that bill, he is not comfortable switching anything odd. He then stated that ODOT and Bill have been working on switching over the traffic signals, and then we may be in a position where we are able to switch off street lights or leave them until the last day.

Mr. Fite asked about the way the Duke bill is structured. Mr. Gilpin stated that we have had trouble obtaining the bill via mail, and it is roughly \$5,000 that is remaining, with a little over \$4,000 for street lights, \$300 for traffic signals, and the remainder are things like village hall, cemetery, and park lights we have been working on getting switched over. Mr. Gilpin stated that some months you may see no Duke bill on the expenses, and some months a couple months because they had trouble getting the previous month bill to us timely.

Fite asked about Townships taking over the lights, as they stated they would do prior to the election. Mr. Gilpin stated that Townships have tried to switch over Duke bills quickly but it has been a struggle.

Fischer asked about Skynet services coverage. Mr. Gilpin stated it is the IT expenses that cover the daily backup. Mr. Gilpin stated that the costs include the cloud, server maintenance, emails, public records process, and Microsoft licensing. Mr. Fite asked if this covers surveillance cameras at the police station. Ms. Ryan stated that she thinks that everything is transferred to the cloud and there is nothing else remaining on FullSky bill tied to the Village. Ms. Ryan then stated that at the end of the Village transition period, the portion of the IT services in the cloud will need to be transferred to the Townships or Clermont County Records Center.

Fischer moved to approve the expenses for April, 2021, and Sturm seconded the motion. All members present voted yea.

LEGISLATION

O-2021-13

AN ORDINANCE BY THE COUNCIL OF AMELIA VILLAGE, OHIO APPROVING A SECOND AMENDMENT TO THE PERMANENT ANNUAL APPROPRIATIONS OF VILLAGE FUNDS ADOPTED VIA ORDINANCE O-2021-08 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021 FOR AMELIA VILLAGE AND DECLARING AN EMERGENCY.

Fischer moved to suspend the rules requiring two readings on two separate dates, and Walriven seconded the motion. All members present voted yea.

Fischer moved to adopt the ordinance as amended, and Sturm seconded the motion. All members present voted yea.

Fite made a motion to excuse Stephen Hacker from the meeting. Rumke seconded the motion. All members present voted yea.

Ms. Ryan stated that the regular meeting should be cancelled and future additional meetings will be on an as-needed basis and those will be posted on the website as soon as they come up.

Fischer moved to adjourn the meeting, and Sturm seconded the motion. All members present voted yea, and the meeting adjourned at 3:31 p.m.

Regina Rumke, Clerk Pro-Temp

Todd J. Hart, Mayor

Minutes Recorded By:

Kathleen F. Ryan – Village Solicitor

Payment Listing

May 2021

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
79-2021	05/06/2021	05/06/2021	EW	TREASURER OF OHIO	\$196.78	C
80-2021	05/06/2021	05/06/2021	EW	R.I.T.A.	\$22.04	C
81-2021	05/06/2021	05/06/2021	EW	PUBLIC EMPLOYEES RETIREMENT SYSTE	\$1,800.99	C
82-2021	05/21/2021	05/19/2021	EP	Douglas M Fischer	\$338.21	C
83-2021	05/21/2021	05/19/2021	EP	Clayton L Fite	\$269.94	C
84-2021	05/21/2021	05/19/2021	EP	Steven N Hacker	\$278.94	C
85-2021	05/21/2021	05/19/2021	EP	Todd J. Hart	\$2,475.67	C
86-2021	05/21/2021	05/19/2021	EP	Regina Rumke	\$278.94	C
87-2021	05/21/2021	05/19/2021	EP	Andrew Sturm	\$280.41	C
88-2021	05/21/2021	05/19/2021	EP	Matthew S Walriven	\$278.94	C
90-2021	05/24/2021	05/19/2021	EP	William R. Gilpin	\$712.93	C
92-2021	05/24/2021	05/19/2021	EP	William R. Gilpin	\$712.93	C
94-2021	05/24/2021	05/19/2021	EW	Internal Revenue Service	\$1,016.80	C
95-2021	05/21/2021	05/21/2021	CH	Ohio Treasurer of State	\$2,173.00	C
22825	05/11/2021	05/11/2021	AW	Skynet Innovations	\$976.00	C
22826	05/11/2021	05/11/2021	AW	Sprint	\$16.72	C
22827	05/21/2021	05/21/2021	AW	Bradley Payne LLC	\$10,000.00	O
Total Payments:					\$21,829.24	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$21,829.24	

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.

**AMELIA VILLAGE, OHIO
ORDINANCE: O-2021-14**

**AN ORDINANCE REAFFIRMING THE AUTHORITY OF THE DIRECTOR OF FINANCE TO
TRANSFER \$31,490 FROM FUND “4101 PERFORMANCE BOND FUND” TO THE
CLERMONT COUNTY TREASURER; AND DECLARING AN EMERGENCY.**

- WHEREAS,** on November 25, 2019, the Board of Elections of Clermont County certified the results of a ballot measure to dissolve Amelia Village pursuant to R.C. 703.21; and
- WHEREAS,** R.C. 703.21 provides that between certification of election results dissolving the Village, and the resolution of all liabilities and outstanding obligations, the Village is limited in its scope of operation to only those corporate powers delineated in R.C. 703.21(A); and
- WHEREAS,** Various municipal services ceased immediately upon the certification of the election results under R.C. 703.21, the Village terminated all employment within the Village except for its Finance Director on that date, and the territory of Amelia Village became territory of either Pierce Township or Batavia Township immediately upon that date of certification; and
- WHEREAS,** All real property owned by Amelia Village passed by operation of law to Pierce and Batavia Townships 60 days after the certification of the dissolution results, pursuant to R.C. 703.21(C)(1); and
- WHEREAS,** Numerous Village Funds currently exist which are in the process of being un-restricted by Council as permitted by law, and Council is authorizing existing debts to be paid early as party of the Village’s obligation to wind up the Village’s affairs under R.C. 703.21; and
- WHEREAS,** the “Performance Bond” Village fund currently carries a balance of \$31,490; and
- WHEREAS,** the purpose of this fund is holding a contractor’s performance bond submitted in cash; and
- WHEREAS,** via Ordinance O-2021-04, the Council authorized the Director of Finance to transfer the money from the above-described fund to the County, which is the entity now responsible for overseeing the public road construction; and
- WHEREAS,** subsequent to the Village’s adoption of O-2021-04, the County asked to evaluate the project prior to agreeing to acceptance of the funds; and
- WHEREAS,** after reviewing the project, the County, through the Clermont County Engineer and County Prosecutor’s office, has evaluated the project and has agreed to accept the funds related to the Welsh Development Road Project Performance bond in the amount of \$31,490, understanding that once the project located in the former Amelia Village is completed, the County intends to transfer \$21,490 of that money to the contractor, and to retain \$10,000 as a maintenance bond, thereby relieving the Village of any obligations related to this ongoing road project that is now infrastructure under the supervision of Clermont County; and

WHEREAS, the Village Council determines that in light of the dissolution and its obligations thereunder, that the funds existing in the 4101 Performance Bond Fund in the amount of \$31,490 must be transferred to Clermont County, and would like to reaffirm its direction provided via Ordinance O-2021-04;

NOW, THEREFORE, BE IT ORDAINED, by the Council of Amelia Village, Clermont County, Ohio that:

SECTION I. That it is necessary to transfer the balance of the “4101 Performance Fund”, which is currently \$ 31,490, to the Clermont County Treasurer, “attn: Craig Risner”, as part of the Village’s obligations to wind up its affairs pursuant to R.C. 703.21; and

SECTION II. The Finance Director is authorized and directed to pay the balance remaining in Fund “4101 Performance Bond Fund” to the Clermont County Treasurer as soon as possible; and

SECTION III. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements including Section 121.22 of the Revised Code, and in compliance with Ohio HB 404, wherein the Ohio legislature extended the HB 197 provisions granting authority to public bodies to hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology while remaining compliant with Ohio’s Open Meetings Act.

SECTION IV. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken consistent with the corporate powers retained by the Village Council under R.C. 703.21.

SECTION V. This ordinance is hereby declared an emergency which is necessary for the preservation of the public health, safety, and general welfare. The reason for an emergency is the need to reduce the Village’s outstanding obligations and liabilities as soon as possible, as part of its winding up of Village affairs pursuant to O.R.C. 703.21. Therefore, provided this emergency clause receives the affirmative vote of a supermajority of all members elected to Council, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

_____ moved to suspend the rules requiring two readings on two separate dates.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

_____ moved for the adoption of the Ordinance.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

Adopted June 18, 2021

Regina Rumke, Clerk Pro-Tempore

Todd J. Hart, Mayor

Certificate of Finance Director

It is certified that the amount required to execute the above-described expenditure has been lawfully appropriated, authorized, or directed for such purpose, and is in the treasury or in process of collection to the credit of the General Fund, free from any obligation or certification now outstanding.

Date: _____

Signature: _____

William Gilpin, Finance Director

AMELIA VILLAGE, OHIO
Ordinance O-2021-15

**AN ORDINANCE BY THE COUNCIL OF AMELIA VILLAGE, OHIO
DIRECTING THE FINANCE DIRECTOR TO REIMBURSE CURALEAF, INC. ITS DEPOSIT
RELATED TO A 2017 LEASE AGREEMENT BETWEEN CURELEAF OHIO, INC. AND THE
AMELIA COMMUNITY IMPROVEMENT CORPORATION, IN EXCHANGE FOR A
RELEASE OF LIABILITY FROM CURALEAF, INC. AND DECLARING AN EMERGENCY**

- WHEREAS,** the Community Improvement Corporation of Amelia (“Amelia CIC”) acts as agent for the Village pursuant to Ohio Revised Code Chapter 1724; and
- WHEREAS,** As part of that agency relationship, the Village previously transferred its [no address] Woodlands Drive property at the corner of Woodlands Drive and Main Street (“CIC Property”) to the Amelia CIC for the purposes of, among other things, contracting with Curaleaf, Inc. and its subsidiaries to locate a medical marijuana facility at the site; and
- WHEREAS,** Curaleaf Ohio, Inc., a partner company to Curaleaf, Inc., paid a \$4,000 deposit to the Amelia CIC, deposited in the Village’s CIC account on November 13, 2017, as part of a lease executed regarding the CIC Property on November 10, 2017; and
- WHEREAS,** Curaleaf Ohio, Inc. is now defunct, but its parent company, a Massachusetts-based corporation named Curaleaf, Inc., remains active; and
- WHEREAS,** The dissolution now causes the CIC Property to be located within Batavia Township, which prohibits medical marijuana facilities and thereby makes the enforcement of any contracts between Curaleaf, its partners, and the Amelia CIC impossible; and
- WHEREAS,** The Amelia CIC recently authorized the transfer of the CIC Property to the Townships as part of the dissolution process; and
- WHEREAS,** The Amelia CIC wishes to dissolve, as it no longer has an ongoing purpose as a result of the dissolution of Amelia Village; and
- WHEREAS,** Under Ohio law, the Amelia CIC may not dissolve until all potential liabilities are resolved, and Curaleaf, Inc. has indicated it intends to pursue its entitlement to the previously deposited \$4,000; and
- WHEREAS,** the Amelia Village Council wishes to settle all existing and potential claims regarding the matters relevant to the Woodlands Drive property the Village transferred to the Amelia CIC, against both the Village and the Amelia CIC; and
- WHEREAS,** R.C. 703.21 provides that between certification of election results dissolving the Village, and the resolution of all liabilities and outstanding obligations, the Village is limited in its scope of operation to only those corporate powers delineated in R.C. 703.21(A); and

WHEREAS, Amelia Village Council is limited to undertaking actions consistent with those corporate powers retained by the Village, for the limited purpose of winding up the affairs of the Village and closing it permanently; and

WHEREAS, the Amelia Village Council is obligated, as part of winding up the affairs of the Village, to settle all existing liabilities and pay existing debts, and to transfer the remaining fund balance to Pierce and Batavia Townships, and this includes resolving all disputes and obligations related to property it transferred as agent under Ohio Revised Code Chapter 1724; and

WHEREAS, the Amelia Village Council finds it necessary and appropriate, as part of its need to settle claims and wind up the Village affairs as soon as possible, to authorize the Finance Director to return the \$4,000 deposit to Curaleaf, Inc., in exchange for an Agreement from Curaleaf, Inc. to release the Village and the Amelia CIC from all potential claims;

NOW, THEREFORE, be it ordained, by the Council of Amelia Village, Clermont County, Ohio, as follows:

SECTION I. The Finance Director is hereby authorized and director to return \$4,000 to Curaleaf, Inc., conditioned upon the execution of an Agreement signed by Curaleaf, Inc. to release Amelia Village and the Amelia CIC of all liability, including the individuals associated with the Village and the Amelia CIC, both in their official and individual capacities; and

SECTION II. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements including Section 121.22 of the Revised Code, and in compliance with Ohio HB 404, wherein the Ohio legislature extended the HB 197 provisions granting authority to public bodies to hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology while remaining compliant with Ohio's Open Meetings Act.

SECTION III. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken consistent with the corporate powers retained by the Village Council under R.C. 703.21.

SECTION IV. This ordinance is hereby declared an emergency which is necessary for the preservation of the public health, safety, and general welfare. The reason for an emergency is the need to settle outstanding disputes and extinguish potential claims as quickly as possible to complete further steps required for dissolution under R.C. 703.21. Therefore, provided this emergency clause receives the affirmative vote of a supermajority of all members elected to Council, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

_____ moved to suspend the rules requiring two readings on two separate dates.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

_____ moved for the adoption of the Ordinance.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

Adopted June 18, 2021

William Gilpin, Finance Director

Todd J. Hart, Mayor

Certificate of Finance Director

It is certified that the amount required to execute the above-described expenditure has been lawfully appropriated, authorized, or directed for such purpose, and is in the treasury or in process of collection to the credit of the General Fund, free from any obligation or certification now outstanding.

Date: _____

Signature: _____
William Gilpin, Finance Director

**AMELIA VILLAGE, OHIO
ORDINANCE: O-2021-16**

**AN ORDINANCE OF THE COUNCIL OF AMELIA VILLAGE, OHIO
AUTHORIZING THE TRANSFER OF CERTAIN FUND BALANCES FROM RESPECTIVE
FUNDS TO THE GENERAL FUND BY THE VILLAGE FINANCE DIRECTOR PURSUANT TO
O.R.C. 5705.14 AND DECLARING AN EMERGENCY**

- WHEREAS,** on November 25, 2019, the Board of Elections of Clermont County certified the results of a ballot measure to dissolve Amelia Village pursuant to R.C. 703.21; and
- WHEREAS,** R.C. 703.21 provides that between certification of election results dissolving the Village, and the resolution of all liabilities and outstanding obligations, the Village is limited in its scope of operation to only those corporate powers delineated in R.C. 703.21(A); and
- WHEREAS,** Various municipal services ceased immediately upon the certification of the election results under R.C. 703.21, the Village terminated all employment within the Village except for its Finance Director on that date, and the territory of Amelia Village became territory of either Pierce Township or Batavia Township immediately upon that date of certification; and
- WHEREAS,** As a result of the Village dissolution, certain funds maintained by the Village are for activities, services, or other undertakings that are no longer occurring within Amelia Village, and which have been terminated permanently; and
- WHEREAS,** R.C. 5705.14(D) provides, in pertinent part, “[t]he unexpended balance in any special fund, other than an improvement fund, existing in accordance with division (D), (F), or (G) of section 5705.09 or section 5705.12 of the Revised Code, may be transferred to the general fund...after the termination of the activity, service, or other undertaking for which such special fund existed, but only after the payment of all obligations incurred and payable from such special fund.”; and
- WHEREAS,** Amelia Village Council is limited to undertaking actions consistent with those corporate powers retained by the Village, for the limited purpose of winding up the affairs of the Village and closing it permanently; and
- WHEREAS,** the Amelia Village Council is obligated, as part of winding up the affairs of the Village, to settle all existing liabilities and pay existing debts, and to transfer the remaining fund balance to Pierce and Batavia Townships; and
- WHEREAS,** in order to fulfill its obligations to pay debts and satisfy existing obligations, certain restricted and special funds must be unrestricted, and must be moved to the General Fund and/or paid out to third-parties pursuant to the Village’s dissolution obligations;
- WHEREAS,** On April 23, 2021, Council adopted Ordinance O-2021-12, which authorized the defeasement of the Kroger bond using approximately \$230,000 in funds located in 4901-Main St./Woodlands Dr. Improvement Fund, thereby extinguishing the purpose of that fund; and

WHEREAS, Clermont County Engineer and Prosecutor’s office has indicated the County will accept the funds related to the Welsh Development Road Project Performance bond in the amount of approximately \$31,000, thereby extinguishing the purpose of the 4101 Performance Bond Fund;

NOW, THEREFORE, BE IT ORDAINED, by the Council of Amelia Village, Clermont County, Ohio that:

SECTION I. Council hereby finds that each fund listed in EXHIBIT A is for an, “activity, service, or other undertaking,” that, pursuant to O.R.C. 5705.14(D), has been terminated.

SECTION II. Council finds that there are no existing or potential, “obligations incurred and payable from such special fund,” pursuant to O.R.C. 5705.14(D), for the funds listed in EXHIBIT A.

SECTION III. Council hereby authorizes and directs the Finance Director to transfer the unexpended balances in each of the funds in EXHIBIT A, if any moneys remain, to the General Fund, as authorized pursuant to O.R.C. 5704.14(D), for the purposes of paying existing debts and liabilities it is obligated to pay as part of its winding up of the Village pursuant to O.R.C. 703.21.

SECTION IV. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements including Section 121.22 of the Revised Code, and in compliance with Ohio HB 404, wherein the Ohio legislature extended the HB 197 provisions granting authority to public bodies to hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology while remaining compliant with Ohio’s Open Meetings Act.

SECTION V. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken consistent with the corporate powers retained by the Village Council under O.R.C. 703.21.

SECTION VI. This ordinance is hereby declared an emergency which is necessary for the preservation of the public health, safety, and general welfare. The reason for an emergency is the need to make existing Village funds immediately available for the purpose of the winding up of Village affairs, where such funds are no longer needed for the purpose for which they were intended, but are necessary to complete the Village’s obligations under O.R.C. 703.21. Therefore, provided this emergency clause receives the affirmative vote of a supermajority of all members elected to Council, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

_____ moved to suspend the rules requiring two readings on two separate dates.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

_____ moved for the adoption of the Ordinance.

_____ seconded the motion.

	Yea	Nay	Absent
Doug Fischer	_____	_____	_____
Clayton Fite	_____	_____	_____
Steven Hacker	_____	_____	_____
Regina Rumke.....	_____	_____	_____
Andrew Sturm.....	_____	_____	_____
Matthew Walriven.....	_____	_____	_____

Adopted June 18, 2021

Regina Rumke, Clerk Pro-Tempore

Todd J. Hart, Mayor

EXHIBIT A to Ord. O-2021-16

Funds to move to General Fund pursuant to O.R.C.5705.14(D) as authorized by O-2021-16

- 4101 Performance Bond Fund - \$31,490
- 4901- Main St./Woodlands Dr. Improvement Fund - \$0