

ORDINANCE NO. 228 AC CMS

TO PROVIDE FOR AN ISSUE OF \$75,000 PRINCIPAL AMOUNT OF
NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE
CONSTRUCTION OF IMPROVEMENTS TO THE MUNICIPAL WATER-
WORKS SYSTEM, AND DECLARING AN EMERGENCY

WHEREAS, this Council has heretofore determined to undertake improvements to the municipal waterworks system recommended by its consulting engineers and presently finds it necessary to finance improvements thereto immediately required by the issuance of the notes hereinafter provided for, in which connection the city's fiscal officer has certified as to the life of such improvement and the maximum maturity of said notes, and of the bonds anticipated thereby;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Ohio, five-sevenths of all members elected thereto concurring:

SECTION 1. That it is hereby declared necessary to issue the bonds of the City in the principal sum of \$75,000 for the purpose of the construction of improvements to the municipal waterworks system.

SECTION 2. That said bonds shall be dated approximately the first day of November, 1962, shall bear interest now estimated at four per centum (4%) per annum, payable semi-annually, and shall mature in fifteen annual installments after their issuance.

SECTION 3. That for the purpose of raising money in anticipation of the issuance of bonds for the aforesaid improvement it is hereby declared necessary to issue and there shall be issued notes of said City in the amount of \$75,000.

SECTION 4. That such anticipatory notes in the amount aforesaid shall be issued bearing interest at the rate of two and one-half per centum (2½%) per annum, payable at maturity, and at the rate of three and one-half per centum (3½%) per annum after maturity, payable quarter-annually until the principal sum is paid. Said notes shall be dated November 6, 1961, and shall mature on or before November 6, 1962. Such notes shall be executed and delivered in such number and such denominations as may be requested by the purchaser thereof.

SECTION 5. Such notes shall be executed by the City Manager and Auditor and bear the seal of the corporation. They shall be payable at the office of the legal depository of the City, presently The Peoples Oberlin Office of The Lorain County Savings & Trust Company, Oberlin, Ohio; they shall express upon their face the purpose for which they are issued and that they are issued pursuant to this ordinance.

SECTION 6. Said notes shall be first offered to the officer in charge of the Bond Retirement Fund, and so many of the same as shall not be taken by said officer shall be and are hereby awarded and sold to The National City Bank of Cleveland, Cleveland, Ohio, at their par value; and the proceeds from such sale shall be paid into the proper fund and used for the purpose aforesaid and for no other purpose, and for which purpose said money is hereby appropriated.

SECTION 7. Said notes shall be the full general obligations of the City and the full faith, credit and revenue of said City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the bonds anticipated by said notes and any excess fund resulting from the issuance of said notes shall, to the extent necessary, be used only for the retirement of said notes at maturity, together with interest thereon, and is hereby pledged for such purpose.

SECTION 8. During the period while such notes run there shall be levied on all the taxable property in the City of Oberlin, in addition to all other taxes, a direct tax annually not less than that which would have been levied if bonds had been issued without the prior issue of such notes; provided, that the amount of such tax shall be reduced to the extent that surplus earnings of the waterworks system shall be available and appropriated for the payment of interest and principal of said notes or of the bonds anticipated thereby.

SECTION 9. It is hereby determined that all acts, conditions and things required to be done precedent to and in the issuance of said notes, in order to make the same legal, valid and binding obligations of the City of Oberlin, have happened, been done and performed in regular and due form as required by law; that the amount of indebtedness to be incurred by the issuance of said notes does not exceed any limitation of indebtedness now fixed by law.

SECTION 10. The Clerk is hereby directed to forward a certified copy of this ordinance to the County Auditor.

SECTION 11. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of such city by reason of the fact that the prompt construction of the improvements to be financed by said notes is essential to provide adequate water and fire protection to the City and the inhabitants thereof; wherefore, said ordinance shall go into immediate effect upon its passage.

PASSED: Sept. 18, 1961

Attest:


Clerk of Council


Chairman of Council

Posted: 9/19/61 to
10/3/61