

ORDINANCE NO. 2013 - 3640

**AN ORDINANCE AUTHORIZING THE REPAYMENT OF AN
ADVANCE OF \$1,500,000.00 FROM THE WATER RESERVOIR
FUND 542 TO THE MUNICIPAL INCOME TAX FUND 201, AND
DECLARING AN EMERGENCY**

The Fremont City Council of Fremont, State of Ohio, does ordain as follows:

SECTION 1. City Council hereby authorizes the repayment of an advance of funds totaling \$1,500,000.00 as listed below:

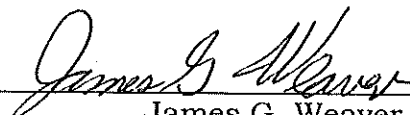
| <u>Advance Out</u> | | <u>Advance In</u> | |
|-------------------------------|----------------|------------------------------------|----------------|
| <u>Fund</u> | <u>Amount</u> | <u>Account</u> | <u>Amount</u> |
| 542 Water Reservoir Fund..... | \$1,500,000.00 | 201 Municipal Income Tax Fund..... | \$1,500,000.00 |

SECTION 2. That the City of Fremont obtained the amount of \$1,500,000.00 from Arcadis, US Inc. in accordance with the Settlement Agreement and Release of Claims regarding the upland reservoir project lawsuits to repay the amount advanced from the Municipal Income Tax Fund.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 Revised Code of Ohio.

SECTION 4. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to repay the Municipal Income Tax Fund 201 for the amount advanced from the Municipal Income Tax Fund 201 into the Water Reservoir Fund 542 approved by Council with Ordinance No. 2013-3626.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.



James G. Weaver
President of Council

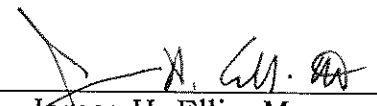
PASSED: 6-20-13

Effective date: 6-20-13

YEAS: 7 NAYS: 0



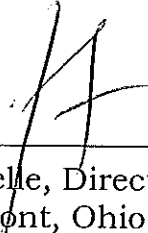
Elaine J. Huntley, City Council Clerk



James H. Ellis, Mayor

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Approved as to form:



James F. Melle, Director of Law
City of Fremont, Ohio