



A G E N D A REGULAR MEETING OF COUNCIL

October 22, 2020
Budget Meeting 6:00 PM
Work Session 7:00 PM
Council Meeting 7:30 PM

Roll call: Ms. Brandt, Mr. Finley, Mr. Garvas, Mrs. Tulley, Mr. Ventura

Pledge of Allegiance by Mayor Nick Molnar

Approval of Minutes Regular Meeting October 8, 2020.

I. PUBLIC COMMENTS

PROCLAMATION BY THE MAYOR

STORMWATER PROCLAMATION READ BY MAYOR MOLNAR

II. PENDING &/OR NEW LEGISLATION

ORD. NO. 62 -2020[_____]

AN ORDINANCE AMENDING ORDINANCE NO. 92-2019 RELATIVE TO CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020

1st Read
2nd Read
3rd Read

ORD. NO. 63 -2020[_____]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$1,210,000 TO REFUND ALL OR A PORTION OF THE CITY'S FIRE TRUCK ACQUISITION BONDS, SERIES 2019; AND DECLARING AN EMERGENCY.

1st Read
2nd Read
3rd Read

ORD. NO. 64 -2020[_____]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$575,000 TO PAY COSTS OF ACQUIRING, INSTALLING, EQUIPPING AND OTHERWISE IMPROVING THE CITY'S COMMUNICATION SYSTEM UTILIZED BY THE POLICE AND FIRE DEPARTMENTS; AND DECLARING AN EMERGENCY.

1st Read
2nd Read
3rd Read

RESO. NO. 65 -2020[_____]

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICE

1st Read
2nd Read
3rd Read

RESO. NO. 66 -2020[_____]

A RESOLUTION CONFIRMING THE APPOINTMENT OF MELISSA N. HUNTER TO THE CITY OF MACEDONIA CIVIL SERVICE COMMISSION

1st Read
2nd Read
3rd Read

RESO. NO. 67 -2020[_____]

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SAGAMORE HILLS TOWNSHIP TO PROVIDE DISPATCH SERVICES

1st Read
2nd Read
3rd Read

III. MOTIONS / OTHER LEGISLATIVE ACTION

IV. Correspondence

V. Mayor's Report

VI. Committee Reports

VII. Department Reports

VIII. Unfinished Business

IX. New Business

XI. Adjournment

OCTOBER/NOVEMBER

Public Notice of City Meetings / Calendar of Events / Dates of Interest

*Public Comment for the October 8, 2020 Council Meeting should be sent to Clerk of Council Amanda Trzaska at atrzaska@macedonia.oh.us . Public comment must be received no later than the close of business on September 7, 2020 and will be subsequently made available to the public.

***Note ***

- This will a Virtual Work Session & Regular Meeting; we will not be holding session in council chambers.
- Council's virtual meeting will be held through Microsoft Teams access will be available on the City of Macedonia's website www.macedonia.oh.us

Budget Meeting	Thursday	October 22	6:00PM VIRTUAL
Council Work Session	Thursday	October 22	7:00PM VIRTUAL (subject to change)
Regular Council Meeting	Thursday	October 22	7:30PM VIRTUAL (subject to change)
Mayors Court	Tuesday	October 27	8:30AM
Off the Griddle Food Truck @ Rec Center	Wednesday	October 28	4PM-7PM
Budget Meeting	Thursday	October 29	6:00PM VIRTUAL
HALLOWEEN!!	SATURDAY	OCTOBER 31	HAPPY HALLOWEEN!

*ALL VIRTUAL MEETINGS ARE SUBJECT TO CHANGE IN ACCORDANCE WITH THE GOVERNORS ORDINANCES AND THE OPENING OF CITY HALL.

NOVEMBER

City of Macedonia Calendar

Notice of Public Meetings / Calendar of Events / Dates of Interest

Mayors Court	Tuesday	November 3	8:30AM VIRTUAL
ELECTION DAY!	Tuesday	November 3	EVERY VOTE COUNTS! DON'T FORGET TO VOTE!
Budget Meeting	Thursday	November 5	6PM VIRTUAL
Mayors Court	Tuesday	November 10	8:30AM VIRTUAL
VETERANS DAY	Wednesday	November 11	Thank you for your service!
Budget Meeting	Thursday	November 12	6PM VIRTUAL
Council Work Session	Thursday	November 12	7PM VIRTUAL
Regular Council Meeting	Thursday	November 12	7:30PM VIRTUAL

-End

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: _____

**CITY OF MACEDONIA
ORDINANCE NO. 62 - 2020**

**AN ORDINANCE
AMENDING ORDINANCE NO. 92-2019 RELATIVE TO CURRENT EXPENSES AND
OTHER EXPENDITURES OF THE CITY OF MACEDONIA FOR THE PERIOD OF
JANUARY 1, 2020 TO DECEMBER 31, 2020**

WHEREAS, it is necessary to amend Ordinance No. 92-2019, to make certain adjustments of the allocation of funds to facilitate various necessary operating expenses of the City of Macedonia.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, County of Summit, State of Ohio:

Section 1. That Ordinance No. 92-2019 is hereby further amended, with the additions or reductions be made to the current accounts as set forth in the document attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. 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 Council, and that all deliberations of the 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.

Section 3. Wherefore, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Amanda Trzaska, Clerk of Council

Memorandum

Date: October 14, 2020

To: Mayor Nicholas Molnar
Council President Jan Tulley
Councilmember Jessica Brandt
Councilmember Jeff Garvas
Council Vice President Vini J. Ventura
Councilmember Dave Finley
Law Director Mark Guidetti

From: John M. Veres, CPA
Director of Finance

RE: Amended Annual Appropriations Ordinance - October 22, 2020

The following changes (in blue) are noted for Estimated Resources:

- 1) State Highway (202) - added \$15,000 based upon collections to date.
- 2) Motor Vehicle License Tax (212) - added \$5,000 based upon collections to date.
- 3) Local Coronavirus Relief (264) - added \$432,429 for SB 357 relief.
- 4) General Bond Retirement (301) - added \$3,435,000 for the 2010 Bond Series Refunding proceeds and \$1,185,000 for the Aerial Tower Refunding proceeds.

The following changes (in blue) are noted for Appropriations:

- 5) State Highway (202) - added \$35,000 for salt contract purchase.
- 6) Water M&E (210) - added \$50,000 for water hydrant repairs.
- 7) Motor Vehicle License Tax (212) - added \$20,000 for salt contract purchase.
- 8) Local Coronavirus Relief (264) - added \$432,429 for SB 357 relief eligible costs.
- 9) Safety/ Service (280) - added \$22,500 for \$575,000 bond cost of issuance and \$33,000 for the Communications System Project.
- 10) General Bond Retirement (301) - added \$3,435,000 for the 2010 Bond Series proceeds and \$1,185,000 for the Aerial Tower Refunding proceeds.

Please call (216) 509-1411 should you have any questions.

Thank you.

CITY OF MACEDONIA			October 22, 2020		2020 Amended Annual	
Fund Category	Fund#	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total

An Ordinance making appropriations for the current expenses and other expenditures of the City of Macedonia, Ohio, for the year

Now therefore, be it ordained by the Council of the **City of Macedonia**, County of Summit, and State of Ohio:

changes

Section 1: That there be appropriated from the following funds:

General	101	General					
		Council (101)	113,600	4,000		117,600	
		Administrative Support (110)	-	1,038,600		1,038,600	
		Mayor's Office (120)	351,100	33,900		385,000	
		IT (125)	131,100	174,100		305,200	
		Finance (130)	368,500	438,000		806,500	
		Mayor's Court (140)	200,300	133,500		333,800	
		Legal (150)	57,100	135,300		192,400	
		Civil Service (160)	5,500	2,600		8,100	
		City Center Service (170)	127,100	262,700		389,800	
		Building & Engineering (180)	346,700	105,200		451,900	
		Service (201)	341,200	221,100		562,300	
		Police (210)	2,555,800	235,600		2,791,400	
		Fire (222)	2,905,500	753,100		3,658,600	
		Dispatch (310)	713,400	38,300		751,700	
		Transfers (321)	-	-	1,863,300	1,863,300	
		Advances (321)	-	-	75,000	75,000	
			Total General Fund (101)	8,216,900	3,576,000	1,938,300	13,731,200
			total Personal Service+ Other		11,792,900		
		102	Emergency Reserve	-	-	-	-
		103	Unclaimed Monies	-	1,000	-	1,000
		104	Retirement Reserve	-	50,000	-	50,000
		105	Refund Program	-	200,000	100,000	300,000
		106	Technology Advancement	-	-	-	-
	Special Revenue	201	Street Construction Maintenance & Repair (S,C,M&R)				
		Street Maintenance & Repair (350)	875,300	208,800	-	1,084,100	
		Salt (352) & Traffic Signals (353)	-	108,000	-	108,000	
		Street Mechanic & Signs Maintenance (354) (355)	395,300	246,800	-	642,100	
		Total S,C,M&R Fund (201)	1,270,600	563,600	-	1,834,200	
		202	State Highway Improvement	-	70,500	-	70,500
		203	Permissive License Tax	-	-	359,000	359,000
		204	Parks & Recreation				
			Parks (203)	226,000	102,600	-	328,600
			Recreation (204) Parks Programming	132,000	52,000	-	184,000
			Total Parks & Recreation Fund (204)	358,000	154,600	-	512,600
		205	Family Recreation Center	577,700	680,500	-	1,258,200
		207	Spirit of Macedonia Festival	-	35,000	-	35,000
		210	Water Maintenance & Expansion	25,300	124,700	104,834.39	254,834.39
		211	Fire Operating Levy	-	-	106.29	106.29
		212	Motor Vehicle License Tax	-	110,000	-	110,000
		213	Police Pension	-	135,000	-	135,000
		215	Indigent Drivers	-	-	-	-
		216	Drug Law Enforcement	-	5,000	-	5,000
		217	Law Enforcement & Education	-	2,500	-	2,500
		218	CDBG Grant	-	2,000	-	2,000
		220	Mayor's Court Computer	-	10,300	-	10,300
		221	F.A.I.R. Program	-	50,000	-	50,000
		223	Subdivision Tree	-	2,000	-	2,000
		224	Wireless 911	-	2,500	-	2,500
		225	Petro UST	-	1,000	-	1,000
		226	Police Donation	-	100	-	100
		233	Quiet Zone Maintenance	-	5,000	-	5,000
		259	A.R.R.A. Program	-	1,000	-	1,000
		260	Federal Fire Grant	-	1,000	-	1,000
		262	Law Enforcement Trust	-	2,500	-	2,500
		263	Federal Equity Share	-	25,000	-	25,000
	264	Local Coronavirus Relief	771,994.32	-	-	771,994.32	
	265	Local Corona Relief	339,611.52	-	-	339,611.52	
	280	Safety Services	585,500	846,500	190,800	1,622,800	
		Total Special Revenue Funds	3,928,705.84	2,830,300	654,740.68	7,413,746.52	

CITY OF MACEDONIA			October 22, 2020		2020 Amended Annual	
Fund Category	Fund#	Fund Name or Department	Personal Service	Other	Transfers & Advances	Total
Debt Service	301	General Obligation Bond Retirement	-	5,770,900	-	5,770,900
	302	Special Assessment Bond Retirement	-	296,300	-	296,300
	304	Other Debt - (OPWC, State Infrastructure Bank, leases)	-	574,400	-	574,400
		Total Debt Service Funds	-	6,641,600	-	6,641,600
Capital Project	401	Capital Improvement	-	1,668,500	-	1,668,500
	405	Road Program	-	2,535,300	743,100	3,278,400
	422	Shepard Road Sanitary Sewer	-	-	7,457.79	7,457.79
	423	Municipal Property	-	-	-	-
	424	Longwood Park Improvements	-	400	-	400
	427	Manor House Renovation	-	-	-	-
	470	Summit Pointe TIF	-	650,000	-	650,000
	471	The Avenue TIF	-	1,000	49,000	50,000
	472	Macedonia Shoppes TIF	-	500	9,500	10,000
	473	Maguire Property TIF	-	100	4,900	5,000
	474	Ambassadors Football TIF	-	-	-	-
	475	Culver's TIF	-	-	-	-
	476	KFC TIF	-	-	-	-
	Total Capital Project Funds	-	4,855,800	813,957.79	5,669,757.79	
Non-Budgetary	206	Parks & Recreation Trust	-	170,000	-	170,000
	702	Revolving Payroll Escrow	-	-	-	-
	710	Escrow Deposits	-	-	-	-
	711	Mayor's Court	-	-	-	-
	712	Community Room Deposits	-	-	-	-
	714	JEDD Northfield Center	-	386,500	-	386,500
	715	Mayor's Court Bond	-	-	-	-
	725	Refund Program	-	-	-	-
	780	Boston Hts EMS Collection	-	-	-	-
		Total Non-Budgetary Funds	-	556,500	-	556,500
	Total All Funds	12,145,606	18,711,200.00	3,506,998.47	34,363,804.31	
Transfers				30,856,805.84		
		General (101) to Retirement Reserve (104)			-	
		General (101) to Technology Advancement (106)			-	
		General (101) to Street Construction (201)			850,000	
		General (101) to Parks & Recreation (204)			75,000	
		General (101) to Family Recreation Center (205)			-	
		General (101) to General Bond Retirement (301)			272,700	
		General (101) to Other Debt (304)			505,300	
		General (101) to Capital Improvements (401)			115,000	
		General (101) to Road Program (405)			45,300	
		General (101) to Municipal Property (423)			-	
		Refund Program (105) to Technology Advancement (106)			-	
		Refund Program (105) to Parks & Recreation Trust (206)			100,000	
		Permissive License Tax (203) to Road Program (405)			359,000	
		Water Maintenance & Expansion (210) to General (101)			104,834.39	
		Fire Operating Levy (211) to Safety/ Service (280)			106.29	
		Safety Services (280) to General Bond Retirement (301)			190,800	
	Road Program (405) to General Bond Retirement (301)			674,000		
	Road Program (405) to Other Debt (304)			69,100		
	Shepard Road Sanitary Sewer (422) to Road Program (405)			7,457.79		
	The Avenue TIF (471) to Road Program (405)			49,000		
	Macedonia Shoppes TIF (472) to Road Program (405)			9,500		
	Maguire Property TIF (473) to Road Program (405)			4,900		
	Total Transfers			3,431,998.47		
Advances		General Fund (101) to Special Assessment Bond Retirement Fund (302)			75,000	
		Total Advances			75,000	

CITY OF MACEDONIA			CERTIFICATE OF ESTIMATED RESOURCES							COVID-19	APPROPRIATIONS			transfers
2020 Estimated Resources & Appropriations			ACTUAL	ADD	ADD	ADD		ADD	EQUALS			SUBTRACT	EQUALS	advances
2020 Amended Appropriations					changes		changes				changes	ESTIMATED	gen'l obligation debt	
October 22			Unencumbered					2020				Unencumbered	spec assess debt	
Fund #	Fund Description	Type	Balance 01/01/2020	General Property Tax	Local Gov't	Income Tax	Other Sources	Total Resources	Description	Sect.	2020 Appropriations	Balance 12/31/2020	OPWC/lease debt	
													new debt	
													Description	
101	General	Gov'tl	2,615,585.59	1,780,100.00	178,134.71	6,613,400.00	rev-other - \$2.30M	3,484,200.00	14,776,254.69	1.	11,792,900.00	1,045,054.69		
							tr in 2.	-			tr out 1.	1,863,300.00		
							tr in 14.	104,834.39			adv out 1.	75,000.00		
							est rev	-				13,731,200.00		
								3,589,034.39						
102	Emergency Reserve	Gov'tl	500,000.00				tr in 1.	-	500,000.00		tr out 2.	-	500,000.00	
103	Unclaimed Monies	Trust	12,978.71				est rev	-	12,978.71	3.	1,000.00	11,978.71		
104	Retirement Reserve	Gov'tl	500,000.00				tr in 1.	-	500,000.00	4.	50,000.00	450,000.00		
105	Refund Program	Gov'tl	139,738.52			191,600.00	est rev	-	331,338.52	5.	200,000.00	31,338.52		
						- \$60K					tr out 5.	100,000.00		
												300,000.00		
106	Technology Advancement	Gov'tl	395.36				tr in 1.	-	395.36	6.	-	395.36		
							tr in 5.	-						
								-						
201	S,C,M & R	Sp Rev	198,240.60				est rev	890,000.00	1,938,240.60	7.	1,834,200.00	104,040.60		
							tr in 1.	850,000.00						
								1,740,000.00						
202	State Highway	Sp Rev	26,330.48				est rev	50,500.00	76,830.48	8.	70,500.00	6,330.48		
203	Permissive License Tax	Sp Rev	2,135.20				est rev	359,000.00	361,135.20		tr out 9.	359,000.00	2,135.20	
204	Parks & Recreation	Sp Rev	51,830.58			305,700.00	est rev	104,000.00	536,530.58	10.	512,600.00	23,930.58		
						- \$100K	tr in 1.	75,000.00						
								179,000.00						
205	Family Recreation Center	Sp Rev	246,413.86			305,700.00	est rev	725,000.00	1,277,113.86	11.	1,258,200.00	18,913.86		
						- \$100K	tr in 1.	-						
								725,000.00						
206	Parks & Recreation Trust	Trust	49,929.17				est rev	41,400.00	191,329.17	12.	170,000.00	21,329.17	\$162,000 capital items	
							tr in 5.	100,000.00						
								141,400.00						
207	Spirit of Macedonia	Sp Rev	62,113.87				est rev	25,000.00	87,113.87	13.	35,000.00	52,113.87		
210	Water Maintenance & Expansion	Sp Rev	474,032.46				est rev	100,000.00	574,032.46	14.	150,000.00	319,198.07		
											tr out 14.	104,834.39		
												254,834.39		
211	Fire Operating Levy	Sp Rev	106.29				est rev	-	106.29		tr out 14a.	106.29	-	
212	Motor Vehicle License Tax	Sp Rev	20,518.69				est rev	100,000.00	120,518.69	15.	110,000.00	10,518.69		
213	Police Pension	Sp Rev	2,649.19	135,266.00			est rev	-	137,915.19	16.	135,000.00	2,915.19		
215	Indigent Drivers	Sp Rev	6,093.21				est rev	-	6,093.21	17.	-	6,093.21		
216	Drug Law Enforcement	Sp Rev	34,413.27				est rev	5,000.00	39,413.27	18.	5,000.00	34,413.27	\$2,500 capital items	
217	Law Enforcement Education	Sp Rev	27,771.01				est rev	2,500.00	30,271.01	19.	2,500.00	27,771.01	\$2,500 capital items	
218	CDBG Block Grant	Sp Rev	8,153.30				est rev	2,000.00	10,153.30	20.	2,000.00	8,153.30		
220	Mayor's Court Computer	Sp Rev	22,575.68				est rev	8,000.00	30,575.68	21.	10,300.00	20,275.68		
221	F.A.I.R. Program	Sp Rev	36,081.88				est rev	58,500.00	94,581.88	22.	50,000.00	44,581.88		
223	Subdivision Tree	Sp Rev	115.00				est rev	2,000.00	2,115.00	23.	2,000.00	115.00		

CITY OF MACEDONIA			CERTIFICATE OF ESTIMATED RESOURCES						COVID-19	APPROPRIATIONS			transfers	
2020 Estimated Resources & Appropriations			ACTUAL	ADD	ADD	ADD	ADD	EQUALS			SUBTRACT	EQUALS	advances	
2020 Amended Appropriations			Unencumbered	General	Local	Income	Other	2020			changes	ESTIMATED	gen'l obligation debt	
October 22			Balance	Property Tax	Gov't	Tax	Sources	Total	Description	Sec.	2020	Unencumbered	spec assess debt	
Fund #	Fund Description	Type	01/01/2020					Resources			Appropriations	Balance	OPWC/lease debt	
												12/31/2020	new debt	
													Description	
224	Wireless Emergency 911	Sp Rev	14,902.55				est rev	-	14,902.55		24.	2,500.00	12,402.55	
225	Petro Underground Storage Tanks	Sp Rev	10,450.00				est rev	-	10,450.00		25.	1,000.00	9,450.00	
226	Police K-9 Donation	Sp Rev	1,266.46				est rev	-	1,266.46		26.	100.00	1,166.46	
233	Quiet Zone Maintenance	Sp Rev	20,861.71				est rev	1,000.00	21,861.71		27.	5,000.00	16,861.71	
259	A.R.R.A. Grant	Sp Rev	5,416.40				est rev	-	5,416.40		28.	1,000.00	4,416.40	
260	Federal Fire Grant	Sp Rev	12,544.11				est rev	-	12,544.11		29.	1,000.00	11,544.11	
							tr in 1.	-						
								-						
262	Law Enforcement Trust	Sp Rev	14,682.35				est rev	-	14,682.35		30.	2,500.00	12,182.35	
263	Federal Equitable Share	Sp Rev	100,779.84				est rev	-	100,779.84		31.	25,000.00	75,779.84	\$7,500 capital items
264	Local Coronavirus Relief	Sp Rev	-				est rev	771,994.32	771,994.32		31a.	771,994.32	-	
265	Local Corona Relief	Sp Rev	-				est rev	339,611.52	339,611.52		31b.	339,611.52	-	
280	Safety / Service	Sp Rev	266,537.13			1,080,000.00	borrow	575,000.00	1,921,643.42		32.	585,500.00	298,843.42	wages & benefits
						no change	tr in 14a.	106.29				22,500.00		cost of issuance
							est rev	-				734,500.00		capital items
								575,106.29				89,500.00		RITA fees / OH muni fees + other
											tr out 32.	190,800.00		aerial tower debt
												1,622,800.00		
301	General Bond Retirement	Debt	13,406.07				est rev	-	5,770,906.07		33.	-	6.07	
								3,435,000.00				3,435,000.00		2010 refunding
								1,185,000.00				1,185,000.00		aerial tower refunding
							tr in 1.	272,700.00				190,800.00		aerial tower
							tr in 32.	190,800.00				674,000.00		\$9M 2018 bonds
							tr in 38.	674,000.00				286,100.00		70% 2010 bonds
								5,757,500.00				5,770,900.00		
302	Special Assess Bond Retirement	Debt	(17,693.07)				est rev	250,000.00	307,306.93		34.	296,300.00	11,006.93	
							adv in 1.	75,000.00						
								325,000.00						
304	Other Debt	Debt	30,117.68				tr in 1.	505,300.00	604,517.68		36.	574,400.00	30,117.68	
							tr in 38.	69,100.00						
								574,400.00						
401	Capital Improvements	Cap	227,499.59				borrow	360,000.00	1,816,499.59	Service - lease to buy	37.	360,000.00	147,999.59	lease to buy purchases
							est rev	341,500.00		CLE Water Grant		341,500.00		Ledgeview Rd 8" water mn
							tr in 1.	115,000.00				-		Family Rec parking lot
							est rev	608,000.00		NEORS CC Share		608,000.00		Guadeloupe
							est rev	115,000.00		NEORS CC Share		115,000.00		90,000 VV Rd + 25,000 Shepard
							est rev	28,500.00		NEORS & CC Share		244,000.00		Dept capital purchases
							est rev	21,000.00		close 2019 PO		-		
								1,589,000.00				1,668,500.00		
405	Road Program	Cap	738,816.15			1,053,700.00	tr in 1.	45,300.00	3,412,873.94		38.	-	134,473.94	
						- \$375K	tr in 9.	219,000.00		Permissive Tax		219,000.00		Highland - S.Bedford to Empire
							tr in 9.	140,000.00		Permissive Tax		140,000.00		S.Bedford mill & fill
							tr in 39.	7,457.79		close Fund 422		100,000.00		Road materials
							tr in 44.	49,000.00				-		
							tr in 45.	9,500.00				55,000.00		Road pavement markings
							tr in 46.	4,900.00				1,205,300.00		2020 Road Program
							tr in 47.	-				48,000.00		LED street lighting upgrade
							tr in 48.	-				45,000.00		RITA retainer / OH muni fees
							tr in 49.	-				10,500.00		Right in / Right out - city cost
							borrow	575,000.00				493,500.00		Right in / Right out - Spec Assess
							est rev	219,000.00		OPWC - Highland		219,000.00		Highland - S.Bedford to Empire

CITY OF MACEDONIA			CERTIFICATE OF ESTIMATED RESOURCES						COVID-19	APPROPRIATIONS		transfers	
2020 Estimated Resources & Appropriations			ACTUAL	ADD	ADD	ADD	ADD	EQUALS			SUBTRACT	EQUALS	advances
2020 Amended Appropriations					changes		changes			changes	ESTIMATED	Unencumbered	gen'l obligation debt
October 22			Unencumbered					2020				Balance	OPWC/lease debt
Fund	Fund		Balance	General	Local	Income	Other	Total	Description	Sect.	2020	12/31/2020	new debt
#	Description	Type	01/01/2020	Property Tax	Gov't	Tax	Sources	Resources			Appropriations		Description
							est rev	89,000.00	NEORS CC Share	tr out 38.	69,100.00		OPWC Ledge 2048/VView 2038
							est rev	262,200.00	close 2019 PO's	tr out 38.	674,000.00		\$9M 2018 Roads Bond 2038
								1,620,357.79			3,278,400.00		
422	Shepard Road Sanitary Sewer	Cap	7,457.79				est rev	-	7,457.79		7,457.79	-	
423	Municipal Property	Cap	38,067.97				tr in 1.	-	1,038,067.97	40.	-	1,038,067.97	
							est rev	1,000,000.00	to be set aside for new Service Dept bldg				
								1,000,000.00					
424	Longwood Park Improvements	Cap	5,912.31				est rev	-	5,912.31	41.	400.00	5,512.31	
427	Manor House Renovation	Cap	26.27				est rev	-	26.27	42.	-	26.27	
470	Summit Pointe TIF	Cap	-				est rev	650,000.00	650,000.00	43.	650,000.00	-	
471	The Avenue TIF	Cap	977.41				est rev	50,000.00	50,977.41		49,000.00	977.41	
											1,000.00		
											50,000.00		
472	Macedonia Shoppes TIF	Cap	733.61				est rev	10,000.00	10,733.61		9,500.00	733.61	
											500.00		
											10,000.00		
473	Maguire Property TIF	Cap	179.47				est rev	5,000.00	5,179.47		4,900.00	179.47	
											100.00		
											5,000.00		
474	Ambassadors Football TIF	Cap	-				est rev	-	-		-	-	
											-		
											-		
475	Culver's TIF	Cap	-				est rev	-	-		-	-	
											-		
											-		
476	KFC TIF	Cap	-				est rev	-	-		-	-	
											-		
											-		
702	Revolving Payroll Funds	Agency	63,529.19				est rev	-	63,529.19	50.	-	63,529.19	
710	Escrow Deposits	Agency	70,601.13				est rev	-	70,601.13	51.	-	70,601.13	
711	OBBC Deposits	Agency	1,034.83				est rev	-	1,034.83	52.	-	1,034.83	
712	Community Room Deposits	Agency	3,248.75				est rev	-	3,248.75	53.	-	3,248.75	
714	JEDD Northfield Center	Agency	80,186.50			386,500.00	est rev	-	466,686.50	54.	386,500.00	80,186.50	
						no change							
715	Mayors Court Bond	Agency	4,732.14				est rev	-	4,732.14	55.	-	4,732.14	
	Totals		6,754,476.26	1,915,366.00	178,134.71	9,936,600.00		20,355,904.31	39,140,481.28	= Beg Bal + Resources	34,363,804.31	4,776,676.97	
						46.17%							
	Total Resources							32,386,005.02	Total 2020 generated Resources				
								21,522,400.71	Total 2020 Estimated Revenue				

	<u>Fund#</u>		
Beginning Actual RESTRICTED Unencumbered Cash Balance	all other		2,985,800
Beginning Actual UNRESTRICTED Unencumbered Cash Balance	101-106		<u>3,768,700</u>
	ALL		6,754,500
Revenue and Other Receipts			
Municipal Income Tax Funds (101,105,204,205)		7,416,400	
Property Tax	101,213	1,915,400	
Local Government	101	178,100	
Tax Increment Financing (TIF) Revenue	471-476	65,000	
Safety / Service	280	1,080,000	
Road Program	405	1,623,900	
Other Income Funds (101,105,201,204,205,301,302,401)		<u>6,567,200</u>	
Total Revenue			18,846,000
Expenses and Other Disbursements			
General	101	11,792,900	
Emergency Reserve	102	-	
Refund Program	103	200,000	
Retirement Reserve	104	50,000	
Technology Advancement	106	-	
Street Construction Maintenance & Repair	201	1,834,200	
Parks & Recreation	204	512,600	
Family Recreation Center	205	1,258,200	
Safety / Service	280	1,432,000	
			(17,079,900)
Trust / Agency Funds (206,102,715) Revenue		427,900	
Trust / Agency Funds (206,102,715) Expense		<u>556,500</u>	(128,600)
Other Funds (103,202,203, 207-265, 422-427, 470) Revenue		3,475,100	
Other Funds (103,202,203, 207-265, 422-427, 470, 471-476) Expense		<u>2,375,000</u>	1,100,100
Balance available for Debt Service, Capital Improvements, Road Program & Other Costs			2,737,600
Debt Service			
General Bond Retirement	301	1,150,900	
Special Assessment Bond Retirement	302	296,300	
Other Debt	304	<u>574,400</u>	
			(2,021,600)
Balance available for Capital Improvements and Other Costs			716,000
Capital Improvements			
Departmental & Other Items from Five Year Capital Plan	280 - 401		(1,668,500)
Road Program			
Road Program & Storm Sewer Maintenance	405	1,205,300	
Highland (portion) Road Resurfacing	405	438,000	
Right In/ Out	405	504,000	
Other	405	<u>388,000</u>	(2,535,300)
Safety/ Service borrowing	280		575,000
Capital Improvements borrowing	401		360,000
Road Program borrowing - Special Assessment	405		575,000
Estimated Unencumbered Cash Increase (Decrease)			<u>(1,977,800)</u>
Ending RESTRICTED Unencumbered Cash Balance - Estimated	all other		2,737,900
Ending UNRESTRICTED Unencumbered Cash Balance - Estimated	101-106		<u>2,038,800</u>
	ALL		<u>4,776,700</u>

ORIGINATOR: ADMINISTRATION

SPONSOR: _____

**CITY OF MACEDONIA
ORDINANCE NO. 63 -2020**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$1,210,000 TO REFUND ALL OR A PORTION OF THE CITY'S FIRE TRUCK ACQUISITION BONDS, SERIES 2019; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 119-2018, passed by this Council on December 13, 2018, and pursuant to Section 133.15 of the Revised Code, the City issued its \$1,450,000 Fire Truck Acquisition Bonds, Series 2019 (the "Series 2019 Bonds") to pay costs of acquiring and equipping a fire truck (the "Project") and the costs of issuance of the Series 2019 Bonds;

WHEREAS, the Series 2019 Bonds are subject to optional redemption prior to maturity by and at the option of the City, in whole or in part on any date, at a redemption price of 100% of the principal amount being redeemed, plus interest accrued to the redemption date;

WHEREAS, this Council finds and determines that it is in the best interest of the City, in order to achieve debt service savings, for the City to optionally redeem all or a portion of the Series 2019 Bonds (the "Refunded Bonds") with the proceeds of the Bonds described in Section 2 and provide additional funds from those proceeds to pay expenses related to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of the Project was, at the time of the original issuance of the Series 2019 Bonds, is at least five years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, Summit County, Ohio, that:

Section 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$100,000 or any integral multiple of \$1,000 in excess of \$100,000.

"Bond proceedings" means, collectively, this ordinance, the Certificate of Award, and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds appointed pursuant to Section 4 until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

"Book-entry form" or "book-entry system" means a form or system under which (a) the ownership of book-entry interests in Bonds and the principal of and interest on Bonds may be transferred only through a book-entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds deposited with and maintained in the custody of the Depository or its agent. The book-entry maintained by others than the City is the record that identifies the owners of book-entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the agreement authorized by Section 7 of this ordinance.

“Interest Payment Dates” means June 1 and December 1 of each year during which the Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award.

“Original Purchaser” means the purchaser or purchasers as may be designated by the Director of Finance in the Certificate of Award as provided in Section 6.

“Participant” means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years determined by the Director of Finance in accordance with Section 3(b).

“Serial Bonds” means those Bonds designated as such and maturing on the Principal Payment Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the Principal Payment Date or Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses of this ordinance. Reference to a Section means a section of this ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. It is necessary to issue bonds of this City in a maximum aggregate principal amount of \$1,210,000 (the “Bonds”) to (a) refund the Refunded Bonds, (b) pay costs of refunding the Refunded Bonds, and (c) pay costs of issuance of the Bonds.

Subject to the limitations set forth in this ordinance, the aggregate principal amount of the Bonds to be issued, taking into account any original issue discount and/or original issue premium on the sale of the Bonds, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this ordinance are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be designated as “Fire Truck Acquisition Refunding Bonds, Series 2020” or such other designation as set forth in the Certificate of Award. In accordance with Section 133.30(B), Ohio Revised Code, the Director of Finance may combine the Bonds with other general obligation bonds of the City into a single consolidated issue of bonds for purposes of their sale as a single issue. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The principal amount of the Bonds to be issued shall be determined by the Director of Finance in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Bonds shall be dated as of the Closing Date, or such other date as may be established by the Director of Finance in the Certificate of Award.

(a) **Interest Rates and Payment Dates.** The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding 4% per year for any stated maturity, as shall be specified by the Director of Finance in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) **Principal Payment Schedule.** The Bonds shall mature serially or annually on such dates and in such principal amounts as is fixed by the Director of Finance in the Certificate of Award. Consistent with the provisions of this Section 3(b) and in accordance with that officer’s determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount of those Bonds that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount of those Bonds that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (“Mandatory Redemption Dates”) and the principal amount of those Term Bonds that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) **Payment of Debt Charges.** The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person’s address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the “Regular Record Date”). Any interest not timely paid (the “Defaulted Interest”) shall cease to be payable to the person who is the Holder as of the Regular Record Date and shall be payable to the person who is the Holder at the close of business on a special record date for the payment of such defaulted interest. Such Special Record Date (the “Special Record Date”) shall be fixed by the Council whenever moneys become available for payment of the Defaulted Interest, and the Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, not less than 10 days prior thereto to each Holder at its address as it appears on the Bond Register. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Bond Registrar. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book-entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book-entry system.

(d) **Redemption Provisions.** Except as otherwise provided in the Certificate of Award consistent with the determination by the Director of Finance of the best interest of and financial advantages to the City, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) **Mandatory Sinking Fund Redemption of Term Bonds.** If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and

be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as described below).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 30th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount of that Term Bond against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the City, the Bonds or portions of the Bonds as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the City, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the highest redemption price shall not be greater than 103%; and provided, further that any Bonds not redeemed shall be in Authorized Denomination.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions of those Term Bonds, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of this Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption If fewer than all of the outstanding Bonds are called for redemption at one time, they may be called in any order of their maturities, and if fewer than all Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions of the

Bonds in Authorized Denominations, shall be made by lot by the Bond Registrar in any manner which the Registrar may determine. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination shall be treated as though it were a separate bond of an Authorized Denomination. If it is determined that one or more, but not all of the Authorized Denominations of principal amount represented by a bond are to be called for redemption, then upon notice of redemption of Authorized Denominations unit or units, the registered owner of that bond shall surrender the bond to the Bond Registrar (i) for payment of the redemption price of the Authorized Denomination unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner of that bond, of a new bond or bonds of any authorized denominations or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions of the Bonds to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph of this ordinance, the Bonds and portions of the Bonds called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Section 3(c), upon presentation and surrender of those Bonds at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions of the Bonds to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as described above, then from and after the redemption date those Bonds and portions of those Bonds called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as described above, those Bonds and portions of those Bonds shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners of those Bonds and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Revised Code, the Charter of the City, this ordinance and the Certificate of Award.

The Director of Finance is appointed to act as the Bond Registrar. If required by the Original Purchaser, the Director of Finance may choose a bank or trust company to act as Bond Registrar. In that case, the Director of Finance shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Registrar (the "Agreement"). The

Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

Section 5. Registration; Transfer and Exchange; Book-Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register. Subject to the provisions of Section 3(c) and Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Subject to any requirements of book-entry form during any period in which the Bonds are in book-entry form, any Bond may be (i) exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar, and (ii) transferred only on the Bond Register upon presentation and surrender of the Bond at the office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book-Entry System. Notwithstanding any other provisions of this ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book-entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book-entry system and, if and so long as a book-entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its designated nominee, as registered owner, and deposited with and retained in the custody of the Depository or its agent, which may be the Bond Registrar; (ii) the owners of book-entry interests in Bonds shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book-entry interests in Bonds shall be shown by book-entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book-entry interests shall be made only by book-entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to establish a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the book-entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book-entry system for the Bonds, including the execution of a Blanket Issuer Letter of Representations in the form utilized by The Depository Trust Company.

Section 6. Sale of the Bonds. The Bonds shall be sold at private sale to a financial institution or other entity or person in a private placement and shall be awarded by the Director of Finance to the entity noted in the Certificate of Award (the "Original Purchaser") at a purchase price not less than 97% of the aggregate principal amount of the Bonds plus any accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Director of Finance in the Certificate of Award, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this ordinance. The Director of Finance may enter into a bond purchase or similar agreement with the Original Purchaser.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance.

Section 7. Escrow Fund. The proceeds from the sale of the Bonds, except the accrued interest thereon and proceeds used to pay issuance costs of the Bonds, in accordance with Section 133.34, Ohio Revised Code, shall be deposited in either a separate account in the Bond Retirement Fund or a separate escrow fund to be held by a bank or trust company selected by the Director of Finance (together, the "Escrow Fund"). The money deposited in the Escrow Fund is pledged for the purpose of refunding the Refunded Bonds. The money in the Escrow Fund to be invested must be invested in direct obligations of or obligations guaranteed as to payment by the United States. Any money not so invested must remain uninvested. Any investments in the Escrow Fund must mature or be subject to redemption by and at the option of the Holder of those investments not later than the date or dates when the money, together with interest or other investment income accrued on that money, will be required for the payment of principal of and interest on the Refunded Bonds. The Mayor and the Director of Finance, or any one of them, are authorized and directed to enter into an escrow agreement, as well as any other written documents and agreements as are necessary in their judgment to facilitate the transactions authorized in this ordinance on behalf of the City. The Director of Finance is also authorized to retain, on behalf of the City, the services of an independent public accounting firm to perform the verification, if required by Section 133.34(D), Ohio Revised Code, of the sufficiency of amounts in the Escrow Fund to cause the Refunded Bonds to be deemed paid and discharged. Any proceeds of the Bonds in the Escrow Fund that are not needed to pay principal of and interest on the Refunded Bonds must be transferred to the Bond Retirement Fund.

Section 8. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for

the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. However, in each year the amount of such tax shall be reduced by the amount of lawfully available municipal income taxes appropriated and to be applied to the payment of the debt charges on the Bonds in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefore under the Constitution and laws of the State of Ohio; and the City covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amounts, and to continue to levy and collect such municipal income taxes in such amounts, as are necessary to meet such annual debt charges.

Section 9. Federal Tax Considerations. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

The City further covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 10. Qualified Tax Exempt Obligations. The Bonds are designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code and to the extent any portion of the Bonds are not so deemed designated, the Director of Finance may so designate such portion in the Certificate of Award. The City covenants that the City, having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Bonds are issued, (i) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Bonds, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Bonds (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Bonds to cease to be "qualified tax-exempt obligations."

Section 11. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver promptly a certified copy of this ordinance and a signed copy of the Certificate of Award to the County Fiscal Officer.

Section 12. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Revised Code, the Charter of the City, this ordinance, the Certificate of Award, and other authorizing provisions of law.

Section 13. Retention of Bond Counsel and Financial Advisor. In connection with the issuance of the Bonds, the legal services of Calfee, Halter & Griswold LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution of the engagement letter by the Mayor, the Director of Finance, the Director of Law, or any one of them, are authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts. Furthermore, in connection with the issuance of the Bonds, the Director of Finance is authorized to retain the financial advisory services of MAS Financial Advisory Services LLC, and the execution of such letter or agreement in connection therewith as that officer determines to be appropriate and in the best interest of the City is authorized, ratified and approved. In rendering those financial advisory services, as an independent contractor and in a financial advisor-client relationship, that entity shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 14. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 15. Effective Date. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to refund the Refunded Bonds at current market rates and achieve interest rate savings; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Amanda Trzaska, Clerk of Council

ORIGINATOR: ADMINISTRATION

SPONSOR: _____

CITY OF MACEDONIA
ORDINANCE NO. 64 -2020

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$575,000 TO PAY COSTS OF ACQUIRING, INSTALLING, EQUIPPING AND OTHERWISE IMPROVING THE CITY’S COMMUNICATION SYSTEM UTILIZED BY THE POLICE AND FIRE DEPARTMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that (a) the estimated life or period of usefulness of the Communication System Project (defined below) is at least five years, and (b) the maximum maturity of bonds issued to finance the costs of the Communication System Project is 15 years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Macedonia, Summit County, Ohio, that:

Section 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means the denomination of \$100,000 or any integral multiple of \$1,000 in excess of \$100,000.

“Bond proceedings” means, collectively, this ordinance, the Certificate of Award, and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds appointed pursuant to Section 4 until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Book-entry form” or “book-entry system” means a form or system under which (a) the ownership of book-entry interests in Bonds and the principal of and interest on Bonds may be transferred only through a book-entry, and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds deposited with and maintained in the custody of the Depository or its agent. The book-entry maintained by others than the City is the record that identifies the owners of book-entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision

and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Communication System Project” means acquiring, installing, equipping and otherwise improving the City’s communication system utilized by the police and fire departments.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book-entry system to record ownership of book-entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book-entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Interest Payment Dates” means June 1 and December 1 of each year during which the Bonds are outstanding, commencing on the first such date set forth in the Certificate of Award.

“Original Purchaser” means the purchaser or purchasers as may be designated by the Director of Finance in the Certificate of Award as provided in Section 6.

“Participant” means any participant contracting with a Depository under a book-entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years determined by the Director of Finance in accordance with Section 3(b).

“Serial Bonds” means those Bonds designated as such and maturing on the Principal Payment Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the Principal Payment Date or Dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses of this ordinance. Reference to a Section means a section of this ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. It is necessary to issue bonds of this City in a maximum aggregate principal amount of \$575,000 (the “Bonds”) to (a) pay the costs of the Communication System Project, and (b) pay costs of issuance of the Bonds.

Subject to the limitations set forth in this ordinance, the aggregate principal amount of the Bonds to be issued, taking into account any original issue discount and/or original issue premium on the sale of the Bonds, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this ordinance are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be designated as “Communication System Improvement Bonds, Series 2020” or such other designation as set forth in the Certificate of Award. In accordance with Section 133.30(B), Ohio Revised Code, the Director of Finance may combine the Bonds with other general obligation bonds of the City into a single consolidated issue of bonds for purposes of their sale as a single issue. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The principal amount of the Bonds to be issued shall be determined by the Director of Finance in the Certificate of Award, having due regard to the best interest of and financial advantages to the City. The Bonds shall be dated as of the Closing Date, or such other date as may be established by the Director of Finance in the Certificate of Award.

(a) **Interest Rates and Payment Dates.** The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360-day year consisting of twelve 30-day months), not exceeding

4% per year for any stated maturity, as shall be specified by the Director of Finance in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature serially or annually on such dates and in such principal amounts as is fixed by the Director of Finance in the Certificate of Award. Consistent with the provisions of this Section 3(b) and in accordance with that officer's determination of the best interest of and financial advantages to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount of those Bonds that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount of the Bonds that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption ("Mandatory Redemption Dates") and the principal amount of those Term Bonds that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date (the "Regular Record Date"). Any interest not timely paid (the "Defaulted Interest") shall cease to be payable to the person who is the Holder as of the Regular Record Date and shall be payable to the person who is the Holder at the close of business on a special record date for the payment of such defaulted interest. Such Special Record Date (the "Special Record Date") shall be fixed by the Council whenever moneys become available for payment of the Defaulted Interest, and the Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, not less than 10 days prior thereto to each Holder at its address as it appears on the Bond Register. The principal and interest on the Bonds is payable in lawful money of the United States of America without deduction for the services of the Bond Registrar. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book-entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book-entry system.

(d) Redemption Provisions. Except as otherwise provided in the Certificate of Award consistent with the determination by the Director of Finance of the best interest of and financial advantages to the City, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the "Mandatory Sinking Fund Redemption Requirements").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as described below).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent

Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 30th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount of that Term Bond against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the City, the Bonds or portions of the Bonds as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the City, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the highest redemption price shall not be greater than 103%; and provided, further that any Bonds not redeemed shall be in Authorized Denomination.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions of those Term Bonds, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of this Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption If fewer than all of the outstanding Bonds are called for redemption at one time, they may be called in any order of their maturities, and if fewer than all Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions of the Bonds in Authorized Denominations, shall be made by lot by the Bond Registrar in any manner which the Registrar may determine. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination shall be treated as though it were a separate bond of an Authorized Denomination. If it is determined that one or more, but not all of the Authorized Denominations of principal amount represented by a bond are to be called for redemption, then upon notice of redemption of Authorized Denominations unit or units, the registered owner of that bond shall surrender the bond to the Bond Registrar (i) for payment of the redemption price of the Authorized Denomination unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner of that bond, of a new bond or bonds of any authorized denominations or denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions of the Bonds to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph of this ordinance, the Bonds and portions of the Bonds called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Section 3(c), upon presentation and surrender of those Bonds at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions of the Bonds to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as described above, then from and after the redemption date those Bonds and portions of those Bonds called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as described above, those Bonds and portions of those Bonds shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners of those Bonds and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Revised Code, the Charter of the City, this ordinance and the Certificate of Award.

The Director of Finance is appointed to act as the Bond Registrar. If required by the Original Purchaser, the Director of Finance may choose a bank or trust company to act as Bond Registrar. In that case, the Director of Finance shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Registrar (the "Agreement"). The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Agreement from the proceeds of the Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

Section 5. Registration; Transfer and Exchange; Book-Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register. Subject to the provisions of Section 3(c) and Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and

discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Subject to any requirements of book-entry form during any period in which the Bonds are in book-entry form, any Bond may be (i) exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar, and (ii) transferred only on the Bond Register upon presentation and surrender of the Bond at the office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book-Entry System. Notwithstanding any other provisions of this ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book-entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book-entry system and, if and so long as a book-entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its designated nominee, as registered owner, and deposited with and retained in the custody of the Depository or its agent, which may be the Bond Registrar; (ii) the owners of book-entry interests in Bonds shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book-entry interests in Bonds shall be shown by book-entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book-entry interests shall be made only by book-entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book-entry system, the Director of Finance may attempt to establish a securities depository/book-entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the book-entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book-entry system for the Bonds, including the execution of a Blanket Issuer Letter of Representations in the form utilized by The Depository Trust Company.

Section 6. Sale of the Bonds. The Bonds shall be sold at private sale to a financial institution or other entity or person in a private placement and shall be awarded by the Director of Finance to the entity noted in the Certificate of Award (the "Original Purchaser") at a purchase price not less than 97% of the aggregate principal amount of the Bonds plus any accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Director of Finance in the Certificate of Award, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this ordinance. The Director of Finance may enter into a bond purchase or similar agreement with the Original Purchaser.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance.

The proceeds from the sale of the Bonds, except the accrued interest or any premium received by the City on the sale of the Bonds, shall be paid into the proper fund and used for the purpose for which the Bonds are being issued under the provisions of this ordinance and may be used to pay those certain costs set forth in Section 133.15(B), Ohio Revised Code; any such costs also may be paid out of any other lawfully available moneys of the City and any such costs which are future financing costs may be paid from the same sources from which the principal of and interest on the Bonds are paid. The accrued interest and any premium received by the City shall be paid into the Bond Retirement Fund to be applied to the payment of the principal and interest of the Bonds in the manner provided by law.

Section 7. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is 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 those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. However, in each year the amount of such tax shall be reduced by the amount of lawfully available municipal income taxes appropriated and to be applied to the payment of the debt charges on the Bonds in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefore under the Constitution and laws of the State of Ohio; and the City covenants, subject and pursuant to such authority, including particularly Sections 133.05(B)(7) and 5705.51(A)(5) and (D) of the Revised Code, to appropriate annually from such municipal income taxes such amounts, and to continue to levy and collect such municipal income taxes in such amounts, as are necessary to meet such annual debt charges.

Section 8. Federal Tax Considerations. The City covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for the issuance of the Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

The City further covenants that it (a) will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or authorize to be taken any actions that would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of

compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Director of Finance and other appropriate officers are authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

Each covenant made in this section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Bonds.

Section 9. Qualified Tax-Exempt Obligations. The Bonds are designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code and to the extent any portion of the Bonds are not so deemed designated, the Director of Finance may so designate such portion in the Certificate of Award. The City covenants that the City, having no “subordinate entities” with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Bonds are issued, (i) will not designate as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Bonds, in an aggregate principal amount in excess of \$10,000,000 and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Bonds (but excluding any qualified 501(c)(3) bonds as defined in Section 145 of the Code and any obligations that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Bonds to cease to be “qualified tax-exempt obligations.”

Section 10. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver promptly a certified copy of this ordinance and a signed copy of the Certificate of Award to the County Fiscal Officer.

Section 11. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Revised Code, the Charter of the City, this ordinance, the Certificate of Award, and other authorizing provisions of law.

Section 12. Retention of Bond Counsel and Financial Advisor. In connection with the issuance of the Bonds, the legal services of Calfee, Halter & Griswold LLP, as bond counsel, are retained pursuant to an engagement letter which has been delivered to the City by that firm. That engagement letter, and the execution of the engagement letter by the Mayor, the Director of Finance, the Director of Law, or any one of them, are authorized, ratified and approved. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts. Furthermore, in connection with the issuance of the Bonds, the Director of Finance is authorized to retain the financial advisory services of MAS Financial Advisory Services LLC, and the execution of such letter or agreement in connection therewith as that officer determines to be appropriate and in the best interest of the City is authorized, ratified and approved. In rendering those financial advisory services, as an independent contractor and in a financial advisor-client relationship, that entity shall not exercise any administrative discretion on behalf of this City in the formulation of public policy,

expenditure of public funds, enforcement of laws, rules and regulations of the State, any county, municipality or other political subdivision, or of this City, or the execution of public trusts.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 14. Effective Date. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this ordinance is required to be immediately effective in order to (a) improve the communication systems of the City's police and fire departments and protect the residents of the City, and (b) take advantage of current favorable market rates; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Amanda Trzaska, Clerk of Council

ORIGINATOR: FINANCE DEPARTMENT

SPONSOR: _____

**CITY OF MACEDONIA
RESOLUTION NO. 65 -2020**

**A RESOLUTION
ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICE**

WHEREAS, it is necessary to accept the amounts and rates as determined by the Budget Commission and authorize the necessary tax levies and certify them to the Summit County Fiscal Office; and

WHEREAS, the Summit County Budget Commission Certification of Tax Levy is attached as “Exhibit A,” and Council wishes to certify the same to Summit County.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. That the amounts and rates as determined by the Summit County Budget Commission Certification of Tax Levy as set forth in “Exhibit A” are hereby adopted and accepted by the City of Macedonia.

Section 2. That this Resolution and the attached Certification of Tax Levy shall be certified and forwarded to the Summit County Fiscal Office by the Council Clerk.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of 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.

Section 4. Wherefore, this Resolution shall become effective upon its adoption by Council and signature of the Mayor or as otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Amanda Trzaska, Clerk of Council



Department of
Taxation

Office of the Tax Commissioner
30 E. Broad St., 22nd Floor
Columbus, OH 43215
www.tax.ohio.gov

JOURNAL ENTRY

Date:

AUG 19 2020

The Honorable Kristen M. Scalise
Summit County Fiscal Officer
175 South Main Street, Suite 400
Akron, OH 44308

Entry Number: 20-08-0232

Re: Approval of Extension for the Summit County Budget Commission to Complete its Work

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on August 11, 2020, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 5, 2020, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 5, 2020. The County Auditor must notify each political subdivision affected by this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL.

/s/ Jeffrey A. McClain

JEFFREY A. McCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner



KRISTEN M. SCALISE CPA, CFE
Fiscal Officer
County of Summit

September 3, 2020

All Summit County Fiscal Officers, Finance Directors and Treasurers

RE: Certification of Tax Levy

We are providing you with the Summit County Budget Commission Certification of Tax Levy to adopt a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the Summit County Fiscal Officer. Please attach a copy of your tax levy certification to your resolution.

Please refer to the attached Information Summary to the Summit County Budget Commission Certification of Tax Levy as it describes the purpose and contents of the certification.

According to the attached extension letter from the Ohio Department of Taxation, the Political Subdivision must provide the approved resolution to the County Fiscal Officer by **November 5, 2020**.

If you have any questions, please contact Josh or Dawn.

Josh Brickner at 330-643-2687 or email jbrickner2@summitoh.net

Dawn Yurick at 330-643-7892 or email dyurick@summitoh.net

Sincerely,
Josh Brickner
Chief Fiscal Officer

**SUMMIT COUNTY BUDGET COMMISSION CERTIFICATION OF TAX LEVY
(ORC Sections 5705.34 & 5705.35)**

POLITICAL ENTITY: **MACEDONIA CITY**
ESTIMATE

Tax Year 2020/Collection Year 2021

THE VALUATIONS AND TAX RATES REFLECT TAX YEAR 2019/COLLECTION YEAR 2020

LEVIES INSIDE and OUTSIDE 10 MILL LIMITATION, INCLUSIVE OF DEBT LEVIES

Date: September 3, 2020

1. RES/AG REAL VALUE	<u>318,045,850</u>
2. OTHER REAL VALUE	<u>108,637,150</u>
3. TOTAL RES/AG & OTHER REAL VALUE	<u>426,683,000</u>
4. PUBLIC UTILITY PERSONAL VALUE	<u>29,812,560</u>
5. TOTAL REAL & PUBLIC UTILITY VALUE	<u>456,495,560</u>

THIS ESTIMATE REFLECTS LESS THE PENDING EXEMPTION ASSESSED VALUATION

RES/AG PENDING EXEMPTION	0
OTHER PENDING EXEMPTION	0

TOTAL REAL & PU LESS PENDING EXEMPTION VALUE 456,495,560

FUND TYPE CLT FUND #	PURPOSE	Authorized by the Voters on Ballot MO/DA/YR	Number of Years Levy to Run	Tax Year	Collection Year	Maximum Rate Authorized to be Levied	REDUCTION FACTOR	EFFECTIVE RATE TO BE LEVIED	TOTAL REAL & PU LESS PENDING EXEMPTION VALUE				ROLL BACK
				Begins/Ends	Begins/Ends		RES/AG OTHER	RES/AG OTHER	RES/AG	OTHER	PUBLIC UTILITY	TOTAL	
GENERAL 01 00	Inside					2.53		2.530000 2.530000	\$804,656	\$274,852	\$75,426	\$1,154,934	Y
POLICE PENSION 32 00	Inside					0.30		0.300000 0.300000	\$95,414	\$32,591	\$8,944	\$136,949	Y
GENERAL 04-04	Current Expense	Renewal 05/05/15	5	15/19	16/20	0.00	0.000000 0.000000	0.000000 0.000000	\$0	\$0	\$0	\$0	N
TOTALS						2.83		2.830000 2.830000	\$900,070	\$307,443	\$84,370	\$1,291,883	

NOTE: The ROLLBACK column added to this certificate represents the recently passed state budget, beginning with tax year 2013 the ten and two and one-half percent rollbacks will no longer apply to new levies that are enacted after the August 2013 election. These non-qualifying levies include additional levies, the increase portion of renewal with increase levies, and the full effective millage of replacement levies. Levies that will continue to qualify for application of the rollbacks are levies approved at or before the August 2013 election, inside and charter millage as they appear on the 2013 tax list, renewals of qualified levies, and the substitute of qualified school district emergency levies under Revised Code section 5705.199. In this column the Y indicates the levy qualifies for the 10% and 2 1/2% rollback. The N indicates the levy does not qualify for the 10% and 2 1/2% rollback.

ORIGINATOR: ADMINISTRATION

SPONSOR: _____

**CITY OF MACEDONIA
RESOLUTION NO. 66 - 2020**

**A RESOLUTION
CONFIRMING THE APPOINTMENT OF MELISSA N. HUNTER
TO THE CITY OF MACEDONIA CIVIL SERVICE COMMISSION**

WHEREAS, Section 12.01 of the Charter of the City of Macedonia sets forth the manner in which Civil Service Commission vacancies are filled; and

WHEREAS, there is a need to fill a vacancy on the City of Macedonia Civil Service Commission, with a term ending on or about July 1, 2026; and

WHEREAS, the Mayor has announced the appointment of MELISSA N. HUNTER to fill the vacancy on the City of Macedonia Civil Service Commission with a term ending on or about July 1, 2026, which appointment is subject to the confirmation of Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Macedonia, County of Summit and the State of Ohio:

Section 1. The appointment of MELISSA N. HUNTER to the Civil Service Commission to the term ending July 1, 2026 is hereby and herein confirmed.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of 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.

Section 3. Wherefore, this Resolution shall become effective upon its adoption by Council and signature of the Mayor or as otherwise be provided for in law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____

Nicholas Molnar

ATTEST: _____

Amanda Trzaska, Clerk of Council

MELISSA N. HUNTER

1286 Laurel Drive Macedonia, OH 44056 ■ (330) 888-8931 ■ mgranke@icloud.com

Software Developer proficient in C#/.Net, Xamarin, Javascript, HTML, CSS, and SQL. Experience developing desktop, web based, and mobile applications. Proficient in LEAN and Waterfall development methodologies and object-oriented programming.

EXPERIENCE

SEPTEMBER 2020 - PRESENT SOFTWARE DEVELOPER, PROGRESSIVE INSURANCE

Maintain State Reporting systems aligned with each states specific legal statutes and requirements. Troubleshoot reporting problems and add/modify functionality as needed. C#, XR/XF, SQL Server, jQuery.

MARCH 2018 - PRESENT LICENSED AGENT, PROGRESSIVE INSURANCE

Resolve cancellation, non-renewal, and rate increases in homeowners policies while meeting underwriter specifications and retaining business.

NOVEMBER 2017 - OCTOBER 2019 OWNER, GREEN MAID

Small business owner in charge of marketing, hiring, training, payroll, customer satisfaction and all aspects of business management.

OCTOBER 2010 - NOVEMBER 2017 BUSINESS DEVELOPMENT MANAGER, SPITZER AUTO GROUP

Created and built a team of 22 staff members from the ground up. Our team was responsible for handling thousands of on line requests per months and converting those requests into sales. Generated 15-20% of the total business for 15 stores in three states covering 12 brands - foreign and domestic.

EDUCATION

Bachelor of Science - Software Development

WGU Ohio - Western Governors University
Graduated: July 2020

VOLUNTEER

Citizens for a Strong Macedonia - PAC President working to pass a local levy for police, fire, and service department funding for the City of Macedonia.

Citizens for Issue 3 - PAC volunteer working to support funding for Roads and Recreation for the City of Macedonia

Precinct Captain - Summit County Democratic Party

ORIGINATOR: ADMINISTRATION

SPONSOR: _____

**CITY OF MACEDONIA
RESOLUTION NO. 67 - 2020**

**A RESOLUTION
AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH SAGAMORE HILLS TOWNSHIP TO PROVIDE
DISPATCH SERVICES**

WHEREAS, the City of Macedonia maintains a functioning communications center that has full-time telephone answering and radio dispatching services; and

WHEREAS, the City of Macedonia and Sagamore Hills Township previously entered into an Agreement for dispatch services on or about June 25, 2015, and desires to continue such services as set forth below; and

WHEREAS, Council deems it necessary and in the best interest to the health, safety and welfare of all City residents to enter into an Agreement with Sagamore Hills Township to continue to provide dispatch services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Macedonia, County of Summit and State of Ohio:

Section 1. That the Mayor is authorized to enter into and execute a contract with Sagamore Hills Township to provide dispatch services in accordance with the terms set forth in the document attached hereto as Exhibit "A" and incorporated herein by reference

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution was adopted in an open meeting of this Council, and that all deliberations of 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.

Section 3. This Resolution shall take effect upon adoption by Council and signature of the Mayor or after the earliest period allowed by law.

PASSED: _____

EFFECTIVE: _____

POSTED: _____

MAYOR: _____
Nicholas Molnar

ATTEST: _____
Amanda Trzaska, Clerk of Council

DISPATCH SERVICES AGREEMENT
BETWEEN THE CITY OF MACEDONIA AND SAGAMORE HILLS TOWNSHIP

This Agreement is made and entered into by and between the City of Macedonia, a municipal corporation in the County of Summit, State of Ohio (“City”), in accordance with Ordinance No. ___-2020 passed by City Council on _____, 2020, and the Township of Sagamore Hills, Ohio, a political subdivision in the County of Summit, State of Ohio (“Township”), in accordance with Resolution No. _____, passed by the Township Trustees on _____, 2020. The City and Township are collectively referred to as the “Parties.”

WHEREAS, the City maintains a currently-functioning communications center that has full-time telephone answering and radio dispatching services; and

WHEREAS, the Township desires to enter into a contract for the use of the City’s telephone answering and radio dispatching services through the end of the 2025 calendar year and is willing to reimburse the City for those services, and to reimburse the City for the cost of adding/expanding certain hardware and/or software to enable the City to provide such services to the Township; and

WHEREAS, the City is willing to make such additions/expansions and provide such services, and accept the amount set forth herein as compensation.

NOW, THEREFORE, the Parties agree, as follows:

1. SCOPE OF SERVICES TO BE PROVIDED BY CITY OF MACEDONIA.

The City will furnish twenty-four (24) hour a day telephone answering and radio dispatching services to the Township with the basic service to be as follows:

- a. Answer all emergency and non-emergency police and fire telephone lines to the Township and relay such messages; and
- b. Provide computer information in accordance with the Rules and Regulations set forth by LEADS/NCIC; and
- c. Enter any and all regular, LEADS and NCIC-based warrants, stolen vehicles and articles, missing persons, etc. into the computer.

The City will furnish services in accordance with the City’s own manual for operation of its system, including providing the Township copies of all teletypes regarding missing/wanted persons, B.O.L.O.S., theft, returned property, schools, etc.

To furnish such services, the City will add or expand certain hardware and/or software, including but not limited to the addition of police and fire radio frequencies, phone line(s), and equipment recording capability used to provide telephone answering and radio dispatching services, and the Township acknowledges and agrees it will pay the full cost of such addition/expansion, including the cost of any related equipment, software, installation, labor, and programming, as set forth in Section 3 below.

The provision of dispatch services to the Township under this Agreement may require the hiring of additional support personnel. While the Parties recognize that the City may be bound by certain contracts and human resource/City rules, including Civil Service rules governing the hiring of dispatchers, the City agrees that applicants with previous Township dispatch center experience will be strongly considered.

2. RESPONSIBILITY OF THE TOWNSHIP OF SAGAMORE HILLS.

Immediately upon execution of this Agreement, the Township's Fiscal Officer shall certify to the City that the Township currently has the funds available and appropriated to cover the costs of the first year of this Agreement, including the initial setup fee, and the Township Fiscal Officer shall provide such certification to the City at the beginning of each fiscal year thereafter.

The Township will submit all warrants on the proper forms and will ensure their correctness.

The Township shall provide the City with a current map of the Township and shall be responsible for keeping the map current.

The Township agrees to abide by the City's Dispatch Manual, Dispatch Policy and all reasonable policies and procedures.

The Township agrees that only necessary requests will be made for Dispatch to make telephone calls; all other telephone calls shall be made by the officers or available parties. No non-work related, frivolous, or personal requests for calls shall be made.

The Township agrees that in the event the Township expands its police coverage into an adjoining community, an addendum or rider shall be attached to this Agreement to cover the additional dispatch services being rendered.

The Township agrees that in the event there is a noticeable increase in call volume, an addendum may be added to this contract to cover that additional burden.

3. PAYMENT FOR DISPATCH SERVICES.

For the City’s provision of these basic dispatch services to the Township seven (7) days per week, 24-hours per day, the Township shall pay the City as follows: (1.03 = 3% increase)

YEAR	Prior Year x Annual Increase	Total Due	Quarterly Payments
2021	\$84,868 x 1.03 =	\$87,416	\$21,854
2022	\$87,416 x 1.03 =	\$90,040	\$22,510
2023	\$90,040 x 1.03 =	\$92,740	\$23,185
2024	\$92,740 x 1.03 =	\$95,520	\$23,880
2025	\$95,520 x 1.03 =	\$98,384	\$24,596

For all calendar years, four equal installments as set above are due and payable to the City on or before January 31, April 30, July 31, and October 31 of the year services are being provided.

4. ANNUAL SUPPORT & MAINTENANCE

For the City’s provision to provide dispatch services there are annual support and maintenance agreements as listed in Exhibit B.

YEAR		Due Date	Annual Payment
2021		01/31/2021	\$301
2022		01/31/2022	\$2,341
2023		01/31/2023	\$2,341
2024		01/31/2024	\$2,341
2025		01/31/2025	\$2,341

5. WAIVER

The Township hereby expressly waives any right, claim, demand or cause of action it may now have, and have in the future against the City and/or any of its officers, employees, or agents, which arises, or may arise, from the performance of this contract by the City, its officers, employees, or agents. Furthermore, the Township shall indemnify and hold the City harmless from any such claim by any non-resident or resident of the Township, or any of its officers, employees, or agents or any third party that results from any act or omission of the Township or any of its officers, officials or employees.

6. TERMINATION

Either side may terminate this agreement with 90 days written notice. In the event the Township is more than thirty (30) days late with any installment payment, the City may, at its discretion, terminate this Agreement if payment is not made by the Township within fourteen (14) days of the Township's receipt of a written notice of non-payment from the City. The City may also terminate the Agreement with thirty (30) days written notice in the event the Township has three or more Dispatch Policy violations within any calendar year.

– Remainder of this page is intentionally left blank –

IN WITNESS WHEREOF, the Parties hereto have caused their names to be subscribed on this Agreement by their duly authorized officers on duplicate copies of this Agreement, each of which shall be deemed an original, this _____ day of _____, 2020.

Approved as to Form:

On behalf of the City of Macedonia:

Mark V. Guidetti, Director of Law
City of Macedonia

Nick Molnar, Mayor
City of Macedonia

Approved as to Form:

On behalf of Sagamore Hills Township:

Jeffrey Snell, Law Director
Sagamore Hills Township

John Zaccardelli, Trustee
Sagamore Hills Township

Paul Schweikert, Trustee
Sagamore Hills Township

David W. DePasquale, Trustee
Sagamore Hills Township