(Mayor Potter)

CITY OF KIRTLAND, OHIO

ORDINANCE NO. 20-O-23

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $2,405,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF RETIRING, TOGETHER WITH OTHER FUNDS AVAILABLE TO THE CITY, THE CITY'S OUTSTANDING VARIOUS PURPOSE NOTES, SERIES 2019, DATED JUNE 19, 2019, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 19-O-19, passed on May 8, 2019, there were issued $3,015,000 Various Purpose Notes, Series 2019 (the Outstanding Notes), in anticipation of bonds for the purposes stated in Section 1 and other purposes, which Outstanding Notes mature on June 18, 2020; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of each of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in clauses (i) and (vi) of Section 1 is eight years, in clause (ii) of Section 1 is 12 years, in clause (iii) of Section 1 is seven years, in clauses (iv), (v) and (viii) of Section 1 is 18 years, in clause (vii) of Section 1 is three years, in clause (ix) of Section 1 is nine years, in clauses (x) and (xi) of Section 1 is 19 years, in clauses (xv), (xvi), (xvii), (xix) and (xx) of Section 1 is 10 years, and in clauses (xii), (xiii), (xiv), (xviii), (xxi) and (xxii) of Section 1 is 20 years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds described in clause (i) of Section 1 is July 22, 2029, in anticipation of the Bonds described in clause (ii) of Section 1 is July 23, 2028, in anticipation of the Bonds described in clause (iii) of Section 1 is July 3, 2028, in anticipation of the Bonds described in clauses (iv) and (v) of Section 1 is July 1, 2034, in anticipation of the Bonds described in clause (vi) of Section 1 is July 1, 2029, in anticipation of the Bonds described in clause (vii) of Section 1 is July 1, 2024, in anticipation of the Bonds described in clauses (viii), (x) and (xi) of Section 1 is June 25, 2035, in anticipation of the Bonds described in clause (ix) of Section 1 is June 25, 2030, in anticipation of the Bonds described in clauses (xii), (xiii) and (xiv) of Section 1 is June 22, 2036, in anticipation of the Bonds described in clause (xv) of Section 1 is June 22, 2031, in anticipation of the Bonds described in clause (xvi) of Section 1 is September 29, 2031, in anticipation of the Bonds described in clause (xvii) of Section 1 is June 21, 2032, in anticipation of the Bonds described in clause (xviii) of Section 1 is June 21, 2037, in anticipation of the Bonds described in clauses (xix) and (xx) of Section 1 is June 20, 2033, and in clauses (xxi) and (xxii) of Section 1 is June 20, 2038; and

WHEREAS, due to the current state of emergency in the State of Ohio and the Governor's current stay at home order stemming from the COVID-19 pandemic, the Kirtland Public Library and the Kirtland Community Center have both been closed to protect both the community and the staff from potential infection; and

WHEREAS, Section 220.25 of the City's Codified Ordinances requires the posting of copies of enacted legislation for 15 consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

WHEREAS, Section 220.25 of the City's Codified Ordinances grants this Council the authority to modify the posting requirement;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KIRTLAND, LAKE COUNTY, OHIO, THAT:

SECTION I: Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the City in the aggregate principal amount of $2,405,000 (the Bonds) for the purpose of paying costs of (i) improving, in cooperation with the Ohio Department of Transportation, Chardon Road (US 6) by resurfacing, together with the necessary appurtenances and work incidental thereto ($65,000 of the Notes), (ii) improving the intersection of Chardon Road (US 6) and Sperry Road by grading, draining, paving, constructing storm sewers and storm water facilities and installing signage, all together with the necessary appurtenances thereto ($40,000 of the Notes), (iii) acquiring motor vehicles, including related equipment and apparatus, for use by the City's Service Department, together with the necessary appurtenances thereto ($70,000 of the Notes), (iv) improving Tibbetts Road by reconstructing, widening, grading, draining, curbing, paving, constructing turn lanes, storm sewers and storm water facilities and installing signage and traffic signalization, all together with the necessary appurtenances thereto ($20,000 of the Notes), (v) improving SR 306 at Lakeland Community College by reconstructing and improving turn lanes, together with the necessary appurtenances and work incidental thereto, in cooperation with the City of Willoughby ($40,000 of the Notes), (vi) acquiring motor vehicles, including related equipment and apparatus, for use by the City's Service Department, together with the necessary appurtenances thereto ($115,000 of the Notes), (vii) improving technology used in providing City services, including telecommunications equipment, computer equipment and related software, together with necessary appurtenances and installation work incidental thereto ($35,000 of the Notes), (viii) improving Sperry Road by grading, draining, paving, constructing storm sewers and storm water facilities and installing signage, all together with the necessary appurtenances thereto ($20,000 of the Notes), (ix) acquiring motor vehicles, including related equipment and apparatus, for use by the City's Service Department, together with the necessary appurtenances thereto ($140,000 of the Notes), (x) improving the roof and HVAC system of the City Hall and Police Station building, together with the necessary appurtenances thereto ($215,000 of the Notes), (xi) improving the roof and HVAC system of the Fire Station building, together with the necessary appurtenances thereto ($85,000 of the Notes), (xii) improving Arborhurst Lane and Singlefoot Trail by reconstructing, grading, draining, paving, constructing storm sewers and storm water facilities and installing signage, all together with the necessary appurtenances thereto ($200,000 of the Notes), (xiii) improving Worrell Road by grading, draining, paving, constructing storm sewers and storm water facilities and installing signage, all together with the necessary appurtenances thereto ($35,000 of

the Notes), (xiv) improving Chillicothe Road (SR 306) by grading, draining, curbing and paving, all together with the necessary appurtenances thereto ($55,000 of the Notes), (xv) acquiring motor vehicles, including related equipment and apparatus, for use by the City's Service Department, together with the necessary appurtenances thereto ($85,000 of the Notes), (xvi) acquiring an ambulance, including related equipment and apparatus, together with the necessary appurtenances thereto ($185,000 of the Notes), (xvii) acquiring a fire engine, together with related apparatus and equipment, for use by the City's Fire Department ($400,000 of the Notes), (xviii) improving the roof of, and renovating and otherwise improving, the City Hall building, together with the necessary appurtenances thereto ($100,000 of the Notes), (xix) acquiring equipment and related software for the City's Police and Fire Department 9-1-1 emergency communications system, together with the necessary appurtenances thereto ($150,000 of the Notes), (xx) acquiring motor vehicles, including related equipment and apparatus, for use by the City's Service Department, together with the necessary appurtenances thereto ($150,000 of the Notes), (xxi) improving Wisner Road by grading, draining, curbing and paving, together with the necessary appurtenances thereto ($100,000 of the Notes), and (xxii) improving Chillicothe Road (SR 306) by constructing a crosswalk adjacent to the Kirtland Local School District campus, together with the necessary appurtenances thereto ($100,000 of the Notes).

SECTION II: Estimated Bond Terms. The Bonds shall be dated approximately June 1, 2021, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 13 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2021, and the first principal payment of the Bonds is estimated to be December 1, 2022.

SECTION III: Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in the aggregate principal amount of $2,405,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire, together with other funds available to the City, the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 5% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for, subject to the paragraph immediately below. The rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

If requested by the Original Purchaser (as defined in Section 6) and if the Director of Finance has determined it to be in the best interests of and financially advantageous to the City to participate in the Treasurer of State's Ohio Market Access Program (as described in Section 6(c)), the Notes may provide that, in the event that the City does not pay or make provision for payment at maturity of the debt charges on the Notes, the principal amount of the Notes shall bear interest at a different rate not to exceed the After Maturity Rate (as defined in the Standby Note

Purchase Agreement defined and provided for in Section 6(c)) from the maturity date until the City pays or makes provision to pay that principal amount.

SECTION IV: Payment of Debt Charges; Paying Agent; Prepayment. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America and shall be payable, without deduction for services of the City's paying agent, at the designated corporate trust office of The Bank of New York Mellon Trust Company, N.A., or at the principal corporate trust office or other office of a bank or trust company designated by the Director of Finance in the Certificate of Award, after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent). If agreed to by the Original Purchaser, the Notes shall be prepayable without penalty or premium at the option of the City at any time prior to maturity (the Prepayment Date) as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes together with interest accrued thereon to the Prepayment Date. The City's right of prepayment shall be exercised by mailing a notice of prepayment, stating the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the Original Purchaser and to the Paying Agent not less than seven days prior to the Prepayment Date. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date. The Director of Finance may request the Original Purchaser to use its best efforts to arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation.

SECTION V: Execution of Notes; Book Entry System. The Notes shall be signed by the Mayor and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award, provided that no Note shall be issued in a denomination less than $100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes deposited or maintained in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"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 beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited or maintained in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes 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 Notes 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 beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes 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 hereby 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 Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

SECTION VI: Award and Sale of the Notes.

(a) To the Original Purchaser. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, 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, are each authorized and directed to sign any transcript certificates, financial statements, paying agent agreement, note purchase agreement, placement agent agreement, term sheet and other commitments, documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

(c) Ohio Market Access Program. If the Director of Finance determines in the Certificate of Award for it to be in the best interest of and financially advantageous to the City, the City shall participate in the Treasurer of State's Ohio Market Access Program.

The Standby Note Purchase Agreement (Standby Note Purchase Agreement) and Paying Agent Agreement (Paying Agent Agreement) are hereby authorized in the forms presented to this Council with such changes not materially adverse to the City as may be approved by the officers of the City executing the Standby Note Purchase Agreement and Paying Agent Agreement. The City acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the City is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the City, the Treasurer of State agrees (A) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (B) to purchase renewal notes of the City in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at the Renewal Note Rate (as defined in the Standby Note Purchase Agreement), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the City shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the City, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes, within the ten-mill limitation imposed by law, on all property subject to ad valorem taxes levied by the City and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code, as amended, to the same extent that interest on the Notes is so excluded.

The officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for the Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of the Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

SECTION VII: Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

SECTION VIII: Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

SECTION IX: Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. 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 Notes or the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of debt charges on the Notes and Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of other funds so available and appropriated.

SECTION X: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses

of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as "qualified tax-exempt obligations" if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (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 Notes 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 Notes.

SECTION XI: Certification and Delivery of Ordinance. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance to the Lake County Auditor.

SECTION XII: Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. 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 the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The

Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION XIII: Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes 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 Notes 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 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION XIV: Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, 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 XV: Posting Requirements. This Council, pursuant to its authority in Section 220.25 of the City's Codified Ordinances and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted Ordinance in three places and requires the following:

1. The Clerk of Council is hereby directed to post this enacted Ordinance in City Hall for 15 consecutive days after the effective date of this Ordinance.

2. Due to the closures of the Kirtland Public Library and the Kirtland Community Center, the Clerk of Council is not required to post this enacted Ordinance in those locations.

3. The Clerk of Council is hereby directed to post this enacted Ordinance on the City of Kirtland's web site for 15 consecutive days after the effective date of this enacted Ordinance.

SECTION XVI: Captions and Headings. 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 hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION XVII: Declaration of Emergency; 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 so that the Notes can be sold and issued at an early date to enable the City to retire the

Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

_____
President of Council

Submitted to the Mayor for his approval on this _____ day of _____, 2020.

ATTEST:

_____
Clerk of Council

Approved by the Mayor, this _____ day of _____, 2020.

_____
Mayor Kevin F. Potter