

4a**b**

**CITY OF HARRINGTON
ORDINANCE NO. 15-06**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 440, ZONING, OF
THE CODE OF THE CITY OF HARRINGTON**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HARRINGTON IN COUNCIL MET:

Section 1. That Chapter 440 shall be amended by deleting the existing
chapter and substituting in lieu thereof Exhibit A.

Repealer. All ordinances and parts of ordinances inconsistent with the
provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this
Ordinance and cause the same to be published as required by law; and this
Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session
of Harrington City Council, to be effective upon signing.

Anthony R. Moyer, Mayor

Attest: _____
Kelly Blanchies, Clerk of Council

Date of Adoption: _____

SYNOPSIS

This Ordinance replaces Chapter 440, Zoning, to revise the Zoning Code in its
entirety.

First Reading: _____

Public Hearing: _____

Second Reading: _____

No changes to text made since the first reading of Ordinance 15-05 – Repealing and replacing Chapter 440, Zoning. Complete text available on City's website and in City Hall and the Library.

494c

**CITY OF HARRINGTON
ORDINANCE NO. 15-07**

**AN ORDINANCE REZONING CERTAIN PARCELS AND AMENDING THE
ZONING MAP OF THE CITY OF HARRINGTON**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HARRINGTON IN COUNCIL MET:

Section 1. That the following parcels shall be rezoned as stated below:

- 6-09-17002-01-0100-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-0200-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-0600-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-0700-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-0800-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-0900-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-1000-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-1100-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-1200-00001 shall be rezoned from MZ to TND
- 6-09-17002-01-1300-00001 shall be rezoned from R-1 to TND
- 6-09-17016-01-4700-00001 shall be rezoned from R-1 to R-2
- 6-09-17016-01-5300-00001 shall be rezoned from R-1 to R-2
- 6-09-17016-02-1800-00001 shall be rezoned from C-2 to TND
- 6-09-17020-01-0900-00001 shall be rezoned from R-2 to R-4
- 6-09-17020-01-1400-00001 shall be rezoned from R-1 to R-3
- 6-09-17020-01-7200-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-01-7300-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-01-7400-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-01-7500-00001 shall be rezoned from R-1 to R-2
- 6-09-17020-01-7600-00001 shall be rezoned from R-1 to R-2
- 6-09-17020-02-0900-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-1000-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-2900-00001 shall be rezoned from C-3 to C-2
- 6-09-17020-02-3100-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3200-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3300-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3400-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3500-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3600-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3800-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3801-00001 shall be rezoned from R-1 to C-2
- 6-09-17020-02-3900-00001 shall be rezoned from R-1 to C-2

6-09-17020-02-4000-00001 shall be rezoned from R-1 to C-2
6-09-17020-02-4100-00001 shall be rezoned from R-1 to C-2
6-09-17020-02-4200-00001 shall be rezoned from R-1 to C-2
6-09-17020-03-0500-00001 shall be rezoned from C-3 to C-1
6-09-17020-03-0600-00001 shall be rezoned from C-3 to C-1
6-09-17020-03-1700-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-1701-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-2200-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-2300-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-3200-00001 shall be rezoned from R-2 to R-4
6-09-17020-03-3600-00001 shall be rezoned from R-1 to R-4
6-09-17020-03-5401-00001 shall be rezoned from R-1 to R-2
6-09-17020-03-5600-00001 shall be rezoned from R-3 to R-3
6-09-17020-03-6200-00001 shall be rezoned from R-2 to R-1
6-09-17020-03-7300-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7400-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7500-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7600-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7700-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7800-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-7900-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-8300-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-8400-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-8500-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-8600-00001 shall be rezoned from R-2 to C-2
6-09-17020-03-9201-00001 shall be rezoned from R-1 to C-2
6-09-17020-04-0100-00001 shall be rezoned from C-3 to C-1
6-09-17020-04-0200-00001 shall be rezoned from C-3 to C-1
6-09-17020-04-0300-00001 shall be rezoned from C-3 to C-1
6-09-17020-04-3000-00001 shall be rezoned from R-1 to R-2
6-09-17020-04-6600-00001 shall be rezoned from C-2 to R-1
6-09-17020-04-6900-00001 shall be rezoned from C-3 to C-1
6-09-17020-05-0200-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-0300-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-0400-00001 shall be rezoned from R-1 to C-2
6-09-17020-05-5200-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-5400-00001 shall be rezoned from R-4 to C-2
6-09-17020-05-5500-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-5600-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-5700-00001 shall be rezoned from C-3 to C-2
6-09-17020-05-6500-00001 shall be rezoned from R-1 to C-2

6-09-17117-01-3900-00001 shall be rezoned from C-2 to C-3
6-09-17117-02-0100-00001 shall be rezoned from MZ to TND
6-09-17117-02-0200-00001 shall be rezoned from MZ to TND
6-09-17907-01-7301-00001 shall be rezoned from R-1 to C-3
6-09-17908-01-4100-00001 shall be rezoned from R-4 to C-2
6-09-17908-01-4200-00001 shall be rezoned from R-1 to C-2
6-09-17908-01-4300-00001 shall be rezoned from R-1 to C-2
6-09-17908-01-4400-00001 shall be rezoned from C-3 to C-2
6-09-17908-01-4500-00001 shall be rezoned from R-1 to C-2
6-09-17908-02-3600-00001 shall be rezoned from R-1 to R-2
6-09-17908-03-0900-00001 shall be rezoned from R-1 to M
6-09-17908-03-1000-00001 shall be rezoned from R-1 to M
6-09-17908-03-1100-00001 shall be rezoned from R-1 to M
6-09-17908-03-1200-00001 shall be rezoned from R-1 to M
6-09-17908-03-1300-00001 shall be rezoned from R-1 to M
6-09-17908-03-1400-00001 shall be rezoned from R-1 to M
6-09-17908-04-0101-00001 shall be rezoned from R-1 to C-2
6-09-17908-04-0200-00001 shall be rezoned from R-2 to C-2
6-09-17908-04-0300-00001 shall be rezoned from R-1 to C-2
6-09-17908-04-0400-00001 shall be rezoned from R-1 to C-2
6-09-17908-04-0500-00001 shall be rezoned from R-1 to C-2
6-09-17908-04-0600-00001 shall be rezoned from R-1 to C-2
6-09-17908-04-1200-00001 shall be rezoned from R-2 to C-2
~~6-09-17908-04-2800-00001 shall be rezoned from R-3 to R-2~~
~~6-09-17908-04-2900-00001 shall be rezoned from R-3 to R-2~~
~~6-09-17908-04-3000-00001 shall be rezoned from R-3 to R-2~~
6-09-17908-04-3701-00001 shall be rezoned from C-2 to M
6-09-17908-04-3702-00001 shall be rezoned from C-2 to M
6-09-17908-04-6500-00001 shall be rezoned from R-2 to M
6-09-17908-05-0100-00001 shall be rezoned from R-3 to R-2
6-09-17908-06-0300-00001 shall be rezoned from C-2 to C-2
6-09-17908-06-0600-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-0700-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-0800-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-1000-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-1001-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-1002-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-1100-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-1200-00001 shall be rezoned from C-2 to R-1
6-09-17908-06-2300-00001 shall be rezoned from R-1 to R-2
6-09-17908-06-2400-00001 shall be rezoned from R-1 to R-2

6-09-17908-06-3100-00001 shall be rezoned from R-1 to R-2
6-09-17908-06-3200-00001 shall be rezoned from R-1 to R-2
6-09-17908-07-6200-00001 shall be rezoned from IMP to TND
6-09-17908-07-6400-00001 shall be rezoned from R-1 to M
6-09-18000-01-1300-00001 shall be rezoned from MH to R-1
6-09-18000-02-1301-00001 shall be rezoned from MH to R-1
6-09-18000-02-1303-00001 shall be rezoned from MH to R-1
6-09-18000-02-1304-00001 shall be rezoned from MH to R-1
6-09-18000-02-1305-00001 shall be rezoned from MH to R-1
6-09-18000-02-1306-00001 shall be rezoned from MH to R-1
6-09-18000-02-1307-00001 shall be rezoned from MH to R-1
6-09-18000-02-1308-00001 shall be rezoned from MH to R-1
6-09-18000-02-1309-00001 shall be rezoned from MH to R-1
6-09-18000-02-1310-00001 shall be rezoned from MH to R-1
6-09-18000-02-1311-00001 shall be rezoned from MH to R-1
6-09-18000-02-1400-00001 shall be rezoned from MH to R-1
6-09-18000-02-1401-00001 shall be rezoned from MH to R-1
6-09-18000-02-1402-00001 shall be rezoned from MH to R-1
6-09-18000-02-1403-00001 shall be rezoned from MH to R-1
6-09-18000-02-1404-00001 shall be rezoned from MH to R-1
6-09-18000-02-1405-00001 shall be rezoned from MH to R-1
6-09-18000-02-1406-00001 shall be rezoned from MH to R-1
6-09-18000-02-1407-00001 shall be rezoned from MH to R-1
6-09-18000-02-1408-00001 shall be rezoned from MH to R-1
6-09-18000-02-1409-00001 shall be rezoned from MH to R-1
6-09-18000-02-1410-00001 shall be rezoned from MH to R-1
6-09-18000-02-1411-00001 shall be rezoned from MH to R-1
6-09-18000-02-1412-00001 shall be rezoned from MH to R-1
6-09-18000-02-1413-00001 shall be rezoned from MH to R-1
6-09-18000-02-1414-00001 shall be rezoned from MH to R-1
6-09-18000-02-1415-00001 shall be rezoned from MH to R-1
6-09-18000-02-1416-00001 shall be rezoned from MH to R-1
6-09-18000-02-1417-00001 shall be rezoned from MH to R-1
6-09-18000-02-1418-00001 shall be rezoned from MH to R-1
6-09-18000-02-1419-00001 shall be rezoned from MH to R-1
6-09-18000-02-1420-00001 shall be rezoned from MH to R-1
6-09-18000-02-1421-00001 shall be rezoned from MH to R-1
6-09-18000-02-1422-00001 shall be rezoned from MH to R-1
6-09-18000-02-1423-00001 shall be rezoned from MH to R-1
6-09-18000-02-1424-00001 shall be rezoned from MH to R-1
6-09-18000-02-1425-00001 shall be rezoned from MH to R-1

6-09-18000-02-1426-00001 shall be rezoned from MH to R-1
6-09-18000-02-1427-00001 shall be rezoned from MH to R-1
6-09-18000-02-1428-00001 shall be rezoned from MH to R-1
6-09-18000-02-1429-00001 shall be rezoned from MH to R-1
6-09-18000-02-1430-00001 shall be rezoned from MH to R-1
6-09-18000-02-1431-00001 shall be rezoned from MH to R-1
6-09-18000-02-1432-00001 shall be rezoned from MH to R-1
6-09-18000-02-1433-00001 shall be rezoned from MH to R-1
6-09-18000-02-1434-00001 shall be rezoned from MH to R-1
6-09-18000-02-1435-00001 shall be rezoned from MH to R-1
6-09-18000-02-1436-00001 shall be rezoned from MH to R-1
6-09-18000-02-1437-00001 shall be rezoned from MH to R-1
6-09-18000-02-1500-00001 shall be rezoned from MH to R-1
6-09-18000-02-1901-00001 shall be rezoned from C-2 to C-3
6-09-18000-02-2100-00001 shall be rezoned from MH to R-1
6-09-18005-01-2901-00001 shall be rezoned from R-4 to TND
6-09-18005-01-3600-00001 shall be rezoned from C-3 to TND

Section 2. That the Zoning Map of the City of Harrington is hereby amended to reflect the rezoning of the properties listed in Section 1.

Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.

Anthony R. Moyer, Mayor

Attest: _____
Kelly Blanchies, Clerk of Council

Date of Adoption: _____

SYNOPSIS

This Ordinance rezones the parcels listed as part of a comprehensive rezoning project to align property zoning to the Future Land Use Map adopted as part of the Comprehensive Land Use Plan. It also amends the Zoning Map for the City of Harrington to reflect the zoning changes.

First Reading: _____

Public Hearing: _____

Second Reading: _____

4d

Kelly Blanchies

From: Teresa Tieman
Sent: Monday, July 13, 2015 11:26 AM
To: Kelly Blanchies
Subject: FW: Harrington Railroad Yard Maintenance Issue

From: Carl Klotz
Sent: Monday, July 13, 2015 11:02 AM
To: Teresa Tieman
Subject: FW: Harrington Railroad Yard Maintenance Issue

From: Sexton, Wade R. [<mailto:Wade.Sexton@nscorp.com>]
Sent: Monday, July 13, 2015 10:47 AM
To: Carl Klotz
Subject: RE: Harrington Railroad Yard Maintenance Issue

Believe it or not still looking for a 3rd bid. The last 2 fell through because they had to many other obligations?
WRS

From: Carl Klotz [<mailto:cklotz@cityofharrington.com>]
Sent: Monday, July 13, 2015 10:42 AM
To: Sexton, Wade R.
Subject: [EXTERNAL] RE: Harrington Railroad Yard Maintenance Issue

Good Morning Mr. Sexton, can you please give me an update on the status of the property maintenance issues at the Railroad. Thank You

From: Sexton, Wade R. [<mailto:Wade.Sexton@nscorp.com>]
Sent: Monday, June 01, 2015 11:06 AM
To: Carl Klotz
Subject: RE: Harrington Railroad Yard Maintenance Issue

2nd Bid this week for scrape and paint. Still need a 3rd. I will hopefully be able to submit for approval next week.
WRS

From: Carl Klotz [<mailto:cklotz@cityofharrington.com>]
Sent: Monday, June 01, 2015 9:33 AM
To: Sexton, Wade R.
Subject: [EXTERNAL] RE: Harrington Railroad Yard Maintenance Issue

Good Morning Mr. Sexton can you please give me an update on the status of the property maintenance issues at the railroad. Thank You.

**Committee Appointments
July 20, 2015 City Council Meeting**

Chairmen for Council Committees

Budget & Finance – Council Member Porter
Charter Review – Vice Mayor Bivans
Personnel – Council Member Minner
Utility – Council Member Stubbs

Ordinance Review Committee

Council Member Marquis
Jeff Bowers
William Brode

Board of Adjustment

Kathryn Blanchette

City Chaplain – Aubrey Brown

Library Fundraising Committee

Council Member Fonda Coleman
Christine Hayward, Library Director
Marie Cunningham
Doug Crouse
Carol Kalinofski
Patti Key

**CITY OF HARRINGTON
ORDINANCE NO. 15-08**

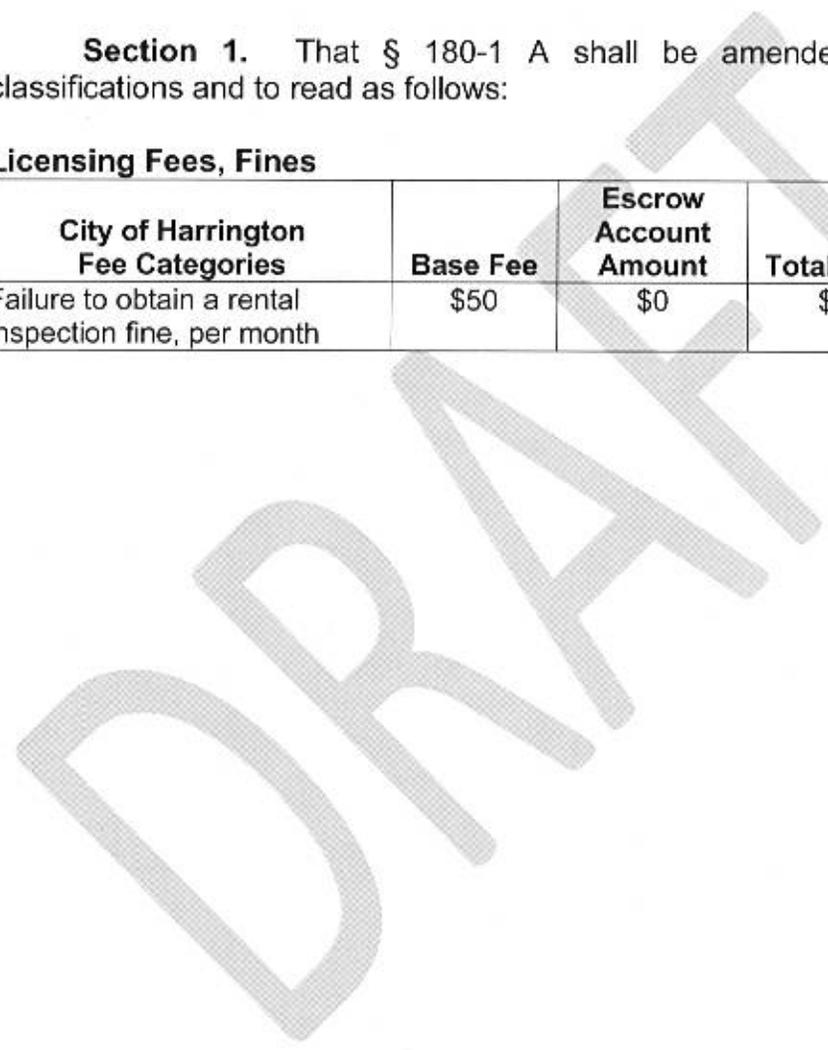
AN ORDINANCE AMENDING CHAPTER 180 OF THE CODE OF THE CITY OF HARRINGTON TO ADD A FINE FOR FAILING TO OBTAIN A RENTAL INSPECTION

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HARRINGTON IN COUNCIL MET:

Section 1. That § 180-1 A shall be amended to add the new classifications and to read as follows:

Licensing Fees, Fines

City of Harrington Fee Categories	Base Fee	Escrow Account Amount	Total Owed	Subject to Professional Fees
Failure to obtain a rental inspection fine, per month	\$50	\$0	\$50	No



Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.

Anthony R. Moyer, Mayor

Attest: _____
Kelly Blanchies, Clerk of Council

Date of Adoption: _____

SYNOPSIS

This Ordinance amends the Municipal Fees for the City of Harrington to add a fine for failing to obtain a rental inspection.

First Reading: _____

Public Hearing: _____

Second Reading: _____

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Town Council
OF THE Harrington, City of
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
Sewer
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Harrington, City of
(Public Body)
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
five hundred and twenty thousand dollars

pursuant to the provisions of the City Charter; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture,
(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921
et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event
that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 500,000

under the terms offered by the Government; that the Mayor

and _____ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas _____ Nays _____ Absent _____

IN WITNESS WHEREOF, the Town Council of the

Harrington, City of has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this _____ day of _____

Harrington, City of

(SEAL) By _____

Attest: Title _____

Title _____

5c

CITY OF HARRINGTON

RESOLUTION 15-R-08

A RESOLUTION OUTLINING PROPOSED FUNDING OF UP TO \$2,638,902 OF GENERAL OBLIGATION BONDS TO REFINANCE FOUR EXISTING WATER AND SEWER PROJECT BONDS AND ESTABLISHING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON

WHEREAS, the City of Harrington (the "City") has previously issued the following bonds to finance water and sewer system projects (collectively, the "Debt"):

<u>Project Description</u>	<u>Amount</u>	<u>Interest Rate</u>
Wastewater Treatment Plant Upgrade	\$2,000,000	4.50%
Farmington Sewer Extension	\$779,300	4.50%
Emergency Water Main	\$497,000	3.25%
Clark Street Water Main	\$210,000	4.50%

WHEREAS, the City Council of the City of Harrington has determined that it is in the City's best interest to refinance the remaining principal balances of the Debt to a lower interest rate, which will save the City thirty-nine thousand twenty-six dollars (\$39,026) in debt service annually and nine hundred ten thousand two hundred sixty-seven dollars (\$910,267) over the remaining terms of the Debt; and

WHEREAS, the City has been approved for refinancing the remaining principal balances of the Debt by the Clean Water Advisory State Revolving Fund in the following amounts:

<u>Project Description</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Term (Years)</u>
Wastewater Treatment Plant Upgrade	\$1,482,350	2%	21
Farmington Sewer Extension	\$596,106	2%	26
Emergency Water Main	\$383,647	2%	24
Clark Street Water Main	\$176,799	2%	28

WHEREAS, § 16.3 of 69 Del. Laws Ch. 115, as amended, (the "Charter") allows for long-term borrowing for any proper municipal purpose with voter approval; and

WHEREAS, the City, pursuant to § 16.3 of the Charter, proposes to issue up to two million six hundred thirty-eight thousand nine hundred two dollars (\$2,638,902) maximum principal amount of the City's general obligation bonds in order to pay the costs of refinancing the Debt and pay the costs of issuance of the bonds (collectively, the "Project").

NOW, THEREFORE, BE IT RESOLVED that notice is hereby given to the residents and property owners of the City of Harrington that the City Council proposes to borrow an amount of money not to exceed two million six hundred thirty-eight thousand nine hundred two dollars (\$2,638,902) principal amount to fund the Project; and

BE IT FURTHER RESOLVED that pursuant to § 16.3.4 (a) of the Charter, notice is hereby given of the following information regarding the bonds:

Amount of Borrowing: Four bonds for a total principal amount not to exceed two million six hundred thirty-eight thousand nine hundred two dollars (\$2,638,902).

Municipal Purpose: Refinancing water and sewer bonds qualifies as a municipal purpose for which the City Council may make long-term borrowings with voter approval under § 16.3.1 of the Charter because the project is for the following purposes:

- (1) Refinancing the Debt, which the Debt was for enlarging, maintaining, or repairing any plant, building, machinery, or equipment for the handling, production, manufacture, supply, treatment or distribution of water and sanitary sewer system (§ 16.3.1 (a)); and
- (2) Paying all expenses deemed necessary by the City Council for the issuance of said bonds or certificate of indebtedness (§ 16.3.1 (e)).

Manner of Securing: The funds are to be borrowed through four general obligation bonds of the City of Harrington issued to the Clean Water Advisory State Revolving Fund and secured on the full faith and credit and taxing power of the City to pay the principal and interest on the bond.

Other Facts Deemed Pertinent: The bonds will allow the City to refinance four existing bonds with current interest rates of 3.25% to 4.5% to a lower interest rate of 2% in order to save money on debt service. The terms of the existing bonds will not be extended. The annual debt service savings will be used for water and sewer system infrastructure projects.

BE IT FURTHER RESOLVED that a Public Hearing will be held on the matter of this resolution on **August 17, 2015 at 7:00 p.m.**, prevailing time, at City Hall, 106 Dorman Street, Harrington, Delaware 19952; and

BE IT FURTHER RESOLVED that notice of such public hearing will be published in a newspaper of general circulation in the City and posted in at least five (5) places in the City not less than ten (10) days nor more than twenty (20)

days prior to the date of the public hearing as required in § 16.3.4 (b) of the Charter; and

BE IT FURTHER RESOLVED that pursuant to § 16.3.4 (c) following the public hearing, the City Council may pass a second resolution ordering a special election to be held for the purpose of voting for or against the proposed borrowing.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution was passed by a majority of the City Council of the City of Harrington on this 20th day of July 2015.

Anthony R. Moyer, Mayor

Attest: _____
Kelly Blanchies, Clerk of Council

Date

5d

Part time or full time police officer will be discussed at the meeting. No information included in packets.

5e

CITY OF HARRINGTON

PROCLAMATION

**80th Anniversary of the Signing of the Social Security Act
August 15, 2015**

WHEREAS, on August 14, 1935, President Franklin D. Roosevelt signed the Social Security Act into law; and

WHEREAS, Social Security is a social insurance program under which workers earn coverage for retirement, survivors, and disability benefits by paying Social Security taxes on their earnings; and

WHEREAS, Social Security serves as vital financial protection for working men and women, children, those with disabilities, and the elderly; and

WHEREAS, Social Security also administers the Supplemental Security Income program, which is funded by general revenues and provides cash assistance to aged, blind, and disabled persons who have very limited means; and

WHEREAS, the Social Security program is the cornerstone of economic protection on which workers can build a comfortable retirement through pensions, insurance, savings, and other income; and

WHEREAS, Social Security is committed to providing the American public choices for conducting business with the agency. The Social Security website offers online services, applications, and program information for beneficiaries, employers, and the public; and

WHEREAS, *my* Social Security allows people quick, convenient, and secure access to their personal Social Security record. A personal *my* Social Security account is a valuable source of information beginning in employees' working years and continuing throughout the time they receive Social Security benefits; and

WHEREAS, the City of Harrington recognizes the importance of Social Security benefits to the welfare of its citizens and joins the Social Security Administration in celebrating its past and in building its future.

NOW, THEREFORE, I, Anthony R. Moyer, Mayor of the City of Harrington, do hereby proclaim that on Friday, August 15, 2015, the City of Harrington joins the Nation in celebrating the 80th anniversary of the signing of the Social Security Act.

Anthony R. Moyer, Mayor

Signed the 20th day of July, 2015.

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF HARRINGTON BY ADDING A NEW CHAPTER ENTITLED DISORDERLY PREMISES.

ORDINANCE 2012-__

NOW, THEREFORE, THE CITY OF HARRINGTON HEREBY ORDAINS:

Section 1:

Amend the City of Harrington Code by adding a new Chapter entitled Disorderly Premises to read as follows:

Disorderly Premises:

§1. Definitions.

For purpose of the "Disorderly Premises" ordinance, the following definitions shall apply:

- (a) "Person" shall be defined as "any owner, owner's agent, manager, caretaker, tenant, occupant and/or Person occupying and/or responsible for any residential, commercial or any other premises located in the City of Harrington regardless of whether it be a Person or artificial entity.
- (b) "Unauthorized Conduct" shall be defined as "any conduct which causes public inconvenience, annoyance, alarm or danger to a reasonable Person, has the reasonable likelihood of causing public inconvenience, annoyance, alarm or danger or disrupts the quiet use, enjoyment and good order of adjoining and surrounding properties including, but not limited to, engaging in fighting or in violent, tumultuous, or threatening behavior, making unreasonable noise or an offensively coarse utterance gesture or display or addressing abusive language to any person present, obstructing vehicular traffic or pedestrian traffic, creating a hazardous or physically offensive condition which serves no legitimate purpose or engaging in any unlawful conduct.

§2 Violations

It shall be unlawful for any Person to engage in any Unauthorized Conduct at any time on any premises located in the City of Harrington. Any Person who fails to obey the order of a Police Officer to dispel and disperse or otherwise discontinue the Unauthorized Conduct may be cited for an additional violation of this Chapter.

§3. Presumptions

Any Person who occupies or exercises any control over the premises where the violation of Section 2 hereof has occurred, or where the violation of Section 2 originated should the violation move immediately to another public venue, shall be presumed to allow, suffer or permit such conduct after receiving notice that such conduct has occurred and shall be in violation of this Chapter if a further violation of Section 2 occurs within one hundred eighty (180) days of receiving said notice.

§4. Notice of Violation

(a) Notice is properly served upon a Person if a copy of such notice is:

- (1) delivered to the Person personally;
- (2) hand delivered to the Person's registered office;
- (3) left at the Person's usual place of abode or business, in the presence of an employee or family member who has reached the age of majority, whichever the case may be, who shall be informed of the contents of such notice;
- (4) sent by certified mail, return receipt requested addressed to the Person at the Person's law known address; or
- (5) sent by certified mail, return receipt requested to the mailing address of the owner of the subject premises as recorded in the Assessment Records.

(b) After service of notice, the Person shall make a good faith effort to develop a plan of action with the Department of Planning and Inspections of the City of Harrington and the City of Harrington Police Department to prevent further violation of Section 2. Failure to make such effort to develop the plan shall be considered a violation of Section 2.

§5. Fines and Penalties

Any Person convicted of a violation of this Chapter shall be fined no more than one thousand dollars (\$1,000.00) for any offense by no less than one hundred dollars (\$100.00) for the first offense, no less than three hundred dollars (\$300.00) for the second offense, and no less than five hundred dollars (\$500.00) for each subsequent like offense.

In the event that Person convicted is a minor, the minor's parents or guardian, shall be financially responsible for the payment of any and all fines assessed under this provision. In any prosecution for any offense under this Chapter, it shall be an affirmative defense, which must be proved by the preponderance of the evidence, that the tenant or occupant has been evicted and is no longer on the premises, or if there is pending at the time of trial an eviction action against the

tenant or occupant of the premises which action is being pursued in good faith. Otherwise the fines imposed under this Subsection shall not be suspended.

§6. Additional Expenses

Any Person convicted of a violation of this ordinance shall be responsible for any and all additional expenses incurred by the City of Harrington as a result of the Person's Unauthorized Conduct and shall indemnify the City of Harrington and its personnel from any claims for loss of damage to person or property (real or personal) that may directly or indirectly be occasioned by the Unauthorized Conduct. In the event the Person convicted is a minor, the minor's parent or guardian shall be financially responsible for the payment thereof,

Additional expenses shall include, but shall not be limited to, attorneys' fees, court costs and expenses incurred in conjunction with any such claim, removal of all debris and litter from public property and surrounding properties affected by the Unauthorized Conduct, damage to personal property located on public property and surrounding properties, the cost of retaining outside law enforcement and/or other emergency assistance, the cost for police officers and other emergency personnel on public or real public property, and personal injury damages (including death) to City of Harrington employees and other outside law enforcement and/or emergency personnel.

§7. Non-Payment of Fines and Additional Expenses; Lien on Real Estate and Cause of Action for Recovery.

In the event a Person convicted of a violation of this ordinance fails or refuses to comply with a order of the City of Harrington Police Department and/or the City of Harrington Code Enforcement Officer, after due notice thereof, either actual or constructive, to remit payment for any fines or additional expenses owed in which the violation occurred and shall be a lien upon such real estate. Upon certification of a lien to the appropriate City or Official by the City of Harrington Police Department and/or the City of Harrington Code Enforcement Officer, the amount of such lien shall be recorded in the Office of the Recorder of Deeds in the County where the property is located. The City Manager in the name of the City of Harrington, may institute suit before any Justice of the Peace within Kent County, or in the Court of Common Pleas in and for Kent County, or in the Superior Court of the State of Delaware, for the recovery of the unpaid additional expenses in an action of debt, and upon judgment obtained, may sue out writs of execution as in case of other judgments recovered before a Justice of the Peace or in the Court of Common Pleas or in the Superior Court as the case may be.

§8. Enforcement

This Chapter shall be enforced by the City of Harrington Police Department and/or the City of Harrington Code Enforcement Officer. Jurisdiction for violations of this ordinance shall be in the Justice of the Peace Court.