

ORDINANCE NO. 36-2014

Authorizing an Amendment to the Promissory Note Issued to Swiminc for the Purpose of Improving Swimming Pools and Related Facilities for the Benefit of the City of Worthington and its Residents.

WHEREAS, Swiminc, Inc. (“Swiminc”), a non-profit corporation, has for more than fifty years operated swimming facilities for the benefit of the City of Worthington and its residents; and,

WHEREAS, in 1996 the City loaned \$600,000 to Swiminc to make improvements to its swimming facilities in order to provide enhancements for the City and its residents; and,

WHEREAS, Swiminc has repaid a substantial amount of the loan but has encountered some unexpected maintenance costs that have resulted in challenges to its cash flow; and,

WHEREAS, Swiminc has requested to defer its December 2014 payment to June 2015 and to thereafter make its annual repayments in June of each year until the loan is paid in full, thereby extending the term of the loan by six months; and,

WHEREAS, the City has in the past loaned funds to Swiminc to assist in paying the cost of prior improvements; and,

WHEREAS, Swiminc has in every case repaid loans made to it in a responsible manner; and,

WHEREAS, it is in the public interest to allow for the requested deferment and repayment extension in order to provide public swimming facilities in the City at a reasonable cost.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Worthington, County of Franklin, State of Ohio:

SECTION 1. The City shall allow the December 2014 installment for the Swiminc Promissory Note to be deferred without penalty until June 30, 2015 and authorizes the extension of the term of the Promissory Note to June 30, 2018. The Promissory Note balance as of January 1, 2015 in the amount of \$140,000 shall not bear interest and shall be payable in equal annual installments of \$35,000 on or before June 30 of each year beginning June 30, 2015. All other terms of the loan shall remain in full force and effect, including the provisions obligating Swiminc, among other things, to provide at least 40 hours of pool time each year to the City for community events and to

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consult with City staff on a regular basis to address areas of concern regarding operating procedures and policies at the pool facilities.

SECTION 2. The City Manager and Finance Director, or either of them individually, are authorized and directed to approve on behalf of the City the terms of the Promissory Note, with such additions and amendments not substantially inconsistent with the terms of this Ordinance as they shall, in their discretion, deem appropriate, and to execute any related closing certificates, receipts, or other documents as shall be necessary or appropriate to evidence such loan transaction.

SECTION 3. That notice of passage of the Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center, and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed December 1, 2014

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council

Introduced November 17, 2014
P.H. December 1, 2014
Effective December 24, 2014