

ORDINANCE NO. 007-17

**AN ORDINANCE AUTHORIZING AN ECONOMIC
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
NAPOLEON, OHIO, THE COMMUNITY IMPROVEMENT
CORPORATION OF HENRY COUNTY, OHIO, AND VENTURES
IN SPACE, LTD., REGARDING THE CONSTRUCTION OF AN
INDUSTRIAL BUILDING WITHIN THE CITY OF NAPOLEON,
OHIO; AND DECLARING AN EMERGENCY**

WHEREAS, the City desires to encourage commercial and industrial development and create and preserve jobs and employment opportunities within the City; and

WHEREAS, based on the results of an examination of office and industrial space needs within the City, and induced by and in reliance on the economic development incentives provided in the Economic Development Agreement, Ventures In Space, Ltd. expects to build an approximate one hundred thousand (100,000) square foot industrial building in the City ; and

WHEREAS, to facilitate the construction of the industrial building, which the City reasonably expects will result in the creation of new jobs and employment opportunities within the City, the City has agreed to provide certain incentives to the Ventures In Space, Ltd., said incentives listed in the Economic Development Agreement, and sell a parcel of real property, which parcel is depicted on EXHIBIT A and referred to as the "Property" in the Economic Development Agreement, to Ventures In Space, Ltd. for a purchase price of thirty thousand dollars (\$30,000.00) and other valuable consideration provided therein, including construction of the industrial building by October 1, 2018; and

WHEREAS, the City has determined to offer the economic development incentives described therein to induce Ventures In Space, Ltd. to construct a facility within the City which the City expects will result in the creation of new jobs and employment opportunities within the City and will improve the economic welfare of the people of the State and the City, all as authorized in Article VIII, Section 13 of the Ohio Constitution.

Now Therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,
OHIO:**

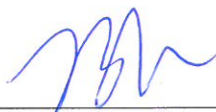
Section 1. That, the Economic Development Agreement between the City of Napoleon, Ohio, the Community Improvement Corporation of Henry County, Ohio, and Ventures In Space, Ltd., substantially in the form as currently on file in the office of the City Finance Director, is hereby approved and accepted; moreover, the City Manager is both authorized and directed to execute said Agreement.

Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

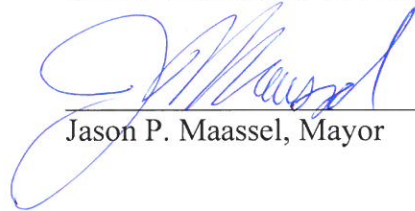
Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. The reason for the Emergency Clause is the fact that this Ordinance is necessary to begin the construction contracting and subcontracting process, begin construction in a timely manner, avoid a foreseeable rise in steel pricing that may affect the feasibility of the project, and for further reasons as stated in the Preamble hereof.

Passed: February 23, 2017

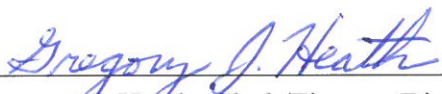

Travis B. Sheaffer, Council President

Approved: February 23, 2017


Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 007-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 21st day of March, 2017; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Gregory J. Heath, Clerk/Finance Director

STATE OF OHIO
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 21st day of March, 2017.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this 23rd day of March, 2017

Beverly Griteman
Beverly Griteman
Notary Public, State of Ohio
My Commission Expires
February 13, 2021

Printer's Fee: \$155.40

Notary Fee: \$1.50

Summary of Ordinance No.(s) 007-17, 011-17

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 007-17

AN ORDINANCE AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO, AND VENTURES IN SPACE, LTD., REGARDING THE CONSTRUCTION OF AN INDUSTRIAL BUILDING WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized an Economic Development Agreement with Ventures In Space, LTD. to build an industrial building in the City.

Ordinance No. 011-17

AN ORDINANCE AUTHORIZING, CONTINGENT UPON THE APPROVAL OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) FUNDING, THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) RELATED TO THE WATER TREATMENT PLANT REHABILITATION PROJECT; AND AUTHORIZING THE CITY MANAGER, CONTINGENT UPON THE APPROVAL OF SAID DEFA FUNDING, TO ENTER INTO A CONTRACT WITH PETERSON CONSTRUCTION COMPANY; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the expenditure of funds over twenty five thousand dollars (\$25,000.00) related to the Water Treatment Plant Rehabilitation Project contingent upon the approval of DEFA funding.

All of the above summaries are approved as to form and