

ORDINANCE NO. 047-18

ORDINANCE AUTHORIZING THE CITY MANAGER FOR THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS NECESSARY TO ENTER INTO ALL NECESSARY AGREEMENTS TO COMPLETE THE SALE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF NAPOLEON TO VENTURES IN SPACE, LTD. OR ITS DESIGNATED AFFILIATED ENTITY 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 previously provided, Ventures In Space, Ltd. has built an approximate one hundred thousand (100,000) square foot industrial building in the City; and,

WHEREAS, Ventures In Space, Ltd. now wishes to purchase an additional ten and one tenth (10.1) acre parcel, Parcel No. 280700780400, located in Napoleon, Ohio, in order to expand and to complete and facilitate a co-operative effort focused on job creation and retention related to industrial manufacturing, and

WHEREAS, said real property is not otherwise required for the City's purposes; and such use thereof would benefit and promote the industrial and economic welfare of the City, and provide employment opportunities for its citizens, and

WHEREAS, The Henry County Community Improvement Corporation (CIC) has previously been designated an agency of the City to act as City's agent facilitating the direct sale of lands to an identified purchaser and the Council finds upon the receipt of the necessary approval Resolution form the CIC, the City shall proceed with the sale and purchase transaction,

Now Therefore,

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

Section 1. The Council hereby finds a certain parcel of real property, Parcel No. 280700780400, located in Napoleon, Ohio, to be no longer necessary for any municipal purpose and therefore hereby authorizes the City Manager of the City of Napoleon to complete all acts necessary including but not limited to entering into a purchase and sale agreement and thereafter completing the transaction with Ventures In Space, Ltd. after receipt of the Resolution of approval from the City's designated agency The Henry County Community Improvement Corporation (CIC) all in order to facilitate industrial development within the City of Napoleon , Ohio.

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.

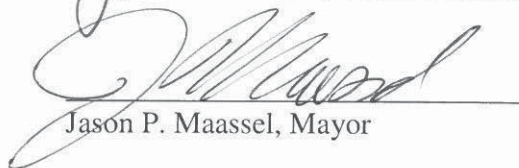
Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining 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, and for further reasons as stated in the Preamble hereof.

Passed: August 20, 2018


Joseph D. Bialorucki, Council President

Approved: August 20, 2018

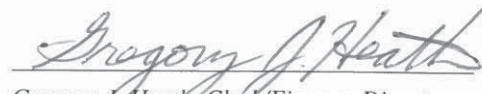

Jason P. Maassel, Mayor

VOTE ON PASSAGE 17 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. 047-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 25th day of August, 2018; & 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 25th day of August, 2018.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this
5th day of September, 2018

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

Printer's Fee: \$206.10

Notary Fee: \$1.50

**Summary of Ordinance No. 047-18
and Resolution No.(s) 046-18, 048-18, 049-18**

(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. 047-18

AN ORDINANCE AUTHORIZING THE CITY MANAGER FOR THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS NECESSARY TO ENTER INTO ALL NECESSARY AGREEMENTS TO COMPLETE THE SALE OF CERTAIN REAL PROPERTY LOCATION WITHIN THE CITY OF NAPOLEON, OHIO TO VENTURES IN SPACE, LTD. OR ITS DESIGNATED AFFILIATED ENTITY; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to complete the sale of real property to Ventures In Space, Ltd.

Resolution No. 046-18

A RESOLUTION CREATING AND AUTHORIZING JOB CREATION TAX AGREEMENTS BETWEEN THE CITY OF NAPOLEON, OHIO, AND JAC PRODUCTS, INC., AND AUTHORIZING THE CITY MANAGER TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EXECUTE SAID AGREEMENTS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon created and authorized job creation tax agreements with JAC Products, Inc. and authorized the City Manager to execute said agreements.

Resolution No. 048-18

A RESOLUTION AUTHORIZING AMENDMENTS TO THE EXISTING COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, AND VENTURES IN SPACE, LTD. WITHIN NAPOLEON CRA #7; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized amending the existing CRA agreement between the City and Ventures In Space, Ltd.

Resolution No. 049-18

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT FOR A PLANNED CLUSTER DEVELOPMENT LOCATED AT CLAIRMONT AVENUE WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a conditional use permit for a planned cluster development located at Clairmont Avenue