

AGENDA
CITY COUNCIL MEETING
February 25, 2020 7:00 P.M.

Pledge of Allegiance

Invocation: Darrin Harvey

Roll Call – Council, Elected Officials/SSD

1. Approve minutes:
 - a. February 11, 2020 – Regular Meeting
2. Approve agenda
3. Citizens desiring to address Council
 - a. Speaker forms available at end of Council table. If you would like to address Council, please fill out the form and submit to Council President prior to meeting.
 - b. Please stand and move to the microphone.
 - c. Give name and address.
 - d. Be specific on suggestions to Council or requests of Council.
 - e. Please limit your remarks to no more than five minutes.
 - f. Address your remarks to the whole Council through the President of Council.
 - g. Refrain from getting into a conversation with a member of the audience or an individual Council member during your presentation.
 - h. Following your presentation, the Council President will recognize individual Council members to ask you questions.
4. Legislation
 - a. Ordinance No. 2020-10 (2nd Reading)
Electric Rates
 - b. Ordinance No. 2020-8 (1st Reading)
Non-Bargaining Unit Pay Ranges
 - c. Ordinance No. 2020-9 (1st Reading)
Amending 2020 Appropriations
 - d. Ordinance No. 2020-11 (1st Reading)
Airport Farm Land Lease Bid Authorization
 - e. Resolution No. 2020-3 (1st Reading)
Then and Now Certificate
 - f. Resolution No. 2020-4 (1st Reading)
Board of Health Appointment – Dennis Sterling
 - g. Resolution No. 2020-5 (1st Reading)
Authorizing transfer of property to Port Authority

5. Other Business
6. Elected Official Reports (if desired)
 - a. Auditor – Brian Treisch
 - b. Treasurer – Rodney Sparks
 - c. Director of Law – Thomas Palmer
7. Mayor’s Report
8. President of Council Comments
9. Adjournment

4a

ORDINANCE NO. 2020-10

ENTITLED AN ORDINANCE ADOPTING NEW ELECTRIC RATES SCHEDULES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 88 -5668, passed March 1, 1988, rates for the sale of electricity by the City of Galion were established in Section 14 thereof, together with a cost adjustment set forth in Section 17 thereof, and

WHEREAS, pursuant to Ordinance No. 2005-37, passed April 26, 2005, Sections 14 and 17 of Ordinance No. 88-5668 were amended and new Section 14.1 thereto was enacted, all for the purpose of revising electric rates for the sale of electricity by the City of Galion, and

WHEREAS, pursuant to Ordinance 2012-64, the rate stabilization adder included in this rates was decreased to zero commencing with September 2012 billings, and

WHEREAS, pursuant to Ordinance 2015-45 passed July 14, 2015, rates were adjusted beginning with August 2015 billings, and

WHEREAS, pursuant to Ordinance 2017-62 passed December 18, 2017, rates and customer charges were adjusted beginning January 1, 2018, and

WHEREAS, Sawvel & Associates, Inc. has recently conducted a further review of the electric system revenue requirements and the electric rates / power cost adjuster, and has recommended certain modifications be adopted with respect to said rates.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

Section 1: That the proposed Electric Rate Schedules prepared by Sawvel & Associates,

Inc., attached hereto and incorporated by reference be, and the same are hereby, approved and adopted for the purpose of establishing and implementing new rate schedules for the following service categories: Residential, Commercial, Power, Large Power, and Large Power with Transformer Credit, with said rates to be effective on and after the first of the month following passage or as soon as allowable by law; all in accordance with such Rate Schedules as now on file in the office of the Mayor.

Section 2: That the provisions of Ordinance No. 88-5668, passed March 1, 1988; Ordinance No. 2005-37, passed April 26, 2005 (including Sections 14, 14.1, and 15 thereof); Ordinance No. 2012-64, passed August 14, 2012, Ordinance No. 2015-45, passed July 14, 2015, and Ordinance 2017-62, passed December 18, 2017 are hereby repealed and superseded by the provisions contained in the rate schedules adopted pursuant to Section 1 hereof, but only to the extent that provisions are inconsistent with said schedules.

Section 3: That this Ordinance be published in accordance with the requirements of the Ohio Revised Code.

Section 4: That in order to preserve the public peace, health, safety, and welfare of the City of Galion and its inhabitants, and in order to timely implement the necessary changes without delay and thereby establish electric rates and customer charges sufficient to provide revenues to operate this municipal system, this measure is determined to be an emergency Ordinance and shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING _____
(Date)

ADOPTED ON SECOND READING _____
(Date)

ADOPTED ON THIRD READING _____
(Date)

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

Table 1
Rate Adjustments
City of Galion, Ohio

Description	Existing Rates	Rate Reduction (\$/kWh)	New Rates
Residential			
Service Charge (\$/month)	12.00		12.00
Energy Charge (\$/kWh)	0.12128	(0.00826)	0.11302
Commercial			
Service Charge (\$/month)	20.00		20.00
Energy Charge (\$/kWh)	0.12144	(0.00826)	0.11318
Power			
Service Charge (\$/month)	100.00		100.00
Demand Charge (\$/kW)	8.25		8.25
Energy Charge (\$/kWh)	0.08358	(0.00826)	0.07532
Large Power			
Service Charge (\$/month)	500.00		500.00
Demand Charge (\$/kW)	10.25		10.25
Energy Charge (\$/kWh)	0.07407	(0.00826)	0.06581
Substation Discount (\$/kW)	(0.15)		(0.15)
Power Cost in Base Rates (\$/kWh-sold)	0.09826	(0.00826)	0.09000
Power Cost Adjustment (2020) (\$/kWh-sold)	0.00000		0.00000

4b

ORDINANCE NO. 2020-8

ENTITLED AN ORDINANCE CLARIFYING EMPLOYEE PAY RANGES FOR CERTAIN NON-BARGAINING UNIT EMPLOYEES, REPEALING ORDINANCES NOS. 2008-54, 2008-25, 2011-17, 2013-46, AND 2014-28 TO THE EXTENT IT CONFLICTS WITH PROVISIONS OF THIS ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, the purpose of Ordinance No. 2005-45, passed May 24, 2005, was based upon the recommendation to clarify the City's policy for department heads and non-bargaining unit employee benefits, and

WHEREAS, the purpose of Ordinance No. 2007-11 passed February 2, 2007, was due to some changes which occurred since passage of Ordinance No. 2005-45 which created a need to modify some of the employee benefits described in Sections 1 through 6 of Ordinance No. 2005-45, and

WHEREAS, the purpose of Ordinance no. 2008-54 passed September 9, 2008, was due to some changes which occurred since passage of Ordinance No. 2005-45 which created a need to modify some of the employee benefits described in Sections 1 through 6 of Ordinance No. 2005-45, and

WHEREAS, the purpose of Ordinance No 2011-17 passed March 24, 2011 was due to some changes which occurred since passage of Ordinance No. 2008-54 which created a need to modify some of the employee benefits described in Sections 1 through 6 of Ordinance No. 2008-54.

WHEREAS, the purpose of Ordinance No. 2013-46 passed July 9, 2013 was due to further changes which have occurred since passage of Ordinance No. 2011-17, which created a need to modify and amend some of the employee benefits described in Ordinance No. 2011-17, and

WHEREAS, the purpose of Ordinance No. 2014-28 passed March 25, 2014 was due to further changes which have occurred since passage of Ordinance No. 2013-46 which created a need to modify Ordinance No. 2013-46; and

WHEREAS, the pay range assignment and positions for non-bargaining positions as contained in Section 7 of the Compensation Analysis prepared by Clemens, Nelson & Associates, Inc., dated January 1990 and set forth on Page 28 thereof, was amended September 6, 1994 by Ordinance No. 94-6094, May 14, 1996 by Ordinance 96-6197,

November 27, 2001 by Ordinance 2001-84, April 8, 2008 by Ordinance No. 2008-25, March 24, 2011 by Ordinance No. 2011-17, July 9, 2013 by Ordinance No. 2013-46 and as amended most recently by Ordinance No. 2014-28 on March 25, 2014, and

WHEREAS, Sections 4 of Ordinance No 2016-117, as amended on December 27, 2016, currently reads as follows:

SECTION 4: That the pay range assignment and positions for non-bargaining positions as contained in Section 7 of the Compensation Analysis prepared by Clemens, Nelson & Associates, Inc., dated January 1990 and set forth on Page 28 thereof, was amended most recently by Ordinance No. 2014-28 on March 25, 2014, be, and the same is hereby amended to provide as follows:

<u>RANGE ASSIGNMENT NON-BARGAINING UNIT POSITIONS</u>					
TITLE	RANGE	MINIMUM ANNUAL (based on FT)	2017 MAXIMUM ANNUAL	2018 MAXIMUM ANNUAL	2019 MAXIMUM ANNUAL & BEYOND
1 Safety-Service Director	19	41,595	86,549	88,712	90,938
1 Police Chief	19	41,595	86,549	88,712	90,938
1 Fire Chief	19	41,595	86,549	88,712	90,938
1 WWTP/Sewer Superintendent	19	41,595	86,549	88,712	90,938
1 Water Superintendent	19	41,595	86,549	88,712	90,938
1 Line Crew Superintendent	19	41,595	86,549	88,712	90,938
1 Chief Building Inspector	19	41,595	86,549	88,712	90,938
1 Assistant Law Director	19	41,595	86,549	88,712	90,938
1 Utilities Office Manager	15	34,395	71,365	73,154	74,984
2 Police Captains	15	34,395	71,365	73,154	74,984
1 Fire Captain	15	34,395	71,365	73,154	74,984
1 Service Dept. Supervisor	15	34,395	71,365	73,154	74,984
1 Adm. Assistant	7	23,102	46,904	48,069	49,275
2 Adm Secretaries	7	23,102	46,904	48,069	49,275

1 Adm. Clerk (PT)	7	23,102	46,904	48,069	49,275
Clerk of Council	7	23,102	46,904	48,069	49,275
Legal Assistant (PT)	7	23,102	46,904	48,069	49,275
Victims of Crime Advocate (PT)	7	23,102	46,904	48,069	49,275
Public Information Officer	7	23,102	46,904	48,069	49,275

SECTION 5: That Ordinance No 2008-54, passed September 9, 2008, Ordinance No. 2008-25, passed April 8, 2008, Ordinance No. 2011-17 passed March 24, 2011 and Ordinance No. 2013-46 passed July 9, 2013 be, and the same are hereby, repealed, but only to the extent the provisions contained herein conflict with and thereby supersede analogous provisions in said Ordinance No. 2008-54, Ordinance No. 2008-25, Ordinance No. 2011-17, Ordinance No. 2013-46 and Ordinance No. 2014-28.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

SECTION 1: That Section 4 of Ordinance No 2016-117, as amended on December 27, 2016, will now be amended and read as follows:

SECTION 4: That the pay range assignment and positions for non-bargaining positions as contained in Section 7 of the Compensation Analysis prepared by Clemens, Nelson & Associates, Inc., dated January 1990 and set forth on Page 28 thereof, was amended most recently by Ordinance No. 2016-117 on December 27, 2016, be, and the same is hereby amended to provide as follows:

RANGE ASSIGNMENT NON-BARGAINING UNIT POSITIONS

TITLE	RANGE	MINIMUM ANNUAL (based on FT)	2020 MAXIMUM ANNUAL	2021 MAXIMUM ANNUAL	2022 MAXIMUM ANNUAL & BEYOND
1 Safety-Service Director	19	43,675	95,485	100,259	105,272
1 Police Chief	19	43,675	95,485	100,259	105,272
1 Fire Chief	19	43,675	95,485	100,259	105,272

1 WWTP/Sewer Superintendent	19	43,675	95,485	100,259	105,272
1 Water Superintendent	19	43,675	95,485	100,259	105,272
1 Line Crew Superintendent	19	43,675	95,485	100,259	105,272
1 Chief Building Inspector	19	43,675	95,485	100,259	105,272
1 Assistant Law Director	19	43,675	95,485	100,259	105,272
1 Utilities Office Manager	15	36,115	78,733	82,670	86,804
2 Police Captains	15	36,115	78,733	82,670	86,804
1 Fire Captain	15	36,115	78,733	82,670	86,804
1 Service Dept. Supervisor	15	36,115	78,733	82,670	86,804
1 Adm. Assistant	7	24,257	51,739	54,326	57,042
2 Adm Secretaries	7	24,257	51,739	54,326	57,042
1 Adm. Clerk (PT)	7	24,257	51,739	54,326	57,042
Clerk of Council	7	24,257	51,739	54,326	57,042
Legal Assistant (PT)	7	24,257	51,739	54,326	57,042
Victims of Crime Advocate (PT)	7	24,257	51,739	54,326	57,042
Public Information Officer	7	24,257	51,739	54,326	57,042

SECTION 5: That Ordinance No 2008-54, passed September 9, 2008, Ordinance No. 2008-25, passed April 8, 2008, Ordinance No. 2011-17 passed March 24, 2011 and Ordinance No. 2013-46 passed July 9, 2013 be, and the same are hereby, repealed, but only to the extent the provisions contained herein conflict with and thereby supersede analogous provisions in said Ordinance No. 2008-54, Ordinance No. 2008-25, Ordinance No. 2011-17, Ordinance No. 2013-46, Ordinance No. 2014-28, and Ordinance No. 2016-117.

SECTION 2: That the aforementioned Section 4 replaces Sections 4 of Ordinance No. 2016-117 in its entirety.

SECTION 3: That this Ordinance shall be published in accordance with Ohio Revised Code 731.21 and 731.22.

SECTION 4: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants, and in order to modify the wage ranges for certain non-bargaining unit employees of the City effective January 2020, this measure is determined to be an emergency Ordinance, and provided it receives the affirmative vote of at least five members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4c

ORDINANCE NO. 2020-9

ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 2019-85 (PERMANENT 2020 APPROPRIATIONS) BY APPROPRIATING FUNDS FROM UNAPPROPRIATED FUNDS IN VARIOUS FUNDS AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALION, STATE OF OHIO:

Section 1: That Ordinance No. 2019-85 (Permanent 2020 Appropriations) passed December 23, 2019, be, and the same is hereby amended as delineated in the following sections:

Section 2: That Thirty-Eight Thousand Sixty and 00/100 Dollars (\$38,060.00) be appropriated from unappropriated funds to 101-8010-52610- General Fund – Debt Service-Bonds and Notes Principal / Debt Service – Principal Retirement.

Section 3: That Three Thousand Five Hundred Twenty and 00/100 Dollars (\$3,520.00) be appropriated from unappropriated funds to 101-8020-52620- General Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 4: That 45/100 Dollars (\$0.45) be appropriated from unappropriated funds to 202-8020-52620- State Highway Improvement Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 5: That Six Thousand One Hundred Sixty-Five and 00/100 Dollars (\$6,165.00) be appropriated from unappropriated funds to 303-8010-52610- Cheshire Special Assessment Debt Fund – Debt Service-Bonds and Notes Principal / Debt Service – Principal Retirement.

Section 6: That Five and 00/100 Dollars (\$5.00) be appropriated from unappropriated funds to 601-8010-52610- Water Fund – Debt Service-Bonds and Notes Principal / Debt Service – Principal Retirement.

Section 7: That One and 00/100 Dollars (\$1.00) be appropriated from unappropriated funds to 601-8020-52620- Water Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 8: That 01/100 Dollars (\$0.01) be appropriated from unappropriated funds to 605-8020-52620- Electric Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 9: That Two Hundred Thirty and 00/100 Dollars (\$230.00) be appropriated from unappropriated funds to 608-8010-52610 – Storm Water Fund- Debt Service-Bonds and Notes Principal / Debt Service - Principal Retirement.

Section 10: That Three and 00/100 Dollars (\$3.00) be appropriated from unappropriated funds to 801-8020-52620- Police Pension Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 11: That 28/100 Dollars (\$0.28) be appropriated from unappropriated funds to 802-8020-52620- Fire Pension Fund – Debt Service-Bonds and Notes Interest / Debt Service – Interest Expense.

Section 12: That Six Hundred Sixty and 00/100 Dollars (\$660.00) be appropriated from unappropriated funds to 102-1012-52333- General Drug Law Fund – Law Enforcement (L &E) / Contractual Services – Training and Expenses.

Section 13: That this Ordinance shall be published in accordance with applicable Ohio Law.

Section 14: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants, and in order to make the appropriation adjustments in the Permanent 2020 appropriations without delay to meet pending obligations, this measure is

determined to be an emergency Ordinance and shall take effect at the earliest time allowed by law after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4d

ORDINANCE NO. 2020-11

ENTITLED AN ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE PURSUANT TO APPROPRIATE LAW FOR BIDS FOR THE FOR THE CASH RENT FARMING OF CITY OWNED PROPERTY LOCATED AT THE GALION MUNICIPAL AIRPORT, TO ENTER INTO A CONTRACT FOR SAME AND DECLARING AN EMERGENCY.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

Section 1: That the Safety-Service Director of the City of Galion, Ohio be, and hereby is authorized and directed to advertise for bids, as provided by law, for the cash rent farming of city owned property.

Section 2 Said lease shall be in the substantive form of the current lease which is attached hereto as Exhibit A.

Section 2: That the Safety- Service be and is hereby authorized and directed to enter into a contract with the winning bidder.

Section 3: That this Ordinance shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22.

Section 4: That in order to preserve the public peace, health, safety, and welfare of the City of Galion and its inhabitants, and in order to begin the bidding process and to address the project in a timely manner, this measure is determined to be an emergency Ordinance, and shall take effect and be in force immediately upon the earliest time allowed by law after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

**FARM LAND LEASE
GALION MUNICIPAL AIRPORT**

THIS LEASE is entered into this ____ day of April, 2020, by and between the CITY OF GALION, OHIO, an Ohio municipal corporation organized and operating under the laws of the State of Ohio, whose address is 301 Harding Way East, Galion, Ohio 44833 (hereinafter "Lessor"), and XXXXXXX, whose address is XXXXXXXXXXXXXXXX (hereinafter "Lessee").

WITNESSETH:

Lessor hereby leases to Lessee certain farmland containing 74.3 acres of land, more or less, located on the Galion Municipal Airport, as depicted on the map attached hereto and made a part hereof for the term of 3 crop years, commencing May 1, 2020 and expiring on December 31, 2022.

Lessee, in consideration of the leasing of said premises, hereby covenants and agrees to pay an annual rental of \$XXXXXXX for each year during the term of this Lease, payable in accordance with the following schedule:

- a) One-half (1/2) of annual rent due on or before September 1 of each year;
- b) Balance of annual rent due on or before last day of February each year.

Lessee, in further consideration of the leasing of said premises, hereby covenants and agrees with Lessor as follows:

1. Lessee shall not plant any crop during the last year of the lease term that is intended for harvest after expiration of this Lease.
2. Lessee shall at all times farm and care for said land in accordance with good farming and soil conservation practices.
3. Lessee will not commit or permit waste on the leased premises; will occupy said premises in a careful, safe and proper manner; will not use or occupy said premises for any unlawful purpose; will not manufacture, grow or sell, or permit to be manufactured, grown or sold, on the premises, any illegal substances whatsoever; and will carefully protect all improvements of every kind that are now thereon or may be erected thereon during the term of this Lease.
4. Lessee shall promptly at the at the expiration of the term of this Lease yield up and surrender possession of said premises, without notice, to Lessor in as good condition and repair as they now are or may be at any time during the term of this Lease, ordinary wear and tear excepted.

5. Lessee shall not use aircraft runways, taxiways, or parking ramps for transporting or parking any agricultural or other vehicles without prior and immediate notification to and approval of the Safety Service Director or his designated representative.
6. Lessee shall obtain written approval from Lessor for all crops to be raised by Lessee on leased premises.
7. Lessee understands and agrees that Lessor reserves the right to demand possession of all or any portion of the leased premises at any time for any purpose at Lessor's sole and absolute discretion. Lessor also reserves the right to demand that Lessee remove certain crops that may pose a hazard to aircraft. In either event, Lessor shall pay reasonable damages for growing crops taken, an agreed value for work done on the unplanted land, and future rentals hereunder shall be proportionately reduced, if appropriate.
8. Lessee understands and agrees that whenever the agricultural operation, or any part thereof, is terminated, whether due to wildlife hazards or harvest, Lessee shall plow under all crop residue and harrow the surface area, within safety areas, smooth.
9. Lessee understands and agrees (i) that no crops shall be grown within the primary surface of any runway, within the Object Free Area (OFA) of any runway, within any taxiway, taxilane or apron, or in such a way as to obstruct or interfere with the Runway Visibility Zone, FAR Part 77 surfaces and NAVAIDS, (ii) that crops grown in approach areas, near the runway thresholds, shall be restricted to low growing varieties that will not penetrate 2 of Advisory Circular 150/5300-13, and (iii) that Lessor may limit crops and cultivating in other specific areas to avoid dust, debris, weeds, etc. from being blown across operating area of the Airport.
10. Lessee shall obtain permission from Lessor prior to entering the leased premises and Lessee further understands and agrees (i) that all farming operations shall be conducted in accordance with the operational rules and regulations of the Airport, (ii) that farm equipment and crops shall not be stored within the runway safety area, and (iii) that farm equipment shall not be stored within Runway Protection Zone or Runway Obstacle Free Zone.
11. Lessee shall make no alterations or additions in or to said premises without the prior written consent of the Safety Service Director or his designated representative.
12. Lessee shall permit Lessor and its offices, employees, and agents to enter upon said premises at all reasonable times to examine the condition of said premises.
13. Lessee shall keep all ditches drains, watercourses, and sewers on the premises open and free from obstructions, and shall mow/brush hog all ditches and watercourses on said premises at all reasonable times to examine the condition of said premises.
14. Lessee shall keep the premises free from brush, briars, thistles, and other noxious weeds.

15. Lessee shall promptly clean up all debris remaining from the use of the premises, such as chemicals, seeds, and fertilizer containers.
16. Lessee shall farm said premises in such a manner as to not interfere with or adversely affect the use, operation, maintenance, or development of the airport.
17. Lessee shall indemnify, defend and save harmless Lessor, and its officers, employees and agents from and against all loss, liability or damage for injuries to or death of persons or damage to property sustained in or about the premises or resulting from the occupancy or use thereof by Lessee, its agents, employees or invitees.
18. Lessee shall not assign this Lease, nor sublet all or any portion of said premises without the prior written consent of Lessor.
19. This Agreement does not constitute a partnership and neither party will obligate the other for any debts or liabilities.

Provided, however, that if Lessee, or his executors, administrators, legal representatives or permitted assigns shall fail to keep and perform any of the covenants, agreements, and conditions of this Lease on his part to be kept and performed or shall fail to deliver the Lease payments aforesaid to Lessor, then Lessor may enter into said premises and have, repossess and enjoy the same as if this Lease had not been made, and thereupon this Lease and everything herein contained on the part of Lessor to be done and performed, shall cease, determine and be utterly void without prejudice, subject however, to the continuing right of Lessor to recover from Lessee all damages occasioned by the default of Lessee in the performance of any of the covenants of this Lease on the part of Lessee to be performed, or occasioned by the default of Lessee in the performance of any of the covenants of this Lease on the part of Lessee to be performed, or occasioned by the negligence of Lessee, or his agents or employees.

This Lease shall not be modified or amended by a written instrument signed by the parties relating thereto, and all the covenants, provisions, terms, conditions and agreements herein contained shall inure to the benefit of and be binding upon the heirs, executors, administrators, legal representatives, successors, and permitted assigns of the parties hereto.

IN WITNESS WHEREOF, Lessor and Lessee have hereunto set their hands to duplicates hereof on the day and year first above written.

Signed in the presence of:

LESSOR: CITY OF GALION, OHIO

By _____
Nicole M. Ward, Safety Service Director

LESSEE:

By
Keller Farms II

STATE OF OHIO

SS.

County of Crawford

Before me, a notary public in and for said County and State, personally appeared the City of Galion, Ohio by and through Nicole M. Ward, Safety Service Director, who acknowledged that she did sign the forgoing instrument and that the same is her free and voluntary act and deed as such officer and it the free and voluntary act and deed of said municipal corporation.

STATE OF OHIO

SS.

County of Crawford

Before me, a notary public in and for said County and State, personally appeared _____, who acknowledged that he did sign the foregoing instrument and that the same is his free and voluntary act and deed.

4e

RESOLUTION NO. 2020-3

ENTITLED A RESOLUTION APPROVING AND RATIFYING THE PRIOR ACTS OF THE DEPARTMENT HEADS AND SAFETY-SERVICE DIRECTOR AND APPROVING A "THEN AND NOW" CERTIFICATE FOR SAID EXPENDITURE, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with O.R.C. Section 5705.41, purchase orders are to be obtained before any contract, agreement, obligation, payment or expenditure is made by any City Department, and

WHEREAS, in instances where a contract or agreement is signed or an obligation, payment, or expenditure is incurred before the purchase order is issued or when an open purchase order has been accidentally closed prematurely, a THEN AND NOW Certificate must be obtained.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GALION, OF CRAWFORD COUNTY, STATE OF OHIO:

Section 1: That the expenditure of \$4,489.88 for engineering services for the FAA Grant project to Richland Engineering is hereby approved and such prior act without a purchase order is hereby ratified.

Section 2: That the "Then and Now" Certificate is hereby approved for the above expenditure.

Section 3: That this Resolution shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22.

Section 4: This Resolution is hereby declared to be an emergency measure necessary in order to pay City obligations, and to preserve the public peace, health, safety, and welfare of the City; and shall take at the earliest time allowed by law, after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4f

RESOLUTION NO. 2020-4

ENTITLED A RESOLUTION APPROVING THE APPOINTMENT OF DENNIS STERLING TO THE GALION CITY HEALTH BOARD, AS APPOINTED BY THE CITY MAYOR, AND DECLARING AN EMERGENCY.

WHEREAS, Dennis Sterling has expressed an interest to serve on the Galion Board of Health; and

WHEREAS, there is currently a Board of Health vacancy due to the resignation of Zabrina Spillman.

WHEREAS, the Mayor wishes to appoint Dennis Sterling to the remainder of the aforementioned term on Galion City Health Board.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

Section 1: That the appointment of Dennis Sterling to the Galion City Health Board be, and the same hereby is approved by this Council.

Section 2: That Dennis Sterling shall serve said appointment commencing February 25, 2020 and expiring January 15, 2023.

Section 3: That this Resolution shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22.

Section 4: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants and in order to have sufficient members to conduct the business of the Board of Health this Resolution is hereby declared to be an emergency measure and shall take effect at the earliest time allowed by law, after its passage.

ATTEST:

CARL W. WATT
PRESIDENT OF COUNCIL

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING _____
(Date)

ADOPTED ON SECOND READING _____
(Date)

ADOPTED ON THIRD READING _____
(Date)

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4g

RESOLUTION NO. 2020-5

**ENTITLED A RESOLUTION AUTHORIZING A
TRANSFER OF LAND TO THE GALION PORT
AUTHORITY AND DECLARING AN EMERGENCY.**

WHEREAS, the Galion Port Authority has developed a plan for the use of a 6.882 acre parcel of property within the corporate limits of the City of Galion and specifically known as Outlot 930 of the consecutively numbered lots of said city and bearing PPN 49-01-06417.005 (hereafter "Parcel"), and

WHEREAS, said parcel is currently owned by the City of Galion, and

WHEREAS, the Galion Port Authority was created under Section 4582 of the Ohio Revised Code, and

WHEREAS, Section 4582.121 of the Ohio Revised Code provides that legislative authorities of Ohio municipalities can directly convey to port authorities so established real property not need for municipal purposes without competitive bidding and on mutually agreeable terms, and

WHEREAS, City Council desires to undertake such a transfer of the Parcel.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
GALION, STATE OF OHIO:**

Section 1: That based upon information provided, that City Council wishes to transfer Outlot 930 to the Galion Port Authority.

Section 2: That City Council finds that said property is not needed for municipal purposes.

Section 3: That City Council authorizes such transfer specifically conditioned upon subsequent Council approval of a negotiated transfer agreement which is mutually acceptable to both the City of Galion and the Galion Port Authority and also authorization for the Safety-Service Director to execute documents effecting such transfer.

Section 4: That this Resolution shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22.

Section 5: That to enhance the economic development of the City of Galion, an emergency is found to exist and this Ordinance shall take place immediately from the date of its adoption.

ATTEST:

CARL W. WATT
PRESIDENT OF COUNCIL

JULIE L. BELL
CLERK OF COUNCIL

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING _____
(Date)

ADOPTED ON SECOND READING _____
(Date)

ADOPTED ON THIRD READING _____
(Date)

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____