

AGENDA
CITY COUNCIL MEETING
April 24, 2018 7:00 P.M.

Pledge of Allegiance

Invocation:

Roll Call – Council, Elected Officials/SSD

1. Approve minutes: April 10, 2018 – 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. 2018-22 (2nd Reading)
Amending Tax Code Section 191.03 (F)
 - b. Ordinance No. 2018-23 (2nd Reading)
Job Creation Tax Credit – Establishing Guidelines
 - c. Ordinance No. 2018-24 (1st Reading)
2018 Road Paving
 - d. Ordinance No. 2018-25 (1st Reading)
NatureWorks Grant - 2018
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. 2018-22

ENTITLED AN ORDINANCE AMENDING SECTION 191.03(F) OF THE CITY OF GALION CODIFIED ORDINANCES TO AUTUHORIZE THE GRANTING OF A JOB CREATION TAX CREDIT AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Galion recognizes the need to generate economic development by attracting new and expanding businesses that will create jobs, and

WHEREAS, increased employment not only provides additional tax revenue to support important City services, but also contributes to the local economy through its positive impact on other businesses and on local quality of life, and

WHEREAS, the Council of the City of Galion understands that the City is in a competitive environment for attracting new business investment that can lead to such jobs, and

WHEREAS, a Job Creation Tax Credit can serve as an effective tool to assist businesses looking to invest in Galion, and thereby provides a net benefit to the City, and

WHEREAS, the City's current Income Tax Chapter 191.03 (F) of the City of Galion Codified Ordinances, is attached hereto as "Addendum A" and incorporated by reference.

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

Section 1. That Section 191.03(F) of the City of Galion Codified Ordinances be amended by removing the current numbered paragraph (8) and adding the following:

(8) Job Creation Tax Credit. The City, by ordinance and pursuant to authority granted in ORC 718.15, may grant a refundable or nonrefundable credit against its tax on income to a taxpayer to foster job creation in the City. If a credit is granted under this section, it shall be measured as a percentage of the new income tax revenue the City derives from new employees of the taxpayer and shall be for a term not exceeding fifteen years. Before the City passes an ordinance granting a credit, the City and the taxpayer shall enter into an agreement specifying all the conditions of the credit.

Section 2: That this Ordinance shall be published in accordance with the laws of the State of Ohio and City of Galion.

Section 3: That in order to preserve the public peace, health, and safety of the City of Galion and its inhabitants, and in order to permit the City of Galion to further economic development in the city in a timely manner, an emergency is found to exist and this Ordinance is declared to be an emergency measure and shall take effect immediately upon passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

APPROVED AS TO FORM:

THOMAS N. PALMER
DIRECTOR OF LAW

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4b

ORDINANCE NO. 2018-23

**ENTITLED AN ORDINANCE ESTABLISHING
GUIDELINES FOR A CITY OF GALION JOB CREATION
TAX CREDIT AS PERMITTED IN SECTION 718.15 OF THE
OHIO REVISED CODE AND SECTION 191.03(F) OF THE
CITY OF GALION CODIFIED ORDINANCES
AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the City of Galion understands that the City is in a competitive environment for attracting new business investment, and

WHEREAS, a Job Creation Tax Credit can serve as an effective tool to assist businesses looking to invest in Galion, and thereby provides a net benefit to the City, and

WHEREAS, the Section 191.03(F) of the City of Galion Codified Ordinances authorizes the granting of such a credit to foster job creation within the City of Galion, and

WHEREAS, Council desires to set forth the guidelines for a City of Galion Job Creation Tax Credit pursuant to that authority.

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

Section 1. That pursuant to Ohio Revised Code Section 718.15 and Section 191.03(F) of the City of Galion Codified Ordinances, the City of Galion Job Creation Tax Credit is hereby established.

Section 2. That each Job Creation Tax Credit with a taxpayer shall require an Agreement with said taxpayer as well as a separate ordinance granting the credit.

Section 3. That administrative guidelines for the City of Galion Job Creation Tax Credit, attached hereto as “Exhibit A” and incorporated herein by reference, are hereby adopted for this program.

Section 4. That said guidelines are declared to be a separate addition to the City’s Income Tax Rules and Regulations and therefore in addition to the “RITA Rules & Regulations” referred to in Section 191.26 of the City of Galion Codified Ordinances, and shall be administered and enforced by the offices of the City of Galion Mayor and Auditor.

Section 5. That this Ordinance shall be published pursuant to Ohio Law.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the City of Galion, and in order to put this program into place to be of the most benefit to the community and to its employers and employees.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

APPROVED AS TO FORM:

THOMAS N. PALMER
DIRECTOR OF LAW

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

EXHIBIT A

CITY OF GALION JOB CREATION TAX CREDIT GUIDELINES

APPLICATION

(A) **Availability.** This program shall be available to businesses considering a location, or businesses considering expansion, within the corporate limits of the City of Galion. To be eligible, the project must not have already begun. The project must involve a substantial fixed-asset investment in land, building, machinery/equipment, or infrastructure.

(B) **Agreement and Forms.** Each grant shall be based on an agreement approved by City Council before the applicant company undertakes a project. Application forms will be available from the Mayor's Office.

(C) **Time.** Eligibility for the Job Creation Tax Credit shall be based on a calendar year and not any fiscal year.

(D) **Application Contents.** The application shall disclose sufficient information to enable the City of Galion to determine the eligibility of the proposed project and shall disclose the minimum and maximum number of eligible jobs expected to be created by the proposed project.

(E) **Confidentiality.** Financial statements and other information (including, but not limited to, tax returns) submitted to the City of Galion by an applicant are generally not considered public records subject to ORC §149.43. The Mayor or his/her designee may, however, make use of the information received, including but not limited to the following, for the purpose of issuing public reports:

- a. Name of the business entity
- b. Description of the project
- c. Location of the project
- d. Number of jobs to be created
- e. Amount of fixed-asset investment in the project
- f. Percent and terms of the tax credit, dollar value of the tax credit, years the company

wants the tax credit to begin and end, and

g. Business entity's contact person, office address, and telephone number

The Mayor or his/her designee may also make use of the statements and other information in connection with any court proceeding concerning the Job Creation Tax Credit Agreement.

CREDIT

(A) **Amount.** The City of Galion Job Creation Tax Credit shall be available based on the following schedule, which schedule is based on new employment predictions. It is understood that these are maximum amounts, and that the Mayor may negotiate and Council may approve agreements for lesser amounts, and also may approve agreements which have declining credit percentages over time. Said jobs must be created by the participating taxpayer within three (3) years of initial operations.

<u>Jobs Created</u>	<u>Amount of Credit</u>
Zero to 49	Up to 50%
50 or more	Up to 100%

(B) **Jobs defined.** A "job" shall be a full-time or full-time equivalent position.

(C) **Length.** No credit shall be granted for a term longer than ten (10) years.

(D) **Measurement.** The tax credit shall be measured by the income taxes actually collected from the qualifying new jobs and may be applied against the tax on the Company's net profits or individual's income tax.

GENERAL GUIDELINES

(A) **Location.** Each credit granted shall be based on an Agreement for a specific participating business and a specific location. However, if a company has multiple locations in the City and total employment projections are met at any combination of locations in the City, the company will qualify for a credit.

(B) **Starting Date.** The date by which Year 1 job projections must be met will be specified in the Agreement. If a project start of occupancy of a project facility is delayed, the company may send a written request for a one year extension to the Mayor's Office subject to Council approval.

(C) **Reporting.** Upon the City's request and on forms provided by the City, companies must submit an Annual Job Creation Grant Report documenting new employment. This Report will be required annually during each year that a grant is being awarded. The Annual Job Creation Grant Reports will be reviewed by the Mayor and Auditor, with a copy available to City Council.

(D) **Termination.**

(1) If a project does not proceed as specified in a Job Creation Tax Credit Agreement, or within the one year extension period, Council may rescind the Agreement upon recommendation of the Mayor.

(2) If a company fails to meet 75% of its employment predictions for two (2) consecutive years at any time during the term of the Agreement, City Council may rescind the Agreement and any amounts credited shall be repaid to the City.

(3) The City reserves the right to amend, alter, or terminate the offer of the subject credit without notice at any time prior to an Agreement being fully executed.

(E) **Codes, Regulations, and Rules.** The participating company shall comply with all applicable municipal codes, regulations, and rules.

(F) **Approval.** Each Job Creation Tax Credit agreement and any one year extension must be presented to City Council for approval.

4c

ORDINANCE NO. 2018-24

ENTITLED AN ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER THEREFOR, AS PROVIDED BY LAW, FOR VARIOUS STREET PAVING IMPROVEMENTS; AUTHORIZING PAYMENT THEREFOR, 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 and to enter into a contract with the lowest and best bidder therefore, as provided by law, for the resurfacing of various streets throughout the City of Galion for the 2018 Paving Season.

Section 2: That the Auditor of the City of Galion, Ohio be and is hereby is, authorized and directed to expend such sums as necessary to pay for said Project, not to exceed the total sum of Two Hundred Fifty Thousand Dollars (\$250,000) from the Street Construction Maintenance and Repair and Street Improvement Funds.

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 to repair damaged streets within the paving season, 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

APPROVED AS TO FORM:

THOMAS N. PALMER
DIRECTOR OF LAW

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

4d

ORDINANCE NO. 2018-25

ENTITLED AN ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY SERVICE DIRECTOR AND/OR MAYOR TO EXECUTE AND SUBMIT AN APPLICATION FOR FINANCIAL ASSISTANCE TO THE OHIO DEPARTMENT OF NATURAL RESOURCES UNDER THE NATUREWORKS PROGRAM, DECLARING AN EMERGENCY

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes through the State of Ohio NatureWorks Program, and

WHEREAS, the City of Galion desires financial assistance under the NatureWorks Program for the additional playground equipment in one of the city parks; and

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

Section 1: That the Safety-Service Director and/or Mayor, be and is hereby, authorized and directed to execute and submit an application with the Ohio Department of Natural Resources for financial assistance under the NatureWorks Program for the public recreation purposes hereinabove described, and to provide any and all information and documentation necessary to become eligible for such funding assistance.

Section 2: That the City of Galion does agree to obligate the matching funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the NatureWorks Grant Program, if its application is approved.

Section 3: That the Safety-Service Director and/or Mayor be, and is hereby directed and authorized to execute a Grant Agreements with the Ohio Department of Natural Resources, if awarded to the City of Galion, and to execute any and all other documentation pertaining thereto.

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

Section 5: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants, and in order to meet the grant deadline, 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

APPROVED AS TO FORM: _____
THOMAS N. PALMER
DIRECTOR OF LAW

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____