

RECORD OF RESOLUTIONS

1st Reading: 4-8-15
2nd Reading: 9-21-15
3rd Reading: 10-5-15

Tabled indefinitely 10/5/15

Division Legal Blank, Inc., Form No. 3045

Resolution No. 3603

Passed November 2, 2015

RESOLUTION TO APPROVE AGREEMENTS AND AUTHORIZE THE MUNICIPAL ADMINISTRATOR TO SIGN THE AGREEMENTS BETWEEN THE CITY OF BOWLING GREEN AND THE KROGER CO. TO PROVIDE INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE BOWLING GREEN COMMUNITY REINVESTMENT AREA NUMBER 5

WHEREAS, the Council of the City of Bowling Green, Ohio (the "City") by its Resolution No. 3599 adopted Sept. 21, 2015 created the Bowling Green Community Reinvestment Area Number 5 (the "CRA"); and

WHEREAS, the City has encouraged the development of real property and the acquisition of personal property to be located in the CRA; and

WHEREAS, The Kroger Co. (the "Company") is desirous of expanding its local store to preserve and create new employment opportunities and of providing residents with a new and improved shopping experience; and

WHEREAS, the City is desirous of providing the Company with incentives for development of projects within the boundaries of the CRA; and

WHEREAS, the Company and City representatives have submitted a proposed agreement for consideration by the Council of the City;

NOW THEREFORE BE IT RESOLVED by the City of Bowling Green Council, County of Wood, State of Ohio:

SECTION 1: The Agreement. That in consideration of the covenants set forth in the Agreement between the City of Bowling Green and the Company attached hereto as Exhibit A and made a part of this Resolution, this Council hereby approves the Agreement substantially in the form attached hereto as Exhibit A and authorizes the Municipal Administrator to execute the Agreement on behalf of the City, with such changes therein not inconsistent with this Resolution and not substantially adverse to this City. This Council further authorized the Municipal Administrator, for and in the name of the City, to execute any amendments to the Agreement executed in accordance with the authority hereunder, which amendments are not inconsistent with this Resolution and not substantially adverse to this City.

SECTION 2: CRA Confirmation. That this approval shall not be effective, and the Municipal Administrator shall not be authorized and directed to proceed under Section 1 of this Resolution, unless and until the Director of the Development Services Agency for the State of Ohio confirms the CRA as a "Community Reinvestment Area." Thereafter, this approval shall be effective without further action and the Municipal Administrator shall be authorized and directed to proceed under Section 1 of this Resolution on the later of (i) the date of such confirmation, and (ii) the effective date of this Resolution pursuant to Section 4 of this Resolution.

SECTION 3: Open Meeting. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any decision making bodies of the City of Bowling Green which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of Bowling Green, Wood County, Ohio.

SECTION 4: Effective Date. That this resolution shall take effect and be in force at the earliest period allowed by law.

Passed: November 2, 2015 [Signature] President of Council
MICHAEL A. ASPACHER
Attest: [Signature] Clerk of Council
KAY D. SCHERREIK
Approved: November 3, 2015 [Signature] Mayor
RICHARD A. EDWARDS

CERTIFICATION
This is to certify that the foregoing is a true copy of Res. No. 3603 passed by the Council of the City of Bowling Green, Ohio. Nov. 2, 2015 [Signature] Clerk of City Council

MICHAEL J. MARSH
CITY ATTORNEY
kds

RICHARD A. EDWARDS

RECORD OF RESOLUTIONS

1st Reading: 10-5-15
2nd Reading: 10-19-15
3rd Reading: 11-2-15

Dallas Legal Blank, Inc., Form No. 0945

Resolution No. 3606

Passed November 2, 2015

RESOLUTION AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR THE PURPOSE OF PURCHASING VEHICLES, MACHINERY, MATERIALS, SUPPLIES, OR OTHER ARTICLES

WHEREAS, Section 5513.01(B) provides the opportunity for State Universities or Colleges, counties, townships, municipal corporations, conservancy districts, township park districts, park districts created under Chapter 1545 ORC, port authorities, regional transit authorities, and county transit boards and local boards of mental retardation and developmental disabilities to participate in contracts of the Ohio Department of Transportation for the purchase of vehicles, machinery, materials, supplies, or other articles.

BE IT ORDAINED BY THE CITY OF BOWLING GREEN, COUNTY OF WOOD AND STATE OF OHIO:

Section 1: That the Municipal Administrator hereby requests authority in the name of the City of Bowling Green, Ohio, to participate in the Ohio Department of Transportation contracts for the purchase of vehicles, machinery, materials, supplies, or other articles which the Department has entered into pursuant to Revised Code Section 5513.01(B).

Section 2: That the Municipal Administrator is hereby authorized to agree in the name of the City of Bowling Green, Ohio, to be bound by all terms and conditions as the Director of Transportation prescribes.

Section 3: That the Municipal Administrator is hereby authorized to agree in the name of the City of Bowling Green, Ohio, to directly pay the vendor, under each such contract of the Ohio Department of Transportation in which the City of Bowling Green, Ohio, participate, for items it receives pursuant to the contract.

Section 4: That Municipal Administrator agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code Section 5513.01(B).

Section 5: This resolution shall take effect at the earliest time permitted by law.

Passed: November 2, 2015 [Signature]

Attest: [Signature]
Date
Clerk of Council
KAY D. SCHERREIK

President of Council
MICHAEL A. ASPACHER

Approved: November 3, 2015 [Signature]
Date
Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Res. No. 3606 passed by the Council of the City of Bowling Green, Ohio.
Nov. 2, 2015
[Signature]
Clerk of City Council

RECORD OF RESOLUTIONS

1st Reading: 10-19-15
2nd Reading: 11-2-15
3rd Reading: 11-2-15

Division Legal Services, Inc., Form No. 33145

Resolution No. 3607

Passed November 2, 2015

RESOLUTION TO APPROVE AGREEMENTS AND AUTHORIZE THE MUNICIPAL ADMINISTRATOR TO SIGN THE AGREEMENTS BETWEEN THE CITY OF BOWLING GREEN AND BOWLING GREEN HOLDINGS, LLC TO PROVIDE INCENTIVES AVAILABLE FOR PROJECT DEVELOPMENT IN THE BOWLING GREEN COMMUNITY REINVESTMENT AREA NUMBER 4

WHEREAS, the Council of the City of Bowling Green, Ohio (the "City") by its Ordinance #8434 adopted July 20, 2015 created the Bowling Green Community Reinvestment Area Number 4 (the "CRA"); and

WHEREAS, the City has encouraged the development of real property and the acquisition of personal property to be located in the CRA; and

WHEREAS, Bowling Green Holdings, LLC (the "Company") is desirous of expanding its local presence in the City of Bowling Green by constructing a Fairfield Inn to create new employment opportunities, and of providing visitors to the City with a new hotel to be used for lodging purposes;

WHEREAS, the City is desirous of providing the Company with incentives for development of projects within the boundaries of the CRA; and

WHEREAS, the Company and City representatives have submitted a proposed agreement for consideration by the Council of the City;

NOW THEREFORE BE IT RESOLVED by the City of Bowling Green Council, County of Wood, State of Ohio:

SECTION 1: The Agreement. That in consideration of the covenants set forth in the Agreement between the City of Bowling Green and the Company attached hereto as Exhibit A and made a part of this Resolution, this Council hereby approves the Agreement substantially in the form attached hereto as Exhibit A and authorizes the Municipal Administrator to execute the Agreement on behalf of the City, with such changes therein not inconsistent with this Resolution and not substantially adverse to this City. This Council further authorizes the Municipal Administrator, for and in the name of the City, to execute any amendments to the Agreement executed in accordance with the authority hereunder, which amendments are not inconsistent with this Resolution and not substantially adverse to this City.

SECTION 2: CRA Confirmation. That this approval shall not be effective, and the Municipal Administrator shall not be authorized and directed to proceed under Section 1 of this Resolution, unless and until the Director of the Development Services Agency for the State of Ohio confirms the CRA as a "Community Reinvestment Area." Thereafter, this approval shall be effective without further action and the Municipal Administrator shall be authorized and directed to proceed under Section 1 of this Resolution on the later of (i) the date of such confirmation, and (ii) the effective date of this Resolution pursuant to Section 4 of this Resolution.

SECTION 3: Open Meeting. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any decision making bodies of the City of Bowling Green which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of Bowling Green, Wood County, Ohio.

SECTION 4: Effective Date. That this resolution shall take effect and be in force the earliest period allowed by law.

Passed: November 2, 2015

[Signature of Michael A. Aspacher]

President of Council
MICHAEL A. ASPACHER

Attest: [Signature of Kay D. Scherrejk]

Clerk of Council
KAY D. SCHERREJK

Approved: November 3, 2015

[Signature of Richard A. Edwards]

Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Res. No. 3607 passed by the Council of the City of Bowling Green, Ohio.

Nov. 2, 2015
[Signature of Kay D. Scherrejk]
Clerk of City Council

RECORD OF RESOLUTIONS

1st Reading: 11-2-15
2nd Reading: 11-2-15
3rd Reading: 11-2-15

City of Bowling Green, Inc., Form No. 20045

Resolution No. 3608

Passed November 2, 2015

RESOLUTION TRANSFERRING PREVIOUSLY APPROPRIATED FUNDS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following transfers be made in the Finance Director's account:

From Fund	Dept.	Account	Description	From	To
1010	190	72222	General, Miscellaneous, Unemployment Compensation	\$ 9,000.00	
1010	190	72110	General, Miscellaneous, PERS Regular	\$ 2,051.00	
1010	190	71310	General, Miscellaneous, Retirement Payout		\$ 11,051.00
2073	210	86000	Law Enforcement Mandatory Drug Fund, Police Department, Equipment > \$15000	\$ 1,560.00	
2073	210	71260	Law Enforcement Mandatory Drug Fund, Police Department, Overtime		\$ 1,560.00

SECTION 2: This resolution shall take effect at the earliest time permitted by law.

Passed: November 2, 2015 Michael A. Aspacher
 Date President of Council
MICHAEL A. ASPACHER

Attest: Kay D. Scherreik
 Clerk of Council
KAY D. SCHERREIK

Approved: November 3, 2015 Richard A. Edwards
 Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Res. No. 3608 passed by the Council of the City of Bowling Green, Ohio.

Nov. 2, 2015
Kay D. Scherreik
Clerk of City Council

RECORD OF ORDINANCES

1st Reading: 10-5-15

2nd Reading: 10-19-15

3rd Reading: 11-2-15

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 8463

Passed November 2, 2015

ORDINANCE AMENDING AND ADOPTING CHAPTER 95A OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO, REGARDING MUNICIPAL INCOME TAX

WHEREAS, the Home Rule Amendment of the Ohio Constitution, Article XVII, Section 3, provides that "Municipalities shall have authority to exercise all powers of local self-government," and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities; and

WHEREAS, Article XIII, Section 6 of the Ohio Constitution provides that the General Assembly may restrict a municipalities power of taxation to the extent necessary to prevent abuse of such power, and Article XVIII, Section 13 of the Ohio Constitution states that "laws may be passed to limit the powers of municipalities to levy taxes and incur debts for local purposes;" and

WHEREAS, the General Assembly has determined that it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio; and

WHEREAS, more specifically, the General Assembly enacted H. B. 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is "levied in accordance with the provisions and limitations specified in [Chapter 718];" and

WHEREAS, upon a detailed review of H. B. 5 and the Codified Ordinances of the City of Bowling Green, Ohio, this Ordinance is found and determined by this Council to enact the amendments required prior to the January 1, 2016 deadline to be in accord with the provisions and limitations specified in Chapter 718 of the Revised Code; and

WHEREAS, Council also finds and determines that the constitutionality of certain provisions of the state-mandated code may have been put in question by recent decisions of the Ohio Supreme Court regarding, among other things, taxation of professional athletes, but these provisions must be included if the municipal income tax code is to be "levied in accordance with the provisions and limitations specified in [Chapter 718]" and thus are adopted by this Council but are disclaimed to the extent they are unlawful or unconstitutional;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO, THAT:

SECTION 1: That Chapter 95A of the Codified Ordinances be amended and adopted to read as set forth in the document entitled "Chapter 95A, Income Tax" attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2: That this ordinance shall take effect and be in force from and after January 1, 2016.

Passed: November 2, 2015 [Signature] Date President of Council

Attest: [Signature] Clerk of Council

Approved: November 3, 2015 [Signature] Date Mayor

MICHAEL J. MARSH CITY ATTORNEY kds

CERTIFICATION This is to certify that the foregoing is a true copy of Ord No. 8463 passed by the Council of the City of Bowling Green, Ohio. Nov 2, 2015 [Signature] Clerk of City Council

RECORD OF ORDINANCES
EMERGENCY CLAUSE ADOPTED

1st Reading: 11-2-15
2nd Reading: 11-2-15
3rd Reading: 11-2-15

Dayton Legal Bank, Inc.

Form No. 30043

Ordinance No. 8470

Passed November 2 20 15

ORDINANCE AUTHORIZING THE MUNICIPAL ADMINISTRATOR TO SEEK PROPOSALS AND ENTER INTO A CONTRACT OR CONTRACTS FOR COPIER AND PRINTING EQUIPMENT TO BE USED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That the Municipal Administrator is hereby authorized to seek proposals and enter into a contract or contracts for copier and printing equipment to be used for municipal purposes.

SECTION 2: This ordinance shall take effect as an emergency measure. The reason for the emergency is that it is urgently necessary to seek proposals and secure a lease and/or purchase agreement prior to the termination of existing contracts and provide continuity of services, thereby protecting the public peace, health, and well-being of our citizens.

Passed: November 2, 2015 [Signature]
Date President of Council

MICHAEL A. ASPACHER

Attest: [Signature]
Clerk of Council
KAY D. SCHERREIK

Approved: November 3, 2015 [Signature]
Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION:

This is to certify that the foregoing is a true copy of Ord No. 8470 passed by the Council of the City of Bowling Green, Ohio.

Nov. 2, 2015
[Signature]
Clerk of City Council

Ordinance No. 8468

Passed November 2, 2015

**ORDINANCE PROVIDING SUPPLEMENTAL
 APPROPRIATIONS FOR THE CURRENT EXPENSES AND
 OTHER EXPENDITURES OF THE CITY OF BOWLING
 GREEN, OHIO, DURING THE FISCAL YEAR BEGINNING
 JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following sums be appropriated as follows:

Fund	Dept.	Account	Description	Amount
2024	545	92200	Community Development, CDBG Block Grant, Transfer To Special Revenue	\$ 9,190.00

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: November 2, 2015 [Signature]
 Date President of Council
MICHAEL A. ASPACHER

Attest: [Signature]
 Clerk of Council
KAY D. SCHERREIK

Approved: November 3, 2015 [Signature]
 Date Mayor
RICHARD A. EDWARDS

MICHAEL J. MARSH
 CITY ATTORNEY
 kds

CERTIFICATION

This is to certify that the foregoing is a true copy of Ord No 8468 passed by the Council of the City of Bowling Green, Ohio.

Nov 2, 2015
[Signature]
 Clerk of City Council