

ORDINANCE NO. 2016- 3827

AN ORDINANCE TO MAKE A DONATION OF CITY DIRT IN THE AMOUNT OF \$11,500.00 TO RIMELSPACH FARMS AND PRODUCE CO. (RIMELSPACH) FOR THE BENEFIT AND WELFARE OF THE CITIZENS OF THE CITY OF FREMONT AND DECLARING AN EMERGENCY.

WHEREAS, the City received written correspondence from David Rimelspach DBA Rimelspach Farms and Produce Co. in which Rimelspach would like to acquire top soil from the Reservoir Project in order to grow fruits and vegetables on their farmland and intends to share their produce with the City of Fremont. See Exhibit A; and

WHEREAS, the City currently has excess top soil that it sells at \$35.00 a cubic yard to the general public.

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

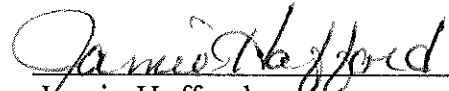
SECTION 1. The Fremont City Council determines that there is a surplus of dirt in the City of Fremont and therefore, Fremont City Council hereby authorizes the donation of City dirt for \$11,500.00 to Rimelspach Farms. Further, this donation will be for the benefit and welfare of the citizens of Fremont.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to begin allowing the cultivation of the dirt for the growth of fruits and vegetables which will directly benefit the Citizens of Fremont.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from

and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.



Jamie Hafford
President of Council

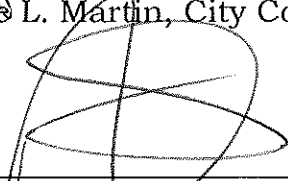
PASSED: 11-17-16

Effective date: 11-17-16

YEAS: 7 NAYS: 0



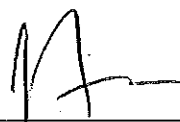
Stephanie L. Martin, City Council Clerk



Daniel R. Sanchez, Mayor

ORDI981

Approved as to form:



James F. Melle, Director of Law
City of Fremont, Ohio

EXHIBIT A

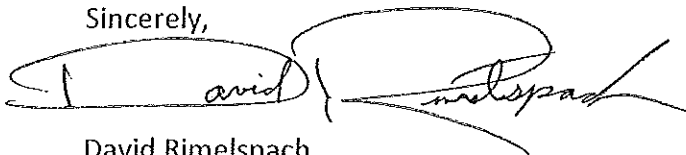
Proposal 3/31/2016

This is a proposal to the city of Fremont from David A. Rimelspach DBA Rimelspach Farms and Produce Co. to acquire top soil from the Reservoir Project to be delivered to the Market at State Routes 12 and 53. Enough top soil needed to fill 10 containers (approx. 17ft. wide x 17 ft. long x 3 ft. deep) at the site. Soil to be delivered to one site and Rimelspach Farms will move the soil to the containers.

The purpose of this proposal is to grow fruits and vegetables from this soil that had previously been farmed for over 40 years by the Rimelspach family to share with the people of the city of Fremont and surrounding communities. A wide variety of produce will be grown, and can be used for educational and or festive functions for the community, food banks, contests the list is open for many directions.

I thank you for your consideration regarding this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "David Rimelspach". The signature is written in a cursive style with a large, looping initial "D".

David Rimelspach
904 County Road 201
Fremont OH 43420
419-280-2894

419-355-7707 e

RECEIVED
APR 7 2016
CITY OF FREMONT