

**RESOLUTION NO. 125-98**

**A RESOLUTION AUTHORIZING A TRANSFER OF FUNDS TO THE  
HENRY COUNTY COMMUNITY IMPROVEMENT CORPORATION  
RELATED TO GRANT MONIES RECEIVED FOR DEMOLITION OF  
HELLER-ALLER COMPANY**

**Whereas**, the City of Napoleon in Case No. 97 CVH 441 (Napoleon Municipal Court) entered into a Consent Judgment Entry and Order with THE HELLER-ALLER COMPANY in regard to abatement of a nuisance to wit: THE HELLER-ALLER COMPANY buildings and structures; and,

**Whereas**, certain monies were made available to THE HELLER-ALLER COMPANY to be used to accomplish the abatement effort, subject to certain conditions and repayment; to wit: an amount not to exceed \$68,000.00, in the form of \$34,000.00 from the Napoleon Revolving Loan Fund (CD) as authorized by Community Improvement Corporation (C.I.C.) Committee and, \$34,000.00 grant funds provided to the City of Napoleon, Ohio from the Henry County Revolving Loan Fund authorized for disbursement by the Henry County Commissioners; and,

**Whereas**, in order to effectively monitor the repayment of the funds by THE HELLER-ALLER COMPANY, or the agreed portion thereof, it would be in the best interest of the City, County, their inhabitants, and the Community Improvement Corporation (C.I.C.) to pass the grant funds received by the City to the C.I.C. for disbursement; Now Therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

**Section 1.** That, an amount, not to exceed \$34,000.00, as received from the Henry County Revolving Loan Fund for the abatement of a nuisance to wit: buildings and structures known as "THE HELLER-ALLER COMPANY" as referenced in Municipal Court Case No. 97 CVH 441, shall be passed to the Henry County Community Improvement Corporation (C.I.C.) for disbursement, monitoring, and any collection thereof; moreover, the City Finance Director is authorized and directed to make the necessary transfer to meet the intent of this legislation.

**Section 2.** That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution 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 Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

**Section 4.** That, this Resolution shall take effect at the earliest time permitted by law.

Passed:

12-7-98

Michael J. DeWitt  
Michael J. DeWitt Council President

Approved:

12/7/98

Donald M. Stange  
Donald M. Stange, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

Gregory J. Heath  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 125-98 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_; & 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