

RESOLUTION NO. 009-13

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF OBTAINING A NON-CONTACT DISINFECTION SYSTEM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ENAQUA FOR SAID PURCHASE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon desires to purchase the components necessary to make UV Reactor ("Unit B") fully functional; and,

WHEREAS, Unit A and Unit B have been previously purchased from Enaqua; and

WHEREAS, Unit B has already been delivered, assembled, and installed at the City of Napoleon's Waste Water Treatment Plant; and

WHEREAS, Enaqua is already familiar with the City of Napoleon's UV Reactors because they both were assembled and installed by Enaqua; and,

WHEREAS, Reactor Unit A is already fully functional due to the knowledge and expertise of Enaqua, the City desires to have Reactor Unit B made fully functional and identical to Unit A, therefore Enaqua's knowledge and expertise of Unit A would be very useful to the purchase and installation of Unit B; and

WHEREAS, Enaqua is desirous of selling the components to the City of Napoleon at a large discount because the City purchased both reactor units, A and B, from Enaqua; and

WHEREAS, it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; and

WHEREAS, said purchase has already been approved in the 2013 budget; **Now Therefore,**

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 from the 2013 Budget for the purchase of a non-contact disinfection system from Enaqua. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

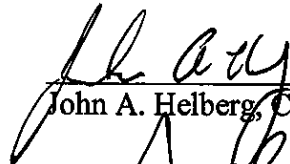
Section 2. That, the City Manager is authorized to enter into a Contract with Enaqua for the purchase of the non-contact system.

Section 3. 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 4. 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.

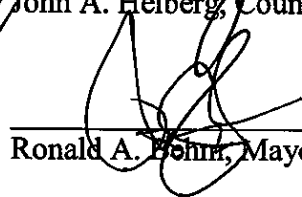
Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to receive the low purchase price as well as to begin to use the second reactor which would expeditiously eliminate a condition related to public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: March 4, 2013



John A. Helberg, Council President

Approved: March 4, 2013



Ronald A. Behr, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


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. 009-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____; & 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