

RESOLUTION NO. 037-13

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF SOLE SOURCING THE PURCHASE OF TWO VERTICAL TURBINE PUMPS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FLOWSERVE CORPORATION FOR SAID PURCHASE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon desires to purchase two vertical turbine pumps for the Wastewater Plant and the EQ Basin; and,

WHEREAS, the City of Napoleon desires to have continuity in operations, it is necessary to purchase the requested pumps from Flowserve so that they would match the pumps that are already in place at the EQ Basin; and

WHEREAS, the City of Napoleon desires to increase the Wastewater Plant and EQ Basin capacity from 15 million gallons of water a day to 25 million gallons of water per day; 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 two vertical turbine pumps for the Wastewater Plant and the EQ Basin from Flowserve Corporation. 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 Flowserve Corporation for the purchase of the two vertical turbine pumps.

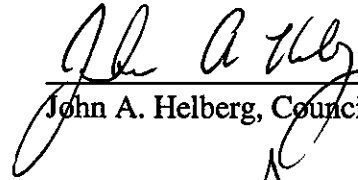
Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal 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 increase the capacity from 15 million gallons a day to 25 million gallons a day, which would expeditiously eliminate a condition related to public peace,

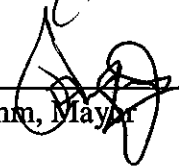
health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: July 15, 2013



John A. Helberg, Council President

Approved: July 15, 2013



Ronald A. Behm, 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. 037-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 22 day of July 2013; & 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