

**RESOLUTION NO. 039-13**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 FOR A PROJECT KNOWN AS W. MAIN ST. PARKING LOT IMPROVEMENT(S) PROJECT, WHICH WAS NOT INCLUDED IN THE 2013 MASTER BID RESOLUTION 079-12; AND AUTHORIZING COMPETITIVE BIDDING IN REGARDS THERETO; AND DECLARING AN EMERGENCY**

**WHEREAS**, W. Main St. Parking Lot is in need of immediate improvements;  
and,

**WHEREAS**, this Project was not included in the annual Master Bid List, Resolution 079-12, and that the cost of this project exceeds \$25,000.00; **Now therefore**,

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

Section 1. That, the expenditure of funds in excess of \$25,000.00 for the W. Main St. Parking Lot Improvement(s) Project is hereby authorized as a necessary public expenditure.

Section 2. That this Project shall be competitively bid.

Section 3. That, the Council approves the specifications, plans, agreements, and other related bid documents; moreover, the City Manager is hereby authorized to advertise and receive bids for the project that is referenced in Section 1 of this Resolution. If a contract for said project is approved for award to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager is directed to enter into a contract with the successful bidder.

Section 4. That, Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City; moreover, Council may waive any informalities in the bidding process.

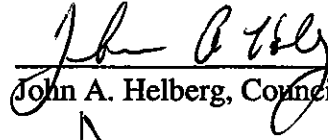
Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal 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 6. 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 7. 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 allow for the improvements to public property to assure safety to

our motoring public; 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 6 Yea 0 Nay 1 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. 039-13 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