

RESOLUTION NO. 003-14

A RESOLUTION TO AMEND THE TITLE, THE SIXTH RECITAL, AND SECTIONS 1 AND 2 OF RESOLUTION NO. 061-13 TO CORRECT SCRIVENER'S ERROR TO AMEND THE WORDING FROM "GENERAL" ELECTION TO "PRIMARY" ELECTION; AND DECLARING AN EMERGENCY;

WHEREAS, after the passage of Resolution No. 061-13 it was found to contain a scrivener's error in that it used the term "General" election when the intent was to state "Primary" election, thus any use of the term "General" election shall be amended to state "Primary" election; **Now therefore,**

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

Section 1. That, the title of Resolution No. 061-13 is hereby amended and enacted as follows:

"A RESOLUTION PLACING AN ISSUE FOR ADVISORY ELECTION ON THE BALLOT AT THE MAY 6TH, 2014 ~~GENERAL~~ PRIMARY ELECTION SEEKING THE AUTHORIZATION OF THE VOTERS OF THE CITY OF NAPOLEON TO CEASE OPERATING ITS POLICE, FIRE AND EMS DISPATCH AS IT CURRENTLY OPERATES AND OUTSOURCE SAID OPERATIONS TO THE HENRY COUNTY SHERIFF"

Section 2. That, the sixth recital of Resolution No. 061-13 is hereby amended and enacted as follows:

"WHEREAS, for the foregoing reasons, the Council for the City of Napoleon, Ohio seeks to place an issue on the ballot for the May 6th, 2014 ~~General~~ **PRIMARY** Election, whereby the voters of the City of Napoleon, Ohio may vote on the issue of whether to cease operating the City of Napoleon's Police, Fire, and EMS dispatch and outsource said operations to the Henry County Sheriff; and"

Section 3. That, Section 1 of Resolution No. 061-13 is hereby amended and enacted as follows:

"Section 1. For the reasons set forth above, the Council for the City of Napoleon finds, determines, and declares that the question seeking authorization to cease operating the City of Napoleon's Police, Fire, and EMS dispatch and outsource said operations to the Henry County Sheriff shall be submitted to the voters of the City of Napoleon for an advisory election at the ~~general~~ **PRIMARY** election to be held on May 6th, 2014, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Henry County, Ohio or otherwise, within the

time, place, or manner provided by law and shall be conducted, canvassed and certified in the manner provided by law.”

Section 4. That, Section 2 of Resolution No. 061-13 is hereby amended and enacted as follows:

“Section 2. That, the Board of Elections of Henry County, Ohio, place upon the ballot at the May 6th, 2014 ~~General~~ **PRIMARY** Election the following Advisory Election (or in substantially the same form):

Issue #
Advisory Election for the City of Napoleon
Dispatch Operation
(A majority affirmative vote is necessary for passage)

“Shall the City of Napoleon cease operating its Police, Fire and EMS dispatch as it currently operates and outsource said operations to the Henry County Sheriff?”

YES

NO”

Section 5. That, the Title, the sixth recital, and Sections 1 and 2 of Resolution No. 061-13 as previously existed prior to the adoption of this Resolution are hereby repealed and amended as stated above.

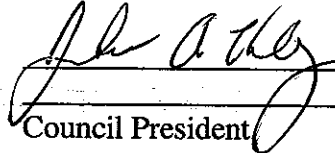
Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal 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 7. If any section, subsection, paragraph, clause or provision or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.


Section 8. 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 9. 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 to certify the matter to the Board of Elections to be placed on the ballot which would effect the 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: January 09, 2014


Council President

Approved: January 09, 2014


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. 003-14 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

CERTIFICATION

I, Gregory J. Heath, Finance Director/Clerk of Council for the City of Napoleon, Ohio, do hereby certify that this document is a True and Correct copy of Resolution No. 003-14, passed January 9, 2014.


Gregory J. Heath, Finance Director/Clerk of Council

January 10, 2014
Date