

RESOLUTION NO. 070-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ENTER INTO THE FIRST AMENDMENT TO THE PARTICIPATING MEMBER SCHEDULE OF THE MASTER SERVICE AGREEMENT FOR THE ECOSMART CHOICE PROGRAM; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon has previously entered into an agreement for the EcoSmart Choice Program;

WHEREAS, the City of Napoleon Electric Committee met at a regular meeting and recommended the City enter into 1st Amendment to the Participating Member Schedule of the Master Service Agreement for the EcoSmart Choice Program;

WHEREAS, the City of Napoleon now desires to enter into the 1st Amendment to the Participating Member Schedule of the Master Service Agreement for the EcoSmart Choice Program; **Now therefore**,

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

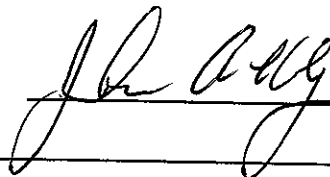
Section 1. That, the City Manager is directed to execute all documents necessary to enter into the 1st Amendment to the Participating Member Schedule of the Master Service Agreement for the EcoSmart Choice Program.

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 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 because the current agreement ends December 31st, 2014 which would affect 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: December 15, 2014



John A. Helberg, Council President

Approved: December 15, 2014



Ronald A. Behm, Mayor

VOTE ON PASSAGE 6 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. 070-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 1st day of January 2015; & 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