

RESOLUTION NO. 027-15

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE ENGINEERING SERVICES AND CONSTRUCTION ACTIVITIES TO REPLACE FOUR (4) TRANSMISSION STRUCTURES AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ENTER INTO AN AGREEMENT WITH FIRST ENERGY SERVICE COMPANY FOR SAID ACTIVITIES; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon desires to have First Energy Service Company replace four (4) transmission structures with taller structures in order to provide clearances for the Napoleon Municipal transmission line crossings along Enterprise Avenue in Napoleon, Ohio; and,

WHEREAS, First Energy Service Company has issued a price quote of \$148,400.00, which is only good until June 30th, 2015;

WHEREAS, First Energy Service Company, as owner of the structures, is the only authorized persons allowed to make such alterations; and

WHEREAS, the Council believes it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; **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 for the replacement four (4) transmission structures with taller structures in order to provide clearances for the Napoleon municipal transmission line crossings along Enterprise Avenue. 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 First Energy Service Company to conduct the engineering and construction of said project.

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.

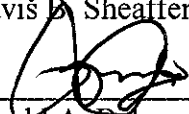
Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City

and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to in order to meet the June 30th, 2015 price quote deadline; 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: May 4, 2015


Travis B. Sheaffer, Council President

Approved: May 4, 2015


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. 027-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 9th day of July, 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