

RESOLUTION NO. 034-15

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR THE OHIO ATTORNEY GENERAL'S ROCK SALT ANTITRUST LITIGATION SETTLEMENT; AND DECLARING AN EMERGENCY

WHEREAS, on June 3rd, 2015 Attorney General DeWine announced an \$11.5 million settlement with Morton Salt and Cargill Inc., regarding an antitrust lawsuit filed in March of 2012 regarding rock salt sales to Ohio public entities; and,

WHEREAS, Ohio public entities that purchased rock salt from Morton Salt and/or Cargill Inc., during the period of July 1st, 2008 through June 30th, 2011 may be eligible to receive a share of this settlement; and,

WHEREAS, the City of Napoleon authorizes the City Manager to file any and all documents necessary to determine if the City may be eligible to receive a share of the settlement,
NOW THEREFORE;

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

Section 1. That, the City Manager is authorized to file any and all documents necessary to determine if the City may be eligible to receive a share of the antitrust settlement with Morton Salt and/or Cargill Inc.

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.

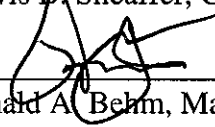
Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to comply with the August 7th, 2015 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: July 06, 2015



Travis B. Sheaffer, Council President

Approved: July 06, 2015



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. 034-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 25th day of August, 2015.


Gregory J. Heath, Clerk/Finance Director