

RESOLUTION NO. 018-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE IN COOPERATION WITH ODOT; AND DECLARING AN EMERGENCY

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities, and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

WHEREAS, the City of Napoleon hereby relies upon this Resolution No. 018-16 as a written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-17) in accordance with Ohio Revised Code 5513.01(B), and hereby agrees to all terms and conditions as noted below in regard to the City's participation in the ODOT winter road salt contract; Now Therefore,

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

Section 1. That, intending to be legally bound, the City Manager of the City of Napoleon, Ohio, is given the authority in the name of the City of Napoleon, Ohio, to participate in the Ohio Department of Transportation's Contract for Sodium Chloride (winter contract 018-17) and this Council agrees as follows:

- A. The City of Napoleon hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- B. The City of Napoleon hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the City of Napoleon; and
- C. The City of Napoleon agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the City of Napoleon's participation in the winter road salt contract; and
- D. The City of Napoleon hereby requests through this participation agreement a total of five hundred (500) tons of Sodium Chloride (Road Salt) of which the City agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- E. The City of Napoleon hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2016 through March 31, 2017; and
- F. The City of Napoleon hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and

G. The City of Napoleon acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Wednesday, June 1, 2016. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the City of Napoleon's participation request. Furthermore, it is the sole responsibility of the City of Napoleon to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive the City's participation agreement and/or the City's request to rescind its participation agreement.

Section 2. That, the City Manager and/or the City Manager's representative are authorized to fill out and submit any and all necessary documentation to effectuate the intent of this legislation, including the ODOT prescribed form that is attached as Exhibit "A" to this legislation, and that the City of Napoleon agrees to the above terms and conditions regarding participation on the ODOT winter salt contract

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 allow for the timely purchase of Sodium Chloride, needed for placement on streets in winter months for safe travel; 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 16, 2016

Approved: May 16, 2016


Travis B. Sheaffer, Council President


Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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. 018-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 31 day of May, 2016; & 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.



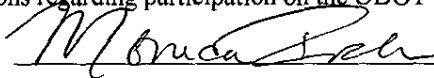
Gregory J. Heath, Clerk/Finance Director

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT WINTER CONTRACT (018-17) FOR ROAD SALT**

WHEREAS, the City of Napoleon (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-17) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of five hundred (500) tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2016 through March 31, 2017; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Wednesday, June 1, 2016. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

	(Authorized Signature)	5/16/16	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE
BY NO LATER THAN FRIDAY, MAY 27, 2016.**

**SUMMARY OF ORDINANCE NO(S). 009-16, 013-16
RESOLUTION NO(S). 014-16, 015-16, 016-16, 018-16**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER; CHAPTER 121 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO; CITY COUNCIL RULE 6.5; AND APPLICABLE PROVISIONS OF O.R.C. CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 009-16

AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, TO WIT: VARIOUS SECTIONS IN RULES 3, 4, 5, 6, AND 7

In this legislation, the City of Napoleon approved and implemented various changes to the City of Napoleon, Ohio Engineering Department Rules and Regulations. A complete copy of the Rules and Regulations can be obtained from the City as stated in the above Notice.

Ordinance No. 013-16

AN ORDINANCE ADOPTING A NEW CITY INVESTMENT POLICY IN AND FOR THE CITY OF NAPOLEON, OHIO (INVESTMENT POLICY NO. IP 16-0003); REPEALING ORDINANCE NO. 87-99 AND POLICY NO. 0002 AS WAS PERIODICALLY AMENDED

In this legislation, the City of Napoleon adopted a new City Investment Policy, and a complete copy of said Policy can be obtained from the City as stated in the above Notice.

Resolution No. 014-16

A RESOLUTION APPROVING REVISION NO. 3 TO THE CONTRACT WITH THE HENRY COUNTY GENERAL HEALTH DISTRICT; CITY CONTRACT NO. 2016-13; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a Revised Agreement with the Henry County General Health District in order to establish that the existence of a Health District Licensing Council in each Ohio General Health District is no longer mandatory and the Board of Health, by implication, is no longer required to have as one of its members a member appointed by the Health District Licensing Council.

Resolution No. 015-16

A RESOLUTION AUTHORIZING ENROLLMENT IN THE OHIO RURAL WATER ASSOCIATION 2017 WORKERS' COMPENSATION POOL, AND AUTHORIZING THE EXPENDITURE OF FUNDS AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH COMPMANAGEMENT, LLC, A WORKERS' COMPENSATION ADMINISTRATOR; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized enrollment in the Ohio Rural Water Association 2017 Workers' Compensation Pool, and also authorized the City Manager to enter into a contract with CompManagement, LLC to serve as the City's workers' compensation third party administrator.

RESOLUTION NO. 016-16

A RESOLUTION AUTHORIZING THE CITY OF NAPOLEON TO DESIGNATE A REPRESENTATIVE TO RUN FOR AN ELECTED POSITION ON THE OHIO RURAL WATER ASSOCIATION BOARD OF DIRECTORS; AND, DECLARING AN EMERGENCY

In this legislation, the City of Napoleon expressed its desire to have a City representative run for a position on the Ohio Rural Water Association Board of Directors and thereby authorized Scott Hoover, Water Plant Superintendent for the City of Napoleon, to run for said position.

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A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE IN COOPERATION WITH ODOT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with the Ohio Department of Transportation for the purchase of sodium chloride (salt) for the 2016-2017 winter season.

All of the above summaries are approved as to form and correctness by Lisa L. Nagel, City Law Director


PROOF OF PUBLICATION

State of Ohio, Henry County, ss.

Christopher Cullis, being dully sworn,
Deposes and says that he is the Publisher
of the Northwest Signal, a daily newspaper
published in Napoleon, in said Henry County,
Ohio, and of general circulation herein; that
the annexed advertisement and notice was
printed and published in said newspaper for
1 days/weeks, the first insertion being
on the 31 day of May 2016 and
for 0 consecutive days/weeks thereafter.

X 
Christopher Cullis

Subscribed to in my presence and sworn before
me this 6 day of June 2016.

X 
Peggy S. Woods, Notary Public
My Commission expires: September 4, 2016

Notary Fees.....\$1.50
Printer's Fees.....\$280.80

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(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY
CHARTER, CHAPTER 121 OF THE CODIFIED ORDINANCES
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