

ORDINANCE NO. 004-16

AN ORDINANCE AMENDING ORDINANCE NO. 073-15 TO USE ALTERNATE VACATION PLAT LANGUAGE FOR THE VACATION OF A PORTION OF A CERTAIN ALLEY AND ROADWAY; THE ALTERNATE LANGUAGE IS AS FOLLOWS: "A PARCEL OF LAND LYING ADJACENT WITH LOTS 10 THRU 17, INCLUSIVE, IN HENRY YEAGER'S SECOND ADDITION, ALSO LYING ADJACENT WITH LOTS 12 THROUGH 16, INCLUSIVE, AND LOT 18 IN DAVID C. STAFFORD'S 1ST ADDITION AND ALSO BEING ROADWAYS WITHIN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 13, TOWN 5 NORTH, RANGE 6 EAST, ALL BEING IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO"; AND DECLARING AN EMERGENCY

WHEREAS, an application for a public hearing was filed by The Napoleon Area City School District requesting the City vacate an alley and roadway located in the South and East parking lots of the Napoleon Middle School property at 303 West Main Street which is located in Henry Yeager's 2nd Addition, along with portions of the roadway within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Ohio, pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission held a Public Hearing (PC-15-04) on December 8, 2015 at 5:00p.m., after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution No. PC-15-04 recommending that said property be vacated by Napoleon City Council;

WHEREAS, Council of the City of Napoleon unanimously passed Ordinance No. 073-15, which became effective on February 20, 2016, and thereby allowed the City of Napoleon to vacate the aforementioned property;

WHEREAS, the Henry County Recorder's Office has now indicated the following vacation plat language (as stated in the title to this Ordinance) should be utilized for recording purposes: "A Parcel of Land Lying Adjacent with Lots 10 thru 17, Inclusive, in Henry Yeager's Second Addition, also Lying Adjacent with Lots 12 thru 16, Inclusive, and Lot 18 in David C. Stafford's 1st Addition and also being Roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio." **Now Therefore,**

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

Section 1. That, all of the previous findings of this Council as unanimously passed in Ordinance No. 073-15 remain in full force and effect with the exception that the following language should be used for recording purposes and as shown on the one page Exhibit "A" which is attached and incorporated herein: "A Parcel of Land Lying Adjacent with Lots 10 thru 17, Inclusive, in Henry Yeager's Second Addition, also Lying

Adjacent with Lots 12 thru 16, Inclusive, and Lot 18 in David C. Stafford's 1st Addition and also being Roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio."

Section 2. That, the City Engineer is hereby instructed to present the vacation plat of said vacated alley and roadway to the Clerk of Council and the Clerk is instructed to endorse upon such plat, the action of this Council in vacating such alley and roadway and to cause this Ordinance and the said plat to be recorded in the office of the Recorder of Henry County, Ohio.

Section 3. That, the Clerk of Council is directed to notify the Auditor of Henry County, Ohio of the vacation, by sending a copy of this Ordinance.

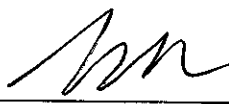
Section 4. That, the directives as stated in Sections 2 & 3 shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, including, but not limited to a non-refundable petition processing fee of \$25.00, plus publication costs, to be paid at the time the petition is filed. If actual publication costs cannot be determined, then an estimated cost as determined by the City shall be paid by the petitioner.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance 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.

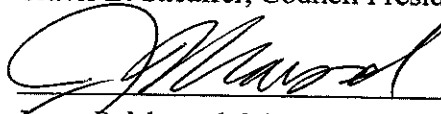
Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 7. That, this Ordinance 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 Ordinance must be in effect at the earliest possible time so the Napoleon Area City School District may obtain the property and use the property as it sees fit; therefore, provided the Ordinance 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: March 14, 2016

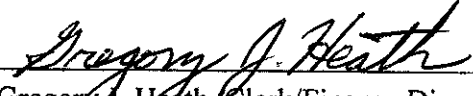

Travis B. Sheaffer, Council President

Approved: March 14, 2016


Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

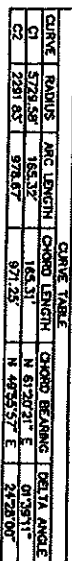
Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 004-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 23 day of April, 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




PREPARED FOR NAPOLEON CITY SCHOOLS AT THE
REQUEST OF ATTORNEY RICHARD FISHER



I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS THE RESULT OF A TRUE AND ACCURATE BOUNDARY SURVEY PERFORMED UNDER MY SUPERVISION DURING JULY, 2015.

Date 2-24-16



-  PROPOSED ROADWAY VACATION AREA
CONTAINS 57,312 SQ. FT. OR 1.316 AC.
-  PROPOSED ALLEY VACATION AREA
CONTAINS 4,136 SQ. FT. OR 0.100 AC.
-  TOTAL VACATION AREA CONTAINS 61,468 SQ. FT. OR 1.416 AC.

REVISED FEBRUARY 24, 2016

SUMMARY OF ORDINANCE NO(S). 004-16, 005-16, 010-16, 012-16
RESOLUTION NO(S). 003-16, 006-16, 007-16, 008-16, 011-16

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC 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.

Resolution No. 003-16

A RESOLUTION AUTHORIZING CONTRACTS WITH THE TOWNSHIPS OF NAPOLEON, HARRISON, FREEDOM, AND HENRY COUNTY SOUTH JOINT AMBULANCE DISTRICT FOR FIRE SERVICE AND/OR EMERGENCY MEDICAL SERVICE COMMENCING APRIL 1, 2016; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into contracts with Napoleon Township, Harrison Township, Freedom Township, and the Henry County South Joint Ambulance District in order for the City of Napoleon to provide fire and emergency medical services for these entities. The legislation also authorizes the City Manager to fulfill billing services related thereto.

Ordinance No. 004-16

AN ORDINANCE AMENDING ORDINANCE NO. 073-15 TO USE ALTERNATE VACATION PLAT LANGUAGE FOR THE VACATION OF A PORTION OF A CERTAIN ALLEY AND ROADWAY; THE ALTERNATE LANGUAGE IS AS FOLLOWS: "A PARCEL OF LAND LYING ADJACENT WITH LOTS 10 THRU 17, INCLUSIVE, IN HENRY YEAGER'S SECOND ADDITION, ALSO LYING ADJACENT WITH LOTS 12 THROUGH 16, INCLUSIVE, AND LOT 18 IN DAVID C. STAFFORD'S 1ST ADDITION AND ALSO BEING ROADWAYS WITHIN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 13, TOWN 5 NORTH, RANGE 6 EAST, ALL BEING IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO"; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon updated previously passed Ordinance No. 073-15 in which the City of Napoleon vacated an alley and roadway at the former Napoleon Middle School property at 303 West Main Street at the request of The Napoleon Area City School District. Ordinance No. 004-16 provided a more detailed and updated property description as provided by the property surveyor.

Ordinance No. 005-16

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 1) FOR THE YEAR 2016; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon supplemented the annual appropriation measure Supplement No. 1) for the fiscal year ending December 31, 2016. The Funds involved in the supplemental appropriation include: municipal income tax fund, law enforcement block grant fund, downtown pocket park fund, electric utility revenue fund, and water revenue fund.

Resolution No. 006-16

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) RELATED TO THE INSTALLATION OF UV UNITS FOR THE WATER TREATMENT PLANT REHABILITATION PROJECT; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LOW BIDDER WHO WILL BE REQUIRED TO PURCHASE AND INSTALL UV UNITS MANUFACTURED BY TROJAN TECHNOLOGIES; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with the low bidder for installation of certain UV units at the water treatment plant. As part of the City of Napoleon's water treatment plant rehabilitation project, certain items must be completed separately from the overall primary project in order to meet established EPA deadlines for the LT2 Enhanced Treatment Rule, and one such item is installation of certain UV units. This legislation also requires the low bidder to purchase and install UV units manufactured by Trojan Technologies.