

RESOLUTION NO. 073-17

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF INSTALLING UTILITIES IN THE RIGHT OF WAY AT PARCEL NUMBER 28-0700780000, INDEPENDENCE DRIVE, NAPOLEON, OHIO, COMMONLY KNOWN AS THE SPEC BUILDING, WHICH WAS NOT INCLUDED IN THE 2017 MASTER BID RESOLUTION; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon is currently installing utilities in the right of way at Parcel No. 28-0700780000, Independence Drive, Napoleon, Ohio pursuant to its contractual obligation as outlined in the Economic Development Agreement that the City signed with Ventures In Space, Ltd; and,

WHEREAS, in order to fulfill its contractual obligation to Ventures In Space, Ltd. the City must purchase various things such as pipe, manholes, catch basins, valves, fittings, fire hydrants, and other appurtenances, and must also pay certain amounts for labor; and,

WHEREAS, the purchases and labor involved in this project were previously quoted to the City of Napoleon at an estimated amount less than the twenty five thousand dollar (\$25,000.00) threshold which requires public bidding and council approval as to expenditures; and

WHEREAS, this matter is being brought before Council at this time because it has been brought to staff's attention that a necessary change order for this project will put the total project price over the twenty five thousand dollar (\$25,000.00) bidding/council approval threshold; and,

WHEREAS, upon due consideration Council believes it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding for this project; and,

WHEREAS, Council further finds that the expenses related to this project are necessary and proper.

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 twenty five thousand dollars (\$25,000.00) for the purpose of installing utilities in the right of way at Parcel No. 28-0700780000, Independence Drive, Napoleon, Ohio, commonly known as the Spec Bldg.

Section 2. That, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding for this project so as not to cause significant delays in construction and so that the City continues fulfilling its contractual obligations.

Section 3. That, the City Manager is authorized and instructed to contract for the purchases and labor necessary to complete this project.

Section 4. 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 5. 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.

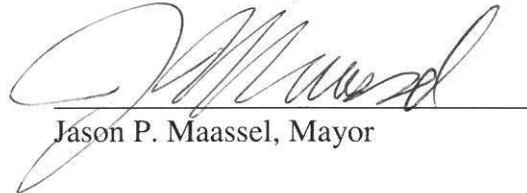
Section 6. That, for the reasons listed above, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; therefore, provided it receives the required number of votes for passage as emergency legislation, 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 4, 2017



Travis B. Sheaffer, Council President

Approved: December 4, 2017



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 Resolution No. 073-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 9th day of December, 2017; & 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