

ORDINANCE NO. 036-18

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) RELATED TO THE RIVER BRIDGE AND WATERLINE EXTENSION PROJECT; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon has previously unanimously passed Resolution No. 042-17, on June 19, 2017 in support of a second river bridge in and for the City of Napoleon, Ohio connecting the City's two industrial areas, and allowing for traffic from the south industrial area to reach the new U.S. Route 24 and rail facilities; and,

WHEREAS, the Commissioners of Henry County, Ohio entered an agreement, Agreement for the Maumee River Crossing, Henry County, Ohio, with Mannik & Smith Group, Inc. which includes authorizing the Mannik & Smith Group, Inc. to perform bridge and roadway plan revisions for a new waterline extension for the New River Bridge in the amount of thirty-seven thousand five hundred seventy-two dollars (\$37,572.00); and,

WHEREAS, the City owns the waterline that it wants the bridge to carry; and,

WHEREAS, the City now desires for the City Manager, as authorized in Sections 133.01(d) (13) and Chapter 105 of the Codified Ordinances of the City of Napoleon, Ohio, on behalf of the City of Napoleon, Ohio to enter into a contract with the Commissioners of Henry County, Ohio regarding reimbursement to Henry County, Ohio for payment rendered to Mannik & Smith Group, Inc.; **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 reimbursement to Henry County, Ohio for payment rendered to the Mannik & Smith Group, Inc. for performance of bridge and roadway plan revisions for a new water line extension for the new river bridge in the amount of thirty-seven thousand five hundred seventy-two dollars (\$37,572.00) within thirty (30) days of the date of Henry County, Ohio's payment to the Mannik & Smith Group, Inc. for said revisions.

Section 2. 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 3. 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 4. 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; 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. Further, the emergency clause is necessary to authorize the contract with the Commissioners of Henry County, Ohio to compensate Henry County, Ohio in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: July 16, 2018

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President

Approved: July 16, 2018

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

Gregory J. Heath
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. 036 -18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 26th day of July, 2018; & 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
Gregory J. Heath, Clerk/Finance Director

STATE OF OHIO
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 26th day of July, 2018.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this
31st day of July, 2018

Beverly Griteman
Beverly Griteman
Notary Public,
State of Ohio
My Commission Expires
February 13, 2021

Printer's Fee: \$148.85

Notary Fee: \$1.50

LEGAL NOTICE

Summary of Ordinance No.(s) 036-18, 037-18

(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.

Ordinance No. 036-18

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) RELATED TO THE RIVER BRIDGE AND WATERLINE EXTENSION PROJECT; AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE BOARD OF COMMISSIONERS OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the expenditure of funds related to the River Bridge and Waterline Extension Project, and authorized the City Manager to enter into a contract with the Henry County Board of Commissioners for the project.

Ordinance No. 037-18

AN ORDINANCE APPROVING WITH MODIFICATION A CERTAIN AGRICULTURAL DISTRICT LOCATED IN THE CITY OF NAPOLEON, OHIO AT THE ADDRESS OF 2950 ENTERPRISE AVENUE AS APPLIED FOR BY BRADLEY HIBBARD AND LAURA SILLS-HIBBARD; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon approved an ag district with modification at 2950 Enterprise Avenue, Napoleon, Ohio as applied for by Bradley and Laura Hibbard.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director