

PRELIMINARY LEGISLATION

Consent

Ordinance # 039-18

PID No. 22984

County/Route/Section Hen-New Bridge

The following is an ordinance enacted by the City of Napoleon, Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

ECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

The construction of a new roadway & bridge over the Maumee River in Henry County.

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio

ECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

ECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The City Manager of said City is hereby empowered on behalf of the City
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: August 06, 2018.
(Date)

Attested: Gregory J. Heath
(Clerk Signature) Gregory J. Heath, Finance Director/Clerk
City of Napoleon, Ohio

Joel L. Mazur
(Contractual Officer Signature)
Joel L. Mazur

Attested: Gregory J. Heath
(Clerk Signature) Gregory J. Heath, Finance Director/Clerk
City of Napoleon, Ohio

Joseph D. Bialorucki
(President of Council Signature)
Joseph D. Bialorucki

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

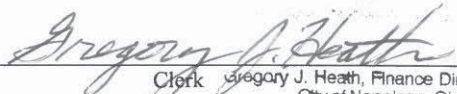
CERTIFICATE OF COPY
STATE OF OHIO

City of Napoleon, Henry County, Ohio

I, Gregory J. Heath, as Clerk of the City of Napoleon, Ohio, do hereby
certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative
Authority of the said City, on the 6th day of August, 2018, that the
publication of such ordinance has been made and certified of record according to law; that no
proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance
and certificate of publication thereof are of record in

039-18, Page --.
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 6th day of August, 2018.



Clerk Gregory J. Heath, Finance Director/Clerk
City of Napoleon, Ohio

(SEAL)
(If Applicable)

City of Napoleon, Ohio


The afore going is accepted as a basis for proceeding with the project herein described.

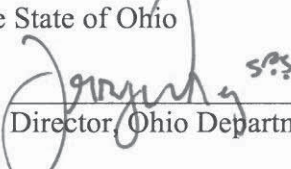
For the City of Napoleon, Ohio

Attest: 
Gregory J. Heath, Finance Director/Clerk
City of Napoleon, Ohio

, Date 8/6/18
Contractual Officer
Joel L. Mazur

For the State of Ohio

Attest: 

, Date 8/17/18
Director, Ohio Department of Transportation

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 13th day of August, 2018.

Kimberly Imm

Kimberly Imm

Subscribed and sworn to before me this
14th day of August, 2018

Beverly Gritman

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

Printer's Fee: \$251.90

Notary Fee: \$1.50

Summary of Ordinance No.(s) 039-18, 042-18,
043-18 and Resolution No.(s) 040-18, 041-18

(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. 039-18

AN ORDINANCE AUTHORIZING THE CONSENT OF THE CITY OF NAPOLEON, OHIO TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO COMPLETE THE RIVER BRIDGE AND WATERLINE EXTENSION PROJECT OVER THE MAUMEE RIVER, IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized ODOT to complete work on the River Bridge and waterline extension in the City.

Ordinance No. 042-18

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS FROM RESPECTIVE FUNDS, DEPARTMENTS AND CATEGORIES TO OTHER FUNDS, DEPARTMENTS AND CATEGORIES PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018 AS LISTED IN EXHIBIT "A;" AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the Finance Director to make appropriation transfers as listed in Exhibit A.

Ordinance No. 043-18

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 3) FOR THE YEAR 2018; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized supplementing the annual appropriation measure as listed in Exhibit A.

Resolution No. 040-18

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT OHIO DEPARTMENT OF TRANSPORTATION (ODOT) JOBS AND COMMERCE ECONOMIC DEVELOPMENT FUNDS IN THE AMOUNT OF \$200,000. FOR THE PURPOSE OF RECONSTRUCTING INDUSTRIAL DRIVE IN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to apply for and accept ODOT funding in the amount of \$200,000.00 for the purpose of reconstructing Industrial Drive.

Resolution No. 041-18

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF REFUNDING CERTAIN CITY TAX OVERPAYMENTS, WHICH WAS NOT INCLUDED IN THE 2018 APPROPRIATION BUDGET,