

RESOLUTION NO. 003-19

**A RESOLUTION AUTHORIZING THE CITY MANAGER FOR
THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS
NECESSARY FOR THE SALE OF CERTAIN PROPERTY
OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE
NAPOLEON AREA CITY SCHOOLS, TO WIT: RECORDING
EQUIPMENT PREVIOUSLY USED TO FULFILL THE NCTV
CONTRACT BETWEEN THE CITY AND NAPOLEON AREA
SCHOOLS; AND DECLARING AN EMERGENCY**

WHEREAS, in the year 2007, the City and Napoleon Area Schools entered into an agreement, effective September 24, 2007, providing for the operation of a public access channel for Napoleon, Ohio; and,

WHEREAS, Napoleon Area Schools, due to the inability to maintain a consistent schedule of students and volunteers to appear and record Council meetings, can no longer uphold its obligations to the City of Napoleon regarding the maintenance of said public access channel, as outlined in the agreement; and,

WHEREAS, the public access channel is not otherwise required for the City's purposes; and,

WHEREAS, the subject property consists of various items of recording equipment; and,

WHEREAS, the City Manager, being the official in charge of the property, has advised this Council that the subject property is no longer needed for a public purpose; and,

WHEREAS, the City may sell, lease, exchange or option any real property or personal property belonging to it, without advertisement and without the receipt of competitive bids, pursuant to legislation approved by the affirmative vote of two-thirds of the current members of Council authorizing the same and pursuant to a finding by the officer, board or department having supervision or management of such property that it is no longer needed for any municipal purpose, to the United States of America, to the State, to any subdivision, agency or department of the United States or the State, or to any not-for-profit corporation or other entity organized and operated for a public or charitable purpose, upon such terms and conditions as Council may decide, pursuant to City of Napoleon Codified Ordinances Section 107.03. **Now Therefore,**

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

Section 1. That, various recording equipment currently owned by the City of Napoleon, is hereby determined by this Council not to be required by the City for its purposes, and that selling this equipment will promote the education of students at the Napoleon Areas Schools by providing equipment needed to develop television broadcasting classes.

Section 2. The City Manager of Napoleon, Ohio is hereby authorized and directed to complete all acts necessary for the sale of the above-listed property pursuant to and in accordance with Napoleon Codified Ordinance Sections 107.03.

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.

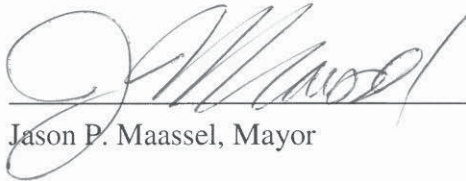
Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for the furtherance of educational development within the Napoleon Area Schools, all of which affects the public peace, health or safety accessible to our citizens; 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 begin the sale process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: 2/18/19



~~Joseph D. Bialorucki~~, Council President Pro-tem

Approved: Feb. 18, 2019



Jason P. Maassel, Mayor


VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:



Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 003-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 23rd day of February, 2019; & 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.


Roxanne Dietrich, interim Clerk of Council

NAPOLEON AREA CITY SCHOOLS

BOARD OF EDUCATION
Frank S. Cashman, President
Ty A. Otto, Vice President
Marcia S. Bruns, Member
Rob M. Rettig, Member
Michael J. Wesche, Member

701 Briarheath Avenue, Suite 108
Napoleon, Ohio 43545

Dr. Stephen R. Fogo, Superintendent

ADMINISTRATIVE OFFICE
PHONE 419-599-7015
FAX 419-599-7035

TREASURER
Michael R. Bostelman

December 6, 2018

City of Napoleon
Attn: Mr. Joel Mazur, City Manager
255 W Riverview, PO Box 151
Napoleon OH 43545-0151

Re: NCTV Contract

Dear Mr. Mazur:

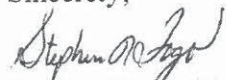
As you know, the Napoleon Area City Schools has a long-standing partnership with the City of Napoleon regarding the district's production and broadcasting of a community public broadcasting channel (NCTV5). Due to the City's partnership, literally hundreds of students have had hands-on experience with television broadcasting. I want to thank the City for allowing the students in the district this privilege.

Unfortunately, it saddens me to share that factors have come together leading me to request the dissolution of this partnership. The district has not been able to find personnel to uphold its obligations to the City under the partnership. Consequently, the district finds itself in the position of dissolving the partnership.

The City's annual monetary contribution has been used to upgrade equipment for the NCTV5 program over time. As the district is arranging offering students a broadcasting class in the future and utilizing its internal network to provide live daily announcements, it is my request that the City allow the district to compensate the City for equipment it needs to continue the broadcasting class. Not all of the current equipment is needed, however. To this end, I have attached a City owned equipment listing to this letter and an estimate of the value of the equipment. I would ask that you have your technical department review the estimates and notify me if the district may move forward purchasing the equipment from you and the pick-up schedule for by the City for those items not purchased by the district.

Please know the district is grateful to the City of Napoleon for allowing it to offer NCTV over the last three decades. The City's partnership has allowed us to touch so many students. Thank you.

Sincerely,



Stephen Fogo, Ed.D.
Superintendent – Napoleon Area City Schools

Enclosures - 1

cc: Michael Bostelman, Treasurer – Napoleon Area City Schools
"Our Future Starts Now"

NCTV Inventory

Keep	Camera	JVC GYHM600U	\$600
Keep	Camera	JVC GYHM620U	\$600
Keep	Camera (x2)	JVC GYHM150U	\$440
Keep	IKAM Teleprompter (x2)		\$320
Keep	Sony TV (x2)	KDL32W600D	\$200
Keep	Channel Mixer	Mackie 1402 VLZ4	\$225
Keep	Tripod (x3)	Manfrotto 546GB Pro	\$600
Keep	LaCie (x2)	Rugged 1 TB	\$20
Keep	Apple Macbook	Macbook Pro A1347	\$600
			\$3,605
Return	TriCaster Mini	NewTek HD-4sdi	\$3,500
Return	Apple Macbook (x2)	Macbook Pro A1286	EOL
Return	Mac Pro (x2)	A1289	EOL
Return	Nexus Broadcast Tower		EOL - \$225
Return	Custom Built Desktop for Nexus Tower		EOL - \$150
Return	LG Monitor in Case (x2)	LG L206WU	\$225
			\$3,725

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 23rd day of February, 2019.

Kimberly Imm
Kimberly Imm

Subscribed and sworn to before me this
26th day of February, 2019

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

Printer's Fee: \$295.00
Notary Fee: \$2.00

Summary of Ordinance No(s) 013-19, 014-19, 015-19 and
Resolution No(s) 002-19, 003-19, 004-19, 005-19, 006-19

(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
therefor.

Ordinance No. 013-19

AN ORDINANCE AMENDING ORDINANCE NO(S) 657-
18 AND 676-18 REGARDING EMPLOYMENT STATUS OF
THE NAPOLEON MUNICIPAL COURT CHIEF PROBATION
OFFICER IN AND FOR THE YEAR 2019; AND DECLARING
AN EMERGENCY

In this legislation, the City of Napoleon amended the previous
legislation regarding the employment status of the Municipal
Court Chief Probation Officer in and for the year 2019.

Ordinance No. 014-19

AN ORDINANCE AUTHORIZING A PAY INCREASE FOR
THE CITY OF NAPOLEON, OHIO LAW DIRECTOR; AND
DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a pay increase
for the City Law Director.

Ordinance No. 015-19

AN ORDINANCE AUTHORIZING A PAY INCREASE FOR
THE CITY OF NAPOLEON, OHIO CITY MANAGER; AND
DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a pay increase
for the City Manager.

Resolution 002-19

A RESOLUTION AUTHORIZING THE APPROVAL AND
EXECUTION OF AN OPERATIONS AND MAINTENANCE
SERVICES AGREEMENT BETWEEN THE CITY OF
NAPOLEON, OHIO AND AMERICAN MUNICIPAL POWER,
INC.

In this legislation, the City of Napoleon authorized an operations
and maintenance services agreement with American Municipal
Power, Inc.

Resolution 003-19

A RESOLUTION AUTHORIZING THE CITY MANAGER FOR
THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS
NECESSARY FOR THE SALE OF CERTAIN PROPERTY
OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE
NAPOLEON AREA CITY SCHOOLS, TO WIT: RECORDING
EQUIPMENT PREVIOUSLY USED TO FULFILL THE NCTV
CONTRACT BETWEEN THE CITY AND NAPOLEON AREA
SCHOOLS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City
Manager to sell recording equipment previously used for NCTV
obligations to Napoleon Area Schools.

Resolution 004-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE
CITY OF NAPOLEON, OHIO, AND JANMAR PROPERTIES,
LLC WITHIN NAPOLEON CRA #6; AND DECLARING AN
EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with JanMar Properties, LLC within Napoleon CRA
#6.

Resolution 005-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN
THE CITY OF NAPOLEON, OHIO, AND MSG INVESTMENTS,
LTD. WITHIN NAPOLEON CRA #6; AND DECLARING AN
EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with MSG Investments, LTD. within Napoleon CRA
#6.

Resolution 006-19

A RESOLUTION AUTHORIZING A COMMUNITY
REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE
CITY OF NAPOLEON, OHIO, AND RIDI REIO LLC WITHIN
NAPOLEON CRA #7; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized a CRA
agreement with Ridi Reio LLC within Napoleon CRA #7.

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