

RESOLUTION NO. 020-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR, ACCEPT, AND ENTER INTO AN OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF NAPOLEON, OHIO FOR PLANNING, DESIGN, AND/OR CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon, Ohio seeks to upgrade its existing wastewater treatment facilities; and,

WHEREAS, the City of Napoleon, Ohio intends to apply for Water Pollution Control Loan Fund (WPCLF) funds for the planning, design and/or construction of the wastewater treatment facilities; and,

WHEREAS, the City of Napoleon, Ohio is eligible to apply for said Water Pollution Control Loan Fund (WPCLF) funding; and,

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; **Now Therefore,**

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

Section 1. That, the City Manager is hereby authorized and directed to execute any and all documents necessary to apply for, accept, and enter into an Ohio Environmental Protection Agency (OEPA) Division of Environmental and Financial Assistance (DEFA) Water Pollution Control Loan Fund (WPCLF) agreement for planning, design, and/or construction of wastewater treatment facilities, on behalf of the City of Napoleon, Ohio, and designate a dedicated repayment source for the loan.

Section 2. That, the dedicated source of repayment will be the Sanitary Sewer Revenue Fund.

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 to meet the grant deadline; 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 application process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: March 4, 2019

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President Pro-Tem

Approved: March 4, 2019

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich
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. 020-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 7th day of March, 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
Roxanne Dietrich, interim Clerk of Council