

RESOLUTION NO. 033-19

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY
MANAGER, WITH ASSISTANCE FROM THE MAUMEE
VALLEY PLANNING ORGANIZATION, TO EXECUTE AND
SUBMIT ANY AND ALL DOCUMENTS NECESSARY TO APPLY
FOR AND ACCEPT A TRANSPORTATION IMPROVEMENT
DISTRICT GRANT; AND DECLARING AN EMERGENCY**

WHEREAS, the State of Ohio, Department of Transportation has set aside monies for Transportation Improvements Districts (TID) in the State of Ohio; and,

WHEREAS, registered TIDs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and,

WHEREAS, the Henry County Board of Commissioners has established and registered the Henry County Transportation Improvement District; and,

WHEREAS, the Maumee Valley Planning Organization (MVPO) assists the City with preparing TID grants; and,

WHEREAS, the City of Napoleon's American Road & Oakwood Avenue Improvements Project is a transportation activity eligible to receive TID funding; and,

WHEREAS, the American Road & Oakwood Avenue Improvements Project located within the City of Napoleon at Oakwood Avenue, from Freedom Drive to American Road, and American Road, from Industrial Drive to Oakwood Avenue, are necessary to support economic development in the City of Napoleon; **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, with the assistance of the Maumee Valley Planning Organization, execute and submit any and all documents necessary to apply for and accept a Transportation Improvement District Grant for the American Road & Oakwood Avenue Improvements Project conforming to the plans and specifications on file in the office of the City Engineer.

Section 2. That, the City Manager is hereby authorized to execute and deliver all applications, agreements, program compliance covenants, and any other documents as may be appropriate to secure such grant funding from the Ohio Department of Transportation.

Section 3. That, the City of Napoleon hereby understands and agrees that participation for the Transportation Improvement District monies, if awarded, will require compliance with program guidelines and assurances.

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, 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: May 6, 2019

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President

Approved: May 6, 2019

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 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. 033-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 11th day of May 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

STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager 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 11th day of May, 2019.



Sally Heaston

Subscribed and sworn to before me this
16th day of May, 2019



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

Printer's Fee: \$106.20

Notary Fee: \$2.00

Summary of Resolution No.(s) 033-19

(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 therefore.

Resolution No. 033-19

A RESOLUTION AUTHORIZING THE CITY MANAGER, WITH ASSISTANCE FROM THE MAUMEE VALLEY PLANNING ORGANIZATION, TO EXECUTE AND SUBMIT ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT A TRANSPORTATION IMPROVEMENT DISTRICT GRANT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager, with assistance from the MVPO, to execute and submit all necessary documents to apply for and accept a TID Grant.

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