

PRELIMINARY LEGISLATION

Participatory

Ordinance # 051-19

PID No. 94319

County/Route/Section HEN-108-6.35

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.

SECTION I - Project Description

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

2-lane resurfacing from the corporation line of Holgate to the Maumee River Bridge in Napoleon.

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

SECTION II - Consent Statement

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

SECTION III - Cooperation Statement

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

- 1) The LPA agrees to assume and contribute the entire cost and expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation.
- 2) 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. In addition, the LPA will assume and bear one hundred percent (100%) of the total cost of construction items not eligible for urban paving funding.
- 3) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 4) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 5) The State agrees to be the lead agency and to administer the construction phase 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

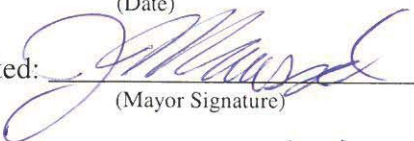
Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide 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 5, 2019.
(Date)

Attested: 
(Mayor Signature)

Attested: Roxanne Dietrich
(interim Clerk Signature)


(Contractual Officer Signature)


(President of Council Signature)

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, Ohio

I, Roxanne Dietrich as interim Clerk of Council for 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 5th day of August, 2019, 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

051-19, Page _____.
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 5th day of August, 2019.

Roxanne Dietrich
Roxanne Dietrich, interim Clerk of Council

(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: Roxanne Dietrich

[Signature], Date 8/8/19
Contractual Officer

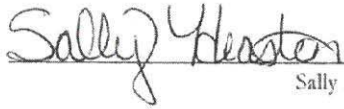
For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

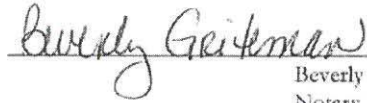
STATE OF OHIO
COUNTY OF HENRY

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 7th day of August, 2019.



Sally Heaston

Subscribed and sworn to before me this
8th day of August, 2019



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

Printer's Fee: \$212.40

Notary Fee: \$2.00

Summary of Ordinance No.(s) 048-19, 049-19, 051-19
and Resolution No.(s) 043-19, 047-19

(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.

Ordinance No. 048-19

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 4) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City approved supplementing the annual appropriation measure.

Ordinance No. 049-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JONES & HENRY ENGINEERS, LTD. FOR PROFESSIONAL DESIGN SERVICES FOR THE PROJECT KNOWN AS THE WASTEWATER TREATMENT PLANT PHASE 1 IMPROVEMENTS PROJECT, WHICH WAS NOT INCLUDED IN THE 2019 MASTER BID RESOLUTION, AND AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 FOR SAID PROJECT; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the City Manager to enter into a contract with Jones & Henry Engineers, LTD. For the design services of the Wastewater Treatment Plant Phase 1 Improvements Project, also authorizing the expenditure of funds in excess of \$25,000. for said project.

Ordinance No. 051-19

AN ORDINANCE APPROVING AN ODOT RESURFACING PROJECT FROM THE CORPORATION LINE OF HOLGATE TO THE MAUMEE RIVER BRIDGE IN NAPOLEON; AND DECLARING AN EMERGENCY

In this legislation, the City approved a certain ODOT resurfacing project.

Resolution 043-19

A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF THE NAPOLEON AREA CITY SCHOOL DISTRICT CAMPUS IMPROVEMENT AGREEMENT

In this legislation, the City authorized the approval and execution of the Napoleon Area City School District Campus Improvement Agreement.

Resolution 047-19

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES (TRANSFER NO. 3) FROM RESPECTIVE FUNDS TO OTHER FUNDS PER SECTION 5705.14 ORC ON AN AS NEEDED BASIS IN FISCAL YEAR 2019, LISTED IN EXHIBIT "A"; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the Finance Director to transfer certain fund balances to other funds as needed in fiscal year 2019.

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