

ORDINANCE NO. 055-19

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 5) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

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


Section 1. That, the annual appropriation measure passed in Ordinance No. 072-18 and supplemented by Ordinance No.(s) 028-19, 048-19, 049-19, and 054-19 for the fiscal year ending December 31, 2019 shall be supplemented (Supplement No. 5) as provided in Exhibit A (one (1) page), attached hereto and made a part hereof.

Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance 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 the City of Napoleon, Ohio.

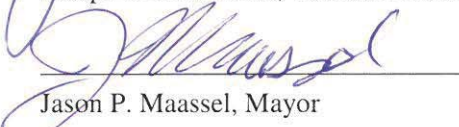
Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance 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 because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; 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 be in effect at the earliest possible time to allow for proper payment of current expenses, and for further reasons as stated in the Preamble hereof.

Passed: September 16, 2019



Joseph D. Bialorucki, Council President

Approved: September 16, 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 Ordinance No. 055-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 21st day of September, 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



City of *NAPOLÉON*, Ohio

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MEMORANDUM

Mayor
Jason Maassel

Members of Council

PRESIDENT:
Joseph Bialorucki

PRESIDENT PRO-TEM:
Daniel Baer

Travis B. Sheaffer
Jeff Comadoll
Kenneth Haase
Jeff Mires
Lori Siclair

City Manager
Joel L. Mazur

Finance Director
Kelly O'Boyle

Law Director
Billy D. Harmon

Public Works
Director
Chad E. Lulfs, P.E., P.S.

DATE: August 5, 2019
TO: Members of City Council
Jason P. Maassel, Mayor
FROM: Joel L. Mazur, City Manager
SUBJECT: Ohio Water & Sewer Rotary Commission Assessments

Council and Mayor,

Napoleon was able to secure funds several years ago from the Ohio Water and Sewer Rotary Commission to develop infrastructure in the Northpointe and Palmer Ditch areas. The property owners are able to defer assessments on their properties until they are transferred or used for something other than agricultural use. Once the properties are sold or used for something other than agricultural, the assessments become due and any funds received from the Ohio Water and Sewer Rotary Commission for those particular parcels are due back to the Commission.

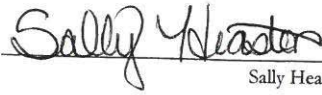
The following parcels have been sold and the assessments are now due from the City.

<u>Parcel Number:</u>	<u>Acreage:</u>	<u>Amount:</u>
Northpointe		
41-010026.0000	10 acres	\$9,545.97
27-060014.0000	4.07 acres	\$9,332.40
Palmer Ditch		
24-190076.0300	5.46 acres	\$22,807.87

The City has collected the above amounts from the property owners in order to reimburse the Ohio Water and Sewer Rotary Commission. I am respectfully requesting that you direct the Law Director to draft legislation to appropriate the necessary funds to refund the Ohio Water and Sewer Rotary for a total of \$41,686.24 for the deferred assessments on the above properties.

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 21st day of September, 2019.



Sally Heaston

Subscribed and sworn to before me this
24th day of September, 2019



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

Printer's Fee: \$306.80
Notary Fee: \$2.00

Summary of Ordinance No.(s) 052-19, 055-19, 065-19, 066-19
and Resolution No.(s) 064-19, 067-19, 068-19

(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. 052-19

AN ORDINANCE APPROVING THE ODOT BRIDGE INSPECTION PROGRAM RENEWAL; AND DECLARING AN EMERGENCY

In this legislation, the City approved the ODOT Bridge Inspection Program renewal.

Ordinance No. 055-19

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 5) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

In this legislation, the City authorized supplement No. 5 to the annual appropriation measure for the year 2019.

Ordinance No. 065-19

AN ORDINANCE ALLOWING THE TRANSFER OF APPROPRIATIONS FROM THE PERSONAL LINE ITEMS TO THE OTHER LINE ITEMS, AND FROM THE OTHER LINE ITEMS TO THE PERSONAL LINE ITEMS IN ANY FUND UP TO \$25,000 BETWEEN THE QUARTERLY BUDGET ADJUSTMENTS, BY THE CITY FINANCE DIRECTOR PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 ON AN AS NEEDED BASIS; AND DECLARING AN EMERGENCY

In this legislation, the City allowed the transfer of appropriations up to \$25,000 from and to personal line items and other line items between quarterly budget adjustments for the fiscal year ending December 31, 2019 on an as needed basis.

Ordinance No. 066-19

AN ORDINANCE ALLOWING SUPPLEMENTALS TO THE ANNUAL APPROPRIATION MEASURE UP TO \$25,000 BETWEEN THE QUARTERLY BUDGET ADJUSTMENTS, BY THE CITY FINANCE DIRECTOR PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 ON AN AS NEEDED BASIS; AND DECLARING AN EMERGENCY

In this legislation, the City allowed supplementals to the annual appropriation measure up to \$25,000 between quarterly budget adjustments for the fiscal year ending December 31, 2019 on an as needed basis.

Resolution 064-19

A RESOLUTION AUTHORIZING A COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, AND AMERICAN ROAD HOLDINGS, LLC, DBA PAUL MARTIN & SONS, WITHIN NAPOLEON CRA #7; AND DECLARING AN EMERGENCY

In this legislation, the City authorized a CRA Agreement with American Road Holdings, LLC dba Paul Martin & Sons, LLC within Napoleon CRA #7.

Resolution 067-19

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR THE 2019 TAX DUPLICATES PAYABLE IN YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City accepted the amounts and rates determined by the Budget Commission and authorized the necessary tax levies and certifying them to the County Auditor for the 2019 tax duplicates payable in 2020.

Resolution 068-19

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR OF THE CITY OF NAPOLEON TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2019 TAX DUPLICATES PAYABLE IN THE YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the Finance Director to file annual City special assessments with the County Auditor for placement and collection on the 2019 tax duplicates payable in the year 2020.

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