

ORDINANCE NO. 059-19

AN ORDINANCE AUTHORIZING THE APPROPRIATION AND EXPENDITURE OF FUNDS, AS WELL AS AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE CERTAIN LAND LOCATED WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon desires to acquire certain land located within the City of Napoleon, Ohio; and,

WHEREAS, the City of Napoleon may declare by Ordinance that it is in the public interest to acquire real property within the municipal corporation for the proper public purpose of redeveloping the property or otherwise rendering it suitable for productive use; and,

WHEREAS, the City of Napoleon desires to acquire certain land for further redevelopment of the City; **Now Therefore;**

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

Section 1. That, City Council hereby authorizes the appropriation and expenditure of funds to purchase certain land located within the City of Napoleon, Ohio for the proper public purpose listed in the preamble hereof and below in Section 4.

Section 2. That, Council hereby authorizes and directs the City Manager to execute any and all documents necessary to effectuate the acquisition of the parcels in question (listed below) which are located within the City of Napoleon.

Section 3. That, the properties listed are identified as at the location of East Washington Street, Napoleon, Henry County, Ohio, specifically, a single lot divided from Outlot 14 in R.K. Scott's First Addition to the City of Napoleon, approximately 66 feet wide and 165 feet long, more or less.

Section 4. That, the City intends to use the acquired land for a proper public purpose, namely to construct improvements to the current City Wastewater Treatment Plant which are necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants.

Section 5. 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 6. 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 7. 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 to allow the City to timely enter into the agreements needed prior to construction of the improvements to the current City Wastewater Treatment Plant; 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 must be in effect at the earliest possible time to allow for the timely acquisition of the property, and for further reasons as stated in the Preamble hereof.

Passed: September 3, 2019



Joseph D. Bialorucki, Council President

Approved: September 3, 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. 059-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 7th 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

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 September, 2019.


Sally Heaston

Subscribed and sworn to before me this
11th day of September, 2019


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

Printer's Fee: \$200.60
Notary Fee: \$2.00

Summary of Ordinance No.(s)
050-19, 057-19, 058-19, 059-19

(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. 050-19

AN ORDINANCE APPROVING CURRENT MAY 2019 REPLACEMENT PAGES TO THE CITY OF NAPOLEON CODIFIED ORDINANCES

In this legislation, the City approved the current May 2019 replacement pages to the City Codified Ordinances.

Ordinance No. 057-19

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In this legislation, the City authorized the expenditure of funds, also authorizing the City Manager to execute all documents necessary to acquire certain land located within the City of Napoleon.

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