

## RESOLUTION NO. 080-19

### **A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AUTHORIZING A DEPARTMENT DIRECTOR TO TAKE BIDS ON CERTAIN PROJECTS, SERVICES, EQUIPMENT, MATERIALS, OR SUPPLIES WITHOUT THE REQUIREMENT FOR ADDITIONAL LEGISLATION TO DO SO IN THE YEAR 2020; AND DECLARING AN EMERGENCY**

**WHEREAS**, each year from time to time, a Department Director (City Manager, City Finance Director, or City Law Director) is required to come to Council for authority to take bids for certain projects, services, or the purchase or lease of equipment, materials or supplies used in the City operations; and,

**WHEREAS**, in order to provide a more feasible, economical, and expedited method of bidding procedures, it is deemed necessary to give to the above mentioned Department Directors authority to bid such projects, services, equipment, materials, or supplies without the necessity of continued legislation; **Now Therefore**,

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

Section 1. That, the City Manager, City Finance Director, and City Law Director, for their respective departments, subject to Council's approval as to the specifications, plans, agreements, and other related bid documents when applicable, are hereby authorized to advertise and receive bids or take proposals as applicable for the projects, services, equipment, materials, or supplies that are anticipated to be in excess of twenty five thousand dollars (\$25,000) as listed in attached Exhibit "A," (such exhibit being incorporated into this Resolution by attachment and made a part hereof), without the necessity of further legislation in the year 2020; further, Council finds that the expenditure of funds in excess of twenty five thousand dollars (\$25,000) for each project, service, equipment, material, or supply listed in said Exhibit "A," is necessary and authorized, subject to an approved motion of Council permitting the respective Department Director to make award. If a contract for said project, service, equipment, material, or supply is awarded to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awardee subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director. In the case of a non-competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awarded subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director.

Section 2. That, Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City as it relates to the projects identified in Section 1 of this Resolution; moreover, Council may waive any informalities in the bidding process.

Section 3. That, Chapters 105 and 106 of the Codified Ordinances of Napoleon, Ohio, shall continue to be applicable to any projects, services, equipment, materials, or supplies listed in attached Exhibit "A;" moreover, nothing in this Resolution shall be construed as limiting the Department Directors in making purchases or contracting for services in any manner as provided for in said Chapters, statutory law or as otherwise provided by Council. When competitive bidding is required for any project, service, equipment, material or supply as a matter of law, it shall be utilized unless otherwise eliminated by act of Council. When quality based selection is required for any project listed in Exhibit "A" for architectural, engineering, or construction management services as a matter of law, then the quality based selection process shall be utilized unless otherwise eliminated by act of Council. Also, Council hereby finds that the expenditure of funds in excess of twenty five thousand dollars (\$25,000) for each architectural, engineering, or construction management service as found in Exhibit "A" is necessary and approved as a proper public expenditure of funds, subject to approved motion of Council permitting the Department Director to make the award. Finally, the combining of projects, or the contracting or purchase of services, equipment, materials, or supplies is permitted of any project or item listed in Exhibit "A" without necessity of further authorization by Council.

Section 4. That, a Department Director is authorized to use this Resolution for authority for said bids and/or purchases as contained in this Resolution.

Section 5. That, any item listed in attached Exhibit "A" may be leased in lieu of purchasing when deemed appropriate by the respective Department Director.

Section 6. That, all leases, purchases and contracts for projects, services, equipment, materials, or supplies is subject to appropriation and certification of funds.

Section 7. That, any trade-ins shall be controlled by Section 107.05(c) of the Codified Ordinances of Napoleon, Ohio, as may be amended from time to time.

Section 8. 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 the City of Napoleon, Ohio.

Section 9. That, if any other prior Resolution or Ordinance 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 10. 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 allow the timely purchase of materials, supplies, equipment or services essential to provide 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 begin the process in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: December 16, 2019

Joseph D. Bialorucki  
Joseph D. Bialorucki, Council President

Approved: December 16, 2019

Jason P. Maassel  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich  
Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 080-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 21st day of December, 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, Clerk of Council

DEPARTMENT/CATEGORY/ITEM DESCRIPTION
<b><u>1300 CITY MANAGER/ADMINISTRATION</u></b>
City Facility Preliminary Engineering
<b><u>1600 IT</u></b>
Copy machines (various departments)
Purchase of DELL server
<b><u>2100 POLICE/SAFETY SERVICES</u></b>
Patrol car – replacement of two (2) vehicles
<b><u>2200 FIRE</u></b>
Remount of Medic 801 and 802
Storm sirens
Power cot and power load system for medic unit
<b><u>4300 NAPOLEON AQUATIC CENTER</u></b>
Demolition of existing pool
New construction of pool
<b><u>5100 SERVICES/STREETS SCM&amp;R</u></b>
Roadside mowing (contracted)
Ice and snow removal (salt contracts)
Tree trimming and stump removal (contracted)
<b>- ROAD &amp; STREET IMPROVEMENT PROGRAMS</b>
Street striping and misc. painting (contracted)
Milling and resurfacing local streets, alleys and parking lots (annual)
Materials – crack sealing, stone and other
Annual concrete grinding
Spray patching and street materials – yearly program
GIS setup phase III
American Road improvements
E.&W. Graceway Drive improvements
S. Perry Street improvements
Oakwood Avenue improvements - Engineering
Survey control network
<b><u>6110 ELECTRIC/OPERATIONS DIST.</u></b>
Wood poles
Rate review
Mini excavator
Ermco – for transformer purchases
Terex Utilities, Inc. – line truck purchase
Engineering study of substations
<b>- STREET LIGHTING IMPROVEMENT PROGRAM</b>
Street lighting improvements

<b>- ELECTRIC FEEDER LINE IMPROVEMENTS</b>
Electrical underground upgrades and maintenance
Electrical overhead upgrades and maintenance
<b>- TRANSFORMER REPLACEMENT &amp; DISPOSAL PROGRAMS</b>
Transformer replacement and disposal (inventory)
<b>- ELECTRICAL IMPROVEMENTS &amp; UPGRADES</b>
New system growth and updates
<b><u>6200 WATER TREATMENT PLANT OPERATIONS</u></b>
Chemicals (Water Treatment Plant)
Outbuilding/Garage
Asset Management Program, water loss, SWAP Plan and Risk and Resilience Plan
<b><u>6210 WATER DISTRIBUTION SYSTEM</u></b>
Leak detention and repair program
Valve asset and water loss program
Water supplies (yokes, stops, saddles, valve, etc.)
Industrial Drive River Bridge waterline
Glenwood waterline improvements
<b><u>6300 SEWER/WASTEWATER TREATMENT PLANT</u></b>
Various sanitary sewer emergency repairs (contracted)
Long Term Control Plan updates (contracted)
Storm sewer improvements
Chemicals (Wastewater Treatment Plant)
Sanitary lateral repairs in City ROW
Bio solids removal and landfill disposal
Design for Headworks replacement Phase 1B
Design, replacement, and rehab for WWTP improvements Phase 1B
<b><u>6310 SEWER/COLLECTION SYSTEM</u></b>
Park Street improvements phase IV
Annual sanitary sewer cleaning
VanHyning Pump Station replacement
Euclid Avenue sanitary sewer improvements
Oberhaus-interceptor improvements
<b><u>6400, 6410, 6411, 6420 SANITATION/COLLECTION &amp; DISPOSAL</u></b>
Landfill services (contracted)
Yard waste grinding (contracted)
Recycling services (contracted)
Chemicals for mosquito control

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 December, 2019.



Sally Heaston

Subscribed and sworn to before me this  
26<sup>th</sup> day of December, 2019



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

Printer's Fee: \$400.95

Notary Fee: \$2.50

Summary of Ordinance No.(s) 078-19, 079-19, 082-19, 087-19  
and Resolution No.(s) 080-19, 081-19, 083-19, 086-19, 090-19

(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 080-19**

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AUTHORIZING A DEPARTMENT DIRECTOR TO TAKE BIDS ON CERTAIN PROJECTS, SERVICES, EQUIPMENT, MATERIALS, OR SUPPLIES WITHOUT THE REQUIREMENT FOR ADDITIONAL LEGISLATION TO DO SO IN THE YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the expenditure of funds and authorized a Department Director to take bids without the requirement for additional legislation in the year 2020.

**Resolution 081-19**

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN EXCESS OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) IN AND FOR THE YEAR 2020 AS IT RELATES TO REOCCURRING COSTS ASSOCIATED WITH THE OPERATION OF THE CITY, FOR PAYMENT OF EXPENSES, AND FOR PURCHASES ASSOCIATED WITH VENDORS UTILIZED BY MULTIPLE DEPARTMENTS WITHIN THE CITY; ELIMINATION OF NECESSITY OF COMPETITIVE BIDDING IN AND FOR THE YEAR 2020 AS IT RELATES TO CERTAIN TRANSACTIONS; AND DECLARING AN EMERGENCY

In this legislation, the City authorized the expenditure of funds over \$25,000 in the year 2020 as it relates to