

RESOLUTION NO. 041-20

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FOR A PROJECT KNOWN AS EAST AND WEST GRACEWAY DRIVE STREET IMPROVEMENTS PROJECT, WHICH WAS INCLUDED IN THE 2020 MASTER BID LIST, RESOLUTION NO. 080-19; AND DECLARING AN EMERGENCY

WHEREAS, the City Manager and City Engineer had previously determined that East and West Graceway Drive were in need of immediate improvements; and,

WHEREAS, this Project was previously budgeted and included in the annual Master Bid List, Resolution No. 080-19; and,

WHEREAS, the City of Napoleon had advertised and received bids for this project in accordance with the law; and,

WHEREAS, this Council previously approved the expenditure of funds for the project; and,

WHEREAS, this matter is being brought before Council again because, due to unknown conditions of the roadway, additional funding will be required to complete the project; and,

WHEREAS, that the additional cost of this project exceeds twenty-five thousand dollars (\$25,000); and, **Now Therefore**,

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

Section 1. That, the expenditure of funds in excess of twenty-five thousand dollars (\$25,000) for the East and West Graceway Drive Improvements Project is hereby authorized as a necessary public expenditure.

Section 2. That, this Project has been competitively bid in accordance with the law.

Section 3. 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 4. 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 5. 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 for the improvements to public property to assure safety to our motoring public; 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 repair and payment process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: August 24, 2020

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President

Approved: August 24, 2020

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

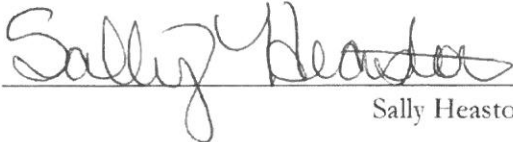
Roxanne Dietrich
Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 041-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 27th day of August, 2020 & 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

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 27th day of August, 2020.


Sally Heaston

Subscribed and sworn to before me this
27th day of August 2020


Beverly Griteman

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

Printer's Fee: \$170.10

Notary Fee: \$2.50

**Summary of Ordinance No. 040-20
and Resolution No.(s) 039-20, 041-20**

(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. 040-20

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 4) FOR THE YEAR 2020; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon supplemented the annual appropriation measure for the year 2020.

Resolution No. 039-20

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 2020, LISTED IN EXHIBIT "A;" AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the Finance Director to transfer funds per ORC Section 5705.14 in fiscal year 2020.

Resolution No. 041-20

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In this legislation, the City of Napoleon authorized the expenditure of funds over \$25,000 for the East and West Graceway Drive Improvements Project.

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