

ORDINANCE NO. 043-20

**AN ORDINANCE ACCEPTING THE DEDICATION OF A
SECTION OF CLAIRMONT AVENUE BETWEEN BRIARHEATH
AVENUE AND WESTMORELAND AVENUE AS A PUBLIC
STREET PURSUANT TO R.C. 723.03**

WHEREAS, the City of Napoleon Planning Commission in Resolution No. PC 20-11 recommended the approval of the plat known as "Clairmont Avenue Right-of-Way Being Part of the Southwest ¼ of Section 14T5N, R6E, Lynwood Addition Dedication Plat" and the acceptance of the dedication of the street known as Clairmont Avenue between Briarheath Avenue and Westmoreland Avenue as a public street, said street having previously been used and maintained by the owner Napoleon City Schools; and,

WHEREAS, in order to make certain that the dedicated streets and alleys of the City of Napoleon have been accepted by the City as public streets and alleys, the City is desirous of following the statutory method found in R.C. 723.03; **Now Therefore**,

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

Section 1. That the section of Clairmont Avenue as identified in the above-listed dedication plat and as recorded or to be recorded in the office of the Recorder's Office of Henry County, Ohio, is dedicated for public use and is hereby accepted as a public Right of Way (street) for public use, in and for the City of Napoleon, Ohio.

Section 2. That the above-listed dedication plat is hereby approved by the City and is furthermore approved for execution and recording.

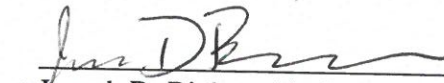
Section 3. That it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

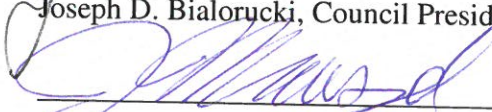
Section 4. That if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 5. That upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: November 2, 2020

Approved: November 2, 2020


Joseph D. Bialorucki, Council President


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 Ordinance No.043-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 5th day of November, 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 5th day of November, 2020.

Sally Heaston

Sally Heaston

Subscribed and sworn to before me this

6th day of November, 2020

Beverly Griteman

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

Printer's Fee: \$525.00
Notary Fee: \$3.00

Summary of Ordinance No.(s) 043-20, 048-20, 049-20, 050-20, 051-20 and Resolution No. 044-20
(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. 043-20

AN ORDINANCE ACCEPTING THE DEDICATION OF A SECTION OF CLAIRMONT AVENUE BETWEEN BRIARHEATH AVENUE AND WESTMORELAND AVENUE AS A PUBLIC STREET PURSUANT TO ORC, SECTION 723.03

In this legislation, the City of Napoleon accepted the dedication of a section of Clairmont Avenue between Briarheath Avenue and Westmoreland Avenue as a public street pursuant to ORC, 723.03.

Ordinance No. 048-20

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REVENUE BONDS FROM TIME TO TIME FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S MUNICIPAL WATER SYSTEM OR REFUNDING DEBT ISSUED BY THE CITY FOR THAT PURPOSE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PLEDGING CERTAIN REVENUES AND FUNDS TO SECURE THOSE BONDS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the issuance of revenue bonds from time to time to provide moneys (i) for the purpose of paying the costs of improving the utility and for the purpose of paying the costs of refunding debt issued to pay the costs of improving the utility, (ii) to refund any or all of the Bonds, (iii) to fund a bond reserve fund (if required by the applicable proceedings), and (iv) to pay the costs of issuance of the Bonds. The Ordinance further provides that the revenue bonds shall be special obligations of the City and shall be payable equally and ratably solely from the net revenues of the City's municipal sewer system.

Ordinance No. 049-20

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF WATER SYSTEM REFUNDING REVENUE BONDS, SERIES 2020, UNDER ARTICLE XVIII OF THE OHIO CONSTITUTION, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$3,165,000, FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING CERTAIN OUTSTANDING OBLIGATIONS HERETOFORE ISSUED BY THE CITY TO IMPROVE THE UTILITY, AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A BOND PURCHASE AGREEMENT, A FIRST SUPPLEMENTAL TRUST AGREEMENT, AN ESCROW AGREEMENT AND AN OFFICIAL STATEMENT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the issuance of Water System Refunding Revenue Bonds, Series 2020, under Article XVIII of the Ohio Constitution, in the maximum aggregate principal amount of \$3,165,000, for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of paying the costs of improving the municipal water system, together with all incidental work and related appurtenances thereto. The Ordinance provides for the sale of the Series 2020 Bonds in the maximum aggregate principal amount of \$3,165,000 which Series 2020 Bonds shall mature on December 1 of each year for a period of approximately twenty principal payment dates and bear interest at a rate or rates to be determined pursuant to a private sale conducted by the City. The Ordinance also provides that the Series 2020 Bonds shall be payable at a bank or trust company to be designated by the Finance Director subsequent to the sale of the Series 2020 Bonds. The Ordinance further provides that the Series 2020 Bonds shall be special obligations of the City and shall be payable equally and ratably solely from the net revenues of the City's municipal water system.

Ordinance No. 050-20

AN ORDINANCE AUTHORIZING THE ISSUANCE OF REVENUE BONDS FROM TIME TO TIME FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S MUNICIPAL SEWER SYSTEM OR REFUNDING DEBT ISSUED BY THE CITY FOR THAT PURPOSE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TRUST AGREEMENT PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PLEDGING CERTAIN REVENUES AND FUNDS TO SECURE THOSE BONDS; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the issuance of Sewer System Refunding Revenue Bonds, Series 2021, under Article XVIII of the Ohio Constitution, in the maximum aggregate principal amount of \$5,140,000, for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of paying the costs of improving the municipal sewer system, together with all incidental work and related appurtenances thereto. The Ordinance provides for the sale of the Series 2021 Bonds in the maximum aggregate principal amount of \$5,140,000 which Series 2021 Bonds shall mature on December 1 of each year for a period of approximately twenty-two principal payment dates and bear interest at a rate or rates to be determined pursuant to a private sale conducted by the City. The Ordinance also provides that the Series 2021 Bonds shall be payable at a bank or trust company to be designated by the Finance Director subsequent to the sale of the Series 2021 Bonds. The Ordinance further provides that the Series 2021 Bonds shall be special obligations of the City and shall be payable equally and ratably solely from the net revenues of the City's municipal sewer system.

Ordinance No. 051-20

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF SEWER SYSTEM REFUNDING REVENUE BONDS, SERIES 2021, UNDER ARTICLE XVIII OF THE OHIO CONSTITUTION, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,140,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING CERTAIN OUTSTANDING OBLIGATIONS HERETOFORE ISSUED BY THE CITY TO IMPROVE THE UTILITY, AUTHORIZING VARIOUS RELATED DOCUMENTS AND INSTRUMENTS, INCLUDING A BOND PURCHASE AGREEMENT, A FIRST SUPPLEMENTAL TRUST AGREEMENT, AN ESCROW AGREEMENT AND AN OFFICIAL STATEMENT; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the issuance of Sewer System Refunding Revenue Bonds, Series 2021, under Article XVIII of the Ohio Constitution, in the maximum aggregate principal amount of \$5,140,000, for the purpose of paying the costs of refunding bonds previously issued by the City for the purpose of paying the costs of improving the municipal sewer system, together with all incidental work and related appurtenances thereto. The Ordinance provides for the sale of the Series 2021 Bonds in the maximum aggregate principal amount of \$5,140,000 which Series 2021 Bonds shall mature on December 1 of each year for a period of approximately twenty-two principal payment dates and bear interest at a rate or rates to be determined pursuant to a private sale conducted by the City. The Ordinance also provides that the Series 2021 Bonds shall be payable at a bank or trust company to be designated by the Finance Director subsequent to the sale of the Series 2021 Bonds. The Ordinance further provides that the Series 2021 Bonds shall be special obligations of the City and shall be payable equally and ratably solely from the net revenues of the City's municipal sewer system.

Resolution No. 044-20

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW A CONTRACT WITH WERLOR WASTE CONTROL & RECYCLING, INC. WITHOUT THE NECESSITY OF PUBLIC BIDDING; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to renew a contract with Werlor Waste Control & Recycling, Inc.

The above summaries are prepared as a form and are not intended to be a substitute for the full text of the Ordinance(s) and Resolution(s).