

RESOLUTION NO. 061-20

A RESOLUTION AUTHORIZING THE UTILIZATION OF CARES ACT FUNDING CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 801 (FORMERLY 42 U.S.C. 601(D)), AND ANY APPLICABLE REGULATIONS AS IS NECESSARY PURSUANT TO H.B. 481, FOR THE PURPOSE OF REIMBURSEMENT FOR THE PURCHASE AND INSTALLATION OF GPS NEEDLEPOINT BI-POLAR IONIZATION TECHNOLOGY FROM CAMPBELL MECHANICAL SERVICES, INC.; AND DECLARING AN EMERGENCY

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and,

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in Senate Bill 310, now H.B. 481 of the 133rd General Assembly (S.B. 310); and,

WHEREAS, the City of Napoleon, Ohio, did pass a resolution pursuant to S.B. 310, now H.B. 481, which required subdivisions receiving funds under Section 1 of the act, specifically Resolution No. 026-20, passed on June 15, 2020, affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 801 (formerly 42 U.S. C. 601(d)), and any applicable regulations before receiving said funds; and,

WHEREAS, public health measures, including expenses for public safety measures undertaken in response to Coronavirus Disease 2019 (COVID-19) are allowable; and,

WHEREAS, the City of Napoleon, Ohio now desires to utilize funds from the County Coronavirus Relief Distribution Fund to cover the cost of certain public safety measures, consistent with the requirements of Section 5001 of the Cares Act; and,

WHEREAS, Section 106.04 of the City of Napoleon Codified Ordinances provides that “when the City may otherwise be required by the laws of Ohio, ordinance or resolution, to make any purchase or contract of any type of property or services, or contract for purchases or services by competitive bid, the proposal process, or quality base selection process, Council may eliminate the necessity therefor in the best interest of the City, as determined in the sole discretion of Council by a majority vote of the current members of Council[;]” and,

WHEREAS, the City of Napoleon desires to purchase and install GPS-Needlepoint Bi-Polar Ionization technology into the existing HVAC equipment at certain City facilities; and,

WHEREAS, the aforementioned purchase and installation can only be completed by Campbell Mechanical Services, Inc., as they are the only certified vendor and installation company available for the best available price; and,

WHEREAS, the Council believes it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding in this instance; **Now Therefore**,

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

Section 1. That, City Council hereby finds that, pursuant to City of Napoleon Codified Ordinances Section 106.04, eliminating the necessity for competitive bidding and entering into this contract with Campbell Mechanical Services, Inc. for the purchase and installation of the GPS-Needlepoint Bi-Polar Ionization technology into the existing HVAC system at certain City facilities is in the best interest of the City for all of the reasons described to Council by staff in open meetings of this City Council and for all the reasons listed in attached Exhibit "A."

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to enter into a contract with Campbell Mechanical Services, Inc. for the purchase and installation of GPS-Needlepoint Bi-Polar Ionization technology into the existing HVAC system equipment located at the City Administration building, and Napoleon Municipal Court, for which the City has need as part of the Coronavirus 2019 (COVID 2019) public safety measures, pursuant to City of Napoleon Codified Ordinances Section 106.04.

Section 3. That, the use of funds from the County Coronavirus Relief Distribution Fund to cover the cost of the above-listed purchase and installation is a necessary and proper use of said funds and in accordance with federal law, regulation and all available federal and state guidance; and,

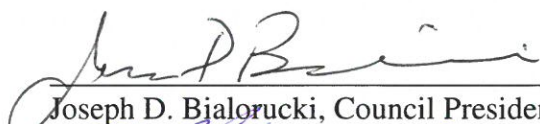
Section 4. That, the City Manager is authorized and directed to enter into the aforementioned contract.

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.

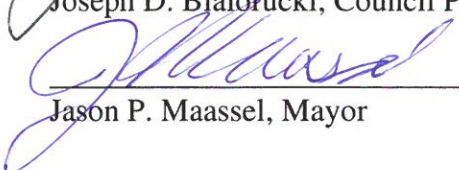
Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 7. 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; 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 purchase and installation process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: November 6, 2020


Joseph D. Bjalorucki, Council President

Approved: November 6, 2020


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. 061-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 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, Clerk of Council

Certification

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, Ohio, do hereby certify that this document is a true and correct copy of Resolution No. 061-20 passed November 6, 2020.

Roxanne Dietrich
Roxanne Dietrich
Clerk of Council

11-13-2020
Date

OPERATIONAL EXPENDITURES:

Reimbursements for PPE, Sanitizer, etc.	\$ (5,794.73) Ongoing
Separation partitions	\$ (1,475.00) x
911 -portable radios in a case to relocate if needed	\$ (6,675.40)
Clorox T-360 machines	\$ (22,220.00) x
UV-C Disinfectant Cabinet and Lights for PD	\$ (8,340.55) x
Air Purification System -public buildings to reduce COVID-19 exposure	\$ (15,424.00) x
Laptops -portable for Kevin S., Joel Frey, Tracy Crist & Kim Franz	\$ (7,327.51) x
EOC Computer as it was borrowed from Engineering	\$ (1,500.00) getting quote
Fully Rugged 14" Tablets - PD	\$ (13,677.58)
Touchless faucets, toilet flushers, etc.	\$ (45,000.00) getting quotes
Subtotal Operational Expenditures	\$ (127,434.77)

Balance Remaining: \$ -

WORKING DRAFT 10/23/20 - WILL UPDATE AS NEEDED