

RESOLUTION NO. 038-21

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE IMPLEMENTATION OF AN UPGRADE OF THE WASH WATER BASIN CONTROLS, WHICH WAS NOT INCLUDED IN THE 2021 MASTER BID RESOLUTION, FOR THE CITY OF NAPOLEON, OHIO WATER AND WASTEWATER TREATMENT PLANTS, AND TO SOLE SOURCE SAID IMPLEMENTATION TO KOESTER CORP.; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon, Ohio Water and Wastewater Treatment Plants' current wash water basin controls are in need of upgrading; and,

WHEREAS, the wash water basin controls are very specialized and there are very few providers of such controls; and,

WHEREAS, a review of the limited providers revealed that Koester Corp. could provide the needed upgrades and support to the software and hardware that could integrate with the City of Napoleon's other systems and functions; and,

WHEREAS, Koester Corp. was not included in the 2021 Master Bid Resolution (Resolution No. 062-20) for Engineering Services; and,

WHEREAS, the cost to implement the wash water basin control updates exceeds twenty-five thousand dollars (\$25,000.00); and,

WHEREAS, the City of Napoleon desires to sole source this project to Koester Corp. due to Koester's intimate knowledge of the City's current systems, (Koester has been involved in the City's SCADA implementation in the Water Treatment Plant and Wastewater Treatment Plant for the existing program), as well as Koester Corp. being the only local company having the necessary, specialized support for equipment and software, which may expedite the project; therefore, it is the opinion of this Council that it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; **Now Therefore**,

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of twenty-five thousand dollars (\$25,000.00) for the update of the wash water basin controls at the Water and Wastewater Treatment Plants. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City Manager is authorized to enter into a contract with Koester Corp. to conduct the update.

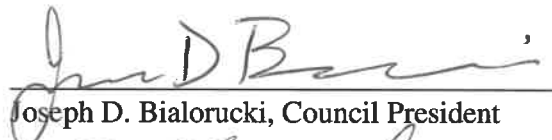
Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal 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,

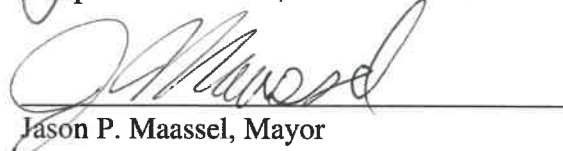
if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

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 so that the update can be timely made which affect the public peace, health or safety accessible to our citizens; 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 implement the stated upgrade 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: October 18, 2021



Joseph D. Bialorucki, Council President

Approved: October 18, 2021



Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 038-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 25th day of October, 2021; & 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

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 25 day of October, 2021.

Sally Heaston
Sally Heaston

Subscribed and sworn to before me this
29 day of October, 2021

Kristi Clark
Kristi Clark
Notary Public,
State of Ohio
My Commission
Expires October 25, 2025



KRISTI L CLARK
Notary Public
State of Ohio
My Comm. Expires
October 23, 2025

Printer's Fee: \$ 327.48
Notary Fee: \$ 3.00

PUBLIC NOTICE

Summary of Ordinance No.(s) 042-21, 43-21 and
Resolution No.(s) 036-21, 037-21, 038-21

(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. 042-21

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 5) FOR THE YEAR 2021; AND DECLARING AN EMERGENCY

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

Ordinance No. 043-21

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 3) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021 AS LISTED IN EXHIBIT "A," AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the Finance Director to make transfer appropriations for the fiscal year ending December 31, 2021.

Resolution No. 036-21

A RESOLUTION APPROVING THE ADDITION OF A FIFTY DOLLAR (\$50.00) SURCHARGE TO CITY OF NAPOLEON, OHIO EMPLOYEE HEALTH INSURANCE PREMIUMS FOR THE YEARS 2022, 2023, AND 2024