

RESOLUTION NO. 044-21

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FOR A PROJECT KNOWN AS THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) RITTER PARK AREA PATH PROJECT, WHICH WAS NOT INCLUDED IN THE 2021 MASTER BID LIST, RESOLUTION NO. 062-20, AND AUTHORIZING COMPETITIVE BIDDING IN REGARD THERETO; AND DECLARING AN EMERGENCY

WHEREAS, the Preliminary Ordinance authorizing participation in the Ohio Department of Transportation (ODOT) Ritter Park Area Path Project, Resolution No. 016-18, was unanimously passed by Council on April 2, 2018; and,

WHEREAS, the City of Napoleon Department of Public Works now desires to move forward with the ODOT Ritter Park Area Path Project; and,

WHEREAS, this Resolution authorizes the City to cooperate with the Director of Transportation for the described project; and,

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described path project and has transmitted copies of the same to this legislative authority; and,

WHEREAS, this Project was not included in the annual Master Bid List, Resolution No. 062-20, and that the cost of this project exceeds twenty-five thousand dollars (\$25,000); and,

WHEREAS, Council desires the Director of Transportation to proceed with the aforesaid path project; **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 Ohio Department of Transportation (ODOT) Ritter Park Area PATH project is hereby authorized as a necessary public expenditure.

Section 2. That, this Project shall be competitively bid.

Section 3. That, the Council approves the specifications, plans, agreements, and other related bid documents; moreover, the City Manager is hereby authorized to advertise and receive bids for the project referenced in Section 1 of this Resolution. If a contract for said project is approved for award to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager is authorized and directed to enter into a contract with the successful bidder.

Section 4. 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; moreover, Council may waive any informalities in the bidding process.

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, 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 bidding process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: November 1, 2021


Joseph D. Bialorucki, Council President

Approved: November 1, 2021


Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 0 Abstain

Attest:


Roxanne Dietrich, ~~interim~~ Clerk of Council

I, Roxanne Dietrich, ~~interim~~ Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 044-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 01st day of November, 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, interim 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 9 day of November, 2021.

Sally Heaston

Sally Heaston

Subscribed and sworn to before me this

11 day of November, 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: \$ 218.45
Notary Fee: \$ 3.00

PUBLIC NOTICE

Summary of Ordinance No.(s) 039-21, 041-21 and
Resolution No. 044-21

(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. 039-21

AN ORDINANCE AMENDING CHAPTER 913 OF THE CITY OF NAPOLEON CODIFIED ORDINANCES, "CONSTRUCTION AND REPAIR OF SIDEWALKS, DRIVEWAYS AND ABUTTING IMPROVEMENTS" SPECIFICALLY BY AMENDING SECTION 913.02, REGARDING CONTRIBUTION OF COSTS BY CITY, REPEALING A CERTAIN SECTION OF ORDINANCE NO. 111-02; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon amended Chapter 913 of the City Codified Ordinances.

Ordinance No. 041-21

AN ORDINANCE AMENDING CERTAIN CITY OF NAPOLEON TRAFFIC SCHEDULES, SPECIFICALLY SCHEDULE III, "STOP AND YIELD INTERSECTIONS," AS LISTED IN THE ATTACHED EXHIBIT A; AND REPEALING ORDINANCE

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 9 day of November, 2021.

Sally Heaston

Subscribed and sworn to before me this 11 day of November, 2021

Kristi Clark

Notary Public,
State of Ohio

My Commission

Expires October 25, 2025

Printer's Fee: \$ 218⁴⁵
Notary Fee: \$ 3⁰⁰

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CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES
AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PRO-
VISIONS OF ORC CHAPTER 731)

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OF NAPOLEON CODIFIED ORDINANCES, "CONSTRUCTION
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IMPROVEMENTS" SPECIFICALLY BY AMENDING SECTION
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02; AND DECLARING AN EMERGENCY

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Ordinance No. 041-21

AN ORDINANCE AMENDING CERTAIN CITY OF NAPO-
LEON TRAFFIC SCHEDULES, SPECIFICALLY SCHEDULE
III, "STOP AND YIELD INTERSECTIONS," AS LISTED IN
THE ATTACHED EXHIBIT A; AND REPEALING ORDINANCE



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