

RESOLUTION NO. 016-23

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF COMPLETING THE STATE ROUTE 108 IMPROVEMENTS PROJECT, AND TO AWARD SAID PAYMENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT); AND DECLARING AN EMERGENCY

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 qualified 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 Department of Public Works desires to make necessary payment to the Ohio Department of Transportation (ODOT) for the completion of the State Route 108 Improvements Project; and,

WHEREAS, the payment was not included in the 2023 Master Bid Resolution, Resolution No. 068-22; and,

WHEREAS, the payment was not included in the 2023 Appropriation Measure, Ordinance No. 073-22; and,

WHEREAS, the aforementioned project will be completed by ODOT; and,

WHEREAS, The Ohio Treasurer of State and ODOT were included in the City Reoccurring Costs Vendor List, Resolution No. 069-22, for the year 2023; and,

WHEREAS, based on all the foregoing, 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, as permitted in Article VI, Section 6.05 of the Charter of the City of Napoleon and Section 106.04 of the City of Napoleon Codified Ordinances; **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 fifty thousand dollars (\$50,000) for the payment to ODOT to complete the State Route 108 Improvements Project. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize ODOT for the completion of the pursuant to City of Napoleon Codified Ordinances Section 106.04.

Section 3. That, the City Manager is authorized and directed to enter into the aforementioned contract(s).

Section 4. 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 5. 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 6. 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 process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: 4-3-23


Joseph D. Bialorucki, Council President

Approved: 4-3-23


Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

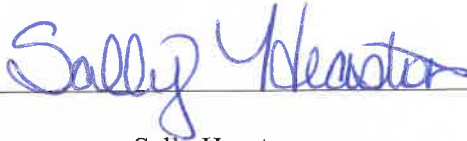
Marrison Flogaus, Clerk of Council

I, Marrison Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 016-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 10 day of April, 2023; & 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.


Marrison Flogaus, Clerk of Council

STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, says that she is the Publisher 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, publishing on the 10th day of April, 2023.



Sally Heaston

Subscribed and sworn to before me this 11th day of April, 2023.



Notary Public

Ramona L. Engelberth

PUBLISHERS FEE: \$238.50
NOTARY FEE: \$4.00



Ramona L. Engelberth
Notary Public, State of Ohio
My Commission Expires:
11-JUL-2027

**Summary of Ordinance No.(s) 012-23, 014-23
and Resolution No.(s) 013-23, 015-23, 016-23**

**(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. 012-23

An Ordinance supplementing the annual appropriation measure (Supplement No. 1) for the year 2023; and declaring an Emergency

In this legislation, the City of Napoleon supplemented the annual appropriation measure for the year 2023.

Ordinance No. 014-23

An Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriation 1) from one appropriation line item to another appropriation line item pursuant to ORC. Section 5705.40 for the fiscal year ending December 31, 2023 as listed in Exhibit A; and declaring an Emergency

In this legislation, the City of Napoleon authorized transfer of appropriation 1 for the fiscal year ending December 31, 2023.

Resolution No. 013-23

A Resolution authorizing the Finance Director to transfer certain fund balances (Transfer No. 1) from respective funds to other funds pursuant to ORC. Section 5705.14 on an as needed basis in fiscal year 2023, listed in exhibit "A;" and declaring an Emergency

In this legislation, the City of Napoleon

Subscribed and sworn to before me this 11th day of A

Ordinance No. 012-23

An Ordinance supplementing the annual appropriation measure (Supplement No. 1) for the year 2023; and declaring an Emergency

In this legislation, the City of Napoleon supplemented the annual appropriation measure for the year 2023.

Ordinance No. 014-23

An Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriation 1) from one appropriation line item to another appropriation line item pursuant to ORC. Section 5705.40 for the fiscal year ending December 31, 2023 as listed in Exhibit A; and declaring an Emergency

In this legislation, the City of Napoleon authorized transfer of appropriation 1 for the fiscal year ending December 31, 2023.

Resolution No. 013-23

A Resolution authorizing the Finance Director to transfer certain fund balances (Transfer No. 1) from respective funds to other funds pursuant to ORC. Section 5705.14 on an as needed basis in fiscal year 2023, listed in exhibit "A;" and declaring an Emergency

In this legislation, the City of Napoleon authorized fund balance transfer 1 on an as needed basis in fiscal year 2023.

Resolution No. 015-23

A final Resolution enacted by the City of Napoleon, Ohio relating to the improvements to the intersection at State Route 108 and Westbound US 24, including construction of a roundabout and other improvements, within the City of Napoleon

In this legislation, the City of Napoleon authorized the completion of improvements to the intersection at State Route 108 and US 24 by ODOT.

Resolution No. 016-23

A Resolution Authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of completing the State Route 108 Improvements Project, and to award said payment to the Ohio Department of Transportation (ODOT); and declaring an Emergency

In this legislation, the City of Napoleon authorized the expenditure of funds over \$50,000 to ODOT for the completion of the State Route 108 Improvements Project.

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