

**RESOLUTION NO. 021-23**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PURCHASING A VEHICLE FOR THE CITY OF NAPOLEON ELECTRIC DEPARTMENT, AND TO AWARD SAID PURCHASE TO UTILITY TRUCK EQUIPMENT; 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 Electric Department desires to purchase a vehicle for the proper operation of the Department; and,

**WHEREAS**, the purchase of the vehicle was not included in the 2023 Master Bid Resolution, Resolution No. 068-22; and,

**WHEREAS**, the aforementioned materials can be purchased from Utility Truck Equipment; and,

**WHEREAS**, Utility Truck Equipment was not 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 purchase of the necessary software, materials, supplies or other articles for its Electric Department, purchasing said items from Utility Truck Equipment. 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 Utility Truck Equipment for the purchase of software, materials, supplies or other articles for which the Electric Department has need 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.

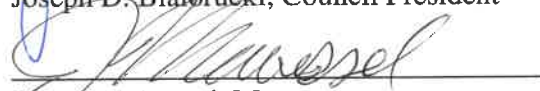
Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining 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: June 5, 2023


  
Joseph D. Bialorucki, Council President

Approved: June 5, 2023


  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

  
Roxanne Dietrich, acting Clerk of Council

I, Roxanne Dietrich, acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 021-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 11th day of June 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.

  
Roxanne Dietrich, acting Clerk of Council

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 June, 2023.

Sally Heaston  
Sally Heaston

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

Ramona L. Engelberth Notary Public

Ramona L. Engelberth



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

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

**Summary of Ordinance No.(s) 023-23, 027-23 and  
Resolution No.(s) 021-23, 025-23**

**(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. 023-23**

An Ordinance authorizing the City of Napoleon, Ohio to proceed with the acquisition, construction, and improvement of certain public improvements in the City of Napoleon, Ohio in cooperation with the Northwest Ohio Advanced Energy Improvement District; and declaring an Emergency

In this legislation, the City of Napoleon authorized proceeding with the acquisition, construction, and improvement of certain public improvements in the City, in cooperation with the Northwest Ohio Advanced Energy Improvement District.

**Ordinance No. 027-23**

An Ordinance authorizing the City of Napoleon, Ohio to levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Napoleon, Ohio in cooperation with the Northwest Ohio Advanced Energy Improvement District; and declaring an Emergency

In this legislation, the City of Napoleon authorized levying special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City, in cooperation with the Northwest Ohio Advanced Energy Improvement District.

**Resolution No. 021-23**

A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing a vehicle for the City of Napoleon Electric Department, and to award said purchase to Utility Truck Equipment; and declaring an Emergency

In this legislation, the City of Napoleon authorized the expenditure of funds in excess of \$50,000 for the purchase of a vehicle for the City Electric Department from Utility Truck Equipment.

**Resolution No. 025-23**

A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for a project known as the Palmer Ditch Pumping Station Project, which was not included in the 2023 Master Bid List, Resolution No. 068-22, and authorizing competitive bidding in regard thereto; and declaring an Emergency

In this legislation, the City of Napoleon authorized the expenditure of funds in excess of \$50,000 for the Palmer Ditch Pumping Station Project, also authorizing competitive bidding.

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