

RESOLUTION NO. 028-23

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PURCHASING AND OUTFITTING TWO REPLACEMENT VEHICLES FOR THE CITY OF NAPOLEON DEPARTMENT OF PUBLIC WORKS AND CITY OF NAPOLEON DEPARTMENT OF WATER DISTRIBUTION SERVICES, TO AWARD SAID PURCHASE TO REINEKE FORD LINCOLN, INC. AND TO AWARD SAID OUTFITTING TO KALIDA TRUCK; AND DECLARING AN EMERGENCY

WHEREAS, the purchase of replacement City of Napoleon Department of Public Works and City Water Distribution Services vehicles was included in the 2023 Master Bid Resolution passed by Council on December 12, 2022, Resolution No. 068-22; and,

WHEREAS, the cost to purchase and outfit said vehicles exceeds fifty thousand dollars (\$50,000); and,

WHEREAS, the Reineke Ford Lincoln, Inc. current quoted cost for the requested replacement vehicles is lower than the State Contract current quoted cost; and,

WHEREAS, the requested replacement vehicles will not be equipped with the proper and necessary outfitting, therefore the City of Napoleon desires to award the outfitting of the vehicles to Kalida Truck; and,

WHEREAS, Kalida Truck was included in the City Reoccurring Costs Vendor List, Resolution No. 069-22, for the year 2023; and,

WHEREAS, the City of Napoleon desires to award the purchase of outfitting the vehicles to Kalida Truck based on Kalida Truck's historical knowledge of the City fleet of vehicles, as well as other factors including location and cost; 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 based 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, 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) to purchase and outfit replacement vehicles for the City of Napoleon Department of Public Works and Water Distribution Services, as included in the 2023 Master Bid Resolution, Resolution No. 068-22. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, due to the lowest and best price, Council finds it to be in the best interest of the City to eliminate the necessity of competitive bidding for the purchase of said vehicles.

Section 3. That, the City of Napoleon authorizes the City Manager on behalf of the city of Napoleon to enter into a contract with Reineke Ford Lincoln, Inc. for the purchase of said vehicles.

Section 4. That, the City of Napoleon further authorizes the City Manager on behalf of the City of Napoleon to utilize Kalida Truck for the purchase of software, materials, supplies or other articles for which the City Department of Public Works and Water Distribution Services has need pursuant to City of Napoleon Codified Ordinances Section 106.04.

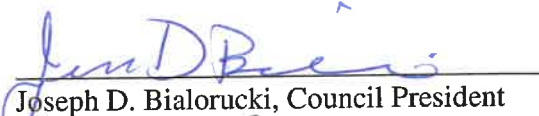
Section 5. That, the City Manager is authorized and directed to enter into the aforementioned contract(s).

Section 6. 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.

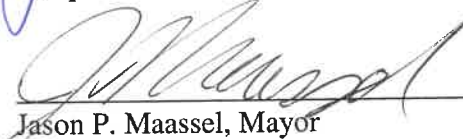
Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 8. 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 meet the time requirements necessary to purchase a necessary replacement vehicle for the City of Napoleon Public Works Department and Department of Water Distribution Services; 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 purchasing process in a timely manner for ordering, and for further reasons as stated in the Preamble hereof.

Passed: June 12, 2023


Joseph D. Bialorucki, Council President

Approved: June 12, 2023


Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich
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. 028-23 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 17th 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
Roxanne Dietrich, acting 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 17th day of June, 2023.

Sally Heaston
Sally Heaston

Subscribed and sworn to before me this 18th 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: \$119.25
NOTARY FEE: \$4.00

Summary of Resolution No.028-23

(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.

Resolution No. 028-23

A Resolution authorizing the expenditure of funds over fifty thousand dollars (\$50,000) for the purpose of purchasing and outfitting two replacement vehicles for the City of Napoleon Department of Public Works and City of Napoleon Department of Water Distribution Services, to award said purchase to Relneke Ford Lincoln, Inc. and to award said outfitting to Kallda Truck; and declaring an Emergency in this legislation, the City of Napoleon authorized the expenditure of funds in excess of \$50,000 for the purchase and outfitting of vehicles for the City Departments of Public Works and Water Distribution Services from Relneke Ford Lincoln, Inc. and Kallda Truck.

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