

**RESOLUTION NO. 010-24**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PURCHASING A VEHICLE AND SNOWPLOW FOR THE CITY OF NAPOLEON WASTEWATER DEPARTMENT, AND TO AWARD SAID PURCHASE TO DAVE WHITE CHEVROLET; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Napoleon Wastewater Department is currently in need of a new pickup truck and snowplow; and,

**WHEREAS**, the cost to purchase said vehicle and snowplow exceeds \$50,000; and,

**WHEREAS**, the quoted delivery time for the requested vehicle and snowplow from the State Contract is approximately eight (8) months; and,

**WHEREAS**, the Dave White Chevrolet current quoted cost for the requested vehicle and snowplow is lower than the State Contract current quoted cost; and,

**WHEREAS**, the Dave White Chevrolet current quoted delivery time for the request vehicle and snowplow is immediate delivery; and,

**WHEREAS**, the City of Napoleon desires to award the purchase of the vehicle to Dave White Chevrolet based on this being the best and lowest price as well as the availability of immediate delivery; 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 106.02 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 a pickup truck and snowplow for the City of Napoleon Wastewater Department.

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

Section 3. That, the City Manager is authorized to enter into a Contract with Dave White Chevrolet for the purchase of said vehicle and snowplow.

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, 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 Napoleon Wastewater Department; 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: 4-1-24

  
J. Ross Durham, Council President

Approved: 4-1-24

  
Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:

  
Marrison Flogaus, Acting Clerk of Council

I, Marrison Flogaus, Acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 010-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 6 day of April 2024; & 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, Acting Clerk of Council

*Heather Lane*

Heather Lane

Subscribed and sworn to before me this 7th day of April, 2024.

Caroline Ellen Betts  
Notary Public, State of Ohio  
My Commission Expires:  
June 25, 2028

*Caroline Ellen Betts* Notary Public

Caroline Ellen Betts

PUBLISHERS FEE: \$204.75  
NOTARY FEE: \$4.00

**Summary of Ordinance No.(s) 003-24, 012-24, 013-24 and Resolution No. 010-24  
(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. 003-24**

An Ordinance amending Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service, also amending Ordinance No.(s) 082-04 and 062-18, rules for disposal at the city's yard waste collection site  
In this legislation, the City of Napoleon amended the City refuse service rules.

**Ordinance No. 012-24**

An Ordinance supplementing the annual appropriation measure (Supplement No. 1) for the year 2024; and declaring an Emergency  
In this legislation, the City of Napoleon supplemented the annual appropriation measure for 2024.

**Ordinance No. 013-24**

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, 2024 as listed in Exhibit A; and declaring an Emergency  
In this legislation, the City of Napoleon authorized the Finance Director to make Transfer of Appropriation 1 pursuant to ORC. Section 5705.40 for fiscal year ending December 31, 2024.

**Resolution No. 010-24**

A Resolution authorizing the expenditure of funds over fifty thousand dollars (\$50,000) for the purpose of purchasing a vehicle and snowplow for the City of Napoleon Wastewater Department, and to award said purchase to Dave White Chevrolet; and declaring an Emergency  
In this legislation, the City of Napoleon authorized the expenditure in excess of \$50,000 to purchase a vehicle and snowplow from Dave White Chevrolet for the Wastewater Department.

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