

City of NAPOLEON

SANITARY SEWER GRANT APPLICATION ORDINANCE 154-01

DATE: 05-25-2016

NAME: Michelle Brown

ADDRESS: P.O. Box 96 ARCHBOLD OH 43502

PHONE # (419) 446-4538 CELL #: (419) 966-0250

The Homeowner Grant Program is hereby established from the removal of clean water connections subject to the following rules:

Grants are available for two-thirds (2/3) of the construction cost of removing clean water connections from the sanitary sewer system up to a maximum of two thousand five hundred dollars (\$2,500.00). The grants are available on a first come, first serve basis until the funds set aside for the program in a calendar year are completely depleted.

Have you ever applied for this type of grant for the above property before?

YES NO If yes, please explain: _____

Are you the owner of the above property? YES NO

If no, please explain: _____

- A. The City will inspect the premises and provide the homeowner with a description of the scope of the work which would be eligible for the grant **PRIOR** to the homeowner obtaining estimates.
- B. At least two (2) written estimates of the construction cost must be submitted to the City. **NO** work may be started until the grant agreement is signed by **BOTH** the homeowner and the City.
- C. Contractors must meet the City's normal sewer contractors' registration requirements.
- D. Notwithstanding any Ordinance, Resolution or Policy to the contrary, if a new storm sewer and/or sanitary sewer tap is needed in connection with the work, the City will waive the sewer tap fee.

- E. The City must be notified of the date work is to begin and of the construction schedule. The City will inspect the work periodically during construction.
- F. Any changes in the work from the original estimate must be approved by the City in advance if it results in a larger grant than originally approved.
- G. The City will perform a final inspection after completion of all work.
- H. Reimbursement will be made by the City to the homeowner based on PAID receipts submitted to the City.

I Michelle Brown have read and fully understand the above and agree to all terms and conditions of this agreement on this 25 day of May, 2016.

Michelle Brown
APPLICANTS SIGNATURE

05/25/16
DATE

SANITARY SEWER GRANT AGREEMENT

THIS AGREEMENT made this 25 day of May, 2016, by and between the City of Napoleon, a Municipal Corporation, 255 West Riverview Avenue, Napoleon, Ohio, (hereinafter referred to as "City") and Michelle Brown, _____, (hereafter referred to as "Homeowner").

WHEREAS, Napoleon has initiated a program of construction grants for removing clear water connections from the sanitary sewer system, and

WHEREAS, said grants are for two-thirds (2/3) of construction cost up to a maximum sum of twenty-five hundred dollars (\$2,500.00):

A. In consideration of Homeowner, whose real property is located at 533 W. MAIN ST. doing the following work at said location:

SEPARATE STORM & SANITARY SEWERS,

City agrees to pay \$ 2,500.00 for such work subject to the following terms and conditions:

1. Homeowner shall produce satisfactory evidence of ownership in said real estate.
2. Homeowner shall produce two (2) written estimates of the construction cost prior to commencement of the work.
3. Homeowner shall contract with JA HILLIS, LLC, a registered contractor with the City ("Contractor") to perform said work.
4. Homeowner understands and agrees that there is permitted only one (1) grant per property for the lifetime of this program.
5. Homeowner shall permit periodic City inspection of the work being performed by the Contractor.

6. Homeowner agrees that this Agreement shall not be construed as creating a joint venture, partnership, or master-servant relationship; further, the City shall not be considered to have any responsibility whatsoever to Contractor for the payment of Contractor's bills; further, Homeowner shall hold City harmless from the same.

7. Homeowner agrees to hold harmless the City, its officers, agents, employees and volunteers against any and all claims that may arise out of use of any grant funds and/or the performance of inspections being made by the City; further, Homeowner agrees to indemnify the City, its officers, agents, employees and volunteers against any and all claims for injury or damage to person or property that may be asserted by any person as a result of any action or non-action of the City, its officers, agents, employees and volunteers associated or in connection with this Agreement or services provided hereunder.

8. Homeowner shall notify the City of the date the work is to commence and shall provide City with a construction schedule. All Work must be completed no later than

12-31-2016.

9. Homeowner agrees any change in the original estimate amount must be approved in advance by the City if the amount is larger than first estimated.


10. Homeowner agrees that the City shall have thirty (30) days after final inspection of the work and upon the City receiving paid receipts from Homeowner evidencing that the Contractor has been paid in full, whichever comes last, to pay the Homeowner the amount specified in paragraph (A) above.

11. In the event that a new storm sewer and/or sanitary sewer tap is needed in connection with the work, the City will waive the sewer tap fee and will not be counted as part of the amount specified in paragraph (A) above.

12. This Grant Agreement shall only be amended as to the scope and size of the project by attaching hereto a copy of such amendment, in writing.


13. This Agreement is binding on the parties, their heirs or successors and assigns.

14. This Agreement shall be controlled under the laws of Ohio.

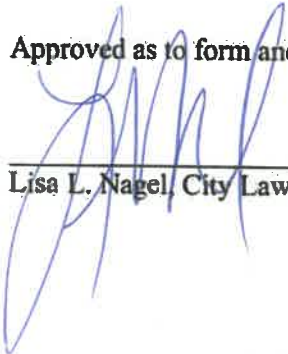

Homeowner

Homeowner

City of Napoleon


Monica Irehan, City Manager

Approved as to form and correctness:




Lisa L. Nagel, City Law Director

Certification of Funds

Attest:

I, Gregory J. Heath, Finance Director of the City of Napoleon, Ohio hereby certify that the money to meet this Agreement has been lawfully appropriated for the purpose of the agreement and is in the treasury of the City of Napoleon, Ohio or is in the process of collection to the credit of the appropriate fund free from prior encumbrance.



Gregory J. Heath, Finance Director

J. A. Hillis Excavating LLC
13645 County Road M
Napoleon, OH 43545
Office-419-591-1410
Cell-419-783-7923

Invoice

Date 6/9/2016
Invoice # 969

Bill To

Michelle Brown
533 West Main st
Napoleon, Ohio
43545

Ship To

P.O. #
Terms

Ship Date 6/9/2016
Due Date 6/9/2016
Other

Description	Qty	Rate	Amount
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Separate Sewer and footer ties and covers spouts
Repair and install new sewer rerouted thru the
basement
Installed new and existing sewer coming out of the
basement to the main line going to the city sewer
Connect raves spouts and sump pump drains to the
underdrain to the city
Replace concrete that was removed to get to the
sewer under the driveway
Fuel, Materials, operating expenses and
subcontractor labor

		\$ 900.00	\$ 900.00
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I appreciate your business, and I would like your
consideration for any future excavating needs. Thanks
again

ja.hillis@excavating@gmail.com

Subtotal	\$5,900.00
Sales Tax (0.0%)	\$0.00
Total	\$5,900.00
Payments/Credits	\$0.00
Balance Due	\$5,900.00

J. A. Hillis Excavating LLC
13645 County Road M
Napoleon, OH 43545
Office-419-591-1410
Cell- 419-783-7923

Estimate

Date 6/2/2016
Estimate # 299

Name / Address

Shelly Rowland Brown
533 West Main st
Napoleon, Ohio
43545

P.O. #
Terms

Due Date 6/2/2016
Other

Description	Qty	Rate	Total
Seperate sump pump and eaves spouts from the sanitary sewer connect sump to storm drain, repair sanitary sewer Fuel, Materials, operating expenses and labor		3,900.00	3,900.00
I appreciate your business, and I would like your consideration for any future excavating needs.Thanks again			
		Subtotal	\$3,900.00
		Sales Tax (0.0%)	\$0.00
		Total	\$3,900.00

jahillisexcavating@gmail.com



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Luffs, P.E., P.S., Director of Public Works

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

November 24, 2015

533 W. Main Street
Napoleon, OH 43545

Attn: Michelle Brown

Re: 533 W. Main Street Sewer Connection

Dear Ms. Brown,

An initial letter was sent on April 13, 2015, regarding an alleged illegal sewer connection at the above referenced property. During a sewer investigation, the downspouts showed signs of being illegally connected to the City of Napoleon's sanitary sewer. This violates Rule 26.4 of the City of Napoleon Rules for Water and Sewer Service:

"Wrongful Discharge Into Sanitary Sewers

Except for condensation water discharge from residential furnaces or cooling systems, it shall be a violation of these Rules for any person, regardless of intent, to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any City owned or operated or controlled sanitary sewer."

This pipe must be cut off and permanently capped below grade. Per Rule 27 (C):

"Any person found violating Rules...26.4... shall be deemed guilty of a misdemeanor of the minor degree and the penalties as contained in Chapter 501.99 of the Codified Ordinances of the City of Napoleon, Ohio shall apply. Each day a violation continues constitutes a separate violation."

You are hereby given notice that you have 14 days from the date of this letter to perform the required corrective measures listed above. If the requirements are not met during this time period the matter will be forwarded to the City's Law Department. Please contact Marty Crossland at our office to arrange for all required inspections and specifications. Any questions you might have regarding this issue should also be forwarded to our office. Also, see the attached copy of our field sketch of the property and approximate locations of illegal sewer connection points.

TALKED
TO
DON HOLL
IN PERSON 5/16
HAS MORE/WORKS
COMING



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Lulfs, P.E., P.S., Director of Public Works

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

April 13, 2015

533 W. Main Street
Napoleon, OH 43545

Attn: Michelle Brown

Re: 533 W. Main Street Sewer Connection

Dear Ms. Brown,

It has been alleged that the above referenced property has an illegal sewer connection. During a sewer investigation, the downspouts showed signs of being illegally connected to the City of Napoleon's sanitary sewer. This violates Rule 26.4 of the City of Napoleon Rules for Water and Sewer Service:

“Wrongful Discharge Into Sanitary Sewers

Except for condensation water discharge from residential furnaces or cooling systems, it shall be a violation of these Rules for any person, regardless of intent, to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any City owned or operated or controlled sanitary sewer.”

This pipe must be cut off and permanently capped three feet below grade. Per Rule 27 (C):

“Any person found violating Rules...26.4... shall be deemed guilty of a misdemeanor of the minor degree and the penalties as contained in Chapter 501.99 of the Codified Ordinances of the City of Napoleon, Ohio shall apply. Each day a violation continues constitutes a separate violation.”

You are hereby given notice that you have 90 days from the date of this letter to perform the required corrective measures listed above. Please contact our office to arrange for all required inspections and specifications. Any questions you might have regarding this issue should also be forwarded to our office.

J. A. Hillis Excavating LLC
13645 County Road M
Napoleon, OH 43545
Office-419-591-1410
Cell- 419-783-7923

Date 6/9/2016
Invoice # 969

Bill To

Michelle Brown
533 West Main st
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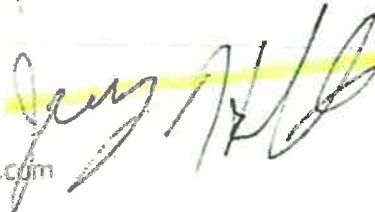
Ship To

P.O. #
Terms

Ship Date 6/9/2016
Due Date 6/9/2016
Other

Description	Qty	Rate	Amount
Seperate Sewer and footer tiles and eaves spouts Repair and install new sewer rerouted thru the basement Connect new and existing sewer coming out of the basement to the main line going to the city sewer Connect eaves spouts and sump pump drains to the underdrain to the city. Replace concrete that was removed to get to the sewer under the driveway Fuel, Materials, operating expenses and subcontractor labor		5,900.00	5,900.00

I appreciate your business, and I would like your
consideration for any future excavating needs. Thanks
again

*pd in Full
on 6-13-16*


jahillisexcavating@gmail.com

Subtotal	\$5,900.00
Sales Tax (0.0%)	\$0.00
Total	\$5,900.00
Payments/Credits	\$0.00
Balance Due	\$5,900.00

THIS INSTRUMENT HAS AN ANTIFAKE WATERMARK PRINTED ON THE REVERSE. THE FRONT OF THE DOCUMENT HAS A MICRO PRINT BACKGROUND LINE. APPROACH ON THESE FEATURES AND INDICATE A COPY

REMITTER



FARMERS & MERCHANTS STATE BANK

0412

ARCHBOLD, OHIO 43002

4466538543

PAY TO THE ORDER OF

CASHIER'S CHECK

DATE

June 15, 2011

\$

5,900.00

PAY TO THE ORDER OF EXACTLY \$5,900.00 DOLLARS

DOLLARS

CASHIER'S CHECK

NON NEGOTIABLE

AUTHORIZED SIGNATURE

PAYABLE THROUGH
BOKF, NA
EUFALLA, OK

SECURITY NUMBER

Security Number

MP

CITY OF NAPOLEON ZONING PERMIT APPLICATION

THIS APPLICATION IS FOR RESIDENTIAL DEMOLITIONS, FENCES, POOLS, SHEDS,
DRIVEWAYS, SIDEWALKS & SEWERS

DATE 3-27-17 JOB LOCATION 533. West Main

OWNER Shelly Brown TELEPHONE # _____

OWNER ADDRESS _____

CONTRACTOR J.A. Hillis LLC CELL PHONE # _____

DESCRIPTION OF WORK TO BE PERFORMED Sewer Repair

ESTIMATED COMPLETION DATE 3-27-17 ESTIMATED COST \$500.00

DESCRIPTION	FEE	TOTAL COST
Demo Permit (100.3100.46690)	\$100.00	\$
Fence	\$25.00	\$
Pool	\$25.00	\$
Garage and Shed Under 200 SF (Detached)	\$25.00	\$
Driveway	0	\$
Sidewalk/Curbing	0	\$
Sewer Outside	0	\$ 0
Subtotal:		\$
		\$
TOTAL FEE:		\$ 0

P-17-0084

I FULLY UNDERSTAND THAT NO EXCAVATION, CONSTRUCTION OR STRUCTURAL ALTERATION, ELECTRICAL OR MECHANICAL INSTALLATION OR ALTERATION OF ANY BUILDING STRUCTURE, SIGN, OR PART THEREOF AND NO USE OF THE ABOVE SHALL BE UNDERTAKEN OR PERFORMED UNTIL THE PERMIT APPLIED FOR HEREIN HAS BEEN APPROVED AND ISSUED BY THE CITY OF NAPOLEON BUILDING/ZONING DEPARTMENT.

I hereby certify that I am the Owner of the named property, or that the proposed work is authorized by the Owner of record and that I have been authorized by the Owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of the jurisdiction. In addition, if a permit for Work described in this application is issued, I certify that the code official or the code official's authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ AND FULLY UNDERSTAND THE ABOVE LISTED INSTRUCTIONS.

SIGNATURE OF APPLICANT: Jerry Hillis DATE: 3-27-17

PRINT NAME: Jerry Hillis

BATCH # _____ CHECK # _____ DATE 3-28-17