



City of NAPOLEON, OHIO

255 WEST RIVERVIEW AVENUE, P.O. BOX 151
NAPOLEON, OHIO 43545-0151
(419) 592-4010
FAX (419) 599-8393

August 11, 1997

Mayor
Donald M. Stange

Members of Council
Michael J. DeWit, President
Dennis Fligor
James Hershberger
Glenn A. Miller
Travis B. Sheaffer
Char Weber
Terri A. Williams

City Manager
Marc S. Gerken, P.E.

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

City Engineer
Adam C. Hoff, P.E.

Hogrefe Auto Parts
Attn. Robert, Ted & Gary Hogrefe
690 E. Riverview Ave.
Napoleon, Ohio 43545

Re. Fence along E. Riverview Ave.

Dear Owners

Please be informed the deadline for the fence installation as prescribed along the frontage of E. Riverview Ave. has passed. However, you have been granted an extension, you must have the fence along E. Riverview Ave. frontage completed no later than September 30, 1997. Please understand there will be no more extensions granted for this phase of the consent judgment.

If for some reason you do not believe you can comply with this extended deadline, I would suggest you contact your legal representative.

If you have questions regarding this letter please ask.

Sincerely

Brent N. Damman
Zoning Administrator

cc. Manager Don Reynolds, David Grahn Law Director, Marc Gerken City Manager

Aug. 5, 1997

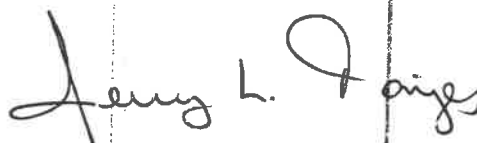
Hogrefe Auto Parts

As an employee of Hogrefe Auto Parts, I agree to install a fence per the City of Napoleon's specifications.

The fence will be built in 8' X 10' pressure treated sections using 1' X 6" X 10' as the face boards and the cross supports will be 2' X 4' X 8', treated as well.

The face boards will have the top corners cut off with the style of a dog eared fence. I will use galvanized deck screws to hold the fence boards secure.

Thank You,

A handwritten signature in cursive script that reads "Jerry L. Tonjes". The signature is written in black ink and is positioned above the printed name.

Jerry L. Tonjes



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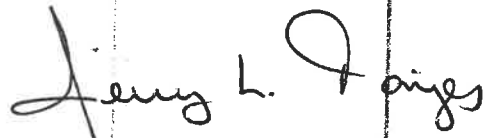
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Jerry L. Tonjes

Aug. 5, 1997

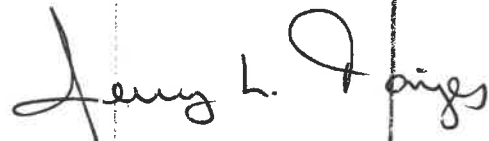
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Jerry L. Tonjes



Memorandum

City of Napoleon Building & Zoning Department

To: David M. Grahn, City Law Director
From: Brent N. Damman, Zoning Administrator *BND*
Date: Wednesday, July 30, 1997
Subject: Eugene Hogrefe salvage yard clean up.

Upon inspection 07/29/97, I find that Mr. Hogrefe is still actively removing materials off premise and has made great progress overall. I did see two additions to the yard however, a 410 Massey Ferguson combine and a semi tractor that had his company name on it. I believe he will continue as long as we keep the pressure on. I would suggest no more that 30 day increment extensions.

City of NAPOLEON, OHIO

DAVID M. GRAHN
CITY LAW DIRECTOR
255 W. RIVERVIEW AVE. - P.O. BOX 151
NAPOLEON, OHIO 43545-0151
PH. (419) 592-3503 FAX (419) 592-4723

COPY

July 24, 1997

Mr. Donald Reynolds, Manager
Hogrefe Auto Parts
690 East Riverview
Napoleon, Ohio 43545

Re: Consent Agreement 97 CV O67

Dear Mr. Reynolds:

I write to confirm the arrangement approved by Mr. Marc Gerken, City Manager, in regard to alleged violations of the consent agreement. It is my understanding that the City will extend your fencing requirement until September 30th, 1997, except that you will furnish the City of Napoleon a signed fence contract no later than July 31, 1997. Moreover, you will immediately clear or have cleared, and keep cleared, Canal Street, from vehicles and debris. Finally, you will endeavor to place a metal chain link fence with sufficient material to obstruct viewing of the yard by the public. I trust the fire code violations will be cured immediately. If this is not your understanding, please contact me in writing within five (5) days.

Thank you for both your time and consideration in this matter.

Sincerely,



David M. Grahn
City Law Director

dmg/skr

cc: Marc S. Gerken, City Manager
George Schmidt, Police Chief
Allan Woo, Fire Chief
City Council
Mayor
✓ Brent Damman, Zoning Administrator
Attorney Peter Short

Hogefé7 E:\notms\wordpro\lawdirec\letters July 24, 1997 7:57 AM

City of NAPOLEON, OHIO

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CITY LAW DIRECTOR
255 W. RIVERVIEW AVE. - P.O. BOX 151
NAPOLEON, OHIO 43545-0151
PH. (419) 592-3503 FAX (419) 592-4723

July 8, 1997

Mr. Peter D. Short
Plassman, Rupp, Hensal and Short
302 North Defiance Street
P.O. Box 178
Archbold, Ohio 43502

COPY

Re: Hogrefe Auto Parts

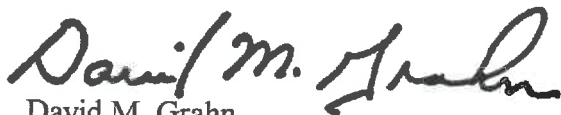
Dear Pete:

I write in regard to violations of the Consent Agreement, Case No. 97 CV 067, filed in City of Napoleon ex. rel. vs. Hogrefe Auto Parts. Please be advised that the City has closely monitored the progress of your client and is not satisfied with the same. Your client initially violated Order No. 2 by failing to immediately clear the right-of-way, Canal Street and continues to fail to keep it open. I personally had to go to the location and address this issue with them several weeks ago and it still continues; moreover, your client has violated Order No(s) 3 and 4 by failing to cure all violations related to compressed gas cylinder storage, electrical hazards, and fire extinguisher requirements that were cited by the City Fire Chief, as well as removing debris around and within the structures so that inspection may commence. Also, your client has violated Order No. 5 by failing to produce a contract related to the fencing.

I write as a courtesy to the Hogrefes and your office; however, if all violations are not cured within 10 days from the date of this letter, and remain cured, I will have no other choice but to file for an injunction with the Common Pleas Court and for bond forfeiture.

Thank you in advance for your time and consideration in this matter. Any questions or comments, feel free to contact my office.

Sincerely,



David M. Grahn
City Law Director

cc: ✓ Brent Damman, Building and Zoning Administrator
Marc Gerken, City Manager
Lieutenant Mike Brown
Al Woo, Fire Chief

dmg/skr

Short1 E:\lotus\wordpro\lawdirec\letters July 8, 1997 2:01 PM

Fax

FAXED
7-15-97

To: Brent Damman
From: _____

Page 1 **of** 2

From: Gwen
To: Lowes #231 Defiance, OH
Phone: 419-722-9000
Fax: 419-722-7349

Ref: _____

Please return with the money P.O. #

Date: 7/15/97

Lowes (419) 782-9000

Fencing

98386 4'x8' DE Stockade fence PT Spruce \$19.98
2,500' = 313 pieces total \$6,253.74

98391 6'x8' DE SPF Stockade fence \$27.96
2,500' = 313 pieces total \$8,756.48

(total) \$15,005.22
(before tax)

FAXED
7-15-97

after tax 900.31
\$15,905.53

* We will beat any competitor's price

Hope to do business with you!
Kwon Staller