MEMORANDUM

To: Mayor & Members of CouncilFROM: Jon BisherSUBJECT: General InformationDATE: June 01, 2012

CALENDAR

CITY COUNCIL MEETING AGENDA - Monday, June 4, 2012 @ 7:00 pm

C. APPROVAL OF MINUTES

- 1. Special Council Meeting/May 14, 2012
- 2. Regular Council Meeting/May 21, 2012

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **ORDINANCE No. 048-12** an Ordinance Amending Section 931.10 of the Codified Ordinances to Provide for a Cap to the Sanitary Sewer Tap Charge for Single Family, Two Family and Three Family Dwellings

I. GOOD OF THE CITY

- 1. Acceptance of \$660.00 Donation from United Way of Henry County for Safety City
- 2. Approval of Specifications for a Large Dump Truck/Snow Plow
 - a. Chad's Memorandum is attached, a copy of the specifications are on file with the Finance Director/Clerk's office.
- 3. Approval of Plans and Specifications for the Hobson Street Waterline Improvements, Phase I.
 - a. As noted on Chad's Memorandum, this is the 2012 CDBG project. The plans and specifications are on file with the Finance Director/Clerk's office.
- 4. Award of Bid for Heil Formula 4000 Rear-Load Refuse Body a. Please see the Memorandum from Chad with his recommendation of award.

RELATED ITEMS

- 1. CANCELLATIONS
 - a. Technology & Communications Committee
- 2. Anyone that would be interested in hearing Mark Weaver speak about *Social Media as it Relates to Public Records* on Tuesday, July 24th from 4:00 7:00 pm in Wauseon, please let Barb know.
- 3. AMP UPDATE/May 25, 2012
- 4. **OML BULLETIN/May 25**, 2012

JAB:rd Records Retention CM-11 - 2 Years

June 1 - 30, 2012





Oalendar

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BISHER - Vacation	BOPA Meeting	BISHER - Vacation	AMP - Board Mitg. /Bisher			BISHER - Vacation
	7:00 PM Water/Sewer Committee Meeting					
	7:30 PM Municipal Properties/Economic					
	Development Committee Mtg.					
	BISHER - Vacation					
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17 BISHER - Vacation			20 BISHER - APPA Conf / Seattle		22	
	18 7:00 PM City COUNCIL Meeting				22	23 BISHER - VACATION
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CITY COUNCIL

LOCATION: City Hall Offices, 255 West Riverview Avenue, Napoleon, Ohio

MEETING AGENDA

Monday, June 4, 2012 at 7:00 PM

- A. Attendance (Noted by the Clerk)
- **B.** Prayer
- C. Approval of Minutes: (In the absence of any objections or corrections, the minutes shall stand approved.)
 1. May 14 Special meeting
 - 2. May 21 Regular meeting
- **D.** Citizens Communication
- E. Reports from Council Committees
 - 1. Parks & Recreation Committee did not meet on Monday, May 21 due to lack of agenda items.
 - 2. Finance & Budget Committee and Safety & Human Resources Committee did not meet on Monday, May 28 due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
 1. Parks & Recreation Board met on Wednesday, May 30 with the following agenda items:
 a. Discussion/Action on Fourth of July celebration activities
- G. Introduction of New Ordinances and Resolutions
 - **1. Ordinance No. 048-12** An Ordinance amending Section 931.10 of the Codified Ordinances to provide for a cap to the sanitary sewer tap charge for single family, two family, and three family dwellings
- H. No Second or Third Readings of Ordinances and Resolutions
- I. Good of the City (Any other business as may properly come before Council, including but not limited to:)
 - 1. Discussion/Action: Acceptance of \$660.00 donation from United Way of Henry County for Safety City
 - 2. Discussion/Action: Approval of specifications for dump truck and snow plow
 - 3. Discussion/Action: Approval of plans and specifications for Hobson Street Waterline
 - 4. Discussion/Action: Award of bid for Heil formula 4000 rear-load refuse body
- J. Executive Session (As needed)
- **K.** Approve Payment of Bills and Approve Financial Reports (In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)
- L. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

- A. Items Referred or Pending in Committees of Council
 - **1. Technology & Communication Committee (1st Monday)** (Next Regular Meeting: Monday, July 2, 2012 @ 8:00 PM)
 - 2. Electric Committee (2nd Monday) (Next Regular Meeting: Monday, June 11 @ 6:30 PM)
 a. Review of Electric Billing Determinants
 b. Electric Department Report
 c. AMP EcoSmart Choice Program (Tabled)
 - 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday) (Next Regular Meeting: Monday, June 11@ 7:00 PM)
 a. Water Treatment Plant Evaluation (Tabled)
 - 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday) (*Next Regular Meeting: Monday, June 11 @ 7:30 PM*)
 a. Sidewalk Issue - particularly on Jahns Road
 b. Updated Info from Staff on Economic Development (as needed)
 - 5. Parks & Recreation Committee (3rd Monday) (Next Regular Meeting: Monday, June 18 @ 8:00 PM)
 - 6. Finance & Budget Committee (4th Monday) (Next Regular Meeting: Monday, June 25 @ 6:30 PM)
 a. Review of Investments and Investment Policy with Financial Advisor
 - Safety & Human Resources Committee (4th Monday) (Next Regular Meeting: Monday, June 25 @ 7:30 PM) Meetings with Townships on 7/23 & 11/26
 - 8. Personnel Committee (As needed)

B. Items Referred or Pending In Other City Commissions and Boards

- 1. Board of Public Affairs (2nd Monday)
 - (Next Regular Meeting: Monday, June 11 @ 6:30 PM)
 - a. Review of Electric Billing Determinants
 - **b.** Electric Department Report
 - **c.** AMP EcoSmart Choice Program (Tabled)
 - 2. Board of Zoning Appeals (2nd Tuesday) (Next Regular Meeting: Tuesday, June 12 @ 4:30 PM)
 - **3.** Planning Commission (2nd Tuesday) (Next Regular Meeting: Tuesday, June 12 @ 5:00 PM)
 - **4.** Tree Commission (3rd Monday) (Next Regular Meeting: Monday, June 18 @ 6:00 PM)
 - 5. Civil Service Commission (4th Tuesday) (Next Regular Meeting: Tuesday, June 26 @ 4:30 PM)
 - 6. Parks & Recreation Board (Last Wednesday) (Next Regular Meeting: Wednesday, June 27 @ 6:30 PM)
 - **7. Privacy Committee (2nd Tuesday in May & November)** (Next Regular Meeting: Tuesday, November 13 @ 10:30 AM)
 - 8. Records Retention Commission (2nd Tuesday in June & December) (Next Regular Meeting: Tuesday, June 12 @ 4:00 PM)
 - **9.** Housing Council (1st Monday of the month after the TIRC meeting) (*Next Meeting: Monday, May 6, 2013? @ 6:30 PM*)
- **10. Health Care Cost Committee** (As needed)
- 11. Preservation Commission (As needed)
- 12. Infrastructure/Economic Development Fund Review Committee (As needed)
- 13. Tax Incentive Review Council (As needed)
- 14. Volunteer Firefighters' Dependents Fund Board (As needed)
- 15. Lodge Tax Advisory & Control Board (As needed)
- 16. Board of Building Appeals (As needed)
- 17. ADA Compliance Board (As needed)
- 18. NCTV Advisory Board (As needed)

City of Napoleon, Ohio CITY COUNCIL Special Meeting Minutes Monday, May 14, 2012 at 7:00 PM

PRESENT

Council

BOPA Water, Sewer Committee City Staff

Recorder Others

ABSENT

Call To Order

PUBLIC HEARING Oberhaus Interceptor Inflow & Infiltration Reduction Study

Motion	То	Adjourn	
VIUUUI	10	Aujourn	

Passed Yea-7 Glenn Miller – President, John Helberg, Travis Sheaffer, James Hershberger, Jeffrey Lankenau, Patrick McColley, Christopher Ridley Keith Engler – Chair, Tom Druhot, Mike DeWit Jeffrey Lankenau - Chair, Jim Hershberger, Chris Ridley Dr. Jon A. Bisher, City Manager Trevor Hayberger, Law Director Gregory J. Heath, Finance Director/Clerk of Council Chad Lulfs, City Engineer Barbara Nelson Adam Hoff, Amber Bretland, Dale Kocarek, Steve Lankenau, Robin Weirauch None

President Miller called the public hearing to order at 7:13 PM.

Bisher said part of the Long Term Control Plan (LTCP) requires reporting to the public. Adam Hoff from Stantec gave a PowerPoint presentation on the Oberhaus Interceptor Inflow & Infiltration Reduction Study (attached).

Hoff said we sent 500 invitations to this meeting to the residents this project effects and a survey. We have received 25 surveys back so far.

- Smoke used in smoke testing is non-toxic but has an odor. Residents should put a gallon of water in all drains in the house or the traps dry out. This will keep smoke from coming back in house or they can put a wet towel over the drain. They will bring highvelocity fans to houses if needed to get rid of smoke.
- 2 to 3 weeks after smoke testing, they will do dyed water testing on areas that didn't smoke but should have
- DARS Cleaning will put TV cameras into about 40% of the collection system. The total area has about 40,000 linear feet.
- DeWit asked if the downtown has been viewed yet. Hoff said this has not been done yet. Generally speaking, brick sewers are very stout. It's on our radar screen outside of the LTCP. At some point we need to look at it and consider lining it.
- Hoff said they want residents to know who they are, what they do and why. They will wear fluorescent yellow construction shirts, ID badge, and safety vests.

There were no questions from those present. President Miller thanked Hoff for his presentation.

Motion: Ridley Second: Sheaffer To adjourn the meeting at 7:50 PM

Roll call vote on above motion: Yea- Miller, McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger

Meeting Minutes

June 4, 2012

Nay-

Glenn Miller, Council President

Ronald A. Behm, Mayor

Gregory Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio CITY COUNCIL Meeting Minutes Monday, May 21, 2012 at 7:00 PM

PRESENT	
Council	Glenn Miller (President), John Helberg, Travis Sheaffer (arrived at 7:05 PM), James
	Hershberger, Jeffrey Lankenau (arrived at 7:03 PM), Patrick McColley, Christopher
	Ridley
Mayor	Ronald A. Behm
City Manager	Dr. Jon A. Bisher
Law Director	Trevor M. Hayberger
FinanceDirector/Clerk	Gregory J. Heath
Recorder	Barbara Nelson
City Staff	Robert Weitzel, Police Chief
	Tom Zimmerman, Building Inspector
Others	News Media, NCTV, Ralph Lange, Mike Koester
ABSENT	
Council	None
Others	
Call To Order	President Miller called the meeting to order at 7:00 PM with the Lord's Prayer.
Minutes Approved	Minutes of the May 7, 2012, Council meeting stand approved with no objections.
Citizen	None
Communication	
Reports From	Technology & Communication Committee did not meet on May 7 due to lack of
Committees	agenda items.
Ŷ	The Electric Committee met on Monday, May 14, and recommended that Council
	approve the May electric billing determinants; table EcoSmart Choice Program
	pending more information; and <u>not</u> purchase wind power at this time.
	The Water, Sewer, Refuse, Recycling and Litter Committee met on May 14, and
	recommended to change the flat fee of \$87 for residential sewer tap fees to be
	prorated up to a maximum of \$150 for one family, up to \$300 for two families, up to
	\$450 for three families with \$87 as the base
	Chairman Helberg said the Municipal Properties, Buildings, Land Use and Economic
	Development Committee met on May 14 and recommended to accept staff
	recommendation for the estimated \$165,000 option regarding the Holiday Inn Pump
	Station Elimination Project; and to amend the agreements with Koester as requested
	by Ralph Lange, CIC Director
	Drasidant Millar said Dalph Lange and Miles Koaster are planning to present
	President Miller said Ralph Lange and Mike Koester are planning to present
	information regarding Ordinance No. 046-12 and Resolution No. 047-12. They are at a school board meeting and will come here when it is done. Miller moved the agenda
	to item I.
No 2 nd Readings	There were no second readings of Ordinances and Resolutions.
I I I IIIII III	There were no become readings of oraliances and resolutions.

Third Read Of Resolution 024-12	President Miller read by title Resolution No. 024-12 A Resolution authorizing the expenditure of funds for the payment of a State Performance Audit; and declaring an emergency
Motion To Pass On Third Read	Motion: RidleySecond: McColleyTo pass Resolution No. 024-12 on third read
Discussion	President Miller said Council received the revised proposal from the State Auditor's office. They removed the auditing of the electric utility which reduced the price from \$78,000 to \$75,800. It also includes fleet management. The proposal is the same otherwise. Sheaffer said he will vote no. This is a waste of money. He is writing down what he believes the Auditor's recommendations will be and will mail them to himself. He looks forward to saying "I told you so" in six months.
Passed Yea-5 Nay-2	Roll call vote to pass Resolution No. 024-12 on third read Yea- McColley, Lankenau, Ridley, Helberg, Miller Nay- Sheaffer, Hershberger
GOOD OF THE CITY Discussion (A stion	
Discussion/Action Motion To Approve	Motion: Sheaffer Second: Ridley
Billing Determinants	To accept the recommendation for approval of May electric billing determinants
	as follows: Generation Charge: Residential @ \$.07907; Commercial @ \$.09468; Large Power @ \$.05414; Industrial @ \$.05414; Demand Charge Large Power @ \$12.38; Industrial @ \$13.26; JV Purchased Cost: JV2 @ \$.02826; JV5 @ \$.02826
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Recommendation On Residential Sewer Tap Fees	President Miller said the Water, Sewer Committee recommended to change the flat fee of \$87 for residential sewer tap fees to be prorated up to a maximum of \$150 for one family, up to \$300 for two families, up to \$450 for three families with \$87 as the base. Tom Zimmerman, Building Inspector, said he found that the sewer tap fee for commercial properties had a cap, but residential sewer tap fees did not. This will equalize those categories. This is not a fee raise, just a cap. Lankenau said both the Water, Sewer Committee and BOPA felt this was the right thing to do. Residents should have a cap like commercial.
Motion To Change Residential Sewer Tap Fee	Motion: LankenauSecond: McColleyTo direct the Law Director to bring legislation to change the flat fee of \$87 for residential sewer tap fees to be prorated up to a maximum of \$150 for one family, up to \$300 for two families, up to \$450 for three families with \$87 as the base
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Review Of PC 12-05	Zimmerman said PC 12-05 is a conditional use permit for 1414 Scott S. He said Kirk Woods, who applied for the permit, is here to answer any questions. The Planning Commission approved placing a LP tank behind the address on Scott St. Zimmerman showed pictures of the tank. Zimmerman sent letters about this to owners within 200'

	of the property. He received nothing back either for or against. President Miller said if there are no objections to the permit, no action is required by Council.
Review Of PC 12-06	Zimmerman said PC 12-06 is a request to build a gazebo at Veterans Park on the south side. Noah Buchenberg, applicant from Troop 436 in Napoleon, said building the gazebo will help him become an Eagle Scout. Zimmerman explained that the Planning Commission must review all improvements to public property. The Parks Board would also have a say if the property was turned over to the parks, but this has not happened yet. Buchenberg got approval from the Veterans Park Committee. An engineer is preparing gazebo plans. Buchenberg will solicit donations for the gazebo materials from local businesses. The cost is about \$3,000. McColley thanked Buchenberg for choosing a Napoleon Park to build. It is a good location. President Miller thanked Buchenberg, saying it is a good project and will be good experience. No objections from Council. Planning Commission decision stands.
Rejecting Bids For Golf Course Irrigation System Master Controller	Bisher said we thought bidding the golf course irrigation system master controller would be the least expensive way; however, bids were 10% higher than the estimate. This was due to prevailing wage requirements. He asked that Council reject all bids. The backup plan is to go to State bid for \$30,438.
Motion To Reject Bids	Motion:McColleySecond: RidleyTo reject all bids for the golf course irrigation system master controller
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Motion To Purchase By State Bid For \$30,438	Motion: Lankenau Second: Hershberger To allow the Parks Department to purchase an irrigation system off the State bid for \$30,438
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Recommendation From TIRC	President Miller said the TIRC reviews all CRA agreements and recommends whether to continue or suspend them. All agreements pertaining to Napoleon were recommended to continue.
Motion To Approve TIRC Recommendation	Motion: Ridley Second: Lankenau To approve the recommendation from the TIRC to continue CRA agreements for Koester Land Acquisitions, MMD&H Holdings (Petro), PetVet, Tri Vet, A&J (Best Western/TA), and Napoleon I, LLC
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
<u>Good Of The City</u> (Cont.) Bisher	Bisher noted the progress being made on the yard waste site. We hope to produce power by August. AMP is responsible for mowing the site.
Hayberger	Hayberger said he contacted the man from Westerville about the net metering policy.

Lankenau	Lankenau received a call from a citizen on Sedward regarding the entrance to Twin Oaks. There is one spot where a hunk of cement is cracked all the way around and if this came out, a child could fall in. He asked that this spot be fixed. Grass growing through the cracks should be sprayed.
Sheaffer	Sheaffer – no items
McColley	McColley – no items
Mayor Behm	Behm requested approval of his appointment to the CIC. Kelli Burkhardt will fill the remaining term of Marlowe Witt.
Motion To Approve CIC Appointment	Motion: Hershberger Second: McColley To approve the Mayor's appointment of Kelli Burkhardt to the CIC, filling the remaining term of Marlowe Witt
Passed	Roll call vote on above motion:
Yea-7 Nay-0	Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
President Miller	President Miller – no items
Hershberger	Hershberger received a complaint about sidewalks on Jahns Rd. from 424 to Cripple Creek. McColley said there are no sidewalks there. Bisher said we can assess people to put them in. Hershberger said it is a safety issue since many people walk there. McColley said the county was going to do the railroad tracks, but the City beat them to it. Bisher suggested giving people a warning instead of sending a letter. He would like this referred to Committee so people have input. There are no sidewalks in Twin Oaks or Anthony Wayne either. Helberg asked if our sidewalk reimbursement program is for new sidewalks or just replacements. Bisher said it is for replacement only. President Miller assigned <i>Sidewalks - Particularly on Jahns Road</i> to the Municipal Properties, Buildings, Land Use & Economic Development Committee.
Helberg	Helberg received a compliment for the Parks & Recreation Department about the extensive bike paths through Oakwood Park. Bisher said folks in Napoleon who are cyclists helped the Parks Department with the paths. President Miller said the trails are challenging in some places.
	Helberg asked about getting sidewalks on Rt. 108 under the viaduct. Bisher said Representative Wachtmann is key in getting money for that project. ODOT is looking at it. This is costly because pedestrians have to cross the on ramp to Rt. 24. There will have to be retaining walls. Bisher will get an update.
Ridley	Ridley noted that one of the playground sets at E. Riverdowns Park is missing a slide. He asked if we are replacing it or if someone could contact a local club to do this. Bisher will check on this.
Heath	Heath – no items
Introduction Of Ordinance 046-12	President Miller read by title Ordinance No. 046-12 An Ordinance authorizing an amended economic development agreement between the City and Koester Corporation regarding income tax

Motion To Approve First Read	Motion: HershbergerSecond: McColleyTo approve first read of Ordinance No. 046-12
Discussion	Ralph Lange, CIC Director, said this is an income tax ordinance. Koester Corporation gets a 50% abatement on the 1.5% of their payroll tax paid to the City. They have been here for 1-1/2 years and have expanded. They bought 8 acres of land from the CIC to build 10,000 sq ft (SF) of manufacturing space and 6,000 SF of office space. They decided to do two projects instead. They doubled the size to 20,000 SF and met the investment requirement. They were supposed to finish last year, but weather was a problem. This bumps their limit from \$2,000,000 to \$4,500,000. It is like earning a commission for doing more business. It bumped up to \$3,000,000 in 2 years even without building. They met the criteria for income tax. The ordinance has been amended for the extra amount for buying property on time and expanding the business. They must finish by the end of 2012.
	Mike Koester, owner of Koester Corp., said he appreciates the warm welcome and cooperation in Napoleon that allowed them to grow their business. They fabricate machinery for heavy industry and provide integrated automatic machinery with electrical and automation controls combined. They ability to prove equipment here before shipping sets Koester apart from others doing this work. Phase I is the manufacturing building which will cost \$1,769,000. Phase II is the office building and land development at a cost of about \$1,000,000. They hope to have this design by August 1. Koester employees are working in very tight quarters now. They are using rental properties for overflow and need the space long-term. Koester has some very large contracts on the horizon that are perfectly suited for this facility.
	Lange said Koester's original pledge was \$1,750,000. This will bring the cost to \$2,750,000. He requested suspension in order to meet deadlines. McColley said he toured Koester's facilities a couple years ago and is happy Koester is staying in Napoleon. Bisher said Koester will propose a solution as to how Isofoton's equipment from Spain can be brought into compliance with this country's UL requirements. Koester said the level of cooperation between the City, Commissioners and CIC and their willingness to work proactively is refreshing. It is mutually beneficial and a great partnership. Lange is the liaison that makes economic development happen. He is a salesman. The companies are his customers and he calls on them.
Motion To Suspend The Rule	Motion: Ridley Second: Helberg To suspend the rule requiring three readings
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Passed Yea-7 Nay-0	Roll call vote to pass Ordinance No. 046-12 under suspension of the rule Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Introduction Of Resolution 047-12	President Miller read by title Resolution No. 047-12 A Resolution authorizing Amendment No. 1 to CRA No. 2011-10 between the City and Koester Land Acquisitions, LLC
Motion To Approve First Read	Motion: McColley Second: Ridley To approve first read of Resolution No. 047-12

Discussion	Lange said this was project to be completed by May 31 originally, but Koester could not make the deadline. There is a big difference between the value of an appraisal of new manufacturing space compared to what it costs to build. This is due to the downturn in the economy and having so many leftover buildings. It is difficult to get financing. If this drags into next year, we will have to do another CRA for the office building due to the 10% rule. Koester is making a huge investment here.
	Koester said it is not a matter of not getting financed. It is the valuation at which it is appraised. It costs \$1,000,000 to build the space and it appraises at \$300,000, so we are the bank. We need to finish Phase I and get engineering and a price on Phase II. The valuation deficit difference was not anticipated to be so great, but Koester Corporation is a strong company. We will use our resources properly to have the right financing for Phase II. The new startups in Napoleon will help us. Lange requested suspension.
Motion To Suspend The Rule	Motion: Helberg Second: Ridley To suspend the rule requiring three readings
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Passed Yea-7 Nay-0	Roll call vote to pass Resolution No. 047-12 under suspension of the rule Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Approval Of Bills	Bills and reports stand approved as presented with no objections.
Motion To Adjourn	Motion: Ridley Second: Helberg To adjourn the meeting.
Passed Yea –7 Nay -0	Roll call vote on above motion: Yea- McColley, Sheaffer, Lankenau, Ridley, Helberg, Hershberger, Miller Nay-
Adjournment	Meeting adjourned at 8:07 PM.
Approved: June 4, 2012	Glenn A. Miller, Council President Ronald A. Behm, Mayor
	Gregory J. Heath, Finance Director/Clerk of Council

ORDINANCE NO. 048-12

AN ORDINANCE AMENDING SECTION 931.10 OF THE CODIFIED ORDINANCES TO PROVIDE FOR A CAP TO THE SANITARY SEWER TAP CHARGE FOR SINGLE FAMILY, TWO FAMILY, AND THREE FAMILY DWELLINGS

WHEREAS, the City of Napoleon desires to establish a cap to the sanitary sewer tap charge for single family, two family, and three family dwellings;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, Section 931.10 of the Codified Ordinances of the City of Napoleon, Ohio shall be amended and enacted as follows:

"931.10 SANITARY SEWER TAP FEES.

(a) A sanitary sewer tap fee (service connection fee) shall be charged for each connection to the City's sanitary sewer system as follows: (This fee does not cover any labor and material required. Any such labor or materials is a separate charge based on actual cost.)

(b) Charges as contained in this section are applicable and shall be charged for all tributary parcels now in the City to which a sanitary sewer has not been assessed and also for all parcels hereafter annexed to the City. This charge is also applicable and shall be made for all new buildings, major additions, or alterations; to buildings causing increased sewage discharge; any land use causing the discharge of sewage into the sewage system; and any change in sewage flow distribution ordered by the City Manager when the redistribution of sewage flow requires the construction of a new trunk line sewer and a new service connection thereto.

(1) For subdivisions LOTS with single-family dwellings, *TWO FAMILY DWELLINGS, OR THREE FAMILY DWELLINGS*, the sanitary sewer tap charge shall be based upon a minimum of eighty-seven dollars (\$87.00) per 7,200 square feet of land exclusive of dedicated streets, or a charge of eighty-seven dollars (\$87.00) per dwelling unit location, whichever is greater. Anything over the first 7,200 square feet of land shall be on a pro rata basis. HOWEVER, THERE SHALL BE A CAP TO THE SEWER *TAP CHARGE AS FOLLOWS:*

- A. SINGLE-FAMILY DWELLINGS MAXIMUM CHARGE IS \$150.00;
- B. TWO FAMILY DWELLINGS MAXIMUM CHARGE IS \$300.00;
- C. THREE FAMILY DWELLINGS MAXIMUM CHARGE IS \$450.00.

(2) For subdivisions with multifamily units of any nature, or manufactured homes courts, the sanitary sewer tap charge shall be based upon a minimum of eighty-seven dollars (\$87.00) per 7,200 square feet of land exclusive of dedicated streets, or a charge of eighty-seven dollars (\$87.00) per dwelling unit location whichever is greater. Anything over the first 7,200 square feet of land shall be on a pro rata basis.

(3) For all other developments of any kind, excluding commercial or industrial, the sanitary sewer tap charge shall be based upon a minimum of eighty-seven dollars (\$87.00) per 7,200 square feet of land, exclusive of dedicated streets, or a charge of eighty-seven dollars (\$87.00) per dwelling unit location, whichever is greater. Anything over the first 7,200 square feet of land shall be on a pro rata basis.

(4) All commercial or industrial uses: the sanitary sewer tap charge shall be six hundred (\$600.00) dollars.

(5) All sanitary sewer tap fees outside the corporation limits shall be increased fifty percent (50%) from what is stated in this provision.

(c) Inspection fees for sanitary sewer taps shall be as follows:

(1) Single-family and duplex residential: \$60.00

(2) Multifamily residential, commercial, and industrial fifty feet in length or less: \$100.00

(3) Multifamily residential, commercial, and industrial fifty-one feet in length or more: \$100.00, plus an additional \$10.00 for each fifty foot increment over and above the initial fifty foot length.

(4) Inspection fees outside the corporation limits shall be increased by fifty percent (50%) of the rates established in this inspection fee section."

Section 2. That, Section 931.10 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance 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 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 5. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed:	Glenn A. Miller, Council President
Approved:	Ronald A. Behm, Mayor
VOTE ON PASSAGE Yea Nay	Abstain
Attest:	
Gregory J. Heath, Clerk/Finance Director	

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 048-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____

_____; & 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.

Gregory J. Heath, Clerk/Finance Director

MPARD SAFETY GTY DONATION 220.4400.44350 660.00

AUTHORIZED SIGNATURE

UNITED WAY OF HENRY COUNTY 611 N. PERRY ST. NAPOLEON, OH 43545-1701	08-83	PNC Bank, N.A. 070 Ohio	ć
NAPOLEON, OF 43545-1701			5/22/2012
PAY TO THE ORDER OF City of Napoleon	AND MADE WATE -		\$ **660.00
Six Hundred Sixty and 00/100*******	****	***************************************	*****
City of Napoleon			
MEMO		Whons I.	Mac

Safety City



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

Memorandum

Dr. Jon A. Bisher, City Manager
Chad E. Lulfs, P.E., P.S., City Engineer
Mayor & City Council
Greg Heath, City Finance Director
Jeff Rathge, Operations Superintendent
June 4, 2012
Approval of Specifications
Large Dump Truck/Snow Plow

The City of Napoleon's Department of Public Works requests approval of the specifications for the advertisement for bids for a new Dump Truck/Snow Plow. The purchase of a new Dump Truck/Snow Plow, as well as outfitting the truck, was included in the 2012 Budget, as well as the master bid ordinance passed by City Council earlier this year. An existing Dump Truck/Snow Plow will be traded in as part of this project, therefore keeping the City's fleet the same size. The approved budget amount for this purchase is \$157,000.00.

CEL



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

Memorandum

То:	Dr. Jon A. Bisher, City Manager
From:	Chad E. Lulfs, P.E., P.S., City Engineer
сс:	Mayor & City Council
	Greg Heath, City Finance Director
	Marty Crossland, Staff Engineer
Date:	June 4, 2012
Subject:	Hobson Street Waterline Improvements ~ Phase I

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the above referenced project. This project consists of replacing a portion of six (6) inch waterline with ten (10) inch waterline on Hobson Street from E. Washington Street to E. Riverview Avenue. This waterline currently restricts flow from the City of Napoleon's Water Treatment Plant to the Vocke Street Water Tower. This project is the City of Napoleon's 2012 C.D.B.G. project and is solely funded through a C.D.B.G. grant.

Engineer's Estimate of Construction: \$30,000.00. Budgeted amount for this project is \$32,900.00.

CEL



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

Memorandum

To: From:	Dr. Jon A. Bisher, City Manager Chad E. Lulfs, P.E., P.S., Director of Public Works
cc:	Mayor & City Council
	Greg Heath, Finance Director
	Jeff Rathge, Operations Superintendent
Date:	June 4, 2012
Subject:	Award of Bid
	Refuse/Recycling Truck Packer Unit

On Wednesday, May 30, 2012, bids were opened and read aloud for the above referenced project. One (1) bid was submitted and read as follows:

Bell Equipment Company

\$61,315.00

The available budget amount for this unit is \$112,637.00. Having reviewed the submitted bid, it is my recommendation that Council award Bell Equipment Company the contract for the Refuse/Recycling Truck Packer Unit in the amount of \$61,315.00. If you have any questions or require additional information, please contact me at your convenience.

CEL

			POLEON OHIO ARY SHEET			
HEIL FORMULA 4000 20 CY REAR-LOAD REFUSE BODY	VENDOR					
	(A)	(B)	(C)	(D)	(E)	
DATE OPENED	Bell Equipment Co.					
May 30, 2012	78 Northpointe Dr.					
TIME: 11:00 AM	Lake Orion, MI 48359					
OPENED BY:						
Greg Heath						
BIDDER						
QUALIFICATION						
BID BOND	X					
NON COLLUSION	X					
AFFIDAVIT						
CORPORATE	X					
RESOLUTION						
PROPERTY TAX	X					
CERTIFICATION -	X					
ORC 3517.13	× – – – – – – – – – – – – – – – – – – –					
HOMELAND SECURITY FORM	X					
REAR-LOAD REFUSE						
BODY	\$61,315.00					
TOTAL	\$61,315.00					

Memorandum

To: Technology and Communication Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media

From: Gregory J. Heath, Finance Director/Clerk of Council

Date: 5/30/2012

Re: Technology and Communication Committee Meeting Cancellation

The June 4, 2012 meeting of the Technology and Communication

Committee has been <u>CANCELED</u> due to lack of agenda items.

Fw: Public Records and Social Media

From: "Gregory J Heath" <gheath@napoleonohio.com> To: "Roxanne Dietrich" <rdietrich@napoleonohio.com> 05/31/12 01:33 PM

Please include in Council Packet.

-----Original Message-----From: "OMCA Website" <no-reply@omca.us> To: meg.murphy@cityofwauseon.com Date: 05/31/2012 01:24 PM Subject: Public Records and Social Media

CLICK HERE to reply to this email.

Wauseon is considering getting Mark Weaver, attorney, and noted speaker on Public Records, to come to Wauseon and talk about Social Media as it relates to Public Records and other issues related to that. We would like to invite the cities and villages in our area and first wanted to see if there is any interest. This would be open to all elected officials and city employees. The date we are looking at is Tuesday, July 24, 2012 from 4:00 to 7:00 p.m. A light dinner will be provided. There will be a charge for this. If you, your mayor, councils and employees would be interested, please let me know. Depending on response will determine if we schedule. Thanks. Meg Murphy, City of Wauseon



A weekly newsletter presented by AMP President/CEO Marc Gerken

May 25, 2012

AFEC weekly update

By Craig Kleinhenz-manager of power supply planning

AFEC had a strong production week, seeing an almost 80 percent load factor for the week. This number was pulled down slightly by less production during last weekend due to mild temperatures. For the week the Day Ahead 7x16 market prices at the plant location averaged \$31.95/MWh, which is higher than the dispatch cost of the duct burners (\$26.71/ MWh). This resulted in the duct burners operating about 14 hours a day during the week and 11 on the weekend. The Day Ahead Off-Peak market price for the week was \$20.57/ MWh. This resulted in the plant ramping down to min load every night and even going to 1x1 operations on Sunday and Thursday mornings. With warmer temperatures expected this weekend, the plant is expected to operate straight through the holiday weekend.

AFEC Weekly Update (5/18 - 5/24)

(\$/MWh)	AFEC Cost	(\$/MWh)	LMP
Base Cost	\$21.06	Day Ahead 7x16	\$31.95
Duct Cost	\$26.71	Day Ahead 7x8	\$20.57
Capacity Eactor	79%		

2015/2016 RPM capacity market results

Craig Kleinhenz

Last Friday PJM's, RPM capacity market (Reliability Pricing Model) cleared for the 2015/2016 delivery year (June 1, 2015, through May 31, 2016). In total PJM bought 164,561 MW of capacity to cover a projected load of 136,900 MW resulting in overall reserve margin of 20.2 percent. In general prices cleared as expected in the eastern part of PJM, lower than expected in the western part of PJM, and much higher in the First Energy (FE) area. Below are the clearing prices for each one of the different member areas.

Market prices cleared much higher in FE this year compared to last year's clearing price of \$3.83/kW-Mo, due to the large amount of retirements announced in the FE area. These retirements caused the area to be projected as constrained due to the lower internal genera-

Installed Capacity Cost Charged to Load			
	Clearing Rate \$/kW-mo		
First Energy	\$8.94		
AEP	\$4.09		
Dayton Power and Light	\$4.09		
Allegany Power	\$4.09		
Duke Energy	\$4.09		
Metropolitan Edison	\$5.04		
Penn Power and Light	\$5.04		
Penelec	\$5.04		
Delmarva Power and Light	\$5.04		

tion and limited import capacity. The actual auction clearing price in the First Energy system was actually \$10.86/kW-Mo, but load gets credit for Capacity Transfer Rights that lowered the cost to the \$8.94/ kW-Mo listed above. The eastern half of PJM also cleared at a higher price than the rest of PJM. This was unexpected as PJM has been installing transmission upgrades to help alleviate constraints in the system.

These higher clearing prices were beneficial for participants of AMP's generation projects. As a whole AMP cleared 1,611 MW of capacity in the 2015/2016



Touring the Cannelton site are, from left, AMP Vice President of Generation Operations Mike Perry, U.S. Rep. Brett Guthrie, Cannelton Site Manager Ron Woodward, Hancock County (Ky.) Judge Jack McCaslin and guest Greg Wettstain.

Congressman tours Cannelton construction site

Kentucky Congressman Brett Guthrie (R-2) toured the Cannelton Hydroelectric Project construction site on May 23. Rep. Guthrie has been a strong supporter of the Cannelton project and all of AMP's hydro development efforts on the Ohio River, and was a featured speaker at the project groundbreaking ceremony in 2009. AMP's hydro development team, led by Mike Perry, vice president of generation operations, conducted the tour and talked to Rep. Guthrie about the need for better coordination between federal agencies with oversight of hydro development.



News, ads?

If you have any to pass along, call Krista Selvage at 614.540.1111 or send an e-mail to cselvage@amppartners.org.

On Peak (16 hour) prices into AEP/Dayton Hub Week ending May 25 MON TUE WED THU FRI \$36.00 \$35.00 \$35.25 \$40.50 \$42.00 Week ending May18 THU MON TUE WED FRI \$32.50 \$34.00 \$36.00 \$31.75 \$32.25 AEP/Dayton 2011 5x16 price as of May 25 - \$41.16 AEP/Dayton 2011 5x16 price as of May 18 — \$42.10

auction, which included 312 MW of Demand Response (DR). This results in approximately \$150 million dollars of revenue to the participants of the projects. Demand response rates had cleared lower than normal generation rates in this year's auction due to the limited number of hours they are required to run. The table below shows the megawatt amount each project cleared (includes forced outage de-rate) and the rate at which it cleared.

·····				
			Clearing Rate	
	MW Bid	MW Cleared	\$/kW-mo	
AFEC	673.4	673.4	\$10.86	
Prairie State	346.2	346.2	\$4.14	
Willow Island	35.2	35.2	\$4.14	
Greenup	61.0	61.0	\$4.14	
Meldahl	108.4	108.4	\$4.14	
Belleville	41.9	41.9	\$4.14	
Landfill	33.5	33.5	\$10.86	
DEMEC Beasley	92.5	92.5	\$5.09	
First Energy				
Demand Response	201.3	201.3	\$9.27	
Other				
Demand Response	129.9	110.7	\$3.61	

AMP Cleared Capacity (2015/2016)

*No diesel units were offered into the auction due to pending RICE/NESHAP rules.

The market saw almost 14,000 MW of generation retirements announced for this 2015/2016 capacity year (mostly coal plants). These units were replaced with 5,346 MW of new generation capacity and 714 MW of new DR that was offered into the auction. Because only a portion of the 14,000 MW worth of retired generation had cleared in the 2014/2015 auction, PJM actually saw a net increase of 5,426 MW of additional resources in the 2015/2016 auction. Eighty-three percent of this new generation capacity is gas fired and 92 percent is located in the eastern part of PJM (New Jersey and Maryland). Cleared DR actually decreased in much of the eastern part of PJM. This was offset by a large increase of DR in the First Energy area, which saw an additional 808 MW cleared compared to last year.

Prices in FE next year are projected to remain constrained as no major capacity additions cleared in this year's auction. FE did offer in a new 840 MW combustion turbine unit, but it failed to clear due to prices in FE clearing just below the cost of a new unit (Net Cone). Prices could be helped by some transmission upgrades (\$650 million worth) that are planned which allows more capacity to be imported. It is worth noting that First Energy is projected to see an increase of \$550 million in RPM revenue over the previous year's auction.

EPA proposes revisions to RICE NESHAP rules

By Jolene Thompson, AMP senior vice president/OMEA executive director On May 23, the U.S. EPA released its long-awaited proposed amendments to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for stationary Reciprocating Internal Combustion Engines (RICE). The rules are 200 pages in length, and our environmental team is reviewing the full document to determine where the devil may be in the details of the technical text. The EPA will be accepting comments on the proposed amendments for 45 days after the rule is published in the *Federal Register*. AMP will submit comments and will provide our members who are following this issue information they can use to submit as well.

Based on our initial review, it appears that some of the key changes requested by AMP and others in public power were included. The proposed new rule would allow for up to 100 hours of operation per year without meeting the emissions limits for the following purposes:

1) Monitoring and testing

2) Demand response for Energy Emergency Alert Level 2 situations

3) Responding to situations when there is at least a five percent or more change in voltage

This would allow AMP member and AMP behind-the-meter generators to participate in the RTO capacity markets as demand response. There may be some additional benefit for peak shaving, but that section of the rule contains a number of caveats, and we want to complete our full review of the rule to determine if it would be of real benefit.

It's important to remember that the rule will not be finalized until after this comment period and publishing of a final rule, which is slated to happen in December 2012. It's also important to remember that owners and operators of units would still be required to comply with the stricter of the federal and state rules and could be impacted by other future air requirements. AMP will get information to our members regarding the proposed amendment in the next week and we will schedule a member webinar in early June to answer questions. Copies of the proposed amendments are available on the AMP member extranet site under regulatory comments.

Energy prices rise, then fall

Craig Kleinhenz

Natural gas prices rallied earlier this week, but then unexpectedly gave back all of the gains yesterday. This led June natural gas prices to finish the week flat at \$2.60 / MMBtu. July natural gas prices are currently trading at \$2.75 / MMBtu. 2013 on-peak electric prices gave back some of the previous week's gains as 2013 on-peak electric prices at AD Hub finished the week down \$0.94 / MWh to close the week at \$41.16 / MWh.

Legislature passes energy bill

By Michael Beirne-assistant vice president, governmental affairs and publications

The Ohio General Assembly completed work on the energy policy bill as part of the Governor's Mid Biennium Review package of bills. The energy piece largely focuses on the oil and gas industry and establishes regulations for drilling and certain disclosure of chemicals used in the drilling process.

The bill does include limited electric industry reforms, specifically addressing the renewable portfolio standard. The Senate included a provision to allow state universities to receive credit for investments made in waste heat recovery systems -- specifically, the University of Cincinnati and Kent State University, which both have projects that began operation less than 10 years ago. The change in law would allow those projects to be eligible for renewable energy credits. Waste-heat recovery would be eligible for RECs and for meeting efficiency requirements. Combined heat and power can meet efficiency requirements only.

OMEA pursued an amendment to allow the Greenup hydro project – which came online in 1982 – to receive renewable energy credits. Unfortunately, we were unsuccessful in our efforts as lawmakers emphasized their intent to keep the RPS focused on new investments. The language including the universities' projects was further limited to only apply to the two projects already in operation; despite that change, the provision still raised objections. We want to thank the members who made calls to their lawmakers to support the provision to include Greenup. We will look for future opportunities to include the project as an eligible RPS resource.

Lawmakers plan to return to the Statehouse on June 12-13 to complete work that was not finished this week in the flurry of activity prior to summer break. We don't expect any new issues to appear in this time, and will provide a full legislative update in early June. Please contact me at mbeirne@amppartners.org or 614.540.0835 if you have any questions or need additional information.

AMP supports Solar by Soldiers with Napoleon Solar project

Kent Carson, senior director of media relations and communications programs

AMP and AP Alternatives (APA) are utilizing military veterans for construction of the solar generation facility under development in Napoleon, Ohio. Solar by Soldiers is a program created by Tipping Point Renewable Energy. Tipping Point is hiring American military veterans to work on solar and efficiency projects throughout the country. Under this program two veterans have been hired to work on AMP's Napoleon solar facility.

APA is the racking manufacturer and installer for the 3.54 MWAC Napoleon facility, which began construction in late March. AMP is working with member utility Napoleon Light & Power on development of the project. Isofoton is manufacturing the 17,140 panels being installed at the 20.74 acre site.



Working on solar racking at the Napoleon solar facility are, from left, Solar Soldier's Joshua McFadden of Johnstown, Ohio, and Justin Harris of Columbus, Ohio. They're working under the direction of Eric Wiemken, site lead for AP Alternatives.

"We are happy to support the Solar by Soldiers effort at our Napoleon project," AMP President/CEO Marc Gerken said. "AMP and our member communities are leaders in the deployment of new renewable generation in the region. From building Ohio's first utility-scale wind farm, to embarking on the largest deployment of new run-of-the-river hydroelectric generation in the country, to this solar generation project, we are supporting renewable generation efforts in a very real manner. Tipping Point's efforts to provide employment opportunities to American veterans are tremendous and we're pleased to be a part of it."

Josh Von Deylen, sales and marketing manager for APA, said, "AP Alternatives is proud to support the Solar by Soldiers program. It is a great opportunity for APA to utilize the talent and training of the Ohio soldiers. The soldiers have been trained by Tipping Point Energy to install solar racking. Currently, the soldiers are being utilized to install the solar racking and operate heavy equipment on site. Solar by Soldiers is a program AP Alternatives plans to continue to support on future solar projects."

Once completed, the facility will be interconnected to the City of Napoleon's electric system, providing transmission cost savings. Napoleon has contracted for the output of the project, but has agreed to reduce its share to allow other AMP member communities to participate in the project.

AMP offering webinar for 2012-2013 PJM demand response testing and event procedures

By Timothy Walton-transmission affairs specialist

AMP will offer an informational webinar on Wed., May 30, at 2 p.m. to prepare demand response participants for the upcoming 2012-2013 PJM demand response testing and event procedures. The webinar will go over the requirements and steps that are needed for testing of participants demand response and responding to PJM emergency events. An email with all of the webinar information will be sent out before the webinar to PJM members who are participants have any questions about the webinar, please send me an email at twalton@amppartners.org or give me a call at (614) 540-6418.

AMP names 2012 scholarship recipients

By Karen Ritchey, manager of communications programs

Congratulations go out to the eight graduating high school seniors who have been selected to receive a \$2,000 scholar-ship through the AMP Scholarships program. The AMP Board of Trustees recently announced the recipients of the 2012 Richard H. Gorsuch and Lyle B. Wright scholarships.

Gorsuch scholarship recipients are: Tiffany Stelzer, Milan; Lindsey Pape, New Bremen; William Feeney, New Martinsville; and Hanna Dupee, Oberlin. The recipients are graduating seniors whose parent or guardian is an employee of either a municipal electric system or AMP, or an elected official with responsibility for the electric system. Tiffany Stelzer's mother, Julie, is the utility clerk for the Village of Milan. Lindsay Pape's father, Jeff, is mayor of the Village of New Bremen. William Feeney's father, Christian Bachman, is a council member for the City of New Martinsville. Hanna Dupee's father, Steve, is the electric director of Oberlin Municipal Light & Power System.

Wright scholarship recipients are: Trey Lucie, Front Royal; Katie Layman, Montpelier; Jenna Ahlers, New Bremen; and Mitchell Jokerst, Versailles. The Wright Scholarship recipients are graduating seniors whose household receives electricity from an AMP member community.

Recipients of the Gorsuch and Wright scholarships are determined based on an essay about public power, scholastic record, personal achievements and a test on public power. A \$2,000 check will be presented to each recipient during the summer at their member community city council meeting. Since 1988, AMP has provided a total of \$224,000 in scholarships to graduating high school seniors.

This year, 60 students were nominated by member communities for the scholarships. The students were asked to write an essay on a public power topic. Finalists were determined based on the score received for their essay. Finalists not receiving a scholarship will receive a \$50 VISA gift card and an AMP baseball hat.

Gorsuch finalists were: Jamie Bennett, Bedford; Dakotah Cox, Bowling Green; Katherine Boorman, Cuyahoga Falls; Elizabeth Ott, Hamilton; Ethan Kelemen, Hudson; Jennifer Brown, St. Mary's; and Mackenzie Greer, Seville. Wright finalists were: Kate Elam, Bryan; Angelina Moore, Cuyahoga Falls; Wallis Daniels, Hamilton; Johanna Winner, Minster; Erica Monnin, Napoleon; Jordan Wheeler, Orrville; Beatrice Lovett, Tipp City; and Andrew Phillips, Westerville.

Update Classifieds

Danville seeks utilities director

The City of Danville (45,000) seeks an energetic, proactive, creative leader to manage Danville Utilities, a municipal provider of electric, gas, water, wastewater, and telecommunications services in a 500-square mile territory. Appointed by and reporting directly to the City Manager, the Utilities Director is responsible for leading a progressive organization that delivers exceptional customer service, operates effectively and efficiently, maintains a world class workforce, contributes to developing Danville's new economy, and meets environmental and community responsibilities.

Danville Utilities serves 42,000 electric meters, 16,000 gas meters, and 18,000 water meters. Its open access fiber optic telecommunications system serves 200 municipal, school, and business locations. Fiber-to-the-neighborhood deployments are now under way. The Utilities Department employs 174 and operates on a \$166 million annual budget. A City Council-appointed Utility Commission provides policy oversight.

Position requires a bachelor's degree in engineering, public administration, business, or related field; masters degree in public or business administration is preferred. Extensive experience in utilities, public works, or local government management is required.

Salary range: \$90,429 - \$120,000, DOQ, plus generous fringe benefits package. Visit our website to apply online www.danville-va.gov Attach cover letter, detailed resume, credentials, and salary history. Position will remain open until filled. City Residency is required. All submissions are confidential. For additional information on Danville Utilities, please visit http://www.danvilleutilities.com. Equal Opportunity Employer.

Administrator position open in Versailles

The Village of Versailles, Ohio, is seeking qualified, professional candidates for the position of Village Administrator. The person appointed will report to the Mayor and will provide general administrative direction; supervises activities of assigned personnel; advises employees on proper operations and procedures; directs the management and operation for all utility, street, urban forestry, park, cemetery, fire department, emergency medical services, planning, zoning, business and economic development activities, and grant writing activities. A complete job description is available by contacting the Village of Versailles Administrative Office at 937-526-3294 extension 203, or by visiting the Village of Versailles website at www.versaillesohio.cc

Please submit resume to Jeff A. Subler, Mayor, Village of Versailles, 177 North Center Street, P.O. Box 288, Versailles, Ohio 45380 or jeffasubler@versaillesohio.cc. Interested individuals are asked to submit a cover letter and resume by 4 p.m. on June 4, 2012. The Village of Versailles is an Equal Opportunity Employer.

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Legislative Bulletin

2012 OML Bulletins

May 25, 2012

HOUSE WAYS AND MEANS COMMITTEE HOLDS HEARING ON MUNICIPAL TAX UNIFORMITY

On Wednesday, Chairman Peter Beck (R-Mason) held the first of several hearings before the House Ways and Means Committee on the topic of municipal income tax uniformity. As we have reported to you in past Legislative Bulletins, there has not been a bill introduced on the subject, but Interested Party meetings have been taking place between municipal representatives and representatives from tax preparer and business organizations, at the behest of Rep. Cheryl Grossman (R-Grove City) and Rep Mike Henne (R-Clayton).

The league provided testimony to the assembled committee members which can be found HERE. In our testimony, we stressed to members of the committee our support for greater uniformity and simplification of the provisions that make-up the municipal income tax and that any changes advanced legislatively must be mindful of the importance the revenue generated by our municipal income tax is to our already financially strapped communities. We would like to thank Stiney Vonderhaar, Vice Mayor of the Village of Evendale, Tim Riordan, Dayton City Manager, and City of Perrysburg Tax Commissioner Steven Bronder for joining us at the Statehouse to share with legislators the importance of the continued viability of the their locally supported municipal income tax revenue. Along with our municipal officials, testimony was also received by past Ohio Tax Commissioner Tom Zaino representing the Ohio Society of Certified Accountants, followed by Dan Navin and Steven Hall from the Ohio Chamber of Commerce.

Chairman Beck shared with committee members his intention to have additional hearings on this subject, possibly as soon as the second week of June, when the House is tentatively scheduled to return to the Statehouse to hold session and additional committee hearings. We will be sure to alert our members when the House Ways and Means Committee takes-up the issue again. As a reminder, Rep. Grossman will be convening a fifth Interested Party meeting Thursday, May 31st. We will be sure to share with our members anything new that may come from this meeting.

BUSY LEGISLATIVE WEEK INCLUDES MUNICIPAL BILLS OF INTEREST

In addition to the action by the House Ways and Means committee, this week saw a large volume of bills moving through the legislative process with a couple dealing with Ohio municipalities. The following is a quick update of legislation we have previously reported to you on and where they are now.

Am. Sub. HB 50, the annexation legislation was placed on the House floor on Tuesday and was favorably approved by a vote of 90-3. The bill has been sent to the Ohio Senate where it has been assigned to the Senate Ways and Means Committee. We are uncertain of the plans Sen. Tim Schaffer (R-Lancaster), Chairman of the Senate Ways and Means Committee has for the bill but we do not expect any action on this initiative until the legislature returns in late fall. HB 509, the local government component to Governor Kasich's Mid Biennial Review bill was passed by the Senate State & Local Government & Veteran's Affairs Committee on Wednesday. The bill is currently pending for a Senate Floor vote.

HB 487, the appropriations component to the MBR package of bills was sent to a Conference Committee where differences were hammered-out. The committee completed their negotiations to reach "agreed to language" and the report was then accepted by both chambers and now HB 487 is headed to the Governor's desk.

SB 340 & 343, the retirement reform packages addressing Police and Fire pension system (340) and the PERS system changes (343) were passed by the Senate last week and have both been assigned to the House Health & Aging Committees. As of yet, there has not been a committee hearing schedule released for these two proposals. We expect the House to take-up the legislation in the Lame Duck session which will be after the November elections.

HB 386, the gambling bill was holed-up in a Conference Committee this week with action finally being taken on Thursday through the adoption of the Conference Committee report. The bill will now be sent to the Governor for his signature.

There are rumblings through the halls of the Statehouse that the General Assembly will be taking a short two week breather before returning to session dates and committee hearings the week of June 11th. Although there has not been an official announcement made of this scheduled return the second week on June, there remains that possibility. We will be sure to alert you if the legislature does return for this short schedule. There is the possibility that some committees may meet sporadically during the summer, but the majority of activity will not resume until after the November elections. As a reminder, any legislation that does not get through the entire legislative process by the December 31st will not carry over to the new General Assembly which will begin January 2013 and thus will essentially "die" and would have to be reintroduced in the new GA, thus beginning the legislative process anew.

While the members of the General Assembly are back home in their districts and in your communities, it would be a perfect time for you to educate them about the importance of the revenue you generate locally through your local income tax and the need for this critical stream of funding to be protected from any unnecessary assaults that may come about through legislative proposals. Furthermore, you may want to remind you state Representatives and Senator that the State remains a valuable partner in providing the services residents and businesses depend on everyday and that further cuts in state revenue sharing would be a determent to the entire State's economic development goals. League staff would be happy to help facilitate meetings between community officials and area legislators.

While the legislature is on recess, we will continue to update our members on issues that may affect them when the General Assembly returns and we will provide other legislative updates, as they become available.

<u>NO COMMITTEE HEARINGS DEALING WITH MUNICIPAL ISSUSES ARE</u> <u>SCHEDULED FOR NEXT WEEK</u>