

MEMORANDUM

TO: Mayor & Members of Council
FROM: Jon Bisher/*rd*
SUBJECT: General Information
DATE: December 7, 2012

A. CALENDAR

B. AGENDA – Electric Committee; Monday, December 10th at 6:30 pm

1. *Approval of Minutes* – the October 8th meeting minutes are attached.
2. *Review/Approval of the Electric Billing Determinants for December* – the billing determinants reports for December 2012 and Rate Comparisons to Prior Periods are attached.
3. *Electric Department Report*

C. AGENDA – Board of Public Affairs; Monday, December 10th at 6:30 pm

D. AGENDA – Preservation Commission; Tuesday, December 11th at 3:30 pm

E. AGENDA – Records Commission; Tuesday, December 11th at 4:00 pm

F. AGENDA – Board of Zoning Appeals; Tuesday, December 11th at 4:30 pm

G. MEETINGS CANCELED

1. Water & Sewer Committee
2. Municipal Properties/ED Committee
3. Planning Commission

H. INFORMATIONAL ITEMS

1. Letters Greg Heath sent out this week on Registration of Amusement Devices
2. AMP Update/November 30, 2012
3. OML Legislative Bulletin/November 30, 2012

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Records Retention
CM-11 - 2 Years

November 2012							December 2012							January 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	2	3	4	5	6	7	8	6	7	8	9	10	11	12
4	5	6	7	8	9	10	9	10	11	12	13	14	15	13	14	15	16	17	18	19
11	12	13	14	15	16	17	16	17	18	19	20	21	22	20	21	22	23	24	25	26
18	19	20	21	22	23	24	23	24	25	26	27	28	29	27	28	29	30	31		
25	26	27	28	29	30		30	31												

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	1 10:00 AM Christmas Parade
2	3 7:00 PM City COUNCIL Meeting 8:00 PM Technology & Communication Committee AV - Dar	4	5	6	7	8
9	10 6:30 PM Electric Committee BOPA Meeting	11 3:30 PM Preservation Commission Mtg 4:00 PM Records Commission Mtg. 4:30 PM Board of Zoning Appeals Mtg.	12	13 AMP - Bisher	14 AMP - Bisher	15
16	17 6:00 PM City TREE Commission Meeting 7:00 PM City COUNCIL Meeting 8:00 PM Parks & Rec Committee Meeting AV	18	19	20	21	22
23	24 6:30 PM Finance & Budget Committee Meeting 7:30 PM Safety & Human Resources Committee Meeting HOLIDAY - "Floating" / Office	25 HOLIDAY - Christmas	26 BISHER - Vacation	27 BISHER - Vacation	28 BISHER - Vacation	29 BISHER - Vacation
30 BISHER - Vacation	31 5th Monday-No Scheduled Meeting BISHER - Vacation	1 HOLIDAY - New Year's Day BISHER - Vacation	2 BISHER - Vacation	3 BISHER - Vacation	4	5

City of Napoleon, Ohio

ELECTRIC COMMITTEE

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

Meeting Agenda

Monday, December 10, 2012 at 6:30 PM

- I. Approval of Minutes (In the Absence of any Objections or Corrections, the Minutes Shall Stand Approved)
- II. Review/Approval of the Electric Billing Determinants for December:
Generation Charge: Residential @ \$.08693; Commercial @ \$.10572;
Large Power @ \$.06020; Industrial @ \$.06020; Demand Charge Large
Power @ \$12.89; Industrial @ \$12.77; JV Purchased Cost: JV2 @
\$.02110; JV5 @ \$.02110
- III. Electric Department Report
- IV. Any Other Matters Currently Assigned to the Committee

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
ELECTRIC COMMITTEE

Meeting Minutes

Monday, October 8, 2012 at 6:30 PM

PRESENT	
Electric Committee	Travis Sheaffer – Chair, Patrick McColley, Jason Maassel
BOPA	Keith Engler – Chair, Tom Druhot, Mike DeWit
City Staff	Dennis Clapp, Electric Superintendent Trevor Hayberger, Law Director Gregory J. Heath, Finance Director/Clerk of Council Chad Lulfs, Acting City Manager Barbara Nelson News Media, John Helberg
Recorder	
Others	
ABSENT	
Electric Committee	None
City Staff	Dr. Jon A. Bisher
Call To Order	Chairperson Sheaffer called the meeting to order at 6:30 PM.
Approval Of Minutes	The September 10, 2012, meeting minutes stand approved as presented with no objections or corrections.
Review Of Billing Determinants	The electric billing determinants for October were presented for review.
Motion To Accept BOPA Recommendation For Approval Of Electric Billing Determinants	Motion: McColley Second: Maassel To accept the BOPA recommendation for approval of electric billing determinants for October 2012 as follows: Generation Charge: Residential @ \$.06636; Commercial @ \$.07737; Large Power @ \$.04903; Industrial @ \$.04903; Demand Charge Large Power @ \$8.53; Industrial @ \$8.79; JV Purchased Cost: JV2 @ \$.02144; JV5 @ \$.02144
Passed	Roll call vote on above motion:
Yea-3	Yea- Maassel, Sheaffer, McColley
Nay-0	Nay-
Electric Department Report	Clapp gave the September 2012 Electric Department Report (attached).
Motion To Adjourn	Motion: McColley Second: Maassel To adjourn the meeting at 6:39 PM
Passed	Roll call vote on above motion:
Yea-3	Yea- Maassel, Sheaffer, McColley
Nay-0	Nay
Date	Travis Sheaffer, Chair

BILLING DETERMINANTS - DECEMBER, 2012

BILLING UNITS RECONCILIATION AND RATE CALCULATION

ALLOCATION OF ENERGY AND DEMAND COSTS

ENERGY COST ALLOCATION:

Total Energy Cost (from Power Bills page):	\$685,319		\$685,319	<- Verification Total - Variations Due To Rounding
	kWh			
	Billing Units	Pct.	Allocated \$	
Res./Interdept. (G1):	3,262,091	28.6544%	\$196,374	
Commercial (G2):	2,492,218	21.8919%	\$150,029	
Large Power (G3):	4,116,403	36.1589%	\$247,804	
Industrial (G4):	1,513,503	13.2948%	\$91,112	
Total:	11,384,215	100.0000%	\$685,319	<- Verification Total - Variations Due To Rounding
Verification Total ->	11,384,215			

DEMAND COST ALLOCATION:

Total Demand Cost (from Power Bills page):	\$367,482		\$367,482	<- Verification Total - Variations Due To Rounding
	kW/KVA			
	Billing Units	Pct.	Allocated \$	
Res./Interdept. (G1):	5,503	23.7260%	\$87,189	
Commercial (G2):	7,160	30.8700%	\$113,442	
Large Power (G3):	7,658	33.0172%	\$121,332	
Industrial (G4):	2,873	12.3868%	\$45,519	
Total:	23,194	100.0000%	\$367,482	<- Verification Total - Variations Due To Rounding
Verification Total ->	23,196			

APPLIED GENERATION & DEMAND RATES TO MONTHLY BILLING

<u>DECEMBER, 2012</u>	<u>Allocated Costs</u>	<u>Billing Units</u>	<u>PWR.RATES CHARGED</u>
JV's Purchased Cost kWh to City			
JV2 Joint Venture Rate (JV2 Energy Only)			\$0.02110
JV5 Joint Venture Rate (JV5 Energy Only)			\$0.02110
Generation Charge:			
Res./Interdept. (G1):	\$283,563	3,262,091	\$0.08693
Commercial (G2):	\$263,471	2,492,218	\$0.10572
Large Power (G3):	\$247,804	4,116,403	\$0.06020
Industrial (G4):	\$91,112	1,513,503	\$0.06020
Demand Charge:			
Large Power (D1):	\$121,332	9,411	\$12.89
Industrial (D2):	\$45,519	3,565	\$12.77
Total Billing & Unit Check:	\$1,052,801	11,384,215	
Verification of Billings & Units:	\$1,052,801	11,384,215	<i>Net Costs/kWh</i>
Net Average City Cost of Purchased Power/kWh for Month w/Credits:			\$0.08026
Net Average Customer Cost of Billing per kWh for Prior Billing Month:			\$0.09291

BILLING DETERMINANTS - DECEMBER, 2012

BILLING UNITS RECONCILIATION AND RATE CALCULATION

BILLING UNITS - ALLOCATION OF USE BY CLASS

CITY BILLING UNITS - PRIOR MONTH'S DATA				
<i>Days in AMP-Oh Bill Month</i>	31	OCTOBER, 2012		
<i>Coincidental Peak in Month</i>	23,300	OCTOBER, 2012		
<i>Days in Data Month</i>	30	NOVEMBER, 2012		
(kWh G1,G2, G3, & G4 ,- kW D1 & D2)				
<u>Cstmr. Class or Schedule</u>	<u>kWh Sales</u>	<u>Metered kW Demand</u>	<u>Billed kW Demand</u>	
Residential (Domestic)	2,038,591	0		
Residential (Rural)	901,237	282		
Commercial (1P)	41,392	0		
Commercial (1P)(D)	343,925	2,278		
Commercial (3P)	0	0		
Commercial (3P)(D)	2,106,901	7,943		
Large Power (D)	4,116,403	9,411	9,411	
Industrial (D)	1,513,503	3,565	3,565	
Interdepartmental	322,263	921		
Total kWh, kW and kVa	11,384,215	24,400	12,976	

CITY STREET LIGHTS - kWh ALLOCATION				
<u>Light Type</u>	<u>Number of Lights</u>	<u>Monthly kWh Per Light</u>	<u>Total kWh by Light Type</u>	
52W	2	17.16	34	
70W	87	23.10	2,010	
100W	484	33.00	15,972	
150W	58	49.50	2,871	
157W	2	51.81	104	
250W	328	82.50	27,060	
400W	104	132.00	13,728	
			1,065	61,779

Verification Totals -> 11,384,215

24,400

Street Light list Revised Per Electric Superintendent on 12/21/2009.

AVERAGE AND EXCESS DEMAND CALCULATION

	<u>Monthly kWh Delivered</u>	<u>Monthly Average Demand</u>	<u>Calculated or Actual Maximum Demand</u>	<u>Excess Demand</u>	<u>Allocated Excess Demand</u>	<u>System kW Load Delivered A & E</u>
Residential (Domestic)	2,038,591	2,740	4,016	1,276	699	3,439
Residential (Rural)	901,237	1,211	1,775	564	309	1,520
Commercial (1P)	41,392	56	82	26	14	70
Commercial (1P)(D)	343,925	462	2,278	1,816	995	1,457
Commercial (3P)	0	0	0	0	0	0
Commercial (3P)(D)	2,106,901	2,832	7,943	5,111	2,801	5,633
Large Power	4,116,403	5,533	9,411	3,878	2,125	7,658
Industrial	1,513,503	2,034	3,565	1,531	839	2,873
Interdepartmental	322,263	433	635	202	111	544
Total Billed System	11,384,215	15,301	29,705	14,404	7,893	23,196
Outdoor Lights	61,779	83	122	39	21	104
Total System	11,445,994	15,384	29,827	14,443	7,914	23,300

System Load Factor: 68.23% <- Total kWh Del. / (Total Sys.kW Load X 24 X # Days In Data Month)
 11445994 / (23300 x 24 x 30)

Verification Total-Coincidental Peak->

23,300

BILLING DETERMINANTS - DECEMBER, 2012

DECEMBER, 2012

PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER AND POWER SUPPLY COST ALLOCATIONS:

Table with columns: DATA PERIOD, MONTH, DAYS IN MONTH, SYSTEM PEAK, PURCHASED POWER-PROVIDERS, and EXCISE TAX RATE. Rows include AMP-Ohio Bill Month, System Data Month, and various power providers like GORSUCH & EFF. SMART, AMP CT, NYPA, etc.

POWER COSTS OF ENERGY, DEMAND, REACTIVE, TAXES, FEES, CREDITS & ADJUSTMENTS:

Billings Charges - Demand and Energy Direct Charges:

Table listing various charges such as Demand Chgs * DB +, Demand Chgs * CR - AMP CT, Energy Chgs * DB + On Peak, etc., with associated dollar amounts.

Billings - Adjustments, Service Fees & Billing and Rate Adjustments:

Table listing adjustments and service fees such as Adj -Net Congsn., Service Fees AMP-Dispatch Center, Service Fees AMP-Part A, etc.

TOTAL COSTS TO ALLOCATE table showing the sum of all costs and their allocation per kWh, including verification totals.

NOTE: (1) A Permanent \$60,000 Monthly Cost of Power representing a Five (5%) Increase, as Approved by Council in Ord.# 003-08, passed 01/07/2008, effective billing March, 2008.

RATIOS COMPUTATION (By Billed Demand and Energy):

Table showing ratios for Demand Ratio, Energy Ratio, and Verification Total-Ratio's, along with A-AMP RATIO and B-CITY RATIO.

COST ALLOCATION TO SERVICE FEES & BILLING AND RATE ADJUSTMENTS - By DEMAND and ENERGY RATIO'S:

Table detailing cost allocation for Demand Allocation based on Ratio, Energy Allocation based on Ratio, and Verification Total for various service fees and adjustments.

BILLING DETERMINANTS - DECEMBER, 2012

DECEMBER, 2012

PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER AND POWER SUPPLY COST ALLOCATIONS:

Power Supply Cost Allocation Worksheet

Power Source	Billing Charges Demand	Billing Charges Energy	Service Fees AMP Chrgs. Demand	Service Fees AMP Chrgs. Energy	Service Fees Cng./Chs.&Adj. Demand	Service Fees Cng./Chs.&Adj. Energy	City Rate Adjustment Demand	City Rate Adjustment Energy	TOTALS		Cost Verfy Check (Rounded)	
									Total Demand	Total Energy	\$1,052,801	\$1,052,801
GORSUCH & EFF SMART SCHEDULED	\$141,518	\$426,181	\$0	\$0	\$0	\$0	\$0	\$0	\$141,518	\$426,181	\$567,699	\$567,699
AMP CTCAP & TRANS. SCHEDULED	-\$10,364	\$0	\$0	\$0	\$0	\$0	\$0	\$0	-\$10,364	\$0	-\$10,364	-\$10,364
NAPOLEON SCHEDULED	\$3,038	\$35,706	\$0	\$0	-\$45	-\$525	\$0	\$0	\$2,993	\$35,181	\$38,174	\$38,174
NORTHERN POWER POOL SCHEDULED	\$69,541	-\$122,599	\$0	\$0	-\$19,914	\$35,109	\$0	\$0	\$49,627	-\$87,490	-\$37,863	-\$37,864
FREEMONT ENERGY SCHEDULED	\$63,214	\$141,746	\$0	\$0	\$3,180	\$7,131	\$0	\$0	\$66,394	\$148,877	\$215,271	\$215,272
J-ARON PP and SALE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
JV-2 PEAKING SCHEDULED	-\$558	\$1	\$0	\$0	\$47	\$0	\$0	\$0	-\$511	\$1	-\$510	-\$510
JV-5 HYDRO	\$67,641	\$50,877	\$0	\$0	\$0	\$0	\$0	\$0	\$67,641	\$50,877	\$118,518	\$118,518
JV-6 WIND SCHEDULED	\$4,437	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,437	\$0	\$4,437	\$4,437
TRANSMISSION CHARGES - All Charges	\$24,429	\$71,307	\$0	\$0	\$0	\$0	\$0	\$0	\$24,429	\$71,307	\$95,736	\$95,736
A - AMP Service Fees- Dispatch, A & B	\$0	\$0	\$2,106	\$4,555	\$0	\$0	\$0	\$0	\$2,106	\$4,555	\$6,661	\$6,661
B - City Rate Adjustmt + to Cost of Power	\$0	\$0	\$0	\$0	\$0	\$0	\$20,943	\$39,057	\$20,943	\$39,057	\$60,000	\$60,000
C - Outdoor Light Credit Reconciliation	\$0	\$0	\$0	\$0	\$0	\$0	-\$1,731	-\$3,227	-\$1,731	-\$3,227	-\$4,958	-\$4,958
TOTALS - ALL	\$362,896	\$603,219	\$2,106	\$4,555	-\$16,732	\$41,715	\$19,212	\$35,830	\$367,482	\$685,319	\$1,052,801	\$1,052,801

RATIOS COMPUTATIONS (By Billed Demand and Energy):

A - AMP Service Fees - Ratio Allocation (Excluding JV2, JV5 & JV6, & Service Fees)

Totals - AMP All Billing Costs by Demand and Energy (Excludes: JV2, JV5 & JV6, & AMP Service Fees)
Ratios to Allocate AMP Service Fees

	Demand	Energy	Verification Totals	Verification Totals
	\$274,597	\$594,056	\$868,653	\$868,653
	31.6118%	68.3882%	100.0000%	100.0000%

B - City Rate Adjustment - Ratio Allocation (To Total Cost of Power)

Totals - All Billing Costs both Demand and Energy
Ratios to Allocate City Rate Adjustment

	Demand	Energy	Verification Totals	Verification Totals
	\$348,270	\$649,489	\$997,759	\$997,759
	34.9052%	65.0948%	100.0000%	100.0000%

C - Outdoor Street Lights and Miscellaneous - Ratio Allocation (To ALL Costs of Power, Including City Rate Adjustment)

Totals - All Billing Costs both Demand and Energy
Ratios to Allocate City Rate Adjustment

	Demand	Energy	Verification Totals	Verification Totals
	\$369,213	\$688,546	\$1,057,759	\$1,057,759
	34.9052%	65.0948%	100.0000%	100.0000%

Other Cost and Reconciliation Items for Power Supply Cost Allocation Worksheet:

C - Outdoor Street Light Reconciliation Credit Computation

Outdoor Street Light Cost by Average Cost of Power:

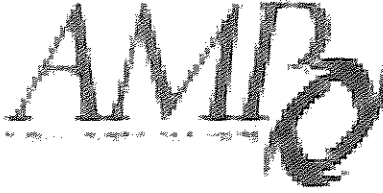
Total Purchased Power Cost (Cost Per kWh, on Page 3) \$0.080255
Total Outdoor Street Light kWh by Light Type (on Page 2) 61,779

Net Allocated - Security Street Light Credit -\$4,958.07

Less: Security Street Light Corrections (If Any) \$0.00

Net Allocated - Security Street Light Credit -\$4,958.07

	Demand	Energy	Verification Totals	Verification Totals
	-\$1,731	-\$3,227	-\$4,958	-\$4,958
	\$0	\$0	\$0	\$0
	-\$1,731	-\$3,227	-\$4,958	-\$4,958



AMERICAN MUNICIPAL POWER, INC.
 1111 Schrock Rd, Suite 100
 COLUMBUS, OHIO 43229
 PHONE: (614) 540-1111
 FAX: (614) 540-1078

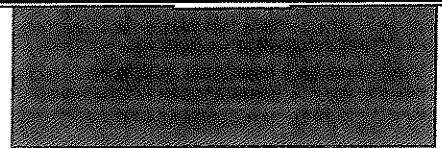
INVOICE NUMBER: 175263
 INVOICE DATE: 11/14/2012
 DUE DATE: 11/29/2012
 TOTAL AMOUNT DUE: \$852,073.96
 CUSTOMER NUMBER: 5020
 CUSTOMER P.O. #: RG10046

City of Napoleon
 Gregory J. Heath, Finance Director
 255 W. Riverview Ave., P.O. Box 151
 Napoleon, Ohio 43545-0151

PLEASE WRITE INVOICE NUMBER ON
 REMITTANCE AND RETURN YELLOW INVOICE
 COPY. MAKE CHECK PAYABLE TO AMP.

Northern Power Pool Billing - October, 2012

MUNICIPAL PEAK: 23,300 kW
 TOTAL METERED ENERGY: 13,251,993 kWh



Total Power Charges: \$749,677.26
 Total Transmission Charges: \$95,735.65
 Total Other Charges: \$6,661.05
 Total Miscellaneous Charges: \$0.00

GRAND TOTAL POWER INVOICE: \$852,073.96

****The Total Charges on this invoice may include a credit paid to the Municipal for power supply which was invoiced separately and repurchased by AMP for use as a Northern Power Pool Resource.**

NOTE: PLEASE SEE ENCLOSED BACKUP FOR MORE DETAILED INFORMATION

*** To avoid a delayed payment charge, payment must be made to provide available funds for use by AMP on or before the due date.

Wire or ACH Transfer Information :
 Huntington National Bank
 Columbus, Ohio
 Account 0189-2204055
 ABA: #044 000024

Mailing Address :
 AMP, Inc.
 Dept. L614
 Columbus, Oh 43260

BANK LOCK BOX DEPOSIT		AMOUNT
General Fund (010)	10	-\$123,619.75
ECC (012)	12	0
RHGS (020)	20	577578.3981
AMPCT (025)	25	23069.04296
ESPP (016)	16	\$38,168.43
JV5 (065)	65	\$0.00
AFEC (004)	4	\$205,339.95
AMPGS (009)	9	\$0.00
PSEC (013)	13	\$99,554.00
NapSolar (031)	31	\$31,983.89
TOTAL DEPOSIT		\$852,073.96

DETAIL INFORMATION OF POWER CHARGES October , 2012
Napoleon

FOR THE MONTH OF:	October, 2012	Total Metered Load kWh:	13,251,993
		Transmission Losses kWh:	-72,038
		Distribution Losses kWh:	0
		Total Energy Req. kWh:	13,179,955
TIME OF FENTS PEAK:	10/29/2012 @ H.E. 13:00	COINCIDENT PEAK kW:	22,299
TIME OF MUNICIPAL PEAK:	10/30/2012 @ H.E. 10:00	MUNICIPAL PEAK kW:	23,300
TRANSMISSION PEAK:	7/21/2011 HE 15:00 EST	TRANSMISSION PEAK kW:	30,353
		PJM Capacity Requirement kW:	30,248

Napoleon Resources

AMP CT - Sched @ ATSI				
Demand Charge:	\$1.860407	/ kW *	12,400 kW =	\$23,069.04
Transmission Credit:	\$0.586203	/ kW *	-12,400 kW =	-\$7,268.92
Capacity Credit:	\$2.110000	/ kW *	-12,400 kW =	-\$26,164.00
Subtotal	#N/A	/ kWh *	0 kWh =	-\$10,363.87
Fremont - sched @ Fremont				
Demand Charge:	\$2.941400	/ kW *	8,767 kW =	\$25,787.25
Energy Charge:	\$0.031434	/ kWh *	4,509,257 kWh =	\$141,745.85
Net Congestion, Losses, FTR:	\$0.002203	/ kWh *		\$9,932.04
Capacity Credit:	\$0.600000	/ kW *	-8,767 kW =	-\$5,260.20
Debt Service	\$4.585200	/ kW	8,767 kW	\$40,198.45
Capital Improvements			8,767 kW	\$0.00
Working Capital	\$0.283900	/ kW	8,767 kW	\$2,488.95
Adjustment for prior month:				\$379.64
Subtotal	\$0.047740	/ kWh *	4,509,257 kWh =	\$215,271.99
Prairie State - Sched @ PJMC				
Demand Charge:	\$7.650000	/ kW *	2,488 kW =	\$19,033.20
Energy Charge:	\$0.016259	/ kWh *	1,845,954 kWh =	\$30,013.33
Net Congestion, Losses, FTR:	\$0.008231	/ kWh *		\$15,194.49
Capacity Credit:	\$0.801870	/ kW *	-2,488 kW =	-\$1,995.05
Debt Service-November (Unit 2 Prorated)	\$10.730131	/ kW	4,893 kW	\$52,502.53
Subtotal	\$0.062162	/ kWh *	1,845,954 kWh =	\$114,748.50
JV2 - Sched @ ATSI				
Demand Charge:			264 kW	
Energy Charge:	\$0.076694	/ kWh *	13 kWh =	\$0.98
Transmission Credit:	\$1.848482	/ kW *	-264 kW =	-\$488.00
Capacity Credit:	\$1.441910	/ kW *	-264 kW =	-\$380.66
Subtotal	-\$68.224208	/ kWh *	13 kWh =	-\$867.69
Gorsuch Losses - Sched @ ATSI				
Energy Charge:			112,029 kWh	
Subtotal	#N/A	/ kWh *	112,029 kWh =	\$0.00
JV6 - Sched @ ATSI				
Demand Charge:			300 kW	
Energy Charge:			74,126 kWh	
Transmission Credit:	\$0.998702	/ kW *	-300 kW =	-\$299.61
Capacity Credit:	\$2.110000	/ kW *	-72 kW =	-\$152.36
Subtotal	-\$0.006097	/ kWh *	74,126 kWh =	-\$451.97
J Aron (PP) - 7x24 @ AD(nc)				
Demand Charge:			400 kW	
Energy Charge:			297,600 kWh	
Subtotal	#N/A	/ kWh *	297,600 kWh =	\$0.00
J Aron (Sale) - 7x24 @ AD(nc)				
Demand Charge:			-400 kW	
Energy Charge:	\$0.043411	/ kWh *	-297,600 kWh =	-\$12,919.11
Subtotal	\$0.043411	/ kWh *	-297,600 kWh =	-\$12,919.11
NYPA - Sched @ NYIS				
Demand Charge:	\$5.235542	/ kW *	972 kW =	\$5,088.95
Energy Charge:	\$0.009496	/ kWh *	391,950 kWh =	\$3,721.80
Net Congestion, Losses, FTR:	-\$0.001595	/ kWh *		-\$625.30
Capacity Credit:	\$2.110000	/ kW *	-972 kW =	-\$2,050.92
Adjustment for prior month:				\$55.94
Subtotal	\$0.015794	/ kWh *	391,950 kWh =	\$6,190.47
JV5 - 7X24 @ ATSI				
Demand Charge:			3,088 kW	
Energy Charge:			2,297,472 kWh	
Transmission Credit:	\$0.804832	/ kW *	-3,088 kW =	-\$2,485.32
Capacity Credit:	\$2.110000	/ kW *	-3,088 kW =	-\$6,515.68
Subtotal	-\$0.003918	/ kWh *	2,297,472 kWh =	-\$9,001.00
JV5 Losses - Sched @ ATSI				
Energy Charge:			33,457 kWh	

DETAIL INFORMATION OF POWER CHARGES October , 2012
Napoleon

Subtotal	#N/A	/ kWh *	33,457 kWh =	\$0.00
Napoleon Solar - sched @ ATSI				
Demand Charge:			1,000 kW	
Energy Charge:	\$0.085000	/ kWh *	376,281 kWh =	\$31,983.89
Subtotal	\$0.085000	/ kWh *	376,281 kWh =	\$31,983.89
Gorsuch - Sched @ ATSI				
Demand Charge:	\$11.500000	/ kW *	16,484 kW =	\$189,566.00
Energy Charge:	\$0.050410	/ kWh *	7,697,131 kWh =	\$388,012.40
Transmission Credit:	\$0.804832	/ kW *	-16,484 kW =	-\$13,266.86
Capacity Credit:	\$2.110000	/ kW *	-16,484 kW =	-\$34,781.24
Subtotal	\$0.068796	/ kWh *	7,697,131 kWh =	\$529,530.30
EFFICIENCY SMART POWER PLANT				
ESPP charges @ \$3.095 /MWh x 147,987.5 MWh / 12				\$38,168.43
Subtotal				\$38,168.43
Northern Power Pool:				
Off Peak Energy Charge:	\$0.050043	/ kWh *	308,439 kWh =	\$15,435.13
Sale of Excess Non-Pool Resources to Pool	\$0.037627	/ kWh *	-4,466,154 kWh =	-\$168,047.78
Subtotal	\$0.036706	/ kWh *	-4,157,715 kWh =	-\$152,612.65
Total Demand Charges:				\$256,625.55
Total Energy Charges:				\$493,051.71
Total Power Charges:			13,179,955 kWh	\$749,677.26
TRANSMISSION CHARGES:				
Demand Charge:	\$0.804832	/ kW *	30,353 kW =	\$24,429.08
Energy Charge:	\$0.001780	/ kWh *	3,185,352 kWh =	\$5,670.94
RPM (Capacity) Charges:	\$2.346400	/ kW *	30,248 kW =	\$70,973.93
RPM (Capacity) Credits (not listed above):	\$2.110000	/ kW *	-2,530 kW =	-\$5,338.30
TOTAL TRANSMISSION CHARGES:	\$0.030055	/ kWh *	3,185,352 kWh =	\$95,735.65
Service Fee Part A,				
Based on Annual Municipal Sales	\$0.000125	/ kWh *	156,027,853 kWh 1/12 =	\$1,625.29
Service Fee Part B,				
Energy Purchases	\$0.000380	/ kWh *	13,251,993 kWh =	\$5,035.76
TOTAL OTHER CHARGES:				\$6,661.05
GRAND TOTAL POWER INVOICE:				\$852,073.96

Napoleon Capacity Plan - Actual

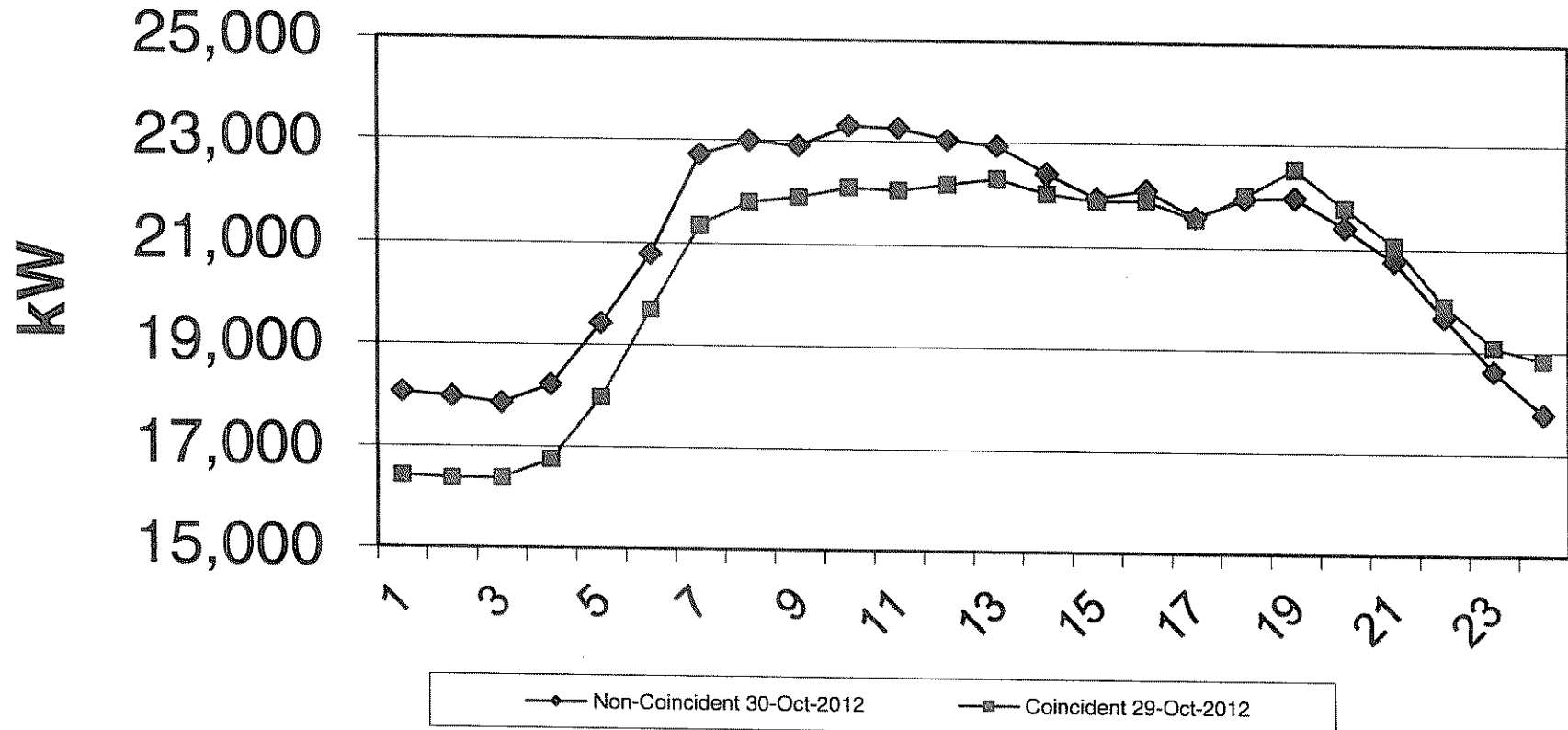
Oct 2012		ACTUAL DEMAND =		23,300	MW							
Days 31		ACTUAL ENERGY =		13,252	MWH							
	SOURCE	DEMAND MW	DEMAND MW-MO	ENERGY MWH	LOAD FACTOR	DEMAND RATE \$/KW	ENERGY RATE \$/MWH	DEMAND CHARGE	ENERGY CHARGE	TOTAL CHARGES	EFFECTIVE RATE \$/MWH	% OF DOLLARS
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(9)	(10)	(11)	(12)	(13)
1	NWASG Pool Purchases	0.00	0.00	308	0%	\$0.00	\$50.04	\$0	\$15,435	\$15,435	\$50.04	1.5%
2	NWASG Pool Sales	0.00		-4,466	0%	\$0.00	\$37.63	\$0	-\$168,048	-\$168,048	\$37.63	-16.9%
3	Gorsuch	16.48	16.48	7,697	63%	\$8.59	\$50.41	\$141,518	\$388,012	\$529,530	\$68.80	53.2%
4	NYPA	0.97	0.97	392	54%	\$3.18	\$7.90	\$3,094	\$3,097	\$6,190	\$15.79	0.6%
5	JV5	3.09	3.09	2,297	100%	\$21.90	\$22.14	\$67,641	\$50,877	\$118,518	\$51.59	11.9%
6	AFEC	8.77	8.77	4,509	69%	\$7.25	\$33.64	\$63,594	\$151,678	\$215,272	\$47.74	21.6%
7	Landfill	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
8	AMPCT	12.40	12.40	0	0%	-\$0.84	\$0.00	-\$10,364	\$0	-\$10,364	\$0.00	-1.0%
9	Prairie State	2.49	2.49	1,846	100%	\$27.95	\$24.49	\$69,541	\$45,208	\$114,749	\$62.16	11.5%
10	JV2	0.26	0.26	0	0%	-\$1.94	\$76.92	-\$511	\$1	-\$510	-\$39,235.16	-0.1%
11	JV6	0.30	0.30	74	33%	\$14.79	\$0.00	\$4,437	\$0	\$4,437	\$59.86	0.4%
12	J Aron	0.40	0.40	298	100%	\$0.00	\$43.41	\$0	\$12,919	\$12,919	\$43.41	1.3%
13	J Aron Sale	-0.40	-0.40	-298	100%	\$0.00	\$43.41	\$0	-\$12,919	-\$12,919	\$43.41	-1.3%
14	Zelie/Wamp 5x16 & 2x16 (DB)	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
15	Blue Creek Wind / Napoleon	1.00	1.00	376	51%	\$0.00	\$85.00	\$0	\$31,984	\$31,984	\$85.00	3.2%
16	Morgan Stanley 10 yr 7x24	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
17	Barclays 2008-12 5x16	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
18	Zelie/Wamp 7x24 (AEP, NEAS)	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
19	Morg. S/Sempra 2008-2012 7	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
20	ElI/Grov 7x24 (DB, NWASG P	0.00	0.00	0	0%	\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
	POWER TOTAL	45.76	45.76	13,034	38%	\$7.41	\$39.76	\$338,950	\$518,243	\$857,194	\$65.76	86.1%
21	Energy Efficiency			13,252		\$0.00	\$2.88	\$0	\$38,168	\$38,168	\$2.88	3.8%
22	Installed Capacity	30.25	30.25			\$2.35		\$70,974	-\$5,338	\$65,636	\$4.95	6.6%
23	TRANSMISSION	30.35	30.35	3,185		\$0.80	\$1.78	\$24,429	\$5,671	\$30,100	\$2.27	3.0%
25	Distribution Charge	30.35	30.35			\$0.00	\$0.00	\$0	\$0	\$0	\$0.00	0.0%
24	Service Fee B			13,252			\$0.38		\$5,036	\$5,036	\$0.38	0.5%
26	Dispatch Charge			13,252			\$0.00		\$0	\$0	\$0.00	0.0%
	OTHER TOTAL							\$95,403	\$43,537	\$138,940	\$10.48	13.9%
	GRAND TOTAL PURCHASED			13,034				\$434,353	\$561,780	\$996,134		
	Delivered to members	23.300	23.300	13,252	76.45%			\$434,353	\$561,780	\$996,134	\$75.17	100.0%
	2012 Forecast	25.49		12,487	L.F.					TOTAL \$	\$/MWh	Avg Temp
	2011 Actual	21.41		12,725	66%					\$903,935	\$72.39	52.3
	2010 Actual	21.56		12,546	80%					\$938,515	\$73.76	52.2
					78%					\$857,295	\$68.33	54.9
										Actual Temp		51.6

NAPOLEON

Date	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday
Hour	10/1/2012	10/2/2012	10/3/2012	10/4/2012	10/5/2012	10/6/2012	10/7/2012	10/8/2012	10/9/2012	10/10/2012	10/11/2012	10/12/2012	10/13/2012	10/14/2012	10/15/2012
100	15,205	15,735	15,786	16,204	16,239	13,049	12,031	15,741	16,546	16,566	16,782	16,666	13,130	11,738	15,074
200	15,050	15,689	15,770	15,998	15,989	12,707	11,675	15,867	16,465	16,333	16,825	16,483	12,893	11,488	14,990
300	14,817	15,596	15,658	15,712	15,867	12,589	11,615	15,597	16,332	16,269	16,825	16,415	12,654	11,308	14,742
400	15,049	15,731	15,760	15,931	15,929	12,733	11,593	15,973	16,723	16,566	17,271	16,771	12,693	11,223	15,393
500	16,104	16,402	16,598	16,562	16,805	13,189	11,725	17,310	17,789	17,131	18,086	17,357	13,235	11,358	16,322
600	17,867	17,846	17,854	17,993	18,152	13,724	12,302	18,698	19,175	18,855	19,753	18,947	14,075	11,793	18,065
700	19,306	19,644	19,521	19,423	19,755	14,794	13,097	20,428	20,818	20,543	21,354	20,580	15,387	12,611	19,977
800	19,755	20,069	20,116	19,506	20,004	15,008	13,102	20,289	20,781	20,504	21,388	20,531	15,663	12,469	20,553
900	20,081	20,383	20,185	20,167	20,283	15,492	13,662	20,552	20,846	20,546	21,321	20,672	15,984	13,079	20,906
1000	20,445	20,784	20,458	20,655	20,534	15,528	14,059	21,030	21,262	20,514	20,470	20,719	15,724	13,389	21,250
1100	20,321	20,931	20,498	20,606	20,510	15,579	14,223	20,983	20,968	20,412	20,743	20,459	15,658	13,697	20,839
1200	20,251	20,977	20,482	20,610	20,535	15,361	14,445	21,125	20,744	20,339	20,751	20,000	15,126	13,873	20,676
1300	20,131	20,551	20,490	20,768	20,438	15,114	14,240	21,024	20,278	20,271	20,527	19,526	14,797	13,874	20,640
1400	19,780	20,189	20,200	20,524	19,741	14,553	14,170	20,451	20,224	19,736	20,285	19,057	14,687	13,866	20,203
1500	19,474	19,642	19,732	20,446	19,102	14,391	14,730	19,993	19,733	19,673	19,772	18,644	14,532	13,943	20,020
1600	19,157	19,652	19,687	20,330	19,121	14,294	15,132	19,848	19,503	19,946	19,659	18,407	14,482	14,711	20,160
1700	18,709	19,497	19,709	19,794	19,001	14,400	15,167	19,591	19,341	19,650	19,167	17,995	14,570	14,832	20,332
1800	18,780	19,271	19,952	19,608	18,968	14,311	15,456	19,633	19,322	19,516	19,185	17,685	14,674	14,970	20,344
1900	19,327	19,826	20,450	20,420	19,126	15,259	16,552	20,286	20,273	20,370	20,251	18,455	15,211	16,134	20,850
2000	19,361	20,131	20,396	20,639	18,879	15,160	16,690	20,393	20,379	20,201	20,268	18,487	15,051	16,207	20,427
2100	18,474	19,373	19,633	19,852	18,481	14,617	16,246	19,603	19,379	19,588	18,152	14,524	15,836	15,716	18,640
2200	17,576	18,036	18,491	18,643	17,263	13,857	16,229	18,640	18,128	18,654	18,792	17,283	13,781	15,474	18,640
2300	16,873	17,083	17,440	17,200	15,042	13,147	16,099	17,678	17,405	17,787	17,872	15,360	12,863	15,254	17,746
2400	16,265	16,573	16,825	16,650	13,613	12,501	15,767	17,103	16,904	17,142	17,191	13,727	12,150	15,467	17,356
Total	438,158	449,611	451,691	454,241	425,764	341,357	340,007	457,836	459,318	457,112	464,037	438,378	343,544	328,594	455,221

Date	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Hour	10/16/2012	10/17/2012	10/18/2012	10/19/2012	10/20/2012	10/21/2012	10/22/2012	10/23/2012	10/24/2012	10/25/2012	10/26/2012	10/27/2012	10/28/2012	10/29/2012	10/30/2012	10/31/2012
100	16,897	17,052	16,280	15,979	13,146	11,928	15,462	15,912	16,104	16,294	16,031	13,553	13,076	16,427	18,054	17,296
200	16,738	16,789	15,822	15,785	12,749	11,697	15,608	15,794	15,863	16,076	16,009	13,225	12,681	16,373	17,969	17,088
300	16,692	16,784	15,642	15,443	12,629	11,539	15,459	15,712	15,713	15,944	15,732	13,094	12,730	16,378	17,848	17,044
400	17,006	17,424	15,881	15,917	12,732	11,466	15,911	16,070	16,141	16,056	15,674	13,168	12,829	16,760	18,212	17,303
500	17,861	18,106	16,609	16,788	13,267	11,574	17,019	16,923	16,818	16,700	16,092	13,713	12,811	17,968	19,418	18,042
600	19,474	19,708	18,117	18,428	13,981	12,191	18,699	18,456	18,291	17,935	17,492	14,337	13,464	19,695	20,782	19,820
700	21,442	21,617	20,245	20,178	15,327	13,033	20,375	20,404	20,188	19,978	19,513	15,590	14,577	21,354	22,716	21,951
800	21,141	21,176	20,234	20,152	15,528	12,796	20,069	20,414	20,266	19,920	20,204	16,080	14,554	21,807	22,993	22,302
900	21,073	21,249	20,183	19,951	15,698	12,985	20,167	20,559	20,024	20,111	19,908	16,791	14,890	21,912	22,900	22,096
1000	21,247	21,321	20,258	20,063	15,934	13,280	20,448	21,139	20,380	20,435	20,313	16,879	15,033	22,106	23,300	22,183
1100	21,020	21,068	19,940	19,836	15,626	13,452	20,351	21,043	20,459	20,434	20,362	16,556	15,101	22,060	23,264	21,979
1200	20,890	21,150	19,851	19,403	15,295	13,538	20,534	20,838	20,760	20,779	20,000	16,079	15,119	22,183	23,040	22,009
1300	21,120	21,174	19,668	19,549	15,061	13,367	20,477	20,789	20,927	21,118	20,131	15,886	14,928	22,299	22,929	21,943
1400	20,555	20,996	19,221	19,424	14,582	13,263	20,292	20,511	20,863	20,463	19,707	15,234	14,885	22,026	22,404	21,718
1500	19,876	20,417	18,563	19,065	14,216	13,597	19,634	20,161	20,382	20,111	19,310	14,603	15,391	21,881	21,949	21,477
1600	20,162	20,107	18,484	18,838	14,339	13,969	19,394	20,082	20,190	19,900	19,029	14,725	15,568	21,904	22,111	21,450
1700	19,920	19,839	18,130	18,547	14,284	14,236	19,144	19,705	19,959	19,490	18,314	14,691	15,972	21,552	21,589	21,268
1800	19,808	20,105	18,581	18,351	14,428	14,944	19,498	19,831	20,175	19,430	18,494	15,046	16,670	22,009	21,954	21,150
1900	21,089	20,694	19,753	18,913	15,209	16,276	20,168	20,396	21,044	20,564	18,851	16,236	17,743	22,527	21,978	21,227
2000	20,500	20,272	19,568	18,579	15,002	16,197	19,681	20,087	20,579	20,145	18,465	16,064	17,559	21,784	21,410	21,210
2100	19,808	19,358	18,625	17,835	14,538	15,870	19,070	19,442	19,859	19,241	17,919	15,577	17,091	21,071	20,761	20,771
2200	18,874	18,226	17,794	16,616	13,635	15,645	17,830	18,057	18,529	18,097	17,017	14,760	17,261	19,913	19,667	19,299
2300	18,315	17,176	17,065	14,514	12,871	15,714	17,126	17,163	17,516	17,048	15,281	14,168	16,945	19,089	18,625	18,156
2400	17,501	16,631	16,493	13,631	12,371	15,597	16,570	16,551	16,875	16,315	14,056	13,507	16,620	18,825	17,781	17,662
Total	469,009	451,808	441,207	431,785	342,448	328,134	448,986	456,039	457,905	452,584	433,914	359,562	363,498	489,903	503,654	486,444
											Maximum	23,300	Minimum	11,223	Grand Total	13,251,993

Napoleon Peak Day Load Curve





AMERICAN MUNICIPAL POWER, INC.

1111 Schrock Rd, Suite 100

COLUMBUS, OHIO 43229

PHONE: (614) 540-1111

FAX: (614) 540-1078

INVOICE NUMBER: 175026

INVOICE DATE: 11/1/2012

DUE DATE: 11/16/2012

TOTAL AMOUNT DUE: \$12,919.11

CUSTOMER NUMBER: 5020

CUSTOMER P.O. #: N/A

City of Napoleon

Gregory J. Heath, Finance Director
255 W. Riverview Ave., P.O. Box 151
Napoleon, Ohio 43545-0151

PLEASE WRITE INVOICE NUMBER ON
REMITTANCE AND RETURN YELLOW INVOICE
COPY. MAKE CHECK PAYABLE TO AMP, INC.

Invoice for Debt Service Associated with J Aron Pre-Pay

Project Capacity: 400 kW

For Power delivered during the Month of : **October, 2012**

Contract Obligation 400 kW * 744 Hours in Month = 297,600 kWh

297,600 kWh @ \$0.04341100 / kWh == \$12,919.11

Do Not Pay
Paid by E-Pay
American Municipal PWR Inc
Ray Merrill
614-540-0914

This amount on this invoice represents an obligation of the Municipality that is payable as an O&M Expense of its Electric System.

TOTAL CHARGES \$12,919.11

* To avoid a delayed payment charge, payment must be made to provide available funds for use by AMP, Inc on or before the due date.

Wire or ACH Transfer Information :
Huntington National Bank
Columbus, Ohio
Account: 01892464798
ABA: #044000024

Mailing Address :
AMP, Inc.
Dept. L3104
Columbus, Ohio 43260

Bank Lock Box Deposit	AMOUNT
014 \$12,919.11	
Prepay 01892464798	\$12,919.11
TOTAL DEPOSIT	\$12,919.11



Omega Joint Venture Two

1111 Schrock Rd, Suite 100
 COLUMBUS, OHIO 43229
 PHONE: (614) 540-1111
 FAX: (614) 540-1078

INVOICE NUMBER: 175408
 INVOICE DATE: 11/5/2012
 DUE DATE: 11/15/2012
 TOTAL AMOUNT DUE: \$357.60
 CUSTOMER NUMBER: 5020
 CUSTOMER P.O. #:

City of Napoleon
 Gregory J. Heath, Finance Director
 255 W. Riverview Ave., P.O. Box 151
 Napoleon, Ohio 43545-0151

PLEASE WRITE INVOICE NUMBER ON
 REMITTANCE AND RETURN YELLOW INVOICE
 COPY. MAKE CHECK PAYABLE TO OMEGA JV 2

OMEGA JV2 POWER INVOICE -

October, 2012

Do Not Pay
 Paid by E-Pay
 American Municipal PWR Inc
 Ray Merrill
 614-540-0914

FIXED RATE CHARGE:	264 kW *	\$1.18 / kW =	\$311.14
ENERGY CHARGE:	0 kWh *	\$0.000000 / kWh =	\$0.00
SERVICE FEES:	0 kWh *	\$0.000000 / kWh =	\$0.00
Fuel Costs that were not recovered through Energy Sales to Market		=	\$0.00
2012 YTD Fuel adjustment (True Up)		=	\$46.47

TOTAL CHARGES **\$357.60**

* To avoid a delayed payment charge, payment must be made to provide available funds for use by OMEGA JV-2 on or before the due date.

Wire Transfer Information:
 Huntington National Bank
 Columbus, OH
 Account: 0189-2204055
 ABA: #044 000024

Mailing Address:
 AMP, Inc.
 Dept. L614
 Columbus, OH 43260

Bank Lockbox Deposit Use Only			
62-4470-8662-4110	\$311.14	62-4470-8662-4121	\$46.47
10-4170-8510-4610	\$0.00	62-4470-8662-4111	\$0.00
62-4470-8662-4125	\$0.00	62-4470-8662-4128	\$0.00
62-4470-8662-4700	\$0.00		
			Amount

Omega JV2	0189-2204055	\$357.60
TOTAL DEPOSIT		\$357.60

OMEGA JV5

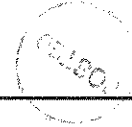
OHIO MUNICIPAL ELECTRIC
GENERATING ASSOCIATION
1111 Schrock Rd, Suite 100
Columbus, Ohio 43229
Phone: (614) 540-1111
Fax: (614) 540-1078

Do Not Pay
Paid by E-Pay
American Municipal PWR Inc

City of Napoleon
Gregory J. Heath, Finance Director
255 W. Riverview Ave., P.O. Box 151
Napoleon, Ohio 43545-0151

INVOICE NUMBER: 175550
INVOICE DATE: 11/6/2012
DUE DATE: 11/20/2012
TOTAL AMOUNT DUE: \$64,509.82
CUSTOMER NUMBER: 5020
CUSTOMER P.O. NUMBER: BL980397
MAKE CHECKS PAYABLE TO: OMEGA JV5

PLEASE WRITE INVOICE NUMBER ON REMITTANCE
AND RETURN YELLOW INVOICE COPY.

**Debt Service - OMEGA JV5**

FOR THE MONTH/YEAR OF: **November, 2012**

Financing CHARGES:

Base Financing Principal Payment:	\$9.642857	/ kW *	3,088 kW =	\$29,777.14
Base Financing Interest Payment:	\$11.247631	/ kW *	3,088 kW =	\$34,732.68

TOTAL Financing CHARGES:	\$20.890488	/ kW *	3,088 kW =	\$64,509.82
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SUB-TOTAL \$64,509.82

Total OMEGA JV5 Financing Invoice: \$64,509.82

* To avoid a delayed payment charge, payment must be made to provide available funds for use by OMEGA-JV5 on or before the due date.

Mailing Address : OMEGA JV5/AMP, Inc.
Dept. L614
Columbus, OH 43260

Wire or ACH Transfer Information :
Huntington National Bank
Columbus, Ohio
Account No. 0189-2204055
ABA: #044 000024

Entity Bank Lockbox Deposit	AMOUNT
65 \$64,509.83	
OMEGA JV5 0189-2204055	\$64,509.82



OHIO MUNICIPAL ELECTRIC
GENERATING ASSOCIATION
1111 Schrock Rd, Suite 100
Columbus, Ohio 43229
Phone: (614) 540-1111
Fax: (614) 540-1078

Do Not Pay
Paid by E-Pay
American Municipal PWR Inc
Ray Merrill 614-540-0914

City of Napoleon
Gregory J. Heath, Finance Director
255 W. Riverview Ave., P.O. Box 151
Napoleon, Ohio 43545-0151

INVOICE NUMBER: 175508
INVOICE DATE: 11/6/2012
DUE DATE: 11/20/2012
TOTAL AMOUNT DUE: \$63,009.21
CUSTOMER NUMBER: 5020
CUSTOMER P.O. NUMBER: BL980397
MAKE CHECKS PAYABLE TO: OMEGA JV5

PLEASE WRITE INVOICE NUMBER ON REMITTANCE
AND RETURN YELLOW INVOICE COPY.

FOR THE MONTH/YEAR OF: October, 2012

DEMAND CHARGES:

Base Financing Demand Charge: (Invoiced seperately as of 1/1/07)

Base Operating Expense Demand Charge:	\$3.928929	/ kW *	3,088 kW =	\$12,132.53
Seca Associated with JV5.	\$0.000000	/ kW *	3,088 kW =	\$0.00

TOTAL DEMAND CHARGES: \$3.928928 / kW * 3,088 kW = \$12,132.53

ENERGY CHARGES:

JV5 Repl. Pwr. & Variable (Budgeted Rate):	\$0.020961	/ kWh *	2,297,472 kWh =	\$48,156.30
JV5 Fuel Cost (Actual Expense):	\$0.001184	/ kWh *	2,297,472 kWh =	\$2,720.38

TOTAL ENERGY CHARGES: \$0.022145 / kWh * 2,297,472 kWh = \$50,876.68

SUB-TOTAL \$63,009.21

\$0.00
\$0.00

Total OMEGA JV5 Invoice: \$63,009.21

* To avoid a delayed payment charge, payment must be made to provide available funds for use by OMEGA-JV5 on or before the due date.

Mailing Address : OMEGA JV5/AMP, Inc.
Dept. L614
Columbus, OH 43260

Wire or ACH Transfer Information :
Huntington National Bank
Columbus, Ohio
Account No. 0189-2204055
ABA: #044 000024

Entity Bank Lockbox Deposit	AMOUNT
65 \$63,009.20	
OMEGA JV5 0189-2204055	\$63,009.21



AMERICAN MUNICIPAL POWER, INC.
 1111 Schrock Rd, Suite 100
 COLUMBUS, OHIO 43229
 PHONE: (614) 540-1111
 FAX: (614) 540-1078

INVOICE NUMBER: 175467
INVOICE DATE: 11/1/2012
DUE DATE: 11/16/2012
TOTAL AMOUNT DUE: \$1,358.21
CUSTOMER NUMBER: 5020
CUSTOMER P.O. #:

City of Napoleon
 Gregory J. Heath, Finance Director
 255 W. Riverview Ave., P.O. Box 151
 Napoleon, OH 43545-0151

PLEASE WRITE INVOICE NUMBER ON
 REMITTANCE AND RETURN YELLOW INVOICE
 COPY. MAKE CHECK PAYABLE TO AMP, INC.

Omega JV6

Project Capacity: 300 kW

Year 2012

Electric Fixed

300 Kw * 4.53 per kW-Month

November, 2012 -

Electric Fixed

AMOUNT DUE FOR :

Total
\$1,358.21

Do Not Pay
 Paid by E-Pay
 American Municipal PWR Inc
 Ray Merrill
 614-540-0914

TOTAL CHARGES

\$1,358.21

* To avoid a delayed payment charge, payment must be made to provide available funds for use by AMP, Inc on or before the due date.

Wire or ACH Transfer Information :
 Huntington National Bank
 Columbus, Ohio
 Account: 0189-2204055
 ABA: #044 000024

Mailing Address :
 AMP, Inc.
 Dept. L614
 Columbus, Ohio 43260

	AMOUNT
Bank Lock Box Deposit	
66	\$1,358.21
General Fund 0189-2204055	\$1,358.21
TOTAL DEPOSIT	\$1,358.21



AMERICAN MUNICIPAL POWER, INC.
 1111 Schrock Rd, Suite 100
 COLUMBUS, OHIO 43229
 PHONE: (614) 540-1111
 FAX: (614) 540-1078

INVOICE NUMBER: 175457
 INVOICE DATE: 11/1/2012
 DUE DATE: 11/16/2012
 TOTAL AMOUNT DUE: \$3,531.00
 CUSTOMER NUMBER: 5020
 CUSTOMER P.O. #:

City of Napoleon
 Gregory J. Heath, Finance Director
 255 W. Riverview Ave., P.O. Box 151
 Napoleon, OH 43545-0151

PLEASE WRITE INVOICE NUMBER ON
 REMITTANCE AND RETURN YELLOW INVOICE
 COPY. MAKE CHECK PAYABLE TO AMP, INC.

Omega JV6

Project Capacity: 300 kW

Year 2012

Demand Charge

300 Kw * 11.77 per kW-Month

Do Not Pay
 Paid by E-Pay
 American Municipal PWR Inc
 Ray Merrill
 614-540-0914

	Principal	\$3,497.66
AMOUNT DUE FOR: November, 2012 -	Interest	\$33.34
	Total	

TOTAL CHARGES \$3,531.00

* To avoid a delayed payment charge, payment must be made to provide available funds for use by AMP, Inc on or before the due date.

Wire or ACH Transfer Information :
 Huntington National Bank
 Columbus, Ohio
 Account: 0189-2204055
 ABA: #044 000024

Mailing Address :
 AMP, Inc.
 Dept. L614
 Columbus, Ohio 43260 .

Bank Lock Box Deposit	AMOUNT
14 \$3,531.00	
General Fund 0189-2204055	\$3,531.00
TOTAL DEPOSIT	\$3,531.00

BILLING DETERMINANTS - DECEMBER, 2012

DECEMBER, 2012

2012 - DECEMBER BILLING WITH NOVEMBER, 2012, DATA BILLING UNITS

Class and/or Schedule	Rate Code	Nov-12				Cost / kWH For Month	Cost / kWH Prior 12 Mo Average	Dec-11			Cost / kWH For Month	Jan-12			Cost / kWH For Month
		# of Bills	Nov-12 (kWh Usage)	Nov-12 Billed	Billed kVa of Demand			# of Bills	Dec-11 (kWh Usage)	Dec-11 Billed		# of Bills	Jan-12 (kWh Usage)	Jan-12 Billed	
Residential (Dom-In)	E1	3,340	1,712,390	\$175,969.61	0	\$0 1028	\$0 1064	3,314	1,811,886	\$202,229.15	\$0 1116	3,326	2,062,867	\$232,024.49	\$0 1125
Residential (Dom-In - All Electric)	E2	616	326,291	\$33,400.85	0	\$0 1024	\$0 1050	613	411,127	\$45,050.24	\$0 1096	613	563,201	\$61,579.48	\$0 1093
Total Residential (Domestic)		3,956	2,038,591	\$209,370.46	0	\$0 1027	\$0 1061	3,927	2,223,013	\$247,279.39	\$0 1112	3,939	2,626,068	\$293,603.97	\$0 1118
Residential (Rural-Out)	ER1	740	535,533	\$58,690.66	0	\$0 1086	\$0 1125	741	615,491	\$72,247.26	\$0 1174	734	806,826	\$94,058.78	\$0 1166
Residential (Rural-Out - All Electric)	ER2	390	333,451	\$35,806.28	0	\$0 1074	\$0 1109	397	405,352	\$46,668.17	\$0 1151	392	531,206	\$61,010.62	\$0 1149
Residential (Rural-Out w/Dmd)	ER3	15	16,892	\$1,765.68	135	\$0 1045	\$0 1083	15	37,636	\$4,094.77	\$0 1091	15	177,467	\$19,116.45	\$0 1077
Residential (Rural-Out - All Electric w/Dmd)	ER4	10	15,361	\$1,568.48	147	\$0 1021	\$0 1094	10	25,653	\$2,795.57	\$0 1090	10	32,634	\$3,599.86	\$0 1103
Total Residential (Rural)		1,155	901,237	\$97,831.10	282	\$0 1086	\$0 1117	1,163	1,084,031	\$125,805.77	\$0 1161	1,151	1,548,133	\$177,785.71	\$0 1148
Commercial (1 Ph-In - No Dmd)	EC2	73	31,337	\$4,028.13	0	\$0 1285	\$0 1358	70	34,331	\$4,843.45	\$0 1411	70	37,506	\$5,289.65	\$0 1410
Commercial (1 Ph-Out - No Dmd)	EC2O	40	10,055	\$1,493.07	0	\$0 1485	\$0 1484	40	14,986	\$2,228.55	\$0 1487	40	21,730	\$3,057.58	\$0 1407
Total Commercial (1 Ph) No Dmd		113	41,392	\$5,521.20	0	\$0 1334	\$0 1391	110	49,317	\$7,072.00	\$0 1434	110	59,236	\$8,347.23	\$0 1409
Commercial (1 Ph-In - w/Demand)	EC1	263	314,268	\$38,600.36	2081	\$0 1228	\$0 1285	265	300,503	\$40,946.42	\$0 1363	265	310,143	\$42,227.33	\$0 1362
Commercial (1 Ph-Out - w/Demand)	EC1O	26	29,657	\$3,658.55	197	\$0 1234	\$0 1277	26	33,447	\$4,518.24	\$0 1351	26	36,533	\$4,958.86	\$0 1357
Total Commercial (1 Ph) w/Demand		289	343,925	\$42,258.91	2,278	\$0 1229	\$0 1284	291	333,950	\$45,464.66	\$0 1361	292	346,676	\$47,186.19	\$0 1361
Commercial (3 Ph-In - No Dmd)	EC4	0	0	\$0 00	0	\$0 0000	\$0 3433	1	69	\$26.05	\$0 3775	1	79	\$27.38	\$0 3466
Commercial (3 Ph-Out - No Dmd)	EC4O	2	0	\$36.00	0	\$0 0000	\$0 1341	2	0	\$36.00	\$0 0000	2	7,800	\$959.60	\$0 1230
Total Commercial (3 Ph) No Dmd		2	0	\$36.00	0	\$0 0000	\$0 1373	3	69	\$62.05	\$0 8993	3	7,879	\$986.98	\$0 1253
Commercial (3 Ph-In - w/Demand)	EC3	201	1,649,795	\$166,153.20	6057	\$0 1007	\$0 1116	202	1,428,995	\$168,693.12	\$0 1181	202	1,386,365	\$164,750.44	\$0 1188
Commercial (3 Ph-Out - w/Demand)	EC3O	32	320,986	\$33,186.01	1476	\$0 1034	\$0 1146	32	332,962	\$38,588.23	\$0 1159	32	353,047	\$40,927.13	\$0 1159
Commercial (3 Ph-Out - w/Dmd & Sub-St)	E3SO	2	132,080	\$12,068.67	392	\$0 0914	\$0 1032	2	278,040	\$27,983.03	\$0 1006	1	74,600	\$8,183.11	\$0 1097
Commercial (3 Ph-In - w/Demand, No Tax)	EC3T	1	4,040	\$415.97	18	\$0 1030	\$0 1103	1	1,760	\$209.09	\$0 1188	1	1,840	\$219.43	\$0 1193
Total Commercial (3 Ph) w/Demand		236	2,106,901	\$211,823.85	7,943	\$0 1005	\$0 1114	237	2,041,757	\$235,473.47	\$0 1153	236	1,815,852	\$214,080.11	\$0 1179
Large Power (In - w/Dmd & Rct)	EL1	26	3,585,563	\$295,809.50	7633	\$0 0825	\$0 0894	26	3,491,431	\$321,207.17	\$0 0920	25	3,289,759	\$308,845.24	\$0 0939
Large Power (In - w/Dmd & Rct, w/SbCr)	EL2	2	73,560	\$8,298.94	337	\$0 1128	\$0 1391	1	7,680	\$2,068.18	\$0 2693	1	7,680	\$2,078.25	\$0 2706
Large Power (Out - w/Dmd & Rct)	EL1O	1	57,780	\$6,358.18	231	\$0 1100	\$0 1107	1	66,060	\$7,920.57	\$0 1199	1	70,740	\$8,167.50	\$0 1155
Large Power (Out - w/Dmd & Rct, w/SbCr)	EL2O	2	342,720	\$31,080.96	986	\$0 0907	\$0 0966	2	408,240	\$40,009.93	\$0 0980	2	388,800	\$39,071.25	\$0 1005
Large Power (In - w/Dmd & Rct, w/SbCr)	EL3	2	56,780	\$6,162.01	224	\$0 1085	\$0 1320	2	91,054	\$8,112.52	\$0 0891	2	95,409	\$8,448.03	\$0 0885
Total Large Power		33	4,116,403	\$347,709.59	9,411	\$0 0845	\$0 0916	32	4,064,475	\$379,318.37	\$0 0933	31	3,852,388	\$366,610.27	\$0 0952
Industrial (In - w/Dmd & Rct, w/SbCr)	E11	1	1,100,838	\$80,039.40	2055	\$0 0727	\$0 0784	1	1,297,822	\$104,063.63	\$0 0802	1	1,152,314	\$96,597.92	\$0 0838
Industrial (In - w/Dmd & Rct, No/SbCr)	E12	1	412,665	\$37,114.15	1500	\$0 0899	\$0 0854	1	622,437	\$55,800.66	\$0 0896	1	537,619	\$51,638.17	\$0 0960
Total Industrial		2	1,513,503	\$117,153.55	3,555	\$0 0774	\$0 0811	2	1,920,259	\$169,864.29	\$0 0833	2	1,689,933	\$148,236.09	\$0 0877
Interdepartmental (In - No Dmd)	ED1	49	89,813	\$8,046.07	21	\$0 0896	\$0 0962	47	100,941	\$9,933.60	\$0 0984	52	138,269	\$13,957.14	\$0 1009
Interdepartmental (Out - No Dmd)	ED1O	1	0	\$0 00	0	\$0 0000	\$0 0987	1	0	\$0 00	\$0 0000	1	0	\$0 00	\$0 0000
Interdepartmental (In - w/Dmd)	ED2	20	197,249	\$17,159.98	792	\$0 0870	\$0 0940	20	244,968	\$23,555.93	\$0 0962	20	332,580	\$32,670.25	\$0 0982
Generators (JV2 Power Cost Only)	GJV2	2	21,389	\$451.10	82	\$0 0211	\$0 0000	1	19,623	\$1,158.54	\$0 0590	1	22,055	\$1,348.22	\$0 0611
Generators (JV5 Power Cost Only)	GJV5	1	13,812	\$291.30	26	\$0 0211	\$0 0000	1	13,497	\$796.86	\$0 0590	1	16,539	\$1,011.03	\$0 0611
Total Interdepartmental		73	322,263	\$25,948.45	921	\$0 0805	\$0 0894	70	379,029	\$35,444.93	\$0 0935	75	509,453	\$48,986.64	\$0 0962
SUB-TOTAL CONSUMPTION & DEMAND		5,859	11,384,215	\$1,057,653.11	24,400	\$0 0829	\$0 0994	5,835	12,095,900	\$1,235,784.93	\$0 1022	5,839	12,455,618	\$1,305,823.19	\$0 1048
Street Lights (In)	SLO	16	0	\$14.20	0	\$0 0000	\$0 0000	16	0	\$14.20	\$0 0000	16	0	\$14.20	\$0 0000
Street Lights (Out)	SLOO	2	0	\$1.15	0	\$0 0000	\$0 0000	2	0	\$0.77	\$0 0000	2	0	\$0.77	\$0 0000
Total Street Light Only		18	0	\$13.05	0	\$0 0000	\$0 0000	18	0	\$14.97	\$0 0000	18	0	\$14.97	\$0 0000
TOTAL CONSUMPTION & DEMAND		5,877	11,384,215	\$1,057,666.16	24,400	\$0 0929	\$0 0994	5,853	12,095,900	\$1,235,799.90	\$0 1022	5,857	12,455,618	\$1,305,838.16	\$0 1048

BILLING DETERMINANTS -

DECEMBER, 2012
2012 - DECEMBER BILLING WITH NOVEMBER, 2

Class and/or Schedule	Rate Code	Jun-12		Jun-12 Cost / kWh For Month	Jul-12		Jul-12 Cost / kWh For Month	Aug-12		Aug-12 Cost / kWh For Month	Sep-12		Sep-12 Cost / kWh For Month			
		# of Bills	(kWh Usage)		# of Bills	(kWh Usage)		# of Bills	(kWh Usage)		# of Bills	(kWh Usage)				
Residential (Dom-In)	E1	3,345	1,761,017	\$199,341.38	3,337	2,283,884	\$269,307.62	\$0.1179	3,339	3,411,297	\$366,730.13	\$0.1075	3,344	3,620,747	\$358,312.27	\$0.0990
Residential (Dom-In - All Electric)	E2	621	381,243	\$42,541.29	616	415,828	\$49,083.48	\$0.1180	615	545,552	\$59,137.58	\$0.1084	619	563,097	\$56,318.53	\$0.1000
Total Residential (Domestic)		3,966	2,142,260	\$241,882.67	3,953	2,699,712	\$318,391.10	\$0.1179	3,954	3,956,849	\$425,867.71	\$0.1076	3,963	4,183,844	\$414,630.80	\$0.0991
Residential (Rural-Out)	ER1	737	574,482	\$68,564.68	738	706,242	\$87,788.31	\$0.1243	741	970,184	\$110,563.50	\$0.1140	742	937,481	\$99,400.69	\$0.1060
Residential (Rural-Out - All Electric)	ER2	391	373,115	\$43,654.50	391	411,039	\$50,709.34	\$0.1234	390	542,835	\$61,617.72	\$0.1135	392	530,605	\$55,985.23	\$0.1055
Residential (Rural-Out w/Dmd)	ER3	15	15,768	\$1,827.48	15	13,811	\$1,721.42	\$0.1246	15	12,915	\$1,522.70	\$0.1179	15	15,755	\$1,694.49	\$0.1076
Residential (Rural-Out - All Electric w/Dmd)	ER4	10	9,873	\$1,151.51	10	11,181	\$1,372.86	\$0.1228	10	13,301	\$1,513.58	\$0.1138	10	15,314	\$1,601.77	\$0.1046
Total Residential (Rural)		1,153	973,238	\$115,198.17	1,154	1,142,273	\$141,591.93	\$0.1240	1,156	1,539,235	\$175,217.50	\$0.1138	1,159	1,499,155	\$158,682.18	\$0.1058
Commercial (1 Ph-In - No Dmd)	EC2	73	34,381	\$4,920.69	73	39,292	\$6,041.82	\$0.1538	74	38,268	\$5,338.61	\$0.1395	76	41,162	\$5,325.38	\$0.1294
Commercial (1 Ph-Out - No Dmd)	EC2O	40	10,203	\$1,682.12	40	10,855	\$1,909.03	\$0.1759	40	10,737	\$1,730.38	\$0.1612	40	11,042	\$1,685.61	\$0.1508
Total Commercial (1 Ph) No Dmd		113	44,584	\$6,602.97	113	50,147	\$7,950.85	\$0.1586	114	49,005	\$7,068.99	\$0.1443	116	52,204	\$6,990.99	\$0.1339
Commercial (1 Ph-In - w/Demand)	EC1	266	295,715	\$41,187.77	265	343,510	\$51,544.63	\$0.1501	265	384,111	\$50,773.99	\$0.1322	267	475,727	\$56,333.24	\$0.1184
Commercial (1 Ph-Out - w/Demand)	EC1O	26	31,588	\$4,292.23	27	33,003	\$5,024.13	\$0.1522	27	39,329	\$5,135.90	\$0.1306	26	38,978	\$4,664.29	\$0.1197
Total Commercial (1 Ph) w/Demand		292	327,303	\$45,480.00	292	376,513	\$56,568.76	\$0.1502	292	423,440	\$55,909.89	\$0.1320	293	514,705	\$60,997.53	\$0.1185
Commercial (3 Ph-In - No Dmd)	EC4	0	0	\$0.00	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000
Commercial (3 Ph-Out - No Dmd)	EC4O	2	0	\$36.00	2	0	\$36.00	\$0.0000	2	0	\$36.00	\$0.0000	2	0	\$36.00	\$0.0000
Total Commercial (3 Ph) No Dmd		2	0	\$36.00	2	0	\$36.00	\$0.0000	2	0	\$36.00	\$0.0000	2	0	\$36.00	\$0.0000
Commercial (3 Ph-In - w/Demand)	EC3	198	1,434,586	\$170,923.90	200	1,477,726	\$194,743.67	\$0.1318	200	1,712,964	\$197,216.69	\$0.1151	201	1,887,290	\$198,665.03	\$0.1053
Commercial (3 Ph-Out - w/Demand)	EC3O	33	175,366	\$22,214.31	33	185,367	\$25,853.95	\$0.1395	33	246,714	\$29,088.11	\$0.1179	33	255,153	\$27,952.89	\$0.1096
Commercial (3 Ph-Out - w/Dmd & Sub-St)	E3SO	2	119,440	\$13,236.40	2	110,120	\$13,782.20	\$0.1252	2	114,120	\$12,626.93	\$0.1106	2	118,160	\$11,863.58	\$0.1004
Commercial (3 Ph-In - w/Demand, No Tax)	EC3T	1	1,960	\$234.50	1	1,680	\$207.88	\$0.1356	1	2,240	\$316.75	\$0.1414	1	5,800	\$595.53	\$0.1027
Total Commercial (3 Ph) w/Demand		234	1,731,352	\$206,609.11	236	1,774,893	\$234,607.70	\$0.1322	236	2,076,038	\$239,248.48	\$0.1152	237	2,266,403	\$239,077.03	\$0.1055
Large Power (In - w/Dmd & Rct)	EL1	26	3,497,272	\$334,460.62	26	3,717,438	\$362,616.41	\$0.0975	26	3,688,122	\$326,784.57	\$0.0886	26	3,773,782	\$313,758.19	\$0.0831
Large Power (In - w/Dmd & Rct, w/SbCr)	EL2	1	31,200	\$4,616.40	2	57,120	\$7,165.11	\$0.1254	2	46,080	\$5,325.11	\$0.1156	2	52,440	\$5,548.11	\$0.1058
Large Power (Out - w/Dmd & Rct)	EL1O	1	60,660	\$7,796.10	1	86,400	\$10,683.94	\$0.1237	1	110,520	\$11,325.25	\$0.1025	1	105,660	\$10,558.18	\$0.0999
Large Power (Out - w/Dmd & Rct, w/SbCr)	EL2O	2	391,680	\$41,264.83	2	443,280	\$45,463.72	\$0.1026	2	389,280	\$37,783.24	\$0.0971	2	439,440	\$39,608.16	\$0.0901
Large Power (In - w/Dmd & Rct, w/SbCr)	EL3	2	76,558	\$14,752.32	2	71,731	\$11,939.16	\$0.1664	2	71,310	\$14,087.70	\$0.1976	2	74,741	\$11,826.64	\$0.1582
Total Large Power		32	4,057,370	\$402,890.27	33	4,375,969	\$437,868.34	\$0.1001	33	4,305,312	\$395,305.87	\$0.0918	33	4,446,063	\$381,299.28	\$0.0858
Industrial (In - w/Dmd & Rct, w/SbCr)	EI1	1	1,152,192	\$96,887.61	1	1,225,661	\$104,581.63	\$0.0853	1	1,234,535	\$93,694.76	\$0.0759	1	1,192,679	\$86,391.37	\$0.0724
Industrial (In - w/Dmd & Rct, No/SbCr)	EI2	1	876,672	\$79,178.29	1	900,860	\$81,661.20	\$0.0906	1	790,574	\$67,201.22	\$0.0850	1	759,665	\$60,062.45	\$0.0791
Total Industrial		2	2,028,864	\$176,065.90	2	2,126,521	\$186,242.83	\$0.0876	2	2,025,109	\$160,895.98	\$0.0795	2	1,952,344	\$146,453.82	\$0.0750
Interdepartmental (In - No Dmd)	ED1	49	92,540	\$9,289.99	51	84,297	\$9,078.08	\$0.1077	49	86,356	\$8,636.64	\$0.1000	49	85,438	\$7,866.84	\$0.0921
Interdepartmental (Out - No Dmd)	ED1O	1	0	\$0.00	1	0	\$0.00	\$0.0000	1	0	\$0.00	\$0.0000	1	0	\$0.00	\$0.0000
Interdepartmental (In - w/Dmd)	ED2	20	248,805	\$24,326.91	20	288,656	\$30,375.79	\$0.1052	20	294,918	\$28,861.53	\$0.0979	20	287,407	\$25,788.31	\$0.0897
Generators (JV2 Power Cost Only)	GJV2	1	16,885	\$680.47	1	15,010	\$562.57	\$0.0375	1	12,428	\$283.36	\$0.0228	1	15,054	\$459.90	\$0.0306
Generators (JV5 Power Cost Only)	GJV5	1	13,361	\$538.45	1	10,228	\$383.35	\$0.0375	1	9,101	\$207.50	\$0.0228	1	10,163	\$310.48	\$0.0306
Total Interdepartmental		72	371,591	\$34,835.82	74	398,191	\$40,399.79	\$0.1015	72	402,803	\$37,988.03	\$0.0943	72	398,062	\$34,425.53	\$0.0865
SUB-TOTAL CONSUMPTION & DEMAND		5,866	11,676,562	\$1,229,600.91	5,859	12,944,219	\$1,423,657.30	\$0.1100	5,861	14,777,791	\$1,497,538.45	\$0.1013	5,877	15,312,780	\$1,442,593.16	\$0.0942
Street Lights (In)	SLO	16	0	\$14.20	16	0	\$14.20	\$0.0000	16	0	\$14.20	\$0.0000	16	0	\$14.20	\$0.0000
Street Lights (Out)	SLOO	2	0	\$0.77	2	0	\$0.77	\$0.0000	2	0	\$0.77	\$0.0000	2	0	\$0.77	\$0.0000
Total Street Light Only		18	0	\$14.97	18	0	\$14.97	\$0.0000	18	0	\$14.97	\$0.0000	18	0	\$14.97	\$0.0000
TOTAL CONSUMPTION & DEMAND		5,884	11,676,562	\$1,229,615.88	5,877	12,944,219	\$1,423,672.27	\$0.1100	5,879	14,777,791	\$1,497,553.42	\$0.1013	5,895	15,312,780	\$1,442,608.13	\$0.0942

BILLING DETERMINANTS

DECEMBER, 2012
2012 - DECEMBER BILLING WITH NOVEMBER, 2

Class and/or Schedule	Rate Code	Oct-12				Nov-12				Average # of Bills	TOTAL		Avg.Cost Per kWh For Period
		# of Bills	Oct-12 (kWh Usage)	Oct-12 Billed	Billed kVa of Demand	# of Bills	Nov-12 (kWh Usage)	Nov-12 Billed	Billed kVa of Demand		KWH USEAGE PRIOR 12 MO	TOTAL BILLING PRIOR 12 MO	
Residential (Dom-In)	E1	3,345	2,734,209	\$260,427.08	0	3,340	1,712,390	\$175,969.61	0	3,337	28,012,089	\$2,979,347.05	\$0.1064
Residential (Dom-In - All Electric)	E2	615	457,148	\$43,877.60	0	616	326,201	\$33,406.85	0	617	6,237,740	\$654,685.65	\$0.1050
Total Residential (Domestic)		3,960	3,191,357	\$304,304.68	0	3,956	2,038,591	\$209,370.46	0	3,954	34,249,829	\$3,634,032.70	\$0.1061
Residential (Rural-Out)	ER1	739	764,117	\$78,154.40	0	740	535,533	\$58,690.66	0	737	9,009,859	\$1,013,365.43	\$0.1125
Residential (Rural-Out - All Electric)	ER2	391	425,422	\$43,300.05	0	390	333,451	\$35,806.28	0	392	5,693,008	\$631,437.90	\$0.1109
Residential (Rural-Out w/Dmd)	ER3	15	14,186	\$1,462.41	81	15	16,892	\$1,765.68	81	15	458,494	\$49,672.53	\$0.1083
Residential (Rural-Out - All Electric w/Dm)	ER4	10	12,246	\$1,233.89	86	10	15,361	\$1,568.48	86	10	187,667	\$20,530.89	\$0.1094
Total Residential (Rural)		1,155	1,215,971	\$124,150.75	167	1,155	901,237	\$97,831.10	167	1,154	15,349,028	\$1,715,006.75	\$0.1117
Commercial (1 Ph-In - No Dmd)	EC2	74	40,749	\$4,964.05	0	73	31,337	\$4,028.13	0	72	447,017	\$60,693.15	\$0.1358
Commercial (1 Ph-Out - No Dmd)	EC2O	40	11,306	\$1,612.70	0	40	10,055	\$1,493.07	0	40	163,904	\$24,315.44	\$0.1484
Total Commercial (1 Ph) No Dmd		114	52,055	\$6,576.75	0	113	41,392	\$5,521.20	0	112	610,921	\$85,008.59	\$0.1391
Commercial (1 Ph-In - w/Demand)	EC1	265	408,645	\$46,613.93	2177	263	314,268	\$38,600.36	2177	265	4,211,193	\$541,235.41	\$0.1285
Commercial (1 Ph-Out - w/Demand)	EC1O	26	34,073	\$3,988.01	193	26	29,657	\$3,658.55	193	26	441,368	\$56,358.77	\$0.1277
Total Commercial (1 Ph) w/Demand		291	442,718	\$50,601.94	2,370	289	343,925	\$42,258.91	2,370	291	4,652,561	\$597,594.18	\$0.1284
Commercial (3 Ph-In - No Dmd)	EC4	0	0	\$0.00	0	0	0	\$0.00	0	0	394	\$135.26	\$0.3433
Commercial (3 Ph-Out - No Dmd)	EC4O	2	0	\$36.00	0	2	0	\$36.00	0	2	25,280	\$3,389.89	\$0.1341
Total Commercial (3 Ph) No Dmd		2	0	\$36.00	0	2	0	\$36.00	0	2	25,674	\$3,525.15	\$0.1373
Commercial (3 Ph-In - w/Demand)	EC3	199	1,944,847	\$192,197.43	6814	201	1,649,795	\$166,153.20	6814	200	18,571,767	\$2,072,062.73	\$0.1116
Commercial (3 Ph-Out - w/Demand)	EC3O	33	246,609	\$25,302.69	1026	32	320,986	\$33,186.01	1026	32	3,040,080	\$348,520.62	\$0.1146
Commercial (3 Ph-Out - w/Dmd & Sub-St)	E3SO	2	128,440	\$11,814.46	408	2	132,080	\$12,068.67	408	1	1,601,560	\$165,318.93	\$0.1032
Commercial (3 Ph-In - w/Demand, No Ta)	EC3T	1	5,440	\$522.80	18	1	4,040	\$415.97	18	1	33,040	\$3,644.61	\$0.1103
Total Commercial (3 Ph) w/Demand		235	2,325,336	\$229,837.38	8,266	236	2,106,901	\$211,823.85	8,266	234	23,246,447	\$2,589,546.89	\$0.1114
Large Power (In - w/Dmd & Rct)	EL1	26	3,858,546	\$305,788.43	7936	26	3,585,563	\$295,809.50	7936	25	42,481,744	\$3,796,467.04	\$0.0894
Large Power (In - w/Dmd & Rct, w/SbCr)	EL2	2	67,080	\$8,021.35	351	2	73,560	\$8,298.94	351	1	396,120	\$55,095.32	\$0.1391
Large Power (Out - w/Dmd & Rct)	EL1O	1	84,960	\$8,129.96	259	1	57,780	\$6,358.18	259	1	912,780	\$101,064.31	\$0.1107
Large Power (Out - w/Dmd & Rct, w/SbCr)	EL2O	2	395,760	\$33,918.49	1025	2	342,720	\$31,080.96	1025	2	4,713,840	\$455,458.05	\$0.0966
Large Power (In - w/Dmd & Rct, w/SbCr)	EL3	2	72,978	\$11,884.43	576	2	56,780	\$6,162.01	576	2	820,150	\$108,255.15	\$0.1320
Total Large Power		33	4,479,324	\$367,742.66	10,147	33	4,116,403	\$347,709.59	10,147	31	49,324,634	\$4,516,339.87	\$0.0916
Industrial (In - w/Dmd & Rct, w/SbCr)	EI1	1	1,147,180	\$80,891.19	2179	1	1,100,836	\$80,039.40	2179	1	14,308,996	\$1,121,802.81	\$0.0784
Industrial (In - w/Dmd & Rct, No/SbCr)	EI2	1	722,186	\$56,299.68	1847	1	412,665	\$37,114.15	1847	1	8,970,032	\$765,654.38	\$0.0854
Total Industrial		2	1,869,366	\$137,190.87	4,026	2	1,513,503	\$117,153.55	4,026	2	23,279,028	\$1,887,457.19	\$0.0811
Interdepartmental (In - No Dmd)	ED1	49	85,346	\$7,372.78	21	49	89,813	\$8,046.07	21	49	1,297,562	\$124,864.86	\$0.0962
Interdepartmental (Out - No Dmd)	ED1O	1	0	\$0.00	0	1	0	\$0.00	0	1	134	\$13.23	\$0.0987
Interdepartmental (In - w/Dmd)	ED2	20	255,936	\$21,542.71	837	20	197,249	\$17,159.98	837	20	3,448,086	\$324,257.56	\$0.0940
Generators (JV2 Power Cost Only)	GJV2	2	20,758	\$445.05	45	2	21,389	\$451.10	45	1	312,466	\$11,310.90	\$0.0362
Generators (JV5 Power Cost Only)	GJV5	1	12,583	\$269.78	23	1	13,812	\$291.30	23	1	164,571	\$6,517.62	\$0.0396
Total Interdepartmental		73	374,623	\$29,630.32	926	73	322,263	\$25,948.45	926	72	5,222,819	\$466,964.17	\$0.0894
SUB-TOTAL CONSUMPTION & DEMAND		5,865	13,950,760	\$1,250,071.35	25,902	5,859	11,384,215	\$1,057,653.11	25,902	5,852	155,960,941	\$15,495,475.49	\$0.0994
Street Lights (In)	SLO	16	0	\$14.20	0	16	0	\$14.20	0	16	0	\$170.40	\$0.0000
Street Lights (Out)	SLOO	2	0	\$0.77	0	2	0	\$1.15	0	2	0	\$7.32	\$0.0000
Total Street Light Only		18	0	\$14.97	0	18	0	\$13.05	0	18	0	\$177.72	\$0.0000
TOTAL CONSUMPTION & DEMAND		5,883	13,950,760	\$1,250,086.32	25,902	5,877	11,384,215	\$1,057,666.16	25,902	5,870	155,960,941	\$15,495,653.21	\$0.0994

2012 DECEMBER - BILLING DETERMINATES - RATE COMPARISONS TO PRIOR PERIODS

Rate Comparisons to Prior Month and Prior Year for Same Period

<u>Customer Type</u>	<u>Service Usage</u>	<u>Service Units</u>	<u>Current December 2012 Rate</u>	<u>Prior Month November 2012 Rate</u>	<u>Prior Year December 2011 Rate</u>	<u>Service Usage</u>	<u>Service Units</u>	<u>Current December 2012 Rate</u>	<u>Prior Month November 2012 Rate</u>	<u>Prior Year December 2011 Rate</u>	
<i>Customer Type -></i>			<u>RESIDENTIAL USER - (w/Gas Heat)</u>			<u>RESIDENTIAL USER - (All Electric)</u>					
Electric Customer Charge			\$6.00	\$6.00	\$6.00			\$6.00	\$6.00	\$6.00	
Distribution			\$16.53	\$16.53	\$16.53			\$33.39	\$33.39	\$33.39	
Demand											
Generation	978	kWh	\$85.02	\$67.98	\$77.35	1,976	kWh	\$171.77	\$137.35	\$156.28	
kWH Tax- Level 1			\$4.55	\$4.55	\$4.55			\$9.19	\$9.19	\$9.19	
kWH Tax- Level 2											
kWH Tax- Level 3											
Total Electric			\$112.10	\$95.06	\$104.43			\$220.35	\$185.93	\$204.86	
Water	6	CCF	\$37.71	\$37.71	\$34.53	11	CCF	\$59.75	\$59.75	\$54.08	
Sewer	6	CCF	\$54.58	\$54.58	\$51.99	11	CCF	\$76.78	\$76.78	\$73.14	
Storm Water (Rate/ERU)			\$9.50	\$9.50	\$9.50			\$9.50	\$9.50	\$9.50	
Refuse (Rate/Service)			\$18.00	\$18.00	\$18.00			\$18.00	\$18.00	\$18.00	
Sub-Other Services			\$119.79	\$119.79	\$114.02			\$164.03	\$164.03	\$154.72	
Total Billing - All Services			\$231.89	\$214.85	\$218.45			\$384.38	\$349.96	\$359.58	
<i>Verification Totals-></i>			\$231.89	\$214.85	\$218.45			\$384.38	\$349.96	\$359.58	
Dollar Chg.to Prior Periods				<u>Cr.Mo to Pr.Mo</u> \$17.04	<u>Cr.Yr to Pr.Yr</u> \$13.44				<u>Cr.Mo to Pr.Mo</u> \$34.42	<u>Cr.Yr to Pr.Yr</u> \$24.80	
% Inc/Dec(-) to Prior Periods				7.93%	6.15%				9.84%	6.90%	
=====											
Cost/kWH - Electric	978	kWh	\$0.11462	\$0.09720	\$0.10678	1,976	kWh	\$0.11151	\$0.09409	\$0.10367	
% Inc/Dec(-) to Prior Periods				17.92%	7.34%				18.51%	7.56%	
Cost/CCF - Water	6	CCF	\$6.28500	\$6.28500	\$5.75500	2	CCF	\$29.87500	\$29.87500	\$27.04000	
Cost/GALLONS - Water	4,488	GAL	\$0.00840	\$0.00840	\$0.00769	1,496	GAL	\$0.03994	\$0.03994	\$0.03615	
% Inc/Dec(-) to Prior Periods				0.00%	9.21%				0.00%	10.48%	
Cost/CCF - Sewer	6	CCF	\$9.09667	\$9.09667	\$8.66500	2	CCF	\$38.39000	\$38.39000	\$36.57000	
Cost/GALLON - Sewer	4,488	GAL	\$0.01216	\$0.01216	\$0.01158	1,496	GAL	\$0.05132	\$0.05132	\$0.04889	
% Inc/Dec(-) to Prior Periods				0.00%	4.98%				0.00%	4.98%	

(Listed Accounts Assume SAME USAGE for kWh and Water (CCF) for All Billing Periods)

(One "1" Unit of Water CCF "Hundred Cubic Foot" = 748 Gallons)

2012 DECEMBER - BILLI

Rate Comparisons to Prior Months

Customer Type	Service Usage	Service Units	Current December 2012 Rate	Prior Month November 2012 Rate	Prior Year December 2011 Rate	Service Usage	Service Units	Current December 2012 Rate	Prior Month November 2012 Rate	Prior Year December 2011 Rate
<i>Customer Type -></i>			COMMERCIAL USER - (3 Phase w/Demand)			INDUSTRIAL USER - (3 Phase w/Demand)				
Electric Customer Charge			\$18.00	\$18.00	\$18.00			\$100.00	\$100.00	\$100.00
Distribution			\$92.86	\$92.86	\$92.86	98,748	Reactive	\$7,279.05	\$7,279.05	\$7,279.05
Demand	20.31	kW/Dmd				1510.1	kW/Dmd	\$16,997.63	\$9,586.72	\$15,678.96
Generation	7,040	kWh	\$744.27	\$548.56	\$661.27	866,108	kWh	\$49,532.74	\$44,488.96	\$45,607.97
kWH Tax- Level 1			\$9.66	\$9.66	\$9.66			\$9.66	\$9.66	\$9.66
kWH Tax- Level 2			\$20.80	\$20.80	\$20.80			\$56.24	\$56.24	\$56.24
kWH Tax- Level 3								\$3,087.71	\$3,087.71	\$3,087.71
Total Electric			\$885.59	\$689.88	\$802.59			\$77,063.03	\$64,608.34	\$71,819.59
Water	25	CCF	\$119.67	\$119.67	\$108.82	300	CCF	\$1,344.61	\$1,344.61	\$1,217.51
Sewer	25	CCF	\$138.94	\$138.94	\$132.36	300	CCF	\$1,359.94	\$1,359.94	\$1,295.61
Storm Water (Rate/ERU)			\$9.50	\$9.50	\$9.50			\$330.00	\$330.00	\$330.00
Refuse (Rate/Service)			\$5.00	\$5.00	\$5.00			\$5.00	\$5.00	\$5.00
Sub-Other Services			\$273.11	\$273.11	\$255.68			\$3,039.55	\$3,039.55	\$2,848.12
Total Billing - All Services			\$1,158.70	\$962.99	\$1,058.27			\$80,102.58	\$67,647.89	\$74,667.71
Verification Totals->			\$1,158.70	\$962.99	\$1,058.27			\$80,102.58	\$67,647.89	\$74,667.71
				<u>Cr.Mo to Pr.Mo</u>	<u>Cr.Yr to Pr.Yr</u>				<u>Cr.Mo to Pr.Mo</u>	<u>Cr.Yr to Pr.Yr</u>
Dollar Chg.to Prior Periods				\$195.71	\$100.43				\$12,454.69	\$5,434.87
% Inc/Dec(-) to Prior Periods				20.32%	9.49%				18.41%	7.28%
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
Cost/kWH - Electric	7,040	kWh	\$0.12579	\$0.09799	\$0.11400	866,108	kWh	\$0.08898	\$0.07460	\$0.08292
% Inc/Dec(-) to Prior Periods				28.37%	10.34%				19.28%	7.31%
Cost/CCF - Water	6	CCF	\$19.94500	\$19.94500	\$18.13667	250	CCF	\$5.37844	\$5.37844	\$4.87004
Cost/GALLONS - Water	4,488	GAL	\$0.02666	\$0.02666	\$0.02425	187,000	GAL	\$0.00719	\$0.00719	\$0.00651
% Inc/Dec(-) to Prior Periods				0.00%	9.97%				0.00%	10.44%
Cost/CCF - Sewer	6	CCF	\$23.15667	\$23.15667	\$22.06000	250	CCF	\$5.43976	\$5.43976	\$5.18244
Cost/GALLON - Sewer	4,488	GAL	\$0.03096	\$0.03096	\$0.02949	187,000	GAL	\$0.00727	\$0.00727	\$0.00693
% Inc/Dec(-) to Prior Periods				0.00%	4.97%				0.00%	4.97%

(Listed Accounts Assume SAMI
 (One "1" Unit of Water CCF "HL

City of Napoleon, Ohio

BOARD OF PUBLIC AFFAIRS (BOPA)

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

Meeting Agenda

Monday, December 10, 2012 at 6:30 PM

- I. Approval of Minutes (In the Absence of any Objections or Corrections, the Minutes Shall Stand Approved)
- II. Review/Approval of the Electric Billing Determinants for December:
Generation Charge: Residential @ \$.08693; Commercial @ \$.10572;
Large Power @ \$.06020; Industrial @ \$.06020; Demand Charge Large
Power @ \$12.89; Industrial @ \$12.77; JV Purchased Cost: JV2 @
\$.02110; JV5 @ \$.02110
- III. Electric Department Report
- IV. Any Other Items to Come Before the Board

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
BOARD OF PUBLIC AFFAIRS

Meeting Minutes

Monday, November 12, 2012 at 6:30 PM

PRESENT	
Members	Keith Engler – Chair, Tom Druhot, Mike DeWit
City Staff	Ronald A. Behm, Mayor Dr. Jon A. Bisher, City Manager Dennis Clapp, Electric Superintendent Roxanne Dietrich, Executive Assistant Trevor Hayberger, Law Director Gregory Heath, Finance Director/Clerk of Council Scott Hoover, Water Treatment Plant Superintendent Robert Weitzel, Police Chief
Recorder	Barbara Nelson
Others	News Media, Jeff Leonard, Jeff Lankenau, Jim Hershberger, John Helberg, Patrick McColley, Jason Maassel
ABSENT	
BOPA	None
Call To Order	Chairperson Engler called the meeting to order at 6:30 PM.
Approval Of Minutes	The October 8, 2012, meeting minutes stand approved as presented with no objections or corrections.
Review Of Billing Determinants	The electric billing determinants for November were presented for review.
Motion To Recommend Approval Of Electric Billing Determinants	Motion: DeWit Second: Druhot To recommend approval of electric billing determinants for November 2012 as follows: Generation Charge: Residential @ \$.06951; Commercial @ \$.07792; Large Power @ \$.05407; Industrial @ \$.05407; Demand Charge Large Power @ \$7.27; Industrial @ \$7.40; JV Purchased Cost: JV2 @ \$.02109; JV5 @ \$.02109
Passed	Roll call vote on above motion:
Yea-3	Yea- Engler, Druhot, DeWit
Nay-0	Nay-
Electric Department Report	Clapp gave the Electric Department Report (attached). We finished up the lighting downtown. We did not do from Riverview south because we are waiting for direction from Council. This doubled the light output because the old fixtures were yellowed. Bisher said he thought he might get complaints about the brightness, but didn't. A City crew went to Cleveland to help First Energy with Hurricane Sandy outages. There were 100,000 outages when they first went there, but they were down to 1,000 by their last day there. Bisher said the crew did not have to go out east after all since there was plenty of help there.

**BOPA Motion To
Adjourn**

Passed
Yea-3
Nay-0

Approved:
December 10, 2012

Motion: DeWit Second: Druhot
To adjourn the meeting at 6:42 PM

Roll call vote on above motion:
Yea- Engler, Druhot, DeWit
Nay-

Keith Engler, Chair

DRAFT

City of Napoleon, Ohio

PRESERVATION COMMISSION

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

Meeting Agenda

Tuesday, December 11, 2012 at 3:30 PM

- I. Call to Order
- II. Approval of Minutes (In the absence of any corrections or objections, the minutes shall stand approved.)
- III. New Business
 - A. NPC 12-10 539 N. Perry St. The Napoleon Eagles
An application for a Certificate of Appropriateness has been requested by The Napoleon Eagle's for the construction of a shelter/deck on the side of their building within the City's Preservation District located at 539 North Perry St.
- IV. Any Other Items to Come before the Commission
- V. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
PRESERVATION COMMISSION

Meeting Minutes

Tuesday, October 9, 2012 at 3:30 PM

NPC 12-07 120 W. Washington St. Diamond & Gold Outlet

PRESENT
Commission

Kelly Wallace - Chair, Ed Peper, Marv Barlow, Glenn Miller (arrived at 3:50 PM),
Joel Miller

City Staff
Acting Recorder
Others

Tom Zimmerman, Building Inspector
Barbara Nelson
John & Grace Ann Reese, Greg Beck, Robin Weirauch

ABSENT
Commission

None

Call To Order

Chairperson Wallace called the meeting to order at 3:34 PM.

Approval Of Minutes

Wallace asked if there were objections to the minutes from June 27, 2012.

Motion To Approve

Motion: J. Miller Second: Barlow
To approve the minutes from June 27, 2012

Passed

Motion approved by unanimous voice vote.

NPC 12-07
120 W. Washington St.

BACKGROUND

An application for a Certificate of Appropriateness has been requested by Graben, LLC, owner of Diamond & Gold Outlet building to review the proposed exterior changes to this building at 120 W. Washington St. located within the City's Preservation District.

RESEARCH AND FINDINGS

The property owner of 120 W. Washington has been ordered through the City's Property Maintenance Code to repair the front wall of the building. A structural engineer has determined the best and only way to repair the wall is to remove all the bricks on the front wall from the top down to the beams that are failing above the display windows on the first floor. A rebuild plan has been submitted by the owner to this commission for their approval and a request for a Certificate of Appropriateness.

Evidence Submitted

Chairperson Wallace submitted pictures of 120 W. Washington St. as evidence.

Motion To Declare 120 W. Washington St. A Historical Resource

Motion: Peper Second: Barlow
That 120 W. Washington is a historic resource

Passed

Approved by unanimous voice vote.

Swearing In

Wallace swore in Greg Beck, who was hired by the owners of the building, John & Grace Ann Reese, to complete renovations. Beck said he will implement what the structural engineer recommended. There are two layers of brick sitting on I-beams that are failing. All of the brick will be removed from the top down to the failing beams above the display windows on the first floor. He will build a 2X6 wood wall

Discussion

with brick veneer. By using brick on the facing it will look like the rest of the buildings downtown. The plan drawn by the engineer shows how the brick will be put back on, matching neighboring buildings very closely. He will put in a new beam. The three upstairs windows will change size. The middle one is bigger now because there was a bay window there at one time. They will all be the same size, spaced evenly across, and will look more like the building on the right. The main brick will be red like the older downtown buildings. It will have the same architectural design on top with accent brick. Doors and windows on the bottom will be the same except to replace broken glass.

Wallace asked about signage. Beck said the old electric sign will be removed. New tenants can hang a sign there if they want. The building next door has the same issue. The brick is turning to powder. The new I-beam will also hold the neighbor's beam. Wallace asked if anything happening with the other building will affect this building. Beck said it could affect the corner of the building, but ours should hold up. Peper asked if there are two layers of brick on the neighboring building. Beck said there are 3 layers on the first floor and 2 layers on the second. Triple brick is on the side walls too. Everything is suspended on those beams.

Beck noted that the Pella window pricepoint is 12 levels higher than vinyl. Windows each cost \$600 more than vinyl. They plan to use vinyl instead. They will look like an arch, but the windows will be square. The owners will not use the upstairs at all. They can get dark brown, tan or white windows. It may look better to have the windows tan since the side is tan. Wallace agreed.

Wallace said the Preservation Commission is grateful for the Reeses' willingness to spend the extra money to restore the building to historical value. J. Miller said the whole community appreciates the fact that the Reese's are incurring great expense to make the building fit the district. Wallace said things like vinyl windows upstairs are an acceptable compromise, considering how much money will be spent to restore the building. Beck said adding extra brickwork added about \$3,000 to the job.

Weirauch said the Ohio Historical Society almost never approves vinyl windows in historical buildings. The armory windows were aluminum and factory coated with paint. Beck said no one will know from the street. (G. Miller arrived.) Barlow asked if the Commission is setting a precedent here. Beck said aluminum windows cost about \$650 each instead of \$200 for vinyl. Rounded windows cost about \$1,000 each. Weirauch said there may be other aluminum windows that are not as expensive as Boyd windows. Beck said there is no competition for aluminum windows vs. 50 companies doing vinyl. G. Miller asked why the State prefers aluminum. Weirauch said vinyl is considered a modern material and aluminum is the closest thing to older materials. Miller said if the look is maintained, why should we preclude modern materials that last longer. Beck said it is difficult to get a narrow enough middle piece in the middle of the window frame with aluminum.

Wallace said the owners are taking off the entire front wall and rebuilding. J. Miller said he believes the Commission can deal project to project. The owners' have made a huge commitment to the rest of the building to fit in with the rest of the district. We can meet them partway. G. Miller said it is important to maintain the look and make sure that the changes will last a long time.

**Motion To Approve A
Cert. Of Appropriateness
For NPC 12-07**

Motion: G. Miller Second: J. Miller
To approve a certificate of appropriateness for NPC 12-07 120 W. Washington St.

Passed

Motion approved by unanimous voice vote

Meeting Continued

Meeting continued with consideration of NPC 12-08.

DATE: _____

Kelly Wallace, Chair

DRAFT

City of Napoleon, Ohio
PRESERVATION COMMISSION

Meeting Minutes

Tuesday, October 9, 2012 at 3:30 PM

NPC 12-08 621 N. Perry St. Out of the Woods Florist

(Meeting continued after consideration of PC 12-07.)

PRESENT
Commission
City Staff
Acting Recorder
Others

Kelly Wallace - Chair, Ed Peper, Marv Barlow, Glenn Miller, Joel Miller
Tom Zimmerman, Building Inspector
Barbara Nelson
Robin Weirauch

ABSENT
Commission

None

NPC 12-08
621 N. Perry St.

BACKGROUND:

An application for a Certificate of Appropriateness has been requested by Norman Roessing, owner of Out of the Woods Florist building, to review the proposed exterior changes to this building at 621 N. Perry St. located within the City's Preservation District.

Evidence Submitted

Chairperson Wallace submitted pictures of 621 N. Perry St. as evidence. It is a flower shop next to Rick's.

Weirauch said the State has not reviewed this building yet. Wallace said the architectural firm that looked at the historic district gave this building the highest rating for a historical resource. It is up there with the courthouse. Peper said it would have been built after 1879 due to a fire that destroyed this downtown area back then. Wallace shared a review of the history of the building.

Motion That This Is a Historical Resource

Motion: G. Miller Second: Peper
To declare that this building is a historical resource

Passed

Motion approved by unanimous voice vote

Discussion

Wallace read the 6 bullet points from the Application for Certificate of Appropriateness describing proposed changes to the building.

- Storefront glass replacement – Remove storefront single pane glass and framing and replace with 3” aluminum, factory coated, thermally broken framing and 1” insulated glass units
- ADA approved front door – aluminum of same color as storefront windows
- Replace back door with metal commercial door.
- Awning – repair existing awning mechanism and replace awning cover to restore to operable use on storefront.
- Windows upstairs (5) – repair, repaint, re-glaze, and outfit with exterior storm windows
- Repaint upper floor front façade of building, minor woodwork repairs as needed.

Weirauch said Roessing could not be here today due to illness. The oriel window is sagging a bit upstairs. The windows are straight but the frames are not. They are getting plans on how to repair that, but you won't see any change on the outside. They will fix the electrical fixtures to have illumination on the ground floor. They are not doing anything to the alley windows.

Wallace asked why owners don't do anything upstairs in the buildings. Zimmerman said there are building code issues. G. Miller said Council was blamed for many years. Napoleon Alive came to Council and asked for changes to make it easier for people to develop the upstairs in downtown buildings. Council did this. The cost is still prohibitive due to the need for sprinkler systems, handicap accessibility, etc. J. Miller said he is happy that people are still restoring the bays and keeping historic features. Peper will abstain from voting on this building since the owners are his clients and friends.

**Motion To Approve A
Cert. Of Appropriateness
For NPC 12-08**

**Passed With
Peper Abstaining**

Meeting Continued

DATE: _____

Motion: G. Miller Second: Barlow
To approve a certificate of appropriateness for NPC 12-08 621 N. Perry St.

Motion approved by unanimous voice vote with Peper abstaining.

Meeting continued with consideration of NPC 12-09.

Kelly Wallace, Chair

City of Napoleon, Ohio
PRESERVATION COMMISSION

Meeting Minutes

Tuesday, October 9, 2012 at 3:30 PM

NPC 12-09 619 N. Perry St. Rick's Sports Bar

(Meeting continued after consideration of PC 12-08.)

PRESENT

Commission

City Staff

Acting Recorder

Others

ABSENT

Commission

NPC 12-09

619 N. Perry St.

Kelly Wallace - Chair, Ed Peper, Marv Barlow, Glenn Miller, Joel Miller
Tom Zimmerman, Building Inspector
Barbara Nelson
Robin Weirauch

None

BACKGROUND

An application for a Certificate of Appropriateness has been requested by Mel Ricker, owner of Rick's Sports Bar to review the proposed exterior changes to this building at 619 N. Perry St. located within the City's Preservation District.

RESEARCH AND FINDINGS

The proposed changes are listed below and can be reviewed separately.

1. The existing green awnings will be replaced with a fabric and color. The sign will not be on the new awning.
2. The existing wood shakes will be replaced with a new slate style shingle.
3. A new sign will be installed in the North window and a menu board will be installed in the South window.
4. The existing wood on the front will be repainted with a stone clay color.

Evidence Submitted

Chairperson Wallace submitted pictures of 619 N. Perry St. as evidence.

Wallace asked if this building was declared a historic resource before. Zimmerman said we talked about it, but it didn't come to the Commission. Wallace said the building used to be three separate buildings. It was later opened up as one business. J. Miller read the historic inventory sheet. Wallace said it doesn't seem like a historic resource, but it could be because of its location and being surrounded by other historic buildings. It was rated as having no historic value.

J. Miller said property owners must come to the Commission before changing anything downtown. We could encourage them to maintain the historic part of the building. Wallace suggested that the Commission declare part of the building a historic resource and list it as a separate address at 615 N. Perry St. J. Miller said if the owners change what they want to change, it would not change the historic parts of the building. Peper said the changes will be from the first floor awning down.

Zimmerman showed members the materials proposed to be used for changes and pointed out locations of signs. J. Miller said these changes will improve the muddled parts. Zimmerman said the owner is not applying for money. He wants to do repairs. Zimmerman asked him to appear in front of the Commission, but Rick's is shutdown this week because they are on vacation. G. Miller said he doesn't want the second story at 615 N. Perry to get lost.

**Motion That 2nd Story
At 615 N. Perry Is a
Historical Resource**

Passed

**Motion That The Rest
Of The Structure Is Not
A Historic Resource**

Passed

**Motion To Approve A
Cert. Of Appropriate-
ness For NPC 12-09**

Passed

Motion To Adjourn

Passed

DATE: _____

Motion: G. Miller Second: J. Miller
To determine that the second story of this building at 615 N. Perry St. is a historical resource

Motion approved by unanimous voice vote

Motion: Barlow Second: G. Miller
The rest of the structure up and down (excluding the second story at 615 N. Perry) at Rick's Sports Bar is not a historic resource

Motion approved by unanimous voice vote

Motion: J. Miller Second: G. Miller
To approve a certificate of appropriateness for NPC 12-09 619 N. Perry St.

Motion approved by unanimous voice vote

Motion: J. Miller Second: G. Miller
To adjourn the meeting at 4:40 PM

Motion approved by unanimous voice vote.

Kelly Wallace, Chair

City of Napoleon, Ohio

RECORDS COMMISSION

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

MEETING AGENDA

Tuesday, December 11, 2012 at 4:00 PM

- I. Approval of Minutes from June 12, 2012 *(In the absence of any objections or corrections, the minutes shall stand approved.)*
- II. Review of Records Retention Schedules:
 - A. Income Tax Department
- III. Any Other Matters to Come Before the Commission.

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
RECORDS RETENTION COMMISSION

Meeting Minutes

Tuesday, June 12, 2012 at 4:00 PM

PRESENT	
Members	Mayor Ronald Behm, Trevor Hayberger, Gregory Heath
Acting Recorder	Kristi Rhoads
Others	None
ABSENT	Dr. Jon Bisher, George Schmidt
Call To Order	Chairman Behm called the meeting to order at 4:00PM, noting a quorum was present.
Minutes Approved	Minutes of the December 12, 2011, meeting stand approved as presented with no objections.
Review Of Law RC-2	<p>Those present reviewed the Law Department's Form RC-2. The Law department has made some changes, LD002 changed to not active. Hayberger states that David Grahn used to keep monthly reports, keep criminal cases, we don't need a piece of paper to tell us what's in the computer. Includes LD004. LD005 is a court calendar which is accessible on our scheduler through the computer. LD0012, used to be in charge of restitution, that changed several years ago, we don't do that anymore. LD0029 is police reports judgment entries, etc. from municipal court; they are scanned to us.</p> <p>Heath – Concern in terms of whatever the retention period is you still have to keep it up to that point. Even if it's electronically it's still a record.</p> <p>Behm – Are you referring to the calendar?</p> <p>Heath – The court scans, mail all need to follow the schedule.</p> <p>Behm – Are we maintaining the history of the electronic files?</p> <p>Hayberger – We back up our own & Dan also backs up the system.</p> <p>Heath – Each dept. may or may not have direct control of it.</p> <p>Behm – It doesn't say a retention period on here.</p> <p>Hayberger –The period is basically a week (for a calendar). The reality is we keep it a lot longer than what we should.</p> <p>Heath – It is a public record until it's destroyed.</p>
Motion To Approve Law RC-2	Motion: Heath Second: Behm To approve the Law department RC-2.
Passed	Roll call vote on above motion:
Yea-3	Yea- Behm, Heath, Hayberger
Nay-0	Nay-
Motion To Untable Review Of Auditor's Best Practices For Responding To Public Records Requests	Motion: Heath Second: Hayberger To remove <i>Review Of Auditor's Best Practices For Responding To Public Records Requests</i> from the table

Passed
Yea-3
Nay-0

Discussion

Roll call vote on above motion:
Yea- Behm, Heath, Hayberger
Nay-

Heath - The Auditor's office along with the Attorney General's office develop the curriculum on that and this is out of that. This is his suggestion on what this should be. It follows the Ohio Revised Code & the Sunshine Law.

The big issue is retaining a public log of records request. We have a form, maybe Trevor could update it.

There are always exceptions and now with the identity theft law we don't know what you can give out and what you can't.

Hayberger suggests we do training.

Heath states each department controls their own public record. If you want to do training you need to do it as a group.

Behm - If we have a form that they fill and we keep copies of those, wouldn't that serve the same purpose as this log?

Heath - Yes

Behm suggests a quick refresher for department heads

Heath will have Bisher add it to the department head meeting agenda.

He also states that in his opinion the Mayor and Council should attend the refresher. They grey area is what's now accepted.

Motion To
Take No Action on Review Of
Auditor's Best Practices For
Responding To Public Records
Requests. Doing a refresher
course.

Motion: Heath Second: Hayberger
To Take No Action on Review Of Auditor's Best Practices For Responding To Public Records Requests. Doing a refresher course.

Passed
Yea-3
Nay-0

Update On RC-1, RC-2 & RC-
3 Forms

Roll call vote on above motion:
Yea- Behm, Heath, Hayberger
Nay-

Heath states that any form we have has to follow the new format. These changes were to take place on September 29, 2011. Any new forms since then had to follow this format. The nice thing about them is that they're electronic and we can just fill in the blank.

Motion To Adjourn

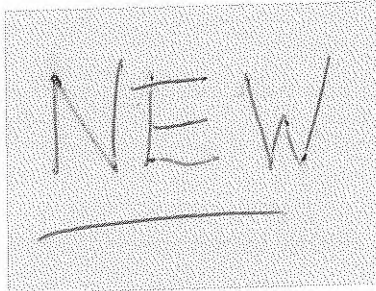
Motion: Heath Second: Hayberger
To adjourn the meeting at 4:38 PM

Passed
Yea- 3
Nay- 0

Roll call vote on above motion:
Yea- Behm, Heath, Hayberger
Nay-

Date Approved: _____

Mayor Ronald A. Behm, Chair



RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

City of Napoleon

INCOME TAX

(local government entity)

(unit)

Gregory J. Heath Finance Director/Clerk of Council 12/11/2012

(signature of responsible official)

(name)

(title)

(date)

Section B: Records Commission

City of Napoleon

Records Commission

419-592-4010

Records Commission

(telephone number)

255 W. Riverview-PO Box 151 Napoleon

43545

Henry

(address)

(city)

(zip code)

(county)

To have this form returned to the Records Commission electronically, include an email address: _____

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

Records Commission Chair Signature

Date

Section C: Ohio Historical Society - State Archives

Signature

Title

Date

Section D: Auditor of State

Signature

Date

**Please Note: The State Archives retains RC-2 forms permanently.
 It is strongly recommended that the Records Commission retain a permanent copy of this form**



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-70	<u>Amusement&RefuseLicense</u> Expired license & attached information	1 yr. after expiration	Paper	
FIN-71	Forms, letters, notices, applications, etc.	1 yr. after expiration	Paper	
FIN-72	Game supplier list	Until no longer admin. needed	Paper	
FIN-73	Questionnaire sheet	1 year	Paper	
FIN-74	<u>Copies from Other Depts.</u> Building permit reports (originals in Building Dept)	NR	Paper	
FIN-75	Court Judgment entries, criminal complaints, various notices, warrants (originals in Municipal Court)	NR	Paper	
FIN-77	Purchase orders, requisitions, invoices-originals in A/P Dept.	1 year	Paper	
FIN-78	Status of contracts, projects report-kept by City Mgr	NR	Paper	
FIN-79	Utility move in/out reports (information in Utility Dept.)	NR	Paper	
FIN-87	<u>General Administrative</u> Accurint/skip tracing reports	NR	Paper	
FIN-88	Bad check records	2 yrs after payment	Paper	
FIN-89	Bankruptcy papers	6 yrs provided audited	Paper	
FIN-50	Correspondence	Until no longer admin needed	Paper/Electronic	
FIN-51	Drafts	Until no longer admin needed	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-46	General Administrative – E-mail	(continued) Until received - MIS Dept. retains	Electronic	
FIN-101	Envelopes returned from post office with or without corrected addresses	Until no longer admin. needed	Paper/Electronic	
FIN-102	Equipment maintenance	Life of equipment	Paper	
FIN-103	Faxes	See correspondence	Paper	
FIN-48	Inter-office communications	Until no longer admin. needed	Paper	
FIN-113	Postal & carrier services records (registered, certified, proof of mailing, etc.)	2 years	Paper	
FIN-114	Press/news releases	3 years	Paper	
FIN-116	General Administrative – Records retention documents RC1, RC2, RC3	(continued) NR, retained in Finance Dept.	Paper	
FIN-49	Telephone messages	NR	Electronic	
FIN-126	Hotel/Motel Application for certificate	1 year after inactive	Paper	
FIN-127	Copy of Hotel/Motel Certificate	1 year after inactive	Paper	
FIN-128	Quarterly/monthly receipts, statements & check copies	Until audited	Paper	
FIN-129	Quarterly/yearly reports	Retained by finance director	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-130	<u>Municipal Income Tax</u> 1099-G Report	6 years	Paper	
FIN-131	1099-Misc forms/ miscellaneous income reports	6 years	Paper	
FIN-132	Accounts receivable report	3 years	Paper	
FIN-133	Annual changes log	3 years	Electronic-2010 & beyond	
FIN-134	Annual finals listing	3 years	Electronic-2010 & beyond	
FIN-135	Annual master listing	3 years	Electronic-2010 & beyond	
FIN-	Annual Inactive Report	3 years	Paper/Electronic- 2010 & beyond	
FIN-138	Billing statements	3 years	Paper	
FIN-40	Business registrations (previously known as questionnaires)	Until account has been closed	Paper	
FIN-41	Business tax returns	6 years from date of filing	Paper-up until TY 2008/Electronic-TY 2008 & beyond	
FIN-142	Closed account	Until account closed	Paper	
FIN-143	Computer daily transactions of cash & non-cash posted	6 years provided audited	Paper	
FIN-144	Court payment plan sheet	6 years	Paper	
FIN-145	Court offense report	6 years	Paper	
FIN-146	Court statement of facts sheet	6 years	Paper	
FIN-148	Declaration of estimated tax	6 years	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-150	Municipal Income Tax Electronic images – W2's, returns, schedules, quarterly statements, declarations, reconciliations, notes on Taxpayer accounts, pending problem receipt/attachment – AS OF 2008	- continued 6 years	Electronic	
FIN-40	Individual registrations	Until account has been closed	Paper	
FIN-41	Individual tax returns	6 yrs from date of filing	Paper	
FIN-154	Monthly penalty & interest reports	3 years	Paper	
FIN-42	Monthly transaction reports/ ledger sheets	3 years provided audited	Paper	
FIN-157	Non-filing reports	3 years	Paper	
FIN-162	Refund voucher	6 years	Paper	
FIN-163	State lottery list	6 years	Paper	
FIN-164	State of Ohio taxpayer lists	6 years	Paper	
FIN-165	Top 10 largest taxpayer list	Until audited	Paper	
FIN-166	Uncollectible accounts (writeoffs)	6 yrs if audited	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-167	<u>Municipal Income Tax</u> W2-G's	- (continued) 6 years	Paper	
FIN-168 FIN-168A	W3 reconciliations W3 reconciliations	6 years 6 years	Paper CD	
FIN-171	<u>Soliciting</u> Application & attachments – for profit business	1 year after expiration	Paper	
FIN-172	Application & attachments – non-profit business	1 year after expiration	Paper	
FIN-173	Copies of certificates	1 year after expiration	Paper	
FIN-174	Receipt – for profit business	1 year provided audited	Paper	



Ohio Historical Society
State Archives of Ohio
Local Government Records Program

1982 Velma Avenue
Columbus, Ohio 43205

OLD

For State Archives - LGRP Use Only

Date Received:
Date Reviewed:
Items requested for transfer: YES NO
If YES, attach copy of transfer form

RECORDS RETENTION SCHEDULE (RC-2) – Part 1

See instructions before completing this form. Must be submitted with PART 2

Section A: Local Government Unit

City of Napoleon

INCOME TAX

(local government entity)

(unit)

Gregory J. Heath

Gregory J. Heath

Finance Director/Clerk of Council

December 14, 2010

(signature of responsible official)

(name)

(title)

(date)

Section B: Records Commission

City of Napoleon

Records Commission

419-592-4010

(telephone number)

255 W. Riverview Ave. – PO Box 151
(address)

Napoleon
(city)

43545
(zip code)

Henry
(county)

To have this form returned to the Records Commission electronically, include an email address: bnelson@napoleonohio.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

[Signature]

3 FEB 11

Records Commission Chair Signature

Date

Section C: Ohio Historical Society - State Archives

[Signature]
Signature

[Signature]
Title

2-22-2011
Date

Section D: Auditor of State

[Signature]
Signature

3-7-11
Date

Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form.



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-70	<u>Amusement&RefuseLicense</u> Expired license & attached information	1 yr. after expiration	Paper	<p>Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.</p> <p><i>Electronic</i></p>
FIN-71	Forms, letters, notices, applications, etc.	1 yr. after expiration	Paper	
FIN-72	Game supplier list	Until no longer admin. needed	Paper	
FIN-73	Questionnaire sheet	1 year	Paper	
FIN-74	<u>Copies from Other Depts.</u> Building permit reports (originals in Building Dept)	NR	Paper	
FIN-75	Court Judgment entries, criminal complaints, various notices, warrants (originals in Municipal Court)	NR	Paper	
FIN-77	Purchase orders, requisitions, invoices-originals in A/P Dept.	1 year	Paper	
FIN-78	Status of contracts, projects report-kept by City Mgr	NR	Paper	
FIN-79	Utility move in/out reports (information in Utility Dept.)	NR	Paper	
FIN-87	<u>General Administrative</u> Accurant/skip tracing reports	NR	Paper	
FIN-88	Bad check records	2 yrs after payment	Paper	
FIN-89	Bankruptcy papers	6 yrs provided audited	Paper	
FIN-50	Correspondence	Until no longer admin needed	Paper	
FIN-51	Drafts	Until no longer admin needed	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-46	<u>General Administrative –</u> E-mail	<u>(continued)</u> Until received - MIS Dept. retains	Electronic	
FIN-101	Envelopes returned from post office with or without corrected addresses	Until no longer admin. needed	Paper / <i>Electronic</i>	
FIN-102	Equipment maintenance	Life of equipment	Paper	
FIN-103	Faxes	See correspondence	Paper	
FIN-48	Inter-office communications	Until no longer admin. needed	Paper	
FIN-113	Postal & carrier services records (registered, certified, proof of mailing, etc.)	2 years	Paper	
FIN-114	Press/news releases	3 years	Paper	
FIN-116	<u>General Administrative –</u> Records retention documents RC1, RC2, RC3	<u>(continued)</u> NR, retained in Finance Dept.	Paper	
FIN-49	Telephone messages	Until no longer admin needed	Electronic	
FIN-126	<u>Hotel/Motel</u> Application for certificate	/ 8 years provided audited	Paper	<p><i>Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.</i></p>
FIN-127	Copy of Hotel/Motel Certificate	/ 8 years provided audited	Paper	
FIN-128	Quarterly/monthly receipts, statements & check copies	6 years <i>until audited</i>	Paper	
FIN-129	Quarterly/yearly reports	6 years <i>Retained by Finance Director</i>	Paper	



RECORDS RETENTION SCHEDULE (RC-2) – Part 2

Section E: Records Retention Schedule

City of Napoleon

Income Tax Department

(local government entity)

(unit)

NR = Not Retained

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP
FIN-130	<u>Municipal Income Tax</u> 1099-G Report	6 years	Paper	
FIN-131	1099-Misc forms/ miscellaneous income reports	6 years	Paper	
FIN-132	Accounts receivable	3 years	Paper	
FIN-133	Annual changes log	3 years	Electronic	2010 & beyond
FIN-134	Annual finals listing	3 years	Electronic	2010 & beyond
FIN-135	Annual master listing	3 years	Electronic	2010 & beyond
FIN-136	Annual cash collections summary	3 years provided audited	Paper	+ Annual Inactive Report
FIN-138	Billing statements	3 6 years	Paper	
FIN-40	Business registrations (previously known as questionnaires)	Until account has been closed 6 years	Paper	
FIN-41	Business tax returns	6 years from date of filing	Paper	upto 2008/electron TY 2008 & beyond
FIN-142	Closed account	6 years <i>until closed</i>	Paper	Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.
FIN-143	Computer daily transactions of cash & non-cash posted	3 years provided audited	Paper	
FIN-144	Court payment plan sheet	6 years	Paper	
FIN-145	Court offense report	6 years	Paper	
FIN-146	Court statement of facts sheet	6 years	Paper	
FIN-148	Declaration of estimated tax	6 years	Paper	



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FIN-150	Municipal Income Tax Electronic images – W2's, returns, schedules, quarterly statements, declarations, reconciliations, notes on Taxpayer accounts, pending problem receipt/attachment	10 years - continued	Electronic	
FIN-151	Image batch audit report	6 years	Paper	
FIN-40	Individual registrations	Until account has been closed for 6 yrs.	Paper	
FIN-41	Individual tax returns	6 yrs from date of filing	Paper	
FIN-154	Monthly penalty & interest reports	3 years	Paper	
FIN-42	Monthly transaction reports/ ledger sheets	3 years provided audited	Paper	
FIN-157	Non-filing reports	3 years	Paper	
FIN-160	Quarterly estimate statement	6 years	Paper	
FIN-161	Quarterly withholding statement	6 years	Paper	
FIN-162	Refund voucher	6 years	Paper	
FIN-163	State lottery list	6 years	Paper	
FIN-164	State of Ohio taxpayer lists	6 years	Paper	
FIN-165	Top 10 largest taxpayer list	Until audited	Paper	
FIN-166	Uncollectible accounts (writeoffs)	6 yrs if audited	Paper	

up to 2008 / electronic TY 2008 & beyond

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.



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FIN-167	<u>Municipal Income Tax</u> W2-G's	- (continued) 6 years	Paper	
FIN-168 FIN-168A	W3 reconciliations W3 reconciliations	6 years 6 years	Paper CD	
FIN-170	Year end reports	3 years provided audited	Paper	
FIN-171	<u>Soliciting</u> Application & attachments – for profit business	1 year after expiration	Paper	
FIN-172	Application & attachments – non-profit business	1 year after expiration	Paper	
FIN-173	Copies of certificates	1 year after expiration	Paper	
FIN-174	Receipt – for profit business	2 years provided audited	Paper	

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

City of Napoleon, Ohio

BOARD OF ZONING APPEALS

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

Meeting Agenda

Tuesday, December 11, 2012 at 4:30 PM

I. Call to Order

II. Roll Call

III. Approval of Minutes

(In the absence of any corrections or objections, the minutes shall stand approved.)

IV. New Business

A. BZA 12-10

An application for public hearing has been filed by Bernard Dietrich. The following 4 variances are needed before a Zoning permit can be issued for the proposed construction at 915 Scott St.:

1. To decrease the current front yard setback of 25 feet as allowed by City code section 1147 to 17 feet so a new residence can be built in the same location after the demolition of the existing residence.
2. To increase the allowed maximum lot coverage for all structures on a single lot from 45% as allowed by City code section 1147 to 48%
3. To increase the allowed combined gross floor area of accessory buildings from 1000 square feet as allowed by City code section 1131 to 2411 square feet for the construction of a 20'x 12' accessory building.
4. To decrease the current side yard setback of 7 feet as allowed by City code section 1147 to 3 feet for the construction of a 20'x 12' accessory building.

The property is located in an R-4, High Density Residential District.

V. Closing Remarks

VI. Adjourn

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, September 11, 2012 at 4:30 PM

BZA 12-06 1419 Scott St. Steven Kauffman

PRESENT

Board Members

City Staff

Recorder

Others

ABSENT

Board Members

Approval Of Minutes

Background On BZA 12-06

Research & Information

Tom Mack – Acting Chair, Laurie Sans, Steve Small

Trevor Hayberger, Law Director

Tom Zimmerman, Building Inspector

Barbara Nelson

Steven Kauffman, Jennifer Kauffman, Steve Lankenau, Gary Heater, Bill Snyder, Norman Minnick, Todd Baldwin, James Mathias, Paul Oehrtman

Robert McLimans, David Dill

Acting Chairman Mack called the meeting to order, noting that a quorum was present to conduct business.

Minutes from the August 14, 2012, meeting stand approved as presented.

Mack read the background information on BZA 12-06.

An application for public hearing has been filed by Steven Kauffman, 116 Pleasant Lane, Archbold, Ohio. The applicant is requesting a variance to section 1145.01 the Table of Permissible Uses to construct a Maximum of four 200' x 30' buildings to be used for self service storage at the location of 1419 Scott St. (the old Big Wheel plaza site). This property is located in a C-4, Planned Commercial zone that otherwise doesn't allow self service storage units.

Mack swore in Zimmerman.

Zimmerman read the research & information:

1. The City's Zoning Code and the table of Permissible Uses was changed by the Planning Commission and City Council in January of 2011. One of the changes was to add a line for self-service storage units and only allow them to be located in the C-5 Highway Commercial, I-1 Enclosed Industrial and I-2 Open Industrial zones.
2. A Variance was requested instead of rezoning this Parcel because Mr. Kauffman would like to use only a part of this 14 acre Parcel for the storage units and still be able to market the rest for some other type of commercial use that is allowed in a C-4 zone.
3. The board may place restrictions on or make requirements of the owner that would be included on the Zoning permit.

Zimmerman sent letters to everyone within 200' of the boundaries of this

14 acre parcel. He received 3 responses back from some of the effected neighbors. They were given to the Board. Mack said the letters will be committed to the record. Zimmerman asked if Mack wanted him to read the letters. Mack said that was not necessary. Zimmerman said one of the letter writers is here. Mack asked if Kauffman received copies of the letters. Kauffman said he received them when he got here today. Mack asked if Zimmerman received any phone calls about the property. Zimmerman said he did not. All three letters in some form were opposed. Steve Lankenau said he would like to speak on behalf of Mr. Kauffman.

Swearing In

Mack swore in Steve Lankenau.

Testimony

Lankenau entered Kauffman's *response* to the four listed items of Section 175.07 of the Code into the record. He asked Zimmerman if that was correct. His understanding from Zimmerman is that these are the items that need to be addressed. Zimmerman noted that the four items listed in the Code are on the SmartBoard for audience and Board members to view.

(Section 175.07 The Board, after hearing, may grant variance from the regulations of the Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Zoning Code and Board finds all of the following:)

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or use in the same vicinity or district;

Response: *It is exceptional and extraordinary that there are two identical uses such as the one proposed here in the precise same zone. It is not the norm to receive such requests where the use requested already has been allowed, not as an exception, but as an allowed and permitted use. Though understandable, the grant is essential due to circumstances that do not generally occur.*

- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question;

Response: *If this request is denied this property owner will be denied a substantial right of use granted and possessed by other properties in the same zone (on Glenwood Avenue and on Trail Drive). The grant of this request will be consistent with these other identical uses in this same zone. The grant is necessary to preserve this property's consistent enjoyment of a right possessed by other properties in the same zone.*

- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or district in which it is located;

Response: *Because there are two other identical uses (one very close)*

in this vicinity, the Commission has the ability to assess the lack of material detriment these identical uses have caused to properties in this zone. There has not been any factual evidence given that this use on Trail Drive or Glenwood Avenue has caused a material detriment to any property in this zone.

(d) That granting such variance will not alter the land use characteristics of the vicinity or district, diminish the value of adjacent land and improvements, or increase the congestion of the public streets.

Response: *The fact that there are two uses identical to the one proposed in this zone is de facto evidence that this use would not alter the land use characteristics of the district. This use is already a characteristic of the district. There has been no factual evidence provided that this existing use in this district has diminished the property value of any other. Finally, there is nothing about the nature of our operation that would suggest an increase in the congestion of the public streets.*

Discussion

Mack swore in Gary Heater, who said, "I can see the wisdom of what Council passed. What Steve said today is a no-brainer. His argument would be that we should never change anything because there is existing there. There is a reason for the existing not to be. The City of Napoleon has waited a long time for something promising out of that lot, that area of ground. They need the development. The storage facilities can be put up anywhere. Storage facilities are something that people will come to. To take a prime piece of real estate, as that is, would be a shame. I think the whole ordinance was passed for a reason and we need to adhere to it."

Hayberger asked Heater if he was arguing that when they changed the C4 district, there was a plan in changing the permitted uses. Heater said that's the way he understands it. Hayberger asked if Heater's argument is that that's why this was no longer included in the permitted uses. Heater affirmed. Heater said he owns storage facilities in Defiance, "and to say there's not gonna be additional traffic and you're not gonna have problems with things....you have problems with anything....and a lot of people that rent the storages. I'm not thinking it's the best use for it."

Mack swore in Steve Kauffman, who said, "I certainly hope it is a prime lot. Nobody hopes for that more than me." Kauffman said he has rented out storage units for over 25 years. You can put them anywhere, but he's found that you have to make them more convenient for people. In 1987, people used to drive to his location at County Road A & 19 from Swanton and Delta. Now they don't want to drive from the south end of Wauseon to the north end of Wauseon. It's changed. Convenience is important to people. Back to the prime lots . . . absolutely. He will tear these down in a heartbeat if someone finds that they're really valuable. That's not an issue. He pays \$4,000 a year in property taxes and he's not able to use it. The zoning was changed within a few days after he closed on the property and he didn't know about it. He doesn't know whose fault that is and it doesn't matter, but it was changed. He has over \$250,000 in the property. He was

treated differently than other people with what he tried to do with that property. He's not complaining, just stating it. He's not holding it against anyone. He asked if he can answer any questions.

Small asked Kauffman how he was treated differently. Kauffman said one thing would be on the portable storage units. He might have made a mistake there. There has been and still is portable storage around the City. He had portable storage on there and was asked to move them and he promptly did so. He was asked then to move them back. Then when he moved them back, he was asked to move them and get them out of there now. Until he could get them out, he was asked to turn the doors inward toward each other, back toward the center of that lot. He's not sure what was going on, but he felt that he was treated pretty sternly. He had plans and a contract to grind all that concrete back there and was told, "I don't want to see piles of stone back there," so he canceled that contract. He talked to a contractor about clearing that brush back there until this all came down. He canceled that. He can't stand to drive by the property now because he doesn't maintain property the way that was. He has no use for it. He can't use it for anything with it until the big use comes along. He is trying to recoup some of his losses.

Small asked if Kauffman had any drawings or rendering of what he intends to put up. The Board has seen footprints, but want to see what the structures will look like. Kauffman said he has five other locations. Zimmerman displayed a picture on the SmartBoard that he and Kauffman drew to scale with the buildings and location. Mack asked that Kauffman explain the location of the storage buildings in relation to the other buildings. Kauffman used the SmartBoard to explain and point out property lines and proposed building locations. He said there was grease being poured out there before he came along. His property is next to Snyder's car lot on one side and Mr. Heater's carpet place on the other side.

Mack said there were three letters objecting to this. He asked Zimmerman to highlight them. Zimmerman said one was from the China Dragon Restaurant (1415 N. Scott St.), one from Peppermills Restaurant (1425 N. Scott St.) and one from Gary Heater (1413 N. Scott St.)

Lankenau said the units on Glenwood would be similar, but not identical in appearance. Small asked if there would be the same type of lighting and fencing around them. Kauffman said there would be the same lighting. Fencing makes people feel secure, but it looks ugly. He would rather handle the security with the lighting and the cameras and the high security latch system he uses. He showed a picture of a storage building he built this summer on Rt. 108 in Wauseon. Small asked if Kauffman would allow outside storage. Kauffman said there would be no outside storage. It looks trashy. Zimmerman said having no outside storage can be included as a condition. He believes it says that in the Code, but he has to check the definition.

Lankenau said he would like to respond to Mr. Heater's comments. He

appreciates the comments, but Heater summed up his comments by saying that he just doesn't think it's the best use of the property. Respectfully, that isn't really the issue. It is items a, b, c, and d of Section 175.07 that Lankenau hopes the Board will focus on. Even Mr. Kauffman's comments, again respectfully, it's not about whether he's been treated well or not well. It's about items a, b, c, and d.

Sans said she has questions about future use of the property and some of the comments that have been brought up. Kauffman is putting this in the middle of the City, so to speak. Glenwood may be within the City limits also, but it's outside the City area. And the one on Trail Drive is a different situation, near an apartment building. This is a large lot and many people, including her, are concerned that when that goes in, it will be possibly detrimental to other developers who want to come in and do something else. We have to look at that. Even a chain-link fence is not in concert with other businesses along that strip.

Kauffman said he doesn't want the units out front. It's more of a backyard type, not front visibility type industry. The Wauseon location happens to be in a high residential area. He asked if Sans was also concerned about the best use. Sans affirmed, stating that she is concerned about it being detrimental to what the community would think would be a good use of the property within the zoning. Kauffman said no one is more interested in the best use of that property. That was the idea with the portable storage. He didn't want to put in anything permanent. He wanted to see how long it would take to sell it, what kind of interest there was, etc. He would rather move portable ones out of there than tear down ones with a concrete foundation. Actually, the cost per square foot isn't any different between portable ones and permanent ones. It's just that the concrete part of it is not reusable, but those can be torn down in a heartbeat. In all honesty, he doesn't look for more than one or two buildings max. The reason he put four in there is because who knows . . . whatever. In his mind, he's not putting them up as permanent. Heater asked if Kauffman has four buildings on there and the property still doesn't sell, will he be back here again in a few years asking for eight more? Kauffman said he is asking for four and that's it. Heater said that doesn't make any sense, but he understands Kauffman saying that today.

Mack asked Kauffman to show him on the map exactly where the buildings will be located. Kauffman showed the location on the SmartBoard map. He said that way if these folks wanted to extend their lots, he would gladly do that. That's the reason for the 100' setback plus that gives you about 340' in depth. Sans asked why the buildings are there instead of at the back of the property. Kauffman said if you put buildings back there, you will have people who lived in that building for 20 years tearing this building up so it's a security thing. Mack said Kauffman had pointed clear to the back of the lot. Mack served for a number of years with a past chairman who felt that if neighbors objected, he would not approve a variance request. Mack asked if Kauffman would move the buildings back to where the concrete was and Big Wheel was if it was more amenable to those four people. Kauffman said security is the issue

and he sacrifices security as he moves buildings back. If one building went in here, you would see a dramatic change in how this area has looked the last 25 years. His original plans were to landscape, crush the stone and clear the brush.

Mack swore in Bill Snyder, who said he thinks Council addressed this problem when they changed the ordinance a year ago. He does not think this is consistent with the area. It is a retail type area rather than an industrial area. That is his concern going forth.

Lankenau said he is having trouble understanding when the very zone we are talking about has two of these and that's the area you are to look at, not one part of the zone at all. But the zone has two of these. There has been no evidence of any detriment to any other property. He is having trouble putting those together, to say that this one is somehow going to be different than those other ones. Within this zone, those other two have not been a problem. He is trying to figure out why this one will be so much different.

Mack said, "Steve, in your professional opinion though, don't you feel that every piece of real estate is unique even though the zoning may be the same?" Lankenau said, "Absolutely, that's a fair statement. But what you are asked to look at is what is appropriate in the zone whether it's on one end of the zone or the other."

Zimmerman said he was involved with the first ones that went in. We've been together the whole time with the storage units on Glenwood. When they came in on Glenwood, it's a C-4 zone. Although it's the same zone, a conditional use was required of Kauffman when he got that. And in that conditional use at that time, there was not a term for "self-service storage," these storage units that we are talking about. It was "storage." It was the same storage that you would have anywhere, the same storage that Tenneco has behind their building. Recognizing that there was a need to define them and to have a place for them was why we made the definition and why we chose to not have self-service storage in that zone. There was a conditional use permit that was required the first time and there would have been a conditional use permit that would have been required for the temporary ones, but Kauffman chose not to do it. So, there was an opportunity to go to the Planning Commission and get a conditional use permit for the temporary ones and that wasn't the choice Kauffman made.

Kauffman asked what changed. Zimmerman said since then, the zone changed. Kauffman asked what that date was. Zimmerman said the new Zoning Code changed on January 10, 2011. Zimmerman said the Code changed in January 2011 and Kauffman was two years before that. Kauffman said it was spring of 2010. Mack asked for what street. Zimmerman said it was for Scott Street. 2011 was when the rule changed. Kauffman said he closed on that property on January 14, 2011. The zoning wasn't any different at that time. Small said he thinks that what Kauffman is saying is that the zoning has changed to include that definition of "self-service storage" since he did his last project on Glenwood. Zimmerman

said, "That is for sure and I guess we're having a debate on when you wanted to put the temporary ones in." Hayberger said, "Let's not talk about the temporary ones." Sans said, "I don't think that pertains to this." Zimmerman said he was just trying to explain why the zoning changed and there wasn't a use for it and a conditional use was needed the last time. Hayberger noted that this was a sweeping zoning change. Zimmerman said it was not just for this, it was a big change. Sans said, "And there was a reason for it." Zimmerman affirmed.

Small said he agrees with the comment that nobody should be determining the best use of the property except the property owner within the guidelines the City allows. He's not going to try and tell somebody that owns the property, "I think you oughta do this because this is what I would like." That's your decision. He also believes that you have zoning for a reason and you try to use zoning to create the environment you want in different districts in the City. It's changed a lot and that's added to a lot of the confusion. He appreciates that Kauffman addressed the four items. He is struggling with item (a) in determining whether this truly is an exceptional and extraordinary circumstance and whether it meets that criteria. He would like them to address item (a). [Small read item (a)]

Lankenau said to focus on the words "exceptional and extraordinary." They are somewhat subjective. Periodically, the City updates its zoning code. He does not believe this was done because of Mr. Kauffman. It was done 15-20 years before that and it's done periodically. We understand that and we accept that. His question is, "How often has this circumstance come up? I would maybe say 'never.' Maybe you can think of one. If it's one or never, does that not qualify as exceptional or extraordinary in terms of its frequency?"

Small said the other two storage units that are in the C4 district were approved under a different set of rules that what we have today. Lankenau said but the fact that Kauffman needs to come here and make this request even though circumstances have changed, this is very unusual, infrequent, exceptional or extraordinary. That to me falls into that definition. If you saw this every meeting, every other year, etc., it would be different. You never see it. Correct me if I'm wrong. It's so unusual.

Kauffman said what makes it unusual also is that he closed on the property on January 14, 2011 and the zoning officially changed in January 2011 within days one way or another. He had no idea at that time when he purchased the property that it would be under different zoning. He assumed that it was like his other properties.

Mack said he believes everyone has had the opportunity to speak. He asked about the requirement for item (d) *That granting such variance will not alter the land use characteristics of the vicinity or district.* . . Mack said "vicinity" has different meanings for different people. While serving on this Board, he has never seen a request approved when four adjacent properties objected to it. He thinks that's a tall hurdle to overcome. He would like to see something worked out with the neighbors. As long as

there are objections, it is difficult. He would entertain any motion that anyone would like to make.

Small said although he fully respects the feedback of the neighbors, he's a black and white person and it still comes down to these four criteria. Different people are going to have different opinions, but he thinks we have to work off of these four criteria. He is not convinced that there are answers to all four that he is comfortable with. Mr. Lankenau has been in City government before and understands that the whole idea of zoning is to try to shape the district the way you want it to be. He fully believes that the expectation is for Scott Street to be the primary commercial corridor for the City. That's why he continues to come back to (a) and say, "Is there something exceptional or extraordinary with this particular piece of property and with that intended use that would make us say, 'We're gonna allow it even though this is what the expectation is for the City for that district.'" We need to adhere to that.

Mack asked if anyone wanted to make a motion.

Small said the Board has the ability to approve it with some very specific guidelines. The reason he asked specifically about what this property will look like once the buildings are up is because to him that's a big part of this. He believes this should be a commercial corridor and he doesn't want this to be a detriment to future commercial development there for any of the business owners including Kauffman. Small is not comfortable approving it if it's going to look like the ones out on Glenwood. Although he appreciates the detail in the four responses since they are the most thorough we've gotten, he doesn't believe there is enough meat on them.

Kauffman said he agrees with Small. Kauffman asked Zimmerman to pull up the pictures of the storage units on Glenwood. Kauffman said in 25 years, this is the first time he ever built storage buildings like this. They are not attractive. All the other ones have a 3-1/2 12 pitch roof. You can see them in Wauseon on Airport Highway, in south Archbold, and on County Road 19. The red color cosmetically looks bad in a residential area. The reason he went with that color was because it is where it is and it grabs the attention from Rts. 6 & 24. If he wanted to make them look nicer, he would go with a 3-1/2 & 12 pitch roof and a more neutral, nicer color that doesn't jump out at you and is not as visible. If that's what will help people make up their minds, we certainly can do that. He doesn't have a problem with it. It will cost about 20% more to go with a 3-1/2 12, but it certainly can be done.

Small said he is injecting his personal opinion here. He still thinks Kauffman needs to hit those four criteria. He's not sure even if it is approved, that he would like to see that. What are Kauffman's options if this Board denies the variance? Hayberger said Kauffman would be done here, but there is the Ohio Revised Code (ORC) 2506 appeal process which means going to Common Pleas Court. Small asked if there is anywhere else in the City Kauffman could appeal. Zimmerman said there is not anywhere else.

Mack swore in Jennifer Kauffman. She asked if the City of Napoleon has been approached by other businesses that would like to come into the City of Napoleon for a 14 acre property that would be suitable for that spot. The Board stated that they want that area to be used for something more visible, friendly to the corridor, Fort to Port, kind of thing. What has the City of Napoleon been approached with? Is there something else out there? Mack said he is not in the development area. Zimmerman said not that he knows of. There's been talk. He's sure there's been interest, but it hasn't gotten to him in building and zoning. J Kauffman said, "If there is something out there that we haven't heard about, we would like to know."

Motion To Not Approve BZA 12-06 Based On What The Board Has Now

Motion: Sans Second: Small
 To not approve the variance for BZA 12-06 based on what the Board of Zoning Appeals has now

Small asked if Kauffman can bring this back with a different rendering if he is denied today. Zimmerman said there is a time that you can wait, but if you change and come back with a different approach (color, layout, location), he thinks it would be a different hearing. The book talks about once it is denied, it is denied. Hayberger said Kauffman made a request for four 200 X 30 buildings. If he changes it, it could be brought here. He wouldn't like to do it that way, but it could be considered a new request. If he was Kauffman, he wouldn't want to rest on that.

**Passed
 Yea-2
 Nay-1**

Roll call vote on motion to not approve (deny) BZA 12-06:
 Yea – Laurie, Tom
 Nay- Steve

Zimmerman said absent members' votes count as "no." Mack said two members are absent, so they would count as "no" votes. Hayberger said the motion was to deny the request for BZA 12-06 so it hasn't been denied. Sans said she thought if you had a quorum... Hayberger said we are dealing with a double negative here. The motion was to deny which has technically been overruled because there would be 3 no votes and 2 yes. Laurie asked if we always do that if people are absent. Hayberger said the way it works is you needed 3 votes to pass the motion to deny and we don't have that. Mack said, "But we don't have a motion to approve it." Hayberger said, "Exactly. We're in limbo. You could reword the motion."

Mack asked if the motion would have to be reworded to "no." Hayberger said we need 3 votes to pass it one way or the other. Anything less than that won't go; or the Board can table BZA 12-06 and work on Mr. Small's issues as well. Small said he needs to be convinced. He voted no because he is not convinced either way. He thinks there is potentially a way to make it work, in his mind, if letter (a) is satisfied and if they look different than what we are seeing there.

Mack asked if the Board can go back and table this. Hayberger said he believes they can because technically there was no action taken.

Motion: Small Second: Sans

To table BZA 12-06 for further information and additional members

Zimmerman asked what Mr. Kauffman should present to him in the next month if this is tabled. Small said to him the sticking point is letter (a). He thinks Kauffman has done a fairly reasonable job of addressing the other ones.

Small said he is having a hard time trying to pinpoint why this property should be treated as an exceptional or extraordinary circumstance in this case. Kauffman said he thinks it is exceptional and extraordinary if for no other reason that within three days of his closing date, the Code was changed. Sans said it had been in the works for a while. Kauffman said you know what it looked like for 20 years. He had to get homeless people out of the building before tearing it down. He is a little bit “ow-ee” on the whole thing. If he was looking to beautify that lot, he would certainly want something in there that is going to draw attention to, that person takes care of the rest of the property. It drives him crazy to see those tall weeds, and he’s sure it drives Mr. Snyder crazy. Kauffman got soured on the whole thing. He doesn’t think anyone planned to do it that way. He thinks some things just kinda happened and he has \$250,000 in a property that he can’t even do something that he wants to do temporary and is paying property taxes until the best use comes along.

Hayberger said, “Hold on. The quorum in order to qualify as a quorum is of all the current members. When City Council votes, it is that wording. Under Rule 3.15 of the *Rules and Procedures Governing Boards & Commissions*, it says, *The hearing shall be conducted when practical with all current members of the board or commission present. The decision shall be made by a majority of the quorum that heard the case.* So technically, the decision would be 2-1. Hayberger said that was his fault. This wording is different than it is for Council.

Mack said this means the motion has been denied and the motion and the second to table it is moot. Hayberger apologized, stating he thought this Board was governed by the same rules as Council. Mack said Kauffman mentioned some things like reducing the number of units. He asked Kauffman if he said he would only build half of the units. Kauffman confirmed. Mack asked if Kauffman said he would also do a 3-1/2 X 12’ pitch and color change options with this property. Mack would encourage Kauffman to make those changes if he would like to resubmit a request. Mack thinks the entire Board would like to find a way for this to fit in appropriately into the neighborhood and be amenable to the other property owners and to the value of that property. As things stand right now, it has been denied on a 2-1 vote. Hayberger noted that this denial is for the request as written for four units.

Meeting continued with consideration of BZA 12-07.

Date

Tom Mack, Acting Chair

City of Napoleon, Ohio
BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, September 11, 2012 at 4:30 PM

BZA 12-07 626 Second St. Norman Minnick

PRESENT

Board Members

City Staff

Recorder

Others

ABSENT

Board Members

Background On BZA 12-07

Research & Information

Laurie Sans, Tom Mack, Steve Small
Trevor Hayberger, Law Director
Tom Zimmerman, Building Inspector
Barbara Nelson
Norman Minnick, Todd Baldwin, James Mathias, Paul Oehrtman

Robert McLimans, David Dill,

Mack read the background information on BZA 12-07.

An application for public hearing has been filed by Norman Minnick, 71 Oak Dr., Napoleon, Ohio. The applicant is requesting a variance to section 1145.01 the Table of Permissible Uses to construct a 60' x 40' storage building to be used for his private residential storage at the location of 626 Second St. (currently an empty lot). This property is located in an R-2, Low Density Residential zone that otherwise does not allow a stand alone storage building.

Hayberger noted that Zimmerman is still sworn in from the last hearing.

Zimmerman read the research & information:

- 1 The Table of Permissible Uses does not allow a storage building to be a principle structure on a lot in any residential zone.
- 2 A Variance was requested instead of rezoning because this would need to be changed to an Industrial zone to be a permitted use and the Southside has no Industrial zones.
- 3 The Board may place restrictions on or make requirements of the owner that would be included on the Zoning permit. A restriction that the Board may consider is that this building shall be used solely for private non-commercial storage of the property owner and all storage will be inside the structure.

Zimmerman said this is a unique request for a unique zone. He talked to the Minnicks about this and tried very hard to get it to fit into our zoning code anywhere. The best he could get it to fit was to say it was a storage building. Storage buildings are in industrial and commercial zones. He doesn't know that this is a storage building as commercial and industrial goes. He thought it would be best that the letters be sent to adjoining property owners notifying them of the hearing. He received no written feedback, but some neighbors are present tonight.

Swearing In

Mack swore in Norman Minnick.

Testimony

Minnick said he owned the lot for 20-25 years. It is .8 of an acre. The building is 40 X 60, but on .8 of an acre it's not that big of a building. Zimmerman showed where the building will be located. The adjacent properties are commercial: a duplex and another building on another vacant lot. It is quite a ways away from the neighboring lot. Two neighbors are here and they have no objections.

Discussion

Small asked Minnick to describe what the building will look like. Minnick said it is a small, short pole barn, not tall like farmers have. It will be about 10' tall with a metal roof and siding. His neighbors can pick the color if they want. The lot is used by about 40 buzzards now. It is hard to mow because it stinks. He wants to get rid of the buzzards.

Sans asked the difference between a large storage building and a garage. Zimmerman said a garage is an accessory use. Every residence can have one or two accessory buildings for a combined total of 1,000 sq. ft. There is no structure on that lot so this can't be an accessory use and it is not commercial use, but it's not a commercial building.

Mack swore in Todd Baldwin, who said he backs Minnick. He has lived there 15 years or so, directly behind Minnick's house. The electricity and lighting will make the area more secure. It won't be a business. He has no problem with using it for storage. He got feedback from four neighbors and no one is objecting to it. For security reasons and getting rid of buzzards, they believe Minnick's request should be approved. He keeps the property up and keeps it mowed.

A woman in the audience said she would say the same thing Baldwin said.

Small asked if the intention is purely for personal use, not business. Minnick said he has a pontoon boat, a car to store in winter, and stuff he and his wife have collected. Zimmerman said the Board can include on the permit that it shall be used solely for private, noncommercial storage of the property owner and no outside storage. He asked if the Board wants a height restriction.

Mack asked if Minnick is sure of the 10' height. Minnick said 10' eaves. Sans said storage will be inside the structure. She asked if that includes overnight parking of a vehicle. Zimmerman said overnight parking should be okay.

Motion To Approve BZA 12-07

Motion: Small Second: Sans
To approve BZA 12-07 on conditions that it be used only for private storage and that there be no external storage and that the eave height not exceed 12'.

Passed
Yea-3

Roll call vote on above motion:
Yea –Sans, Mack, Small

Nay-0

Nay-

Zimmerman told Minnick that when Minnick comes in with the plan, he will issue him a building permit and he can adhere to the stipulations on the permit.

Meeting continued with consideration of BZA 12-08.

Date

Tom Mack, Acting Chair

DRAFT

City of Napoleon, Ohio
BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, September 11, 2012 at 4:30 PM

BZA 12-08 1448 Oakwood Ave. James Mathias

PRESENT

Board Members

City Staff

Recorder

Others

ABSENT

Board Members

Background On BZA 12-08

Tom Mack – Acting Chair, Laurie Sans, Steve Small
Trevor Hayberger, Law Director
Tom Zimmerman, Building Inspector
Barbara Nelson
James Mathias, Paul Oehrtman

Robert McLimans, David Dill

Mack read the background information on BZA 12-08.

An application for public hearing has been filed by James Mathias, 1448 Oakwood Ave., Napoleon, Ohio. The applicant is requesting to build a new 28'x40' building in the same location as his existing 18'x30' building. A variance is needed to increase the allowed gross floor area of an accessory building from 1,000 square feet, to 1,120 square feet, 120 square feet more then allowed by City code section 1131.01. This property is located in an R-3, Moderate Density Residential.

Research & Information

Zimmerman read the research & information:

1. Mr. Mathias' existing detached garage was 540 square feet that has been removed. The proposed detached garage will be built over the existing floor, the north side will still be 8 foot from the property line.
2. The side yard setback for a R-3 zone is 7 feet.

The Board reviewed pictures of the site and a diagram of the proposed garage. Zimmerman notified the neighbors and he received a letter from Peg Buckmaster, 151 Hudson, who lives across the street. She says, "Dear Committee: I am writing to respond to the public hearing on the Mathias' structure on Oakwood Avenue. Jim & Mary are the glue that holds this neighborhood together. They are the best people and the best neighbors ever. I support any structure they want to build and happy to have the opportunity to do so. Thank you for your consideration."

Mack said that was quite an endorsement.

Swearing In

Mack swore in James Mathias.

Testimony

Mathias said he wants to enlarge his garage because he has a motorcycle, a boat, and three cars and he can't squeeze them into the old one which is ready to fall down. He would eliminate the old, wood one and put up a

nice looking one. It would be 28' X 12' high with a 6/12 pitch roof and a 12' X 8' overhead door, and one 36" walk-in door.

Small asked if this is strictly a square foot issue. Zimmerman confirmed. The building is 8' from the north side and we will maintain that 8'. Mathias is requesting a square footage variance.

Motion To Approve BZA 12-08

Motion: Sans Second: Small
To approve BZA 12-08

Passed
Yea-3
Nay-0

Roll call vote on above motion:
Yea – Sans, Mack, Small
Nay-

Meeting continued with consideration of BZA 12-09.

Date

Tom Mack, Acting Chair

DRAFT

City of Napoleon, Ohio
BOARD OF ZONING APPEALS

Meeting Minutes

Tuesday, September 11, 2012 at 4:30 PM

BZA 12-09 1103 Clairmont Ave. Fulfilling Housing

PRESENT

Board Members

City Staff

Recorder

Others

ABSENT

Board Members

Background On BZA 12-09

Research & Information

Swearing In & Testimony

Tom Mack – Acting Chair, Laurie Sans, Steve Small
Trevor Hayberger, Law Director
Tom Zimmerman, Building Inspector
Barbara Nelson
Paul Oehrtman

Robert McLimans, David Dill

Mack read the background information on BZA 12-09.

An application for public hearing has been filed by Fulfilling Housing of Napoleon. The applicant is requesting a 15' variance to the second required front yard setback of 30' for the construction of a new home at 1103 Clairmont Avenue, Napoleon, Ohio (corner of Clairmont and Broadmoor) as required by section 1147. The property is located in an R-2, Low Density Residential District.

Zimmerman read the research & information:

1. 1103 Clairmont is a corner lot on this street that is not yet built. This year there was a request to City Council by the residents in that area to vacate the Broadmoor right of way. Council was not in favor of the vacation and wants the street to be built someday.
2. Five of the seven existing residences in the next two blocks along the Broadmoor right of way are already closer than fifteen feet.

Zimmerman said the street isn't there, but will be there. Small said some of those five are considerably closer than 15'. Zimmerman said he talked to Mr. Oehrtman for many years about this house. Before we changed the Code in 2011, this house would have been legal. They couldn't build it then due to funding reasons.

Mack asked if Zimmerman notified the neighbors. Zimmerman said he did and received no feedback.

Mack swore in Paul Oehrtman, who said they made application to HUD for funding for four individuals. There are two other identical homes in Napoleon. They purchased the property at least two years ago and were fine with the building code when it was initially looked at. They are requesting a variance of the second front yard from 30' to 15' They have funding and are ready to go.

Discussion

Sans asked if a group home fits into the zoning there. Oehrtman said it is not a group home. It takes eight people to be a group home. Zimmerman said a house can have up to six unrelated individuals living in it.

Motion To Approve BZA 12-09

Motion: Small Second: Sans
To approve BZA 12-09

Passed
Yea-3
Nay-0

Roll call vote on above motion:
Yea – Sans, Mack, Small
Nay-

Motion To Adjourn

Motion: Mack
To adjourn the meeting at 5:50 pm

Date

Tom Mack, Acting Chair

DRAFT

Memorandum

To: Water, Sewer, Refuse, Recycling & Litter Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors

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

Date: 12/5/2012

Re: Water, Sewer, Refuse, Recycling & Litter Committee Meeting Cancellation

The Water, Sewer, Refuse, Recycling & Litter Committee, which is regularly scheduled to meet on Monday, December 10 at 7:00 PM, has been CANCELED due to lack of agenda items.

Memorandum

To: Municipal Properties, Buildings, Land Use & Economic Development
Committee, Council, Mayor, City Manager, City Law Director, City Finance
Director, Department Supervisors

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

Date: December 4, 2012

Re: Municipal Properties, Buildings, Land Use & Economic Development
Committee Meeting Cancellation

The Municipal Properties, Buildings, Land Use & Economic Development
Committee, which is regularly scheduled to meet on Monday, December 10
at 7:30 PM, has been CANCELED due to lack of agenda items.

Memorandum

To: Planning Commission, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media

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

Date: 11/27/2012

Re: Planning Commission Meeting Cancellation

The Planning Commission meeting regularly scheduled for Tuesday, December 11 at 5:00 PM has been canceled due to lack of agenda items.



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151
Gregory J. Heath, Director of Finance/Clerk of Council
phone (419) 599-1235 fax (419)-599-8393
Web Page: www.napoleonohio.com
E-mail: gheath@napoleonohio.com

December 6, 2012

Cut Rate Tobacco
1205 Scott Street
Napoleon, Ohio 43545

RE: Registration of Amusement Devices and License, City Codified Code Chapter 711

To Whom It May Concern:

It has recently come to our attention that your business may have mechanical or electrically operated **Amusement Devices** located at your establishment inside the City of Napoleon, Ohio (City).

Pursuant to City Codified Code Chapter 711 (*See Attached Copy*) these devices must be registered and licensed. I have included a copy of the License Application (*See Attached Copy*) for your use and completion. Once submitted, the City will issue a License for the place of business and a Tag for each device. The term of this License is for One (1) Year starting back to January 1, 2012, unless the device(s) were installed after January 1st, then it shall be prorated.

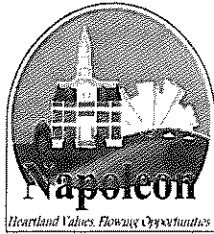
If you have any questions regarding the completion of the form, or the fee per device, please contact Ms. Mary K. Thomas, Senior Account Clerk, at the City phone number (419) 599-1235.

Sincerely,

Gregory J. Heath
Finance Director/Clerk of Council

Attachments

Cc: Police Department
City Manager
City Law Director
Senior Account Clerk
✓ City Council



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151
Gregory J. Heath, Director of Finance/Clerk of Council
phone (419) 599-1235 fax (419)-599-8393
Web Page: www.napoleonohio.com
E-mail: gheath@napoleonohio.com

December 6, 2012

MMD and Holding LLC (Petro Gas)
900 American Road
Napoleon, Ohio 43545

RE: Registration of Amusement Devices and License, City Codified Code Chapter 711

To Whom It May Concern:

It has recently come to our attention that your business may have mechanical or electrically operated **Amusement Devices** located at your establishment inside the City of Napoleon, Ohio (City).

Pursuant to City Codified Code Chapter 711 (*See Attached Copy*) these devices must be registered and licensed. I have included a copy of the License Application (*See Attached Copy*) for your use and completion. Once submitted, the City will issue a License for the place of business and a Tag for each device. The term of this License is for One (1) Year starting back to January 1, 2012, unless the device(s) were installed after January 1st, then it shall be prorated.

If you have any questions regarding the completion of the form, or the fee per device, please contact Ms. Mary K. Thomas, Senior Account Clerk, at the City phone number (419) 599-1235.

Sincerely,

Gregory J. Heath
Finance Director/Clerk of Council

Attachments

Cc: Police Department
City Manager
City Law Director
Senior Account Clerk
City Council

LICENSE APPLICATION - GAME ROOMS, AMUSEMENT ARCADES and AMUSEMENT DEVICES
CITY OF NAPOLEON, OHIO
 (Per Ordinance No. 49-96, Passed 05-06-96)

APPLICANT (Person License To Be Issued To)		
NAME (LAST, FIRST, INITIAL):	ADDRESS:	
CITY, STATE, ZIP:	DATE OF BIRTH: / /	SOCIAL SECURITY NO. (OPTIONAL):
PHONE NUMBER:	BUSINESS PHONE NUMBER:	

BUSINESS ORGANIZATION (Location Of Devices)		
BUSINESS/ORGANIZATION:	ADDRESS:	
CITY, STATE, ZIP:	BUSINESS FEDERAL I.D. NO.:	BUSINESS PHONE NO.:
CONTACT PERSON:	TYPE OF BUSINESS CONDUCTED:	

BUSINESS OWNER(S) (If Different Than Applicant)		
(1) OWNER NAME:	ADDRESS:	
CITY, STATE, ZIP:	PHONE NUMBER:	SOCIAL SECURITY NO. (OPTIONAL):
(2) OWNER NAME:	ADDRESS:	
CITY, STATE, ZIP:	PHONE NUMBER:	SOCIAL SECURITY NO. (OPTIONAL):

MACHINE(S) DEVICE(S) OWNER (If Different Than Applicant)		
MACHINE/DEVICE OWNER:	ADDRESS:	
CITY, STATE, ZIP:	PHONE NUMBER:	FEDERAL I.D. NO.:

GAME ROOM: YES NO

TOTAL NUMBER OF UNITS: _____

TYPE OF MACHINE/ DEVICE	MECHANICAL FEATURES	NAME OF MACHINE/ DEVICE MANUFACTURER	SERIAL NUMBER OF MACHINE/DEVICE

ARE ANY OF THE MACHINES/DEVICES LISTED HEREIN CONSIDERED "GAMBLING DEVICES" YES NO
 IF YES, PLACE AN "*" NEXT TO DEVICES SO LISTED.

HAS APPLICANT, BUSINESS OWNER, MACHINE/DEVICE OWNER EVER BEEN CONVICTED OF ANY CRIME, (FELONY VIOLATION OR A MISDEMEANOR) INCLUDING, A GAMBLING OFFENSE OR FOR THE SALE OR CONVICTION OF A DRUG OFFENSE IN THE LAST TEN (10) YEARS PRIOR TO DATE OF APPLICATION: YES NO

IF YES: PERSON	LOCATION	CONVICTION FOR
IF YES: PERSON	LOCATION	CONVICTION FOR

Under the penalty of Law, I, _____, applicant for license, hereby state that I am a person of good moral character and that the facts contained in the above application are true and correct and the answers are complete to the best of my knowledge and belief.

APPLICANT SIGNATURE DATE

FEE (As Required): \$ _____

REVIEW FOR APPROVAL

BUILDING AND ZONING: ALL CODE REQUIREMENTS MET: YES NO

IF NO, LIST VIOLATION(S): _____

SIGNATURE DATE

FIRE DEPARTMENT: ALL CODE REQUIREMENTS MET: YES NO

IF NO, LIST VIOLATION(S): _____

SIGNATURE DATE

POLICE DEPARTMENT: APPROVED: YES NO IF NO, REASON: _____

SIGNATURE DATE

FINANCE DEPARTMENT: APPROVED: YES NO IF NO, REASON: _____

SIGNATURE DATE

LICENSE NUMBER ASSIGNED: _____

**License Issued Are Non-Transferable And Shall Expire On December 31st Of Each Year.
License Must Be Renewed Each Year**

CODIFIED ORDINANCES OF NAPOLEON
PART SEVEN - BUSINESS REGULATION CODE

CHAPTER 711
Amusement Devices and Arcades

711.01	Definitions.	711.08	Hours of operation of game rooms or amusement arcades.
711.02	License.	711.09	Minors. (Repealed)
711.03	License and registration fees.	711.10	Periodic inspection.
711.04	Temporary game rooms.	711.11	Intoxicants prohibited.
711.05	License issuance; information on license.	711.12	Security required; nuisance.
711.06	Tag or decal displayed on each machine; arcade license displayed.	711.13	Gambling prohibited.
711.07	Unlicensed or unregistered devices, game rooms or amusement arcades.	711.14	Gambling device confiscation and forfeiture.
		711.15	Unscheduled/unexpected changeout of devices.
		711.99	Penalty.

CROSS REFERENCES

Disturbing the peace - see GEN. OFF. 509.03
Gambling - see GEN. OFF. Ch. 517
Slugs - see GEN. OFF. 545.11
Tampering with coin machine - see GEN. OFF. 545.12

711.01 DEFINITIONS.

For the purpose of this chapter:

- (a) "Game room" or "amusement arcade" means a place of business within a building or any part of a building having five or more mechanical or electrically operated amusement devices which are used for the purpose of public entertainment.
- (b) "Exhibitor" means any individual, corporation, or other entity owning and exhibiting or contracting or permitting any mechanical or electrically operated amusement device, as defined in subsection (e) hereof to be installed, used, and exhibited in his/her own place of business irrespective of the ownership of such device.

- (c) "Gambling device" means a device as defined in Ohio R.C. 2915.01 or which contains an automatic pay-off device or instrument for the return of slugs, money, coins, checks, tokens, merchandise, or anything of value; or a device which contains an automatic device by the operation of which the player may win at uncertain intervals a free game, a free play, or any other additional amusement and where the device is capable of manually setting odds.
- (d) "Gambling offense" means a conviction of any section contained in Ohio R.C. Chapter 2915 or any similar law of any other state, this Municipality, or other municipality or any similar federal law.
- (e) "Mechanical" or "electrically operated amusement device" means a machine, device, or instrument which, upon the insertion of a coin, plate, disc, plug, key, token or slug, operates or may be operated for use as a game, contest of skill, or amusement of any description and shall include, but not be limited to, rides, pinball games or marble games, or coin operated mechanical or electrical musical instruments or devices or coin operated or payment of a fee operated billiard tables, pool tables or dart games; however, does not include vending machines and does not include gambling devices.
- (f) "Owner" means any individual, partnership, corporation, or other entity having possession or title to any mechanical or electrically operated amusement device, or the proprietor of the business which operates a game room or an amusement arcade.
- (g) "Person" means any individual, partnership, corporation, or other entity.
- (h) "Applicant" means the individual or entity applying for the license; also, means for the purpose of qualification questions, the individual filling out the application on behalf of the entity as well as any partner, the partnership, organization, corporation or other entity and its officers.
(Ord. 076-08. Passed 10-6-08.)

711.02 LICENSE.

(a) Required.

- (1) No owner or exhibitor shall install or permit the use in his/her place of business any mechanical or electrically operated amusement device without having first obtained an exhibitor's license. Such license may be obtained by the owner or the exhibitor and shall be required for each such amusement device so installed or used.
- (2) No person shall operate within the corporation limits of the City a game room or an amusement arcade without having first obtained a game room or an amusement arcade license from the City.

(b) Issuance. The City Finance Director is authorized to issue licenses to owners and exhibitors of mechanical or electrical amusement devices upon compliance with the requirements set forth in this chapter. Further, said Director is authorized to issue licenses to owners of game rooms and amusement arcades.

(c) Term of License. All current and future City licenses issued pertaining to amusement devices and/or game rooms or amusement arcades shall expire on December 31 after passage of this chapter and each December 31 thereafter. Licenses issued, that are to be effective after January 1, shall be prorated. Licenses may be renewed each year (if not denied or suspended) by filing proper application with the City Finance Director and by making payment of the renewal fee as prescribed. The licenses required herein shall not be transferable. No fee will be reimbursed by the City if the subject of the license later terminates or is discontinued. Licenses may be renewed or obtained thirty days in advance of expiration.

(e) Revocation of License: Appeal. The City Finance Director may deny, suspend, or revoke any license issued or requested to be issued pursuant to this chapter for the direct or indirect violation of any of the provisions hereof or any other local, State or Federal law pertaining to amusement devices and/or game rooms or amusement arcades. In the event that the Director denies, suspends, or revokes any license, the applicant or owner may within ten days appeal such denial, suspension, or revocation to the Finance and Budget Committee of Council by filing notice of appeal with the City Finance Director. The Committee's decision shall be a final order.

(f) Applications. Every owner or other person, corporation, lodge, or association desiring to obtain any exhibitors or game room or amusement arcade license or licenses shall file an application with the City Finance Director upon a form to be prescribed by the Director prior to the receiving of any such license or licenses, which application shall state among other things:

- (1) The name and address and date of birth of the applicant;
- (2) The location where the mechanical or electrical amusement devices are to be displayed and/or operated and the business conducted therein;
- (3) The number of mechanical or electrically operated machines intended to be exhibited;
- (4) A description of the machine or machines to be covered by the license, and their mechanical features as well as the name of the manufacturer and the serial number of the machine(s);
- (5) The name of the owner or owners of the premises wherein the devices are to be displayed and/or operated;
- (6) The name of the owner or owners of the business conducted therein;
- (7) The name of the owner of the machines, if the person is different than the applicant;
- (8) Whether or not the applicant or the owner of the machines or game room or public arcade has been convicted of any crime, including, a gambling offense or for the sale or conviction of a drug offense in the last ten years prior to the date of application;
- (9) Such application to include also an affidavit as to the good moral character of the applicant; and
- (10) Such application shall have attached a written statement from the Zoning Administrator and Fire Chief that Zoning, Building and Fire Code requirements have been met.

(g) License Required for Each Game Room or Arcade. Each game room or amusement arcade shall be licensed and registered as such, and a license and registration therefore shall be required in addition to, and independent of, the license and registration required herein for individual mechanical or electrically operated amusement devices.
(Ord. 49-96. Passed 5-9-96.)

711.03 LICENSE AND REGISTRATION FEES.

The moneys received by the Finance Director under the provisions of this chapter shall be credited to the General Fund of the City. The fees for licenses and registration are required to be paid at the time of the issuance thereof and shall be as follows:

- (a) Mechanical or electrically operated amusement device: twenty-five dollars (\$25.00) each per year.
- (b) Game room or amusement arcade: one hundred dollars (\$100.00) per year for each place of business. Multiple game rooms at one business location shall be assessed as one business if owned by the same entity.

- (c) If any licensed machine or device is replaced or substituted during the registration period, a new application for such machine or device must be submitted with a five dollar (\$5.00) fee. The City Finance Director shall then issue a new license for such machine (if an acceptable replacement or substitute) for the balance of the registration period. (Ord. 49-96. Passed 5-9-96.)

711.04 TEMPORARY GAME ROOMS.

Any nonprofit corporation shall be permitted to operate a temporary game room for five days or less provided that such corporation complies with the provisions of this chapter, and at the same time pays a license fee of ten dollars (\$10.00) per mechanical or electronically operated amusement device. (Ord. 49-96. Passed 5-9-96.)

711.05 LICENSE ISSUANCE; INFORMATION ON LICENSE.

- (a) A license shall be issued if:
- (1) The applicant for a license has filed the proper application and has paid the proper fee as specified in this chapter and the City Finance Director is satisfied that all information requested is properly given and approved (and not a subject of denial);
 - (2) That after inspection by the Zoning and Building Administrator/designee it is determined that all wiring and connections meet the then present Electrical Code standards and that the establishment is in a properly zoned area; and
 - (3) After inspection by the Fire Chief it is determined that all Fire Codes have been met.

(b) Such license shall contain the name and address of the licensee; the number of mechanical or electronically operated amusement devices exhibited or game rooms or amusement arcades intended to be operated; the address at which it is desired to exhibit and operate the devices; the nature of the business conducted at such place; the make, name, model, and other identifying information with reference to the particular devices desired to be exhibited; the serial number of the license; and such other further information as the Director in the Director's discretion may require. (Ord. 49-96. Passed 5-9-96.)

711.06 TAG OR DECAL DISPLAYED ON EACH MACHINE; ARCADE LICENSE DISPLAYED.

(a) One of the metal tags or plastic decals issued by the City Finance Director, as required by this chapter, shall be attached to each device on the front thereof, adjacent to the coin slot of such mechanical or electronically operated amusement device licensed, so that the machine licensed can be readily determined by municipal authorities at a glance.

(b) The game room or amusement arcade license shall be displayed in a prominent place in the business establishment. It shall be the duty of the owner to display the licenses during the period covered by the license. (Ord. 49-96. Passed 5-9-96.)

711.07 UNLICENSED OR UNREGISTERED DEVICES, GAME ROOMS OR AMUSEMENT ARCADES.

(a) No owner or exhibitor shall keep, maintain, permit, or allow any unlicensed and unregistered mechanical or electronically operated amusement device to be in or upon any public place or place of business under the control, supervision, or direction of such person.

(b) No owner or exhibitor shall operate an unlicensed game room or amusement arcade. (Ord. 49-96. Passed 5-9-96.)

711.08 HOURS OF OPERATION OF GAME ROOMS OR AMUSEMENT ARCADES.

(a) No owner or exhibitor of a game room or an amusement arcade shall be open or permit playing between the hours of 2:30 a.m. to 9:00 a.m., Monday through Saturday; and 2:30 a.m. to noon on Sunday.

(b) No owner or exhibitor of a game room or an amusement arcade shall permit minors under the age of eighteen to be within a game room or an amusement arcade after 10:00 p.m. Sunday through Thursday, or after 11:30 p.m., on Friday and Saturday, unless accompanied by a parent or legal guardian.

(c) No owner or exhibitor of a game room or an amusement arcade shall permit minors under the age of eighteen to be within a game room or an amusement arcade during any period of time when such minor is scheduled to attend classes in a public or parochial school.

(d) No owner or exhibitor of a game room or an amusement arcade shall permit minors under the age of eighteen to be within a game room or an amusement arcade during the aforementioned permitted hours unless such owner or exhibitor, or employee thereof, is in attendance. Such owner, exhibitor, or employee shall be an adult not less than eighteen years of age. (Ord. 49-96. Passed 5-9-96.)

711.09 MINORS.

No owner of a game room or amusement arcade or exhibitor of a mechanical or electronically operated amusement device shall permit minors under the age of eighteen years to operate an amusement device during the hours prohibited in this chapter, unless accompanied by a parent or legal guardian. (Ord. 49-96. Passed 5-9-96.)

711.10 PERIODIC INSPECTION.

The owner of every game room or amusement arcade shall, at all times, permit access to the City Finance Director or his/her designee for the purpose of periodically inspecting both the establishment and the mechanical and/or electrically operated amusement devices. (Ord. 49-96. Passed 5-9-96.)

711.11 INTOXICANTS PROHIBITED.

No owner shall permit the consumption of intoxicants or alcoholic beverages by any person on the premises of a game room or amusement arcade unless the owner holds a proper permit from the Ohio Department of Liquor Control. (Ord. 49-96. Passed 5-9-96.)

711.12 SECURITY REQUIRED; NUISANCE.

(a) The owner of any game room or amusement arcade shall provide necessary security personnel (as determined by the Police Chief) to police the interior and exterior portion of the game room or amusement arcade.

(b) The owner of any game room or amusement arcade shall maintain peace and quiet in and about the location of any game room or amusement arcade. Failure to do so shall constitute a nuisance and may be grounds for revocation of licenses. (Ord. 49-96. Passed 5-9-96.)

711.13 GAMBLING PROHIBITED.

(a) The owner of any game room or amusement arcade shall prominently display a sign indicating that gambling is prohibited. It shall further state on such sign that it shall be considered to be a gambling offense if a player agrees to pay for the game of another upon the loss of a game.

(b) No mechanical or electronically operated device shall be permitted on a premises that has as its object the skill of winning at the playing of cards, dice, craps, or roulette. (Ord. 49-96. Passed 5-9-96.)

711.14 GAMBLING DEVICE CONFISCATION AND FORFEITURE.

Any gambling device transported, delivered, shipped, manufactured, reconditioned, repaired, sold, disposed of, received, possessed, or used in violation of the provisions of this chapter shall be seized and forfeited to the City. (Ord. 49-96. Passed 5-9-96.)

711.99 PENALTY.

(a) Whoever violates any provision of this chapter is guilty of a minor misdemeanor punishable by not more than a one hundred dollar (\$100.00) fine for the first offense and a fourth degree misdemeanor, punishable by a fine of not more than two hundred fifty dollars (\$250.00) and a period of incarceration of not more than thirty days or both for subsequent violations.

(b) Any violation of the provisions of this chapter may be considered by the City Finance Director as a basis for the suspension or revocation of licenses issued pursuant to this chapter.

(c) Each day a violation continues to occur shall constitute a separate offense. Each mechanical or electrically operating device not licensed shall constitute a separate offense. (Ord. 49-96. Passed 5-9-96.)

ORDINANCE NO. 009-06

AN ORDINANCE AMENDING CHAPTER 711 OF THE CODIFIED CODE (AMUSEMENT LICENSES) TO WIT: 711.02 (LICENSE); 711.03 (LICENSE AND REGISTRATION FEES); 711.04 (TEMPORARY GAME ROOMS) AND 711.99 (PENALTY)

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

Section 1. That, Section 711.02 of the Codified Ordinances of the City of Napoleon, Ohio is hereby amended and enacted as follows:

711.02 LICENSE.

(a) Required.

(1) No owner or exhibitor shall install or permit the use in his/her place of business any mechanical or electrically operated amusement device without having first obtained an exhibitor's license. Such license may be obtained by the owner or the exhibitor and shall be required for each such amusement device so installed or used.

(2) No person shall operate within the corporation limits of the City a game room or an amusement arcade without having first obtained a game room or an amusement arcade license from the City.

(b) Issuance. The City Finance Director is authorized to issue licenses to owners and exhibitors of mechanical or electrical amusement devices upon compliance with the requirements set forth in this chapter. Further, said Director is authorized to issue licenses to owners of game rooms and amusement arcades.

(c) Term of License. All current and future City licenses issued pertaining to amusement devices and/or game rooms or amusement arcades shall expire on December 31 after passage of this chapter and each December 31 thereafter. Licenses issued, that are to be effective after January 1, shall be prorated. Licenses may be renewed each year (if not denied or suspended) by filing proper application with the City Finance Director and by making payment of the renewal fee as prescribed. The licenses required herein shall not be transferable. No fee will be reimbursed by the City if the subject of the license later terminates or is discontinued. Licenses may be renewed or obtained thirty days in advance of expiration.

(d) Denial or Revocation of License; Appeal. The City Finance Director may deny, suspend or revoke any license issued or requested to be issued pursuant to this chapter for any of the following reasons:

- (1) Failure to pay necessary application fees.
- (2) Falsifying or furnishing incomplete information on an application.
- (3) Failing to meet Fire, ~~Building~~ or Zoning Codes.
- (4) Having two or more gambling offenses within the last five years.
- (5) Failing to permit inspection of amusement machines or devices by

City officials.

- (6) Having a felony conviction within the last ten years.

- (7) Lacking the necessary qualifications for holding a license.
- (8) For having two or more direct violations of any provisions of this chapter or any other local, state or federal law pertaining to amusement devices and/or game rooms or amusement arcades within a five-year period.
- (9) Having or maintaining a nuisance at the place where the mechanical or electrically operated amusement device(s) are located.

(e) In the event that the Director denies, suspends, or revokes any license, the applicant or owner may within ten days appeal such denial, suspension, or revocation to the Finance and Budget Committee of Council by filing notice of appeal with the City Finance Director. The scope of the hearing shall be limited to affirming or disaffirming the denial, suspension or revocation of the license. The Committee may only disaffirm the actions of the Finance Director if they determine by a majority vote, that by a preponderance of the evidence presented, the Finance Director's denial, suspension or revocation was unreasonable, capricious or arbitrary. The hearing shall be informal in nature and the Committee's decision shall be considered a final order.

(f) Applications. Every owner or other person, corporation, lodge, or association desiring to obtain any exhibitor's or game room or amusement arcade license or licenses shall file an application with the City Finance Director upon a form to be prescribed by the Director prior to the receiving of any such license or licenses, which application shall state among other things:

- (1) The name and address and date of birth of the applicant;
- (2) The location where the mechanical or electrical amusement devices are to be displayed and/or operated and the business conducted therein;
- (3) The number of mechanical or electrically operated amusement devices intended to be exhibited;
- (4) A description of the mechanical or electrically operated amusement devices to be covered by the license, and their mechanical features as well as the name of the manufacturer and the serial number of the machine(s);
- (5) The name of the owner or owners of the premises wherein the mechanical or electrically operated amusement devices are to be displayed and/or operated;
- (6) The name of the owner or owners of the business conducted therein;
- (7) The name of the owner of the mechanical or electrically operated amusement devices, if the person is different than the applicant;
- (8) Whether or not the applicant or the owner of the mechanical or electrically operated amusement devices or game room or public arcade has been convicted of two or more direct violations of any provisions of this chapter or any other local, state, or federal law pertaining to amusement devices and/or game rooms or amusement arcades within a five-year period; or had a felony conviction within the last ten years; or had two or more gambling convictions within the last five years; and
- (9) Such application shall have attached a written statement from the Zoning Administrator and Fire Chief that Zoning, ~~Building~~ and Fire Code requirements have been met.

(g) Per Game Room or Arcade. Each game room or amusement arcade shall be licensed and registered as such, and a license and registration therefore shall be required in addition to, and independent of, the license and registration required herein for individual mechanical or electrically operated amusement devices.

Section 2. That, Section 711.03 of the Codified Ordinances of the City of Napoleon, Ohio is hereby amended and enacted as follows:

711.03 LICENSE AND REGISTRATION FEES.

The moneys received by the Finance Director under the provisions of this chapter shall be credited to the General Fund of the City. The fees for licenses and registration are required to be paid at the time of the issuance thereof and shall be as follows:

(a) Mechanical or electrically operated amusement device: ~~twenty-five~~ **THIRTY** dollars (~~\$25.00~~**\$30.00**) each per year.

(b) Game room or amusement arcade: ~~twenty-five~~ **THIRTY** dollars (~~\$25.00~~**\$30.00**) per year for each place of business. Multiple game rooms at one business location shall be assessed as one business if owned by the same entity.

(c) If any licensed machine or device is replaced or substituted during the registration period, a new application for such machine or device must be submitted with a ~~five~~ **SIX** dollar (~~\$5.00~~**\$6.00**) fee. The City Finance Director shall then issue a new license for such machine (if an acceptable replacement or substitute) for the balance of the registration period.

Section 3. That, Section 711.04 of the Codified Ordinances of the City of Napoleon, Ohio is hereby amended and enacted as follows:

711.04 TEMPORARY GAME ROOMS.

Any nonprofit corporation shall be permitted to operate a temporary game room for five days or less provided that such corporation complies with the provisions of this chapter, and at the same time pays a license fee of ~~ten~~ **TWELVE** dollars (~~\$10.00~~**\$12.00**) per mechanical or electronically operated amusement device.

Section 4. That, Section 711.99 of the Codified Ordinances of the City of Napoleon, Ohio is hereby amended and enacted as follows:

711.99 PENALTY.

(a) Whoever violates any provision of this chapter is guilty of a minor misdemeanor punishable by not more than a one hundred **AND FIFTY** dollar (~~\$100.00~~**150.00**) fine for the first offense and a fourth degree misdemeanor, punishable by a fine of not more than two hundred fifty dollars (\$250.00) and a period of incarceration of not more than thirty days or both for subsequent violations.

(b) Any violation of the provisions of this chapter may be considered by the City Finance Director as a basis for the suspension or revocation of licenses issued pursuant to this chapter.

(c) Each day a violation continues to occur shall constitute a separate offense. Each mechanical or electrically operating device not licensed shall constitute a separate offense.

Section 5. That, Sections 711.02, 711.03, 711.04 and 711.99 of the Napoleon Codified Ordinances as existed prior to the enactment of this Ordinance are repealed.

Section 6. 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.

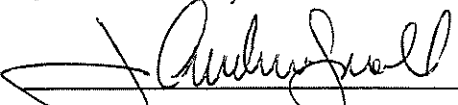
Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining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

Section 8. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: 2/20/06

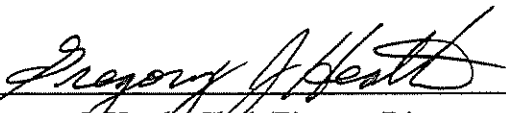

Glenn A. Miller, Council President

Approved: 20 FEB 2006

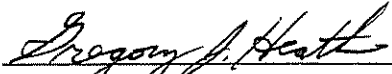

J. Andrew Small, Mayor

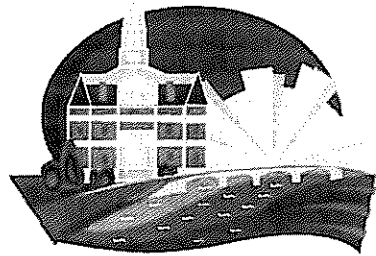
VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

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. 009 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 27 day of February, 2006; & 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



Heartland Flowing
Values Opportunities

City of *NAPOLEON*, Ohio

255 West Riverview Avenue • P.O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-4010 • Fax: (419) 599-8393
Web Page: www.napoleonohio.com

TO: All Business, Organizations and Others

Mayor
Ronald A. Behm

RE: Ordinance No. 009-06,
Licensing Requirements for Amusements and Arcades

Members of Council
Glenn A. Miller, President
Patrick M. McColley
Christopher R. Ridley
Travis B. Sheaffer
John A. Helberg
Jeffrey Lankenau
James Hershberger

April 30, 2012

To Whom It May Concern:

It is time to renew your Amusement License. Enclosed please find an application to be completed and returned with payment for the 2012 Amusement License. Also enclosed please find a copy of Ordinance No. 009-06 that was passed in February, 2006, explaining the fees.

In summarizing the fees please note the following:

Each device licensed for 2012 will cost - \$30.00

Any establishment with 5 or more devices is considered an Arcade or Game Room, additional cost - \$30.00

Replaced devices during the licensed year - \$6.00

If you should have any questions, please do not hesitate to call me at The City of Napoleon at (419) 599-1235.

Thank you.

Sincerely,

Mary K. Thomas
The City of Napoleon

City Manager
Dr. Jon A. Bisher

Finance Director
Gregory J. Heath

Law Director
David M. Grahn

City Engineer
Chad Lulfs, P.E.

Hamrick in charge @ FD of Amusements									
<u>Business</u>	<u>Mailed</u>	<u>Address</u>	<u>pd date</u>	<u>Devices</u>	<u>Price</u>	<u>Game Rm</u>	<u>Amt Pd</u>	<u>Lic-#</u>	
American Legion	1/16/2012	500 Glenwood Ave Napoleon	1/27/2012	3	30.00		90.00	12-006	
Amvets	1/16/2012	2250 N. Scott St., Napoleon	1/21/2012	2	30.00		60.00		
The Eagles	1/16/2012	539 N. Perry St., Napoleon	1/23/2012	4	30.00		120.00	12-009	
Elks Lodge Mike Smith	1/16/2012	p o Box 4, Napoleon,	1/31/2012	2	30.00		60.00		
Grewal Brothers Corp.	1/16/2012	P O Box 268, Napoleon	8/14/2012	18	30.00	30.00	570.00	12-017	
Moose Lodge	1/16/2012	1381 Oakwood, Napoleon					0.00		
Pizza Hut	1/16/2012	2240 N. Scott St.Napoleon					0.00		
Pilot Travel Center/BJ Novelty	1/16/2012	907 Main St, Covington KY 41011					0.00		
Petro Gas	1/16/2012						0.00		
Rick's Sports Bar & Eatery	1/16/2012	619 N. Perry St., Napoleon	2/7/2012	9	30.00	30.00	300.00		
River City Recreation, Inc.	1/16/2012	380 Independence, Napoleon	1/23/2012	15	30.00	30.00	480.00	12-013	
Spenglers	1/16/2012	713 N. Perry St.Napoleon	3/15/2012	4	30.00		120.00	12-010	
Spin City Coin Laundry(Lange & Lytle)	1/16/2012	P O Box 109 1445 Scott St Ste 550	2/24/2012	4	30.00		120.00	12-008	
VFW Post 8218	1/16/2012	1008 N. Perry St.Napoleon	2/9/2012	3	30.00		90.00	12-012	
Walmart Stores, Inc.	1/16/2012	1815 Scott st, Napoleon	2/2/2012	3	30.00		90.00	12-007	
<i>mailed to Walmart 12-7-09</i>		City Amusement Ent					0.00		
<i>faxed to Bill Kirby 740-355-6653(wal)</i>		1723 10th St, Portsmouth, OH 45662					0.00		
Mike Smith,Elks MooseSpeng Speed		2380 N Scott St, Napoleon, OH							
1st Choice Tobacco LLC	5/10/2012	1205 Scott ST, Napoleon, OH	5/10/2012		40.00	closed 7/12		12-011	
Playfair Group, Brian Croul for Speed Q & Spin city		7021 Bluffton Rd, Ft Wayne, IN 46819							
Pilot Travel Center/BJ Novelty		PO BOX 182181, Columbus, OH 43218-2181							
Curt Lindbert, NAMCO Entertainment	630-238-2211	<Walmart 2012							
curt.lindbert@namcoentertainment.com									



Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

November 30, 2012

Your contacts with congressional offices essential NOW on tax-exempt financing

By Marc Gerken – PE, president/CEO

As you know, tax-exempt financing remains our No. 1 issue before the Congress during this brief lame-duck session, which began in earnest this week, as well as in the coming 113th Congress. In meetings with congressional offices on the Hill this week, Jolene Thompson and I heard that the future of tax-exempt financing remains in extreme danger due to the ongoing pressures to find a solution to the impending “fiscal cliff” facing the nation before the end of the year and the expected tax reform efforts that will take place in early 2013.

Two weeks ago, AMP/OMEA sent a Legislative Call to Action to all members, urging you to contact your U.S. Representative and both U.S. Senators to reinforce the critical need to preserve the scope and treatment of tax-exempt financing. With that alert, we provided a letter template to be sent to House and Senate offices and a detailed white paper on the issue for your background information. We want to thank those communities who have already sent letters to their Representative and Senators. However, we heard from a number of congressional offices that they have not heard from mayors or governors on the importance of tax-exempt financing, which concerns us greatly.



Your contacts with these offices are critical at this time – if they do not hear from you, they are unlikely to prioritize preserving tax-exempt financing over all of the other competing tax credits that are facing the budget ax. Time is of the essence – if an agreement on the fiscal cliff is

possible, it will likely need to be concluded within the next two weeks, so we are again urging your action on this important issue. Additionally, if there are others in your community – vendors, construction/engineering contractors, business leaders, etc. – who would be willing to weigh in on this issue, please encourage them to do so.

The legislative alert, white paper and letter template are posted on the Member Extranet to ease your access to these useful documents and tools. Please send copies of your letters to Jolene Thompson

(jthompson@amppartners.org) and let her know if you have any questions or need additional information.

Lastly, this issue reaches across both parties – Democrat and Republican – and the threat is real; APPA lists preserving tax-exempt financing as their number 1, 2 and 3 priorities, and they need our support.



SDS Research conducts smart grid survey on AMP's behalf

By Alice Wolfe – manager of alternative generation and smart grid

On Wednesday, all primary contacts for AMP member communities were sent an email from Miranda@sdsresearch.com



at SDS Research. This email contains a four-page survey asking members about their existing meters and IT systems, and what upgrades may be planned. The results of this survey will provide guidance to AMP's smart grid offerings.

In particular, AMP is currently evaluating whether members would benefit if AMP were to host some of the back-office software required for smart grid services. Other joint action agencies host billing and meter data management (MDM) services.

Subscribing utilities are able to log in and use the software as though it was located on site. Because the software is jointly owned, the joint action agency provides user training and support, and the software cost is lower than if each utility had purchased it individually.

The survey is an Adobe Acrobat file in which answers can be typed, and the completed file returned to Miranda@sdsresearch.com. We are requesting that the survey be returned by Wednesday, Dec. 12. Should you have any questions, please contact Miranda at SDS Research, 1.800.594.8989.

Energy markets get surprise

By Craig Kleinhenz – manager of power supply planning

The markets were caught off-guard this week as the Energy Information Administration reported there was actually an injection of natural gas into storage instead of an expected withdrawal.

This injection was caused by warmer weather combined with lower usage due to the Thanksgiving holiday. Warm weather forecasts for the first couple of weeks in December have led to a drop in energy prices.

January natural gas prices closed down \$0.11/MMBtu from last week to end at \$3.65/MMBtu. The 2013 on-peak electric prices at AD Hub finished down \$1.47/MWh from two weeks ago, closing at \$41.30/MWh.

AFEC weekly update

By Craig Kleinhenz

AFEC returned to production on Nov. 20 and 21 after its steam turbine outage. The plant then saw some lower production numbers on the Thursday and Friday of Thanksgiving. Throughout last weekend, as temperatures dropped, production at the plant rose and remained strong all week.

Over last week the plant averaged a 74 percent load factor even with including last Friday's 59 percent load factor. This higher load factor comes from the plant being dispatched below base maximum levels only a handful of hours.

Duct burners had a more quiet week as they were mostly only dispatched across the evening peak. From last Friday through yesterday, on-peak 7x16 prices were \$6.68/MWh higher than AFEC dispatch costs.

On Peak (16 hour) prices into AEP/Dayton Hub

Week ending Nov. 23

MON	TUE	WED	THU	FRI
\$38.50	\$35.50	\$34.00	\$26.50	\$31.50

Week ending Nov. 30

MON	TUE	WED	THU	FRI
\$49.00	\$41.00	\$43.75	\$38.00	\$35.50

AEP/Dayton 2013 5x16 price as of Nov. 23 — \$43.82

AEP/Dayton 2013 5x16 price as of Nov. 30 — \$41.30

AMP launches Facebook page

By Bethany Kiser – manager of electronic publications/website

AMP has joined Facebook, the popular social networking website, with the launch of the organization's page. This will be one more venue for us to get the message out about public power and AMP - part of our continuing efforts to provide valuable information to the public.

To view the new AMP Facebook page, go to www.facebook.com/americanmunicipalpower - you are not required to have an account with Facebook; the page is accessible to anyone with an Internet connection. If you do have a Facebook account, we encourage you to click the "Like" button to receive updates and other notifications in your news feed as they are posted in real time.

The AMP Facebook page features an extensive Timeline that displays - in text and photos - more than 100 AMP and member community accomplishments and highlights across the 41-year history of the organization. It also includes an overview of AMP, photos of AMP projects and videos. We will regularly post news announcements, information about AMP projects and events, the benefits of public power, energy-efficiency and electrical safety tips and fun facts. We welcome suggestions for postings to the page to promote your community.

We are excited to join this vast community to help promote AMP, our member communities and public power. If you have any questions, please contact me at bkiser@amppartners.org or 614.540.0945.



Latest quarterly reports online

The AMP Interim Consolidated Financial Statements for the period ending Sept. 30, 2012 have been posted on the [Quarterly Reports section](#) of AMP's website. Subscribers of AMP Alerts receive notifications when this and other online categories are updated. To subscribe, visit [AMP's website](#) and choose the "subscribe" link in the top right corner of the home page.

2012 AMP Hard Hat Safety Award recipients

During the 2012 AMP/OMEA Conference held in Cleveland last month, 14 municipal electric systems were recognized with Hard Hat Safety Award winners. Recipients will continue to be recognized at meetings in their home communities and officially presented with their awards at that time.



William Houser (center), A - Lineman for Cuyahoga Falls, receives a 2012 AMP Hard Hat Safety Award. Also pictured are Rod Troxell (left), Cuyahoga Falls assistant superintendent for operations; and Cuyahoga Falls Superintendent Michael Dougherty.



Russ Brunstetter (left), Hudson assistant superintendent, presents Benjamin DeGraw, Hudson Lineman I, with a 2012 AMP Hard Hat Safety Award.

Finance and Accounting meeting held in Columbus

By J.C. Speiser – member credit and compliance analyst

The finance and accounting meeting was held Thursday at AMP Headquarters with 16 attendees from 11 member communities.

Dawn Lund, vice president of Utility Financial Solutions, led a discussion on how to explain rate increases to a council and the end user, followed by a question and answer session.

After Dawn, Ted Sobel, managing director for Ramirez and Company and AMP financial adviser, gave an overview of interest rates and fixed income debt strategies.

Rounding out the morning was Steve Green, principal Winkel, Green and Van Horn, who spoke on internal controls for municipalities.

After lunch, Kelly Hephner, finance director for the Village of Montpelier, presented a case for internal controls using a real-life experience.

The meeting concluded with Michael Beirne, assistant vice president of government affairs and publications, updating attendees on state and federal legislative issues as it relates to their communities.

The meeting dates for the 2013 Finance and Accounting Meetings will be released in early January.

If you have any questions, you can reach me at either jspeiser@amppartners.org or 614.540.0967.

Update Classifieds

City of Columbiana seeks city manager candidates

City of Columbiana Council is looking to appoint a manager to lead our community with a mayor/council/manager charter form of government.

Job responsibilities: Executive management and leadership duties to include: appoint employees, supervise departments, enforce laws, prepare budget, prepare reports, execute contracts, and work with labor groups.

Qualifications: An accredited Bachelor's Degree in Public Administration or a related field is preferred, along with at least five years of local government experience.

Wage will be based on qualifications.

Resumes with salary requirement will be accepted until Dec. 17 at the City Manager's office, 28 W. Friend St., Columbiana, OH 44408 or by email to rlgreen@cityofcolumbiana.org. www.cityofcolumbiana.org Equal Opportunity Employer

Galion accepts applications for journeyman-lineman

The Galion Civil Service Commission will accept applications for the classification of journeyman-lineman for the City of Galion Electric Line Division.

Applications will be available at the Galion City Building, 301 Harding Way East, during normal business hours (8 a.m. to 4 p.m.) beginning Nov. 19. Completed applications are due by 5 p.m. Dec. 7. Application packets are available on the City's website at www.ci.galion.oh.us

This classification requires a Journeyman's card and a valid Ohio Commercial Driver License (B).

The City of Galion offers an attractive salary package for this entry-level position; pay range is \$15.51 to \$18.48 per hour. Excellent fringe benefits package includes paid vacation, sick time, life, medical, dental and optical coverage and an attractive pension program. This position is within the AFSCME bargaining unit.

The City of Galion is an Equal Opportunity Employer M/F.

Fw: Ohio Municipal League Legislative Bulletin

From: "Gregory J Heath" <gheath@napoleonohio.com>
To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>

12/03/12 09:07 AM

For Council Packets

-----Original Message-----

From: "Ohio Municipal League" <ajoo@omlohio.org>
To: gheath@napoleonohio.com
Date: 11/30/2012 02:52 PM
Subject: Ohio Municipal League Legislative Bulletin

Having trouble viewing this email? [Click here](#)



Ohio Municipal League November 30, 2012

Municipal Income Tax Bill Gets First Hearing But Few Answers

On Wednesday, the House Ways and Means Committee held their first hearing on HB 601, legislation introduced by Assit. House Majority Whip Cheryl Grossman (R-Grove City) and Rep. Mike Henne (R-Vandalia). As we have reported to you previously, the legislation, as introduced, would impose state administration of the municipal income tax and would impose new procedures and restrictions that would cause significant revenue loss to Ohio cities and villages. We have attached [HERE](#) a breakdown of the areas in the legislation that will have the greatest effects on municipalities and attached [HERE](#) is a copy of the testimony that was provided to committee members by the two sponsors.

We want to thank our municipal officials who were able to join us at the hearing to witness the information presented. The number of inconsistencies in what was presented in testimony compared to what is contained in the bill was troubling. Furthermore, when compared to what was offered as answers to questions from the handful of committee members who attempted to quiz the drafters of the legislation with what was presented and in the bill, was alarming.

Also alarming was a response from the bill's sponsor characterizing municipal officials reaction to the bill as an over-reaction with a "the sky is falling" mentality. The Sponsor went on to challenge the accuracy of the calculations municipal finance and tax professionals are providing legislators as they alert them to what the of estimated revenue impacts would be if HB 601

were adopted. It is important to note that at the conclusion of the meeting, Chairman Beck clarified earlier comments made that it is not difficult for municipalities to identify the areas of their budgets that would be impacted by the bill and communities can readily generate the estimated losses in revenue that would result. The Chairman went on to stress the importance that he and his fellow legislators continue receiving analysis' from municipalities on what the effects of the Sponsor's proposal would be, so that policy makers can have as much information as possible as they study this issue in the next General Assembly.

Questions from committee members ranged from why the sponsors felt the need to create a new layer of bureaucracy to state government by the creation of the new municipal policy board; what was the reasoning behind changes to the 12 day occasional entrant rule by extending the uniform treatment now and restricting municipalities current ability to collect from day one compensation due when a worker has been in a community for the full tracking period but would now only permit communities to collect on tax obligations after the 20th day; why areas were listed under withholding when they are not withholding issues; what the revenue impacts would be to municipalities; what areas are the most controversial (two of the less impactful were offered) and a few other general requests for further clarifications.

The House Ways and Means Committee will not be meeting next week and we have heard indications that HB 601 will not receive further hearings this year. As mentioned in the Sponsor testimony, the bill will be reintroduced next year.

Annexation, Mayors Court, 911 Funding, Alternative LGF Proposal All In Play Next Week At the Statehouse

Lame Duck is living-up to what we all expect in such a session, if you have been around Cap Square for any amount of time. There are a number of significant pieces of legislation that are trying to find support to make it through the legislature before they would have to start the process over at the beginning of next year, with the commencement of the 130th General Assembly. Municipal issues continue to receive attention from legislators as they near the close of the legislative calendar.

HB 50, Rep. Schuring's (R-Canton) bill dealing with TYPE-II Annexations will receive a first hearing in the Senate Ways and Means Committee on Tuesday, December 4 at 2:30pm in the Senate Finance Hearing Room. Although the bill is scheduled for a first hearing, typically a Sponsor's testimony only hearing, the bill is scheduled to receive All Testimony meaning that everyone who has an interest in the legislation will have an opportunity to address the committee. Generally, when a bill is scheduled for a first hearing and all testimony is called, that usually indicates the committee has plans to move the bill quickly and have it to the respective Chambers "floor" in the immediate future. Attached [HERE](#) is the analysis of HB 50.

HB 523, Rep. Combs' (R-Fairfield) bill that would restrict the ability of a municipality with a population less than 1,000 residents from holding a Mayor's Court was unanimously passed by the House Judiciary and Ethics Committee this week and is awaiting consideration by the full Ohio House. If the members of the House do pass the legislation on to the Ohio Senate for

their consideration, it will be joined in the Senate Judiciary Committee by another Mayor's Court bill, SB 254. Sen. Patton is the sponsor of this bill that would restrict the ability of a municipality to hold a Mayor's Court if their population is less than 200, excluding Lake Erie communities. Sen. Patton's SB 254 is also on the Senate Judiciary Committee schedule for next week to receive a fourth hearing, all testimony with the possibility of amendments, substitute bill offered and voted on. Senate Judiciary is meeting Tuesday, 3pm in the North Hearing Room. Welcome to Lame Duck session. Attached [HERE](#) are the analyses for the two bills.

HB 360, Rep. Rosenberg's (R-Clarksville) legislation to revise the amount and methods of collection and remittance of the wireless 9-1-1 charge for prepaid wireless services and to address the looming sunset provision at the end of the year that will discontinue the current funding of the statewide 9-1-1 service will receive a fourth hearing in the Senate Energy and Public Utilities Committee. The committee will meet Wednesday at 9am in the South Hearing Room. This legislation is in a "state of flux" and is receiving significant work by legislators so the analysis does not accurately reflect what the bill will look like. We will be sure to send to our members the language that makes it to the final package, when it is provided. The proposal is scheduled for a fourth hearing also, calling for all testimony with the potential for amendments and a possible vote by the committee.

SB 364, Sen. Seitz's (R-Cincinnati) legislative proposal to alter the current statutory distribution formula for the Local Government Fund, will receive a first hearing, Sponsor testimony only, in the Senate Finance Committee. The bill is very similar to the proposal that Sen. Seitz had pursued having added to HB 153, the last biennial budget bill. The bill would alter the system for allocating funds to political subdivisions within Ohio's 88 counties. There has not been an analysis generated for the bill yet so we are providing a copy of the bill's text [HERE](#). The bill is starting its journey at the tail end of the legislative calendar and there are no plans to "fast track" the bill through the legislature before the end of the year so we expect this issue to resurface next year, especially as the next biennial budget is put together.

In addition to the bills highlighted above, there are more bills being heard next week that will have effects on municipalities that we have included in the committee schedule below.

Have a happy and safe weekend and we thank all of our members for their support.

LEGISLATIVE COMMITTEES FOR THE WEEK OF DECEMBER 2, 2012

Tuesday, December 4, 2012

SENATE AGRICULTURE, ENVIRONMENT & NATURAL RESOURCES Sen. Hite: 614-466-8150
Tue., Dec. 4, 2012, 10:45 AM, North Hearing Room

SB318 OIL AND GAS LAW CHANGES (CAFARO C) To make changes in the Oil and Gas Law, and to make appropriations to support oil and gas training programs.

First Hearing, Sponsor Testimony

SB186 WITHDRAWALS OF LAKE ERIE WATERS (SKINDELL M) To establish a program for the regulation of withdrawals and consumptive uses of waters from the Lake Erie basin.

First Hearing, Sponsor Testimony

SENATE WAYS & MEANS & ECONOMIC DEVELOPMENT Sen. Schaffer: 614-466-5838

Tue., Dec. 4, 2012, 2:30 PM, Senate Finance Hearing Room

HB510 MBR-FINANCIAL INSTITUTIONS TAX (AMSTUTZ R) To impose a new tax on financial institutions, effective January 1, 2014, and to provide that such institutions are no longer subject to the corporation franchise tax or dealers in intangibles tax after 2013.

Seventh Hearing, All Testimony, AMENDMENTS/SUBSTITUTE BILL/POSSIBLE VOTE

SB327 NEW MARKETS TAX CREDIT (BEAGLE B, TAVARES C) Regarding the New Markets Tax Credit.

Fifth Hearing, All Testimony, POSSIBLE VOTE

HB50 TYPE-II ANNEXATION (SNITCHLER T) To require that a political subdivision owner be included in determining the number of owners needed to sign a petition for an expedited type-II annexation.

First Hearing, All Testimony

SENATE JUDICIARY

Sen. Wagoner: 614-466-8060

Tue., Dec. 4, 2012, 3:00 PM, North Hearing Room

HB247 UNCOLLECTIBLE AMOUNTS DUE COURTS (BUTLER, JR. J) To authorize a court to cancel claims for uncollectible amounts due the court, to authorize a sentencing court to waive, suspend, or modify payment of the costs of prosecution, to define "case" in connection with costs in a criminal case.

Seventh Hearing, All Testimony, AMENDMENTS/SUBSTITUTE BILL/POSSIBLE VOTE

HB495 CONCEALED CARRY HANDGUN LICENSES (JOHNSON T) To simplify the law regarding concealed handgun licenses.

Second Hearing, All Testimony

SB254 MAYOR'S COURTS (Patton T.) Increase minimum population needed to have Mayor's Court.

Fourth Hearing, All Testimony, AMENDMENTS/SUBSTITUTE BILL/POSSIBLE VOTE

Wednesday, December 5, 2012

SENATE ENERGY & PUBLIC UTILITIES Sen. Jones: 614-466-9737
Wed., Dec. 5, 2012, 9:00 AM, South Hearing Room

SB354 CALL BEFORE YOU DIG NOTIFICATION SYSTEM (COLEY W) To modify the call before you dig notification system.
Third Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE

HB360 WIRELESS 9-1-1 CHARGES (ROSENBERGER C) To revise the amount and methods of collection and remittance of the wireless 9-1-1 charge for prepaid wireless services.
Fourth Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE

HB379 WATER-WORKS/SEWAGE DISPOSAL SYSTEM COMPANIES (BLESSING L) To permit, for water-works and sewage disposal system companies, certain rate-calculation adjustments and a tax adjustment surcharge, to make changes regarding water and sewer infrastructure improvement surcharges.
Fourth Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE

HOUSE PUBLIC UTILITIES Rep. Stautberg: 614-644-6886
Wed., Dec. 5, 2012, 10:00 AM, Hearing Room 121

HB458 CALL BEFORE YOU DIG SYSTEM (SPRAGUE R) To modify the call before you dig notification system.
Third Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE

SENATE FINANCE Sen. Widener: 614-466-3780
Wed., Dec. 5, 2012, 3:00 PM, Senate Finance Hearing Room

SB364 LOCAL GOVERNMENT FUND-SHARE ALLOCATION (SEITZ B) To establish a new default formula for determining the share allocated to each subdivision from a county's Local Government Fund distribution.
First Hearing, Sponsor Testimony

[Ohio Municipal League](#)

Legislative Inquires: [Edward Albright, Director of Legislative Affairs](#)
[Kent Scarrett, Director of Communications](#)