# Mcmorandum

To: Mayor & Members of CouncilFrom: Jon BisherSubject: General InformationDate: January 18, 2013



Jeff Rathge, Operations Supt. will have our new snow plow at the City Building parking lot on Monday, January 21<sup>st</sup> at 6:30 pm if you would like to come and check it out.

#### CALENDAR

AGENDA – City Council; Monday, January 21<sup>st</sup> @ 7:00 pm

- C. APPROVAL OF MINUTES January 7, 2013
- E. REPORTS FROM COUNCIL COMMITTEES
  - 2. *Electric Committee* the Majority Report from the January 14<sup>th</sup> meeting is attached.

#### G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

- 1. **ORDINANCE NO. 003-13** an Ordinance to Approve the Current December 2012 Replacement Pages to the Napoleon Codified Ordinances.
- 2. **RESOLUTION NO. 004-13** a Resolution Authorizing the City Manager to Execute the Efficiency \$mart Rebate Agreement Project #520-4171; and Declaring an Emergency.

#### H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **ORDINANCE No. 002-13** an Ordinance Amending Chapter 955 of the Codified Code of the City of Napoleon to Adjust the Recreational Fees and to Establish the Recreation Program Participation Fee.

#### J. GOOD OF THE CITY

- 1. Recommendation to Approve January Billing Determinants.
- 2. Purchase of a Pickup Truck from State Contract for the Electric Department.
- 3. Purchase of a Pickup Truck from Snyder Pontiac Buick Cadillac & GMC for the Engineering Department
  - a. Enclosed is a Memorandum from Chad on this purchase.
- 4. Request from Director of Public Works to Purchase a Mini-Excavatora. Attached is a copy of Chad's Memorandum with the requested additional information.
- 5. Acceptance of a Donation in the Amount of \$750.00 for Kidz Kingdom from the Henry County Community Foundation

- 6. Review of EMS Transport Service Rates (Refer to Committee)
- 7. Policy on Taking Credit and Debit Cards for Payment of Services. (Refer to Committee)

#### **INFORMATIONAL ITEMS**

1. From Greg – *Notice of Filing Requirement and Blank Disclosure Statements* for Filing 2012 Financial Disclosure Statement

#### **RELATED ITEMS**

- AGENDA *Tree Commission*; Monday, January 21<sup>st</sup> @ 6:00 pm
   October 15, 2012 Meeting Minutes
- 2. CANCELLATION Parks & Recreation Committee
- AGENDA *Civil Service Commission*; Tuesday, January 22<sup>nd</sup> @ 4:30 pm
   a. November 27, 2012 Meeting Minutes
- 4. AMP UPDATE/January 11, 2013
- 5. OML LEGISLATIVE BULLETIN/January 18, 2013

JAB:rd Records Retention CM-11 - 2 Years

#### Monthly Calendar

#### January 1 - 31, 2013

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

### 🕗 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2	3	4	5
		-	BISHER - Vacation		7	
		HOLIDAY - New Year's Day BISHER - Vacation	BISHER - Vacation	BISHER - Vacation		7:00 AM Christmas Tree Pickup by the Napoleon Fire &
		DISHER - Vacation				Rescue Association
						Rescue / issociation
6	7	8	9	10	11	12
0		0	9	10	11	12
	6:50 PM Volunteer FF					
	Dependent's Bd Mtg.					
	7:00 PM City COUNCIL					
	Meeting					
	AV - Dan					
	1		1		1	
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	1					
13	14	15	16	17	18	19
	6:30 PM Electric Committee		AMP - BISHER	AMP - BISHER		
	BOPA Meeting					
	AV - Rox					
20		00		04	05	
	21	22	23	24	25	26
	6:00 PM City TREE	<b>22</b> 4:30 PM Civil Service	23	24	25	26
	21 6:00 PM City TREE Commission Meeting		23	24	25	26
	6:00 PM City TREE Commission Meeting 6:30 PM New Snow Plow	4:30 PM Civil Service	23	24	25	26
	6:00 PM City TREE Commission Meeting 6:30 PM New Snow Plow Display	4:30 PM Civil Service	23	24	25	26
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## City of Napoleon, Ohio CITY COUNCIL

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

## **MEETING AGENDA**

#### Monday, January 21, 2013 at 7:00 PM

- A. Attendance (Noted by the Clerk)
- **B.** Prayer & Pledge of Allegiance
- C. Approval of Minutes: 1/7/13 (In the absence of any objections or corrections, the minutes shall stand approved.)
- **D.** Citizen Communication
- E. Reports from Council Committees
  - 1. Technology & Communication Committee did not meet on Monday, January 7 due to lack of agenda items.
  - 2. Electric Committee (Majority Report) met Monday, January 14 and:
    - a. Recommended approval of January 2013 billing determinants
    - b. Discussed, but took no action on Review of Net Metering Policy
    - c. Tabled Performance Audit for the Electric Department pending further information from staff
  - 3. Water, Sewer, Refuse, Recycling & Litter Committee did not meet on January 14 due to lack of agenda items.
  - **4.** Municipal Properties, Buildings, Land Use & Economic Development Committee did not meet on January 14 due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
  - 1. Board of Public Affairs met on Monday, January 14 with the following agenda items:
    - **a.** Election of chairperson
    - b. Review/Approval of electric billing determinants for January
    - c. Electric department report
    - d. Review of Net Metering Policy
  - 2. Board of Zoning Appeals did not meet on Tuesday, January 8 due to lack of agenda items.
  - 3. Planning Commission did not meet on January 8 due to lack of agenda items.
- G. Introduction of New Ordinances and Resolutions
  - 1. Ordinance No. 003-13 An Ordinance to approve the current December 2012 replacement pages to the Napoleon Codified Ordinances
  - **2. Resolution No. 004-13** A Resolution authorizing the City Manager to execute the Efficiency \$mart Rebate Agreement project #5201-4171; and Declaring an Emergency
- H. Second Readings of Ordinances and Resolutions
  - 1. Ordinance No. 002-13 An Ordinance amending chapter 955 of the Codified Code of the City of Napoleon to adjust the Recreational Fees and to establish the Recreation Program Participation Fees

#### I. Third Readings of Ordinances and Resolutions

- 1. There are no third readings of Ordinances or Resolutions
- J. Good of the City (Any other business as may properly come before Council, including but not limited to:)
  - Discussion/Action: Recommendation to approve January billing determinants as follows: Generation Charge: Residential @ \$.08140; Commercial @ \$.10018; Large Power @ \$.04858; Industrial @ \$.04858; Demand Charge Large Power @ \$15.15; Industrial @ \$17.27; JV Purchased Cost: JV2 @ \$.04749; JV5 @ \$.04749
  - 2. Discussion/Action: Purchase of a Pickup Truck from State contract for the Electric Department
  - **3. Discussion/Action:** Purchase of a Pickup Truck from Snyder Pontiac Buick Cadillac & GMC for the Engineering Department
  - 4. Discussion/Action: Request from Director of Public Works to Purchase a Mini Excavator
  - **5. Discussion/Action:** Acceptance of a Donation in the amount of \$750.00 for Kidz Kingdom from the Henry County Community Foundation
  - 6. Discussion/Action: Review of EMS Transport Services Rates (Refer to Committee)
  - 7. Discussion/Action: Policy on taking Credit and Debit Cards for Payment of Services (Refer to Committee)
- K. Executive Session (as needed)

### City of Napoleon, Ohio CITY COUNCIL Meeting Minutes Monday, January 7, 2013 at 7:00 PM

PRESENT	
Council	John Helberg - President, Jeffrey Lankenau, Travis Sheaffer, James Hershberger,
	Patrick McColley, Christopher Ridley, Jason Maassel
Mayor	Ronald A. Behm
City Manager	Dr. Jon A. Bisher
Law Director	Trevor M. Hayberger
FinanceDirector/Clerk	Gregory J. Heath
Recorder	Barbara Nelson
City Staff	Robert Bennett, Fire Chief
	Matt Bilow, Wastewater Plant Superintendent
	Tony Cotter, Parks & Recreation Director
	Scott Hoover, Water Plant Superintendent
	Chad Lulfs, City Engineer
	Dan Wachtman, MIS Coordinator
046	Robert Weitzel, Police Chief
Others ABSENT	News Media, NCTV, Kathy Keeran, Jay Hanna
Council	None
Council	None
Call To Order	President Helberg called the meeting to order at 7:00 PM with the Lord's Prayer
	followed by the Pledge of Allegiance.
<b>Approval Of Minutes</b>	Minutes of the December 17, 2012, Council meeting stand approved as presented.
Citizen	None
Communication	
<b>Committee Reports</b>	The Parks & Recreation Committee did not meet on Monday, December 17, 2012,
	due to lack of agenda items. The Finance & Budget Committee did not meet on Monday, December 24 due to
	lack of agenda items.
	Safety and Human Resources Committee did not meet on December 24 due to lack
	of agenda items.
Introduction Of	President Helberg read by title Resolution No. 001-13 A Resolution authorizing the
Resolution No. 001-13	City Manager to execute the Housing Revolving Loan Fund Agreement between the
	State of Ohio, Development Services Agency and the City; and declaring an
	Emergency
Motion To Approve	Motion: Lankenau Second: Hershberger
First Read	To approve first read of Resolution No. 001-13
D'	Dishar asid this lasislation is far an annual CDDC arent as reasonant. Us halissus this
Discussion	Bisher said this legislation is for an annual CDBG grant agreement. He believes this
	grant is for people who need a new roof, sewer, etc. but can't afford it. There are also CDBG grants for infrastructure and house demolition.
	CDDO grants for minastructure and nouse demontion.
Motion To Suspend	Motion: Lankenau Second: Hershberger
	To suspend the rule requiring three readings
	······································

Passed	Roll call vote on above motion:
Yea-7	Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 001-13 under suspension of the rule
Yea-7	Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley
Nay-0	Nay-
Introduction Of Ordinance No. 002-13	President Helberg read by title Ordinance No. 002-13 An Ordinance amending chapter 955 of the Codified Code of the City of Napoleon to adjust the Recreational Fees and to establish Recreation Program Participation Fees
Motion To Approve	Motion: McColley Second: Ridley
First Read	To approve first read of Ordinance No. 002-13
	Bisher said the body of this legislation explains the Parks & Recreation (P&R) fees. Hayberger said the golf course fees went down. Shelter house rentals went up \$10. The swimming pool rental charges in section e were \$150 for each event. Renting the pool for all day Friday, Saturday and Sunday will cost \$500. Section 4 inifiates recreation program fees of \$20 per resident and \$30 for non-resident. Safety City is \$10 resident and \$15 non-resident. There will be a policy for individuals that can't afford the \$20. Hayberger highlighted this policy. Cotter said the policy will follow the free/reduced lunch program. If a family qualifies and is enrolled in that program for free lunches, they will only pay 25% of the fee. If they qualify for reduced price lunches, they will pay 50% of the fee. The Superintendent of Napoleon Schools said they will assist us in getting the data we require following privacy rules. The Village of Archbold uses this policy almost identically. Other cities use similar programs. Mayor Behm said this was brought up as a way to try and offset funds from the general fund to compensate for the Parks & Recreation (P&R) subsidy. It was estimated to bring in about \$40,000. 50% of school children in Napoleon are on free/reduced price lunches. Will the P&R department still meet the \$40,000 amount? Cotter said the first idea was to charge fees at almost twice this amount, but the Board would not agree to that. This will generate \$23,000-\$24,000 according to participation numbers for the last two years using resident rates. We may bring in more from non-resident rates. Mayor Behm asked if lowering fees at the golf course is based on comparisons with other courses. Cotter affirmed, saying numbers declined at the course. They believe we need to be more competitive in the area and hope lowering fees will increase volume. Hayberger asked that Council accept the legislation that was handed out with the amended section 4. He will clean it up for second read. Kathy Keeran introduced herself as a resident of

	I Contraction of the second
	McColley asked if the Aquatic Club charges members \$160-170. Hanna said it wouldn't surprise him. McColley said there is not a lot of income from the Aquatic Club to the pool and the pool is a very expensive item for upkeep. McColley asked how many kids are in the program. Hanna said 120-150. The winter program is smaller. Cotter said the \$500 fee would apply to groups that rent the pool for a weekend. It could be any group. Lankenau asked Hanna if he was asking for an exemption for the Aquatic Club. Hanna affirmed. Lankenau asked Cotter if the Board had considered that. Cotter said they had not. Hanna said he was not representing the Aquatic Club. He had not talked to anyone there about this and they did not ask him to come. McColley said the P&R Board talked extensively about the Aquatic Club. The pool is the largest expense and the Board is trying to recover those costs. Hershberger said his opinion goes with Hanna since the Aquatic Club events involve patronizing local businesses.
	Sheaffer said he catches more flack because kids can't swim the weekend the pool is closed. Hanna said the high school pool is open that weekend. McColley said the Board worked through a lot of issues. They were opposed to any of this and gave it a lot of thought. They did a good job. He is in favor of what they proposed. Lankenau said we could pass this on first read and kick it back to the Board. Cotter said the Board talked about the issue, but not about exempting the Aquatic Club. Lankenau said the Board may choose to change it. The cost is only \$500-750 a year in a sport that is expensive. Helberg asked if subsidies are still being paid. Cotter said the Aquatic Club has been subsidized, but not last year. Helberg said the Board may want to increase the subsidy to the Aquatic Club to help pay the fee.
	McColley said the Board will say, "You want us to charge t-ball and softball, but not our most expensive program." You asked them to do something and they did it. Lankenau said they don't have to change it, just talk about it. Sheaffer said maybe the Board will give a 50% exemption. They could invite the Aquatic Club to attend. Maybe the Club will say they are flooded with cash. Cotter said he will put this on the agenda for the January 30 meeting. Helberg invited Hanna to attend the meeting. Hershberger thanked Hanna for coming.
Motion To Amend	Motion: Sheaffer Second: Hershberger To amend Section 4 part (B) of Ordinance No. 002-13 as recommended, adding the Reduced Recreation Program User Fee Policy
Passed Yea-7 Nay-0	Roll call vote to approve amending Ordinance No. 002-13 Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
Passed Yea-7 Nay-0	Roll call vote to approve first read of Ordinance No. 002-13 as amended Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
No 2 <sup>nd</sup> Or 3 <sup>rd</sup> Readings	There were no second or third readings of ordinances or resolutions.
GOOD OF THE CITY <u>Discussion/Action</u> Bids For 2013 Water/ Wastewater Chemicals	Bisher said the bid recommendations were in the Council packet. These bids are for the standard chemicals used and are within the 2013 chemical budget.
Motion To Award	Motion: Lankenau Second: Ridley

Bids As Recommended	To award bids by staff : Lime	for water/wastewater	treatment chemicals for 2013 as recommended \$154.00/ton
	Alum	General Chemical	1.06/gal.
	KMn04	Bonded Chemical	2.985/lb.
	Chlorine	Bonded Chemical	0.50/lb.
	Phosphate	Bonded Chemical	1.02/lb.
	Fluoride	Bonded Chemical	0.484/lb.
	Carbon	Bonded Chemical	0.98/lb.
	Soda Ash	Bonded Chemical	360.00/ton
	Liquid C02	Airgas	109.00/ton
	Rock Salt	Cargill	110.00/ton
Passed	Roll call vote of	on above motion:	
Yea-7			aassel, Hershberger, Helberg, McColley
Nay-0	Nay-	·	
Plans/Specs For Haley	Lulfs requested	d approval of the plans	s/specifications for Haley Ave. Interceptor I/I
Ave Interceptor I/I			. 17B). This sewer work will be on W.
Reduction Project			the Haley Ave. Interceptor. The estimate is
			int for \$325,000. The sewers will not affect the
			affected when the sidewalks are done. Property
	owners will be	directed to install side	ewalks and we'll determine then where they go.
Motion To Approve	Motion: McCo	ollev Se	cond: Lankenau
intotion 10 inppi of c			aley Ave. Interceptor I/I Reduction Project
		No. 17B) as recomme	
Passed	Roll call vote of	on above motion:	
Yea-7			aassel, Hershberger, Helberg, McColley
Nay-0	Nay-	,,,,,,	
Liquor Permit For	Heath said this	is a new request for a	liquor permit for Blackwood Construction
Blackwood Const. Svcs			is the old Stimmels location. If Council wants a
			. If not, no action is needed and they can
			s no objections. New or transfer liquor permits
			Blackwood has found some partners who know
			he building and theirs is operating the facility.
	-		ls. Chief Bennett said he believes they plan an
	upscale restaut	rant with a dar. Counc	il took no action on the permit.
Assignment Of Agenda	Heath said sug	gestions for assignment	nt of agenda items for 2013 were included in the
Items For 2013			her said the one for Municipal Properties,
			evelopment Committee is helpful to the CIC for
4	-		tte. This helps streamline some of the red tape.
Motion To Assign	Motion: McC	ollev Sec	cond: Maassel
Various Agenda		•	ecommended, including:
Items For 2013			sources Committee meetings with Townships
		arch 25, July 22 and No	
			s and Revenues" to the Safety & HR Committee
	-	igs with Townships.	
		•	lectric Billing Determinants" and "Electric
			hly meetings of Electric Committee and BOPA.
Council Meeting Minutes		4 of 7	1/16/2013

	• Assign "Review Updated Information from Staff on Economic Development" to the Municipal Properties, Buildings, Land Use & Economic Development Committee on an as needed basis.
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
Donation From Janice & Marvin Rabe	Cotter said Janice & Marvin Rabe donate money to Parks & Recreation each year and we appreciate that. He will send a thank you note to them.
Motion To Accept Donation	Motion: LankenauSecond: SheafferTo accept a \$100 donation to the Parks & Recreation Department from Janice & Marvin Rabe
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
<u>Good Of The City</u> -Cont Bisher	Bisher – no items
Hayberger	Hayberger said McColley's brother will be the Director of the CIC. McColley agreed to move off of the Municipal Properties, Buildings, Land Use and Economic Development Committee so there will be no conflict of interest. McColley said he talked to Hershberger about this. Hershberger agreed to take McColley's place on the Municipal Properties, Buildings, Land Use and Economic Development Committee; McColley will take Hershberger's place on the Water, Sewer, Refuse, Recycling and Litter Committee. Helberg asked if this will create a problem with a quorum for ad hoc meetings for the water plant. Those present agreed it will not.
Motion That Hershberger & McColley Change Committees	Motion: SheafferSecond: LankenauThat Hershberger takes McColley's place on the Municipal Properties, Buildings, Land Use and Economic Development Committee; and McColley takes Hershberger's place on the Water, Sewer, Refuse, Recycling and Litter Committee.
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
Lankenau	Lankenau canceled the next Water, Sewer, Refuse, Recycling and Litter Committee due to lack of agenda items.
Sheaffer	Sheaffer will not be here for the next Council meeting.
McColley	McColley – no items
Mayor Behm	Mayor Behm will not here for the January 17 meeting. Mayor Behm said we should have a draft of the performance audit by the end of this week or next Monday at the latest. Council can set up a time to review the draft with the auditors privately before it is publicly released. They will send the final report on January 22 or 24. They have to release it on a Tuesday or Thursday. He will use this information in the State of the City address at the first Council meeting in February.

Helberg	Helberg – no items
Hershberger	Hershberger recognized Greg Heath for his accomplishments with the City in his position. He read a portion of the article from the newspaper: "The City of Napoleon was recently awarded a Certificate of Achievement for excellence in financial reporting by the Government Finance Officers Association of the United States and Canada. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting & financial reporting and its attainment represents a significant accomplishment by a government that is manageable." Mayor Behm said it's even more impressive that Heath received this recognition every year since 1995.
Maassel	Maassel invited the new CIC Director to come and introduce himself to Council. Maassel thanked the people who put up lights at Ritter Park. Maassel asked if the Long Term Control Plan (LTCP) has been updated. Bisher said the LTCP is a fixed document, but Lulfs went back to the EPA to ask for consideration on some of the projects. We may be able to delay projects at the end or not do some at all. Lulfs said the renewal of the NPDES permit for the wastewater plant is coming up in July. If they allow us to modify, we will incorporate it into the NPDES permit. They are reviewing our official submittal and we're waiting for an official response. The LTCP determines the name of each project. Maassel was contacted by a business owner in town who is taking over the family business for his dad. He came to sign over utilities and was told there would be a \$250 deposit. It doesn't make sense that a longstanding business would have to make a deposit like this. Heath said he is not aware of this specific case, but it if was a long-term business greater than 15 years, they may have been grandfathered and didn't pay an original deposit. Council adopted a rule stating that once a business changes name or ownership, they must pay a deposit. Bisher noted that commercial companies do not get their deposit back until they leave. We have had longstanding businesses that have dinged us for \$10,000-\$15,000. Maassel reported that Tano's Pizza has a problem with an old street light by their business that has been hit and is crooked. Lulfs said we tried to remove that light when we did Woodlawn and they wouldn't let us. Maassel welcomed back Chief Weitzel. Ridley – no items
Ridley	Ridley – no hems
Heath	Heath said he has a recommendation from the Napoleon Infrastructure/Economic Development Fund Committee. The City controls this money. The CIC said a \$15,000 loan that was issued in 2011 to Cory Ratliff of Country Gourmet is being refinanced. They requested that the City take a secondary position on the loan. We would be first otherwise. The minutes and request were distributed to Council members. The Committee recommends that this be done. Ratliff has been on time on all payments and her current actual balance is about \$10,300.
Motion To Take Secondary Position On Loan To Cory Ratliff	Motion: Ridley Second: Lankenau That the City take a secondary position on the loan to Cory Ratliff
Passed Yea-5 Nay-0 Abstain-2	Roll call vote on above motion: Yea- Sheaffer, Lankenau, Ridley, Hershberger, McColley Nay- Abstain - Maassel, Helberg
	Heath asked Council members' to return their Internet reimbursement forms to him.

Approval Of Bills	Bills and reports stand approved as presented with no objections.
Motion To Adjourn	Motion: LankenauSecond: MaasselTo adjourn the meeting
Passed Yea –7 Nay -0	Roll call vote on above motion: Yea- Sheaffer, Lankenau, Ridley, Maassel, Hershberger, Helberg, McColley Nay-
Adjournment	Meeting adjourned at 8:10 PM.
Approved: January 21, 2013	John A. Helberg, Council President
	Ronald A. Behm, Mayor
	Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio

# **Electric Committee**

# Majority Report

The Electric Committee met on Monday, January 14, 2013, and recommended that Council:

- Recommended that Council accept the BOPA recommendation to approve electric billing determinants for January 2013 as follows: Generation Charge: Residential @ \$.08140; Commercial @ \$.10018; Large Power @ \$.04858; Industrial @\$.04858; Demand Charge Large Power @ \$15.15; Industrial @ \$17.27; JV Purchased Cost: JV2 @ \$.04749; JV5 @ \$.04749
- 2. Discussed, but took no action on Review of Net Metering Policy
- 3. Tabled *Performance Audit for the Electric Department* pending further information from staff

Travis Sheaffer, Chair

Patrick McColley, Committee

Jason Maassel, Committee

#### **ORDINANCE NO. 003-13**

#### AN ORDINANCE TO APPROVE CURRENT DECEMBER 2012 REPLACEMENT PAGES TO THE NAPOLEON CODIFIED ORDINANCES

**WHEREAS**, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

**WHEREAS**, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; Now Therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters, and sections within the December, 2012 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

Section 2. That, the following sections and chapters are hereby added, amended, or repealed as respectively indicated in order to comply with current State law.

#### Traffic Code

303.01	Compliance With Order of Police Officer. (Amended)
303.041	Emergency, Public Safety and Coroner's Vehicles Exempt.
	(Amended)
303.99	General Traffic Code Penalty. (Amended)
313.03	Traffic Signal Indications. (Amended)
313.04	Lane-Use Control Signal Indications. (Amended)
313.05	Special Pedestrian Control Signals. (Amended)
313.06	Flashing Traffic Signals. (Repealed)
333.09	Texting While Driving Prohibited. (Added)
335.032	Electronic Wireless Communication Device Prohibited. (Added)
335.07	Driving Under License Suspension or Restriction. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or
	Cancellation. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension.
	(Amended)
337.01	Driving Unsafe Vehicles. (Amended)
337.09	Lights on Parked or Stopped Vehicles. (Amended)
337.18	Motor Vehicle and Motorcycle Brakes. (Amended)
337.23	Limited Load Extension on Left Side of Passenger Vehicle.
	-

	(Amended)
337.29	Bumper Heights. (Amended)
339.01	Oversize or Overweight Vehicle on State Routes. (Amended)
339.03	Maximum Width, Height, and Length. (Amended)
339.06	Vehicles Transporting Explosives. (Amended)
339.07	Towing Requirements. (Amended)
339.08	Loads Dropping or Leaking. (Amended)
341.05	Commercial Drivers' Criminal Offenses. (Amended)

#### General Offenses Code

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501.99 Penalties for Misdemeanors. (Amended)
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Section 3. That, the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. 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 5. 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 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

John A. Helberg, Council President

Approved: \_\_\_\_\_

Ronald A. Behm, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Codified Replacement Pages - 003

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. 003-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of

\_\_\_\_\_; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

#### **RESOLUTION NO. 004-13**

#### A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THE EFFICIENCY \$MART REBATE AGREEMENT PROJECT #5201-4171; AND DECLARING AN EMERGENCY

**WHEREAS**, the City, agrees to purchase, install, and operate certain energy efficiency improvements; and,

**WHEREAS**, the Efficiency \$mart agrees to provide rebates for such improvements; and, Now Therefore,

#### **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City Manager is authorized to enter into the "Efficiency \$mart Rebate Agreement".

Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for timely administration of the rebate (s) necessary to assure public peace, health or safety; therefore, it shall be in full force and effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

John A. Helberg, Council President

Ann	round			
Арр	roved:	 	 	

Ronald A. Behm, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Attest:

#### Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 004-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director



January 11, 2013

Mike Dietrich Napoleon Light and Power 255 W Riverview Ave P.O. Box 151 Napoleon, OH 43545

Re: City of Napoleon - Lighting - Nov 2012 - City Building, Efficiency \$mart Project # 5201-4171

Dear Mr. Dietrich:

We greatly appreciate your effort in making energy efficiency a priority in your business. Based on our analysis, we estimate that the proposed efficiency improvements at City of Napoleon will save you approximately **\$2,700** per year at current energy rates.

In addition, this project will help to reduce statewide energy needs and improve our environment by saving an estimated **28,000 kWh** of electricity per year.

Based on our estimate of your project costs and energy savings, Efficiency \$mart is pleased to offer a cash rebate of **\$2,000** toward the items identified in the attached "Scope of Efficiency Improvements."

#### Project Summary

	\$9,130	Estimated Cost of Efficiency Improvements
	\$2,000	Efficiency \$mart Rebate
	\$7,130	Your Net Cost After Rebates
	\$2,700	Estimated First-Year Energy Savings
years	2.6	Estimated Simple Payback Period
years	15	Estimated Average Lifetime of Efficiency Improvements
	41%	Estimated Rate of Return on Your Investment (pretax)





Please review and sign the enclosed copy of the Rebate Agreement and Scope of Efficiency Improvements, and return to Efficiency \$mart. You can mail to 1111 Schrock Rd. Suite 203, email to rebate@efficiencysmart.org, or fax to (614) 785-0217. You will need to communicate your efficiency criteria and specifications with your contractors and design professionals to ensure the scope of the efficiency improvement is met.

I look forward to working in partnership with you and your business. If you have any questions about this Agreement, or want to discuss any aspect of this project, please call me at 877-889-3777, ext. 7926.

Sincerely,

Ro-7-7-3

Ryan Fry Energy Consultant





#### EFFICIENCY \$MART REBATE AGREEMENT PROJECT # **5201-4171**

This agreement is between the Vermont Energy Investment Corporation doing business as (dba) Efficiency \$mart and City of Napoleon located at 255 W Riverview Ave P.O. Box 151, in Napoleon, Ohio with a principal place of business in the State of Ohio (hereafter called "Customer").

The Customer agrees to purchase, install, and operate certain efficiency improvements at City of Napoleon, located at 255 W. Riverview Ave in Napoleon, Ohio, which are described in detail in the attached "Scope of Efficiency Improvements." To assist the Customer in installing these efficiency improvements, Efficiency \$\\$mart\$ agrees to provide \$2,000 of rebates, which will be paid by check to the Customer in accordance with the provisions specified in "Term and Conditions of the Rebate Agreement."

Efficiency \$mart's rebate offer is good for thirty (30) days from the Efficiency \$mart representative's signature date below. Upon receiving the signed rebate agreement, Efficiency \$mart will reserve the rebate amount to be paid upon project completion for up to 6 months after the date of this agreement unless otherwise agreed in writing.

In addition to this page, this Rebate Agreement includes "Scope of Efficiency Improvements" and "Terms and Conditions of the Rebate Agreement," which are attached.

WE THE UNDERSIGNED AGREE TO THIS REBATE AGREEMENT.

EFFICIENCY \$MART

Signature:

Ra- 7-73

Printed Name: Ryan Fry \_\_\_\_\_

Date: January 11, 2013 \_\_\_\_\_

Title: Energy Consultant \_\_\_\_\_

CITY OF NAPOLEON



Signature:\_\_\_\_\_ Printed Name:\_\_\_\_\_ Date:\_\_\_\_\_ Title: \_\_\_\_\_

3



Account #\_\_\_\_\_

Federal Tax Payer Identification Number (TIN):

#### Please select one:

Corporation (TIN not needed)

Tax-Exempt organization (TIN not needed)

City, County or State Dept., Govt. or Agency (TIN not needed)

All Others (Provide TIN):

iocial security number	Employer identification number	
	or	T

Ensure that one of the boxes above is checked and the TIN is provided (if required), otherwise your rebate payment may be delayed.

## Please provide anticipated project completion date:

*Please specify above, mm/dd/4-digit year, project completion is anticipated.* 

Please review and sign this agreement and return to Efficiency \$mart.





#### SCOPE OF EFFICIENCY IMPROVEMENTS:

The Customer agrees to complete the following efficiency improvements as specified at City of Napoleon, located at 255 W. Riverview Ave, in Napoleon, Ohio:

Project Scope/Equipment Description	Quantity
1 Lighting Hardwired Fixtures	
6 lamp HPT8 High-Bay Fixture with qualifying "High-Lumen" 32W lamp(s) and qualifying High Ballast Factor (1.05-1.20) Ballast located in Bay. replace 250WMH	34
6 lamp HPT8 High-Bay Fixture with qualifying "High-Lumen" 32W lamp(s) and qualifying High Ballast Factor (1.05-1.20) Ballast located in E-lighting, Bay. replace 250WMH	7
6 lamp HPT8 High-Bay Fixture with qualifying "High-Lumen" 32W lamp(s) and qualifying High Ballast Factor (1.05-1.20) Ballast located in Bay. replace 400WMH	9
2 lamp HPT8 Troffer or Wrap Fixture with qualifying "High-Lumen" 32W lamp and Low Ballast Factor (0.71-0.78) Ballast located in Bay repl(8) 4'T12	8
2 lamp HPT8 Troffer or Wrap Fixture with qualifying "High-Lumen" 32W lamp and Low Ballast Factor (0.71-0.78) Ballast located in Bay repl(6) 8' 2LT12	12

The listing of a specific manufacturer does not represent an endorsement of a specific product by Efficiency \$mart. With prior approval by Efficiency \$mart, Customer may substitute an equivalent product. This attachment provides only an estimate of the quantity of improvements made or equipment to be installed. The total rebates paid will be based on the actual quantities installed, provided that the quantity still meets or exceeds the minimum technical requirements.





#### EFFICIENCY \$MART CUSTOM PROGRAM TERMS AND CONDITIONS

Efficiency Smart is a program of energy efficiency services offered to a network of public power communities who are subscribing members of American Municipal Power Inc (AMP). AMP is offering custom incentives (rebates) under the Efficiency \$mart program to facilitate the implementation of cost-effective energy-efficiency improvements for non-residential (commercial and industrial) customers.

Funds are limited and subject to availability. Details of this program, including rebate levels, are subject to change without notice.

- This Rebate Agreement sets out the terms and conditions under which Efficiency \$mart will provide rebates on this project.
- This Agreement becomes effective when signed by both parties. Transmittal of signatures by facsimile, internet or other means is as valid for all purposes as the delivery of signed original documents. This agreement will remain in effect for the timeframe specified on the signature page of this document, with post-installation monitoring provisions remaining in full force and effect as specified below.
- If you are not the owner of this facility, you promise that you are entitled to make the efficiency improvements covered by this agreement through a lease agreement with the owner of the facility or you have obtained written permission from the owner of the building allowing you to make the efficiency improvements. You agree to give us proof of this permission if we request it.

#### Definitions

- "We" and "our" refer to Efficiency \$mart.
- "You," "your," and "customer" refer to the individual or organization identified in paragraph 1 of the Rebate Agreement.
- "Efficiency improvements" refer to energy efficiency improvements identified in Scope of Efficiency Improvements.
- "Rebate" means a cash rebate and/or direct installation or provision of energy efficiency product(s) by Efficiency \$mart as identified in Scope of Efficiency Improvements.





- "Inspection" means our inspection of your facility to verify that the efficiency improvements have been made as specified under this agreement and to measure the resulting energy savings.
- "Completion date" is the date when the efficiency improvements specified in this agreement are fully installed and operational.
- "Parties" refer to Efficiency \$mart and Customer as identified above and in the Rebate Agreement.
- "Facility" refers to the property or building(s) as described in paragraph 2 of the Rebate Agreement that the customer has undertaken to improve, renovate, or construct.

#### Program Effective Dates

Efficiency \$mart rebates are offered until approved funds are exhausted or *Dec 31* of each program year, whichever comes first. The effective dates for the Efficiency \$mart program year 2012 and application submittal requirements are as follows:

- Projects with a final completion date before *January 1, 2011* are not eligible for a rebate through this application process.
- All 2012 Efficiency \$mart program projects must be completed by *December 31, 2012*. Projects not completed by December 31, 2012 will be considered for the 2013 program year and subject to the terms and conditions approved for that year.

#### **Custom Program Eligibility**

Custom Program rebates are available to non-residential subscribing municipal utility customers in AMP's service area with annual electric usage over 500,000 kWh/ year.

#### **Project Requirements**

- Projects must involve a facility improvement that results in a permanent reduction in electrical energy usage (kWh).
- Projects that are *NOT* eligible for a rebate include, but are not limited to the following:





- Fuel switching (e.g. electric to gas or gas to electric)
- Changes in operational and/or maintenance practices or simple control modifications not involving capital expenditure
- o On-site electricity generation
- Projects involving gas-driven equipment in place of or to replace electric equipment (such as a chiller)
- o Projects focused primarily on power factor improvement
- Projects that involve peak-shifting (time of day savings) (and not kWh savings)
- o Renewables
- Projects must be installed on the municipal utility electric account listed on the application.
- If the Customer ceases to be a delivery service customer of the municipal utility subscribing to Efficiency \$mart or removes the equipment or systems at any time during the 5-year period following receiving the rebate or the life of the product, the Customer may be required to return a prorated amount of rebate funds to Efficiency \$mart. Exceptions may apply for customers upgrading to more efficient products at their own expense.

#### Installation

- You agree to purchase, properly install, operate, and maintain the efficiency improvements specified herein and to comply with all terms and conditions described in this agreement and in Scope of Efficiency Improvements within the timeframe specified on the signature page of this document.
- You agree to include in your agreement(s) with your contractor(s) a requirement that contractor(s) give you, on request, documents that establish the purchase price(s) (including all discounts) of any efficiency improvements purchased for installation under this Agreement; and the installation cost(s) for the equipment or improvements. In order to help us verify the installation of the efficiency improvements, you agree to supply us with copies of these documents, upon our request.
- You and your contractors agree that each measure complies with all federal, state, and local safety, building, and environmental codes, and that all necessary permits have been obtained. All products must be UL-listed and installed per manufacturer's instructions.





#### Inspection

- Efficiency \$mart reserves the right to inspect projects to verify that the efficiency improvements are installed and in use.
- You agree to notify us when the efficiency improvements in this agreement are installed and operating. Within thirty (30) days of notification, we will need reasonable access to your facility and to all documents pertaining to the acquisition and installation of the efficiency improvements. We will use these documents to verify that the efficiency improvements selected have been installed as specified and are operating properly. If requested by Efficiency \$mart, you will arrange for the presence of its contractor(s) or subcontractor(s) during any site inspection.
- No payment will be made until the improvements have been installed and inspected by an Efficiency \$mart representative or Efficiency \$mart determines that an inspection is not necessary. If the efficiency improvements have not been installed as specified in Scope of Efficiency Improvements, or they do not operate properly, then Efficiency \$mart may reduce or eliminate the rebates associated with that project.

#### **Rebate Requests**

Rebate requests can be made by contacting Efficiency Smart's Customer Support Specialists at 877-889-3777 or by completing the one-page Rebate Request Form. Requests must be submitted within 60 days of project completion. Project documentation, such as copies of dated invoices for the purchase and installation of the measures and/or product specification sheets, is required. The location or business name on the invoice must be consistent with the application information. Applications should be submitted no later than December 10, 2012 for the 2012 program year. The project invoice should provide sufficient detail to separate the project cost from the cost of other services such as repairs and building code compliance. Efficiency \$mart reserves the right to request additional supporting documentation as deemed necessary to confirm eligibility and verify savings.

• Upon satisfactory verification of the improvements, we will send a check to you within forty five (45) days of the inspection date. You may designate in writing that a third party should receive this payment.





- You understand and agree that the rebates provided by Efficiency \$mart may be considered taxable income by the Internal Revenue Service and other governmental authorities. You agree to be responsible for any taxes or other governmental assessments against you that result from this agreement.
- The parties agree that the actual cost of purchasing, installing, operating, or maintaining the efficiency improvements under this agreement may differ from the estimates provided to you by Efficiency \$mart. Efficiency \$mart will not be required to provide additional rebates for the efficiency improvements covered by this agreement when installation costs are higher than estimated.

#### Confidentiality

All customer, vendor, and/or contractor information supplied to Efficiency \$mart will be kept confidential and will not be shared with any person or organization unless the person or organization is subcontracted by Efficiency \$mart. Confidentiality terms would extend to the subcontractor.

#### **Other Terms & Conditions**

- For no longer than five (5) years following the completion date, you agree to allow Efficiency \$mart staff and/or contractors acting on behalf of AMP/Efficiency \$mart and/or the Ohio Public Utilities Commission, to install equipment at your building to monitor any efficiency improvements installed under this agreement.
- The operation and effect of energy efficiency improvements differ due to hours
  of operation and many other factors. As such, we do not guarantee the specific
  energy savings or benefits that will result from any efficiency improvements that
  are installed. Efficiency \$mart does not warrant that you will receive energy
  savings or benefits of any kind as a result of your participation in Efficiency
  \$mart's services.
- We also do not warrant the performance of equipment installed as part of any efficiency improvements. Nor does Efficiency \$mart warrant that such improvements will provide you the same service that you presently receive from your existing equipment and facilities.
- Efficiency \$mart disclaims all warranties, whether expressed or implied, including any implied warranty of merchantability or of fitness for a particular





purpose, that the design, engineering or construction of the building, the equipment for any efficiency improvements, or the installation thereof, complies with any specifications, laws, ordinances, regulations, codes or industry standards.

- Any warranties for the performance of the efficiency improvements under this agreement are the responsibility of the installation contractors and/or equipment suppliers and manufacturers and not the responsibility of Efficiency \$mart.
- You agree to indemnify AMP/Efficiency \$mart and its directors, officers, employees, agents, and invitees from all liabilities (including reasonable attorney's fees) arising in connection with this agreement, excluding liability resulting from acts of willful misconduct or gross negligence on the part of Efficiency \$mart. These include liabilities that may rise from changes in your operations, including both direct and indirect losses.
- You also agree that if you make a claim against Efficiency \$mart for any damage arising from our action or inaction under this agreement, your remedy will be limited to the total amount of our payments to you for the efficiency improvements installed in your building.
- All notices required by the agreement will be made electronically, personally, or through first class mail.
- This agreement will be governed by and interpreted in accordance with the laws of the State of Ohio.
- This agreement sets forth the entire agreement between the parties and replaces all oral or written agreements. No part of this agreement may be waived or changed except by the written agreement of both parties.

Nothing in this agreement will create any contractual relationship between Efficiency \$mart and any of your employees, contractors, or agents. Nor will this agreement create any obligation on the part of Efficiency \$mart to pay, or to see to the payment of, any monies due from you to subcontractors, employees, agents, or other persons or organizations.

Revised January 18, 2012



#### **ORDINANCE NO. 002-13**

#### AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED CODE OF THE CITY OF NAPOLEON TO ADJUST THE RECREATIONAL FEES AND TO ESTABLISH RECREATION PROGRAM PARTICIPATION FEES

**WHEREAS**, the overall year 2013 proposed City budget has been reviewed by the City administration and said administration deems it imperative that park and recreational fees be adjusted and participation fees be established in an effort to avoid the cutting of programs and/or services; and,

**WHEREAS**, the matter has been presented to the Parks and Recreation Board where the Board, acting in its advisory capacity, did recommend an increase in current park and recreational fees and the establishment of participation fees; and,

**WHEREAS**, this Council has considered all recommendations, and given the total economic climate of the City, now deems appropriate that participation fees be established as well as an increase in current park and recreational fees as recommended by the Board; Now Therefore,

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

**Section 1.** That, Section 955.09 of the City of Napoleon's Codified Code is hereby amended and enacted as follows:

#### "955.09 GOLF PRIVILEGE FEES.

Golf privilege fees for the municipal golf course shall be as follows:

(a) Adult person annual golf privilege card fee:

Resident:	<del>\$290.00</del>	\$270.00
Nonresident:	<del>\$350.00</del>	\$330.00

Each immediate family member of a person holding a valid annual golf privilege card to the municipal golf course may be included thereon for an additional annual amount of 220.00 (for resident) and 220.00 (for non-resident). An annual family golf privilege card which includes one adult person, the adult person's spouse, and all children meeting the definition of the immediate family that are between the ages of 6 and 11 years old at time of purchase, shall be at the rate of 550.00.

(b) Student annual golf privilege card fee:

Resident:	<del>\$160.00</del>	\$140.00
Non-Resident:	<del>\$200.00</del>	\$180.00

(c) Senior citizen annual golf privilege card fee:

Resident:	<del>\$240.00</del>	\$220.00
Non-Resident:	<del>\$270.00</del>	\$250.00

A spouse of a senior citizen who purchased an annual golf privilege card from the municipal golf course, regardless of age, may be included on the annual golf privilege card for an additional \$160.00 \$140.00 (for resident) and \$180.00 \$160.00 (for non-resident).

(d) To utilize privileges under an annual golf privilege card, fees shall be paid in full before a person plays golf on the course for the season (unless greens fees are paid). Upon full payment of an annual golf privilege card, a person may play golf on the course for the remainder of the season, without paying an additional greens fee.

(e) All applications for an annual golf privilege card shall be presumed nonresident applications and considered as such until "resident" status is established by the person applying for an annual golf privilege card. Establishment of residency shall be in accordance with the policy established and adopted by the Parks and Recreation Board and approved by motion of Council. Any person purchasing an annual golf privilege card as a non-resident may, within twenty days from date of purchase, obtain a refund for the difference in cost between resident and non- resident should a change in status be established.

(f) Daily greens fees shall be as follows:

(1) <u>Generally</u>. <u>Weekdays:</u>

9 holes 18 holes	<del>\$11.00</del> <del>\$15.00</del>	\$9.00 \$13.00
Saturday, Sun	day and nationa	ally recognized holidays:
9 holes 18 holes	<del>\$13.00</del> <del>\$17.00</del>	\$11.00 \$15.00
(2) <u>Junior</u> <u>Weekd</u>	<u>Greens Fees</u> . l <u>ays</u> :	
9 holes 18 holes	\$5.00 \$10.00	
Weeke	nds and Nation	ally Recognized Holidays:
9 holes 18 holes	\$7.00 \$14.00	

#### PREPAID DISCOUNT CARD FOR GREENS FEES

#### 9 HOLES, FOR TEN ROUNDS **\$85.00 \$75.00**

(g) Fee for motorized cart use shall be as follows:

(1) Motorized cart fee - The privilege of using a non-City motorized cart on the course is restricted to persons holding a valid annual golf privilege card. The cart shall be used only by the holder of such card or his or her immediate family, and guests accompanied by the holder or a member of the holder's immediate family. The annual privilege fee is \$210.00 with an additional \$20.00 being charged if the motorized cart is electrically powered.

(2)	Motorized cart rental	9 holes	\$6.00 per person with a maximum of two carts
(3)	Motorized cart rental	18 holes	per group. \$9.00 per person with a maximum of two carts per group.

#### (4) PREPAID DISCOUNT MOTORIZED CART RENTAL FOR 10 ROUNDS OF 9 HOLES

#### \$45.00 \$50.00 PER PERSON

- (h) Pull cart fee shall be as follows:
  - (1) Pull fee No charge for using one's own cart
  - (2) Pull cart rental \$ 1.50 (up to 18 holes)
- (i) Golf clubs rental \$ 2.00 (up to 18 holes)

(j) Greens privilege fee and cart use fee shall be for the golfing season from April 1 through October 31, both dates inclusive. The City has the right to close the course at anytime for special events, unplayable conditions, or for other cause deemed appropriate by the Parks and Recreation Department.

(k) The daily greens fee and daily cart rental fees during "off peak times" of the annual golf season for promotional reasons shall be reduced in an amount of thirty percent (30%) of the herein established rates. What constitutes and is declared "off peak times" is in the sole discretion of the Parks and Recreation Director.

(1) Discounts shall apply to senior citizens as follows: \$3.00 off regular greens fees and \$2.00 off per person motorized cart rentals, both during the times of 8:00 a.m. through 1:00 p.m. on days of weekdays only, excluding nationally recognized holidays.

(m) Nothing in this section shall be construed as to limit City Council's authority to adjust daily, weekly, monthly or annual rates."

**Section 2.** That, Section 955.10 of the City's Codified Code is hereby amended and enacted as follows:

#### " 955.10 SHELTER HOUSE/ COMMUNITY CENTER RATES.

(a) Shelter house rentals shall be as follows:

Rental Times	Ritter	Ritter	Wayne	Wayne
	(Weekday)	(Weekend)	(Weekday)	(Weekend)

9:00 a.m. - 12:00 p.m. **\$25.00 \$35.00 \$30.00 \$40.00 \$20.00\$30.00 \$25.00 \$35.00** 

1:00 p.m 5:00 p.m.	<del>25.00</del>	<i>35.00</i> <del>30.00</del>	40.00	<del>20.00</del> 30.00	<del>25.00</del>	35.00
9:00 a.m 5:00 p.m -	<del>-30.00</del>	40.00 <del>35.00</del>	<i>45.00</i>	<b>25.00</b> 35.00	<del>30.00</del>	40.00
6:00 p.m 11:00 p.m.	<del>30.00</del>	40.00 <del>35.00</del>	<i>45.00</i>	<b>25.00</b> 35.00	<del>30.00</del>	40.00
1:00 p.m 11:00 p.m.	<del>35.00</del>	<b>45.00 40.00</b>	50.00	<b>30.00 40.00</b>	<del>35.00</del>	45.00
9:00 a.m 11:00 p.m	<b>40.00</b>	50.00 45.00	<i>55.00</i>	<del>35.00</del> 45.00	<b>40.00</b>	50.00

Weekend rates will also apply on all City observed holidays; no proration of fees permitted.

Due at time of making reservation is a non-refundable \$5.00 application fee and a \$50.00 security deposit. The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than 7 days prior to the reserved date; then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed \$50.00. Any monies to be returned to the tenant will be paid within 30 days after the rental date.

(b) Rental of the Community Center at Oberhaus Park shall be as follows:

RENTAL TIMES	Weekday	Weekend
9:00 a.m 12:00 p.m.	<del>\$40.00</del> <i>\$50.00</i>	<del>\$50.00</del>
1:00 p.m 5:00 p.m.	<del>50.00</del> 60.00	60.00 70.00
9:00 a.m 5:00 p.m.	<del>70.00</del> 80.00	<del>80.00</del> 90.00
6:00 p.m 11:00 p.m.	<del>70.00</del> 80.00	<del>80.00</del> 90.00
1:00 p.m 11:00 p.m.	<del>80.00</del> 90.00	<del>-90.00</del> 100.00
9:00 a.m 11:00 p.m.	<del>100.00</del> 110.00	<del>110.00</del> 120.00

Weekend rates will also apply on all City observed holidays; no proration permitted.

Due at time of making reservation is a non-refundable \$5.00 application fee and a \$50.00 security deposit. *FULL AMOUNT OF RENTAL IS DUE WHEN PICKING UP THE KEY.* The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than 7 days prior to the reserved date, then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed \$50.00. Any monies to be returned to the tenant will be paid within 30 days after the rental date.

(c) Notwithstanding any other provision of these Codified Ordinances, the use of the Community Center at Oberhaus Park by the Napoleon based Rotary and Lions Club shall be pursuant to the terms and conditions established by separate agreement between the clubs and the City. Priority in reservation may be given to the clubs by the Parks and Recreation Director absent any provision in the agreement.

(d) Except as provided herein, reservations shall only be made in the calendar year the facility is intended to be reserved. During the month of December in the

preceding year, residents, as defined in this chapter, shall be permitted to reserve dates for the following year.

(e) Terms and conditions of any rental agreement shall be established by the City Manager and approved as to form and correctness by the Law Director."

**Section 3**. That, Section 955.16 of the City of Napoleon's Codified Code is hereby amended and enacted as follows:

"MUNICIPAL SWIMMING POOL

#### 955.16 SWIMMING POOL ADMISSION.

(a) The annual swim admission card for the Municipal Swimming Pool shall be as follows:

(1)	Family annual swim admission card fee:		
	Resident:	\$100.00	
	Nonresident:	\$125.00	
(2)	Adult individual annual swim admission card fee:		
	Resident:	\$70.00	
	Non-resident:	\$80.00	
(3)	Child individual annual swim admission card:		
	Resident:	\$60.00	
	Non-resident:	\$70.00	
(4)	Senior citizen annual swim admission card fee:		
	Resident:	\$50.00	
	Non-resident:	\$60.00	

(b) The daily swim admission fee for the Municipal Swimming Pool shall be as follows:

- Daily admission fee for children: \$2.50 each.
- (2) Daily admission fee for adults:\$3.00 each.

(c) The Director of Parks, Recreation and Cemeteries is authorized to establish up to six special pool events per season on which a reduced daily recreation admission fee could be offered on a per person or per family basis.

(d) Annual swim admission cards are seasonal and are valid in the summer season of each year during hours as determined by the Parks and Recreation Department.

(e) Pool facility exclusive use rental under terms and conditions and times as established and AUTHORIZED by the Parks and Recreation Director (SUBJECT TO SPECIFIC APPROVAL AND TERMS AS SET BY THE PARKS AND RECREATION DIRECTOR, ADDITIONALLY, PARKS AND RECREATION DIRECTOR RESERVES THE RIGHT TO DENY RENTAL FOR ANY REASON):

# (1) **\$150.00 each event** SATURDAY OR SUNDAY EVENING FROM 6-9 PM: \$150.00

#### (2) ALL DAY FRIDAY, SATURDAY, AND SUNDAY: \$500

(f) Nothing in this section shall be construed as to limit City Council's authority to adjust daily, weekly, monthly or annual rates.

**Section 4.** That, Section 955.19 of the Codified Ordinances of the City of Napoleon be established and set forth as follows:

#### **"955.19 RECREATION PROGRAM PARTICIPATION FEES**

(A) RATES (PER PARTICIPANT):			
ACTIVITY	(RATES)	<b>RESIDENT</b>	<b>NONRESIDENT</b>
TEE BALL		<i>\$20</i>	\$30
YOUTH LITTLE LEAG	UE	<i>\$20</i>	<b>\$30</b>
JUNIOR LITTLE LEAG	<i>UE</i>	<i>\$20</i>	<b>\$30</b>
HENRY CO. BANK LGI	E. SOFTBALL	<i>\$20</i>	<b>\$30</b>
<b>ROOKIE LEAGUE SOF</b>	<b>TBALL</b>	<i>\$20</i>	<b>\$30</b>
MINOR LEAGUE SOFT	<b>FBALL</b>	<i>\$20</i>	<b>\$30</b>
MAJOR LEAGUE SOF	<b>FBALL</b>	<i>\$20</i>	<b>\$30</b>
LITTLE CATS BASKET	<b>BALL</b>	<i>\$20</i>	<b>\$30</b>
WILD KITTENS BASKI	E <b>TBALL</b>	<i>\$20</i>	<b>\$30</b>
KIDDY CATS BASKET	BALL	<i>\$20</i>	<b>\$30</b>
FLAG FOOTBALL		<i>\$20</i>	<b>\$30</b>
INTRAMURAL BASKE	TBALL	<i>\$20</i>	<b>\$30</b>
TENNIS LESSONS/LEA	AGUE	<i>\$20</i>	<b>\$30</b>
SOCCER		<i>\$20</i>	<b>\$30</b>
SAFETY CITY		<i>\$10</i>	\$15

(B) REDUCED RECREATION PROGRAM USER FEE POLICY: THE CITY OF NAPOLEON PARKS AND RECREATION DEPARTMENT, AS PART OF ITS CONTINUED GOAL OF OFFERING RECREATION PROGRAMMING TO ALL OF ITS RESIDENTS, HAS MADE AVAILABLE THE FOLLOWING REDUCED RECREATION PROGRAM POLICY FOR THOSE FAMILIES THAT NEED FINANCIAL ASSISTANCE:

ELIGIBILITY: REDUCED FEES OR "GRANTS" ARE ALLOWABLE FOR CITY OPERATED YOUTH RECREATION PROGRAMS ONLY.

> (1) GRANTS SHALL BE CONSIDERED BASED ON AN INDIVIDUAL(S) PARTICIPATION IN THE NAPOLEON AREA

SCHOOLS DISTRICT FREE AND REDUCED LUNCH PROGRAM.

(A) VERIFICATION OF ENROLLMENT IN THE PROGRAM WILL BE THROUGH THE ASSISTANCE OF THE NAPOLEON AREA SCHOOLS.

(B) AUTHORIZATION MUST BE GIVEN BY THE APPLICANT FOR THE NAPOLEON AREA SCHOOLS TO RELEASE FREE/REDUCED LUNCH PROGRAM INFORMATION TO THE CITY OF NAPOLEON. CONSIDERATION FOR GRANTS WILL NOT BE GIVEN IF AUTHORIZATION IS NOT RECEIVED.

(C) APPLICATION FOR GRANTS SHALL BE SUBMITTED AT THE CITY OF NAPOLEON OFFICES AT THE TIME OF PROGRAM REGISTRATION.

(D) ALL REQUESTS FOR GRANTS MUST BE SUBMITTED ON THE APPROPRIATE APPLICATION FORM

(E) EACH APPLICATION SHALL BE CONSIDERED INDIVIDUALLY. COMPLETION OF THE APPLICATION DOES NOT AUTOMATICALLY ENSURE APPROVAL OF FEE REDUCTION.

(F) APPLICANTS SHALL BE NOTIFIED OF THEIR STATUS PRIOR TO THE START OF THE PROGRAM

(2) IF APPLICATION IS APPROVED FAMILIES (PARENTS OR GUARDIANS) WHO HAVE BEEN APPROVED FOR THE GRANT SHALL BE REQUIRED TO PAY 25% OF THE CURRENT RECREATION PROGRAM RATE IF THEY ARE ENROLLED IN THE FREE LUNCH PROGRAM. FAMILIES SHALL BE REQUIRED TO PAY 50% OF THE CURRENT RECREATION PROGRAM RATE IF THEY ARE ENROLLED IN THE REDUCED LUNCH PROGRAM. THE APPROPRIATE FEE MUST BE PAID TO THE CITY PRIOR TO THE START OF THE PROGRAM.

(A) FAILURE TO PAY WILL DISQUALIFY THE APPLICANT FOR PARTICIPATION OF THE REDUCED PROGRAM FEE PROGRAM. PARTICIPATION IN THE RECREATION PROGRAM IS STILL ALLOWED AT THE REGULAR PROGRAM RATE. (B) ONLY TWO (2) REDUCED FEE GRANTS SHALL BE AWARDED PER PERSON, PER YEAR.

(C) IF A GRANT RECIPIENT CANCELS HIS/HER PARTICIPATION IN THE RECREATION PROGRAM WITHOUT A BONA FIDE REASON (INJURY, ILLNESS, ETC.) THE GRANT MAY NOT BE TRANSFERRED TO ANOTHER PROGRAM OR ACTIVITY IN THAT YEAR. THAT INDIVIDUAL WILL NOT BE PERMITTED TO ANY SUBSEQUENT APPLICATION REQUESTS DURING THAT YEAR. THIS SHALL BE DETERMINED SOLELY BY THE PARKS AND RECREATION DIRECTOR.

(3) RECREATION PROGRAM REGISTRATION FORM MUST STILL BE COMPLETED

#### (4) ONLINE REGISTRATION IS NOT AVAILABLE FOR THE REDUCED FEE PROGRAM

#### (5) ADDITIONAL COSTS NOT ASSOCIATED WITH THE CITY'S RECREATION PROGRAM PARTICIPATION FEE MAY STILL APPLY (SUPPLIES, EQUIPMENT, ETC.)

**Section 5.** That, Sections 955.09, 955.10 and 955.16 of the 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: \_\_\_\_\_

John A. Helberg, Council President
Approved: \_\_\_\_\_

Ronald A. Behm, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. \_\_\_\_\_\_ was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_; & I further certify the compliance with rules established in Chapter 103 of the

\_\_\_\_\_; & 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



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Chad E. Lulfs, P.E., P.S., Director of Public Works Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

# Memorandum

То:	Dr. Jon A. Bisher, City Manager
From:	Chad E. Lulfs, P.E., P.S., Director of Public Works
<i>cc</i> :	Mayor & City Council
	Greg Heath, Finance Director
Date:	January 21, 2013
Subject:	Construction Inspector Vehicle Purchase

This memorandum is to outline the details of the recent purchase of a new vehicle for the City of Napoleon's Construction Inspector. In the approved 2013 Budget, the City of Napoleon's Engineering Department had requested a budgetary line item of \$25,000.00. City staff contacted the dealer listed on the State Contract and received a price for a 2013 GMC Sierra 1500 Extended Cab 4WD Long Bed truck. The cost of this vehicle was quoted as \$24,700.00.

City staff then contacted Snyder Chevrolet and received a quote for a 2013 Chevrolet Silverado 1500 Extended Cab 4WD Long Bed truck. The cost of this vehicle was quoted as \$24,627.00. This is \$73.00 below the cost of the vehicle on the State Contract.

Because of the cost savings, as well as the opportunity to purchase a vehicle from a local dealer, I moved forward with the purchase of this vehicle. If you have any questions or require additional information, please contact me at your convenience.

CEL



# City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151 Napoleon, OH 43545 Chad E. Lulfs, P.E., P.S., Director of Public Works Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

# Memorandum

To:	Dr. Jon A. Bisher, City Manager
From:	Chad E. Lulfs, P.E., P.S., Director of Public Works
<i>cc</i> :	Mayor & City Council
	Greg Heath, City Finance Director
	Jeff Rathge, Operations Superintendent
Date:	January 21, 2013
Subject:	Mini Excavator

As discussed during the 2013 Budget negotiations, I am requesting that the Operations Department be allowed to purchase a Mini Excavator. As part of that discussion, it was requested that additional information be provided regarding the use of such equipment if it was readily available. Following is a list of work that was performed in the 2012 calendar year in which this type of equipment would have expedited the activities performed and/or allowed for safer working conditions (by department):

Work Activity by Department/Division	Estimated Hours to Perform Work with Existing Equipment
Water Distribution	
Disconnection of Water Service at 629 W. Washington	1 Day
Water Main Break at Intersection of Strong Street &	
Sheffield Avenue	1 Day
Water Main Break on Kenilworth Avenue: Stabilizer on B	ackhoe
Caused Break in Existing Concrete Walk	1 Day
Repair of Leaking Watch Valve on Oakwood Avenue near	
American Road: Excavation around Existing Water Main	1 Day
Disconnection of Water Service at 318 Union Street	1 Day
Repair of Water Shut-Off on Daggett Drive	¹∕2 Day
Repair of Water Shut-Off on Graceway Drive	¹∕₂ Day
Water Main Break at Intersection of Rohm Drive &	
Briarcliff Drive (Saturated Ground)	1 Day
Water Main Break on Jahns Road under Concrete Drive	1 Day
Replacement of Lead Water Service on N. Perry Street	1 Day
Installation of new Water Service on Westmorland Avenue	e 1 Day
Repair of Leaking Watch Valve on Freedom Drive	1 Day
Replacement of Lead Water Service on Haley Avenue	1 Day
Repair of Water Shut-Off on Norton Avenue	1 Day
Installation of Fire Line Tap for the Armory on E. Clinton	Street 1 Day

Streets/Sewer Collection	
Pavement Repair in Alley behind Post Office	1 Day
Catch Basin Replacement on Oakwood Avenue at North St	reet 1 Day
Catch Basin Replacement at Intersection of Sheffield Aven	ue
& Welsted Street	1 Day
Parks & Recreation	
Excavation for Cemetery Plots when Ground is Saturated or	r an
Existing Headstone Prevents Lowering Stabilizers on the I	
Excavation of Existing Stone Parking Area along Existing	ý
Fence in Golf Cart Parking Area (Saturated)	2 Days
	·
<u>W.W.T.P.</u>	
VanHyning Lift Station Repairs (Inside Fence)	3 Days
<u>W.T.P.</u>	
Installation of Sampling Hydrant at Henry County Hospital	1 Day
	5
Electric	
Southside Substation Upgrades	4 Days
Glenwood Substation Upgrades	4 Days
Administration	
Installation of new Control Lines for Above Ground Fuel S	-
Tanks at Operations Building Adjacent to Existing Buildir	ng 2 Days
	Total: 45 Days
Following is a list of days on which a Mini Excavator was rented b	y the City of Napoleon (by
department):	
Work Activity by	Estimated Hours to Perform
	Work with Existing Equipment
Departmente Division	i on in Librid Equipment
Streets/Sewer Collection	
Installation of Storm Sewer and Catch Basin on Ohio Street	t between
Willard Street and Reynolds Street	5 Days
<u>W.T.P.</u>	
Repair of Water Main Exiting the Water Treatment Plant	5 Days
Electric	
Upgrades at Industrial Substation	3 Days
Upgrades at Southside Substation	2 Days
ergrades at southside substation	2 2 u y 6
	Total: 15 Days

We have begun researching the size and type of Mini Excavator we would prefer to purchase. The general specifications for the piece of equipment are:

Horse Power	50-60
Weight	18,000 lbs +/-
Excavation Depth	15' +/-
Hydraulics Location	External

The other preferred option we are considering is Zero Tail Swing. Due to safety concerns, we would prefer that the body of the excavator does not extend past the outside edge of the tracks when the operator swings.

In our research, we found approximate costs as follows:

Zero Tail Swing, Mini Excavator, Including	
Three (3) Buckets & Hydraulic Thumb	\$86,400.00
Trailer (20 Ton)	\$21,700.00
Trade-In Value of Backhoe	-\$20,000.00
	Total: \$87,100.00

We acquired rental rates for similar pieces of equipment. By applying this rate to the hours of usage listed above, the estimated costs for rental of this equipment are as follows:

Rental Rates (Per Day)	\$250.00
Potential Expenditure for Leasing Equipment in 2012	\$11,250.00
Approximate Cost of Past Leasing (Previous 5 years)	\$3,750.00

By multiplying the potential expenditure from 2012 (\$11,250) by five (5) and adding in the approximate leasing costs from actual leases over the past five years, the City of Napoleon would have expended approximately \$60,000 over the past five (5) years by leasing the proper equipment. This does not take into account the safety issues with using the wrong piece of equipment to perform work. Please consider our request to purchase this piece of equipment.

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MPARD Kidz Kengdom Donation

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# 220.4400.44350 750.00 UK

	HENRY COUNTY COMMUNITY FOUNDATION 07-07 611 N PERRY STREET NAPOLEON, OH 43545 56-132/412 809704 DATE Jan, 15, 20,3
	PAY TO THE CITY OF APOLRON \$ 750.00 SEVEN HUNDRED FIFTY DOLLARS & CONTYNEME
A CONTRACTOR AND A	MEMO KIDZ KINGdom



January 11, 2013

Medicare recently released The Ambulance Inflation Factor (AIF) for calendar year 2013 and has approved a 0.8% rate increase for EMS services. MED3OOO recommends that your department review and adjust your charge rates annually, and adjust them when appropriate. Now is also a good time to make any other adjustments that may be applicable. For your convenience we have included your current charge rates, if you elect to adjust fees simply list the new amount and the effective date of the rate change.

2012 Rates:	2013 Rates:
ALS2 \$ 1123.94	ALS2 \$
ALS1 \$ 807.53	ALS1 \$
BLS \$ 525.21	BLS \$
Mileage \$ 13.43	Mileage \$

Х

Authorized Signature

Printed Name

Agency Name: E47 - Napoleon

Effective date change of new rates:

If you have any concerns/questions, please feel free to contact me.

Best,

Jennifer Stafford | Client Relations Manager MED3000, Inc. | Outcomes Matter 3131 Newmark Drive | Suite 100 | Miamisburg, OH | 45342

937-424-3707 Direct 937-694-6265 Cell 937-291-2971 Fax Jennifer\_Stafford@MED3000.com | www.MED3000.com | http://ems.med3000.com



**Centers for Medicare & Medicaid Services** 





News Flash –

Reminder --- Products from the Medicare Learning Network<sup>®</sup> (MLN)

• "Health Insurance Portability and Accountability Act (HIPAA) Electronic Data Interchange (EDI) Standards," Web Based Training, ICN C00140

MLN Matters® Number: MM8156	Related Change Request (CR) #: CR 8156
Related CR Release Date: December 21, 2012	Effective Date: January 1, 2013
Related CR Transmittal #: R2620CP	Implementation Date: January 7, 2013

### Ambulance Inflation Factor for CY 2013 and Productivity Adjustment

#### **Provider Types Affected**

This MLN Matters<sup>®</sup> Article is intended for providers and suppliers of ambulance services who bill Medicare Carriers, Fiscal Intermediaries (FIs), or Part A/B Medicare Administrative Contractors (A/B MACs) for those services provided to Medicare beneficiaries.

#### **Provider Action Needed**

The Centers for Medicare & Medicaid Services (CMS) issued Change Request (CR) 8156 to alert providers of the updates to the Ambulance Inflation Factor (AIF) for Calendar Year (CY) 2013 so that Medicare Carriers, FIs, and A/B MACs can accurately determine the payment amounts for ambulance services. The AIF **for CY 2013 is 0.8 percent.** Please ensure that your billing staffs are aware of this 2013 AIF.

#### Disclaimer

This article was prepared as a service to the public and is not intended to grant rights or impose obligations. This article may contain references or links to statutes, regulations, or other policy materials. The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations and other interpretive materials for a full and accurate statement of their contents. CPT only copyright 2011 American Medical Association.

#### MLN Matters® Number: MM8156

#### Background

Section 1834(I) (3) (B) of the Social Security Act (the Act) provides the basis for updating the payment limits that carriers, FIs, and A/B MACs use to pay for the claims that you submit for ambulance services. Specifically, this section of the Act provides for a yearly payment update that is equal to the percentage increase in the Urban Consumer Price Index (CPI-U), for the 12-month period ending with June of the prior year.

On March 23, 2010, Section 3401 of the Affordable Care Act amended Section 1834(I)(3) of the Act to require that specific Prospective Payment System and Fee Schedule update factors be adjusted by changes in economy-wide productivity. The statute defines the productivity adjustment to be equal to the 10-year moving average of changes in annual economy-wide private nonfarm business Multi-Factor Productivity (MFP) (as projected by the Secretary for the 10-year period ending with the applicable fiscal year, cost reporting period, or other annual period). The MFP for Calendar Year (CY) 2013 is 0.90 percent and the CPI-U for 2013 is 1.70 percent. According to the Affordable Care Act, the CPI-U is reduced by the MFP, even if this reduction results in a negative AIF update. Therefore, the AIF for CY 2013 is 0.80 percent.

**Note:** Part B coinsurance and deductible requirements apply to payments under the ambulance fee schedule.

#### **Additional Information**

You can find the official instruction, CR8156, issued to your carrier, FI, or A/B MAC by visiting http://www.cms.gov/Regulations-and-

Guidance/Guidance/Transmittals/Downloads/R2620CP.pdf on the CMS website.

If you have any questions, please contact your carrier, FI, or A/B MAC at their toll-free number, which may be found at <u>http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-</u> Programs/provider-compliance-interactive-map/index.html on the CMS website.

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Merom Brachman, *Chairman* Maryann B. Gall, *Vice Chair* Bruce E. Bailey Betty Davis Michael A. Flack



OHIO ETHICS COMMISSION William Green Building 30 West Spring Street, L3 Columbus, Ohio 43215-2256 Telephone: (614) 466-7090 Fax: (614) 466-8368

www.ethics.ohio.gov

Paul M. Nick Executive Director

#### To: City Clerks of Council and Other Financial Disclosure Liaisons

- From: Paul M. Nick, Executive Director
- Date: January 14, 2013

#### Re: Official List of Elected Officials and Notification of Filing Requirement

As you know, any person who serves as a city elected official in 2013, or who served in such a position in 2012, is required to file a financial disclosure statement for 2012. We appreciate your help in preparing a list of individuals who must file for your city. The final list, based on information you provided in response to our letter dated November 6, 2012, is enclosed.

#### Review, Sign, Notarize, and Return the Enclosed List

The list should include the names, mailing addresses, and term dates for the following individuals:

- 1. Any person who held an elected office in your city at any time **during 2012**, including any person who was appointed in 2012 to fill a vacancy in an unexpired term of office; and
- 2. Any person who serves or is appointed to serve in an elected office in your city in 2013.

Please review this list and make any minor changes. [If there are significant revisions, contact Suzanne Haefner at 614.466.7090 or <u>suzanne.haefner@ethics.ohio.gov</u>.] Then sign the list and have it notarized, and return it to our office by **January 31, 2012**.

[NOTE: If you did not respond to our November 6, 2012 letter, we have gleaned the information on this list from other sources. Please check the list very carefully to make sure the information is accurate.]

#### Changes During 2013

If there are any changes to the elected officials in your city during 2013, please contact our office as soon as possible. It is especially important that any person appointed to fill an unexpired term in a city elective office is notified of the filing requirement right away. <u>He or she must file the statement no later</u> than fifteen (15) days after being sworn in to office. We need to know about other changes such as new addresses or resignations.

Notice of Filing Requirement and Blank Disclosure Statements

Please notify all of the individuals on this list that they are required to file their statements for 2012. The blank 2012 disclosure statement, as well as the new on-line filing system, will be available later this month. The Commission is no longer providing pre-printed disclosure statements for you to distribute to the filers on this list. The filing deadline for individuals who serve in city elective office in 2012, or serve in 2013, and are not also candidates in 2013, is Wednesday, May 15, 2013. City elected officials who are also candidates in 2013 should call our office by March 15, 2013, to determine their deadlines.

If you have any questions, contact Suzanne Haefner, Financial Disclosure Analyst, at 614.466.7090. Thanks again for assisting us. City of Napoleon, Ohio

# TREE COMMISSION

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

# Meeting Agenda

# Monday, January 21, 2013 at 6:00 PM

- I. Election of Officers
- II. Approval of Minutes (In the absence of any objections or corrections, the minutes shall stand approved.)
- III. Tree Call Report
- IV. Spring Programs
- v. Any Other Matters to Come before the Commission

Gregory J. Heath, Finance Director/Clerk of Council

## City of Napoleon, Ohio TREE COMMISSION

## Meeting Minutes Monday, October 15, 2012 at 6:00 PM

David Volkman - Chair, Bill Rohrs, Ron Bahler, Kirk Etzler, Jason Maassel Marty Crossland Barbara Nelson John Eddy Chairman Volkman called the meeting to order at 6:00 PM. New member, Jason Maassel, was sworn in before the meeting began.
Minutes from June 18, 2012, stand approved as printed.
<ul> <li>Winutes from June 16, 2012, stand approved as printed.</li> <li>Crossland said some arborvitaes at Oberhaus Park are dying. Tony Cotter, Parks &amp; Recreation Director, said he will pay to have a majority of them replaced next year. They provide a physical and wind screen for houses there. Other trees at Riverdowns Park will be replaced this fall. Some red maple trees along the drive at Oakwood Park are having problems because ants in the soil are eating at their trunks. Crossland received other calls for branches rubbing on the electric service due to wind over the last weekend. He referred these calls to the electric department.</li> <li>550 W. Main called about a pine tree in the alley adjacent to his property. The alley dead ends into his yard. He asked for removal and to have limbs trimmed on the neighboring trees (close to Haley). These will go on spring removals with no replant.</li> <li>110 Duquesne reported that a small lilac is not doing well. Crossland will check this again in the spring. It could be aphids or something getting on leaves. Volkman said the mild winter last year plus lack of rain this summer means aphids don't get washed away and they multiply.</li> <li>Crossland received a complaint about a weeping willow tree on Monroe St. across from Snyder's. It is in the City right of way, but we did not plant it. It is hanging over the sidewalk. The City could fine the owners for planting in the right of way. If they don't trim it, Crossland would like to remove it. Crossland took care of two other tree calls since the last meeting in June.</li> <li>Crossland reported the fall tree removals are done. It cost \$3,100 to remove 17 trees and 19 stumps. 30 trees will be planted by North Branch Nursery at a cost of \$5,371. Trimming bids are out and due back soon, not to exceed \$4,000. Planting should be done by the week before Thanksgiving. Maassel asked if it is good to plant in the fall vs. spring. Volkman affirmed, stating there are more issues in spring. The weather doesn't always cooperate.</li></ul>
Crossland said all of the transplants from Scott St. didn't make it. We'll have to remove them by cutting them down. These trees were watered like all others, but transplanting might have been too much of a shock. One at the corner of Sedward and Riverview might make it. The buckeye tree planted at Riverdowns Park on Arbor Day is gone. It was snapped off about 1' above the ground. Trimming will be done by the 28 <sup>th</sup> of December. There are about 150 trees for

	trimming/training. Tree training is getting rid of secondary limbs and double leaders for young trees.
Any Other Matters	Bahler said John Eddy hasn't been to a meeting in a long time. Rohrs said Eddy had a foot problem fixed, but he got up on the foot too soon and had another problem. Volkman will try to contact Eddy and see if he is still interested in serving.
	Maassel asked if the City knows how many and what kind of trees we have. Crossland said the latest tree inventory is more than 10 years old. Volkman said Davey Tree did a survey at one time using software. The inventory is on paper but it hasn't been updated. Crossland said the inventory goes by species and location. So many streets have been redone. The survey would be good to have so we don't dominate with one species due to diseases. We need diversity. Volkman said he thought the inventory cost about \$9,000 last time.
	Maassel suggested getting a Boy Scout group or 4-H group to do one neighborhood at a time. They could measure the circumference of trees, but won't know types. Volkman asked if the inventory we have could be updated. Crossland said there was a computer copy, but it is so outdated that we can't use the program anymore due to copyright licensure. Rohrs said we talked about doing it again without spending that amount of money. Volkman said Wauseon had an intern do it. The inventory includes size, species, height, condition, pruning needed, removal, etc.
	Crossland said Lulfs put \$10,000 in the 2013 budget for updating the tree inventory and \$5,000 for gator watering bags. We could hire someone to do it, or buy a computer program and Crossland could enter information as we go. Maassel was just visiting in a city in New York that had every tree marked with a GPS number . Citizens can call the city with that number and the city knows exactly where the tree is and all the details about it. Volkman said Bowling Green did this on their campus.
	Rohrs said a tree inventory is more important now since we've had Woodlawn & Washington replanted. Maassel said more data will help us make better decisions. Crossland said if we have someone do the inventory, it could be transferred into software. Etzler said it would take a professional to give the attributes and current status. Maassel said the Scouts could give preliminary info.
	Crossland said Hershberger asked if we could get a spruce tree for Veterans Park on the southside of the bridge to decorate as a Christmas tree. Crossland bid out a 5'-6' tall tree that will grow no taller than 12'. It will be planted before Thanksgiving. It won't grow into the walkways or block sight near the streets.
	Crossland said we will have to swap out some trees that are getting too big in tree wells downtown. At least 1 pear tree on Washington needs to come out. Volkman said we talked about putting in something slow growing. We knew we would have to take them out eventually. Crossland said pear trees on Scott St. bear fruit, but Washington's trees don't. Maassel said one by the Hahn Center makes a big mess.
	Crossland said lilacs won't get much bigger than they are now. He would suggest moving toward lilac or gingko. He asked the Commission to think about this.
	Crossland reported that sidewalk layouts may change for the sewer project on W. Riverview in the spring. If so, there would be 10-15 tree removals. He asked Chad Lulfs, City Engineer, to put money in the project budget for these removals.
	Etzler asked if all the ash trees have been removed. Crossland said there are still a couple of them, but they are 6" or less in diameter and not showing signs of a



# Memorandum

- To: Parks & Recreation Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media
  From: Gregory J. Heath, Finance Director/Clerk of Council
  Date: 1/8/2013
- Re: Parks & Recreation Committee Meeting Cancellation

The Parks & Recreation Committee meeting, which was scheduled for Monday, January 21 at 8:00 PM, has been canceled due to lack of agenda items.

City of Napoleon, Ohio

# CIVIL SERVICE COMMISSION

LOCATION: City Hall, 255 West Riverview Avenue, Napoleon, OH 43545

# Meeting Agenda

Tuesday, January 22, 2013 at 4:30 PM

- 1. Swearing In of New Member: Mike Flory
- 2. Election of Chairperson
- 3. Approval of Minutes from November 27, 2012 (In the absence of any objections or corrections, the minutes shall stand approved.)
- 4. Promotional Exam for Police Lieutenant
- 5. Testing for Police and Fire, open items
- 6. Review of Forms A-K
- 7. Review of Fire Fighter/Paramedic Job Application
- 8. Any Other Matters to come before the Commission

Gregory J. Heath, Finance Director/Clerk of Council

## City of Napoleon, Ohio CIVIL SERVICE COMMISSION

Meeting Minutes

Tuesday, November 27, 2012 at 4:30 PM

PRESENT

Members City Staff

Recorder ABSENT

**Call To Order** 

**Approval Of Minutes** 

Review With HR Director: Procedures For Filling Positions



Promotional Exam For Police Lt. David Meekison – Chair, Dr. David Cordes, Ellsworth Mitchell Dr. Jon A. Bisher, City Manager Gregory Heath, Finance Director Gloria Mikolajczak, Human Resources Director Mary Thomas, Payroll Clerk Barbara Nelson

None

Chairman Meekison called the meeting to order at 4:35 PM

Minutes of the October 23, 2012, meeting stand approved with no objections.

Mikolajczak showed Commission members a sample notice for the Civil Service examination. There is one notice for police and one for fire. All of the information is in the Civil Service rules. The notice also goes out with the applications. She provided a disk to Nelson with the documents she uses for Civil Service. The application must be notarized and include attachments. She will leave information marked "Civil Service" on her desk when she leaves.

Mikolajczak said an ad must be prepared before applications are distributed. She puts copies of the ad and applications at the front desk and asks that they be returned to her. She enters data in a spreadsheet format for each application returned. The City typically accepts applications for one month. If the applications were allowed to be returned through the Internet, they wouldn't be signed or notarized and wouldn't meet requirements. We need educational documents to approve credits. That is spelled out in the application.

Cordes asked if people can get the application online. Mikolajczak said it will be available online, but they would have to print it out, fill it in, get it notarized and mail, fax or bring it back. She puts this on the front of the application. Mikoljczak said monitoring of the test is done by the Civil Service Commissioners. Mitchell asked who will determine which candidates are qualified for testing. Heath said the intention is to fill the human resource position, but he doesn't know when. If it is filled, that person will do it. If not, the decision is ultimately up to the Commission. Meekison said he was a member of the Commission before Mikolajzcak was employed, when Kevin Garringer was Chair. The Commission reviewed applications and got things done by trial and error.

Cordes asked Mikolajczak if she would take things out of the files from previous tests to show what is allowable for fire & police certification (OPOTA, etc.) training. This would help the Commission identify proper documents. Mikolajczak said this is a learned function. She could locate these documents, but it is better that the new person learn how to ask questions.

Heath said the Police Chief could not be here tonight. He is requesting a promotional exam for police lieutenant. The current lieutenant is retiring June

	16, so sometime in May would be good. There will probably be not more than five applicants. This is an internal posting. No physical agility testing is required. We could use this room for the test. We don't have to decide this today. Mikolajczak said the last promotional test had a 2 hour 30 minute time limit. The applicants get study material a month in advance. Heath recommended setting the test date by the end of January. Meekison suggested that Commission members bring calendars to the next meeting to set the test date and time. This facility is good for testing. Heath said the test could be given at 4:00 pm. Bisher said Mondays will not work.
Rolling Of Old Lists	Meekison said if we certify the list on the day of testing, there will be two lists expiring on May 14. We may want to eliminate those lists. Chief Bennett suggested delaying certifying the list until May 14. Bisher said the old lists are used up. Mikolajcak called people on the fire list and only two were interested. The Chief may have interviewed them, but there are not enough for a list.
	Mitchell asked if people on the list will be notified that they can take the test. Heath said we rolled the list last time and created a letter to go with the new rules. We can let them know that we will allow the list to expire and they will need to retake the test to be on the new list. Bisher said two years is a long time to stay on a list. Heath said we will need a formal motion at some point saying what will be done with the current lists.
	Bisher said Lt. Brown is retiring, but we are not replacing him. It is not urgent to have a police lieutenant list, but it is good to have one just in case someone leaves.
Any Other Matters	Heath noted that the Commission's next meeting is scheduled for December 25. They can have a special meeting the week before or cancel the December meeting. Those present agreed that the next Commission meeting will be the last Tuesday in January at 4:30 PM.
	Meekison thanked Mikolajczak on behalf of the Civil Service Commission for freely giving her wisdom. He can't remember a time when she was wrong. The Commission wishes her the best in retirement.
Motion To Adjourn	Motion: MeekisonSecond: CordesTo adjourn the meeting at 5:10 PM
Passed Yea- 3 Nay- 0	Roll call vote on above motion: Yea – Mitchell, Meekision, Cordes Nay-
Date Signed:	

David Meekison, Chair



January 11, 2013

# Celebrating 2012 milestones: a review of the year's accomplishments

By Marc Gerken - president/CEO

2012 was a year in which we continued to build on – and, in many notable ways, surpass – the extensive progress we made in 2011 to achieve our strategic vision and build a better future for public power in our member communities. I would like to take this opportunity to review some of those key accomplishments we made over the last 12 months as we take stock



of where we stand and prepare to face the demands of the new year.

#### Generation

The AMP Fremont Energy Center (AFEC): Our natu-

**Center (AFEC):** Our natural gas-fired, combinedcycle plant went online in January and proved to be a valuable asset during an exceptionally hot summer. During 2012, AFEC participants received power from the facility at lower cost



than the projection in the initial feasibility study. The capacity factor for the plant was 58.9 percent for the year, compared to a projected 49.1 percent in the initial feasibility study. The revenue generated from the plant for 2012 was \$27 million greater than the cost of generation, including fuel costs and variable operations and maintenance costs. Also worth noting and commending is AF-EC's safety record. The plant finished the year at 491 days without a lost-time accident.

Prairie State Energy Campus (PSEC): Unit 1 and Unit 2 of the 1600-MW supercritical Prairie State Energy Campus became operational in June and November, respectively. We're still experiencing some commissioning shakedown issues, but our



goal is to have both units running at an anticipated 85 percent load factor in the first part of this year.

I do want to point out that the modeling we used to decide whether to participate in the PSEC project has reinforced its value as a very good decision-making tool. The cost of \$60 per megawatt-hour (MWh) falls within the bandwidth of what our expectations (which dealt with construction risk and final efficiency gains, to name a couple) were as a result of our analysis. Once it gets through the commissioning and optimization, Prairie State Energy Campus will establish itself as an attractive, long-term baseload generation source providing reliable, affordable energy at predictable costs for decades to come.

In 2012, AMP also received continued confirmation of the strength of the PSEC project from Fitch Ratings (Fitch) and Standard & Poor's (S&P) Ratings Services. Both S&P and Fitch published news releases affirming their 'A' rating for the debt AMP issued to finance its participation in the project. Each of the ratings agencies also confirmed the ratings as stable. Moody's Investor Service, in a special comment report issued in December on the PSEC project, wrote that "the economics of the long-term asset remain favorable and the strong contracts securing the debt mitigate investor concerns and provide for rating stability, as long as the joint action agency participants continue to demonstrate their willingness to meet their obligations to bondholders."

The 3.54-MW AC Napoleon Solar Facility: As part of its first phase of solar generation development, AMP successfully completed construction of one of the largest solar projects in Ohio. Connected to the City of Napoleon's electric



system, the project will serve as a model for similar projects by AMP members.

#### Blue Creek Wind Farm:

Participating AMP members began receiving their share of more than 50 MW of output from Iberdrola Renewables' 304-MW Blue Creek Wind Farm, in northwestern Ohio. Instead of building our own facility, we were able to negotiate an attrac-



tive, 10-year purchase power agreement with Iberdrola, a good, solid energy supplier that is the second-largest wind operator in the U.S.

2012 continued from Page 1

**Hydro projects:** We continued to achieve significant construction milestones on our run-of-the-river Cannelton, Smithland, Meldahl

See Page 3 for latest hydro updates

and Willow Island hydro facilities. Our budgets continue to be within our forecasts for the four Ohio River projects, which are scheduled to become available in 2014 and 2015.

**MOU with FirstEnergy on gas generation project:** We executed a non-binding memorandum of understanding (MOU) with FirstEnergy Corp. (FE) to construct, own and operate a proposed 873-MW natural gas generating facility on the premises of FE's plant in Eastlake, Ohio. The plant, to be built and operated by FE on behalf of itself, as a 25 percent owner, and AMP, as a 75 percent owner, would be completed in 2016. The project would support AMP's updated 2014-2038 long-term power supply modeling, which shows need for significant peaking generation. It may also fill long-term intermediate needs.

Richard H. Gorsuch Generating Station decommission-

**ing:** The Gorsuch decommissioning continued to go well. We completed closure of the ash disposal landfill by the end of the year and the asbestos removal abatement continues to progress as expected. It's a tribute to our staff as well as to the other engineers on the site that they're doing their homework in evaluating that whole project properly. We should have complete site remediation by the end of 2013.

#### **Efficiency Smart**

Our Efficiency Smart program continued its outstanding performance, finishing its second year with a total program savings of 54,660 MWh, or 72.4 percent of its three-year target. For 2012 specifically, Efficiency Smart exceeded its savings target of 26,000 MWh by 142 percent, achieving 36,800 in MWh savings. In addition, 21 of the original 48 project participants (the 49th joined last January) have already exceeded 100 percent of the three-year target for their individual community.

#### Finance

**A1 Rating:** Moody's Investor Service reaffirmed AMP's A1 issuer rating for the fifth straight year. The rating signifies the strong credit position of AMP and its members, which results in lower project financing costs. It also reflects the benefits of AMP's member credit scoring program, which improved by 17 percent in overall credit scores since 2006, when the program was implemented.

**Revolving credit loan facility agreement:** Taking advantage of low interest rates and a soft bank lending market, we extended our bank revolving credit loan facility for \$750 million by one year. We had entered into a five-year agreement with a 10-member bank syndicate in January and we now have a new five-year bank agreement expiring in January 2018. Terms and borrowing conditions are unchanged.

#### New service fee structure

AMP membership unanimously approved a new service fee structure at the annual meeting in October. The new structure is the result of recommendations from a task force appointed in 2011 by the Board of Trustees to examine fees. It was driven largely by the complex information technology requirements necessary to support the expanding range and level of services AMP provides to meet the growing needs of its member communities. Service fees were last modified in 1994 but were not increased.

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

Week end	ing Jan.11			
MON \$33.25	TUE \$30.75	WED \$31.25	THU \$29.00	FRI \$27.50
Week end	ing Jan. 4			
MON	TUE	WED	THU	FRI
\$35.50	\$38.50	\$40.00	\$36.00	\$32.50
AEP/Dayton 2014 5x16 price as of Jan. 11 — \$40.32				

AEP/Dayton 2014 5x16 price as of Jan. 11 - \$40.07

#### Expanding national presence on energy issues

AMP and its members continued to play key roles in advocacy and policymaking at the national level. Paul Beckhusen, Coldwater (Michigan) Board of Public Utilities director, was elected to a three-year term on the American Public Power Association Board of Directors representing Region 2. He joined fellow AMP Board of Trustees member Andy Boatright, manager of the Westerville (Ohio) Electric Division, who was elected to the APPA board in 2011. AMP executive management and other staff also continued to be active with such organizations as the APPA, the National Hydropower Association, the Transmission Access Policy Study (TAPS) Group and the North American Electric Reliability Corp., among others.

#### Member services and external affairs

**APPA Lineworker Rodeo:** Cleveland Public Power and AMP cosponsored the 12th Annual American Public Power Association Lineworker Rodeo in Cleveland in April – the first time the rodeo had been held in Ohio. Journeyman teams and/or apprentices representing eight AMP member communities in Kentucky, Ohio and Michigan participated. They were among the 45 journeyman teams and 59 apprentices from public power communities across the U.S. who competed.

**Mutual Aid Program:** In late June, highly destructive winds of more than 80 mph created widespread outages that extended into early July throughout the Midwest and eastern United States. Demonstrating once again the value of AMP's Mutual Aid Program, five member communities called upon the program to get restoration assistance from nine other AMP members. Four months later, as a result of Hurricane Sandy, Philippi called used the program to get much-needed assistance from Piqua.

**AMP Facebook Page:** At the end of November, we launched AMP's Facebook Page. This enhances our continuing efforts to get the message out about public power and AMP to staff, members and the public. In fact, some of the items I'm covering in this overview may be found in the Timeline on the Facebook Page, which highlights key events throughout our 42-year history. We hope you will "Like" us to get our regular posts in your newsfeed.

There's no question that this has been a year of significant accomplishments, and I appreciate the effort put forth by the AMP Board, our staff, the many officials and representatives of our member communities, our Municipal Electric Partners and others who provided invaluable service to help us accomplish our goals. However, a considerable amount of hard, but exciting work lies ahead of us. In next week's issue of *Update*, I will outline the challenges, opportunities and milestones I see ahead in 2013 for AMP and its members.

# Construction at AMP's hydroelectric projects moves forward

By Pete Crusse - vice president of hydroelectric construction



#### Cannelton

At Cannelton this week, Walsh successfully placed 1,732 yards of concrete and reached the 83 percent completion mark for concrete placement. Walsh also continued placing hardfill for the closure structures and reach 23 percent complete (37,837 of the 165,000 cubic yards to be placed). Work also continues on the erection of the equipment including the rotors and bulb nose. A view looking downstream is shown.

### Smithland

At the Smithland project, 14,971 cubic yards have been placed to date (15.8 percent) and the project is well on the way to the total of 94,500 needed. Draft tube erection also continues as well as the bulb turbine housing. AMP is awaiting a non-capacity amendment from the FERC for the two-mile transmission line. However, AMP has worked to have a contractor (Terracon) take some borings so that the design work can proceed. The transmission line amendment is expected later this year. A view looking from a crane is shown. Two of the three draft tube liners have been set.





#### **Willow Island**

At Willow Island, Ruhlin is just getting started on concrete placement. With a total of more than 76,000 cubic yards needed, Ruhlin is just under 4,000 yards placed. Draft tube liner preassembly continues as well as work associated with anchoring the geotechnical fault that runs through the construction area. A recent aerial of the site shows the work in progress.

#### Meldahl

Lastly, at Meldahl the work is progressing. The Joint Venture of Alberici Construction and Baker Concrete placed 1,474 yards this past week and reached 67,505 cubic yards to date or 69.2 percent of the 97,500 total needed. Work also continued on the stay cone bracing and alignment and the scheduling of deliveries of additional Voith Turbine Generator equipment as well as Oregon Iron Works gate equipment. An aerial from Jan. 4 is shown.



December Operations Statistics					
	JV6 Wind Output	Belleville Output	Avg. A/D Hub On-Peak Rate		
Dec. 2012	29%	54%	\$35.50 /MWh		
Dec. 2011	25%	60%	\$36.50 /MWh		
	Fremont Energy Center Output	Blue Creek Wind Output	Napoleon Solar Output		
Dec. 2012	57%	38%	7%		
*Fremont capacity factor based on 675 MW rating					

2012 Annual Operations Statistics			
	JV6 Wind Output	Belleville Output	Avg. A/D Hub On-Peak Rate
2012	22%	60%	\$37.04 /MWh
2011	23%	66%	\$44.37 /MWh
Fremont Energy Center Output			
2012	60%		

### AFEC weekly update

By Craig Kleinhenz – manager of power supply planning

The plant had a very strong week of production seeing an average load factor of 74 percent (based on 675 MW). This load factor includes when the plant was dispatched offline due to economic reasons Saturday night into Sunday morning.

The cold weather has seemed to help keep overnight prices higher as the plant never spent any time at minimum loads the whole week. During the daytime prices remained flat, resulting in the duct burners not being used all week.

For the week, AFEC was \$3.48/MWh cheaper than onpeak prices.

#### Markets have guiet week

By Craig Kleinhenz

After last week's decline, the energy markets had a quiet week. The upcoming warm spell seems to be offset by a predicted cooler than normal end of the month and February.

February natural gas prices closed down \$0.14/MMBtu from last week to end at \$3.19/MMBtu. 2014 on-peak electric prices at AD Hub finished up \$0.25/MWh from Jan. 4, closing at \$40.32/MWh.

#### Economic development course to focus on community

By Nicholas Homrighausen – member programs representative

The 2013 Ohio Basic Economic Development Course (OHIO BEDC) will take place March 6-8 in Columbus. Presented by the Ohio Economic Development Association, the course is an intensive training experience geared to economic development practitioners, community leaders, local government officials and those committed to building healthy economies for their communities.

The accredited training will include sessions on economic vitality, strategic planning, business retention and expansion, marketing and more.

Course registration is \$675, due by Feb. 15. For more information, including course details, agenda and hotel room booking information, please click here.

# **Update Classifieds**

## **Bowling Green seeks public** works equipment operator

Public works equipment operator maintains roads and parks; participates in trash and recycling collection; prepares/paves/maintains streets; plows/shovels snow; mows/trims grass; trims trees; maintains cemetery/digs graves; performs building maintenance such as light plumbing and electric; operates heavy equipment such as front-end loaders, dump trucks and back hoes; runs street sweepers; tears out and rebuilds basins; and performs other related duties as assigned.

Heavy physical demands; lifting up to 50 pounds. Work is usually performed outdoors. High school diploma or equivalent; six months related experience; Commercial Driver License (Class B) required. A copy of the job description will be provided to applicants. Interested persons must complete the application that is available online at http://www.bgohio.org/departments/personneldepartment/employment-opportunities or available in the Personnel Department. Resumes may be included, but will not substitute for a completed application. Pay Grade 5 BGEO Contract: \$18.39 to \$23.49 per hour

Applications must be completed and returned to the Personnel Department, City of Bowling Green, 304 N. Church St., Bowling Green, Ohio 43402. Telephone: 419.354.6200; email: BGPersonnel@bgohio.org Office hours: 8 a.m. to 4:30 p.m. weekdays. The deadline for making application is 4:30 p.m. Friday, Jan. 25. AA/EEO

## **Applications for water treatment** plant operator now accepted

City of Bowling Green: water treatment plant operator: OEPA Class III Water Treatment Certification Required. This position is responsible for the safe, efficient, and compliant operation and maintenance of the City's Water Treatment Plant.

Performs laboratory analyses to determine water quality; oversees plant operations; collects and tests water samples; inspects the water plant and its equipment, and makes necessary adjustments; ensures proper levels of clear-well and water towers; records chemical feed amounts, meter readings, plant flow; maintains records; cleans and paints the plant; trains new employees; performs preventive maintenance of equipment and facility -- both electrical and mechanical; handles hazardous and toxic chemicals; operates lime application equipment; conducts tours of the water plant; and performs other related duties as assigned.

High school diploma or equivalent; Ohio Class III Water Treatment Certification required; Chemical Analysis Certification required; three to five years of relevant experience required. Pay Grade: \$ 19.31 to \$ 24.66 per hour

A copy of the job description will be provided to applicants. Interested persons must complete an application that is available in the Personnel Department, 304 N. Church St., Bowling Green, OH 43402. The City's employment application is located online at http://www.bgohio. org/departments/personnel-department/employmentopportunities. Resumes may be included, but will not substitute for a completed application. Telephone: 419.354.6200 Email: <u>BGPersonnel@bgohio.org</u> Fax: 419.352.1262 Office hours: 8 a.m. to 4:30 p.m. weekdays. City offices closed Jan. 21. Deadline for making application: 4:30 p.m. Jan. 25. AA/EEO



# Legislative Bulletin

## **Ohio Municipal League Legislative Bulletin**

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#### **Committee Schedule**

### January 18, 2013

#### OHIO MUNICIPAL LEAGUE WELCOMES MEMBERS OF THE 130TH OHIO GENERAL ASSEMBLY

Last week, members of the 130th General Assembly were officially sworn into to office and we welcome all of the new and returning members to the Ohio legislature. Legislators will be settling into their new offices during the next couple weeks with the committee assignments to be announced next week. We will announce the new committee assignments in next week's Legislative Bulletin. While legislators are getting their offices and staff organized for the next session, League staff has already begun meeting with the new class of legislators to share with them the legislative priorities of the OML, acquaint new members with what the League does and the important role municipalities play in the health and success of the state of Ohio and to discuss issues that individual legislators may be working on during this new legislative session that may effect cities and villages or local government, in general.

As we welcome the new class of state legislators, it is important to remember the role Ohio municipalities played in the last General Assembly in the state's economic recovery, which continues to gain momentum. There remains much work to be done as our local leaders continue to strengthen state and municipal economies through job creation and retention, strengthening all levels of cooperation between local and state service providers and other areas of service delivery.

We look forward to a renewed spirit of partnership and collaboration with our state legislative leaders, as all those called to public service struggle to meet the needs of their constituencies.

#### **REMEMBER: FEBRUARY 6TH OML LEGISLATIVE LUNCHEON QUICKLY APPROACHING**

If you have not already done so, please don't forget to return your registration information to our offices and join us for the upcoming OML Legislative Luncheon that will be held Wednesday, February 6th from 12:00 to 1:30 pm in the Ohio Statehouse Atrium.

The response from members of the Ohio House and Senate has been tremendous and we are looking forward to having a very good event. We are honored that leaders of the House and Senate caucus' have agreed to once again address our attendees and share with our members firsthand what they foresee as the legislative priorities of the 130th General Assembly and issues that may be addressed effecting Ohio's municipalities.

The Ohio Municipal League's Legislative Luncheon is a great opportunity for municipal leaders from around the State to meet with their individual legislators over lunch to discuss issues important to their communities. Many of our members also take advantage of this time at the Statehouse to set-up "meet and greet" type meetings with their state legislators who may not have had the opportunity to attend the luncheon.

#### OML Legislative Bulletin

We encourage all our members to consider taking advantage of this time to join us for lunch with the legislature and help our state leaders craft smart solutions for all of Ohio.

#### **OML EXPANDS LOBBYING STAFF**

We are very happy to announce that the League's legislative team has gained a new member through the hiring of Josh Brown as the League's new Legislative Advocate. Josh joins the OML by way of the Ohio House of Representatives where he served as a Legislative Aide. Prior to joining the Ohio General Assembly, Josh served in the US Army and achieved the rank of Sergeant before earning his undergraduate degree from The Ohio State University in Political Science and Economics and later his law degree from the University of Toledo. Josh brings with him considerable experience on the federal level where he served as an intern for two of Ohio's US Senators and in the legal field where he gained valuable experience as a Law Clerk. We look forward to Josh's contributions to our legislative advocacy efforts on behalf of our members as we begin the 130th General Assembly. Welcome aboard, Josh!

#### Past Bulletins:

<u>2012</u>	
<u>2011</u>	
<u>2010</u>	