
Memorandum

To: Mayor & Members of Council
From: Jon A. Bisher
Subject: General Information
Date: March 14, 2014

CALENDAR

AGENDA - City Council Meeting

Monday, March 17th @ 7:00 pm

C. APPROVAL OF MINUTES

1. The Meeting Minutes from March 3, 2014 are enclosed.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 010-14** an Ordinance Amending Section 931.07 Increasing Water Rates for Bulk Sales for the Years 2014, 2015 and 2016, Establishing a Weekend Testing Fee, and Increasing Fees for Testing; and Declaring an Emergency. (Suspension Requested)
2. **Ordinance No. 011-14** an Ordinance of Napoleon City Council Establishing a Zoning Classification for Territory Containing 55.062 Acres of Land, more or less, in the City of Napoleon; and Declaring an Emergency. (Suspension Requested)
3. **Ordinance No. 012-14** an Ordinance Vacating a Certain Alley Located between the Residences of 512 and 514 West Clinton Street and 508 West Clinton Street Lots 22 and 23 in A.H. Tyler's Third Addition of the City of Napoleon, Henry County, Ohio.
4. **Ordinance No. 013-14** an Ordinance Vacating a Certain Alley located behind 619 South Perry Street Lots 41 and 42 in E.T. Barnes First Addition of the City of Napoleon, Henry County, Ohio.
5. **Resolution No. 014-14** a Resolution to Approve and Consent to the Assignment of the Community Reinvestment Area Agreement from MMD&H Holdings, LLC to MWA Enterprises, Ltd.; and Declaring an Emergency. (Suspension Requested)
6. **Resolution No. 015-14** a Resolution Authorizing Jon Bisher to Represent the City of Napoleon, Ohio as a Member of the Board of Trustees of American Municipal Power-Ohio, Inc. and making the City Manager an Alternate; Repealing Resolution No. 044-04 and Declaring an Emergency. (Suspension Requested)
7. **Resolution No. 016-14** a Resolution Authorizing the City Manager to Enter into a Contract for the Purchase of Sodium Chloride in Cooperation with ODOT; and Declaring an Emergency. (Suspension Requested).

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS - None

I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS - None

J. GOOD OF THE CITY (*Discussion/Action*)

1. **Approval of a Self-Funded Rate Levelization for City Customers, using Electric Revenue Fund Reserves in the Amount of \$115,798.74 to Offset Higher Supply Costs Caused by Extreme Weather Conditions in January 2014.**
2. **Recommendation to Approve March, 2014 Billing Determinants**
3. **Approval of Plans and Specifications for Northcrest Circle Improvements (CDBG Project)** – a Memorandum from Chad is enclosed, a copy of the plans and specifications are on file with the Finance Director’s office.
4. **Approval of Professional Services Contract with Stantec Consulting Services Inc for the VanHying Interceptor (L.T.C.P. Project No. 22), East Riverview Interceptor (L.T.C.P. Project No. 23), and Front Street Interceptor (L.T.C.P. Project No. 25) Inflow & Infiltration (I/I) Reduction Studies**
 - a. Chad’s Memorandum is attached with his recommendation to award this contract to Stantec Consulting Services Inc.
5. **Sewer Laterals Cost Responsibility and Assessments**

MEETINGS/CANCELLATIONS

1. *Agenda – Tree Commission* – Monday, March 17th @6:00 pm
2. *Cancellation – Parks & Recreation Committee*
3. *AGENDA – Personnel Committee* - Saturday, March 22nd at 9:00 am

INFORMATIONAL ITEMS

1. We will be asking for an Executive Session to talk about Police bargaining. Fred Lord will be here.
2. Attached is information related to the *Dog Park Proposal* presented to the Parks & Rec Board at their March 5th meeting.
3. AMP Update/March 14, 2014
4. **HB 5** – The Good, The Bad, and The Ugly (Corrected)

February 2014							March 2014							April 2014						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1						1		1	2	3	4	5		
2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28		23	24	25	26	27	28	29	27	28	29	30			
							30	31												

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
23	24	25	26	27	28	1
						BISHER - Off
2	3	4	5	6	7	8
BISHER - Off	7:00 PM City COUNCIL Meeting Greg Heath - OFF	Greg Heath - OFF	6:30 PM Parks & Rec Board Meeting 6:30 PM Personnel Committee Meeting Greg Heath - OFF	Greg Heath - OFF	Greg Heath - OFF	APPA Conf @ D.C. - Bisher
9	10	11	12	13	14	15
APPA Conf @ D.C. - Bisher	6:30 PM ELECTRIC Committee Board of Public Affairs 7:00 PM Personnel Committee APPA Conf @ D.C. - Bisher	5:00 PM Planning Commission Mtg. 7:00 PM Personnel Committee APPA Conf @ D.C. - Bisher	7:00 PM Personnel Committee APPA Conf @ D.C. - Bisher	APPA Conf @ D.C. - Bisher		
16	17	18	19	20	21	22
ROX - Vacation	6:00 PM City TREE Commission Meeting 7:00 PM City COUNCIL Meeting ROX - Vacation	ROX - Vacation	AMP - Bisher ROX - Vacation	AMP - Bisher ROX - Vacation	ROX - Vacation	9:00 AM Personnel Committee ROX - Vacation
23	24	25	26	27	28	29
BISHER - AMP/Phoenix, AZ	6:30 PM Finance & Budget Committee Mtg. 7:30 PM Safety & Human Resources Committee Mtg. BISHER - AMP/Phoenix, AZ	BISHER - AMP/Phoenix, AZ	BISHER - AMP/Phoenix, AZ	BISHER - AMP/Phoenix, AZ	BISHER - AMP/Phoenix, AZ	BISHER - AMP/Phoenix, AZ
30	31	1	2	3	4	5
BISHER - AMP/Phoenix, AZ		BISHER - Off PM				

City of Napoleon, Ohio

CITY COUNCIL

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

MEETING AGENDA

Monday, March 17, 2014 at 7:00 pm

- A. **Attendance** *(Noted by the Clerk)*
- B. **Prayer & Pledge of Allegiance**
- C. **Approval of Minutes:** March 3 *(In the absence of any objections or corrections, the minutes shall stand approved.)*
- D. **Citizen Communication**
- E. **Reports from Council Committees**
 - 1. **Personnel Committee** *(Majority Report)* met on March 5, March 10, March 11, and March 12, and discussed:
 - a. Review of City Manager Applications
 - 2. **Electric Committee** *(Majority Report)* met on Monday, March 10 and recommended:
 - a. Approval of a self-funded rate levelization for City customers, using Electric Revenue Fund Reserves in the amount of \$115,798.74, to offset higher supply costs caused by extreme weather conditions in January 2014
 - b. Approval of March billing determinants
 - 3. **Water, Sewer, Refuse, Recycling & Litter Committee** and **Municipal Properties, Buildings, Land Use & Economic Development Committee** did not meet on Monday, March 10 due to lack of agenda items.
 - 4. **Parks & Recreation Committee** did not meet on Monday, March 17 due to lack of agenda items.
- F. **Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*
 - 1. **Parks and Recreation Board** met on Wednesday, March 5 with the following agenda item:
 - a. Dog Park Proposal
 - 2. **Board of Public Affairs** met on Monday, March 10 with the following agenda items:
 - a. Review of Electric Billing Determinants
 - b. Electric Department Report
 - c. Bacteria Sampling Rate Change
 - 3. **Board of Zoning Appeals** did not meet on Tuesday, February 11 due to lack of agenda items.
 - 4. **Planning Commission** met on Tuesday, February 11 with the following agenda items:
 - a. PC 14-04 First Federal, Re-plat
 - b. PC 14-01 Hahn, Alley Vacate
 - c. PC 14-02 Quilter's Hideaway, Alley Vacate
 - d. PC 14-03 725 Westmoreland Avenue, Map Change
 - 5. **Tree Commission** met tonight with the following agenda items:
 - a. Spring Planting Program
 - b. Arbor Day Observance
- G. **Introduction of New Ordinances and Resolutions**
 - 1. **Ordinance No. 010-14**, An Ordinance amending Section 931.07 increasing water rates for bulk sales for the years 2014, 2015, and 2016, establishing a weekend testing fee, and increasing fees for testing; and declaring an Emergency
 - 2. **Ordinance No. 011-14**, an Ordinance of Napoleon City Council establishing a zoning classification for territory containing 55.062 acres of land more or less, in the City of Napoleon; and declaring an Emergency
 - 3. **Ordinance No. 012-14**, an Ordinance vacating a certain alley located between the residences of 512 and 514 West Clinton Street and 508 West Clinton Street lots 22 and 23 in in A.H. Tyler's Third Addition of the City of Napoleon, Henry County, Ohio
 - 4. **Ordinance No. 013-14**, an Ordinance vacating a certain alley located behind 619 South Perry Street lots 41 and 42 in E.T. Barns First Addition of the City of Napoleon, Henry County, Ohio
 - 5. **Resolution No. 014-14**, a Resolution to approve and consent to the assignment of the Community Reinvestment Area Agreement from MMD&H Holdings, LLC to MWA Enterprises, LTD; and declaring an Emergency *(Suspension Requested)*

6. Resolution No. 015-14, a Resolution authorizing Dr. Jon Bisher to represent the City of Napoleon, Ohio as a member of the Board of Trustees of American Municipal Power-Ohio Inc. and making the City Manager an alternate; repealing Resolution No. 044-04, and declaring an Emergency (*Suspension Requested*)

7. Resolution No. 016-14, a Resolution authorizing the City Manager to enter into a contract for the purchase of Sodium Chloride in cooperation with ODOT; and declaring an Emergency (*Suspension Requested*)

H. Second Readings of Ordinances and Resolutions

There are no second readings of Ordinances and Resolutions.

I. Third Readings of Ordinances and Resolutions

There are no third readings of Ordinances and Resolutions.

J. Good of the City *Any other business as may properly come before Council, including but not limited to:*

1. Discussion/Action: Approval of a self-funded rate levelization for City customers, using Electric Revenue Fund Reserves in the amount of \$115,798.74, to offset higher supply costs caused by extreme weather conditions in January 2014.

2. Discussion/Action: Recommendation to approve March billing determinants as follows:
Generation Charge: Residential @ \$0.08563; Commercial @ \$0.10566; Large Power @ \$0.05995; Industrial @ \$0.05995; Demand Charge Large Power @ \$12.57; Industrial @ \$13.63; JV Purchased Cost: JV2 @ \$0.05452; JV5 @ \$0.05452

(Billing determinants for February: Generation Charge: Residential @ \$0.08415; Commercial @ \$0.09993; Large Power @ \$0.05951; Industrial @ \$0.05951; Demand Charge Large Power @ \$11.56; Industrial @ \$12.72; JV Purchased Cost: JV2 @ \$0.02814; JV5 @ \$0.02814)

3. Discussion/Action: Approval of plans and specifications for Northcrest Circle Improvements Project (CDBG Project)

4. Discussion/Action: Approval of Professional Services contract with Stantec Consulting for the VanHyning I/I Study

5. Discussion/Action: Sewer Lateral Costs and Responsibility

K. Executive Sessions:

1. Pending Litigation
2. Pending Litigation
3. Employment of Personnel

L. Approve Payment of Bills and Approve Financial Reports *(In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)*

M. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

1. Technology & Communication Committee (1st Monday)

(Next Regular Meeting: Monday, April 7 @ 6:15 pm)

2. Electric Committee (2nd Monday)

(Next Regular Meeting: Monday, April 14 @ 6:30 pm)

a. Review of Electric Billing Determinants

b. Electric Department Report

3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)

(Next Regular Meeting: Monday, April 14 @ 7:00 pm)

4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)

(Next Regular Meeting: Monday, April 14 @ 7:30 pm)

a. Updated Info from Staff on Economic Development (as needed)

5. Parks & Recreation Committee (3rd Monday)

(Next Regular Meeting: Monday, April 21 @ 6:15 pm)

6. Finance & Budget Committee (4th Monday)

(Next Regular Meeting: Monday, March 24 @ 6:30 pm)

7. Safety & Human Resources Committee (4th Monday)

(Next Meeting: Monday, March 24 @ 7:30 pm)

2014 Regular Meetings with Townships scheduled for February and November

8. Personnel Committee (As needed)

B. Items Referred or Pending In Other City Committees, Commissions & Boards

1. Board of Public Affairs (2nd Monday)

(Next Regular Meeting: Monday, April 14 @ 6:30 pm)

a. Review of Electric Billing Determinants

b. Electric Department Report

2. Board of Zoning Appeals (2nd Tuesday)

(Next Regular Meeting: Tuesday, April 8 @ 4:30 pm)

3. Planning Commission (2nd Tuesday)

(Next Regular Meeting: Tuesday, April 8 @ 5:00 pm)

4. Tree Commission (3rd Monday)

(Next Regular Meeting: Monday, April 21 @ 6:00 pm)

5. Civil Service Commission (4th Tuesday)

(Next Regular Meeting: Tuesday, March 25 @ 4:30 pm)

6. Parks & Recreation Board (Last Wednesday)

(Next Regular Meeting: Wednesday, March 26 @ 6:30 pm)

7. Privacy Committee (2nd Tuesday in May & November)

(Next Regular Meeting: Tuesday, May 13 @ 10:30 am)

8. Records Commission (2nd Tuesday in June & December)

(Next Regular Meeting: Tuesday, June 10 @ 4:00 pm)

9. Housing Council (1st Monday of the month after the TIRC meeting)

(Next Regular Meeting: Monday, May 5, 2014 @ 6:30 pm)

10. Health Care Cost Committee (As needed)

11. Preservation Commission (As needed)

12. Infrastructure/Economic Development Fund Review Committee (As needed)

13. Tax Incentive Review Council (As needed)

14. Volunteer Firefighters' Dependents Fund Board (As needed)

15. Lodge Tax Advisory & Control Board (As needed)

16. Board of Building Appeals (As needed)

17. ADA Compliance Board (As needed)

18. NCTV Advisory Board (As needed)

Acceptance: Project Title 3 Mobile Computers

mobile computers; this grant was approved for two (2) mobile computers in the previous year; this grant runs from February 2014 through August 2014 and completes the mobile computer replacements. This Grant is a 10% match; the funds are already listed in the Capital Budget approved by Council.

Motion To Accept JAG LE Grant

Motion: Wilson Second: Ridley
To accept the JAG LE Grant of \$6,750 for Project Title 3 Mobile Computers

Passed
Yea- 6
Nay- 0

Roll call vote on above motion:
Yea- Helberg, Sheaffer, Maassel, Wilson, Marihugh, Ridley
Nay-

Review Of Note Bids On New Water Plant

Peddicord stated there were eight (8) bids on the note with P & C Bank being the top bid; see attached memo.

No Action Taken

No action was taken.

Approval Of Specifications For Mini-Excavator

Lulfs distributed a memo in the Council packet regarding the specifications for the mini-excavator to be approved so it may go out for bids; see attached.

Lulfs stated the mini-excavator was included in the 2014 Budget, with an estimated cost of \$100,000 with a trade-in valued at \$20,000, leaving an estimated total cost of \$80,000.

Maassel asked if there was a trailer to transport the mini-excavator available; Lulfs replied that a trailer was purchased out of necessity at an earlier date, and the only items to be purchased at this time will be the mini-excavator and the accessories.

Marihugh suggested that he could not understand the specifications written by Lulfs, adding that in his opinion, the specifications should be more specifically detailed regarding any requirements, abstaining from using the phrasing 'equivalent or equal'; Lulfs replied that the specifications were written based on machine size; Rathge added the restriction of zero tail swing was listed as the requirement. Marihugh asked if the mini-excavator could be purchased off State contract; Rathge stated there were none with zero tail swing available through State contract. Hayberger stated there were no issues with the specifications for the mini-excavator.

Motion To Approve Specifications For Mini-Excavator

Motion: Marihugh Second: Sheaffer
To approve the specifications for the mini-excavator

Passed
Yea- 6
Nay- 0

Roll call vote on above motion:
Yea- Helberg, Sheaffer, Maassel, Wilson, Marihugh, Ridley
Nay-

Sewer Lateral Cost Responsibility And Assessments

Bisher stated that no figures were changed in the spreadsheet that was distributed at the last meeting, and Hayberger had created a Strawman Policy to distribute; see attached.

Hayberger is researching the definition of 'customer' as it is written in the policy to determine if a City sewer line that spans past City limits is defined as a City customer and if the City can legally make repairs on that sewer line. Marihugh gave the example of Independence Drive; the City has maintained the line and flushed the fire hydrants at that location in the past; Helberg stated that annexation is the process

used for customers past City limits to be covered by City services.

Bisher discussed the figures with Finance Director Heath and suggested that each customer be billed, not just each line as is currently done with stormwater billing; there may be a multi-user line, each user enjoys benefits from the sewer service; if this is the case, the flat fee per customer will be close to \$1.50 - \$2.00 per customer.

Sheaffer stated he is not in favor of an 'up to' cost; stating that he believes that sewer repairs are equivalent to the electric utility repairs which includes the electric poles, and the fee and rates should cover this; Sheaffer added that he is not in favor of retroactive payments to customers other than the Langes; the policy should state an effective date and move forward. Ridley agreed, adding the \$2,000 deductible on the approximate eleven (11) repairs per year is a savings of only \$0.35 per month. Sheaffer suggested the fee be set for a set period of time to build up the Reserve Account and adjust the fee at budget time to keep the Account at a minimum balance and to show the customers that this is being monitored. Bisher stated that a flat fee is currently charged for stormwater which allows the sewer rates to increase moderately to keep those rates as steady and as low as possible. Bisher reminded Council this would be an Enterprise Fund and the amounts and number of times used could be tracked with a budget line item.

Sheaffer restated that he considers this an infrastructure repair when it is located in the right-of-way; Maassel stated that he believes there should be no deductible and no retroactive payments before the year 2013, adding that he believes that 2013 should be equal to 2014 payments since this discussion began in 2013.

Sheaffer added that verbage stating that cleaning out the sewer lines should be the responsibility of the homeowner. Bisher stated that other cities have written in their policies that the homeowner must demonstrate that they attempted to clean out the sewer lines and it is not the lateral that is plugged before the cities will begin the repair process for the residents; Lulfs stated that the Village of Paulding documents their time and materials used during a sewer repair to bill the customer if the repair is decided to be the homeowner's responsibility, and the City of Wauseon takes responsibility under the pavement, directing the homeowner to excavate the line to show the need of repair; Sheaffer asked if this could be determined by putting a camera in the line; Lulfs replied that this method could sometimes be used; the City has a small push camera but not all lines have cleanouts so the line may need to be excavated and a hole created to put the camera in the line. Marihugh agreed that it should be the homeowner's responsibility to prove the repair is the City's issue, adding that the ownership line should be at the curbstop. Lulfs stated that if the City works on a repair at a residence, a cleanout at the right-of-way should be required, giving an access point; the cost of this would be only a few hundred dollars if the equipment were already at the site; Lulfs distributed this information at a prior meeting.

Helberg asked what the process would be on an undeveloped lot with no current tap; Bisher stated that it would still be the homeowner responsibility to create the tap and the cost would be assessed.

Bisher stated that if Council decides not to make retroactive payments, the Langes would not be ignored; there have been cases in which the City determined if the City was responsible for the repair costs and an agreement was reached with the homeowner; Bisher suggested researching the Lange incident to come to a decision as to responsibility of cost, and if the Langes are unhappy with the decision, then

they could discuss this with Hayberger. Sheaffer stated he preferred this process.

Maassel asked on which date the policy would begin; Hayberger restated that he prefer the begin date to be the date of enactment and to move forward with no retroactive payments; Marihugh, Sheaffer and Helberg agreed if a case by case review is used.

Marihugh asked if a mainline camera was used on Clinton Street prior to the Lange incident; Rathge will research this.

Ridley stated his concern of the chance of increased litigation associated with the inconsistency of application with Bisher making the decision of responsibility on case by cases bases instead of having a written policy; Ridley added that he is in favor of a phased back reimbursement policy for retroactive payments. Ridley stated that the Mayor threatened to veto policy that included any retroactive payments. Bisher replied that one (1) person consistently making the decisions is more consistent than a policy written by seven (7) people who change regularly. Wilson agreed with Ridley and added that the repairs could be reviewed on a case by case basis and use the policy to set the amount to be reimbursed. Bisher stated he looks for the mitigating circumstances in every case and documents all of the findings; adding that most people are acceptable to the results if they know that the City is trying to work with them to resolve the issue. Ridley stated he had no intent of restricting the authority of the City Manager, but this process gives residents more room to feel as though they've been treated unfairly. Sheaffer suggested striking Section B and the retroactive payment schedule from the policy.

Hayberger To Bring Policy To Next Council Meeting

Hayberger will bring a policy to the March 17, 2014 Council meeting for review.

Bisher

Bisher stated that the repairmen are continuing to come out to the North and South ends of the intersection of Scott Street and Clinton Street since there are issues with the traffic lights; the lights are currently on a mandatory loop setting, and the wait at the lights may seem longer than needed but options are being pursued for fixing the lights.

Bisher answered Marihugh's question from last Council meeting regarding Point A on the Safe Routes To School Program (the area of limited access over Glenwood Avenue); Lulfs added that the proposal in the estimates for the application included having the sidewalk in the right-of-way on the West side and restriping Glenwood Avenue as it goes over the overpass of Route 24 with the existing bike path/walkway on one (1) side; Lulfs stated a permit will need to be issued for this but the City is working with ODOT on approximately fifteen (15) smaller projects in the existing right-of-way so the permit will not be an issue. Marihugh asked if Lulfs was comfortable with this being called a sidewalk or should it be considered a bike lane since there is no delineation; Lulfs replied that ODOT has required the roadway to have a multi-use bike path; requiring a seven (7) foot sidewalk if at grade or an eight (8) foot sidewalk on the back of a curb. Lulfs stated this grant had been previously applied for at the Riverview Avenue and Scott Street intersection for the signals and the realignment of the geometry to make it safer for students to cross to get to the school but it is not a ninety degree (90°) intersection, with an estimated cost of approximately \$500,000 of which \$200,000 was approved which would cover the cost of the signals but because the school is moving, the City gave the money back. Lulfs stated if a portion of the grant is approved the City will work with the schools

<p>Enhanced Crosswalks</p>	<p>and the Safe Routes To School Committee to determine which of the projects would be most crucial in getting the students to school safely. Helberg asked if Lulfs remembered the listing of locations for the projects, Lulfs replied: Enhanced striping for the crosswalks and a rapid flashing beacon when students are crossing include the intersections: Kenilworth Avenue and Glenwood Avenue; and Clairmont Avenue and Glenwood Avenue.</p>
<p>Crosswalks</p>	<p>Crosswork work included the intersections: Glenwood Avenue and Woodlawn Avenue; and Clairmont Avenue and Woodlawn Avenue.</p>
<p>Rapid Flashing Beacon</p>	<p>Rapid flashing beacon installation included the intersection: Kenilworth Avenue and Briarheath Avenue.</p>
<p>Sidewalk Extensions</p>	<p>Sidewalk extension work included the intersections: East side of Glenwood Avenue across from the little league diamond; and Glenwood Avenue to the trailer court.</p>
<p>Sidewalk/Crosswalk</p>	<p>Sidewalk and crosswalk work included the intersections: Westmoreland Avenue.</p>
	<p>Lulfs added this is the first project that the State has considered for a school that has not yet been built; the State has encouraged the City to apply for the grant and this project may be used as a model for future projects. Lulfs stated the school travel plan required counts of students, vehicle traffic, number of students walking to school and number of students dropped off at school which is information that the City does not have yet. Lulfs added that future projects may include Jahns Road and Rivera Heights to get that area connected to the safe routes program. Lulfs stated that Scott Street under the bypass is not included in this grant because it is located too far away from the school to score toward the grant.</p> <p>Bisher stated the EOC was opened last week due to the roof collapse and release of ammonia at Cloverleaf Cold Storage and three (3) methods were used to inform the public: the WENS system; immediate posting to the City website; and posting to the City and the County Facebook pages. Bisher stated these methods of sharing information are effective because the media was reporting the incident within five (5) minutes. Marihugh stated he did not receive the information from the WENS system; Bisher reminded Marihugh that the WENS system must be signed up for.</p>
<p>Hayberger</p>	<p>None</p>
<p>Wilson</p>	<p>None</p>
<p>Maassel</p>	<p>Maassel congratulated local high school athletes including wrestler Seth Beard, and the Napoleon Bowling team.</p> <p>Maassel congratulated the Maumee Valley Civic Theater on their production of the <i>Complete Works of William Shakespeare Abridged</i> which he attended.</p> <p>Maassel asked about the plan to fix the list of unrepaired streets; Lulfs stated these streets are being repaired sporadically, funded by the CDBG Grant, and will be fixed as directed by Council, but all streets on the list are in dire need of repair. Lulfs stated projects will still be requested in the budget; Dodd Street will either be</p>

Nay- 0
Adjournment

Nay-
Meeting adjourned at 8:53 pm.

Approved:

John A. Helberg, Council President

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

DRAFT

ORDINANCE NO. 010-14

AN ORDINANCE AMENDING SECTION 931.07 INCREASING WATER RATES FOR BULK SALES FOR THE YEARS 2014, 2015 AND 2016, ESTABLISHING A WEEKEND TESTING FEE, AND INCREASING FEES FOR TESTING; AND DECLARING AN EMERGENCY

WHEREAS, the Board of Public Affairs and the Water and Sewer Committee of Council in a regular council meeting held on March 10, 2014, reviewed the existing water rates and determined a rate increase over a three year period for 2014, 2015 and 2016 is necessary in order to keep the water utility fund sound; Now Therefore,

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

Section 1. That, Section 931.07 of the Codified Ordinances of the City of Napoleon, Ohio, shall be amended and enacted as follows:

“931.07 WATER RATES.

The water rates charged by the City shall be as follows except as may otherwise be permitted by rule:

- (a) A City approved water meter shall be utilized for determining use of water.
- (b) The following rates are established and shall be charged to all classes of water users, until otherwise changed.

- (1) Effective with the first billing cycle in the year 2013, to be reflected in the first billing in February of the year 2013, except for direct sales as established in subsection (b)(1)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(2) hereof.

The commodity charge shall be computed as follows:

- A. Units of water used inside the corporation:
 - Units: 1 up to 10 = \$4.75 each unit, then
 - Units: 11 up to 250 = \$4.50 each unit, then
 - Units: Over 250 = \$3.30 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation: *
 - Units: 1 up to 10 = \$7.13 each unit, then
 - Units: 11 up to 250 = \$6.75 each unit, then
 - Units: Over 250 = \$4.95 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: \$7.71 per 1,000 gallons.

- (2) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58

C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 and up	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(3) Effective with the first billing cycle in the year 2014, to be reflected in the first billing in February of the year 2014, except for direct sales as established in subsection (b)(3)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(4) hereof. The commodity charge shall be computed as follows:

A. Units of water used inside the corporation:
Units: 1 up to 10 = \$4.90 each unit, then
Units: 11 up to 250 = \$4.65 each unit, then
Units: Over 250 = \$3.45 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

B. Units of water used outside the corporation: *
Units: 1 up to 10 = \$7.35 each unit, then
Units: 11 up to 250 = \$6.98 each unit, then
Units: Over 250 = \$5.18 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

C. Direct sales at the plant: ~~\$7.71~~ \$7.94 per 1,000 gallons.

(4) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(5) Effective with the first billing cycle in the year 2015, to be reflected in the first billing in February of the year 2015, except for direct sales as established in subsection (b)(5)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(6) hereof.

The commodity charge shall be computed as follows:

- A. Units of water used inside the corporation:
 Units: 1 up to 10 = \$5.05 each unit, then
 Units: 11 up to 250 = \$4.80 each unit, then
 Units: Over 250 = \$3.60 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation: *
 Units: 1 up to 10 = \$7.58 each unit, then
 Units: 11 up to 250 = \$7.20 each unit, then
 Units: Over 250 = \$5.40 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: ~~\$7.71~~ \$8.18 per 1,000 gallons.

(6) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity Of Service (Meter size in Inches)	Capacity Charge (Inside Corporation)	Capacity Charge (Outside Corporation)*
A. 1.00 And Less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(7) Effective with the first billing cycle in the year 2016, to be reflected in the first billing in February of the year 2016, except for direct sales as established in subsection (b)(7)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(8) hereof. The commodity charge shall be Computed as follows:

- A. Units of water used inside the corporation:
 Units: 1 up to 10 = \$5.20 each unit, then
 Units: 11 up to 250 = \$4.95 each unit, then
 Units: Over 250 = \$3.75 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation:*
- Units: 1 up to 10 = \$7.80 each unit, then
 - Units: 11 up to 250 = \$7.43 each unit, then
 - Units: Over 250 = \$5.63 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: ~~\$7.71~~ **\$8.43** per 1,000 gallons.

(8) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	\$11.07	\$16.60
B. 1.25	39.72	59.58
C. 1.50	62.93	94.41
D. 2.00	128.01	192.02
E. 3.00 AND UP	353.14	529.68
F. 4.00	600.00	900.00
G. 6.00	1,000.00	1,500.00
H. 8.00	1,500.00	2,250.00
I. 10.00 AND UP	2,000.00	3,000.00

(c) The capacity of service shall be determined by the City and, normally, shall be equal to the size of the consumer's water meter.

*Except for bulk sales direct from the Water Plant, both capacity and commodity water charges outside the City are charged at approximately fifty percent (50%) higher than in the City, unless otherwise modified by rule or terms of a contract. Nothing in this section shall be construed to prohibit the City from increasing or decreasing the percentage stated in a contract where not otherwise prohibited by law.

(d) No deduction in capacity charge (from the beginning of time) is applicable as it relates to governmental buildings, schools, and charitable institutions.

(e) Water testing fees shall be as follows:

- (1) Testing bacteria mmo/mugg /Smp ~~\$12.00~~ **\$20.00**
- (2) Calibrate chlorine meters /Mtr ~~\$25.00~~ **\$30.00**
- (3) **TESTING FOR SPECIAL SAMPLES /SMP \$40.00**
- (4) **WEEKEND TESTING FOR ANY SAMPLE/SMP \$100.00**

Section 2. That, Section 931.07 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 5. That, this Ordinance 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 proper funding for water operations, a service necessary for public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

John A. Helberg, Council President

Approved: _____

Ronald R. 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. 010-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 010-14 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

ORDINANCE NO. 011-14

**AN ORDINANCE OF NAPOLEON CITY COUNCIL
ESTABLISHING A ZONING CLASSIFICATION FOR
TERRITORY CONTAINING 55.062 ACRES OF LAND MORE OR
LESS, IN THE CITY OF NAPOLEON; AND DECLARING AN
EMERGENCY**

WHEREAS, Napoleon Area City School District Board of Education has successfully filed a petition with the Henry County Board of Commissions to annex territory consisting of 55.062 acres of land, more or less, to the City of Napoleon, said property was situated in the Township of Napoleon, County of Henry, State of Ohio; and,

WHEREAS, Section 1125.05 of the Codified Ordinances of Napoleon, Ohio provides that the Planning Commission, may by resolution recommend to the City Council that an Ordinance be adopted establishing the zoning district classification of such annexed land; and,

WHEREAS, the Planning Commission in PC-14-03 did make a recommendation; and,

WHEREAS, a public hearing on this proposed zoning was held by Planning Commission on March 11, 2014; Now Therefore,

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

Section 1. That, the land areas as reference in the preamble of this Resolution, more particularly described below, be zoned Planned Commercial District (C-4):

The property, prior to annexation, was situated in the Township of Napoleon, County of Henry, State of Ohio, but is more fully described in **Exhibit "A"**, which is attached and incorporated herein. Additionally, the property is known as Permanent Parcel No. 071500340100.

Section 2. That, the official zone map of the City be amended to reflect the zone so established by Section 1. of this Ordinance, said area is shown in **Exhibit "B"** which is attached and incorporated herein;

Section 3. That, it is the finding of this Council, that the City's zoning permitted uses in the annexed territory are not clearly incompatible with uses under the current county or township zoning in the adjacent land remaining in the township, from which the territory was annexed; therefore, the owner of the annexed territory is not at this time required to provide a buffer separating the uses of the annexed territory and the adjacent land remaining in the township.

Section 4. That, it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this 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, this Ordinance 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 assure the prompt and efficient conduct of the municipal operations and proper zoning classification related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and 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. 011-14 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

EXHIBIT "A"

P.O. Box 2628
6655 Providence Street
Whitehouse, Ohio 43571



www.garciasurveyors.com

6375 Riverside Drive,
Suite 55
Dublin, Ohio 43017

Phone (419) 877-0400
Fax (419) 877-1140

Phone (614) 389-3733
Fax (888) 316-3943

DBE Certified with ODOT
ODOT Prequalified for right-of-way development
MBE/EDGE Certified with the State of Ohio
MBE Certified with the City of Toledo

December 7, 2012

Napoleon School Site

A parcel of land being part of the Southeast Quarter (1/4) of Section fifteen (15), Town five (5) North, Range six (6) East in Napoleon Township, Henry County, Ohio, said parcel of land being bounded and described as follows:

Beginning at the intersection of the North line of said Southeast Quarter (1/4) of Section fifteen (15) with the East line of said Southeast Quarter (1/4) of Section fifteen (15), said East line of the Southeast Quarter (1/4) of Section fifteen (15) also being the centerline of Westmoreland Avenue, as it now exists, said point of intersection being marked with a found "X" cut in a monument box lid;

Thence in a southerly direction along said East line of the Southeast Quarter (1/4) of Section fifteen (15), having an assumed bearing of South one (01) degree, twelve (12) minutes, thirty-four (34) seconds West, a distance of one thousand seven hundred forty-eight and thirteen hundredths (1,748.13) feet to a point, said point being marked with a set Mag nail;

Thence North eighty-eight (88) degrees, forty-seven (47) minutes, twenty-six (26) seconds West along a line, passing through a set capped iron rebar at a distance of thirty and zero hundredths (30.00) feet and also passing through a set capped iron rebar at a distance of one thousand two hundred ninety-six and twelve hundredths (1,296.12) feet, a total distance of one thousand six hundred ninety-one and twelve hundredths (1,691.12) feet to the intersection of the centerline of Garrett Creek;

The following nine (09) courses follow on and along said centerline of Garrett Creek:

Thence North forty-four (44) degrees, six (06) minutes, thirty-five (35) seconds East, a distance of one hundred sixteen and seventy-nine hundredths (116.79) feet to a point;

Thence North thirteen (13) degrees, seventeen (17) minutes, forty-six (46) seconds East, a distance of one hundred twelve and eighty-nine hundredths (112.89) feet to a point;

Thence North eight (08) degrees, fifty-three (53) minutes, fourteen (14) seconds East, a distance of one hundred twenty-five and eighty-four hundredths (125.84) feet to a point;

Thence North thirty-three (33) degrees, fourteen (14) minutes, ten (10) seconds East, a distance of one hundred sixty-three and three hundredths (163.03) feet to a point;

DESCRIPTION VERIFIED
HENRY COUNTY ENGINEER
BY: *DZ* DATE: *12/11/13*

Thence North six (06) degrees, forty (40) minutes, thirty-seven (37) seconds East, a distance of ninety-five and forty-six hundredths (95.46) feet to a point;

Thence North twelve (12) degrees, fifteen (15) minutes, eight (08) seconds West, a distance of seventy-five and twenty-seven hundredths (75.27) feet to a point;

Thence North fifty-nine (59) degrees, forty-nine (49) minutes, eleven (11) seconds West, a distance of one hundred forty and fifty-six hundredths (140.56) feet to a point;

Thence North forty (40) degrees, forty-one (41) minutes, thirty-eight (38) seconds West, a distance of fifty-four and sixty-three hundredths (54.63) feet to a point;

Thence North thirty-three (33) degrees, thirty-three (33) minutes, forty-nine (49) seconds West, a distance of sixty-nine and fifty-seven hundredths (69.57) feet to the intersection of the southeasterly right-of-way line of U.S. Route 24, as it now exists;

The following two (02) courses follow on and along said southeasterly right-of-way line of U.S. Route 24, as it now exists:

Thence North fifty (50) degrees, thirteen (13) minutes, forty-two (42) seconds East, passing through a set capped iron rebar at a distance of twenty-eight and twenty-one hundredths (28.21) feet, a total distance of sixty-seven and twenty-one hundredths (67.21) feet to a point, said point being marked with a set capped iron rebar;

Thence North forty-six (46) degrees, twenty-two (22) minutes, fifty-eight (58) seconds East, a distance of one thousand three hundred seven and twenty-three hundredths (1,307.23) feet to the intersection of said North line of the Southeast Quarter (1/4) of Section fifteen (15);

Thence South eighty-seven (87) degrees, fifty-six (56) minutes, fifty-nine (59) seconds East along said North line of the Southeast Quarter (1/4) of Section fifteen (15), passing through a set capped iron rebar at a distance of six hundred eighty-four and forty-six hundredths (684.46) feet, a total distance of seven hundred fourteen and forty-six hundredths (714.46) feet to the Point of Beginning.

Said parcel of land containing an area of 2,398,517 square feet or 55.062 acres of land, more or less. Subject to legal highways.

Said parcel of land having a present road occupied area of 52,451 square feet or 1.204 acres of land, more or less.

The above described parcel of land is subject to any and all leases, easements or restrictions of record.

December 7, 2012
Napoleon School Site

The bearings used hereon are based on an assumed meridian and are solely for the purpose of calculating angular measurement.

Prior Deed Reference is Volume 238, Page 1926, Henry County Deed Records.

Said set capped iron rebar being a 5/8" diameter with a plastic cap stamped "PS 6842".

The above described is based on an actual field survey performed under my supervision during August, 2012 and November, 2012.



Prepared by:
Garcia Surveyors, Inc.

A handwritten signature in black ink, appearing to read "S. N. Saneholtz", written over a faint grid.

Steven N. Saneholtz, P.S.
Registered Surveyor No. 6842

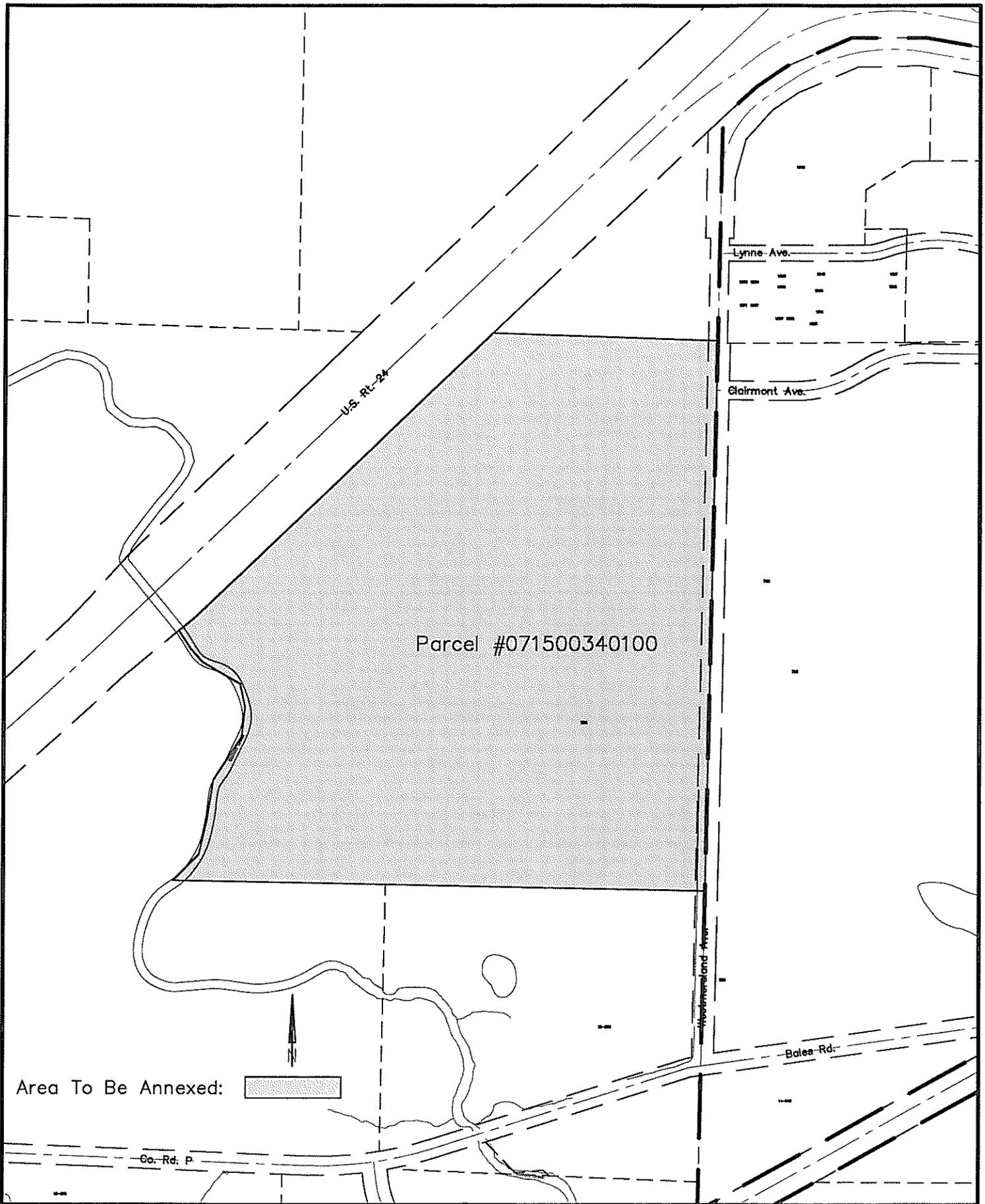


Exhibit "B"
725 Westmoreland
Annexation Plat

Created: 12/18/13
Plotted: 3/13/14
Scale: N.T.S.
Sheet 00 Of 00

PC 14-03
Zoning Map Change 725 Westmoreland

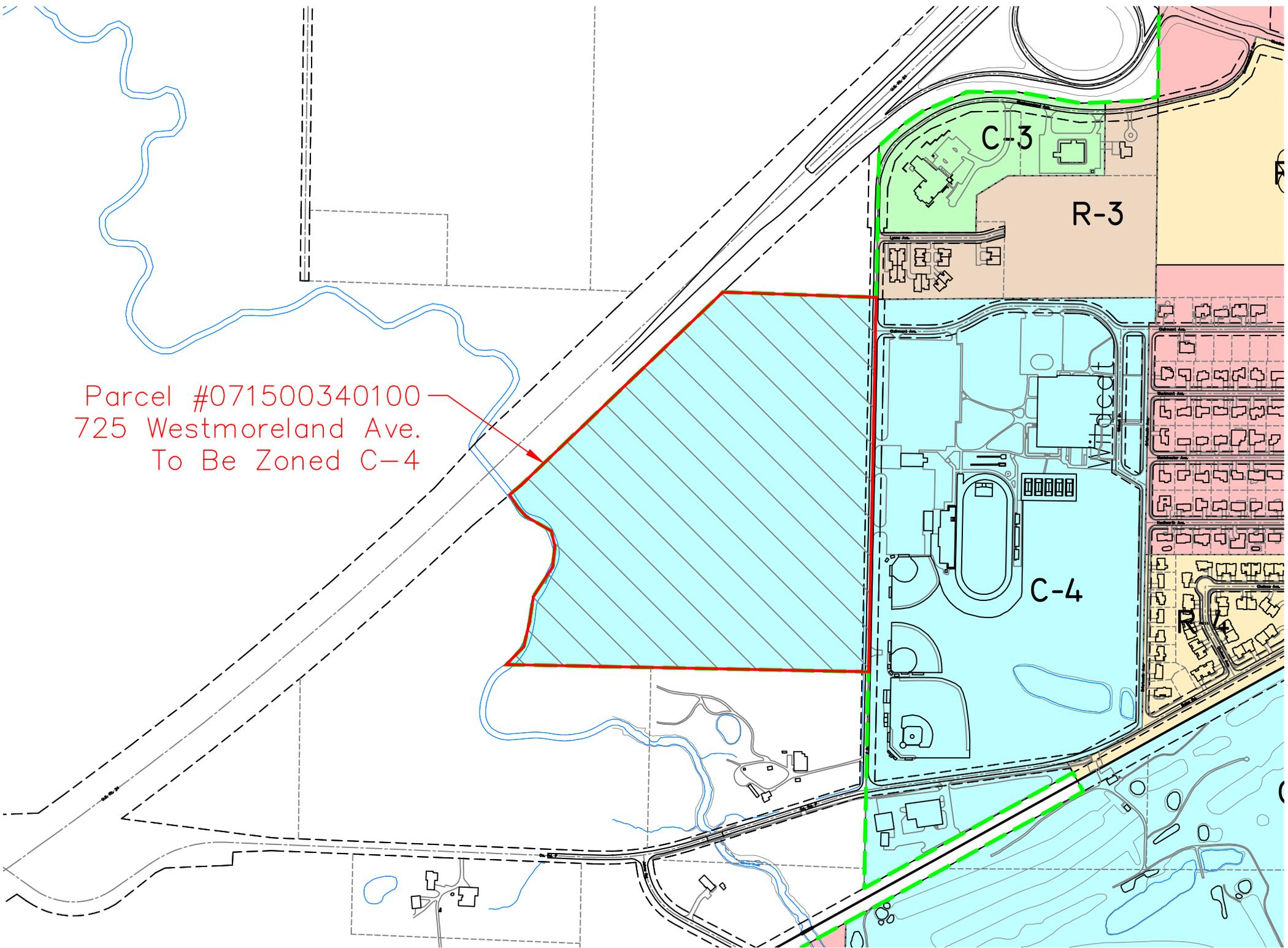
TO: The members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Zoning Map Change 725 Westmoreland
MEETING DATE: March 11, 2014 @ 5:00 p.m.

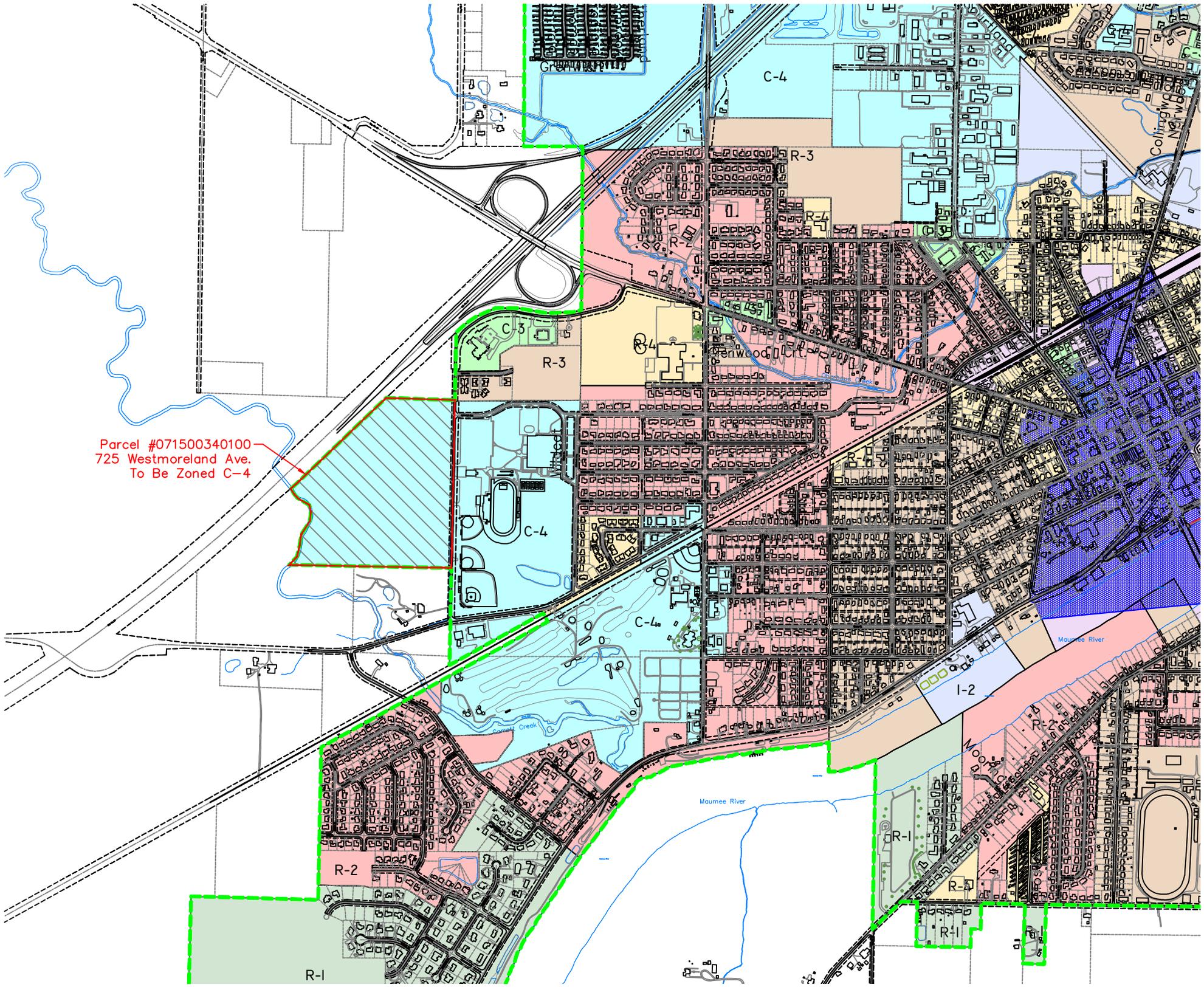
BACKGROUND: An application for public hearing has been filed by the City of Napoleon, Ohio requesting the Planning Commission to recommend a zoning classification and authorizing a change to the official Zone Map as it relates to the annexation of 55.062 acres owned by the Napoleon Area City School District at 725 Westmoreland.

RESEARCH & FINDINGS:

1. A Resolution accepting this Annexation was approved on January 20, 2014 by Napoleon City Council. Section 1125.05 states: Until such zone district is properly established, the zone district shall default to that designation assigned to the largest lot which is located in the City which the territory is attached. The largest lot is Zoned C-4, this is the existing High School across Westmoreland Ave., so this new territory defaults to a C-4 Zone. A Public School is permissible in a C-4 Zone and this zone would accommodate other commercial growth that may develop in that area. It is the recommendation of City Staff that the Official Zone Map is amended to show this annexed property in a C-4 Zone.

Parcel #071500340100
725 Westmoreland Ave.
To Be Zoned C-4





Parcel #071500340100
725 Westmoreland Ave.
To Be Zoned C-4

PLANNING COMMISSION RESOLUTION NO. PC 14-03

**A RESOLUTION OF THE CITY PLANNING COMMISSION
RECOMMENDING TO COUNCIL ZONING CLASSIFICATION
FOR TERRITORY CONTAINING 55.062 ACRES OF LAND
MORE OR LESS, KNOWN AS PARCEL NO. 071500340100
AND ADDRESSED AS 725 WESTMORELAND AVE.**

WHEREAS, Napoleon Area City School District caused to be filed a petition with the Henry County Board of Commissions to annex territory consisting of 55.062 acres of land, more or less, to the City of Napoleon, said property situated in the Township of Napoleon, County of Henry and State of Ohio, a parcel of land being part of the Southeast quarter of Section 15, Town 5 North, Range 6 East, parcel number of 071500340100 and addressed as 725 Westmoreland Ave; and,

WHEREAS, Section 1125.05 of the Codified Ordinances of Napoleon, Ohio provides that the Planning Commission, prior to annexation or within thirty (30) days after the annexation may by resolution recommend to the City Council and that an Ordinance be adopted establishing the zoning district classification of such annexed land; and,

WHEREAS, this Commission desires to make a recommendation; Now Therefore,

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
NAPOLEON, OHIO:**

Section 1. That, it recommends that the land areas as referenced in the preamble of this Resolution be zoned C- 4 (Planned Commercial); moreover, that pursuant to statute and/or ordinance, when the territory is annexed and becomes subject to the City's zoning, and the City zoning permitted uses in the annexed territory that the City determines are clearly incompatible with uses under the current county or township zoning in the adjacent land remaining in the township, from which the territory was annexed, require in any zoning ordinance permitting the incompatible uses, that the owner of the annexed territory provide a buffer separating the uses of the annexed territory and the adjacent land remaining in the township.

Section 2. That, it is recommended that the official zone map shall be amended to reflect the changes in zoning as recommended in Section 1 of this Resolution.

Section 3. That, this Resolution shall serve as a report from this Commission.

Section 4. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission 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 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 6. That, this Resolution shall take effect at the earliest time permitted by law.


Robert McLimans, Chairman

VOTE:

Member: Robert McLimans Yea Nay Abstain Absent

Member: Marv Barlow Yea Nay Abstain Absent

Member: Fredric Furney Yea Nay Abstain Absent

Member: Tim Barry Yea Nay Abstain Absent

Member: Mayor R. Behm Yea Nay Abstain Absent

ORDINANCE NO. 012-14

AN ORDINANCE VACATING A CERTAIN ALLEY LOCATED BETWEEN THE RESIDENCES OF 512 AND 514 WEST CLINTON STREET AND 508 WEST CLINTON STREET LOTS 22 AND 23 IN A.H. TYLER'S THIRD ADDITION OF THE CITY OF NAPOLEON, HENRY COUNTY, OHIO

WHEREAS, a petition was filed by a person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, located in A.H. Tyler's Third Addition of the City of Napoleon, Ohio pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission had a Public Hearing (PC-14-01), after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution PC-14-01 recommending that said alley be vacated by the Napoleon City Council; Now Therefore,

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

Section 1. That, this Council finds that there has been compliance with all applicable provisions of Chpt. 723 of the Ohio Revised Code and Chpt. 909 of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2 of this Ordinance, including but not limited to the notice requirement.

Section 2. That, this Council finds that there exists a petition signed by an authorized person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, more specifically, the alley located between 512 and 514 West Clinton Street and 508 West Clinton Street, Lots 22 and 23 in A.H. Tyler's Third Addition of the City of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator and as shown on Exhibit "A" which is attached and incorporated herein.

Section 3. That, this Council further finds there is good cause for such alley vacation as prayed for, that such vacation of the alley will not be detrimental to the general interests.

Section 4. That, the City Engineer is hereby instructed to present the vacation plat of said vacated alley to the Clerk of Council and the Clerk is instructed to endorse upon such plat, the action of this Council in vacating such alley and to cause this Ordinance and the said plat to be recorded in the office of the Recorder of Henry County, Ohio.

Section 5. That, the Clerk of Council is directed to notify the Auditor of Henry County, Ohio of the vacation, by sending a copy of this Ordinance.

Section 6. That, the directives as stated in Sections 4 and 5 of this Ordinance shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio.

Section 7. 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 8. 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 9. 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

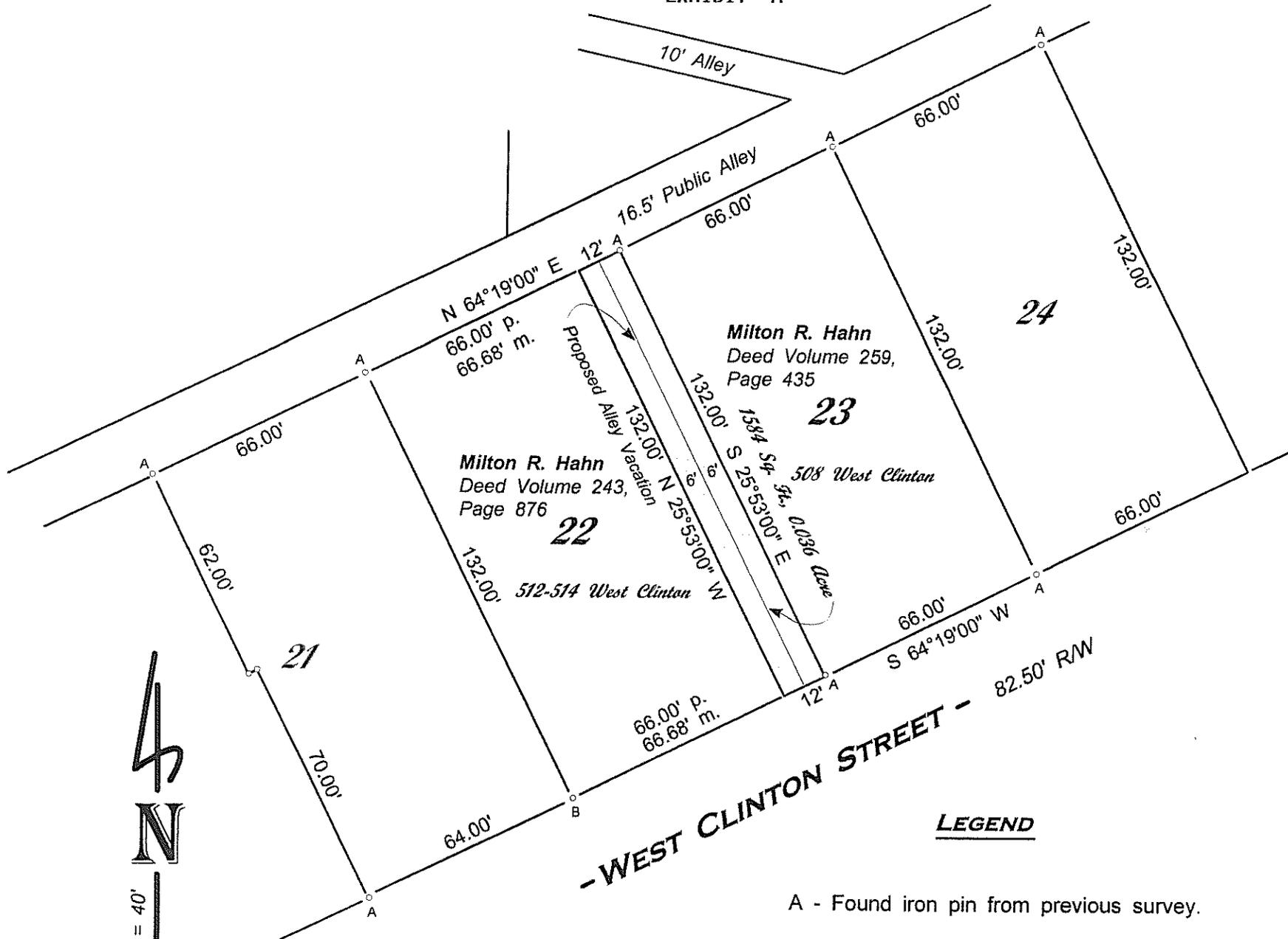
I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 012-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 19 ____; & I further certify the compliance with rules 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

west clinton alley vaca 012

**VACATION PLAT FOR THE ALLEY
BETWEEN LOTS NUMBERED 22 AND 23 IN A. H. TYLER'S THIRD ADDITION
TO THE CITY OF NAPOLEON, OHIO, HENRY COUNTY, OHIO**

EXHIBIT "A"



LEGEND

- A - Found iron pin from previous survey.
- B - Set iron pin this survey.

PC 14-01

Alley Vacation 512, 514 & 508 W. Clinton

TO: The members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

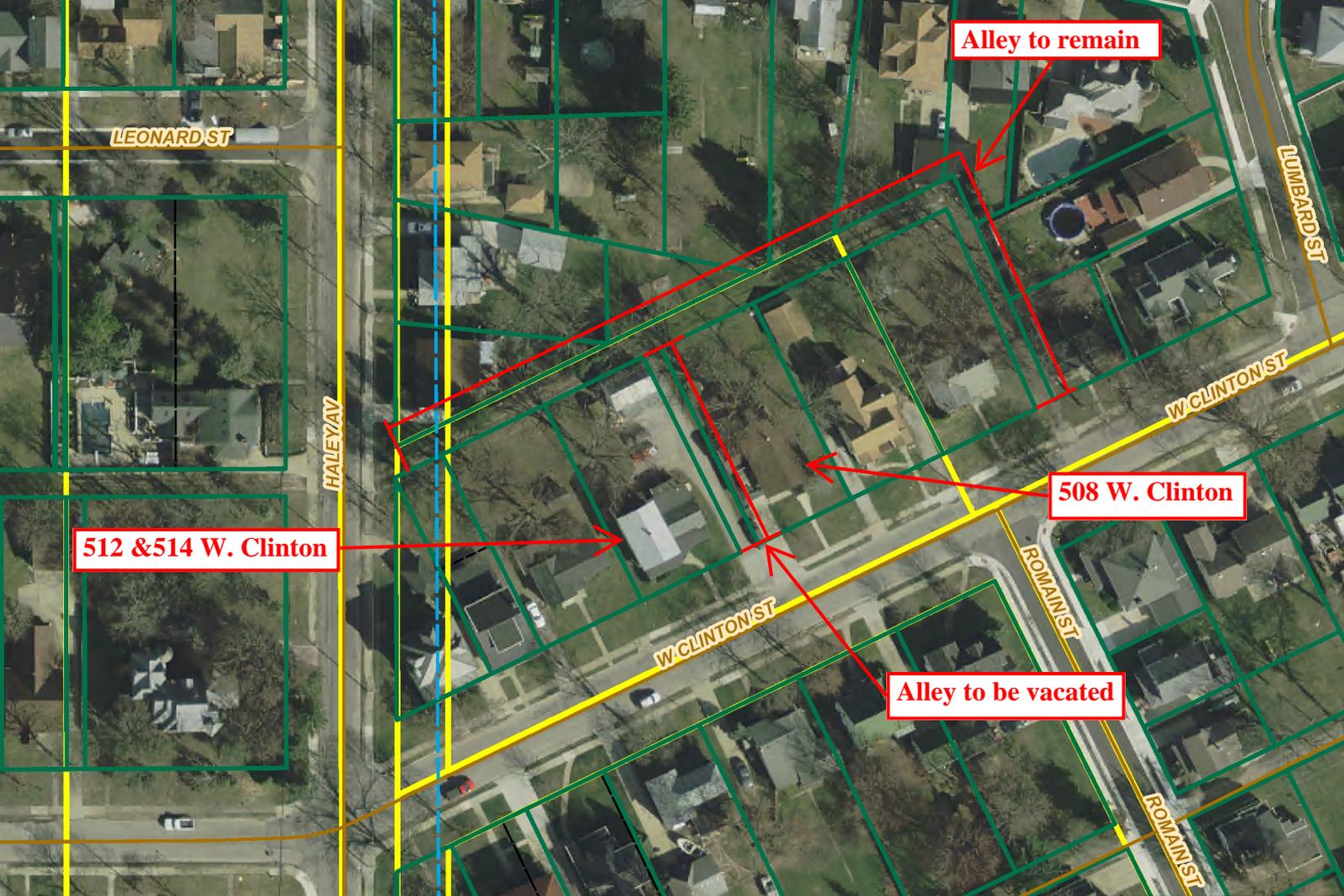
SUBJECT: Alley Vacation

MEETING DATE: March 11, 2014 @ 5:00 p.m.

BACKGROUND: An application for a public hearing has been filed by Milton Hahn. The applicant is requesting the city vacate a certain alley located between the residences of 512 & 514 W. Clinton and 508 W. Clinton, Lots 22 & 23 in A.H. Tyler's Third Addition of the City of Napoleon. This request is pursuant to City Code Chapter 909.

RESEARCH & FINDINGS:

1. Milton Hahn owns both properties that touch this alley. All City Departments have reviewed and verified that this alley is not used for any utilities and has no public purpose.



Alley to remain

LEONARD ST

LUMARD ST

W CLINTON ST

HALEYAV

512 & 514 W. Clinton

508 W. Clinton

Alley to be vacated

W CLINTON ST

ROMANIST

ROMANIST

RESOLUTION NO. PC-14-01

A RESOLUTION RECOMMENDING THE VACATION OF A CERTAIN ALLEY LOCATED BETWEEN LOTS NUMBERED 22 AND 23 IN A. H. TYLER'S THIRD ADDITION TO THE CITY OF NAPOLEON, HENRY COUNTY OHIO

WHEREAS, a petition was filed by a Milton R Hahn owning lots numbered 22 and 23 in A. H. Tyler's third addition to the City of Napoleon, Ohio requesting an alley located between these lots be vacated pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission has had a Public Hearing (PC-14-01), after being duly published, and there exists no opposition; Now Therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

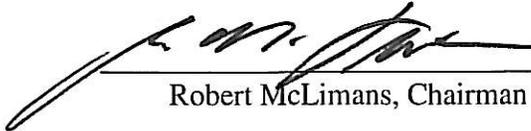
Section 1. That, this Commission finds that there has been compliance with all applicable provisions of the Ohio Revised Code and the City's Code of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2 of this Resolution, including but not limited to the notice requirement.

Section 2. That, this Commission finds that there exists a petition filed by Milton R Hahn owning lots numbered 22 and 23 in A. H. Tyler's third addition to the City of Napoleon, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator (shown on the plat as:).

Section 3. That, the recording of the vacation plat should be made only after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City.

Section 4. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission 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, upon passage, this Resolution shall take effect at the earliest time permitted by law.



Robert McLimans, Chairman

VOTE ON PASSAGE 3 Yea _____ Nay _____ Abstain

ORDINANCE NO. 013-14

**AN ORDINANCE VACATING A CERTAIN ALLEY LOCATED
BEHIND 619 SOUTH PERRY STREET LOTS 41 AND 42 IN E.T.
BARNES FIRST ADDITION OF THE CITY OF NAPOLEON,
HENRY COUNTY, OHIO**

WHEREAS, a petition was filed by a person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, located in E.T. Barnes First Addition of the City of Napoleon, Ohio pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission had a Public Hearing (PC-14-02), after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution PC-14-02 recommending that said alley be vacated by the Napoleon City Council; Now Therefore,

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

Section 1. That, this Council finds that there has been compliance with all applicable provisions of Chpt. 723 of the Ohio Revised Code and Chpt. 909 of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2. of this Ordinance, including but not limited to the notice requirement.

Section 2. That, this Council finds that there exists a petition signed by an authorized person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, more specifically, the alley located behind 619 South Perry Street (Quilters Hideaway) Lots 41 and 42 in E.T. Barnes First Addition of the City of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator and as shown on Exhibit "A" which is attached and incorporated herein.

Section 3. That, this Council further finds there is good cause for such alley vacation as prayed for, that such vacation of the alley will not be detrimental to the general interests and ought to be and is made subject to the City reserving an easement therein for the installation, maintaining, operating, renewing, constructing, reconstructing and removing of any existing utility facilities, and for the purpose to access said facilities, pursuant to Section 723.041 of the Ohio Revised Code.

Section 4. That, the City Engineer is hereby instructed to present the vacation plat of said vacated alley to the Clerk of Council and the Clerk is instructed to endorse upon such plat, the action of this Council in vacating such alley and to cause this Ordinance and the said plat to be recorded in the office of the Recorder of Henry County, Ohio.

Section 5. That, the Clerk of Council is directed to notify the Auditor of Henry County, Ohio of the vacation, by sending a copy of this Ordinance.

Section 6. That, the directives as stated in Sections 4 and 5 of this Ordinance shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio.

Section 7. 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 8. 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 9. 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

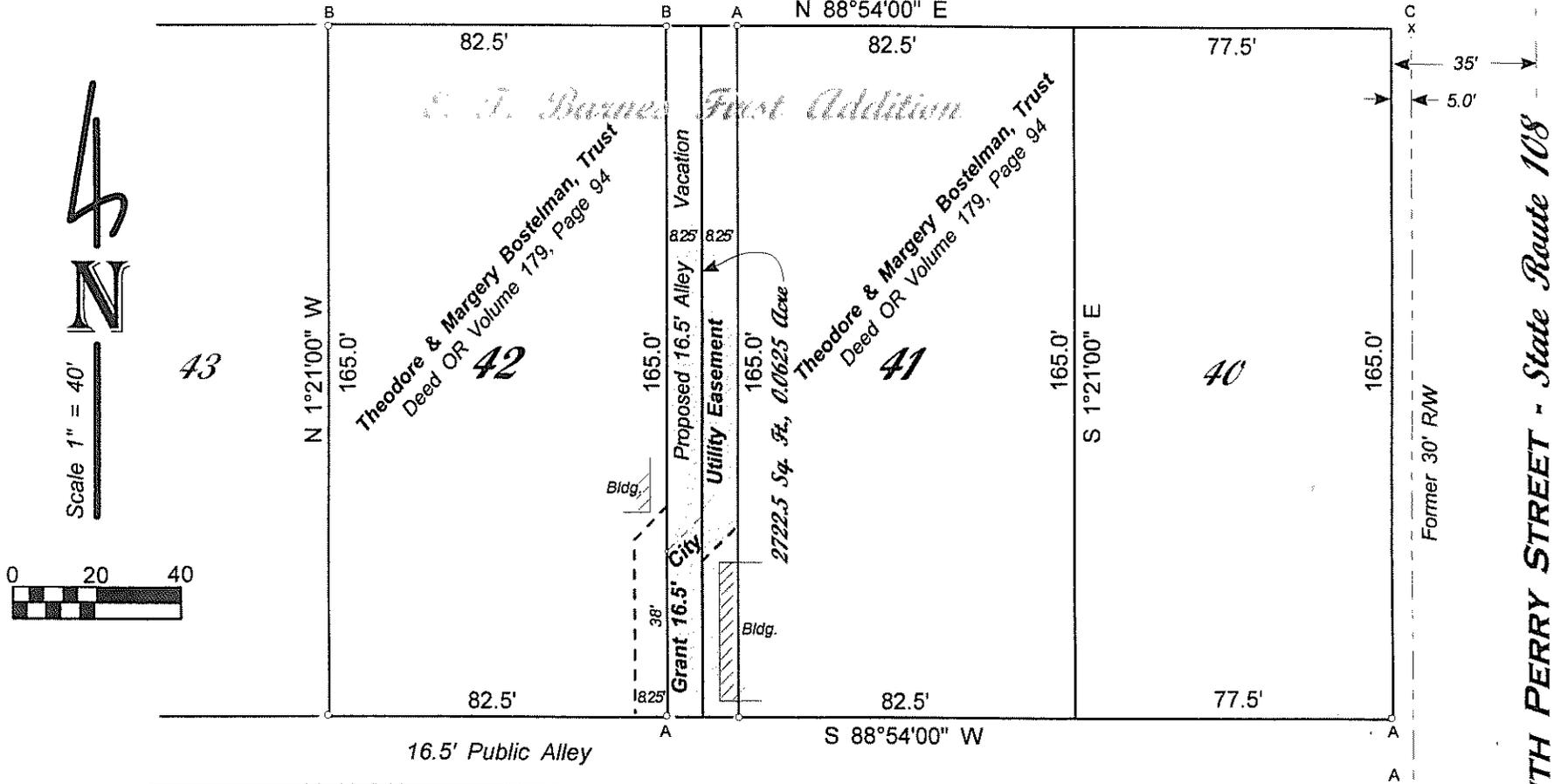
I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 013-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 19 ____; & I further certify the compliance with rules 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

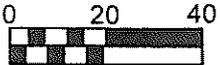
**VACATION PLAT FOR THE ALLEY
BETWEEN LOTS NUMBERED 41 AND 42 IN E. T. BARNES FIRST ADDITION
TO THE CITY OF NAPOLEON, OHIO, HENRY COUNTY, OHIO**

----- **WEST BARNES AVENUE** 66' RW -----

EXHIBIT "A"



Scale 1" = 40'



LEGEND

- A - Found iron pin from previous survey.
- B - Found iron pipe from previous survey.
- C - Found cross in sidewalk from previous survey.

PC 14-02
Alley Vacation 619 S. Perry

TO: The members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Alley Vacation
MEETING DATE: March 11, 2014 @ 5:00 p.m.

BACKGROUND: An application for a public hearing has been filed by Marge Bostelman. The applicant is requesting the city vacate a certain alley located behind 619 S. Perry (Quilters Hideaway) Lots 41 & 42 in E.T. Barns First Addition of the City of Napoleon. This request is pursuant to City Code Chapter 909.

RESEARCH & FINDINGS:

1. Marge and Ted Bostelman own both properties that touch this alley. The existing Alley is 16.5 feet wide and does have overhead electric lines and poles in it. The property owners granted to The City of Napoleon an easement that offsets between the buildings so we can service the electric and have room to install a City sewer at a later date. With the easement in place all City Departments have reviewed and verified that this alley has no public purpose.

Alley to be vacated

WBARNES AV

EBARNES AV

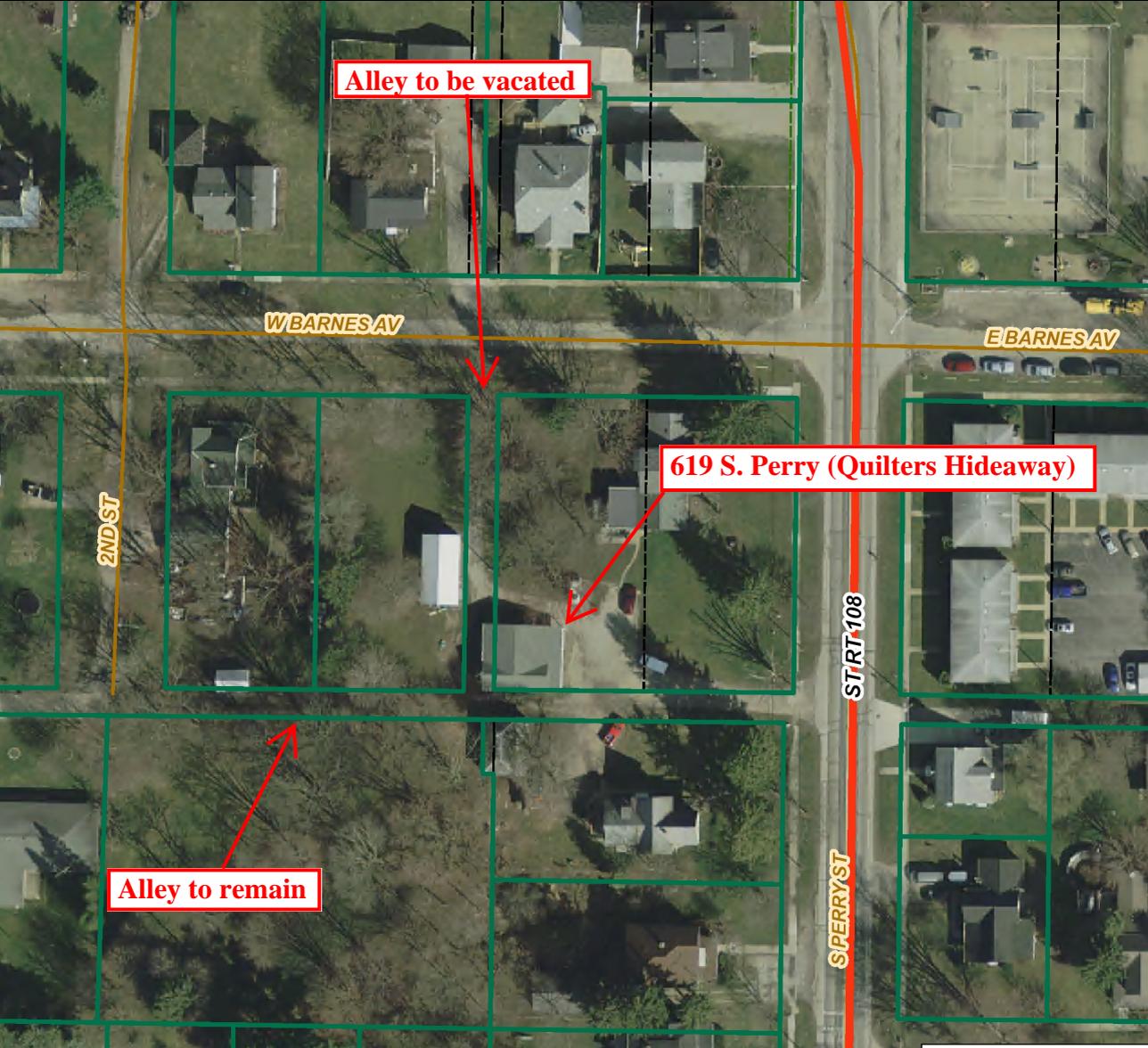
2ND ST

619 S. Perry (Quilters Hideaway)

STRT 108

Alley to remain

SPERRY ST



Granted Utility Easement

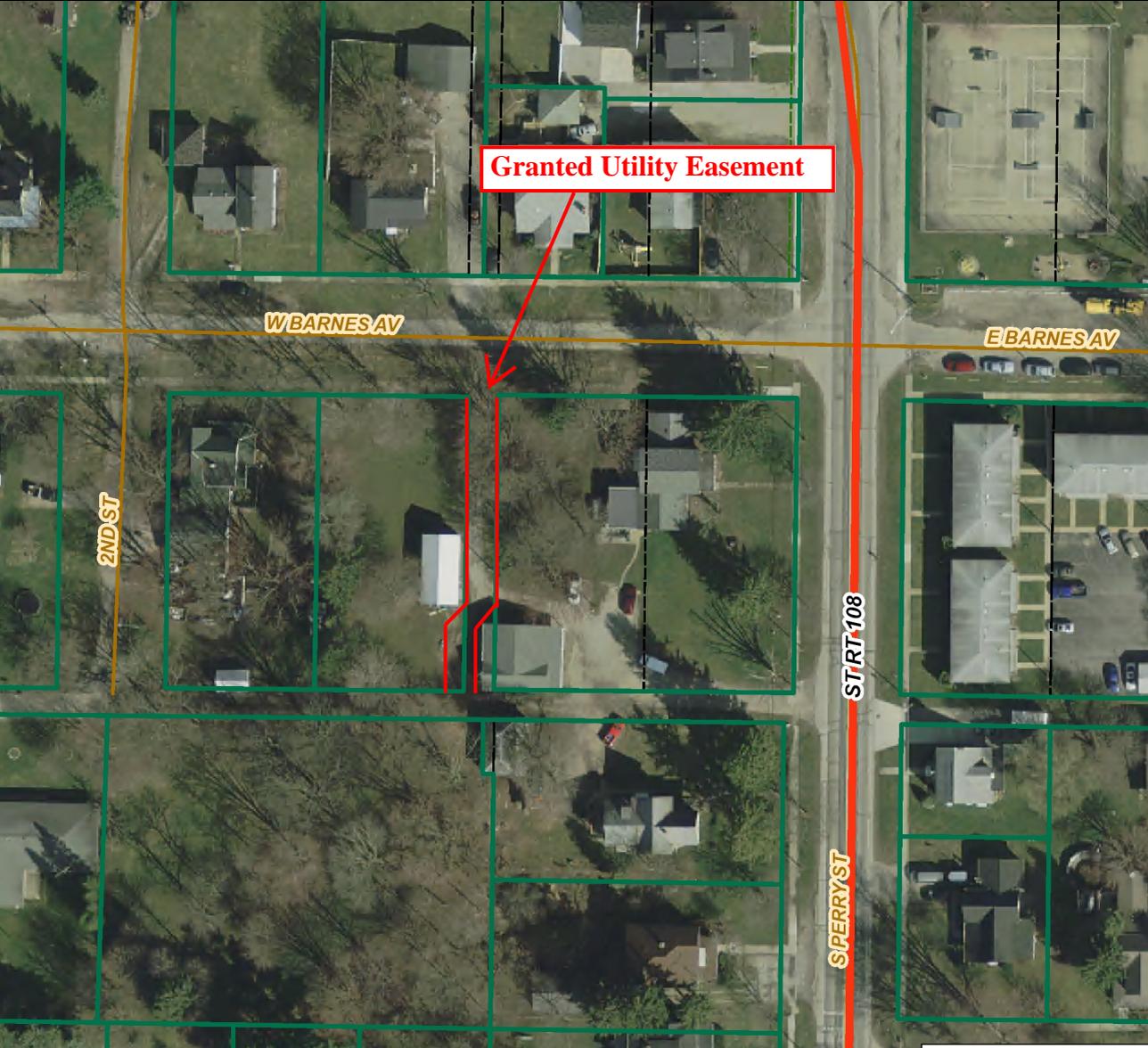
WBARNES AV

EBARNES AV

2ND ST

SPERRY ST

SPERRY ST



RESOLUTION NO. PC-14-02

A RESOLUTION RECOMMENDING THE VACATION OF A CERTAIN ALLEY LOCATED BETWEEN LOTS NUMBERED 41 AND 42 IN E. T. BARNES FIRST ADDITION TO THE CITY OF NAPOLEON, HENRY COUNTY OHIO

WHEREAS, a petition was filed by a Theodore and Margery Bostelman owning lots numbered 41 and 42 in E. T. Barnes First addition to the City of Napoleon, Ohio requesting an alley located between these lots be vacated pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission has had a Public Hearing (PC-14-02), after being duly published, and there exists no opposition; Now Therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, this Commission finds that there has been compliance with all applicable provisions of the Ohio Revised Code and the City's Code of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2 of this Resolution, including but not limited to the notice requirement.

Section 2. That, this Commission finds that there exists a petition filed by a Theodore and Margery Bostelman owning lots numbered 41 and 42 in E. T. Barnes First addition to the City of Napoleon, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator (shown on the plat as:).

Section 3. That, this Commission further finds there is good cause for such alley vacation as requested for, that such vacation of the alley will not be detrimental to the general interests and shall be made subject to the City reserving an easement therein for the installation, maintaining, operating, renewing, constructing, reconstructing and removing of any existing utility facilities, and for the purpose to access said facilities, pursuant to Section 723.041 of the Ohio Revised Code.

Section 4. That, the recording of the vacation plat should be made only after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City.

Section 5. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission 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 6. That, upon passage, this Resolution shall take effect at the earliest time permitted by law.


Robert McLimans Chairman

VOTE ON PASSAGE 3 Yea _____ Nay _____ Abstain

RESOLUTION NO. 014-14

A RESOLUTION TO APPROVE AND CONSENT TO THE ASSIGNMENT OF THE COMMUNITY REINVESTMENT AREA AGREEMENT FROM MMD&H HOLDINGS, LLC TO MWA ENTERPRISES, LTD; AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Reinvestment Area Program, pursuant to Ohio Revised Code Chapter 3735, authorizes the City to grant real property tax exemptions on eligible new investments; and,

WHEREAS, the City by Resolution 114-01 adopted on October 1, 2001 that designated an area (CRA 7) as a Community Reinvestment Area pursuant to Ohio Revised Code Chapter 3735 and, with the adoption of Resolution No. 65-02 adopted June 17, 2002 enlarged the area; and,

WHEREAS, the Director of Development determined that the area so designated by the City contained the characteristics set forth in Ohio Revised Code Section 3735.66; and,

WHEREAS, the Director of Development certified the area as a community reinvestment area known as Zone No. 069-53550-02 (the "Area"); and,

WHEREAS, MMD&H Holdings, LLC has assigned their interest in the Community Reinvestment Area Agreement with the City of Napoleon that was entered into on November 15, 2014; Now Therefore,

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

Section 1. That, the City approves and consents to an assignment of the Community Reinvestment Area Agreement MMD&H Holdings, LLCMWA Enterprises Ltd., in substantially the form as being currently on file with the City Finance Director, Agreement No. 2013-11 subject to any changes deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director, provided that the amount and allocation of the annual payment in lieu of taxes may not be amended without consent of this Council; said agreement having been reviewed by this Council.

Section 2. That, the City Manager is both authorized and directed to execute the Community Reinvestment Area Agreement as referred to in Section 1 of this Resolution in the name of and on behalf of the City.

Section 3. 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 Ohio Revised Code Section 121.22 and the Codified Ordinances of the City of Napoleon, Ohio.

Section 4. That, if any 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 5. 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 expeditiously proceed with this development project for the economic welfare of the inhabitants of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect a 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 Resolution No. 014-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 20___; and I further certify the compliance with the 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. 015-14

A RESOLUTION AUTHORIZING DR. JON A. BISHER TO REPRESENT THE CITY OF NAPOLEON, OHIO AS A MEMBER OF THE BOARD OF TRUSTEES OF AMERICAN MUNICIPAL POWER, INC. AND MAKING THE CITY MANAGER AN ALTERNATE; REPEALING RESOLUTION NO. 044-04, AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon (the "Municipality") is a member of the American Municipal Power, Inc. ("AMP"), a non-profit corporation in the State of Ohio whose members are Ohio Municipal Corporations that own and operate electric utility systems; and,

WHEREAS, AMP exists for a public purpose, namely to assist the municipally-owned electric systems of the State of Ohio in obtaining and providing safe, reliable, and reasonably priced electric power for their citizens and customers; and,

WHEREAS, the affairs of AMP are managed by a Board of Trustees (the "Board"), with twenty (20) voting members elected by, and from among, the membership, who meet from time to time in Columbus, Ohio at the headquarters of AMP; and,

WHEREAS, the Municipality has been elected as a Trustee of the Board (a "Trustee"); and,

WHEREAS, the Municipality is required to designate formally a person to represent it on the Board and to exercise the duties of Trustee of AMP; and,

WHEREAS, an Alternate is also desired for times when the City's principle Board Member cannot attend; now therefore,

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

Section 1. That, upon the effective date of this Resolution, Dr. Jon A. Bisher is hereby designated the representative of the Municipality on the Board to act on behalf of Municipality in the discharge of its duties as a Trustee and that said Dr. Jon A. Bisher be the representative with the City Manager of the City of Napoleon, Ohio being duly authorized to be the alternate to such representative to serve in his stead during such period as he may be unable to represent the Municipality.

Section 2. That, the representative of the Municipality so designated be, and hereby is, authorized and empowered, acting for, in the name of and behalf of the Municipality, as the Municipality's agent, to exercise all the functions, powers, rights and privileges, and to fulfill the obligations, that the Municipality may have as a Trustee of the Board, including without limitation to attend and take part in meetings of the Board and of committees of the Board, to vote on and otherwise act with respect to all matters that may properly come before the Board or any committee of the Board, and to do or cause to be done all acts, and to take all steps as may in each case be, in the opinion of such representative, necessary or desirable in order to represent the Municipality and exercise its functions, powers, rights and privileges, and to fulfill its obligations, as a

Trustee of AMP and to carry out the full intent and purposes of this Resolution and the purposes and powers of AMP.

Section 3. That, said representative(s) named in Section 1. of this Resolution will be entitled to receive reimbursement from AMP for reasonable out-of-pocket expenses associated with his/her service as representative for the Municipality as Trustee.

Section 4. That, any other prior Resolution or Ordinance covering the same subject matter is repealed, including Resolution No. 044-04.

Section 5. 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 6. 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 7. 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 before Dr. Jon A. Bisher retires so there is no confusion as to who the correct representative is; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and 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 Resolution No. 015-14 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. 016-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE IN COOPERATION WITH ODOT; AND DECLARING AN EMERGENCY

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities, and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; Now Therefore,

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

Section 1. That, intending to be legally bound, the City Manager of the City of Napoleon, Ohio, is given the authority in the name of the City of Napoleon, Ohio, to participate in the Ohio Department of Transportation's Contract for Sodium Chloride and this Council agrees as follows:

- 1) To purchase an estimated salt tonnage, indicated in contract, exclusively from the vendor awarded rock salt contract for the County in which said political subdivision (Napoleon, Ohio) is located.
- 2) To be bound by the terms and conditions of the contract.
- 3) To be responsible for payment for the quantities purchased under the contract.
- 4) To be responsible for resolving disputes arising out of participation in the contract and, to the extent allowable under Ohio law, hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim and dispute arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

Section 2. That, the Clerk of this Council and/or City Manager is authorized to fill out the ODOT prescribed form that is attached as Exhibit "A" to this Resolution.

Section 3. 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 4. 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 5. 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 the timely purchase of Sodium Chloride, needed for

placement on streets in winter months for safe travel; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and 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 Resolution No. 016-14 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

EXHIBIT "A"

Ohio Department of Transportation- Office of Contract Sales, Purchasing Services
Cooperative Purchasing Program Participation Agreement- Sodium Chloride (Rock Salt)

(PLEASE NOTE: YOU MAY CHOOSE TO PARTICIPATE IN EITHER OR BOTH CONTRACTS)

RESOLUTION/ORDINANCE as adopted for sodium chloride/rock salt to be procured by the ODOT through two separate contracts (a summer fill and winter use). A summer fill contract (Contract #418-15) that shall commence upon the date of contract award (May 8th estimated award date) and expire on October 31, 2014, and a Winter use contract (Contract #018-15) that shall commence November 1, 2014 and expire May 31, 2015;

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

Now, Therefore, Be it Ordained, Intending to be Legally Bound That _____

(Authorized Agent of Political Subdivision)

Hereby Requests Authority in The Name of _____

City of Napoleon, Ohio

(Political Subdivision)

(County where Political Subdivision is located)

To participate in the Ohio Department of Transportation's Contract(s) for Rock Salt and Agrees:

1. To be bound by the terms and conditions of contracts 018-15 (Winter use) and 418-15 (Summer fill);
2. To be responsible for purchasing at minimum 90% of the total tonnage requested for your political subdivision (applies to 018-15 Winter use contract only);
3. To be responsible for purchasing the total tonnage amount (100%) of salt requested for the Summer Fill contract (418-15) only withstanding if the awarded vendor delivers within the time constraints set forth in the contract.
4. To be responsible for placing all orders for salt directly with the awarded vendor;
5. To be responsible for prompt payment directly to the vendor for quantities delivered under the contract(s);
6. To be responsible for resolving all disputes arising out of participation in the contract(s) and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract(s) pursuant to Ohio Revised Code Section 5513.01(b);

MINIMUM TONNAGE REQUEST= 22 Tons (1 Truckload)

418-15 Summer Fill Contract- (100% of tonnage guaranteed) (Contract award date-October 31, 2014)		
STOCKPILE LOCATION(S):	STOCKPILE CAPACITY:	TONS REQUIRED: (must purchase 100%)
1775 Industrial Drive, Napoleon, Ohio 43545	200 Tons	200 Tons
018-15 Winter Use Contract- 90/110% (Min/Max Tonnage) (Nov 1, 2014-May 31, 2015)		
STOCKPILE LOCATION(S):	STOCKPILE CAPACITY:	TONS REQUIRED: (90/110% min/max)
1775 Industrial Drive, Napoleon, Ohio 43545	200 Tons	1000 Tons

Ohio Department of Transportation- Office of Contract Sales, Purchasing Services
Cooperative Purchasing Program Participation Agreement- Sodium Chloride (Rock Salt)

(Continued)

Participating Political Subdivisions are intended beneficiaries under these contracts and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in these contracts (as applicable to each Political Subdivision) during the upcoming Summer fill up and winter season, upon award of the contract by ODOT to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of each contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of these contracts may invalidate participation for the following summer or winter season contracts.

This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services **prior** to the mailing of the Invitation to bid. Political subdivisions will be required to submit a new participation agreement form every year, indicating storage capacity and stating salt needs for the contract period.

(Authorized Agent's Original Signature and Title) (Cannot be typed) (Date)

(Print Exactly as Signed Above)

City of Napoleon, Ohio - Henry County
(Political Subdivision and County)

255 W. Riverview Avenue **PO Box 151**
(Street) (P.O. Box)

Napoleon, Ohio 43545
(City) (State) (Zip plus 4)

Jeffrey H. Rathge **419.599.1891**
(Contact Name Responsible for Ordering Salt) (Phone Number)

jrathge@napoleonohio.com
(E-Mail Address) (This email address will be used to contact your entity for participation in future salt contracts)

(E-Mail Address)

COMPLETED PARTICIPATION AGREEMENT AND RESOLUTION/ORDINANCE DUE BACK TO ODOT NO LATER THAN Tuesday APRIL 8TH. WE WILL ONLY BE ACCEPTING COMPLETED PARTICIPATION AGREEMENTS BY MAIL OR EMAIL (NO FAXES):

Email this completed participation agreement along with a resolution/ordinance adopted by your legislative body to: contracts.purchasing@dot.state.oh.us

or

Mail completed participation agreements along with resolutions/ordinances to:

Ohio Department of Transportation
Purchasing Services, Mail Stop 4110
Attn: Jim Schurch
1980 West Broad St.
Columbus, OH 43223

9A

Shown below is a table calculating the dollar figure from your AMP invoice for the amount you may elect to defer under either of these two options:

Napoleon, OH

December 2013 Actual \$/mWh	\$75.35
January 2014 Actual \$/mWh	<u>\$82.79</u>
Estimated Increase \$/mWh	<u>\$7.44</u>
January Actual Usage-kWh	15,559,087
Dollar Amount Eligible for Billing Service Option	<u>\$115,798.74</u>

Please utilize Attachment A as a form for you to elect either of the two options. If you do not want to participate in either of the billing service options, all you have to do is pay the amount on your invoice. AMP will be happy to provide an invoice in final form at your request should you choose to pay the invoice as is.

If you elect either of the billing service options, AMP will provide a revised invoice indicating the dollar amount deferred for the time chosen on Attachment A. If you have any questions please contact Tom Sillasen or Andy Blair of the AMP Billing Department as shown in Attachment A.

Thank you

Andrew R. Blair
Assistant Vice President – Quality Systems
American Municipal Power - Inc

CC: Tom Sillasen - AMP

9-B

**Billing Service Option
Election Form**

Utilize the Following for choosing either 3 or 6 Month deferral billing option

Total \$ Amount Deferred* _____

Please Divide Dollar Amount by your deferral choice (either 3 or 6 months as shown below)

3 Month

February Power Invoice _____

March Power Invoice _____

April Power Invoice _____

Total _____ *(Total Agrees to Total \$ Amount Deferred)

OR:

6 Month

February Power Invoice _____

March Power Invoice _____

April Power Invoice _____

May Power Invoice _____

June Power Invoice _____

July Power Invoice _____

Total _____ *(Total Agrees to Total \$ Amount Deferred)

OR:

Other as detailed here:**

****Please contact AMP to confirm Other Arrangements before returning this form.**

We agree to repay these dollar amounts to AMP in equal installments plus accrued interest over the deferral period chosen above. I realize that AMP's line of credit interest cost is currently 1.25% per annum but may vary over the term of this billing service option period chosen above. AMP will invoice actual interest due as part of final deferral payment

The undersigned represents that the _____ of _____, elects the billing service option terms set forth herein.

Signed: Member Authorized Representative _____ Date _____

Approved as to Form by Member Law Director/Solicitor _____ Date _____

Please return this this form to: Tom Sillasen or Andy Blair
American Municipal Power
1111 Schrock Road
Columbus, OH 43229

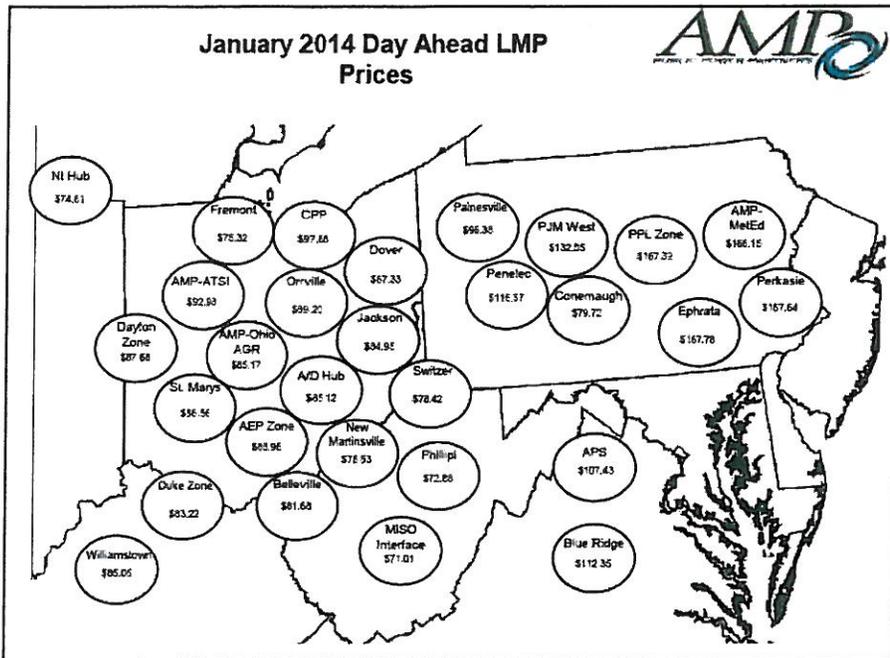
To: AMP Power Supply Members
From: Marc Gerken, President/CEO
Subject: January Power Invoices
Date: February 18, 2014



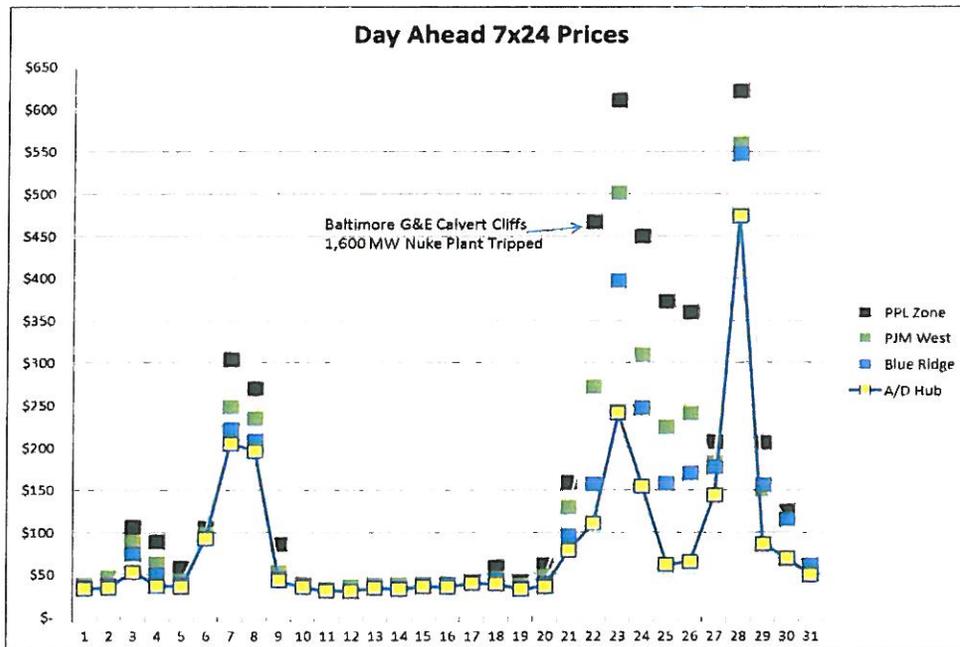
The extremely cold weather in January and February 2014 has caused many operational challenges for the Regional Transmission Organization system operators. Plant outages, high electric demand, and constrained transmission lines, coupled with constrained natural gas supplies to some power plants, resulted in emergency operations on a number of days. The tight supply situation caused unusually high energy prices and price volatility throughout the month.

During recent stakeholder meetings, PJM warned load-serving entities that two factors, congestion and operating reserve charges, were both at, or near, historic highs in January. Energy prices were so high, in fact, that on February 5, 2014, PJM declared two East Coast retail electric suppliers in default for not paying a weekly invoice from January. The two retailers are prohibited from further participation in the PJM markets.

The high prices in PJM will affect all members. Even members who cover a significant portion of their load with participation in generation projects or fixed price contracts (including fixed partial requirements contracts) will be affected. Generation projects and fixed price contracts provide a hedge against the base cost of energy; however, congestion is related to the difference in the locational marginal pricing (LMPs) between the resource location and the load location, and is in addition to the base cost of energy. Below is a map showing the average January day ahead LMP prices for the relative nodes in the AMP footprint. The map shows that considerably high energy costs were seen throughout the PJM footprint, with particularly high congestion impacting the Pennsylvania and Virginia Members.

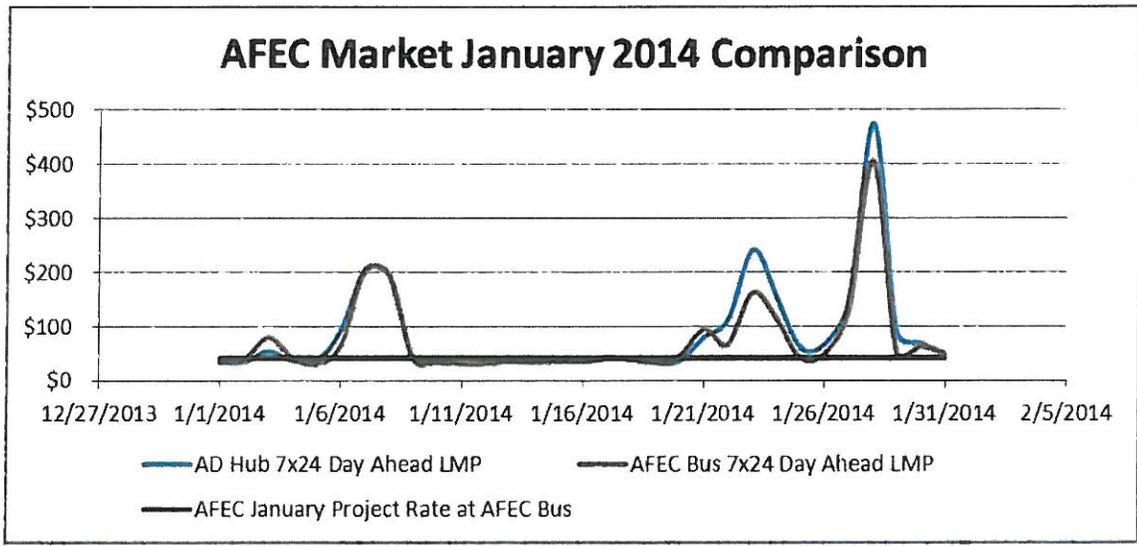


Below is a chart showing the high volatility in the day ahead pricing throughout the month. In addition to the impact on congestion charges, these energy prices are borne by AMP members buying even a small portion of their energy on the market.



Another factor impacting rates are the unusually high PJM operating reserve charges. These charges are based upon PJM's dispatch of uneconomic generation to maintain reliability. These charges are shared by load in proportion to the size of the load, and cannot be hedged. For January, these PJM charges were 2 to 10 times higher than the December 2013 charges, depending on the PJM zone.

On a positive note, both AFEC and Prairie State performed well throughout the month. The cost of energy for AFEC was about \$20/MWh below the forecasted rate, and Prairie State performed at about 81% capacity factor. When economical to do so, JV1, JV2, JV5 and other peaking units were used strategically throughout the month. The below chart illustrates the value of generating assets compared to market prices in January.



Depending on a Member's physical location, portfolio mix and resource delivery locations, some January power invoices are significantly higher than their forecasted prices. In order to help lessen the impact of the high January power invoices for Members, the AMP Board approved the utilization of the AMP line of credit to offer a rate levelization option for the Members. Attached is additional information regarding this option.

9-C

Also attached is a letter to FERC, PJM and the Independent Market Monitor from industrial customers and consumer representatives requesting FERC action on the high January energy and ancillary service charges in PJM. AMP is in the process of drafting a similar letter with other public power entities.

9-D

February 14, 2014

VIA EMAIL AND FIRST CLASS MAIL

The Honorable Cheryl A. LaFleur, Acting Chairman
The Honorable Philip D. Moeller, Commissioner
The Honorable John R. Norris, Commissioner
The Honorable Tony Clark, Commissioner
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20002

Mr. Terry Boston, President and CEO
Mr. Andrew L. Ott, Executive Vice President - Markets
Mr. Michael Kormos, Executive Vice President - Operations
PJM Interconnection, L.L.C.
Valley Forge Corporate Center
2750 Monroe Boulevard
Audubon, PA 19403

Dr. Joseph E. Bowring
PJM Independent Market Monitor
Monitoring Analytics, LLC
2621 Van Buren Avenue, Ste. 160
Valley Forge Corporate Center
Eagleville, PA 19403

RE: PJM Winter Weather Operations

Dear Chairman, Commissioners, PJM Management, and PJM Independent Market Monitor:

We are writing on behalf of more than 60 million consumers in the region served by PJM Interconnection, L.L.C. ("PJM"). As we receive and digest more and more information about the recent winter weather operations in the PJM region, it is becoming apparent that the unprecedented energy and ancillary service prices that occurred in January were not reflective of smoothly operating market fundamentals, but were, instead, reflective of significant and systemic inefficiencies.

For example, we know that more than 40,000 MW of generation was unavailable during critical periods in January due to forced outages. This is the same generation for which consumers in the PJM region are paying billions of dollars in capacity payments each year so that the generation would be available during peak periods.

We also know that severe constraints on interstate natural gas pipelines contributed, at least in part, to natural gas supply shortages in some areas and historically high delivered prices for natural gas in many areas.

February 14, 2014
Page 2

The bill impacts of these January events are just now reaching consumers in the PJM region. The reality is that events during January are causing some consumers in the PJM region to receive monthly bills that are 3-4 times the total monthly bill they received a year prior (for service during January 2013) or even a month prior (for service during December 2013). Electricity bills at these levels are having severe adverse impacts on major employers in the PJM region. In addition to these severe direct impacts on consumers that are exposed to day-ahead and real-time pricing and full pass-through of ancillary service charges, all consumers are at risk of higher prices in the future as a result of the events that occurred in January.

On behalf of consumers in the PJM region, we formally request that:

1. The Commission, with assistance from PJM and the PJM Independent Market Monitor ("IMM"), conduct a comprehensive root cause analysis of the generation outages and historically high natural gas prices that surfaced in the PJM region during January 2014;
2. The Commission, with assistance from PJM and the IMM, issue a report with its findings, identify potential solutions to address findings that are within the Commission's remedial jurisdiction, and identify any findings that may be beyond the Commission's remedial jurisdiction; and
3. The Commission, with assistance from PJM and the IMM, institute, as soon as possible, processes for expedient vetting and implementation of all feasible solutions that are within the Commission's remedial jurisdiction.

We pledge our assistance in whatever manner the Commission, PJM, and the IMM may find helpful. Thank you.

Very truly yours,

Representatives of PJM Consumers

/s/ David L. Bonar
David L. Bonar
Public Advocate
Delaware Division of the Public Advocate

/s/ Sandra Mattavous-Frye
Sandra Mattavous-Frye
People's Counsel
Office of the People's Counsel for the District of Columbia

9-0

/s/ Kristin Munsch
Kristin Munsch
Director of Policy and Senior Attorney
Illinois Citizens Utility Board

/s/ Robert G. Mork
Robert G. Mork
Deputy Consumer Counselor for Federal Affairs
Indiana Office of Utility Consumer Counselor

/s/ Jack Conway
Jack Conway
Attorney General of Kentucky
For the Commonwealth of Kentucky

/s/ Paula M. Carmody
Paula M. Carmody
People's Counsel
Maryland Office of People's Counsel

/s/ Stefanie A. Brand, Esq.
Stefanie A. Brand, Director
New Jersey Division of Rate Counsel

/s/ Kyle L. Kern
Kyle L. Kern
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel

/s/ Tanya J. McCloskey
Tanya J. McCloskey
Acting Consumer Advocate
Pennsylvania Office of Consumer Advocate

/s/ Vance L. Broemel
Vance L. Broemel, Senior Counsel
Office of Tennessee Attorney General
Consumer Advocate and Protection Division

9-0

February 14, 2014
Page 4

/s/ C. Meade Browder Jr.
C. Meade Browder Jr.
Senior Assistant Attorney General
Division of Consumer Counsel
Virginia Office of the Attorney General

/s/ Jacqueline Lake Roberts
Jacqueline Lake Roberts
Director - Consumer Advocate Division
West Virginia Public Service Commission

/s/ Robert A. Weishaar, Jr./Susan E. Bruce
Robert A. Weishaar, Jr./Susan E. Bruce
Counsel
PJM Industrial Customer Coalition

c: Gregory V. Carmean, Esq.
Executive Director
Organization of PJM States, Inc.
(For Distribution To All OPSI Members)

BILLING DETERMINANTS for B
2014 - MARCH BILLING WITH FEBRUARY 2014
PREVIOUS MONTH'S POWER BILLS - PU

DATA PERIOD								
AMP-Ohio Bill Month								
City-System Data Month								
City-Monthly Billing Cycle								
PURCHASED POWER-RESOURCES ->	EFFICIENCY	JV-2	JV-5	JV-6	TRANSMISSION	SERVICE FEES	LEVELIZATION	TOTAL -
	SMART	PEAKING	HYDRO	WIND	CHARGES	DISPATCH, A & B	& CITY RATE	ALL
	POWER PLANT	SCHED. @ ATSI	7x24 @ ATSI	SCHED. @ ATSI	Other Charges	Other Charges	MONTHLY ADDER	RESOURCES
Delivered kWh (On Peak) ->	0	209	2,297,472	91,735				15,744,579
Delivered kWh (Off Peak) ->								722,081
Delivered kWh (Replacement/Losses/Offset) ->			33,412					33,412
Delivered kWh (Credits) ->								-940,985
Net Total Delivered kWh as Billed ->	0	209	2,330,884	91,735	0	0	0	15,559,087
Percent % of Total Power Purchased->	0.0000%	0.0013%	14.9809%	0.5896%	0.0000%	0.0000%	0.0000%	100.0000%
POWER - COSTS OF ENERGY, DEMAND, REACTIVE							Verification Total ->	
DEMAND CHARGES (+Debits)								
Demand Charges		\$440.59	\$15,082.65	\$1,334.86	\$46,429.15			\$173,229.00
Debt Services (Principal & Interest)			\$64,508.32	\$3,531.00				\$230,492.27
Capital Improvements								\$0.00
Working Capital								\$0.00
DEMAND CHARGES (-Credits)								
Transmission Charges (Demand-Credits)		-\$258.35	-\$4,524.67	-\$32.79				-\$18,646.32
Capacity Credit		-\$194.64	-\$2,593.92	-\$16.52				-\$22,650.78
Sub-Total Demand Charges	\$0.00	-\$12.40	\$72,472.38	\$4,816.55	\$46,429.15	\$0.00	\$0.00	\$362,424.17
ENERGY CHARGES (+Debits or Adjustments):								
Energy Charges - (On Peak)		\$45.59	\$44,223.87		\$69,120.80			\$536,591.05
Energy Charges - (Replacement/Off Peak)								\$32,179.61
Net Congestion, Losses, FTR								\$179,429.40
Transmission Charges (Energy-Debits)								\$99,364.25
ESPP Charges	\$38,168.43							\$38,168.43
Bill Adjustments (General & Rate Levelization)		\$2.77					\$190,000.00	\$190,112.35
ENERGY CHARGES (-Credits or Adjustments):								
Energy Charges - On Peak (Sale or Rate Stabilization)		-\$308.13						-\$122,155.93
Net Congestion, Losses, FTR								-\$41,685.52
Bill Adjustments (General & Rate Levelization)							-\$115,798.74	-\$147,902.63
Sub-Total Energy Charges	\$38,168.43	-\$259.77	\$44,223.87	\$0.00	\$69,120.80	\$0.00	\$74,201.26	\$764,101.01
COMBINED DEMAND & ENERGY (Debits & Credits A								
RPM Charges Capacity - (+Debit)					\$32,939.53			\$32,939.53
RPM Charges Capacity - (-Credit)								\$0.00
Service Fees AMP-Dispatch Center - (+Debit/-Credit)						\$865.22		\$865.22
Service Fees AMP-Part A - (+Debit/-Credit)						\$2,982.61		\$2,982.61
Service Fees AMP-Part B - (+Debit/-Credit)						\$9,086.06		\$9,086.06
Other Charges & Bill Adjustments - (+Debit/-Credit)								\$0.00
City Rate Adjustment in Cost of Power (1)							\$60,000.00	\$60,000.00
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$32,939.53	\$12,933.89	\$60,000.00	\$105,873.42
TOTAL - ALL COSTS TO ALLOCATE	\$38,168.43	-\$272.17	\$116,696.25	\$4,816.55	\$148,489.48	\$12,933.89	\$134,201.26	\$1,232,398.60
Purchased Power Resources - Cost per kWh->	\$0.000000	-\$1.302249	\$0.050065	\$0.052505	\$0.000000	\$0.000000	\$0.000000	\$1,232,398.60
								Verification Total ->
								\$0.079208
								\$0.054521
								\$0.054521

NOTES: (1) A Permanent \$60,000 Monthly Cost of P

BILLING DETERMINANTS for B								
2014 - MARCH BILLING WITH FEBRUARY 2014								
PREVIOUS MONTH'S POWER BILLS - PU								
DATA PERIOD								
AMP-Ohio Bill Month								
City-System Data Month								
City-Monthly Billing Cycle								
	EFFICIENCY	JV-2	JV-5	JV-6	TRANSMISSION	SERVICE FEES	LEVELIZATION	TOTAL -
PURCHASED POWER-RESOURCES ->	SMART	PEAKING	HYDRO	WIND	CHARGES	DISPATCH, A & B	& CITY RATE	ALL
	POWER PLANT	SCHED. @ ATSI	7x24 @ ATSI	SCHED. @ ATSI	Other Charges	Other Charges	MONTHLY ADDER	RESOURCES
RATIOS COMPUTATION (By Billed Demand and Energy)						A-AMP RATIO	B-CITY RATIO	
DEMAND Ratio	0.0000%	4.5560%	62.1034%	100.0000%	40.1810%	30.9519%	34.5715%	
ENERGY Ratio	100.0000%	95.4440%	37.8966%	0.0000%	59.8190%	69.0481%	65.4285%	
Verification Total-Ratio's = 100.0000%	100.0000%	100.0000%	100.0000%	100.0000%	100.0000%	100.0000%	100.0000%	
COST ALLOCATION TO SERVICE FEES & BILLING A								TOTALS
RPM Charges Capacity								
DEMAND - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$13,235.44	\$0.00	\$0.00	\$13,235.44
ENERGY - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$19,704.09	\$0.00	\$0.00	\$19,704.09
Verification Total	\$0.00	\$0.00	\$0.00	\$0.00	\$32,939.53	\$0.00	\$0.00	\$32,939.53
Service Fees-AMP Charges (Dispatch, Part A & Part B)								
DEMAND - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,003.28	\$0.00	\$4,003.28
ENERGY - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,930.61	\$0.00	\$8,930.61
Verification Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,933.89	\$0.00	\$12,933.89
Other Charges & Other Bill Adjustments								
DEMAND - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25,652.49	\$25,652.49
ENERGY - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$48,548.77	\$48,548.77
Verification Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$74,201.26	\$74,201.26
City Rate Adjustment in Cost of Power (1)								
DEMAND - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,742.90	\$20,742.90
ENERGY - Allocation based on Ratio	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$39,257.10	\$39,257.10
Verification Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00	\$60,000.00
Verification Total	\$0.00	\$0.00	\$0.00	\$0.00	\$32,939.53	\$12,933.89	\$134,201.26	\$180,074.68

BILLING DETERMINANTS for BILLING CYCLE - MARCH, 2014**PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER SUPPLY - COST ALLOCATION:**

DATA PERIOD	MONTH	DAYS IN MONTH	SYSTEM PEAK
AMP-Ohio Bill Month	JANUARY, 2014	31	26,294
City-System Data Month	FEBRUARY, 2014	28	
City-Monthly Billing Cycle	MARCH, 2014	31	

PURCHASED POWER SUPPLY - COST ALLOCATION WORKSHEET

Purchased Power Provider	Billing Charges	Billing Charges	RPM Charges	RPM Charges	Service Fees-AMP	Service Fees-AMP
	DEMAND	ENERGY	DEMAND	ENERGY	DEMAND	ENERGY
AMPGS-REPLACEMENT 5x16 @ AD	\$0.00	\$142,083.46	\$0.00	\$0.00	\$0.00	\$0.00
AMPGS-REPLACEMENT 7x24 @ AD	\$0.00	\$50,989.08	\$0.00	\$0.00	\$0.00	\$0.00
SALE TO TEA 5x16 @ AD	\$0.00	\$105,080.22	\$0.00	\$0.00	\$0.00	\$0.00
EFFICIENCY SMART POWER PLANT	\$0.00	\$38,168.43	\$0.00	\$0.00	\$0.00	\$0.00
AMP CT SCHEDULED	\$6,144.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
NYPA SCHEDULED	\$5,412.48	-\$32,324.95	\$0.00	\$0.00	\$0.00	\$0.00
AMP SOLAR PHASE 1 SCHEDULED	-\$126.33	\$6,568.22	\$0.00	\$0.00	\$0.00	\$0.00
PRAIRE STATE SCHEDULED	\$159,150.88	\$170,713.40	\$0.00	\$0.00	\$0.00	\$0.00
NORTHERN POWER POOL	\$0.00	-\$28,406.61	\$0.00	\$0.00	\$0.00	\$0.00
FREEMONT ENERGY SCHEDULED	\$68,136.90	\$123,943.60	\$0.00	\$0.00	\$0.00	\$0.00
JV-2 PEAKING SCHEDULED	-\$12.40	-\$259.77	\$0.00	\$0.00	\$0.00	\$0.00
JV-5 HYDRO	\$72,472.38	\$44,223.87	\$0.00	\$0.00	\$0.00	\$0.00
JV-6 WIND	\$4,816.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TRANSMISSION and Other Charges	\$46,429.15	\$69,120.80	\$13,235.44	\$19,704.09	\$0.00	\$0.00
A - AMP Service Fees- Dispatch, A & B	\$0.00	\$0.00	\$0.00	\$0.00	\$4,003.28	\$8,930.61
B - Levelization & City Rate Adder to Cost of Power	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
C - Outdoor Lght.Credit Reconciliation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTALS - ALL	\$362,424.17	\$689,899.75	\$13,235.44	\$19,704.09	\$4,003.28	\$8,930.61

RATIOS COMPUTATIONS (By Billed Demand and Energy):**A - AMP Service Fees - Ratio Allocation (Excluding JV2, JV5 & JV6, & Service Fees)**

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

Ratios to Allocate AMP Service Fees

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

Totals - All Billing Costs both Demand and Energy

Ratios to Allocate City Rate Adjustment

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

Totals - All Billing Costs both Demand and Energy

Ratios to Allocate City Rate Adjustment

Other Cost and Reconciliation Items for Power Supply Cost Allocation Worksheet:**C - Outdoor Street Light Reconciliation Credit Computation (Outdoor Street Light Cost by Average Cost of Power)**

Total Purchased Power Cost (Cost Per kWh, on Page 3)

Total Outdoor Street Light kWh by Light Type (on Page 2)

Net Allocated - Security Street Light Credit

Less: Security Street Light Corrections (If Any)

Net Allocated - Security Street Light Credit

BILLING DETERMINANTS for BILLII						
PREVIOUS MONTH'S POWER BILLS - PURCH.						
<u>DATA PERIOD</u>						
AMP-Ohio Bill Month						
City-System Data Month						
City-Monthly Billing Cycle						
PURCHASED POWER SUPPLY - COST ALLO						
Purchased Power Provider	Other Charges & Bill Adjmnt.	Other Charges & Bill Adjmnt.	City Rate Adjustment	City Rate Adjustment	TOTAL COSTS ALLOCATED	
	DEMAND	ENERGY	DEMAND	ENERGY	TOTAL DEMAND	TOTAL ENERGY
AMPGS-REPLACEMENT 5x16 @ AD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$142,083.46
AMPGS-REPLACEMENT 7x24 @ AD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,989.08
SALE TO TEA 5x16 @ AD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$105,080.22
EFFICIENCY SMART POWER PLANT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$38,168.43
AMP CT SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	\$6,144.56	\$0.00
NYPA SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	\$5,412.48	-\$32,324.95
AMP SOLAR PHASE 1 SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	-\$126.33	\$6,568.22
PRAIRE STATE SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	\$159,150.88	\$170,713.40
NORTHERN POWER POOL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$28,406.61
FREMONT ENERGY SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	\$68,136.90	\$123,943.60
JV-2 PEAKING SCHEDULED	\$0.00	\$0.00	\$0.00	\$0.00	-\$12.40	-\$259.77
JV-5 HYDRO	\$0.00	\$0.00	\$0.00	\$0.00	\$72,472.38	\$44,223.87
JV-6 WIND	\$0.00	\$0.00	\$0.00	\$0.00	\$4,816.55	\$0.00
TRANSMISSION and Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$59,664.59	\$88,824.89
A - AMP Service Fees- Dispatch, A & B	\$0.00	\$0.00	\$0.00	\$0.00	\$4,003.28	\$8,930.61
B - Levelization & City Rate Adder to Cost of Power	\$25,652.49	\$48,548.77	\$20,742.90	\$39,257.10	\$46,395.39	\$87,805.87
C - Outdoor Lght.Credit Reconciliation	-\$1,714.34	-\$3,244.48	\$0.00	\$0.00	-\$1,714.34	-\$3,244.48
TOTALS - ALL	\$23,938.15	\$45,304.29	\$20,742.90	\$39,257.10	\$424,343.94	\$803,095.84
RATIOS COMPUTATIONS (By Billed Demand and Energy):					DEMAND	ENERGY
A - AMP Service Fees - Ratio Allocation (Excluding JV						
Totals - AMP All Billing Costs by Demand and Energy (Ex					\$298,383.08	\$665,639.74
Ratios to Allocate AMP Service Fees					30.9519%	69.0481%
B - City Rate Adjustment - Ratio Allocation (To Total C						
Totals - All Billing Costs both Demand and Energy					\$379,662.89	\$718,534.45
Ratios to Allocate City Rate Adjustment					34.5715%	65.4285%
C - Outdoor Street Lights and Miscellaneou - Ratio All						
Totals - All Billing Costs both Demand and Energy					\$426,058.28	\$806,340.32
Ratios to Allocate City Rate Adjustment					34.5715%	65.4285%
Other Cost and Reconciliation Items for Power Supply						
C - Outdoor Street Light Reconciliation Credit Compu						
Total Purchased Power Cost (Cost Per kWh, on Page 3)	\$0.079208					
Total Outdoor Street Light kWh by Light Type (on Page	62,605					
Net Allocated - Security Street Light Credit	-\$4,958.82				-\$1,714.34	-\$3,244.48
Less: Security Street Light Corrections (If Any)	\$0.00				\$0.00	\$0.00
Net Allocated - Security Street Light Credit	-\$4,958.82				-\$1,714.34	-\$3,244.48

BILLING DETERMINANTS for BILLING CYCLE - MARCH, 2014

BILLING UNITS - ALLOCATIONS OF kWh and DEMAND & ENERGY COSTS and RATE CALCULATION

BILLING UNITS - ALLOCATION OF kWh & DEMAND USAGE BY CLASS

CITY BILLING UNITS - PRIOR MONTH'S DATA

Days in AMP-Oh Bill Month	31	JANUARY, 2014
Coincidental Peak in Month	26,294	JANUARY, 2014
Days in Data Month	28	FEBRUARY, 2014

(kWh G1,G2, G3, & G4 , - kW D1 & D2)

Cstmr. Class or Schedule	kWh Sales	Metered kW Demand	Billed kVa Demand
Residential (Domestic)	3,528,696	0	
Residential (Rural)	1,786,564	415	
Commercial (1P)	65,887	14	
Commercial (1P)(D)	400,364	1,942	
Commercial (3P)	12,240	65	
Commercial (3P)(D)	1,816,045	6,926	
Large Power (D)	2,613,402	7,373	7,373
Industrial (D)	2,571,522	5,495	5,495
Interdepartmental	600,458	1,431	
Total kWh, kW and kVa	13,395,178	23,661	12,868
Verification Totals ->	13,395,178	23,661	

CITY STREET LIGHTS - kWh ALLOCATION

Light Type	Number of Lights	Monthly kWh Per Light	Total kWh by Light Type
52W	3	17.16	51
70W	87	23.10	2,010
100W	487	33.00	16,071
150W	58	49.50	2,871
157W	2	51.81	104
250W	335	82.50	27,638
400W	105	132.00	13,860
	1,077		62,605

Street Lights listing - Revised Per Electric Superintendent on 12/19/2012.

AVERAGE AND EXCESS DEMAND CALCULATION

	A	B	C	D	E	F	
		(A / (24 X "Days in AMP Bill Month"))	(B / "System Load Factor")	(C - B)	D/"Tot.Excess Dmd X ("kW Load" - Mthly.Avg.Dmd")	(B + E) System kW Load Delivered A & E	
kWh & Demand w/Demand (Actual or Cal.) Cstmr. Class or Schedule	Monthly kWh Delivered	Monthly Average Demand	Calculated (Cal.) or Actual Maximum Demand	Excess Demand	Allocated Excess Demand		
Residential (Dom) (Cal. D)	3,528,696	4,742.87	6,227.00	1,484.13	849.48	5,592.35	
Residential (Rural) (Cal. D)	1,786,564	2,401.30	3,153.00	751.70	430.25	2,831.55	
Commercial (1P) (Cal. D)	65,887	88.56	116.00	27.44	15.71	104.27	
Commercial (1P) (Actual D)	400,364	538.12	1,942.00	1,403.88	803.54	1,341.66	
Commercial (3P) (Cal. D)	12,240	16.45	22.00	5.55	3.18	19.63	
Commercial (3P) (Actual D)	1,816,045	2,440.92	6,926.00	4,485.08	2,567.14	5,008.06	
Large Power (Actual D)	2,613,402	3,512.64	7,373.00	3,860.36	2,209.56	5,722.20	
Industrial (Actual D)	2,571,522	3,456.35	5,495.00	2,038.65	1,166.87	4,623.22	
Interdepartmental (Cal. D)	600,458	807.07	1,060.00	252.93	144.77	951.84	
Total Billed System Demand	13,395,178	18,004.28	32,314.00	14,309.72	8,190.50	26,194.78	
Outdoor Lights	62,605	84.15	110.49	26.34	15.08	99.22	
Total System Demand	13,457,783	18,088.43	32,424.49	14,336.06	8,205.58	26,294.00	
System Load Factor:	76.16%	-< Total kWh Del. / (Total Sys.kW Load X 24 X # Days In Data Month)				26,294.00	-<Verification Total
		13457783 / (26294 x 24 x 28)					

BILLING DETERMINANTS for BILLING CYCLE - MARCH, 2014

BILLING UNITS - ALLOCATIONS OF KWH and DEMAND & ENERGY COSTS and RATE CALCULATION

ALLOCATION OF ENERGY AND DEMAND COSTS

ENERGY COST ALLOCATION:

Total Energy Cost (from Power Bills page):		\$803,096	\$803,096	<- Verification Total - Variations Due To Rounding
	kWh			
	Billing Units	Percent Allocated	Allocated Dollars \$	
Res./Interdept. (G1):	5,915,718	44.16304%	\$354,672	
Commercial (G2):	2,294,536	17.12957%	\$137,567	
Large Power (G3):	2,613,402	19.51002%	\$156,684	
Industrial (G4):	2,571,522	19.19737%	\$154,173	
Total:	13,395,178	100.00000%	\$803,096	<- Verification Total - Variations Due To Rounding
Verification Total ->	13,395,178			

DEMAND COST ALLOCATION:

Total Demand Cost (from Power Bills page):		\$424,344	\$424,344	<- Verification Total - Variations Due To Rounding
	kW/KVA			
	Billing Units	Percent Allocated	Allocated Dollars \$	
Res./Interdept. (G1):	9,376	35.79240%	\$151,883	
Commercial (G2):	6,474	24.71340%	\$104,870	
Large Power (G3):	5,722	21.84481%	\$92,697	
Industrial (G4):	4,623	17.64939%	\$74,894	
Total:	26,195	100.00000%	\$424,344	<- Verification Total - Variations Due To Rounding
Verification Total ->	26,195			

APPLIED GENERATION & DEMAND COSTS TO MONTHLY BILLING RATES

MONTHLY KWH & DEMAND RATE CALCULATION

MARCH, 2014	Allocated Costs	Billing Units	PWR.RATES CHARGED
JV's Purchased Cost kWH to City			
JV2 Joint Venture Rate (JV2 Energy Only)			\$0.05452
JV5 Joint Venture Rate (JV5 Energy Only)			\$0.05452
Generation Charge:			
Res./Interdept. (G1):	\$506,555	5,915,718	\$0.08563
Commercial (G2):	\$242,437	2,294,536	\$0.10566
Large Power (G3):	\$156,684	2,613,402	\$0.05995
Industrial (G4):	\$154,173	2,571,522	\$0.05995
		13,395,178	
Demand Charge:			
Large Power (D1):	\$92,697	7,373	\$12.57
Industrial (D2):	\$74,894	5,495	\$13.63
Total Billing & Unit Check:	\$1,227,440	13,395,178	
Verification of Billings & Units:	\$1,227,440	13,395,178	
Net Average City Cost of Purchased Power/kWH for Month w/Credits:			\$0.07921
Net Average Customer Cost of Billing per kWH for Prior Billing Month:			\$0.10977



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., City Engineer
cc: Mayor & City Council
Greg Heath, City Finance Director
Date: March 17, 2014
Subject: Northcrest Circle Improvements
Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the Northcrest Circle Improvements Project. This project consists of reconstructing Northcrest Circle from Northcrest Drive through the cul-de-sac, as well as replacing the existing waterline, sanitary sewer, drive approaches, and extending the existing storm sewer. This project is partially funded through a C.D.B.G. grant. Copies of the plans and specifications are on file in the office of the City Finance Director.

Engineer's Estimate of Construction: \$375,000.00.

Budgeted amount for this project: \$385,000.00.

C.D.B.G. Grant Amount: \$30,000.00

CEL



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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Memorandum

To: Dr. Jon A. Bisher, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Gregory J. Heath, City Finance Director
Date: March 17, 2014
Subject: VanHyning Interceptor (L.T.C.P. Project No. 22),
East Riverview Interceptor (L.T.C.P. Project No. 23),
and Front Street Interceptor (L.T.C.P. Project No. 25)
Inflow & Infiltration (I/I) Reduction Studies
Consultant Selection

Negotiations were entered into with Stantec Consulting Services, Inc. and a contract price was agreed upon. A copy of the contract is on file in the office of the City Finance Director. The negotiated price for the above referenced project is \$399,500.00. The project budget is \$425,000.00.

It is my recommendation that Council award the contract for the VanHyning Interceptor (L.T.C.P. Project No. 22), East Riverview Interceptor (L.T.C.P. Project No. 23), and Front Street Interceptor (L.T.C.P. Project No. 25) Inflow & Infiltration (I/I) Reduction Studies to Stantec Consulting Services, Inc. in the amount of \$399,500.00. If you have any questions or require additional information, please contact me at your convenience.

CEL

City of Napoleon, Ohio

TREE COMMISSION

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

Meeting Agenda

Monday, March 17, 2014 at 6:00 PM

- I. **Approval of Minutes** (In the absence of any objections or corrections, the minutes shall stand approved.)
- II. **Tree Call Report**
- III. **Spring Programs**
- IV. **Arbor Day**
- 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, February 17, 2014 at 6:00 pm

PRESENT

Commission
City Staff
Recorder

David Volkman – Chair, Jeffrey Marihugh, Becky Rohre, Bill Rohrs
Marty Crossland, Staff Engineer
Tammy Fein

ABSENT

Members

Kirk Etzler, Anella Huff (excused)

Call To Order

Chairperson Volkman called the meeting to order at 6:10 pm.

Tree Call Report

Crossland stated there were no tree calls to report.

Spring Programs

Crossland reported that the Rose of Sharon tree in front of the Lankenau Law Office was added to the Spring tree and stump removal list.

Crossland stated that the Commission will move forward with the planting on W. Riverview Avenue from Park Street to Sheffield Avenue where there is sidewalk already in place; the map that Crossland distributed at the January meeting shows the potential areas for planting.

Volkman noted that trees that drop fruit and walnuts are not planted for safety reasons. Marihugh asked if more oaks could be planted; Crossland stated that it depends on the area that is being replanted; as the plan is to go block by block with species, adding that Stephanie Miller is helping to identify the species that will be most beneficial regarding different aspects such as soil and tree height. Crossland added that 10% of any one tree type is not acceptable. Marihugh requested a copy of the bid list before Crossland distributed them.

Arbor Day

Volkman stated that, in order for Napoleon to be a member of Tree City, USA, there are certain criteria that must be met including: a Commission Ordinance; \$2/capita budget for tree care; meeting at least six (6) times per year; and an Arbor Day observance. Volkman stated that in previous Arbor Day observances, youth organizations including Scouts and Student Council have participated. Commission member Etzler will contact the schools to set the date of either Friday, April 25, or Saturday, April 26 for the Arbor Day observance, depending on which group can participate. Crossland added that the tree used for the Arbor Day observance is listed on the bid list and is usually bid on by North Branch Nursery.

Crossland Will Contact Etzler Regarding Speaking To School For Arbor Day Observance

Crossland will contact Etzler regarding speaking with the school for the Arbor Day observance.

Any Other Matters To Come Before The Commission

Crossland reported that the Parks & Recreation Department is rebuilding the pump and the hose on the watering buggy.

Crossland reported that the bid opening documents for plantings and removals will be sent out soon, and the totals will be less than \$10,000 each; Crossland will email a copy of these documents to Marihugh before they are sent as requested.

Motion To Adjourn

Motion: Marihugh
To adjourn the meeting at 6:46 pm.

Second: Rohrs

Passed
Yea- 4
Nay- 0

Roll call vote on above motion:
Yea- Rohrs, Marihugh, Volkman, Rohre
Nay-

Approval Date:

David Volkman , Chair

DRAFT

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: 3/12/2014

Re: Parks & Recreation Committee Meeting Cancellation

The regular Parks & Recreation Committee meeting scheduled for Monday, March 17 at 6:15pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

PERSONNEL COMMITTEE

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

Meeting Agenda

Saturday, March 22, 2014 at 9:00 AM

- I. Approval of Minutes:
 - February 28, 2014
 - March 5, 2014
 - March 10, 2014
 - March 11, 2014
 - March 12, 2014

- II. Executive Session for Employment of Personnel

- III. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
PERSONNEL COMMITTEE

Meeting Minutes

Wednesday, March 5, 2014 at 6:30 pm

PRESENT	
Personnel Committee	John Helberg – Chair, Travis Sheaffer, Mayor Ronald Behm
City Staff	Trevor Hayberger, Law Director Morgan McCoy, Human Resources Director
Recorder	John Helberg
Absent	None
Call To Order	Chairperson Helberg called the meeting to order at 6:32 pm.
Review Of City Manager Applications	
Motion To Go Into Executive Session	Motion: Sheaffer Second: Behm To go into Executive Session to discuss employment of personnel.
Passed	Roll call vote on above motion:
Yea- 3	Yea- Helberg, Behm, Sheaffer
Nay-0	Nay-
Into Executive Session	The Committee went into Executive Session at 6:34 pm.
Motion To Come Out Of Executive Session	Motion: Sheaffer Second: Behm To come out of Executive Session
Passed	Roll call vote on above motion:
Yea- 3	Yea- Helberg, Behm, Sheaffer
Nay- 0	Nay-
Out of Executive Session	The Committee came out of Executive Session at 7:52 pm. Helberg reported that the Executive Session was held to discuss the employment of personnel and no action was taken.
Motion To Adjourn	Motion: Sheaffer Second: Behm To adjourn at 7:53 pm
Passed	Roll call vote on above motion:
Yea- 3	Yea- Helberg, Behm, Sheaffer
Nay- 0	Nay-

Date Approved

John Helberg, Chair

City of Napoleon, Ohio
PERSONNEL COMMITTEE

Meeting Minutes
Tuesday, March 11, 2014 at 7:00 pm

PRESENT	
Personnel Committee	John Helberg – Chair, Travis Sheaffer, Mayor Ronald Behm
City Staff	Trevor Hayberger, Law Director Morgan McCoy, HR Director
Recorder	Ronald Behm
Absent	Travis Sheaffer attended via telephone
Call To Order	Chairperson Helberg called the meeting to order at 7:00 pm.
Review Of City Manager Applications	
Motion To Go Into Executive Session	Motion: Behm Second: Helberg To go into Executive Session to discuss employment of personnel.
Passed	Roll call vote on above motion:
Yea- 2	Yea- Helberg, Behm
Nay- 0	Nay-
Into Executive Session	The Committee went into Executive Session at 7:01 pm.
Motion To Come Out Of Executive Session	Motion: Behm Second: Helberg To come out of Executive Session
Passed	Roll call vote on above motion:
Yea- 2	Yea- Helberg, Behm
Nay- 0	Nay-
Out of Executive Session	The Committee came out of Executive Session at 8:56 pm. Helberg reported that the Executive Session was held to discuss the employment of personnel and no action was taken.
Motion To Adjourn	Motion: Behm Second: Helberg To adjourn at 8:57 pm
Passed	Roll call vote on above motion:
Yea- 2	Yea- Helberg, Behm
Nay- 0	Nay-
<hr/> Date Approved	<hr/> John Helberg, Chair

City of Napoleon Parks and Recreation Department

255 West Riverview Avenue Napoleon, Ohio 43545
(419) 592-4010 (419) 592-8955 (fax)
tcotter@napoleonohio.com

Memorandum

To: *Jon A. Bisher, City Manager*
From: *Tony Cotter, Director of Parks and Recreation*
Date: *March 14, 2014*
Subject: *Parks and Recreation Board Recommendation – Dog Park Proposal*

On March 5th, representatives from the Girl Scouts of Western Ohio, along with members of the local girl scouts troop, proposed to the Parks and Recreation Board the construction of a Dog Park in Napoleon. The Girl Scouts were the recipients of a “Challenge and Change” grant from the USDA. This grant provides funds to scout groups that identify needs in their community and create a project that will elicit long term community change. The group’s desire is to build a dog park at East Riverdowns Park (off of E. Front St.) that would give a controlled, safe facility for pet owners to exercise their dog. Attached is the group’s project proposal and description along with a facility sketch.

The proposed facility would consist of a 100’ x 280’ x 5’ high chain link fenced area and include exercise components, park benches, trash receptacles, dog waste disposal centers, and landscaping. The facility would have two (2) double gated entries and be bisected by another fence to separate large dogs from small dogs. A lock system will be installed on the entry gates that will require a key fob to gain access. In the scout’s proposal, the key fobs would only be distributed to pet owners that have registered their pet, present vaccination paperwork, and pay a small annual fee.

The Girl Scout group has committed to all of the expenses involved in the construction of the Dog Park through grant money and additional fundraising efforts. Once the facility has been completed, the group would like to donate the Dog Park to the City. The City would then be responsible for mowing, trimming, and waste removal. The group is also proposing that City staff administer and distribute key fobs for those registering their pet.

The Parks and Recreation Board passed a unanimous motion to accept the Girl Scouts of Western Ohio’s proposed Dog Park plan and to recommend it to City Council.

As this would be a change in the use of East Riverdowns Park, I am asking that this facility’s concept and construction sketch be submitted to the Planning Commission for their review at their April 8th meeting.

If you have any questions or would like additional information, please let me know.

cc.: Tom Zimmerman, Building and Zoning Administrator
Trevor Hayberger, Law Director

Girl Scouts of Western Ohio Taking Action in the Community Napoleon, Ohio

Off-Leash Dog Park Proposal



About Girl Scouts

The mission of Girl Scouts of the USA (GSUSA) is to build girls of courage, character and confidence who make the world a better place. We cultivate life skills, civic responsibility, leadership, social conscience, and self-worth in girls, by offering them a diverse range of opportunities to participate in innovative programs. Girls learn to understand themselves and their values, connect with and inspire others, and take action to make the world a better place. With 112 Girl Scout councils across the country, 2.3 million girl members, 880,000 adult volunteer members and a strong network of resources and collaborations, Girl Scouts is strongly positioned to engage girls to become the change makers of the future.



United States Department of Agriculture (USDA) Grant Funded Program

Through the USDA *Challenge & Change: Challenge Yourself, Change The World* grant funded program, Girl Scouts across the United States have an opportunity to embody this mission and make a long-term positive impact on their communities. Piloted in 2006 with 16 councils, *Challenge & Change* is a comprehensive program that uses experiential and cooperative learning to teach project management, civic engagement and leadership skills. The Girl Scouts in Rural Communities program has strengthened rural communities by focusing on rigorous program goals, community-based projects, strategies that address significant long-term needs in rural communities, and tools to engage local citizens in the evaluation of their efforts.



Community Project

Girl Scouts of Western Ohio has been selected to participate in the *Challenge & Change* program for two grant cycles. Napoleon was determined to be an ideal community to benefit from this program due to its location, size and active Girl Scout programs. We have just begun the second phase of the grant cycle. Since Girl Scouts is a girl-led organization, the girls were instrumental in selecting the project. After research on community needs and reflection on their own areas of interest, a dog park was determined to be an excellent project to benefit the Napoleon community.

Community Investigation and Needs Assessment

In 2012, Girl Scouts from the City of Napoleon were actively involved in the investigation and needs assessment stage of the *Challenge and Change* grant and focused on using the curriculum and toolkits provided to determine where the greatest need was in the Napoleon to improve the quality of life, to foster community in the city and where girls had an interest and passion to impact their community. They also met with several community members including the Mayor of Napoleon, the Henry County Hospital CEO

and the Humane Society Director to investigate what key stakeholders in the community identified and prioritized as needs.

The two major findings that provided the girls direction on their project were:

- The Henry County Community Health Assessment revealed that 1 in every 4 Henry County children (28%) and 2 of every 3 Henry County adults (65%) are overweight or obese. Specifically, 13% of children and 33% of adults in Henry County are obese. The Health Partners set a goal to reduce the percentage of local children and adults who are obese to < 10% of children and <30% of adults by 2018. The Henry County Community Development Health Improvement Plan identified the community felt that one of the areas of health that needed to address in the community was wellness (e.g. exercise programs for all income levels, year-round activity program, nutrition education for parents, and increased availability of good food).
- The American Heart Association has declared that pets, especially dogs, are good for a person's heart. Owning a pet in general "may be associated with lower blood pressure and cholesterol levels" as well as a lower rate of obesity. Pets can also help a person cope with stressful situations.

Project Aim

Girl Scouts has spearheaded an initiative in the City of Napoleon to better provide youth and families opportunities to engage in activities that encourage wellness, healthy lifestyles and promote creative learning alongside "man's best friend." We are proposing to build an Off-Leash Dog Park which will more overtly provide activities for Napoleon families to promote physical fitness and improve the mental state of owners. Programming at the dog park would enhance opportunities for people to socialize and share valuable, responsible pet ownership information because of the common bond shared by dog owners. Activities at the dog park can bring people together and create a greater sense of community. Research also shows the empathy gained through an appreciation for pet care can support an appreciation for the wellbeing of other human beings in the community.

Dog Park Plan & Sustainability

Our plan is to build a 100' x 280' Off- Leash Dog Park, enclosed by a 5' chain link fence in the south end of East Riverdowns Park. The dog park will be separated into two areas, one for small dogs and one for medium-size to large dogs. Each area will have a separate, 10' x 10' double-gated entrance/exit area where owners can unleash and leash their dogs. A 10' maintenance gate to each area will allow easy access for mowing and other maintenance. Inside each area, we will provide benches, garbage receptacles, landscaping (i.e. flowers, bushes) and size-appropriate dog playground equipment. It is the intent that entrance to the dog park will be regulated by a magnetic key fob lock system; residents who wish to use the dog park must provide proof of their dogs' current license and vaccinations to Napoleon City Parks and Recreation and pay a small, one-time fee to cover the cost of the key fob. All upfront costs of constructing and furnishing the park will be covered by the USDA Rural Youth Grant and sponsorships procured from corporate and community donors. When completed, Girl Scouts of Western Ohio will donate the dog park to the City of Napoleon for maintenance and sustainability which includes mowing, trash removal, and key fob management. Our ideal timeframe to start construction is fall 2014.

Benefits to the Community

- Increased use of East Riverdowns Park
- Keeps dogs away from inappropriate areas (e.g. baseball fields)
- Supports responsible dog ownership, especially current licensing and immunization
- Improves mental and physical health of Napoleon residents
- First and only off-leash dog park available in Henry County and surrounding communities
- Increases desirability of Napoleon to potential new residents
- Activities (such as fitness and education events/programs) at the park promote a greater sense of community
- Provides a safe, appropriate environment for dog owners to exercise and socialize their dogs
- Provides residents who might not otherwise own dogs a resource to promote new, responsible pet ownership

Community Awareness Possibilities

- Dog Park Grand Opening and Wellness Day
- Printed Educational Brochure
- Walk-a-thon/Bark in the Park
- Sheriff and K-9 team presentation
- Dog behavior/training sessions
- Count-your-miles fitness challenge

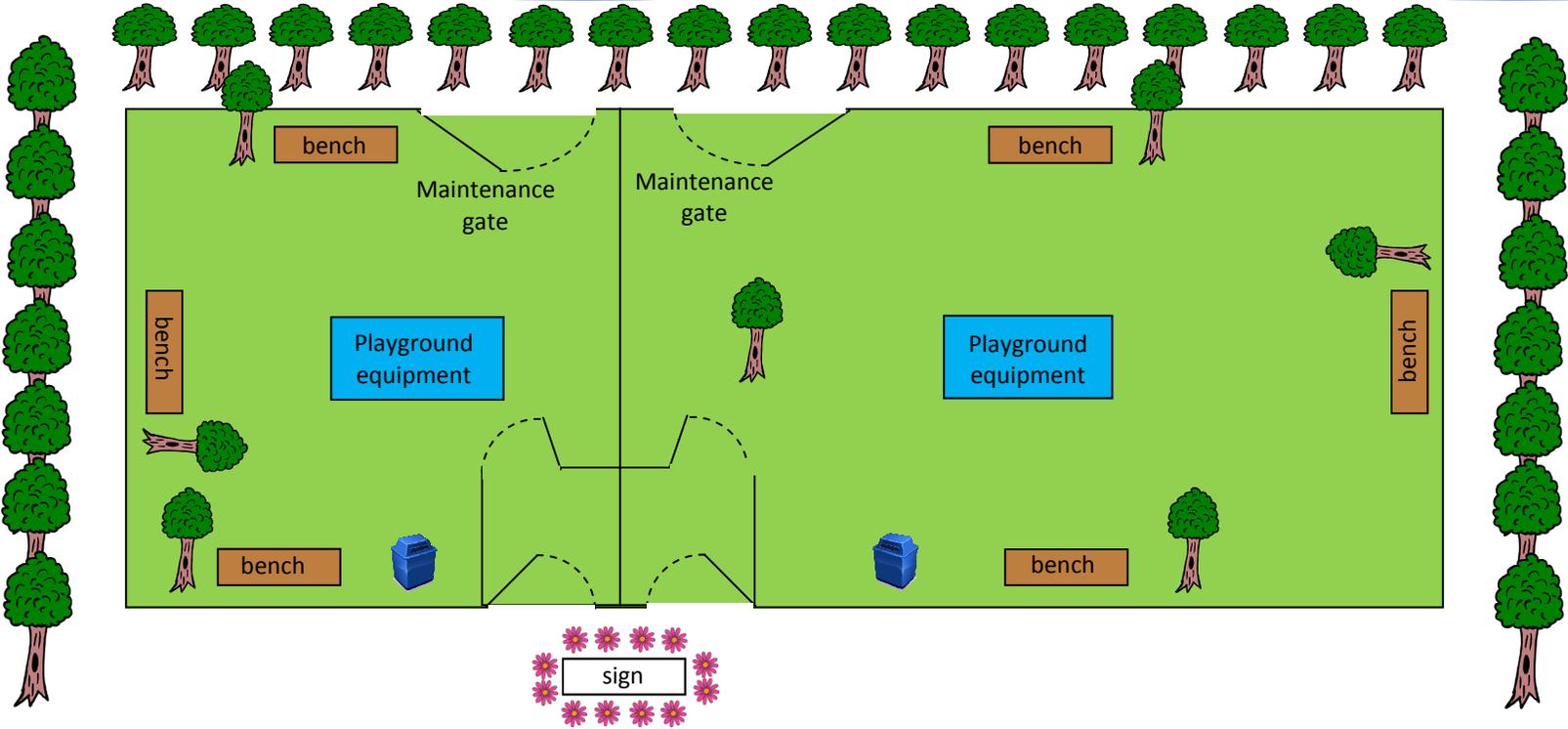
Projected Expenses*

Fencing	\$6,000
Playground Equipment	\$7,500
Benches	\$3,250
Landscaping	\$1,161
Signage	\$2,101
Marketing Materials	\$4,283
Miscellaneous supplies:	\$ 1,002
<ul style="list-style-type: none">• Trash Cans• Dog First Aid Kit• Pet Waste Clean Up System	
	=====
Total Projected Expenses	\$ 25,297

*Projected expenses will be covered by USDA Rural Grant and sponsorships procured from corporate and community donors.

Girl Scouts of Western Ohio Proposed Napoleon Dog Park

Maumee River



←
Parking
Lot

E. Front St.

Enclosure:

The exercise areas will be enclosed with a 5ft. high chain-link fence. The enclosure will be separated into two areas—one for dogs under 35 pounds (small dog area) and one for dogs over 35 pounds (large dog area).

Double Gated Entries:

Each section of the park will have a separate double-gated entry. This safety feature prevents the accidental escape of dogs from the park and provides a space for handlers to acclimate their dogs to the exercise area as well as to leash or unleash their dogs.

Each exercise area will have bench seating and waste containers. In addition, an extra-wide, locked, single gate in each area will provide easy access for maintenance.

The actual layout of benches and landscaping inside the dog park is to be determined.



Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

March 14, 2014



Congressman Bob Latta (R-OH) meets with members of the AMP/OMEA group during the APPA Legislative Rally on March 12.

AMP/OMEA members work to protect rights of public power at Legislative Rally

By Jolene Thompson – senior vice president member services & external affairs/OMEA executive director

A sizable group representing AMP/OMEA once again participated in the American Public Power Association's (APPA) annual Legislative Rally held in Washington, D.C., March 10-12. Nearly 60 members, guests and staff attended the Rally as part of the AMP/OMEA group, with 22 member communities represented from Ohio, Delaware, Pennsylvania and Virginia.

During the Rally's Legislative & Resolutions Committee meeting on March 11, AMP and OMEA sponsored two of the nine resolutions – Resolution 14-03: In Opposition to Sequestration of Direct Payment Bond Payments, and Resolution 14-05: In Support of Improving the U.S. Army Corps of Engineers' Hydropower Practices; and co-sponsored Resolution 14-07: In Support of Reforming the Centralized Capacity Markets Operated by Regional Transmission Organizations. The other resolutions, available on [APPA's website](#), approved were:

- Resolution 14-01: In Support of Legislation to Protect Against "Patent Trolls" (Patent Assertion Entities or "PAEs")
- Resolution 14-02: In Support of Distributed Generation Policies that Allow for Local Decision-making and Equitable Rates Among Customers
- Resolution 14-04: In Support of Small Modular Reactors (SMRs)
- Resolution 14-06: In Support of Strengthening Public Power's Mutual Aid Networks

see RALLY Page 2

Members set new all-time peaks in January

By Ryan Thompson – power supply planning engineer

Extreme cold temperatures in January caused some members to set new all-time peaks. The overall average temperature in Columbus for January was 22.9 degrees F, which was 6.6 degrees F below normal. There was a string of days from Jan. 10-14 that averaged 12.6 degrees F above normal, just enough to keep January out of the top five coldest Januaries on record.

There were two major cold spells in January. One occurred Jan. 6-7, where the temperature was 17 degrees F and 28 degrees F, respectively, below normal. Also during Jan. 6 and 7 there were 21 consecutive hours below 0 F. The second cold spell occurred from Jan. 27-30, where the four-day average was 19.5 degrees F below normal. Jan. 28 was the coldest day of that period, with a high temperature of 6 degrees F and a low of -11 degrees F. Twelve members set new all-time peaks during the month of January.

	January Peak	All Time Peak	Increase	Day and Hour of Peak
Arcanum	6.056	5.831	3.9%	1/06/2014 - 1800
Bedford	60.527	55.622	8.8%	1/24/2014 - 600
Duncannon	2.929	2.655	10.3%	1/07/2014 - 1900
East Conemaugh	1.371	1.278	7.3%	1/07/2014 - 1800
Front Royal	50.979	44.764	13.9%	1/30/2014 - 700
Goldsboro	1.637	1.610	1.7%	1/07/2014 - 700
Lewisberry	0.744	0.649	14.6%	1/07/2014 - 600
Lodi	9.915	9.505	4.3%	1/28/2014 - 900
Mendon	1.628	1.502	8.4%	1/07/2014 - 1800
Philippi	8.677	7.690	12.8%	1/30/2014 - 800
Richlands	24.414	21.500	13.6%	1/30/2014 - 800
Schuylkill Haven	10.733	10.264	4.6%	1/07/2014 - 1900



News or Ads?

Call Krista Selvage at 614.540.6407 or email to kbselvage@amppartners.org if you would like to pass along news or ads.

RALLY continued from Page 1

- Resolution 14-08: In Support of Appropriate Liability Protection for Electric Utilities Related to Cyber Attacks
- Resolution 14-09: In Support of Critical Infrastructure Physical Security

The APPA Rally provides a valuable opportunity for public power to be engaged in the legislative process. The main topics covered on Capitol Hill were tax-exempt financing, BABs sequestration, energy and environmental policies, congressional oversight of FERC and RTOs, and cybersecurity.



Sen. Rob Portman (R-OH) discusses issues of interest with Ohio members on March 12.

The AMP/OMEA contingent met with a total of 22 congressional offices. This included meetings with: Speaker John Boehner (R-OH), Sen. Sherrod Brown (D-OH), Sen. Rob Portman (R-OH), Rep. Bob Gibbs (R-OH), Rep. Morgan Griffith (R-VA), Rep. Robert Hurt (R-VA), Rep. Bill Johnson (R-OH), Rep. David Joyce (R-OH), Rep. Bob Latta (R-OH), Rep. Jim Renacci (R-OH), Rep. Steve Stivers (R-OH), and staff of Rep. John Carney (D-DE), Sen. Bob Casey (D-PA), Sen. Tim Kaine (D-VA), Rep. Joe Pitts (R-PA), Sen. Pat Toomey (R-PA), Sen. Mark Warner (D-VA), Rep. Joyce Beatty (D-OH), Rep. Jim Jordan (R-OH), Rep. Pat Tiberi (R-OH), Rep. Tim Ryan (D-OH), and Rep. Brad Wenstrup (R-OH). Virginia meetings were coordinated with the Blue Ridge Power Agency.

On behalf of AMP and OMEA, I would like to thank all the members who participated in the effort to raise awareness of the impacts of federal policy on municipal electric system consumers.

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

Week ending March 14

MON	TUE	WED	THU	FRI
\$51.15	\$43.68	\$50.34	\$88.22	\$48.43

Week ending March 7

MON	TUE	WED	THU	FRI
\$178.70	\$185.19	\$94.15	\$70.21	\$52.64

AEP/Dayton 2015 5x16 price as of March 14 — \$40.25

AEP/Dayton 2015 5x16 price as of March 7 — \$41.59

Regan joins AMP staff

By Chris Deeter – assistant vice president of finance & member credit compliance

Joe Regan, who has been working in a temporary capacity for about three months, joined AMP fulltime as member credit compliance analyst on March 10.



Joe Regan

Regan will be working with AMP's credit scoring program as well as any AMP project financing in support of our members, and traveling to communities for the regular Finance & Accounting Subcommittee meetings. He will also be involved in maintaining AMP's data base in support of rating agency reviews for debt currently outstanding.

Prior to AMP, he was an accounts receivable analyst for Brickman Facility Solutions. He holds a bachelor's degree in business administration from the College of Charleston, and a master's degree in accounting and financial management from the University of Maryland University College.

Please join me in welcoming Joe.

PJM posts results for the 2014-2015 Third Incremental Auction

By Brandon Poddany – power supply planning engineer

PJM posted the results of the 2014-2015 Third Incremental Auction (3IA) on March 7. The auction cleared with three distinct pricing regions. This is the first capacity year for two new demand response (DR) products. In addition to the traditional limited product (60 hours limit for mandatory curtailment), the Extended Summer and Annual DR products were available for the first time. However, there was no price differentiation between the three DR products nor with the annual generation capacity product.

The PJM RTO clearing price was \$25.51/MW-day (\$0.78/kW-month). AMP member zones in this price region include AEP, ATSI, Dayton and Duke. The MAAC Region clearing price was \$132.20/MW-day (\$4.02/kW-month). AMP member zones in this price region include Met-Ed, Penelec and PPL. The PS-North LDA clearing price was \$256.76/

LDA	Auction	BASE (\$/kW-mo)	1IA (\$/kW-mo)	2IA (\$/kW-mo)	3IA (\$/kW-mo)
PJM RTO		\$3.83	\$0.17	\$0.76	\$0.78
MAAC		\$4.15	\$0.50	\$1.73	\$4.02
PS-North		\$6.84	\$12.50	\$9.43	\$7.81

MW-day (\$7.81/kW-month). AMP currently does not have any members in this LDA. Please review the table above for a comparison of all the 2014-2015 RPM auction results.

The majority of AMP's capacity offers (sales) and bids (purchases) into the 3IA cleared the auction. This was the final auction for the 2014-2015 delivery year that begins on June 1, 2014. AMP will confirm results for auction participants shortly.

If any DR participants have questions, please contact me at bpoddany@amppartners.org or 614.540.1080.

AMP presents annual Technical Services Conference in March

By Michelle Palmer – assistant vice president of technical services

Electric utility managers, superintendents and technical staff are invited and encouraged to attend AMP's 2014 Technical Services Conference March 25-26 at AMP headquarters in Columbus.

The two-day event provides an opportunity for participants to increase technical understanding and capabilities, learn about new products, strengthen relationships with other members and AMP staff, and exchange ideas with other utilities facing similar challenges. A Vendor Expo will also be featured. The conference agenda includes:

March 25

- *Cyber/Physical Security* – Cyber and Physical Security are important aspects for municipal utilities of all sizes. Join the AMP IT staff as they discuss assets within the utility and how to best protect those assets even if the utility does not have to comply with NERC standards. AMP will also discuss program development to help members protect these assets.
- *Westerville's 69kV Underground Project* – Learn more about this extensive underground project that was approximately 8,000 circuit feet in length. Michael Pope, PE, will explain the steps that the city went through for this large transmission project and how it has improved operational flexibility and reliability.
- *Safety; Infeasible or Creates a Greater Hazard* – Join Steve Mutchler, AMP safety/OSHA compliance coordinator, as he covers what is most important about a safety program. Is it the rules and regulations, the programs and policies or is it the people? Discuss all three and then decide for yourself.
- *Fall Restraint Devices* – What's new in the world of climbing safety? This session will cover some of the latest fall restraint devices and the reasons that communities are choosing to use them.

- *New Approach to Connected Community: "Think Outside the App"* – Pat Corrigan with Elster will discuss how smaller utilities can take advantage of many connected data points without breaking the bank. He will touch on key aspects of smart metering and keeping people apprised and on-board with changing systems.

March 26

- *ArcFlash & NESC* – Brent McKinney of City Utilities in Missouri will speak on current aspects of the NESC code as it relates to ArcFlash. McKinney will also discuss proposed changes for the ArcFlash standard to the NESC. He currently chairs the APPA RP3 panel and served as an APPA representative on the 2012 NESC Subcommittee 8, Work Rules.
- *Securing Your Distribution Operational Network From A Cyber Attack* – Bruce Gordon of N-Dimension will examine current cyber security concerns and vulnerabilities within the electric utility market and explain how to build a defense-in-depth strategy for the entire utility.
- *The Smart Grid is Local: Are You Ready?* – Steven Collier of Milsoft explores the new paradigm of smart grid, with an increasing number of local generation, storage, and energy management points at the customer edges of the grid.
- *Smart Grid Panel Discussion* – Attendees are encouraged to come prepared with questions for the panel.

Conference registration forms and a full agenda are available on the Member Extranet section of the [AMP website](#). Please contact Jennifer Flockerzie, technical services program coordinator, at 614.540.0853 or jflockerzie@amppartners.org with questions or for more information.

Gas is lower as warmer weather returns

By Ryan Thompson

With temperatures rising in most of the United States, natural gas spot prices declined during the report week from \$7.90/MMBtu a week ago to \$4.66/MMBtu March 13. Total natural gas consumption averaged 74.3 billion cubic feet per day (Bcf/d), 27 percent less than last week's 101.4 Bcf/d average.

April natural gas prices ended the week down \$0.28/MMBtu from last week to finish trading yesterday at \$4.38/MMBtu. Next year power prices followed natural gas prices lower this week. 2015 on peak electric prices fell \$1.34/MWh for the week with AD Hub closing at \$40.25/MWh.

AFEC weekly update

By Ryan Thompson

With warmer weather returning, AFEC was dispatched offline for the weekend and returned to operation during the on-peak hours for Monday and Tuesday.

As colder weather returned Wednesday AFEC stayed on line around the clock and saw its first duct firing hours Wednesday and Thursday.

There were only 11 hours of duct firing compared to 36 hours last week. The plant ended the week with a 44 percent load factor (based on 675 MW) and was \$21.08/MWh cheaper than on-peak power prices.



Register now for AMP's 2014 lineworker training series

By Jennifer Flockerzie – technical services program coordinator

Classes are filling up fast for AMP's popular lineworker training series.

AMP will offer four weeks of lineworker training sessions this year – with one class each for Basic 1, Basic 2, Intermediate and Advanced. Groundworker training is available upon request. The schedule is:

- Basic 1: June 2-6
- Basic 2: Sept. 8-12
- Intermediate: June 16-20
- Advanced: Sept. 22-26

The Basic 1 course, scheduled for June 2-6, is already full, but we have started a waiting list for an additional Basic 1 course.

The class fee for 2014 is \$1,000 per person per week for the Basic 1, Basic 2, Intermediate and Advanced. This fee covers the class cost, but does not include lodging, meals and other miscellaneous expenses. A cookout will be held for all participants at the end of each class week, which is included in the class fee.

Please contact me at 614.540.0853 or jflockerzie@amppartners.org to register, to be added to the Basic 1 course waiting list, or with questions or for more information. The AMP 2013-14 Training Catalog is available on the Member Extranet section of the [AMP website](#).



Regional Safety Meeting a success in Bowling Green

AMP's Senior Safety/OSHA Compliance Coordinator Sandi Sherwood discusses personal protective equipment at AMP's Regional Safety Meeting held on March 11 in Bowling Green. There were 46 attendees from 14 member communities in Michigan and Ohio who participated in the event. Additional Regional Safety Meetings in other locations throughout AMP's footprint are being planned.

AMP Finance & Accounting Subcommittee meets in West Virginia on March 13

By Joe Regan – member credit compliance analyst

New Martinsville hosted the West Virginia AMP membership on March 13 for an AMP Finance & Accounting Subcommittee meeting. The meeting was well attended with representation including elected officials from both the Village of Woodfield and New Martinsville.

James Engel, with Kensington Capital Advisors, started off the meeting with a presentation on bond proceeds investments. Specifically, Engel covered what the decision process is that AMP must go through when investing bond proceeds and how to maximize the return while still being aware of the arbitrage limitations on earnings.

Engel was followed by Dan Hyland, assistant vice president of enterprise fraud at Huntington National Bank, who discussed protection from fraud and cyber fraud in municipalities. Andy Blair, AMP's assistant vice president-quality systems, then discussed the concept behind AMP's power invoices. Andy's discussion included a question and answer session regarding the effects of the regional transmission organizations and the power supply sources for the attendees.

Following lunch, Chris Deeter, AMP's assistant vice president of finance & member credit compliance, finished out the day with "Financial Soundness: The Economy and your Municipality."

The next Finance & Accounting Subcommittee meeting will be held April 24 in Hamilton, Ohio. Please RSVP to either Joe Regan at jregan2@amppartners.org or 614.540.6913, or Chris Deeter at cdeeter@amppartners.org or 614.540.0848.

Calendar

March 25-26—AMP Technical Services Conference

AMP Headquarters, Columbus

April 4-5—APPA Lineworkers Rodeo

Oklahoma City, Oklahoma

April 6-9—APPA Annual Engineering and Operations Technical Conference

Oklahoma City, Oklahoma

April 24—AMP Finance & Accounting Subcommittee Meeting

Hamilton, Ohio

April 29—Advanced Transformer Workshop

AMP Headquarters, Columbus

May 15—AMP Finance & Accounting Subcommittee Meeting

Montpelier, Ohio

June 2-6—Lineworker Training Basic 1

AMP Headquarters, Columbus

June 5—AMP Finance & Accounting Subcommittee Meeting

Salem, Virginia



Bradner accepts applications for electrical lineworker

The Village of Bradner is accepting applications for a qualified fulltime electrical lineworker position. Candidates must possess a high school diploma, seven years general electrical utilities experience, workable knowledge of transmission, distribution lines and substations, and the ability to respond to necessary field work on a daily and emergency basis. Water and waste water experience is preferred but not necessary.

A valid driver's license is required. Class A CDL with air brake endorsement is required or must be obtained within six months of hire. This position will report to the Utility Superintendent.

Salary commensurate with experience plus an excellent benefits package. Applications and position descriptions are available at the Village offices, located at 130 N. Main St., Bradner, OH 43406 or by contacting the Fiscal Officer at 419.288.2890. The Village of Bradner is an Equal Opportunity Employer.

St. Clairsville seeks lineworker

The City of St. Clairsville has an opening on its electric distribution crew for a lineman. The pay depends on the candidate's education and/or experience and ranges between \$14.29 to \$20.87 per hour plus full benefits. A First Class of Journeyman Lineman is the preferred level of knowledge, skills, and abilities, however the city will consider those with some level of training and/or experience as a lineman.

Candidates must have some formal education from a Vocational School or Training College in a lineman training program, or have experience working as a lineman apprentice, as a minimum qualification. The selected candidate, if less experienced, shall be expected to make steady progress towards attaining the position of "First Class Lineman" by demonstrating necessary knowledge, skills and abilities. The candidate shall have three years from the date of hire to obtain this ranking as a condition of employment.

Depending upon experience level, the employee shall train under supervision in the areas of distribution/transmission, substation, high voltage line and system construction, and maintenance. Selected candidate will work initially on unenergized circuits and alter work on energized circuits from lower to maximum system voltage. The work shall progress from assisted to unassisted duties.

Candidates must learn to climb poles, work out of and operate a bucket truck and use other relevant tools and equipment. Candidates must be available on a moment's notice for call out, and must have a valid driver's license. Candidates must be willing to attend formal training classes as determined by the employer.

The selected candidate must, within six months of notice of employment, reside within 30 minutes driving distance to the St. Clairsville Municipal Building as a condition of employment. As a condition of acceptance on this job, candidates who are otherwise qualified will be required to take and pass the appropriate State/Federal driver's licensing requirements, as well as pass a pre-employment physical and drug test.

The Civil Service Commission will give an eligibility exam for the position. The city prefers applicants view and print the Civil Service Exam Application form from the website, but for can be obtained at the Office of the Director of Public Services, Municipal Building, 100 N. Market St. Applications can be mailed to Director of Public Services, City of St. Clairsville, P.O. Box 537, St. Clairsville, OH 43950.

Veterans should submit a copy of DD214 along with application.

The deadline for submittal of the exam application and \$10 exam fee is 3 p.m. March 21, 2014. Make checks payable to City of St. Clairsville. Applicants that take the exam will have the exam fee refunded. The Civil Service Commission will administer the exam at 6 p.m. April 2, 2014, at the J.B. Martin Recreation Center in St. Clairsville. Photo identification will be required on the evening of the exam.

IT administrator needed in Piqua

The City of Piqua is seeking qualified applicants for the position of IT Administrator. Salary range is (DOQ) plus excellent benefits. Requires completion of an associate degree (bachelor's degree preferred) in information technology, engineering or related field with three to five years relevant work experience. This experience should include network administration (SCADA experience and/or CISCO CCNA desired).

Please send application, letter of interest including salary history, resume, and three business references by March 28, 2014 to Elaine G. Barton, Human Resources Director, City of Piqua, 201 W. Water St., Piqua, Ohio 45356, email ebarton@piquaoh.org, visit our website at www.piquaoh.org to obtain an application. EOE.

Electrical distribution superintendent candidates wanted in Galion

Galion Municipal Electric Division in Galion, Ohio, is seeking an individual to direct the operation of the municipal electric distribution system. Essential duties include budgeting, planning and supervising the

see CLASSIFIEDS Page 6

construction, operation and maintenance of the electric distribution system.

Minimum requirements include five years of experience operating a municipal electric system, completion of two years of college-level coursework in engineering or business or equivalent, and supervisory experience. Valid Ohio Commercial Driver License required. Salary range: \$40,000-\$85,000/year with excellent benefits. Galion (pop. 10,512) is located in North Central Ohio and offers a small-town setting and affordable housing.

Full job description is available at www.ci.galion.oh.us. Submit cover letter and resume by March 21, 2014, to Mayor Thomas M. O'Leary, 301 Harding Way E., Galion, OH 44833 or email to nicoleward@ci.galion.oh.us. EOE.

AMP seeks candidates for open staff positions

American Municipal Power, Inc. (AMP) is seeking candidates for the positions of Circuit Rider and Crew Supervisor.

The circuit rider position serves as a trainer and technical adviser to member communities for the Circuit Rider program, safety programs and special projects, and assists with the centralized administration of the Mutual Aid program. Successful candidates must have a high school diploma (two-year technical degree desirable), be a journeyman lineworker, have a minimum of two years management experience, have a CDL license, be willing to travel approximately 75 to 80 percent of the time, have a working knowledge of OSHA regulations, be CPR certified, have public speaking experience, and domiciled in the Northwest Ohio area. Experience in a municipal environment is strongly preferred.

Successful crew supervisor candidates must have knowledge of electrical line clearing hazards and ability to maintain OSHA approved Qualified Line Clearance/Tree Trimmer status. Crew supervisor must demonstrate the ability to climb trees using safety ropes and maintain Certified Tree Worker status (ISA). Candidates must have three years of increasingly responsible tree trimming, removal and pruning experience; and be a certified line clearance arborist.

For complete job descriptions or to apply, please visit www.amppartners.org under "careers" or email to tucker@amppartners.org. Deadline to apply for both positions is March 21.

City of Westerville seeks director of public service

The City of Westerville seeks a highly experienced professional to serve as the Director of Public Service. The successful candidate will have a broad background in all aspects public works (street maintenance, water line and sewer line maintenance, cemetery management, fleet

procurement and repair, solid waste collection), strong supervisory and communication skills, and should have a commitment to the highest levels of integrity and exceptional customer service. Position reports to the Assistant City manager with overall reporting responsibility to the City Manager.

Required: Bachelor's degree, preferably in Engineering or Civil Engineering, and ten years of progressively responsible managerial experience in government, at least six years of which are at a middle to senior management level.

For a complete job description and to apply, please visit the City of Westerville website at www.westerville.org (see "Jobs" at the top of the page). Only online applications completed at www.westerville.org will be accepted.

The deadline for application is 11:59 p.m. March 16, 2014. The City of Westerville is an Equal Opportunity Employer/ADA

Decommissioned equipment available through Wadsworth

Due to recent implementation of a smart grid system the City of Wadsworth is offering decommissioned equipment at nominal charges for communities who are willing to pick it up.



For more information or a complete list of available equipment, please contact Ron Jackson at 330.335.2864 or John Williams at 330.335.2819 with Wadsworth's Electrical Substation Department.

Equipment and miscellaneous materials available include:

- Various relays and controls including but not limited to ABB TPU relays, Basler overcurrent relays, GE reclosing relays, and ElectroSwitch CSR control switches and lockout relays
- Current transformers
- S&C power fuse air flow tester
- Regulator Controls (Siemens, Cooper and GE)
- Various substation style meters and transducers

Schuylkill Haven in need of journeyman electric lineworker

The Borough of Schuylkill Haven is accepting applications for a journeyman electric lineworker position.

A complete job description and job application can be obtained by contacting the borough office at 570.385.2841 or by logging on to the Borough's website www.schuylkillhaven.org.

Please submit a completed job application, resume, certifications and three references to: Scott J. Graver, Borough Administrator, Schuylkill Haven Borough Office, 12 W. Main St., Schuylkill Haven, PA 17972.

Fw: Fwd: FW: HB 5 - The Good, The Bad, and The Ugly (Corrected)

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

03/09/14 09:37 PM

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

From: "Michelle Jordan" <datataxgroup@gmail.com>
To: undisclosed-recipients:
Date: 03/05/2014 05:06 PM
Subject: Fwd: FW: HB 5 - The Good, The Bad, and The Ugly (Corrected)

Dear DATA members:

Please see the excellent Letter to the Editor below from a Miamisburg resident, and former IRS agent.

Please share with everyone you know who might be interested in this.

Have a wonderful evening!

Michelle

----- Forwarded message -----

From: **Sandi Miller** <sandi.miller@cityofmiamisburg.com>
Date: Wed, Mar 5, 2014 at 2:27 PM
Subject: FW: HB 5 - The Good, The Bad, and The Ugly (Corrected)
To: "Michelle Jordan (datataxgroup@gmail.com)" <datataxgroup@gmail.com>, "Brenda Browning (bbrowning@ci.reynoldsburg.oh.us)" <bbrowning@ci.reynoldsburg.oh.us>, "mfunk@cityofsharonville.com" <mfunk@cityofsharonville.com>

This was a letter to the editor from one of my residents. As a retired IRS agent, he hits the nail on the head.

Please share.

As a Miamisburg resident, I have a great deal of respect for the work done by the employees and volunteers of the Miamisburg Income Tax Department. I do not want to see the City of Miamisburg, (employees and citizens) harmed by the passage of Ohio House Bill 5, which has some good points, a few bad points, and quite a few unknown and negative points. As a retired IRS agent, I have some thoughts on HB - 5 I would like to share.

The Good

Rather than have a different set of rules and regulations for each city in Ohio, HB - 5 attempts to provide uniformity to the assessment and collection of city income taxes through out Ohio. Uniformity is a good thing for taxpayers (individuals and businesses). The more simple and easy it is to prepare and file city income tax returns, the more cost effective it should be to

taxpayers. However, it is doubtful that CPA firms and/or tax preparation companies will pass along the savings to their clients, resulting in a nice windfall to the CPA firms and tax preparation companies. The Ohio Society of CPA's (OSCPA) has endorsed HB - 5.

The Bad

The State of Ohio wants to take over the assessment and collection of city income taxes, and HB - 5 is the first step in that direction. The State of Ohio wants a piece of the city income tax pie which is why HB - 5 is so important. The Ohio Department of Taxation maintains strong audit and collection department(s) as it relates to excise and sales taxes. However, the State of Ohio relies heavily on the Internal Revenue Service (IRS) to do a large part of the audit work as it relates to the assessment of income taxes. Unfortunately, the IRS (because of budget cuts) is not hiring or replacing agents as they should which has and will continue to have a negative impact on assessment and collection of income taxes in the future. This will similarly have an adverse impact to the State of Ohio in the administration of state and local income taxes.

The Ugly

Since Governor Kasich has taken office, the State of Ohio has balanced their budget by shorting the cities and school districts of the funding they were to get from the State of Ohio. This course of action was nothing but a "shell game" of moving funding away from cities and school districts, causing services to be cut and employees to lose their jobs, while enriching the State of Ohio. As previously stated the State of Ohio wants a piece of the city income tax pie. The question yet to be asked and determined is how much pie does the State want and how will this impact Miamisburg and the other cities of Ohio. Once the money gets into the hands of the State, what guarantee does Miamisburg or any city have that they will get the proper funding they enjoyed before the centralization of the city income tax functions? What will become of the employees of the city income tax departments? The State of Ohio has given various businesses across the State a tax abatement or a corporate subsidy impacting the payment of their taxes. How will such future actions of the State (giving away the store) impact the cities where those businesses are located? How will the political affiliation of the Mayor, House or Senate representatives impact the funding to the cities? HB - 5 is a power and money grab by the State of Ohio at the expense of Miamisburg and the other cities of Ohio. How much tax revenue will our cities in Ohio lose? How many city services will have to be cut? How many more persons in our cities will lose their jobs?

Miamisburg residents are encouraged to contact their State House Representative and Senate Representative and voice their concerns about House Bill 5.

Fred P. Hoppel

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Michelle Jordan
DATA
Dayton Area Tax Administrators

Tax Manager, Dayton Branch Office
Central Collection Agency
371 W Second St, Suite 110
Dayton OH 45402
937.227.1359 Office