

RESOLUTION NO. 081-10

**A RESOLUTION ESTABLISHING AND/OR ADJUSTING THE
COMPENSATION OF FUTURE COUNCIL MEMBERS AND THE
MAYOR OF THE CITY OF NAPOLEON, OHIO**

WHEREAS, it is the intent of this Council to adjust the salaries of future Council persons and Mayor commencing with the year 2012 term of office; however, to be accomplished in a manner not to be construed as barring future Council's from making further adjustments as it deems necessary relating to increases or decreases in compensation or benefits; and,

WHEREAS, it is the intent of this Council to lower the automatic increases for the City's Council Members and Mayor as was previously established pursuant to Ordinance No. 161-96. Now therefore,

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

Section 1. That, commencing January 1, 2012, being the first day of the new term of office for Council Members in and for the City of Napoleon, Ohio, each person so elected for the new term shall receive an annual salary of \$4,663.26, with an automatic one and one-half (1 ½%) percent annual increase, said salary to be paid in equal amounts on a monthly basis. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office for the position of Council Member until lawfully changed by Council.

← * Current

4

Section 2. That, elected or appointed Council members of the City of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or Council members later appointed to serve an unexpired term of said elected or appointed Council members, shall continue to receive as compensation, an annual salary of \$4,438.56, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term, to be paid in equal amounts on a monthly or semi annual basis.

← * Prior

Section 3. That, commencing January 1, 2012, being the first day of the new term of office for Mayor of the City of Napoleon, Ohio, the Mayor so elected for the new term shall receive an annual salary of \$13,314.25, with an automatic one and one half (1 ½%) percent annual increase, to be paid in equal amounts on a monthly basis. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office as Mayor until lawfully changed by Council.

← * Current

Section 4. That, the elected or appointed Mayor of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or persons later appointed to serve an unexpired term of said elected or appointed Mayor, shall continue to receive as compensation, an annual salary of \$12,672.70, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term to be paid in equal amounts on a biweekly basis.

← * Prior

Section 5. That, the compensation as established in this Ordinance of Council members and Mayor shall be paid pro-rata according to time served in the position.

Section 6. Persons elected or appointed to the respective office of Council or Mayor in and for the City of Napoleon, Ohio, effective with the term commencing January 1, 2012, and each term thereafter, shall be entitled, while serving, to unlimited personal use of City provided internet service upon the payment of a flat monthly fee to the City in an amount as determined by the City's Finance Director, to be one-half the average cost of service, so long as such internet service is available. Said amount shall remain consistent through the end of a term of office. The elected or appointed Council Member or Mayor shall be responsible for any tax liability.

Section 7. That, this Council, pursuant to Article X, Section 10.03(C), finds that this Ordinance is in conformance with Article II, Section 2.05; and, Article III, Section 3.03 of the Napoleon City Charter.

Section 8. That, Ordinance No. 161-96 is repealed. Repealing of said Ordinance 161-96 shall not be construed eliminating the compensation amounts for elected City officials as was established in accordance with the City Charter, as said amounts have been restated in this Ordinance.

Section 9. 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 10. 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 11. That, this Resolution shall take effect at the earliest time permitted by law.

Passed: November 15, 2010


Glenn A. Miller, Council President

Approved: 15NOV10


J. Andrew Small, Mayor

VOTE ON PASSAGE 7 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. 081-10 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. 074-12

**A RESOLUTION AMENDING SECTIONS 1, 2, 3, AND 4 OF
RESOLUTION NO. 081-10 TO AMEND THE PAY FREQUENCY
OF COUNCIL MEMBERS AND THE MAYOR OF THE CITY OF
NAPOLEON, OHIO**

WHEREAS, it is the intent of this Council to allow Council Members and the Mayor, at their own discretion, to choose the manner in which their salary is paid; and,

WHEREAS, through this resolution it is not the intent of this Council to change the compensation of the Council Members nor the Mayor because doing so would be a violation of the Ohio Constitution; the intent is merely to change the manner in which their salary is paid. Now therefore,

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

Section 1. That, Sections 1, 2, 3, and 4 of Resolution No 081-10 of the City of Napoleon, is hereby amended and enacted as follows:

“Section 1. That, commencing January 1, 2012, being the first day of the new term of office for Council Members in and for the City of Napoleon, Ohio, each person so elected for the new term shall receive an annual salary of \$4,663.26, with an automatic one and one-half (1 ½%) percent annual increase, said salary to be paid ~~in equal amounts on a monthly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF SAID MEMBER.** The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office for the position of Council Member until lawfully changed by Council.

Section 2. That, elected or appointed Council members of the City of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or Council members later appointed to serve an unexpired term of said elected or appointed Council members, shall continue to receive as compensation, an annual salary of \$4,438.56, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term, to be paid ~~in equal amounts on a monthly or semi-annual basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF SAID MEMBER.**

Section 3. That, commencing January 1, 2012, being the first day of the new term of office for Mayor of the City of Napoleon, Ohio, the Mayor so elected for the new term shall receive an annual salary of \$13,314.25, with an automatic one and one half (1 ½%) percent annual increase, to be paid ~~in equal amounts on a monthly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF THE MAYOR.** The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office as Mayor until lawfully changed by Council.

Section 4. That, the elected or appointed Mayor of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or persons later appointed to serve an unexpired term of said elected or appointed Mayor, shall continue to receive as

compensation, an annual salary of \$12,672.70, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term to be paid ~~in equal amounts on a biweekly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF THE MAYOR.** ”

Section 2. That, it is found that Sections 1, 2, 3 and 4 of Resolution 081-10 as amended are not a change in compensation, but merely a change in the manner in which said compensation is paid.

Section 3. That, all other portions of Sections 1,2,3, and 4 of Resolution 081-10 that were not amended as part of this legislation as well as Sections 5, 6, 7, 8, 9, 10, and 11 of Resolution 081-10 remain in full effect.

Section 4. 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 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.

Passed: November 19, 2012

John A. Helberg
John A. Helberg, Council President

Approved: November 19, 2012

Ronald A. Behm
Ronald A. Behm, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest: Gregory J. Heath
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. 074-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director