

---

# Memorandum

---

**To:** Mayor & Members of Council  
**From:** Monica Irelan, City Manager  
**Subject:** General Information  
**Date:** April 22, 2016

## CALENDAR

**MONDAY, APRIL 25<sup>TH</sup>** - *Technology & Communication* Committee Meeting @6:15 p.m.

1. **Approval of Minutes**
  - a. The minutes from the May 4, 2015 meeting are attached.
2. **Discussion Regarding the NCTV Contract and Financial Reports**
  - a. Enclosed is a Memorandum from me and also a copy of the current contract.
3. **Discussion Regarding the Review of Social Media Presence: Facebook and Blog Statistics**
4. **Discussion Regarding the Time Warner Cable Contract**

---

**TUESDAY, APRIL 26<sup>TH</sup>** - *Preservation Commission* Meeting @1:00 pm

2. **Approval of Minutes** from October 13, 2015
3. **New Business:** NPC 16-01 - an application for a Certificate of Appropriateness has been requested by 716 N Perry LLC regarding the demolition of 716 N. Perry Street
4. **Election of Chair**

**WEDNESDAY, APRIL 27<sup>TH</sup>** - *Parks & Rec Board* Meeting @6:30 pm

**THURSDAY, APRIL 28<sup>TH</sup>** - *Charter Review Commission* Meeting @7:30 pm

**FRIDAY, APRIL 29<sup>TH</sup>**

11:00 am – 2:00 pm -Open House for Mary Thomas' Retirement

1:45 pm - **Arbor Day** Celebration

**MEETINGS CANCELLED for the WEEK of APRIL 25<sup>TH</sup>:**

1. *Finance and Budget* Committee
2. *Safety and Human Resources* Committee
3. *Civil Service* Commission

## INFORMATIONAL ITEMS

1. Spring Seasonal Pickup Week: May 2 – 6, 2016
2. AMP Update/April 15, 2016
3. AMP Update/April 22, 2016
4. OML Legislative Bulletin/April 15, 2016

MI:rd

Records Retention - CM-11 - 2 Years

March 2016							April 2016							May 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>
<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
	6:15 PM Technology & Communication Committee	1:00 PM Preservation Commission Meeting	6:30 PM Parks & Rec Board Meeting	7:30 PM Charter Review Commission	11:00 AM - 2:00 PM Mary Thomas' Retirement Open House	

April 2016							May 2016							June 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7				1	2	3	4
3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
24	25	26	27	28	29	30	29	30	31					26	27	28	29	30		

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>1</b>	<b>2</b> 7:00 PM City Council Meeting Seasonal Cleanup Week	<b>3</b> Seasonal Cleanup Week	<b>4</b> Seasonal Cleanup Week	<b>5</b> Seasonal Cleanup Week	<b>6</b> Seasonal Cleanup Week	<b>7</b>
<b>8</b>	<b>9</b> 6:30 PM Electric Committee/BOPA Meeting 7:00 PM Water/Sewer Committee Meeting 7:30 PM Municipal Properties/ED Committee Meeting	<b>10</b> 4:30 PM Board of Zoning Appeals Meeting 5:00 PM Planning Commission Meeting	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>
<b>15</b>	<b>16</b> 6:00 PM Tree Commission Meeting 6:15 PM Parks & Recreation Committee Meeting 7:00 PM City Council Meeting	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b> 6:30 PM FINANCE & BUDGET Committee Meeting 7:30 PM SAFETY & HUMAN RESOURCES Committee Meeting	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b> 10:00 AM Memorial Day Parade and Program Service	<b>31</b>	<b>1</b>	<b>2</b>	<b>3</b> 7:00 PM Rally in the Alley	<b>4</b>

City of Napoleon, Ohio  
Technology & Communication Committee

LOCATION: Council Chambers, 255 W. Riverview Avenue, Napoleon, Ohio 43545

Special Meeting Agenda  
Monday, April 25, 2016 at 6:15pm

- I. Approval of Minutes (*In the absence of any objections or corrections, the Minutes shall stand approved*)
- II. Discussion regarding the NCTV Contract and Financial Reports
- III. Discussion regarding the Review of social media presence: Facebook and Blog statistics
- IV. Discussion regarding the Time Warner Cable Contract
- V. Any other matters currently assigned to the Committee
- VI. Adjournment

---

Gregory J. Heath, Clerk/Finance Director

**City of Napoleon, Ohio**  
**Technology & Communication Committee**

---

**Meeting Minutes**

Monday, May 4, 2015 at 6:15pm

**PRESENT**

**Members**

**City Staff**

Jeffrey Marihugh - Chair, Chris Ridley, Travis Sheaffer  
Monica S. Irelan, City Manager  
Gregory J. Heath, Finance Director/Clerk of Council  
Dan Wachtman, MIS Administrator  
Robert Weitzel, Police Chief  
Tammy Fein

**Recorder**

**Others**

**ABSENT**

None

**Call To Order**

Chairperson Marihugh called the meeting to order at 6:18pm.

**Minutes Approved**

Minutes from the March 2 meeting stand approved as presented with no objections or corrections.

**City Website Upgrade**

Irelan stated that the structure of the website is completed and the next phase will be to work on the content. Wachtman displayed the homepage with the City Departments listed in scroll bars with as many tiers deep as needed, giving more flexibility. Wachtman added that the sidebars were moved in and the only scrolling required at the homepage is the bottom, with the homepage showing the full content of the page to the user. Wachtman showed the Engineering page as an example, displaying that the content is outlined to be more easily found by the user; keeping the header bar static and having the content be the scrollable items. Wachtman reported that the quicklinks will be pertinent to the day and season, being changed as necessary, and the meeting schedules link will take the user to the calendar. Wachtman stated that the online payments link takes the user to the official payments page. Wachtman asked for any additions and if there are none, he will make the content correct and get the website ready to be published. Ridley stated that he approves of the website as presented including the layout and the static header bar, adding that it seems easily navigated by the outside user. Sheaffer stated that the boxes and sides attract attention; Wachtman stated that this is a way for the user to find the desired content in a quick manner. Irelan reported that the plan is for the IT Department to train Staff to add content and this training will be complete by the next Technology Committee meeting. Heath asked if this is the working model; Wachtman stated that it is. Heath would like the working model sent out to the Committee members to review. Wachtman believes that Staff training will begin at the end of this week or the beginning of next week. Wachtman will send the Committee members a link to the webpage.

**Motion To Adjourn**

Motion: Ridley Second: Sheaffer  
To adjourn the meeting at 6:29pm

**Passed**

**Yea- 3**

**Nay- 0**

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

**Date Approved:**

\_\_\_\_\_

Jeffrey Marihugh, Chair

DRAFT



# City of Napoleon, Ohio

## DEPARTMENT OF MANAGEMENT

255 West Riverview Avenue, P.O. Box 151  
Napoleon, OH 43545  
Telephone: (419) 592-4010 Fax: (419) 599-8393  
[www.napoleonohio.com](http://www.napoleonohio.com)

## Memorandum

To: Technology and Communication Committee  
From: Monica Irelan, City Manager  
RE: NCTV Contract

### History:

The City of Napoleon has contracted with the Napoleon Area School District to provide a local cable access channel for many years. The City had become concerned with the participation from the School and the quality of service provided. In 2014, the Technology Committee made a recommendation to City Council to implement a 2 year contract. During that two year time frame, Council expected the School District to make strides to improve on several aspects of the contract.

Over the life of this contract, the majority of the improvements have taken place. The School invested in a new space and equipment. Participation has improved with slightly fewer than 100% attendance at regularly scheduled Council meetings. The school did tape all of the special meetings that were requested by the City. Financial reports were shared with the City as indicated in the contract.

There is one area that we did not accomplish over the contract that I am sure we can address. The school is supposed to do a presentation to Council at the beginning of the fiscal year. We can address this to make sure it occurs in future years.

### Financial Impact:

The City pays the School District \$18,000 annually for this service. The money comes from cable franchising fees.

### Recommendation:

Staff recommends that we continue to work with the school to provide this learning experience to the students of Napoleon Area Schools while providing the local cable channel as a service to our constituents.

---

**AGREEMENT FOR OPERATION OF THE  
PUBLIC ACCESS CHANNEL  
FOR NAPOLEON**

---

**WHEREAS**, the General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide "uniform regulatory framework" for the provision of cable television and/or other video service; and,

**WHEREAS**, Time Warner, currently operates in Napoleon, Ohio, under R.C. Section 1332.32, and is a video service provider that is providing service to subscribers in the City pursuant to a state-issued video service authorization; and,

**WHEREAS**, the Video Service Provider, pursuant to City Ordinance No. 098-07, in accordance with the requirements of R.C. 1332.32, and pursuant to a video service authorization obtained from the Director of the Ohio Department of Commerce, shall pay Video Service Provider Fees ("VSP Fees") in the amount of five percent (5%) of gross revenues received from providing video service in the City, which gross revenue base shall include advertising revenues; and,

**WHEREAS**, this Council is desirous to pay a portion of the fees collected to the Napoleon Area City School District Board of Education to help fund public access channel(s). **Now Therefore**,

This Agreement is now made this 17<sup>th</sup> day of DECEMBER, 2014, between the **City of Napoleon, Ohio**, (herein after referred to as the "**City**"), and the **Napoleon Area City School District Board of Education**, (herein after referred to as the "**Board**"), regarding the operation of the public access channel(s) for the City of Napoleon, Ohio.

**I. TERM**

(1) This Agreement shall take effect on May 31st, 2014 and shall continue in full force and effect until May 31, 2016, unless otherwise mutually agreed to, in writing, by the parties to terminate earlier, or unless otherwise terminated in accordance with the terms of this Agreement.

(2) In the event of a material breach of this Agreement, then this Agreement may be terminated by the non-breaching party, at its' option, if the breaching party fails to correct such material breach within forty-five (45) days of notification of the breach. This Agreement will automatically terminate upon elimination of the public access channel(s). This Agreement may be terminated upon at least sixty (60) days advance written notice by the **City** in the event that the Video Service Provider fails to pay the **City** the fees as required by law. Finally, this Agreement may be terminated for convenience by either party with one hundred eighty (180) days written notice.



(3) Upon termination, each party shall immediately return to the other party, all equipment and tangible property which was purchased with funds of that other party as a result of this Agreement or prior agreements related to the same subject matter as found in this Agreement. Also, upon early termination, the annual funds received by the **Board** from the **City**, not spent by the **Board**, shall be prorated and returned to the **City** within sixty (60) days of termination. This provision shall survive termination of this Agreement.

## II. INCLUSIVENESS

(1) The **Board** agrees to fulfill those certain obligations, responsibilities and duties herein enumerated or imposed upon the **City** by law or regulation as it relates to public access channels, including but not limited to transmission and local access which by law or regulation have been imposed upon or may in the future be imposed upon the **City** or the Video Service Provider. If, after the effective date of this Agreement those responsibilities or duties are changed and the **City** has knowledge thereof, the **City** shall notify the **Board**, and the **Board** will in turn, abide by any and all such modifications. In no event shall any contract, agreement or other undertaking of any sort whatsoever made by one party of this Agreement with any person, firm, corporation or entity, other than the other party to this Agreement, be binding upon or purport to be binding upon the other party to this Agreement.

(2) The **Board** will take over, absorb, and assume complete responsibility for construction, operation, maintenance, promotion and development of the access facility(s) and public access channel(s) used by the **Board**, and for the signal up to the point at which it leaves the modulator in the access studio, for the period in which this Agreement is in effect. Specific provisions to be fulfilled by each party under this Agreement are as follows:

(a) The **City** "shall":

(i) Provide **eighteen thousand dollars (\$18,000.00)**, no later than August 1st of each named calendar year thereafter, as follows: Year(s) 2014 and 2015 from money which is generated from video service fees collected from the Video Service Provider, to be used exclusively for funding public access channel(s) (which includes the providing of a community bulletin board) via purchase of equipment and providing the services associated therewith. Additional amounts, if any, shall be at the sole discretion of the City Council.

(b) The **Board** "shall":

(i) Provide at least one (1) fixed studio location at Napoleon High School for the purposes of signal generation, video taping, editing, replaying, and equipment storage.

(ii) Provide at least one (1) full time or part time student advisor for the purposes of generating interest and securing volunteers within the student body and also the community at large and to supervise the operations of "NCTV".

- (iii) Provide a student volunteer to organize and input all messages appropriate for the community bulletin board.
- (iv) Offer periodically access workshops to train new volunteers.
- (v) Ensure that not less than 8 hours a day of public access programming is cablecast.
- (vi) Be responsible for paying the reasonable costs required to insure, maintain, repair, fix and adjust all equipment provided pursuant to this Agreement.
- (vii) Provide students and/or staff for, and conduct the taping of the following:
  1. All regularly scheduled City Council meetings;
  2. All special City Council meetings and all meetings of committees in which the City of Napoleon gives at least 3 day notice of its desire to have NCTV present for the meeting said notice shall be given to Kelly Cooper at Napoleon High School (419) 599-1050;
  3. If there are two or more events to be taped, regularly scheduled City Council meeting shall take priority.

Unless otherwise agreed or provided for herein, the **Board** shall have full responsibility and liability for the supervision of all costs relating to program production including sets, props, and graphics and including responsibility and liability for the supervision and costs of all production personnel. In no event shall such persons be considered employees of the **City**.

Any delay or failure by the **City** or the **Board** to require any other party's performance of, or authorization to deviate from any term or condition set forth in this Agreement, shall not be construed as a waiver or impairment of such party's right to require the strict performance of the same or any other term and/or condition in the future. Any extension of time or other indulgence granted by one party to any other hereunder shall not otherwise alter or affect any power, remedy, or right of such granting party.

### III. REPORTS, FINDINGS, FINANCIAL RECORDS

(1) The **Board** shall submit to the **City** for its approval, all rules and regulations for the operation of the access channel(s) including rules governing equal access on a non-discriminatory first come, first served basis. The **Board** shall maintain at its local origination facilities, a copy of said rules and regulations and such other policy documents adopted to govern its operation of the public access channel(s) in the **City**; specifically including, but not limited to its schedule of rates and charges and an annual report to the **City**.

(2) The **Board** shall provide to the **City** a duplicate copy of all correspondence and other filings made on matters directly affecting production activities in the **City**.

(3) In addition to the foregoing, the **Board** shall make annual presentation at the beginning of its fiscal year to the **City** which shall address, but not be limited to the following issues:

(a) A summary of the previous years activities with respect to the development of original programming including program logs or material produced and aired, and projected activities for the coming year.

(b) A financial statement including a balance sheet, a statement of expenditures and a budget for the coming year.

(c) A summary of any complaints directed towards the **Board** and/or the **City** and the **Board's** plan to remedy these.

(d) A list of local employees, volunteers, appointees, officers and Advisory Board members, their names and addresses.

#### IV. ACCESS CHANNEL(S)

(1) The Video Service Provider, and not the **City**, will to the extent required by law or regulation, or the terms of the uniform regulatory framework, provide channel(s) for the exclusive cablecast of access programming. The channel(s) will be included in the basic service supplied to all customers.

(2) The **Board** may, at their discretion, cablecast programs in whatever formats they may select, unless otherwise prohibited by the Video Service Provider.

(3) The **Board** shall have full control of and responsibility for access to and use and scheduling of the production facilities and for cable-cast on the access channel(s).

(4) The **Board** agrees to observe all rules and regulations promulgated by the Federal Communications Commission ("FCC") and to comply with any and all applicable federal, state and local laws relating to the access channel(s) including, but not limited to, the FCC rules prohibiting the presentation of obscene or indecent material, lottery information, the requirement of providing equal time for candidates for public office, and the requirement of ensuring that reasonable time for the discussion of conflicting views on issues of public importance be available. In the event the **City** is subject to any forfeiture by the FCC or any other entity for violation by the **Board** of any current or future rules promulgated regarding the access channel(s), the **Board** agrees to promptly reimburse the **City** for the amount of any such forfeiture caused by it.

(5) The **Board** shall be responsible for ensuring that they and any other parties using the access channel(s) obtain at their cost, all rights, licenses and permission, including, without limitation, those pertaining to copyright, rights of privacy, literary or dramatic rights, synchronization rights, rights to the use of any trademark, trade name, service mark or patent, use and distribution rights, if necessary, and/or any and all proprietary rights of any nature for the presentation of any programming on the access channel(s).

(6) The **Board** agrees to be solely responsible for all claims of damage arising out of any violation of a term or terms of this Paragraph or any other paragraph in this Agreement; moreover, the **Board** agrees to be solely responsible for claims that result or arise from the **Board's** acts or omissions.

(7) Prior to the commencement of this Agreement, the **Board** shall furnish to the **City** proof that satisfactory liability policies are in force in the minimum amounts set forth below and shall name the **City**, its officials, officers, employees and volunteers as additional insured on said policy.

Comprehensive General Liability

Bodily injury, including death	\$1,000,000 each occurrence
Property damage	\$1,000,000 each occurrence
Personal injury	\$1,000,000 each occurrence

Media - Special Perils Policy (or Equivalent)

Libel, slander, plagiarism invasion of privacy, copyright infringement, trade libel, product disparagement, infringement of right of publicity, etc.	\$1,000,000 each occurrence
--	-----------------------------

All such policies shall provide that the issuer will not cancel the policies without ten (10) business days prior written notification to each of the other parties. All such policies shall be taken out and maintained during the term of this Agreement with generally recognized insurance companies qualified to do business in the State of Ohio and carrying a rating of A in the most recent publication of Best's Insurance Guide.

(8) The **Board** shall be responsible for the appearance and all results therefore, of any and all persons, including persons under the age of 18 years on any of the programs transmitted by it pursuant to this Agreement.

**V. OWNERSHIP AND DISPOSITION OF PROPERTY AND EQUIPMENT**

The **City** shall have title to all equipment purchased by the **Board** with funds directly supplied by the **City** as a result of this Agreement, after the effective date of this Agreement. Ownership and control of the **City's** facilities and other property bought with funds from this Agreement shall, at all times, remain with the **City**. The **Board** shall not assign or otherwise transfer any of the rights herein granted without the prior written consent of the **City**. However, the **Board** shall have possession, control, full and unlimited use, and responsibility for maintenance of all equipment and property so purchased during the term of this Agreement and during any extensions. If this Agreement expires, is canceled, or is not renewed, the **Board** shall have the option to purchase from the **City** within thirty (30) days from the date the Agreement ceases to be in effect, title to any or all pieces of equipment so purchased at the original price less twenty percent (20%) for each year or portion thereof elapsed since the date of purchase, provided that the **Board** thereafter makes a good faith effort to continue access services for the people of Napoleon, Ohio.

## **VI. PRECEDENCE OF THE STATE LAW**

Nothing in this Agreement shall be construed so as to limit the monitoring and regulatory powers assigned to the *City* or to limit the rights and obligations to construct, operate, and maintain a cable television system granted to the Video Service Provider pursuant to Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, that provides a statewide "uniform regulatory framework" for the provision of cable television and/or other video service, except as expressly noted in this Agreement.

## **VII. UNCONTESTED VALIDITY**

This Agreement and the attachments hereto constitute the entire agreement between the parties hereto and supersede all prior negotiations, representations and/or agreements, whether written or oral. No representation or agreement waiving, changing, or adding to any of the terms or conditions of this Agreement shall be of any effect unless the same is in writing and signed by the parties hereto.

## **VIII. SEVERABILITY**

If any provisions of this Agreement are declared to be illegal, void, or inoperative for any reasons, the remainder of the Agreement shall not be affected thereby and shall be construed as if not containing the particular void; illegal or inoperative provision and the rights and obligations of the parties hereto shall be construed and enforced accordingly.

## **IX. TIME IS OF THE ESSENCE**

Whenever this Agreement shall set forth any time for an action to be performed by or on behalf of any party, time shall be of the essence of the performance of that action.

## **X. AMENDMENT**

This Agreement may be amended by mutual assent of the parties, documented in writing, and signed by their authorized representatives to any ratification required by either of them.

## **XI. INTERPRETATION**

This Agreement shall serve as an interpretation of all public access requirements under the terms that are contained in the 2003 Franchise Agreement between the Franchising Cable Company and the *City*. All parties accept this Agreement as fulfillment of any and all public access obligations as specifically addressed in said franchise while this Agreement is in full force and effect.

In the event of the termination of this Agreement, all public access franchise obligations shall revert to the *City*.

**XII. NOTIFICATION ADDRESS**

All notifications, correspondence, or communications, or payments to the *City* and the *Board* shall be delivered in person or sent via certified mail, return receipt requested to:

City Manager, City of Napoleon  
255 West Riverview Avenue  
Napoleon, Ohio 43545

Superintendent  
Napoleon Area City School District  
701 Briarheath Ave.  
Napoleon, Ohio 43545

or to such address as shall be communicated, in writing, by one party to the other.

In witness whereof, the parties hereto have duly executed this Agreement on this  
13<sup>th</sup> day of MAY, 2015.

**WITNESSES:**

Roxanne Dietrich

**FOR THE CITY OF NAPOLEON:**

By: Monica Irelan  
Monica Irelan, City Manager

\*\*\*\*\*

**FOR NAPOLEON AREA CITY SCHOOL  
DISTRICT BOARD OF EDUCATION:**

Michael R. Bostelman

By: Steve Fogo  
Steve Fogo, Superintendent

**APPROVAL AS TO FORM AND CORRECTNESS:**

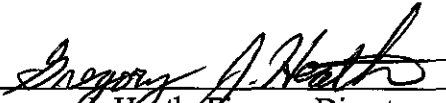
Trevor M. Hayberger  
Trevor M. Hayberger, City Law Director

Richard Fisher  
Richard Fisher, Attorney for School Board

\*\*\*\*\*

**CERTIFICATION OF FUNDS**

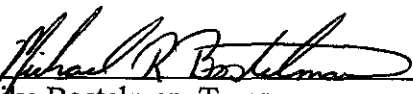
The undersigned, being the Finance Director of the City of Napoleon, Ohio, hereby certifies that in the case of this continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the agreement is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances.

  
\_\_\_\_\_  
Gregory J. Heath, Finance Director

\*\*\*\*\*

**CERTIFICATION OF FUNDS**

The undersigned, being the Treasurer of the Napoleon Area City School District, hereby certifies that in the case of this continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the agreement is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances.

  
\_\_\_\_\_  
Mike Bostelman, Treasurer

City of Napoleon, Ohio  
Preservation Commission

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

Meeting Agenda  
Tuesday, April 26, 2016 at 1:00 pm

- I. Call the meeting to order by Acting Chair, Joel Miller
- II. Approval of Minutes from October 13, 2015
- III. New Business
  - A. NPC 16-01  
An application for a Certificate of Appropriateness has been requested by 716 N Perry LLC regarding the demolition of 716 N Perry Street, and for the weatherization of the North exterior wall of 714 N Perry Street. Both properties are within the City's Preservation District.
- IV. Election of Chair for Preservation Commission.
- V. Any other matters currently assigned to the Preservation Commission
- VI. Adjournment

---

Gregory J. Heath, Finance Director/Clerk of Council



City of Napoleon, Ohio  
**Preservation Commission**

**Meeting Minutes**

Tuesday, October 13, 2015 at 3:00pm

NPC 15-01 535 N. Perry Street

<b>PRESENT</b>	
<b>Commission</b>	Marv Barlow, Glenn Miller , Joel Miller, Ed Peper, Mary Wesche
<b>City Staff</b>	Tom Zimmerman, Building Official
<b>Recorder</b>	Tammy Fein
<b>Others</b>	Scott Rood
<b>ABSENT</b>	
<b>Commission</b>	None
<b>Call To Order</b>	Acting Chairman J. Miller called the meeting to order at 3:07pm.
<b>Approval of Minutes</b>	The meeting minutes from May 22, 2014 stand approved as presented with no objections or corrections.
<b>Motion To Approve Minutes As Presented</b>	Motion: Barlow Second: Miller To approve the Minutes from May 22, 2014 as presented with no objections or corrections
<b>Passed Unanimous Voice Vote</b>	Motion approved by unanimous voice vote.
<b>NPC 15-01 Background</b>	An application for a Certificate of Appropriateness has been requested by Scott Rood, owner of the buildings at 535 N. Perry Street to review the proposed exterior changes to the South side of the building; this property is located within the City's Preservation District.
<b>Evidence Submitted</b>	Zimmerman submitted pictures of 535 N. Perry Street as evidence.
<b>Testimony</b>	Rood testified that he will be finishing the siding with double four (4) vinyl siding, then painting the building with charcoal grey paint and red trim, and keeping the ornate areas around the windows; adding that the original siding will be left on the building underneath. Zimmerman added that there will also be a deck added off the back of the building, pointing out that an original picture of the building showed a deck structure there previously. Zimmerman stated that the foundation is fixable; Rood believes that the building can be leveled, which may straighten the windows, and there will be new ten (10) foot entry doors installed. Rood testified that nothing will be done to the upper part of the front of the building, but an awning may be added in the future. Rood testified that the front door will be salvaged and the door leading to the upstairs will be replaced with a vinyl door. Rood testified that the apartment will be for rent and the space downstairs will be available for a small business; the shop window has not yet been decided and Rood will bring this decision before the Commission if necessary. Barlow asked if the foundation is original; Rood testified that this is a newer cement block. Wesche asked if there is any water issues at the foundation; Rood does not believe there to be any water flooding into the basement.

**Motion To Approve  
NPC 15-01 With Tin  
Roof And Vinyl Siding**

G. Miller stated that he has heard feedback from residents stating that they would like to see the building refurbished; J. Miller and Wesche agreed.

Motion: Wesche Second: Barlow  
To approve NPC 15-01

**Passed**  
**Yea- 5**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Wesche, Barlow, J. Miller, Peper, G. Miller  
Nay-

**Any Other Items To  
Come Before The  
Commission**

None

**Motion To Adjourn**

Motion: G. Miller  
To adjourn meeting

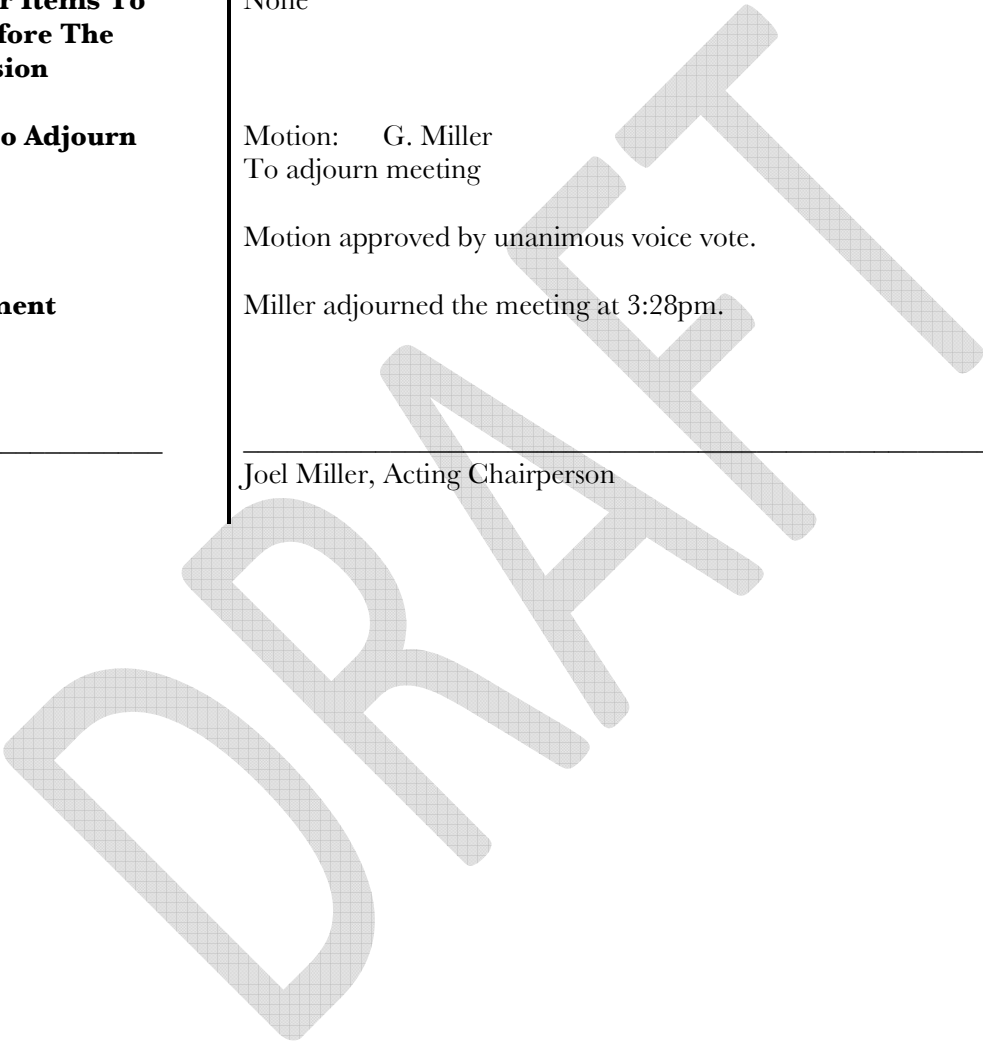
Motion approved by unanimous voice vote.

**Adjournment**

Miller adjourned the meeting at 3:28pm.

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
Joel Miller, Acting Chairperson



City of Napoleon, Ohio  
Parks & Recreation Board

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

Meeting Agenda  
Wednesday, April 27, 2016 at 6:30pm

- I. Call to Order
- II. Approval of Minutes
- III. Update on Spring and Summer Recreation Programming
- IV. Discussion on Capital Improvement Program
- V. Miscellaneous
- VI. Any other matters to come before the Board
- VII. Adjournment

---

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon  
Parks & Recreation Board

Meeting Minutes

Monday, February 29, 2016 at 6:00pm

**PRESENT**

**Members**  
**City Staff**  
**Recorder**  
**Others**  
**Absent**

Matt Hardy – Chair, Peg Funchion, Chad Richardson, Ryan Miller  
Tony Cotter, Parks & Recreation Director  
Tammy Fein  
News media  
Mike Saneholtz; Aaron Schnitkey; Jon Knepley; Joe Bialorucki – Council Representative

**Swearing In: Miller**

Fein swore in Ryan Miller to the Parks & Recreation Board and administered the Oath of Office.

**Call To Order**

Chairman Hardy called the meeting to order at 6:30pm.

**Approval Of Minutes**

Minutes of the January 27 meeting stand approved with no objections or corrections.

**Discussion On Future Swimming Pool Improvements**

Cotter reminded the Board of the pool renovation options, adding that the Board recommended that Council give direction for proceeding. Cotter reported that the Parks & Recreation Committee of Council met and recommended renovations including sealing the pool and installing new gutters, adding that this will reduce costs but may not draw an increase in revenue; Council will discuss this recommendation at the March 14 meeting. Cotter reported that the pool is functional, adding that the Board may request that increased funds be set aside for the renovations in future budget discussions. Cotter reported that a Councilman suggested researching companies that repair the liner of the swimming pool to find a lower cost; Cotter will research this before the project is placed out for bid. Brian Koeller, Northwest Signal, reported that there is a poll on the Northwest Signal Facebook page for residents to participate. Funchion stated her concern that this renovation may not address the issue; Cotter stated that the issues would be addressed including pressure testing of the gutters and the lines, adding that he believes there is no issue in the main drain of the pool. Hardy suggested closing the pool for a season to allow for the renovation to take place sooner, and using the cost savings to pay for the renovation; Cotter will research this, adding that he believes that this will affect the Aquatic Club swim meets as well as the use by residents. Miller asked how long the renovation process would take; Cotter believes an Olympic size pool would take approximately four (4) to five (5) weeks, adding that weather is a consideration. Miller asked if the renovation would affect the swimming season due to the length of the project; Cotter replied that this would be done after the swimming season, probably in August. Cotter will bring these suggestions to the March 14 Council meeting, adding that if next Summer is



---

**Date Approved**

---

Matt Hardy, Chair

DRAFT

City of Napoleon, Ohio  
Charter Review Commission

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

Meeting Agenda  
April 28, 2016 at 7:30 pm

- I. Call to Order
- II. Approval of City Charter as drafted by Law Director
- III. Any other matters to come before the Commission
- IV. Adjournment

---

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio  
Charter Review Commission

Meeting Minutes

Thursday, March 31, 2016 at 7:30pm

**PRESENT**  
**Committee Members**

**City Staff**

**Recorder**  
**Others**

**ABSENT**  
**Committee**  
**Staff**

**Call To Order**

**Motion to Untable Discussion**  
**Regarding Section 9.03**

**Passed**  
**Yea- 7**  
**Nay- 0**

**Overall Review of Section 9.03**  
**of the Charter of the City of**  
**Napoleon**

Travis Sheaffer – Chair, Patrick McColley, Jason Maassel, Ron Behm,  
Mike DeWit, Terry Holman, Ted Rohrs  
Monica Irelan, City Manager  
Lisa Nagel, Law Director

Anne Taylor  
News Media  
Greg Heath, Finance Director/Clerk of Council

Chairman Sheaffer called the meeting to order at 7:30pm.

The minutes from the March 24, 2016 meeting stand approved with no objections or corrections.

Motion: Maassel Second: McColley

Roll call vote on above motion:  
Yea- Maassel, Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley,  
Nay-

Nagel stated receiving a few comments from Commission Members in regards to changes to Section 9.03 and reported Orville, Ohio's Charter seems most in line. Nagel distributed her recommendations to the Commission to add to Section 9.03 of the Charter. See the attached "Recommended Provision" In reference to Nagel's recommendations, Maassel asked if it should be required to have an affirmative vote of 6 Council Members rather than five (5) for removal of the Mayor. McColley stated in reviewing other City Charters the number of affirmative votes for removal appeared to be consistent in regards to the Mayor or Council Member with Nagel agreeing. Dr. Holman asked if the statement in Orville's Charter that if 2 vacancies exist at the time of a Council Member being charged refers to two (2) Council Members were not in attendance at the meeting or there were two (2) vacant seats on Council. Nagel advised that the reference was to two (2) vacant on Council. It would be the unanimous vote of the Members in attendance. McColley asked how necessary is this provision, with Nagel replying it would be a rare occurrence for this scenario occurring. The consensus of Committee was that the provision is not necessary with Sheaffer suggested adding "As defined in Council rules". Dr. Holman suggested the Charter language be short and concise when it goes to the ballot for voters to approve with McColley in agreement.

McColley voiced his concern with the language "failure to abide by Council rules" stating that this could be abused by Council. Sheaffer suggested adding language to include "as defined in Council rules" which would include missing three (3) meetings in a row or a total of six (6) meetings per year allowing that



Council may, not will, remove a Member from office. McColley stated that the citizens of Napoleon are the boss for Council and that the rules and punishments should be in the Charter and not Council rules.

**Motion To Remove Language From The Recommended Provision To Add To Section 9.03 Of The Charter of The City Of Napoleon, Ohio “If Two (2) Vacancies Exist At The Time A Council Member Is Charged, Then An Affirmative Vote Of Four(4) Would Be Required”**

**Passed**  
**Yea- 7**  
**Nay- 0**

Motion: McColley Second: Dr Holman  
Motion to remove language from the recommended provision to add to Section 9.03 of the Charter of the City of Napoleon, Ohio “If two (2) vacancies exist at the time a Council Member is charged, then an affirmative vote of four (4) would be required”

Roll call vote on above motion:  
Yea- Maassel, Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley  
Nay-

**Motion To Remove Language From The Recommended Provision To Add To Section 9.03 Of The Charter of The City Of Napoleon, Ohio “Or Persistent Failure To Abide By The Rules Of Council”**

**Failed**  
**Yea- 3**  
**Nay- 4**

Motion: McColley Second: DeWit  
Motion to remove language from the recommended provision to add to Section 9.03 of the Charter of the City of Napoleon, Ohio “or persistent failure to abide by the rules of council”

Roll call vote on above motion:  
Yea- Behm, DeWit, McColley  
Nay- Maassel, Dr. Holman, Rohrs, Sheaffer

**Section 9.03 Discussion Regarding Adding Attendance Requirement Language To The Recommended Provision**

Nagel advised Charter members that language regarding attendance is a significant item and that a provision should be in Council rules and does not belong in the Charter. Nagel suggested Council adopt attendance rules and review the item at the next Charter review in eight (8) years to make a determination if the attendance provision should be included in the Charter. McColley believes that attendance should not be in rules of Council, but should be included in the Charter, stating that he feels it is unacceptable for a Council Person to miss more than three (3) meetings, which would be one-fourth (1/4) of Council regular meetings. Sheaffer commented that if a Council Person has medical issues it would be unfair to remove them from Council for missing more than three (3) meetings. DeWit suggested allowing for medical excuses with McColley adding that the Charter could establish procedures regarding unexcused absences. Maassel questioned that if attendance is outlined in the Charter, would Council take a vote whether or not to excuse a Council Person if they are absent. McColley answered Maassel stating that Council would need to take a vote on the matter and that he believes it is very common to have this language in the Charter.

Nagel feels that attendance is a very significant item to put in the Charter and questioned if it is appropriate to discuss in a Council meeting whether a Council Person is excused and not excused. DeWit replied that if attendance is included in the Charter, a prospective Council Person would know what is expected of them in regards to attendance and would understand that they can be removed if not meeting the attendance requirements. Irelan stated that there are rules in the orientation packet with Sheaffer adding that Council rules are also on the website. McColley restated that attendance should not be determined by council, but by the citizens through the Charter. Discussion was held on what constitutes gross misconduct with DeWit and Nagel stating misconduct has a very broad definition. Nagel stated that it has been her experience that gross misconduct of Rules of Council have not been abused and believes that monitoring of the misconduct of Council is her responsibility. McColley suggested three (3) consecutive unexcused absences with no more than six (6) in a calendar year of regular council meetings with Maassel agreeing. Irelan suggested keeping the rules broad in the Charter with details in the rules of Council with McColley disagreeing. Nagel stated it is her opinion that this language does not belong in the Charter and should be addressed in Council rules. Nagel said rules can say missing meetings can be gross misconduct and how do you define excused and unexcused. Sheaffer suggested following the recommendation of the City Law Director. Holman believes there is a difference between Council rules and Charter rules with Council's having the responsibility to take care of issues in house without addressing them in the Charter and stating that ignorance of the law is not an excuse. McColley replied stating that it is his belief that too much power is given to Council. Sheaffer stated his opinion that he is not in favor of adding it to the Charter; McColley voiced his opinion against adding it in Council rules.

**Motion To Include Language in Section 9.03 of The Charter of The City Of Napoleon, Ohio That Allows For Removal Of A Council Person With Three (3) Consecutive Unexcused Absences Or Six (6) In A Calendar Year.**

Motion to include language in Section 9.03 of The Charter of The City Of Napoleon, Ohio that allows for removal of a Council Person with three (3) consecutive unexcused absences or six (6) in a calendar year.

Motion: DeWit

Second: McColley

**Failed**

**Yea- 2**

**Nay- 5**

Roll call vote on above motion:

Yea- DeWit, McColley

Nay- Maassel, Behm, Dr. Holman, Rohrs, Sheaffer

**Section 9.03 Discussion Regarding Adding Censorship Language To The Recommended Provision**

McColley believes the Charter should include the voters defining the rules of censorship, and not include censorship in the rules of Council. Maassel asked McColley if the Charter chooses to censure a member, will the censorship be included in the meeting agenda. Dewitt stated the matter would be included in the agenda. McColley said including the issue in the Charter would protect elected officials from censorship at the meetings. Dewitt added that the discussion could be done in executive session and acted upon in the open meeting to avoid subjecting a Council Person to public scrutiny before establishing if that Council Person was guilty of the offense accused of. Nagel believes there is no legal support for censorship in our Charter and feels that you cannot go into executive session to talk about a public official with McColley agreeing. Sheaffer stated he

wanted to make a motion to send a recommendation to Council to have censorship included in Council rules. Dewitt stated his belief is if do not have censorship in the Charter you cannot include it in Council rules. Nagel stated if an item is not in included in the Charter, the Ohio Revised Code (ORC) will generally apply. Sheaffer stated the ORC does include language about a Council person disrupting public meetings and being removed from the meeting. Nagel stated her legal opinion is censorship can be handled in Council rules. McColley feels censorship in Council rules is a further erosion of the citizens of Napoleon rights.

**Motion To Refer The Issue Of Censorship To Council To Be Addressed In Council Rules.**

**Passed**  
**Yea- 4**  
**Nay- 3**

Motion: Sheaffer Second: Dr. Holman  
Motion to refer the issue of censorship to Council to be addressed in Council rules.

Roll call vote on above motion:  
Yea- Maassel, Dr. Holman, Rohrs, Sheaffer  
Nay- Behm, DeWit, McColley

**Motion To Approve The Recommended Provision To Be Added To Section 9.03 Of The Charter of The City Of Napoleon, Ohio, With Striking The Language “(If Two (2) Vacancies Exist At The Time A Council Member Is Charged, Then An Affirmative Vote Of Four(4) Would Be Required)”**

**Passed**  
**Yea- 5**  
**Nay- 2**

Motion: Maassel Second: Rohrs  
Motion to approve the Recommended Provision to be added to Section 9.03 Of The Charter of The City Of Napoleon, Ohio, with striking the language “If Two (2) Vacancies Exist At The Time A Council Member Is Charged, Then An Affirmative Vote Of Four(4) Would Be Required”

Roll call vote on above motion:  
Yea- Maassel, Dr. Holman, Rohrs, Sheaffer, McColley  
Nay- Behm, DeWit

McColley went on record stating that this is a further erosion of the citizens of Napoleon rights, powers and giving Council rules to make up as they please and eliminate members as the please as well. Sheaffer went on record as well stating that removal should be for just cause, rather than just because and that the member certainly has the right to file suit. Nagel went on record stating that if this subject is not included in the Charter, the ORC has basically has the same language.

**Discussion Regarding Section 5.07(B) Provision That Sends Charter Review Commission Recommendations To Council**

Sheaffer stated the question at the last meeting was that the current Charter states that any recommendations that this body makes goes back to Council for approval to then be placed on the ballot. Maassel stated that the Council as a review should remain. McColley stated he does not have strong feelings either way on this issue, continuing that he does not want to give more power to Council, but rather give more power to the people. Dr. Holman believes the Charter should be sent

to Council before going to the voters. Sheaffer believes that if the Charter Review Commission goes to the voters rather than Council Members, Council could still pass a resolution in support or in objection to. Nagel stated that this Commission has citizen representation and it is her opinion that this Charter Review Commission is a serious matter and there is a reason to review our Charter. Nagel went on to state she is in favor of removing Councils approval of the Charter Review Commission recommendations, continuing that the citizens get to vote on this Charter revisions and approve the Charter if they agree with the Commission's recommendations. Dr. Holman stated that ultimately the people need to vote on the Charter.

**Motion To Remove From The Charter of The City Of Napoleon, Ohio A Portion of Section 5.07 B “In The Form Of A Recommendation To Amend The City’s Charter. The Council May Accept, Reject Or Modify The Charter Review Commission’s Recommendations”**

**Passed**  
**Yea- 6**  
**Nay- 1**

Motion: Behm Second: McColley  
Motion to remove from the Charter of The City Of Napoleon, Ohio a portion of Section 5.07 B “in the form of a recommendation to amend the City’s Charter. The Council may accept, reject or modify the Charter Review Commission’s recommendations.”

Roll call vote on above motion:  
Yea- Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley  
Nay- Maassel

**Discussion Regarding Section 2.08 Vacancies**

Sheaffer asked for the Commission to review this section for clarification. Sheaffer explained a previous situation where a council person was registered as a Republican at the time they ran for office, but ran as an Independent; when that Council Person resigned due to moving out of the City of Napoleon, the Law Director at that time determined that the party that person registered as would have the right to appoint the replacement. Sheaffer suggests correcting the section of 2.08 Vacancies that reads “If person to be replaced was an independent at the time of his or her election or appointment, the replacement shall be selected by Council” and replace it with “The person being from the same political party as the vacated member ran as”

**Motion To Direct The Law Director To Clarify The Language In Section 2.08 To Read The Replacement Would Be Chosen By The Political Party That The Person Ran As In The Most Recent Election.**

**Passed**  
**Yea- 7**  
**Nay- 0**

Motion: Sheaffer Second: Behm  
Motion to direct the Law Director to clarify the language in section 2.08 to read the replacement would be chosen by the political party that the person ran as in the most recent election.

Roll call vote on above motion:  
Yea- Maassel, Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley,  
Nay-

8:39 pm Dr. Holman stepped out of Council Chambers and Returned to Council Chambers at 8:42 pm

**Discussion**  
**Section 2.04 (D)**

Section 2.04 (D) read into record by Sheaffer, see attached. Discussed with no action.

**Section 2.15 (F)**

Section 2.15 (F) read into record by Sheaffer, see attached. DeWit stated the City's prior law director was not detailed; Nagel advised said she has taken strides to make the summaries more detailed and will continue to do so. DeWit wanted the summaries defined in the Charter. Nagel stated that it would be very difficult to put direction on how summaries are to be prepared and assuring committee members that while she is Law Director the summaries will be detailed as she deems fit and until Council directs otherwise. Discussed with no action taken.

**Section 3.02(A)**

Section 3.02(A) read into record by Sheaffer, see attached. Sheaffer asked if State law allows mayor to hold other elected offices. Nagel advised that individuals should seek the Attorney General's opinion. McColley stated that the Attorney General's opinion is online for compatibility guidelines. Maassel asked if someone could be a County Engineer and also Mayor of Napoleon. McColley believes that instance would fall under being a conflict of interest. Maassel stated he is fine with no change to this Section. Nagel interprets the Section that a person cannot hold any other political office simultaneously office. Discussed with no action taken.

**Section 3.04 (H)**

Section 3.04 (H) read into record by Sheaffer, see attached. No discussion. No action was taken.

**Section 3.05**

Section 3.05 read into record by Sheaffer, see attached. Sheaffer advised that Council President would assume the duties, but would not have veto powers. DeWit questioned allowing the President to become Mayor and have the opportunity to sign twice. DeWit stated that the Charter is completely different on this than the ORC. No action was taken.

**Section 4.05**

Section 4.05 read into record by Sheaffer, see attached.

**Motion To Direct The Law Director To Correct Typos In Section 4.05, The Second Line: "Appoint. And Suspend" Should Read: "Appoint And Suspend"**

Motion: Maassel Second: McColley  
Motion to direct the Law Director to correct typos in Section 4.05, The second line: "appoint. And suspend" should read: "appoint and suspend"

**Passed**  
**Yea- 7**  
**Nay- 0**

Roll call vote on the above motion  
Yeah- Maassel, Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley  
Nay-

.....

**Section 5.05 (B)**

Section 5.05 (B) read into record by Sheaffer, see attached.  
Sheaffer stated that the question was if this section should be spelled out more.  
Nagel commented that duties would have to be established.  
No action was taken.

**Section 6.01**

Section 6.01 was read into record by Sheaffer, see attached.  
No action was taken.

**Discussion**

The Commission directed the Law Director to draft up the Charter in final form.  
The next meeting will be held Thursday, April 28, 2016 at 7:30 pm.

**Motion To Adjourn**

Motion: Maassel Second: Behm  
Motion to adjourn the meeting

**Passed**  
**Yeah-7**  
**Nay-0**

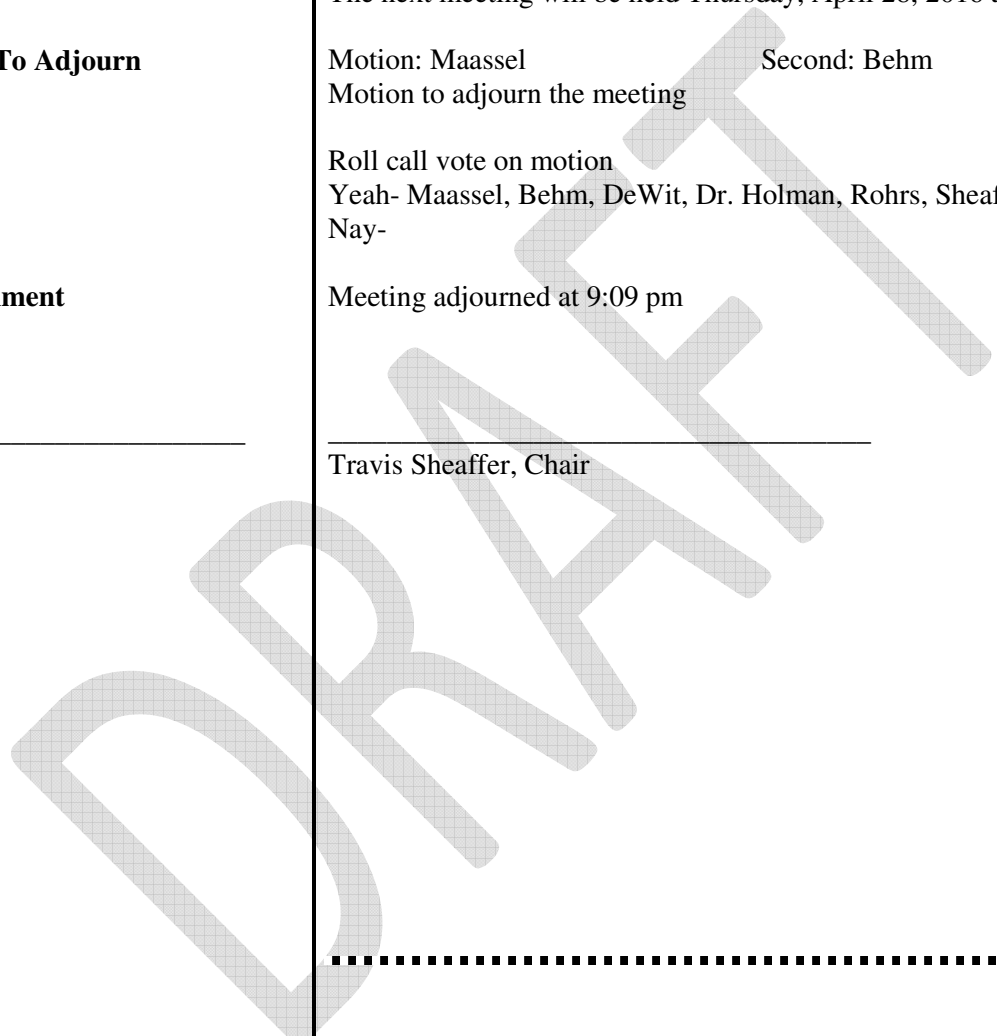
Roll call vote on motion  
Yeah- Maassel, Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley  
Nay-

**Adjournment**

Meeting adjourned at 9:09 pm

**Date** \_\_\_\_\_

\_\_\_\_\_  
Travis Sheaffer, Chair



## Memorandum

**To:** Finance & Budget Committee, Council, Mayor, City Manager, City Law Director,  
City Finance Director, Department Supervisors, Media

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

**Date:** 4/20/2016

**Re:** Finance & Budget Committee Meeting Cancellation

---

The Finance & Budget Committee meeting, regularly scheduled for Monday, April 25, 2016 at 6:30pm has been CANCELED due to lack of agenda items.

## Memorandum

**To:** Safety and Human Resources Committee, Township Trustees, Council,  
Mayor, City Manager, City Law Director, City Finance Director, Department  
Supervisors, Media

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

**Date:** 4/20/2016

**Re:** Safety and Human Resources Committee Meeting Cancellation

---

The Safety and Human Resources Committee meeting scheduled for Monday,  
April 25, 2016, at 7:30pm has been CANCELED due to lack of agenda items.



## Memorandum

**To:** Civil Service Commission, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media

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

**Date:** 4/20/2016

**Re:** Civil Service Commission Meeting Cancellation

---

The regular Civil Service Commission meeting, scheduled for Tuesday, April 26, 2016 at 4:30pm, has been CANCELED due to lack of agenda items.

*After 32 years, 9 months and 11 days of hard  
work and dedication it's time to take a  
permanent vacation!*

*Please join us as we offer*

*Mary Thomas*

*Best wishes on her Retirement!*

Friday, April 29, 2016 from 11 a.m. to 2 p.m.

The Finance Department will be  
hosting an Open House for Mary at  
the City Administration Building  
in the Council Chambers.

Hors d'oeuvres, coffee and punch will be  
provided.

Please stop by as your schedule allows  
and help us remember Mary and wish  
her a Happy Retirement!

Goodbye  
Tension...  
Hello   
Pension!



*Celebrate*  
**ARBOR**  
**DAY**



Friday, April 29<sup>th</sup>

@ 1:45 pm

Veteran's  
Memorial Park

319 S. Perry Street  
Napoleon, Ohio

Planting done by:

*Napoleon High School*

*Class of 2016*

Sponsored by the Napoleon Tree Commission

For more information, contact Marty Crossland,  
Staff Engineer for the City of Napoleon  
Phone: 419-592-4010, ext. 4041  
Email: [mcrossland@napoleonohio.com](mailto:mcrossland@napoleonohio.com)

# **SCHEDULE FOR SPRING SEASONAL PICK UP**

***May 2 through May 6, 2016***

The following General Rules and Regulations shall be effective for the May 2 – May 6, 2016 Spring Seasonal Clean Up:

1. MATERIALS MUST BE IN CONTAINERS AND KEPT DRY.
2. NO CONTAINERS LARGER THAN THIRTY (30) GALLONS, OR WEIGHING MORE THAN 50 LBS.
3. ALL UNMARKED CONTAINERS WILL BE CONSIDERED AS LEFT FOR DISPOSAL.
4. ALL MATERIAL MUST BE COVERED DURING RAIN OR STRONG WIND TO AVOID WETNESS AND BLOWING.
5. ALL BUILDING MATERIAL SHALL NOT BE LARGER THAN FOUR FEET (4') IN LENGTH AND THREE FEET (3') WIDE . ALL LOOSE ITEMS MUST BE BOXED OR BAGGED. THE WEIGHT OF SUCH CONTAINERS SHALL NOT EXCEED 50 LBS. CARPETING OR PADDING SHALL BE IN ROLLS NO WIDER THAN FOUR FEET (4') AND TIED WITH A CORD.
6. NO MATERIAL SHALL CONTAIN NAILS THAT HAVE NOT BEEN BENT OVER.
7. IT IS PROHIBITED TO HAVE ROCKS, BRICKS, CONCRETE BLOCKS OR PLASTER WEIGHING IN EXCESS OF 50 LBS.
8. IT IS PROHIBITED TO MIX REGULARLY SCHEDULED REFUSE WITH MATERIAL SCHEDULED FOR THIS PICK UP
9. IT IS PROHIBITED TO PLACE FOR PICKUP BRUSH, LIMBS, OR OTHER YARD WASTE MATERIAL.
10. IT IS PROHIBITED TO PLACE FOR PICK UP LIQUID WASTE, INCLUDING BUT NOT LIMITED TO: PAINT, HOUSEHOLD CHEMICALS, USED MOTOR OIL, ANTIFREEZE, AND TAR. HOUSEHOLD CHEMICAL CONTAINERS AND PESTICIDES MUST BE RINSED PRIOR TO PLACEMENT FOR PICKUP AND WHEN APPLICABLE, IN ACCORDANCE WITH PRODUCT LABELING INSTRUCTIONS (TRIPLE RINSE FOR PESTICIDES).
11. PAINT CANS OR TAR BUCKETS MUST HAVE THE LIDS REMOVED AND REMAINING PAINT OR TAR COMPLETELY DRY. PAINT WILL BE ACCEPTED IN THE FOLLOWING WAYS: (i) WOOD OR CARDBOARD MAY BE PAINTED TO USE UP THE REMAINING PAINT; OR, (ii) CAT LITTER OR FLOOR DRY MAY BE USED TO MAKE THE PAINT A THICK PASTE; THEREAFTER, SO LONG AS THE CONTAINER IS DRY, THE MATERIAL MAY BE INCLUDED FOR PICKUP.
12. ALL REFRIGERATORS AND/OR FREEZERS MUST HAVE THE DOORS REMOVED AND THE CONTENTS EMPTIED PRIOR TO PLACEMENT FOR PICKUP.
13. WHITEWARE SHALL BE TAGGED IN ACCORDANCE WITH APPROVED TAGS AND AMOUNTS AS ESTABLISHED BY THE CITY. TAGS FOR REFRIGERATORS AND/OR FREEZERS MUST BE ON THE UNIT AND NOT ON THE REMOVED DOOR.
14. ANY ITEMS NOT PROPERLY TAGGED OR PLACED FOR PICKUP, IN A MANNER THAT APPEARS TO BE INTENDED FOR PICKUP, SHALL BE DEEMED AUTHORIZED BY PICKUP AND WILL BE TREATED BY THE CITY AS A "SPECIAL PICKUP" WITH CHARGES BEING ACCORDINGLY ASSESSED.
15. ***MATERIAL OR OTHER ITEMS PLACED FOR PICK UP SHALL BE AT THE CURB NO MORE THAN FIVE (5) DAYS IN ADVANCE OF THE SUBSCRIBER'S SCHEDULED SEASONAL PICK UP DAY. ITEMS PLACED AT THE CURB EARLIER THAN FIVE (5) DAYS IN ADVANCE OF THE SCHEDULED PICK UP DAY WILL BE TREATED BY THE CITY AS A "SPECIAL PICKUP" WITH CHARGES BEING ASSESSED TO THE SUBSCRIBER OR PERSON RESPONSIBLE FOR PLACEMENT.***

The City shall require the use of City *Refuse Tags* to cover the disposal cost of the following items:

- |                         |        |
|-------------------------|--------|
| 1. Whiteware with Freon | 5 tags |
| 2. Air Conditioner      | 5 tags |
| 3. Passenger Car Tire   | 1 tag  |
| 4. Semi-Truck Tire      | 4 tags |
| 5. Tractor Tire         | 6 tags |

*The City of Napoleon, in cooperation with Zack's Recycling, will again accept used **computers, printers, and keyboards** as part of this year's "spring seasonal clean up". Please set the equipment out apart from your regular material. A separate truck, which picks up recyclable materials, will stop and collect the electronics for proper recycling. **Monitors are to be placed with regular pick up items.***

**ALL RULES AND REGULATIONS, ALONG WITH ANY ACCESSED CHARGES, WILL BE ENFORCED.** All materials are to be at the curb by 7:00 a.m. the morning of your pick up. Return trips will not be made for items set out late.

Any questions regarding the guidelines should be directed to the City of Napoleon Operations Department at 419/599-1891.

**Monday, May 2, 2016**

Arden Court  
Avon Place  
Becca Lane  
Bordeaux Drive  
Briarcliff Drive  
Buckeye Lane  
Capri Drive  
Chesterfield Drive  
Cripple Creek Court  
Duquesne Drive  
Erie Street  
Garden Street  
Glenwood Avenue (from Riverview to Washington)  
Haley Avenue (from Riverview to Washington)  
Hilltop Lane  
Hurst Drive  
Jahns Road  
Joliette Drive  
Lafayette Drive  
Lemans Drive  
Martha Lane  
Neward Drive  
Norton Avenue (from Washington to Park)  
Orchard Lane  
Orwig Lane  
Park Court  
Park Lane  
Park Place  
Park Street  
Robinwood Avenue  
Rohm Drive  
Sedward Drive  
Sheffield Avenue (from Riverview to Washington)  
Strong Street  
Sycamore Lane  
Thershan Drive  
Vincennes Drive  
Vine Street  
Wayne Park Drive  
Webster Street (from Washington to Main)  
Welsted Street  
West Main Street  
West Front Street  
West Riverview Avenue  
West Washington Street  
Williamsburg Avenue

**Tuesday, May 3, 2016**

Bauman Place  
Becklee Drive  
Carey Street  
Collingwood Drive  
Depot Street  
Derome Drive  
Detroit Avenue  
Dodd Street  
East Riverview Avenue (from Scott to Enterprise)  
East Clinton (from Perry to Riverview)  
East Washington Street (from Monroe to Hobson)  
Enterprise Avenue  
Fair Street  
Fillmore Street  
Freedom Drive  
Hobson Street (from Riverview to Oakwood)  
Hudson Street  
Independence Court  
Independence Drive  
Industrial Drive  
Ken James Court  
Kolbe Street  
Lagrange Street (from Willard to Dodd)  
Lakeview Drive  
Lamar Lane  
Maple Street  
Monroe Street (from Fillmore to Riverview)  
North Street  
North Perry Street  
Northcrest Circle  
Northcrest Drive  
Norwood Drive  
Oakwood Avenue  
Ohio Street (from Willard to Scott)  
Old Creek Drive  
Railroad Street  
Reynolds Street  
Rye Street  
Scott Street  
Shelby Street  
Stevenson Street  
Trail Drive  
Union Street  
Valleybrook Estates  
Vocke Street  
W. Clinton Street (from Scott to Perry)  
Willard Street  
Yeager Street

**Wednesday, May 4, 2016**

Bales Road  
Briarheath Avenue  
Broadmoor Avenue  
Chelsea Avenue  
Clairmont Avenue  
Glenbrook Court  
Glenwood Estates  
Glenwood Avenue (from Washington to Harmony)  
Haley Avenue (from Washington to Woodlawn)  
Harmony Drive  
High Street  
Highland Avenue  
Indiana Avenue  
Kenilworth Avenue  
Lagrange Street (from Indiana to Willard)  
Leonard Street  
Lumbard Street  
Lynne Avenue  
Melody Lane  
Michigan Avenue  
North Sheffield Avenue (from Washington to Clinton)  
North Harmony Drive  
Norton Avenue (from Washington to railroad tracks)  
Oakdale Avenue  
Ohio Street (from Glenwood to Willard)  
Richmar Lane  
Romain Avenue  
Taylor Drive  
Tyler Street  
Webster Street (from Clinton to Washington)  
West Clinton Street (from Scott to Sheffield)  
Westchester Avenue  
Westmont Avenue  
Westmoreland Avenue  
Westwood Avenue  
Woodlawn Avenue  
Woodlawn Court

**Thursday, May 5, 2016**

Appian Avenue  
Bavarian Village  
Beckham Street  
Brownell Street  
Cambridge Street  
Cliff Street  
Daggett Drive  
East Washington Street (from Hobson to Waste Water Plant)  
East Barnes Avenue  
East Front Street  
East Graceway Drive  
East Main Street  
East Maumee Avenue  
Euclid Avenue  
Fairview Drive  
Fifth Street  
First Street  
Fourth Street  
Hobson Street (from Riverview to Front)  
Huddle Road  
Jefferson Street  
Last Street  
Maumee Valley Mobile Home Park  
Maumee Lane  
Meekison Street  
Monroe Street (from Riverview to Front)  
Moorings Drive  
Moser Drive  
Oak Street  
Oxford Street  
Pontious Place  
Raymond Street  
Rohrs Street  
Second Street  
Short Street  
South Perry Street  
Spruce Street  
Stout Street  
Third Street  
Walnut Street  
Wayne Street  
West Maumee Avenue  
West Graceway Drive  
West Barnes Avenue



Friday, May 6, 2016

**Catch-up Day!!!**



# UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

April 15, 2016



June 2010



October 2011



December 2012



November 2013



October 2014



December 2015

## Meldahl now in full commercial operation

The Meldahl Hydroelectric Plant is now in full commercial operation and providing power to the City of Hamilton, Ohio, and the other 47 AMP member communities in four states participating in the project.

“On behalf of the AMP Board and AMP’s member communities participating in our hydro projects, I want to acknowledge this significant milestone,” said Jeff Brediger, utilities director for the City of Orrville, Ohio, who also chairs both the AMP Board of Trustee’s Hydro Power Projects Committee and the AMP Phase 1 Hydro Participants Committee. “The AMP hydro development effort contains a total of 11 turbines and we now have seven in commercial operation. Not only does this relieve a significant portion of the construction risk, but once complete, further increases the renewable resources in our members’ portfolios. Forty three member communities are participating in both phases of AMP’s hydro development. In total, they will share 293 MW of clean, renewable hydro generation, an achievement of which we can all be proud.”

*continued on Page 3*

## AMP announces CFO, general counsel succession

By Marc Gerken – president/CEO

AMP recently announced appointments to key positions, prompted by pending retirements.

Marcy Steckman has been named AMP chief financial officer (CFO) upon the retirement of long-time CFO Robert Trippe in July 2016. Trippe has served as AMP CFO since 1991 and his retirement was announced last year.

Rachel Gerrick and Lisa McAlister have been named co-general counsels to replace John Bentine, effective upon his previously announced retirement in January 2017. Bentine has served as AMP general counsel since 1981. Gerrick will be general counsel for corporate affairs and McAlister will be general counsel for regulatory affairs.

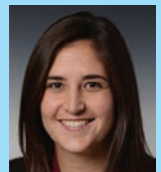
Steckman currently serves as AMP vice president of accounting and chief accounting officer. She joined the AMP staff in 2013 and is responsible for asset and liability management; and management oversight of all finance, treasury, cash management, financial reporting member billing and budgeting functions. She manages eight financial statement audits, three quarterly reviews and the relationship with independent auditors, \$6 billion in project financing debt obligations and \$1.4 billion in annual revenues. She has held financial leadership positions with Nationwide Mutual Insurance Co., where she



Marcy Steckman



Rachel Gerrick



Lisa McAlister

*continued on Page 4*

## MISO 2016-2017 Capacity Auction clears at \$2.19/kW-mo

By Mike Migliore – vice president of power supply planning & marketing

Midcontinent Independent System Operator (MISO) Installed Capacity auction for the upcoming June 2016 through May 2017 cleared on April 14. The auction set a price for installed capacity at \$2.19/kW-mo. This price applies to all load and generation in Illinois, Michigan, Indiana, Missouri, Wisconsin and Iowa.

The auction price for Minnesota and North Dakota ended at \$0.60/kW-mo, while the price for MISO's southern region in Arkansas, Louisiana and Mississippi will be \$0.09/kW-mo. The results are much different than last year, when the 2015-2016 planning year cleared at \$4.56/kW-mo for Illinois, but only \$0.10/kW-mo for all other MISO states.

The \$2.19/kW-mo MISO rate compares to the \$3.09/kW-mo for most of PJM for the upcoming 2016-2017 planning year.

## AFEC weekly update

By Jerry Willman – assistant vice president of energy marketing

Fremont had its first full week of operation since returning from its planned maintenance outage. The plant operated near base load for the week with duct firing for only 10 hours.

PJM limited duct firing for most days this week due to transmission constraints in the area caused by transmission line outages that limited power flows. The plant generated at an 80 percent capacity factor (based on 675 MW rating).

## AMP issues quarterly At-A-Glance Sustainability Report

By David Deal – director of energy policy & sustainability

The fourth quarter At-A-Glance Sustainability Report is now available on the sustainability section of the [AMP website](#).

AMP looks to provide sustainability updates to its members and other key stakeholders and provide these At-A-Glance reports quarterly to measure and compare sustainability progress over time while also noting highlights and accomplishments.

In addition to the quarterly reports, AMP will be issuing a 2015 annual sustainability report in the coming months.

For more information, please contact me at 614.540.0840 or [ddeal@amppartners.org](mailto:ddeal@amppartners.org).



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

### Week ending April 15

MON	TUE	WED	THU	FRI
\$36.65	\$35.39	\$31.80	\$31.04	\$33.99

### Week ending April 8

MON	TUE	WED	THU	FRI
\$29.51	\$32.43	\$27.14	\$26.74	\$31.41

AEP/Dayton 2017 5x16 price as of April 14 — \$36.55

AEP/Dayton 2017 5x16 price as of April 7 — \$36.09

## Energy markets update

By Jerry Willman

The May 2016 natural gas contract fell \$0.066/MMBtu to close at \$1.970. The EIA reported an inventory withdrawal of 3 Bcf for the week ending April 8. The average Bloomberg estimate was expecting a 1 Bcf injection while the forecasted range was -9 to +9 Bcf. EIA's latest U.S. Drilling Productivity Report shows a fifth consecutive monthly decline in U.S. shale gas production. The EIA expects shale production to fall 1.1 percent to 45.9 Bcf/d in May, which would mark the largest monthly decline in three years. On-peak power prices for 2017 at AD Hub closed yesterday at \$36.55/MWh, which was \$0.46/MWh higher for the week.

## Discounted rate for Technical Services Conference ends soon

By Jennifer Flockerzie – technical services program coordinator

As a reminder, the early registration discount for the AMP Technical Services Conference expires April 15. Registration at the non-discounted price will still be accepted until April 22.

The conference will be held from 9 a.m. to 3:45 p.m. April 27 and 8:30 a.m. to noon April 28 at AMP headquarters. The event provides an opportunity to increase technical understanding and capabilities, learn about new products, strengthen relationships with other members as well as AMP staff, and exchange ideas with other utilities facing similar challenges.

Scheduled topics include: accident investigation, member substation rebuild, electric vehicle integration, distribution automation solutions, leading indicators in safety, self-rescue techniques and project updates.

A continental breakfast and lunch will be provided both days and a vendor expo will be featured on April 27.

Based on the current scheduled topics and allowed times, AMP will provide a certificate of attendance for four hours on Day 1 and up to 2.5 hours on Day 2 for continuing professional development credits as required by Section 4733.151 of the Ohio Revised Code for professional engineers and surveyors.

Registration information is available on the Member Extranet section of the [AMP website](#). For more information, please contact me at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853.

## Meldahl commercial operation

*continued from Page 1*

The facility's Unit 3 was declared in commercial operation on April 12, 2016. Meldahl Unit 2 began commercial operation on Jan. 20, and Unit 1 on Feb. 14. The project was developed through a partnership of the City of Hamilton and AMP. Hamilton originally procured the license from the Federal Energy Regulatory Commission (FERC) in 2008 and will receive 51.4 percent of the energy produced by the hydroelectric facility. AMP will receive the remaining share of the plant output on behalf of its participating members.

The construction and commissioning teams will be demobilizing off-site after remaining punch list items are completed.

"This is the largest of the four hydro projects, AMP members are developing on the Ohio River," said AMP President/CEO Marc Gerken. "The facility is an important component of our members' long-term power supply strategy and truly represents an investment in the future. This has been a long journey and I want to commend all involved both at AMP and the City of Hamilton for their commitment, professionalism and diligent efforts to reach this point."

"The Meldahl Hydroelectric Project will provide affordable, renewable energy for current and future Hamilton electric consumers," said Director of Public Utilities Kevin Maynard. "Hamilton is proud to be a leader in renewable energy for more than 50 years. The city has owned and operated the Hamilton Hydroelectric Project in Hamilton since 1963, and the Greenup Hydroelectric Plant, near Portsmouth, Ohio, since 1988. The city will continue to operate these three hydroelectric projects in the future. With completion of Meldahl, Hamilton will receive approximately 50 percent of its energy requirements from clean, renewable hydroelectric resources. I congratulate Hamilton City Council, Mayor Pat Moeller, City Manager Joshua Smith, and the Hamilton/AMP Team for their hard work and dedication in completing this project."

Excavation and coffer dam construction began on the Meldahl plant in May 2010 with Warren, MI-based Angelo Iafrate Construction Co. as lead contractor. Powerhouse construction started in August 2011 with a joint venture of Alberici Constructors (St. Louis, MO) and Baker Concrete (Monroe, OH) as lead contractor.

## Wait lists have been started for AMP lineworker courses

*By Jennifer Flockerzie*

Both the Basic 1 and Intermediate classes in AMP's lineworker training series are now full and wait lists have been started. Members are encouraged to let us know of their interest in these and other lineworker training courses as additional classes may be added if there is sufficient member interest.

Course details are available in AMP's 2016 training catalog, which is located on the [Member Extranet](#). For more information or to register for a course, please contact me at 614.540.0853 or [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org).

## Monthly NERC update call, webinar set for April 19

*By Art Iler – director of reliability standards compliance*

AMP, in coordination with Utility Services, Inc., will host its monthly NERC update call and webinar for members from 1:30 to 2:30 p.m. on April 19. Topics to be discussed include: (i) CIP Standards V5 – Overarching Policy; (ii) AMP's IRA experience; (iii) COM Standards – Three-part communication and loss of capabilities; (iv) MIDAS platform for Misoperation reporting; and (v) RF Spring Workshop recap. The presentation will be followed by a question and answer session.

Please contact me with questions, and for the dial-in number and webinar instructions at [ailer@amppartners.org](mailto:ailer@amppartners.org) or 614.540.0857.

## Tatum talks transmission at QER

AMP's Ed Tatum, vice president of transmission, participated in the Department of Energy's (DOE) Quadrennial Energy Review (QER) Regional Meeting in Boston on April 15. Tatum served as a panelist on ensuring resource adequacy and discussed the three eastern wholesale electricity markets, including strengths and weaknesses of these current markets and a look ahead to their roles in the future.

The QER focused on U.S. electricity systems from generation through end-use.

The American Public Power Association (APPA), which was represented by two panelists at the QER, also submitted a statement for the record on electricity markets and the concerns APPA has regarding the RTO-run electricity markets, particularly the mandatory capacity markets.

### APPA Communications Survey

The American Public Power Association (APPA) emailed a survey link on April 14 and AMP members are encouraged to participate in providing their feedback. The survey will be used to get a better sense of how members use APPA's services and resources. The deadline to complete the [short survey](#) is April 28.

## Calendar

April 18—AMP Regional Safety Meeting  
98 Johns St., Wellington, Ohio

April 27-28—AMP Technical Services Conference  
AMP Headquarters, Columbus

May 18-19—AMP Underground Distribution Workshop  
AMP Headquarters, Columbus

June 13-17—Basic 1 Lineworker Training  
AMP Headquarters, Columbus

## AMP announces succession

*continued from Page 1*

served in the positions of senior director-Finance Nationwide Bank and director of corporate finance. She previously worked with Huntington National Bank, holding several positions including vice president of finance and accounting; and American Electric Power/Ohio Power Company, serving as financial and rate analyst. Steckman holds a bachelor's degree in accounting from the University of Akron and is a Certified Public Accountant in the state of Ohio.

We established benchmarks and did a national search to fill the position of CFO. Marcy rose above in this process and was the unanimous choice of the interview team. She has a great deal of experience and is well-deserving of this promotion. Additionally, the Board, John and I have been working on succession planning for the general counsel position since John came in-house in 2012.

Gerrick joined AMP in 2012 as deputy general counsel. Since then, she has had responsibility for a wide variety of AMP legal matters, including construction, project financing, procurement, real estate, litigation oversight and employment matters. She has been an integral part of the teams working to expand AMP's hydroelectric fleet and bring new solar generation to AMP's member communities. Prior to AMP, she was an assistant to Ohio Attorney General DeWine, in the Business Counsel Section, where she handled transactional and compliance matters for the state. Gerrick has a background in commercial real estate law, and practiced with national law firms in Chicago and Columbus. She holds a bachelor's degree, summa cum laude, in economics and history from Emory University and a law degree from University of Virginia.

McAlister came to AMP in 2012 as deputy general counsel FERC/RTO affairs. In this position she has coordinated AMP's regulatory efforts in terms of transmission and mar-

ket access through the Federal Energy Regulatory Commission (FERC) and RTO affairs with both the Mid Continent ISO and PJM Interconnection. McAlister also works with AMP's power supply and planning groups to negotiate power supply agreements with third-party suppliers and to ensure power supply arrangements on behalf of members are reasonable and in accordance with law. She also monitors actions at the North American Electric Reliability Corporation (NERC) and state public utilities commissions in the nine-state AMP footprint that could potentially impact the organization or its membership. She has been active nationally serving as vice chair and the current chair of the American Public Power Association (APPA) Legal Section and serves on the PJM Board Nominating Committee and Liaison Committee representing the Electric Distributor Sector. Previously she was senior counsel at the Columbus based Bricker & Eckler law firm and served as counsel to the Ohio Manufacturing Association (OMA) and the OMA Energy Group. McAlister also held the position of partner elect with the firm of McNees Wallace & Nurick, representing industrial customers in energy matters. She holds a bachelor's degree, magna cum laude, in political science and philosophy from Elon University and a law degree from the Ohio State University.

Adding Lisa and Rachel in 2012 has allowed them the opportunity to work closely with John and our outside law firms and to better understand AMP's legal complexities, our organization and our members, to add to their already impressive resumes. Their work at AMP has had a positive impact and their promotion will benefit us greatly. The AMP Board of Trustees was actively involved in the process for filling both the general counsel and CFO positions and we are confident this will allow a seamless transition moving forward.

Bentine and Trippe will both be available as consultants for the organization after their retirements.

## Classifieds

### City of Bowling Green has positions available

The City of Bowling Green is seeking candidates for the following positions.

**Journeyman Lineman:** (Pay Rate: \$33.17 per hour) This position is responsible for constructing, maintaining, troubleshooting and repairing the city's electrical distribution system. Operates equipment; maintains service lines; analyzes outage situations; repairs outage situations; connects new customers to electrical power; maintains street lights; informs public of work. Requirements: High school diploma or equivalent; successful completion of a lineman apprenticeship program; Commercial Class A Driver's License; three to five years of relevant experience. A copy of the job description will be provided to applicants. Interested persons must complete the application that is available online [here](#). It is also available in the City's Personnel Department. Resumes may be included, but will

not substitute for a completed application. Applications must be completed and returned to the Personnel Department, City of Bowling Green, 304 N. Church St., Bowling Green, Ohio 43402. Telephone: 419.354.6200; email: [BGPersonnel@bgohio.org](mailto:BGPersonnel@bgohio.org). Office hours: 8 a.m. to 4:30 p.m. weekdays. Deadline for making application is 4:30 p.m. April 25, 2016. AA/EEO

**Probation Officer:** Bowling Green Municipal Court is currently accepting applications for a Probation Officer. Responsibilities include but are not limited to: case management, administration of the underage alcohol diversion program, drug screening of probationers and collection and distribution of restitution. Interested individuals should have a Bachelor's degree in Criminal Justice or a related field. Related experience may serve as an equivalent to a four-year degree. Must possess organizational skills; ability to work independently as well as in a team environment. Must have experience in basic computer skills

*see CLASSIFIEDS Page 5*

including Windows-based software including Excel and Word. Qualified candidates must have a valid driver's license and the ability to pass a background investigation and drug screen. Interested persons may submit a resume with references and salary requirement to: Bowling Green Municipal Court, Probation Officer, 711 S. Dunbridge Road, Bowling Green, Ohio 43402. Deadline for taking applications is 4 p.m. April 21, 2016.

## St. Clairsville seeks director of public services, safety

The City of St. Clairsville seeks candidates for the position of Director of Public Services & Safety. The position serves as the Chief Operating Officer of the city, which has a \$17 million annual budget. Minimum of a bachelor's degree in public administration, political science, planning or closely related fields required; a master's degree is preferred. Deadline to apply is May 16, 2016. For complete details, visit [www.stclairsville.com](http://www.stclairsville.com).

## City of Hamilton accepts applications for open positions

The City of Hamilton has the following positions available. To learn more about Hamilton, please visit the city's [website](#). The City of Hamilton is an EEO & AAE. Minorities and women are encouraged to apply.

**Director of Underground Utilities:** This position is responsible for managing the operation and maintenance, and capital improvements of the city's natural gas transportation and distribution, water distribution and sanitary collection systems, as well as the operation and maintenance of the city's water production and water reclamation plants. A bachelor's degree in business administration, engineering, public administration or closely related field with a professional certification such as a CPA or PE and/or graduate experience preferred. In addition, Wastewater Class IV and OEPA Water Supply Class III certification desired. Send cover letter, resume, salary history and three business references to Department of Public Utilities, ATTN: Debbie Bennett, 345 High St., Suite 450, Hamilton, Ohio 45011 or email same to: [Debbie.Bennett@hamilton-oh.gov](mailto:Debbie.Bennett@hamilton-oh.gov).

**Water Production and Water Reclamation Operations Supervisor:** This position is responsible for difficult professional, administrative and supervisory work in the planning, organization, direction and coordination of the operations, maintenance, capital improvements and activities of City Water Production and Water Reclamation facilities, including laboratory facilities. Candidates should possess high school graduate or GED, preferably supplemented by education in the water/wastewater field, engineering and business administration; graduation from a college or university of recognized standing with a bachelor's degree in a related field is preferred. Special requirements, licenses and certifications: possession of a valid OEPA Class III or IV Wastewater Operator Certification and Class II or III Water Supply Operator Certification (reciprocal license will not

be considered); possession of a valid Ohio driver's license; availability for after-hours emergency situations.

Current detailed resumes and proof of required water and wastewater certification must be submitted in Word or PDF by 5 p.m. April 28, 2016, to the Civil Service Department by email: [cspersonnel@hamilton-oh.gov](mailto:cspersonnel@hamilton-oh.gov) or fax: 513.785.7037. Specify interest in WPWR OPS SUPERV.

**Assistant Manager of Transmission and Distribution Operations:** This position is responsible for difficult professional, supervisory and technical work in the planning, organization, direction, supervision and coordination of the operations, maintenance, capital improvements and activities of the Electric Transmission and Operations Division, including transmission and distribution systems, substations, downtown electric network and fiber optic system. Candidates should possess any combination of education and experience equivalent to graduation from a college or university of recognized standing with a bachelor's degree in electrical engineering or closely related field with professional engineer certification and/or graduate experience preferred; and considerable experience in electric public utility management and operations, including supervisory experience; or any equivalent combination of experience and training that provides the knowledge, skills and abilities to effectively perform the essential job functions; and possession of a valid driver license. Current detailed resumes must be submitted in Word or PDF by 5 p.m. April 28, 2016, to the Civil Service Department by email: [cspersonnel@hamilton-oh.gov](mailto:cspersonnel@hamilton-oh.gov) or fax: 513.785.7037. Specify interest in ASST MGR TRANS DIST OPS.

## City of Westerville has opening for electric utility manager

The City of Westerville is seeking an experienced professional to serve as Electric Utility Manager (\$93,000-\$124,000 DOQ ).

The successful candidate will have a strong background in all aspects of the public power utility management, including strategic planning, budgeting (both operation and capital), power supply procurement, rate and cost of service evaluation, energy conservation and efficiency practices, and emergency management. He or she will possess extensive knowledge of and familiarity with the principles and practices of electric power line system construction, operation and maintenance, working knowledge of AMI, strong supervisory and communication skills, and a commitment to exceptional levels of integrity and customer service. Familiarity with economic development practices and energy savings grant programs is desired. This position (a department head position) reports to the Assistant City Manager, with overall reporting responsibility to the City Manager.

Required: Bachelor's degree, preferably in electrical engineering, and seven to 10 years of progressively responsible managerial experience in the electric utility industry. No resumes please. All applications must be accepted online by 11:59 p.m. on May 1, 2016. Apply at [www.westerville.org](http://www.westerville.org) (click "Jobs" at the top of the page). EOE/ADA



# Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

April 22, 2016

## Paris joins AMP as fifth Kentucky member

By Pam Sullivan – executive vice president of power supply & generation

The city of Paris, Kentucky, has joined AMP as the organization's 133rd member and fifth member community from the Commonwealth.

The utility's application to join AMP was approved by the AMP Board of Trustees at its March meeting following extensive financial review and based on established criteria for the acceptance of new members.

"We look forward to working with Paris and being a partner in their efforts to provide reliable, cost effective power supply to their residents and businesses," said AMP President/CEO Marc Gerken. "These attributes are the hallmark of locally owned public power systems and AMP is proud of our partnership with municipal utilities in nine states. Membership growth is guided by criteria developed by the AMP Board of Trustees to ensure the addition of new members benefits the organization as a whole and we welcome this latest expansion."

Located in Bourbon County (north central Kentucky), Paris has a population of approximately 9,700. The electric system serves 3,098 total meters with a 2014 peak of 16,234 kW.



Pictured at the 2016 Wall of Fame ceremony on April 20 are (from left): Frank Robinson, Tom Luebbers, Jon Bisher and Marc Gerken.

## AMP inducts three to Wall of Fame in 2016

Three inductees were honored at the 2016 AMP Wall of Fame ceremony on April 20, following the AMP Board of Trustees meeting.

The 2016 honorees were: Dr. Jon Bisher, Tom Luebbers and Frank Robinson. The Wall of Fame was created in 2010 to honor and recognize those individuals who have made significant contributions to the organization and to public power.

**Jon Bisher:** Bisher served as the city manager of Napoleon, Ohio, from 1998 to 2014. Prior to Napoleon, he was the executive director of the Henry County Community Investment Corp., following a 20-year career in the U.S. Air Force – retiring as a lieutenant colonel. He represented Napoleon on the AMP Board of Trustees during his time as city manager, serving as chair from 2009 to 2014.

At the Wall of Fame ceremony, Napoleon pre-

*continued on Page 2*

## Greenup project financing moves forward

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

With the commercial operation of the Meldahl Hydroelectric Project occurring on April 12, 2016, the Greenup Hydroelectric Project financing is now moving forward. The project has received ratings of 'A1' from Moody's Investors Service, 'A' from Standard and Poor's and 'A-' from Fitch Ratings. The bonds are expected to price on May 5, 2016, and close on May 11, 2016.

If you have questions of would like to receive copies of the rating agency reports for the Greenup Hydroelectric Project bonds, please do not hesitate to contact me at [cdeeter@amppartners.org](mailto:cdeeter@amppartners.org) 614.540.0848.

## AFEC weekly update

By Jerry Willman – assistant vice president of energy marketing

CT #2 tripped offline last Friday due to turbine blade failure and currently remains offline for inspection and root cause analysis. The plant was able to continue to operate in a 1x1 configuration for the remainder of the week. The plant generated at a 44 percent capacity factor (based on 675 MW rating).

## Energy markets update

By Jerry Willman

The May 2016 natural gas contract fell \$0.001/MMBtu to close at \$2.068. The EIA reported an inventory injection of 7 Bcf for the week ending April 15. The average Bloomberg estimate was looking for a 4 Bcf injection and the forecasted range was -5 to 16 Bcf. Temperature forecasts call for temperatures to rise well above seasonal norms through April 27, which could support the demand for natural gas in power generation.

On-peak power prices for 2017 at AD Hub closed yesterday at \$37.76/MWh, which was \$1.21/MWh higher for the week.

## Willoughby joins AMP as director of government affairs

By Michael Beirne – vice president of external affairs

Charles Willoughby joined AMP this week as director of government affairs. In this position, Willoughby will serve as the primary Ohio Statehouse contact for AMP/OMEA and will manage advocacy efforts on behalf of the organizations.



Charles Willoughby

Willoughby most recently headed up energy and environment matters for the Ohio Chamber of Commerce, and previously worked for the Industrial Energy Users-Ohio and Ohio Attorney General Mike DeWine on legislative and regulatory policy matters. He holds a bachelor's degree in political science and history from Miami University.

Please join me in welcoming Charles to AMP.

## Governor signs DEMEC Day proclamation

Members of the Delaware Municipal Electric Corporation (DEMEC) met with legislators to discuss various issues and topics related to public power on April 13 at the Delaware Legislative Hall for "DEMEC Day." The group also met with Gov. Jack Markell for the signing of a proclamation recognizing DEMEC and public power.



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

### Week ending April 22

MON	TUE	WED	THU	FRI
\$40.87	\$36.88	\$33.74	\$35.48	\$40.49

### Week ending April 15

MON	TUE	WED	THU	FRI
\$36.65	\$35.39	\$31.80	\$31.04	\$33.99

AEP/Dayton 2017 5x16 price as of April 21 — \$37.76

AEP/Dayton 2017 5x16 price as of April 14 — \$36.55

## Wall of Fame inductees

*continued from Page 1*

sented Bisher with a proclamation recognizing his service to Napoleon and AMP. OMEA Executive Director Jolene Thompson also presented Bisher with an Honorary Membership plaque on behalf of the OMEA general membership.

**Tom Luebberts:** Luebberts served as AMP's bond counsel for more than 25 years. He was instrumental in forming the Ohio Municipal Electric Generation Agency (OMEGA) Joint Venture program in 1993. He also helped secure Private Letter Rulings from the Internal Revenue Service (IRS) that allowed AMP to issue tax-exempt debt on behalf of its members.

"Tom is the father of the joint venture concept at AMP," said Bob Trippe, senior vice president of finance and CFO. "The JV process opened the door for tax-exempt financing for AMP and our members, and there's been huge savings for our members ever since."

**Frank Robinson:** Robinson spent nearly 40 years practicing public finance law for the firm of Sidley Austin. His association with AMP began in 1988 and he worked with the organization for nearly 30 years. He was actively involved as AMP's federal tax and project development counsel. During that time, about \$6 billion was funded for generation project development.

"Frank has been a key to the strategic growth of the organization," said AMP President/CEO Marc Gerken. "Our members have benefitted from his talents matched with his continued desire to better understand AMP and our goals. With that knowledge he provided guidance and kept us protected."

## There are still spots available for groundworker courses

By Jennifer Flockerzie – technical services program coordinator

Two groundworker classes have been scheduled for May 11 and 12 in Bloomdale, and June 21 and 22 in Hudson. Space is limited to 15 participants for each program.

The AMP groundworker courses are designed for entry-level apprentices or for municipal employees who assist the electric line crew as groundmen.

For more information or to register for a class, please contact me at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853.



## Regional safety meeting covers fall protection, confined spaces

By Steven Mutchler – OSHA/safety compliance coordinator

More than 55 attendees participated in the AMP Regional Safety Meeting on April 18 in Wellington. The event featured talks on fall protection by Safety Resources Co. of Ohio, a fall protection demonstration by Miller Fall Protection, a discussion about confined spaces, and a demonstration rescue from a confined space performed by members of the Wellington Fire Department.

The next regional safety meeting will be held Aug. 4 in Zelenople. More information will be distributed in the coming months.



## SEPA lauds Minster, Carey as leaders in utility solar

Two AMP members were recently recognized by the Smart Electric Power Alliance (SEPA) with Top 10 Utility Solar 2015 awards.

The Village of Minster received first place and the Village of Carey received fourth place. Awards are based on the amount of solar kilowatts per customer.

Pictured at the SEPA Utility Conference last week are (from left): Pam Sullivan, AMP executive vice president of power supply and generation; Julia Hamm, SEPA president/CEO; and Don Harrod, Minster village administrator.



## Trends in Sustainability: Public power discusses future

By David Deal – director of energy policy & sustainability

The AMP Focus Forward Advisory Council held its kickoff meeting on April 21 to discuss the continued evolution of the utility sector. Allen Mosher, vice president of policy analysis at the American Public Power Association (APPA), gave a presentation and led a discussion on the challenges and opportunities for public power utilities across the country.

Focus Forward attendees agreed that AMP can play a crucial role in providing resources and tools for members who are attempting to address issues of rate design and interconnection in relation to distributed energy resources. The council will develop a set of deliverables and tools and present them at the AMP/OMEA Conference this fall.

As an immediate resource for all members, the [AMP Member Extranet](#) now has a Focus Forward portal, which

contains all of the material and information shared at the kickoff meeting. AMP staff will continue to update the extranet site as new information is available.

In a related news announcement, APPA has launched, in partnership with the Edison Electric Institute, National Resources Defense Council, National Rural Electric Cooperative Association and the Peak Load Management Association, the Community Storage Initiative and is soliciting interest from public power utilities to join. The initiative is focused on recognizing utility based programs that aggregate electrical resources to improve operational efficiency of electric energy services for the community. Any members who may be interested in joining can find out more information at the [Community Storage Initiative](#) website.

## Classifieds

### Journeyman lineman needed in City of Bowling Green

The City of Bowling Green is seeking candidates for Journeyman Lineman (Pay Rate: \$33.17 per hour). This position is responsible for constructing, maintaining, troubleshooting and repairing the city's electrical distribution system. Operates equipment; maintains service lines; analyzes outage situations; repairs outage situations; connects new customers to electrical power; maintains street lights; informs public of work. Requirements: High school

diploma or equivalent; successful completion of a lineman apprenticeship program; Commercial Class A Driver's License; three to five years of relevant experience.

A copy of the job description will be provided to applicants. Interested persons must complete the application that is available online [here](#). It is also available in the City's Personnel Department. Resumes may be included, but will not substitute for a completed application. Applications must be completed and returned to the Personnel Department, City of Bowling Green, 304

see CLASSIFIEDS Page 4

CLASSIFIEDS continued from Page 3

N. Church St., Bowling Green, Ohio 43402. Telephone: 419.354.6200; email: [BGPersonnel@bgohio.org](mailto:BGPersonnel@bgohio.org). Office hours: 8 a.m. to 4:30 p.m. weekdays. Deadline for making application is 4:30 p.m. April 25, 2016. AA/EEO

## Director of public services, safety needed in St. Clairsville

The City of St. Clairsville seeks candidates for the position of Director of Public Services & Safety. The position serves as the Chief Operating Officer of the city, which has a \$17 million annual budget. Minimum of a bachelor's degree in public administration, political science, planning or closely related fields required; a master's degree is preferred. Deadline to apply is May 16, 2016. For complete details, visit [www.stclairsville.com](http://www.stclairsville.com).

## City of Hamilton seeks director of underground utilities

The City of Hamilton is seeking candidates for Director of Underground Utilities. This position is responsible for managing the operation and maintenance, and capital improvements of the city's natural gas transportation and distribution, water distribution and sanitary collection systems, as well as the operation and maintenance of the city's water production and water reclamation plants. A bachelor's degree in business administration, engineering, public administration or closely related field with a professional certification such as a CPA or PE and/or graduate experience preferred. In addition, Wastewater Class IV and OEPA Water Supply Class III certification desired. Send cover letter, resume, salary history and three business references to Department of Public Utilities, ATTN: Debbie Bennett, 345 High St., Suite 450, Hamilton, Ohio 45011 or email same to: [Debbie.Bennett@hamilton-oh.gov](mailto:Debbie.Bennett@hamilton-oh.gov).

To learn more about Hamilton, please visit the city's [website](#). The City of Hamilton is an EEO & AAE. Minorities and women are encouraged to apply.

## City of Westerville has opening for electric utility manager

The City of Westerville is seeking an experienced professional to serve as Electric Utility Manager (\$93,000-\$124,000 DOQ).

The successful candidate will have a strong background in all aspects of the public power utility management, including strategic planning, budgeting (both operation and capital), power supply procurement, rate and cost of service evaluation, energy conservation and efficiency practices, and emergency management. He or she will possess extensive knowledge of and familiarity with the principles and practices of electric power line system construction, operation and maintenance, working knowledge of AMI, strong supervisory and communication skills, and a commitment

to exceptional levels of integrity and customer service. Familiarity with economic development practices and energy savings grant programs is desired. This position (a department head position) reports to the Assistant City Manager, with overall reporting responsibility to the City Manager.

Required: Bachelor's degree, preferably in electrical engineering, and seven to 10 years of progressively responsible managerial experience in the electric utility industry. No resumes please. All applications must be accepted online by 11:59 p.m. on May 1, 2016. Apply at [www.westerville.org](http://www.westerville.org) (click "Jobs" at the top of the page). EOE/ADA

## Calendar

April 27-28—AMP Technical Services Conference  
AMP Headquarters, Columbus

May 11-12—Groundworker Course  
Bloomdale

May 18-19—AMP Underground Distribution Workshop  
AMP Headquarters, Columbus

June 13-17—Basic 1 Lineworker Training  
AMP Headquarters, Columbus

June 21-22—Groundworker Course  
Hudson

June 27-July 1—Intermediate Lineworker Training  
AMP Headquarters, Columbus

Aug. 26-27—AMP Rodeo  
AMP Headquarters, Columbus

Sept. 12-16—Basic 2 Lineworker Training  
AMP Headquarters, Columbus

Sept. 26-29—2016 AMP/OMEA Conference  
Hilton Columbus at Easton

Oct. 3-7—Advanced Lineworker Training  
AMP Headquarters, Columbus

**American Municipal Power, Inc.**

1111 Schrock Road • Suite 100

Columbus, Ohio 43229

614.540.1111 • FAX 614.540.1113

[www.amppartners.org](http://www.amppartners.org)





Ohio Municipal League  
Our Cities and Villages ★ Bringing Ohio to Life

# Legislative Bulletin

## Ohio Municipal League Legislative Bulletin

[OML Home](#) • [Affiliates](#) • [Classifieds](#) • [Publications](#) • [About OML](#)

[Join the OML Legislative Bulletin E-Mail List Here](#)

or Text "OMLOHIO" to 22828

**April 15, 2016**

It was an extremely busy week at the statehouse this week as members introduced and passed major pieces of legislation while holding hearings on multiple other bills. Below are the highlights of legislation that the League is involved with. If you would like additional information on any of these proposals, please contact the League's legislative staff by phone or email.

### **CAPITAL APPROPRIATIONS BILL UNVEILED**

Senator Scott Oelslager (R-Canton) introduced the Capital Appropriations bill, Senate Bill 310, on Wednesday. This is a bill that allots state money for various projects requested around the state. Proposals were due last month.

Highlights of the bill include:

- \$650 million for K-12 buildings through the Ohio School Facilities
- \$100 million for health and human services facilities
- \$160 million for "community projects," including \$5.8 million alone in Mahoning Valley, which the speaker said was the most in some time for that region.
- \$500 million will go to local infrastructure projects through the Public Works Commission, including \$100 million to support Clean Ohio program which funds preservation of green space, farmland, open spaces, and expanded recreational opportunities
- \$275 million for the maintenance of Ohio's dams, parks, trails, waterways, and wildlife
- \$160 million for economic development and cultural projects of local and regional importance.

The bill received an informal hearing on Wednesday. Senate President Keith Faber (R-Celina) and Speaker Cliff Rosenberger (R-Clarksville) made the announcements regarding this bill this week saying that the bill should be voted on relatively quickly.

Specific information on the breakdown of capital appropriations can be found here: <http://obm.ohio.gov/>

### **MEDICAL MARIJUANA BILL INTRODUCED**

A proposal to legalize medical marijuana in Ohio was introduced in the House this week, House Bill 523. It was introduced by Rep. Matt Huffman (R-Tipp City). Rep. Huffman is a physician. It will move through a special select committee. House leaders stated that the goal is to have the bill passed into law by June. Meanwhile, the Ohio Ballot Board approved a second proposed medical marijuana initiative constitutional amendment this week. This initiative has been put forward by Grassroots Ohio, which can now begin collecting the 300,000 signatures needed.

This bill could have an effect on local governments both as employers and with regards to the ability to deal with the dispensaries. The OML is monitoring the bill to ensure local control.

Members of the House Select Committee on Medical Marijuana which will hear the medical marijuana proposal include the following: Reps. Kirk Schuring (R-Canton), chair; Steve Huffman (R-Tipp City), vice chair; Tim Brown (R-Bowling Green); Marlene Anielski (R-Walton Hills), Ryan Smith (R-Gallipolis); Lou Terhar (R-Cincinnati); Dan Ramos (D-Lorain), ranking minority member; Nicholas Celebrezze (D-Parma); and Christie Bryant Kuhns (D-Cincinnati).

Committee Chair Schuring indicated that the bill will lay out a framework for the Committee to take expert testimony regarding medical marijuana. The bill would give the commission the ability to develop rules regarding the cultivation, manufacture and dispensing of the drug. Physicians who are licensed under the State Medical Board would have the ability to recommend medical marijuana to patients, he said, and they would also have to report to the state every 90 days on the type of patients they recommended it to and for what conditions. The proposal would not allow patients to grow their own marijuana.

The House and Senate both began looking at the issue this year, with Sens. Dave Burke (R-Marysville) and Kenny Yuko (D-Richmond Hts.) holding a listening tour in three cities.

Another proposal has been issued by the group called Ohioans for Medical Marijuana, backed by the Washington-based Marijuana Policy Project. That issue has been certified as one amendment by the Ballot Board and the group is in the process of collecting the more than 300,000 valid signatures necessary to be on the ballot in November.

## **HOUSE COMMITTEE SET TO FAST-TRACK FORECLOSURE BILL**

The League has been involved with discussion to deal with the difficulties in the foreclosure process for several years. Our main goal has been to make it simpler and faster for municipalities to deal with blighted and vacant properties.

There are now two bills introduced from the fruits of that labor: House Bill 134 and House Bill 463. Both bills are very similar but HB 463 offers far more details about the suggested new process. Both bills received hearings this week. HB 134 has already passed the House and is at the Senate.

HB 463 is sponsored by Rep. Dever who said that he anticipates amendments. Meanwhile, the Chair of the House Financial Institutions, Housing & Urban Development Committee Rep. Louis Terhar (R-Cincinnati) said that he wants the Committee to make quick work of the bill.

The bill addresses the following items:

- Expedited foreclosure process for abandoned properties
- Modifications to the judicial sale process include:
  - An official public sale website for Sheriffs
  - Private selling officer provisions
  - Several other modifications to the sale process

- Provisions to prevent owner harm to property
- Attorney General database
- Responsibilities for the Clerk of Common Pleas
- Statute of Limitations
- Enforcement of Lost Instruments
- Tax certificate foreclosure sales
- Auctioneer requirements

## **SENATE BILL 27 (FIREFIGHTER CANCER PRESUMPTION) PASSED**

On Tuesday the Senate Insurance Committee passed and on Wednesday the Ohio Senate passed Senate Bill 27 by a vote of 32-1, which would create a presumption that it is work-related whenever firefighters get certain cancers. The OML had testified in opposition to this bill for multiple reasons, including a lack of supporting evidence for the specific cancer types listed in the bill. The OML had offered specific recommendations that could have remedied the problems with the bill.

We are not entirely sure what to expect in the House at this time. Currently, there is no Chair of the House Insurance Committee and the Vice-Chair is out on maternity leave. We have discussed the bill with House staff and asked to be apprised of when and who will fill those roles so that we can immediately begin discussions about the issue.

## **ADDITIONAL COMMITTEE ACTIVITY**

### **SB 235 – Property Tax Exemptions**

The Senate Ways and Means Committee held hearings on SB 235 which would exempt from property tax the increased value of property on which industrial or commercial development is planned until construction of new commercial or industrial facilities at the property commences. Local government representatives including the OML, Ohio Township Association, the Central Ohio Regional Planning Commission, and County Commissioners and Auditors Associations, expressed multiple concerns.

### **HB 166 – Tax Changes**

The Senate Ways and Means Committee held hearings on HB 166 which does many things, including require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail. It would also remove the requirement that statements submitted by people contracting with local governments certifying whether they owe delinquent tangible personal property taxes in the county be incorporated into a contract if no delinquent tax is owed.

### **HCR 7 – Municipal Bond Tax Exemption**

The Senate Ways and Means Committee also heard testimony on House Continuing Resolution 7, which urges Congress to preserve the tax-exempt status of municipal bonds. The Ohio House became the first state chamber in the country to pass such a resolution, after many local governments have passed it. This bill was suggested by the League's Josh Brown. It was suggested in response to proposed legislation from the U.S. Congress and the executive branch which would eliminate the exemption either wholly or partially.

### **SB 236 – Civil Asset Forfeiture**

The Senate Government Oversight and Reform Committee held hearings on SB 236 which would eliminate civil asset forfeiture proceedings and modify the law governing civil asset forfeitures. John Gilchrist of the Ohio Association of Chiefs of Police testified in opposition to the bill based on the economic incentives the bill would produce for criminals. He said asset forfeiture should be done in a fair, non-abusive way that doesn't

involve any arbitrary taking of a person's property. He also complained that the bill was punitive toward local law enforcement agencies. John Murphy of the Ohio Prosecuting Attorneys Association and several county prosecutors also testified in opposition.

[Committee Schedule](#)

[Committee Schedule](#)

**Past Bulletins:**

[2016](#)

[2015](#)

[2014](#)