
Memorandum

To: Mayor & Members of Council
From: Monica Ireland, City Manager
Subject: General Information
Date: June 3, 2016

CALENDAR

AGENDA - Public Hearing @ 6:55 pm

AGENDA - City Council @7:00 pm

C. APPROVAL OF MINUTES

May 16, 2016 *Regular Council Meeting Minutes* are enclosed

May 31, 2016 *Special Council Meeting Minutes* – will have to be passed out at the meeting

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 019-16**, an Ordinance to Approve Current April, 2016 Replacement Pages to the Napoleon Codified Ordinances
2. **ORDINANCE NO. 020-16**, an Ordinance Amending the City of Napoleon, Ohio Engineering Department Rules and Regulations, to wit: Rule 4.1.3; and Declaring an Emergency
3. **RESOLUTION NO. 021-16**, a Resolution Authorizing the City Manager to Enter into a Contract with the Ohio Bureau of Workers' Compensation (BWC Form U-69) to provide Workers' Compensation Coverage for City Volunteers' and Declaring an Emergency.
4. **ORDINANCE NO. 022-16**, an Ordinance Providing for an Election on the Question of an Amendment to the City of Napoleon, Ohio Charter Article II (Council), Article V (Boards and Commissions), and IX (Initiative, Referendum and Recall); and Directing the Board of Elections of Henry County, Ohio, to Conduct such Election on the November 8, 2016 Ballot.
5. **RESOLUTION NO. 023-16**, a Resolution Authorizing the Expenditure of Funds in Excess of \$25,000.00 for a Project known as 2016 Manhole Lining Project; Authorizing Competitive Bidding in regard thereto; and Declaring an Emergency.
6. **ORDINANCE NO. 024-16**, an Ordinance Vacating a portion of a certain Street located South of the Southerly Right-of-Way of Front Street and Adjacent to the Westerly Line of Loat 137 of Phillips & Staffords Third Addition, and also being Roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio.
 - The information from the Planning Commission (PC 16-02 Street Vacation 207 W. Front St) is also included.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **RESOLUTION NO. 017-16**, a Resolution Adopting the 2017 Tax Budget for the City of Napoleon, Ohio, as required in Section 5705.28 of the ORC and Directing the Finance Director to File the same with the County Auditor; and Declaring an Emergency.

I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS - None

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

1. Annual NCTV Presentation

Information from the Planning Commission Meeting is enclosed for items 2, 3 & 4

2. Review of Planning Commission PC 16-05 a Change to the Official Zone Map from I-2 Open Industrial, R-3 Moderate Density Residential and R-4 High Density Residential to C-4 Planned Commercial for a Multiple Parcel 50 Acre Area up to Commerce Drive
 - a. Please see the attached letter from the Henry County CIC (Amanda Griffith).
3. Approval of PC 16-03, Replat of Lot No. 2, Henry Landmark, Inc. First Addition (create Lot A and Lot B located between the Buildings at 1414 Scott Street)
4. Approval of PC 16-04, Replat of Lot B1 of the Replat of Lot B of the Replat of Lots 6 & 7 in Block 1 Phillips & Staffords First Addition to Napoleon (Pocket Park 124 West Washington)
5. Approval of the Plans and Specs for the 2016 Manhole Lining Project
 - a. The plans and specifications are on file with the Finance Director's office.
6. To Review the Current EMS Billing Contract (request refer to Committee)
7. Acceptance of a Donation from the Northwestern Ohio Community Action Commission in the Amount of \$113.87 to the Parks and Recreation Department Outdoor Education Program.

INFORMATIONAL ITEMS

1. **CANCELLATION – Technology Committee**
2. AMP Weekly Update/June 3, 2016
3. TMACOG – June 2016 Big Picture Newsletter

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

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
	10:00 AM Memorial Day Parade and Program Service HOLIDAY - Memorial Day - Ob	6:30 PM Special Council Meeting	6:00 PM River City Rodders Downtown Cruise-in		7:00 PM Rally in the Alley	
5	6	7	8	9	10	11
	6:55 PM Public Hearing 7:00 PM City Council Meeting			10:00 AM WNDH Kidz Fest @Glenwood Park	APPA National Conference	APPA National Conference
12	13	14	15	16	17	18
APPA National Conference	6:30 PM Electric Committee/BOPA Meeting 7:00 PM Water/Sewer Committee Meeting 7:30 PM Municipal Properties/ED Committee Meeting APPA National Conference	4:30 PM Board of Zoning Appeals Meeting 5:00 PM Planning Commission Meeting APPA National Conference	APPA National Conference			
19	20	21	22	23	24	25
	6:00 PM Tree Commission Meeting 6:15 PM Parks & Recreation Committee Meeting 7:00 PM City Council Meeting				5:00 PM Ribfest	
26	27	28	29	30	1	2
	6:30 PM FINANCE & BUDGET Committee Meeting 7:30 PM SAFETY & HUMAN RESOURCES Committee Meeting					

City of Napoleon, Ohio

PUBLIC HEARING AGENDA

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

Monday, June 6, 2016 at 6:55 pm

- I. Public Hearing To review the proposed 2017 Tax Budget and Inside Ten (10) Mill Levy Rates allocated to the City
- II. Any other items that may properly come before Council
- III. Adjournment



Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio

City Council

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

Meeting Agenda

Monday, June 6, 2016 at 7:00pm

- A. Attendance** *(noted by the Clerk)*
- B. Prayer & Pledge of Allegiance**
- C. Approval of Minutes:** May 16, 2016 and May 31, 2016 *(in the absence of any objections or corrections, The minutes shall stand approved)*
- D. Citizen Communication**
- E. Reports from Council Committees**
 - 1. Finance & Budget Committee** met on Monday, May 23, 2016 and recommended:
 - a. Tabled the Review of the Income Tax Credits in Lieu of Assessments for Projects
 - 2. Safety & Human Resources Committee** did not meet on Monday, due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards** *(informational only – not read)*
 - 1. Planning Commission** met in Special Session on Wednesday, May 25, 2016 with the following Agenda items:
 - a. **PC 16-02** An application for a public hearing has been filed by GM Carnahan, LLC
The applicant is requesting the City vacate a Street located to the east of the building located at 207 Front St between Front St. and the river. This request is pursuant to City Code Chapter 909.
 - b. **PC 16-03** An application for public hearing has been filed by KWS-Landmark, LLC. The applicant is requesting a minor subdivision of lot No.2, Henry Landmark, Inc. First Add., This subdivision will create Lot 1 and Lot 2 located between the buildings at 1414 Scott St. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-4 Planned Commercial Zoning District.
 - c. **PC 16-04** An application for public hearing has been filed by Derrow Properties, Inc. The applicant is requesting a replat of Lot B1 of the replat of lots 6&7 in block 1 Phillips & Staffords First Addition. This subdivision will create Lot 1 and Lot 2 located to the West and to the North of the Pocket Park 124 W. Washington Napoleon. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-1 General Commercial Zoning District.
 - d. **PC-16-05** An application for a public hearing has been filed by the Henry Co. Community Improvement Corporation of Henry Co. on behalf of the proposed A Renewed Mind commercial project and The City of Napoleon. The applicant is requesting to change the official zone map, from I-2 Open Industrial, R-3 Moderate Density Residential and R-4 High Density Residential to C-4 Planned Commercial, for a multiple parcel 50 acre area up to Commerce Dr.
 - 2. Parks and Recreation Board** met in regular session on Wednesday, May 25, 2016 with the following agenda items:
 - a. Proposal from the American Legion
 - b. Fourth of July Activities
 - 3. Civil Service Commission** did not meet on Tuesday, May 24, 2016 due to lack of agenda items.
- G. Introduction of New Ordinances and Resolutions**
 - 1. Ordinance No. 019-16:** An Ordinance to Approve Current April, 2016 Replacement Pages to the Napoleon Codified Ordinances
 - 2. Ordinance No. 020-16:** An Ordinance Amending the City of Napoleon, Ohio Engineering Department Rules and Regulations, to Wit: Rule 4.1.3; and Declaring an Emergency (Suspension Requested)
 - 3. Resolution No. 021-16:** A Resolution Authorizing the City Manager to Enter into a Contract with the Ohio Bureau of Workers' Compensation (BWC Form U-69) to Provide Workers' Compensation Coverage for

City Volunteers; and Declaring an Emergency (Suspension Requested)

4. **Ordinance No. 022-16:** An Ordinance providing for an election on the question of an amendment to the City of Napoleon, Ohio Charter Article II (Council), Article V (Boards and Commissions), and IX (Initiative, Referendum and Recall); and Directing the Board of Elections of Henry County, Ohio to conduct such election on the November 8, 2016 Ballot.
5. **Resolution No. 023-16:** A Resolution authorizing the expenditure of funds in excess of \$25,000.00 for a project known as 2016 Manhole Lining Project; authorizing competitive bidding in regard thereto; and Declaring an Emergency (Suspension Requested)
6. **Ordinance No. 024-16:** An Ordinance vacating a portion of a certain street located South of the Southerly right-of-way of Front Street and adjacent to the Westerly line of Lot 137 of Phillips & Staffords Third Addition, and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio

H. Second Readings of Ordinances and Resolutions

1. **Resolution No. 017-16:** A Resolution Adopting the 2017 Tax Budget for the City of Napoleon, Ohio, as required in Section 5705.28 of the ORC and Directing the Finance Director to File the Same with the County Auditor; and Declaring an Emergency. (Suspension Requested)

I. Third Readings of Ordinances and Resolutions

There are no Third Readings of Ordinances and Resolutions.

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

1. **Discussion/Action:** Annual NCTV Presentation
2. **Discussion/Action:** Review of Planning Commission PC-16-05 a change to the official zone map, from I-2 Open Industrial, R-3 Moderate Density Residential and R-4 High Density Residential to C-4 Planned Commercial, for a multiple parcel 50 acre area up to Commerce Dr.
3. **Discussion/Action:** Approval of PC 16-03; 1413 Scott St
4. **Discussion/Action:** Approval of PC 16-04; North of the Pocket Park at 124 W. Washington St
5. **Discussion/Action:** Approval of the Plans and Specs for the 2016 Manhole Lining Project
6. **Discussion/Action:** To review the current EMS Billing Contractor (request referred to Committee)
7. **Discussion/Action:** Acceptance of a donation from the Northwestern Ohio Community Action Commission in the amount of \$113.87 to the Parks and Recreation Department Outdoor Education Program

K. Executive Session: *(as needed)*

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

M. Adjournment



Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Tuesday, July 5, 2016 @ 6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 13, 2016 @ 6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 13, 2016 @ 7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 13, 2016 @ 7:30 pm)
 - a. Updated information from Staff on Economic Development (as needed)
 - b. Review of CIC Agreement
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, June 20, 2016 @ 6:15 pm)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, June 27, 2016 @ 6:30 pm)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Meeting: Monday, June 27, 2016 @ 7:30 pm)
2015 Regular Meetings with Townships scheduled for February and November
- 8. Personnel Committee (As needed)**
- 9. Ad Hoc Committee on Strategic Vision (As needed)**
- 10. Charter Review Commission (As needed)**

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

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, June 13, 2016 @ 6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, June 14, 2016 @ 4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, June 14, 2016 @ 5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, June 20, 2016 @ 6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, June 28, 2016 @ 4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, June 28, 2016 @ 6:30 pm)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 8, 2016 @ 10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 14 @ 4:00 pm)
- 9. Housing Council (1st Monday of the month after the TIRC meeting)**
- 10. Health Care Cost Committee (As needed)**
- 11. Preservation Commission (As needed)**
- 12. Infrastructure/Economic Development Fund Review Committee (As needed)**
- 13. Tax Incentive Review Council (As needed)**
- 14. Volunteer Firefighters' Dependents Fund Board (As needed)**
- 15. Volunteer Peace Officers' Dependents Fund Board (As needed)**
- 16. Lodge Tax Advisory & Control Board (As needed)**
- 17. Board of Building Appeals (As needed)**
- 18. ADA Compliance Board (As needed)**
- 19. NCTV Advisory Board (As needed)**

PRESENT
Council

Mayor
City Manager
Law Director
Finance Director/
Clerk Of Council
Recorder
City Staff

Others
Council
Others

Call To Order

Approval Of Minutes

**Resignation of
Councilman Jonathon
A. Tassler effective
May 14, 2016.**

**Motion to Accept the
Resignation of
Councilman
Jonathan A. Tassler
Effective May 14,
2016.**

Passed
Yea-6
Nay-0

Discussion

Travis Sheaffer – President, Patrick McColley – President Pro Tem, Dan Baer,
Joe Bialorucki, Jeff Comadoll, Rita Small
Jason Maassel
Monica S. Irelan
Lisa L. Nagel
Gregory, J. Heath

Anne Taylor
Robert Weitzel, Police Chief

Chad Lulfs, Director of Public Works
Dan Wachman, MIS Administrator
News Media; NCTV

Jon Tassler, resigned 5/14/16

President Sheaffer called the meeting to order at 7:00 pm with the Lord's Prayer followed by the Pledge of Allegiance.

Minutes of the May 2, 2016 Council meeting stand approved as read with no objections or corrections.

President Sheaffer read into record the email resignation of Councilman Jonathon A. Tassler effective May 14, 2016 due to personal health reasons. (See Attached Resignation)

Motion: Bialorucki Second: Small
To Accept the Resignation of Councilman Jonathon A. Tassler Effective May 14,
2016.

Roll call vote on the above motion:
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Sheaffer advised Heath to notify the Republican Party and start the process of replacing Mr. Tassler.

**Citizen
Communication**

Eddie Rodriguez asked Council why he was not notified prior to getting a water boil alert notice. Irelan advised a waterline broke when the Electric Department was working on the Dodd Street construction project, however, the water was not turned off and was fixed under pressure. Out of extreme caution, an employee went door to door and a water boil alert was distributed. Irelan advised Mr. Rodriguez it was at a very low pressure with Rodriguez stating the City needs to be more responsible. Irelan stated all appropriate actions were taken by the City. No action taken.

Gary Bostelman approached Council on behalf of himself and Brian and Jackie Westhoven. The Bostelman and Westhoven properties abut the alley behind Park Lane. Bostelman expressed his opinion that the sidewalk around the cul-de-sac is not necessary and advised that it would be a great inconvenience if they did not have access to their property from the alley. Bostelman went on to state that if sidewalks and curbing are installed on Park Lane, the access to the alley would be limited. Bostelman asked Council to not install the sidewalks and to lower the curb on the cul-de-sac to allow the residents access through the Bostelman property to their residential back yards on West Riverview. Sheaffer responded that the Committee will report to Council this evening under item J5 of the Agenda.

**Reports From
Committees**

The Parks & Recreation Committee did not meet on Monday, May 16, 2016 due to lack of agenda items.

Chairman Sheaffer reported that the Electric Committee met on May 9, 2016 and recommended:

1. Approval of Power Supply Cost Adjustment Factor for May, 2016

The Water, Sewer, Refuse, Recycling and Litter Committee met on May 9, 2016 and reviewed the sewer lateral charges. Comadoll reported the sewer lateral policy was reviewed and recommended the policy remain the same at this time.

The Municipal Properties, Buildings, Land Use and Economic Development Committee met on May 9, 2016 and reviewed the sidewalk policy. McColley reported the sidewalk policy was reviewed and the Committee directed the Council President to work with City Staff to create an alternate policy to present to the full body of Council.

The Ad Hoc Committee met on May 16, 2016 at 6:35 pm with Sheaffer reporting that a minor adjustment will be made to the citizen survey with the survey on schedule to be mailed to the citizens next week.

**Introduction Of
Resolution No. 017-16:
A Resolution Adopting
the 2017 Tax Budget for
the City of Napoleon,
Ohio, as required in
Section 5705.28 of the
ORC and Directing the
Finance Director to File
the Same with the
County Auditor;**

President Sheaffer read by title Resolution No. 017-16: A Resolution Adopting the 2017 Tax Budget for the City of Napoleon, Ohio, as required in Section 5705.28 of the ORC and Directing the Finance Director to File the Same with the County Auditor; and Declaring an Emergency.

Manager to Enter into a Professional Service Contract with CompManagement, LLC, a Workers' Compensation Administrator; and Declaring an Emergency, Suspension Requested.

Motion To Approve Second Read

Motion: McColley Second: Comadoll
To Approve Second Read of Resolution No. 015-16

Discussion

Heath requested suspension.

Motion To Suspend The Rules

Motion: Comadoll Second: Small
To suspend the Rules requiring three Readings

Passed
Yea-6
Nay-0

Roll call vote to pass Resolution No. 015-16 under Suspension of the Rules
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Passed
Yea-6
Nay-0

Roll call vote to Approve Second Read of Resolution No. 015-16
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Third Read Of Ordinance No. 013-16: An Ordinance Adopting a New City Investment Policy in and for the City of Napoleon, Ohio (Investment Policy No. IP 16-0003); Repealing Ordinance No. 87-99 and Policy No. 0002 As Was Periodically Amended

President Sheaffer read by title Ordinance No. 013-16: An Ordinance Adopting a New City Investment Policy in and for the City of Napoleon, Ohio (Investment Policy No. IP 16-0003); Repealing Ordinance No. 87-99 and Policy No. 0002 As Was Periodically Amended

Motion To Pass On Third Read

Motion: McColley Second: Bialorucki
To pass Ordinance No. 013-16 on Third Read

Passed
Yea-6
Nay-0

Roll call vote to pass Ordinance No. 013-16 on Third Read
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

GOOD OF THE CITY
Discussion/Action
Motion To Approve Power Supply Cost Adjustment Factor

Motion: Baer Second: Comadoll
To accept the recommendation for approval of the Power Cost Adjustment Factor for May, 2016 as follows: PSCAF three (3) month averaged factor:
\$ 0.00225; JV2: \$ 0.028009; JV5: \$ 0.028009

Passed
Yea-6
Nay-0

**Review of Current
Sewer Lateral Policy**

Discussion

**Motion To Continue
the Sewer Lateral
Policy as is until the
Fund Goes into the
Red and Then it will
Be Sent Back to the
WSRRL Committee to
be Revisited at that
Time.**

Passed
Yea-4
Nay-2

**Review of
Recommendation to
approve Fifty Percent
(50%) forced
assessment of the
project cost for Round
House Road from the
Municipal Properties,
Buildings, Land Use &
Economic
Development
Committee**

Roll call vote to Approve Power Supply Cost Adjustment Factor
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Irelan advised Council the WSRRL Committee advised that since the program is in the black, to continue with the Community Program at this time. McColley expressed his concern that it is common to socialize cost for roads, main sewer lines, but feels that you are over socializing the cost to the residents with this policy. McColley feels the policy over socializes the cost and the cost should go to only to the resident that is incurring this sewer expense. Sheaffer added that when the Committee previously looked at the policy, the costs were around \$15,000.00 to \$16,000 for a homeowner and required the private citizens to hire a private contractor to dig into the city street. McColley feels the City and the resident could have met half way, instead of paying for everyone's individual problems. It is Comadoll's opinion that this matter should continue as is until the program is costing the City and revisit the policy at that time. Sheaffer agreed with Comadoll that the amount collected is enough to sustain the program for now until the program goes into the red. Irelan advised that the City pays for repairs up to the City's right of way. McColley expressed his opinion that the City is paying too much for this policy, it is a forced socialization of the cost, and he does not agree with the policy. Comadoll asked McColley if he wants a reduction with McColley stating a maximum amount to be paid by a homeowner should be established.

Motion: Comadoll Second: Sheaffer
To continue the sewer lateral policy as is until the fund goes into the red and then it will be sent back to the committee to be revisited at that time.

Roll call vote on above motion:
Yea- Small, Sheaffer, Comadoll, Baer
Nay- McColley, Bialorucki

Discussion

Irelan advised this issue went to Committee two months ago for the voluntary assessments. However, it will no longer be voluntary and Council will need to move forward with a 50% forced assessment.

Sheaffer advised that any other development would be 100% Developer done and donated back to the City. Sheaffer advised this policy would be setting a president. Irelan said this is an unusual situation and the contract needs to be honored.

Kelly Wallace of JD Properties is a property owner on Round House Road that she purchased for an investment opportunity. She is aware of the assessment and encouraging Council to move forward. Wallace advised she is working with developers, adding her hands are tied until the City moves forward with the plan. Wallace is looking forward to working with the City on this investment property.

Steve Lankenau approached Council to support and encourage City Council to approve the recommendation of the Round House Road project. Lankenau stated that all existing owners were aware of the assessment before purchasing the property. Lankenau advised that this project is in the City's budget with expenses already incurred for design and plans with hopes this project will move forward. Lankenau added that two (2) offers have come and gone while waiting for approval for proper access for investors.

McColley asked Irelan what the assessment period would be with Irelan advising twenty (20) years. Irelan advised Council the forced assessment process is lengthy and the project will not be started in 2016

**Motion To Approve
Fifty Percent (50%)
forced assessment of
the project cost for
Round House Road**

Motion: Bialorucki Second: McColley
To Approve Fifty Percent (50%) forced assessment of the project cost for
Round House Road

Passed
Yea-6
Nay-0

Roll call vote on above motion:
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

**Motion To Accept a
donation from the
Henry County
Community
Foundation, Inc. in
the amount of \$369.00
to the Parks and
Recreation
Department**

Motion: Bialorucki Second: Small
To Accept a donation from the Henry County Community Foundation, Inc. in
the amount of \$369.00 to the Parks and Recreation Department

Passed
Yea-6
Nay-0

Roll call vote on above motion:
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Review of Sidewalk Policy

Discussion

Irelan distributed a history and information pertaining to the current sidewalk policy. (See Attached)

Irelan distributed memos regarding the sidewalk policy (See Attached)

Irelan advised that the property owner would continue to bear the entire cost of sidewalks that have never been constructed per ordinance 913.02

Irelan recommended changing Engineering Rule 4.1.3 to say: "Sidewalks shall be located along both sides of the streets, unless otherwise approved by the City Engineer."

An administrative appeals process would still be available with Sheaffer adding that it could also be reviewed in the Municipal Properties Committee.

Maassel asked who citizens would appeal to with Irelan advising that the appeal would be made to the City Manager to gather the information for justification and then refer the matter to the Municipal Properties Committee. Irelan added that Council would not be able to negotiate with residents on sidewalks.

McColley asked if Council is opening Pandora's box by making the change to Engineering Rules for sidewalks with Irelan stating "absolutely, without a doubt". Irelan added that absolute justification must be found to waive installation of sidewalks, not just because the property owners do not want to pay for it.

McColley stated that this proposed change to the Engineering Rules will cause every proposed forced sidewalk installation for homeowners to make an appeal to the City to be exempt from the rule. Maassel asked if approved, who the new policy will apply to, with Irelan stating all new projects moving forward. Irelan advised that Council should make the resolution and justification if they are changing the plans.

Sheaffer asked if the legislation could be retroactive back to May 1, 2016 with Irelan stated if the rule is changed for Park Lane, Council will need to approve the change separately from the Engineering rule change. Irelan advised the Park Lane sidewalks should come back to Council at a later date. Nagel advised if you passed the Legislation at the next Council meeting on June 6, 2016 as an Emergency and Under Suspension, the new Engineering Rule can be effective immediately.

Sheaffer believes this new Engineering rule will bring flexibility to the sidewalk policy.

Tom Borstelman addressed the Council to ask consideration for the resident's suggestions for a sidewalk on one side of Park Lane only for 6 Park Lane through 9 Park Lane and dropping curb at the cul-de-sac for access to neighbors to the South. Borstelman advised he has a verbal agreement from all nine (9) residents on the street, but he still feels that this street does not need sidewalks. The neighbor's consensus is that they understand the law and would like to appeal to Council to consider no sidewalks on Park Lane. Borstelman inquired as to who the onsite City Engineering representative will be and how long the proposed

Motion To Direct the Law Director to Draft Legislation to Change Engineering Rule 4.1.3 to read: "Sidewalks shall be located along both sides of the streets, unless otherwise approved by the City Engineer."

Passed
Yea-
Nay-

Awarding of the Bid for the City of Napoleon Water Treatment Plant UV Disinfection Improvements

Discussion

Motion To Award the Bid for the City of Napoleon Water Treatment Plant UV Disinfection Improvements to Peterson Construction

construction will take. Lulfs responded stating that Engineering Department employee Rex Moll will be on site, with other City staff filling in for Moll on occasion. Lulfs stated the project is to be awarded the first Monday in July with an anticipated completion date of the Saturday before Thanksgiving. Lulfs advised there will be access to the homes maintained as long as possible, however, there may be approximately three (3) weeks of no street access to the home, but not necessary continuous. Borstelman advised the residents of 1 Park Lane and 9 Park Lane would like confirmation if they will be responsible for sidewalks on both streets, with Lulfs responding, yes the residents will be responsible for sidewalks on both street with handicap ramps on the corners being the responsibility of the City.

McColley commended Mr. Borstelman and the other residents of Park Lane for working together to come to a resolution. In response, Borstelman thanked City Council and the Engineering Department for working with the residents of Park Lane on a resolution. Sheaffer responded to Borstelman adding that this is why it is so important for citizens to be involved in community Government. Lulfs advised Council that Mr. Borstelman apologized for complaining so much, but was very flexible and met with City Manager and the Engineering Department. Lulfs appreciated Mr. Borstelman working together for a solution.

Motion: Bialorucki Second: Small
To Change Engineering Rule 4.1.3 to read: "Sidewalks shall be located along both sides of the streets, unless otherwise approved by the City Engineer."

Roll call vote on above motion:
Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Irelan advised the lowest and best bid was from Peterson Construction Company. (See Attached Memo from City Engineer Lulfs)

Motion: McColley Second: Comadoll
To award the bid for the City of Napoleon Water Treatment Plant UV Disinfection Improvements to Peterson Construction Company in the Amount of \$1,349,000.00

**Company in the
Amount of
\$1,349,000.00**

**Passed
Yea-6
Nay-0**

**Good Of The City
(Cont.)**

Irelan

**Motion to Make Cost
Saving Changes as
Presented by the City
Manager Including
The Change in the
Entrance Location
And Design**

**Passed
Yea-6
Nay-0**

**Good Of The City
(Cont.)**

Nagel

Bialorucki

Baer

Comadoll

Mayor Maassel

Roll call vote on above motion:

Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki

Nay-

Irelan distributed a memo regarding the Water Treatment Design alterations. (See Attached) Irelan advised that the internal team has reviewed the plans line item by line item to find ways to cut expenses and have found \$350,000.00 in savings so far with possibly an additional \$300,000.00 savings by changing where the entry of the plant is. Irelan advised the entrance would be less elaborate with an overhead garage door and would be very visual. Irelan advised the team will continue to push for cost savings as the project progresses including funding sources, lower interest rates and grants. McColley suggested planting trees to make it visually more appealing.

Sheaffer asked that

Motion: McColley Second: Comadoll

To make cost saving changes as presented by the City Manager including the change in the entrance location and design.

Roll call vote on above motion:

Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki

Nay-

Nothing

Nothing

Safety and Human Resources meeting for May 23, 2016 is cancelled due to lack of agenda items.

Comadoll reported that there is a bent sign in front of Spengler's on Perry Street that needs to be taken care of.

The Mayor extended his appreciation to Chief Weitzel and his Police Officers this week during National Police Week.

Mayor Maassel asked those in attendance to remember those who served our Country and honor them on Memorial day.

Maassel asked for an update on the Avina building demolition on Perry Street.

Nagel reported that the process is moving slower than anticipated as an inspection revealed a few issues. Nagel advised that the building will continue to be demolished as planned; however, it will come down in smaller sections.

Sheaffer

Sheaffer thanked the Napoleon Police Department during this National Police Week and to let the residents know we have top notch officers in Napoleon. Sheaffer advised that the Memorial Day Parade will form at the fairgrounds at 9:15 am and depart at 10:00 am on Memorial Day. The parade will stop on the River Bridge for a short service and then proceed to the County War Memorial next to the Court House in downtown Napoleon for the formal service. Sheaffer suggested sending the topic of the CIC Agreement to the Municipal Properties Committee for review due to the resignation of the CIC Director Amanda Griffith.

McColley

McColley thanked Chief O'Brien for a wonderful experience at the Fire Academy. Chief O'Brien did an excellent job of explaining everything to the Napoleon Council Members in attendance and put together a video of the day's events for the Council Members participating.

Small

Nothing

Heath

Nothing

Approval Of Bills

Bills and financial reports stand approved as presented with no objections.

Motion to Adjourn

Motion: Baer Second: Small
To adjourn the meeting.

Passed

Roll call vote on above motion:

Yea-6

Yea- Small, McColley, Sheaffer, Comadoll, Baer, Bialorucki

Nay-0

Nay-

Adjournment

Meeting adjourned at 8:16 pm

Approved:

Travis B. Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
City Council
Meeting Minutes
Monday, May 31, 2016 at 6:30pm

PRESENT Council	Travis Sheaffer – President, Patrick McColley – President Pro Tem, Dan Baer, Joe Bialorucki, Jeff Comadoll
Mayor	Jason P. Maassel
City Manager	Monica S. Irelan
Law Director	Lisa L. Nagel
Finance Director/Clerk of Council	Gregory J. Heath
Recorder	Anne Taylor
City Staff	Robert Weitzel, Police Chief Bobby Stites, Assistant MIS Administrator
Others	News Media; NCTV
ABSENT Council	Rita Small
City Staff	
Call To Order	President Sheaffer called the meeting to order at 6:30 pm
Approval To make a budget adjustment of \$30,000 to cover the expenses of a full time Executive Assistant position under the Law Director and to eliminate the current unfilled positions of a full time Dispatcher for the Police Department and a part time front desk clerk.	<p>Irelan updated Council on a proposal she presented to the Finance and Budget Committee to create a full time Executive Assistant position under the Law Director. The Committee had questioned Irelan if this position would be only position needed in Law Department in future, and she advised the Committee she has no way of knowing the future needs of the Department and could not make any promises at this time. The previous Law Director had \$30,000 appropriated for this proposed position, but had not filled the position. Irelan had advised the Committee she would give up her part time front desk position along with the Police Department eliminating a dispatch position. Irelan distributed a spreadsheet with her proposed expenses versus previous year expenses. (See Attached) This new assistant position would pay \$39,395.00 with Rollups estimated at \$26,789 for a total of \$66,184. Irelan added that the County would be contributing \$6,032.00 per year towards prosecution. Irelan added that the general fund would fund this position for the remainder of the year by the elimination of the dispatch position.</p> <p>By eliminating the dispatch position and adding the Executive Assistant position, there would be a savings to the General Fund of \$42,812.00 in 2017. Irelan explained the 2nd page of handout detailed the Finance and Budget Committees recommendations with a net savings of \$44,733.00 to the General Fund that included eliminating the Front Desk Clerk Position from the budget. (See Attached)</p> <p>McColley asked Irelan why she is presenting a different proposal with a different direction to Council than she did to the Finance & Budget Committee. Irelan responded by stating she is not ready to promise that she no longer needs a front desk clerk until this new Executive Assistant position is filled and has some time to get into a routine. Sheaffer stated that when Nagel was hired the City had a full time Law Director and Prosecutor along with a full time assistant. Nagel forfeited the Executive Assistant to have a part time Prosecutor to assist. Nagel has expressed interest in pursuing a portion of the prosecution duties, but needs assistance with the administrative work. Nagel advised that since August of 2015, she has not had the time or opportunity to explore prosecution work and stated it is a necessity to have an Executive Assistant. Nagel added that she needs someone she can count on to perform routine</p>

administrative tasks, which would allow Nagel the time to do other important aspects of her position.

Nagel advised she is a team player and is willing to share the Executive Assistant with other departments. Nagel went on to state that until an Assistant is hired and gets acclimated to the position, she does not feel it is not in the best interest of the City to completely eliminate the part time front desk position .

McColley responded stating that there is no doubt that adding an Executive Assistant is the right decision; however, it was his understanding from the Finance and Budget Committee meeting that the front desk position was going to be eliminated from budget. McColley added that if the front desk position is needed in the future; bring the subject back to Council at that time.

Maassel expressed his fear is that if the part time front desk clerk position does not get eliminated there will not be a commitment to save the funds for adding the position back at a later date. McColley stated his opinion is to keep the Assistant Prosecutor for now until the new Executive Assistant is settled in to see if Prosecutor Nagel still needs an Assistant Prosecutor.

Comadoll stated the current part time Front Desk Clerk is doing the work of three positions at this time including Front Desk Clerk, Front Desk Administrator in Engineering, filling in for the Service Building Clerk. Comadoll added it is important to keep the Front Desk position as the Administration and gone from 5 employees to 1.5 for these positions over the year.

Irelan stated that if the Front Desk Clerk position is eliminated, it will be a necessity to use the automated attendant phone system put in operation, adding that past Councils were not in favor of the system. McColley, Sheaffer, and Maassel expressed their support for using the automated phone attendant. Chief Weitzel gave a demonstration of the automated system to Council Members.

Irelan advised that her employee, Erin Westhoven, is not being given the opportunity to complete the duties she was hired to do as the Engineering Front Desk Administrator, with the exception of Zoning Permits, adding that the duties that have not been done for several months and are piling up include filing , boundaries, and scanning.

Bialorucki questioned how long the Front Desk position has been vacant with Irelan responding since January. Bialorucki asked why this position was never filled with Irelan responding that she wanted to move people around to see if the work could be completed without the position being refilled. Bialorucki stated he feels filling the front desk position should be addressed when it is evident that the position is a necessity.

Irelan advised Council that she will need to implement the automated phone answering system, maintain status quo on the Front Desk Clerk position until budget time and give a factual basis of where the position stands at that time. Irelan added that her perspective is to leave the Front Desk Clerk position in the budget and give it time to see how everything is working. McColley restated that Irelan's proposal to Council is not the way it was presented to the Finance and Budget Committee when they referred the topic to Council with their recommendation. .

Nagel responded stating that things change and needs change and expressed her gratitude to Chief Weitzel and the Napoleon Police Department for eliminating a dispatch position in order to make the Executive Assistant position possible.

Nagel stated she is uncomfortable with eliminating the Front Desk Clerk position at this time and asked Council to allow the new Administrative Assistant time to get settled in the position. Nagel added that she feels it is best to see how things are working out with the Administrative Department and revisit the decision on the elimination of the Front Desk Clerk position in a few months.

Motion To Accept the Finance and Budget Committee Recommendation To make a budget adjustment of \$30,000 to cover the expenses of a full time Executive Assistant position under the Law Director and to eliminate the current unfilled position of a full time Dispatcher for the Police Department and a part time Front Desk Clerk.

Discussion

**Passed
Yea-5
Nay-0**

GOOD OF THE CITY

Discussion/ Action

Discussion of the Automated Phone System

Motion to Authorize The City Manager to Use the Automated Phone Attendent

**Passed
Yea-5
Nay-0**

Irelan expressed her need to keep the Front Desk Clerk position in the budget as she has been in the process of trying to figure out a puzzle and by taking away this position, she will be hand cuffed on what she has been working to accomplish. Irelan added that City Council would be eliminating her ability to take care of her duties as City Manager.

Irelan stated that she is not trying to fight with Council, she is just trying to figure out the best solution to the puzzle, adding that if Council eliminates the Front Desk Clerk position, they will not be allowing her to find the best solution to her puzzle.

Bialorucki replied stating he is willing to listen in future if the Front Desk Clerk position needs to be added back in.

Motion: McColley

Second: Bialorucki

To accept the Finance and Budget Committee recommendation to make a budget adjustment of \$30,000 to cover the expenses of a full time Executive Assistant position under the Law Director and to eliminate the current unfilled position of a full time Dispatcher for the Police Department and a part time Front Desk Clerk.

Council directed the Law Director to complete a second quarter budget adjustment and post the job vacancy on June 1, 2016.

Roll call vote on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Heath stated the current phone system is ten (10) years or older, parts are no longer available, and programming is done manually.

Heath advised the real consideration is potentially looking at a new phone system with a cost of approximately \$50,000 to \$60,000. Weitzel stated the current phone system software is dated but versatile and would need to be reprogramed.

Irelan requested Council give her the flexibility to use the automated system and Refer the matter to the Technology Committee to review the overall phone system at their July meeting.

Motion: McColley

Second: Baer

To Authorize The City Manager to Use the Automated Phone Attendent

Roll call vote on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

**Motion To Go Into
Executive Session**

Passed
Yea-5
Nay-0

Into Executive Session

**Motion To Come Out
Of Executive Session**

Passed
Yea-
Nay-

Out Of Executive Session

Motion To Adjourn

Passed
Yea-5
Nay-0

Adjournment

Approved:

Motion: McColley Second: Comadoll
To go into Executive Session to discuss Economic Development

Roll call vote on above motion:
Yea- McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Council went into Executive Session at 7:13 pm.

Motion: Bialorucki Second: McColley
To come out of Executive Session at 7:34 pm

Roll call vote on above motion:
Yea-, McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Council came out of Executive Session at 7:34 pm. President Sheaffer reported that the discussion was regarding Economic Development and no action was taken.

Motion: Baer Second: McColley
To adjourn the meeting 7:35 pm

Roll call vote on above motion:
Yea- McColley, Sheaffer, Comadoll, Baer, Bialorucki
Nay-

Meeting adjourned at 7:35pm

Travis B. Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council



CITY OF NAPOLEON, OHIO

LAW DEPARTMENT MEMORANDUM

255 W. RIVERVIEW AVENUE, PO Box 151

NAPOLEON, OH 43545

PHONE: 419.592.4010 - FAX: 419.592.4723

TO: Mr. Mayor, Mr. President, and Council Members
FROM: Lisa L. Nagel, City Law Director
DATE: June 3, 2016

Re: New Legislation for 6/6/16 Council Meeting,

- (1) For Monday's Council Meeting (6/6/16), you will have six new pieces of Legislation to consider. The legislation is found in your Council packet. First, **Ordinance No. 019-16** is legislation to approve current replacement pages to the City of Napoleon Codified Ordinances. The City contracts with the Walter Drane Company to prepare and publish certain legislation that has been passed at various times throughout the year. Then, Council approves legislation to confirm the codification process has been completed and that the replacement pages can be added to the Codified Ordinances. There is no need for suspension of the rules or emergency passage with this legislation.
- (2) Second, **Ordinance No. 020-16** is legislation to implement the change that was recently approved by Council to amend Rule 4.1.3 of the Engineering Rules. The amended Rule now states, "Sidewalks shall be located along both sides of streets, unless otherwise approved by the City Engineer." We are requesting suspension of the rules and emergency passage in order to implement the new Engineering Rule as soon as possible.
- (3) Third, **Resolution No. 021-16** is legislation authorizing the City Manager to complete a Bureau of Workers' Compensation (BWC) form (U-69 Form) which will, in turn, confirm that City of Napoleon non-emergency volunteers, probationers performing community service, and CCNO inmates who provide City services, are all covered by the Ohio Workers' Compensation system. The City's Third Party Administrator, CompManagement, also advised this Form should be completed and on file with the BWC. We are requesting suspension of the rules and emergency passage in order to get the coverage confirmed with the BWC and also provide the City with coverage as soon as possible in the event of an injury.
- (4) Fourth, **Ordinance No. 022-16** is legislation documenting the three changes voted upon and approved by the Charter Review Commission throughout the Charter review process that took place earlier this spring. Exhibit A to the Ordinance provides the three red-lined changes (Section 2.08, Section 5.07(B), and Section 9.03(E)). The Charter Review

Commission was comprised of Mayor Maassel, Council Persons Sheaffer and McColley, and City of Napoleon residents Ted Rohrs, Dr. Terry Holman, Ron Behm, and Mike DeWit. The Commission worked very hard throughout the review process, over a course of several meetings, to finalize and approve the three changes found in Exhibit A. The recommendation from the entire Charter Review Commission to City Council is approval of the changes as voted upon by the Commission. There is no need for suspension of the rules or emergency passage. This legislation will be read at the June 6, June 20, and July 5 meetings. Once the legislation is approved/passed at the July 5 meeting, it will become effective on August 4, 2016. Then, the legislation will be provided to the Henry County Board of Elections to be submitted to the Ohio Secretary of State for inclusion on the November 8, 2016 ballot. The citizens of Napoleon will then have an opportunity to vote on each of the three changes separately on November 8.

- (5) Fifth, **Resolution No. 023-16** is legislation authorizing the expenditure of funds in excess of \$25,000 for the 2016 Manhole Lining Project. This Project was not included as part of the 2016 Master Bid Ordinance and therefore this separate legislation is necessary. The City Manager and City Engineer will be able to provide more details at Monday's meeting. Suspension of the rules and emergency passage is necessary in order for the project to go out for bid as soon as possible.
- (6) Sixth, **Ordinance No. 024-16** is legislation authorizing the vacation of certain property near Front Street and Scott Street. More detailed information can be found in the packet and/or will be provided at Monday's meeting. No suspension of the rules or emergency passage is necessary.
- (7) Your Agenda will also show a second reading for **Resolution No. 017-16**. This is the legislation adopting the 2017 Tax Budget for the City of Napoleon. Greg can provide additional information at the meeting as necessary.

As always, if you have any questions, please contact me.

Thank you.

/s/ Lisa L. Nagel
City Law Director

ORDINANCE NO. 019-16

AN ORDINANCE TO APPROVE CURRENT APRIL, 2016 REPLACEMENT PAGES TO THE NAPOLEON CODIFIED ORDINANCES

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

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

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; Therefore,

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

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the April 2016 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

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

Traffic Code

None

General Offenses Code

None

Fire Prevention Code

None

Section 3. That, the complete text of all current Codified changes are set forth in the current replacement pages to the City of Napoleon's Codified Ordinances, said pages which are attached to this Ordinance as Exhibit "A." Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

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

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 019-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 020-16

AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, TO WIT: RULE 4.1.3; AND DECLARING AN EMERGENCY

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

Section 1. That, Rule 4.1.3 (Sidewalks and Drive Approaches) of the City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as follows:

SIDEWALKS AND DRIVE APPROACHES

Sidewalks shall be located along both sides of streets, unless otherwise approved by the City Engineer. Sidewalks shall be four inches (4") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411) except within five feet (5') of drive approaches and within the intersection of rights-of-ways. At drive approaches and intersections, sidewalks shall be six inches (6") of ODOT Class "C" concrete over four inches (4") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). *(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)*

Sidewalks shall be four feet (4') in width when located at least two feet (2') from the back of curb or edge of pavement, as applicable. Where within two feet (2') of the back of curb or edge of pavement, sidewalks shall be five feet (5') in width.

Sidewalks shall have a transverse slope no greater than one quarter inch (¼") per foot, nor a longitudinal slope greater than one inch (1") per foot.

Handicap ramps with curb drops shall be provided at all intersections. *(Amended – August 7, 2006 – Ordinance No. 062-06)*

Drive approaches for residential developments shall be a minimum six inches (6") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Commercial drive approaches shall be no less than eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Minimum drive approach curb cuts shall be fourteen feet (14'). Maximum drive approach curb cuts shall be thirty feet (30') for residential drives. Both minimum and maximum curb cuts include three feet (3') wide drive wings on each side of the drive approach. No residential lot shall have more than one (1) drive unless approved by the City Engineer. *(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)*

Commercial and industrial drive approaches shall have Type 2A concrete curb with radii in place of wings. Commercial drive approach widths shall be submitted for review by the City Engineer. *(Amended – May 2, 2016 – Ordinance No. 009-16)*

Section 2. That, the Engineering Rules and Regulations as amended by this Ordinance shall be deemed effective retroactively back to April 1, 2016.

Section 3. That Rule 4.1.3 of the City Engineering Department Rules and Regulations found in CNER98-1, as existed prior to the passage and enactment of this Ordinance, is repealed, and that all other changes to the Rules and Regulations as found in Ordinance No. 009-16 remain current and effective.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the timely planning, bidding, and implementation of City construction projects; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 020-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

City of Napoleon

**Municipal Properties, Buildings, Land Use &
Economic Development Committee
Majority Report- Affirmative Vote**

The Municipal Properties, Buildings, Land Use & Economic Development Committee met on Monday, May 9, 2016, and recommended:

1. To send the review of the City Sidewalk Policy back to Council with
No Action Taken

Patrick McColley, Chair

Travis Sheaffer, Committee

Jason Maassel, Committee

Jon Tassler, Committee

RESOLUTION NO. 021-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO BUREAU OF WORKERS' COMPENSATION (BWC FORM U-69) TO PROVIDE WORKERS' COMPENSATION COVERAGE FOR CITY VOLUNTEERS; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon is an active participant in the Ohio Bureau of Workers' Compensation program;

WHEREAS, the City of Napoleon desires to expand its workers' compensation coverage to include non-emergency volunteers, probationers performing community service, and inmate program volunteers/participants, including, but not limited to, Corrections Center of Northwest Ohio ("CCNO") inmates; Now Therefore,

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

Section 1. That, intending to be legally bound, the City Manager of the City of Napoleon, Ohio, is given the authority in the name of the City of Napoleon, Ohio, to complete the Ohio BWC's U-69 form titled, "Contract for Coverage of State Agency or Political Subdivision," (a copy is attached as "Exhibit A") and thereby provide workers' compensation coverage to non-emergency volunteers; probationers performing community service; inmate program volunteers/participants, including, but not limited to, CCNO inmates; and any other persons who may be included as part of the U-69 coverage.

Section 2. That, the City Manager and/or the City Manager's representative are authorized to fill out and submit any and all necessary documentation to effectuate the intent of this legislation.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time in order to provide necessary workers' compensation coverage for various City volunteers, probationers, and inmates; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 021-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director



**Contract for Coverage of State Agency
or Political Subdivision**
Pursuant to O.R.C. 4123

This Contract by and between Ohio Bureau of Workers' Compensation (BWC) and _____, a state agency of the State of Ohio, or a political subdivision of the State of Ohio, hereinafter referred to as the State Agency and Public Employer; is entered into pursuant to the authority contained in Section 4123.03, Ohio Revised Code (ORC).

In consideration of mutual promises, agreements, and covenants herein contained:

- 1) The Public Employer agrees to submit with this contract at the time of the execution hereof a copy of the official action of the subdivision authorizing the execution of this contract. If this contract is being executed on behalf of a State Agency, the administrator, director or other top official of such agency authorized to execute contracts on behalf of such agency shall sign the contract;
- 2) The State Agency or Public Employer agrees to maintain at the outset of this contract and update throughout the entire term of this contract, a list of names, along with addresses, and any other information needed to identify and verify any persons covered under this contract, including termination dates for all individuals; and the employer shall make any such roster available to the bureau upon request;
- 3) BWC agrees to extend the benefits of the workers' compensation law under Chapter 4123, ORC, to such listed persons as may sustain injuries or occupational diseases in the course of and arising out of such services to the Employer, subject to all the provisions of Chapter 4123, ORC, provided that such persons were listed on the roster prior to occurrence of the injury or the inception of the occupational disease;
- 4) BWC agrees that the wage base for reporting payroll for premium purposes be as follows: The base to which the rate shall be applied to probationers shall be the State of Ohio minimum hourly wage provided by law, times the total hours worked for each probationer. Volunteer workers providing services in educational, welfare, social, and medical programs of the employer shall be reported at a base equal to the State of Ohio minimum wage, and never less than 20 hours per week, per volunteer; and that the Public Employer's resolution specifically define all categories of employees for which contract coverage is desired; and that the Public Employer agrees to maintain adequate records to support the reporting of wages, allowances, or any other type of remuneration, the payment of premium;
- 5) If this contract is being executed on behalf of a State Agency, it is mutually agreed that no payroll is to be reported for persons qualifying for workers' compensation benefits under the terms of this contract for premium rate-making purpose due to the state agency employer rate making methodology that calculates a rate representing paying dollar for dollar for all claim costs, and all claim costs will be added to the current rate making methodology;
- 6) It is mutually agreed that premium for Public Employer with respect to each person reported for coverage as herein provided shall be deemed earned when the coverage is extended, and no premium will be refunded upon termination of coverage for any cause provided. However, a premium refund will be made where the refund is occasioned by an adjustment in the premium rate;
- 7) BWC agrees to bill the Public Employer for the premium due under this contract at the time and in the manner applicable to the collection of premium due from the Public Employer by reason of the services of the employees;
- 8) The Employer agrees to submit the same applications for benefits as regular public employees, but shall designate in a prominent place on such application that it is for a "U 69 volunteer, probationer, etc.;"
- 9) BWC agrees to compute the average weekly wage, the base for the payment of benefits, in accordance with Section 4123.61, ORC, taking into consideration the wage earnings from sources other than the services rendered under this contract coverage;
- 10) The contract shall be in effect from and after the date BWC receives the contract;
- 11) It is further mutually agreed that either party may terminate this contract by notifying the other party in writing, by certified mail, of its intention to terminate. Said termination shall take effect on the date fixed in the written notification but no less than 30 days after the mailing of said notification. Upon termination, the rights, duties, and liabilities of each party shall cease except as to injuries occurring before the date of termination.

In witness whereof, the administrator of BWC for BWC and the top official of the state agency of the State of Ohio; or official of the political subdivision of the State of Ohio duly authorized by such agency; or subdivision and having the authority to execute the contract under the laws of the State of Ohio do execute this contract by affixing their signatures hereto.

Administrator
Ohio Bureau of Workers' Compensation

Date

Policy number	Date
Signature	
Title	

ORDINANCE NO. 022-16

AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF AN AMENDMENT TO THE CITY OF NAPOLEON, OHIO CHARTER ARTICLE II (COUNCIL), ARTICLE V (BOARDS AND COMMISSIONS), AND IX (INITIATIVE, REFERENDUM AND RECALL); AND DIRECTING THE BOARD OF ELECTIONS OF HENRY COUNTY, OHIO TO CONDUCT SUCH ELECTION ON THE NOVEMBER 8, 2016 BALLOT

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO WITH TWO THIRDS (2/3) OR MORE OF ITS CURRENT MEMBERS CONCURRING THERETO:

Section 1. That, the question of the amendments to the Charter of the City of Napoleon, Ohio (hereinafter called "the City") shall be submitted to a vote of the qualified electors of the City at a special election held on the day of the general election to be held on Tuesday, November 8, 2016 at the regular places of voting in the City. The Charter amendments, to wit: Article II (Council); Article V (Boards and Commissions); and Article IX (Initiative, Referendum and Recall), shall read as set forth in the attached Exhibit A: "City of Napoleon, Ohio Charter Review Commission's Recommendation of Proposed Charter Amendments Year 2016" submitted by the Charter Review Commission to City Council on or before June 6, 2016, a true and complete copy of which is on file in the office of the City Finance Director.

Section 2. That, the Board of Elections of Henry County, Ohio is directed to conduct such election at a special election held on the day of the general election to be held on November 8, 2016.

Section 3. That, the City Finance Director shall file a true and complete copy of this Ordinance with the Board of Elections of Henry County, Ohio at least seventy-five (75) days before the date of said election.

Section 4. That, the City Finance Director is directed to publish the full text of the proposed charter amendments once a week for not less than two (2) consecutive weeks in the Northwest Signal, with the first publication being at least fifteen (15) days prior to the election, in accordance with Section 9 of Article XVIII of the Ohio Constitution and Section 731.211 of the Ohio Revised Code.

Section 5. That, the City Finance Director is directed to make the necessary arrangements with the appropriate election authorities for giving notice, conducting the election and placing the question on the ballot, including the preparation of proper ballot language, to include all amendments as found in Section 1 of this Ordinance as three (3) separate questions for the voters.

Section 6. That, to pay the cost of any printing, mailing copies of the proposed amendments and of any publishing notice cost, there is appropriated from the General Fund the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be needed.

Section 7. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 8. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 022-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

**City of Napoleon, Ohio Charter Review Commission's
Recommendation of Proposed Charter Amendments Year 2016
Exhibit A: Ord. 022-16**

Section 2.08 Vacancies

If a vacancy occurs on Council and within thirty (30) days thereafter, those Central Committee members living in the City, from the same political party as the vacated member at the time of his or her election or appointment to Council, may recommend to Council a person to fill the vacancy for the unexpired term. If a person is so recommended, he or she shall not become a Council member unless approved by Council. If no person is so recommended by such Central Committee members or if a person so recommended is not approved by Council, Council may select another replacement within fifteen (15) days. If Council fails to select another replacement within fifteen (15) days, the Mayor shall select a replacement. If the person to be replaced ~~was~~ ran as an independent or third-party candidate at the time of his or her election or appointment, the replacement shall be selected by Council; but, if Council fails to select a replacement within thirty (30) days after the vacancy occurs, the Mayor shall select a replacement. If a vacancy date cannot be determined with a reasonable degree of certainty, then the vacancy date shall be as concluded by approved motion of Council.

Section 5.07 Charter Review Commission

(A) **Establishment of Commission.** No later than the year 2008, and at least every eight (8) years thereafter, there shall be a Charter Review Commission consisting of seven (7) members, each of whom shall be a resident and qualified elector of the City: five (5) of whom shall be appointed by Council and two (2) of whom shall be appointed by the Mayor. Two (2), but not more than two (2) of the Council appointments may be Council members.

(B) **Duties.** The Charter Review Commission shall review the City's Charter to determine whether any amendments, additions, deletions or other changes are necessary or would be advisable or beneficial, and, within the time designated by Council and as otherwise provided by Council, shall bring any and all proposed amendments, additions, deletions or other changes to the attention of Council. ~~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.~~

Section 9.03 Removal From Office and Recall

(A) **Power to Recall.** The electors of the City shall have the right and power to remove from office by a recall election any officer of the City holding an elective office, but only after that officer has served six (6) months of his or her term. A petition demanding the removal of an elected officer may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver a receipt to that person.

The separate parts of the petition shall be bound together and filed as one (1) document. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than two hundred (200) words of the grounds for removal. The petition shall be signed by at least that number of electors which equals twenty-five percent (25%) of the number of electors voting at the last general municipal election. Within ten (10) days after filing the petition, the Clerk of Council shall determine whether or not it meets the requirements

hereof. If the Clerk of Council finds the petition insufficient, he or she promptly shall certify the particulars in which the petition is insufficient, deliver a copy of his or her certificate to the person who filed the petition, and make a record of such delivery. The person who filed the petition shall be allowed a one (1) time period of twenty (20) days after the day on which the delivery of the certificate was made to him or her to make the petition sufficient. If the Clerk of Council finds the petition sufficient, he or she promptly shall certify it to Council, deliver a copy of the petition and his or her certificate to the officer whose removal is sought, and make a record of such delivery if the officer does not resign.

(B) **Failure to Resign.** If the officer does not resign within five (5) days after the day on which such delivery is made, Council, by ordinance or resolution, shall fix a day for holding a recall election, not less than sixty (60) days nor more than seventy-five (75) days after the date of such delivery. The Clerk of Council shall certify the ordinance or resolution providing for such election to the appropriate election authorities upon receipt from the person filing the petition of a bond, cash, certified check or cashier's check in an amount equal to the cost of such election as reasonably estimated by the Clerk of Council, such security to be retained and used by the City to pay the costs of the recall election if a majority of the votes cast are against the recall of the officer, otherwise to be returned to the person filing the petition upon certification of the results of the election.

(C) **Ballot Wording and Eligibility of Appointment.** At the recall election, this question shall be placed upon the ballot substantially in the following form or as otherwise permitted by the board of elections: "Shall (naming the officer) be allowed to continue as (naming the office)?", with provisions on the ballot for voting affirmatively or negatively. In the event a majority of the vote is negative, the officer shall be considered as removed, his or her office shall be considered vacant, and the vacancy shall be filled as provided by this Charter, or if this Charter is silent, as Council may decide. The person removed at the recall election shall not be eligible for appointment to the vacancy thereby created.

(D) **No Additional Recall.** If an officer against whom a recall petition is filed is continued in office by the vote at the recall election, no other recall petition shall be filed against him or her for a period of two (2) years.

(E) **Removal by Council.** Council may remove the Mayor or a Council member for gross misconduct, malfeasance, misfeasance, or nonfeasance in office; or for conviction while in office of a crime involving moral turpitude or for any felony conviction; or if adjudicated legally incompetent; or for a violation of his or her oath of office; or for persistent failure to abide by the Rules of Council. However, such removal shall not take place without the concurrence (affirmative vote) of five (5) members of Council, and also not until the accused Mayor or Council member has been notified in writing of the charge against him or her at least ten (10) days in advance of a public hearing upon such charge, and at which time he or she (or his or her counsel should the Mayor or Council member choose to retain counsel) shall be given an opportunity to be heard and present evidence at a public hearing called by Council. An accused member of Council shall not vote on the question of his or her removal. Upon the removal of such officer, the vacancy thereby created in such office shall be filled in the manner provided by this Charter, and the officer so removed shall not be eligible for appointment to fill such vacancy.

**Motion to Approve
City Charter as drafted
By the Law Director
With the Addition of
“Her” Into Section
9.03E**

Passed
Yea- 6
Nay- 1

**Motion to Recommend to
Council to place the
Revised Sections of the
Charter on the
November, 2016 Ballot
As Three (3) Separate
Ballot Issues**

Passed
Yea- 7
Nay- 0

**Any Other Matters Assigned
To The Committee**

Motion To Adjourn

Passed
Yea- 7
Nay- 0

Date _____

Motion: Dr. Holman

Second: Rohrs

Motion to Approve the City Charter as drafted by the Law Director with the addition of “her” into section 9.03E

Roll call vote on above motion:

Yea- Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, Maassel

Nay-McColley

Motion to Recommend to Council to place the Revised Sections of the Charter on the November, 2016 Ballot As Three (3) Separate Ballot Issues

Motion: McColley

Second: Behm

Roll call vote on above motion:

Yea- Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley, Maassel

Nay-

Sheaffer advised that in discussion with McColley, when the full body of Council reviews council rules, Sheaffer and McColley will recommend looking at some censure and possible changes to the personnel code.

Motion: Maassel

Second: Behm

To adjourn the meeting at 7:50pm.

Roll call vote on motion:

Yea- Behm, DeWit, Dr. Holman, Rohrs, Sheaffer, McColley, Maassel

Nay-

Travis Sheaffer, Chair

RESOLUTION NO. 023-16

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 FOR A PROJECT KNOWN AS 2016 MANHOLE LINING PROJECT; AUTHORIZING COMPETITIVE BIDDING IN REGARD THERETO; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon has determined immediate infrastructure work is needed by means of a manhole lining project for various streets in the City of Napoleon; Now therefore,

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

Section 1. That, the expenditure of funds in excess of \$25,000.00 for the 2016 Manhole Lining Project is hereby authorized as a necessary public expenditure.

Section 2. That, City Council has or will approve the specifications, plans, agreements, and other related bid documents; moreover, the City Manager is hereby authorized to advertise and receive bids for the project that is referenced in Section 1 of this Resolution. If a contract for said project is approved for award to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager is directed to enter into a contract with the successful bidder.

Section 3. That, City Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City; moreover, Council may waive any informalities in the bidding process.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for improvements to City manholes to assure safety to the public; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 023-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 024-16

AN ORDINANCE VACATING A PORTION OF A CERTAIN STREET LOCATED SOUTH OF THE SOUTHERLY RIGHT-OF-WAY OF FRONT STREET AND ADJACENT TO THE WESTERLY LINE OF LOT 137 OF PHILLIPS & STAFFORDS THIRD ADDITION, AND ALSO BEING ROADWAYS WITHIN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 13, TOWN 5 NORTH, RANGE 6 EAST, ALL BEING IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO

WHEREAS, an application for a public hearing was filed by GM Carnahan, LLC, owners of 207 W. Front Street and Lot 137 of Phillips & Staffords Third Addition in the City of Napoleon and requesting the City vacate the street between the two properties pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission held a Public Hearing (PC-16-02) on May 25, 2016 at 5:00p.m., after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution No. PC-16-02 recommending that said property be vacated by Napoleon City Council; Now Therefore,

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

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

Section 2. That, this Council finds there exists a petition signed by an authorized person on behalf of GM Carnahan, LLC owner of both sides of an area described as being the entire portion of existing Scott Street right-of-way which is 66.00 feet wide and located South of the southerly right-of-way of W. Front Street and adjacent to the westerly line of Lot 137 of Phillips & Staffords Third Addition, and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator, and as shown on Exhibit "A" which is attached and incorporated herein.

Section 3. That, this Council finds there is good cause for such street vacation as stated herein; that such vacation of the street will not be detrimental to the public's general interest; that there is good cause for such street vacation as requested for; that such vacation shall be made subject to the City reserving an easement therein on the entire vacated property for the maintenance of the existing utilities, and for the purpose of accessing the property pursuant to Section 723.041 of the Ohio Revised Code; and that all vacated property is required to revert to Lot 137 of Phillips & Staffords Third Addition.

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

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

Section 6. That, the directives as stated in Sections 4 & 5 shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, including, but not limited to a non-refundable petition processing fee of \$25.00, plus publication costs, to be paid at the time the petition is filed. If actual publication costs cannot be determined, then an estimated cost as determined by the City shall be paid by the petitioner.

Section 7. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 8. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

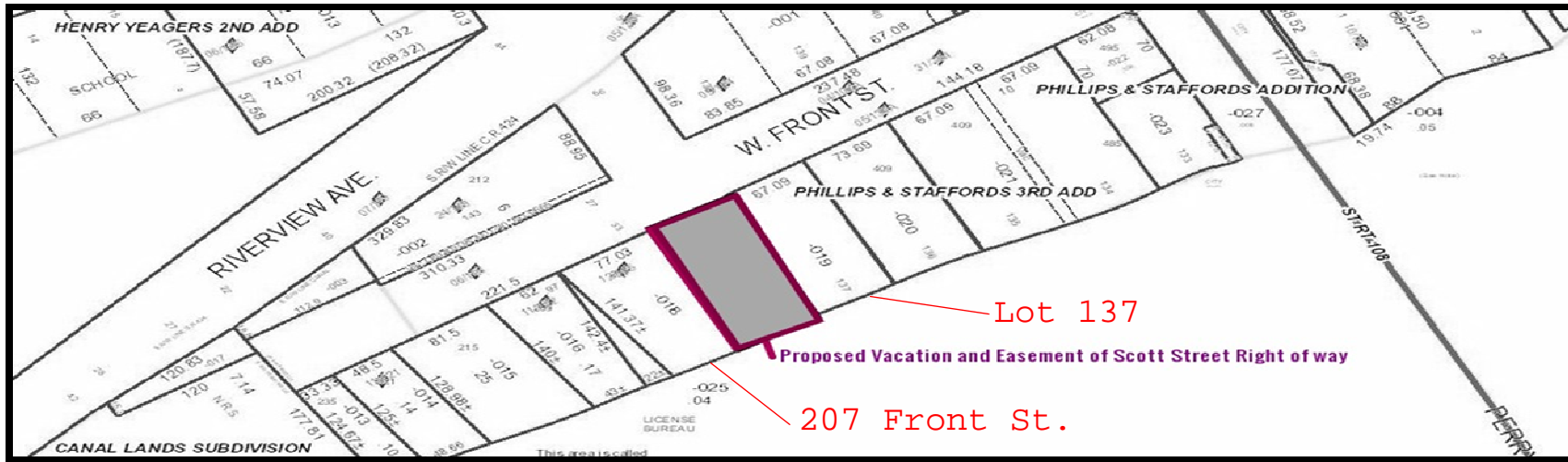
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 024-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

Legal Description For Vacation of Scott Street Right of way

Being the entire portion of existing Scott Street Right-of-way which is 66.00 feet wide and located South of the southerly Right-of-way line of Front Street and adjacent to the westerly line of Lot 137 of Phillips & Staffords Third Addition and also being roadways within the southwest Quarter of Fractional Section 13, Town 5, Range 6 East, all being within the City of Napoleon, Henry County, Ohio. Said parcel contains 9570 square feet, more or less. The City of Napoleon shall maintain a utility easement to maintenance existing sewers only.



Planning Commission Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the Planning Commission of the City of Napoleon.

Date Chairman

Clerk of Council

County Auditors Certificate

I, The Henry County Auditor, do hereby certify that there are no unpaid taxes on the property herein described and certify the same for transfer.

Transferred this _____ day of _____, 2016.

Henry County Auditor

City Council Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the City Council of the City of Napoleon.

Date Chairman

Clerk of Council

Exhibit "A"

PC 16-02

Street Vacation 207 W Front St

TO: The members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Street Vacation

MEETING DATE: May 25, 2016 at 5:00 P.M.

BACKGROUND:

An application for a public hearing has been filed by GM Carnahan, LLC requesting the City vacate a street located to the east of the building located at 207 W Front St. between Front St. and the river This request is pursuant to City Code Chapter 909.

RESEARCH & FINDINGS:

1. GM Carnahan, LLC owns the properties that touch both sides of the requested vacation. This Street has never been improved and dead ends into the river. There currently are two active City storm sewers in this right of way that discharge into the river. These storm sewers will remain and the City of Napoleon will have an easement to maintain them. All City Departments have reviewed and verified that this City owned Land has no other public purpose other then the storm sewers.
2. GM Carnahan, LLC is aware that they are not allowed to build any structure in this easement.

Area Proposed to be Vacated

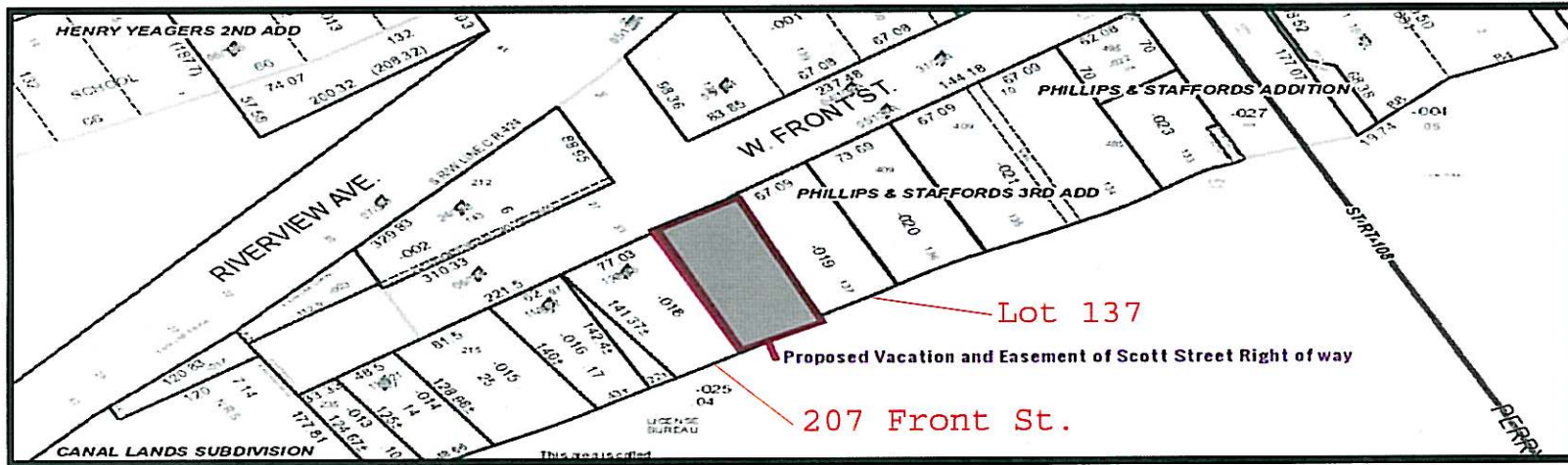


Area Proposed to be Vacated



Legal Description For Vacation of Scott Street Right of way

Being the entire portion of existing Scott Street Right-of-way which is 66.00 feet wide and located South of the southerly Right-of-way line of Front Street and adjacent to the westerly line of Lot 137 of Phillips & Staffords Third Addition and also being roadways within the southwest Quarter of Fractional Section 13, Town 5, Range 6 East, all being within the City of Napoleon, Henry County, Ohio. Said parcel contains 9570 square feet, more or less. The City of Napoleon shall maintain a utility easement to maintenance existing sewers only.



Planning Commission Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the Planning Commission of the City of Napoleon.

Date Chairman

Clerk of Council

City Council Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the City Council of the City of Napoleon.

6-1-16

Date Chairman

Clerk of Council

County Auditors Certificate

I, The Henry County Auditor, do hereby certify that there are no unpaid taxes on the property herein described and certify the same for transfer.

Transferred this _____ day of _____, 2016.

Henry County Auditor

Exhibit "A"

RESOLUTION NO. PC 16-02

**A RESOLUTION RECOMMENDING THE VACATION OF
CERTAIN CITY OF NAPOLEON OWNED LAND**

WHEREAS, a petition was filed by GM Carnahan LLC, owners of 207 Front St and lot 137 of Phillips & Staffords Third Add in the City of Napoleon, Henry County, Ohio, requesting to vacate the street between the two properties. This is pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission has had a Public Hearing (PC 16-02), after being duly published, and there exists no opposition; Now Therefore,

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

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

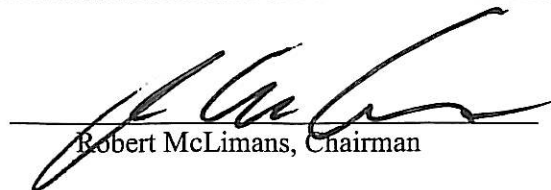
Section 2. That, there exists a petition filed by GM Carnahan LLC, owning the properties on both sides of an area described as Being the entire portion of existing Scott Street Right-of-way which is 66.00 feet wide and located South of the southerly Right-of-way of Front Street and adjacent to the westerly line of lot 137 of Phillips & Staffords Third Add., and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5, Range 6 East of Napoleon, Henry County, Ohio, as shown on Exhibit "A".

Section 3. That, this Commission further finds there is good cause for such street vacation as requested for, that such vacation of the Street will not be detrimental to the general interests and shall be made subject to the City reserving an easement therein on the entire vacated property for the maintenance of the existing utilities, and for the purpose to access said facilities, pursuant to Section 723.041 of the Ohio Revised Code. and all vacated property is required to revert to lot 137 of Phillips & Staffords Third Add.

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

Section 5. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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


Robert McLimans, Chairman

VOTE ON PASSAGE 5 Yea 0 Nay 0 Abstain

RESOLUTION NO. 017-16

A RESOLUTION ADOPTING THE 2017 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTION 5705.28 OF THE ORC AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

WHEREAS, at least two (2) copies of the Tax Budget have been on file with the Finance Director for public inspection not less than ten (10) days before its adoption; and,

WHEREAS, the Finance and Budget Committee of Council, by and through the Finance Director, has prepared a Tax Budget pursuant to Article II, Sec. 2.13 of the City's Charter; and,

WHEREAS, a Public Hearing will be held on June 6, 2016, concerning this 2017 Tax Budget.

WHEREAS, the 2017 Tax Budget must be adopted on or before July 15, 2016; Now Therefore,

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

Section 1. That, the City Council of Napoleon, Ohio adopts the 2017 Tax Budget, as required by O.R.C. Section 5705.28, in the form presented to Council and currently on file in the Office of the Finance Director and marked as the 2017 Tax Budget.

Section 2. That, the Finance Director is hereby directed to file the 2017 Tax Budget with the County Auditor on or before July 20, 2016.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the July 15 and July 20, 2016 deadlines as noted above; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 017-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

2017 TAX BUDGET

Henry County, Ohio

Office of **NAPOLEON CORP.**, **May 2**, 20**16**

To the County Auditor:

The Council of Said ~~Village~~ ^{City} hereby submits its annual Budget for the year commencing January 1st, 20**17** for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.



*Village Fiscal Officer

City

County Auditor

Gregory J. Heath,
Finance Director/Clerk of Council
City of Napoleon, Ohio

County Treasurer

County Prosecuting Attorney

Schedule A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND
 COUNTY AUDITOR'S ESTIMATED TAX RATES

City of Napoleon, Ohio

City Tax Valuation: \$140,849,500
FUND

	Mills	Amount approved by Budget commission Inside 10 M Limitation	Amount to be derived from Levies Outside 10 M Limitation	County Auditor's	
				Inside 10 M Limit	Outside 10 M Limit
1. General Fund	2.0	\$ 281,700			
4. Road and Bridge Fund					
5. Cemetery Fund					
9. Police District Fund	0.6	\$ 84,510			
10. Fire District Fund	0.3	\$ 42,255			
11. Road District Fund					
12. Park Levy Fund					
14. Miscellaneous Funds					
15. General Bond Retirement Fund					
20. Special Levy Funds					
21. Capital Equipment Fund					
28. Ambulance and Emergency Medical Services Fund					

TOTAL**\$ 408,465**

SCHEDULE B**LEVIES OUTSIDE 10 MILL. LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Max. Rate Authorized to be Levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Collumn II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20			
not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20____			
not to exceed years			
Levy authorized by voters on 20____			
not to exceed years			
Levy authorized by voters on 20____			
not to exceed years			
Levy authorized by voters on 20____			
not to exceed years			



HENRY COUNTY
COMMUNITY IMPROVEMENT CORPORATION

104 E. Washington Street, Suite 301
Napoleon, Ohio 43545

Phone: (419) 592-4637
Fax: (419) 599-9865

June 3, 2016

President Travis Sheaffer
City of Napoleon
255 Riverview Ave.
Napoleon, OH 43545

RE: *Planning Commission Hearing 1650: Commerce Drive Re-Zoning*

President Sheaffer and City Council,

On behalf of A Renewed Mind, the City of Napoleon, and the Community Improvement Corporation of Henry County, Ohio, I would like to withdraw the request to re-zone the 50 acres located on Commerce Drive. The property regarding the request is no longer needed for the A Renewed Mind project.

I would like to thank the Planning Commission for reviewing the initial request to re-zone the property and Napoleon City Council for taking the time to consider this withdraw request.

Sincerely,

Amanda Griffith
Executive Director

PC 16-05

Rezoning 50 Acres Commerce Drive Area

TO: The members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Rezoning

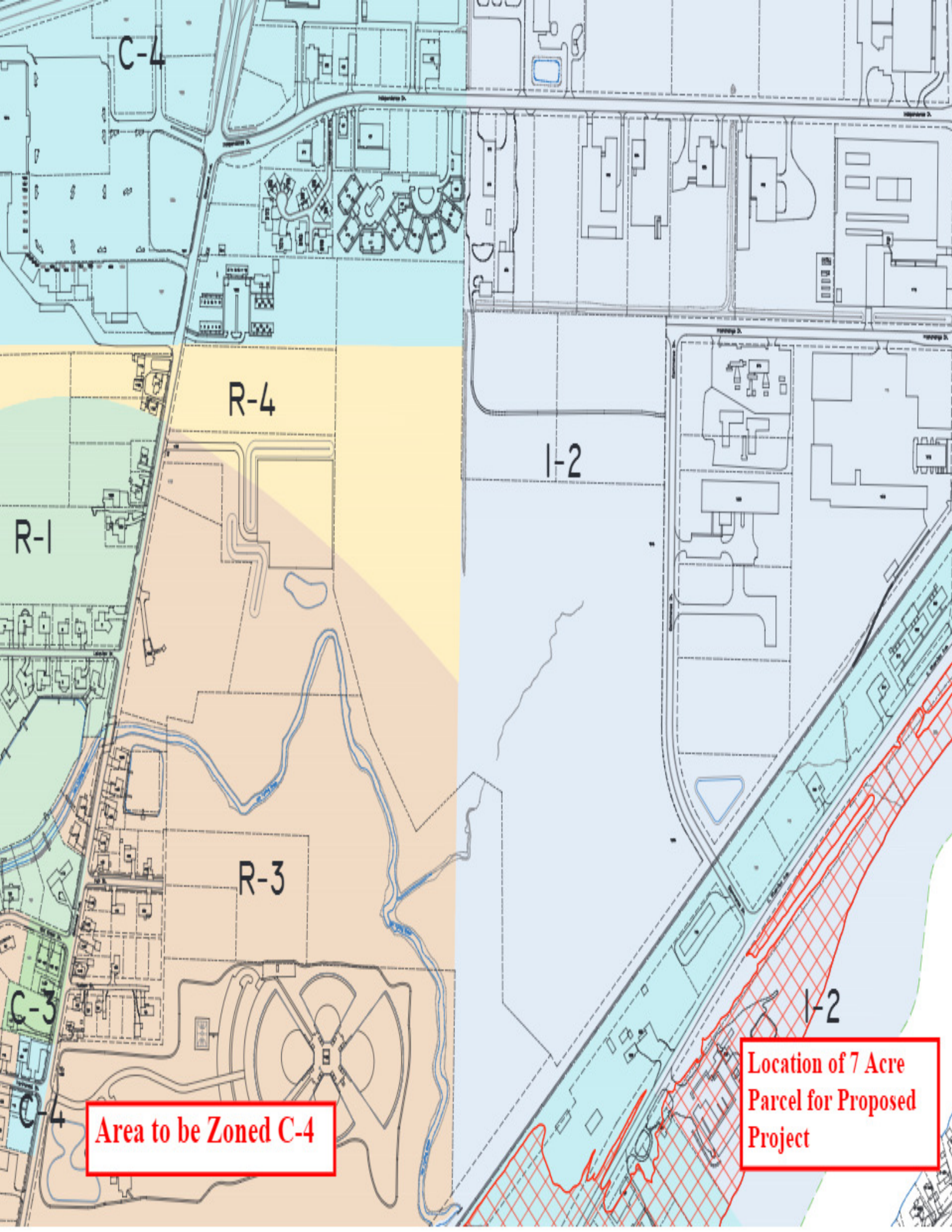
MEETING DATE: May 25, 2016 @ 5:00 PM.

BACKGROUND:

An application for a public hearing has been filed by the Henry Co. Community Improvement Corporation of Henry Co. on behalf of the proposed A Renewed Mind commercial project and The City of Napoleon. The applicant is requesting to change the official zone map, from I-2 Open Industrial, R-3 Moderate Density Residential and R-4 High Density Residential to C-4 Planned Commercial, for a multiple parcel 50 acre area up to Commerce Dr.

RESEARCH & FINDINGS:

The Proposed Renewed Mind Project will be on seven acres of the 50 acres that rezoning has been requested. The other 43 acres is owned the City of Napoleon twenty acres is the solar field, five is open land and the rest is unbuildable ravine covered with trees.



C-4

R-4

I-2

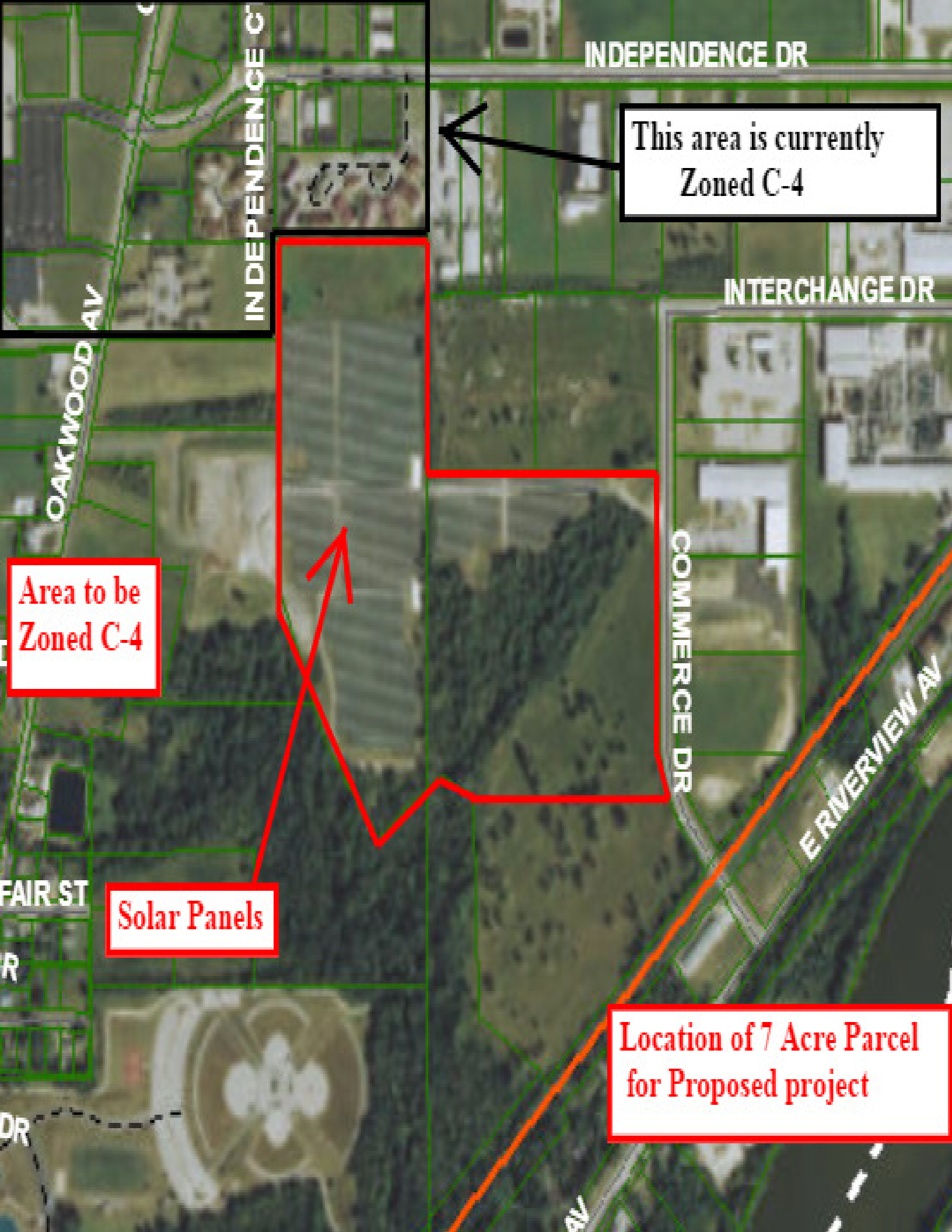
R-1

R-3

I-2

Area to be Zoned C-4

Location of 7 Acre Parcel for Proposed Project



INDEPENDENCE DR

This area is currently
Zoned C-4

INTERCHANGE DR

OAKWOOD AV

Area to be
Zoned C-4

COMMERCE DR

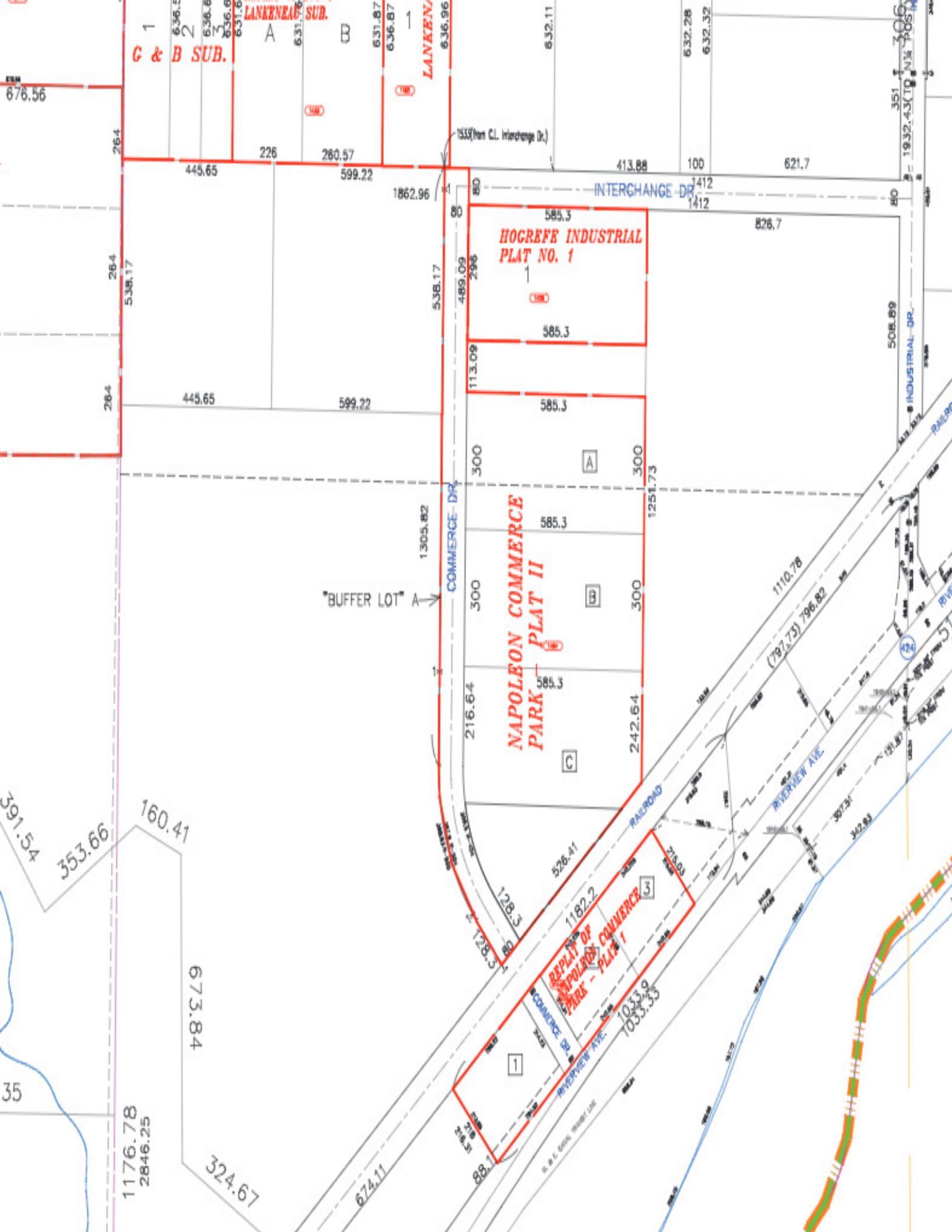
ERVIEW AV

Solar Panels

FAIR ST

Location of 7 Acre Parcel
for Proposed project

DR



1121.04 FINDINGS OF FACT AND RECOMMENDATION OF THE PLANNING COMMISSION.

The Planning Commission shall cause to be made written findings of fact regarding a proposed amendment and shall submit same together with its recommendations to Council. The Planning Commission report to Council shall indicate the vote of each member present and voting on every recommendation. Any member of the Planning Commission that dissents from the majority regarding a recommendation may make his or her dissent known, in writing, to be submitted to the Council as part of the record. Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Planning Commission shall make findings based on the evidence presented to it in each specific case with respect to the following matters:

- (a) The zoning classification of property within the general area of the property in question;
- (b) Existing uses of property within the general area of the property in question;
- (c) The suitability of the property in question to the uses permitted under the existing zoning classification;
- (d) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification; and
- (e) Changed or changing conditions in the applicable area, or in the City generally, that make the proposed zoning or amendment thereto reasonably necessary to the promotion of the public health, safety, or general welfare.

The Planning Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is in the public interest and is not solely for the interest of the petitioner or applicant, except that no finding is required that "the amendment is not solely for the interest of the petitioner or applicant" when an application is initiated by the City Administration, by the Planning Commission, or by the Council. When the petition for an amendment to the Zone Map is made by a property owner or agent of a property owner, the Planning Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the petitioner. For the purpose of this paragraph, the "R-1" Suburban Residential District shall be considered the highest classification and the "I-2" Open Industrial District shall be considered the lowest classification. When the petitioner is other than the property owner or an agent of a property owner, then the Planning Commission may recommend any different zone classification, higher or lower, than that requested by the petitioner.

(Ord. 074-10. Passed 12-20-10.)

PLANNING COMMISSION RESOLUTION NO. PC 16-05

A RESOLUTION OF THE CITY OF NAPOLEON PLANNING COMMISSION RECOMMENDING APPROVAL TO COUNCIL REGARDING A REZONING CLASSIFICATION FOR CERTAIN PROPERTY LOCATED IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO; AND AMENDING THE ZONE MAP

WHEREAS, the City of Napoleon Planning Commission has been requested to process a duly filed application for a change in zoning classification of particular property owned by The Henry County Community Improvement Corporation on behalf of the proposed A Renewed Mind commercial project and The City of Napoleon, evidenced by a deed for purpose of rezoning; and,

WHEREAS, pursuant to Section 1121.03 of the Codified Ordinances of Napoleon, Ohio (Zoning Code) the Planning Commission, within sixty (60) days of receipt of such application held a hearing on the application with notice thereof; and,

WHEREAS, this Commission finds that proper application has been made and notice given in conformance with Section 159.03 of the Administrative Code as found in the Codified Ordinances of the City of Napoleon, Ohio; and,

WHEREAS, the Planning Commission so desires to make a recommendation containing certain findings of fact regarding the change of a zoning classification of particular property based on evidence presented to it in a specific case in Hearing PC 16-05; Therefore,

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

Section 1. That, Exhibit "A" attached hereto has been submitted to this Commission for reclassification of zoning, specifically Parcel Number 28-0700320200 (15.64) Acres and Parcel Number 28-0700320202 (7.708) Acres located in part of the South West (1/4) of Section 7, Town 5N, Range 7E, Liberty Township, and Parcel Number 41-1200620200 (24.39) Acres located in East half of Section 12, Town 5N, Range 6E, Napoleon Township all three Parcels in Henry County, Ohio, located in the City of Napoleon, Ohio.

Section 2. That, this Commission considered the following criteria in making its decision:

- a. The present zoning classification of the general property of the area in question is currently zoned I-2 Open Industrial, R-4 High Density Residential and R-3 Moderate Density Residential; and,
- b. The existing use of the property within the general area in question; and,
- c. The suitability of the property in question to the uses permitted under the existing zoning classification; and,
- d. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in it's present zoning classification; and,

e. Changed or changing conditions in the applicable area, or in the City, generally that make the proposed zoning or amendment thereto reasonably necessary to the promotion of the public health, safety, or general welfare.


Section 3. That, this Commission recommends approval of rezoning and the adoption of the proposed amendment and/or rezoning of the property to reflect a zoning for the area as described in Section 1 of this Resolution to a classification of C-4 (Planned Commercial), such adoption being in the public interest and not solely for the interest of the petitioner.

Section 4. That, it is recommended that the official zone map shall be amended to reflect the changes in zoning as recommended in Section 3 of this Resolution.

Section 5. That, this Resolution along with the minutes from the PC 16-05 meeting shall serve as a report from this Commission.

Section 6. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 7. That, this Resolution shall take immediate effect.


Robert McLimans, Chairman

VOTE:

Member: Robert McLimans ___ Yea X Nay ___ Abstain

Member: Marv Barlow ___ Yea X Nay ___ Abstain

Member: Fredric Furney ___ Yea X Nay ___ Abstain

Member: Tim Barry ___ Yea X Nay ___ Abstain

Member: Jason Maassel, Mayor X Yea ___ Nay ___ Abstain

PC 16-03

Re-plat of lot No. 2, Henry Landmark, Inc.
First Addition

MEMORANDUM

TO: Members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Replat
MEETING DATE: May 25, 2016 @ 5:00 PM
HEARING #: PC-16-03

BACKGROUND:

An application for public hearing has been filed by KWS-Landmark, LLC. The applicant is requesting a minor subdivision of lot No.2, Henry Landmark, Inc. First Add., This subdivision will create Lot A and Lot B located between the buildings at 1414 Scott St. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-4 Planned Commercial Zoning District.

RESEARCH AND FINDINGS

1. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks and parking requirements.
2. The existing buildings on the proposed lots A and B each have separate water and sanitary sewer services.
3. The City Engineer has reviewed and approved the proposed subdivision.



Lot A

Lot B

Proposed New Property Line



Lot A

Lot B

Proposed New Property Line



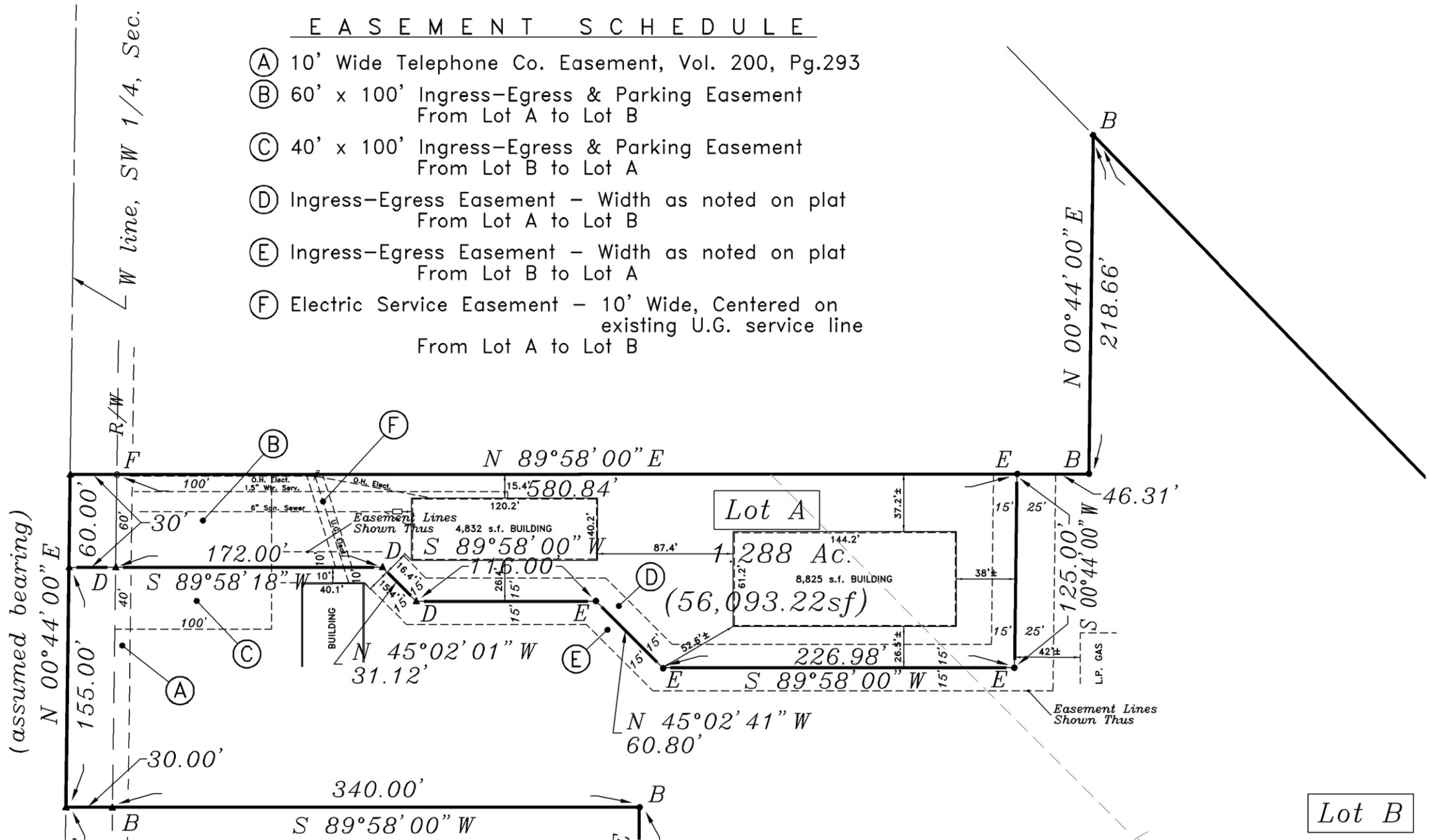
Lot A

Lot B

Proposed New Property Line

E A S E M E N T S C H E D U L E

- (A) 10' Wide Telephone Co. Easement, Vol. 200, Pg.293
- (B) 60' x 100' Ingress-Egress & Parking Easement
From Lot A to Lot B
- (C) 40' x 100' Ingress-Egress & Parking Easement
From Lot B to Lot A
- (D) Ingress-Egress Easement - Width as noted on plat
From Lot A to Lot B
- (E) Ingress-Egress Easement - Width as noted on plat
From Lot B to Lot A
- (F) Electric Service Easement - 10' Wide, Centered on
existing U.G. service line
From Lot A to Lot B



RE-PLAT OF LOT NO. 2, HENRY LANDMARK, INC. FIRST ADDITION,

Being a part of the Southwest quarter (1/4) of Section 12,

Township 5 North, Range 6 East, Napoleon Township,

City of Napoleon Henry County, Ohio,

ZONING

THIS PROPERTY IS LOCATED IN THE
"C-4" PLANNED COMMERCIAL ZONING DISTRICT

LEGAL DESCRIPTION

Lot No. 2, Henry Landmark, Inc. First Addition, City of Napoleon,
Henry County, Ohio
Containing 13.303 acres, of land more or less. Subject to all legal
highways, easements, zoning regulations or restrictions of record.
Previous Plat Ref: Henry Landmark First Addition
Slide 178 of the Henry County Recorder's Record of Plats

DEDICATION CERTIFICATION

The undersigned, KSW-Landmark, LLC., owners of the real estate described
herein, do hereby approve this plat and dedicate to the City of Napoleon, Ohio
all rights-of-way, streets, utility easements, or other areas described or indicated
as dedicated on this plat and not heretofore dedicated or recorded, including
ownership rights to all main line utilities located therein.

WITNESS MY HAND AND SEAL THIS ____ day of ____, 2016.

Witness _____ Kenneth Woods, Member
STATE OF OHIO, HENRY COUNTY, SS:
Before me, the undersigned Notary Public in and for said county and state,
personally appeared KSW-Landmark, LLC, by Kenneth Woods, Member,
owner of the real estate described herein, who did acknowledge the execution
of the foregoing instrument as his voluntary act and deed for the
purposes therein expressed.
Witness my hand and notarial seal this ____ day of ____, 2016.

Notary Public
WITNESS OUR HANDS AND SEAL THIS ____ day of ____, 2016.

Witness _____ Kenneth Woods, Member
Witness _____ Member
STATE OF OHIO, HENRY COUNTY, SS:
Before me, the undersigned Notary Public in and for said county and state,
personally appeared KSW-Landmark, LLC, by Kenneth Woods, Member and
_____, Member; owners of the real estate described herein,
who did acknowledge the execution of the foregoing instrument as their voluntary
act and deed for the purposes therein expressed.
Witness my hand and notarial seal this ____ day of ____, 2016.

Notary Public

CITY COUNCIL CERTIFICATE

Under authority provided by Chapter 711 of the Ohio Revised Code and
the City of Napoleon Code of Ordinances, this plat is hereby approved by
the City Council of the City of Napoleon, Ohio

Dated _____

Mayor _____

Attest: Clerk of Council _____

COUNTY AUDITOR'S CERTIFICATE

Transferred _____, 2016.

Henry County Auditor _____

COUNTY RECORDER'S CERTIFICATE

Filed for record _____, 2016 at _____, ____ M.

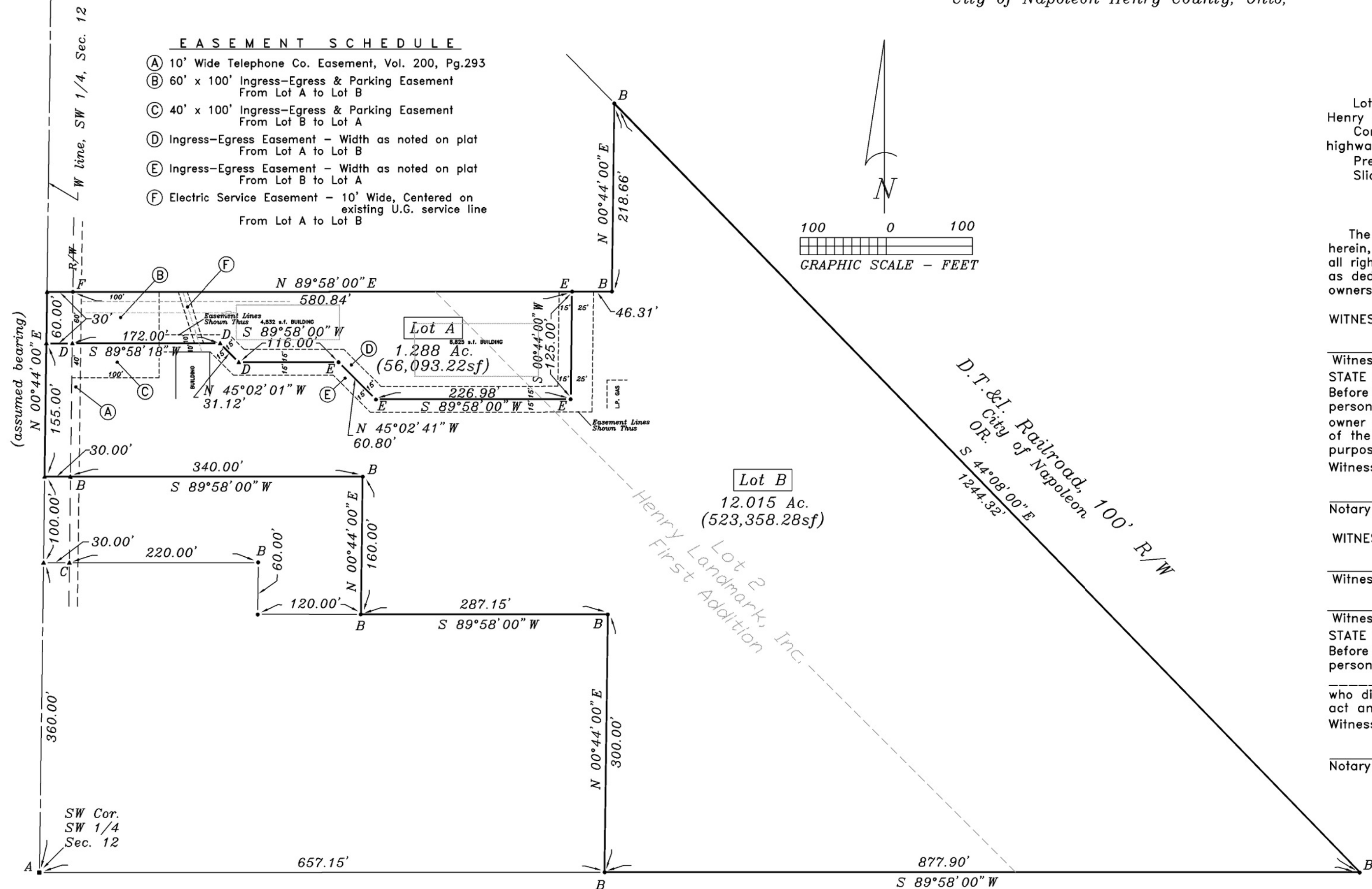
Recorded on _____, 2016 in Plat Cabinet _____, Slide _____

Fee \$ _____

Henry County Recorder _____

EASEMENT SCHEDULE

- (A) 10' Wide Telephone Co. Easement, Vol. 200, Pg.293
- (B) 60' x 100' Ingress-Egress & Parking Easement
From Lot A to Lot B
- (C) 40' x 100' Ingress-Egress & Parking Easement
From Lot B to Lot A
- (D) Ingress-Egress Easement - Width as noted on plat
From Lot A to Lot B
- (E) Ingress-Egress Easement - Width as noted on plat
From Lot B to Lot A
- (F) Electric Service Easement - 10' Wide, Centered on
existing U.G. service line
From Lot A to Lot B



Legend

- A = Monument Box Found
- B = Iron pin found
- C = Mag nail found
- D = Mag nail set
- E = Iron pin & cap set
- F = Drill hole set

SURVEYOR'S CERTIFICATE

I hereby certify that this plat represents a survey made by
me, and that the specified monumentation shown actually exists
and its location is correctly shown.

Dated _____

Douglas W. Eis, P.S.
Ohio Registered Surveyor #7758

NOTES:
Survey Number: B2389
D.W. Eis Surveying
16-883 State Route 281
Holgate, Ohio 43527
Douglas W. Eis, Registered Surveyor No. 7758
Ph: (419) 762-5468 Fax: (419) 762-5469

CITY ENGINEER'S CERTIFICATE

Under authority provided Chapter 711 of the Ohio Revised Code, I do
hereby approve this plat.

Dated _____

Chad Lulfs, P.E.
City Engineer, Napoleon, Ohio

PLANNING COMMISSION CERTIFICATE

Under authority provided by Chapter 711 of the Ohio Revised Code and
the City of Napoleon Code of Ordinances, this plat is hereby approved by
the Planning Commission of the City of Napoleon, Ohio.

Dated _____

Chairman _____

Clerk of Council _____

PLANNING COMMISSION RESOLUTION NO. PC 16-03

A RESOLUTION RECOMMENDING THE APPROVAL OF A RE-
PLAT OF LOT NO. 2, HENRY LANDMARK INC. FIRST ADD.

WHEREAS, KWS Landmark LLC Owner, has made an application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a re-plat of Lot No.2 Henry Landmark Inc. First Addition

WHEREAS, this Commission has held a hearing pursuant to Section 1105 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC16-03 (held May 25, 2016); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b) (1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; Therefore,

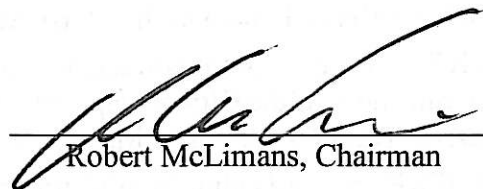
BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
NAPOLEON, OHIO:

Section 1. That, it is the recommendation of this Planning Commission that a Re-plat of Lot No. 2 of Henry Landmark, Inc. First Addition, creating Lot A and Lot B Being a part of the Southeast quarter (1/4) of Section 12, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"

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

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

Section 4. That, this Resolution shall take effect at the earliest time permitted by law.



Robert McLimans, Chairman

VOTE:

Member: Robert McLimans ☒ Yea ☐ Nay ☐ Abstain

Member: Marv Barlow ☒ Yea ☐ Nay ☐ Abstain

Member: Fredric Furney ☒ Yea ☐ Nay ☐ Abstain

Member: Tim Berry ☒ Yea ☐ Nay ☐ Abstain

Member: Mayor Maassel ☒ Yea ☐ Nay ☐ Abstain

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-16-03

	<u>Approval</u>	<u>Disapproval</u>	<u>Absent</u>
Robert McLimans, Chair	<u> X </u>	<u> </u>	<u> </u>
Fredrick Furney,	<u> X </u>	<u> </u>	<u> </u>
Marvin Barlow	<u> X </u>	<u> </u>	<u> </u>
Mayor Maassel	<u> X </u>	<u> </u>	<u> </u>
Tim Barry	<u> X </u>	<u> </u>	<u> </u>

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____

PC 16-04

Replat of Lot B1 of the Replat of Lot B of the Replat of Lots 6&7 in Block 1 Phillips & Staffords First Addition to Napoleon

MEMORANDUM

TO: Members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Replat
MEETING DATE: May 25, 2016 @ 5:00 PM
HEARING #: PC-16-04

BACKGROUND:

An application for public hearing has been filed by Derrow Properties, Inc. The applicant is requesting a replat of Lot B1 of the replat of lots 6&7 in block 1 Phillips & Staffords First Addition. This subdivision will create Lot 1 and Lot 2 located to the West and to the North of the Pocket Park 124 W. Washington Napoleon. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-1 General Commercial Zoning District.

RESEARCH AND FINDINGS

1. The proposed subdivision of land for lot 1 meets the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks and parking requirements.

2. The buildings on the proposed lot 1 have water and sanitary sewer services available and frontage on W. Washington St. The proposed Lot 2 is now an empty lot that is used for parking. This lot does not have frontage on any street but is accessible by a public alley. Water and sewer services are not available to this lot and it cannot be addressed therefore as noted on the plat this is a Non-Buildable Lot. The property owner is aware of this restriction His only intention is to use the lot as a parking lot and has requested the Board as per Section 1105.06 to grant a Variance
3. The City Engineer has reviewed and approved the proposed subdivision if the variance for Lot 2 is granted.

Proposed New Property Line

Lot 1

Lot 2



TIQUES & Curiosities

Mother's
Day
Gifts...
Here is
Here

Lot 2

Lot 1

Proposed New Property Line

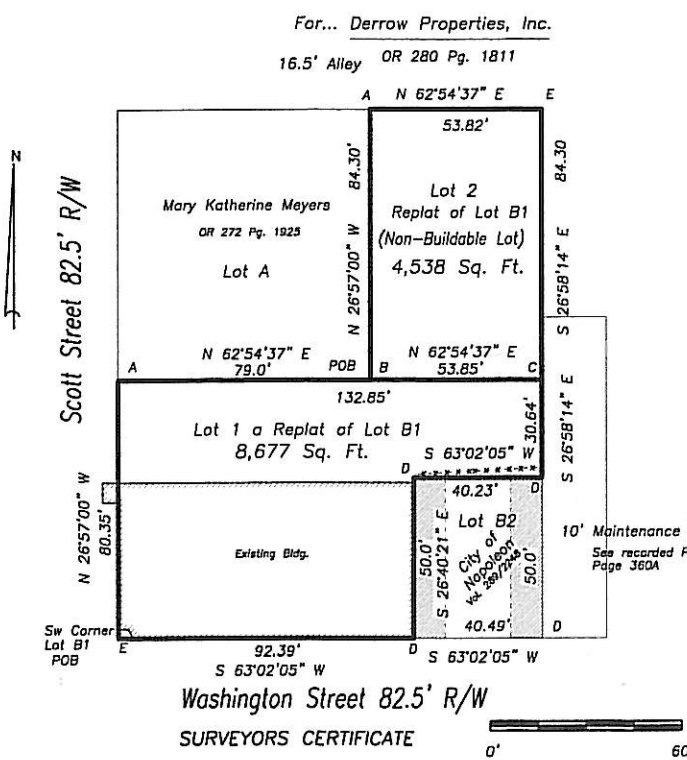


Lot 2

Lot 1

Proposed New Property Line

A Replat of Lot B1 of the Replat of Lot B of the
Replat of Lots 6 & 7 in Block 1 in Phillips and
Staffords First Addition to the City of Napoleon, Ohio.



Legal Description of Lot No. 1:
Beginning at the southwest corner of Lot B1 of the Replat of B recorded in Cabinet No. 2 Page 360A in the Office of the Henry County Recorder;
Thence North 26 degrees 57 minutes 00 seconds West, on the west line of Lot 1 of the Replat of Lot B1 a distance of 80.35 feet to a mag nail found;
Thence North 62 degrees 54 minutes 37 seconds East, 132.85 feet to a 5/8-inch capped iron pin set at the northeast corner of Lot 1 of the Replat of Lot B1, (passing a railroad spike found at 79.00 feet);
Thence South 26 degrees 58 minutes 14 seconds East, on the east line of Lot 1 of the Replat of Lot B1, a distance of 30.64 feet to the northeast corner of Lot B2 of the Replat of Lot B;
Thence South 63 degrees 02 minutes 05 seconds West, on the north line of Lot B2 of the Replat of Lot B, 40.23 feet to the northwest corner of Lot B2 of the Replat of Lot B;
Thence South 26 degrees 40 minutes 21 seconds East, on the west line of Lot B2 of the Replat of Lot B, 50.00 feet to the southwest corner of Lot B2 of the Replat of Lot B;
Thence South 63 degrees 02 minutes 05 seconds West, on the south line of Lot 1 of the Replat of Lot B1, a distance of 92.39 feet to the point of beginning. The parcel herein described contains 8,677 square feet of land more or less.

Legal Description of Lot No. 2:
Commencing at the southwest corner of Lot B1 of the Replat of B recorded in Cabinet No. 2 Page 360A in the Office of the Henry County Recorder;
Thence North 26 degrees 57 minutes 00 seconds West, on the west line of Lot 1 of the Replat of Lot B1 a distance of 80.35 feet to a mag nail found;
Thence North 62 degrees 54 minutes 37 seconds East, 79.00 feet to a railroad spike found at the southwest corner of Lot 2 of the Replat of Lot B1 and the point of beginning;
Thence North 26 degrees 57 minutes 00 seconds West, on the west line of Lot 2 of the Replat of Lot B1, a distance of 84.30 feet to a mag nail found at the northwest corner of Lot 2 of the Replat of Lot B1;
Thence North 62 degrees 54 minutes 37 seconds East, on the southerly line of 16.50 alley, and the north line of Lot 2 of the Replat of Lot B1, a distance of 53.82 feet to an iron pin found;
Thence South 26 degrees 58 minutes 14 seconds East, on the east line of Lot 2 of the Replat of Lot B1, a distance of 84.30 feet to a 5/8-inch capped iron pin set, at the southeast corner of Lot 2 of the Replat of Lot B1;
Thence South 62 degrees 54 minutes 37 seconds West, on the south line of Lot 2 of the Replat of Lot B1, a distance of 53.85 feet to the point of beginning. The parcel herein described contains 4,538 square feet of land more or less.

KNOW ALL MEN BY THESE PRESENTS:
The undersigned, owner of the real estate described herein by deed recorded in OR 280 Page 1811 of the Official Record, Henry County recorder's Office, does hereby assent to the adoption of this plat.

Witness my hand and seal the 15 day of April, 2016.

Derraw Properties, Inc.

1). _____
By _____
Witness _____
2). _____
Witness _____

COUNTY OF Defence
STATE OF OHIO

before me, the undersigned Notary Public in and of the County and State, personally appeared Derraw Properties, Inc. by _____
it _____, Owner of the real estate described herein, who, did acknowledge the execution of the foregoing instrument as his Voluntary act and deed for the purpose herein expressed.



Witness my hand and notary seal the 15 day of April, 2016
Lucan J. Starr
Notary Public, State of Ohio
April 5, 2016
6,2021

CITY ENGINEER
Under authority by Ohio Revised Code Chapter 711 and Chapter 1105 of the Napoleon Codified Ordinances, I hereby approve this plat.
Chad E. Luffa, PE PS
City Engineer, Napoleon, Ohio

COUNTY AUDITOR
I hereby certify that the above plat was presented to me and transferred this _____ day of _____ 2016.
Henry County Auditor

COUNTY RECORDER
Filed for record _____ 2016, at _____ m.
Recorded on _____ 2016 Cabinet _____ Slide _____
Fee \$ _____
Henry County Recorder

CITY COUNCIL CERTIFICATE
Under authority by Ohio Revised Code Chapter 711 and Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby approved by the City Council of the City of Napoleon, Ohio.
Dated: _____ By: _____ Mayor
By: _____ Clerk of Council

CITY PLANNING COMMISSION
Under authority by Ohio Revised Code Chapter 711 and Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby approved by the Planning Commission of the City of Napoleon, Ohio.
Dated: _____ By: _____ Chairman
By: _____ Clerk of Council

ZONING INFORMATION
This property is located in the "C-1"
General Commercial Zoning District
Require Building Setbacks-None



PLANNING COMMISSION RESOLUTION NO. PC 16-04

A RESOLUTION RECOMMENDING THE APPROVAL OF A RE-
PLAT OF LOT B OF THE REPLAT OF LOTS 6 & 7 IN BLOCK 1 IN
PHILLIPS AND STAFFORDS FIRST ADDITION

WHEREAS, Derrow Properties Inc. Owner, has made an application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a replat of Lot B of the replat of lots 6&7 in block 1 in Phillips and Staffords First Addition

WHEREAS, this Commission has held a hearing pursuant to Section 1105 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC16-04 (held May 25, 2016); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b) (1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; Therefore,

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

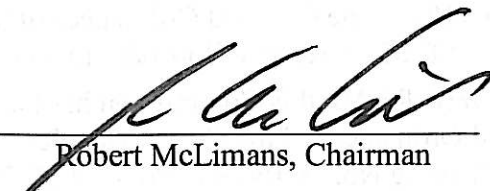
Section 1. That, it is the recommendation of this Planning Commission that a Re-plat of Lot B of the replat of lots 6&7 in block 1 in Phillip and Staffords First Addition, creating Lot 1 and Lot 2 Being a part of the Southeast quarter (1/4) of Section 12, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"

Section 2. That, this lot does not have frontage on any street but is accessible by a public alley. Water and sewer services are not available to this lot and it cannot be addressed therefore as noted on the plat this is a Non-Buildable Lot.

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

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

Section 5. That, this Resolution shall take effect at the earliest time permitted by law.


Robert McLimans, Chairman

VOTE:

Member: Robert McLimans X Yea ____ Nay ____ Abstain

Member: Marv Barlow ✓ Yea ____ Nay ____ Abstain

Member: Fredric Furney X Yea ____ Nay ____ Abstain

Member: Tim Berry ✓ Yea ____ Nay ____ Abstain

Member: Mayor Maassel Y Yea ____ Nay ____ Abstain

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-16-04

	<u>Approval</u>	<u>Disapproval</u>	<u>Absent</u>
Robert McLimans, Chair	<u> X </u>	<u> </u>	<u> </u>
Fredrick Furney,	<u> X </u>	<u> </u>	<u> </u>
Marvin Barlow	<u> X </u>	<u> </u>	<u> </u>
Mayor Maassel	<u> X </u>	<u> </u>	<u> </u>
Tim Barry	<u> X </u>	<u> </u>	<u> </u>

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____

Member _____

Reason stated for

disapproval: _____



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Chad E. Lulfs, P.E., P.S., Director of Public Works

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

Memorandum

To: Monica Irelan, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, City Finance Director
Jeff Rathge, Operations Superintendent
Date: June 6, 2016
Subject: 2016 MH Lining Project – Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans, bid documents, and specifications for the above referenced project. This project consists of lining various manholes that were inspected during the S. Side I/I Study and were found to have large amounts of I/I. As part of the L.T.C.P., these manholes need to be lined. Three additional manholes were found during the VanHyning, E. Riverview, & Front Street study and have been added because of the large amount of I/I.

This project was not in the master bid ordinance that was passed earlier this year and is not a line item in the budget. The funding for this project would be from the Sanitary Sewer Emergency Repairs line item. At this point that fund is in good shape. Also, all sanitary sewer projects that have bid so far this year have come in well under budget. Since there is a company currently working in town that performs manhole lining, I decided to move forward with this project to take advantage of a potentially lower bid.

Engineer's Estimate of Construction: \$38,000.00.

CEL

5061 CITY OF NAPOLEON

Date	Vr #	Description	Amount
5/5/2016	69091	Supplies reimbursement - WalMart	113.87

Check Date: 05/05/2016

Total 113.87

MPARD

Donation

220.4400.44350

NORTHWESTERN OHIO
COMMUNITY ACTION COMMISSIONGENERAL ACCOUNT
1933 E. SECOND ST.
DEFIANCE, OH 43512
(419) 784-2150

56-1501/412

157625

Pay **one hundred thirteen and 87 / 100**

DATE

AMOUNT

5/5/2016

\$113.87

PAY
TO THE

CITY OF NAPOLEON

TWO SIGNATURES REQUIRED IF OVER 1,000.00



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO Box 151 • Napoleon, Ohio 43545-0151
phone (419) 592-4010 fax (419)-599-8393
Gregory J. Heath, Finance Director/Clerk of Council
Web Page: www.napoleonohio.com
gheath@napoleonohio.com

Memorandum

To: Technology and Communication Committee, Council, Mayor, City Manager, City
Law Director, City Finance Director, Department Supervisors, Media
From: Gregory J. Heath, Finance Director/Clerk of Council *GH*
Date: 6/2/2016
Re: Technology and Communication Committee Meeting Cancellation

The Technology and Communication Committee meeting regularly scheduled for Monday, June 6, 2016 at 6:15pm has been CANCELED at the direction of the Chair.



UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

June 3, 2016



Officials pictured at the dedication event are (from left): Don Ryan, former Hamilton mayor; Earl Bush, Bracken County judge/executive; Ohio Rep. Margy Conditt; AMP Board Chair Steve Dupee, director of Oberlin Municipal Light & Power System; Ohio Sen. Bill Coley; AMP President/CEO Marc Gerken; AMP Board Vice Chair Jeff Brediger, Orrville director of utilities; Hamilton Mayor Pat Moeller; Charles Snively, Kentucky Energy and Environment secretary; Joshua Smith, Hamilton city manager; Kevin Griebenow, Federal Energy Regulatory Commission; and Ohio Rep. Wes Rutherford.

Meldahl dedication ceremony highlights benefits of hydropower

By Marc Gerken, PE – president/CEO

AMP and the City of Hamilton held a dedication ceremony for the official opening of the Meldahl Hydroelectric Plant on June 2. It was a tremendous day to celebrate the opening of the state-of-the-art facility – the largest hydro generation facility on the Ohio River.

AMP commends all those who have worked diligently on this project. AMP and our members are committed to hydro power and have made a strong investment, as is evidenced by the simultaneous construction of four run-of-the-river projects now coming online. There are 48 AMP member communities that are receiving power from the Meldahl plant.

The dedication event featured lunch and tours of the facility, and remarks from federal, state and local officials, as well as myself and AMP Board of Trustees members Steve Dupee and Jeff Brediger.



Steve Dupee speaks during the Meldahl dedication.

see MELDAHL Page 2

Energy markets update

By Jerry Willman – assistant vice president of energy marketing

NYMEX natural gas for July 2016 increased \$0.024/MMBtu Thursday to settle at \$2.405. The EIA reported an inventory injection of 82 Bcf injection for the week ending May 27. The injection was mostly in line with analysts' expectations yet nearly 20 Bcf below the five-year average for the period. On-peak power prices for 2017 at AD Hub closed yesterday at \$37.27/MWh, which was \$0.32/MWh higher for the week.

AFEC weekly update

By Jerry Willman

Fremont CT2 returned to service on Wednesday, but was taken offline on Thursday morning for an inspection. The plant was in 1x1 configuration for the remainder of the week with duct firing during the on-peak hours. The plant generated at a 47 percent capacity factor (based on 675 MW rating).

AMP seeks speakers for Lightning Talks session

By Michelle Palmer, PE – vice president of technical services

We will again offer a Lightning Talks session at the AMP/OMEA Conference (Sept. 26-29 at the Hilton Columbus at Easton) and are actively seeking speakers to participate.

A lightning talk is a brief (five minutes or less) presentation covering a topic in a quick, insightful and clear manner. These concise and efficient talks are intended to grab the attention of the audience, convey key information and allow for several presenters to share their ideas in a short period of time. This session at last year's conference was one of the most popular and we're excited to offer it again. Please contact me at 614.540.0924 or mpalmer@amppartners.org for more information or to participate.

AMP, Hamilton and all of the participating AMP members should be rightfully proud of the Meldahl Hydroelectric Plant. The benefits of this investment will be realized for generations to come and again, I commend and congratulate all involved.

Zelienople hosts AMP Regional Safety Meeting

By Michelle Palmer, PE

AMP will offer a Regional Safety Meeting from 8 a.m. to 2 p.m. Aug. 4 in Zelienople. Dave Hineline of Arborist Skills will present on chainsaw safety, brush chipper safety procedures and operation, and AMP staff will discuss rubber cover up applications, including information on gloves and hoses.

Lunch will be provided. There is no charge to attend, but registration is required. Please contact Scott McKenzie, member safety manager, at smckenzie@amppartners.org or 614.306.4269 to register for the event.

AMP offers regional safety meetings throughout the year. The meetings cover a variety of relevant safety topics for municipal electric systems. If you have a suggested topic or would like to host a meeting, please contact Kyle Weygandt, director of member safety, at 330.323.1269 or kweygandt@amppartners.org.



Eldorado, AMP lead safety program for fifth graders

The Village of Eldorado hosted a Hazard Hamlet safety program for fifth grade classes at Eaton Schools on May 20. Superintendent Ed Baker and Jared King of Eldorado and AMP OSHA/Safety Coordinator Jim Eberly led the program, which focused on safety and personal protective equipment.



News or Ads?

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

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

Week ending June 3

MON	TUE	WED	THU	FRI
\$22.87	\$29.46	\$29.44	\$29.57	\$32.33

Week ending May 27

MON	TUE	WED	THU	FRI
\$24.25	\$27.50	\$31.44	\$35.61	\$32.06

AEP/Dayton 2017 5x16 price as of June 2 — \$37.27

AEP/Dayton 2017 5x16 price as of May 26 — \$36.95

McGinnis, Stoneberg join AMP

AMP welcomed Mike McGinnis and Gary Stoneberg to the headquarters team this week. McGinnis, manager of financial planning and analysis, will focus on budgetary work; and Stoneberg, senior accountant, will be responsible for monthly close activities, reconciliations and entity statements.

McGinnis comes to AMP with more than 20 years of banking experience in finance and accounting, including service with Huntington Bank and JPMorgan Chase. He holds a bachelor's degree in accounting from the Ohio State University.

Stoneberg most recently was senior accountant and energy manager at Edison Energy. His career also includes service with Exelon Energy Corp. and FirstEnergy Trading Services. He holds a bachelor's degree in accounting from Indiana University of Pennsylvania.

Please join me in welcoming Mike and Gary to AMP.



Mike McGinnis



Gary Stoneberg

Calendar

June 9—Finance & Accounting Subcommittee webinar

Contact Joe Regan at jregan2@amppartners.org by June 6 to RSVP

June 10-15—APPA National Conference
Phoenix, Arizona

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

Classifieds

Village of Versailles has bucket truck available for purchase

The Village of Versailles is currently selling a 2000 International/Telelect 5TCC55 Bucket Truck. The truck has 3,727 engine hours and 17,782 miles. The truck is an International 4900 chassis with a DT466E diesel engine. The boom/bucket has a 55-foot vertical reach, two-man bucket, with a material handler. Service records are available upon request. Dielectric certification was performed on this truck in the fall of 2015. The paint and tires are in very good shape. The truck has been stored inside throughout its entire tenure in the electric department.



The truck is listed on GovDeals.com. Questions on the truck should be directed to Electric Foreman Scott Riley at 937.526.3294 x207 or elecdept@versaillesohio.cc.

Westerville seeks engineer

The City of Westerville is seeking an experienced professional to serve as Electric Engineer (\$32.70 - \$40.00/hr.).

This is professional electrical engineering work in the design, analysis, coordination of all electric construction, distribution, and other electrical systems projects in the city. Work involves the application of electrical engineering skills and knowledge to design, analyze, install, supervise and maintain electrical engineering systems in the city.

Requires: bachelor's degree in electrical engineering and two years progressively responsible electric utility experience; or any equivalent combination of training and experience plus considerable knowledge of the National Electric Safety Code and principles and practices of electrical engineering.

No resumes please. All applications must be accepted online by 11:59 p.m. on June 13, 2016. For full job description and to apply, visit www.westerville.org (click "Jobs" at the top of the page). EOE/ADA

Coldwater has positions available

The Coldwater Board of Public Utilities is seeking qualified candidates for the following positions. To apply, submit resume to Sue Rubley, Coldwater Board of Public Utilities, One Grand Street, Coldwater, MI 49036. Preferably email to resume@coldwater.org. Phone: 517.279.9531. Equal opportunity employer.

Electrical public works engineer and/or engineering technician: The position is responsible for the engineering, design and management of electric substations, transmission and distribution systems; administering, developing and maintaining electric system maps, modeling, GIS and SCADA systems using industry related software and applica-

tions; and providing technical support for all public utility systems and assets. Qualified candidates for the technician position should have an associate's degree in electrical engineering or related field with at least two years of experience. Qualified candidates for the engineer position should have a bachelor's degree in electrical engineering or related field with at least four years of experience.

Public works engineer: The position is responsible for oversight of the utility infrastructure systems (streets, water, sanitary, storm, traffic and parcel development) concentrating on project management. Preferred candidates should have a bachelor's degree in civil engineering or related field with at least three years related experience in project management.

Columbus seeks qualified candidates for open positions

The City of Columbus Department of Public Utilities is seeking qualified candidates for the following positions. To apply, candidates must first take the open competitive examination. Applications must be submitted to the Civil Service Commission by applying online by June 8, 2016. Contact the Civil Service Commission at 614.645.8300 with questions. EOE. Applicants may inspect and acquire a copy of the City of Columbus Department of Public Utilities EEO Plan by visiting the DPU website.

Electric Metering Supervisor I – This position is responsible for supervising and participating in installing, testing, and repairing residential and commercial electric meters. To qualify candidates must have completed the 12th school grade and have four years of experience repairing or installing electric meters. Substitution(s): A certificate of high school equivalence (GED) will be accepted in lieu of a diploma. Must have a valid driver's license. Salary \$50,481.60 - \$78,499.20.

Power Line/Cable Worker Trainee – This position is responsible for learning to install, repair and replace components of the electrical power distribution system. Candidates must have completed the 12th school grade and have six months of experience in electrical construction, electrical renovation, electrical utility, or power distribution work. Substitution(s): A certificate of high school equivalence (GED) will be accepted in lieu of the 12th school grade requirement. Successful completion of a formal training program in the general principles of electricity or power distribution may substitute for the required experience. By the completion of the probationary period, must possess a valid Class A CDL with air brakes. Salary \$41,163.20 - \$50,939.20.

Substation Maintenance Technician – This position is responsible for testing, maintaining, and repairing transformers and installing and maintaining switches, regulators and related electrical power distribution equipment. Candidates must have one year of experience as a Power

see CLASSIFIEDS Page 4

CLASSIFIEDS continued from Page 3

Line/Cable Worker Trainee or Lamp Servicer with the City of Columbus or comparable experience. Substitution(s): Successful completion of a formal classroom or apprenticeship training program in power distribution may substitute for six months of the required experience. Candidates must possess a valid Class A commercial driver's license with air brakes. Salary \$45,385.60 - \$78,499.20.

Fiscal officer needed in Arcadia

The Village of Arcadia is accepting resumes and a letter of interest for a part-time Fiscal Officer. The successful candidate will have experience in general accounting practices, accounts payable and receivables, bank reconciliations, payroll and withholdings, and meeting all financial and budgetary compliance and reporting for a government entity. Uniform Accounting Network experience preferred.

This is a salaried position. This is an appointed position not requiring residency. Please send your resume and a cover letter to Mayor Matthew Tesnow at P.O. Box 235, Arcadia, Ohio 44804.

Positions available in Danville

The City of Danville is seeking candidates for the following positions. Apply online at www.danvilleva.gov. Equal Opportunity Employer.

Electric Line Technician I, II or III – Performs technical work involved in the installation, construction and maintenance of the city's electric system; Digs holes, sets poles, assembles and hoists equipment; Places equipment on poles; climbs poles as necessary; Assists in restoring service to customers during outages and other emergencies and repair/installation of street lights and circuits; Serves on rescue team per OSHA requirements.

Knowledge of material and equipment in line installation construction and maintenance; Some knowledge of vehicle and equipment maintenance; Experience and ability to operate motorized equipment; Required to progress through a journey lineman apprenticeship training program; Education and experience equivalent to graduation from high school with additional courses in field of study; Possession of or ability to acquire first aid and CPR certification required; Possession of or ability to acquire a CDL within six weeks of employment required. Salary range \$13.22 - \$22.61/hour based on guidelines set by the Line Technician Apprenticeship Program and experience/qualification. Position will remain open until filled.

Electric Line Crew Supervisor – Position will supervise, monitor and evaluate the line crew regarding the installation, maintenance and repair of electric service lines. This is accomplished by supervising locations on site; handling trouble calls and complaints; determining steps to take when issues arise and developing plans to work accordingly; reviewing and maintaining records of time and materials; assisting the crew as necessary with tasks and procedures;

and performing all regular duties in a manner that is consistent with laws and safety regulations; maintain safety procedures; serve on rescue team per OSHA requirements. Education and/or experience equivalent to associates degree with experience in supervision; possession of or ability to obtain CDL within six weeks of employment; Starting Salary: \$22.79 - \$27.35 per hour/DOQ.

Hamilton positions available

The City of Hamilton has the following positions available. To learn more about Hamilton, please visit the city's [website](http://www.hamilton-oh.gov). Current detailed resumes and proof of required water and wastewater certification must be submitted in Word or PDF by 5 p.m. June 7, 2016, to the Civil Service Department by email: cspersonnel@hamilton-oh.gov or fax: 513.785.7037. Specify interest in WPWR OPS SUPERV or ASST MGR TRANS DIST OPS. The City of Hamilton is an EEO & AAE. Minorities and women are encouraged to apply.

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.

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.



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EVENTLINE

June & July 2016

[Web](#)

[pdf version](#)

FEATURE

Tools for Reducing Phosphorus in the Portage and Toussaint Watersheds



The U.S. EPA recently announced a series of grants from the Great Lakes Restoration Initiative that will address both invasive species and excess nutrients in the lakes. TMACOG has been awarded nearly \$500,000 to help farmers in Wood and Ottawa counties reduce the amount of nutrients that migrate from their fields to nearby waterways....[read more](#)

July is Enrollment Date for Year-round Fire/EMT Training Program

Upcoming Events

Summer Caucuses and Legislators Forum

Thursday, August 4,
8:30 a.m.-noon
Location: Penta
Career Center
Contact: [Jennifer Allen](#) ext. 107

Ohio Conference on Freight

August 22-24, at the
Hilton Cleveland
Downtown
Contact: [Christine Connell](#) ext. 119



The Fire Consortium at the Owens Community College Center for Emergency Preparedness is a 12-month program which starts in July each year. Governments can sign up for ongoing training for their fire fighters and emergency responders for \$500 per year for training up to four people per month for 12 months. Examples of monthly programs offered are rescue from confined spaces or from sunken automobiles, basic rope techniques for lowering people from heights, managing fire hoses, and preserving arson scenes.

Perrysburg Fire Chief Jeff Klein has sent his full time fire fighters and his volunteers for training since 2014. "We're very happy with the expert instructors and the training tools," he said. "It is a premier training facility. Clearly no [government] could build it on its own." In addition to the training, the chief notes another benefit is meeting people from other departments. "When I started in this work, you only knew your own territory. By training together, we meet other departments and that builds regionalism."

The Center is available for training exercises outside of the Fire Consortium program. Any government in any county may use it. Agencies can rent the facility and use their own instructor. If they are a consortium member they can use it at no cost. If they are going to do live fire training they are required to pay for an Owens fire safety officer to be present. Governments or fire departments interested in signing up for the consortium or to learn more about the facility should contact Mark Briggs at 567.661.2081 or mark_briggs@owens.edu.

TRANSPORTATION

Construction Maps



This extremely busy year should be the peak of highway construction projects in the TMACOG region. According to ODOT, by the end of 2016 the pace should start slowing down. Until then, renovation and repair of our region's major roadways is complex with overlapping projects. To keep track of what is underway and what plans are for the near future, TMACOG has posted two maps.

This is a [link](#) to the 2016 highway projects. And here is the [link](#) to projects planned for 2017 and beyond. See the details about cost and sponsorship [here](#).

Bike Month



May is Bike Month and people in the region had many opportunities to explore bike infrastructure and get practice using bicycles to commute to work and school...[read more](#)

Train Day Toledo



A record crowd of train advocates visited the Toledo Amtrak station and the Grand Lobby of the Dr. Martin Luther King, Jr. Plaza on May 7 for Train Day – a celebration of trains and train travel...[read more](#)

Ohio Conference on Freight – Early Registration Rate



The 2016 Ohio Conference on Freight is in August this year, a month earlier than previous years. The early bird [registration](#) rate of \$250 remains in effect until July 29...[read more](#)

ENVIRONMENT

Regional Water Planning Committee



The Regional Water Policy Committee had its inaugural meeting May 19 in the TMACOG Boardroom. This committee, which is one of five under the Water Quality Council, will address the political barriers to developing a regional water system. Sylvania Mayor Craig Stough is the committee chair. He opened the meeting by stating that the Regional Water Planning Committee is unique in that it's made up of elected officials who can do the heavy political lifting of creating a regional water system. He said that the need for the committee was urgent, not just because the region's image had been bruised by the August 2014 water crisis, but because water is our best regional asset and we need to ensure safe, robust service.

The first meeting included elected officials from Lucas and Wood counties, the villages of Delta, Pemberville, and Whitehouse, and the cities of Bowling Green, Maumee, Oregon, Perrysburg, Toledo, Sylvania, and Waterville. Representatives of the Northwestern Water and Sewer District and Poggemeyer Design Group, who are working on water studies, were also in attendance.

The group considered and approved this mission statement for the committee:

"Provide a forum for elected officials to examine regional water systems, including issues of connectivity, distribution, cost, redundancy, storage, and sustainability, with the aim of ensuring that our fresh water supply remains an asset attracting regional investment."

Several regional water studies are nearing completion. The committee agreed to form an ad hoc group to analyze these studies and report back. One of the studies is funded by the city of Toledo, Lucas County, and TMACOG, through a Local Government Innovation Fund grant from the state of Ohio. That study compares level of service, cost of service, and financial feasibility for three options: 1) water service and supply to the City of Toledo only, 2) public supply for just the communities that contract water service from Toledo but excluding Toledo, and 3) a water service and supply system including Toledo and all the contracting communities at one equitable rate for all.

Clean Ohio Funds at Work in Lucas County



Pearson Metropark in Oregon has doubled in size over the last 15 years and now connects walkers, cyclists, and birdwatchers to other regional paths. The Clean Ohio Fund was a critical source of financing that has made this development possible...[read more](#)

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