
Memorandum

To: Mayor, City Council, City Manager, Finance Director, City Law Director
From: Roxanne Dietrich, Recorder/Records Clerk/Exec. Assistant to Appointing Authority (Finance)
Subject: General Information
Date: September 2, 2016

CALENDAR

MEETING AGENDA

City Council/Tuesday, September 6th @7:00 pm

C. APPROVAL OF MINUTES

from the August 8th and August 15th, 2016 Council Meetings

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Enclosed are Memorandums from Greg and Lisa with additional information on some of the new legislation.

- 1. Resolution No. 030-16**, a Resolution Authorizing the Expenditure of Funds Over Twenty-five Thousand Dollars (\$25,000.00) for the Purpose of Purchasing and Installing a Power Cot System and Power Load System for an Ambulance, and to Sole Source said Purchase to Stryker EMS Equipment and Installation to Inst-A-Tech, LLC; and Declaring an Emergency. *(Suspension Requested)*
- 2. Resolution No. 031-16**, a Resolution Authorizing the City Manager to Execute all Documents Necessary to Apply and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects Deemed Necessary by the City Engineer in the Year 2017; and Declaring an Emergency. *(Suspension Requested)*
- 3. Ordinance No. 032-16**, an Ordinance Providing for the Issuance and Sale of Notes in the Maximum Principal Amount of \$1,400,000, in Anticipation of the Issuance of Bonds, for the Purpose of Paying the Costs of Improving the Municipal Water System by Improving and Rehabilitating the Existing Water Treatment Plant and Related Storage Facilities, Rehabilitating the Elevated Storage Tanks, and Acquiring and Improving Related Interested in Real Property, Together with all Necessary and Related Appurtenances thereto, and Declaring an Emergency. *(Suspension Requested)*
- 4. Resolution No. 033-16**, a Resolution Imposing a Temporary Moratorium on Medical Marijuana Cultivation, Processing, and Retail Dispensary Facilities within the City of Napoleon, Ohio; and Declaring an Emergency. *(Suspension Requested)*
- 5. Resolution No. 034-16**, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2016 Tax Duplicates Payable in Year 2017; and Declaring an Emergency.

6. **Resolution No. 035-16**, a Resolution Authorizing and Directing the Finance Director/Clerk to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2016 Tax Duplicates Payable in the Year 2017; and Declaring an Emergency.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 029-16**, an Ordinance Repealing Resolution No. 051-13 which Authorizes the City Manager to Terminate or Assign the City of Napoleon's Water Purchase Agreement with the Village of Malinta, Ohio; and Declaring an Emergency.

I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 026-16**, an Ordinance Amending Section 1121.03 of the Planning and Zoning Code of the City of Napoleon, Ohio.

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

1. Approval of Change Order No. 2 for the WTP UV Disinfection Improvements Project an Increase of \$36,730.00 to Peterson Construction Co.
 - a. As noted in the attached Memorandum from Chad, this Change Order is for the relocation of the MCC, the MCC, instrumentation, SCADA and networking conduit.
2. Recommendation Adding .3% on the Income Tax for Design, Engineering and Construction for Capital Maintenance of City Streets and Roads
 - a. This is the recommendation from the Finance and Budget Committee.
3. to Accept a Donation of \$597.00 from the Girl Scouts of Western Ohio for the Dog Park.
4. to Accept a Donation of \$1,276.00 from the Fraternal Order of Eagles #4428 for a Cargo Box for Units 28 and 30 to the Police Department.

INFORMATIONAL ITEMS

1. **CANCELLATION – *Technology Committee***
2. Labor Day Refuse & Recycling Routes for Labor Day Week
3. NAPOLEON FIRE & RESCUE HOMECOMING BBQ
4. Article on “53 Tax Levies Headed for Fall Ballot”

September 2016

◀ Aug 2016

Oct 2016 ▶

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			August 31 6:30 pm Parks & Rec Bd	1	2	3
4	5 Labor Day Offices Closed	6 7:00 pm City Council	7	8	9	10
11	12 6:30 pm Electric Committee 6:30 pm Board of Public Affairs 7:00 pm Water & Sewer Committee 7:30 pm Muni Prop/ED Comm	13 4:30 pm BZA 5:00 pm Planning Comm	14	15	16	17 8:00 am Civil Service
18	19 6:00 pm Tree Comm 6:15 Parks & Rec Comm 6:30 pm Ad-Hoc Committee on Organizational Health 7:00 pm City Council	20	21	22	23	24
25	26 6:30 pm Finance & Budget 7:30 pm Safety & Human	27 4:30 pm Civil Service Comm	28 6:30 pm Parks & Rec Board	29	30	

City of Napoleon, Ohio
CITY COUNCIL
Meeting Agenda

Tuesday, September 6, 2016 at 7:00pm

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

- A. Attendance** *(Noted by the Clerk)*
- B. Prayer & Pledge of Allegiance**
- C. Approval of Minutes: August 8 and August 15, 2016** *(In the absence of any objections or corrections, the minutes shall stand approved.)*
- D. Citizen Communication**
- E. Reports from Council Committees**
- 1. Finance and Budget Committee** met on August 22, 2016 and recommended:
- Adding .3% on the Income Tax for Design, Engineering and Construction for Capital Maintenance of City Streets and Roads
- F. Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*
- 1. Civil Service Commission** met on August 23, 2016 with the following agenda item:
- Approve the Applicants for the Firefighter/Paramedic and Patrolman Civil Service Test.
- 2. Parks & Recreation Board** met on Wednesday, August 31, 2016, with the following agenda items:
- Discussion and/or Action on Financial Reports for the Golf Course and Swimming Pool Operations
 - Discussion and/or Action on Proposed 2017 Capital Improvements
 - Discussion and/or Action on Upcoming Recreation Programs
- G. Introduction of New Ordinances and Resolutions**
- 1. Resolution No. 030-16**, a Resolution Authorizing the Expenditure of Funds Over Twenty-five Thousand Dollars (\$25,000.00) for the Purpose of Purchasing and Installing a Power Cot System and Power Load System for an Ambulance, and to Sole Source said Purchase to Stryker EMS Equipment and Installation to Inst-A-Tech, LLC; and Declaring an Emergency. *(Suspension Requested)*
- 2. Resolution No. 031-16**, a Resolution Authorizing the City Manager to Execute all Documents Necessary to Apply and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects Deemed Necessary by the City Engineer in the Year 2017; and Declaring an Emergency. *(Suspension Requested)*
- 3. Ordinance No. 032-16**, an Ordinance Providing for the Issuance and Sale of Notes in the Maximum Principal Amount of \$1,400,000, in Anticipation of the Issuance of Bonds, for the Purpose of Paying the Costs of Improving the Municipal Water System by Improving and Rehabilitating the Existing Water Treatment Plant and Related Storage Facilities, Rehabilitating the Elevated Storage Tanks, and Acquiring and Improving Related Interested in Real Property, Together with all Necessary and Related Appurtenances thereto, and Declaring an Emergency. *(Suspension Requested)*
- 4. Resolution No. 033-16**, a Resolution Imposing a Temporary Moratorium on Medical Marijuana Cultivation, Processing, and Retail Dispensary Facilities within the City of Napoleon, Ohio; and Declaring an Emergency. *(Suspension Requested)*
- 5. Resolution No. 034-16**, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2016 Tax Duplicates Payable in Year 2017; and Declaring an Emergency.

6. **Resolution No. 035-16**, a Resolution Authorizing and Directing the Finance Director/Clerk to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2016 Tax Duplicates Payable in the Year 2017; and Declaring an Emergency.

H. Second Readings of Ordinances and Resolutions

1. **Ordinance No. 029-16**, an Ordinance Repealing Resolution No. 051-13 which Authorizes the City Manager to Terminate or Assign the City of Napoleon's Water Purchase Agreement with the Village of Malinta, Ohio; and Declaring an Emergency.

I. Third Readings of Ordinances and Resolutions

1. **Ordinance No. 026-16**, an Ordinance Amending Section 1121.03 of the Planning and Zoning Code of the City of Napoleon, Ohio.

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

1. **Discussion/Action:** Approval of Change Order No. 2 for the WTP UV Disinfection Improvements Project an Increase of \$36,730.00 to Peterson Construction Co.
2. **Discussion/Action:** Recommendation Adding .3% on the Income Tax for Design, Engineering and Construction for Capital Maintenance of City Streets and Roads
3. **Discussion/Action:** to Accept a Donation of \$597.00 from the Girl Scouts of Western Ohio for the Dog Park.
4. **Discussion/Action:** to Accept a Donation of \$1,276.00 from the Fraternal Order of Eagles #4428 for a Cargo Box for Units 28 and 30 to the Police Department.

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 (Due to Holiday), September 6, 2016 @6:15 pm)
 - 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, September 12, 2016 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for September, 2016
 - b. Electric Department Report
 - c. Review of the Net Metering Policy (Tabled)
 - 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, September 12, 2016 @7:00 pm)
 - 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, September 12, 2016 @7:30 pm)
 - a. Updated Info from Staff on Economic Development (as needed)
 - b. Review of the CIC Agreement (Tabled)
 - 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, September 19, 2016 @6:15 pm)
 - 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, September 26, 2016 @6:30 pm)
 - 7. Safety & Human Resources Committee (4th Monday)**
(Next Meeting: Monday, September 26, 2016 @7:30 pm)
2016 Regular Meetings with Townships scheduled for February and November
 - 8. Personnel Committee** (as needed)
 - 9. Ad Hoc Committee on Strategic Vision** (as needed)
 - 10. Ad Hoc Committee on Organizational Health** (as needed)
- B. Items Referred or Pending In Other City Committees, Commissions & Boards**
- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, September 12, 2016 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for September, 2016
 - b. Electric Department Report
 - c. Review of the Net Metering Policy (Tabled)
 - 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, September 13, 2016 @4:30 pm)
 - 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, September 13, 2016 @5:00 pm)
 - 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, September 19, 2016 @6:00 pm)
 - 5. Civil Service Commission (4th Tuesday)**
(Special Meeting: Saturday, September 17, 2016 @8:00 am)
 - a. Civil Service Exam: Police Officer and Firefighter/Paramedic
 (Next Regular Meeting: Tuesday, September 27, 2016 @4:30 pm)
 - 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, September 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, December 13, 2016 @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)

City of Napoleon, Ohio
City Council
in Joint Session with
Water, Sewer, Refuse, Recycling & Litter Committee

Meeting Minutes

Monday, August 08, 2016 at 7:00pm

PRESENT

**Water & Sewer Committee
Council**

City Staff

Recorder

Others

Absent

**Review of History of the Water
Treatment Plant Project**

Discussion

Jeff Comadoll – Chair, Travis Shaeffer, Rita Small
Travis Shaeffer – President, Patrick McColley, Dan Baer, Joe
Bialorucki, Jeff Comadoll, Rita Small, Jeff Mires
Monica S. Irelan, City Manager
Chris Peddicord, Assistant Finance Director/Acting Clerk of
Council
Lisa L. Nagel, Law Director
Scott Hoover, Water Treatment Plant Superintendent
Chad Lulfs, Director of Public Works
Tracy Crist
Media

Irelan presented the history of the Water Treatment Plant project.
(see attached).

There were no questions or comments on the history of the project.

Irelan gave a quick history update of the Malinta water agreements.
(see attached).

There were no questions or comments on the update.

Irelan gave an update on the Water Treatment Plant Rehab project.
(see attached).

Irelan reminded council and committee that in May she brought an update stating with the improved economy, the costs for rehabilitation were also increasing. She stated staff has made line item cuts of approximately \$350,000 and design cuts made by council of approximately \$300,000 have resulted in roughly \$650,000 in savings. But the overall cost of the project is now at about \$17.1 million.

Irelan informed council that the city is still waiting on whether it will be approved for a \$2.9 million grant or not, and that she has also applied for several low or no interest loans.

Ireland stated the overall rehab plans were turned into the EPA in July, which is six (6) months behind schedule. Ireland stated she is still hopeful the project can be bid out by the end of this year. She also said that although the ultraviolet disinfection portion of the project is also behind schedule, it should still be installed later this fall.

McColley asked if there were any other grants available? Irelan replied non for which the city qualifies.

Bialorucki asked who was a fault for this being behind schedule? Irelan said 100% it's all on them; that we have been pushing our engineers and they are aware of our unhappiness.

Bialorucki asked if there is anything in the contract that holds the engineering firm responsible? Irelan said those details will be discussed when it comes time to hold an executive session on such issues.

Motion To Go Into Executive Session To Discuss Personnel Compensation

Motion: Small Second: McColley

Passed
Yea-7
Nay- 0

Roll call vote on above motion:
Yea- Bialorucki, Small, McColley, Shaeffer, Commadoll, Baer, Mires
Nay-

Council went into Executive Session at 7:30 p.m.

Motion To Come Out of Executive Session

Motion: Small Second: McColley

Passed
Yea-7
Nay- 0

Roll call vote on above motion:
Yea- Bialorucki, Small, McColley, Shaeffer, Commadoll, Baer, Mires
Nay-

Council came out of Executive Session at 7:53 p.m. No action was taken.

Motion to Adjourn

Motion: Shaeffer Second: Bialorucki
To adjourn the meeting at 7:30 pm

Passed
Yea - 7
Nay - 0

Roll call vote on above motion:
Yea- Bialorucki, Small, McColley, Shaeffer, Commadoll, Baer, Mires
Nay-

Approved

Travis Shaeffer, President

Jason P. Maassel, Mayor

Gregory J Heath, Finance Director/Clerk of Council

DRAFT

City of Napoleon, Ohio
City Council

Meeting Minutes
Monday, August 15, 2016 at 7:00pm

PRESENT

Council

Travis Sheaffer – President, Patrick McColley – President Pro Tem, Dan Baer, Joe Bialorucki, Jeff Comadoll, Rita Small, Jeff Mires

Mayor

Jason P. Maassel

City Manager

Monica S. Irelan

Law Director

Lisa L. Nagel

Finance Director/ Clerk

Gregory J. Heath

Of Council

Recorder

Kristi Rhoads

City Staff

Chad Lulfs, Director of Public Works

Bobbie Stites, MIS

Lt. Dave Mack, Police Dept

Chief Clayton O'Brien, Fire Chief

Scott R. Durham, News Media; NCTV

Others

ABSENT

Council

Others

Call To Order

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

Approval Of Minutes

Minutes of the August 1, 2016 Council meeting stand approved as read with no objections or corrections.

Citizen Communication

Scott R. Durham addressed Council, wanted to know if the City is going to resurface E. Washington St.

Irelan is guessing sometime between 2018 & 2020 because of the sewer line.

Durham is also concerned because he received a bill from the City for repainting of curbs at his business on E. Riverview Ave. He painted them orange to make his business look better but the City came through and repainted them. If he would have known he wasn't supposed to paint them he would not have touched them.

Irelan informed him that the curbs are in a right of way and he is not supposed to be painting them. Also, orange is not an approved color. Because we were already using a business for striping the roads at that time she had them paint the curbs the correct color. It was much cheaper for him that way.

Durham wanted to know if he could paint the light poles on the property.

Irelan told him if they're in the right of way he needs to come in and talk to Chad Lulfs first.

Reports From Committees

The Parks & Recreation Committee did not meet tonight due to lack of agenda items.

Chairman Sheaffer reported that the Ad Hoc Committee on Organizational

Health met tonight and discussed Governance, which was tabled until next month.

Chairman Sheaffer reported that the Electric Committee met on August 8 and recommended:

1. Approval of Power Supply Cost Adjustment Factor
2. Tabling the review of the Net Metering Policy

Chairman Comadoll reported that the Water, Sewer, Refuse, Recycling & Litter Committee met on August 8 and:

1. Reviewed the history and received an update on the Water Treatment Plant Project

Chairman McColley reported that the Municipal Properties, Buildings, Land Use & Economic Development met on August 8 and:

1. Tabled the review of the CIC Agreement

Introduction Of Ordinance 029-16

President Sheaffer read by title Ordinance No. 029-16, an Ordinance repealing Resolution No. 051-13 which authorizes the City Manager to terminate or assign the City of Napoleon's Water Purchase Agreement with the Village of Malinta, Ohio; and declaring an Emergency

Motion To Approve First Read

Motion: Comadoll Second: Small
To approve First Read of Ordinance No. 029-16

Discussion

Irelan stated its been the direction of council to no longer assign our water contract to the hcwsd the Malinta contract. The mayor of Malinta agrees. She also has talked to the district this past week. This just takes the authority away from the City Manager at this point in time, we could still talk about it in negotiations.

**Passed
Yea-7
Nay-0**

Roll call vote to approve First Read of Ordinance No. 029-16
Yea- Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer, Mires
Nay-

Second Read Of Ordinance No. 026-16

President Sheaffer read by title Ordinance No. 026-16, an Ordinance amending the Planning and Zoning Code of the City of Napoleon, Ohio

Motion To Approve Second Read

Motion: Small Second: McColley
To approve Second Read of Ordinance No. 026-16

Discussion

Irelan says there is no change to this Ordinance, only changing the notifications. It will remain at notifying everyone within 200 ft, but now if it's an industrial site ALL industrial customers will receive a notice.

**Passed
Yea-7
Nay-0**

Roll call vote to approve Second Read of Ordinance No. 026-16
Yea- Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer, Mires
Nay-

Third Readings Of Ordinances And Resolutions
GOOD OF THE CITY
Discussion/Action

There were no Third Readings of Ordinances and Resolutions.

Motion To Approve Power Supply Cost Adjustment Factor

Motion: McColley Second: Bialorucki

To accept the recommendation for approval of the Power Cost Adjustment Factor for August as follows:
PSCAF three (3) month averaged factor: \$0.01159
JV2: \$0.004216
JV5: \$0.004216

Passed
Yea- 7
Nay- 0

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

Approval of PC 16-06

Mayor Maassel reported that the Planning Commission met on Tuesday, August 9 and unanimously approved a request by the Henry County Commissioners to replat Lots 3,4, and 7 of the Oakwood Plaza Subdivision.

Motion To Approve PC 16-06 As Presented

Motion: Comadoll Second: Bialorucki
To approve PC 16-06 as presented

Passed
Yea-5
Nay-0
Abstain-2

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

Good Of The City
(Cont.)

Heath distributed a handout for a donation of a bench from Opal Davis in honor of her grandson's memory, Jonathan Smart, to be put in a park.
We need a motion to accept the donation.

Motion to Accept Donation for a bench to be placed in a park.

Motion: Bialorucki Second: Small
To Accept a donation from Opal Davis for a bench to be placed in a City park.

Passed
Yea- 7
Nay- 0

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

Heath

Heath's intention is to request bond council to create legislation and bring it to the next council meeting for review and approval. Add this on to the currant 2.5 million, this will be a short term note, 5 months. This note would roll on the same date as the larger note. Then we will roll up a 3.9 million note at that time. Part of the 2.5 m includes some expenditures that are includable in the low interest loan process.
Irelan states we were using cash for the UV project until were going to debt the overall project and roll it together. Now we won't be debting the project until later through a low interest option. Because were starting the UV project now we can't roll that into one of the low interest options because it has to be a

project that hasn't already started.

Mayor Maassel

Do we need to figure out a way to start saving money for the water treatment plant? Irelan says they've reached out to Courtney & Associates for another rate study. We've received a little bit of money from the last rate structure.

Comadoll

Last Thursday there wasn't any CCNO help and we really need that. We were already short staffed and we had to use water distribution guys to help out. Irelan will talk to the Commissioners about other options. Jeff Rathge and Irelan sat down last week and discussed this.

Baer

Safety & Human Resources meeting for next week has been cancelled. Also, Baer is going to meet with the Government teacher at the High School to possibly start a Government Student of the Month.

Irelan

A \$30,000 grant for testing equipment for the water treatment plant was applied for back in October, we just got notification that we were accepted. We have about \$25,000 to purchase testing equipment. We need council to accept the grant so we can sign the paperwork.

**Motion to Accept
\$30,000 Grant for
Testing Equipment at
the Water Treatment
Plant**

Motion: Comadoll Second: Bialorucki
To Accept the \$30,000 grant for testing equipment at the Water Treatment Plant

Passed

**Yea- 7
Nay- 0**

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

Approval Of Bills

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

Motion To Adjourn

Motion: Small Second: Comadoll
To adjourn the meeting.

Passed

**Yea- 7
Nay- 0**

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

Adjournment

Meeting adjourned at 7:38 pm.

Approved:

Travis B. Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151
Gregory J. Heath, Director of Finance/Clerk of Council
phone (419) 599-1235 fax (419)-599-8393
Web Page: www.napoleonohio.com
E-mail: gheath@napoleonohio.com

DATE: September 2, 2016

TO: Members of City Council
Jason P. Maassel, Mayor
Monica Irelan, City Manager
Lisa Nagel, City Law Director

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

SUBJECT: Additional Information on Items in Council Agenda of September 6, 2016

The following is additional information on certain items on the Council Agenda of September 6, 2016:

> Ordinance No. 032-16, an Ordinance Providing for the Issuance and Sale of Notes in the Maximum Principal Amount of \$1,400,000.

Earlier in the year the City decided to move ahead with the installation of the UV System at the Water Plant to meet the EPA deadline on certain water quality rules before the end of the 2016. It was a decision of Council to temporarily utilize Fund Reserves in the 510 Water Fund to meet the Certification of Funds requirement so the City could proceed to bid and contract for equipment and installation costs. Originally, it was planned that this amount would roll into a larger debt issue that would cover the whole project. Due to certain project delays and the current unknown of the total project funding need, it has become necessary to issue short term debt on the \$1,400,000. This will free up the 510 Water Fund reserves to be used as part of the 2017 Appropriation Budget process. The \$1,400,000 note will have a March 2017 maturity date, and will be added to the \$2,500,000 note for a new issue of \$3,900,000 in March 2017. Final disposition of the \$3,900,000 in GO Notes into long term funding is not clear at this time. The plan would be to roll this into the final long term funding on the total Water Plant Rehabilitation Project at some point. A REQUEST FOR SUSPENSION is needed to timely issue this note in 2016.

> Resolution No. 034-16, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission.

This legislation formally adopts the Inside Ten Mill Rates (2.90 Mills) previously provided to the County Budget Commission and directs the County Auditor to apply the rates. This is a requested FIRST (1st) READ only at this time. We will have a request for suspension on the 2nd Read at the next regular Council Meeting. This must be certified back to the County on or before October 1, 2016.

> Resolution No. 035-16, a Resolution Authorizing and Directing the Finance Director/Clerk to Certify and File Annual Special Assessments.

This legislation certifies City Annual Special Assessments to the County for collection. This is a requested FIRST (1st) READ only at this time. We will have a request for suspension on the 2nd Read at the next regular Council Meeting. This must be certified back to the County on or before October 1, 2016.

Let me know if you have any questions regarding these items. Thank you.



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: September 2, 2016

Re: New Legislation for 9/6/16 Council Meeting,

For Tuesday's Council Meeting (9/6/16), you will have six new pieces of Legislation to consider. The legislation is found in your Council packet.

I wanted to briefly mention (in this memo) **Resolution 033-16:** "A Resolution Imposing a Temporary Moratorium on Medical Marijuana Cultivation, Processing, and Retail Dispensary Facilities within the City of Napoleon, Ohio; and Declaring an Emergency."

City Law Directors have been advised by the Ohio Municipal League it would be a good idea for municipalities to enact legislation imposing a one-year moratorium on the regulation of cultivating, processing, and retail dispensing of marijuana for medicinal purposes. Ohio House Bill #523 legalizes marijuana use for medicinal purposes (starting on September 8, 2016); however, there are no specific rules, regulations, or guidelines established yet. In fact, the Department of Commerce and Pharmacy Board have one year (until September 8, 2017) to get all required licensing and other regulations in place. In addition, use of marijuana (even for medicinal purposes) is still a federal crime. So, in a nutshell, cities should be placing a one-year moratorium on the books so all the applicable state and federal agencies can get their ducks in a row. (A few cities have already passed legislation forgoing any moratorium and instead just placing an outright ban on its use - I don't think that's necessary - we just need time for all the kinks to be worked out over this next year, which is why the moratorium is suggested).

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

Thank you.

/s/ Lisa L. Nagel
City Law Director

City Law Director
Lisa L. Nagel
lnagel@napoleonohio.com

RESOLUTION NO. 030-16

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF PURCHASING AND INSTALLING A POWER COT SYSTEM AND POWER LOAD SYSTEM FOR AN AMBULANCE, AND TO SOLE SOURCE SAID PURCHASE TO STRYKER EMS EQUIPMENT AND INSTALLATION TO INST-A-TECH, LLC; AND DECLARING AN EMERGENCY

WHEREAS, the purchase of a power cot system and power load system was included in the 2016 Master Bid Resolution passed by Council on December 7, 2015 (Res. 064-15); and,

WHEREAS, the cost to purchase and install said systems exceeds \$25,000.00; and,

WHEREAS, the current quoted cost from Stryker EMS Equipment is valid for the purchase of both systems if the purchase occurs before October 1, 2016; and

WHEREAS, the City of Napoleon desires to sole source the purchase of both systems to Stryker EMS Equipment based on this being the best and lowest quote from the quotes received; and

WHEREAS, the City of Napoleon desires to sole source the installation to Inst-A-Tech, LLC due to the installation being able to occur on-site; and

WHEREAS, based on all the foregoing, it is the opinion of this Council that it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; **Now Therefore**,

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 to purchase and install a power cot system and power load system, as included in the 2016 Master Bid Resolution.

Section 2. That, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 3. That, the City Manager is authorized to enter into a Contract with Stryker EMS Equipment for the purchase of the power cot system and power load system, as well as with Inst-A-Tech, LLC for the installation of said power cot and load systems.

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 meet the time requirements necessary for the legislation to take effect before the October 1, 2016 purchase deadline; 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. 030-16 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

RESOLUTION NO. 031-16

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY AND ACCEPT OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS FOR PROJECTS DEEMED NECESSARY BY THE CITY ENGINEER IN THE YEAR 2017; AND DECLARING AN EMERGENCY

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

Section 1. That, the City Manager is directed to execute all documents necessary to apply for and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for the year for projects deemed necessary by the City Engineer in the Year 2017, including but not limited to execution of Grant Agreement(s).

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the grant deadline; 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. 031-16 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. 032-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,400,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL WATER SYSTEM BY IMPROVING AND REHABILITATING THE EXISTING WATER TREATMENT PLANT AND RELATED STORAGE FACILITIES, REHABILITATING THE ELEVATED STORAGE TANKS, AND ACQUIRING AND IMPROVING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has requested that the Finance Director, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 1 and the estimated maximum maturity of the Bonds described in Section 1; and

WHEREAS, the Finance Director has certified to this Council that the estimated life or period of usefulness of the Improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is at least thirty (30) years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is two hundred forty (240) months;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Napoleon, Henry County, Ohio, that:

Section 1. It is necessary to issue bonds of this City in the maximum principal amount of \$1,400,000 (the "*Bonds*") for the purpose of paying the costs of improving the municipal water system by improving and rehabilitating the existing water treatment plant and related storage facilities, rehabilitating the elevated storage tanks, and acquiring and improving related interests in real property, together with all necessary and related appurtenances thereto (the "*Improvement*").

Section 2. The Bonds shall be dated approximately March 1, 2017, shall bear interest at the now estimated rate of 5.50% per year, payable semiannually until the principal amount is paid, and are estimated to mature in twenty (20) annual principal installments on December 1 of each year and in such amounts that the total principal and interest payments on the Bonds, in any fiscal year in which principal is payable, shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2017.

Section 3. It is necessary to issue and this Council determines that notes in the maximum principal amount of \$1,400,000 (the "*Notes*") shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 1 and to pay the costs of the Improvement and

any financing costs. The principal amount of Notes to be issued (not to exceed the stated maximum amount) shall be determined by the Finance Director in the certificate awarding the Notes in accordance with Section 6 of this Ordinance (the “*Certificate of Award*”) as the amount which, along with other available funds of the City, is necessary to pay the costs of the Improvement and any financing costs. The Notes shall be dated the date of issuance and shall mature not more than one year following the date of issuance; *provided* that the Finance Director shall establish the maturity date in the Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 6.00% per year (computed on the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate or rates of interest on the Notes shall be determined by the Finance Director in the Certificate of Award in accordance with Section 6 of this Ordinance.

Section 4. The debt charges on the Notes shall be payable in lawful money of the United States of America or in Federal Reserve funds of the United States of America as determined by the Finance Director in the Certificate of Award, and shall be payable, without deduction for services of the City’s paying agent, at the office of a bank or trust company designated by the Finance Director in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose or at the office of the Finance Director if agreed to by the Finance Director and the original purchaser (the “*Paying Agent*”).

The Finance Director is authorized, to the extent necessary or appropriate, to enter into an agreement with the Paying Agent in connection with the services to be provided by the Paying Agent after determining that the signing thereof will not endanger the funds or securities of the City.

Section 5. The Notes shall be signed by the City Manager and Finance Director, in the name of the City and in their official capacities; *provided* that one of those signatures may be a facsimile. The Notes shall also be countersigned by the Mayor, *provided* that the signature of the Mayor may be a facsimile. The Notes shall be issued in minimum denominations of \$100,000 (and may be issued in denominations in such amounts in excess thereof as requested by the original purchaser and approved by the Finance Director) and with numbers as requested by the original purchaser and approved by the Finance Director. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Finance Director will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Finance Director that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Finance Director and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“*Book entry form*” or “*book entry system*” means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City and payable only to a Depository or its nominee as

registered owner, with the certificate deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“*Depository*” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (a) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (b) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (c) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (d) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Finance Director may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Finance Director does not or is unable to do so, the Finance Director, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Finance Director is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

Section 6. The Notes shall be sold at not less than par plus accrued interest (if any) at private sale by the Finance Director in accordance with law and the provisions of this Ordinance. The Finance Director shall sign the Certificate of Award referred to in Section 3 fixing the

interest rate or rates which the Notes shall bear and evidencing that sale to the original purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The City Manager, the Finance Director, the City Law Director, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Finance Director is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.

Section 7. The proceeds from the sale of the Notes received by the City (or withheld by the original purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. The Certificate of Award may authorize the original purchaser to withhold certain proceeds from the sale of the Notes to provide for the payment of certain financing costs on behalf of the City. Any portion of those proceeds received by the City (after payment of those financing costs) representing premium or accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

In each year to the extent net revenues from the municipal water utility are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Notes or the Bonds and are appropriated for that purpose, and to the extent not paid from net revenues of the municipal water utility, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Notes and the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the

laws of the State of Ohio and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the two preceding paragraphs in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Notes and the Bonds.

Section 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the “Code”) or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Finance Director or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Notes, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Notes, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the

Notes. The Finance Director or any other officer of the City having responsibility for issuance of the Notes is specifically authorized to designate the Notes as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 11. The Clerk of Council is directed to promptly deliver or cause to be delivered a certified copy of this Ordinance and the Certificate of Award to the County Auditor of Henry County, Ohio.

Section 12. The Finance Director is authorized to request a rating for the Notes from Moody’s Investors Service, Inc. or Standard & Poor’s Ratings Services, or both, as the Finance Director determines is in the best interest of the City. The expenditure of the amounts necessary to secure any such ratings as well as to pay the other financing costs (as defined in Section 133.01 of the Ohio Revised Code) in connection with the Notes is hereby authorized and approved and the amounts necessary to pay those costs are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 13. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 14. The services of Sudsina & Associates, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Notes. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. The Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those

fees and any reimbursement are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 15. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 16. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 17. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to reimburse certain expenditures previously incurred in connection with the execution of one or more contracts relating to the Improvement; wherefore, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: _____, 2016

Travis B. Sheaffer, Council President

Approved: _____, 2016

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk of Council

I, Gregory J. Heath, Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No.032-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City on the ____ day of _____, 2016; and 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 of Council

CERTIFICATION OF RECORDS

I, Gregory J. Heath, Clerk of Council, of the City of Napoleon, Ohio, do hereby certify and attest that this document to be a **True and Correct** copy of Ordinance Number 032-16, passed _____, 2016.

Gregory J. Heath, Clerk of Council

Date

RESOLUTION NO. 033-16

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON MEDICAL MARIJUANA CULTIVATION, PROCESSING, AND RETAIL DISPENSARY FACILITIES WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, on June 8th, 2016 Governor John Kasich signed H.B. 523 into law making Ohio the 25th state to adopt a workable medical marijuana law; and

WHEREAS, H.B. 523 becomes effective September 8th, 2016 and the law's rules, policies, and procedures could take up to an additional year to be fully implemented; and

WHEREAS, H.B. 523 created Ohio Revised Code Section 3796.29 which allows a municipal corporation to adopt a Resolution to prohibit, or limit the number of cultivators, processors, or retail dispensaries licensed under the new law; and

WHEREAS, the City of Napoleon currently has no regulations that specifically address medical marijuana cultivators, processors, or retail dispensaries; and

WHEREAS, City Staff requires time to thoroughly vet all options available to the City to address in implementation of H.B. 523; and

WHEREAS, City Council is being asked to enact a temporary twelve (12) month moratorium on medical marijuana cultivation, processing, and retail dispensaries in order to more fully review the rules, policies, and procedures created by the Ohio Department of Commerce and the State Medical Board and to thoroughly vet the options presented under O.R.C. 3796.26 with the City of Napoleon Planning Commission and City Council; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Rule 6.3 of the Rules and Regulations of City Council, City of Napoleon, Ohio, in order to have the Moratorium in place prior to HB 523's effective date of September 8th, 2016; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Napoleon, Ohio, and its citizens, and to provide for the efficient daily operation of all City Departments of the City of Napoleon, Ohio, City Council of the City of Napoleon, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this Resolution be declared an emergency measure which will take immediate effect in accordance with Rule 6.3 of the Rules and Regulations of City Council, City of Napoleon, Ohio, upon its adoption; and **NOW, THEREFORE**

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

Section 1. That the City Council of the City of Napoleon, Ohio, hereby imposes a Moratorium on medical marijuana cultivation, processing, and retail dispensary facilities within the City of Napoleon, said Moratorium to include the submission, consideration, or approval of all applications for special permits, use permits, building permits, any plans, or any other applications or permits which are or may be filed for permits from the Planning or Zoning Departments for the cultivating, processing, and retail dispensing of medical marijuana;

Section 2. That this Moratorium shall become effective on the date this Resolution, following its passage by City Council, and signed by the President of City Council, shall remain in effect for twelve (12) months following the date upon which it became effective and, thereafter, upon a majority vote of City Council, may be continued in effect, if City Council finds such continuance is required to allow sufficient time for the Planning Commission or other City departments, committees, or commissions to complete the research and recommendation of what action, if any, the City of Napoleon should take to safeguard the public health, safety and welfare through the provision of adequate planning, zoning, land-use, or other regulatory controls that are specifically applicable to medical marijuana cultivation, processing, or retail dispensary facilities or the Moratorium may be continued for additional time if City Council so chooses in order for City Council to make its decision whether or not to adopt a Resolution pursuant to ORC 3796.29;

Section 3. That this Moratorium suspends and tolls any time periods, prescribed by law, within which the Planning Commission, or any other official body, of the City of Napoleon is required to take action upon an application for a special permit, use permit, building permit or site plan approval, or the like, for facilities cultivating, processing, and retail dispensing of medical marijuana that is or may be pending before the Planning Commission, or any other official or official body of the City of Napoleon on the effective date of this Moratorium; and that no such application shall be deemed to be approved by the failure of the Planning Commission, or any other official or official body to approve or deny said application during the time when this Moratorium shall be in effect;

Section 4. That the Law Department and Planning Commission may begin research and return to City Council recommendations the City of Napoleon should take to preserve the public health, safety and welfare through the provision of adequate planning, zoning, land-use, or other regulatory controls that are specifically applicable to the cultivating, processing, and retail dispensing of medical marijuana facilities, this recommendation will be prepared and provided to the Planning Commission for review and subsequent recommendation to City Council;

Section 5. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof;

Section 6. This City Council finds and determines that all formal actions of this City Council concerning and relating to the passage of this Resolution were taken in an open meeting

of this City Council and that all deliberations of this City Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law; and,

Section 7. That, for all the reasons stated herein, 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; 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.

Travis B. Sheaffer, Council President

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. 033-16 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

RESOLUTION NO. 034-16

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR THE 2016 TAX DUPLICATES PAYABLE IN YEAR 2017 AND DECLARING AN EMERGENCY

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget (Resolution No. 017-16) for the next succeeding fiscal year commencing January 1, 2017; and,

WHEREAS, the Budget Commission of Henry County, Ohio, has certified its action thereon to this Council together with an estimate of the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; Now Therefore,

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

Section 1. That, the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; further, the necessary tax levies are authorized, to be certified to the County Auditor for the 2016 Tax Duplicates, payable in the year 2017.

Section 2. That, there be and is hereby levied on the tax duplicate of the City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
City Tax Valuation \$140,680,550		Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
FUND			Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund		\$281,700	2.00	
Police Pension Fund		\$84,510	0.60	
Fire Pension Fund		\$42,255	0.30	
TOTAL		\$408,465	2.90	

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow timely adoption of tax levies for placement on tax rolls; 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. 034-16 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

RESOLUTION NO. 035-16

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR/CLERK TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2016 TAX DUPLICATES PAYABLE IN THE YEAR 2017; AND DECLARING AN EMERGENCY

WHEREAS, this Council in accordance with the provisions of law and by Ordinance has previously established special assessments for various projects in the City; and,

WHEREAS, these special assessments must be annually certified to the County Auditor by the Clerk of the Municipality; Now Therefore,

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

Section 1. That, the City Council of the City of Napoleon, Ohio, directs the Finance Director/Clerk to certify and file annual special assessments of the City with the County Auditor, as required by Section 727.30 of the Ohio Revised Code, in the form presented to Council and on file in the office of the Finance Director, attached and marked as (Exhibit "A"), for placement and collection on the 2016 tax duplicates, payable in the year 2017.

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow timely placement of special assessments on the tax rolls; 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. 035-16 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. 029-16

AN ORDINANCE REPEALING RESOLUTION NO. 051-13 WHICH AUTHORIZES THE CITY MANAGER TO TERMINATE OR ASSIGN THE CITY OF NAPOLEON’S WATER PURCHASE AGREEMENT WITH THE VILLAGE OF MALINTA, OHIO; AND DECLARING AN EMERGENCY

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

Section 1. That, Resolution No. 051-13 is repealed in its entirety, and therefore the City Manager no longer has any authority or power to terminate the Water Purchase Contract with the Village of Malinta or to assign the Water Purchase Contract to the Henry County Regional Water and Sewer District.

Section 2. 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 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, 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 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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. 029-16 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. 026-16

AN ORDINANCE AMENDING SECTION 1121.03 OF THE PLANNING AND ZONING CODE OF THE CITY OF NAPOLEON, OHIO

WHEREAS, the City’s Municipal Properties, Buildings, Land Use & Economic Development Committee and City Council reviewed the City’s Planning and Zoning Code in an effort to keep up to date with the current trends of development; and,

WHEREAS, upon recommendation of the Municipal Properties, Buildings, Land Use & Economic Development Committee, this Council deems prudent to *amend the Planning and Zoning Code*, to wit: Section 1121.03 (Hearing on Application for Amendment); Now Therefore,

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

Section 1. That, Section 1121.03 of the Codified Ordinances of Napoleon, Ohio is hereby amended and enacted as follows:

“1121.03 Hearing on application for amendment.

Within 60 days of receipt of any application by the Zoning Administrator for an amendment, the Planning Commission shall hold a hearing on such application at such time and place as shall be established by the Planning Commission. Notice of said hearing shall be given in accordance with the provision of Section 159.03 of the Administrative Code; moreover, if the amendment proposed is to rezone or redistrict ten (10) or less parcels of land, written notice of the hearing shall be given to the owners of property within a two hundred foot (200’) radius from such parcel as listed on the tax duplicate. In addition, if the amendment proposed is to rezone any property currently zoned as industrial, then written notice shall be provided to all owners of such properties currently zoned as industrial. Such notice shall be mailed by the Zoning Administrator by first class mail to the address of such owners appearing on the County Auditor’s current tax list or the Finance Director’s mailing list and to such other list that may be specified by the Planning Commission at least twenty (20) days before the date of the public hearing. The failure of delivery of such notice shall not invalidate any such ordinance, measure, or regulation. The Zoning Administrator shall cause to be made a search of the records of the Henry County Recorder to determine the record owners.”

Section 2. That, Section 1121.03 as existed prior to the enactment of this Ordinance, is repealed and shall be replaced by the aforementioned Section 1121.03 language.

Section 3. The zoning map as currently on file with Zoning Administrator shall remain unchanged with the adoption of this Ordinance.

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. 026-16 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

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:
Date: August 23, 2016
Subject: WTP UV Improvements Project – Change Order No. 2

I am requesting approval of Change Order No. 2 in the amount of \$36,730.00 for the WTP UV Improvements Project. This change order is for the relocation of the MCC, the MCC, instrumentation, SCADA, and networking conduit. All work would be required in the next phase of the project. However, this equipment needs to be installed with the UV project to provide control and monitoring of the new equipment. Without these components, we will not be able to run the UV units which are required to meet the LT2 Rule.

CEL

CITY OF NAPOLEON
CHANGE ORDER
NO. 2

PROJECT ~

Water Treatment Plant UV
Disinfection Improvements

DATE OF ISSUANCE

August 23, 2016

OWNER

City of Napoleon
P.O. Box 151, 255. W. Riverview Ave.
Napoleon, Ohio 43545

CONTRACTOR

Peterson Construction Company
18817 St. Rt. 501 North, P.O. Box 2058
Wapakoneta, OH 45895-0558

OWNER ~ CITY OF NAPOLEON

ARCHITECT/ENGINEER'S PROJECT NO. _____

CONTRACT FOR: WTP UV Disinfection

You are directed to proceed promptly with the following change(s):

PURPOSE OF CHANGE ORDER: MCC Relocate & RFP #002 and Electrical Changes

ATTACHMENTS: (list documents supporting change)

DESCRIPTION: As described in Exhibit "A" attached.

Contract Price prior to this Change Order	\$ _____	1,343,830.00
(Increase)(Decrease) resulting from this Change Order	\$ _____	36,730.00
Current Contract Price, including this Change Order	\$ _____	1,380,560.00
Time for Contract Completion prior to this Change Order	_____	
(Increase)(Decrease) resulting from this Change Order	_____	
Current time for Contract Completion, including this Change Order	_____	

RECOMMENDED:
CITY OF NAPOLEON

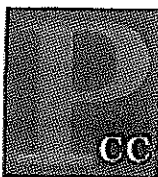
ACCEPTED:
**PETERSON CONSTRUCTION
COMPANY**

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

By _____
Contractor

APPROVED:
City of Napoleon

By _____
Monica Ireland, City Manager



PETERSON
CONSTRUCTION COMPANY
An Equal Opportunity Employer

18817 State Route 501 North, PO Box 2058, Wapakoneta, Ohio 45895
PH: 419-941-2233, Fax: 855-876-0921, www.petersonconstructionco.com

August 9, 2016

Via E-Mail

AECOM
277 West Nationwide Blvd
Columbus, OH 43215

ATTN: Jeremy Cook

RE: Napoleon WTP UV
PCC Change Order Request No. 605-03
"MCC Relocate & RFP #002"

Gentlemen:

Per recent correspondence and RFP #002, we offer a cost of **\$32,740** to relocate the MCC to the North Wall of the existing utility room. Also included are the MCC, instrumentation, and SCADA changes listed in RFP#002. Note: No solenoid valves were quoted, pricing is based off of Koester bubbler panel design. Pricing is based on assuming existing compressor is capable of supplying required air to additional bubbler panel and instruments.

Please issue a formal Change Order for the referenced amount if this is acceptable to you.

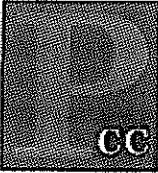
Do not hesitate to call with any questions you may have.

Sincerely,

PETERSON CONSTRUCTION COMPANY

Ben Wetherill
Project Manager

BJW/PCC Field



PETERSON
CONSTRUCTION COMPANY
An Equal Opportunity Employer

18817 State Route 501 North, PO Box 2058, Wapakoneta, Ohio 45895
PH: 419-941-2233, Fax: 855-876-0921, www.petersonconstructionco.com

June 23, 2016

Via E-Mail

AECOM
277 West Nationwide Blvd
Columbus, OH 43215

ATTN: Jeremy Cook

RE: Napoleon WTP UV
PCC Change Order Request No. 605-02
"Electrical Changes"

Gentlemen:

Per our recent e-mail correspondence, we offer a cost of **\$3,990** to add (1) 2" conduit from the new wall mounted network switch to the office and (1) 2" conduit from the network switch to the lab, also rework conduit in utility room from existing panel to network switch location. Cost is for rough in of conduit only (cable by others).

Please issue a formal Change Order for the referenced amount if this is acceptable to you.

Do not hesitate to call with any questions you may have.

Sincerely,

PETERSON CONSTRUCTION COMPANY

Ben Wetherill
Project Manager

BJW/PCC Field

GIRL SCOUTS OF WESTERN OHIO

ADMINISTRATIVE OFFICES
4930 CORNELL ROAD
CINCINNATI, OHIO 45242

PNC Bank, N.A. 070
Ohio
6 - 12 / 410

CHECK NO. **069377**

DATE
07/27/2016

CHECK AMOUNT
\$597.00

PAY ****Five Hundred Ninety Seven and 00/100 Dollars

TO THE ORDER OF
City of Napoleon Parks and Recreation
255 W Riverview
Napoleon, OH 43545

VOID AFTER 90 DAYS

Lindsay G. [Signature]
Susan [Signature]

TWO SIGNATURES REQUIRED IF OVER \$500.00

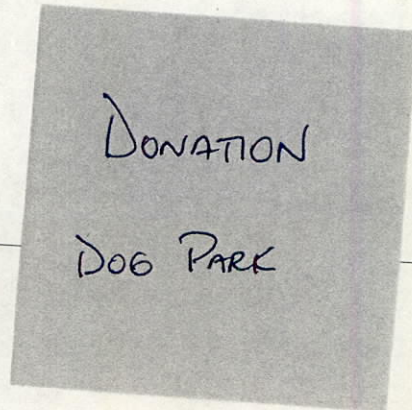


Payee City of Napoleon Parks and Recreation
Vendor ID

Account #:

Description

Toledo-Planting for Dog Park



69377

07/27/2016

Amount

\$597.00

Members of Napoleon City Council,

The Fraternal Order of Eagles #4428, Napoleon, would like to donate a cargo box for Units 28 & 30. The cargo boxes are specifically designed for the 2016 Ford SUV's recently added to the Police Department. They provide storage and organization without obstructing access to the under floor spare tire. The boxes are \$638.00 each, making a total donation of \$1276.00. The Fraternal Order of Eagles believes this equipment will assist in the readiness and effectiveness of our Police Officers and hopes you approve this donation.

Thank You for your consideration,

Fraternal Order of Eagles #4428

Vice President, Scott Smith

419-591-9433



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

Date: September 02, 2016

Re: Technology and Communication Committee Meeting Cancellation

The TECHNOLOGY AND COMMUNICATION COMMITTEE meeting regularly scheduled for Tuesday, September 6, 2016 at 6:15 pm has been CANCELED due to lack of Agenda Items.

City of NAPOLEON, Ohio

Operations Department

1775 Industrial Dr., P.O. Box 151, Napoleon, OH 43545

Phone: 419/599-1891 Fax: 419/592-4379



Operations Superintendent
Jeffrey H. Rathge

Water Distribution Foreman
Brian Okuley

Streets/Sewer Foreman
Roger Eis

Refuse Foreman
Perry Hunter

Head Mechanic
Tony Kuhlman

PRESS RELEASE

LABOR DAY REFUSE & RECYCLING ROUTES

Napoleon, Ohio, -- Due to the upcoming Labor Day holiday, the refuse and recycling pickup routes for the City of Napoleon will be as follows **for the week of September 5 – 9, 2016 ONLY:**

- **Monday, Sept 5 - HOLIDAY - NO PICK UP**
- **Tuesday, Sept 6 - Monday's Route**
- **Wednesday, Sept 7 - Tuesday's Route**
- **Thursday, Sept 8 - as usual; Wednesday's route will also be run on Thursday (there is a possibility of later than usual pick up time for Thursday's route).**
- **Friday, Sept 9 - as usual**

Wednesday's and Thursday's routes will both be run on Thursday, September 8. The Operations Department is asking that for those affected, an extra effort be made to have their refuse and recycling at the curb by 7:00 a.m. on the 8th.

Please contact the Operations Department at 419/599-1891 if there are any questions regarding this matter.



NAPOLEON FIRE & RESCUE
HOMECOMING CHICKEN BBQ

WHEN: FRIDAY SEPTEMBER 23, 2016

WHERE: NAPOLEON FIRE DEPT

TIME: 4PM-7PM

COST-\$10.00 PER MEAL

**MEAL INCLUDES ½ CHICKEN, SCALLOPED
POTATOES, GREEN BEANS, ROLL & BUTTER**

**MEAL PREPARED BY HILL'S FAMILY
RESTAURANT.**

DRIVE THRU/CARRYOUT ONLY

**CONTACT ANY NAPOLEON FIRE DEPARTMENT
MEMBER FOR TICKETS**

******LAST DAY FOR TICKETS SEPT 16,2016******

419-592-7201

WARD

Fw: INTERESTING ARTICLE - 53 tax...



Reply Reply to All Forward

Fw: INTERESTING ARTICLE - 53 tax levies headed for fall ballot - Montgomery, Warren, Green and Miami counties in Ohio Tue 08/23/16 11:46 AM

● "Gregory J Heath" <gheath@napoleonohio.com>

Cc: ● CITY MANAGER - IRELAN, MONICA S.

Fw: INTERESTING ARTICLE - 53 tax levies headed for fall ballot - Montgomery, Warren, Green and Miami counties in Ohio

From: "Gregory J Heath" <gheath@napoleonohio.com> 08/23/16 11:46 AM
To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>
Cc: "CITY MANAGER - IRELAN, MONICA S." <mirelan@napoleonohio.com>

For Council Packets. - Include for Packet 09-06-2016

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

From: "Michelle Jordan" <datataxgroup@gmail.com>
To: "undisclosed-recipients:"
Date: 08/23/2016 08:43 AM
Subject: INTERESTING ARTICLE - 53 tax levies headed for fall ballot - Montgomery, Warren, Green and Miami counties in Ohio

Dear DATA members: (other tax groups, please forward on!)

If you know of a municipal income tax increase on the ballot in November, please send me the information so that I can compile a complete list to watch. After the election, I will send out results of what I have so that you can update your software for any changes in tax rate.

Please share this article with your administration. From this report, showing just four Ohio counties, municipalities are not alone in their struggle to find ways to close the gap on lost revenue. As I find other articles of interest, I will forward them on as well.

Have a wonderful day!

Michelle

--

Michelle Jordan
DATA
Dayton Area Tax Administrators

Tax Manager, Dayton Branch Office
Central Collection Agency
371 W Second St, Suite 110
Dayton OH 45402
[937.227.1359](tel:937.227.1359) Office
www.ccatax.ci.cleveland.oh.us