

JANUARY 2017

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
<i>New Year's Day</i>	CLOSED	6:15 pm Technology Comm. 7:00 pm City COUNCIL				8:00 AM - Civil Service Testing
	<i>New Year's Day Holiday</i>					
<i>Happy New Year</i>						
8	9	10	11	12	13	14
	6:30 pm Electric Committee BOPA 7:00 pm Water & Sewer Committee	2:30 pm Preservation Comm 4:30 pm Board of Zoning 5:00 pm Planning Comm.				
	7:30 pm Municipal Properties ED Comm. 7:45 pm Strategic Vision Ad-hoc Committee					
15	16	17	18	19	20	21
	6:00 pm Tree Commission 6:15 pm Parks & Rec Comm. 7:00 pm City COUNCIL					
22	23	24	25	26	27	28
	6:30 pm Finance & Budget Committee. 7:30 pm Safety & Human Resources Comm.	4:30 pm Civil Service Commission	6:30 pm Parks and Rec Board		10:00 am Healthcare Cost Committee	
29	30	31				

City of Napoleon, Ohio

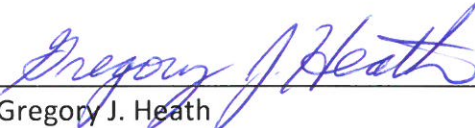
TECHNOLOGY COMMITTEE

Meeting Agenda

Tuesday, January 03, 2017 at 6:15 pm

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

- 1) Approval of Minutes from April 25, 2016 (*In the absence of any objections or corrections, the Minutes shall stand approved.*)
- 2) City Email Server.
- 3) Standards/Government Pricing on Computer Purchases.
- 4) Any other matters currently assigned to the Committee.
- 5) Adjournment.



Gregory J. Heath

Finance Director/Clerk of Council

City of Napoleon, Ohio
Technology & Communication Committee
Meeting Minutes
Monday, April 25, 2016 at 6:15pm

PRESENT

Members Rita Small - Chair, Dan Baer, Joe Bialorucki

City Staff Monica Ireland, City Manager

Christine Peddicord, Assistant Finance Director

Dan Wachtman, MIS Administrator

Recorder Anne Taylor

Others

ABSENT

Gregory Heath, Finance Director/Clerk of Council

Robert Weitzel, Police Chief

Call To Order Chairman Small called the meeting to order at 6:15 pm.

Minutes Approved Minutes from the May 4, 2015 meeting stand approved as presented with no objections or corrections.

NCTV Contract and Financial Reports Discussion See Attached Memo from City Manager, Monica Ireland. Ireland reviewed the memorandum distributed in the packet. Ireland stated that the Committee had previously given NCTV a two (2) year contract in 2014 with stipulations of improvements that had to be made during the contract period. Ireland advised that NCTV have met their contract obligations, made the improvements asked of the school by the City, adding that it was her opinion that the Committee should renew the contract for a two (2) year period. Baer and Bialorucki stated that they have heard complaints from citizens regarding the poor quality of the audio. Wachtman responded that there are adjustments that could be made to improve the quality.

Motion To Recommend To The Full Body Of Council To Renew The Current NCTV Contract As Written For A Two (2) Year Period. Motion: Bialorucki Second: Baer
Motion to recommend to the full body of Council to renew the current NCTV contract as written for a two (2) year period.

Passed
Yea- 3
Nay- 0

Roll call on above motion:
Yea – Small, Baer, Bialorucki
Nay –

Review of Social Media Presence: Facebook and Blog Statistics Discussion

Irelan distributed statistics regarding the blog usage and reviewed it with the Committee. Irelan stated that when she posts items, they are read, but feels she needs to post on a regular basis. Baer asked how long Irelan has been posting Blogs with Irelan stating she started in August, 2016 with Wachtman adding that the Facebook page has been active for two (2) years.

Review of Time Warner Contract Discussion

Irelan advised the Committee that several years ago the City entered into a special business class contract with Time Warner for \$99.00 flat fee for which included eight (8) council persons on the contract. Irelan added that department heads were offered the option of being added to the Time Warner contract or be reimbursed \$25.00 per month to have internet service for work use at their homes. Irelan continued that as time went on, department head employees no longer requested to be added to the Time Warner contract resulting in the flat fee no longer being a financial savings to the City. Currently only four (4) department heads are on the contract including Chis Peddicord, Greg Heath, Tony Cotter and Robert Weitzel.. Irelan advised the Committee that she feels it is in the best interest of the City to end the contract with Time Warner.

Wachtman distributed an invoice from January stating that it is a nightmare to get credits applied for removing users to the account and tracking usage. The original contract was in 2001 adding that the current contract was written in 2007 for \$69.96 per employee less 25% credit. Wachtman advised that in the beginning of the contract in 2001, it was a really good deal, however, with only four (4) current users it is no longer a good deal and it would be more cost effective to have a \$25.00 reimbursement to eligible employees and Council Persons. Irelan stated that this contract just does not make sense anymore.

Motion To Recommend to Council to discontinue the business class special contract with Time Warner.

Motion by Bialorucki Second: Baer
Recommend to Council to discontinue the business class special contract with Time Warner.

Passed
Yea- 3
Nay-0

Roll call on above motion:
Yea – Small, Baer, Bialorucki
Nay –

General Discussion

Wachtman offered to email Committee members with technology updates as they are occurring in the City. Irelan stated she would forward the emails to the Committee on Wachtman’s behalf. Wachtman advised the last large technology project was when the Golf Course maintenance was upgraded so that it can be accessed remotely.

Motion To Adjourn

Motion: Baer

Second: Bialorucki

Motion to adjourn the meeting at 6:40 pm.

Passed

Yea- 3

Nay-

Roll call on above motion:

Yea – Small, Baer, Bialorucki

Nay –

Date Approved:

Rita Small, Chair

DRAFT

CITY COUNCIL

Meeting Agenda

Tuesday, January 03, 2017 at 7:00 pm

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

A. Attendance (Noted by the Clerk)

B. Prayer and Pledge of Allegiance

C. Approval of Minutes: *(in the absence of any objections or corrections, the minutes shall stand approved)*

1. December 19, 2016 (Regular Council Meeting)
2. December 21, 2016 (Special Meeting Minutes)

D. Citizen Communication

E. Reports from Council Committees

1. **Finance and Budget Committee** did not meet
2. **Safety and Human Resources Committee** did not meet
3. **Technology Committee** met tonight and discussed the City Email Server and the Standards/Government Pricing on Computer Purchases.

F. Reports from Other Committees, Commissions and Boards *(Informational Only-Not Read)*

1. **Parks and Rec Board** did not meet.

G. Introduction of New Ordinances and Resolutions

1. **Resolution No. 001-17**, a Resolution approving the provisions of a certain Collective Bargaining Agreement No. 2017-01 between the City of Napoleon and Local 3363 International Association of Fire Fighters for the term commencing from January 1, 2017 through December 31, 2017; authorizing the City Manager to execute the same; and Declaring an Emergency. *(Suspension Requested)*
2. **Ordinance No. 002-17**, an Ordinance amending Ordinance No. 053-16 appointing Chad E. Lulfs as Acting City Manager of Napoleon, Ohio; and Declaring an Emergency. *(Suspension Requested)*.
3. **Resolution No. 003-17**, a Resolution providing for an election on the question of the provision of the Income Tax Code of the City of Napoleon, Ohio to provide for a temporary increase of three tenths percent (0.3%) to the permanent 1.3% Income Tax; said 0.3% temporary Income Tax increase to commence on July 1, 2017 and end on June 30, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances, all subject to approval by the electors of the City of Napoleon, Ohio on the May 2, 2017 Ballot; and Declaring an Emergency; *(Suspension Requested)*

H. Second Readings of Ordinances and Resolutions

1. **Ordinance No. 068-16**, an Ordinance providing for the Issuance and Sale of Notes in the Maximum Principal Amount of \$3,900,000, in anticipation of the issuance of bonds, for the purpose of paying the Costs of Improving the Municipal Water System by Construction a New Water Treatment Plant, acquiring and improving related interests in real property, improving and rehabilitating the existing Water Treatment Plant and related storage facilities, and rehabilitating the Elevated Storage Tanks, together with all necessary and related appurtenances thereto.

I. 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:** Award of Chemical Bids for the Water Treatment and Wastewater Treatment Plants for the Year 2017.
 2. **Discussion/Action:** Appointment of Members to the Volunteer Peace Officers' Dependents Fund Board.
- K. Executive Session:** *(Compensation of Personnel)*
- L. Approve Payment of Bills and Approve Financial Reports** *(In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)*
- M. Adjournment**

Gregory J. Heath
Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

1. Technology & Communication Committee (1st Monday)

(Next Regular Meeting: Tuesday, January 3, 2017 @6:15 pm)

2. Electric Committee (2nd Monday)

(Next Regular Meeting: Monday, January 09, 2017 @6:30 pm)

- a. Review of Power Supply Cost Adjustment Factor for January, 2017
- b. Electric Department Report

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

(Next Regular Meeting: Monday, January 09, 2017 @7:00 pm)

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

(Next Regular Meeting: Monday, January 09, 2017 @7:30 pm)

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

5. Parks & Recreation Committee (3rd Monday)

(Next Regular Meeting: Monday, January 16, 2017 @6:15 pm)

6. Finance & Budget Committee (4th Monday)

(Next Regular Meeting: Monday, January 23, 2017 @6:30 pm)

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

(Next Meeting: Monday, January 23, 2017 @7:30 pm)

- a. Review of Personnel Code

[2017 Regular Meetings with Townships scheduled for February (discussion on ladder truck) and November]

8. Personnel Committee (as needed)

10. Ad Hoc Committee on Organizational Health and Strategic Vision (Next Meeting: Monday, January 9, 2017 @7:45 pm)

11. Ad Hoc Committee on Council Rules (as needed)

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

1. Board of Public Affairs (2nd Monday)

(Next Regular Meeting: Monday, January 09, 2017 @6:30 pm)

- a. Review of Power Supply Cost Adjustment Factor for January, 2017
- b. Electric Department Report

2. Board of Zoning Appeals (2nd Tuesday)

(Next Regular Meeting: Tuesday, January 10, 2017 @4:30 pm)

3. Planning Commission (2nd Tuesday)

(Next Regular Meeting: Tuesday, January 10, 2017 @5:00 pm)

4. Tree Commission (3rd Monday)

(Next Regular Meeting: Monday, January 16, 2017 @6:00 pm)

5. Civil Service Commission (4th Tuesday)

(Special Meeting: Saturday, January 7, 2017 @8:00 am)

6. Parks & Recreation Board (Last Wednesday)

(Next Regular Meeting: Wednesday, January 25, 2017 @6:30 pm)

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

(Next Regular Meeting: Tuesday, May 9, 2017 @10:30 am)

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

(Next Regular Meeting: Tuesday, June 13, 2017 @4:00 pm)

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

10. Health Care Cost Committee (As needed)

(Next Meeting: Friday, January 27, 2017 at 10:00 am)

11. Preservation Commission (As needed)

(Next meeting: Tuesday, January 10, 2017 at)

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 COUNCIL

Meeting Minutes

Monday, December 19, 2016 at 7:00 PM

PRESENT	
Council	Travis Sheaffer, President; Patrick McColley, President Pro-Tem; Jeff Comadoll, Rita Small, Dan Baer, Joe Bialorucki, Jeff Mires
Mayor	Jason P. Maassel
Finance Director/Clerk	Gregory J. Heath
Law Director	Billy D. Harmon
Recorder	Roxanne Dietrich
City Staff	Chad Lulfs, P.E.,P.S., Acting City Manager/Director of Public Works Clayton O'Brien, Fire Chief Robert Weitzel, Police Chief
Others	News Media, NCTV, Joel Mazur Joel Miller, Director of Napoleon/Henry County Chamber of Commerce Denise Dahl, CIC Director
ABSENT	
Prayer	President Sheaffer called the meeting to order at 7:00 PM with the Lord's Prayer followed by the Pledge of Allegiance.
Mayor's Presentation of the 2017 Budget	<p>Mayor Maassel presented the 2017 budget. He stated the appropriation budget is \$69.4 million with one-third of that in the utility service charges and fees at \$24 million. A majority of the debt notes is for capital improvements that is basically the water treatment plant. If you were to take the water plant out, the budget would be closer in line to what we normally have.</p> <p>The big projects in 2017 are:</p> <ol style="list-style-type: none">1) the Water Treatment Plant,2) the Downtown will be repaved, that is a big part of the road and streets, coordination in the correct way will be the key so that all downtown business owners have an idea of when stuff will be happening in front of their stores, Joel Miller from the Chamber will be helping us with the notifications.3) Park Street from Glenwood to Sheffield4) Roundhouse Road is in the budget to be built in 2017. <p>Big tickets items we are going to buy in 2017 include a new street sweeper, two new police cars, and a new tree trimming chipper.</p>
Approval of Minutes	Minutes of the November 28, 2016 Special Council meeting, December 2, 2016 Special Council meeting, December 3, 2016 Special Council meeting and December 5, 2016 Regular Council meeting all stand approved as read with no objections or corrections.
Citizen Communication Committee Reports	None

Electric Committee	The Electric Committee met on December 12, 2016 and approved the December, 2016 Power Supply Cost Adjustment Factor.
Water and Sewer Committee	The Water and Sewer Committee did not meet in December.
Municipal Properties/ED Committee	The Municipal Properties/ED Committee did not meet this month.
Parks and Rec Committee	The Parks and Recreation Committee did not meet tonight.
Introduction of Ordinance No. 061-16 Position Classification Pay Plan	President Sheaffer read by title Ordinance No. 061-16, an Ordinance establishing a New Position Classification Pay Plan for Employees of the City of Napoleon, Ohio for the Year 2017; Repealing Ordinance No. 068-15; and Declaring an Emergency.
Motion to Approve First Read of 061-16	Motion: McColley Second: Small To approve First Read of Ordinance No. 061-16.
Discussion for 061-16	Lulfs stated there is a 2% adjustment as directed by Council, the market adjustments were only included in some of the salary position ranges. It was decided to keep the hourly positions at a 2% increase until we get the final budget approved and the new City Manager can take a look at it.
Motion to Suspend the Rules for 061-16	Motion: Comadoll Second: Small To Suspend the Rules for Resolution No. 061-16.
Passed Yea-7 Nay-0	Roll call vote on the above motion: Yea—Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay—
Ordinance No. 061-16 Under Suspension of the Rules and Emergency	Roll call vote to pass Ordinance No. 061-16 under suspension of the rules and with emergency.
Passed Yea-7 Nay-0	Yea—Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay—
Introduction of Ordinance No. 062-16 Budget FY2017	Council President Sheaffer read by title Ordinance 062-16, an Ordinance establishing the appropriation measure (budget) of the City of Napoleon, Ohio for the Fiscal Year Ending December 31, 2017, listed in Exhibit A"; and Declaring an Emergency.
Motion to Approve First Read of 062-16	Motion: Comadoll Second: Mires
Discussion for 062-16	Heath said this is the 2017 final budget as reviewed by City Council and presented out earlier by the Mayor. This is the actual way to appropriate by fund, department and categories and will need to be in place prior to January 1 st .

Motion to Suspend the Rules for 062-16

Motion: Comadoll Second: Small
Motion to suspend the rules for Ordinance No. 062-16.

Passed
Yea-7
Nay-0

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

Ordinance No. 062-16 Under Suspension of the Rules and Emergency

Roll call vote to pass Ordinance No. 062-16 under suspension of the rules and with emergency.

Passed
Yea-7
Nay-0

Yea–Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

Introduction of Resolution No. 063-16 Transfer Certain Funds as Needed FY2017

President Sheaffer read by title Resolution No. 063-16, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances from Respective Funds to other funds per Section 5705.14 ORC on an as needed basis in Fiscal Year 2017, Listed in Exhibit “A”; and Declaring an Emergency.

Motion to Approve First Read of 063-16

Motion: Comadoll Second: Bialorucki
To approve First Read of Ordinance No. 063-16.

Discussion for 063-16

Heath said this is the companion Ordinance to the first one it is for transferring funds from one fund to another fund and is part of the 2017 budget process.

Motion to Suspend the Rules for 063-16

Motion: Comadoll Second: Small
To Suspend the Rules for Ordinance No. 063-16.

Passed
Yea-7
Nay-0

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

Resolution No. 063-16 Under Suspension and Emergency

Roll call vote to pass Resolution No. 063-16 under suspension of the rules and with emergency.

Passed
Yea-7
Nay-0

Yea–Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

Introduction of Resolution No. 064-16

President Sheaffer read by title Resolution No. 064-16, a Resolution Authorizing the Expenditure of Funds and Authorizing a Department Director to take bids on certain Projects, Services, Equipment, Materials or Supplies without the Requirement for Additional Legislation to do so in the Year 2017; and Declaring an Emergency.

Motion to Approve First Read of 064-16 Bids on Large Items

Motion: Small Second: Bialorucki
To approve First Read of Ordinance No. 064-16.

Introduction of Ordinance No. 066-16 Supplement No. 5 FY2016 Budget

President Sheaffer read by title Ordinance No. 066-16, an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 5) for the Year 2016; and Declaring an Emergency.

Motion to Approve First Read of 066-16

Motion: Bialorucki Second: Small
To approve First Read of Ordinance No. 066-16.

Discussion for 066-16

Heath said this is Supplement No. 5, it is the final supplemental appropriation for the 2016 budget, the numbers attached to the Ordinance represent what was presented in the budget as projected for 2016.

Motion to Suspend the Rules for 066-16

Motion: Mires Second: Bialorucki
To Suspend the Rules for Ordinance No. 066-16.

**Passed
Yea-7
Nay-0**

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

Ordinance No. 066-16 Under Suspension and Emergency

Roll call vote to pass Ordinance No. 066-16 under suspension of the rules and with emergency.

**Passed
Yea-7
Nay-0**

Yea—Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

Introduction of Resolution No. 067-16 Transfer 2 Transfer Certain Fund Balances FY2016

President Sheaffer read by title Resolution No. 067-16, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances from Respective Funds to other funds per Section 5705.14 ORC on an as needed basis in Fiscal Year 2016, listed in Exhibit "A"; Transfer 2; and Declaring an Emergency.

Motion to Approve First Read of 067-16

Motion: Small Second: Mires
To approve First Read of Resolution No. 067-16.

Discussion

Heath said this is the companion Ordinance for 2016 with the final transfers as adjusted pursuant to the budget as was presented out for the end of 2016 as projected.

Motion to Suspend the Rules of 067-16

Motion: Bialorucki Second: Mires
To Suspend the Rules for Resolution No. 067-16.

**Passed
Yea-7
Nay-0**

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

**Resolution No. 069-16
Under Suspension and
Emergency**

Roll call vote to pass Resolution No. 069-16 under suspension of the rules and with emergency.

**Passed
Yea-7
Nay-0**

Yea—Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

**Introduction of
Resolution No. 070-16
Convention and Visitor’s
Bureau Agreement**

President Sheaffer read by title Resolution No. 070-16, a Resolution Authorizing a Renewal Agreement with the Henry County Chamber of Commerce regarding a Convention and Visitor’s Bureau; and Declaring an Emergency.

**Motion to Approve
First Read of 070-16**

Motion: McColley Second: Bialorucki
To approve First Read of Resolution No. 070-16.

Discussion

Lulfs stated this is the renewal agreement with the Chamber that comes out of the Lodge Tax; the agreement is for three years.

**Motion to Suspend the
Rules for 070-16**

Motion: Small Second: Mires
To Suspend the Rules for Resolution No. 070-16.

**Passed
Yea-7
Nay-0**

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

**Resolution No. 070-16
Under Suspension and
Emergency**

Roll call vote to pass Resolution No. 070-16 under suspension of the rules and with emergency.

**Passed
Yea-7
Nay-0**

Yea—Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

**Introduction of
Ordinance No. 071-16
Appoint City Manager**

President Sheaffer read by title Ordinance No. 071-16, an Ordinance Amending Ordinance No. 058-16 Appointing Joel M. Mazur as the City Manager of Napoleon, Ohio; and Declaring an Emergency.

**Motion to Approve
First Read of 071-16**

Motion: McColley Second: Bialorucki
To approve First Read of Ordinance No. 071-16.

Discussion

Lulfs said this ordinance amends the original ordinance, we were instructed to obtain the actual vacation hours Joel will be bringing with him and this new ordinance reflects that.

**Motion to Suspend the
Rules for 071-16**

Motion: Small Second: Mires
To Suspend the Rules for Ordinance No. 071-16.

Passed Yea-7 Nay-0	Roll call vote on the above motion: Yea–Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay–
Ordinance No. 071-16 Under Suspension and with Emergency	Roll call vote to pass Ordinance No. 071-16 under suspension of the rules and with emergency.
Passed Yea-7 Nay-0	Yea–Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay–
Second Read Ordinance No. 051-16 Increase Water Rates in 2017, 2018 and 2019	President Sheaffer read by title, Ordinance No. 051-16, an Ordinance amending Section 931.07 Increasing Water Rates for Bulk Sales for the Years 2017, 2018, and 2019, establishing a Weekend Testing Fee, and Increasing Fees for Testing; and Declaring an Emergency.
Motion to Approve Second Read of 051-16	Motion: Small Second: McColley To approve Second Read of Ordinance No. 051-16.
Discussion	Lulfs reported this Ordinance is to increase water rates by approximately 10% for the next three years compounded annually. Heath responded we are requesting suspension so the ordinance will be effective by January 1, 2017 and can be billed on February 1, 2017.
Motion to Suspend the Rules	Motion: Mires Second: Small To Suspend the Rules for Ordinance No. 051-16.
Passed Yea-7 Nay-0	Roll call vote on the above motion: Yea–Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay–
Further Discussion	Maassel commented typically don't we give three reads when we are going to raise the rates. Heath replied cannot say that is not the case, we did discuss the timing on the first read. Maassel said tradition holds if we raise the rates the ordinance is given three reads. McColley said he agreed with the Mayor, it gives the public three opportunities to voice their concern. Heath informed Council that one year equates to approximately a \$300,000 increase and is in the 2017 budget as passed. One month equals approximately \$25,000.
Motion to Reconsider Suspension of the Rules	Motion: McColley Second: Bialorucki To reconsider suspension of the rules on Ordinance No. 051-16.
Passed Yea-7 Nay-0	Roll call vote on the above motion: Yea- Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer Nay–

Sheaffer

The first of the year there will be some committee changes. Joe is moving off the Technology Committee onto the Municipal Properties/ED Committee and I will be going off the Municipal Properties/ED Committee to the Technology Committee.

**Motion to Approve
Member Change on
Technology and
Municipal Properties/ED
Committees**

Motion: McColley Second: Small
To approve committee changes as recommended by President Sheaffer.

**Passed
Yea-7
Nay-0**

Roll Call Vote on the above motion:
Yea- Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-

Sheaffer continued

Members of Ad-hoc Strategic Vision, I will be getting with you to check availability to set a meeting in January.
Human Resources has set training for Staff and Council on a hostile work environment to be held on Saturday, February 4th from 8:00 am – 12 Noon. Council is encouraged to attend, the training is being mandated.
I would like to:
1) assign to the Technology Committee two items that came out of budget discussions: City email server; and Standards/Government pricing on computer purchases;
2) Set a Special Council meeting on Wednesday, December 21, 2016 at 6:00 pm with the item of third read of Ordinance No. 51-16; and
3) Add on to executive session for compensation of personnel.

McColley

Thank You for the safety services looked like you saved the building and you took care of it pretty quick, we do appreciate the job you do.

Small

Merry Christmas to everyone.

Bialorucki

Thank You to Chief for doing a great job in the bitter cold temperatures today.

Heath

The 2017 budget thumb drives and books have been updated. Merry Christmas.

**Motion To Go Into
Executive Session
Negotiations**

Motion: McColley Second: Bialorucki
To go into Executive Session on negotiations.

**Passed
Yea-7
Nay-0**

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

**Motion To Go Into
Executive Session
Pending Litigation**

Motion: McColley Second: Comadoll
To go into Executive Session for Pending Litigation.

Passed
Yea-7
Nay-0

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

Motion To Go Into
Executive Session
Economic Development

Motion: McColley Second: Comadoll
To go into of Executive Session for Economic Development.

Passed
Yea-7
Nay-0

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

**Motion To Go Into
Executive Session
Compensation of
Personnel**

Motion: McColley Second: Comadoll
To go into Executive Session for compensation of personnel.

Passed
Yea-7
Nay-0

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

**Motion To Go Into
Executive Session for
Personnel**

Motion: McColley Second: Comadoll
To go into Executive Session for Personnel

Passed
Yea-7
Nay-0

Roll call vote on the above motion:
Yea- Mires, Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer
Nay-0

Into Executive Session at 7:52 pm.

**Motion To Come Out of
Executive Session
Negotiations**

Motion: McColley Second: Small
To come out of executive session on negotiations.

Passed
Yea-7
Nay-0

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

President Sheaffer reported negotiations were discussed in executive session and no action was taken.

**Motion To Come Out of
Executive Session
Pending Litigation**

Motion: Small Second: Comadoll
To come out of executive session on pending litigation.

Passed
Yea-7
Nay-0

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

President Sheaffer reported pending litigation was discussed in executive session and no action was taken.

Motion To Come Out Of Executive Session Economic Development

Motion: Bialorucki Second: McColley
To come out of executive session for economic development.

Passed
Yea-7
Nay-0

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

President Sheaffer reported economic development was discussed in executive session and no action was taken.

Motion To Come Out Of Executive Session Personnel

Motion: Small Second: Comadoll
Motion to come out of executive session on compensation of personnel.

Passed
Yea-7
Nay-0

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

President Sheaffer reported compensation of personnel was discussed in executive session and no action was taken.

Motion to Come Out Of Executive Session Personnel

Motion: Small Second: McColley
To come out of executive session for personnel.

Passed
Yea-7
Nay-0

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

President Sheaffer reported personnel was discussed in executive session and no action was taken.

Out of executive session at 9:19 pm.

Approval of Bills

The bills and reports stand approved as presented with no objections.

Motion to Adjourn

Motion: Bialorucki Second: Mires
To adjourn the meeting.

Passed
Yea-7
Nay-0

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

Adjournment

Meeting was adjourned at 9:23 pm.

Approved:

January 3, 2017

Travis Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

DRAFT

CITY COUNCIL

Special Meeting Minutes

Wednesday, December 21, 2016 at 6:00 PM

PRESENT

Council

Mayor

Recorder

City Staff

Others

ABSENT

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

Jason P. Maassel

Roxanne Dietrich

Chad Lulfs, P.E.,P.S., Acting City Manager/Director of Public Works

Gregory J. Heath, Finance Director/Clerk

Billy D. Harmon, City Law Director

Councilman Comadoll called the meeting to order at 6:00 PM.

Third Read of Ordinance No. 051-16 Increasing Water Rates in 2017, 2018 and 2019

President Sheaffer read by title, Ordinance No. 051-16, an Ordinance amending Section 931.07 Increasing Water Rates for Bulk Sales for the Years 2017, 2018, and 2019, establishing a Weekend Testing Fee, and Increasing Fees for Testing; and Declaring an Emergency.

Motion to Approve Third Read of 051-16

Motion: Bialorucki Second: Small
To approve Third Read of Ordinance No. 051-16.

Discussion

Lulfs said the increase is approximately 10% compounded annually for the next three years.

**Passed
Yea-7
Nay-0**

Roll call vote to pass Ordinance No. 051-16 on third read:
Yea –Bialorucki, Small, McColley, Sheaffer, Comadoll, Baer, Mires
Nay -

**Correction To
Ordinance No. 061-16
Pay Classification Plan**

President Sheaffer said we have a correction on a scrivener error to Ordinance No. 061-16, an Ordinance establishing a New Position Classification Pay Plan for Employees of the City of Napoleon, Ohio for the Year 2017; Repealing Ordinance No. 068-15; and Declaring an Emergency.

**Motion to Correct
Scrivener Error**

Motion: McColley Second: Bialorucki
To correct scrivener error.

Discussion

Lulfs reported it was discovered there was an hourly position where the B and C steps of the pay scale were omitted and on one of the salary positions the 2% increase was not included. The Law Director said to correct the Ordinance as a scrivener error and no action is needed if Council does not object.

Motion Withdrew

McColley withdrew his motion and Bialorucki withdrew his second.

**Motion To Go Into
Executive Session**

Motion: Small/ Second: Bialorucki
To go into Executive session on negotiations.

Passed
Yea-7
Nay-0

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

Into Executive Session at 6:04 pm.

Motion To Come Out Of Executive Session

Motion: Comadoll Second: McColley
To come out of executive session.

Passed
Yea-7
Nay-0

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

President Sheaffer reported contract negotiations were discussion in executive session and no action was taken.

Out of Executive Session at 6:07 pm.

Direct Law Director To Prepare Legislation For Firefighters Local 3363 Contract

Motion: Comadoll Second: Bialorucki
To direct the Law Director to prepare legislation for the Firefighters Local 3363 Contract.

Passed
Yea-7
Nay-0

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

Motion to Adjourn

Motion: Bialorucki Second: McColley
To adjourn the meeting.

Passed
Yea-7
Nay-0

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

Meeting Adjourned

Meeting adjourned at 6:08 pm.

Approved:

January 3, 2017

Travis Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

RESOLUTION NO. 001-17

A RESOLUTION APPROVING THE PROVISIONS OF A CERTAIN COLLECTIVE BARGAINING AGREEMENT NO. 2017-01 BETWEEN THE CITY OF NAPOLEON AND LOCAL 3363 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS FOR THE TERM COMMENCING FROM DECEMBER 1, 2016 THROUGH NOVEMBER 30, 2017; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND DECLARING AN EMERGENCY

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

Section 1. That, the provisions of a certain Collective Bargaining Agreement (hereinafter referred to as "the Agreement") between the City of Napoleon, Ohio (hereinafter called "the City") and Local 3363 International Association of Fire Fighters (hereinafter called "the Union") for the term commencing December 1, 2016 through November 30, 2017, both dates inclusive, (a true and complete copy of which is on file in the office of the City Finance Director marked as City Contract No. 2017-01) have been reviewed and are approved by this Council.

Section 2. That, upon ratification of the Agreement by the Union, the City Manager is authorized and directed to execute the Agreement in the name of and on behalf of the City, subject to any non-material amendments, additions, or deletions as deemed necessary or advisable by the City Manager and approved by the City Law Director. The Agreement may contain a provision that allows the terms and conditions of the Agreement to be retroactively applied, the same being hereby approved if it so exists.

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 essential City services to continue without distraction or disruption; 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. 001-17 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. 002-17

**AN ORDINANCE AMENDING ORDINANCE NO. 053-16,
APPOINTING CHAD E. LULFS AS THE ACTING CITY
MANAGER OF NAPOLEON, OHIO; AND, DECLARING AN
EMERGENCY**

WHEREAS, in the Ordinance No. 053-16 the dates were not certain as to the exact start date for the new City Manager, Joel L. Mazur;

WHEREAS, due to now having a firm start date, the City Council also desires to not terminate the acting City Manager's rights and responsibilities until just prior to the new City Manager's hire date;

WHEREAS, this Council previously appointed Joel L. Mazur, to the full time regular employment position of Napoleon City Manager, effective at 12:00am January 9th, 2017.

WHEREAS, effective on December 6th, 2016, Chad E. Lulfs was appointed as Acting City Manager, to be compensated an additional ten percent (10%) of his current wages per hour, thus totaling an additional \$418.72 gross wages, biweekly, less taxes and other mandatory deductions, (prorated as necessary according to City pay periods).

WHEREAS, benefits for the Acting City Manager shall continue to accrue and be in accordance with Chapter 197 of the Codified Ordinances (Personnel Code) and the applicable provisions of the City's Employment Policy Manual for full time regular employees, both as may be amended from time to time; **Now Therefore**:

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

Section 1. That, Ordinance No. 002-17 hereby extends Ordinance No. 053-16, wherein Chad E. Lulfs was appointed as acting City Manager beginning on December 6, 2016 at 12:01am, and effective until January 3, 2017 at 11:59pm, to be effective until 11:59pm January 8th, 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 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 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 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 allow for effective legal services to be rendered to the City, including those legal services related to public peace, health or safety; therefore, provided

it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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. 002-17 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. 003-17

A RESOLUTION PROVIDING FOR AN ELECTION ON THE QUESTION OF THE PROVISION OF THE INCOME TAX CODE OF THE CITY OF NAPOLEON, OHIO TO PROVIDE FOR A TEMPORARY INCREASE OF THREE TENTHS PERCENT (0.3%) TO THE PERMANENT 1.3% INCOME TAX; SAID 0.3% TEMPORARY INCOME TAX INCREASE TO COMMENCE ON JULY 1, 2017 AND END ON JUNE 30, 2022; AND TEMPORARILY REPEALING ORDINANCE NO. 103-08, AND AMENDING SECTION 193.02 OF THE CODIFIED ORDINANCES, ALL SUBJECT TO APPROVAL BY THE ELECTORS OF THE CITY OF NAPOLEON, OHIO ON THE MAY 2, 2017 BALLOT; AND DECLARING AN EMERGENCY

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 provision of the Income Tax Code 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 to be held on May 2, 2017 at the regular places of voting in the city. The Income Tax provision, to wit: to provide for a temporary increase of three tenths percent (0.3%) to the permanent 1.3% Income Tax; said 0.3% temporary income tax increase to commence on July 1, 2017 and end on June 30, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances, shall read as set forth in the attached Exhibit A: "City of Napoleon, Ohio City Council's Recommendation of Proposed Income Tax Code Provisions Beginning in the Year 2017" submitted by City Council on or before February 1, 2017, 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 to be held on May 2, 2017.

Section 3. That, the City Finance Director shall file a true and complete copy of this Resolution with the Board of Elections of Henry County, Ohio at least ninety (90) days before the date of said election.

Section 4. That, the City Finance Director is directed to publish the full text of the proposed Income Tax provisions once per 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 Resolution.

Section 6. That, to pay the cost of any printing, mailing copies of the proposed provisions 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 an 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 8. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provision 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 9. That, upon passage, this Resolution shall take effect at the earliest time permitted by law.

Section 10. 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 effective legal services to be rendered to the City, including those legal services related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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. 003-17 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

**Proposed Amendment to the Provision of the Income Tax Code of the City of Napoleon, Ohio
Local Issue 1**

A majority affirmative vote is necessary for passage.

On December 5, 2016, Napoleon City Council passed Ordinance No. 041-16 that approved amending the provision of the Income Tax Code of the City of Napoleon, Ohio to provide for a temporary increase of three tenths percent (0.3%) to the permanent 1.3% Income Tax; said 0.3% temporary Income Tax increase to commence on July 1, 2017 and end on June 30, 2022; and temporarily repealing Ordinance No. 103-08, and amending Section 193.02 of the Codified Ordinances:

(A FULL TEXT OF ORDINANCE NO. 041-16 AND THE INCOME TAX CODE OF THE CITY OF
NAPOLEON, OHIO IS POSTED AT THE POLLING PLACE)

Shall the Ordinance providing for a three tenths percent (0.3%) levy on income to provide adequate funds in future years for the purpose of design, engineering, and construction for capital maintenance of City streets and roads be passed?

FOR THE INCOME TAX

AGAINST THE INCOME TAX

ORDINANCE NO. 068-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,900,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL WATER SYSTEM BY CONSTRUCTING A NEW WATER TREATMENT PLANT, ACQUIRING AND IMPROVING RELATED INTERESTS IN REAL PROPERTY, IMPROVING AND REHABILITATING THE EXISTING WATER TREATMENT PLANT AND RELATED STORAGE FACILITIES, AND REHABILITATING THE ELEVATED STORAGE TANKS, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO

WHEREAS, pursuant to Ordinance No. 072-15 passed on January 5, 2015, notes in anticipation of bonds in the aggregate amount of \$2,500,000, dated March 4, 2015 (the "*Outstanding Notes*"), were issued for the purpose stated in Section 1, to mature on March 3, 2016; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Finance Director, as fiscal officer of this City, 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 March 7, 2033;

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 \$2,500,000 (the "*Bonds*") for the purpose of paying the costs of improving the municipal water system by constructing a new water treatment plant, acquiring and improving related interests in real property, improving and rehabilitating the existing water treatment plant and related storage facilities, and rehabilitating the elevated storage tanks, 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 \$2,500,000 (the “Notes”) shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 1 and to retire, together with other funds available to the City, the Outstanding Notes and to pay 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 retire the Outstanding Notes and to pay 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 City Manager and the Finance Director may sign and deliver, in the name and on behalf of the City, the Note Registrar Agreement between the City and the Paying Agent, in substantially the form as is now on file with the Clerk of Council. The Note Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Finance Director on behalf of the City, all of which shall be conclusively evidenced by the signing of the Note Registrar Agreement or amendments thereto. The Finance Director shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Note Registrar Agreement, except to the extent paid or reimbursed by the original purchaser in accordance with the Certificate of Award, from the proceeds of the Notes to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

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 security 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.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure the exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Notes.

Section 11. The Clerk of Council is directed to promptly deliver 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 Service, 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 in connection with the authorization, issuance and sale of the Notes. 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.

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 and any of its committees, and that all deliberations of this Council and 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. 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 18. This Ordinance shall be in full force and effect on the earliest date 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 of Council

I, Gregory J. Heath, Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 068-16 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 this document to be a **True and Correct** copy of Ordinance No. 068-16, passed _____, 2016.

Gregory J. Heath, Clerk of Council

Date

Memo

To: City Council & Chad Lulfs, Acting City Manager
From: Dave Pike, Wastewater Superintendent
Scott Hoover, Water Superintendent
Date: December 27, 2016
Re: 2017 Annual Chemical Bid

On December 21, 2016 bids were opened for the Chemicals that will be used at the Water and Wastewater Plants for the 2017 operational year. There were a total of 11 bids submitted. After reviewing the bids and specifications, we would like to recommend that the 2017 Chemical Bids be awarded to the following companies as the lowest and best:

<u>Chemical</u>	<u>Bid</u>	<u>Current Cost</u>	<u>Difference</u>
Lime	Mississippi Lime @ \$139.99/ton	\$145.85/ton	-\$5.86/ton
Alum	Chemtrade Chemical @ 0.9288/gal.	\$0.895/gal.	+\$0.0338
KMnO4	Brenntag Great Lakes @ \$2.65/lb.	\$3.01/lb.	-\$0.36/lb
Chlorine	Bonded Chemical @ \$0.475/lb.	\$0.485/lb.	-\$0.01/lb.
Phosphate	Brenntag Great Lakes @ \$0.914/lb.	\$0.95/lb.	-\$0.036/lb.
Fluoride	Sal Chemical @ \$0.48/lb.	\$0.481/lb.	-\$0.001/lb.
Carbon	Bonded Chemical @ \$0.815/lb.	\$0.82/lb.	-\$0.005/lb.
Soda Ash	BHS Marketing @ \$362.95/ton	\$375.25/ton	-\$12.30/ton
Liquid CO2	NO BID	\$120.00/ton	-\$/ton
Rock Salt	State Bid @ \$130.00/ton	\$122.00/ton	+\$8.00/ton

Because no bids were submitted for Rock Salt, we would recommend that we use the State Contract at \$130.00/ton. I am seeking quotes for CO2. I did reject the low bid on KMNO4 from Shannon Chemical. It was a foreign made product.

We have also attached a detailed spreadsheet of the chemical bids for your information. If you have any questions concerning the chemical bids, please feel free to contact either of us about this.

City of Napoleon, Ohio

CIVIL SERVICE COMMISSION
Special Meeting

Saturday, January 7, 2017 at 8:00 am

Location: Napoleon Fire Department, 265 West Riverview Avenue, Napoleon, OH

SPECIAL MEETING AGENDA

The Civil Service Commission will meet in a work session on Saturday, January 7, 2017 at 8:00 am at the Fire Station, that is located at 265 West Riverview, Napoleon, Ohio.

The agenda items are:

- I. Administer and grade the written test and agility test for the positions of Patrolman and Firefighter/Paramedic.
- II. Certify lists for the positions of Patrolman and Firefighter/Paramedic.
- III. Any other matters to come before the Commission.
- IV. Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

City of NAPOLEON, Ohio

Operations Department

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

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



PRESS RELEASE

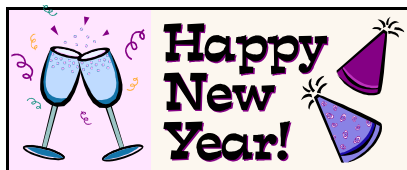
NEW YEAR'S DAY REFUSE AND RECYCLING PICKUP ROUTES

Napoleon, Ohio, -- Due to the upcoming New Year's Day holiday, the refuse and recycling pick up routes for the City of Napoleon will be as follows **for the week of January 1, 2017 – January 6, 2017 ONLY:**

- **Monday, Jan. 2 , – Holiday – No Pick UP**
- **Tuesday, Jan. 3, – Monday's Route**
- **Wednesday, Jan. 4, - Tuesday's Route**
- **Thursday, Jan 5, – as usual; Wednesday's route will also be run Thursday (there is a possibility of later than usual pick up time for Thursday's route).**
- **Friday, Jan. 6, – as usual**

Wednesday's and Thursday's routes will both be run on Thursday, January 5th. 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 5th.

Please contact the Operations Department at the above referenced number if there are any questions regarding this matter.





You are invited to attend the **2017 General Assembly** of members of the Toledo Metropolitan Area Council of Governments

TMACOG General Assembly
Monday, January 30, 8 a.m. – 1:15 p.m.
Holiday Inn French Quarter, Perrysburg

- **Business meeting and election of officers**
- **Caucus sessions and election of members to the Board of Trustees**
These peer meetings facilitate regional partnerships and establish the cooperation that promotes the TMACOG region.
- **Luncheon and keynote presentation**
TMACOG is pleased to welcome Matthew J. Grupe, Patrol Agent in Charge at the U.S. Customs & Border Protection, Sandusky Bay Station
The topic will be Border Security: How does the U.S. Border Patrol operate in northern Ohio? How do local elected officials, law enforcement, business owners, and citizens help in addressing threats to our region and nation?

Register by January 20 at www.tmacog.org*. Registration is \$40 for TMACOG members and members' guests, \$30 for students, and \$80 for non-members. No refunds will be made for cancellations after January 20. Contact Jennifer Allen (allen@tmacog.org or 419.241.9155, ext. 107) with any questions or to request special accommodations.

*full registration URL: www.regonline.com/registration/checkin.aspx?EventID=1903667

 **POGGEMEYER**
DESIGN GROUP
Newly Elected Officials sponsor



The **2017** TMACOG General Assembly

The General Assembly is the annual meeting of TMACOG members. You will vote on leadership for 2017, participate in caucus sessions, and shape TMACOG planning activities. Newly elected officials are particularly invited and will be recognized at the luncheon. Non-members and guests are also welcome.

www.tmacog.org

TMACOG | 300 Martin Luther King Jr. Dr., Ste. 300 | P.O. Box 9508 | Toledo, Ohio | 43697-9508



*****AUTO**3-DIGIT 434
MR GREGORY J HEATH
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