
Memorandum

To: Mayor, City Council, City Manager, Finance Director, City Law Director
From: Roxanne
Subject: General Information
Date: January 12, 2017

CALENDAR

AGENDA -City Council - Monday, January 16th at 7:00 pm

C. Swearing in of City Manager, Joel L. Mazur

D. Approval of Minutes

1. January 3, 2017 Regular Council Meeting Minutes

F. Reports from Council Committees

H. 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. **Resolution No. 004-17**, a Resolution authorizing the expenditure of funds over Twenty-Five Thousand Dollars (\$25,000.00) for the purpose of preparing the City of Napoleon's Master Plan and Asset Management for the Wastewater Treatment Plant, and to sole source said Master Plan and Asset Management to Stantec Consulting Services, Inc.; and Declaring an Emergency. (*Suspension Requested*)
 - a. Chad has included a Memorandum in the packet regarding the sole source request for the WWTP Asset Management and Master Plan.

I. Second Readings of Ordinances and Resolutions - None

J. Third 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

K. Good of the City (*Discussion/Action*)

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for January, 2017 as: PSCAF three (3) month averaged factor \$0.00627; JV2 \$0.066441; JV5 \$0.066441
2. **Discussion/Action:** Purchase of a Street Sweeper
 - a. Enclosed is Chad's Memorandum with the details for the purchase of the street sweeper

3. **Discussion/Action:** Ohio Ethics Financial Disclosure Statement
 - a. In the packet is information from the Ohio Ethics Commission on filing the annual Financial Disclosure Statement.

M. Approve Payments of Bills and Approve Financial Reports

INFORMATIONAL ITEMS

1. **AGENDA**
 - a. Monday, January 16th at 6:00 pm – Tree Commission
2. **CANCELLATION**
 - a. Parks and Recreation Committee Meeting
3. **MISCELLANEOUS INFORMATION**
 - a. AMP Update/January 6, 2017
 - b. Registration for the TMACOG 2017 General Assembly

Records Retention - CM-11 - 2 Years

JANUARY 2017

SUN	MON	TUE	WED	THU	FRI	SAT
1 <i>New Year's Day</i>	2 CLOSED <i>New Year's Day Holiday</i>	3 6:15 pm Technology Comm. 7:00 pm City COUNCIL	4	5	6	7 8:00 AM - Civil Service Testing/Mtg.
8	9	10	11	12	13	14
	6:30 pm Electric Committee BOPA 7:00 pm Ad-hoc Committee on Strategic Vision and Organizational Health	2:30 pm Preservation Comm.				
15	16	17	18	19	20	21
	6:00 pm Tree Commission 7:00 pm City COUNCIL					
22	23	24	25	26	27	28
	Vol. Firefighters Dependents Fund Board Vol. Peace Officers' Dependents Fund Board 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 COUNCIL

Meeting Agenda

Monday, January 16, 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. Swearing In of City Manager, Joel L. Mazur

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

1. January 03, 2017 (Regular Council Meeting)

E. Citizen Communication

F. Reports from Council Committees

1. **Electric Committee** met on January 9, 2017 and approved Power Supply Cost Adjustment Factor for January, 2017.
2. **Ad-Hoc Committee on Strategic Vision and Organizational Health** met on January 9, 2017.
3. **Water and Sewer Committee** did not meet due to lack of agenda items.
4. **Municipal Properties/Economic Development Committee** did not meet due to lack of agenda items.

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

1. **Civil Service Commission** met on Saturday, January 7, 2017 to administer and grade the written test and agility test for the positions of Patrolman and Firefighter/Paramedic.
2. **Preservation Commission** met on Tuesday, January 10, 2017 and dismissed the Original Certificate of Appropriateness for Demolition that was submitted on October 4, 2016.
3. **Board of Zoning Appeals** did not meet due to lack of agenda items.
4. **Planning Commission** did not meet due to lack of agenda items.

H. 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. **Resolution No. 004-17**, a Resolution authorizing the expenditure of funds over Twenty-Five Thousand Dollars (\$25,000.00) for the purpose of preparing the City of Napoleon's Master Plan and Asset Management for the Wastewater Treatment Plant, and to sole source said Master Plan and Asset Management to Stantec Consulting Services, Inc.; and Declaring an Emergency. *(Suspension Requested)*

I. Second Readings of Ordinances and Resolutions

J. Third 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.

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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for January, 2017 as:
PSCAF three (3) month averaged factor \$0.00627; JV2 \$0.066441; JV5 \$0.066441
2. **Discussion/Action:** Purchase of a Street Sweeper
3. **Discussion/Action:** Ohio Ethics Financial Disclosure Statement

L. Executive Session: *(As Needed)*

M. 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.)*

N. 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: Monday, February 06, 2017 @6:15 pm)

- a. City Email Server (tabled)
- b. Standards/Government Pricing on Computer Purchases (tabled)

2. Electric Committee (2nd Monday)

(Next Regular Meeting: Monday, February 13, 2017 @6:30 pm)

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

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

(Next Regular Meeting: Monday, February 13, 2017 @7:00 pm)

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

(Next Regular Meeting: Monday, February 13, 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-Canceled)

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)

9. Ad Hoc Committee on Organizational Health and Strategic Vision (Next Meeting: Mon., February 20, 2017 at 6:00 pm)

10. 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, February 13, 2017 @6:30 pm)

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

2. Board of Zoning Appeals (2nd Tuesday)

(Next Regular Meeting: Tuesday, February 17, 2017 @4:30 pm)

3. Planning Commission (2nd Tuesday)

(Next Regular Meeting: Tuesday, February 17, 2017 @5:00 pm)

4. Tree Commission (3rd Monday)

(Next Regular Meeting: Monday, February 20, 2017 @6:00 pm)

5. Civil Service Commission (4th Tuesday)

(Next Regular Meeting: Tuesday, January 24, 2017 @4:30 pm)

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)

12. Infrastructure/Economic Development Fund Review Committee (as needed)

13. Tax Incentive Review Council (as needed)

14. Volunteer Firefighters' Dependents Fund Board (Monday, January 23, 2017)

15. Volunteer Peace Officers' Dependents Fund Board (Monday, January 23, 2017)

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

Tuesday, January 03, 2017 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

Scott Hoover, WTP Superintendent

Dave Pike, WWTP Superintendent

Dan Wachtman, MIS Administrator

Others

News Media, NCTV,

Joel Mazur

ABSENT

Prayer

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 December 19, 2016 Regular City Council meeting and December 21, 2016 Special City Council meeting all stand approved as read with no objections or corrections.

Citizen Communication

None

Council Committee Reports

The Finance and Budget Committee and Safety and Human Resources Committee did not meet in December due to lack of agenda items.

Chairperson Small reported the Technology Committee met earlier tonight and discussed the City Email Server, it was decided to table further discussion until we have more information. Also discussed was the standards and government pricing on computer purchases, this too was tabled until we have further research.

Introduction of Resolution No. 001-17 POSTPONED

President Sheaffer said Resolution No. 001-17 will be postponed until the next Council meeting.

Introduction of Ordinance No. 002-17 Amending Ordinance No. 053-16 Appointing Acting City Manager

Council President Sheaffer read by title Ordinance 002-17, an Ordinance amending Ordinance No. 053-16 Appointing Chad E. Lulfs as Acting City Manager of Napoleon, Ohio; and Declaring an Emergency.

**Motion to Approve
First Read of 002-17**

Motion: Comadoll Second: Bialorucki

Discussion for 002-17

Lulfs said the original appointment was only until January 3, 2017. The new City Manager will be starting on January 9th so this ordinance is to extend the Acting City Manager appointment until January 8, 2017.

**Motion to Suspend the
Rules for 002-17**

Motion: Comadoll Second: Bialorucki
to suspend the rules for Ordinance No. 002-17

**Passed
Yea-7
Nay-0**

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

**Ordinance No. 002-17
Under Suspension of the
Rules and Emergency**

Roll call vote to pass Ordinance No. 002-17 under suspension of the rules and with emergency.

**Passed
Yea-7
Nay-0**

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

**Introduction of
Resolution No. 003-17
Temporary Income Tax
Increase Ballot Language**

President Sheaffer read by title 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 tenth 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.

**Motion to Approve
First Read of 003-17**

Motion: Small Second: Mires
To approve First Read of Ordinance No. 003-17.

Discussion for 003-17

Harmon stated Ordinance No. 041-16 for a temporary increase to the permanent income tax has already been passed. This piece of legislation is required stating the rate of the income tax (as a percentage), the purpose of the income tax, the date of the election at which the question is to be put before the voters, and directing the board of elections to conduct the election, this needs to be in before February 1st.

**Motion to Suspend the
Rules for 003-17**

Motion: Comadoll Second: Small
To Suspend the Rules for Ordinance No. 003-17.

**Passed
Yea-5
Nay-2**

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

Volunteer Peace Officers' Dependents Fund Board Sheaffer said we are asked to provide two people to be on this board, it is similar to the Fire Fighters Dependents board; this one was implemented on the police side last year.

Motion to Appoint Jeff Comadoll and Joe Bialorucki to the VPODFB Motion: Baer Second: Small
to Appoint Jeff Comadoll and Joe Bialorucki to the Volunteer Peace Officers' Dependents Fund Board

Passed Roll call vote on the above motion:
Yea-7 Yea – Small, McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki
Nay-0 Nay -

AROUND the TABLE

Lulfs Nothing.

Harmon Would like to request an executive session on Economic Development.

Mires Nothing.

Baer Nothing.

Comadoll Cancel the Water and Sewer Committee meeting for January 9, 2017.
Comadoll asked for an update on the WTP.
Lulfs reported the plans were submitted and we are reviewing them, we hope to meet with the consulting firm this Thursday to go over the revisions. May possibly do the final inspection on the UV phase of the project.

Maassel I will give the State of the City the first meeting in February per the Charter.

Sheaffer I would like to set a meeting of the Ad-hoc Committee on Organizational Health and Strategic Vision at 7:00 pm on Monday, January 9, 2017.

McColley Happy New Year. Canceled the Municipal Properties meeting for January 9, 2017.

Small Happy New Year.

Bialorucki Nothing.

Heath We are working on the year end.

Motion To Go Into Executive Session Economic Development Motion: Small Second: Joe
To go into Executive Session on Economic Development.

Passed Roll call vote on the above motion:
Yea-7 Yea–Small, McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki
Nay-0 Nay-

Approved:

January 16, 2017

Travis Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

DRAFT

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



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: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Dave Pike, W.W.T.P. Superintendent
Date: January 9, 2017
Subject: W.W.T.P. Asset Management & Master Plan ~ Sole Source Request

In an effort to plan for future capital expenses and meet new mandates from the O.E.P.A. regarding asset management at the City of Napoleon's W.W.T.P., it was proposed to prepare a Master Plan for the facility. The Plan will need to take into account not only the immediate needs for the facility, but also consider the future requirements from the O.E.P.A. as well as the collection system. Council approved this project in the City of Napoleon's 2017 Budget.

To be able to properly prepare the Plan, the consultant will need to have an intimate knowledge of the plant, the collection system, and O.E.P.A. requirements. I am requesting that this project be sole sourced to Stantec Consulting Services, Inc. In the past, Stantec has been involved with the following projects:

- Long Term Control Plan & W.W.T.P. & Collection System Comprehensive Plan
- Long Term Control Plan Renegotiations (On-going)
- W. Riverview Pump Station Design
- S. Side Pump Station Design
- W. Riverview Interceptor I/I Study
- Haley Avenue Interceptor I/I Study
- S. Side Interceptor I/I Study
- Oberhaus Interceptor I/I Study
- VanHyning Interceptor I/I Study
- Front Street I/I Study
- E. Riverview I/I Study
- Revised I/I Studies & Wet Weather Compliance Plan
- 2.5 MG EQ Basin Design
- Total Phosphorous Reduction Plan

All of the projects listed above will need to be considered in the plan. The budget for this project is \$120,000.00. If this sole source request is approved, we will begin negotiations with Stantec Consulting Services, Inc. immediately.

CEL

RESOLUTION NO. 004-17

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF PREPARING THE CITY OF NAPOLEON'S MASTER PLAN AND ASSET MANAGEMENT FOR THE WASTEWATER TREATMENT PLANT, AND TO SOLE SOURCE SAID MASTER PLAN AND ASSET MANAGEMENT TO STANTEC CONSULTING SERVICES, INC.; AND DECLARING AN EMERGENCY

WHEREAS, as part of the City of Napoleon's ongoing effort to plan for future capital expenses and meet Ohio EPA mandates regarding asset management; and,

WHEREAS, the preparation of the City of Napoleon's Wastewater Treatment Plant Master Plan and asset management was previously approved by City Council in the City of Napoleon 2017 Budget; and,

WHEREAS, the cost to prepare said Master Plan and asset management exceeds \$25,000.00; and,

WHEREAS, the City of Napoleon desires to sole source this project to Stantec Consulting Services, Inc. because of Stantec's intimate knowledge of the City's infrastructure (Stantec has been involved in the City's Long Term Control Plan, the development of the City's Sewer Model, the expansion of the City's wastewater treatment plant, and previous work on this project) will expedite the project; therefore, 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 and/or quality based selection; **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 prepare the City of Napoleon's Master Plan and asset management for the Wastewater Treatment Plant.

Section 2. That, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding and/or quality based selection.

Section 3. That, the City Manager is authorized to enter into a Contract with Stantec Consulting Services, Inc. to prepare said Master Plan and asset management.

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 comply with the Ohio EPA's mandates which are related to public peace, health or safety accessible to our citizens; 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. 004-17 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. 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

JANUARY 2017		City of Napoleon, Ohio									
DETERMINATION OF MONTHLY - POWER SUPPLY COST ADJUSTMENT FACTOR (PSCAF)											
AMP Billed Usage Month	City Billing Month	City Net (Prior Mo) kWh Delivered	Purchased Power Supply Costs (Net of Known) (Credit's) Actual Billed	Rolling 3-Month Totals Current + Prior 2 Months kWh Cost c + prior 2 Mo	Rolling 3-Month Totals Current + Prior 2 Months Cost d + prior 2 Mo	Rolling 3 Month Average Cost f / e	Less: Fixed Base Power Supply Cost \$0.07194 Fixed	PSCA Dollar Difference + or (-) g + h	PSCAF 3 MONTH AVERAGED FACTOR i X 1.075		
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)		
Nov '14	Jan '15	13,630,693	\$ 1,048,435.47	39,521,652 \$ 2,928,938.99	\$ 2,928,938.99	0.07411	\$(0.07194)	\$ 0.00217	\$ 0.00233		
Dec '14	Feb '15	14,030,217	\$ 1,077,557.19	40,617,941 \$ 3,133,373.63	\$ 3,133,373.63	0.07714	\$(0.07194)	\$ 0.00520	\$ 0.00559		
Jan '15	Mar '15	14,814,734	\$ 1,036,847.14	42,475,644 \$ 3,162,839.80	\$ 3,162,839.80	0.07446	\$(0.07194)	\$ 0.00252	\$ 0.00271		
Feb '15	April '15	13,867,347	\$ 960,357.18	42,712,298 \$ 3,074,761.51	\$ 3,074,761.51	0.07199	\$(0.07194)	\$ 0.00005	\$ 0.00005		
March '15	May '15	13,844,262	\$ 1,003,564.83	42,526,343 \$ 3,000,769.15	\$ 3,000,769.15	0.07056	\$(0.07194)	\$(0.00138)	\$(0.00148)		
April '15	June '15	12,167,778	\$ 886,097.15	39,879,387 \$ 2,850,019.16	\$ 2,850,019.16	0.07147	\$(0.07194)	\$(0.00047)	\$(0.00051)		
May '15	July '15	11,261,298	\$ 881,002.83	37,273,338 \$ 2,770,664.81	\$ 2,770,664.81	0.07433	\$(0.07194)	\$ 0.00239	\$ 0.00257		
Jun '15	Aug '15	13,738,522	\$ 916,655.51	37,167,598 \$ 2,683,755.49	\$ 2,683,755.49	0.07221	\$(0.07194)	\$ 0.00027	\$ 0.00029		
Jul '15	Sep '15	15,053,827	\$ 979,654.01	40,053,647 \$ 2,777,312.35	\$ 2,777,312.35	0.06934	\$(0.07194)	\$(0.00260)	\$(0.00280)		
Aug '15	Oct '15	15,336,926	\$ 965,909.05	44,129,275 \$ 2,862,218.57	\$ 2,862,218.57	0.06486	\$(0.07194)	\$(0.00708)	\$(0.00761)		
Sept '15	Nov '15	14,245,268	\$ 1,020,249.35	44,636,021 \$ 2,965,812.41	\$ 2,965,812.41	0.06644	\$(0.07194)	\$(0.00550)	\$(0.00591)		
Oct '15	Dec '15	13,510,482	\$ 809,877.76	43,092,676 \$ 2,796,036.16	\$ 2,796,036.16	0.06488	\$(0.07194)	\$(0.00706)	\$(0.00758)		
Nov '15	Jan '16	13,060,476	\$ 939,293.49	40,816,226 \$ 2,769,420.60	\$ 2,769,420.60	0.06785	\$(0.07194)	\$(0.00409)	\$(0.00440)		
Dec '15	Feb '16	13,634,579	\$ 863,769.64	40,205,537 \$ 2,612,940.89	\$ 2,612,940.89	0.06499	\$(0.07194)	\$(0.00695)	\$(0.00747)		
Jan '16	Mar '16	14,813,772	\$ 1,060,489.73	41,508,827 \$ 2,863,552.86	\$ 2,863,552.86	0.06899	\$(0.07194)	\$(0.00295)	\$(0.00317)		
Feb '16	Apr '16	13,961,098	\$ 1,012,584.64	42,409,449 \$ 2,936,844.01	\$ 2,936,844.01	0.06925	\$(0.07194)	\$(0.00269)	\$(0.00289)		
Mar '16	May '16	12,975,047	\$ 1,017,837.14	41,749,917 \$ 3,090,911.51	\$ 3,090,911.51	0.07403	\$(0.07194)	\$ 0.00209	\$ 0.00225		
Apr '16	June '16	12,132,975	\$ 897,981.75	39,069,120 \$ 2,928,403.53	\$ 2,928,403.53	0.07495	\$(0.07194)	\$ 0.00301	\$ 0.00324		
May '16	July '16	11,244,178	\$ 976,900.73	36,352,200 \$ 2,892,719.62	\$ 2,892,719.62	0.07957	\$(0.07194)	\$ 0.00763	\$ 0.00821		
June '16	Aug '16	12,200,629	\$ 1,068,079.71	35,577,782 \$ 2,942,962.19	\$ 2,942,962.19	0.08272	\$(0.07194)	\$ 0.01078	\$ 0.01159		
July '16	Sep '16	13,629,297	\$ 1,080,619.47	37,074,104 \$ 3,125,599.91	\$ 3,125,599.91	0.08431	\$(0.07194)	\$ 0.01237	\$ 0.01329		
Aug '16	Oct '16	15,596,452	\$ 1,210,058.88	41,426,378 \$ 3,358,758.06	\$ 3,358,758.06	0.08108	\$(0.07194)	\$ 0.00914	\$ 0.00982		
Sep '16	Nov '16	14,780,525	\$ 1,079,259.61	44,006,274 \$ 3,369,937.96	\$ 3,369,937.96	0.07658	\$(0.07194)	\$ 0.00464	\$ 0.00499		
Oct '16	Dec '16	12,402,405	\$ 955,761.68	42,779,382 \$ 3,245,080.17	\$ 3,245,080.17	0.07586	\$(0.07194)	\$ 0.00392	\$ 0.00421		
Nov '16	Jan '17	11,282,665	\$ 956,580.93	38,465,595 \$ 2,991,602.22	\$ 2,991,602.22	0.07777	\$(0.07194)	\$ 0.00583	\$ 0.00627		

BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE - JANUARY, 2017

2017 - JANUARY BILLING WITH DECEMBER 2016 DATA BILLING UNITS

PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER KWH AND COST ALLOCATIONS BY DEMAND & ENERGY:

<u>DATA PERIOD</u>	<u>MONTH / YR</u>	<u>DAYS IN MONTH</u>	<u>MUNICIPAL PEAK</u>						
AMP-Ohio Bill Month	NOVEMBER, 2016	30	21.508						
City-System Data Month	DECEMBER, 2016	31							
City-Monthly Billing Cycle	JANUARY, 2017	31							
=====<u>CONTRACTED AND OPEN MARKET POWER</u>=====									
=====<u>PEAKING</u>=====									
=====<u>HYDRO POWER</u>=====									
(FREEMONT	PRAIRIE STATE	MORGAN STNLY	NORTHERN	JV-2	AMP-HYDRO	MELDAHL-HYDR	GREENUP HYDR	GREENUP HYDR
PURCHASED POWER-RESOURCES -> (AMP CT	ENERGY	SCHED. @ PJMC	REPLMNT.2015-20	POWER	PEAKING	CSW	SCHED. @	SCHED. @
(SCHED. @ ATSI	SCHEDULED	REPLMT@ PJMC	7x24 @ AD	POOL	SCHED. @ ATSI	SCHED. @ PJMC	MELDAHL BUS	GREENUP BUS
Delivered kWh (On Peak) ->	0	291,289	3,252,581	2,736,000	1,296,710	161	1,104,433	213,566	160,421
Delivered kWh (Off Peak) ->					528,037				
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->					-369,586				
Net Total Delivered kWh as Billed ->	0	291,289	3,252,581	2,736,000	1,455,161	161	1,104,433	213,566	160,421
<i>Percent % of Total Power Purchased-></i>	<i>0.0000%</i>	<i>2.3837%</i>	<i>26.6167%</i>	<i>22.3894%</i>	<i>11.9079%</i>	<i>0.0013%</i>	<i>9.0378%</i>	<i>1.7477%</i>	<i>1.3128%</i>
<u>COST OF PURCHASED POWER:</u>									
<u>DEMAND CHARGES (+Debits)</u>									
Demand Charges	\$34,835.57	\$41,131.77	\$58,851.09			\$837.26	\$11,513.38	\$4,132.27	\$1,325.94
Debt Services (Principal & Interest)		\$44,279.65	\$99,491.04				\$137,780.07	\$15,418.59	\$4,557.30
<u>DEMAND CHARGES (-Credits)</u>									
Transmission Charges (Demand-Credits)	-\$29,649.45					-\$542.45			
Capacity Credit	-\$62,412.87	-\$32,975.88	-\$14,555.97			-\$1,487.38	-\$2,549.89	-\$1,653.62	-\$854.47
Sub-Total Demand Charges	-\$57,226.75	\$52,435.54	\$143,786.16	\$0.00	\$0.00	-\$1,192.57	\$146,743.56	\$17,897.24	\$5,028.77
<u>ENERGY CHARGES (+Debits):</u>									
Energy Charges - (On Peak)		\$9,143.39	\$18,982.97	\$172,231.20	\$52,113.96	\$3.79	\$139.33	\$12.35	\$144.22
Energy Charges - (Replacement/Off Peak)					\$18,020.58				
Net Congestion, Losses, FTR		\$102.81	\$3,994.29	-\$246.73			\$1,399.84	\$211.61	\$113.72
Transmission Charges (Energy-Debits)			\$75,472.67						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)		-\$21.64				\$3.42	\$10,222.65	-\$651.29	\$4,226.09
<u>ENERGY CHARGES (-Credits or Adjustments):</u>									
Energy Charges - On Peak (Sale or Rate Stabilization)					-\$8,535.08				
Net Congestion, Losses, FTR									
Bill Adjustments (General & Rate Levelization)			-\$31,850.71				-\$2,208.87	-\$427.13	-\$320.84
Sub-Total Energy Charges	\$0.00	\$9,224.56	\$66,599.22	\$171,984.47	\$61,599.46	\$7.21	\$9,552.95	-\$854.46	\$4,163.19
<u>TRANSMISSION & SERVICE CHARGES, MISC.:</u>									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									
Service Fees AMP-Part A - (+Debit/-Credit)									
Service Fees AMP-Part B - (+Debit/-Credit)									
Other Charges & Bill Adjustments - (+Debit/-Credit)									
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL - ALL COSTS OF PURCHASED POWER	-\$57,226.75	\$61,660.10	\$210,385.38	\$171,984.47	\$61,599.46	-\$1,185.36	\$156,296.51	\$17,042.78	\$9,191.96
<i>Purchased Power Resources - Cost per kWh-></i>	<i>\$0.000000</i>	<i>\$0.211680</i>	<i>\$0.064683</i>	<i>\$0.062860</i>	<i>\$0.042332</i>	<i>-\$7.362484</i>	<i>\$0.141517</i>	<i>\$0.079801</i>	<i>\$0.057299</i>

BILLING SUMMARY AND CONS									
2017 - JANUARY BILLING WITH DECEMBER 20									
PREVIOUS MONTH'S POWER BILLS - PL									
DATA PERIOD									
AMP-Ohio Bill Month									
City-System Data Month									
City-Monthly Billing Cycle									
=====WIND=====									
=====SOLAR=====									
=====TRANSMISSION, SERVICE FEES & MISC. CONTRACTS=====									
(NYPA	JV-5	JV-6	AMP SOLAR	EFFNCY.SMART	TRANSMISSION	SERVICE FEES	MISCELLANEOUS	TOTAL -
PURCHASED POWER-RESOURCES ->	HYDRO	HYDRO	WIND	PHASE 1	POWER PLANT	CHARGES	DISPATCH, A & B	CHARGES &	ALL
(SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2014 - 2017	Other Charges	Other Charges	LEVELIZATION	RESOURCES
Delivered kWh (On Peak) ->	606,666	2,223,360	39,824	104,152	0	0	0	0	12,029,163
Delivered kWh (Off Peak) ->									528,037
Delivered kWh (Replacement/Losses/Offset) ->		32,478							32,478
Delivered kWh/Sale (Credits) ->									-369,586
Net Total Delivered kWh as Billed ->	606,666	2,255,838	39,824	104,152	0	0	0	0	12,220,092
Percent % of Total Power Purchased->	4.9645%	18.4601%	0.3259%	0.8523%	0.0000%	0.0000%	0.0000%	0.0000%	100.0001%
								Verification Total ->	100.0000%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$6,272.89	\$35,332.94	\$1,576.48			\$111,573.43			\$307,383.02
Debt Services (Principal & Interest)		\$55,381.81							\$356,908.46
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)		-\$11,370.17	-\$117.67						-\$41,679.74
Capacity Credit	-\$4,412.61	-\$14,514.20	-\$106.71						-\$135,523.60
Sub-Total Demand Charges	\$1,860.28	\$64,830.38	\$1,352.10	\$0.00	\$0.00	\$111,573.43	\$0.00	\$0.00	\$487,088.14
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$7,789.70	\$55,210.55		\$8,852.89		\$5,007.28			\$329,631.63
Energy Charges - (Replacement/Off Peak)									\$18,020.58
Net Congestion, Losses, FTR	\$2,204.42								\$7,779.96
Transmission Charges (Energy-Debits)									\$75,472.67
ESPP Charges					\$17,863.18				\$17,863.18
Bill Adjustments (General & Rate Levelization)								-\$100,000.00	-\$86,220.77
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)									-\$8,535.08
Net Congestion, Losses, FTR									\$0.00
Bill Adjustments (General & Rate Levelization)	-\$4,108.18								-\$38,915.73
Sub-Total Energy Charges	\$5,885.94	\$55,210.55	\$0.00	\$8,852.89	\$17,863.18	\$5,007.28	\$0.00	-\$100,000.00	\$315,096.44
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)						\$144,321.01			\$144,321.01
RPM / PJM Charges Capacity - (-Credit)									\$0.00
Service Fees AMP-Dispatch Center - (+Debit/-Credit)							\$0.00		\$0.00
Service Fees AMP-Part A - (+Debit/-Credit)							\$2,969.55		\$2,969.55
Service Fees AMP-Part B - (+Debit/-Credit)							\$7,105.79		\$7,105.79
Other Charges & Bill Adjustments - (+Debit/-Credit)									\$0.00
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$144,321.01	\$10,075.34	\$0.00	\$154,396.35
TOTAL - ALL COSTS OF PURCHASED POWER	\$7,746.22	\$120,040.93	\$1,352.10	\$8,852.89	\$17,863.18	\$260,901.72	\$10,075.34	-\$100,000.00	\$956,580.93
								Verification Total ->	\$956,580.93
Purchased Power Resources - Cost per kWh->	\$0.012769	\$0.053213	\$0.033952	\$0.085000	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.078279
								(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWH) = JV2 Electric Service Rate ->	\$0.066441
								(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWH) = JV5 Electric Service Rate ->	\$0.066441



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Luffs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, Finance Director
Jeff Rathge, Operations Superintendent
Date: January 9, 2017
Subject: Purchase of New Street Sweeper

Included in the 2017 Final Budget is the purchase of a street sweeper. I request approval of the purchase of one Global Environmental Products M4 Four-Wheel High Speed Mechanical Broom Sweeper (demonstration unit used 3 times) from the State of Ohio Term Schedule Contract, Number 800285. The purchase price (including trade-in allowance) is \$248,410.00. The available budget amount for this unit is \$250,000.00.

CEL

Financial Disclosure

The Ohio Ethics law requires certain elected officials, candidates for elected offices, public employees, and appointees to public positions to annually file a financial disclosure statement with the Ohio Ethics Commission. A financial disclosure statement requires a filer to disclose information regarding their personal financial interests and fiduciary relationships for the preceding calendar year.

Filing a financial disclosure statement is part of the responsibility of choosing to hold or run for public office or employment. The purpose of filing a financial disclosure statement is to increase confidence in government and openness by: (1) Assisting public servants in identifying potential conflicts of interest; and (2) Allowing citizens to become aware of the financial interests of the officials and employees who serve them.

The General Assembly has included financial disclosure as a key component of the Ethics Law since it was enacted in 1974.

File a Financial Disclosure Statement

1

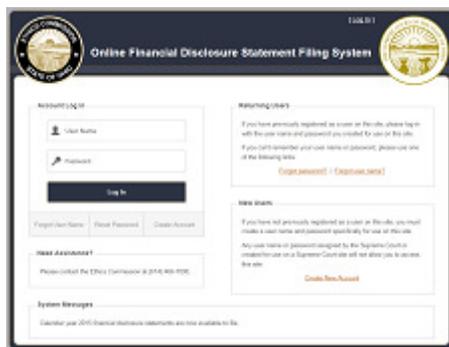
Online

2

In Person

3

Mail

A screenshot of the 'Online Financial Disclosure Statement Filing System' website. The page features a login section with fields for 'User Name' and 'Password', and a 'Log In' button. Below this is a 'Forgot User Name / Forgot Password / Create Account' link. There is also a 'New User?' section with instructions for new users and a 'Create New Account' link. The page includes the Ohio Ethics Commission logo and a system message at the bottom.

(<https://disclosure.ethics.ohio.gov>)

File online today at:

disclosure.ethics.ohio.gov

(<https://disclosure.ethics.ohio.gov>)



Electronic Filing: The Preferred Method

Used by over 80% of filers last year, filing electronically reduces errors, greatly simplifies future filings, and provides all of the following **exclusive** benefits:

- Assurance that you have completed all and only the necessary portions.
- Immediate acknowledgement that your statement has been filed.
- Print, view, or save a time-stamped copy of your completed statement.
- In subsequent years, your financial disclosure statement can be pre-populated with information contained in the previous year's statement so that you will need only to update your statement

before filing.

- Payment of filing fees can be made via credit card or electronic check (ACH).
- 24/7 availability (Statements filed by 11:59 PM are time-stamped the same day).

Deadlines

The general filing deadline, which applies to most filers, for calendar year 2016 financial disclosure statements is:

Monday, May 15, 2017

The general filing deadline applies to all filers except for those individuals filing for any of the reasons listed below:

A. **Candidates:**

Non-Incumbent Candidates

- Candidate in the May 2, 2017, primary election: Monday, April 3, 2017
- Write-in candidate in the May 2, 2017, primary election: Wednesday, April 12, 2017
- Candidate in the November 7, 2017, general election (who did NOT appear on an earlier ballot): Tuesday, October 10, 2017
- Write-in candidate in the November 7, 2017, general election (who did NOT appear on an earlier ballot): Wednesday, October 18, 2017
- Candidate in a Special Election: 30 days (20 days for write-in candidates) prior to the first election at which their name will appear on a ballot.

Incumbent Candidates

- Certified to the ballot prior to May 15, 2017: 30 days (20 days for write-in candidates) prior to the first election at which their name will appear on a ballot.
- Certified to the ballot on or after May 15, 2017: Monday, May 15, 2017

B. Person Appointed to Unexpired Term in Elected Office: Within 15 days after being sworn in to office.

C. Person Appointed or Promoted to, or Employed in, a Non-Elective Filing Position after February 15, 2017: Within 90 days of appointment, promotion, or employment.

For more information see R.C. 102.02(A)(4) (<http://codes.ohio.gov/orc/102.02>) and OAC 102-5-10 (<http://codes.ohio.gov/oac/102-5-10>).

Filing Fees:

Disclosure statements must be accompanied by a filing fee based on the position for which the person is filing.

State elected office holder or candidate	\$ 95.00
State Board of Education member or candidate	\$ 35.00
County elected office holder or candidate	\$ 60.00
City elected office holder or candidate	\$ 35.00
School district board of education member or candidate	\$ 30.00
ESC governing board member or candidate	\$ 30.00
School district or ESC superintendent, treasurer, or business manager	\$ 30.00
All other filers	\$ 60.00

Most filers are responsible for paying their own filing fees. However, the law requires that state agencies must pay the filing fees for the employees who serve the agencies.

Late Fees:

In addition to filing fees, statements which are filed after the appropriate deadline will be assessed an additional late filing fee of **\$10.00 per day**, for each day the statement is late, up to a maximum of \$250.00.

Late Filings Penalties

The Ethics Law requires that each financial disclosure filer should file his or her statement on or before the applicable filing deadline. There are penalties, including late fees and possible fourth-degree misdemeanor criminal charges, for any filers who fail to file their statements on time.

Failing to File Penalties

Any person who does not file a required statement can be charged with a fourth-degree misdemeanor. The maximum penalty for a person convicted of a fourth-degree misdemeanor is a two hundred and fifty dollar (\$250.00) fine and/or thirty (30) days in jail.

False Filings Penalties

Any person who files a false statement can be charged with a first-degree misdemeanor. The maximum penalty for a person convicted of a first-degree misdemeanor is a one thousand dollar (\$1000.00) fine and/or six (6) months in jail.



FINANCIAL DISCLOSURE STATEMENT

This statement is to be filed in 2017

Financial information for calendar year 2016

Please type or print clearly. See instructions for assistance with this page.

SECTION A. PERSONAL CONTACT INFORMATION

Form with fields for Last Name, First Name, MI, Address, City, State, Zip, County, E-mail Address, and Phone.

SECTION B. STATUS (Check all that apply)

- Checkboxes for Candidate, Write-in Candidate, Elected to an office, Appointed to an unexpired term in elective office, Public Official, Public Employee, and Voluntary Filer / Other.

CANDIDATES: Please list the date of the first election (primary, special, or general) when your name will appear on the ballot.

Table with columns for Month, Day, and Year, with 2017 entered in the Year column.

FOR OFFICIAL USE ONLY

Large empty box for official use only.

SECTION C. PUBLIC POSITION, OFFICE, OR JOB

Form with fields for Position/Title, Public Entity, Public Salary, Start Date, and End Date.

SECTION D. ADDITIONAL PUBLIC POSITION, OFFICE, OR JOB

Form with fields for Position/Title, Public Entity, Public Salary, Start Date, and End Date.

FOR OHIO ETHICS COMMISSION USE ONLY

Form with checkboxes for Walk-in, Inter Office, No Check, Filer has answered every required question, and Filer has not answered these questions. Includes fields for Date incomplete form returned to filer and Date completed form returned to OEC.

1. SOURCES OF INCOME - ALL FILERS MUST ANSWER THIS QUESTION:(For help, see instructions [page 4](#)) I have no sources of income that I am required to list.

Source of Income	Service Provided	Amount* (if required)
A		
B		
C		
D		
E		

* Check [instructions](#) to see whether you are required to disclose amounts of income.

2. SOURCES OF GIFTS - ALL FILERS MUST ANSWER THIS QUESTION:(For help, see instructions [page 5](#)) I have no sources of gifts that I am required to list.

Source of Gift	Source of Gift
A	D
B	E
C	F

3. NAMES OF SPOUSE RESIDING IN HOUSEHOLD AND ANY DEPENDENT CHILDREN - ALL FILERS MUST ANSWER THIS QUESTION: There are no immediate family members whose names I am required to list.(For help, see instructions [page 5](#))

Spouse Residing in Household	Dependent Children

4. NAMES OF BUSINESSES - ALL FILERS MUST ANSWER THIS QUESTION:(For help, see instructions [page 5](#))

If you or anyone you listed in Question 3 owns or operates a business, list the name of the business.

 There are no business names that I am required to list.

Business Name	Business Name
A	C
B	D

5. LAND (REAL ESTATE) IN OHIO - ALL FILERS MUST ANSWER THIS QUESTION:(For help, see instructions [page 6](#)) I have no real estate that I am required to list.

Land (Real Estate) in Ohio (List address or, if address is unavailable, plat number and county)
A
B
C

You are not required to disclose your personal residence or real property held primarily for personal recreation.

6. CREDITORS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions [page 6](#))

I have no creditors that I am required to list.

Creditor	Creditor
A	D
B	E
C	F

7. DEBTORS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions [page 6](#))

I have no debtors that I am required to list.

Debtor	Debtor
A	C
B	D

8. INVESTMENTS OVER \$1,000 - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions [page 6](#) and [7](#))

I have no investments that I am required to list.

Corporation, Trust, Business Trust, Partnership, or Association	Nature of Investment
A	
B	
C	
D	
E	
F	
IF YOU NEED ADDITIONAL SPACE, PLEASE ATTACH A SEPARATE SHEET.	

9. OFFICES/FIDUCIARY RELATIONSHIPS - ALL FILERS MUST ANSWER THIS QUESTION:

(For help, see instructions [page 8](#))

I have no offices or fiduciary relationships that I am required to list.

Corporation, Trust, Business Trust, Partnership, or Association	Office or Nature of Relationship
A	
B	

SKIP QUESTIONS 10 AND 11 IF YOU ARE ONLY REQUIRED TO FILE AS A:

- College or university trustee
- Candidate for a city, township, school district, or ESC position that is paid less than \$16,000 a year
- City, township, school district, ESC, or sanitary district official or employee serving in a position that is paid less than \$16,000 a year

10. FOOD OR BEVERAGES - ALL FILERS EXCEPT THOSE LISTED IN THE BOX ABOVE MUST ANSWER THIS QUESTION:

I have no sources of meals, food, or beverages that I am required to list.

(For help, see instructions [page 8](#))

Source of Food or Beverages	Source of Food or Beverages
A	C
B	D

11. TRAVEL EXPENSES - ALL FILERS EXCEPT THOSE LISTED IN THE BOX ON PAGE 3 MUST ANSWER THIS QUESTION:

I have no sources of travel expenses that I am required to list. (For help, see instructions [page 9](#))

Source of Travel Expenses	Amount
A	
B	
C	
D	
E	
F	

12. NON-DISPUTED INFORMATION - ALL state employees, state officials and state board and commission members (except college and university trustees) are REQUIRED to answer Question 12. All other filers should skip this question and go to question 13.

I have no information that I am required to list. (For help, see instructions [page 9](#))

Non-Disputed Information
A
B

13. SIGNATURE - ALL FILERS MUST SIGN THE STATEMENT:

(For help, see instructions [page 10](#))

By signing this statement:

- I swear or affirm that this statement and any additional attachments have been prepared or carefully reviewed by me, and constitute my complete, truthful, and correct disclosure of all required information, and that the address listed on page 1 is a correct mailing address.
- I acknowledge and understand that, among other potential violations and penalties, knowingly filing a false statement is a criminal misdemeanor of the first degree, in violation of Sections 102.02(D) and 2921.13(A)(7) of the Revised Code, punishable by a fine of not more than \$1,000, imprisonment of not more than six months, or both.
- I acknowledge and understand that filing a false statement may be grounds for removal from public office or dismissal from public employment pursuant to Sections 3.04 and 124.34 of the Revised Code.
- I acknowledge that, in 2016, I served in, or in 2017, I am serving in or a candidate for, the position indicated on page 1 of this statement.

If you have any questions before signing this form, please contact the Ohio Ethics Commission at (614) 466-7090.

Before signing this statement, please review to make sure that you have answered each question you are required to answer. If you have nothing to list in response to any question, check the box indicating that you have nothing to list. If the response to any required question is omitted, the Commission will return the statement to you as incomplete. **Any person who fails to file a complete statement by the appropriate filing deadline will be assessed a late filing fee and may be subject to criminal penalty.**

Deliver completed statement to: Ohio Ethics Commission, 30 W. Spring St., L3, Columbus, OH 43215

My filing fee is:

(For help, see instructions [page 2](#))

- Enclosed (check or money order payable to "Ohio Ethics Commission")
- Submitted Online
- Included in my attorney registration fees (Judges, Magistrates, and Judicial Candidates Only)
- My public agency is required or has agreed to pay my filing fee.

YOUR SIGNATURE IS REQUIRED HERE: _____

Date: _____



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

PURPOSE OF FINANCIAL DISCLOSURE AND REQUIREMENT FOR DISCLOSURE

Filing a financial disclosure statement is part of the responsibility of choosing to hold or run for public office or employment. The purpose of requiring public officials and employees to file financial disclosure statements is to increase confidence in government and openness by: (1) Assisting public servants in identifying potential conflicts of interest; and (2) Allowing citizens to become aware of the financial interests of the officials and employees who serve them.

Filing an annual financial disclosure statement is required by law and Commission rule. [For more information on positions required to file by Commission rule, [click here](#).] Financial information must be completed for the entire preceding calendar year. A person who leaves a filing position must file for the last calendar year in which he or she held the position. No person is required to file more than one statement for any calendar year.

Electronic filing is available at disclosure.ethics.ohio.gov

WHO IS REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT?

Anyone who is elected, appointed to, or a candidate for the following elective offices:

- State elective office
- County elective office
- City elective office
- State Board of Education
- School district board of education (in districts with a total student count of 12,000 or more)
- Educational service center (ESC) governing board in an ESC with a total student count of 12,000 or more

Candidates for office should note that this financial disclosure statement is NOT the same as a campaign finance report that is filed with the Secretary of State's Office or county board of elections. This statement must be filed regardless of whether the candidate raised or spent money for his or her campaign.

Anyone who is appointed to the following non-elective public positions:

- Member, state board or commission
- Appointed member, State Board of Education
- Trustee, state college or university
- Member, state retirement system board
- Appointed member, ESC governing board in an ESC with a total student count of 12,000 or more

Anyone who is employed in these public positions:

- State department director, assistant director, deputy director, or division chief
- Person in an equivalent rank to the above state department employees
- Chief executive officer of a state board, commission, or retirement system
- All state retirement system investment officers
- All professional employees of the Casino Control Commission
- All technical employees of the Casino Control Commission who perform an internal audit function
- Administrator, Director of Investments, and Chief Investment Officer, Bureau of Workers' Compensation
- State employees paid under Schedule "E-2" or "C"
- President, State college or university
- Superintendent, Treasurer, or Business Manager, school district or ESC

Other Filing Categories: Other filers include members and employees of JobsOhio, entrepreneurs in residence assigned by the LeanOhio office, members of some sanitary districts, and directors of community based correctional facilities.

For more information, please visit ethics.ohio.gov or call (614) 466-7090.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

FILING DEADLINES:

The disclosure statement must be received by the Commission, or have a U.S. postmark or date from a commercial delivery service, by the applicable deadline. The filing deadline for disclosure statements is **MONDAY, MAY 15, 2017**, unless you are filing for any of the following reasons:

Candidates: The disclosure statement is due for most candidates thirty days before the first primary, special or general election when their names will be on the ballot. For write-in candidates, the statement is due twenty days before the first primary, general, or special election when their candidacy is to be voted on. For example:

Candidate in the May 2, 2017, primary election	Monday, April 3, 2017
Write-in candidate in the May 2, 2017, primary election	Wednesday, April 12, 2017
Candidate in the November 7, 2017, general election (who has not already filed as an incumbent or primary candidate)	Tuesday, October 10, 2017
Write-in candidate in the November 7, 2017, general election (who has not already filed as an incumbent or primary candidate)	Wednesday, October 18, 2017

Person Appointed to Unexpired Term in Elected Office: Within 15 days after being sworn in to office.

Person Appointed or Promoted to, or Employed in, a Non-Elective Filing Position after February 15, 2017:
Within 90 days of appointment, promotion, or employment.

FILING FEES:

Disclosure statements must be accompanied by a filing fee based on the position for which the person is filing.

State elected office holder or candidate	\$ 95.00
State Board of Education member or candidate	\$ 35.00
County elected office holder or candidate	\$ 60.00
City elected office holder or candidate	\$ 35.00
School district board of education member or candidate	\$ 30.00
ESC governing board member	\$ 30.00
School district or ESC superintendent, treasurer, or business manager	\$ 30.00
All other filers	\$ 60.00

Filing fees can be paid by check or money order made payable to the Ohio Ethics Commission.

LATE FEES:

Any person who files the disclosure statement after the appropriate deadline is required to pay a late fee of \$10 a day for each day the statement is late. The maximum late fee is \$250.

FAILURE TO FILE A DISCLOSURE STATEMENT OR FILING A FALSE DISCLOSURE STATEMENT:

Any person who fails to file a disclosure statement or who files a false statement may be subject to prosecution. R.C. 102.02(C) makes it a fourth-degree misdemeanor to knowingly fail to file a disclosure statement that is required by law. R.C. 102.02(D) and 2921.13(A)(7) make it a first-degree misdemeanor to knowingly file a false disclosure statement.

PUBLIC RECORDS:

Once filed, every disclosure statement is a public record. Most statements and their attachments are available for public inspection. For security purposes, filers should NOT list or attach any of the following to their disclosure statements: (a) social security numbers; (b) account numbers for bank, credit card, or investment accounts; or (c) IRS documents or filings.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

STEP-BY-STEP INSTRUCTIONS

Electronic filing is available at disclosure.ethics.ohio.gov

SECTION A—PERSONAL CONTACT INFORMATION:

Fill in your name, preferred mailing address, county, phone number, and e-mail address. Your e-mail address will be used to provide you with updates and notices about financial disclosure filings.

SECTION B—STATUS:

Check all of the appropriate boxes indicating your status—the reason you are filing this statement. For example, if you are a county elected official who is running for a city elected office, you would check the box for “Candidate” and the box for “Elected to an office.”

Check “Public official” if you are filing a disclosure statement because you have been appointed to a public board or commission (such as a state board, university board of trustees, or board of a sanitary district).

Check “Public employee” if you are filing a disclosure statement because you are an employee of a state or local public agency (such as a state department director, retirement system investment officer, or school district superintendent).

If you are a candidate, please list the date of the first primary, special, or general election in 2017 when your name will appear on the ballot. If you are a write-in candidate, list the date of the first election at which voters can write in your name on the ballot.

SECTION C—PUBLIC POSITION, OFFICE, OR JOB: Information about the public position for which you are filing a disclosure statement.

List your public position or title, such as council member, sheriff, board member, or department director.

List the public entity that you serve in 2017, served in 2016, or will serve if elected. For example, if you are a city council member, list the name of the city. If you are a county sheriff, list the name of the county. If you are a board member, list the name of the board. If you are a department director, list the name of the department.

If you are a candidate seeking the position, check the “Seeking” box. If you are currently serving, check the “Hold” box.

If you served in 2016 or 2017, and are no longer serving, check the “Held” box.

Indicate whether the position you hold, held, or are seeking is uncompensated, or check the box next to the salary category paid for service in the position.

List the start date for the position you hold. If you are an elected official, list the start date for the current term. If you were appointed to an unexpired term in an elected office, your start date is the date you were sworn in to the office. List the end date for the position if there is an end date.

SECTION D—ADDITIONAL PUBLIC POSITION, OFFICE, OR JOB:

If you are required to file a disclosure statement for more than one public position, provide information for the other public position here. If you are not required to file a disclosure statement for more than one public position, skip Section D.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 1—SOURCES OF INCOME:

[For more information, check out FAQs on Income](#)

“Income” includes:

1. “Gross income” as defined in the federal Internal Revenue Code (26 USC 61); and
2. Interest and dividends on all governmental securities, whether federal, state, or local.

Examples of “gross income” include compensation for services (such as salary), interest, rent, and pensions.

Most filers* must list every source of income, regardless of amount, that: (a) they received in 2016; or (b) any other person received in 2016 for their use or benefit. Following each source of income, briefly describe the services you provided in return for the income.

Another person has received income for your “use or benefit” if the source’s purpose for giving compensation to that person is to provide it for your use or for your benefit. For example, if you are a beneficiary of a trust, the trust earns income for your use or benefit. You must list the trust as a source of income and all sources of income received by the trust. For more information about trust disclosure, see [Advisory Opinion No. 2005-01](#).

If you are paid for your public service, include the public agency as a source of income.

You are **not required** to disclose:

- A. Your spouse’s income sources (although you may benefit from your spouse’s income, he or she usually does not receive income for the purpose of providing it to you [see [Advisory Opinion No. 75-036](#)]); or
- B. The names of clients, patients, or customers of your business or practice (simply disclose the business or practice).

Amount of Income: You must also disclose the amount of income you received from any source, IF:

1. The source is doing or seeking to do business with the public agency you serve; or
2. You earned the income because you provided goods or services to a legislative agent (lobbyist).
[See R.C. 101.70 or contact the Joint Legislative Ethics Committee for a list of registered lobbyists.]

EXAMPLES:

Source of Income	Service Provided	Amount* (if required)
A Your Employer(s)	Your position(s)	
B Smith & Jones Co., L.P.A.	Private law practice	
C Your Pension Fund	Retirement	
D XYZ Corporation	Stock dividends	
E Friendly National Bank	Interest on savings account	\$45.00**

** Because this bank is a depository for the filer’s public agency, the amount must also be disclosed.

* **NOTE:** These filers disclose only sources of income over \$500 and are **not required** to disclose amounts of income:

- College or university trustees;
- Any official or employee of a city, school district, ESC, or sanitary district if his or her public position is paid less than \$16,000; and
- Any candidate for an elective office of a city, school district, or ESC if the office is paid less than \$16,000.

For more information, please visit ethics.ohio.gov or call (614) 466-7090.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 2—SOURCES OF GIFTS:

[For more information, check out FAQs on Gifts](#)

Most filers* list every source of a single gift valued at over \$75 or multiple gifts with a total value of over \$75 that:

- A. You personally received in 2016; and
- B. Any other person received for your use or benefit in 2016.

Another person has received a gift for your “use or benefit” if the giver’s purpose for giving a gift to that person is to provide it for your use or for your benefit. For example, if your spouse has received a gift and the giver’s purpose is to provide the gift to you, your spouse received the gift for your use or benefit.

Sources of gifts can include individuals, corporations, or groups of individuals or corporations, such as co-workers, not-for-profit organizations, and trade associations.

You are **not required** to disclose:

- A. The nature of the gift;
- B. Campaign contributions;
- C. Gifts received by will or inheritance or by distribution from a trust established by a spouse or ancestor;
- D. Gifts received from any of these family members: spouse, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers- or sisters-in-law, sons- or daughters-in-law, or parents-in-law; or
- E. Gifts from any person to whom you stand in the place of a parent.

* **NOTE:** These filers disclose only sources of gifts valued at over \$500:

- College or university trustees;
- Any official or employee of a city, school district, ESC, or sanitary district if his or her public position is paid less than \$16,000; and
- Any candidate for an elective office of a city, school district, or ESC if the office is paid less than \$16,000.

QUESTION 3—IMMEDIATE FAMILY MEMBER:

[For more information, check out FAQs on Family Members](#)

List the names of your spouse living in your household and any dependent children.

QUESTION 4—NAMES OF BUSINESSES:

[For more information, check out FAQs on Business Names](#)

List all names under which you, or any of the immediate family members you listed in response to Question 3, do business. For example, list the name of any business that you or your immediate family members own or operate.

EXAMPLES:

- A. You are a partner in a law firm named Smith & Jones. You should list “Smith & Jones.”
- B. Your spouse who lives with you has an accounting firm called Ace Accounting. You should list “Ace Accounting.”
- C. Your dependent child mows lawns under a business called Carl’s Lawn Service. You should list “Carl’s Lawn Service.”



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 5—LAND (REAL ESTATE):

[For more information, check out FAQs on Real Estate](#)

List all of your leasehold and ownership interests in land and real estate located in Ohio.

NOTE: Because of an exception in the law, you are **not required** to disclose:

- A. Your personal residence; or
- B. Any property you use primarily for personal recreation.

QUESTION 6—CREDITORS:

[For more information, check out FAQs on Creditors](#)

List the name of any person or business residing or transacting business in Ohio to whom you owe, or owed, in 2016, more than \$1000 in your own name or in the name of any other person.

For example, if you charged more than \$1000 on a credit card during 2016, you must disclose the name of the credit card issuer even if you paid off the card during the grace period.

NOTE: Because of an exception in the law, you are **not required** to disclose a creditor if the debt:

- A. Is secured on your personal residence (such as a mortgage or home equity loan);
- B. Is secured on real estate used primarily for personal recreation (such as a home equity loan); or
- C. Results from the ordinary conduct of your business or profession.

QUESTION 7—DEBTORS:

[For more information, check out FAQs on Debtors](#)

List the name of anyone residing or transacting business in Ohio who owed you, or any other person for your use or benefit, more than \$1000 during 2016.

NOTE: Because of an exception in the law, you are **not required** to disclose as a debtor:

- A. A bank or other financial institution if the only money it owes to you is money you deposited with it;
- B. Any person who owes you money as a result of the ordinary conduct of your business or profession; or
- C. Clients or patients who owe you money if you are a lawyer, doctor, or psychologist.

QUESTION 8—INVESTMENTS:

[For more information, check out FAQs on Investments](#)
and [Advisory Opinion No. 2011-01](#)

List the name of each corporation that is incorporated in, or holds a certificate of compliance to do business in, Ohio, and every trust, business trust, partnership, or association that transacts business in Ohio, in which during 2016:

- A. You had an investment of over \$1000 at any time during the year; and
- B. Any other person had an investment of over \$1000 for your use or benefit at any time during the year.

You should list any investment you held at any time in 2016, even if you sold or otherwise disposed of it during the year. Briefly describe the nature of each investment you disclose.

For more information, please visit ethics.ohio.gov or call (614) 466-7090.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

EXAMPLES:

Corporation, Trust, Business Trust, Partnership, or Association	Nature of Investment
A ABC Growth Fund	Mutual Fund
B XYZ Corporation	Common Stock
C Smith Family Trust	Beneficiary
D Planet Us Company	Stock in trust
E All American Fund	Deferred Compensation Mutual Fund
F Lifeplan 2030	Deferred Compensation Investment
G 123 Corporation	Stock in Investment Account
H Popular Company	Stock in IRA
I MegaGrowth Fund	Mutual Fund in 401(k) Account

QUICK INVESTMENT DISCLOSURE GUIDE

([Advisory Opinion No. 2011-01](#))

If I have more than \$1,000 invested in a(n).....	Do I need to disclose this investment?	Do I need to list the individual holdings within this investment?
Mutual Fund	Yes	No
Stock	Yes	No
Bond	Yes	No
Brokerage Account	Yes	Yes
Managed Account	Yes	Yes
Trust (Beneficiary)	Yes	Yes
Investment Club Account	Yes	Yes
529 Plan	Yes	Yes
ESA	Yes	Yes
Public Retirement System Account (PERS, STRS, SERS, HPRS, or OPFPF)	No	No
Social Security	No	No

NOTE: You are **not required** to disclose:

- A. Saving and checking accounts, certificates of deposit, and other deposits with financial institutions; or
- B. Personal identifying information such as social security or investment account number.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 9—OFFICES AND FIDUCIARY RELATIONSHIPS: [For more information, check out FAQs on Fiduciary Interest](#)

List the name of each corporation that is incorporated in, or holds a certificate of compliance to do business in, Ohio, and every trust, business trust, partnership, or association incorporated or authorized to do business in Ohio, or transacting business in Ohio:

- A. In which you held an office in 2016; or
- B. With which you had a fiduciary relationship in 2016.

A person has a “**fiduciary relationship**” with an entity if he or she has the authority to make decisions in the entity’s interests.

EXAMPLES:

Corporation, Trust, Business Trust, Partnership, or Association	Office or Nature of Relationship
A Buckeye Friends Trust	Trustee
B Smith & Jones Co., L.P.A.	Partner
C Smith Cleaning Company	Member, Board of Directors

SKIP QUESTIONS 10 and 11 if you are only required to file as a:

- College or university trustee;
- City, school district, ESC, or sanitary district official or employee and serving in a position paid less than \$16,000 a year; or
- Candidate for a city, school district, or ESC position paid less than \$16,000 a year.

QUESTION 10—MEALS, FOOD, AND BEVERAGES: [For more information, check out FAQs on Meals](#)

List **any source** of payment for meals, food, or beverages valued at over \$100 that was received in connection with your official duties by you or any other person for your use of benefit in 2016.

Include your public agency if it paid for more than \$100 of meals, food, or beverages for you.

NOTE: Because of an exception in the law, you are **not required** to disclose anyone who provided meals, food, or beverages to you:

- A. At a meeting where you participated in a panel, seminar, or speaking engagement; or
- B. At a meeting or convention of a national or state organization to which any state agency, legislative agency, state institution of higher education, political subdivision, or office or agency thereof, pays membership dues.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 11—TRAVEL EXPENSES:

[For more information, check out FAQs on Travel Expenses](#)

List **both** the source and the amount of each individual payment of travel expenses, received in 2016, that was:

- A. Received by you in connection with your official duties; or
- B. Paid to any other person for your use or benefit in connection with your official duties.

Include your public agency if it paid for or reimbursed travel expenses for you.

You must list each payment or reimbursement separately. Travel expenses include parking fees, lodging, airline tickets, and mileage reimbursements.

NOTE: Because of an exception in the law, you are **not required** to disclose anyone who provided travel expenses to a meeting or convention of a national or state organization to which any state agency, legislative agency, state institution of higher education, political subdivision, or office or agency thereof, pays membership dues.

SKIP QUESTION 12 unless you are a:

- State elected official; or
- State Employee; or
- State board or commission member (except college or university trustee).

QUESTION 12—NON-DISPUTED INFORMATION:

ALL state employees, state officials, and state board and commission members (except college and university trustees) are REQUIRED to answer Question 12.

If you received a statement from a legislative agent, executive agency or retirement system lobbyist or the employer of such that identifies you as the recipient of expenditures made by that lobbyist or employer, and you do not dispute the information contained in the statement, attach a copy of the statement or list the non-disputed information below. If you dispute a legislative lobbying expenditure made in your name please contact the Office of the Legislative Inspector General at **614-728-5100**. To dispute an executive or retirement system expenditure made in your name, please contact the Ohio Ethics Commission.



OHIO ETHICS COMMISSION FORM NO. OEC-2016 FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS

QUESTION 13—SIGNATURE:

Please note that by signing your financial disclosure statement:

- You swear or affirm that this statement and any additional attachments have been prepared or carefully reviewed by you, and constitute your complete, truthful, and correct disclosure of all required information, and that the address listed in the PERSONAL CONTACT INFORMATION on page 1 is your correct mailing address;
- You acknowledge and understand that, among other potential violations and penalties, knowingly filing a false statement is a criminal misdemeanor of the first degree, in violation of Sections 102.02(D) and 2921.13(A)(7) of the Ohio Revised Code punishable by a fine of not more than \$1,000, imprisonment of not more than six months, or both;
- You acknowledge and understand that filing a false statement may be grounds for removal from public office or dismissal from public employment, pursuant to Sections 3.04 and 124.34 of the Ohio Revised Code; and
- You acknowledge that you served in 2016, or are serving in or a candidate for in 2017, the position indicated in the STATUS section on page 1 of the statement.

BEFORE SIGNING AND SENDING YOUR STATEMENT:

Please carefully review your disclosure statement to make sure that you have answered ALL questions, either by disclosing the information required or checking the appropriate box indicating that you have no information to disclose. Incomplete statements will be returned for completion.

If you are required to pay your filing fee, check the box indicating that the fee is enclosed. Otherwise, check the box indicating that the agency you serve is required to pay your filing fee.

Unless your agency is required to pay your filing fee, please also enclose a check or money order payable to "Ohio Ethics Commission." State departments, boards, commissions, colleges, and universities are required to pay the disclosure filing fees for officials and employees who are required to file disclosure statements for service with those state agencies. (If you are unsure of whether your agency must pay your filing fee, please contact your agency or the Ethics Commission.)

Please do NOT staple your payment to the statement.

Please mail the completed and signed statement, along with the filing fee, to:

**OHIO ETHICS COMMISSION
William Green Building
30 West Spring Street, L3
Columbus, Ohio 43215-2256**

*If you have any questions before signing this statement, please contact
the Ohio Ethics Commission at (614) 466-7090 or
visit the Commission's web site: ethics.ohio.gov*



OHIO ETHICS COMMISSION POST FILING NOTIFICATION & REMINDERS

LEAVING YOUR POSITION OR OFFICE IN 2017?

If you have left, or will be leaving, your public position or office at any time during 2017, please read the following reminders to be sure you are aware of any further personal financial disclosure or any applicable post employment disclosure requirements you may have to meet as a result of your public service.

Reminder to all filers who leave their positions or offices in 2017:

The Ohio Ethics Commission would like to remind you that in addition to filing this calendar year 2016 statement, you will also be required to file a financial disclosure statement for calendar year 2017 by **Tuesday, May 15, 2018** (the year after you have left service). This applies if you served for any length of time in 2017, even if it was for just a single day, or in the case of elected or appointed officials, even if your term expired on January 1, 2017.

Reminder to any state elected officer or employee who leaves public service in 2017:

Ohio's Post Employment Disclosure Law

In addition to filing a financial disclosure statement in 2018 for your final calendar year of public service, Ohio law also requires every state elected officer or employee who filed a financial disclosure statement to disclose their subsequent place of employment to the Joint Legislative Ethics Committee (JLEC) for 24 months after leaving public service. This disclosure is commonly referred to as post employment disclosure (PED) and is part of Ohio's PED Law which can be found in R.C. 102.021.

Only those financial disclosure statement filers that are leaving state service need to complete a PED. The Initial PED Statement is to be completed by departing employees and submitted to the JLEC by their public agency **not later than an employee's last day of employment**.

PED is separate and distinct from any financial disclosure filing requirement. Filing a PED Statement does not replace any duty to file a personal financial disclosure statement for the former employee's or official's final calendar year of public service.

Please Note: PED does NOT apply to county, city, or other local level financial disclosure filers.

For more information regarding PED, for any specific questions regarding PED, or to obtain a PED Statement to complete please visit the JLEC web site at <http://www.jlec-olig.state.oh.us> or call the JLEC at **(614) 728-5100**.

City of Napoleon, Ohio

TREE COMMISSION

Meeting Agenda

Monday, January 16, 2017 at 6:00 pm

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

1. Welcome New Members/Restructure (if necessary)
2. Approval of Minutes from October 17, 2016 (*In the absence of any objections or corrections, the Minutes shall stand approved.*)
3. Review Ordinance and Budget
4. Review Tree Call Reports
5. Award Spring Trimming Contract
6. Finalize Spring Planting List
7. Finalize Spring Removal List
8. Any other matters to come before the Commission
9. Adjournment

Gregory J. Heath
Finance Director/Clerk of Council



City of Napoleon, Ohio

255 West Riverview Avenue • P. O. Box 151
Napoleon, Ohio 43545-0151
Phone (419) 599-1235 Fax (419)-599-8393
www.napoleonohio.com

MEMORANDUM

TO: Parks and Recreation Committee, City Council, Mayor, City Finance Director,
City Law Director, City Manager, Department Supervisors, Newsmedia

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

DATE: January 12, 2017

RE: Parks and Recreation Committee January Meeting Cancellation

The regular Parks and Recreation Committee meeting scheduled for Monday, January 16, 2017 at 6:15 pm has been CANCELED due to lack of agenda items.



Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

January 6, 2017

OSHA issues final rule to update fall protection, walking-working standards

By Gary Keffer – director of corporate health & safety

Falls from heights and on the same level (a working surface) are among the leading causes of serious work-related injuries and deaths. OSHA has issued a final rule on walking-working surfaces and personal fall protection systems to protect workers in general industry from these hazards by updating and clarifying standards, training and inspection requirements.

The rule affects a wide range of workers across most industries. It does not change construction or agricultural standards.

The rule incorporates advances in technology, industry best practices and national consensus standards to provide effective worker protection. Specifically, it updates general industry standards addressing slip, trip and fall hazards (subpart D), and adds a new standard 1910.140 requirements for personal fall protection systems (subpart I). Subpart D will be modified to the following:

Existing Subpart D	Final Subpart D
§ 1910.21: Definitions	§ 1910.21: Scope and Definitions
§ 1910.22: General Requirements	§ 1910.22: General Requirements
§ 1910.23: Guarding Floor and Wall Openings and Holes	§ 1910.23: Ladders
§ 1910.24: Fixed Industrial Stairs	§ 1910.24: Step bolts and Manhole Steps
§ 1910.25: Portable Wood Ladders	§ 1910.25: Stairways
§ 1910.26: Portable Metal Ladders	§ 1910.26: Dockboards
§ 1910.27: Fixed Ladders	§ 1910.27: Scaffolds and Rope Descent Systems
§ 1910.28: Safety Requirements for Scaffolding	§ 1910.28: Duty to Have Fall Protection and Falling Object Protection
§ 1910.29: Manually Propelled Mobile Ladder Stands and Scaffolds (towers)	§ 1910.29: Fall Protection Systems and Falling Object Protection – Criteria and Practices
§ 1910.30: Other Working Surfaces	§ 1910.30: Training Requirements

OSHA estimates that these changes will prevent 29 fatalities and 5,842 lost-workday injuries every year.

Benefits to employers

The rule benefits employers by providing greater flexibility in choosing a fall protection system. For example, it eliminates the existing mandate to use guardrails as a primary fall protection method and allows employers to choose from accepted fall protection systems they believe will work best in a particular situation – an approach that has been successful in the construction industry since 1994. In addition, employers will be able to

see OSHA Page 2

AMP files complaints against PJM, MISO

By Chris Norton – director of market regulatory affairs

PJM’s capacity rules require load-serving entities with generation outside of the PJM footprint who want to use that generation to serve load in PJM to “pseudo-tie” the generation into PJM. A pseudo-tie is a way to electronically account for a generator outside a given geographical region as though it were located within the region. The result is that PJM controls the generator as if it were located in the PJM footprint and the Balancing Authority that controls the area where the generator is physically located has limited authority to call on that generator.

AMP worked with MISO and PJM to implement pseudo-ties for a portion of AMP’s ownership share in the two Prairie State units to serve member load in PJM. The pseudo-ties for Prairie State #1 and #2 were implemented on June 1, 2016. Since that time, MISO has been assessing AMP congestion and administrative charges for the energy pseudo-tied out of MISO and into PJM. Additionally, PJM implemented Locational Marginal Price (LMP) points for the two Prairie State units that also account for transmission constraints in the MISO footprint. This results in both RTOs assessing charges to AMP’s pseudo-ties for the same constraints.

As a result of an unwillingness or inability of MISO and PJM to rectify the duplicative charges, on Dec. 19, 2016, AMP filed a complaint against MISO for charges it assesses to pseudo-ties. On Jan. 6, 2017, AMP filed a similar complaint against PJM.

AMP asked the Federal Energy Regulatory Commission (FERC) to direct the RTOs to

continued on Page 3

OSHA continued from Page 1

use non-conventional fall protection in certain situations, such as designated areas on low-slope roofs.

As much as possible, OSHA aligned fall protection requirements for general industry with those for construction, easing compliance for employers who perform both types of activities. For example, the final rule replaces the outdated general industry scaffold standards with a requirement that employers comply with OSHA's construction scaffold standards.

Timeline

Most of the rule will become effective 60 days after publication in the Federal Register, but some provisions have delayed effective dates, including:

- Ensuring exposed workers are trained on fall hazards (six months);
- Ensuring workers who use equipment covered by the final rule are trained (six months);
- Inspecting and certifying permanent anchorages for rope descent systems (one year);
- Installing personal fall arrest or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures (two years);
- Ensuring existing fixed ladders over 24 feet, including those on outdoor advertising structures, are equipped with a cage, well, personal fall arrest system, or ladder safety system (two years); and
- Replacing cages and wells (used as fall protection) with ladder safety or personal fall arrest systems on all fixed ladders over 24 feet (20 years).

For additional information regarding the final rule, please visit www.osha.gov or contact an AMP safety professional.

AFEC update

By Jerry Willman – assistant vice president of energy marketing

Fremont was dispatched offline by PJM over the holiday weekend through Tuesday due to low market prices caused by unseasonably warm temperatures and lower demand. The plant was online for the remainder of the week. Duct firing operated for six hours this week. The plant generated at a 19 percent capacity factor (based on 675 MW rating).

Small cell wireless webinar to take place Jan. 17

The AMP/OMEA webinar addressing small cell wireless attachment will take place Jan. 17 at 2 p.m. The webinar was created in response to the recent passing by the Ohio legislature of AT&T's "small cell" wireless antenna legislation and is intended to help provide members a detailed look into what impact the law will have on municipalities. For more information or to register for the webinar, please contact Charles Willoughby at 614.540.1036 or cwilloughby@amppartners.org.

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

Week ending Jan. 6

MON	TUE	WED	THU	FRI
\$29.32	\$31.82	\$33.46	\$42.42	\$42.57

Week ending Dec. 30

MON	TUE	WED	THU	FRI
\$26.48	\$26.96	\$30.66	\$31.29	\$31.22

AEP/Dayton 2017 5x16 price as of Jan. 5 — \$37.05

AEP/Dayton 2017 5x16 price as of Dec. 29 — \$38.06

Energy markets update

By Jerry Willman

The February 2016 natural gas contract increased \$0.006/MMBtu to settle at \$3.273. The EIA reported a withdrawal of 49 Bcf for the week ending Dec. 30, which was much lower than market expectations of 72 Bcf. After the colder temperatures move out this weekend, weather forecasts show warmer than normal temperatures in the U.S. east and south through Jan. 19.

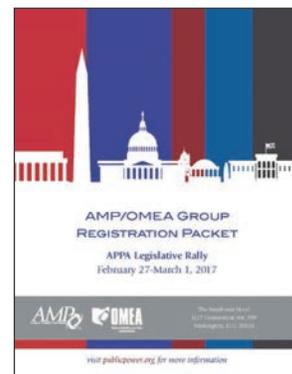
On-peak power prices for 2017 at AD Hub closed yesterday at \$37.05/MWh, which was \$1.01/MWh lower for the week.

2017 APPA Legislative Rally packets mailed to members

Registration packets for the 2017 American Public Power Association (APPA) Legislative Rally, to take place Feb. 27-March 1 at the Mayflower Hotel in Washington, D.C., were mailed this week to AMP/OMEA members. APPA will be sending information separately.

AMP/OMEA members are encouraged to attend the event as it is critical congressional members hear from their public power constituents. Members are the best resource on Capitol Hill to explain how legislation and regulations actually hurt or benefit communities at the local level. Among the key policy issues are energy regulations, tax-exempt financing and the impact of sequestration and transmission costs.

For questions or additional information regarding the 2017 APPA Legislative Rally, please visit the APPA [website](http://www.appa.org) or contact Jodi Allalen at jallalen@amppartners.org or 614.540.0916.



News or Ads?

Call Kerin Scott at 614.540.6406 or email to kscott@amppartners.org if you would like to pass along news or ads.

Complaints against PJM, MISO

continued from Page 1

fund the duplicate congestion charges back to the June 1, 2016, pseudo-tie implementation date. AMP also requested FERC consolidate the dockets to ensure that both RTOs are involved in the resolution of the dispute. AMP informed FERC it was left with no recourse but to file the complaint because the RTOs have been aware of the duplicate congestion accounting prior to the implementation of the pseudoties and they have failed to provide a solution. Worse yet, during a stakeholder meeting in November 2016, the RTOs stated they would no longer engage in stakeholder discussions on the issue because another generation owner had filed a complaint against MISO.

Based on AMP's estimates, the duplicate congestion charges were anywhere from about \$500,000 to \$2 million over the period from June 1, 2016, through Oct. 31, 2016. It is not possible to calculate the costs because the RTOs do not make the data required to calculate the costs public. To the extent FERC agrees with AMP on the issues in the complaint, the best case result is that AMP could receive a refund of historic charges assessed to the Prairie State project and end the duplicative charges going forward.

For additional information or questions regarding this matter, please contact me at cnorton@amppartners.org or 614.540.6417; or Lisa McAlister at 614.540.6400 or lmcalister@amppartners.org.

AMP legal team welcomes Bolton as staff attorney

By Rachel Gerrick – deputy general counsel

Jeb Bolton joined the AMP legal team this week as staff attorney. He will be focusing on matters involving internal and regulatory compliance.

Prior to AMP, Bolton served as an associate for W. Donald Bolton, Jr., P.C., where he focused primarily on criminal defense, family law litigation and appellate practice. Bolton holds a bachelor's degree in political science from Spring Hill College, a law degree from Mercer University Law School, and is pursuing a master's degree in liberal arts from Spring Hill College.

Please join us in welcoming Jeb to AMP.



Jeb Bolton

APPA accepting applications for 2016 Safety Awards

By Michelle Palmer – vice president of technical services

The American Public Power Association (APPA) is accepting applications for the 2016 Safety Awards of Excellence. Applications are available [online](#) and should be completed by Feb. 3.

The APPA's Safety Awards of Excellence are presented annually to public power utilities who demonstrate a commitment to employee safety through low recordable injury and illness cases. Award recipients will be recognized and presented with their awards May 8 at the APPA's Engineering & Operations Technical Conference in San Antonio, TX.

For additional information about the 2016 Safety Awards of Excellence, please visit the "Safety" section of the APPA [website](#) or contact Ethan Epstein at 202.467.2924 or eeepstein@publicpower.org.

Hudson solar project featured in DEED Digest

The City of Hudson was recently featured in the American Public Power Association's (APPA) Demonstration of Energy & Efficiency Developments (DEED) Digest for its completion of the Barlow Community Center Solar Training Facility.

Completed in July 2016 through a combination of city funding and a DEED grant, the multi-use training facility features an 18 kW photovoltaic (PV) system powered by 69 panels. The system collects real-time data, which is used to educate students, residents and city employees about net metering and interconnection. The facility also allows the local fire department to practice with solar components that can pose specific fire hazards, and utility employees benefit from gaining access to hands-on practice with solar interconnection.

DEED awards grants up to \$125,000 to member utilities to help fund innovative projects like Hudson's solar training facility and also offers annual scholarships of up to \$5,000 to fund interns and student research. Applications for the current funding cycle are available online and are due by Feb. 15.

AMP pays for its members to be DEED participants through APPA membership and is available to assist members with the application process. For questions or application assistance, please contact Michelle Palmer at 614.540.0924 or mpalmer@amppartners.org.

Additional program details are also available on the DEED section of the APPA website or by contacting DEED@publicpower.org.



Efficiency Smart launches new, updated website

By Steven Nyeste – communications project manager, Efficiency Smart

Efficiency Smart recently launched an updated website that incorporates community-specific landing pages for its participating communities. The new website can still be found at www.energysmart.org.



Each of the landing pages incorporate elements specific to that community such as photos, municipal and utility website links, and logos. These customized pages are designed to improve the experience for customers by displaying information about their community's available services, while also providing an easy way to find local Efficiency Smart news, promotions and events.

The updated website was designed with the end user in mind, using straightforward language and simple navigation. This includes new step-by-step guides for residential services and highlighted program features for business services. For additional information or questions about the new Efficiency Smart website, please contact Carrie Hoover at choover@energysmart.org.

Register now for Webinars



An internet connection and a computer are all you need to educate your entire staff for just \$99. Register today at APPAAcademy.org. Non-APPA members enter coupon code **AMP** to receive the member rate.

Raising Awareness of Public Power Webinar Series

- Marketing & Communications on a Shoestring **Jan. 12**
- Crisis Communications **Jan. 25**



Classifieds

Bowling Green has meter test equipment available

The City of Bowling Green has a Radian Research RFL5800 meter calibration set available. The set will test any meter form, including K,Y and Z pulses. The calibration set was manufactured in 1994 with the last calibration date of December 2014. All software and upgrades are included. Software is compatible only with operating systems up to Windows XP. Please contact the City of Bowling Green Electric Department at 419.354.6260 for more information.

City of Oberlin has relays, testers available for sale

The City of Oberlin has the following relays and testers for sale. For additional information or to purchase, please contact Shannon Shull at sshull@omlps.org.

Hermes engraving set – Includes 120 VAC Engraving machine, foot pedal switch, 0-10,000 rpm motor speed controller, manual, 14 various size cutter spindles, seven sets of various size brass font engraver plates (letters, numbers, and miscellaneous symbols). Minimum bid of \$100.

Double portable relay testing kit – Includes four test units plus manuals and all test leads. Tester model numbers: F2100 (2 each), F2200 (1 each), and F2300 (1 each). These are listed as a complete kit for \$1000 reserve to start.

Electric meter testing kit – Bench top multi-amp, three phase electric meter tester kit, Model PE-250 (kit). Minimum bid of \$100 for complete kit.

Current differential protection relays – Nine total MiCOM model P543 relays are available. Three units used in serviceable condition (\$100 each). Three units new, never used or installed but not in boxes (\$500 each). Three units new, still in boxes (\$500 each).

Tipp City has superintendent, lineworker positions available

The City of Tipp City is accepting applications for the following positions. For complete job descriptions and supporting documents, please visit the "employment" section of the Tipp City [website](http://www.tippcity.org).

Lineworker (apprentice or journeyman) – Duties will include operation of equipment used in the construction and maintenance of energized electric circuits; working at heights from bucket truck and with climbing equipment; physical labor in the construction and maintenance of city-owned facilities; and work on energized circuits up to and including 69,000 volts with proper safety equipment and tools.

Class "A" CDL with trailer certification will be required within six months of hire. Preference will be given to those

see CLASSIFIEDS Page 5

Calendar

Jan. 9-10—APPA C2M2 Workshop
AMP Headquarters, Columbus

Jan. 17—Small cell wireless attachment webinar
Email cwilloughby@amppartners.org for dial-in information

Feb. 27-March 1—APPA Legislative Rally
Mayflower Hotel, Washington D.C.

March 23—Grounding & Lightning Protection for Overhead & Underground Distribution
AMP Headquarters, Columbus

April 11-13—Underground Distribution Workshop
AMP Headquarters, Columbus

April 18—Changes, Overview of 2017 NESC
AMP Headquarters, Columbus

April 25-26—Technical Services Conference
AMP Headquarters, Columbus

May 5-10—APPA Engineering & Operations Conference/Rodeo
San Antonio, TX

May 22-26—Lineworker Basic 2
AMP Headquarters, Columbus

June 12-16—Lineworker Intermediate
AMP Headquarters, Columbus

July 11-13—Hotline Training
AMP Headquarters, Columbus

August 25-26—AMP Lineworkers Rodeo
AMP Headquarters, Columbus

Sept. 11-15—Lineworker Basic 2
AMP Headquarters, Columbus

American Municipal Power, Inc.
1111 Schrock Road • Suite 100
Columbus, Ohio 43229
614.540.1111 • FAX 614.540.1113
www.amppartners.org



CLASSIFIEDS continued from Page 4

with journeymen status or those enrolled in an apprentice training program. This position will start at \$19.63 per hour for apprentice and \$23.88 per hour for journeyman.

Send resume and application to City Manager's Office, Tipp City Government Center, 260 S. Garber Dr., Tipp City, Ohio 45371. Resume/application are due by 4 p.m. Jan. 17.

Municipal Services Superintendent – Under the administrative direction of the director of municipal services and engineering, the municipal services superintendent: directs the overall operations of the city streets and parks departments, supervises all street and park department employees, monitors departments budgets, provides and coordinates training opportunities for the departments, evaluates condition of city streets and assists in prioritizing pavement maintenance programs, evaluates and ensures cleanliness and safety of city park facilities, formulates and reviews policies, responds to complaints from the public, ensures job safety requirements/OSHA standards are being met, and attends Park Advisory Board and Tree Board meetings as the city staff representative.

Qualifications include the completion of an associate's degree with a combination of education, training, and/or experience with public administration, management, or a related field. A minimum of four years of street and/or parks department management and supervisory experience, or equivalent combination of education, training, and/or experience which provides the required knowledge, skills, and abilities necessary for this position. A valid Ohio Commercial Driver's License is required at appointment or within six months. Salary is \$2,197.28-\$3,003.15 biweekly, with additional benefits.

Submit resume, cover letter and answers to questionnaire to Timothy J. Eggleston, city manager, Tipp City Government Center, 260 S. Garber Dr., Tipp City, OH 45371. Deadline for submission is 4 p.m. Jan. 20.

AMP in search of director of transmission planning

American Municipal Power, Inc. (AMP) is seeking applicants for the position of director of transmission planning. The complete job description is available on the "careers" section of the AMP [website](http://www.amppartners.org).

The director of transmission planning actively participates in RTO regional and local transmission planning processes, and RTO stakeholder processes. Qualifications include a four-year accredited degree in electrical engineering. Professional engineer certification preferred, as is a minimum of 10 years of experience in power system studies. Strongly preferred to have a minimum of five years of experience in the RTO regional and local transmission planning processes, and to have prior experience with power system analysis software. Candidates must also have knowledge of NERC, RTO and individual transmission owner planning criteria and guidelines, as well as FERC Form 715. The deadline to apply is Jan. 13.





REGISTER



It's time to register for the 2017 General Assembly.

See the complete agenda [here](#) and register your group by January 20.



Monday, January 30

8 a.m. to 1:15 p.m.

Holiday Inn French Quarter, Perrysburg

Caucus with peers, vote for leadership at the business meeting, and hear a valuable keynote presentation at the luncheon.



Keynote

Matthew J. Grupe, Patrol Agent in Charge at U.S. Customs & Border Protection, Sandusky Bay Station: "How does the U.S. Border Patrol operate in the Lake Erie region? How do local elected officials, law enforcement, business owners, and citizens help in addressing threats to our region and the nation?"

TMACOG invites your suggestions for topics of discussion at the caucus sessions. Send your recommendations to **Jennifer Allen**.

No refunds for cancellations will be made after January 20. Contact **Jennifer Allen** (419.241.9155 ext. 107) with any questions or to request special accommodations.