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# MEMORANDUM

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*To:* Mayor & Members of Council  
*cc:* Finance Director, City Manager, Law Director  
*From:* Roxanne  
*Subject:* General Information  
*Date:* April 21, 2017

## CALENDAR

### MONDAY, APRIL 24<sup>TH</sup>

#### Agenda - Finance and Budget Committee @6:30 pm

- 1) Approval of Minutes
- 2) Review of Credit Card Usage Policy (Tabled)

Enclosed is a Memorandum from Greg Heath regarding the purchasing issues in items 3 and 4.

- 3) Review Formal Bidding Process and Threshold.
- 4) Review Purchasing Local.

#### Agenda -Safety and Human Resources Committee @7:30 pm

- 1) Approval of Minutes
- 2) Review Recommended Changes to Personnel Code Section 197.18 (Vacation).

### WEDNESDAY, APRIL 26, 2017

#### *Parks and Recreation Board@6:30 pm*

- 1) Approval of Minutes
- 2) Discussion and/or Action on Request to Allow Camping at Vorwerk Park

## CANCELLATION

Civil Service Commission Meeting

## MISCELLANEOUS

AMP Update/April 14, 2017

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Records Retention - CM-11 - 2 Years

# April 2017

April 2017						
Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2017						
Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6
14	8	9	10	11	12	13
21	15	16	17	18	19	20
28	22	23	24	25	26	27
	29	30	31			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 26 - Apr 1	Mar 26	27	28	29	30	31	Apr 1
Apr 2 - 8	2	3 6:00pm Technology and Communications Committee 6:30pm Housing Council 7:00pm City Council	4	5	6	7	8
Apr 9 - 15	9	10 10:00am HealthcareCost Comm. 6:30pm Board of Public 6:30pm Electric Committ 7:30pm Municipal Prope	11 5:00pm Planning Commission	12	13	14 Good Friday - Offices Cl	15
Apr 16 - 22	16 Easter Day (United State	17 Tax Day (United States) 6:00pm City Tree Commission 6:30pm Special Municipa 7:00pm City Council	18	19	20	21	22
Apr 23 - 29	23	24 6:30pm Finance and Budget Committee 7:30pm Safety and Human Resources Committee	25	26 6:30pm Parks and Rec Board	27	28	29
Apr 30 - May 6	30	May 1	2	3	4	5	6

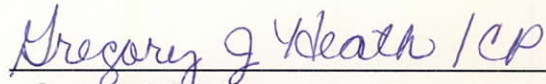
*City of Napoleon, Ohio*

**FINANCE AND BUDGET COMMITTEE  
MEETING**

**Monday, April 24, 2017 at 6:30 pm**

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

- 1) Approval of Minutes from March 27, 2017. (*In the absence of any objections or corrections, the Minutes shall stand approved.*)
- 2) Review of Credit Card Usage Policy. (Tabled)
- 3) Review Formal Bidding Process and Threshold.
- 4) Review Purchasing Local.
- 5) Any other matters currently assigned to the Committee.
- 6) Adjournment.

CP

Gregory J. Heath

Finance Director/Clerk of Council



City of Napoleon, Ohio  
**FINANCE AND BUDGET COMMITTEE**  
Meeting Minutes  
Monday, March 27, 2017 at 6:30 pm

**PRESENT**

Committee

City Staff

Recorder

Others

**ABSENT**

Committee Member

Jeff Mires-Chair, Joe Bialorucki, Mayor Jason Maassel

Gregory J. Heath, Finance Director/Clerk of Council

Roxanne Dietrich

News Media

Patrick McColley

**Call To Order**

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

**Approval of Minutes**

Minutes from November 28, 2016, December 2, 2016 and December 3, 2016 stand approved with no objections or corrections.

**Review of City's  
Investment Policy and  
Portfolio**

Heath stated per the City's investment policy, an annual review is to be done. Eileen Stanic from Meeder Investment Management is our advisor and will give a presentation tonight.

Meeder's presentation included: an update on interest rates that went from 0.75% to 1.0% with the forecast saying we could see two additional rate hikes in 2017, one in June and another in December. Inflation is expected to stabilize around 2%. The markets are optimistic in anticipation of the Trump administration being successful. The unemployment rate is anticipated at going down to 4.4% as we approach potential for job creation. The inflation rate has been fluctuating from above 2% to just below 2%. As we go through this period with potential for great change, the market will get ahead of itself and then back off. The interest rate prior to the election was 0.50% and post-election the rate went to about 1.6%-1.8%. The market anticipates slowly rising interest rates over the next five years. Outstanding credit card and student loan debt has an impact on the economy as the trend of debt is rising. The average student loan monthly payment is about \$350.00 a month that precludes people from spending on other things that would contribute to the growth of the economy. The home ownership rate has dropped from 43% to 35%. The City's portfolio has a good balance between cash on-hand and investments.

**Review of First Quarter  
Budget Adjustments**

Heath said there are two big items being requested: (1) General Fund/Human Resources 100-1370 - \$30,000.00 for legal services to Clemans and Nelson, there was money encumbered in 2016, that purchase order was closed in error and the funds were not carried over; (2) Refund-Fire Loss Fund 243-1900 - \$34,000.00, the ORC requires that money is there so if a house burns we get the money from the insurance company to make sure the property owner abates and/or cleans up the property after a fire loss, this would be a supplemental to the appropriation.





**Passed**  
**Yea-3**  
**Nay-0**

Roll call vote on the above motion:  
Yea-Maassel, Bialorucki, Mires  
Nay-

**Motion to Adjourn**

Motion: Bialorucki                      Second: Maassel  
to adjourn at 7:32 pm.

**Passed**  
**Yea-3**  
**Nay-0**

Roll call vote on the above motion:  
Yea-Maassel, Bialorucki, Mires  
Nay-

**Date Approved:**

April 24, 2017

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Jeff R. Mires, Chair

DRAFT



# City of Napoleon, Ohio

## FINANCE DEPARTMENT

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545-0151

Telephone: (419) 599-1235 Fax: (419) 599-8393

[www.napoleonohio.com](http://www.napoleonohio.com)

## Memorandum

**To:** Members of Finance & Budget Committee  
Members of City Council  
Jason P. Maassel, Mayor  
Joel L. Mazur, City Manager  
Billy D. Harmon, City Law Director

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

**cc:** Chris Peddicord, Assistant Finance Director

**Date:** April 24, 2017

**Subject:** Purchasing Issues - Council Approval Levels  
- Formal Bidding Levels  
- Purchasing Local

City Council referred out to the Finance and Budget Committee of City Council two items for review that break down into three (3) items for consideration: Expenditure Levels Requiring Council Approval; Formal Bidding Levels; and, Codified Language on Local Purchasing Preferences. To assist in my review of these issues I have attached the following from - City Charter, Article VI – Purchase, Sale, Lease and Contract; and, City Codified Ordinances, Section 105 “Purchases and Contracts” and Section 106 “Public Bidding Procedure” (*Please See Attached Copies*). The following are my thoughts on each issue:

### **Expenditure Levels Requiring Council Approval:**

Section 105.01 of the City Codified Ordinances covers the \$25,000 expenditure approval level. It states “...no purchase shall be made or contract, ... entered into, ... in excess of twenty-five thousand dollars (\$25,000) unless approved by Council.” This section has been changed several times over the years. When I first came to the City this level was set at \$5,000. Historically, this section was changed when the request to move the Formal Bidding Level was made. Previously, they have moved concurrently with each other.

This level can be set at whatever level City Council feels necessary for proper approval of large expenditures. The lower the level, the more often City Council will need to vote on City expenditures; conversely, the higher the level, the need to vote would be less often. This level DOES NOT have to be tied to the Formal Bidding Level, even though it has been historically. Should City Council want to leave this level at \$25,000, and move the Formal Bidding Level to \$50,000, I believe they have the right to do just that at any time.

(Purchasing Issues – Continued Next Page)



(Purchasing Issues – Continued)

What is a good expenditure approval level? As stated above, this is solely City Council's decision. If Council is comfortable, and trusts the information flowing to them from staff, then maybe \$25,000 or higher is OK. If they feel otherwise, or wants more control on expenditures, or for whatever other reason they deem necessary, then maybe a lower level should be looked at.

**Formal Bidding Levels:**

Section 105.01 of the City Codified Ordinances covers the \$25,000 formal bidding level. It states "...for expenditures that exceed twenty-five thousand dollars (\$25,000)... shall advertise for sealed bids for the purchase or contract ...". This section has also been changed several times over the years, usually following what was allowed in the Ohio Revised Code (ORC) at the time.

Currently, the ORC sets the Formal Bidding Level at \$50,000. Again, Formal Bidding Levels can be set, up to \$50,000, at whatever City Council deems necessary for proper competitive bidding of large expenditures. Should City Council desire to keep it at \$25,000, or lower, that is their decision.

In general, the purpose of getting Competitive Bids or Quotes, both Formally and Non-Formally, is to obtain the Lowest and Best price for any needed goods or services the City spends its Taxpayers monies on. Our obligation is to the Taxpayers to run the City in the most effective and cost efficient manner as possible. Obtaining goods and services at the lowest and best cost, and remaining transparent in the process, necessitates the bidding or quoting process, formal or not.

I have observed at times over the years Departments/Divisions with goods or services under the Formal Bidding Levels that are not even quoted. It's like if it is not required to be formally bid, then it's not required to be bid or quoted at all. I personally do not agree with this philosophy and believe is against the norms, and possible law, of obtaining goods and services in a competitive manner as required.

I have seen over the years many Purchase Requisitions (PR) for \$24,999.99 from various Departments. To me, this is a direct attempt to avoid both the Formal Bidding process, and the Formal Approval process from City Council. In these instances I do not know if competitive bids or quotes were obtained or not. If the PR was signed by the Appointed Authority, then I have assumed the spirit of competitiveness was followed.

My recommendation is to establish a process of verifying if bids or quotes for those items less than the Formal Bidding Level as established by City Council. Should City Council decide to level the level at it is, or even to raise it, they should add language to the Codified Section 105, that directs each Department to attempt to obtain competitive bids or quotes for all goods and services falling under the established Formal Bidding Levels. The competitive bids or quotes should be attached to the PR's going to the Appointed Authorities for approval.

**Purchasing Local:**

Currently, I am not aware of specific language in either the Charter or the Codified Ordinances that directs purchasing locally. My recommendation is NOT TO CHANGE CURRENT LANGUAGE, and or, ADD ANY LANGUAGE REGARDING purchasing locally.

## CITY CODIFIED ORDINANCES

### **105.01 COUNCIL TO AUTHORIZE PURCHASE OR CONTRACT IN EXCESS OF \$25,000.**

Except as provided for in Section 105.03, no purchase shall be made or contract, including but not limited to any construction contract, entered into, by or on behalf of the City, in excess of twenty-five thousand dollars (\$25,000) unless approved by Council. Except as otherwise provided for in Sections 105.03, 106.02, 106.04 or statute or other applicable law, or other legislation specifically finding it in the best interest of the City to eliminate the necessity of competitive bidding, approved by a majority vote of the current members of Council concurring thereto, for expenditures that exceed twenty-five thousand dollars (\$25,000), the City Manager, City Finance Director, or City Law Director shall advertise for sealed bids for the purchases or contracts for their respective departments and present them to Council for approval, and advise Council on the advantages or disadvantages of such bid(s). Except as provided for in Section 105.03, no purchase shall be made, contract let, or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation by Council. The City Finance Director may issue such rules, governing purchasing procedures within the administrative organization, as Council shall approve.

(Ord. 78-03. Passed 9-2-03.)

### **105.02 CONTRACTS, MATERIAL AND LABOR.**

Department Directors, (i.e. the City Manager, City Finance Director and City Law Director), or his or her designee in his or her absence, may purchase materials, supplies, equipment and services for their respective departments for amounts up to and including twenty-five thousand dollars (\$25,000), subject to the availability and appropriation of funds, without the necessity of advertising for bids as no competitive bidding is required.

All department heads of the City, when authorized by their department director or his or her designee in his or her absence, may purchase materials, supplies, equipment and services for their respective departments for amounts up to and including twenty-five thousand dollars (\$25,000), subject to the availability and appropriation of funds, without the necessity of advertising for bids as no competitive bidding is required. All other purchases and/or contracts, except that which is exempted by ordinance, resolution, statute or other applicable law, in excess of twenty-five thousand dollars (\$25,000), shall be made only after advertisement, receipt of sealed bid, and award by Council. Any award let by the bidding process shall be to the lowest and best bidder.

(Ord. 038-11. Passed 8-1-11.)

### **105.03 EMERGENCY CONTRACTS AND PURCHASES.**

In case of an emergency that threatens health or safety of the inhabitants of the City, or contracts or agreements that are immediately necessary for the preservation or replacement of City real or personal property or facilities, the necessity of public bidding and authorization of expenditure of funds in excess of amounts established in Section 105.01 is eliminated. In such case, the City Manager, with approval of the Council President, may award contracts and make purchases for the purpose of meeting said emergency within their respective departments. In such event, the City Manager shall file promptly with Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures.

(Ord. 49-01. Passed 6-4-01.)

### **105.04 YEARLY BLANKET PURCHASE ORDERS.**

Contrary to Ohio R.C. 5705.41(D), upon certification by the City Finance Director that a certain sum of money (without limitation) has been lawfully appropriated, authorized, or directed for a certain purpose and is in the treasury or in the process of collection to the credit of a specific line-item appropriation account in a certain fund free from previous and then outstanding obligations or certifications, then for such purpose and from such line-item appropriation account in such fund, over a period not exceeding twelve months and not extending beyond the end of the fiscal year, expenditures may be made, orders for payment issued in contracts or obligations calling for or requiring the payment of money made or assumed; provided, that the aggregate sum of money included in and called for by such expenditures, orders, contracts, and obligations shall not exceed the sum so certified.

(Ord. 5-96. Passed 2-5-96.)

## **CITY CHARTER - ARTICLE VI - PURCHASE, SALE, LEASE AND CONTRACT**

### **Section 6.01 Local Method for Acquiring, Constructing, Disposing of Property**

Council may provide, by ordinance or resolution, a method for the City to purchase, construct, lease, sell, or to otherwise dispose of real property and, tangible or intangible personal property, including the contracting therefor, that may be contrary to any provision of the laws of Ohio.

### **Section 6.02 Local Method for Acquiring or Providing Services Permitted**

Council may provide, by ordinance or resolution, a method for the City to purchase, sell, or otherwise provide services, including but not limited to, professional design services of an architect or engineer or a firm thereof, and/or the contracting therefor, that may be contrary to any provision of the laws of Ohio.

### **Section 6.03 Local Threshold Amounts for Bidding Construction or Property Permitted**

Council may provide, by ordinance or resolution, threshold amounts required for competitive bidding or the seeking of proposals related to any purchase, construction, sale or lease of any real property and tangible or intangible personal property, including the contracting therefor, to or from the City, that may be contrary to the laws of Ohio.

### **Section 6.04 Local Threshold Amounts for Bidding Services Permitted**

Council may provide, by ordinance or resolution, threshold amounts required for competitive bidding, the seeking of proposals or the selection process for the purchase or sale of services, including, but not limited to, professional design services of an architect or engineer or a firm thereof, to or from the City, that may be contrary to the laws of Ohio.

### **Section 6.05 Elimination of Competitive Bid or Proposal Permitted**

When the City may otherwise be required by the laws of Ohio, ordinance or resolution, to make any purchase or contract of any type of property or services, or contract for purchases or services by competitive bid, the proposal process, or qualified base selection process, Council may eliminate the necessity therefor in the best interest of the City, as determined in the sole discretion of Council by a majority vote of the current members of Council.

### **Section 6.06 Exemption From Bidding Requirements in Emergency**

Contracts or agreements for professional services, sole source contracts or agreements, and contracts or agreements which are necessitated by an emergency that threatens the health or safety of the inhabitants of the City, or contracts or agreements that are immediately necessary for the preservation or replacement of City real or personal property or facilities, shall be exempt from bidding. In addition, matters that are exempt from bidding under Section 6.05 of this Article and the laws of Ohio are also exempt from bidding.

### **Section 6.07 Local Standard for Award of Contract**

The standard for awarding contracts or agreements as a result of competitive bidding or proposal process shall be as established by ordinance or resolution of Council. The directors of the Department of Management, Department of Finance and Department of Law shall make awards of contracts and agreements for the respective departments, subject to approval of Council when so required by Council.



## CITY CODIFIED ORDINANCES

### **106.01 REJECTION OF BIDS.**

When in the opinion of Council, the award by a director (i.e. City Manager, City Finance Director, or Law Director) of a contract to a bidder or proposer is not in the best interest of the City, Council shall state the reason in the minutes and may accept another bid or proposal opened for award, or reject all bids or proposals and advertise for other bids or proposals, or order the applicable director to proceed or not proceed with the purchase or project. Council may at any time, reject any and all bids or proposals and waive any and all irregularities and informalities therein. Council shall not be obligated to proceed with any project or service, in full or in part, or the purchase of equipment, material, or supply in full or in part, in the event that any bid or proposal is rejected or any contract is not awarded. Moreover, any rejection of any bid or proposal may be done by motion of Council, with no further legislation being required to re-bid the project, service, equipment, material, or supply. Any such re-bid may be authorized by motion of Council. (Ord. 36-01. Passed 5-7-01.)

### **106.02 STATE COOPERATIVE PURCHASING PROGRAM.**

(a) Subject to approval for expenditure of funds when required, the City and all of its departments may purchase materials, supplies, equipment or services from others, including other political subdivisions of this State as defined in Section 125.04(B) of the Revised Code, upon equivalent terms, conditions, and specifications but at a lower price than it can be obtained through any of Ohio's cooperative purchasing program without necessity of competitive bid. The department making said purchase shall cause to be maintained sufficient information regarding the purchase to verify that the department satisfied the conditions for making a purchase under this section. Nothing in this section restricts the City or its departments from taking any other action that may be permitted by law.

(b) (1) Subject to approval for expenditure of funds when required, and except as provided herein, when materials, supplies, equipment or services to be purchased are authorized for competitive bid by the City, the City Council or department director (i.e. City Manager, City Law Director, or City Finance Director as applicable) specifically has the right to disregard the bidding process completely, at any time, so long as bids have not yet been received, and to:

A. Contract for the purchase of materials, supplies, equipment or services from a person or an entity who is authorized by the current State Cooperative Purchasing Contract which is in effect at the time of the bid, to sell such materials, supplies, equipment or services to the City or its departments under the provisions of Ohio R.C. 125.04 or 5513.01 and Ordinance(s) 63-88, 36-99 or similar ordinances passed by the City, as each may be amended from time to time; or

B. Make said purchase pursuant to subsection (a) hereof.

(2) If bids have been received and the purchase can be made upon the same terms, conditions and specifications at a lower price through the State's Cooperative Purchasing Contract, then the bid may be:

A. Rejected;

B. Awarded to the lowest and best bidder; or

C. Awarded via the State Cooperative Purchasing Contract.

(Ord. 36-01. Passed 5-7-01.)

### **106.03 APPROVAL OF CONTRACT DOCUMENTS AND AWARD.**

(a) Council need merely by motion approve contracts, specifications, plans, and related documents and authorize the award of bid or proposal and, any such motion related to approval of contracts, specifications, plans, and related documents or award is required to have a mere majority vote of those members currently serving on Council for passage. Specifications, plans, and related bid documents for any bid requiring the same shall be on file with the office of the City Finance Director, such documents requiring Council approval prior to the bid process.

(b) The Director of the department for which a contract is being bid may issue an addendum to the contract, specifications, plans and related documents without necessity of Council approval. Any such addendum shall be provided to Council prior to award.

(Ord. 36-01. Passed 5-7-01.)

## CITY CODIFIED ORDINANCES

### **106.04 COMPETITIVE BIDDING ELIMINATED.**

Nothing in this chapter shall be construed as limiting the power of the City to enter into professional service contracts, leases, or other type of purchases not required by law to be by competitive bidding. Nevertheless, contracts or agreements for professional services, sole source contracts or agreements, and contracts or agreements which are necessitated by an emergency that threatens the health or safety of the inhabitants of the City, or contracts or agreements that are immediately necessary for the preservation or replacement of City real or personal property or facilities, shall be exempt from bidding. In addition, when the City may otherwise be required by the laws of Ohio, ordinance or resolution, to make any purchase or contract of any type of property or services, or contract for purchases or services by competitive bid, the proposal process, or qualified base selection process, Council may eliminate the necessity therefor in the best interest of the City, as determined in the sole discretion of Council by a majority vote of the current members of Council. Emergency purchase procedure shall be controlled by Section 105.03. (Ord. 36-01. Passed 5-7-01.)

### **106.05 CONTESTING RELATED TO BIDS.**

Upon authorization for award of contract, the director who is responsible for the contract shall furnish notice to any unsuccessful bidder or proposer of the City's intent to award to another. Such notice may be made by regular U.S. mail to the business address contained in the bid or proposal, personal service, or by electronic mail or facsimile transmission at the address or number contained in the bid or proposal. Notice shall be deemed received when given if served personally or by electronic mail or facsimile transmission; however, when served by regular U.S. mail, notice shall be deemed received three (3) days after being deposited in a mail receptacle. The unsuccessful bidder or proposer shall have ten (10) business days after notice is received as provided herein to file a written protest with the City's Finance Director clearly stating the grounds for the protest. Such protest shall be deemed received when time stamped by the City Finance Director's office. The failure to timely file a protest constitutes a complete waiver thereof. Upon the proper filing of a protest, a meeting, informal in nature, shall be held within thirty (30) days by the meeting board as designated in Section 106.06 or as otherwise determined by council. The disposition order of the board shall be deemed a final order. (Ord. 36-01. Passed 5-7-01.)

### **106.06 HEARING BOARD.**

The Municipal Properties, Buildings, Land Use and Economic Development Committee of Council shall be deemed the hearing body for purposes of City Code Section 106.05 and Ohio R.C. 9.31, unless otherwise determined by Council. (Ord. 36-01. Passed 5-7-01.)

*City of Napoleon, Ohio*

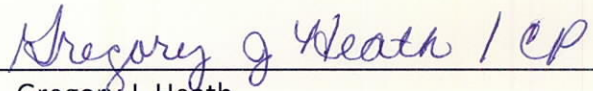
**SAFETY AND HUMAN RESOURCES COMMITTEE**

Meeting Agenda

**Monday, April 24, 2017 at 7:30 pm**

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

- 1) Approval of Minutes from March 27, 2017 (*In the absence of any objections or corrections, the Minutes shall stand approved.*)
- 2) Review Recommended Changes to Personnel Code Section 197.18 (Vacation).
- 3) Any other matters currently assigned to the Committee.
- 4) Adjournment.

Handwritten signature of Gregory J. Heath in blue ink.

Gregory J. Heath

Finance Director/Clerk of Council



*City of Napoleon, Ohio*  
**Joint Special Meeting**  
of  
**SAFETY & HUMAN RESOURCES COMMITTEE**  
with  
City Council

**Meeting Minutes**

**Monday, March 27, 2017 at 7:30 PM**

**PRESENT**

Committee	Dan Baer-Chairman; Jeff Comadoll, Rita Small
Councilmembers	Travis Sheaffer, Jeff Mires, Joe Bialorucki
Finance Director/Clerk	Gregory J. Heath
City Manager	Joel Mazur
Law Director	Billy D. Harmon
City Staff	Chad Lulfs-Public Works Director, Clayton O'Brien-Fire Chief, Morgan Druhot-Human Resources
Recorder	Roxanne Dietrich
Others	Newsmedia

**ABSENT**

**Call To Order**

Chairperson Baer called the meeting to order at 7:36 pm.

**Minutes Stand Approved**

Minutes of the February 27, 2017 meeting stand approved as presented with no objections or corrections.

**Review of Personnel  
Code Section 197.18  
(Vacation)**

Review of Personnel Code Section 197.18 (vacation)

City Manager Mazur explained we are looking at three things: prior service credit from another public service, allowing the City Manager to negotiate vacation for new employees coming in, and accrual use where we can use vacation as you accrue the time. Sheaffer stated the Personnel Committee recommends in 197.18(a) in second sentence delete from "after to hire date" and insert *which will be accrued from start date*.

197.18(d) in the first sentence delete "except first years of service" basically an employee coming from a public subdivision could get a credit and can put date on that when will start.

Comadoll responded that does not help engineering with someone coming in from the outside.

Sheaffer said that could be part of the City Manager negotiating.

197.18(e) second line after "balance" delete rest of sentence.

197.18(h) A. Delete and put in "*All employees (not elected officials) who are employed by the City of Napoleon shall have all their public service with the State of Ohio or any of its political subdivisions credited pursuant to Ohio RC 9.44(A).*"

1-Accrue and use from day one can add section setting minimum amounts;

2-give credit for public service with State of Ohio subdivision pursuant to ORC based on accrual rate; and

3-allow appointing Authority ability to negotiate.

Comadoll stated nothing over eighty hours should be credited.  
Heath asked if someone brings in eighty hours can they cash that out later?

Lulfs said we are talking only about all future employees shouldn't we put in a employees hired after "this" date (a date to be determined would be inserted).

**Motion to Direct Law  
Director to Bring Draft of  
Recommended Changes  
to the Next Meeting**

Motion: Comadoll                      Second: Small  
to Direct the Law Director to bring to the next committee meeting a  
draft of the recommended changes to Section 197.18 of the Personnel  
Code.

**Passed**  
**Yea-3**  
**Nay-0**

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

The next meeting will be on April 24<sup>th</sup>.

**Motion To Adjourn**

Motion: Comadoll                      Second: Small

To adjourn the Safety and Human Resources Committee meeting.

**Passed**  
**Yea-3**  
**Nay-0**

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

**Adjournment**

Meeting was adjourned at 7:56 pm.

**Approved**

April 24, 2017

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Dan Baer, Chair

*City of Napoleon, Ohio*

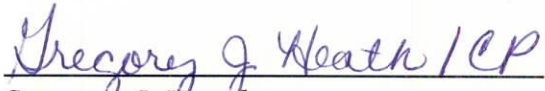
**PARKS & RECREATION BOARD**

Meeting Agenda

Wednesday, April 26, 2017 at 6:30 pm

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

- 1 . Call to Order.
- 2 . Approval of March 29, 2017 Minutes (in the absence of any objections or corrections, the Minutes shall stand approved)
- 3 . Discussion and/or Action on Request to Allow Camping at Vorwerk Park.
- 4 . Miscellaneous.
- 5 . Any Other Matters to come before the Board.

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

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

**DATE:** April 21, 2017

**RE:** Civil Service Commission Meeting Cancellation

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The Civil Service Commission meeting regularly scheduled for Tuesday, April 25, 2017 at 4:30 pm has been CANCELED due to lack of agenda items.



# UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

April 14, 2017

## Members recognized for reliability

By Michelle Palmer, PE – vice president of technical services

The American Public Power Association (APPA) recently awarded more than 120 public power utilities nationwide certificates of excellence for reliable performance. The utilities were chosen based on a comparison of their outage records, as indicated by eReliability Tracker data, against nationwide data gathered by the Energy Information Administration (EIA).

The following AMP members were among the utilities recognized:

Berlin, MD	Hillsdale	Perkasie
Bowling Green	Jackson	Piqua
Bryan	Napoleon	Princeton
Columbiana	New Martinsville	Versailles
Cuyahoga Falls	Newton Falls	Wadsworth
Ephrata	Oak Harbor	Wapakoneta
Front Royal	Orrville	Wyandotte
Hamilton	Painesville	Yellow Springs

Congratulations to all 24 members who were recognized for their reliable service.

As a reminder, eReliability Tracker service is available to all AMP members at no cost through their AMP membership. Subscribers receive customized annual reports that analyze the utility outage information and compare the data to other subscribers' data in the same region and class size. Subscribing members can also receive recognition and points toward APPA's Reliable Public Power (RP3) designation through active participation in the service.

For additional information or to subscribe to the eReliability Tracker service, please contact Jennifer Flockerzie, technical services program coordinator, at 614.540.0853 or [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org).

## Energy markets update

By Jerry Willman – assistant vice president of energy marketing

The May 2017 natural gas contract increased \$0.04/MMBtu to settle at \$3.227/MMBtu. The EIA reported an injection of 10 Bcf for the week ending April 7, which was in line with analyst expectations. This injection is greater than the five-year average for the week, driven by warmer than normal temperatures.

On-peak power prices for 2018 at AD Hub closed yesterday at \$36.23/MWh, which was \$0.07/MWh lower for the week.

## Members encouraged to show support for bonds

By Charles Willoughby – director of government affairs

Congress is on a two-week recess and should be in home districts through April 21. Upon its return, the House Ways & Means Committee will start considering major tax reform proposals again, making now the perfect time to contact your Congressional representative. Now is the time to remind them how significantly, efficiently and effectively municipal bonds build America and public power.

Municipal bonds have helped finance nearly two-thirds of all the core infrastructure in the U.S. including schools, roads and bridges, subways, seaports and terminals, water and wastewater infrastructure, housing, libraries and major segments of our nation's energy grid. Municipal bonds provide state and local governments access to reliable low-cost financing that directly benefits the residents they serve.

Your recent advocacy efforts have helped raise Congress' understanding and appreciation for the benefits of tax-exempt bonds to new heights. Through your calls, letters and meetings with Congressional offices, the importance of municipal bonds has gained bipartisan interest, as well as a few new advocates trying to push back against the many legislators that continue actively seeking the taxation, restriction and reduction of municipal bonds.

Members are encouraged to contact their Congressional delegation before they return from recess, and remind them why it is so important to protect the use of tax-exempt municipal bonds.

For additional information, please contact Michael Beirne, vice president of external affairs, at [mbeirne@amppartners.org](mailto:mbeirne@amppartners.org) or 614.540.0835.

## AFEC update

By Jerry Willman

The Fremont plant generally operated in 2x1 configuration for the week, but was cycled offline by PJM on Sunday due to economics.

Duct firing operated for 37 hours this week. The plant generated at a 65 percent capacity factor (based on 675 MW rating).

## First quarterly FFAC meeting to take place May 12

By Chris Monacelli – electric utility manager, City of Westerville; AMP Board of Trustees

As the newly appointed chair of AMP's Focus Forward Advisory Council (FFAC), I would like to invite AMP members who are interested in learning and advising on emerging trends in utilities to join us and participate in the FFAC.

The FFAC meets on a quarterly or as-needed basis, usually virtually via Go-To-Webinar. Our next meeting is scheduled for May 12 from 9:30 to 10:30 a.m. We will briefly review resources for the Focus Forward Toolkit and spend the majority of our time discussing next steps.

For additional information or to participate, please contact Erin Miller, director of energy policy and sustainability, at [emiller@amppartners.org](mailto:emiller@amppartners.org) or 614.540.1019. I look forward to working with you.

### MARCH OPERATIONS DATA

	March 2017	March 2016
<b>AFEC Capacity Factor</b>	72%	22%
<b>Prairie State Capacity Factor</b>	51%	44%
<b>Meldahl Capacity Factor</b>	39%	N/A
<b>Cannelton Capacity Factor</b>	51%	N/A
<b>Greenup Capacity Factor</b>	13%	N/A
<b>Willow Island Capacity Factor</b>	70%	72%
<b>Belleville Capacity Factor</b>	82%	86%
<b>Blue Creek Wind Capacity Factor</b>	39%	38%
<b>JV6 Wind Capacity Factor</b>	27%	23%
<b>Napoleon Solar Capacity Factor</b>	16%	15%
<b>Bowling Green Solar Capacity Factor</b>	22%	N/A
<b>Avg. A/D Hub On-Peak Rate</b>	\$34/MWh	\$27/MWh

\*Fremont capacity factor based on 675 MW rating.  
 \*Fremont was in planned outage March 2016.  
 \*PS capacity factor based on 1,582 MW rating.  
 \*PS had one unit down for spring maintenance in 2016 and 2017.  
 \*Meldahl capacity factor based on 105 MW rating  
 \*Cannelton capacity factor based on 87.6 MW rating  
 \*Greenup capacity factor based on 70 MW rating.  
 \*Willow Island capacity factor based on 44.2 MW rating.  
 \*Belleville capacity factor based on 42 MW rating.  
 \*Solar capacity factor based on 3.54 MW rating.

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

#### Week ending April 14

MON	TUE	WED	THU	FRI
\$37.64	\$34.26	\$33.27	\$30.20	\$27.08

#### Week ending April 7

MON	TUE	WED	THU	FRI
\$37.50	\$32.87	\$30.87	\$34.68	\$38.00

AEP/Dayton 2018 5x16 price as of April 13 — \$26.23

AEP/Dayton 2018 5x16 price as of April 6 — \$36.30

## DEED fall funding cycle to open May 1, close Aug. 15

By Michelle Palmer, PE

The fall funding cycle of the American Public Power Association's (APPA) Demonstration of Energy Efficiency & Developments (DEED) program opens on May 1 and runs through Aug. 15.

Grants, up to 125,000, are designed to fund innovative utility projects that increase efficiency, reduce costs, investigate new technologies, offer new services or improve processes and practices to better serve customers. AMP pays for its members to be DEED participants and will assist utilities with the grant application process. For assistance completing a DEED application, please contact me at [mpalmer@amppartners.org](mailto:mpalmer@amppartners.org) or 614.540.0924.

Applicants will be notified of the DEED Board's funding decision by mid-October 2017. Additional DEED program details are available on APPA's [website](http://www.appa.org) or by emailing [DEED@PublicPower.org](mailto:DEED@PublicPower.org).



## AMP holds second Regional Safety Meeting of 2017

More than 45 representatives from 14 member communities attended this week's Regional Safety Meeting, held April 13 at Cabela's in Hamburg, Pennsylvania. During the event, vendors from 14 companies showcased their products and services, and speakers presented on various industry topics.





## AMP hosts Underground Distribution Workshop

AMP hosted an Underground Distribution Workshop this week, with 15 representatives from five member communities in attendance. An expansion of the lineworker series, the course provided participants with hands-on and in-class training on underground installation techniques including splicing, terminations, switching and cable installation.

Participants included Derek Shreiner, Columbus; Roy Butcher, Columbus; Josh Anderson, Columbus; Sean Harper, Columbus; Joe Quayle, Columbus; Mike Clark, Columbus; Mark Jones, Columbus; Charles Euton, Columbus; Tony Vecchio, Columbus; Bill George, Newton Falls; Ben Palazzi, Grafton; Jarret Wolford, Coldwater; Eric Green, Coldwater; Jamey Tiell, Bowling Green; and Michael Schultz, Bowling Green.

## Calendar

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

**April 25-26—Technical Services Conference**  
Quest Conference Center, 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

## Finance & Accounting webinar covers trends in banking

By Joe Regan – member credit compliance analyst

On April 12, AMP hosted 24 participants from 22 member communities in five states for the second Finance & Accounting webinar of 2017.

Suzanne Griffin, CTP and senior vice president treasury management sales advisor with Huntington Bank, discussed trends in banking. Griffin provided an overview of current trends in banking and treasury management services with an emphasis on electronic banking, including tips and processes that may help improve efficiencies, as well as best practices for mitigating risk. Specifically, the topics discussed were wire transfers, automated clearing house (ACH), onsite check processing, smart safes, lockbox, cash vault, commercial card, merchant services and fraud services. The presentation allowed for interactive question and answer opportunities from participants regarding various topics being discussed.

For those interested in viewing this webinar, it was recorded and is now available on the AMP [Member Extranet](#). If you need assistance viewing the webinar or have any other questions, please contact me at 614.540.6913 or [jregan2@amppartners.org](mailto:jregan2@amppartners.org). Please stay tuned for upcoming Finance & Accounting webinars.

## APPA webinar series covers RP3 Program application

By Michelle Palmer, PE

The American Public Power Association (APPA) is hosting a webinar series addressing the Reliable Public Power Provider (RP3) application. Each webinar will begin at 1 p.m. and will be led by a member of the review panel. Application sections to be covered include:

- **Safety** – April 18
- **Workforce Development** – May 2
- **System Improvement** – May 23

Webinar registration and call-in information is available on the APPA [website](#).

Awarded to public power utilities that demonstrate proficiency in reliability, safety, workforce development and system improvement, the RP3 designation is a reflection of sound business practices and recognized industry leading practices. Additional program information and a preview of the application is available on the APPA [website](#).

AMP encourages members to submit an RP3 application and is available to assist as needed. For application assistance, please contact Jennifer Flockerzie at 614.540.0853 or [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org).



## News or Ads?

Call Kerin Scott at 614.540.6406 or email to [kscott@amppartners.org](mailto:kscott@amppartners.org) if you would like to pass along news or ads.





## Classifieds

### AMP seeks applicants for multiple positions

American Municipal Power, Inc. (AMP) is seeking applicants for the following positions. For additional information or complete job descriptions, please visit the "careers" section of the AMP [website](#).

**Manager of Marketing/Member Relations** – This position is responsible for fostering member relationships and implementing AMP's strategic growth plan. This includes assisting the director of marketing/member relations in the administration and marketing of AMP services, programs and projects to members, performing regular visits to member communities and educating members about power supply portfolios, energy markets and AMP programs and services. Qualifications include a bachelor's degree in business or an engineering-related field; three or more years of experience in the electric utility industry; and excellent interpersonal and communication skills. Travel required.

**Power Dispatcher** – This position is responsible for making hourly purchasing and selling decisions for the use of available generating resources to optimally meet member load requirements; monitoring member loads; and implementing and scheduling power supply arrangements. Candidates must have a minimum of an associate degree in business or related field (bachelor's degree preferred), or related work experience. Candidate must be willing to work rotating shifts; learn power supply operations, economic dispatch of generation resources and transmission use; and become PJM Generation Operation certified within one year of employment.

### St. Clairsville begins search for assistant superintendent

The City of St. Clairsville has an immediate opening for an assistant superintendent in its electric department. The assistant superintendent is responsible for assisting the electric superintendent in the day to day operation and management of the electric department in a municipal government setting.

The position also is responsible for conducting maintenance on and installation of high voltage and secondary electric lines. The position also may serve as assistant superintendent for other public service departments. Qualifications include completion of high school (or equivalent) and a minimum of five years of experience working with high voltage electrical, or any equivalent combination of education, experience and training that provides the required knowledge, skills and abilities. Field experience and/or project management experience would be considered a plus. Applicants who live within a 60 minute drive of the city preferred.

A complete position description is available on the city's [website](#). Interested candidates should send a letter of interest with salary requirements and a resume to DOPS, City of St. Clairsville, PO Box 537, St. Clairsville, OH 43950, by May 5.

### Electric department director needed at OMLPS

Oberlin Municipal Light and Power System (OMLPS) is in search of candidates for the position of electric department director to oversee all engineering, financial, administrative and management functions of the light and power system.

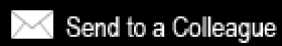
Qualifications include a bachelor's degree in electrical engineering, public administration or related field; at least five years of hands-on experience in generation, transmission and distribution operations, including extensive planning, personnel management and financial experience; or an equivalent combination of education and experience that provides the skills and abilities necessary to perform the primary job duties. A valid Ohio driver's license is required.

Applications and a full job description are available at [www.cityofoberlin.com](http://www.cityofoberlin.com) or at the Oberlin City Hall, located at 85 S. Main St., Oberlin, OH 44074. A cover letter and resume should be included with completed application.

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**April 21, 2017**

This was the second week of the spring recess for members of the Ohio General Assembly. During this period, as it is budget season, House leadership continues to comb through hundreds of amendments submitted by all members of the Ohio House, in attempts to advance policies members believe would be beneficial to the state. Leadership will construct an substitute bill that will incorporate all of the changes determined to reflect the priorities of the House and it's spending priorities. We anticipate new language to emerge next week from committee hearings scheduled in the House Finance Committee.

The League has requested multiple amendments to important issues we have previewed at length in previous legislative bulletins. Meanwhile, we need members to stay alert over the next few weeks to our emails and to continue to talk to your legislative delegation members, both in the House and Senate, and continue to empress upon them your concerns with challenges to local control and revenue management. Once the final amendments are made public, we will immediately inform you and provide advice on what steps to take.

### **LEAGUE PARTICIPATES IN SPONSORING OHIO MUNICIPAL SUMMIT ON AFTER-SCHOOL AND SUMMER LEARNING EVENT**

The Ohio After-school Network, along with the National League of Cities and the Ohio Municipal League, hosted the first ever Ohio Municipal Summit on After-school and Summer Learning. The event took place last week on Wednesday, April 12, and was attended by education, after-school and municipal leaders from around the state.

League Executive Director, Kent Scarrett, addressed attendees as part of the opening remarks, speaking on the importance of every person in after-school and summer learning lobbying for a better future for students and, by proxy, a better future for Ohio. Other speakers included Matt Zone, President of the National League of Cities and a City of Cleveland Councilman, and Reginald MacGregor, the Manager of Engineering Employee Development at Rolls Royce. Those who attended the event learned about how after-school and summer learning programs improve workforce readiness, safety, and educational outcomes for students in a variety of workshops. They also heard from a panel that included Mayor Nan Whaley of the City of Dayton and Councilman Zone, which discussed how municipal leaders can invest in and benefit from after-school and summer learning programs in their cities.

The Ohio Municipal League was proud to be a part of this important summit, and we will keep our members aware of future opportunities to engage in discussions about how after-school and summer learning can benefit Ohio's municipalities.

## **LEAGUE AND MUNICIPAL ATTORNEYS ASSOCIATION PREPARE A REPORT TO THE CONSTITUTIONAL MODERNIZATION COMMISSION**

Last month, Governor Robert Taft, a member of the Constitutional Modernization Commission, asked the League to review Article XVIII (Home Rule) of the Ohio Constitution and suggest any amendments that might be appropriate. Honoring that request, as General Counsel for the OML, Garry E. Hunter, Esq. formed a committee to: (1) Study Article XVIII of the Constitution of Ohio; (2) Promote an exchange of experiences and suggestions respecting desired changes in Article XVIII; (3) Consider the problems pertaining to the amendment of Article XVIII; and, (4) Make recommendations to the Ohio Constitution Modernization Commission's Education, Public Information, and Local Government Committee.

A copy of the final report submitted to Governor Taft can be accessed [HERE](#).

Mr. Hunter constituted the committee with members of the OML and the Ohio Municipal Attorneys Association ("OMAA"). The Committee comprises Garry E. Hunter, Esq., OML/OMAA General Counsel, Chair; E. Rod Davisson, Esq., Village Administrator Obetz, Vice Chair; Kent Scarrett, OML Executive Director; Ed Albright, OML Deputy Executive Director; Stephen J. Smith, Jr., Esq. and Thaddeus M. Boggs, Esq., of the Frost, Brown, Todd Law Firm in Columbus; Thomas Schmitt, Esq., Assistant Law Director, City of Westerville, Metz, Bailey, McLoughlin Law Firm; Paul G. Bertram, III, Esq., Director of Law, City of Marietta; Darren Shulman, Esq., City Attorney, City of Delaware; and, Les S. Landen, Esq., Director of Law, City of Middletown.

The Report suggests the following changes to Article XVIII, Section 3 of the Constitution to clear up confusion over the intent of the original 1912 Constitutional Convention language on Home Rule:

- "Municipalities shall have authority to exercise all powers of local self-government. and Municipalities shall also have the authority to adopt and enforce within their territorial limits such local police, sanitary and other similar regulations as are not in direct conflict with general laws.
- The General Assembly cannot interfere with powers granted to municipal corporations by the Ohio Constitution unless the Constitution sanctions the interference.
- These exercises of municipal authority are self-executing, and no municipality shall be required to adopt a charter in accordance with Sections 7 and 8 of this Article XVIII to exercise this authority."

We will be sure to alert our members of any future activity that takes place related to actions by the modernization review commission.

## **LEAGUE NOMINEES TO JAIL BOARD APPOINTED**

On April 17, 2017, the League Executive Director Kent Scarrett nominated three people to serve on the Ohio Jail Advisory Board: Greg Peterson who is Mayor of Dublin and an accomplished attorney; Robert Ratliff, who is Law Director for the City of Bucyrus and an accomplished attorney, and; Louis Gallizio, who is the Jail Administrator for the City of Parma.

On April 19, the nominations were accepted by the Board and the three individuals received their appointments. We would like to congratulate them and we know they will do a great job representing municipalities on the Board.

### **POOLED COLLATERAL SYSTEM ENSURES SAFETY OF OHIO'S TAX MONEY BY THE OHIO TREASURER'S OFFICE**

Innovative legislation recently passed by the Ohio Legislature streamlines and modernizes Ohio's public deposit collateral structure. HB 64 created the Ohio Pooled Collateral System (OPCS) to better ensure the safety and protection of Ohio's government deposits by creating a centralized pool of collateral overseen by the Ohio Treasury.

This system is required to be operational by July 1, 2017, and participation is voluntarily for financial institutions. Local governments retain the authority to select their financial institution and can still require collateral above the state statutory rate.

Under prior law, Ohio's collateral monitoring and oversight process was decentralized, which could create uncertainty as to whether local governments had a perfected security interest in the amount of collateral pledged against their deposits, and whether or not that deposit was appropriately protected in the event of a financial crisis.

With the creation of OPCS, the Ohio Treasury will oversee a pool of collateral for each financial institution that chooses to participate on behalf of Ohio's local governments. This new structure seeks to reduce costs for Ohio's local governments, provides administrative benefits for local governments, and most importantly, guard against fraud.

With OPCS, Ohio's local governments still have ample flexibility in the handling of their public deposits and control over their banking relationships. OPCS simply leverages the administrative capacity of the Treasurer's office to streamline the collateral process, while giving local governments the autonomy and flexibility to make the best decisions on behalf of their constituents.

In addition, OPCS provides greater efficiencies to Ohio's local governments. OPCS shifts the burden of processing pledged collateral from local governments to the Treasurer's office, freeing up valuable time and resources for local governments. OPCS also enables financial institutions to report information to the Treasurer's office rather than multiple entities.

Under OPCS, the Treasurer's office utilizes a 3rd party pricing source to determine the market value of collateral that participating financial institutions have pledged, and ensures that all necessary steps have been taken by those financial institutions to protect public deposits. This safeguards Ohio's tax money and protects against potential fraud or abuse.



Furthermore, the Treasurer's office maintains OPCS records via an online portal to allow for the efficient and transparent reporting of all public deposits and corresponding collateral. This daily monitoring enables participating local governments to review and analyze their collateral reports in a manner not available before.

With OPCS, local governments have yet another tool in their tool-belt to help ensure the safety, security and protection of Ohio's public funds.

OPCS was established based on changes to the Ohio Revised Code in 2015 and is scheduled to launch on or before July 1, 2017. For more information, please contact the Treasurer's office at 614-995-3773 or by email at [constituentaffairs@tos.ohio.gov](mailto:constituentaffairs@tos.ohio.gov).

### **SENATE DEMOCRATS ELECT NEW LEADER**

The Senate Democrat Caucus lost their leader Sen. Joe Schiavoni (D-Boardman) this week, who stepped down from the leadership role to dedicate more time to his gubernatorial aspirations. The Senate Democratic Caucus elected Senator Kenny Yuko (D-Richmond) to take the reins of leadership. Yuko is a long-time veteran of the General Assembly, having served in both chambers.

After being elected to lead his fellow democratic members, Senator Yuko was quoted as saying, "During the upcoming budget debate in the Senate, we will fight to ensure our schools and communities have the resources they need and deserve."

The league heartily congratulates Senator Yuko on his new role. The League has had a long and very enjoyable relationship with the Senator. We look forward to working with the new leader and wish him great success.

### **MARIJUANA RULES BEGIN PERCOLATING**

The Ohio Medical Marijuana Control Program has sent a number of initial rules to the Joint Committee on Agency Rule Review (JCARR). The proposed addition would be OAC 3796. The rule-making process can be tracked at: <http://www.medicalmarijuana.ohio.gov>

Future rules are also expected from the Ohio Pharmacy Board. The Ohio Association of Public Safety Directors, an affiliate of the League, will be hosting a panel discussion on May 5 from representatives from both agencies. Please see the events section below for more details. All are invited.

### **COMMITTEE SCHEDULE FOR NEXT WEEK**

#### **Monday, April 24, 2017**

##### **HOUSE RULES AND REFERENCE**

Mon., Apr. 24, 2017, 1:00 PM, Hearing Room 119

Rep. Rosenberger: 614-466-3506

##### **CONTROLLING BOARD**

Mon., Apr. 24, 2017, 1:30 PM, North Hearing Room

Christine Morrison: 614-466-5721

#### **Tuesday, April 25, 2017**

## **HOUSE FINANCIAL INSTITUTIONS, HOUSING AND URBAN DEVELOPMENT**

Tue., Apr. 25, 2017, 9:00 AM, Hearing Room 114

Rep. Dever: 614-466-8120

**HB46** GOVERNMENT FUNDS (SPRAGUE R) To modify the qualifications regarding notes eligible for investment of county inactive moneys and money in the public library fund.

**Third Hearing, Opponent/Interested Party Testimony, POSSIBLE VOTE**

**HB104** TAX REFUND ON BAD DEBTS (SCHAFFER T) To allow vendors to receive a refund of sales tax remitted for bad debts on private label credit accounts when the debt is charged off as uncollectible by the credit account lender.

**Third Hearing, All Testimony, POSSIBLE VOTE**

**SB24** CONSUMER INSTALLMENT LOANS (TERHAR L) To create the Ohio Consumer Installment Loan Act.

**Third Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE**

## **HOUSE WAYS AND MEANS**

Tue., Apr. 25, 2017, 9:00 AM, Hearing Room 121

Rep. Schaffer: 614-466-8100

**HB124** VOCATIONAL SCHOOL TAX LEVY (BRENNER A, CARFAGNA R) To authorize a joint vocational school district to submit the question of a renewal tax levy to voters who did not have an opportunity to vote on the levy at an election held in November of 2015 because the levy was only placed on the ballot in one of several counties in which the district has territory.

**Second Hearing, All Testimony, AMENDMENTS/SUBSTITUTE BILL**

**HB116** TAX EXEMPTION-GLASSES AND CONTACTS (MERRIN D) To exempt prescription eyeglasses, contact lenses, and other optical aids sold by licensed dispensers from sales and use tax.

**Third Hearing, All Testimony, POSSIBLE VOTE**

**HB118\*\*** TAX COMPLAINT DISMISSAL (MERRIN D) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner.

**Third Hearing, All Testimony, POSSIBLE VOTE**

## **HOUSE FINANCE**

Tue., Apr. 25, 2017, 10:00 AM, Hearing Room 313

Rep. Smith: 614-466-1366

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Tenth Hearing, No Testimony, SUBSTITUTE BILL**

## **HOUSE STATE AND LOCAL GOVERNMENT**

Tue., Apr. 25, 2017, 10:00 AM, Hearing Room 122

Rep. Anielski: 614-644-6041

**SB18** JESSE OWENS DAY DESIGNATION (THOMAS C) To designate September 12 as "Jesse Owens Day."

**Third Hearing, All Testimony, POSSIBLE VOTE**

**SB27** DEAF HISTORY MONTH DESIGNATION (BEAGLE B) To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month."

**Third Hearing, All Testimony, POSSIBLE VOTE**

**HB69\*\*** LEVY REVENUE REIMBURSEMENT (CUPP B) To require reimbursement of certain

township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

**Sixth Hearing, All Testimony, POSSIBLE VOTE**

**Report(s):** My Tracked Bills, OML Legislative Report

**HB122\*\*** ESTABLISH ECONOMIC STUDY COMMITTEE (HAMBLEY S, ROGERS J) To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.

**Second Hearing, All Testimony**

**Report(s):** My Tracked Bills, OML Legislative Report

**HB134** SCHOOL COMMUNITY IMPROVEMENT GRANTS (HAMBLEY S, KICK D) To allow community improvements board grants to a school district to be spent for permanent improvements outside the county so long as the improvements are within the school district.

**First Hearing, Sponsor Testimony**

**HB135** DAY DESIGNATION-SUPERMAN DAY (PATMON B) To designate June 12th as "Superman Day."

**First Hearing, Sponsor Testimony**

**HB139** PUBLIC RECORD DISCLOSURE EXEMPTIONS (PERALES R, KELLER C) To eliminate the public disclosure exemption for any permanently retained record 100 years after the date of its creation.

**First Hearing, Sponsor Testimony**

**SENATE JUDICIARY**

Tue., Apr. 25, 2017, 10:00 AM, North Hearing Room

Sen. Bacon: 614-466-8064

**SB4** RECORDS EXPUNGEMENT (KUNZE S, OELSLAGER S) To allow a person who is found not guilty of an offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

**Third Hearing, All Testimony, AMENDMENTS/POSSIBLE VOTE**

**SENATE FINANCE HEALTH AND MEDICAID SUBCOMMITTEE**

Tue., Apr. 25, 2017, 10:45 AM, South Hearing Room

Sen. Hackett: 614-466-3780

Testimony from the following:

- Commission on Minority Health
- Board of Nursing
- Dental Board
- Chiropractic Board
- State Medical Board
- Veterinary Medical Licensing Board
- Board of Sanitarian Registration
- Board of Embalmers and Funeral Directors

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Second Hearing, Invited Testimony**

**SENATE FINANCE PRIMARY AND SECONDARY EDUCATION  
SUBCOMMITTEE**

Tue., Apr. 25, 2017, 10:45 AM, Senate Finance Hearing Room

Sen. Hite: 614-466-8150

Testimony from the following:

- Ohio State School for the Blind
- Ohio State School for the Deaf
- Joint Education Oversight Committee
- Ohio Facilities Construction Commission

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Second Hearing, Invited Testimony**

**Report(s):** My Tracked Bills, OML Legislative Report

#### **SENATE FINANCE**

Tue., Apr. 25, 2017, 1:30 PM, Senate Finance Hearing Room

Sen. Oelslager: 614-466-0626

Testimony on HB49 from Department of Taxation.

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Third Hearing, Invited Testimony**

INCREASING INCOME TAX DEDUCTIONS (HOTTINGER J, EKLUND J) To increase the maximum income tax deduction for contributions to college savings accounts and disability expense savings accounts to \$10,000 annually for each beneficiary, to create the

**SB5**

**Second Hearing, Proponent Testimony**

#### **OHIO HOUSE**

Tue., Apr. 25, 2017, 2:00 PM, House Chambers

#### **HOUSE PUBLIC UTILITIES**

Tue., Apr. 25, 2017, 3:00 PM, Hearing Room 116

Rep. Seitz: 614-466-8258

OR AFTER SESSION

**HB178\*\*** ZERO-EMISSIONS NUCLEAR PROGRAM (DEVITIS A) Regarding the zero-emissions nuclear resource program.

**First Hearing, Sponsor/Proponent Testimony, PENDING REFERRAL**

#### **HOUSE ENERGY AND NATURAL RESOURCES**

Tue., Apr. 25, 2017, 4:00 PM, Hearing Room 018

Rep. Landis: 614-466-8035

**SB2\*\*** ENVIRONMENTAL PROTECTIONS LAWS (HITE C) To revise specified laws relating to environmental protection.

**First Hearing, Sponsor Testimony**

**Report(s):** My Tracked Bills, OML Legislative Report

**HB29\*\*** MUNICIPAL WATER RESERVOIR BUFFERS (LELAND D, BOGGS K) To eliminate law authorizing the maintenance of buffers around municipal water reservoirs by contiguous property owners.

**First Hearing, Sponsor Testimony**

**Report(s):** My Tracked Bills, OML Legislative Report



**HB130**

OIL AND GAS ROYALTY STATEMENTS (CERA J) To require the owner of an oil or gas well to provide a royalty statement to the holder of the royalty interest when the owner makes payment to the holder.

**First Hearing, Sponsor Testimony**

**HOUSE FEDERALISM AND INTERSTATE RELATIONS**

Tue., Apr. 25, 2017, 4:00 PM, Hearing Room 115

Rep. Roegner: 614-466-1177

OR AFTER SESSION

**HB142\*\***

NOTIFYING POLICE OF CONCEALED CARRY (WIGGAM S) To eliminate the requirement that a concealed handgun licensee notify a law enforcement officer that the licensee is carrying a concealed handgun when stopped.

**First Hearing, Sponsor Testimony**

**HB151**

FIREARM SALES BACKGROUND CHECK (PATMON B) To prohibit a transfer of a firearm from a person who is not a federally licensed firearms dealer to a person who is not a federally licensed firearms dealer unless it is done through a federally licensed firearms dealer, through a state or local law enforcement agency, or pursuant to a specified exception; to require that background checks be conducted when a firearm is transferred through a federally licensed firearms dealer or a state or local law enforcement agency; and to provide for recordkeeping with respect to information obtained pursuant to such a background check.

**First Hearing, Sponsor Testimony**

**HB152**

HUNTING LICENSE FIREARMS (PATMON B) To require an applicant for a hunting license to specify whether the applicant has been convicted of or pleaded guilty to a felony and to require the license to specify "firearm restricted" if an applicant has so indicated.

**First Hearing, Sponsor Testimony**

**HB153**

BAN IMITATION FIREARMS (PATMON B) To generally ban the manufacture, sale, alteration, and public display of imitation firearms and the disguising of a firearm to make it resemble an imitation firearm.

**First Hearing, Sponsor Testimony**

**SENATE EDUCATION**

Tue., Apr. 25, 2017, 4:00 PM, South Hearing Room

Sen. Lehner: 614-466-4538

**SB8**

SCHOOL INFRASTRUCTURE AND TECHNOLOGY (GARDNER R, TERHAR L) To require the Ohio School Facilities Commission to establish a program assisting school districts in purchasing technology and making physical alterations to improve technology infrastructure and school safety and security.

**Third Hearing, Opponent/Interested Party Testimony**

**SB82**

SCHOOL ABSENCES-PARENTAL NOTIFICATION (WILLIAMS S, LEHNER P) To require a public school to place a telephone call within one hour of the start of the school day to a parent whose child is absent without legitimate excuse.

**Third Hearing, All Testimony**

**SB34**

SCHOOL YEARS (MANNING G) To generally require public and chartered nonpublic schools to open for instruction after Labor Day.

**Third Hearing, All Testimony**

**SB85**

OPPORTUNITY SCHOLARSHIP PROGRAM CREATION (HUFFMAN M) To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program.

**Second Hearing, Proponent Testimony**

Wednesday, April 26, 2017

**HOUSE FINANCE**

Wed., Apr. 26, 2017, 9:00 AM, Hearing Room 313

Rep. Smith: 614-466-1366

**HB28**

INDUSTRIAL COMMISSION BUDGET (BRINKMAN T) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs.

**Third Hearing, No Testimony, AMENDMENTS/POSSIBLE VOTE**

**HB49\*\***

OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Eleventh Hearing, All Testimony**

**HOUSE HEALTH**

Wed., Apr. 26, 2017, 9:00 AM, Hearing Room 121

Rep. Huffman: 614-466-8114

**SB57**

DAY DESIGNATION-CANCER AWARENESS (KUNZE S) To designate the seventeenth day of May as "Diffuse Intrinsic Pontine Glioma Awareness Day."

**First Hearing, Sponsor/All Testimony, POSSIBLE VOTE**

**HB101**

EPINEPHRINE ACCESSIBILITY ACT (MERRIN D) To authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act."

**Fourth Hearing, Proponent & Opponent Testimony, POSSIBLE VOTE**

**HB167**

PHYSICIANS AND DENTISTS-OPIOIDS (EDWARDS J) Regarding addiction treatment and opioid prescribing by physicians and dentists.

**First Hearing, Sponsor Testimony, PENDING REFERRAL**

**HB149**

ABORTION TRAFFICKING PENALTY (PATMON B, CONDITT M) To expand the crime of abortion trafficking and to increase the penalty.

**First Hearing, Sponsor Testimony**

**HB165**

MONTH DESIGNATION-CONGENITAL CYTOMEGALOVIRUS AWARENESS (GONZALES A, CONDITT M) To designate May as "Congenital Cytomegalovirus Awareness Month."

**First Hearing, Sponsor Testimony, PENDING REFERRAL**

**SENATE RULES AND REFERENCE COMMITTEE**

Wed., Apr. 26, 2017, 11:00 AM, Senate Majority Conference Room

Sen. Obhof: 614-466-7505

**OHIO HOUSE**

Wed., Apr. 26, 2017, 1:30 PM, House Chambers

CANCELLED

**OHIO SENATE**

Wed., Apr. 26, 2017, 1:30 PM, Senate Chambers

**SENATE FINANCE**

Wed., Apr. 26, 2017, 3:00 PM, Senate Finance Hearing Room

Sen. Oelslager: 614-466-0626

OR AFTER SESSION

Testimony on HB49 from health and human services panel.

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Fourth Hearing, Invited Testimony**

**Thursday, April 27, 2017**

**JOINT MEDICAID OVERSIGHT COMMITTEE**

Thu., Apr. 27, 2017, 9:00 AM, NA

Susan Ackerman: 614-644-2016

CANCELLED

**HOUSE FINANCE**

Thu., Apr. 27, 2017, 9:00 AM, Hearing Room 313

Rep. Smith: 614-466-1366

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Twelfth Hearing, All Testimony**

**Report(s):** My Tracked Bills, OML Legislative Report

**SENATE FINANCE PRIMARY AND SECONDARY EDUCATION  
SUBCOMMITTEE**

Thu., Apr. 27, 2017, 10:00 AM, North Hearing Room

Sen. Hite: 614-466-8150

Testimony from the following:

- Casino Control Commission
- Joint Committee on Agency Rule Review
- Ohio Lottery Commission
- Ohio Commission on Service and Volunteerism

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Third Hearing, Invited Testimony**

**SENATE HEALTH, HUMAN SERVICES AND MEDICAID**

Thu., Apr. 27, 2017, 10:00 AM, South Hearing Room

Sen. Burke: 614-466-8049

Testimony from the following

- Health Transformation Director Greg Moody
- JMOC Director Susan Ackerman

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Third Hearing, Invited Testimony**

**SENATE RULES AND REFERENCE COMMITTEE**

Thu., Apr. 27, 2017, 10:00 AM, Senate Majority Conference Room

Sen. Obhof: 614-466-7505

CANCELLED

**OHIO SENATE**

Thu., Apr. 27, 2017, 11:00 AM, Senate Chambers

CANCELLED

**OHIO HOUSE**

Thu., Apr. 27, 2017, 1:00 PM, House Chambers

CANCELLED

**Friday, April 28, 2017**

**HOUSE FINANCE**

Fri., Apr. 28, 2017, 9:00 AM, Hearing Room 313

Rep. Smith: 614-466-1366

**HB49\*\*** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

**Thirteenth Hearing, All Testimony**

**Meeting/ Training**

<b>OAPSD Annual Conference Hilliard Police Dept.</b>	<b>May 5th</b>	<b><u>Membership &amp; Conference Information</u></b>
<b>Mayors Association of Ohio Annual Conference</b>	<b>June 14 - 16</b>	<b>Embassy Suites Dublin</b>
<b>OMCA Annual Conference</b>	<b>July 16 - 20</b>	<b><u>Registration Form</u></b>

[Ohio Municipal League](#)

Legislative Inquires:

[Kent Scarrett, Executive Director](#)

[Edward Albright, Deputy Director](#)

[Josh Brown, Director of Communications](#)