

May 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		30 April 4:00 pm Special Civil Service Commission Meeting	1	2	3	4
5	6 7:00 pm City Council	7	8	9 4:30 pm Civil Service Commission Spec. Mtg.	10	11
12	13	14 10:30 am Privacy Comm. 4:30 pm BZA	15	16	17	18
19	20 6:00 pm Tree Commission 6:00 pm Parks & Rec Comm 7:00 pm City Council	21	22	23	24	25
26	27 Memorial Day Holiday City Offices Closed	28 4:30 pm Civil Service 6:30 pm Finance & Budget 7:30 pm Safety & HR Comm	29 6:30 pm Parks & Rec Board	30	31	Notes:



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545

Telephone: (419) 599-1235 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: City Council, Mayor, City Manager,
City Law Director, Department Supervisors,
Newsmedia

From: Kent Seemann, Finance Director

Date: May 9, 2019

Subject: Electric Committee – Cancellation

The regularly scheduled meeting of the ELECTRIC COMMITTEE for Monday, May 13, 2019 at 6:15 pm has been *canceled* at the direction of the chair.



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Memorandum

To: Board of Public Affairs, City Council, Mayor, City Manager, City Law Director, Department Supervisors, Newsmedia
From: Kent Seemann, Finance Director
Date: May 9, 2019
Subject: Board of Public Affairs – Cancellation

The regularly scheduled meeting of the BOARD OF PUBLIC AFFAIRS for Monday, May 13, 2019 at 6:15 pm has been *cancelled* at the direction of the chair.



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Memorandum

To: Mayor & City Council, City Manager, City Law
Director, Department Supervisors, Newsmedia
From: Kent Seemann, Finance Director
Date: May 9, 2019
Subject: Water, Sewer, Refuse, Recycling and Litter
Committee – Cancellation

The regularly scheduled meeting of the Water, Sewer, Refuse, Recycling and Litter Committee for Monday, May 13, 2019 at 7:00 pm has been CANCELED due to lack of agenda items.



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Memorandum

To: City Council, Mayor, City Manager, City Law Director, Department Supervisors, Newsmedia
From: Kent Seemann, Finance Director
Date: May 9, 2019
Subject: Municipal Properties, Building, Land Use and Economic Development Committee – Cancellation

The regularly scheduled meeting of the MUNICIPAL PROPERTIES, BUILDING, LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE for Monday, May 13, 2019 at 7:30 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

PRIVACY COMMITTEE

MEETING AGENDA

Tuesday, May 14, 2019 at 10:30 am

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

- 1) Approval Minutes. *(In the absence of any objections or corrections, the Minutes shall stand approved)*
- 2) Review of Policies/Procedures for Identity Theft Protection.
- 3) Report from Staff.
- 4) Any other matters currently assigned to the Committee.
- 5) Adjournment.



Kent Seemann - Finance Director

City of Napoleon, Ohio

BOARD OF ZONING APPEALS

Meeting Agenda

Tuesday, May 14, 2019 at 4:30 pm

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

1. Call to Order.
2. Approval of Minutes - March 12, 2019. *(In the absence of any corrections or objections, the Minutes shall stand approved.)*
3. New Business
 - i. BZA 19-03 – Variance to Property Setbacks – 325 East Barnes Avenue
An application for Public Hearing has been filed by Shawn and Kari Shortridge, 325 East Barnes Avenue, Napoleon, Ohio. The applicant is requesting a variance to Section 1147 regarding the building setbacks in an R-2 Zone, Low Density Residential. The applicant is requesting the variance to build a 32' x 32' building with zero setbacks.
 - ii. Closing Remarks.
 - iii. Adjournment.



Kent Seemann – Finance Director

BOARD OF ZONING APPEALS

MEETING MINUTES

Tuesday, March 12, 2019 at 4:30 PM

BZA 19-01 ~ 417 West Washington Street ~ Variance to Property Setbacks

PRESENT

Board Members
Recording Secretary
Zoning Administrator
Others

Tom Mack-Chairman, David Dill, Laurie Sans, Steve Small, Lynn Rausch
Roxanne Dietrich
Mark Spiess

ABSENT

Call to Order

Chairman Mack called the meeting to order at 4:30 pm, roll call was taken with it being noted a quorum was present.

Approval of Minutes

Hearing no objections or corrections, the minutes from the last meeting on May 05, 2018 stand approved as presented.

**BZA 19-01
Background**

Mack read the background on BZA 19-01:
An application for a public hearing has been filed by Steven and Mary Creager, 417 West Washington Street, Napoleon, Ohio. The applicant is requesting a variance to Section 1147 regarding the Building Setbacks in an R-4 Zone, High Density Residential located at 417 West Washington Street (Lot No. 2 Phillips Outlots). The applicant is requesting a variance to replace an existing 20'x20' garage with a 20'x40' garage.

Research and Findings

Spiess read the research and findings for BZA 19-01:
Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy. At one point, he had a variance to move the garage on the other side of the property, that project was not done and since then he has put in a deck and pool and has decided to leave the garage where it is and extend it longer, the side width will be the same. Small asked no structure will be closer to the lot line, it will just be longer? Spiess said that's correct.

**Motion to Approve
BZA 19-01**

Motion: Small Second: Dill
to Approve BZA 19-01 Variance to Property Setbacks for 417 West Washington Street.

**Passed
Yea-5
Nay-0**

Roll call vote on the above motion:
Yea-Dill, Sans, Mack, Small, Rausch
Nay-

Meeting Continued

The meeting was continued with consideration of BZA 19-02.

May 14, 2019

Tom Mack, Chairman

BOARD OF ZONING APPEALS

MEETING MINUTES

Tuesday, March 12, 2019 at 4:30 PM

BZA 19-02 ~ 1675 Industrial Drive ~ Variance to Accessory Building Height Restriction

(Meeting continued after consideration of BZA 19-01)

PRESENT Board Members Recording Secretary Zoning Administrator	Tom Mack-Chairman, David Dill, Laurie Sans, Lynn Rausch, Steve Small Roxanne Dietrich Mark Spiess
ABSENT	
BZA 19-02 Background	Mack read the background on BZA 19-02: An application for public hearing has been filed by Ronald Ernsberger with a tax mailing address of 788 Riverbrook Lane, Napoleon, Ohio 43545. The applicant is requesting a variance to Section 1147 regarding the accessory building height restriction in an I-2 zone, Open Industrial District, Oldcastle Infrastructure located at 1675 Industrial Drive. The current restriction is 40' high the applicant would like to build two (2) silos at 60' high.
BZA 19-02 Research and Findings	Spiess read the research and findings for BZA 19-02: Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required. It appears there are already two-40' and two-60' silos already there, according to code they can be 60' with the principal building; but, if it's an accessory building that drops the level to 40'. Mack confirmed there are two-60' silos there now. Spiess replied yes, the two new ones they want to put up next to the building. Rausch asked if a variance was needed for the other two-60' silos? Spiess did not see anything in the file, Small noted those may have been attached to the primary building somehow that they did not require a variance.
Motion to Approve BZA 19-02	Motion: Sans Second: Dill to approve BZA 19-02-Variance to Accessory Building Height Restriction at 1675 Industrial Drive.
Passed Yea-5 Nay-0	Roll call vote on the above motion: Yea-Dill, Sans, Mack, Small, Rausch Nay-
Motion to Adjourn	Motion: Small Second: Sans to adjourn the Board of Zoning Appeals meeting at 4:38 pm.
Passed Yea-5 Nay-0	Roll call vote on the above motion: Yea-Dill, Sans, Mack, Small, Rausch Nay-
May 14, 2019	<hr/> Tom Mack, Chairman



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Memorandum

To: City Council, Mayor, City Manager, City Law Director, Department Supervisors, Newsmedia
From: Kent Seemann, Finance Director
Date: May 9, 2019
Subject: Planning Commission – Cancellation

The regularly scheduled meeting of the **PLANNING COMMISSION** for Tuesday, May 14, 2019 at 5:00 pm has been *canceled* due to a lack of agenda items.

Ohio Municipal League Legislative Bulletin

Ohio Municipal League

Fri 5/10/2019 12:03 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>;

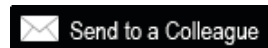
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Legislative Bulletin

May 10, 2019

OML UPDATE AT-A-GLANCE

- The newest version of Sub. HB 166, the State Operating Budget, eliminates state income tax on income below \$22,250 and reduces every other tax bracket by 6.6%. The League is disappointed that the legislature has chosen to potentially increase local tax burdens across the state by making these state tax changes rather than investing in Ohio's municipalities
- The Senate officially swore in former Representative, now Sen. Tim Schaffer (R - Lancaster), as the senator for the 20th Senate District. The seat was previously vacated by former Sen. Brian Hill (R - Zanesville).
- The Ohio Department of Natural Resources (ODNR) has announced the approval of over \$297,000 in funding for 52 projects. The funding will come from the Volunteer Fire Assistance (VFA) grant program and will help support volunteer fire departments in rural areas in Eastern and Southern Ohio.

HOUSE OMNIBUS AMENDMENT TO BUDGET FAILS TO RESTORE LGF

This week, the House Finance Committee adopted an omnibus amendment that made many substantial changes to the State Operating Budget Bill, Sub. HB 166. The bill was then voted unanimously out of committee and sent to the House floor, where the following day it was voted out of the chamber by a vote of 85 to 9. The bill now heads to the Senate for consideration.

The League and many of our members had requested that the omnibus amendment contained a provision investing in Ohio's cities and villages by restoring the Local Government Fund (LGF) to pre-recession levels. Once more, the League was disappointed that the House did not increase funding for the LGF. The bill still stands at a 9.1% increase in FY 20 and a 1.8% increase in FY 21. The League thanks the House for retaining this increase, but it is not nearly enough to begin to lift many struggling municipalities out of the financial challenges cause by repeated cuts to municipal revenue streams over the past several years.

It is imperative that our members turn their attention to the members of the Senate, as they begin deliberations on Sub. HB 166. We urge local leaders to contact their state senator and educate them on the need to restore the LGF to ensure cities and villages can staff safety personnel such as police and fire, repair failing and dangerous infrastructure and deliver other basic services Ohio citizens deserve.

We also strongly encourage our members to pass resolutions urging for the restoration of the LGF. Resolutions both alert legislators to their constituents' concerns while generating a public conversation on the issue. Once your city council passes a resolution, be sure to send a copy to your state senator, followed up by a phone call to the senator's office. Please send a copy to the League as well for our records. You can find a sample resolution [HERE](#).

LEAGUE TESTIFIES ON BUDGET ISSUES OF MUNICIPAL IMPACT

During hearings before the House Finance Committee this week, the League took the opportunity to testify on the issues in the budget bill most impactful to municipalities.

The League's executive director Kent Scarrett testified before the House Finance Committee. His testimony emphasized the need for the state to invest in municipalities by restoring the Local Government Fund. "To invest in Ohio, we must first invest in where the vast majority of Ohioans live and work and that is Ohio's municipalities," he said.

Dir. Scarrett's testimony also urged for the full restoration of funding to the Multi-Agency Radio Communications System (MARC)s to ensure smaller cities and villages can continue to protect Ohioans by staying in the program. Dir. Scarrett urged that the net profit distribution language to be removed and placed in separate legislation, and he also encouraged the committee to removed a provision repealing the state's motion picture tax credit. You can read his testimony in full [HERE](#).

President of the League's Municipal Income Tax Committee and Dublin Tax Administrator Kevin Robison also testified before the committee on the issue of municipal net profit distributions in Sub. HB 166. He explained that the language as written will have a negative financial effect for hundreds of municipalities and urged that the language be removed from the bill and placed in separate legislation.

"More time is needed to further discuss the ramifications of this language in the budget bill, and we ask that the language be removed to allow for interested party meetings between the state tax department and municipalities for a better resolution to these issues," said Robison. You can read his testimony in full [HERE](#).

As the budget now moves to the Senate, League staff will continue to meet with Senators to impress upon them the need for greater support for Ohio municipalities and a recommitment to the partnership between the state and its municipal partners. It is crucial that our municipal leaders contact their members of the Senate and let them know of your local needs.

ISSUES OF MUNICIPAL IMPACT IN HOUSE OMNIBUS AMENDMENT

The omnibus amendment to HB 166, the State Operating Budget bill, was adopted and passed late Wednesday evening. League staff has parsed through the new provisions and

have identified the amendments impacting municipalities. They are as follows:
New provisions supported by the League:

- **Hotel Intermediaries: Sales and Lodging Taxes.** Requires hotel intermediaries to collect and remit local lodging taxes.
- **Vexatious Litigators.** Requires a vexatious litigator to obtain court permission before requesting public records.
-

New provisions opposed by the League:

- **Motion Picture Tax Credit Repeal.** Repeals the refundable tax credit for motion picture production expenditures, meaning no new credits would be authorized after FY 2019, but credits certified before FY 2020 could continue to be claimed. The removal of this tax credit will have a negative impact on economic development opportunities for Ohio municipalities.
- **Property Tax Replacement Phase-Out.** Phases out the Property Tax Replacement for local governments.
- **August Special Elections.** Prohibits local tax levies from appearing on August special election ballots. This was previously introduced as HB 187 by Rep. Merrin (R - Monclova Township).
- **Property Tax Complaints.** Requires local government to pass individual resolutions for each property tax contest. This was previously introduced as HB 75 by Rep. Merrin (R - Monclova Township).
- **Residential Property Tax Abatement.** Exempts unimproved land subdivided for residential development from increased property taxes for up to 5 years. This was previously introduced as HB 149 by Rep. Merrin (R - Monclova Township).

If you would like a list of all of the budget provisions impacting municipalities, click [HERE](#). The League is asking our members to reach out to their members of the Senate and express their support for the provisions benefitting municipalities and opposing the provisions that would cause long-term damage to Ohio's cities and villages. We will continue to update our members on the progress of Sub. HB 166 as it moves through the legislative process.

OML'S MAYOR'S ASSOCIATION CONFERENCE ANNOUNCES LT. GOVERNOR JOHN HUSTED AS GUEST SPEAKER

From Wednesday, June 12 through Friday, June 14, the League is hosting its annual Mayors Association of Ohio Conference at the downtown Columbus Renaissance Hotel. Mayors will have the opportunity to network and share best practices, mingle with exhibitors, attend session and workshops on the most pressing issues facing Ohio's local

leaders. The League is grateful that Lt. Governor John Husted will be joining our mayors as our guest speaker Thursday. To ensure you don't miss out on this unique opportunity, click [HERE](#) to register and find more information.

REGISTRATION OPEN FOR MUNICIPAL INCOME TAX SEMINAR

From Wednesday, July 10 through Friday, July 12, the League will be hosting our annual Municipal Income Tax Seminar at the Renaissance Hotel in downtown Columbus. The seminar is a unique and important experience for municipal tax administrators across the state as a chance to network, hear from state officials and attend workshops and seminars covering a wide range of topics. The League is also grateful that Ohio Tax Commissioner Jeff McClain will be our guest speaker Thursday to talk about news regarding the centralized collection of the municipal net profit taxes. To register for this important event and to see more details, click [HERE](#). We look forward to seeing you there!

BILL IMPACTING MUNICIPALITIES PASSED BY THE SENATE

Here is the bill of municipal interest passed by the Senate this week:

- SB 37 - MOTION PICTURE TAX CREDIT. Sponsored by Sen. Schuring (R - Canton), would extend eligibility for and make other changes to the motion picture tax credit. The bill was voted out of the Senate unanimously. The League is supportive of this legislation. You can find the bill text and other important documents here: <https://bit.ly/2E1Wwb2>

COMMITTEE RECAP: BILLS OF MUNICIPAL INTEREST

Here are the bills impacting municipalities that received committee hearings this week:

- SB 52 - CYBER SECURITY. Sponsored by Sen. Gavarone (R - Bowling Green), would create the civilian cyber security reserve forces, to make the Secretary of State a member of the Homeland Security Advisory Council, to require the Secretary of State to appoint a chief information security officer, to require the boards of elections to audit election results, and to make an appropriation. During its second hearing before the House Transportation and Public Safety Committee, proponents Secretary of State Frank LaRose and Adjutant General John Harris testified, saying the bill would help cover current gaps in Ohio's cybersecurity. The League is supportive of this legislation. You can find the bill text and other important documents here: <https://bit.ly/2GS59FJ>
- SB 8 - OPPORTUNITY ZONES. Sponsored by Sen. Schuring (R - Canton), would authorize tax credits for investments in an Ohio Opportunity Zone. During its second hearing before the House Economic and Workforce Development Committee, proponents testified in support of the bill, including the League. You can read our testimony [HERE](#). The bill has since been amended in the Sub. HB 166, the State Operating Budget Bill. You can find the bill text and other important documents here: <https://bit.ly/2GNI6fa>

- HB 178 - CONCEALED WEAPONS Sponsored by Rep. Hood (R - Ashville) and Rep. Brinkman (R - Cincinnati), would modify the Weapons Law by renaming a concealed handgun license as a concealed weapons license, allowing a concealed weapons licensee to carry concealed all deadly weapons not otherwise prohibited by law, repealing a notice requirement applicable to licensees stopped for a law enforcement purpose, authorizing expungement of convictions of a violation of that requirement, and allowing a person age 21 or older and not prohibited by federal law from firearm possession to carry a concealed deadly weapon without needing a license subject to the same carrying laws as a licensee. During its third hearing before the House Federalism Committee, the bill was amended to expand the local preemption on concealed handguns to include "deadly weapons", rather than just firearms. The League is opposed to this legislation. You can find the bill text and other important documents here: <https://bit.ly/2DNudwX>
- SB 10 - THEFT IN OFFICE. Sponsored by Sen. Wilson (R - Maineville), would expand the penalties for theft in office based on the amount stolen and to include as restitution audit costs of the entity that suffered the loss. During its third hearing before the House Civil Justice Committee, the bill was reported unanimously out of committee. The League is supportive of this legislation. You can find the bill text and other important documents here: <https://bit.ly/2V194W5>
- HB 119 - TRAFFIC VIOLATIONS. Sponsored by Rep. Stoltzfus (R - Minerva), would grant municipal and county courts original and exclusive jurisdiction over any civil action concerning a traffic law violation, modify certain requirements governing the use of traffic law photo-monitoring devices by a local authority, and make corrective changes to the distracted driving and texting-while-driving law. During its second hearing before the House Civil Justice Committee, proponents testified in support of the bill. The League is neutral on this legislation. You can find the bill text and other important documents here: <https://bit.ly/2vD7Shk>

COMMITTEE SCHEDULE FOR THE WEEK OF MAY 12, 2019

Tuesday, May 14, 2019

SENATE HIGHER EDUCATION

Tue., May. 14, 2019, 10:00 AM, North Hearing Room
Sen. Kunze: 614-466-5981

HB166** OPERATING BUDGET (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

Sixth Hearing, All Testimony

Report(s): Bill Track, My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

SENATE GENERAL GOVERNMENT AND AGENCY REVIEW

Tue., May. 14, 2019, 3:00 PM, North Hearing Room
Sen. Schuring: 614-466-0626

Agencies testifying:

- Department of Public Safety
- Department of Transportation
- Public Testimony

HB166** OPERATING BUDGET (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

Fifth Hearing, All Testimony

Report(s): Bill Track, My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

SENATE TRANSPORTATION, COMMERCE AND WORKFORCE

Tue., May. 14, 2019, 4:30 PM, Senate Finance Hearing Room

Sen. McColley: 614-466-8150

[SB72](#)** FIREWORKS LAW (BURKE D) To revise the Fireworks Law.
Second Hearing, Proponent Testimony, AMENDMENTS
Report(s): My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

Wednesday, May 15, 2019

SENATE HIGHER EDUCATION

Wed., May. 15, 2019, 10:00 AM, South Hearing Room

Sen. Kunze: 614-466-5981

[HB166](#)** OPERATING BUDGET (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

Seventh Hearing, All Testimony

Report(s): Bill Track, My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

HOUSE ARMED SERVICES AND VETERANS AFFAIRS

Wed., May. 15, 2019, 11:00 AM, Hearing Room 122

Rep. Perales: 614-644-6020

[HB155](#)** WAR RELIC PROTECTION (SCHAFFER T, ROGERS J) To prohibit a war relic located on public property or cemetery association property from being sold, disturbed, or otherwise disposed of, except under certain circumstances, and to designate this act as the "Ohio Veterans' Heritage Protection Act."

Second Hearing, Proponent Testimony

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

SENATE GENERAL GOVERNMENT AND AGENCY REVIEW

Wed., May. 15, 2019, 3:00 PM, North Hearing Room

Sen. Schuring: 614-466-0626

Agencies testifying:

- Department of Administrative Services
- Department of Taxation
- Public Testimony

[HB166](#)** OPERATING BUDGET (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

Sixth Hearing, All Testimony

Report(s): Bill Track, My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

Thursday, May 16, 2019

SENATE GENERAL GOVERNMENT AND AGENCY REVIEW

Thu., May. 16, 2019, 8:00 AM, TBA

Sen. Schuring: 614-466-0626

This "if needed" meeting is at the call of the chair. Time, place and agenda to be announced.

[HB166](#)** OPERATING BUDGET (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

Seventh Hearing, Invited Testimony

Report(s): Bill Track, My Tracked Bills, OML Legislative Report, Thomas Leg Tracker

PLEASE CHECK OUR WEBSITE ON MONDAY FOR ANY CHANGES TO THE COMMITTEE SCHEDULE

Ohio Municipal League Meetings & Trainings

<p>OML/OMAA Webinars: Downtown Redevelopment May 15, 2019</p>	
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<p>Mayor's Courts-Where are we now & where do we go? May 23, 2019</p>	<p><u>Registration Information</u></p>
<p><u>MAO Annual Conference</u> June 12th ~ 14th, 2019</p>	<p><u>Registration Information</u></p>
<p><u>OML Income Tax Seminar</u> July 10 ~ 12, 2019</p>	<p><u>Registration Information</u></p>
<p><u>Mayors Court Refresher Trainings</u> August 16 ~ Attorneys & Magistrates Only October 25 & November 15</p>	<p><u>Registration Information</u></p>

[Ohio Municipal League](#)

Legislative Inquires:

[Kent Scarrett, Executive Director](#)

[Edward Albright, Deputy Director](#)

[Ashley Brewster, Director of Communications](#)

[Thomas Wetmore, Legislative Advocate](#)

Website/Bulletin Issues:

[Zoë Wade, Office Manager](#)

Ohio Municipal League, 175 S. Third Street, Suite 510, Columbus, OH 43215

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