



City of Napoleon, Ohio

255 West Riverview Avenue - P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Mayor and Members of City Council
From: Roxanne Dietrich, Clerk of Council
cc: Joel L. Mazur-City Manager, Billy D. Harmon-City Law Director, Kelly O'Boyle-Finance Director
Date: May 3, 2021
Subject: General Information

CALENDAR

6:00 pm – Special City Council Meeting with the Henry County Commissioners

7:00 pm – City Council

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS - *None*

SECOND READINGS OF ORDINANCES AND RESOLUTIONS - *None*

THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 013-21**, a Resolution Authorizing a Contract with the Village of Florida for the Purpose of Operating a Water Supply Distribution System; and Declaring an Emergency
 - a. A copy of the proposed Water Purchase Contract is attached

GOOD OF THE CITY (Discussion/Action)

1. Award of the Lynne Avenue Improvements Project
 - Enclosed is a Memorandum from Chad with the bid results and recommendation for award
2. Award of the 2021 Sanitary Sewer Program
 - Enclosed is Chad's Memorandum with the bid results and recommendation for award.
3. Final Award of the 2021 Wastewater Treatment Plant Improvements Project
 - Chad has received word from OWDA that the Loan Agreement has been approved and the project can be officially awarded.
4. Funding Options for the American Road and Oakwood Avenue Project
 - Please see the attached Memorandum from Joel
5. Renewal of Liquor Permits in the City of Napoleon
 - This is the annual notice we receive for the liquor permits issued in the city
6. 2022 Tax Budget Proposed Schedule
 - Please see the enclosed information from Kelly
7. Creation of New Fund for American Rescue Allocation (direct Law Director to draft Legislation)
8. Accept PEP Grant in the Amount of \$1,000 to the Napoleon Police Department

9. Accept Donation of \$500 from the American Legion Bert G. Taylor Post 300 to the Police Department for Summer Youth Programs
10. Accept Donation from the Henry County Community Foundation, Inc. for the Climbing Wall at the Napoleon Aquatic Center
11. Accept Donation of \$1,000 from Napoleon VFW Post 8218 to the Fire Department for Purchase of Water Rescue Equipment
12. Accept Donation of Grain Safety Training Equipment to the Fire and Rescue Department from Eight Members of our Agricultural Community
 - Chief O'Brien's Memorandum regarding this donation is included in your packet
13. Accept Donation of Paint from Gerken Paving for Repainting the Wildcat in Downtown Napoleon in Partnership with Napoleon Area Schools

INFORMATIONAL

- 1) Meeting Canceled – Technology and Communications Committee
- 3) AMP Update/4.23.2021

May 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 6:00 pm – Special City Council Mtg. w/Commissioners 7:00 pm – City Council	4	5	6	7	8
9	10 6:15 pm – Electric Committee 6:15 pm – Board of Public Affairs 7:00 pm – Water and Sewer Committee 7:30 pm – Municipal Properties ED Committee	11 8:15 am - Privacy Committee 4:30 pm – Board of Zoning Appeals 5:00 pm – Planning Commission	12	13	14	15
16	17 6:00 pm – Tree Commission 6:00 pm – Parks and Rec Committee 7:00 pm - City Council	18	19	20	21	22
23	24 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	25 4:30 pm – Civil Service Commission	26 6:30 pm – Parks and Rec Board	27	28	29
30	31 Memorial Day <u>City Offices CLOSED</u>					

City of Napoleon, Ohio

CITY COUNCIL

SPECIAL MEETING AGENDA

in Joint Session with the

HENRY COUNTY COMMISSIONERS

Monday, May 3, 2021 at 6:00 pm

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

WebEx meeting link www.napoleonohio.com - EVENTS

1. County Plans for Next Round of American Rescue Plan
2. Henry County Fairgrounds Economic Development Project
3. Potential Structuring of Future Economic Development Deals

Roxanne Dietrich

Roxanne Dietrich ~ Clerk of Council

City of Napoleon, Ohio

CITY COUNCIL
MEETING AGENDA ~ AMENDED
Monday, May 03, 2021 at 7:00 pm

City Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio
The WebEx Invitation for this meeting is posted at www.napoleonohio.com under **EVENTS**


- A. Attendance** (Noted by the Clerk)
- B. Prayer and Pledge of Allegiance**
- C. Approval of Minutes** (in the absence of any objections or corrections, the minutes shall stand approved)
1. April 19, 2021 Regular Council Meeting Minutes
- D. Citizen Communication**
- E. Reports from Council Committees**
1. Finance and Budget Committee did not meet on April 26, 2021 due to lack of agenda items.
 2. Safety and Human Resources Committee did not meet on April 26, 2021 due to lack of agenda items.
 3. Technology and Communications Committee did not meet tonight due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards** (*Informational Only-Not Read*)
1. Civil Service Commission met on April 27, 2021 and Certified the List for the Position of Firefighter/Paramedic
 2. Park and Recreation Board did not meet on April 28, 2021 due to lack of agenda items.
- G. Introduction of New Ordinances and Resolutions** ~ *None*
- H. Second Readings of Ordinances and Resolutions** ~ *None*
- I. Third Readings of Ordinances and Resolutions**
1. **Resolution No. 013-21**, a Resolution Authorizing a Contract with the Village of Florida for the Purpose of Operating a Water Supply Distribution System; and Declaring an Emergency
- J. Good of the City** (Any other business that may properly come before Council, including but not limited to):
1. **Discussion/Action:** Award of the Lynne Street Improvements Project
 2. **Discussion/Action:** Award of the 2021 Sanitary Sewer Program
 3. **Discussion/Action:** Final Award of the 2021 Wastewater Treatment Plant Improvements Project
 4. **Discussion/Action:** Funding Options for the American Road and Oakwood Avenue Project
 5. **Discussion/Action:** Renewal of Liquor Permits in the City of Napoleon
 6. **Discussion/Action:** 2022 Tax Budget Proposed Schedule
 7. **Discussion/Action:** Creation of New Fund for American Rescue Allocation (direct Law Director to draft Legislation)
 8. **Discussion/Action:** Accept PEP Grant in the Amount of \$1,000 to the Napoleon Police Department
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 12. **Discussion/Action:** Accept Donation of Grain Safety Training Equipment to the Fire and Rescue Department from Eight Members of our Agricultural Community

13. Discussion/Action: Accept Donation of Paint from Gerken Paving for Repainting the Wildcat in Downtown Napoleon in Partnership with Napoleon Area Schools

K. Executive Session – (as may be needed)

L. Approve Payment of Bills (in the absence of any objections or corrections, the Payment of Bills shall stand approved.)

M. Adjournment



Roxanne Dietrich - Clerk of Council

very low right now. The balance in the Electric Utility Revenue Fund is about \$4.587 million. The Electric Development Fund has \$3.35 million in it now. Bialorucki asked what would the interest rate be if we were to borrow the money and get a loan, what would that be? Mazur replied for the SIB loan it is 3% flat. It has always been that way. Bialorucki said so, if we borrowed from the Electric Economic Development Fund that is now only making .6% - .7% and say the interest rates on investments go up in three years, at that point would we have the option to get a loan and pay the money back to the Electric Fund so it can start accumulating more interest if it happens to be over 3%? Mazur-correct. It is the city's own fund. The terms and conditions can be set however. The SIB loan is a good option, even the Port Authority is a good option. We have options, what is the best route to go is the balancing act here. Initially it was the SIB loan because the terms and conditions were a little bit different. A year later after COVID hit we circled back and Will Burns was on the call with me and we have some of it in writing, but the terms and conditions changed from what was originally described to us. Using the Electric Development Fund allows us to provide whatever flexibility we want and we set up the terms and conditions in such a way that if we ever do want to restructure the financing through another source we can do that. That option is always going to be there so at the end of the day, the Electric Utility Fund is always made whole. Maassel asked if borrowing from the Electric Fund is part of this legislation? Mazur said borrowing from the Electric Fund is not part of this legislation. Maassel clarified this legislation says we can borrow from the SIB, right? Mazur said yes. I want to finish the thought here because it affects this decision or future decisions. I want to point out for well over a year we have been discussing a deal with AMP Transmission (AMPT). Right now, the estimated net book value of doing an asset transfer to AMPT is approximately \$5.7. There will be expenses on the city distribution side making the net difference about \$3.2 million. Add that to the already existing \$3.35 million it would be about \$6.5 million or so. Mazur said his recommendation would be to move forward with this option. We don't have to move forward with this legislation if borrowing from the Electric Development Fund is a favorable option for Council. Council would have to direct the Law Director to draft legislation to borrow from the Electric Development Fund if that is something you want to do as a separate option. Bialorucki asked if we pass this resolution today, we still have the option to Mazur interjected we won't sign any of the SIB loan agreements. We still have to go through the loan application process with them anyway. I will check with the Law Director and Finance Director to make sure what we are doing is on the up and up and will make sure that the documents are squared away to move forward with borrowing from there. Bialorucki pointed out when we had the presentation from Meeder and Associates I remember Eileen saying if we had any questions and to me this would be a pretty good question for someone in her position to look at. Does it make sense for us to borrow from money that we already have? Just to see what her recommendation would be and then put some numbers together if we're going to borrow \$1.1 million at 3% vs. borrowing the money from the Electric Fund that was potentially making .6% - .7%. Have her run those numbers for us so we can see what makes sense to save the city as much money as possible. O'Boyle said as a clarification, the .6% - .7% is just an estimate of the current rate if we went out to get rates right now. We do have the overall portfolio which is much more than that. We would also have to check with the Auditor of State to make sure that we could borrow the money for this purpose and for the timeframe as per guidance from Harmon. Bialorucki asked O'Boyle what her thoughts are on this? Is this something worth looking into? O'Boyle stated I think as long as the Auditor of State says we can do it because of the timeframe and the way the money is going to come back versus the money that was borrowed for the pool for the short term. Like Mazur said, the rates are low so we might as well borrow our money if we can and pay ourselves back. Comadoll asked Maassel for his thoughts. Maassel responded I want to see numbers. Here's this for SIB, here it is for Port Authority and here's the Electric Department. If we borrow from the Electric Department what opportunity costs are we giving up? If we are borrowing a million dollars then we cannot use that million dollars for anything else until we get paid back. I think we are better off keeping

forced to do the survey because of the two creeks that are out there. We have pre-negotiated those terms. If we would have to do them, I will have to bring those back to Council because we do not have that budgeted yet. With the project being extended a year, we could possibly delay that work into the next budget cycle. ODOT has not told us yet what additional services we are going to have to perform. Bialorucki asked if ODOT doesn't make us do any additional items, then you don't foresee this amount going up? Lulfs replied I do not foresee it being increased because a lot of this was formed around the idea of a typical reconstruction project and since we are changing the focus a little bit and it's billed hourly and a not-to-exceed amount, I do not see any reason why this would have to be increased. Siclair asked is this what Peterman typically does, road projects? Lulfs responded as far as Peterman, yes. Peterman designed Industrial Drive, West Washington and Appian Avenue as well as several other smaller projects for us. They did the Clairmont Avenue project for the school and they designed the project for the Goodville development. They have been doing quite a bit of work in town lately both for the city and for private development. Maassel asked if we had another engineer in your office could they take care of this? Lulfs said this one probably not. This is through ODOT and ODOT requires pre-qualified approved firms to do their work. If ODOT is not involved, we can do them. If ODOT is involved it is much more difficult. Bialorucki asked what determines when ODOT is involved? Lulfs stated if I take money from them. Bialorucki said if they are paying us two million dollars I guess they get a say. Lulfs explained firms had to be pre-qualified by ODOT and only firms with those qualifications were allowed to submit applications.

Motion: Knepley

Second: Comadoll

to award the Professional Design Services Agreement for the Oakwood Avenue Improvements to Peterman Associates for \$375,000

Roll call vote on the above motion:

Yea-Comadoll, Knepley, Durham, Haase, Baer, Bialorucki, Siclair

Nay-

Yea-7, Nay-0. Motion Passed.

Accept Donation from Napoleon Rotary Club for Improvements at Oberhaus Park Shelter House

Mazur stated the Napoleon Rotary Club recently approved donating half of what it would cost to install one TV on a stand and one TV mounted in Oberhaus Park shelter house so they can have meetings online. Right now the capabilities are not there. With the TV screen on a stand, it will be a lot easier to use and have meetings. The Lions Club will vote on this Wednesday. I wanted to have both on the agenda tonight to expedite the setup to have modernized remote access and meeting capabilities at Oberhaus Park. We are not planning on doing anything with the rates for Oberhaus Park, this will just be value added for any organization that wants to use it. The cost estimate was \$2500 with each club donating \$1250. Any overages we will cover. If there are any overages, they should be minuscule. Maassel asked are these items already here? Mazur said they are here. Maassel asked where did you order them from? Mazur replied B&I supplied the TVs. There was not a good way to get the other items locally, the switches and cabling. The TV stand is a specialized one that wheels around. Maassel confirmed both big TVs came from some place here in town? Mazur said yes and that was the main expense.

Motion: Comadoll

Second: Haase

to accept the donation from the Napoleon Rotary Club for the Oberhaus Shelter House

Roll call vote on the above motion:

Yea-Comadoll, Knepley, Durham, Haase, Baer, Bialorucki, Siclair

Nay-

Yea-7, Nay-0. Motion Passed.

Accept Donation from Napoleon Lions Club for Improvements at Oberhaus Park Shelter House

Mazur stated this is the same thing as above with the Napoleon Rotary Club. They will vote on this Wednesday and hopefully it all works out. Bialorucki asked will anyone that rents the shelter house be able to use the TVs to watch a sporting event or something like that? Mazur replied we have a Wi-Fi access point there now. Bialorucki said it will not be hooked up to cable where you could just turn the TV on? Mazur said we are working with Metal Link to help us with the access point. It will be a secure network and will not be accessible through our firewall.

Motion: Haase

Second: Knepley

to accept the donation from the Napoleon Lions Club for improvements to be made at the Oberhaus Park Shelter House

Roll call vote on the above motion:

Yea-Comadoll, Knepley, Durham, Haase, Bialorucki, Sicclair

Nay-

Abstain-Baer

Yea-6, Nay-0, Abstain-1. Motion Passed.

AROUND THE TABLE

Durham – No items tonight, thank-you.

Haase - Question for Engineering. What kind of curb would that be on Oakwood? Lulfs-it would be Type 2, from the edge of pavement to the back of curb is two and a half feet wide and the curb comes up six inches and then we drop it at the driveway.

Baer – I see there is consideration with a joint meeting with the Commissioners, are we trying to set something up for a time other than this Saturday? Maassel- When we responded back and forth about who would be available, this Saturday was not a good day for the majority of us. My thought is since we are all here on Monday nights, let's invite the Commissioners for six o'clock on a Monday night before the next council meeting. We should be done by 7:00 pm. Bialorucki stated we can reach out to the Commissioners and ask if May 3rd works. If not, we can try for the next Council meeting.

Maassel – It was a nice event last Thursday. It was a little brisk outside but a nice way to open up the golf course clubhouse. It was well done and is a really big improvement from the last one. It looks like a golf course clubhouse, it's exciting. When the landscaping gets done the whole project is done. That was a really big milestone. I think it was actually warmer the week before but, it was a bright sunshiney day and we will take that.

At the Tree Commission meeting tonight, we gave a plaque to Dave Volkman. When Dave finishes his current term on the Tree Commission he will have served on the Tree Commission basically for 30 years. He just loves that part of it, it has been 30 years of volunteer service to the City and I really appreciate that. The plan for this year when we do our Arbor Day Celebration in the fall, is to let Dave pick out the kind of tree to be planted. Then a little plaque will be put by the tree saving it was given to Dave Volkman for his 30 years of service to the City Tree Commission. I really appreciate everybody's help with that. It was a team effort and obviously thank-you to Dave Volkman for all his years of service. Last Wednesday morning, I met with Mayor Mike Barhorst from the City of Sydney. He has done things with the Mayor's Association here in the state. I drove him around the city to give him a quick tour. The

City of Sydney has the same kind of problems that we have, housing and workforce. I pointed out the new pool going in and he said the City of Dayton closed three of their four municipal golf courses this year. He asked if we have a problem getting lifeguards for our pool? I said no our city has a pretty good Aquatic Program at the school. He said that's great. It is really nice to know him, he is a retired educator/principal and is a really nice guy. This is his second go around as Mayor, it was nice to spend some time with him. I really appreciated him coming up.

Need an Executive Session for Economic Development.

Sicclair. Did anyone have a chance to look at the drain on North Harmony that I mentioned? Mazur-I don't know off the top of my head. Lulfs – we need the address.

Ditto what the Mayor said about the Clubhouse opening. I want to extend a thank you to Joe and Jason for boosting my confidence going into summer.

Comadoll. I noticed we are using Fitzenrider for maintenance on air conditioning/HVAC.

Mazur-yes for HVAC maintenance checks. Comadoll-we are always harping about shopping local. Aren't there any companies here in Napoleon or Henry County? Fitzenrider is out of Defiance. Mazur-I don't know if they would do be as cheap as Fitzenrider. Lulfs-I think we looked at that about five years ago and Fitzenrider was the cheapest. I'm not sure what that contract is. Mazur-it's department-by-department and is set up so each department has their own maintenance contract with Fitzenrider for whatever HVAC system they have. Whatever Tom Nagel is capable of doing, we have assigned to him. There are specialized checks that need to be done on some of the units. Comadoll- I see we bought a new mower from Red Barn, I'm going to hear it again from Freedom Sales. Mazur-We looked at all the options, including Freedom Sales. I know Cotter had a conversation with Jason. Comadoll-he's always asking me, why can't we shop local? Mazur-we have bought from there too. It depends on the application. Some of the mowers are better for the big fields and some are better for getting around gravestones. It just depends on the type of mower.

Knepley-Nothing tonight, thank you.

Mazur-for the American Rescue Plan funding, we do not have any guidance on how to spend the funds yet. There is a webinar coming up. We have some ideas based on the very limited amount of guidance given us. One is for covering some of our revenue losses that we have experienced. O'Boyle has a lot of that already put together and we will have some recommendations. With the limited amount of guidance that we have now, it can run through 2024 on what you spend it on. There is \$1.61 million. Bialorucki asked if we can pay for American Road with that? Mazur-it does cover infrastructure including water lines and sewer lines, but it was super vague.

Harmon-Nothing for me, thank you.

O'Boyle- Nothing tonight.

Bialorucki – I have a request for an Executive Session on Personnel.

Executive Session – Economic Development

Motion: Haase Second: Durham
to go into Executive Session for Economic Development

Roll call vote on the above motion:

Yea-Comadoll, Knepley, Durham, Haase, Baer, Bialorucki, Sicclair
Nay-

Yea-7, Nay-0. Motion Passed.

RESOLUTION NO. 013-21

A RESOLUTION AUTHORIZING A CONTRACT WITH THE VILLAGE OF FLORIDA FOR THE PURPOSE OF OPERATING A WATER SUPPLY DISTRIBUTION SYSTEM; AND DECLARING AN EMERGENCY

WHEREAS, the Village of Florida of Henry County, Ohio, desires to enter into a contract with the City for water distribution services; and,

WHEREAS, the City, a municipal corporation duly organized and existing under the laws of the State of Ohio, now owns and operates a water system, including water mains, water intake facilities, and a water treatment plant, together with related appurtenances; and,

WHEREAS, the Village of Florida can be served by the current water system; and,

WHEREAS, the City has determined to provide the service of water supply distribution to the Village of Florida as identified in an Agreement and upon the terms and conditions contained in said Agreement; **Now Therefore**,

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

Section 1. That, the City Manager is authorized to enter a contract with the Village of Florida, Henry County, Ohio, for water distribution services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2021.

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for emergency services to be rendered in a timely manner, emergency services also utilized by the City inhabitants when needed outside the City's jurisdictional boundaries; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Further, it is necessary that this contract with the Village of Florida be in force in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: _____
Joseph D. Bialorucki, Council President

Approved: _____
Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 013-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2021; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Dietrich, Clerk of Council

WATER PURCHASE CONTRACT

This contract for the sale and purchase of water is entered into as of the _____ day of _____, 2021, "Effective Date" between the CITY OF NAPOLEON, OHIO, 255 W. Riverview Avenue, Napoleon, Ohio 43545, hereinafter referred to as the "Seller" and the VILLAGE OF FLORIDA, OHIO, 206 E. High St., Napoleon, Ohio 43545, hereinafter referred to as the "Purchaser". When referencing both the Seller and the Purchaser together, they shall be referred to as the "Parties".

WITNESSETH:

Whereas, the Purchaser is organized and established under the provisions of the Ohio Revised Code, for the purpose of constructing and operating a water supply distribution system serving water users within the area described in plans now on file in the Office of the Purchaser and to accomplish this purpose, the Purchaser will require a supply of treated water; and,

Whereas, the Seller owns and operates a water supply distribution system with a capacity currently capable of serving the present customers of the Seller's system and the estimated number of water users to be served by the said Purchaser as shown in the plans of the system now on file in the Office of the Purchaser; and,

Whereas, Ordinance No. _____ was enacted on the ____ day of _____, 2021, by the Seller for the sale of water to the Purchaser in accordance with the provisions of this Agreement; and,

Whereas, Ordinance No. _____ was enacted on the ____ day of _____, 2021, by the Purchaser for the purchase of water from the Seller in accordance with the provisions of this Agreement.

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth,

A. Representations of the Seller:

1. Quality and Quantity: To furnish the Purchaser at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable quality standards of the Ohio Department of Health and The Ohio Environmental Protection Agency in such quantity as may be required by the Purchaser not to exceed 300,000 cubic feet per month.

2. Pressure: That water will be furnished at a reasonably constant pressure calculated at no less than 35 lbs./sq. inch from an existing six- inch main supply at a point located at the west corporate limit of the City of Napoleon on County Road 424. If a greater pressure than that normally available at the point of delivery is required by the Purchaser, the cost of providing such greater pressure shall be borne

by the Purchaser. Emergency failures of pressure of supply due to main supply line breaks, power failure, flood, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the Seller from this provision for such reasonable period of time as may be necessary to restore service. Initially the Purchaser will use the available pressure from the Seller's water system to supply their distribution system; however, the Purchaser has the right to install a booster pump station whenever the Seller's water system is unable to supply sufficient pressure.

3. Point of Delivery: Seller shall furnish, install, operate and maintain the necessary metering equipment at the point of delivery for properly measuring the quantity of water delivered to the Purchaser and to calibrate such metering equipment as needed, but not including the meter pit. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the six months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read monthly. An appropriate official of the Purchaser at all reasonable times shall have access to the meter for the purpose of verifying its readings.

4. Billing Procedure: Seller to furnish the Purchaser at the above address not later than the 10th day of each month, with an itemized statement of the water furnished the Purchaser during the preceding month, unless unforeseen circumstances occur that would prohibit the ability to provide a timely statement.

B. Representations of the Purchaser:

1. Water Purchasing: To purchase water solely from the Seller so long as there is sufficient amount available for its needs.

2. Water Payment: (a) To pay the rate of \$7.77/1,000 gallons of water, subject to increases reviewed by the Water Rate Review Commission and City of Napoleon Council approval and subject to increases already approved by the Napoleon City Council.

(b) There shall be a monthly minimal charge which shall be computed by using as a base a minimum usage of 30,000 cubic feet and multiplying this base by the charges as shown in 2 (a).

(c) Prior to any use of water line(s) constructed and installed by it, Purchaser will pass a resolution to adopt or approve rules and regulations governing the use and control of such line(s) which shall be substantially identical in substance, form, intent, and purpose to those passed by or amended by the Seller.

(d) The Purchaser shall not add any one user as a customer who will use over 20,000 cu. ft. per month, without prior approval of the Seller. The Purchaser and Seller agree that this provision is intended to provide a review process solely for the purpose of determining whether the Seller's water system can physically support the additional demand without adversely affecting pressures or flows in the Seller's system.

The Seller reserves the right to refuse the additional request or service only in the event that:

- i) There would be an adverse impact on the Seller's water system, including, but not limited to, pressure, flow, quality, necessity for reconfiguration of water delivery point, increased meter size and testing.
- ii) The Purchaser cannot or will not provide additional measures or compensation to fully mitigate the adverse impact.

3. Point of Delivery: To furnish, install, operate and maintain at its own expense at point of delivery, the necessary materials and equipment, including a meter house or pit, valves and required devices of standard type for properly operating metering equipment. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the six months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read on the 1st day of each month. An appropriate official of the Seller at all reasonable times shall have access to the meter for the purpose of verifying its readings.

C. Representations of the Parties:

1. **Term of Contract:** That this contract shall end on July 1st of the year 2049, which is when the debt for the rehabilitation of the Water Treatment Plant is scheduled to be paid in full.
2. **Water Rate Review Commission:** Within one hundred eighty (180) days from the execution of this contract, the Seller agrees to establish a Water Rate Review Commission as a standing body that will review water rates on an as needed basis and make recommendations to City Council related to the review and establishment of water rates. The Commission shall meet with the Napoleon Board of Public Affairs and the City Council Water, Sewer, Refuse, Recycling and Litter Committee at the designated times to review items that could impact water rates. The Commission will consist of at least two (2) members from Napoleon, appointed by City Council and one (1) member of any community that is party to a contract with the City of Napoleon for purchasing water. The Commission shall also review contracts for any communities that would enter into

contracts with the City of Napoleon Water System and would have a seat on the Commission to ensure that the terms and conditions of the contracts are congruent with this contract.

- 3. Failure to Deliver Water:** That the Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Purchaser with quantities of water required by the Purchaser. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the Seller is otherwise diminished over an extended period of the time, the supply of water to Purchaser's consumers shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished.
- 4. Modification of Contract:** That the provision of this contract pertaining to the schedule of rates to be paid by the Purchaser for water delivered are subject to Section B of this agreement. Other provisions to this contract may be modified or altered by written mutual agreement.
- 5. Regulatory Agencies:** That this contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in this State and the Seller and purchaser will collaborate in obtaining such permits, certificates, or the like as may be required to comply therewith.
- 6. Miscellaneous:** That the construction of the water supply distribution system by the Purchaser may be financed by a loan made or insured by, and/or a grant from the United States of America, acting through the Farmers Home Administration of the United State Department of Agriculture, and the provisions hereof a Home Administration of the United States, and the provisions hereof pertaining to the undertakings of the Purchaser are conditioned upon the approval, in writing of the State Director of the Financing. If the Purchaser obtains alternate financing, the Purchaser certifies that it will do all necessary undertakings required by alternate lender.
- 7. Successor to the Purchaser:** That in the event any occurrence rendering the Purchaser incapable of performing under this contract, any successor of the Purchaser, whether the result of legal process, rights of assignment, or otherwise, shall succeed to the rights of the purchaser hereunder.
- 8. Operations and Maintenance Agreement:** The Parties may agree in a separate Operations and Maintenance Agreement for the Seller to take responsibility for the Operations and Maintenance of the Purchaser's water system, which may include, but is not limited to, billing, leak detection, hydrant flushing, operating a backflow program, providing a certified Operator of Record, valve exercising, asset management, Meter reading, tower inspections and maintenance, hydrant maintenance, capital improvement planning, adopting an asset management plan and contingency plans, maintaining parts inventory for inevitable repairs and maintenance, and incorporating the water system into

a GIS program. The Operations and Maintenance Agreement will detail the costs associated with operating and maintaining the Purchaser's water system.

- 9. Purchaser Termination:** The Purchaser may opt out at its discretion prior to construction of the new water line. Purchaser shall promptly notify the Seller of this decision. Purchaser shall pay a fee in the amount equal to the previous 24 months of water purchases if the Purchaser decides to terminate the contract prior to the contract expiration date. The fee is justified to maintain the long-term financial stability of the water system. If Purchaser does not commence construction within two years of execution of this contract, Seller may, by Ordinance, declare this contract null and void. Seller would promptly notify Purchaser of this action. In either eventuality listed above, the Purchaser agrees to pay the full cost of all engineering work done by the Purchasers engineer for the project.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in four counterparts, each of which shall constitute an original.

SELLER:

PURCHASER:

THE CITY OF NAPOLEON, OHIO

THE VILLAGE OF FLORIDA,
OHIO

By: _____
Joel L. Mazur, City Manager

By: _____
Jeff Nulton, Mayor

Attest:

Attest:

Roxanne Dietrich, Clerk of Council

Clerk

Approved as to Form:

Approved as to Form:

Billy Harmon, Law Director

Village Solicitor



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: City Council & Mayor
Kelly O'Boyle, City Finance Director
Roxanne Dietrich, Clerk of Council
Date: April 29, 2021
Subject: Lynne Avenue Waterline Improvements ~
Recommendation of Award

On Wednesday, April 28, 2021, bids were opened and read aloud for the above referenced project. Six bids were submitted and read as follows:

Rupp Rosebrock, Inc.	\$174,161.78
Hillabrand & Sons Construction	\$186,796.48
Vernon Nagel, Inc.	\$189,003.00
Fenson Contracting, L.L.C.	\$193,735.00
Bryan Excavating, L.L.C.	\$196,806.80
Geddis Paving & Excavating, Inc.	\$252,884.00

The Engineer's Estimate for this project is \$205,000.00. This project consists of replacing the existing waterline on Lynne Avenue from Glenwood Avenue to the westerly dead end; replacing the concrete curb and drive approaches; replacing the drainage structures; and resurfacing the street. The completion date for this project is August 14, 2021.

Having reviewed the submitted bids, it is my recommendation that Council award Rupp-Rosebrock, Inc. the contract for the Lynne Avenue Waterline Improvements in the amount of \$174,161.78. If you have any questions or require additional information, please contact me at your convenience.

CEL



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: City Council & Mayor
Kelly O'Boyle, City Finance Director
Jeff Rathge, Operations Superintendent
Roxanne Dietrich, Clerk of Council
Date: April 28, 2021
Subject: 2021 Sanitary Sewer Cleaning Program ~
Recommendation of Award

On Wednesday, April 28, 2021, bids were opened and read aloud for the above referenced project. Four valid bids were submitted and read as follows:

Advanced Rehabilitation Technology	\$59,344.00
Insight Pipe Contracting, L.L.C.	\$73,273.65
Degen Excavating Co., Inc.	\$73,744.93
Lake County Sewer Co., Inc.	\$86,061.08
Cam-Tech Industrial Services	Invalid Bid

The Engineer's Estimate for this project is \$80,000.00. This project consists of cleaning and televising various sewers throughout the city as part of our 10-year plan. The completion date for this project is August 28, 2021.

Having reviewed the submitted bids, it is my recommendation that Council award Advanced Rehabilitation Technology the contract for the 2021 Sanitary Sewer Cleaning Program in the amount of \$59,344.00. If you have any questions or require additional information, please contact me at your convenience.

CEL



City of *NAPOLEON*, Ohio

255 West Riverview Avenue • P. O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-4010 • Fax: (419) 599-8393
Web Page: www.napoleonohio.com

Mayor
Jason Maassel

Members of Council

PRESIDENT:
Joseph Bialorucki

**PRESIDENT PRO-
TEM:**
Daniel Baer

John Ross Durham
Jeff Comadoll
Kenneth Haase
Lori Siclair
Molly Knepley

City Manager
Joel L. Mazur

Finance Director
Kelly O'Boyle

Law Director
Billy D. Harmon

*Public Works
Director*
Chad E. Lulfs, P.E., P.S.

MEMORANDUM

DATE: May 3, 2021
TO: Members of City Council
Jason P. Maassel, Mayor
FROM: Joel L. Mazur, City Manager
SUBJECT: American Road and Oakwood Avenue

INTRODUCTION

We have discussed at length in several City Council meetings the American Road and Oakwood Avenue reconstruction project and the potential financing options. Last year, City Council approved of a Tax Increment Financing (TIF) District as a mechanism to fund the project in whole or at least in part. My goal has always been to finance the project in a way that has the least amount of impact to the City's Capital Improvement Fund. The purpose of this communication is to provide a clearer understanding of the options and provide a recommendation to move forward.

BACKGROUND

For reference, it was recommended by staff to establish a TIF District in the area where the new Love's Travel Stop was located to try to capture a revenue source to help fund this project. At the time, the need to reconstruct the roads was recognized due to the fact that the roads are deteriorating and were not constructed to handle industrial truck traffic. In fact, these roads were constructed as county roads and were inherited by the City through a series of annexations of property, most of which are zoned as industrial land. Since then, several

properties have developed in this area that prompted the effort to search for opportunities to fulfill the need to reconstruct the roads.

To start, staff was successful in securing \$600,000 in grant funding from 3 different sources. This funding has been used so far to complete the engineering work for the project and reconstruct a short portion of roadway on American Road where the Love's Travel Stop project ended. As of now, the City has a balance of approximately \$320,000 in grant funds remaining, which will go towards the project construction, if approved.

Then the TIF District was established. Though TIF Districts can be complicated, the concept is that any tax revenue generated from increases in property valuations over the next 30 years in the area are collected by the City in order to pay for infrastructure improvements. This may include road, sewer, water, electric, gas and telecommunications upgrades. Additionally, the Napoleon and Liberty Center School Districts had to agree to the terms of the TIF District. The TIF Agreements with both school districts were set up so that all revenue generated would automatically go toward the American Road and Oakwood Avenue project first. Once the project is paid off, all other revenue can go towards other infrastructure projects that the City would deem necessary. Generally, TIF revenues collected will increase over time as new development takes place in the TIF District and property valuations increase.

OPTIONS

The first option discussed was utilizing the State Infrastructure Bank (SIB) loan program to finance the project. In partnership with the Maumee Valley Planning Organization (MVPO), we explored this option. In January of 2020, staff and representatives of the MVPO were informed that SIB loans were flexible and that the City could secure a loan with a 3% interest for up to 30 years and there would be flexibility in the structure of payments. The discussion included backloading payments so that the payments would be covered by future increased revenues generated from the TIF District. One of the terms also included deferring the first 30 months of payments to allow for TIF revenues to build up. Once the TIF District was established, staff and representatives of the MVPO revisited the SIB Program and were informed that the loan term could only be for 20 years and the payments could not be backloaded. This was not what we had expected, which skewed the financing portion of this project.

After regrouping, we explored the option of securing funding from the Toledo Lucas County Port Authority and the option of borrowing from the Electric Development Fund. We spoke with the Port and they are willing to work with us on a financing option as described, but the interest rate would be in the 4% range. This is also not a guarantee as this would have to go before the Port Board of Trustees for approval. Also, the terms and conditions of the loan agreement are still negotiable. This will take more time to develop.

We also explored the option of borrowing from the Electric Development Fund. The City could finance the project using these funds, similar to how funds were borrowed for the start of the Pool Project under ORS Sections 133.29 and 731.56. We can structure the terms and conditions similar or even better than how we originally were going to structure the terms of the SIB loan. This bond option allows for the most flexibility of the options at the lowest interest rate.

The last option we explored was the option to forego the project for now and address it in the future as the need arises. In this scenario, the City would return all unused grant funds, but would still be able to collect TIF revenues. When the road needs to be reconstructed, City Council can approve of the project in a future budget and rebid the project. The City can also try to secure grant funds to supplement the project later also.

ANALYSIS OF OPTIONS

This analysis is a condensed version. More details can be provided if needed, but for the sake of discussion, the most pertinent information is being provided.

Though staff expected better terms coming from the SIB loan option, the silver lining is that other options were explored, and a different option may be a better option as a result. In an effort to keep the project on track for 2021 and in line with the grant funds, staff recommended taking bids for the project. The estimate was \$1.85M. The lowest bid came back at under \$1.4M. Originally, we anticipated borrowing approximately \$1.55M for the project. With the bid results we received, we believe that we will need approximately \$1.1M for the project.

Starting with cancelling the project, the downside of this option is that the City would return grant funds and risk an increase in the

project cost by bidding this project at a later date. The upside is that there would be no immediate impact to the Capital Improvement Fund and there is a potential that other grant opportunities could become available in the future. The City would also continue to collect TIF revenues but would need to put it toward this project first to be in line with the Agreements with the school districts.

For the SIB loan option, the City is limited to the 20-year term at an interest rate of 3%. This is a viable option as it provides the necessary financing needed to advance the project. The upside is that payments can be deferred for the first year, pay interest only for the second year and the first payment would be due 6 months after that. In this scenario given the timing, the first full payment would not be due until approximately January 1st of 2024. Also, there is no penalty for early loan repayment after 36 months. So, if another option were to become available, the loan could be refinanced through other means.

For the Port Authority option, the interest rate is higher at an estimated 4%, but the term can be up to 30 years. Also, the option to backload payments is negotiable. The risk of this option is that the Port Authority Board would need to approve of this option, which would take longer. Also, there is no guarantee that this would get approved. All of the terms are negotiable but require more discussions with Port Authority staff and is a much more arduous process.

The last option reviewed is the option to borrow from the Electric Development Fund in the form of a bond issuance. The term of a bond structure can be as long as 30 years. Also, the interest rate would be lower than any of the other loan options. We would structure the terms with assistance from our Bond Counsel and the interest rates would be something similar to what the market is driving right now, which would likely be in the range of 1.5%-2.5%. Another benefit would be that the Electric Development Fund would see more interest earnings than what it is receiving now by comparison. Interest earnings from various funds have been as low as 0.37% to slightly over 1%, depending on the length of investment and timing of the investment. The downside to any of the loan or bond option is the simple fact that the project will require the City to take on debt. The advantage of borrowing internally is that the City will not be beholden to an outside lending institution, but rather to itself. Also, a provision can be made for no penalties for early repayment similar to the SIB loan option.

RECOMMENDATION

The recommendation is to proceed with borrowing from the Electric Development Fund. This option provides the best loan terms at the lowest rate and with the least amount of risk. This option is the least impactful option to the City Capital Improvement Fund of the loan options provided.

The general terms and conditions of the Agreement would be as follows:

- 30-year term
- No penalty for early pay off
- Market interest rate (1.5%-2.5%)
- Defer first payment to January 1st, 2024 or later
- Backload payments to match TIF revenue estimates

I do not believe that the option to forego the project at this time is the best option. I believe that this project is necessary because the existing businesses and property owners in the area need access to this roadway in order for them to successfully operate and attract new businesses to this next frontier of industrial development for Napoleon. I also believe that the project should move forward because of the favorable bids we received, and because of the likely potential of increased costs associated with the project if this were to be rebid at a later date. Lastly, the roadways in question are in poor condition. The circumstances warrant the project to move forward as it will only be a short period of time before this project will have to occur regardless. The City of Napoleon Engineering Department estimates that the road will see further drastic deterioration over the next three years given the increased truck traffic and existing conditions. This could prompt immediate action on this road and will become a constant maintenance and financial burden.

CONCLUSION

Though this process has not been as smooth as I had hoped, I believe we can still be on track to complete the project on time and within budget. With the twists that we received from the SIB Program Coordinator, the situation with the pandemic and the fact that a TIF District has never been established before in Napoleon or

Henry County, the process of getting the financing structure in place was delayed. I do not believe the SIB loan issue needs any further explanation. The pandemic caused delays with the timing because of the uncertainty of the Love's Project construction and City finance uncertainties related to income tax collections. Also, there was a period where project grant funds were thought to be in jeopardy. Lastly, there was and still is a learning curve and adjustment period for those involved in the project due to the lack of experience in managing a TIF District.

I believe that moving forward with the project is the best option for the City because it is an investment in the infrastructure needed for business retention and expansion. This will also hopefully promote future industrial growth. This is exactly the reason why state agencies are contributing grant funds to this project. Agency managers also see the potential for future industrial growth here and are willing to make the investments with states funds that they have the authority to allocate to projects.

Because of the timing of the project and need for appropriations, I will request that we discuss this at the May 3rd meeting and request that City Council direct the Law Director to draft legislation to borrow from the Electric Development Fund for this project. Also, I will be requesting that this legislation be passed under suspension and emergency at the May 17th City Council meeting.

Thank you for your consideration and please contact me anytime if you have questions or need additional information.



**Department
of Commerce**

Division of Liquor Control

Mike DeWine, Governor
Sheryl Maxfield, Director

**NOTICE TO LEGISLATIVE AUTHORITIES
Objections to Renewal of a Liquor Permit**

35-022

APRIL 20, 2021

CLERK OF NAPOLEON CITY COUNCIL
255 W RIVERVIEW
PO BOX 151
NAPOLEON OHIO 43545

Dear Clerk of Legislative Authority:

This is notice that all permits to sell alcoholic beverages in your political subdivision will expire on July 1, 2021. In order to maintain permit privileges, every permit holder must file a renewal application.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

In order to register a valid objection with the Division of Liquor Control and request a hearing, the legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection as set forth in Ohio Revised Code Section 4303.292(A). It is suggested that a separate resolution be passed for each permit premises. The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than June 2, 2021.

For your convenience, you may access our brochure entitled "[How to Object to the Issuance or Renewal of a Liquor Permit](#)" from our website at www.com.ohio.gov/liqr Under "Licensing" click on "Renewals" and under that mega menu please select the link "Object to the Issuance or Renewal of a Liquor Permit".

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. For your convenience you may obtain a [list of issued permit holders](#) in your jurisdiction from our website at the above link. Under "Liquor Control" click on "Look it up" and under that mega menu please select "Search Permit Holders" "Permit Applicant / Holder Information (types and status)". You will then enter the search criteria for your county / city / township to bring up the issued permits in your jurisdiction. If you do not have access to the internet, you may request a list from us by writing the Division at the below address.

If you determine that there are no permit premises within your jurisdiction that you wish to object to, you do not need to take any action. The renewal applications for those premises will be submitted by the permit holders and will be processed by the Division and issued as appropriate.

If you have any questions, please contact the Legal Section at (614) 644-2489.

Sincerely,

Licensing Section

Licensing Renewal Section
6606 Tussing Road
PO Box 4005
Reynoldsburg, OH 43068-9005 U.S.A.
DLC 4020 REV. 04/21

received
4-26-2021

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**Department
of Commerce**

Division of Liquor Control

Mike DeWine, Governor
Sheryl Maxfield, Director

**NOTICE TO LEGISLATIVE AUTHORITIES
Objections to Renewal of a Liquor Permit**

35-088

APRIL 20, 2021

CLERK OF NAPOLEON CITY COUNCIL
PO BOX 151
NAPOLEON OHIO 43545

Dear Clerk of Legislative Authority:

This is notice that all permits to sell alcoholic beverages in your political subdivision will expire on July 1, 2021. In order to maintain permit privileges, every permit holder must file a renewal application.

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If you determine that there are no permit premises within your jurisdiction that you wish to object to, you do not need to take any action. The renewal applications for those premises will be submitted by the permit holders and will be processed by the Division and issued as appropriate.

If you have any questions, please contact the Legal Section at (614) 644-2489.

Sincerely,

Licensing Section



Permit Number	Permit Name	DBA	Class	Class Issue Status	Date Of Action	Street1	Street2	City	State	Zip	City/Twp of Premises	County	Agency Number	Quota Exempt Class	Site Location Vote
0071820	AESE ENTERPRISES LLC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D2	ISSUED	10/26/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO
0071820	AESE ENTERPRISES LLC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D2X	ISSUED	10/26/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO
0071820	AESE ENTERPRISES LLC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D3	ISSUED	10/26/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO
2771155	FLATROCK BREWING COMPANY		A1C	CANCELLED	6/1/2020	621 N PERRY ST	1ST FL ONLY & PATIO	NAPOLEON	OH	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
2771155	FLATROCK BREWING COMPANY		A3A	ISSUED	9/11/2020	621 N PERRY ST	1ST FL ONLY & PATIO	NAPOLEON	OH	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
42567090065	JAY PETROLEUM INC		C1	ISSUED	3/4/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
42567090065	JAY PETROLEUM INC		C2	ISSUED	3/4/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
42567090065	JAY PETROLEUM INC		D6	ISSUED	3/4/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
66036540030	OTTAWA OIL CO INC		C1	TRANSFERRED	3/5/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
66036540030	OTTAWA OIL CO INC		C2	TRANSFERRED	3/5/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
66036540030	OTTAWA OIL CO INC		D6	TRANSFERRED	3/5/2021	330 S PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY		NOT A QUOTA EXEMPT CLASS	NO
9470007	WEIDEMAN INC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D2	TRANSFERRED	10/27/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO
9470007	WEIDEMAN INC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D2X	TRANSFERRED	10/27/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO
9470007	WEIDEMAN INC	DBA SPENGLERS 1ST FL & BSMT & PATIO	D3	TRANSFERRED	10/27/2020	713 N PERRY ST		NAPOLEON	OHIO	43545	NAPOLEON	HENRY	00635	NOT A QUOTA EXEMPT CLASS	NO



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151

KELLY O'BOYLE, FINANCE DIRECTOR

phone (419) 599-1235

fax (419)-599-8393

Web Page: www.napoleonohio.com

Email: koboyle@napoleonohio.com

To: Members of City Council
Jason P. Maassel, Mayor
Joel L. Mazur, City Manager
Billy D. Harmon, City Law Director
All Department/Division Heads

From: Kelly O'Boyle, Finance Director *KO*

Date: April 28, 2021

RE: 2022 Tax Budget Proposed Schedule

The following information outlines the various legal steps and proposed schedule for the preparation, submission and adoption of the **2022 Tax Budget**:

TAX BUDGET:

The **Tax Budget**, as adopted and approved by City Council, and then Certified by the County, serves two (2) primary purposes: **1st** is to establish and approve the inside the 10 mill Property Tax levied as set forth in the Ohio Revised Code (ORC), Sections 5705.01 to 5705.47 based on need level; the **2nd** is to establish the annual "Official Certificate of Estimated Resources". The **Tax Budget** is adjusted for *Fund Balance Carryover* and *Revised Revenue Estimates* at the end of the year and becomes the basis for the "Official Certificate of Estimated Resources", which is used to determine the Maximum Appropriation level by fund the City may make Appropriations in its *Annual Appropriation Budget*.

NOTE: In 1998 the City, along with the County and other Political Subdivisions, adopted by Resolution a revised procedure pursuant to ORC Section 5705.281 that waved the requirement to file a formal **Tax Budget**. This revised procedure eliminated the need to list all funds, revenues and expenditures, and only listing the *Voted Property and Inside 10 Mill Tax* levy amounts.

The Alternate Method adopted in 1998 (ORC Sections 5747.53 & 5747.63) computes the LGF Allocation on a Population based formula, and not a Relative Need basis. This process is subject to periodic review and change. For the City, the current primary function of the **Tax Budget** is the formal certification process on the **Inside Ten (10) Mill Property Taxes** that the City can legally levy without a vote of the citizens.

At Year End the Unencumbered (Net) Fund Balance (Cash Balance less Open Encumbrances "PO's"), plus Revenue Estimates for each respective Fund, are Certified to the County by the City. The County Auditor certifies back to the City the First Amended Official Certificate of Estimated Resources.

The City may legally Appropriate Funds Up-To the total amount listed on the First Amended Official Certificate of Estimated Resources for each individual Fund. Adjustments to the First Amended Official Certificate of Estimated Resources may be made only when the Estimated Receipts are exceeded or reduced by an Actual Amount; or, if a New and Unanticipated source of Revenue or Loss of a Current Revenue occurs.

Per ORC 5705.28, the Tax Authority shall adopt a Tax Budget on or before July 15th.

APPROPRIATION BUDGET:

The **Appropriation Budget**, as formally adopted by City Council, establishes the Maximum Allowable Expenditures by Fund, Department and Category (Personal Services and Other), through the use of Appropriations for the City's Fiscal Year. The **Appropriation Budget** must be passed in either a *Temporary* or *Final* form on or about January 1st of each year. The **Final Appropriation Budget** must be passed no later than March 31st of each respective budgetary year. Historically, the City has passed its **Final Appropriation Budget** on or before January 1st of the operating year.

The process followed in the development of the **Appropriation Budget** covers both Revenues and Expenditures. The final document will establish detailed revenue and expenditure budgets and give formal approvals to submitted requests of all City Departments, Divisions, Boards and Commissions.

The **Appropriation Budget** is limited to the amounts Certified by each Fund as listed in the *First Amended Official Certificate of Estimated Resources*; as may be amended from time to time.

I have attached a Proposed Schedule of Dates for the preparation and adoption of the **2022 TAX BUDGET**. Some of these dates are statutory (Set by the ORC). The 2022 Appropriation Budget Schedule will be developed at a later date and presented to Council for approval.

Please let me know if you have any questions.

Thank you.



Kelly O'Boyle
Finance Director

Attachment

TAX BUDGET PROCESS

- > **April 1, 2021**
ORC 5705.28
- Under the *ORC Statutory Code*, Departments, Divisions, Boards and Commissions are requested to submit an estimate of contemplated Revenues and Expenditures for 2022 by the 1st of June of the current year.
- Waived Tax Budget and follow ORC 5705.281
- > **May 3, 2021**
On or Before
1st Monday in May
ORC 5705.08
- Finance Director is to certify to City Council any amounts necessary to provide payment for final judgments (if any).
- NOTE:** At this date and time, no certification is necessary for 2022, the City did not have any Final Judgments outstanding.
- > **May 17, 2021**
- Finance Director to present the **2022 Tax Budget** in its tentative form to City Council for consideration and study.
- ORC 5705.281
- NOTE:** *Only the inside ten (10) mill limit allocation is presented at this time.*
- > **June 7, 2021**
- First (1st) Read on Resolution* to Adopt the **2022 Tax Budget (Emergency Clause needed to meet filing deadline).**
- ORC 5705.28
- > **June 21, 2021**
ORC 5705.28
- Second (2nd) Read on Resolution* to Adopt the **2022 Tax Budget.**
- > **July 6, 2021**
ORC 5705.28
- Third (3rd) Read on Resolution* to Adopt the **2022 Tax Budget.**
- > **July 6, 2021**
ORC 5705.28
- Effective Date of Resolution* to Adopt the **2022 Tax Budget.**
2022 Tax Budget must be adopted on or before July 15, 2021
- > **July 20, 2021**
On or Before
ORC 5705.30
- 2022 Tax Budget** must be submitted to the County Auditor on or before this date.
- NOTE:** The statutory penalty for failure to meet this time frame shall result in the LOSS of the City's share of the Undivided Local Government Fund.
- > **September 1, 2021**
On or Before
ORC 5705.27-34
- The County Budget Commission shall certify back to the City the **Official Certificate of Estimated Resources.** This certification includes an estimate of the rate of each tax necessary to be levied, and the apportionment of the Year 2022 Undivided Local Government Fund to the City.
- > **September 7, 2021**
ORC 5705.34
- First (1st) Read on Resolution* to approve the **Inside 10 Mill Tax Levies** listed in the **2022 Tax Budget**, and **Special Assessments** for the **2021 Tax Duplicate**, collected in 2022. These amounts must be certified back to the County Auditor on or before **October 1, 2021 per the ORC.**
- > **September 20, 2021**
ORC 5705.34
- Second (2nd) Read (and Passage with Suspension and Emergency) on Resolution* to Adopt the **Inside 10 Mill Tax Levies** listed in the **2022 Tax Budget**, and **Special Assessments** for the **2021 Tax Duplicate**, collected in 2022.

> **October 1, 2021**
On or Before
ORC 5705.34

City must certify back to the County Auditor amounts listed in the **2022 Tax Budget** for the *Inside 10 Mill Tax Levies*, including any *Special Assessments* for the **2021 Tax Duplicate**, amounts collected in 2022.



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

Memorandum

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

From: Kelly O'Boyle, Finance Director 

Date: May 3, 2021

Subject: 2022 Tax Budget

Pursuant to ORC 5705.08 the Fiscal Officer is to certify to City Council any amounts necessary to provide payment for final judgements (if any) into 2022. As of the date of this memo, No Final Judgements were outstanding to the City, so no certification is required for 2022.



City of *NAPOLEON*, Ohio

Fire - Rescue Department

265 W. Riverview • P.O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-0441 • Fax: (419) 592-5195

Web Page: www.napoleonfire.com

Fire Chief
Clayton O'Brien

Assistant Fire Chief
Joel Frey

Captain
David Bowen

Captain
Tyler Reiser

Captain
Jonah Stiriz

Lieutenant
John Pugsley

Website
www.napoleonfire.com

 *Facebook*
City of Napoleon Fire and
Rescue

 *Twitter*
@napoleonfire

 *Instagram*
Napoleonfiredepartment

Memorandum

To: Mayor & City Council
From: Clayton O'Brien, Fire Chief
cc: Joel Mazur, City Manager

Date: 04/22/2021
Subject: Donation

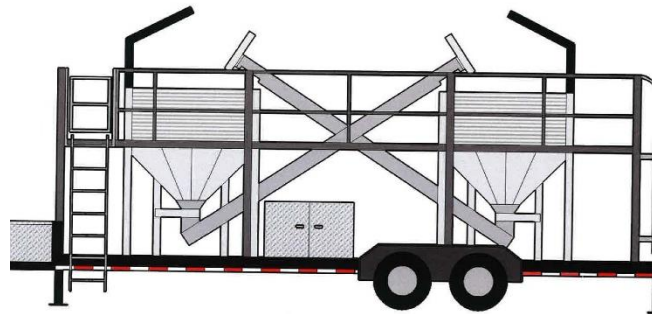
I am requesting the acceptance of a donation of a grain bin, grain leg simulator and grain engulfment trailer from the following agricultural community. This donation will benefit our fire and rescue department as well as our region in training first responders in grain safety.

1. Gerald Grain Center
2. Farmers Elevator Grain and Supply
3. Edon Farmers Coop
4. Jewell Grain Co.
5. Legacy Farmers Cooperative
6. CHS Insurance
7. Mercer Landmark
8. Custom Agri-Systems

The estimated value of the donation is \$52,000.



GRAIN RESCUE TRAILER



LEFT SIDE VIEW

Date: 6/19/2020
Project: Grain Rescue
Drawing By: Mike O'



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: City Council, Mayor, City Manager, City Law
Director, Finance Director, Department
Supervisors, News media
From: Roxanne Dietrich, Clerk of Council
Date: April 30, 2021
Subject: Technology and Communications Committee –
Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, May 03, 2021 at 6:15 pm has been CANCELED due to lack of agenda items.

Legislative Bulletin

The Ohio Municipal League <zwade@omloho.org>

Fri 4/30/2021 1:48 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>



Legislative Bulletin

April 30, 2021

OML UPDATE AT-A-GLANCE

Here are the top four things you need to know from this past week:

- This week, the Franklin County Court of Common Pleas dismissed the Buckeye Institute's lawsuit against City of Columbus, which challenged the constitutionality of Section 29 of HB 197. The court granted the City of Columbus's motion for dismissal and reflected that, as stated in the decision, "Ohio law has long recognized an employee may temporarily work outside of the employee's principle place of work during the tax year and yet be subject to an annual tax by the municipality where the employee's principal place of work is located." The Buckeye Institute has said they plan to appeal the decision to the Tenth District. The other cases brought by the Buckeye Institute in Cuyahoga, Hamilton and Lucas county courts are still pending. Oral arguments in the Hamilton County cases are expected to begin next week. You can read the dismissal in full [HERE](#) and read more in the article below.
- **Budget Watch:** As Ohio Senate committees continue to unpack and examine changes members of the Ohio House of Representatives made to Sub. HB 110, the current version of the 2022-'23 State Operating Budget bill, we have compiled a list of issues currently in the legislation most impactful to municipalities. The League encourages our members to share with us and their members of the Ohio legislature any concerns or issues with items

included in the current version of the proposed state budget bill. You can find the list [HERE](#).

- This week, the Ohio Office of Budget and Management (OBM) and the Ohio Grants Partnership held the first in a series of webinars providing more information on the American Rescue Plan Act (ARPA) and local reporting of CARES Act dollars. The League greatly appreciates Director Murnieks and her team for providing this important information for our members. A recording of the webinar will be made available on our website later next week when it is released, and we will make the link available in our legislative bulletin next Friday. Members can also find the guidance released by the U.S. Department of Treasury detailing the steps local governments must take to receive ARPA funds on the Treasury website [HERE](#). Read more about the steps municipalities must take in the article below.
- It is with deep sadness that we must share with our members that long time Trotwood Clerk of Council Lois Singleton passed away Wednesday. Lois had served as Clerk of Council to the city of Trotwood since 1989 and was an active member of the OML Board of Trustees and served as the League's President in 2005. Lois also served the Ohio Municipal Clerks Association and served as President of OMCA from 2002-2003. Always a great champion of Ohio's municipalities, Lois was a true friend to the OML and the National League of Cities and will be greatly missed. Our thoughts and prayers are with her family and loved ones.

COURT DISMISSES BUCKEYE INSTITUTE LAWSUIT CHALLENGING TEMPORARY MUNICIPAL TAX WITHHOLDING POLICY

This week, the Franklin County Court of Common Pleas dismissed the Buckeye Institute's lawsuit against City of Columbus, which challenged the constitutionality of Section 29 of HB 197. This is the temporary COVID-19 withholding provision instructing municipalities to continue withholding municipal income tax at a taxpayer's place of work, even if the taxpayer is currently working from home in a different local jurisdiction due to the COVID-19 pandemic.

The court granted the City of Columbus's motion for dismissal and ruled that Sec. 29 of HB 197 is constitutional. The Buckeye Institute has said they plan to appeal to the Tenth District.

In addition to seeking a declaration that Sec. 29 of HB 197 was unconstitutional, the Buckeye Institute was also seeking a refund of the taxes paid to Columbus while the plaintiffs were working from home during the pandemic, and to prohibit Columbus from collecting future

taxes on income earned outside Columbus for the remaining time Sec. 29 of HB 197 is in effect.

In the ruling, the court stated that the “temporary law sought to regulate and limit the disruption and uncertainty that the statewide Stay-at-Home Order would otherwise have on municipal taxation, by establishing a uniform set of equally statewide rules applicable for the duration of the emergency. To that end, Section 29 of HB 197 treated remote work performed under the Stay-at Home Order as if it had occurred at the employee's principal place of business.”

“We appreciate that the courts found that the legal challenge to the temporary withholding policy was without merit,” said League Executive Director Kent Scarrett, in a press release. “We hope that the Ohio legislature recognizes the court’s determination of the validity of Section 29 of HB 197 and that they work with our municipalities to extend the sunset of this temporary policy in order to avoid unnecessary and dramatic impacts to municipal revenues and the critical essential services they provide.”

GUIDANCE RELEASED FOR MUNICIPALITIES TO RECEIVE FEDERAL AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FROM U.S. TREASURY

The National League of Cities (NLC) has distributed the following guidance from the U.S. Department of Treasury regarding what metropolitan cities and non-entitlement units of local government need to do to receive federal aid from the American Rescue Plan Act (ARPA). You can find the Treasury website [HERE](#). These steps should be taken as soon as possible to ensure local governments receive their funds in a timely fashion.

As soon as possible, metropolitan cities should take the steps below.

1. **Ensure the entity has a valid DUNS number.** A DUNS number is a unique nine-character number used to identify an organization and is issued by Dun & Bradstreet. The federal government uses the DUNS number to track how federal money is allocated. A DUNS number is required prior to registering with the SAM database, which is outlined below. Registering for a DUNS number is free of charge.

If an entity does not have a valid DUNS number, please visit <https://fedgov.dnb.com/webform/> or call 1-866-705-5711 to begin the registration process.

2. **Ensure the entity has an active SAM registration.** SAM is the official government-wide database to register with in order to do business with the U.S. government. All Federal financial assistance recipients must register on SAM.gov and renew their SAM registration annually to maintain an active status to be eligible to receive Federal financial assistance. There is no charge to register or maintain your entity SAM registration.

If an entity does not have an active SAM registration, please visit, [SAM.gov](https://sam.gov) to begin the entity registration or renewal process. Please note that SAM registration can take up to three weeks; delay in registering in SAM could impact timely payment of funds. [Click here for a quick overview for SAM registration](#)

3. Gather the entity's payment information, including:

- o Entity Identification Number (EIN), name, and contact information
- o Name and title of an authorized representative of the entity
- o Financial institution information (e.g., routing and account number, financial institution name and contact information)

Eligible Non-entitlement Units of Local Government will receive a distribution of funds from their respective state government. "Non-entitlement units of local government" are defined in 42 U.S.C. 5302(a)(5) that are not metropolitan cities. For these Non-entitlement units of local government, Treasury will allocate and pay funds to state governments, and the state will distribute funds to non-entitlement units of local government in proportion to population. Non-entitlement units must have a valid DUNS number to meet reporting requirements under the program. If an entity does not have a valid DUNS number, please visit <https://fedgov.dnb.com/webform/> or call 1-866-705-5711 to begin the registration process.

The U.S. Department of Treasury has stated that program guidance for Coronavirus State and Local Fiscal Recovery Fund will be released in the coming weeks. We will keep our members apprised as more information is made available.

OHIO CORONAVIRUS RESPONSE UPDATE

As of Thursday afternoon, Ohio is reporting 1,070,771 cases of coronavirus, 19,188 resident deaths, 56,272 hospitalizations and 7,772 ICU admissions.

Quarantine Health Order:

- ♦ Governor DeWine announced that any Ohioan who has been fully vaccinated will no longer have to quarantine if they are exposed to someone with COVID-19. This health order applies to all adults, except those who are in nursing homes, assisted living facilities, or other congregate care settings.
 - ♦ Nursing homes and long-term care facilities, including staff and residents, should continue to quarantine following CDC guidance.
- ♦ An individual is considered fully vaccinated two weeks after their second dose of Pfizer or Moderna COVID-19 vaccines or two weeks after the single dose of the Johnson & Johnson vaccine.
- ♦ As of Tuesday, 4.6 million Ohioans have received their first vaccine, and 3.6 million are fully vaccinated.

Mass Vaccination Clinic:

- ♦ Ohio's Mass Vaccination Clinic at Cleveland State University's Wolstein Center will now accept walk-ins and will offer first doses of the Pfizer vaccine this week and next week.
 - ♦ Walk-ins are welcome from 8 a.m. to 7 p.m.

- Ohioans are still encouraged to visit gettheshot.coronavirus.ohio.gov to look for open appointments or call 833-4-ASK-ODH to book an appointment over the phone.

Economic Update:

- Presently, on [OhioMeansJobs.com](https://ohioMeansJobs.com), there are 180,773 total jobs available and 92,866 of those jobs have a salary of over \$50,000.
- Additionally, workforce development programs, such as TechCred and IMAP, aim to upskill Ohioans, making businesses and the state more competitive.

Intermediate Health Care Order:

- Governor DeWine announced the Ohio Department of Health is rescinding the September 24, 2020 order that gave guidelines for indoor and outdoor visitation at intermediate care facilities.
- Intermediate care facilities should now follow current guidance from the Centers for Medicare and Medicaid Services (CMS) to determine appropriate access to the facility and resident visitation.

BILL IMPACTING MUNICIPALITIES PASSED BY OHIO SENATE

· HB 2 – Broadband Services. Sponsored by Rep. Carfagna (R – Genoa Twp.) and Rep. Stewart (R – Ashville), is regarding broadband expansion, including access to electric cooperative easements and facilities, to make an appropriation, and declares an emergency. During its fifth hearing before the Senate Financial Institutions and Technology Committee, the bill was amended to remove the funding for the grant program created by the bill for fiscal years 2022-2023. The bill still allocates \$20 million for FY 21. The additional funding, which is \$170 million in FY22 and \$20 million for FY23, has now been incorporated into the budget bill, Sub. HB 110. The amendment also creates a Residential Broadband Expansion Grant Program Fund. After the bill was reported out of committee, it was unanimously passed by the full Senate. The League is supportive of this legislation.
(Link: <https://bit.ly/3vv57vj>)

AMP Update for April 23, 2021

American Municipal Power, Inc. <webmaster@amppartners.org>

Fri 4/23/2021 4:22 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

Having trouble viewing this email? [Click here to view web page version](#)



April 23, 2021

AMP History Minute: Celebrating AMP's evolution and diverse membership

By Michele Lemmon - manager of public relations and digital media

As American Municipal Power, Inc. (AMP) marks its 50th anniversary in 2021, we are continuing to share an AMP History Minute each month to celebrate this milestone. This month, we take a look at AMP's growth and expansion history and reflect on the benefits of having members whose systems vary in size, location and types of customers.



While AMP experienced great growth in its first 25 years, it was not until 1997 that AMP - then known as AMP-Ohio - became a multi-state organization when Philippi, W.Va., became the first member outside of Ohio. By 2000, a number of Pennsylvania boroughs had joined AMP. At that time, AMP operated two generating assets - the Richard H. Gorsuch Generating Station, a 213-megawatt coal-fired plant in Marietta, Ohio, and the 42-MW Belleville Hydroelectric Project, which came online in 1999.

Moving further into the 21st century, Virginia, Michigan, Kentucky, Delaware, Indiana and Maryland municipal electric entities joined AMP. In recognition of this growing member footprint, the organization's Board of Trustees voted in 2009 to rename the organization, dropping Ohio from the name.

Today, AMP has members in nine states and provides a range of services and programs designed to help meet the unique needs of its members from power supply to customer programs. AMP also advocates on behalf of its members in various policy arenas. AMP's members represent a mix of rural, urban and suburban communities with different types of customer bases and load profiles.

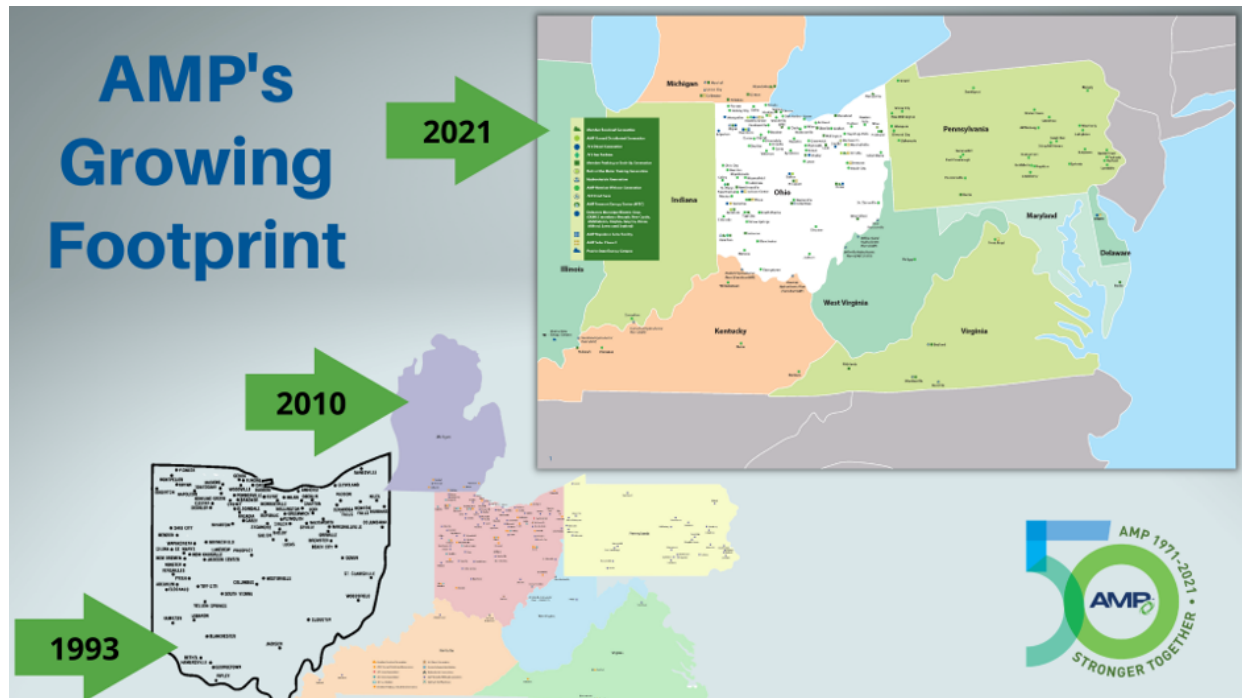
In 2000, AMP had 82 members, \$222 million in electric sales and \$248 million in assets. By 2020, AMP had 135 members, \$1.1 billion in electric sales and \$6.6 billion in assets.

As the membership grew, more municipal electric utilities were able to experience the benefits of joint action - economies of scale, an increased pool of expertise and resources, and a larger unified voice in regulatory and legislative arenas. The collective strength of joint action is as critical today as it has ever been to AMP's members' ability to adapt, be responsive, and remain relevant as the industry experiences

shifts in generation and changes driven by new policies, new technology, new players and increasing customer engagement.

While AMP has grown, its foundation remains the same, proving that through joint action, we are "Stronger Together."

Learn more about AMP's 50 years of history on the [AMP 50 Years - Stronger Together webpage](#), where you can view videos with current and former leaders, read Q&A's of interviews and learn more about AMP's history and accomplishments. Also, keep an eye on future editions of *Update* and follow us on [Facebook](#), [Twitter](#), [LinkedIn](#), [Instagram](#) and [YouTube](#) for more historical information on the organization.



City of Painesville joins EcoSmart Choice®

By Erin Miller - assistant vice president of energy policy and sustainability

AMP welcomes the City of Painesville as the newest member to join the EcoSmart Choice® program.

EcoSmart Choice is a green-pricing program offered by AMP to members at no charge. Members who elect to participate in EcoSmart Choice can provide their customers with the option of supporting renewable energy development through the purchase and retirement of renewable energy certificates (RECs).

Green-pricing programs such as this rely on the use of RECs to offset the customer's electricity usage. Customers' participation in EcoSmart Choice is supported by the purchase of wind, solar, hydroelectric, landfill gas or other qualifying RECs. The program is open to residential, commercial and industrial customers.



For more information on how your community can enroll in the EcoSmart Choice program, contact me at 614.540.1019 or emiller@amppartners.org.

AMP seeks member input with 2021 Annual Conference survey

By Jodi Allalen - manager of member events and programs

Planning is underway for the 2021 AMP Annual Conference, scheduled for Sept. 20-22. AMP is currently seeking input and suggestions from members on preferred conference format, potential topics, speakers and other areas of interest. To provide your thoughts and suggestions for the 2021 AMP Annual

Conference, please contact Holly Karg at hkarg@amppartners.org to request a link to the survey. The survey closes on Tuesday, April 27.



The Annual Conference provides an opportunity to learn from industry experts and network with peers. It attracts municipal and utility officials from across the AMP member footprint and features informative sessions on issues and technologies affecting public power, local government and the electric utility industry in general.

Learn more about the AMP Annual Conference [here](#).

Sustainability reporting assistance available

By Erin Miller

Are customers asking you for the carbon intensity of their power supply and/or the fuel mix of power supplied to them? If so, AMP can help.

To date, we have issued 20 energy supply sustainability reports for members. The reports show your individual energy portfolio, resource mix and related greenhouse gas emissions.

Emission factors are now available for 2020 reports. If you are interested in receiving a 2020 sustainability report for your community, please contact me at emiller@amppartners.org or 614.540.1019.

Next week: Energy education virtual field trip for teachers and students of AMP member communities

By Holly Karg - assistant vice president of communications and public relations



In conjunction with the Westerville Electric Division, the Ohio Energy Project (OEP) - AMP's partner in providing energy education opportunities within member community schools - will be hosting a virtual field trip for teachers and students on April 28 from 1-1:45 p.m. AMP member officials are encouraged to share this virtual learning opportunity with their local school districts.

AMP has arranged for the organization's learning opportunities and resources to be made available to all AMP member communities.

The *Careers in Energy: Utility Tree Trimming* Virtual Field Trip, featuring the Westerville Electric Division and arborists and foresters from Asplundh Tree Expert Co., will discuss career opportunities in line clearance, tree trimming and emergency storm response. Learn about the hiring process and training/certification programs. See a live demonstration and an interview with a utility arborist.

Participants will be free to interact with site hosts and ask questions through the Zoom Q&A feature and YouTube chat box. Learn more and register for the event [here](#).

Please forward this link to your local school districts.

For questions regarding this virtual event or registration please contact Sue Tenney, OEP Education Director, at stenney@ohioenergy.org. If you have questions about AMP's energy education partnership with OEP, please contact me at hkarg@amppartners.org or 614.309.0064.

FOCUS FORWARD 2021 WEBINAR SERIES

To register, contact Erin Miller, assistant vice president of energy policy and sustainability at 614.540.1019 or by email at emiller@amppartners.org.

- May 13, 10–11 a.m. 
Electric Vehicles: Incentives and Managed Charging
- July 15, 2–3 p.m. 
Data Analytics and Rate Design
- September, TBD 
What do Customers Want? Using Design Thinking for Program Development
- November 9, 2–3 p.m. 
Community Solar 101 and Models



The Focus Forward Advisory Council has identified these topics to help educate and inform AMP's members about emerging industry trends and to prepare for further integration of distributed energy resources.



AMP holds virtual safety training course

By Scott McKenzie - director of member training and safety

On April 20, AMP conducted the virtual training course *Dealing with Conflict*. In this session, participants learned about techniques to work through conflict in the workplace and the importance of understanding that conflict is good and unresolved conflict is bad because it could lead to an unsafe workplace.

If you were unable to attend, a video recording will soon be posted to the [Member Extranet](#) (login required) and the AMP YouTube channel (links available to members upon request). If you have any questions, need assistance accessing the Member Extranet or would like the YouTube link, please contact Jennifer Flockerzie at jflockerzie@amppartners.org or 614.540.0853.

AMP TECHNICAL AND SAFETY TRAINING WEBINAR SCHEDULE

In an effort to continue providing members with high-quality training opportunities, AMP has temporarily transitioned trainings to a webinar format. Please see the below schedule - we will continue to update the schedule as needed. We are in this together.

May 18, 9 a.m.
Responding to Heat Emergencies
Instructor: Kyle Weygandt

July 20, 9 a.m.
Are Monsters Real?
Instructor: Kyle Weygandt

June 15, 9 a.m.
Behavior Based Application and Safety Culture
Instructor: Steven Mutchler



For more information on the AMP Training Program or to access the virtual training webinars, please contact Jennifer Flockerzie, AMP's manager of technical services logistics, at jflockerzie@amppartners.org.



Energy market update

By Jerry Willman - assistant vice president of energy marketing

The May 2021 natural gas contract increased \$0.057/MMBTU to close at \$2.749 yesterday. The EIA reported an injection of 38 Bcf for the week ending April 16, which was below industry estimates of +47 Bcf. Last year was an injection of 47 Bcf and the five-year average was +37 Bcf. Storage is now 1,883 Bcf, 11.8 percent below a year ago and 0.6 percent above the five-year average.

On-peak power prices for 2022 at AD Hub closed yesterday at \$32.60/MWh, which was \$0.35/MWh lower for the week.

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

Week ending April 23

MON	TUE	WED	THU	FRI
\$31.95	\$40.54	\$38.25	\$38.27	\$35.46

Week ending April 16

MON	TUE	WED	THU	FRI
\$28.27	\$30.60	\$33.64	\$33.62	\$34.99

AEP/Dayton 2022 5x16 price as of April 22 — \$32.60

AEP/Dayton 2021 5x16 price as of April 15 — \$32.95

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center (AFEC) plant was offline for the week for its planned outage.

Security tip - Tricky PDF files

By Jared Price - vice president of information technology and CTO



Cybercriminals have a new favorite phishing lure: PDF files. A PDF is a standard file type that presents text and images in their original format regardless of which program you use to open the file. Unfortunately, this makes the use of PDFs a great way for cybercriminals to get creative and trick victims into clicking on malicious links.

One common tactic for phishing with PDF files is to include an image that looks like something that you should interact with. The PDF may include a fake captcha image with the "I am not a robot" checkbox. Or the PDF may include an image of a paused video with a play button over the display. If you try to click the captcha checkbox or play the phony video, you will actually be clicking a link to a malicious website.

Remember the following tips to avoid falling for these tricks:

- Never click or download an attachment in an email that you were not expecting. Contact the sender by phone if there are any questions.
- Remember that cybercriminals can use more than just links within emails to phish for your information. Always think before you click!
- If you receive a suspicious email, be sure to contact your IT department or follow the specific procedure for your organization. It is always better to be safe than sorry.

City of Bowling Green seeks applicants for two positions

Civil engineer (assistant city engineer)

Salaried exempt position assists City Engineer with supervision of activities of the Engineering Division; plan, design, review plans; project management of infrastructure improvements including transportation, drainage, waterline and sanitary sewers. Reviews plans of private & public improvements; oversees planning, design, and management of public works projects; supervises project inspection; attends committee meetings at TMACOG, etc. Registration as a Professional Engineer in Ohio preferred; five to seven years of relevant experience; and must have a current Ohio Driver's License.

Interested persons must complete an application packet that is available either by visiting the personnel department of the City of Bowling Green at 304 N. Church St, Bowling Green, OH 43402-2399 or by accessing it online [here](#). Resumes may be included but will not substitute for a completed application. Application materials must be returned to the personnel department by one of the following methods: email to BGPersonnel@bgohio.org, fax to 419.352.1262 or by U.S. Mail or hand-delivery to the address above. Office hours are Monday through Friday, 8:00 a.m.-4:30 p.m. You may reach the personnel department by phone at 419.354.6200. Deadline for making application is on May 10, 4:30 p.m. AA/EEO

Arborist

The City of Bowling Green is seeking applicants for the position of arborist. This salaried, exempt position is responsible for planning, organizing and directing all activities related to acquiring, planting, maintaining, or removing trees on city properties and rights of way, and removing certain private property trees, which are a menace to public property or welfare. The arborist provides support to the city's tree commission and management of the city's urban trees; assists other departments in related activities. Works primarily at the community level, provides technical guidance and supervises urban forestry activities. Develops, administers plans/procedures including policies, objectives, long- and short-term maintenance schedules, yearly tree acquisition and planning program(s), coordinates all activities with the Tree City USA program; establishes a removal/replacement policy for public trees; ability to write and administer an urban forestry plan; serves as liaison and coordinator between city departments and neighborhood associations and other groups regarding the Urban Forestry Plan and other tree service activities; plans, organizes and directs the work activities of employees engaged in tree/shrub maintenance; creates electrical line clearance work plans; maintains and enforces the city's tree ordinances and tree care policies; analyzes data and compiles reports; maintains the budget; prepares and presents educational; attends committee meetings; and performs other related tasks as assigned. The position requires a bachelor's degree in urban forestry, arboriculture, forest management horticulture, agriculture or other related field required and three years of administrative experience in forestry, tree care and maintenance. Must possess a valid Ohio driver's license; must be able to drive, and must obtain ISA (International Society of Arboriculture) certification within six months of hire. A copy of the job description will be provided to applicants.

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City of Columbus seeks applicants for plant maintenance mechanic

The City of Columbus is seeking qualified candidates for the position of plant maintenance mechanic. To apply, one must first take the open-competitive examination. Applications may be submitted to the Civil Service Commission by applying online at www.csc.columbus.gov by April 30. Applicant tracking is now managed by NEOGOV. If you have submitted a profile in the past, you will have to submit a new one through NEOGOV.

This position will be responsible for installing, maintaining, repairing and removing industrial mechanical equipment. To qualify you must have completed the twelfth grade and have two years of experience assisting in the installation, maintenance, repair and/or removal of industrial mechanical equipment. Substitution(s): A GED will be accepted in lieu of completion of the twelfth grade. Possession of a valid driver's license is required. Salary: \$47,673-\$65,790.

Please contact the Civil Service Commission at 614.645.8300 with questions. EOE.

City of Milford seeks applicants for electric superintendent

The City of Milford Public Works Department is seeking applicants for the position of electric superintendent. The electric superintendent oversees the overall operations of the city's electric system that serves approximately 7,500 homes and businesses from two substations in approximately a 12-square-mile service territory, covering all of Milford and portions of unincorporated areas of Kent and Sussex Counties. The system peaks at just over 46,000 MW and delivers over 225 million kWh annually.

The electric superintendent supervises approximately 11 employees, including those covered under the International Brotherhood of Electrical Workers, Local Union 126 Collective Bargaining Agreement. The electric superintendent is responsible for construction, maintenance and design of the distribution system, including substation operations and maintenance. Electricity is purchased in bulk from the Delaware Municipal Electric Corporation. Work is performed under the general supervision of the public works director.

The city is seeking applicants with a bachelor's degree in electrical engineering (preferred) or a related field with at least five years' experience; or 10 years' experience in the electric utility industry with considerable supervisory and management experience may be substituted for a degree; or any combination of education and experience equivalent to the requirements. Possession of a valid Delaware vehicle operator's license and Class B CDL (minimum - within one year of date of hire) is preferred.

The city offers a comprehensive, competitive benefits package. Please apply online at www.cityofmilford.com.

City of Marshall seeks applicants for finance director

The City of Marshall is a quaint Norman Rockwell style community with a population of 7,068 in lower, central Michigan. The city is located less than one hour from the campuses of the University of Michigan and Michigan State University, two hours from Detroit and beautiful Lake Michigan, and three hours from Chicago. Marshall has installed a fiber to the premises system to every property in the city, with symmetrical speeds up to 10 mbps.

The community is seeing unusual growth, with over \$1 billion of industrial growth. Click [here](#) to view a "Choose Marshall" 2018 wrap-up video. Located at the intersection of I-94 and I-69, the crossroads of international highways, the city is preparing for large industrial and residential growth with a 1,000-acre mega industrial site. The downtown district is 97 percent commercially occupied. The city has the largest National Historic Landmark District in Michigan, with many neighborhoods of historic homes.

Qualification for the finance director position include a degree in accounting, finance or a related field and a minimum of five years' experience in municipal finance. Annual salary of \$75,000-\$85,000, depending on qualifications, with excellent benefits. A complete job description and application instructions can be found at www.cityofmarshall.com.

The City of Marshall is an Equal Opportunity Employer.

Opportunities available at AMP

AMP is seeking applicants for the following positions:

- Director of corporate health and safety
- Lead circuit rider and general safety coordinator

For complete job descriptions, please visit the [AMP careers page](#).

