✓ Jun 2022			July 2022			Aug 2022 ►
Sun	Mon	Tue	Wed	Thu	Fri 1	Sat 2
3	4 4 <sup>th</sup> of July City Offices Closed	<b>5</b> 6:15 pm Technology Committee 7:00 pm City Council	6	<b>7</b> 5:00 pm Preservation Comm	8	9
10	11 6:30 pm Electric Committee Board of Public Affairs 7:00 pm Water/Sewer Comm. 7:30 pm Municipal Properties Committee	<b>12</b> 4:30 pm Board of Zoning Appeals 5:00 pm Planning Commission	13	14	15	16
17	<b>18</b> 6:00 pm Tree Commission 6:00 pm Park Rec Committee 7:00 pm City Council	19	20	21	22	23
24	25 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	<b>26</b> 4:30 pm Civil Service Commission	<b>27</b> 6:30 pm Park and Rec Board	28	29	30
31			<u> </u>			

City of Napoleon, Ohio PRESERVATION COMMISSION Meeting Agenda Thursday, July 7, 2022 at 5:00 pm NPC-22-01 NPC-22-02 CERTIFICATE OF APPROPRIATENESS The Parlor Beauty Company – 716 N. Perry Street The Way Church- 620 & 630 Monroe Street LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio The WebEx link to the meeting will be posted on the City's website at <u>www.napoleonohio.com</u>

- 1. Organization of Commission
- 2. Approval of June 24, 2021 Minutes (In the absence of any objections or corrections, the Minutes shall stand approved.)

### 3. NPC 22-01 (The Parlor Beauty Company) – 716 N. Perry Street

An application has been filed by Destry Belau of The Parlor Beauty Company located at 714 N. Perry St. In the City of Napoleon, State of Ohio. This applicant is to place an exterior mural on the North side of the business building in the alley. The mural would be a painting depicting a woman, suns, moons, and stars. The request is pursuant to Chapter 1138 of the Codified Ordinances of the City of Napoleon, Ohio. The property is in a C-1 General Commercial Zoning District and is within the City's Preservation District.

### 4. NPC 22-02 (The Way Church) – 620 & 630 Monroe Street

An application has been filed by Leupp Building Service Inc. The owner of the building located at 620 & 630 Monroe St. in the City of Napoleon, Ohio. This applicant is requesting to place an exterior wall sign on the North side of the Way Church building. The sign will advertise its name and hours of service. The request is pursuant to Chapter 1138 of the Codified Ordinances of the City of Napoleon, Ohio. The property is in a C-1 General Commercial Zoning District and is within the City's Preservation District.

- 5. Any other matters to come before the Commission.
- 6. Adjournment.

Marrisa Hull ~ Clerk of Council



City of Napoleon, Ohio Kevin Schultheis, Zoning Admin. Code Enforcement 255 West Riverview Napoleon, OH 43545 Telephone: (419) 592-4010 Fax: (419) 599-8393 www.napoleonohio.com

June 7, 2022

NPC-22-01

### Certificate of Appropriateness For The Parlor Beauty Co. 714 N. Perry St.

### Memorandum

To: Members of the Napoleon Preservation Commission From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer Reference: Certificate of Appropriateness Meeting Date: June 28, 2022 @ 1630 Hrs. Hearing # NPC-22-01

Background:

An Application has been file by Destry Belau of The Parlor Beauty Co. located at 714 N. Perry St. In the City of Napoleon, State of Ohio. This applicant is asking to place an exterior mural on the North side of the business building in the alley. The mural would be a painting depicting a woman, suns, moons, and stars. The request is pursuant to Chapter 1138 of the Codified Ordinance of Napoleon, Ohio. The property is located in a C-1 General Commercial Zoning District and is within our Preservation district.



City of Napoleon, Ohio Kevin Schultheis, Zoning Admin. Code Enforcement 255 West Riverview Napoleon, OH 43545

Napoleon, OH 43545 Telephone: (419) 592-4010 Fax; (419) 599-8393 www.napoleonohio.com

June 7, 2022

### **Notice of a Public Hearing**

A Public Hearing will be held by the Preservation Commission of the City of Napoleon in the Council Chambers of the City Building, located at 255 W. Riverview Ave. on June 28, 2022 at 4:30 Pm to consider:

An application has been filed by **Destry Belau of The Parlor Beauty Company**. The applicant is requesting to paint a mural on the alley side wall located at 716 N. Perry Street. The request is pursuant to Chapter 1138 of the Codified Ordinances of the City of Napoleon, Ohio. The property is in a C-1 General Commercial Zoning District and is within our Preservation District.

Anyone interested in this project may submit their views in writing prior to this hearing date. Complete details are available for inspection and discussion from Mr. Kevin Schultheis, Code Enforcement/Zoning Administrator, from 7:30 am to 4:00 pm Monday through Friday.

### **Application for Public Hearing**

City of Napoleon, Ohio

I/We hereby request a public hearing to consider the following:

Planning Commission(MZON 100.1700.46690)Conditional Use\$125.00Amendment\$125.00Subdivision in City\$75.00 + \$5.00 each, afterPreliminary Plat of Develor\$125.00Alley Vacation\$25.00 + publication cost	opment	\$25.00 Re-Zoning \$125.00 Variance \$125.00 Administrative Appeal \$50.00
Address of property: 714 N Perm	y st. Napoleon	\ 
Description of request:		
Mural on Parkin Woman, surs, moor	ng lot Wall Ist stars	
DESTVY BLIQU OWNER(S) NAME (PRINT)		
30771 THILVOFF Rd. H ADDRESS- CITY, STATE, ZIP 49944 4316 PHONE NUMBER	tolgate. 04.43527	
SIGNATURE		
<b>***Public hearings are held on the sec</b> Administrator thirty (30) days before <i>information must accompany this appli</i>	the public hearing date. All plans, pl	lats, deeds and other requested
APPLICANT MUST BE AN OWNER OR OF APPOINTMENT.	AN AUTHORIZED REPRESENTIVE	EVIDENCED BY LETTER

OF APPOINTMENT.		
Destry Belau		30771 Thieroff Rd.
APPLICANT NAME (PRINT	.)	ADDRESS
APPLICAN DIGNATURE		Holactte DH · 43527 CITY, STATE, ZIP
		41991010 UB15 PHONE
Hearing #:	Hearing Date:	Zoning District:
Office Use Only		
Batch #	Check #	Date





City of Napoleon, Ohio Kevin Schultheis, Zoning Admin. Code Enforcement <sup>255 West Riverview</sup> Napoleon, OH 43545 Telephone: (419) 592-4010 Fax: (419) 599-8393 www.napoleonohio.com

July 7, 2022

NPC-22-02

### Certificate of Appropriateness For The Way Church 620&630 Monroe St.

### **Memorandum**

To: Members of the Napoleon Preservation Commission From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer Subject: Certificate of Appropriateness Meeting Date: July 7, 2022 @ 5:00 PM Hearing#: NPC-22-02

### **Background:**

An application has been filed by Leupp Building Service Inc. The owner of building located at 620&630 Monroe St. in the City of Napoleon, Ohio. This applicant is requesting to place an exterior wall sign on the North side of the Way Church building. The sign will advertise its name and hours of service. The request is pursuant to Chapter 1138 of the Codified Ordinance of the City of Napoleon, Ohio. The Property is in a C-1 General Commercial Zoning District and is within our Preservation district.

City of Napoleon, Ohio I/We hereby request a public hearing to consider the following: Planning Commission Preservation Commission Board of Zoning Appeals (MZON 100.1700.46690) MZON 100.1700.46690) (MZON 100.1700.46690) Conditional Use Certificate of Appropriateness Certificate of Zoning \$125.00 \$25.00 \$25.00 Amendment **Re-Zoning** \$125.00 \$125.00 Subdivision in City Variance \$75.00 + \$5.00 each, after two \$125.00 Preliminary Plat of Development Administrative Appeal \$125.00 \$50.00 Alley Vacation \$25.00 + publication cost MONROC Address of property. Description of request: Sigo with Name United Builling Service, Inc. Gregory H. Leupp OWNER(S) NAME (PRINT) 3870 N. Bay View Rol. Angola, IN 46703 ADDRESS-CITY, STATE, ZP 260.668-9853 PHONE NUMBER SIGNATUR

**Application for Public Hearing** 

\*\*\*Public hearings are held on the second Tuesday of each month; this petition must be filed with the Zoning Administrator thirty (30) days before the public hearing date. All plans, plats, deeds and other requested information must accompany this application before the hearing will be scheduled. \*\*\*

APPLICANT MUST BE AN OWNER OR AN AUTHORIZED REPRESENTIVE EVIDENCED BY LETTER OF APPOINTMENT.

APPLICANT NAME (PRINT) APPLIC NT SIGNATURE

3870 N. By Univ Rol ADDRESS

Hugola IN CITY, STATE ZIP 46703

260-668-9853 PHONE

Hearing	#:	
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Hearing Date:

Zoning District:

Batch # Date			Office Use Only
	Date	Check #	Batch #





City of Napoleon, Ohio

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

THE FOLL MEAN THAT AT A THE FEAT AND A FEAT

LOCATION OF PROPERTY: 620/630 Monroe St.	
OWNER NAME: Leupp Builling Source, Inc PHONE: 260-668-9853	
OWNER ADDRESS: 3870 N. By View Rol Angola, IN 46703	

CONTRACTOR NAME:

PHONE:

IS CONTRACTOR REGISTERED WITH THE CITY OF NAPOLEON? YES NO

### STRAINEDROFT

TYPE: POST X WALL GROUND AWNING MONUMENT

DIMENSIONS:	 = TOTAL S.F.	

\*\* PLEASE INCLUDE ANY AND ALL SITE PLANS AND PLANS OF ABOVE SIGNS.

### 1.20 CANA

\$35.00 BASE UP TO 50 S.F. OF SIGN, PLUS \$0.20 PER ADDITITIONAL S.F., NOT TO EXCEED \$150.00 (100-1700-46610)

\$5.00 FLAT FEE FOR TEMPORARY SIGNS, TEMPORARY SPECIAL EVENT SIGNS, AND PORTABLE SIGNS OTHER THAN THOSE EXEMPT FROM FEE. (SEE BELOW)

NO FEE REQURED FOR TEMPORARY AND EASILY REMOVABLE 15T AMENDMENT SIGNS, OR SIGNS RELATED TORELIGIOUS OR CHARTIABLE CAUSES OR EVENTS.

**ESTIMATED CONSTRUCTION COST \$** 

ESTIMATED COMPLETION DATE

APPLICANT SIGNATURE

15/2022

Zoning Office Use Only			
Batch #	Check #	Date	

01. 64

### City of Napoleon, Ohio

### PRESERVATION COMMISSION MEETING MINUTES

NPC 21-02 ~ 831 N. PERRY STREET ~ SMALL TOWN ROOTS SALON

Thursday, June 24, 2021 at 4:30 pm

### PRESENT

Committee Members	Chris Peper-Chair, Marvin Barlow, Kevin Milius-via WebEx
Clerk of Council	Roxanne Dietrich
City Staff	Kevin Schultheis, Zoning Administrator
Others	Desarae Miller-Applicant
ABSENT	
<b>Commission Members</b>	Gabe Pollock, Tonya Wagner

### CALL TO ORDER

At 4:31 pm, the Preservation Commission meeting was called to order by Chairman Peper.

### **APPROVAL OF MINUTES**

The Minutes from the June 8, 2021 Preservation Commission meeting we approved as presented.

### NPC 21-02 - 831 N. Perry Street

Peper read the background for NPC 21-02. An application has been filed by Desarae Miller of Southside Studio. The applicant is requesting to place a new business sign above the doorway at 831 N. Perry Street with a new name and owner. The premises is currently a hair salon, Downtown Hair Company, and the applicant is looking to put a new sign up "Small Town Roots Salon".

Schultheis presented his background. An application has been filed by Desarae Miller of Studio South. The applicant is requesting to place an new exterior sign above the entrance door of 831 N. Perry Street. The request is pursuant to Chapter 1138 of the Codified Ordinances of the City of Napoleon, Ohio. The property is in a C-1 General Commercial Zoning District and is within our Preservation District. She is taking an exterior sign down and putting a new one up. Peper asked if there is any neon or lighting on the sign and if there was would that be put in your information? Schultheis said no lighting and yes. If there was electrical, we would put it in there as they would have to file an application with the Wood County Engineer's office for the inspection. Peper asked Miller you are moving from the south side to 831 N. Perry and you are renaming it. Miller replied that is correct. We are conjoining Studio South and Downtown Hair Company into one, Small Town Roots. Peper asked what services will be offered? Miller said for now just basic services offered will be offered.

Motion: Barlow Second: Milius to approve NPC 21-02, to place a new exterior business sign at 831 N. Perry Street.

Roll call vote on the above motion: Yea-Barlow, Milius, Peper Nay-Yea-3, Nay-0. Motion Passed.

### ADJOURN

Motion: Barlow Second: Milius to adjourn the Preservation Commission meeting at 4:35 pm

Roll call vote on the above motion: Yea-Barlow, Milius, Peper Nay-

### Yea-3, Nay-0. Motion Passed.

### Approved

July 7, 2022

Chris Peper - Chair



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 Finance Director, Law Director, Department Heads,
	News-media
From:	Marrisa Hull, Clerk
Date:	June 27, 2022
Subject:	Technology and Communications Committee –
	Cancellation

The regularly scheduled meeting of the Technology and

Communications Committee for Tuesday, July 5, 2022, at 6:15 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

### **CITY COUNCIL**

**MEETING AGENDA** 

### Tuesday, July 05, 2022 at 7:00 pm

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

- A. Call to Order
- B. Attendance (Noted by Clerk)
- C. Prayer and Pledge of Allegiance
- D. Swearing in of Firefighter/ Paramedic Josh Anderson
- E. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved) June 20, 2022 Regular Council Meeting Minutes
- F. Citizen Communication

### G. Reports from Council Committees

- 1. Finance and Budget Committee met on June 27, 2022
  - a. Recommend Council to approve the Second Quarter Budget Adjustments
  - b. Recommend Council to approve the 2023 Revenue Budget
- 2. Safety and Human Resources Committee met on June 27, 2022
  - a. To Recommend Council to approve the Fire Departments Part-time Pay Scale
  - b. Recommend Council to approve the 2023 Revenue Budget
- 3. Technology and Communications Committee did not meet earlier tonight due to lack of agenda items

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

1. Civil Service Commission met on June 22, 2022 at 4:30 pm to administer the Police Officer agility test.

### I. Introduction of New Ordinances and Resolutions

- 1. Ordinance No. 037-22, An Ordinance amending the City of Napoleon, Ohio Engineering Department Rules and Regulations; and declaring an Emergency
- 2. Ordinance No. 038-22, An Ordinance supplementing the annual appropriation measure (supplement No. 2) for the year 2022; and declaring an Emergency (Suspension Requested)
- 3. Ordinance No. 039-22, An Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriation 2) from one appropriation line item to another appropriation line item pursuant to ORC. Section 5705.40 for the fiscal year ending December 31, 2022 as listed in Exhibit A; and declaring an Emergency (Suspension Requested)
- 4. **Resolution No. 041-22**, A Resolution authorizing the approval of a TREX Liquor License for Saneholtz-McKarns, Inc., located within the City of Napoleon, Ohio (Suspension Requested)
- 5. **Resolution No. 042-22**, A Resolution adopting the 2023 Tax Budget for the City of Napoleon, Ohio, as required in Sections 5705.28 and 5705.281 of the Ohio Revised Code and directing the Finance Director to file the same with the County Auditor; and declaring an Emergency (Suspension Requested)

### J. Second Reading of Ordinances and Resolutions

- 1. Ordinance No. 034-22, an Ordinance creating the Non-Bargaining position of Assistant Operations Superintendent for the City of Napoleon, Ohio on a Temporary Basis; and declaring an Emergency
- 2. Ordinance No. 035-22, an Ordinance Amending a certain Section of the City of Napoleon Personnel Code, specifically Section 197.06(b), "Residency Requirements"

### K. Third Reading of Ordinances and Resolutions - None

- L. Good of the City (Any other business as may properly come before Council, including but not limited to):
  - 1. Discussion/Action: Apply for OPWC (Issue II) SCIP/LTIP funding. (direct Law Director to draft legislation)
  - 2. Discussion/Action: on recommendation to approve the Fire Departments Part-time Pay Scale
  - 3. Discussion/Action: on recommendation to approve the Municipal Court Bailiff/ Probation Officer Position
  - 4. Discussion/Action: Update on the Brownfield Grant Application for the Cultural Center of Henry County
  - 5. Discussion/Action: Accept donation of a used school bus from The Napoleon Schools to the City of Napoleon Safety Services to use for training
  - 6. Discussion/Action: Accept Donation of \$1,000 from the local Eagles #4428 to the Police Departments for summer outreach programs
  - 7. Discussion/Action: Accept Donation of \$200 to Parks & Rec Dept. for Family Memberships to Napoleon Aquatic Center
- M. Executive Session (as may be needed)
- N. Approve Payment of Bills (In the absence of any objections or corrections, the payment of bills shall stand approved.)
- **O.** Adjournment

Marrisa Hull – Clerk

U:\Marrisa\2022\COUNCIL\07 JULY\07 05 2022\07 05 2022 City Council Agenda.docx Records Retention: FIN-30 Permanent

### A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

- 1. Technology & Communication Committee (1<sup>st</sup> Monday) (Next Regular Meeting: August 1, 2022 @6:15 pm)
- Electric Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, July 11, 2022 @6:30 pm)
   a. Review of Power Supply Cost Adjustment Factor for July 2022
  - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)
- (Next Regular Meeting: Monday, July 11, 2022 @7:00 pm)
  Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)
- (Next Regular Meeting: Monday, July 11, 2022 @7:30 pm)
   Parks & Recreation Committee (3<sup>rd</sup> Monday) (Next Regular Meeting: Monday, July 18, 2022 @6:00 pm)
- 6. Finance & Budget Committee (4<sup>th</sup> Monday) (Next Regular Meeting: Monday, July 25, 2022 @6:30 pm)
- Safety & Human Resources Committee (4<sup>th</sup> Monday) (Next Regular Meeting: Monday, July 25, 2022 @7:30 pm) a.The discussion on Juneteeth (August 22, 2022 meeting)
- 8. Personnel Committee (as needed)
- B. Items Referred or Pending in Other City Committees, Commissions & Boards
  - 1. Board of Public Affairs (2<sup>nd</sup> Monday)
    - (Next Regular Meeting: Monday, July 11, 2022 @6:30 pm)
    - a. Review of Power Supply Cost Adjustment Factor for July, 2022
    - b. Electric Department Report
  - 2. Board of Zoning Appeals (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, July 12, 2022 @4:30 pm)
  - 3. Planning Commission (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, July 12, 2022 @5:00 pm)
  - 4. Tree Commission (3<sup>rd</sup> Monday) (Next Regular Meeting: Monday, July 18, 2022 @6:00 pm)
  - 5. Civil Service Commission (4<sup>th</sup> Tuesday) (Next Regular Meeting: Tuesday, June 28, 2022 @4:30 pm)
  - 6. Parks & Recreation Board (Last Wednesday) (Next Regular Meeting: Wed., June 29, 2022 @6:30 pm)
  - 7. Privacy Committee (2nd Tuesday in May & November) (Next Regular Meeting: Tuesday, November 8, 2022 @10:30 am)
  - 8. Records Commission (2<sup>nd</sup> Tuesday in June & December) (Next Regular Meeting: Monday, December, 2022 @6:45 pm)
  - 9. Housing Council (1st Monday after the TIRC meeting)
  - 10. Health Care Cost Committee (as needed)
  - 11. Preservation Commission (as needed)
  - 12. Napoleon Infrastructure/Economic Development Fund Review Committee (NIEDF) (as needed)
  - 13. Tax Incentive Review Council
  - 14. Volunteer Firefighters' Dependents Fund Board (as needed)
  - 15. Volunteer Peace Officers' Dependents Fund Board (as needed)
  - 16. Lodge Tax Advisory & Control Board (as needed)
  - 17. Board of Building Appeals (as needed)
  - 18. ADA Compliance Board (as needed)

### City of Napoleon, Ohio

### **CITY COUNCIL MEETING MINUTES**

Monday, June 20, 2022 at 7:00 pm

### PRESENT

Ross Durham- Council President Pro-Tem, Lori Siclair, Ken Haase, Molly Knepley, Dr. David Cordes
Jason Maassel
Joel Mazur
Billy Harmon
Kevin Garringer
Clayton O'Brien- Fire Chief
David Mack- Police Chief
Greg Kuhlman- Electric Superintendent
News- Media
Acting Recorder Joel Mazur
Joe Bialorucki- Council President
Daniel Baer- Council Member

### **CALL TO ORDER**

Council President Pro-Tem Durham called the City Council meeting to order at 7:00pm with the Lord's Prayer followed by the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

The minutes from the June 6, 2022 Council meeting were approved as presented.

#### **CITIZEN COMMUNICATION-** None

### **REPORTS FROM COUNCIL COMMITTIES**

The Electric Committee meeting for June 13, 2022 had no action taken due to lack of quorum.

The Water, Sewer, Refuse, Recycling and Litter Committee for June 13, 2022 did not meet due to lack of agenda items.

Knepley, chair of The Municipal Properties, Building, Land Use and ED Committee reported the committee met on June 13, 2022; and

- Recommend council approve amending the engineering rule 4.1.3 regarding the width of driveways by adding unless approved by the engineer and modifying the drainage calculations in rule 4.1.6.

- Recommend council approve the additional improvement to be made to the Police Department Building.

The Park and Rec Committee meeting for June 20, 2022 did not meet due to lack of agenda.

### INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

### Ordinance No. 034-22- Temporary Assistant Operations Superintendent

Council President Pro-Tem Durham read by title read by title Ordinance No. 034-22, an Ordinance creating the non-Bargaining position of Assistant Operations Superintendent for the City of Napoleon, Ohio on a Temporary Basis; and declaring an Emergency.

Motion: Haase Second: Dr. Cordes To approve first read of Ordinance No. 034-22

Mazur stated as previously discussed this was a recommendation from The Safety and Human Resources Committee meeting that met on May 23, 2022. The recommendation was to hire an assistant superintendent at the Operations Department to prepare for Jeff Rathge's retirement occurring around June 1, 2023.

Roll call vote to approve First Read of Ordinance No. 034-22 Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed.

### Ordinance No. 035-22- Amended Personnel Code

Council President Pro-Tem Durham read by title Ordinance No. 035-22, , an Ordinance Amending a certain Section of the City of Napoleon Personnel Code, specifically Section 197.06(b), "Residency Requirements"

Motion: Siclair Second: Knepley To approve first read of Ordinance No. 035-22

Chief O'Brien stated the residency requirement for the part- time personnel is currently a 15 mile radius, as the crow flies for all personnel. There are part timers that live outside of that 15 miles that would work, so the old ordinance needs cleaned up. Maassel asked if a part timer becomes a full timer, then they would have to move closer? Chief O'Brien replied stating currently it county or adjoining county is the way it works now. Full time residency is county or adjoining county, while part time responders is a 15 mile radius. Initially back when that was first created we did not have part timers that actually worked at the station. The only people to ever work at the station were full time, now we have part timers that work at the station.

Roll call vote to approve First Read of Ordinance No. 034-22 Yea- Siclair, Durham, Haase, Cordes, Knepley Nay-

### Yea-5, Nay-0. Motion Passed.

### Resolution No. 036-22- Maumee Valley East CHIP Consortium

Council President Pro-Tem Durham read by title Resolution No. 036-22, a Resolution Authorizing the City of Napoleon to remain in the Maumee Valley East CHIP Consortium in order to submit an Application for the Fiscal Year 2022 Community Housing Improvement Program (CHIP) Funds to the Ohio Development Services Agency; and declaring an Emergency.

Motion: Haase Second: Knepley To approve first read of Resolution No. 036-22

Mazur explains this is for the City to re-enter into an agreement with the Maumee Valley planning Organization. The Maumee Valley East CHIP Consortium is comprised for the City of Napoleon, Fulton County, the City of Wauseon and Henry County. Maumee Valleys CHIP program is the community housing improvement program, it is used for housing improvements for eligible applicants in town. Suspension is being requested at the request of Maumee Valley Planning Organization due their application being due this week.

Motion: Haase Second: Dr. Cordes To suspend the rule requiring three reads of Resolution No. 036-22

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

### Yea-5, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 036-22 under suspension and emergency Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

Yea-5, Nay-0. Motion Passed.

### Second Reading of Ordinances and Resolutions- None

### Third Reading of Ordinances and Resolutions

### Ordinance No. 028-22- Opt out of Amended Substitute House Bill 172

Council President Pro-Tem Durham read by title Ordinance No. 028-22, an Ordinance Addressing the Provisions of and Authorizing the City of Napoleon, Ohio to Opt Out of Amended Substitute House Bill 172, and Reaffirming the Ban on the Possession, Sale, and Discharging, Igniting or Exploding Fireworks within the City of Napoleon, Ohio, as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon, Ohio as it existed prior to the enactment of Amended Substitute House Bill 172; and declaring an Emergency.

Motion: Knepley Second: Dr. Cordes To pass third read of Ordinance No. 028-22 on third read

Harmon advised he had nothing to add, we are just reaffirming our rules.

Roll call vote to pass Ordinance No. 028-22 on third read Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed.

### Resolution No. 029-22- Transfer of 10.10 Acres

Council President Pro-Tem Durham read by title Resolution No. 029-22, a Resolution Authorizing the Transfer of Certain Property to wit: Approximately 10.10 acres, more or less of real property, Parcel No. 28-070078.0200, owned by the City to the Community Improvement Corporation of Henry County, Ohio; and declaring an Emergency

Motion: Haase Second: Knepley To pass Resolution No. 029-22 on third read

Mazur states the closing date is currently scheduled for July 11, 2022, with work anticipated to start in September.

Roll call vote to pass Resolution No. 029-22 on third read Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

Yea-5, Nay-0. Motion Passed.

### GOOD OF THE CITY (Discussion/Action)

# Approval of Power Supply Cost Adjustment Factor for June 2022 as PSCAF 3-month averaged factor \$0.02156 and JV2 \$0.073844

Mazur explained the Power Supply Cost Adjustment is up this month due to it being in the shoulder months (February, March and April). There was congestion at the Prairie State Facility that has been resolved, but it will be carrying into the bills for this month. The global hike in energy prices are starting to be seen, this was discussed at The Board of Public Affairs meeting.

Motion: Knepley Second: Siclair

To approve June 2022, Power Supply Cost Adjustment Factor as 3-month averaged factor \$0.02156 and JV2 \$0.073844.

Roll call vote to approve June 2022 as PSCAF 3-month averaged factor \$0.02156 and JV2 \$0.073844. Yea- Siclair, Durham, Haase,Dr. Cordes, Knepley Nay-

Yea-5, Nay-0. Motion Passed.

# Recommendation from Board of Public Affairs to Move Forward with the Substation Fiber Connection Project

Mazur stated that 3-4 years back the previous Electric superintendent reviewed the pole attachment agreements between all entities that attached to our poles, each entity is required to pay a certain fee for the pole attachments. It was found that Ridgeville Telephone Company did not have a contract in place, since then an agreement has been entered with them to pay for the attachment fees. Just recently it has been made aware that the City is using a fiber line owned by Ridgeville and they are charging us a fee to use. The fiber is connected to our Glenwood and Northside Substations. Upon review by the electric department staff we have a quote and the summary of the recommendation to have a fiber line installed this year. The current quote is \$146,880, which should pay itself off short term being less than 10 years. Currently, we are paying Ridgeville \$40,000 for the lease and they a requesting a 20 year contract. This investment would allow the capacity for additional fiber usage should we ever need it. If approved by council this would be added to the second quarter budget adjustment and the necessary steps for contract work will be taken. Kuhlman stated that future contract renewals could end up being more and owning a fiber line has the ability to make money off of rental usage of the fiber. We would have to transfer places over like the Courthouse and Police Department, which might cost an additional \$20,000- \$30,000. Maassel asked with the 20 year contract with Ridgeville Telephone Company ending soon if a proposal from the Telephone Company with an updated rate has been received. Then advised if not, it would be beneficial to have those numbers before spending \$100,000 in anticipation of an increased rate. President Pro-Tem Durham asked Mazur if we were looking for approval. Mazur replied yes, looking for approval then we can add it to the second guarter budget adjustments and it will show up again in the 2<sup>nd</sup> Quarter Budget Adjustment legislation. Then go through the necessary steps in order to contract the workout, which then it would come back to City Council for approval of a contract for construction of this utility fiber line. Maassel replies if this is put in the second quarter budget adjustment, we are just adjusting it so it will give the appropriations. Are we still going to figure out exactly how much it is or do we know its \$154,000? Kuhlman stated that quote was as of March 20, this year. Mazur added the correct price was \$146,880. Cordes ask what we are paying each year for this. Kuhlman responded with \$13,700, the last contract they charged us an additional \$20,000 up front then \$13,000, totaling \$40,000. Pull attachments have not gone down since, if anything they have gone up. With this it is not just about poll attachments, there is a lot of money being made off fiber connections. Cordes adds there will a lot of extra bandwidth to be used by someone else.

Motion: Knepley Second: Siclair To approve moving forward with the substation fiber connection project

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

### Yea-5, Nay-0. Motion Passed.

### Recommendation to Amend Engineering Rules 4.1.3 regarding Drive Approaches by adding "unless approved by the Engineer" and to modify drainage calculations in Rule 4.1.6

Mazur asked to have the law director directed to draft legislation regarding this item. This was discussed previously in the Municipal Properties committee meeting. Once we have the legislation, we can go into details of the changes.

Motion: Knepley Second: Haase To direct the law director to draft legislation amending Engineering Rules 4.1.3

Roll call vote on the motion above Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed.

# Municipal Properties Committee Recommendation to Approve Additional Improvements at the Police Department Building

Mazur stated this was a topic in the Municipal Properties Committee meeting. The improvements would consist of a decontamination area to include a shower, sink, washer and dryer. This is needed for when a police officer comes into contact with something that they need to clean off right away and not take home. The quote for this project is \$10,400. Council President Pro-Tem Durham asked Chief of Police David Mack if this area would be located near the back door area. Chief Mack replied this area will be located where the current shower is located, which has not been modified since the Police Department moved into the building. With the exception of a shop sink being added at one point.

Motion: Knepley Second: Siclair To approve additional improvements at the Police Department Building

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed.

### Second Quarter Budget Adjustments [Finance Committee meets June 27, 2022]

Garringer stated this is in regards to the Finance Committee that is meeting next week. We are having second quarter budget adjustments and we are asking the law director to draft legislation following the said meeting. In addition I would like the motion to also include legislation for the annual revenue budget which needs to be submitted to the County Auditor in July, so it would be for the 2023 revenue budget as well.

Motion: Knepley Second: Haase To approve to direct law director to draft legislation for the second quarter budget adjustments and the 2023 Revenue Budget

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

### Yea-5, Nay-0. Motion Passed

# Economic Development (Trex) Transfer Form Approval for Saneholtz-McKarns, Inc. (Main Stop Location) (direct Law Director to draft legislation)

Mazur states this is a request to direct the law director to draft legislation for a Trexing permit that has been sent to us. This is for the company to bring in or transfer a liquor permit from a different area that

is available to our area. There is a process for this in the Ohio Liquor laws and they are requesting approval from the City to bring it to the Main Stop Location in our area. Harmon replied under 4303.29 the license can be transferred in if there is an "economic development project" and the liquor transfer is attached to that economic development project; with approval from the state to transfer the permit in. Economic development project has no definition in the statue or case law, but believe this would qualify as an economic development project. Looking at the potential numbers we would have a solid argument that this would be economically good for the City. Legislation might not be necessary but it would be a good thing for us and the company, so they can have it to attach to their application. Maassel asked if the company is transferring in a license they do not currently in use or if it is due to the type of license they have. Harmon replied a license still must be purchased from someone. The location of the license was not attached, but it can be transferred from other parts of the state. After the license is purchased and all the hoops are passed through assuming the state approves the transfer.

Motion: Siclair Second: Knepley To direct the Law Director to draft legislation for a trexing permit at the Main Stop location

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed

# Approve Donation of \$400 from BGT Charities to the Napoleon Police Department for the Summer Youth Program

Police Chief Mack stated this was a donation received for Cops and Bobbers, the kickball tournament and a few other programs that are currently being planned.

Motion: Haase Second: Dr. Cordes To accept the donation of \$400 from BGT Charities to the Napoleon Police Department

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed

### **AROUND THE TABLE**

Garringer- I have a couple things one is peak shaving. Just as a general reminder to everybody and as council members and members of the community that peak shaving does make a difference for our utility rates. If you look at the AMP bill, right on the bill it will say the amount of usage, peak shaving and total metered energy. The part of the formula for the Amp bill is based upon our peak of a day in a month by the hour. So, when it gets very hot and people pull a lot more power anything we can do as citizens to lower that peak amount certainly does help lower our electric usage/cost. The other thing on my agenda is to discuss Juneteenth. Juneteenth is now a federal, state, county and various cities/ villages holiday. This might need to go the Personnel Committee for the City of Napoleon to look at, also

recognizing Juneteenth as a holiday for the City of Napoleon. Mazur replied the Safety and Human Resources Committee would be the correct committee.

Knepley- Nothing for tonight, thank-you.

Siclair- I just want to share that my son completed the Buckeye Boys State this past week and what an amazing experience that was. I was so impressed and want to recognize the American Legion for that and they are wanting to sponsor boys and girls to go to those events each year. I appreciate it and they are to be commended. It is a great event and a great experience for him. I had a couple of complaints about trash at the boat ramp. I am down there in the mornings and do not usually see anything during the week. I guess this is mostly on the weekend when the boats come off. Is there a good reason to put a dumpster or something a little larger than a trash can? I do not know if it will make sense to just do it on the weekends, but apparently there were garbage bags. I received a picture of the garbage bags piled up beside the trash cans. Mazur replied that the problem with the trash cans in the parks now, is that people will take their garbage there and dump everything there. I don't think adding a dumpster is a good idea, but if you do not mind I can check with Sean and Tony. This will be to see what they do on a daily or weekly basis. I know they are out there first thing in the morning checking Ritter Park and the boat ramp. Siclair responded I thought I should mention that was their suggestion for improving the situation, but I had the same idea that you did. I just do not know what you would do about it, but it is unpleasant to look at and smelly sometimes too. The other part of that is I am noticing the docks are slowly disappearing, is there a deadline for those to be removed, the ones that are stored there, the personal ones. Garringer responded there used to be dates on the signs down there and I would assume they are still there. If the river is really high of course they are not going to. Mazur stated we have a record. What they are supposed to do each year is have them removed, it is not a permanent storage. I know there have been some years where they sit there. I think there was one year where we actually took some of them out. What we will do if we have a record of them is contact the property owners and tell them it is time for those to go. Siclair responded I did not know if there had been an allowance because of the work being done down there. Maybe they were there a little longer because they could not get them in right away. Mazur stated there has been enough time at this point that they should be out of there. I think the latest ones has a June date, one might have a July date.

Maassel- I have quite a few things. I know we talked about the Maumee Valley planning organization had a meeting last Monday. We talked about how are staying with their CHIP program. A lot of the meeting revolved around the upcoming improvements to US 24 between Napoleon and Defiance. Basically an interchange is going to get built over 17D. I know that's been a wild spot for a lot of places. A lot of county roads like Banner School Road are going to those interchanges. They are anticipating the traffic on US 24 at some point to mimic the current day traffic on I-75. So, more is coming on US24 not less. You are going to have less access points, hopefully, make it safer. Just like between here and Toledo. Where you have an interchange to get off, you cannot just get off on a county road. Maassel then referred to Chief Mack to talk about Cops and Bobbers. Chief Mack states it was an outstanding turnout, roughly 150 kids. We did not anticipate that at all, so it caused some interesting adjustments on Friday night. Henry County Sherriff's office sent several deputies and the Division of Wildlife sent multiple officers and wildlife individuals, who put on several demonstrations. Napoleon Fire was there with people as well. It was an outstanding turn out so we are looking forward to the kickball tournament at the end of June. Maassel added that Officer Strickland came to the Rotary Club and did a nice job.

Chief Mack said that Officer Strickland was the one that pulled that together and he does a phenomenal job with things like that. Maassel spoke to Chief O'Brien saying there was a fire in town last Wednesday and asked for a pre-look at what was found so far. I know nobody was hurt, which is the most important thing. Chief O'Brien added that no one was hurt at the fire. Nobody was actually home at the time of the fire, but when they got home there was a fire noted up in the bedroom. We were able to put the fire out and be back in service within an hour and 15 minutes. The state Fire Marshall Office came up and did the investigation. It is going to be left as an undetermined, I think they have an idea of how it started. I cannot really say it was one of those really hot days. So, as Garringer talked about peak shaving and the more energy that's used on a regular basis, it just heats a lot of those things up. That is maybe a possibility, but certainly cannot say for sure nobody was injured and nobody was home at the time. Maassel stated that he drove by later that day and the structure was still up and safety tape was around the place. It was nice to know that nobody got hurt, that is always the number one thing. Maassel stated to Mazur that he drove by Ritter Park and it looks like wooden chin up bars there with a sign that says don't touch. Can you give us a little enlightenment on that? Mazur replied that there was a donation made earlier this year for river swings. I think there were some there before and in addition to that some other swings are getting installed now. Maassel said I know we talked about during the Record Retention meeting doing some stuff for HR that Lanie had done on her way out. Maassel asked if the HR position has been posted. Mazur replied that the position is actually closed and an interview panel is set up. The vacancy will be filled here as soon as we get interview scheduled. Maassel states the first Monday is July 4, I am assuming we are meeting on the 5<sup>th</sup>. Maassel explained that if Juneteenth become a City holiday, if it was up to him to make it a floating day. It is hard enough as it is to schedule all the services we have to do and then get out of routine. You get people into a routine then right back out because all the other things going on. It is going to take a day later in the year or earlier in the year that is what I would do. I need to appoint Dr. Terry Holman to the Preservation Commission. Usually council just does a quick motion to approve that.

### Motion: Siclair Second: Dr. Cordes

To approve the appointment of Dr. Terry Holman to the Preservation Commission.

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nav-

### Yea-5, Nay-0. Motion Passed

I think a lot of us are hearing on WNDH that they are celebrating their 50<sup>th</sup> year of being on the air serving Napoleon and Henry County. I will probably do something for them before the month is over. Tony Cotter and I are working on something for Matt Hardy. Matt was on Parks and Rec Board for a long time and we have an idea for that. Last Tuesday around noon I received an email from Congressman Latta's Office, stating the Congressman is going to be in town on Friday if we had any places we would like to show him. I got a hold of Jennifer Arps and she made some calls to Dana and Tenneco. Both companies advised they would love to have him but they would like their people there too. Neither could get their people there within the short notice, so we could not go. We did stop at Paul Martin and Sons, Doug Martin showed him around and showed him some interesting things that they do out there. Then we took him to our Water Treatment Plant because that is the biggest project we have going on right now, infrastructure wise. Chad did a great job of being the tour guide and I really appreciate that. We all piled into my truck and Jennifer was able to tell the Congressman all about the stuff going on with U:\Marrisa\2022\COUNCIL\06 JUNE\06 20 2022\Council minutes 6-20-22.docx 9

Dana. Then we crossed the river bridge and talked about that project. Jennifer was able to talk about companies and the jobs they provide as we drove passed. We finished the tour at the city pool and then we stopped quickly at the golf course clubhouse. Justin Mullins from IT took some photos of us at the golf course. The golf course is celebrating its 100 years. I really appreciate Jennifer Arps for all her work with setting stuff up. It was Congressman, Nicole Giesige, Jennifer Arps, her assistant Kylie and myself that went Friday afternoon.

Haase- Vorwerk Park, the stone area really needs some work. Water was laying down there after the last storm making it look like a swimming pool. Last Wednesday I noticed it was nice to see hands on the time on top of the Courthouse.

Cordes- I would just like to say I heard a lot of good comments about the Cops and Bobbers. A couple of people even chuckled about the article written in the paper, they thought it was well written article.

Hamron- Nothing for me, thank-you.

Mazur- Ross, Joe and I went to the APPA National Conference we met a lot of people and got a lot of good content. Generally speaking the dynamics of the Electric Department and the Electric industry are just so ever changing and fast. In the near future I think there are some things we need to take a look at, in terms of metering and addressing concerns with adapting to changes with the draws from either electric vehicles or behind the meter generations from different sources. It is already here, but we should be preparing to expect more of it coming. The CEO of the Tennessee Valley Authority spoke at the conference and one of his statements he said we had the record peak that day and they were expecting a record peak the following day. Just talking about the term resilience and what it means to withstand that type of load at any given time. I feel like our loads growing and just trying to keep up by adapting for what is coming in the future. One of the things I would like to point out is the specifics in our system is Industrial Substation. If we were to do a rebuild as it is now, we would not be adapting for the future. I think in the long run what we are going to see play out is going with the AMP transmission decision. We are seeing that second transformer (future transformer) holding spot will play a role in the expansion of the electric system in the future. The last thing is that we have a glow golf event that we are helping put together with the Chamber and the Napoleon Golf Team. It is the first of its kind with us, so we are learning. Right now we are allowing 12 teams, if this gets overwhelming we may allow a couple more as of now there are 9 teams registered. Councilwoman Siclair and I talked a little bit about the golf team and Chamber will be fielding calls trying to get hole sponsors to help out the golf team.

Durham- The APPA conference was a blast to attend and thank you all for allowing me the opportunity. It was awesome to hear the great ideas that other municipalities are doing and hopefully we can bring some of that to Napoleon. I think we have a great City Manager to advance us in that field, so Joel thank you for your leadership.

### **Executive Session (Personnel)**

An executive session was requested for personnel. Harmon asked if we could make that more specific. Durham replied with the hiring of personnel. Harmon states that probably works to consider the potential appointment of personnel.

Motion: Siclair Second: Knepley To go into executive session to discuss potential appointment of personnel. U:\Marrisa\2022\COUNCIL\06 JUNE\06 20 2022\Council minutes 6-20-22.docx Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-

### Yea-5, Nay-0. Motion Passed

City Council went into Executive Session at 7:54 pm

Motion: Knepley Second: Dr. Cordes To come out of executive session for appointment of personnel at 8:04pm.

Roll call vote Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed

President Pro-Tem Durham states no action was taken.

I will accept a motion to appoint Marrisa Hull as Clerk of Council.

Motion: Siclair Second: Knepley To appoint Marrisa Hull as Clerk of Council.

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed

Approve Payment of Bills and Financial Reports (In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved)

### ADJOURNMENT

Motion: Haase Second: Dr. Cordes To adjourn the city council meeting at 8:05PM

Roll call vote on the above motion Yea- Siclair, Durham, Haase, Dr. Cordes, Knepley Nay-Yea-5, Nay-0. Motion Passed

Approved

July 5, 2022

Joe Bialorucki, Council President

Jason Maassel, Mayor

Marrisa Hull- Recorder

### ORDINANCE NO. 037-22

### AN ORDINANCE AMENDING THE CITY OF NAPOLEON, OHIO ENGINEERING DEPARTMENT RULES AND REGULATIONS, ALSO AMENDING PREVIOUS SCRIVENER'S ERRORS AND FORMATTING ISSUES; AND DECLARING AN EMERGENCY

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

**Section 1.** That, City Engineering Department Rules and Regulations found in Document NO. CNER98-1 is hereby amended and enacted as provided in Exhibit A, attached hereto and made a part hereof.

**Section 2.** That the City Engineering Department Rules and Regulations found in CNER98-1, as existed prior to the passage and enactment of this Ordinance, is repealed, and the Rules and Regulations as found in this Ordinance No.(s) 037-22 are current and effective.

**Section 3.** That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

**Section 4.** That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

**Section 5.** That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the timely planning, bidding, and implementation of City construction projects; 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, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper enforcement of current Engineering rules, 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:

Marissa Hull, Clerk of Council

I, Marissa Hull, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 037-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022; & 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.

Marissa Hull, Clerk of Council

Ordinance No. 037-22 Exhibit A

# City of Napoleon, Ohio Engineering Department Rules & Regulations

**Document No. CNER98-1** 

History

Adopted	July 15, 1998	Ordinance No. 30-98
Amended	August 7, 2006	Ordinance No. 062-06
Amended	October 16, 2006	Ordinance No. 100-06
Amended	May 2, 2016	Ordinance No. 009-16
Amended	June 6, 2016	Ordinance No. 020-16

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### RULE 1 DEFINITIONS

The following words and phrases, when used in the "City of Napoleon, Ohio Engineering Department Rules and Regulations", except as otherwise provided, shall have the meaning respectively ascribed to them in this section. (Amended – August 7, 2006 – Ordinance No. 062-06)

### **AASHTO Standards**

The most current edition of standards as established by the American Association of State Highway and Transportation Officials (AASHTO).

### **ASTM Standards**

The most current edition of standards as established by the American Society for Testing Materials.

### **AWWA Standards**

The most current edition of standards as established by the American Waterworks Association.

### Alley

A public right-of-way, usually located between streets, established to provide vehicular, pedestrian and utility access and service to the rear or side of lots or buildings.

#### Arterial Street

A public right-of-way established for the purpose of vehicular and pedestrian travel and to accommodate public utilities. An arterial street is the primary course of travel for traffic through a community and provides continuity for all rural and state routes that intersect the municipality.

#### **Collector Street**

A public right-of-way established for the purpose of vehicular and pedestrian travel and to accommodate public utilities. A collector street permits both direct access to abutting properties and through traffic.

#### **Commencing Construction**

The physical alteration of a site for the purpose of performing an improvement or development. This is not intended to include preparatory work required for surveying, design or layout.

### **Construction** Plan

Detailed drawings developed for the purpose of improving property. Generally utilized for properties greater than one (1) acre in area for which the proposed development shall result in a new subdivision, commercial or industrial site, or any extension of or from existing public infrastructure.

#### Cul-de-sac

A semicircular ending to a dead-end street intended to provide an area to turn vehicles around.

### **Dead-End Street**

A local street constructed with an outlet at only one end.

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### Development

As a verb, any construction upon a site, being vacant or occupied, resulting in the altered use or characteristics of the site. Generally utilized in reference to new subdivisions and/or facilities.

As a noun, the result or proposed result of construction upon a vacant site.

### EPA

The Environmental Protection Agency.

### Improvement

As a verb, any construction upon a site, being vacant or occupied, resulting in the altered use or characteristics of the site. Generally utilized in reference to the modification of an existing facility.

As a noun, the result or proposed result of construction upon an occupied or vacant site.

### Local Street

A public right-of-way established for the purpose of vehicular and pedestrian travel and to accommodate public utilities. A local street permits direct access to abutting properties and service to through traffic is discouraged.

### NGS

The National Geodetic Survey. (Amended - August 7, 2006 - Ordinance No. 062-06)

### **ODOT**

The Ohio Department of Transportation.

### **Private Street**

A privately owned right-of-way established for vehicular travel for the purpose of serving a private development.

#### **Public Street**

A right-of-way established for public purpose.

### Right-of-way

A continuous parcel of land, established within a plat or by legislation, for public purposes for the installation and maintenance of streets, sidewalks and utilities.

#### Sidewalk

A walkway, generally along the margin of a street, designed and prepared for the use of pedestrians, exclusive of road vehicles.

### Site

A parcel of land, occupied or vacant, to be the location of an improvement or development.

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# Site Plan

A drawing developed for the purpose of improving property. Generally utilized for properties of less than one (1) acre in area and including improvements resulting in an altered use of the site (i.e. - A parking lot).

## Street

A main way within a municipality including, but not limited to, the roadway, curbs, gutters and sidewalks.

## **10 States Standards**

The most current edition of recommended standards as established by the Great Lakes - Upper Mississippi River Board for water works and wastewater facilities.

# USGS

The United States Geological Survey.

# RULE 2 GENERAL CONDITIONS

#### Rule 2.1 Authority

The Ohio Revised Code, City Charter and legislation of the Council of the City of Napoleon, Ohio.

## Rule 2.2 Scope of Control

These "City of Napoleon, Ohio Engineering Department Rules and Regulations" apply to all rights-of-way and easements, either dedicated or to be dedicated, all extension of utilities, public or private, receiving City services and the development or any improvement of real estate within the corporation limits of the City of Napoleon, Ohio. Includes streets, sanitary sewers, storm sewers, water mains, pavement, drainage facilities and all appurtenances thereto. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 2.3 Effective Date

These "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall be effective immediately upon the adoption of legislation of the Council of the City of Napoleon, Ohio.

#### Rule 2.4 Approvals

Any approval given by the Engineer or the Public Works Director of the City of Napoleon shall be only for the drawings or plans submitted and reviewed and said approval shall be for one (1) calendar year from the date of said approval, thereafter said approval is automatically withdrawn unless the Owner, Developer or their Agent requests for good cause an extension of time and such extension is granted by the City Engineer. <u>Approval by the Public Works Director shall serve</u> as approval by the City Engineer, if the City Engineer position is vacant.

#### Rule 2.5 Violations & Penalties

(See Rule No. 6 contained herein) (Amended - August 7, 2006 - Ordinance No. 062-06)

#### Rule 2.6 Agreement

All persons, successors and assigns obtaining and accepting a permit or approvals for developing, subdividing, platting or improving from the City Engineer or <u>Public Works Director</u> or the <u>City Building Zoning</u> Department, accept and agree to be bound to these "City of Napoleon, Ohio Engineering Department Rules and Regulations".

# Rule 2.7 Interpretation

The provisions of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall be the minimum requirements adopted for the promotion of the health, safety, and welfare of the constituency of the City of Napoleon, Ohio. These "City of Napoleon, Ohio Engineering Department Rules and

Regulations" are not intended to repeal, abrogate, annul or in any manner interfere with any laws or rules of any governmental units having jurisdiction that are more stringent. Where these "City of Napoleon, Ohio Engineering Department Rules and Regulations" impose greater restrictions than those of existing laws and rules, then the provisions of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall govern.

## Rule 2.8 Correction and/or Modification

Any typographical, scrivener, or clerical error found in said "City of Napoleon, Ohio Engineering Department Rules and Regulations" may be corrected by the City Engineer or Public Works Director -upon joint approval of the City Manager, and upon the approval as to form and correctness by the City Law Director, without the necessity of further legislative action; further, nothing in this Ordinance shall be construed as limiting the authority of the City Manager or City Engineer or Public Works Director to establish additional rules and regulations not inconsistent with said "City of Napoleon, Ohio Engineering Department Rules and Regulations" manual without necessity of Council approval; however, any other modifications of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" require the approval by legislation of the City Council of the City of Napoleon, Ohio. The City Engineer or Public Works Director is expressly granted the authority by the City Council to create standard detailed drawings to supplement this manual without further approval of City Council. (*Amended – August 7, 2006 – Ordinance No. 062-06*)

# RULE 3 PROCEDURES

# Rule 3.1 General Statement

The following list of statements on procedure is to be followed in obtaining approval of the City Engineer, the City's respective boards or commissions and/or the Council of Napoleon, Ohio for subdivisions, platting, improving, and/or developing real estate. For the purpose of this section, the requirements set forth within the Subdivision Construction Planning section of this Article shall be followed for all subdivisions, planned unit developments and large-scale commercial and industrial developments. The requirements set forth within the Site Planning section of this Article shall be followed for all other developments, as determined by the City Engineer.

Unless otherwise approved by the Planning Commission and City Council prior to preliminary plan submittal, all streets, water mains, storm sewers, sanitary sewers, and traffic control devices and signage shall be constructed at owner or developer's expense to no less than the minimum standards set forth below and, once accepted by the City pursuant to Chapter 1105 of the City of Napoleon Code of Ordinances, be public infrastructure. Any improvement that is permitted by Council to remain as private shall also be constructed to no less than the minimum standards set forth below such that, in the event the improvements are petitioned to become public, the City may accept the improvements. (Amended – August 7, 2006 – Ordinance No. 062-06)

# Rule 3.2 Subdivision Construction Planning

#### Rule 3.2.1 ENGINEER AND SURVEYOR

All preliminary and detailed construction plans for the proposed development shall be prepared under the supervision of and certified by a Professional Engineer registered in the State of Ohio. All preliminary and final plats for the proposed development shall be prepared under the supervision of and certified by a Professional Surveyor registered in the State of Ohio.

# Rule 3.2.2 PRELIMINARY PLAN CONSIDERATION

The Owner, Developer or their Agent, along with their Engineer and Surveyor, shall consult with the City Engineer <u>or Public Works Director</u> and any other authority having jurisdiction in the matter. In the case of a subdivision, construction plans for the development will not be considered by the City Engineer <u>or Public Works Director</u> until a preliminary plat of the area in question has been approved in accordance with Chapter 1105 of the Codified Ordinances of the City of Napoleon.

# Rule 3.2.3 CONSTRUCTION STANDARDS

The most current edition of the City of Napoleon Standard Construction Drawings and Standard Specifications for Construction shall be used in conjunction with all

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construction planning and are available for a fee of twenty-five dollars (\$25.00) from the office of the City Engineer. All applicable standard drawings and specifications of ODOT, the Ohio EPA, AASHTO, AWWA and ASTM shall also be referenced, as required.

# Rule 3.2.4 MASTER PLANS AND REFERENCES

Along with the City of Napoleon Rules for Water and Sewer Service and the Fire Prevention Code (Chapter 1501 of the Codified Ordinances of the City of Napoleon), both as may be amended from time to time, the following documents and their amendments shall be used in the planning of the development. Copies of all referenced documents contained in these "City of Napoleon, Ohio Engineering Department Rules and Regulations" are on file in the office of the City Engineer or Public Works Director for review.

"Master Plan of Napoleon, Ohio" - 1957, Metropolitan Planners, Inc., or such plan as may be later adopted and on file in the office of the City Engineer. If such a later plan is developed and adopted, the later plan shall control.

"Study of Theoretical Vehicular On-Street and Off-Street Parking and Existing Parking Supply - City of Napoleon" - July, 1989, McDonnell Proudfoot & Associates, Inc.

"Water Distribution System Analysis - Napoleon, Ohio" - July, 1969, Jones & Henry Engineers, Limited.

"Water Distribution Study for the City of Napoleon, Ohio" - August, 1995, FBA Environmental, Inc.

"Sewerage Report - Napoleon, Ohio" - March, 1973, Jones and Henry Engineers, Limited.

"City of Napoleon - Facilities Plan for Wastewater Collection and Treatment" - October, 1976, Jones & Henry Engineers, Limited.

"Combined Sewer System Operational Plan for the City of Napoleon, Ohio" - December, 1995, Finkbeiner, Pettis & Strout, Inc.

"Napoleon, Ohio Wastewater System Master Plan" - August, 1996, Finkbeiner, Pettis & Strout, Inc.

"Flood Insurance Study - City of Napoleon, Ohio" - November, 1995, Federal Emergency Management Agency.

"Flood Plain Information - Maumee River - Napoleon, Ohio"; 1970; Army Corps of Engineers U.S. Army - Detroit District.

# Rule 3.2.5 PRELIMINARY CONSTRUCTION PLAN REQUIREMENTS <u>Electronic Four (4)</u> copies in PDF format of the preliminary construction plans shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall submit two (2) copies to the City Engineer or Public Works Director and shall be subject to and/or contain the following: (the

Preliminary Plat may be used as the base map for the preliminary construction plan).

The name of the Subdivision (or development), the name of the Owner or Developer, and the name and seal of the Professional Engineer and Professional Surveyor registered in the State of Ohio preparing the plans.

The scale of the preliminary plans shall not be smaller than one inch (1") equals one hundred feet (100').

The preliminary plan shall be submitted electronically in .pdf format. (Amended May 2, 2016 – Ordinance No. 009-16)

Location of development by Section, Township, and Range. (Amended – August 7, 2006 – Ordinance No. 062-06)

Scale of plan and north arrow.

Boundaries of the proposed development indicated by a heavy line including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

A location map of a scale not less than one inch (1") equals two thousand feet (2,000') showing the development in relationship to the corporation limits of the City of Napoleon.

Lot layout and location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, parks, permanent buildings, corporation and township lines, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

Show street names and scaled dimensions for all proposed roads, alleys, easements (with purpose stated) and areas to be reserved for parks, schools, or other public uses.

Angles shall be shown where streets intersect at something other than ninety degrees (90°).

Show the existing contours with the following intervals: Five feet (5') where the slope is greater than ten percent (10%). Two feet (2') where the slope is less than ten percent (10%). One foot (1') in flat areas.

Vertical Datum shall be USGS or NGS. (Amended - August 7, 2006 - Ordinance No. 062-06)

One (1) copy of drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events shall be submitted with the preliminary plans. If storm water retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal. All drainage calculations shall be prepared and sealed by a licensed

engineer. (Amended - May 2, 2016 - Ordinance No. 009-16)

If the area is to be developed in phases, the preliminary plan shall be for the entire development. (Amended – August 7, 2006 – Ordinance No. 062-06)

After the approval of the preliminary plan by the City Engineer, a reproducible copy of the plan shall be placed on file with the City Engineering Department.

Rule 3.2.6 DETAILED CONSTRUCTION PLANS

One (1) set of the detailed construction plans and specifications in .pdf format prepared by a Professional Engineer registered in the State of Ohio shall be submitted to the Zoning Administrator who shall distribute them to the City Engineer or Public Works Director and other appropriate department heads. (Amended – May 2, 2016 – Ordinance No. 009-16)

A title block shall be placed on each sheet showing the design engineer's name, the date when the drawing was done, the sheet number, the total number of sheets and a revision block.

There shall be a title sheet showing a location map, the name of the development, the name and signature of the owner; the name, signature and seal of the design engineer and a signature block for the approvals of the Mayor, the City Manager, and the City Engineer.

The plans shall include general notes, general summary, test boring locations and logs, intersection details and construction details.

One (1) electronic copy of the soil boring log and report, including recommendations for design and construction of streets, underground utilities and buildings, shall be submitted with the detailed construction plans. (Amended – May 2, 2016 – Ordinance No. 009-16)

Each plan and profile sheet shall have a north arrow and scales denoted and a minimum of one (1) site bench mark.

A note on the plans shall indicate that all work will be done in accordance with the latest ODOT Construction and Materials Specifications and with the City of Napoleon Standard Specifications for Construction.

All proposed improvements shall be shown in plan and profile.

All existing utilities and structures shall be shown in the plan and profile including, but not limited to, gas mains, storm and sanitary sewers, water mains and buried cables.

The type of pipe material, joints, strength, etc. shall be shown by ODOT, ASTM or AWWA nomenclature.

Details of special structures shall be included in the plans.

All property lines, dimensions, corporation limits, section lines, boundary lines, easements, and other survey lines shall be shown.

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The location, description and elevation of all bench marks shall be shown on the appropriate sheets.

USGS or NGS Datum shall be used. (Amended - August 7, 2006 - Ordinance No. 062-06)

Indicate references for all existing section corners, street intersections, property corners, etc. that are relevant to the construction.

All supporting data including survey information, pavement design calculations, soil test results, storm sewer design and construction estimates, including a ten percent (10%) contingency, shall be submitted with the detailed plans. (Amended – May 2, 2016 – Ordinance No. 009-16)

# Rule 3.2.7 FEES

The City Engineering Department shall charge a fee to the Owner or Developer to cover the cost of reviewing the Preliminary and Final Construction Plans, the Preliminary and Final Plat and Construction Inspection and Testing.

# **Construction Plans**

**Before the Preliminary Construction Plan review is begun,** the Owner, Developer or their Agent must pay a fee of two hundred dollars (\$200.00), plus ten dollars (\$10.00) per acre for every acre, or part thereof, within the proposed development up to a maximum of one thousand dollars (\$1,000.00), by check or money order payable to "City of Napoleon", noting "Engineering Plan Review". This fee is intended to cover the cost of reviewing the Preliminary and Final Construction Plans. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### City Inspection

City employed or City contracted inspectors shall be utilized during construction unless private inspectors are expressly authorized by the City Engineer. (Amended – August 7, 2006 – Ordinance No. 062-06)

## Inspection Fees Due and Payable

**Before construction has begun,** the Owner, Developer or their Agent shall: Advance the cost of inspection fees as it relates to City owned or contracted inspector(s) prior to any construction in an amount stated in Rule 3.3.5. (Amended – August 7, 2006 – Ordinance No. 062-06)

# Rule 3.2.8 WARRANTY

Following final plat approval and the dedication of streets and utilities for public use; however, prior to acceptance thereof by the City, the Owner or Developer shall agree to provide a minimum of a one (1) year warranty from the date of dedication for all work within the development. Such warranty shall be secured by the furnishing of a maintenance bond or irrevocable letter of credit running to the City in the amount equal to one hundred percent (100%) of the value of all streets and utilities to be dedicated for public use. Any work performed under the auspices of said warranty shall cause the time period to extend to one (1) year from the date of such warranty work for those items affected by such warranty

work, as well as a performance agreement as approved by the City Law Director. (Amended – August 7, 2006 – Ordinance No. 062-06)

# Rule 3.3 Site Planning

- Rule 3.3.1 ENGINEER OR ARCHITECT AND SURVEYOR All preliminary and detailed site plans for the proposed development shall be prepared under the supervision of and certified by a Professional Engineer or Architect registered in the State of Ohio. Boundary surveys and descriptions, when required, shall be prepared under the supervision of and certified by a Professional Surveyor registered in the State of Ohio.
- Rule 3.3.2 PRELIMINARY SITE PLAN CONSIDERATION The Owner, Developer or their Agent, along with their Engineer or Architect and Surveyor, shall consult with the City Engineer or <u>Public Works Director</u> and any other authority having jurisdiction in the matter.

# Rule 3.3.3 CONSTRUCTION STANDARDS

The most current edition of the City of Napoleon Standard Construction Drawings and Standard Specifications for Construction shall be used in conjunction with all planning and are available for a fee of twenty five dollars (\$25.00) from the office of the City Engineer. All applicable standard drawings and specifications of ODOT, the Ohio EPA, AASHTO, AWWA and ASTM shall also be referenced, as required.

# Rule 3.3.4 SITE PLAN REQUIREMENTS

- One (1) copy of the site plan in electronic .pdf format shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall distribute it to the City Engineer or Public Works Director and other appropriate department heads and shall be subject to and/or contain the following: (Amended – May 2, 2016 – Ordinance No. 009-16)

The name of the development, the name of the Owner or Developer, and the name of the Engineer or Surveyor preparing the plans. (Amended – August 7, 2006 – Ordinance No. 062-06)

Scale of plan and north arrow.

Property lines including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

Location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, permanent buildings, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

At a minimum, spot elevations shall be given for every one hundred (100) feet of surface to be developed.

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Vertical Datum shall be defined on the drawings.

One (1) copy of drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events may be requested to be submitted with the preliminary plans, as determined by the City Engineer. If storm water retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal. (Amended – May 2, 2016 – Ordinance No. 009-16)

If the area is to be developed in phases, the preliminary plan shall be for the entire development. (Amended – August 7, 2006 – Ordinance No. 062-06)

Rule 3.3.5 FEES (NOTE: 3.2.7 and 3.3.5 are not the same for Plan Review Fee) The City Engineering Department shall charge a fee to the Owner or Developer to cover the cost of reviewing the Site Plan. A fee shall also be charged for Construction Inspection and Testing, if required. (Amended – May 2, 2016 – Ordinance No. 009-16)

# Site Plans

**Before the Construction Plan review is begun,** the Owner, Developer or their Agent must pay a fee of two hundred dollars (\$200.00), by check or money order payable to "City of Napoleon", noting "Engineering Plan Review". This fee is intended to cover the cost of reviewing the Site Plans. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Inspection Fee Amounts

If construction inspection is performed by the City Engineering Department utilizing its own or contracted forces, as determined by the City Engineer, the Owner, Developer or their Agent shall: (Amended – August 7, 2006 – Ordinance No. 062-06)

- Pay an amount equal to two percent (2%) of the estimated cost of construction (including contingencies) of all improvements to be connected to City utilities, as verified by the City Engineer, for the City to provide part-time inspection services; or, (Amended - August 7, 2006 - Ordinance No. 062-06)
- 2. In the event the owner or developer hires or utilizes its own inspector responsible for the supervision of construction during the construction period with the consent of the City Engineer, the inspector shall be a professional engineer registered in the State of Ohio or employed by a qualified engineering consulting firm. The inspector shall be responsible to submit construction reports to the City Engineer or Public Works Director on a regular basis as determined by the City Engineer or Public Works Director and notify the City Engineering Department a minimum of one (1) working day prior to when testing is to be performed. (Amended August 7, 2006 Ordinance No. 062-06)

# RULE 4 ROADWAY AND DRAINAGE REQUIREMENTS

#### Rule 4.1 Pavement Design

Due to emergency vehicle access, all private streets shall be constructed to the same standards as public streets. (Amended – August 7, 2006 – Ordinance No. 062-06)

## Rule 4.1.1 SOIL TESTS

For every six hundred feet (600') of pavement length, one (1) soil boring shall be made by a qualified testing laboratory. All borings shall be made to a depth of four feet (4') below the proposed top of curb grade or to one foot (1') below the depth of the deepest proposed underground utility, whichever is greater. The soil samples taken at every boring shall be analyzed for:

- a. Visual classification.
- b. AASHTO group index.
- c. Atterburg limits.
- d. Liquid limit, plastic limit, plasticity index. The water table shall also be determined for each boring.

A minimum of one (1) sample per project or on larger projects one (1) sample out of six (6) shall be tested to determine the moisture-density relationship by the Standard Proctor Method (ASTM D-698, AASHTO T-99) and the bearing values by the use of the California Bearing Ratio Test.

The pavement cross section recommended by the testing firm shall prevail, unless the design is less than the minimum design standards set forth below.

#### Rule 4.1.2 PAVEMENT CROSS SECTION

Pavement for residential streets and parking lots shall include a minimum of one and one half inches (1½") of Asphalt Concrete Surface (ODOT Item 448 Type 1 Medium, PG 64-22), one and one half inches (1½") of Asphalt Concrete Intermediate (ODOT Item 448 Type 2 Medium, PG 64-22), three inches (3") of Bituminous Aggregate Base (ODOT Item 301 PG 64-22), and eight inches (8") of Compacted Aggregate Base (ODOT Item 304) installed in two (2) lifts. Subgrade stabilization fabric meeting the requirements of ODOT Item 712.09 Type D, soil type 2 (apparent opening size  $\leq 0.3$  mm) shall be required between the subgrade and the aggregate base. Heavier pavement designs shall be required for arterial streets and streets within commercial and industrial areas. (Amended – August 7, 2006 – Ordinance No. 062-06)

Rigid concrete pavements may also be utilized if approved by the City Engineer. The minimum residential concrete pavement shall be eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) installed in two (2) lifts. Subgrade stabilization fabric meeting

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the requirements of ODOT Item 712.09 Type D, Soil type 2 (apparent opening size  $\leq 0.3$  mm) shall be required between the subgrade and the aggregate base. Heavier pavements shall be required for arterial streets and streets within commercial and industrial areas. (Amended – August 7, 2006 – Ordinance No. 062-06)

Except for those streets designated as arterial streets, the standard width of pavement shall be twenty--nine feet (29') as measured from the back of curb with ODOT Type 2 concrete curb and gutter. ODOT Type 3 concrete curb and gutter may be utilized in new residential subdivisions. (Amended – August 7, 2006 – Ordinance No. 062-06)

The pavement width may be reduced to twenty-five feet (25') if existing right-ofway width prohibits standard width pavement and/or approved by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16)

Arterial streets shall be a minimum of thirty-three feet (33') in width as measured from the back of curb with ODOT Type 2 concrete curb and gutter. The concrete curb and gutter may be eliminated in industrial developments if approved by the City Engineer. Where curbs and gutters are eliminated, shallow grass drainage swales shall be provided along both sides of the roadway. (Amended – August 7, 2006 – Ordinance No. 062-06)

Streets shall be constructed with transverse slopes of one quarter inch  $(\frac{1}{4})$  per foot as measured from the centerline to the edge of asphalt. Parking lots shall be sloped to a point, or series of points, within the pavement so as not to shed storm water off the site. Such slopes shall not be less than one percent (1%).

Six inch (6") nominal diameter perforated under drains shall be provided along both sides of pavement. Underdrain inverts shall be four feet (4') below the top of curb. The under drains shall be located directly under the back of curb. Where no curbs are to be constructed, the under drains shall be located directly beneath the edge of the proposed pavement and the invert shall be four feet (4') below the edge of pavement. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 4.1.3 SIDEWALKS AND DRIVE APPROACHES

Sidewalks shall be located along both sides of streets, unless otherwise approved by the City Engineer. Sidewalks shall be four inches (4") of ODOT Item 499, Class "C" concrete over six-four inches (64") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411) except within five feet (5') of drive approaches and within the intersection of rights-ofways. At drive approaches and intersections, sidewalks shall be six inches (6") of ODOT Class "C" concrete over four six inches (46") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). (Amended June 6, 2016 Ordinance No. 020-16)(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

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Sidewalks shall be four feet (4') in width when located at least two feet (2') from the back of curb or edge of pavement, as applicable. Where within two feet (2') of the back of curb or edge of pavement, sidewalks shall be five feet (5') in width.

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Sidewalks shall have a transverse slope no greater than one quarter inch  $(\frac{1}{4}'')$  per foot, nor a longitudinal slope greater than one inch (1'') per foot.

Handicap ramps with curb drops shall be provided at all intersections. (Amended – August 7, 2006 – Ordinance No. 062-06)

Drive approaches for residential developments shall be a minimum six inches (6") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Commercial drive approaches shall be no less than eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Minimum drive approach curb cuts shall be fourteen feet (14'). Maximum drive approach curb cuts shall be thirty feet (30') for residential drives <u>unless approved by the Engineer</u>. Both minimum and maximum curb cuts include three feet (3') wide drive wings on each side of the drive approach. No residential lot shall have more than one (1) drive unless approved by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

Commercial and industrial drive approaches shall have Type 2A concrete curb with radii in place of wings. Commercial drive approach widths shall be submitted for review by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16)

Rule 4.1.4 VERTICAL GEOMETRY

A vertical curve shall be established where the algebraic differential of grade is greater than ninety-five hundredths percent (0.95%). Vertical curves shall be no less than fifty feet (50') in length.

Pavement grades shall be not less than fifty hundredths percent (0.50%), nor greater than five percent (5%), except in cases of extreme necessity. (Amended – August 7, 2006 – Ordinance No. 062-06)

Pavement and gutter grades shall be established on intersection details at the following locations: (Amended – August 7, 2006 – Ordinance No. 062-06)

- 1. At the end of all radii.
- 2. At the Center of all radii.
- At the intersection of pavement centerlines.
- 4. At any point necessary to clarify drainage.

#### Rule 4.1.5 HORIZONTAL GEOMETRY

The minimum allowable radius at intersections shall be twenty-five feet (25') as measured to the back of curb, except at intersections of a proposed street with an arterial street or state route where the minimum radius shall be thirty-five feet (35') as measured to the back of curb. If streets are not curbed, the minimum radii shall apply to the edge of payment. Where a street is terminated due to phasing, a temporary cul-de-sac shall be constructed. Temporary cul-de-sacs shall have a

minimum radius of thirty-five feet (35') and shall be constructed of twelve inches (12") of Compacted Aggregate Base (ODOT Item 304) installed in two (2) lifts. (Amended – August 7, 2006 – Ordinance No. 062-06)

The arrangement of streets in new subdivisions shall provide for the continuation of the principal existing streets in adjoining areas.

The angle of intersection between any street and an arterial street shall not be less than eighty degrees ( $80^\circ$ ) as measured from the centerline of each street. All other streets shall not intersect at an angle less than seventy degrees ( $70^\circ$ ).

Except in extreme cases, dead end streets shall not be permitted. Where a deadend is permitted, a cul-de-sac shall be provided at the terminus of the street. Culde-sacs shall have a minimum radius of fifty feet (50') as measured to the back of curb. (Amended – August 7, 2006 – Ordinance No. 062-06)

Horizontal curves shall be provided where the horizontal deflection exceeds two degrees (2°), fifteen (15) minutes. Horizontal curves shall not exceed the following:

- 1. The maximum degree of curve shall be eleven degrees (11°), thirty (30) minutes for arterial streets; and
- 2. The maximum degree of curve shall be sixteen degrees (16°), thirty (30) minutes for all other streets.

A Type "A" monument shall be placed at each change in direction of the centerline of right-of-ways, the intersection of centerlines of all street right-of-ways, the centerline of right-of-way at the end of all phased construction, and the center of all permanent cul-de-sacs. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 4.1.6 STORM SEWER SIZING

An overall drainage area layout plan showing the limits of the area contributing to each drainage pickup point shall be submitted with the detailed construction plans. The drainage design within the development shall be adequate to handle the entire contributing watershed area, along with its existing, proposed or probable future development, and not just the area being submitted for approval.

All extensions shall be to the farthest end of the development and shall be at the cost of the developer.

If the development is to be completed in phases, the overall drainage plan shall be submitted with the first set of detailed construction drawings and the storm outlet for the entire development shall be included for construction within the first phase.

Storm sewers shall be sized using the "Rational Method" (Q = CIA). The storm sewers shall be designed to flow just full for a five (5) year storm event. The hydraulic grade for each segment of sewer shall be checked by using the ten (10) year intensity-duration-frequency curve. The initial time of concentration (Tc) shall be not less than twenty (20) minutes.

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The runoff coefficients (C) to be used shall be based on a weighted coefficient of runoff using the following ranges:

Type of Ground Cover or Development	Runoff Coefficient (C)
Concrete or Asphalt Pavements	0.90
Roof Areas	0.90
Gravel/Stone Areas Roadways	0.50
Undeveloped Sites	0.20

Catch basin and curb inlet crossovers shall be twelve inch (12") nominal diameter and placed at no less than one percent (1%) slope.

Catch basins and curb inlets shall be constructed per the City of Napoleon Standard Construction Drawings.

Storm taps shall be provided for residential and commercial lots. Storm taps shall consist of a six inch (6") wyetce connected to the storm sewer main and a six inch (6") PVC crossover extended to the right-of-way line for each building lot in a development. The location and the elevation of the storm tap at the right-of-way line shall be shown on the detailed plans. Storm taps shall be utilized as outlets for footer drains and sump pumps only. Downspouts shall outlet onto the ground surface. (Amended – May 2, 2016 – Ordinance No. 009-16)

Rear yard drainage shall be provided by means of drainage swales and/or catch basins located between lots.

Manholes shall be provided at intervals not to exceed four hundred feet (400'), at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer.

A headwall with dump rock fill shall be provided at the outfall of a proposed storm sewer. Dump rock fill shall be ODOT Item 601.07 Type C.

The proposed outlet for the storm drainage system must be approved at the time of the preliminary plan. A method of on-site retention or detention of storm water shall be provided. Calculations for the sizing of a retention/detention pond or basin shall be based upon the following criteria: (Amended – May 2, 2016 – Ordinance No. 009-16)

Any increase in the volume of storm water runoff caused by site development shall be controlled such that the post-development peak rate of discharge does not exceed that of pre-development for all twenty-four (24) hour storms between the two (2) year frequency and the critical storm for all undeveloped <u>lots., as subsequently defined. \_\_In other words, when required, F</u>facilities shall be provided such that the volume of water equal to that produced under post-development conditions for the critical storm may be retained or detained on site while discharging at a rate not to exceed that produced by a two (2) year storm under pre-development conditions. Pre-development conditions assumes <u>the project site all developments</u> to be a grass lots. <u>For</u> parking or building additions to existing facilities, these rules apply to the

# proposed addition only, regardless of the runoff coefficient of the area affected by the addition. (Amended – May 2, 2016 – Ordinance No. 009-16)

The method by which the Owner or Engineer shall determine the changes in rates of runoff and runoff volumes is presented in Urban Hydrology for Small Watersheds (TR-55) as prepared by the US Department of Agriculture, Soil Conservation Service, Engineering Division and dated June, 1986. TR-55 is supplemented by the Ohio Supplement to Urban Hydrology for Small Watersheds.

To determine the critical storm for which control is required, the Owner or Engineer shall:

Calculate the storm water runoff for a two (2) year frequency, twenty-four (24) hour storm for undeveloped conditions (C = 0.20) and post-development of the site. The maximum allowable runoff from the proposed site shall be pre-development runoff.

Subtract the pre-development runoff from the post-development runoff and divide by the pre-development runoff to determine the percent of increase.

Determine the critical storm frequency for which storm water control is required from the following table:

Storm F	requency Requirer	nents
Equal to or	Less Than	Storm
Greater Than (%)	(%)	Frequency (Years)
	20	2
20	50	5
50	100	10
100	250	25
250	500	50
500		100

Example (critical storm):

Development Area = 6.25 acres

Pre-development "C" = 0.20 Post-development "C" = 0.80 (Amended – August 7, 2006 – Ordinance No. 062-06)

2 year, 24 Hour Rainfall = 2.60 inches (Table OH-1, TR-55 Ohio Supplement)

Q2A = (0.20)\*(2.0)\*(6.25) = 3.25 CFS Q2B = (0.80)\*(2.60)\*(6.25) = 13.00 CFS

(Q2B-Q2A)/(Q2A) = (13.00-3.25)/(3.25) = 3.0, or 300%

Therefore, the critical storm is the fifty (50) year frequency, twenty-four (24) hour storm. (Amended – May 2, 2016 – Ordinance No. 009-16)

Develop a unit hydrograph of the critical storm for the proposed development, including a horizontal line at the rate of allowable discharge (Q2A). Calculate the area beneath the curve and above the horizontal line. This will equate to the volume of retention or detention required.

Rule 4.1.7 Traffic Control Devices

The placement of all traffic control devices and signage in all phases of a development or subdivision shall be at the owner's or developer's expense until acceptance and in accordance with standards defined in the Manual Of Uniform Traffic Control Devices as on file with the City, or as otherwise directed by the City Engineer. (Amended – August 7, 2006 – Ordinance No. 062-06) (Amended – October 16, 2006 – Ordinance No. 100-06)

## Rule 4.2 Sanitary Sewers

#### Rule 4.2.1 GENERAL

All sanitary sewers shall meet all of the requirements of the Ohio EPA and the City of Napoleon Standard Specifications for Construction.

# Rule 4.2.2 SEWER EXTENSIONS

If a development can be reasonably served by the extension of an existing sewer, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said sewer. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.) (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 4.2.3 LIFT STATIONS

When a subdivision cannot be readily serviced by a sewer extension of an existing sanitary sewer by gravity flow, a lift station shall be required.

Lift stations shall be constructed at the cost of the Owner or Developer and shall be of the wet-well - dry-well type and shall include telemetering equipment.

The drawings and specifications for lift stations shall be submitted for approval with the detailed construction plans.

# Rule 4.2.4 SANITARY SEWER SERVICES

Sanitary sewers shall be a minimum of eight inches (8") in diameter and shall be constructed with six inch (6") diameter service connections to each proposed lot or unit within a development and shall be extended from the sanitary sewer main to the right-of-way line. A six inch (6") diameter cleanout shall be required at the right-of-way line. (Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

Service connections shall be constructed at no less than one percent (1%) slope, not greater than three percent (3%) slope and shall outlet directly into the sewer main, not into manholes unless authorized by the City Engineer. (Amended – August 7, 2006 – Ordinance No. 062-06)

Manholes shall be provided at intervals not to exceed four hundred feet (400'), at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer. (Amended – May 2, 2016 – Ordinance No. 009-16)

Where oversizing of the proposed sanitary sewers is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction. The oversizing of sanitary sewers to reduce the slope of the sewer and compensate for grade concerns is prohibited.

Prior to commencing with construction, the City Engineer or Public Works Director shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed sanitary sewers and an approved set of plans. Any construction

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commencing prior to the City Engineer <u>or Public Works Director</u> receiving such documentation shall be subject to penalties as subsequently defined.

# Rule 4.3 Water Mains

#### Rule 4.3.1 GENERAL

All water mains shall meet all of the requirements of the Ohio EPA and the City of Napoleon Standard Specifications for Construction.

# Rule 4.3.2 WATER MAIN EXTENSIONS

If a development can be reasonably served by the extension of an existing water main, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said water main. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.) (Amended – May 2, 2016 – Ordinance No. 009-16)

# Rule 4.3.3 WATER MAINS

Water mains shall be a minimum of eight inches (8") in diameter. Six inch (6") diameter water mains shall only be allowed if justified by the City of Napoleon's water model. All costs for modeling the proposed waterline shall be paid by the developer regardless of the findings. (Amended – May 2, 2016 – Ordinance No. 009-16)

Service connections shall be installed by the contractor responsible for the installation of the respective water mains.

Service connections shall be provided for each building lot within a development and shall be extended from the water main to the right-of-way line with a curb valve and box installed at the right-of-way line. (Amended – May 2, 2016 – Ordinance No. 009-16)

Service connections shall be sized based upon the water fixture unit demand as determined by current building codes. However, no service connections shall be less than one inch (1") diameter, Type K copper.

Water mains shall be "looped", where possible.

Where oversizing of the proposed water mains is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction.

Valves shall be located as follows:

- 1. The lesser of not more than every five hundred feet (500') or at all intersections for commercial and industrial developments;
- 2. The lesser of not more than every eight hundred feet (800') or at all intersections for residential developments;
- 3. At all connections to existing water mains; and
- 4. At the end of all dead end water mains. Plugs shall also be provided at dead ends.

Fire hydrants shall be located as follows:

- 1. Every three hundred feet (300') for commercial and industrial developments;
- 2. Every five hundred feet (500') for residential developments; and
- 3. At the end of all dead end water mains.

Prior to commencing with construction, the City Engineer <u>or Public Works</u> <u>Director</u> shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and an approved set of plans. Any construction commencing prior to the City Engineer <u>or Public Works Director</u> receiving such documentation shall be subject to penalties as subsequently defined.

# RULE 5 CONSTRUCTION AND POST-CONSTRUCTION REQUIREMENTS

# Rule 5.1 Permits

The Owner or Developer shall obtain all applicable permits, including but not limited to, the Ohio EPA Permit to Install for water mains and sanitary sewers and building permits from the proper authorities, which may be necessary to proceed with the construction of the improvements. <u>An approved Notice of Intent (NOI)</u> must be applied for as per requirements of the OhioEPA.

Prior to commencing with construction, the City Engineer <u>or Public Works</u> <u>Director</u> shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and sanitary sewers along with an approved set of plans in .pdf format. Any construction commencing prior to the City Engineer <u>or Public</u> <u>Works Director</u> receiving such documentation shall be subject to penalties as subsequently defined. (Amended – May 2, 2016 – Ordinance No. 009-16)

# Rule 5.2 Restrictions on Plan Approval

The Owner or Developer shall, unless an extension of time is requested in writing and granted by the City Engineer, commence with the construction of the proposed improvement within one (1) year of the date of approval of the detailed construction plans and specifications.

Any proposed changes or alternates to the plan after approval, but prior to construction, shall be subject to the complete review process, including resubmittal to all applicable agencies.

Any proposed changes to the approved plan once construction has commenced shall be brought to the attention of and reviewed by the City Engineer. Any such modifications to the approved plan without the proper notification to the City Engineer or Public Works Director shall be subject to penalties as subsequently defined.

# Rule 5.3 Construction

The Owner or Developer shall pay all applicable inspection fees, as defined previously, **prior to commencing with construction**.

The Owner or Developer shall hire a qualified testing laboratory to provide testing services throughout construction including, but not limited to, compaction and concrete testing.

If the Owner or Developer opts to provide its own inspection services, the responsible inspector shall be a Professional Engineer registered in the State of Ohio or an agent thereof. The inspector shall provide the City with daily construction reports and shall inform the City a minimum of one (1) working day in advance of any testing procedure. The City shall maintain the right to reject any and all work performed.

## Rule 5.4 As-Built Plans

The Owner or Developer shall, within sixty (60) days after the completion of construction, submit one (1) set of electronic plans in .pdf format marked "AS-BUILT" to the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16)

The Owner's or Developer's Engineer shall provide a notarized affidavit certifying that the completion of the work is in accordance with the approved plans. If any changes to the approved plans occurred, a list of these deviations shall be included with the certification. A sample affidavit is available from the office of the City Engineer.

# RULE 6 VIOLATIONS AND PENALTIES

## Rule 6.1 Violations and Penalties

Criminal violations of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" and associated penalties therefore, shall be pursuant to City Ordinance 30-98, as may be amended from time to time, or codified.

# Rule 6.2 Revocation of Prior Approvals

In addition to the criminal penalties specified in Rule 6.1 above, the City Manager may, for a violation of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" or City Ordinance No. 30-98 as may be amended from time to time, or codified, (upon such finding by the City Manager after an informal hearing with the Owner, Developer or Agent thereof and the City Engineer, unless such hearing is waived), order the revocation of all prior approvals of the City and the City Engineer or Public Works Director relative to the property being developed. The failure to appear at a scheduled hearing after notice constitutes a waiver thereof. (Amended – August 7, 2006 – Ordinance No. 062-06)

## Rule 6.3 EPA Notification

Any work performed for the installation of sanitary sewers and/or water mains commenced without first obtaining the necessary permits or approvals of the Ohio EPA shall be reported directly to the Ohio EPA Northwest District Office.

## Rule 6.4 Administrative Penalties for Failure to Meet Specifications

If the Owner, Developer or Agent thereof, opts to provide their own inspection services and does not comply with the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations", the Owner, Developer or Agent shall be subject to Administrative Fines in the amount of fifty dollars (\$50.00) per day for each day that a violation exists, to be levied by the City Manager (upon a finding that the violation exists after an informal hearing with the Owner, Developer or Agent thereof and the City Engineer, unless such hearing is waived). Failure to appear at a scheduled hearing after notice constitutes a waiver thereof. All improvements completed during times when inspection does not meet the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" will not be accepted by the City.

# RULE 7 ADMINISTRATIVE APPEALS

#### Rule 7.1 Appeals in General

Any decision of the City Manager in regard to the denial, suspension or revocation of a permit, as required by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or any finding or imposition of an administrative fine, as authorized by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or forfeiture of prior approvals of the City Engineer or Public Works Director may be appealed to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council, so long as the appeal is commenced in a timely manner. (Amended – May 2, 2016 – Ordinance No. 009-16)

A filing fee of thirty-five dollars (\$35.00), as may be amended from time to time, will be charged for all appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council. However, this fee may be waived by the Finance Director in cases of indigence. Further, said fee will be returned if the appealing party prevails. (Amended – May 2, 2016 – Ordinance No. 009-16)

# Rule 7.2 Appeals from Decision of City Manager

After a hearing by the City Manager, a decision or order shall be rendered and delivered by either personal service or mailed to the person who filed the appeal at the last known address by regular mail.

An appeal from a decision of the City Manager, after hearing, may be taken to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council, so long as a notice of appeal is filed in writing with the Finance Director within thirty (30) business days after mailing of the decision or order of the City Manager or thirty (30) business days after rendering the decision or order by personal service to the person who filed the appeal. (Amended – May 2, 2016 – Ordinance No. 009-16)

Appeals will not stay the decision or order of the City Manager as a result of his/her finding.

Appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be held in a timely manner and will be informal in nature such that the rules of evidence shall not apply. (Amended – May 2, 2016 – Ordinance No. 009-16)

Such orders of the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be considered final. (Amended – May 2, 2016 – Ordinance No. 009-16)

# Rule 7.3 Scope of Appeals

The scope of all appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council shall be limited to the question of whether the City Manager acted unreasonably, arbitrary or capricious in his/her decision. The Committee may, upon a finding that the City Manager acted unreasonable, arbitrary or capricious in his/her decision, merely remand the

subject of appeal to the City Manager for further consideration. (Amended – May 2, 2016 – Ordinance No. 009-16)



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				
	Marissa Hull, Clerk of Council				
	Roxanne Dietrich, Administrative Assistant				
Date:	June 28, 2022				
Subject:	City of Napoleon, Ohio Engineering Rules &				
	Regulations Revisions				

As directed, revisions have been made to the City of Napoleon's Engineering Rules & Regulations (Rules). The major revisions are as follows:

- The Rules refer to the City Engineer as the person in charge of administering the Rules. Because of changes made in the personnel structure, the City Engineer position is technically vacant. The Public Works Director serves as the City Engineer while this position is vacant. Language has been added for clarification in the Rules.
- The Rules state that no residential drive approach shall be greater than 30' in width. The revisions include language that would allow the City Engineer/Public Works Director to waive this rule on a case-by-case basis (similar to the rule which previously required sidewalks to be installed on both sides of streets).
- The Rules state that detention is required for existing commercial/industrial properties when renovations are done on the site. The detention required the entire property to be included in the calculations. The revision allows would only require detention on the new portions of the site, not the entire existing infrastructure.

These revisions were discussed with and approved by the Municipal Properties, Buildings, Land Use, and Economic Development committee. If you have any questions or require additional information, please contact me at your convenience.

CEL

City of Napoleon, Ohio Engineering Department Rules & Regulations

**Document No. CNER98-1** 

History

Adopted	July 15, 1998	Ordinance No. 30-98
Amended	August 7, 2006	Ordinance No. 062-06
Amended	October 16, 2006	Ordinance No. 100-06
Amended	May 2, 2016	Ordinance No. 009-16
Amended	June 6, 2016	Ordinance No. 020-16
Amended	2022	Ordinance No. 037-22

# RULE 2 GENERAL CONDITIONS

# Rule 2.1 Authority

The Ohio Revised Code, City Charter and legislation of the Council of the City of Napoleon, Ohio.

# Rule 2.2 Scope of Control

These "City of Napoleon, Ohio Engineering Department Rules and Regulations" apply to all rights-of-way and easements, either dedicated or to be dedicated, all extension of utilities, public or private, receiving City services and the development or any improvement of real estate within the corporation limits of the City of Napoleon, Ohio. Includes streets, sanitary sewers, storm sewers, water mains, pavement, drainage facilities and all appurtenances thereto. (Amended – August 7, 2006 – Ordinance No. 062-06)

# Rule 2.3 Effective Date

These "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall be effective immediately upon the adoption of legislation of the Council of the City of Napoleon, Ohio.

# Rule 2.4 Approvals

Any approval given by the Engineer or the Public Works Director of the City of Napoleon shall be only for the drawings or plans submitted and reviewed and said approval shall be for one (1) calendar year from the date of said approval, thereafter said approval is automatically withdrawn unless the Owner, Developer or their Agent requests for good cause an extension of time and such extension is granted by the City Engineer. <u>Approval by the Public Works Director shall serve</u> as approval by the City Engineer, if the City Engineer position is vacant.

## Rule 2.5 Violations & Penalties

(See Rule No. 6 contained herein) (Amended - August 7, 2006 - Ordinance No. 062-06)

# Rule 2.6 Agreement

All persons, successors and assigns obtaining and accepting a permit or approvals for developing, subdividing, platting or improving from the City Engineer or <u>Public Works Director</u> or the <u>City Building Zoning</u> Department, accept and agree to be bound to these "City of Napoleon, Ohio Engineering Department Rules and Regulations".

# Rule 2.7 Interpretation

The provisions of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall be the minimum requirements adopted for the promotion of the health, safety, and welfare of the constituency of the City of Napoleon, Ohio. These "City of Napoleon, Ohio Engineering Department Rules and

Regulations" are not intended to repeal, abrogate, annul or in any manner interfere with any laws or rules of any governmental units having jurisdiction that are more stringent. Where these "City of Napoleon, Ohio Engineering Department Rules and Regulations" impose greater restrictions than those of existing laws and rules, then the provisions of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" shall govern.

#### Rule 2.8 Correction and/or Modification

Any typographical, scrivener, or clerical error found in said "City of Napoleon, Ohio Engineering Department Rules and Regulations" may be corrected by the City Engineer or Public Works Director -upon joint approval of the City Manager, and upon the approval as to form and correctness by the City Law Director, without the necessity of further legislative action; further, nothing in this Ordinance shall be construed as limiting the authority of the City Manager or City Engineer or Public Works Director to establish additional rules and regulations not inconsistent with said "City of Napoleon, Ohio Engineering Department Rules and Regulations" manual without necessity of Council approval; however, any other modifications of these "City of Napoleon, Ohio Engineering Department Rules and Regulations" require the approval by legislation of the City Council of the City of Napoleon, Ohio. The City Engineer or Public Works Director is expressly granted the authority by the City Council to create standard detailed drawings to supplement this manual without further approval of City Council. (Amended – August 7, 2006 – Ordinance No. 062-06)

# RULE 3 PROCEDURES

# Rule 3.1 General Statement

The following list of statements on procedure is to be followed in obtaining approval of the City Engineer, the City's respective boards or commissions and/or the Council of Napoleon, Ohio for subdivisions, platting, improving, and/or developing real estate. For the purpose of this section, the requirements set forth within the Subdivision Construction Planning section of this Article shall be followed for all subdivisions, planned unit developments and large-scale commercial and industrial developments. The requirements set forth within the Site Planning section of this Article shall be followed for all other developments, as determined by the City Engineer.

Unless otherwise approved by the Planning Commission and City Council prior to preliminary plan submittal, all streets, water mains, storm sewers, sanitary sewers, and traffic control devices and signage shall be constructed at owner or developer's expense to no less than the minimum standards set forth below and, once accepted by the City pursuant to Chapter 1105 of the City of Napoleon Code of Ordinances, be public infrastructure. Any improvement that is permitted by Council to remain as private shall also be constructed to no less than the minimum standards set forth below such that, in the event the improvements are petitioned to become public, the City may accept the improvements. (Amended – August 7, 2006 – Ordinance No. 062-06)

# Rule 3.2 Subdivision Construction Planning

#### Rule 3.2.1 ENGINEER AND SURVEYOR

All preliminary and detailed construction plans for the proposed development shall be prepared under the supervision of and certified by a Professional Engineer registered in the State of Ohio. All preliminary and final plats for the proposed development shall be prepared under the supervision of and certified by a Professional Surveyor registered in the State of Ohio.

# Rule 3.2.2 PRELIMINARY PLAN CONSIDERATION

The Owner, Developer or their Agent, along with their Engineer and Surveyor, shall consult with the City Engineer <u>or Public Works Director</u> and any other authority having jurisdiction in the matter. In the case of a subdivision, construction plans for the development will not be considered by the City Engineer <u>or Public Works Director</u> until a preliminary plat of the area in question has been approved in accordance with Chapter 1105 of the Codified Ordinances of the City of Napoleon.

# Rule 3.2.3 CONSTRUCTION STANDARDS The most current edition of the City of Napoleon Standard Construction Drawings and Standard Specifications for Construction shall be used in conjunction with all

construction planning and are available for a fee of twenty-five dollars (\$25.00) from the office of the City Engineer. All applicable standard drawings and specifications of ODOT, the Ohio EPA, AASHTO, AWWA and ASTM shall also be referenced, as required.

# Rule 3.2.4 MASTER PLANS AND REFERENCES

Along with the City of Napoleon Rules for Water and Sewer Service and the Fire Prevention Code (Chapter 1501 of the Codified Ordinances of the City of Napoleon), both as may be amended from time to time, the following documents and their amendments shall be used in the planning of the development. Copies of all referenced documents contained in these "City of Napoleon, Ohio Engineering Department Rules and Regulations" are on file in the office of the City Engineer or Public Works Director for review.

"Master Plan of Napoleon, Ohio" - 1957, Metropolitan Planners, Inc., or such plan as may be later adopted and on file in the office of the City Engineer. If such a later plan is developed and adopted, the later plan shall control.

"Study of Theoretical Vehicular On-Street and Off-Street Parking and Existing Parking Supply - City of Napoleon" - July, 1989, McDonnell Proudfoot & Associates, Inc.

"Water Distribution System Analysis - Napoleon, Ohio" - July, 1969, Jones & Henry Engineers, Limited.

"Water Distribution Study for the City of Napoleon, Ohio" - August, 1995, FBA Environmental, Inc.

"Sewerage Report - Napoleon, Ohio" - March, 1973, Jones and Henry Engineers, Limited.

"City of Napoleon - Facilities Plan for Wastewater Collection and Treatment" - October, 1976, Jones & Henry Engineers, Limited.

"Combined Sewer System Operational Plan for the City of Napoleon, Ohio" - December, 1995, Finkbeiner, Pettis & Strout, Inc.

"Napoleon, Ohio Wastewater System Master Plan" - August, 1996, Finkbeiner, Pettis & Strout, Inc.

"Flood Insurance Study - City of Napoleon, Ohio" - November, 1995, Federal Emergency Management Agency.

"Flood Plain Information - Maumee River - Napoleon, Ohio"; 1970; Army Corps of Engineers U.S. Army - Detroit District.

Rule 3.2.5 PRELIMINARY CONSTRUCTION PLAN REQUIREMENTS <u>Electronic Four (4)</u> copies in PDF format of the preliminary construction plans shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall submit two (2) copies to the City Engineer or Public Works Director and shall be subject to and/or contain the following: (the

Preliminary Plat may be used as the base map for the preliminary construction plan).

The name of the Subdivision (or development), the name of the Owner or Developer, and the name and seal of the Professional Engineer and Professional Surveyor registered in the State of Ohio preparing the plans.

The scale of the preliminary plans shall not be smaller than one inch (1") equals one hundred feet (100').

The preliminary plan shall be submitted electronically in .pdf format. (Amended May 2. 2016 Ordinance No. 009-16)

Location of development by Section, Township, and Range. (Amended – August 7, 2006 – Ordinance No. 062-06)

Scale of plan and north arrow.

Boundaries of the proposed development indicated by a heavy line including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

A location map of a scale not less than one inch (1") equals two thousand feet (2,000') showing the development in relationship to the corporation limits of the City of Napoleon.

Lot layout and location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, parks, permanent buildings, corporation and township lines, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

Show street names and scaled dimensions for all proposed roads, alleys, easements (with purpose stated) and areas to be reserved for parks, schools, or other public uses.

Angles shall be shown where streets intersect at something other than ninety degrees (90°).

Show the existing contours with the following intervals: Five feet (5') where the slope is greater than ten percent (10%). Two feet (2') where the slope is less than ten percent (10%). One foot (1') in flat areas.

Vertical Datum shall be USGS or NGS. (Amended – August 7, 2006 – Ordinance No. 062-06)

One (1) copy of drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events shall be submitted with the preliminary plans. If storm water retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal. All drainage calculations shall be prepared and sealed by a licensed

engineer. (Amended - May 2, 2016 - Ordinance No. 009-16)

If the area is to be developed in phases, the preliminary plan shall be for the entire development. (Amended – August 7, 2006 – Ordinance No. 062-06)

After the approval of the preliminary plan by the City Engineer, a reproducible copy of the plan shall be placed on file with the City Engineering Department.

# Rule 3.2.6 DETAILED CONSTRUCTION PLANS

One (1) set of the detailed construction plans and specifications in .pdf format prepared by a Professional Engineer registered in the State of Ohio shall be submitted to the Zoning Administrator who shall distribute them to the City Engineer or Public Works Director and other appropriate department heads. (Amended – May 2, 2016 – Ordinance No. 009-16)

A title block shall be placed on each sheet showing the design engineer's name, the date when the drawing was done, the sheet number, the total number of sheets and a revision block.

There shall be a title sheet showing a location map, the name of the development, the name and signature of the owner; the name, signature and seal of the design engineer and a signature block for the approvals of the Mayor, the City Manager, and the City Engineer.

The plans shall include general notes, general summary, test boring locations and logs, intersection details and construction details.

One (1) electronic copy of the soil boring log and report, including recommendations for design and construction of streets, underground utilities and buildings, shall be submitted with the detailed construction plans. (Amended – May 2, 2016 – Ordinance No. 009-16)

Each plan and profile sheet shall have a north arrow and scales denoted and a minimum of one (1) site bench mark.

A note on the plans shall indicate that all work will be done in accordance with the latest ODOT Construction and Materials Specifications and with the City of Napoleon Standard Specifications for Construction.

All proposed improvements shall be shown in plan and profile.

All existing utilities and structures shall be shown in the plan and profile including, but not limited to, gas mains, storm and sanitary sewers, water mains and buried cables.

The type of pipe material, joints, strength, etc. shall be shown by ODOT, ASTM or AWWA nomenclature.

Details of special structures shall be included in the plans.

All property lines, dimensions, corporation limits, section lines, boundary lines, easements, and other survey lines shall be shown.

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# Rule 3.3 Site Planning

- Rule 3.3.1 ENGINEER OR ARCHITECT AND SURVEYOR All preliminary and detailed site plans for the proposed development shall be prepared under the supervision of and certified by a Professional Engineer or Architect registered in the State of Ohio. Boundary surveys and descriptions, when required, shall be prepared under the supervision of and certified by a Professional Surveyor registered in the State of Ohio.
- Rule 3.3.2 PRELIMINARY SITE PLAN CONSIDERATION The Owner, Developer or their Agent, along with their Engineer or Architect and Surveyor, shall consult with the City Engineer or <u>Public Works Director</u> and any other authority having jurisdiction in the matter.

## Rule 3.3.3 CONSTRUCTION STANDARDS

The most current edition of the City of Napoleon Standard Construction Drawings and Standard Specifications for Construction shall be used in conjunction with all planning and are available for a fee of twenty five dollars (\$25.00) from the office of the City Engineer. All applicable standard drawings and specifications of ODOT, the Ohio EPA, AASHTO, AWWA and ASTM shall also be referenced, as required.

#### Rule 3.3.4 SITE PLAN REQUIREMENTS

- One (1) copy of the site plan in electronic .pdf format shall be submitted by the Owner, Developer or their Agent to the Zoning Administrator who shall distribute it to the City Engineer or Public Works Director and other appropriate department heads and shall be subject to and/or contain the following: (Amended – May 2, 2016 – Ordinance No. 009-16)

The name of the development, the name of the Owner or Developer, and the name of the Engineer or Surveyor preparing the plans. (Amended – August 7, 2006 – Ordinance No. 062-06)

Scale of plan and north arrow.

Property lines including the bearing and distance for each line and monuments found or set.

Names of adjacent subdivisions and/or owners of record.

Location of existing and proposed utilities and structures.

Show location, widths and names of existing streets, railroad right-of-way, easements, permanent buildings, location of wooded areas and other significant topographic and natural features within and adjacent to the proposed development.

At a minimum, spot elevations shall be given for every one hundred (100) feet of surface to be developed.

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Vertical Datum shall be defined on the drawings.

One (1) copy of drainage calculations showing pre- and post-development storm water runoff for two (2), five (5) and ten (10) year storm events may be requested to be submitted with the preliminary plans, as determined by the City Engineer. If storm water retention or detention is required based upon these calculations, preliminary pond sizing shall be included as part of the submittal. (Amended – May 2, 2016 – Ordinance No. 009-16)

If the area is to be developed in phases, the preliminary plan shall be for the entire development. (Amended – August 7, 2006 – Ordinance No. 062-06)

Rule 3.3.5 FEES (NOTE: 3.2.7 and 3.3.5 are not the same for Plan Review Fee) The City Engineering Department shall charge a fee to the Owner or Developer to cover the cost of reviewing the Site Plan. A fee shall also be charged for Construction Inspection and Testing, if required. (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Site Plans

**Before the Construction Plan review is begun,** the Owner, Developer or their Agent must pay a fee of two hundred dollars (\$200.00), by check or money order payable to "City of Napoleon", noting "Engineering Plan Review". This fee is intended to cover the cost of reviewing the Site Plans. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Inspection Fee Amounts

If construction inspection is performed by the City Engineering Department utilizing its own or contracted forces, as determined by the City Engineer, the Owner, Developer or their Agent shall: (Amended – August 7, 2006 – Ordinance No. 062-06)

- 1. Pay an amount equal to two percent (2%) of the estimated cost of construction (including contingencies) of all improvements to be connected to City utilities, as verified by the City Engineer, for the City to provide part-time inspection services; or, (Amended August 7, 2006 Ordinance No. 062-06)
- 2. In the event the owner or developer hires or utilizes its own inspector responsible for the supervision of construction during the construction period with the consent of the City Engineer, the inspector shall be a professional engineer registered in the State of Ohio or employed by a qualified engineering consulting firm. The inspector shall be responsible to submit construction reports to the City Engineer or Public Works Director on a regular basis as determined by the City Engineer or Public Works Director and notify the City Engineering Department a minimum of one (1) working day prior to when testing is to be performed. (Amended August 7, 2006 Ordinance No. 062-06)

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Except for those streets designated as arterial streets, the standard width of pavement shall be twenty--nine feet (29') as measured from the back of curb with ODOT Type 2 concrete curb and gutter. ODOT Type 3 concrete curb and gutter may be utilized in new residential subdivisions. (Amended – August 7, 2006 – Ordinance No. 062-06)

The pavement width may be reduced to twenty-five feet (25') if existing right-ofway width prohibits standard width pavement and/or approved by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16)

Arterial streets shall be a minimum of thirty-three feet (33') in width as measured from the back of curb with ODOT Type 2 concrete curb and gutter. The concrete curb and gutter may be eliminated in industrial developments if approved by the City Engineer. Where curbs and gutters are eliminated, shallow grass drainage swales shall be provided along both sides of the roadway. (Amended – August 7, 2006 – Ordinance No. 062-06)

Streets shall be constructed with transverse slopes of one quarter inch  $(\frac{1}{4}")$  per foot as measured from the centerline to the edge of asphalt. Parking lots shall be sloped to a point, or series of points, within the pavement so as not to shed storm water off the site. Such slopes shall not be less than one percent (1%).

Six inch (6") nominal diameter perforated under drains shall be provided along both sides of pavement. Underdrain inverts shall be four feet (4') below the top of curb. The under drains shall be located directly under the back of curb. Where no curbs are to be constructed, the under drains shall be located directly beneath the edge of the proposed pavement and the invert shall be four feet (4') below the edge of pavement. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 4.1.3 SIDEWALKS AND DRIVE APPROACHES

Sidewalks shall be located along both sides of streets, unless otherwise approved by the City Engineer. Sidewalks shall be four inches (4") of ODOT Item 499, Class "C" concrete over six-four inches (64") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411) except within five feet (5') of drive approaches and within the intersection of rights-ofways. At drive approaches and intersections, sidewalks shall be six inches (6") of ODOT Class "C" concrete over four-six inches (46") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). (Amended June 6, 2016 Ordinance No. 020-16)(Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

Sidewalks shall be four feet (4') in width when located at least two feet (2') from the back of curb or edge of pavement, as applicable. Where within two feet (2') of the back of curb or edge of pavement, sidewalks shall be five feet (5') in width.

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Sidewalks shall have a transverse slope no greater than one quarter inch  $(\frac{1}{4})$  per foot, nor a longitudinal slope greater than one inch (1) per foot.

Handicap ramps with curb drops shall be provided at all intersections. (Amended – August 7, 2006 – Ordinance No. 062-06)

Drive approaches for residential developments shall be a minimum six inches (6") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Commercial drive approaches shall be no less than eight inches (8") of ODOT Item 499, Class "C" concrete over six inches (6") of Compacted Aggregate Base (ODOT Item 304) or Stabilized Crushed Aggregate (ODOT Item 411). Minimum drive approach curb cuts shall be fourteen feet (14'). Maximum drive approach curb cuts shall be thirty feet (30') for residential drives <u>unless approved by the Engineer</u>. Both minimum and maximum curb cuts include three feet (3') wide drive wings on each side of the drive approach. No residential lot shall have more than one (1) drive unless approved by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

Commercial and industrial drive approaches shall have Type 2A concrete curb with radii in place of wings. Commercial drive approach widths shall be submitted for review by the City Engineer. (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 4.1.4 VERTICAL GEOMETRY

A vertical curve shall be established where the algebraic differential of grade is greater than ninety-five hundredths percent (0.95%). Vertical curves shall be no less than fifty feet (50') in length.

Pavement grades shall be not less than fifty hundredths percent (0.50%), nor greater than five percent (5%), except in cases of extreme necessity. (Amended – August 7, 2006 – Ordinance No. 062-06)

Pavement and gutter grades shall be established on intersection details at the following locations: (Amended – August 7, 2006 – Ordinance No. 062-06)

- 1. At the end of all radii.
- 2. At the Center of all radii.
- 3. At the intersection of pavement centerlines.
- 4. At any point necessary to clarify drainage.

#### Rule 4.1.5 HORIZONTAL GEOMETRY

The minimum allowable radius at intersections shall be twenty-five feet (25') as measured to the back of curb, except at intersections of a proposed street with an arterial street or state route where the minimum radius shall be thirty-five feet (35') as measured to the back of curb. If streets are not curbed, the minimum radii shall apply to the edge of payment. Where a street is terminated due to phasing, a temporary cul-de-sac shall be constructed. Temporary cul-de-sacs shall have a

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The arrangement of streets in new subdivisions shall provide for the continuation of the principal existing streets in adjoining areas.

The angle of intersection between any street and an arterial street shall not be less than eighty degrees ( $80^\circ$ ) as measured from the centerline of each street. All other streets shall not intersect at an angle less than seventy degrees ( $70^\circ$ ).

Except in extreme cases, dead end streets shall not be permitted. Where a deadend is permitted, a cul-de-sac shall be provided at the terminus of the street. Culde-sacs shall have a minimum radius of fifty feet (50') as measured to the back of curb. (Amended – August 7, 2006 – Ordinance No. 062-06)

Horizontal curves shall be provided where the horizontal deflection exceeds two degrees (2°), fifteen (15) minutes. Horizontal curves shall not exceed the following:

- 1. The maximum degree of curve shall be eleven degrees (11°), thirty (30) minutes for arterial streets; and
- 2. The maximum degree of curve shall be sixteen degrees (16°), thirty (30) minutes for all other streets.

A Type "A" monument shall be placed at each change in direction of the centerline of right-of-ways, the intersection of centerlines of all street right-of-ways, the centerline of right-of-way at the end of all phased construction, and the center of all permanent cul-de-sacs. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 4.1.6 STORM SEWER SIZING

An overall drainage area layout plan showing the limits of the area contributing to each drainage pickup point shall be submitted with the detailed construction plans. The drainage design within the development shall be adequate to handle the entire contributing watershed area, along with its existing, proposed or probable future development, and not just the area being submitted for approval.

All extensions shall be to the farthest end of the development and shall be at the cost of the developer.

If the development is to be completed in phases, the overall drainage plan shall be submitted with the first set of detailed construction drawings and the storm outlet for the entire development shall be included for construction within the first phase.

Storm sewers shall be sized using the "Rational Method" (Q = CIA). The storm sewers shall be designed to flow just full for a five (5) year storm event. The hydraulic grade for each segment of sewer shall be checked by using the ten (10) year intensity-duration-frequency curve. The initial time of concentration (Tc) shall be not less than twenty (20) minutes.

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The runoff coefficients (C) to be used shall be based on a weighted coefficient of runoff using the following ranges:

Type of Ground Cover or Development	Runoff Coefficient (C)
Concrete or Asphalt Pavements	0.90
Roof Areas	0.90
Gravel/Stone Areas Roadways	0.50
Undeveloped Sites	0.20

Catch basin and curb inlet crossovers shall be twelve inch (12") nominal diameter and placed at no less than one percent (1%) slope.

Catch basins and curb inlets shall be constructed per the City of Napoleon Standard Construction Drawings.

Storm taps shall be provided for residential and commercial lots. Storm taps shall consist of a six inch (6") wyetce connected to the storm sewer main and a six inch (6") PVC crossover extended to the right-of-way line for each building lot in a development. The location and the elevation of the storm tap at the right-of-way line shall be shown on the detailed plans. Storm taps shall be utilized as outlets for footer drains and sump pumps only. Downspouts shall outlet onto the ground surface. (Amended – May 2, 2016 – Ordinance No. 009-16)

Rear yard drainage shall be provided by means of drainage swales and/or catch basins located between lots.

Manholes shall be provided at intervals not to exceed four hundred feet (400'), at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer.

A headwall with dump rock fill shall be provided at the outfall of a proposed storm sewer. Dump rock fill shall be ODOT Item 601.07 Type C.

The proposed outlet for the storm drainage system must be approved at the time of the preliminary plan. A method of on-site retention or detention of storm water shall be provided. Calculations for the sizing of a retention/detention pond or basin shall be based upon the following criteria: (Amended – May 2, 2016 – Ordinance No. 009-16)

Any increase in the volume of storm water runoff caused by site development shall be controlled such that the post-development peak rate of discharge does not exceed that of pre-development for all twenty-four (24) hour storms between the two (2) year frequency and the critical storm for all undeveloped lots., as subsequently defined. \_In other words, when required, Ffacilities shall be provided such that the volume of water equal to that produced under post-development conditions for the critical storm may be retained or detained on site while discharging at a rate not to exceed that produced by a two (2) year storm under pre-development conditions. Pre-development conditions assumes the project site all developments to be a grass lots. For parking or building additions to existing facilities, these rules apply to the

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#### proposed addition only, regardless of the runoff coefficient of the area affected by the addition. (Amended – May 2, 2016 – Ordinance No. 009-16)

The method by which the Owner or Engineer shall determine the changes in rates of runoff and runoff volumes is presented in Urban Hydrology for Small Watersheds (TR-55) as prepared by the US Department of Agriculture, Soil Conservation Service, Engineering Division and dated June, 1986. TR-55 is supplemented by the Ohio Supplement to Urban Hydrology for Small Watersheds.

To determine the critical storm for which control is required, the Owner or Engineer shall:

Calculate the storm water runoff for a two (2) year frequency, twenty-four (24) hour storm for undeveloped conditions (C = 0.20) and post-development of the site. The maximum allowable runoff from the proposed site shall be pre-development runoff.

Subtract the pre-development runoff from the post-development runoff and divide by the pre-development runoff to determine the percent of increase.

Determine the critical storm frequency for which storm water control is required from the following table:

Storm F	requency Requiren	nents
Equal to or Greater Than (%)	Less Than (%)	Storm Frequency (Years)
	20	2
20	50	5
50	100	10
100	250	25
250	500	50
500		100

Example (critical storm):

Development Area = 6.25 acres

Pre-development "C" = 0.20 Post-development "C" = 0.80 (Amended – August 7, 2006 – Ordinance No. 062-06)

2 year, 24 Hour Rainfall = 2.60 inches (Table OH-1, TR-55 Ohio Supplement)

Q2A = (0.20)\*(2.0)\*(6.25) = 3.25 CFSQ2B = (0.80)\*(2.60)\*(6.25) = 13.00 CFS

(Q2B-Q2A)/(Q2A) = (13.00-3.25)/(3.25) = 3.0, or 300%

Therefore, the critical storm is the fifty (50) year frequency, twenty-four (24) hour storm. (Amended – May 2, 2016 – Ordinance No. 009-16)

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#### Rule 4.2 Sanitary Sewers

#### Rule 4.2.1 GENERAL

All sanitary sewers shall meet all of the requirements of the Ohio EPA and the City of Napoleon Standard Specifications for Construction.

#### Rule 4.2.2 SEWER EXTENSIONS

If a development can be reasonably served by the extension of an existing sewer, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said sewer. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.) (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 4.2.3 LIFT STATIONS

When a subdivision cannot be readily serviced by a sewer extension of an existing sanitary sewer by gravity flow, a lift station shall be required.

Lift stations shall be constructed at the cost of the Owner or Developer and shall be of the wet-well - dry-well type and shall include telemetering equipment.

The drawings and specifications for lift stations shall be submitted for approval with the detailed construction plans.

#### Rule 4.2.4 SANITARY SEWER SERVICES

Sanitary sewers shall be a minimum of eight inches (8") in diameter and shall be constructed with six inch (6") diameter service connections to each proposed lot or unit within a development and shall be extended from the sanitary sewer main to the right-of-way line. A six inch (6") diameter cleanout shall be required at the right-of-way line. (Amended – May 2, 2016 – Ordinance No. 009-16) (Amended – August 7, 2006 – Ordinance No. 062-06)

Service connections shall be constructed at no less than one percent (1%) slope, not greater than three percent (3%) slope and shall outlet directly into the sewer main, not into manholes unless authorized by the City Engineer. (Amended – August 7, 2006 – Ordinance No. 062-06)

Manholes shall be provided at intervals not to exceed four hundred feet (400'), at all changes in size, direction or grade, at the connection point between two (2) or more mainline sewers and at the upper terminus of the sewer. (Amended – May 2, 2016 – Ordinance No. 009-16)

Where oversizing of the proposed sanitary sewers is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction. The oversizing of sanitary sewers to reduce the slope of the sewer and compensate for grade concerns is prohibited.

Prior to commencing with construction, the City Engineer or Public Works Director shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed sanitary sewers and an approved set of plans. Any construction

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commencing prior to the City Engineer or Public Works Director receiving such documentation shall be subject to penalties as subsequently defined.

#### Rule 4.3 Water Mains

#### Rule 4.3.1 GENERAL

All water mains shall meet all of the requirements of the Ohio EPA and the City of Napoleon Standard Specifications for Construction.

#### Rule 4.3.2 WATER MAIN EXTENSIONS

If a development can be reasonably served by the extension of an existing water main, as determined by the City Engineer, the Owner, Developer or their Agent may petition the City for the extension of said water main. All extensions shall be to the farthest end of the development and shall be at the cost of the developer. (See also City of Napoleon Rules for Water and Sewer Service.) (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 4.3.3 WATER MAINS

Water mains shall be a minimum of eight inches (8") in diameter. Six inch (6") diameter water mains shall only be allowed if justified by the City of Napoleon's water model. All costs for modeling the proposed waterline shall be paid by the developer regardless of the findings. (Amended – May 2, 2016 – Ordinance No. 009-16)

Service connections shall be installed by the contractor responsible for the installation of the respective water mains.

Service connections shall be provided for each building lot within a development and shall be extended from the water main to the right-of-way line with a curb valve and box installed at the right-of-way line. (Amended – May 2, 2016 – Ordinance No. 009-16)

Service connections shall be sized based upon the water fixture unit demand as determined by current building codes. However, no service connections shall be less than one inch (1") diameter, Type K copper.

Water mains shall be "looped", where possible.

Where oversizing of the proposed water mains is required by the City, the City shall pay the incremental cost of oversizing, as determined by the City Engineer, prior to construction.

Valves shall be located as follows:

- 1. The lesser of not more than every five hundred feet (500') or at all intersections for commercial and industrial developments;
- 2. The lesser of not more than every eight hundred feet (800') or at all intersections for residential developments;
- 3. At all connections to existing water mains; and
- 4. At the end of all dead end water mains. Plugs shall also be provided at dead ends.

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Fire hydrants shall be located as follows:

- 1. Every three hundred feet (300') for commercial and industrial developments;
- 2. Every five hundred feet (500') for residential developments; and
- 3. At the end of all dead end water mains.

Prior to commencing with construction, the City Engineer or <u>Public Works</u> <u>Director</u> shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and an approved set of plans. Any construction commencing prior to the City Engineer or <u>Public Works Director</u> receiving such documentation shall be subject to penalties as subsequently defined.

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## RULE 5 CONSTRUCTION AND POST-CONSTRUCTION REQUIREMENTS

#### Rule 5.1 Permits

The Owner or Developer shall obtain all applicable permits, including but not limited to, the Ohio EPA Permit to Install for water mains and sanitary sewers and building permits from the proper authorities, which may be necessary to proceed with the construction of the improvements. <u>An approved Notice of Intent (NOI)</u> must be applied for as per requirements of the OhioEPA.

Prior to commencing with construction, the City Engineer or Public Works Director shall receive one (1) copy of the Ohio EPA Permit to Install for the proposed water mains and sanitary sewers along with an approved set of plans in .pdf format. Any construction commencing prior to the City Engineer or Public Works Director receiving such documentation shall be subject to penalties as subsequently defined. (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 5.2 Restrictions on Plan Approval

The Owner or Developer shall, unless an extension of time is requested in writing and granted by the City Engineer, commence with the construction of the proposed improvement within one (1) year of the date of approval of the detailed construction plans and specifications.

Any proposed changes or alternates to the plan after approval, but prior to construction, shall be subject to the complete review process, including resubmittal to all applicable agencies.

Any proposed changes to the approved plan once construction has commenced shall be brought to the attention of and reviewed by the City Engineer. Any such modifications to the approved plan without the proper notification to the City Engineer or Public Works Director shall be subject to penalties as subsequently defined.

#### Rule 5.3 Construction

The Owner or Developer shall pay all applicable inspection fees, as defined previously, **prior to commencing with construction**.

The Owner or Developer shall hire a qualified testing laboratory to provide testing services throughout construction including, but not limited to, compaction and concrete testing.

If the Owner or Developer opts to provide its own inspection services, the responsible inspector shall be a Professional Engineer registered in the State of Ohio or an agent thereof. The inspector shall provide the City with daily construction reports and shall inform the City a minimum of one (1) working day in advance of any testing procedure. The City shall maintain the right to reject any and all work performed.

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#### RULE 6 VIOLATIONS AND PENALTIES

#### **Rule 6.1** Violations and Penalties

Criminal violations of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" and associated penalties therefore, shall be pursuant to City Ordinance 30-98, as may be amended from time to time, or codified.

#### **Rule 6.2 Revocation of Prior Approvals**

In addition to the criminal penalties specified in Rule 6.1 above, the City Manager may, for a violation of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" or City Ordinance No. 30-98 as may be amended from time to time, or codified, (upon such finding by the City Manager after an informal hearing with the Owner, Developer or Agent thereof and the City Engineer, unless such hearing is waived), order the revocation of all prior approvals of the City and the City Engineer or Public Works Director relative to the property being developed. The failure to appear at a scheduled hearing after notice constitutes a waiver thereof. (Amended – August 7, 2006 – Ordinance No. 062-06)

#### Rule 6.3 EPA Notification

Any work performed for the installation of sanitary sewers and/or water mains commenced without first obtaining the necessary permits or approvals of the Ohio EPA shall be reported directly to the Ohio EPA Northwest District Office.

#### Rule 6.4 Administrative Penalties for Failure to Meet Specifications

If the Owner, Developer or Agent thereof, opts to provide their own inspection services and does not comply with the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations", the Owner, Developer or Agent shall be subject to Administrative Fines in the amount of fifty dollars (\$50.00) per day for each day that a violation exists, to be levied by the City Manager (upon a finding that the violation exists after an informal hearing with the Owner, Developer or Agent thereof and the City Engineer, unless such hearing is waived). Failure to appear at a scheduled hearing after notice constitutes a waiver thereof. All improvements completed during times when inspection does not meet the requirements of the "City of Napoleon, Ohio Engineering Department Rules and Regulations" will not be accepted by the City.

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#### RULE 7 ADMINISTRATIVE APPEALS

#### Rule 7.1 Appeals in General

Any decision of the City Manager in regard to the denial, suspension or revocation of a permit, as required by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or any finding or imposition of an administrative fine, as authorized by the "City of Napoleon, Ohio Engineering Department Rules and Regulations", or forfeiture of prior approvals of the City Engineer or Public Works Director may be appealed to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council, so long as the appeal is commenced in a timely manner. (Amended – May 2, 2016 – Ordinance No. 009-16)

A filing fee of thirty-five dollars (\$35.00), as may be amended from time to time, will be charged for all appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council. However, this fee may be waived by the Finance Director in cases of indigence. Further, said fee will be returned if the appealing party prevails. (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 7.2 Appeals from Decision of City Manager

After a hearing by the City Manager, a decision or order shall be rendered and delivered by either personal service or mailed to the person who filed the appeal at the last known address by regular mail.

An appeal from a decision of the City Manager, after hearing, may be taken to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council, so long as a notice of appeal is filed in writing with the Finance Director within thirty (30) business days after mailing of the decision or order of the City Manager or thirty (30) business days after rendering the decision or order by personal service to the person who filed the appeal. (Amended – May 2, 2016 – Ordinance No. 009-16)

Appeals will not stay the decision or order of the City Manager as a result of his/her finding.

Appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be held in a timely manner and will be informal in nature such that the rules of evidence shall not apply. (Amended – May 2, 2016 – Ordinance No. 009-16)

Such orders of the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council will be considered final. (Amended – May 2, 2016 – Ordinance No. 009-16)

#### Rule 7.3 Scope of Appeals

The scope of all appeals to the Municipal Properties, Buildings, Land Use & Economic Development Committee of Council shall be limited to the question of whether the City Manager acted unreasonably, arbitrary or capricious in his/her decision. The Committee may, upon a finding that the City Manager acted unreasonable, arbitrary or capricious in his/her decision, merely remand the

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#### **ORDINANCE NO. 038-22**

#### AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 2) FOR THE YEAR 2022; AND DECLARING AN EMERGENCY

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 055-21 for the fiscal year ending December 31, 2022 shall be supplemented (Supplement No. 2) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

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

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

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of current expenses, 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:

Marissa Hull, Clerk of Council

I, Marissa Hull, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 038-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2022; & 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.

Marissa Hull, Clerk of Council

# 2022 APPROPRIATION BUDGET - SUPPLEMENTAL #2

#### ORDINANCE No. 038-22

Supplemental #2	PERSONAL <u>SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	2022 FUND <u>TOTAL</u>
<b>Fund 100 General Fund</b> 100.1300.51101 Salary-Non Barg-OT <i>Reason: Not enough budgeted for the year</i>	\$1,000			
100.1300.53520 Cnt. MaintEquipment Reason: Purchase Clerk of Council's laptop. Not in original budget		\$3,101.48		
100.1900.53700 Insurance and Bonding Reason: Increase to due underground storage tanks fees omitted from budget		\$7,500.00		
100.2100.51131 Salary-Police Command-OT Reason: Covering for officer on BWC plus open position	\$1,500			
100.2102.53365 Serv. Fees -DARE Program -Police/SRO Reason: Increase to due donation to the program		\$500.00		
100.2200.51411 Salary-Firefighter in training Reason: Not enough budgeted for the year	\$200			
100.4700.51190 Salary-Seasonal Reason: Not enough budgeted for the year	\$1,500		<u>\$15,301.48</u>	\$15,301.48
Fund 200 Street Construction Maint. and Repair 200.5100.51101 Salary-Non Barg -OT Reason: Not enough budgeted for the year	\$500		<u>\$13,301.40</u>	<u>\$15,501.40</u>
			<u>\$500.00</u>	<u>\$500.00</u>
<b>Fund 220 Recreation</b> 220.4200.53400 Contract Services Reason: Contract work to be completed for removal of large trees and debris from the Ritter Park boat dock post.		\$4,000.00		
			<u>\$4,000.00</u>	<u>\$4,000.00</u>
<b>Fund 221 Napoleon Aquatic Center</b> 221.4300.56000 Misc. Operating Cost Reason: Increase for Auditor Cost. Not in original budget		\$3,390.52	\$3,390.52	\$3,390.52
<b>Fund 500 Electric Utility Revenue</b> 500.1520.57000 Machinery and Equipment <i>Reason: For acquisition of Invoice Cloud. Not in original budget.</i>		\$3,675.00		<u></u>
500.1520.57000 Machinery and Equipment Reason: Purchase battery backups. Not in original budget.		\$400.00		
<b>Fund 503 Electric Development</b> 503.6110.57600 Electric Improvements Reason: Increase for Substation Fiber Connection Project. Not in original budg	get	\$165,000.00	<u>\$4,075.00</u>	<u>\$4,075.00</u>
	-		<u>\$165,000.00</u>	<u>\$165,000.00</u>
<b>Fund 510 Water Revenue</b> 510.1520.57000 Machinery and Equipment <i>Reason: For acquisition of Invoice Cloud.</i> Not in original budget.		\$1,470.00		
510.6200.53365 Serv. Fees -Bond Issuance Cost Reason: For bond admin fees not included in original budget.		\$1,000.00		
Fund 513 Water OWDA Bond Retirement			<u>\$2,470.00</u>	<u>\$2,470.00</u>

#### EXHIBIT-A

513.8300.58200 Principal Payment-OWDA Bonds 513.8300.58700 Interest Payment-OWDA Bonds Reason: Nothing was budgeted at the beginning of the year			\$19,785.54 \$2,735.13	<u>\$22,520.67</u>	<u>\$22,520.67</u>
<ul> <li>Fund 519 Water Plant Improv and Reno</li> <li>519.6200.53310 Serv. Fees-Engineering &amp; Design</li> <li>Reason: Due to closing of a 2021 PO</li> <li>Fund 520 Sewer Utility Revenue</li> <li>520.1520.57000 Machinery and Equipment</li> <li>Reason: For acquisition of Invoice Cloud. Not in original budged</li> </ul>	dget.		\$10,000.00 \$1,470.00	<u>\$10,000.00</u>	<u>\$10,000.00</u>
520.6300.53365 Serv. Fees -Bond Issuance Cost Reason: For bond admin fees not included in original budge	-		\$1,000.00	<u>\$2.470.00</u>	<u>\$2,470.00</u>
Fund 522 Sewer Debt Reserve 522.8800.58400 Principal Payment -Loans State 522.8800.58470 Principal Payment-WPCLF St. Loans 522.8800.58970 Interest Payment-WPCLF St. Loans Reason: Nothing was budgeted at the beginning of the year			\$25,500.00 \$387,365.99 \$18,995.15	\$431,861.14	\$431,861.14
<b>Fund 523 OWDA SA Debt Retirement</b> 523.8600.58200 Principal Payment -OWDA Bonds 523.8600.58700 Interest Payment -OWDA Bonds <i>Reason: Nothing was budgeted at the beginning of the year</i>			\$93,475.01 \$12,921.81	<u>\$106,396.82</u>	<u>\$106,396.82</u>
Fund 532 Williams Pump Sta. Imp. Prj. 532.8800.58470 Principal Payment -WPCLF/DEFA Loans 532.8800.58970 Interest Payment -WPCLF/DEFA Loans Reason: Nothing was budgeted at the beginning of the year			\$67,659.50 \$13,712.14	\$81,371.64	\$81,371.64
<b>Fund 560 Sanitation (Refuse) Revenue</b> 560.1520.57000 Machinery and Equipment <i>Reason: For acquisition of Invoice Cloud. Not in original buc</i>	dget.		\$735.00		
560.6411.51200 Salary-AFSCME 560.6420.59160 Reimb-Direct Salary Fringe <i>Reason: Not enough budgeted for the year</i>		\$2,000 \$3,000			
				<u>\$5,735.00</u>	<u>\$5,735.00</u>
	TOTAL FUNDS	\$9,700.00	\$845,392.27	\$855,092.27	\$855,092.27 ======
				I	

#### **ORDINANCE NO. 039-22**

#### AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 2) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AS LISTED IN EXHIBIT "A;" AND DECLARING AN EMERGENCY

**WHEREAS**, the City appropriates funds by fund, department, and category of personal services and other; and,

WHEREAS, transfer from one appropriation item to another is necessary to provide appropriations for current expenses of the City; Now Therefore,

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

Section 1. That, pursuant to Section 5705.40 of the Ohio Revised Code, and this Ordinance No. 017-22, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2022, as listed in Exhibit "A," attached hereto and made a part hereof.

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

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

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; 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, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of current expenses, 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 A	bstain

Attest:

#### Marissa Hull, Clerk of Council

I, Marissa Hull, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 039-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 2022; & 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.

Marissa Hull, Clerk of Council

# FISCAL YEAR ENDING 2022- TRANSFER OF APPROPRIATION (No. 2)

#### Ordinance Number: 039-22

	Amount <u>Requested</u>	Amount <u>Received</u>
100.1500.52000 Travel, Traing & Education 100.1500.56000 Misc. Operating Cost Reason: To upgrade security reader for payroll office door.	(1,950.00)	1,950.00
 100.1900.53300 Professional Services 100.1900.54110 Supplies -Postage/Delivery Charges Reason: Increase in postage for PD.	(1,400.00)	1,400.00
220.4400.57000 Machinery and Equipment 220.4400.53111 Utilities -Natural Gas <i>Reason: Additional funds needed</i>	(750.00)	750.00
220.4400.57000 Machinery and Equipment 220.4400.53520 Cnt. MaintEquipment <i>Reason: Additional repair cost for tractor clutch replacement</i>	(800.00)	800.00
Total Transfer of Appropriation	(4,900.00)	4,900.00

## **RESOLUTION NO. 041-22**

# A RESOLUTION AUTHORIZING THE APPROVAL OF A TREX LIQUOR LICENSE FOR SANEHOLTZ-MCKARNS, INC., LOCATED WITHIN THE CITY OF NAPOLEON, OHIO

**WHEREAS**, the State of Ohio Division of Liquor Control, under ORC. 4303.29 allows for the transfer of location or ownership of liquor permits to a municipal corporation for an economic development project; and,

**WHEREAS**, the City of Napoleon, Ohio has received an application for an Economic Development (TREX) License Transfer Form from Saneholtz-McKarns, Inc.to transfer a C-1, and C-2 combination of licenses for a new development within the City of Napoleon, Ohio; and,

WHEREAS, the City of Napoleon welcomes businesses because of the positive economic development impact that such businesses have on the City by increasing employment and earning tax revenue as well as by providing for both residents and visitors various consumer options within the City; Now Therefore,

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

Section 1. That, the request by Saneholtz-McKarns, Inc., 5889 State Route 15, Bryan, Ohio 43506 to transfer a TREX liquor license to a new development at a property located within the City of Napoleon is hereby approved, as it has a positive impact on the economic development of the City of Napoleon.

Section 2. That, the application for the Economic Development (TREX) Transfer Form shall be executed by the City Manager and returned to the applicant so that it may be submitted to the State of Ohio Division of Liquor Control to complete the review process.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution shall be in full force and effect at the earliest time permitted by law.

Passed:	
	Joseph D. Bialorucki, Council President
Approved:	
	Jason P. Maassel, Mayor
VOTE ON PASSAGE Yea Nay	Abstain
Attest:	
Allest.	
Marissa Hull, Clerk of Council	

I, Marissa Hull, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 041-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_\_, 2022; & 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.

Marissa Hull, Clerk of Council

## **RESOLUTION NO. 042-22**

# A RESOLUTION ADOPTING THE 2023 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTIONS 5705.28 AND 5705.281 OF THE OHIO REVISED CODE AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

**WHEREAS**, the Finance and Budget Committee of Council, by and through the Finance Director, has prepared a Tax Budget pursuant to Article II, Sec. 2.13 of the City of Napoleon, Ohio's Charter, and Sections 5705.28 and 5705.281 of the Ohio Revised Code; and,

**WHEREAS**, in previous years at least two (2) copies of the Tax Budget have been on file with the Finance Director for public inspection not less than ten (10) days before its adoption, however pursuant to Ohio Revised Code Sections 5705.281 and 5705.30, said inspection is hereby waived in and for this year and subsequent years, unless amended as Council may decide; and,

**WHEREAS**, the requirement for a Public Hearing concerning this 2023 Tax Budget is also waived pursuant to Ohio Revised Code Sections 5705.281 and 5705.30; and,

WHEREAS, the 2023 Tax Budget must be adopted on or before July 15, 2022; Now Therefore,

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

Section 1. That, the City Council of Napoleon, Ohio adopts the 2023 Tax Budget, as required by ORC Sections 5705.28 and 5705.281, in the form presented to Council and currently on file in the Office of the Finance Director and marked as the 2023 Tax Budget.

Section 2. That, the Finance Director is hereby directed to file the 2023 Tax Budget with the County Auditor on or before July 20, 2022.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the July 15 and July 20, 2022 deadlines as noted above;

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, the Emergency Clause is necessary to adopt and file the Tax Budget in a timely manner which affects the public peace, health, and safety accessible to our citizens, 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:	

Marissa Hull, Clerk of Council

I, Marissa Hull, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 042-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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.

Marissa Hull, Clerk of Council

County Auditors Form No 32(Rev.3-90)- Prepare in Triplicate

On or before July 20th two copies of this Budget must be submitted to County Auditor

Henry County, Ohio Office of NAPOLEON CORP, June 16, 20 22

To the County Auditor:

The Council of Said Village hereby submits its annual Budget for the year commencing January 1st, 20 for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

Village Fiscal Officer

**County Auditor** 

**County Treasurer** 

**County Prosecuting Attorney** 

Schedule A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

11

Sty Tax Valuation			Count	y Auditor's
FUND	Amount approved by Budget commission Inside 10 M Limitation	Amount to be derived from Levies Outside 10 M Limitation	Inside 10 M Limit	Outside 10 M Limit
1. General Fund	\$ 2.0		345,290	
4. Road and Bridge Fund				
5. Cemetery Fund				
9. Police District Fund	\$ 0.6		103,580	
10. Fire District Fund	\$ 0.3		51,790	
11. Road District Fund			51,750	
12. Park Levy Fund		1.9		291,920
14. Miscellaneous Funds				2313920
15. General Bond Retirement Fund				
20. Special Levy Funds				
21. Capital Equipment Fund				
28. Ambulance and Emergency Medical Services Fund				

LEVIES OUTSIDE 10 MILL. LI	MITATION, EXCLUSIN	/E OF DEBT LEVIES	
FUND		County Auditor's Est. of Yield of Levy ( Carry to Schedule A, Collumn II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20			
not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20 19	1.9	291,920	
not to exceed SmyBarsixm 20 years			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20			
not to exceed years			
Levy authorized by voters on 20			
not to exceed years			
Levy authorized by voters on 20			
not to exceed years			
Levy authorized by voters on 20			
not to exceed years			

SCHEDULE B

#### **ORDINANCE NO. 034-22**

# AN ORDINANCE CREATING THE NON-BARGAINING POSITION OF ASSISTANT OPERATIONS SUPERINTENDENT FOR THE CITY OF NAPOLEON, OHIO ON A TEMPORARY BASIS; AND DECLARING AN EMERGENCY

**WHEREAS**, Council previously adopted Ordinance No. 053-21, creating a 2022 Classification Pay Plan for its non-bargaining employees; and,

WHEREAS, the Safety and Human Resources Committee met on May 23, 2022 and approved the creation of the temporary position of Assistant Operations Superintendent for the City of Napoleon, Ohio, effective from October 1, 2022 through May 31, 2023, and unanimously recommended said position be approved by Council; and,

WHEREAS, Council now desires to create the non-bargaining position entitled "Assistant Operations Superintendent" for the City of Napoleon, Ohio on a temporary basis effective from October 1, 2022 through May 31, 2023; Now Therefore,

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

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio had previously established a new 2022 Position Classification Pay Plan for its non-bargaining employees, Ordinance No. 053-21 passed by Council on December 20, 2021.

Section 2. That, this Council desires to create a new position, pursuant to Article II, Section 2.14 of the Charter of the City of Napoleon, entitled "Assistant Operations Superintendent" for the City of Napoleon, Ohio.

Section 3. That, said position is hereby created and established in and for the City for the Napoleon and shall be considered a temporary, non-bargaining, full time regular employee having an hourly, non-exempt status. The Assistant Operations Superintendent shall not be entitled to any longevity pay.

Section 4. That, the base pay rate for the Assistant Operations Superintendent shall be set by this Ordinance No. 034-22, at thirty dollars (\$30.00) per hour, based on an eighty (80) hour pay period and shall be effective from October 1, 2022 through May 31, 2023.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 7. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided 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, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce, 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	-
Attest:	

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 034-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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

## **ORDINANCE NO. 035-22**

# AN ORDINANCE AMENDING A CERTAIN SECTION OF THE CITY OF NAPOLEON PERSONNEL CODE, SPECIFICALLY SECTION 197.06(B), "RESIDENCY REQUIREMENTS"

**WHEREAS**, the Safety and Human Resources Committee met in a regular meeting held on May 23<sup>rd</sup>, 2022, and reviewed a certain section of the City Personnel Code, specifically Section 197.06(b), regarding suggested changes presented by City staff, and recommended that the City should adopt the amended Personnel Code; and,

**WHEREAS**, City Council acknowledges that from time to time it must review the various codes and policies of the City of Napoleon; and,

**WHEREAS**, City Council now desires to amend the Personnel Code of the City of Napoleon; **Now Therefore**,

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

Section 1. That, the City of Napoleon does hereby amend Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio as follows:

## "CHAPTER 197

# **PERSONNEL CODE** City of Napoleon, Ohio

# -

- **<u>197.01</u>** Preamble.
- **<u>197.02</u>** Miscellaneous.
- **<u>197.03</u>** Employee records and discipline.
- **<u>197.04</u>** Employee relations.
- **<u>197.05</u>** Layoff and recall procedures.
- **<u>197.06</u>** Residency requirements.
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- **<u>197.14</u>** Hours of work and compensation.
- **<u>197.15</u>** Major paid benefits.
- **<u>197.16</u>** Paid leaves of absence.
- **<u>197.17</u>** Trauma leave.

## **<u>197.18</u>** Vacations.

**<u>197.19</u>** Other leaves of absence.

## **197.01 PREAMBLE**

## (a) Applicability, Purpose and Interpretation

The term "Code" as used in this Chapter shall be interpreted to mean the "Personnel Code" unless its context clearly indicates otherwise and shall be considered part of the Administrative Code of the City of Napoleon, Ohio, whether codified or not.

Any resolution, ordinance, code or other similar instrument that refers to the "Personnel Code" shall be construed to mean this Code.

This Code supersedes and replaces all applicable federal and state laws, statutes, codes, policies, and all matters or issues pertaining to employee wages, benefits, and working conditions over which it has authority to supersede and replace. However, an ordinance or resolution of the city may supersede this code if the specific issue or issues addressed in the ordinance or resolution conflict with this code. a typical example of when this may occur is when a new hire negotiates terms different than this code, but it is not limited to just this example.

Further, this Code does not pertain to the position of Judge of the Napoleon Municipal Court which shall be controlled by the Ohio Revised Code, except for the benefits as authorized by Section <u>197.14</u>(i) concerning "Retirement Contribution Pickup" and as provided in <u>197.15</u> of this Code.

In the event that any provision of this Code and its application to any employee is held to be contrary to law by a court of competent jurisdiction, in areas of law that it may not be contrary, it shall be of no further force and effect, except to the extent permitted by law; but all other provisions and applications shall continue in full force and effect.

Any provision of a collective bargaining agreement shall govern matters covered herein only to the extent required by law. Nothing in this Code shall be construed as giving additional benefits to members of a bargaining unit that are not otherwise stated in the collective bargaining agreement.

## (b) **Definitions**

Definitions for the purpose of this Code:

Any reference in this Code to "hire date", "date of employment", "anniversary date", "hired" and the like shall generally mean the first date of service following the most recent notice of hiring, unless the context clearly indicates otherwise.

Active Pay Status - Shall mean that an employee has received or is entitled to receive pay for one (1) of the following reasons when properly authorized in accordance with the terms of this Code: time worked whether at regular or overtime rates; sick leave; vacation leave; personal holiday; legal holiday; bereavement leave; or, compensatory time off. Active pay status shall exclude any unpaid time, unpaid leaves of absence, or unpaid separation from employment, whether authorized or unauthorized. The definition of active pay status as herein defined is intended to define active employment and is not intended nor shall it be construed as to supersede the requirements of earning overtime pay or compensatory time.

**Appointing Authority -** The directors of the city as provided by Charter, i.e. city manager, city finance director and city law director and may include other officers as authorized by the charter. Appointing authority may, when the text clearly indicates, mean the city council when the positions are appointed by council. Appointing authority may be others as designated by act of council or when delegated to others by the city manager, city finance director or city law director. Finally, for employees of the municipal court, the appointing authority shall be as provided by the Ohio Revised Code.

**Bargaining Unit -** Shall mean all employees of the City of Napoleon employed in a group of positions recognized by the City who are represented by an exclusive representative and whose terms of employment are covered by a collective bargaining agreement.

**Class** - A group of positions (or one (1) position) that:

Have similar duties and responsibilities; Require like qualifications; and, Can be equitably compensated by the same salary range.

**Classified Service -** as defined in the Napoleon Civil Service Code and or Civil Service Rules of the City, the Charter, ordinance or other controlling law.

**Class Title -** The official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

**Director**(s) - The city manager, city finance director, and city law director.

**Employee -** Unless the context otherwise indicates, employee shall mean any employee of the City.

**Employee, Full-Time Regular -** An employee hired to work for the City full-time, at least thirty (30) hours per week on a regular basis (normally 52 weeks per year) (except authorized leave). A full-time firefighter or EMT shall be considered full-

time if they work a twenty-four (24) hour duty day at least fifty-three (53) hours per week on a regular basis (normally fifty-two (52) weeks per year, except authorized leave); full time employees include both hourly and salary employees. For the purpose of this Code, the City Manager, City Law Director, City Finance Director and those other full-time positions appointed by Council shall be considered fulltime regular employees of the City and be entitled to the benefits as provided to other full-time regular employees, except where specifically excluded or where the context of the section clearly indicates that such section is not applicable to the positions. Council members and the Mayor are not considered employees of any type for the purpose of this Code, except for purpose of public retirement benefits, workers compensation benefits and other benefits as specifically authorized by ordinance to be applicable to the Council or Mayor, or as may otherwise be required by law. For the purpose of this Code, board and commission members of the City are not considered employees of any type and are not entitled to benefits except unless specifically authorized for board and commission members by ordinance or as may otherwise be required by law.

**Employee, Part-Time -** An employee hired to work part-time, less than a regular thirty (30) hour work week (regardless of the number of weeks per year worked), for less than twelve (12) continuous months. Any reference to a summer, seasonal or intermittent employee shall mean part-time employee.

**Employee, Permanent Part-Time -** An employee hired to work part-time, less than a regular thirty (30) hour work week, for twelve (12) or more continuous months, unless for a specific assignment on a temporary basis.

**Employee, Temporary -** An employee that is hired for a period of time expected to be less than one hundred twenty days per rolling calendar year, or no later than on completion of a specific assignment is considered a temporary employee

**Grievance -** Shall mean an allegation by a full-time regular employee of the classified service for the City that there has been a breach, misinterpretation, or improper application of this Code (It is not intended that the grievance procedure be used to effect changes in this Code nor those matters which are controlled by the provisions of Federal or State laws and/or by the United States or Ohio Constitutions).

**Involuntary Departure** - Shall mean disciplinary termination or a firing of an employee.

Legal Holiday - Any City observed legal holiday, except President's Day.

**Non-Bargaining Employees -** Employees not a member of an officially recognized bargaining unit.

Pay Period Normal - Monday 12:00 a.m. through the following Sunday 11:59 p.m.

for two (2) consecutive weeks (biweekly), with exception of the Police Department which is Monday 7:00 a.m. through the following Monday 6:59 a.m. for two (2) consecutive weeks (biweekly).

**Perform The Job** - For the purposes of this Code, perform the job shall mean perform the essential functions of the job, with or without reasonable accommodation, without posing a direct threat to the health or safety of the employee or others.

**Physician** - Unless the context indicates otherwise physician shall mean a medical doctor of medicine or osteopathy licensed to practice medicine or surgery in the State of Ohio.

**Position -** A group of currently assigned duties and responsibilities requiring the full or any part-time or temporary employment of one (1) person. A position may be occupied or vacant.

**Residence -** The place where one actually lives or has his/her home; a person's dwelling or place of habitation; an abode; house where one's home is. Personal presence is required without intention of definite or early removal and with purpose to remain for an undetermined period (not a post office box or just a mailing address). Place of residence is the place as reasonably determined to qualify as a residence of an employee by the employee's appointing authority.

**Residency** - A term to describe residence requirements as required by the City for employment purposes.

**Resident -** Any person who occupies a residence within the City and its limits, having a present intent to remain within the City for a period of time.

**Shift Work** - Work in a department when at least three (3) separate and distinct shifts exist in a twenty-four (24) hour period.

**Statutory Holiday** - Any City observed legal holiday with exception of President's Day, or as defined in an approved bargaining agreement.

**Unclassified Service** - As defined in the Napoleon Civil Service Code or Civil Service Rules of the City, the charter, ordinance, resolution, or other controlling law.

(Ord. 015-12. Passed 3-5-12.)

## **197.02 MISCELLANEOUS**

## (a) <u>Extensions of Times and Deadlines</u>

Unless the context indicates otherwise, whenever a certain event is to occur on a date which is a Saturday, Sunday, or City legally observed holiday, or a certain deadline is to expire on a date which is Saturday, Sunday, or City legally observed holiday, the date upon which such event shall occur or such deadline shall expire shall be the first date thereafter which is not a Saturday, Sunday, or City legally observed holiday.

Unless the context indicates otherwise, in computing any period of time prescribed or allowed by this Code, the date of the act or event from which the designated period of time begins to run shall not be included.

## (b) <u>Gender Reference</u>

All references to employees in this Code shall include both sexes, and wherever the male gender is used, it shall be interpreted to include male and female employees.

## (c) <u>Personnel Policies to be Governed by Code</u>

It is the intent of city council that all of the City's personnel policies, guidelines, and procedures shall be governed by the charter and ordinances or resolutions duly passed by city council, unless otherwise authorized by council and except as otherwise authorized by this Code.

## (d) **Prohibition Against Discrimination**

The provisions of the Code shall be applied to employees without discrimination as to age, sex, marital status, race, color, creed, religion, national origin, ancestry, union affiliation, handicap and/or disability.

## (e) <u>Waiver in Case of an Emergency</u>

In cases of emergency declared by the President of the United States, the Governor of the State of Ohio, the Mayor, the City Manager, or the United States Congress or the Ohio General Assembly, such as, but not limited to acts of God and civil disorder, any or all portions of this Code may be temporarily suspended by the City.

## (f) Amendments to Existing Job Descriptions

The City may amend existing job descriptions from time to time as needed for its operational purposes. The City will present a copy of the amended job description to any affected full-time regular employee at least seven (7) days before the new job description shall take effect. If such employee believes a violation of this Code has occurred as a result of any such revision to a job description, the fulltime regular employee may file a grievance as provided for in this Code. During any grievance process, any employee affected by the proposed change in job description shall use his/her best efforts to carry out his/her duties under the new job description (this Section is not applicable to any person or position defined an appointing authority or falling into the unclassified service).

# **197.03 EMPLOYEE RECORDS AND DISCIPLINE**

## (a) Access to Personnel Service Records

Employee service records shall only be accessible by the public to the extent required or permitted by law.

## (b) <u>Causes for Discipline</u>

# (1) Applicability and Overview

Any employee may be disciplined for just or proper cause. Violations of any municipal ordinance, statutes or other law of any political subdivision or any state, and violations of any or all city policies, rules or regulations or lawful orders shall constitute just or proper cause. Finally, any violation contained in a collective bargaining agreement shall also constitute proper cause for discipline as it relates to collective bargaining employees.

# (2) Closure of Items Related to Discipline

Employee's personal service record as it relates to discipline shall be marked closed for the purpose of progressive discipline in accordance with the following schedule; however, such shall be subject to the public records law:

• Reprimands

Any reprimand shall be closed from the record after one (1) year from the date of the reprimand, providing there is no intervening disciplinary action during the one (1) year period.

• Suspensions Less Than Thirty (30) Days

Any suspension of less than thirty (30) days shall be closed from the record after a period of two (2) years, providing there is no intervening disciplinary action during the two (2) year period.

• Suspensions Longer Than Thirty (30) Days

Any suspension of thirty (30) days or more shall be closed from the record after three (3) years, providing that there is no intervening disciplinary action during the three (3) year period.

## (c) Discipline Action as it Relates to Classified Employees

Where the City deems appropriate, the City will apply a policy of progressive and corrective discipline, with the progressive steps as follows: oral reprimand; written reprimand; suspension; demotion; or, dismissal (this section is not applicable to those persons or positions considered the appointing authority or to other unclassified employees). This section is not to be construed as prohibiting suspension or dismissal without progressive discipline where the cause for such suspension or dismissal is deemed warranted by the City due to the nature or circumstances of the conduct involved.

## (1) Oral and Written Reprimands

When it becomes necessary for a supervisor to reprimand a classified employee, it shall be done with discretion.

In the event that a supervisor finds it necessary to orally reprimand an employee and determines to keep a record of that oral reprimand, such employee shall be made aware that a record of such oral reprimand is being maintained in the City's files or records. Employees are not entitled to hearings for oral reprimands.

Classified Employees may appeal a written reprimand to a review officer designated by the Appointing Authority but may not appeal the disciplinary action to the Civil Service Commission. Such review shall be informal, and the rules of evidence shall not apply. A classified employee may thereafter submit a written statement to the appointing authority concerning the reprimand and outlining such employee's basis for concern, and a copy of such statement shall be appended to the copy of the reprimand in such employee's personal service record. Such statement must be filed within ten (10) days of the determination of the appointing authority to approve a reprimand.

The supervisor shall provide the classified employee with a copy of any written reprimand or any record of oral reprimand entered in such employee's file. The classified employee shall acknowledge receipt of same by signing and dating the original copy of such record.

## (2) Procedure for (Disciplinary) Suspension, Demotion, or Dismissal.

Classified employees shall not be suspended, demoted, or dismissed for disciplinary reasons from duty without first being afforded the opportunity for a disciplinary review before the appointing authority or his/her designee, except that, where it is necessary to immediately relieve the employee from duty due to gross misconduct, a department head or his/her designee may temporarily suspend such employee for a period not to exceed seventy-two (72) hours, excluding Saturdays, Sundays, and holidays.

When a classified employee has been suspended without a disciplinary review, such

employee shall be afforded a disciplinary review before the appointing authority or his/her designee within seventy-two (72) hours, excluding Saturdays, Sundays, and holidays. The employee's pay status for the days which he/she was suspended shall be determined by the appointing authority or his/her designee at the disciplinary review.

When a classified employee is charged with a violation that is likely to result in such employee receiving a disciplinary suspension, demotion, or dismissal, the following shall apply:

• Except as provided above, the classified employee shall be given notice at least five (5) calendar days in advance of the disciplinary review and that notice shall advise such employee of the general nature of the suspected violation. The classified employee shall be advised in the notice of his/her right to be represented by counsel at such review.

Any disciplinary suspension, demotion, or dismissal may only be appealed as outlined in Section 197.03(c)(3) below and in accordance with the Civil Service Rules. ("Appeals from Disciplinary Suspensions, Demotions and Dismissals")

## (3) Appeals from Disciplinary Suspensions, Demotions and Dismissals

Except for probationary employees, if a classified employee has been suspended for disciplinary reasons in excess of three (3) days or demoted or dismissed due to disciplinary reasons, he/she may file an appeal before the Civil Service Commission (hereinafter referred to as the commission).

A classified employee may not waive a disciplinary review before the appointing authority and then subsequently file an appeal before the commission.

An appeal must be filed in writing within ten (10) calendar days after the appointing authority has determined to impose or uphold, whichever is later, a disciplinary suspension, demotion, or dismissal. Any appeal not submitted to the commission within such ten (10) calendar day time period shall be deemed settled on the basis of the determination given by the appointing authority at the disciplinary review.

# (4) Powers, Duties and Limits of Authority of Commission

The powers, duties, and limits of authority of the commission shall be as contained in City's Revised Code of General Ordinances and the Rules of the Civil Service Commission.

The decision of the commission may be appealed according to the Civil Service Rules to the Common Pleas Court of Henry County, Ohio. Upon request, a copy of the work record shall be furnished to the classified employee.

# (5) Scheduling of Disciplinary Reviews

Disciplinary reviews called for in this Section may be scheduled at the discretion of the department head or appointing authority, whichever is applicable, taking into consideration the employee's work shift and subsequent appropriate rest time.

# (d) <u>Discipline Action for Unclassified Employees</u>

# (1) Unclassified

Pursuant to <u>Article V</u>, Section 5.01 (D) of the Charter, when not otherwise established in the Charter, council may determine that certain positions and employees in the civil service of the city are classified and that others are unclassified; nevertheless, at minimum, the department heads of the police department and fire department (i.e. chief of each department) shall be subject to civil service review for suspension in excess of three (3) days and/or dismissal.

# (2) **Prior to Suspension or Termination**

All compensated unclassified employees shall be given an opportunity to be heard by the authority that appointed them prior to suspension without pay or involuntary termination; however, no finding of cause need be made prior to suspending or terminating an unclassified employee. Such opportunity to be heard may be conducted in executive session when before the council unless objected to by council or the person who is the subject of the suspension or involuntary termination. The act of suspension or involuntary termination shall be in open meeting when involving the city manager, finance director or law director or any clerk of council.

# (3) Board Members or Commissions of the City

Section <u>197.03</u>(d) is not applicable to members of boards or commissions of the City, the mayor, elected or appointed members of council. (Ord. 015-12. Passed 3-5-12.)

# 197.04 EMPLOYEE RELATIONS.

# (a) <u>Employee Discussion</u>

In the interest of sound and harmonious employee relations, a discussion process
may be established whereby, upon request by the City or employee, employees may meet and confer with members of the appointing authority (city manager, city finance director or city law director) as may be appropriate, to discuss work related issues and matters as governed by this Code.

## Limitations

Such discussions are not intended, nor are they in any way to be interpreted or otherwise construed, to effect changes or revisions in this Code, but are solely intended for the purpose of discussing general information of interest to the City and its employees in accordance with the provision of this Chapter. Neither the City nor its employees shall be obligated to act upon any issue or matter raised during such discussions.

# (b) <u>Purpose of Meetings</u>

The purpose of such meetings shall be limited to:

- Discuss the administration of this Code.
- Notify employees of changes made by the City which affect employees.
- Discuss matters of potential grievances which have not been filed.
- Disseminate general information of interest to the City and employees.
- Give employees the opportunity to share the view of employees and/or make suggestions on subjects of interest to such employees.
- Discuss ways to increase productivity and improve efficiency.

• Consider and discuss health and safety matters relating to such employees. (Ord. 44-01. Passed 5-21-01.)

# (c) **Exit Interviews**

When requested in writing, upon any employee's resignation or retirement, he/she shall be afforded the opportunity for an interview with the appointing authority and/or his/her designee. The purpose of this interview shall be to allow the employee to express reasons for resignation and/or his/her views on the operation of his/her department.

(Ord. 44-01. Passed 5-21-01.)

# (d) <u>Grievance Procedure</u>

## (1) Applicability and Overview

This Section is not applicable to those persons or positions defined as the appointing authority or other unclassified employees.

It is the intent of the City that this grievance procedure be the sole and exclusive grievance and appeal procedure for classified employees, and any other grievance and appeal procedures shall not be applicable.

Grievances and appeals related to disciplinary matters shall be handled in accordance with the herein established grievance procedures. This Section is limited to grievances related to all other issues regarding wages, benefits, and terms and conditions of employment, excluding disciplinary action(s).

### (2) Information Required in Grievances

All grievances must contain the following information to be considered and must be filed using the grievance form:

- Aggrieved employee's name and signature.
- Aggrieved employee's classification.
- Date grievance was filed in writing.
- Date and time grievance occurred.
- Where grievance occurred.
- Description of incident giving rise to the grievance.
- Articles and sections of law or policies violated.
- Description of actions that will resolve the grievance.

### (3) Limitations

All grievances must be processed at the proper step in the progression in order to be considered at the subsequent steps. An inadequacy of the grievance form may be corrected and resubmitted so long as done within five (5) calendar days from date of return.

Such employee may withdraw a grievance at any point by submitting in writing a statement to that effect, or by permitting the time requirements at any step to lapse without further appeal.

The time limits provided for herein shall be strictly adhered to. Any grievance not initially submitted or appealed to the next step within the specified time limits shall be deemed invalid or resolved based upon the City's last answer, as the case may be (an untimely grievance is void and an untimely appealed grievance is resolved based on the last answer); provided however, that any grievance not answered by the City within the stipulated time limits may be advanced by the employee to the next step in the grievance procedure. All time limits on grievances may be extended upon mutual consent of the City and employee affected.

If an emergency occurs, rights of grievance under this Code may be suspended. Upon the termination of any emergency should valid grievances exist, they shall be processed in accordance with the provisions outlined in the grievance procedure of this Code and shall proceed from the point in the grievance procedure to which they (the grievances) had properly progressed, prior to the emergency.

### (4) Method of Processing Grievances

The following procedure shall be followed:

## A. Step 1 - Review by Immediate Supervisor

In order for a grievance to receive consideration under this procedure, the grievant must identify the grievance to the employee's immediate supervisor, in writing, within twelve (12) calendar days of the employee having, through the exercise of reasonable diligence, knowledge of the occurrence of the incident giving rise to the grievance. The employee's immediate supervisor shall investigate and provide an appropriate answer within six (6) calendar days following the day on which the employee's immediate supervisor was presented the grievance.

### B. Step 2 - Review by Department Head

If the grievance is not resolved in Step 1, and the supervisor is not the department head, then the employee may, within six (6) calendar days of the supervisor's response, take up the grievance with his department head. The department head shall investigate and respond to the grievant within six (6) calendar days after receiving the Step 1 reply.

# C. Step 3 - Review by Appointing Authority

Where the grievance is filed with a member of the appointing authority, due to the absence of an immediate supervisor or department head position in that department and is not resolved accordingly, another member of the appointing authority shall be appointed to hear said grievance and render a decision in accordance with the

provisions of this Step 3.

## (5) Scheduling of Grievance Hearings

Grievance hearings called for in this Chapter may be scheduled at the discretion of the department head or appointing authority, whichever is applicable, taking into consideration the grievant's work shift.

## (6) Who May Bring Grievance

A grievance may be brought by any employee, except: the appointing authorities, unclassified employees and employees covered by a collective bargaining agreement. Where a group of such employees desire to file a grievance involving a situation affecting each employee in the same manner, one (1) employee selected by such group may process the grievance as a class action grievance, provided each such employee desiring to be included in the class action grievance, signs said grievance and the grievance is filed in a timely manner. For the purpose of this Section timely manner shall be within seven (7) days after notice is received.

# 197.05 LAYOFF AND RECALL PROCEDURES

## (a) Applicability

This Section is not applicable to those persons or positions defined as the appointing authority or other unclassified employees. Further, no employee who is a member of a bargaining unit may displace a non-bargaining unit employee for the purpose of this Chapter.

When the City determines that a reduction in full-time work force or job abolishment is necessary, full-time regular employees shall be laid off in accordance with the provisions of this Chapter. Part-time, permanent part-time, or temporary employees may be laid off at any time without notice, or right of recall. (Ord. 74-00. Passed 8-7-00.)

# (b) Layoff Notification Requirements

In the event of a long term layoff, full-time regular employees shall be notified twenty-one (21) calendar days in advance of the effective date of the layoff. Such employees will be notified of the City's decision to implement any short term layoff (lasting seventy-two (72) hours or less) as soon as possible.

# (c) Priority of Employees Laid Off

In the event of a layoff, whether long term or short term, full-time regular

employees will be laid off in accordance with their departmental seniority by job classification (last hired, first laid off). Such employee with the least departmental seniority in the department and job title which is designated for layoff shall be notified of the layoff and shall have the right to displace another employee at the same classification or lower classification series within the department who has less total City seniority, provided that the initially laid off employee is qualified to perform the work of the new position. Any employee displaced by this procedure shall have the right to displace another employee by the same procedure. This process may continue until the least senior employee is laid off.

### (d) <u>Recall</u>

## (1) No New Hire Before Recall

Vacancies and/or newly created positions shall be filled first by those full-time regular employees on lay off provided they are qualified to fill the new positions or vacancies, unless such laid off employee refuses a recall to the position to be filled or fails to respond to a recall notice in a timely manner.

## (2) Recall Period

Employees who are laid off are subject to recall from lay off for a period of three hundred sixty five (365) days from date of lay off. After that time they shall be deemed to be permanently separated from City service, and no longer on layoff.

### (3) **Priority of Recall**

A recall from layoff shall be based on departmental seniority by job classification (last laid off, first recalled). Notice of recall from a long term layoff shall be by certified or registered mail. If certified or registered mail is returned as undeliverable, the City shall be deemed to have fulfilled its obligations by mailing the recall notice to the last mailing address provided by the employee by regular U.S. Mail.

### (4) **Response Time to Recall Notices**

In the case of long term layoff, the employee shall have fourteen (14) calendar days following the date of mailing the recall notice to notify the City of his/her intention to return to work, and shall have ten (10) calendar days following notification to the City of his/her intent to return to work in which to report for duty, unless a different day for returning to work is otherwise mutually agreed.

# **197.06 RESIDENCY REQUIREMENTS**

(a) Except as otherwise provided herein, all employees of the City are required to

reside within Henry County, Ohio, or within an adjacent county thereto within this State.

(b) Paid part-time employees of the Fire/Rescue Department that are firefighters or emergency medical technicians or the like, or a combination thereof, and paid parttime employees of the Police Department, not to be construed as solely volunteer personnel, are required to reside within fifteen (15) miles of the Henry County Courthouse. The herein mentioned radii shall be construed as a straight line and not as driven miles. All other paid part-time employees of the City, regardless of paid parttime class, are exempt from the residency requirements of the City. Nothing herein shall be construed as to provide for grandfathering as it relates to residency should a part-time employee obtain full-time employee status; further, dual employees, meaning for the purpose of this provision, employees working in two (2) capacities of the City, one full-time and one paid part-time, shall meet the most restrictive residency requirement.

(c) Unless otherwise exempted, any employee of the City employed after the effective date of this section shall meet residency requirements within 365 days of employment with the City, except that the City Manager, City Finance Director and City Law Director shall meet residency requirements within 180 days of employment with the City.

(d) For purpose of continuing employment with the City, notwithstanding any other provision, policy, rule, resolution or ordinance, except the provision found in paragraph (f) hereof, full-time regular employees (salary or hourly) employed by the City on or prior to April 16, 2007, regardless of probation status, shall have 180 days to meet the residency requirements of the City; moreover, full time regular employees (salary or hourly) employed by the City after April 16, 2007, but before the effective date of this section, regardless of probation status, shall have 365 days from the effective date of this section to meet the City's established residency requirements.

(e d) The appointing authority as appropriate, shall suspend from service any employee who fails to meet residency requirements as required by this section, until such time as the employee has met City residency requirements. In the event the suspension exceeds two (2) weeks in duration, the employee may be dismissed from the City service.

(f e) Unless otherwise prohibited by law, this section shall not be construed as to limit the enforceability of any residency provision found in a collective bargaining agreement between the City and a collective bargaining unit; further, nothing herein shall be construed as to limit the ability of an appointing authority of the City to require residency of its volunteers.

(Ord. 095-07. Passed 11-19-07 Ord. 0 -22. Passed xx-xx-22.)

# **197.07 CITY ORGANIZATION CHART**

### (a) <u>City Manager to Maintain Chart</u>

The city manager shall maintain an organization chart of all full-time positions in the City service. Amendments to this chart may be made only after approval by motion of council.

### (b) **Position Classification Plan**

## (1) Administration

The city manager shall be responsible for administering the position classification plan. The city manager may assign other employees under manager's authority to assist him/her in this activity.

## (2) Allocation of New Position

The director of his/her department or designee shall complete or have completed a position description covering the duties and responsibilities of each proposed position. The city manager shall allocate the position to one (l) of the classes in the position classification plan. If a suitable class does not exist, he/she shall establish a new class and allocate the position to it. (Ord. 44-01. Passed 5-21-01.)

### (3) Allocation Appeals

If an employee has facts which indicates to him/her that his/her position is improperly allocated, he/she may request the city manager to review the allocation of this position. Such request shall be submitted in writing and shall contain a statement of justification.

### (4) Amendments to The Position Classification Plan

Each time it appears desirable to establish a new class of positions or to abolish a current class of positions, the city manager shall effect such a change by issuing an amendment to the position classification plan. Notice of such change shall be circulated to the mayor, council, city law director, city finance director, and all department heads.

# (5) Interpretation of Class Specifications

The class specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions which shall be allocated to the classes established. In a series of classes, such as the engineering classes, the specifications for all classes should be reviewed as a unit.

### (6) Maintenance of the Plan

Maintenance of the organizational plan shall be in accordance with subsections (b)(6)A to (b)(6)E, both subsections inclusive.

## A. On Vacancy of Position

Each time a vacancy occurs, a position description shall be completed and submitted to the city manager for a review of the allocation of the position. This requirement may be waived by the city manager in cases where changes in the duties and responsibilities of a position have been minimal.

### B. On Reorganization of Department

Each time a department is reorganized, position descriptions for all affected employees shall be submitted to the city manager for his/her review.

## C. On Request of City Manager

The city manager may require department heads or supervisors under his/her authority to submit position descriptions on a periodic basis, or any time he/she has reason to believe that there has been a change in the duties and responsibilities of one (1) or more positions. The city manager may request other directors, and the directors shall furnish upon request of the city manager, position descriptions on a periodic basis, or any time he/she has reason to believe that there has been a change in the duties and responsibilities of one (1) or more positions. (Ord. 44-01. Passed 5-21-01.)

# D. On Establishment of Any Class

Each time a new class is established, a class specification shall be written and incorporated into the existing plan. The class title shall be added to the schematic list of titles. Likewise, an abolished class shall be deleted from the position classification plan by removing the class specification and eliminating the class title from the schematic list of titles.

# E. Biennial Review

The city manager is responsible to conduct a general review of the position classification plan at least once every two (2) years.

### (7) Official Copy of the Position Classification Plan

The city manager shall be responsible for maintaining an official copy of the

position classification plan. The official copy shall include regulations for administration, schematic list of class titles and class specifications, plus all amendments thereto. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.

## (8) Position Vacancies, Maximum Number of Employees

The employment positions set forth in the plan indicate the various types and kinds of work which the City expects to require. Under normal operations, some positions may be filled only occasionally or intermittently, and others may not be filled at all. The presence of an employment position or job classification in this plan does not imply or require that the City shall keep such position or job filled at all times or at any particular time, nor maintain any particular number or quota of employees in any position or job classification.

# **197.08 PRECONDITIONS FOR EMPLOYMENT**

# (a) <u>Age Requirements for Police and Fire Departments</u>

No police officer shall be hired who is younger than twenty-one (21) years of age. No fire or rescue person shall be hired who is younger than eighteen (18) years of age. There shall be no maximum age limit for officers of the police, fire or rescue divisions.

# (b) Character, Criminal Records

The City shall not employ any person who has been convicted of a felony, nor employ any person otherwise prohibited from holding a position in public service.

# (c) <u>No Political or Religious Tests</u>

Consideration of political or religious opinions as a test for employment or promotion in any position of the City service shall not be practiced. Membership in any organization shall not be required of any employee.

# (d) <u>Physical Examinations</u>

Full-time employment with the City of Napoleon shall be contingent, and part-time, permanent part-time or temporary employment may be contingent on passing a physical examination by a physician designated by the City, at the City of Napoleon's expense, after an offer of employment, to determine that employees are physically capable of performing the essential job duties.

# (e) <u>Probationary Period</u>

All newly appointed classified employees shall serve a probationary period of one (1) year. An employee shall not receive credit toward completion of the probationary period for absence from work for any approved time off in excess of five (5) work days.

Newly hired classified employees shall have no seniority during their probationary period. Upon completion of the probationary period, their seniority date shall be the original date of current appointment for the purpose of: (1) determining the employee's entitlement to all fringe benefits; and (2) determining the employee's continuous service date.

Probationary employees are only entitled to benefits such as health, overtime, compensatory time, paid leave, retirement pickup and other such similar type benefits when and as provided elsewhere in this code for non-probationary employees, unless otherwise stated. What is considered a similar type benefit shall be at the sole determination of the appointing authority. (Ord. 093-08. Passed 12-15-08.)

### 197.09 PROMOTIONS, ASSIGNMENTS AND TRANSFERS

#### (a) <u>General</u>

The City has exclusive control of promotion, assignment and transfer of all employees. Unless otherwise provided, when an employee is in the competitive civil service, such employee will be required to competitively test for promotion.

In assigning of employees to special positions, duties, or assignments, the City will offer to the extent possible, these positions, duties, or assignments to all qualified personnel and the City shall consider the following criteria in determining who shall serve in the available position, duty, or assignment and each criteria will be given the weight deemed appropriate by the appointing authority as it relates to the position, duty, or assignment:

- Experience;
- Specialized training;
- Job evaluations;
- Seniority (City and departmental);
- Physical & mental capabilities that are essential to the job duties;
- Current title; and
- Impact of the assignment upon other operations of the City.

### (b) **Probationary Periods for Transfers and Promotions: Noncompetitive**

If a full-time regular employee in the classified service is promoted or transfers voluntarily from one (1) department to another, in a non-competitive position,

he/she shall be subject to a thirty (30) calendar day probationary period. The employee shall have ten (10) working days in which to voluntarily return to his/her former position. The City may return the employee to his/her former position at any time during the probation period.

If a full-time regular employee in the classified service is involuntarily transferred from one (1) department to another, in a noncompetitive position, he/she shall be subject to a probationary period of one hundred and eighty (180) days. If he/she should be unsuccessful in his/her new position he/she may be laid off if no other suitable position exists within the City.

#### (c) <u>Transfers Within City</u>

If a full-time regular employee of the classified service voluntarily transfers to another department within the City, such employee will lose all departmental seniority rights previously earned in his/her pre-transfer department, and will be placed at the bottom of the seniority list of the department to which he/she has transferred.

In the case of non-disciplinary involuntary transfers to another City position, such employee will retain all seniority rights which he/she would have had if he/she had not been transferred.

#### (d) Vacancies in the City

(1)Except in the case of rehire, where the City's policy on rehire shall control, when a non-competitive classified vacancy occurs in a position within the City, the appointing authority shall, when practical, cause to be posted such position for a period of at least ten (10) business days and first consider employees within the department division and then the department where the vacancy exists and next consider employees generally within the City's services. "First consider" shall mean, with all other things being equal, the person within the division or department where the vacancy exists shall be given the utmost consideration for filling the vacancy. "Employee" as used in the context of this provision includes, full-time regular, permanent part time, part time, and temporary employees. The City appointing authority may hire from outside the City services, without necessity of posting, when deemed by the appointing authority it not practical to post or fill the position by transfer. Only when posted within the City services may an employee apply for the position by proper filing of a transfer application therefor. If such employee is granted the position applied for, such position shall be considered a voluntary transfer.

(2) A person serving in a paid part-time position with the City's Fire and Rescue Department and who applied for a vacant position by transfer may accept the new position that is the subject of the transfer without vacating his or her current paid part-time position, unless otherwise determined by an affected appointing authority.

(3) Nothing in this section shall be construed as to prohibit the appointing authority from simultaneously posting the position within the City services and advertising outside the City services; moreover, nothing in this section shall be construed as to prohibit the appointing authority from not filling the position by transfer when a more qualified person is available outside the City services who is ready, willing and able to accept the position.

(4) When a vacant position is posted internally, an interview should be afforded to employees of the City meeting the minimum qualifications that have properly applied for the vacant position.

(5) In the case of original appointment or promotion within the competitive classified positions, civil service examinations and procedures shall apply to the extent required.

## (e) <u>Step Increases When Transferred.</u>

When an employee is involuntarily transferred from one position to another, any step increase eligibility shall be on the employee's original hire anniversary date as if the employee was not transferred. If any employee makes a voluntary transfer, an employee must complete probation within the new classification prior to being eligible for any step increase, such eligibility being on the employee's original hire anniversary date. In the event that the voluntary transfer employee's original hire anniversary date passes while an employee is on probation, then the step increase eligibility shall be immediate upon completing probation and said employee will be eligible for an additional step increase at the employee's next immediate original hire anniversary date. Finally, in the event that an employee returns to his/her prior classification and missed a step increase in that prior classification, he/she shall be placed in the step as if never vacating the position effective on the date of such occurrence. Any increase shall be subject to successful performance evaluation. Nothing in this provision shall be construed as requiring any step increase. (Ord. 51-05. Passed 8-1-05.)

# 197.10 HIRING OF SEASONAL AND TEMPORARY WORKERS

# **Restrictions**

If a laid off employee is hired as a part-time, permanent part-time, or temporary employee he/she shall be paid the rate and shall receive only those benefits, if any, allowed for such position. Such employment shall not constitute a "recall" within the meaning nor subject to the provisions of Section <u>197.05</u>. (Ord. 74-00. Passed 8-7-00.)

# 197.11 SAFETY WORK GROUP

A safety work group made up of those members that serve in or under the

Department of Management as deemed appropriate by the City Manager shall be established by the City Manager. this is not a board or committee of City Council and is not a "public body" as defined in orc 121.22. The purpose of the Safety Committee is to discuss safety policies and procedures for City operations for the approval of the City Manager, which, upon approval shall have the full force and effect of any other rule or regulation established by the City.

An employee within the Department of Management may be required to be a member of and to participate in the City's Safety Work Group.

Enforcement of safety policies so established will be the same as for any other work rule established by the City. (Ord. 015-12. Passed 3-5-12.)

#### **197.12 SENIORITY**

Except as may otherwise specifically be provided for in this Code, seniority shall be computed on the basis of an employee's uninterrupted length of continuous service with the City. For the purpose of this section, all paid leaves are considered uninterrupted continuous service; moreover, unpaid leaves as follows, shall not be considered an interruption of continuous service: suspensions, military leave during the time a person is eligible for reinstatement, injury leave for injuries occurring on duty, FMLA leave and pregnancy/temporary disability leave. An employee who is laid off and then is properly reinstated to City service within one year from the date of the layoff is credited with continuous service time for the period spent in layoff status. Likewise, up to a maximum of six months will be credited for time spent on an approved unpaid leave of absence, except when the leave of absence is for outside employment, including self-employment, then the employee shall receive no credit during the leave. Nothing in this section shall be construed as superseding or modifying provisions of this Code and policies of the City concerning how probationary periods are calculated. Department seniority when transfers are involved are controlled by Section 197.09(c). (Ord. 13-04. Passed 3-1-04.)

### **197.13 POLICY, PROCEDURES AND WORK RULES**

#### (a) **Policies and Procedures**

The city manager, city finance director, and city law director, as appropriate, are authorized to establish work rules and policies not inconsistent with this Code without council approval. Any policy or procedure manual so established shall be distributed to all affected full-time regular employees before taking effect, and copies shall be made available for review of affected part-time, permanent parttime, or temporary employees.

(Ord. 74-00. Passed 8-7-00.)

### (b) Establishment of Work Rules

Work rules may be established by department heads, subject to approval of the appointing authority.

## (c) <u>Complaints of Non-Uniform Application of Rules</u>

Any complaint involving the non-uniform application of work rules, policies and procedures or any complaint involving a conflict between the terms of this Code and work rules, policies and procedures may be resolved through the grievance procedure.

## (d) Employees to Observe Rules

This Section shall not be interpreted in any manner to relieve an employee of his/her responsibilities to follow the established uses, rules, and procedures necessary to preserve the good order and discipline of the City whether or not such rules and procedures have been reduced to writing. New employees shall be informed of all written work rules, policies and procedures in existence at the earliest possible time, and no later than sixty (60) days following their date of hire.

# (e) <u>Notification of Rule Changes</u>

Copies of changes in existing work rules, shall be provided to employees six (6) calendar days before they are to take effect unless an emergency is declared by the appointing authority that is promoting the rule change. (Ord. 44-01. Passed 5-21-01.)

### (f) <u>Rules to be Interpreted Uniformly</u>

Work rules shall be interpreted and applied uniformly to all similar employees under similar circumstances.

# 197.14 HOURS OF WORK AND COMPENSATION

### (a) <u>Work Week For Employees</u>

The standard normal work week for full-time regular employees shall be forty (40) hours, (except that certain fire department personnel work a fifty-three (53) hour work week) exclusive of lunch or other meal periods (except employees of the Police and Fire Departments as well as employees of the Water Treatment Department and the Wastewater Treatment Department are inclusive of lunch or meal period). The City will use its best efforts to schedule employees' days off such that the days off are contiguous.

This section is intended to define the normal hours of work in effect at the time of execution of this Code, and shall not be construed as a guarantee of work per day or per week.

The work week is considered to be from Monday 12:00 a.m. through the following Sunday 11:59 p.m. with exception of the Police Department which is Monday 7:00 a.m. through the following Monday 6:59 a.m.

## (b) Longevity Pay Plan

May be paid as established by separate legislation.

## (c) <u>Overtime – Hourly Paid Employees</u>

# (1) Applicability

This Section is not applicable to those persons or positions defined as the appointing authority or other salary status employees. For all hourly employees, including fire and rescue personnel, work performed means, actually worked and does not include leave of any type.

# (2) Advance Approval Required to Work Overtime

Any overtime hours must be authorized in advance by the appropriate supervisor.

# (d) <u>Compensatory Time</u>

With approval of the department head or appointing authority, employees, except Police Lieutenants and Assistant Chiefs of the Fire/Rescue Department, that are eligible for overtime pay may have the option of overtime pay or compensatory time off in lieu of overtime pay for hours worked in an overtime status to a maximum accumulation of sixty (60) hours at any one time, regardless of carryover. Police Lieutenants and Assistant Chiefs of the Fire/Rescue Department that are eligible for overtime pay may have the option of overtime pay or compensatory time off in lieu of overtime pay for hours worked in an overtime status to a maximum of one hundred (100) hours at any one time, regardless of carryover. Any accumulated balance of unused compensatory time shall be paid off on the first pay period in December, unless otherwise permitted to be carried over by the applicable department head or appointment authority.

Employees shall not be eligible for compensatory time credit for any hours for which they were otherwise compensated.

# (1) Rate of Credit of Compensatory Time

Compensatory time shall be credited at the appropriate overtime rate (either one and one half rate or double rate) for each hour of authorized overtime worked.

# (2) Submission in Writing

All requests for credit of compensatory time must be submitted in writing during the pay period in which the overtime was worked. Such request shall show the date and time when compensatory time was earned.

# (3) Rules for taking Compensatory Time Off

Compensatory time off shall be subject to advance approval by the employee's department head or appointing authority. Not less than one (1) hour of compensatory time shall be taken off on any one (1) day.

# (4) **Conversion to Overtime Pay**

Any employee shall be permitted to transform accumulated compensatory hours into overtime payment, in minimum blocks of eight (8) hours, upon seven (7) days notice to the payroll department of the City. The seven (7) day notice requirement shall be waived in the case of termination of employment with the City.

# (5) Minimum Call-out Time

Except as provided in the Section below entitled "Court Appearance Time", when an employee is required to and does report back to work at a time not contiguous to his regular scheduled work shift-he/she shall be guaranteed a minimum of one (1) hour pay. However, additional callouts during any one (1) hour callout period will not result in additional guaranteed one (1) hour minimum pay (no pyramiding).

# (6) Court Appearance Time

Any employee, who is required to return to work in order to make a City related court appearance at a time not contiguous to the beginning or end of his/her shift, shall be paid for a minimum of three (3) hours time at the appropriate overtime rate. If the employee is held beyond the minimum three (3) hour period, he/she shall be compensated at the appropriate overtime rate to the nearest one-quarter (1/4) hour for the time his/her presence is required for such court appearance.

If the employee is normally scheduled to work between the hours of 7:00 p.m. and 7:00 a.m. and spends more than five (5) hours in court, he/she shall not be required to work, if scheduled that day. He/she may instead charge eight (8) hours to sick leave, provided he/she notifies the current supervisor at least two (2) hours prior to the beginning of his/her shift of his/her intention not to report for work under the provisions of this Section.

# (7) Actual Call-out Time

Actual call-out time shall be defined as the time between the following limits:

• The earlier of the time of arrival at the work site, or the time of arrival at the appropriate work facility, and

• The time of departure from the work site or from the appropriate work facility whichever is later.

If an employee is called back to work again after leaving from an earlier call-out he/she shall be deemed to have been called out again.

# (8) **Overtime - Basic Rate**

All work performed in excess of the regular forty (40) hour work week, shall be overtime and shall be compensated at the rate of time and one half (1-1/2) times the employee's regular rate of pay, except as provided below.

# (9) Requirement to be Available to Work Overtime

It is an essential aspect of employment with the City that all employees make themselves available for overtime work. Employees who do not make themselves available and/or who otherwise refuse to work overtime on a regular or repeated basis or during emergencies (declared or otherwise) when requested to do so, and who do not have a bona fide reason for such unavailability and/or refusal, may be subject to disciplinary action, including dismissal.

# (10) Part-time, Permanent Part-Time, Temporary Employees (Overtime)

For part-time, permanent part-time or temporary firefighters and emergency medical technicians (EMT's) to be eligible for overtime, such employee must work in excess of one hundred and six (106) hours for a bi-weekly pay period (work period) (fourteen (14) days).

For part-time, permanent part-time or temporary employees (not firefighters or EMT's) to be eligible for overtime, the employee must perform work in excess of forty (40) hours in a work week-except that any employee working in a City amusement or recreational establishment (example: public pool, golf course) that is open less than seven (7) months is exempt from any overtime rate of pay.

# (11) Full-time Non Bargaining Firefighters or EMTs.

For full-time firefighters and emergency medical technicians (EMTs) who are not in the collective bargaining unit, and work a twenty-four (24) duty day, to be eligible for overtime, such employee must perform work in excess of fifty-three (53) hours per week or in excess of the regular twenty-four (24) hour duty day. When such employee is required to report back to work at a time not contiguous to his/her regularly scheduled duty day, thus necessitating additional travel to and from work, he/she shall be guaranteed a minimum of one (1) hour pay, (two (2) hours pay when so reporting back to work occurs between the hours of midnight and 5:00 a.m.), at his/her overtime rate for each call back to work.

For the purpose of this section, the term "report back" shall be defined as a specific and actual time that the employee returns to work only.

# (e) <u>Overtime - Salaried employees</u>

# (1) Applicability

This section is applicable to those persons or positions defined as the appointing authority and other employees that may be exempted from being paid the overtime rate pursuant to the provisions of the Fair Labor Standards Act.

# (2) General

In the case of salaried positions of managerial and professional employees, it is implicit in the nature of their positions that time beyond the normal work schedule may often be necessarily spent on the job for which no additional compensation is permitted.

# (3) Salaried Employees

Salaried employees are required to work the hours necessary to complete the work tasks. Although expected to work a normal forty (40) hour week, it is also understood that such employee may work less or more hours without deduction or additional compensation. Any abuse of this provision shall be determined by the council when dealing with appointees of council and determined by the appointing authority when dealing with salaried employees under their authority, as deemed appropriate by such authority.

# (f) Paid Lunch Periods

If the City determines that an hourly employee is required to remain at the work site for the entire length of a period of eight (8) hours or more, then the employee shall be permitted a one-half (1/2) hour paid lunch break during said period, provided the employee shall make him/herself available to respond to work demands during the lunch period if the need arises. Refusal to respond to work demands during lunch period if the need arises will be subject to discipline, including dismissal.

# (g) <u>Pay Plan</u>

# (1) Administration

The appointing authority shall be responsible for administering the pay plan for his/her respective department. Each appointing authority shall be responsible for making arrangements to ensure that the administration of the plan for all employees within his/her respective department is on an equitable basis.

# (2) Interpretation

The appointing authority shall be responsible for interpreting the application of the plan to all pay questions which are not specifically covered by this regulation, using the principles expressed herein as a policy guide.

# (3) New appointees

A new employee shall normally be paid the minimum rate of pay for his/her class. Exceptions may be granted in the following cases upon the written prior approval of the appointing authority.

# A. Appointments of Individuals With Less Than Minimum Qualifications

The minimum rate of each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class specification. If it becomes necessary to appoint a new employee of lesser qualifications, he/she should be started below the minimum rate of the class.

# B. Appointments of Individuals With More Than Minimum Qualifications

If a new employee more than meets the minimum qualifications and will not accept appointment at the minimum rate of the class, he/she may be appointed at a higher step. Cases should be thoroughly analyzed and measured against objective standards as determined by the appointing authority.

# (4) Pay Changes - Promotions, Transfers, Demotions and Reallocations

# A. Promotions to Higher Class

When an employee is promoted to a position in a higher class, his/her base pay shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above his/her present base pay.

# **B.** Transfers Voluntary

An employee who voluntarily transfers into another position shall so transfer at the

current minimum base pay rate of the position into which the employee transfers, unless experience, skill, and position constitute being transferred at a higher pay rate, as shall be solely determined by the appointing authority.

# C. Demotions

When an employee is demoted to a lower class position, he/she shall be paid at a rate which is within the approved range for the lower class position. The rate of pay shall be set by the appointing authority.

# D. Reallocations Downward

When an employee's position is reallocated to a lower class of positions (nondisciplinary), the employee shall be permitted to continue at his/her present rate (except in event of general service wide reductions), but such employee shall not be entitled to any base pay increase by any mechanism whatsoever, until and unless the sum of the base rate of pay for the reallocated position in the newly established level and class of the employee, plus any longevity pay entitlements of the employee applied to the base pay of the new level and class would become greater than the actual present pay rate of the employee.

# E. Reinstated Employees

A reinstated employee shall be paid at a base pay within the approval range for the position to which he/she is reinstated. The appointing authority will establish the rate of pay.

# F. Rates for Classes to be Established by Ordinance

The class plan rates of pay for each class of positions prescribed in the position classification plan for the City shall be changed by and rates of pay for new classes of positions shall be established by council in the form of ordinances, or amendments thereto which provide for such rates.

# (h) <u>Rest Periods</u>

Hourly employees may schedule with department head up to two (2) fifteen (15) minute rest periods during each work day which is scheduled to last eight (8) hours or more. Each rest period shall be taken at the work site, and shall in no circumstances exceed fifteen (15) minutes in length from the time productive work ceases until it begins again. Rest periods shall not be scheduled or taken in the first one and one half (1-1/2) hours of the work day.

# (i) <u>Retirement Contribution Pick-Up</u>

May be established by the City in separate legislation.

## (j) Salaries and Wages

Executive and management officers and employees' salaries for the following executive and management officers and employees shall be established by ordinance or resolution:

- City Manager
- City Finance Director
- City Law Director

## (k) Total Remuneration

The salary or hourly rate, plus reimbursement for expenses incurred by approved use of private automobile on City business, uniform allowance, official travel expense, and any special provisions outlined in this pay plan shall be the total remuneration for any employee. [Except as otherwise provided herein, no employee covered by this plan shall receive pay from the City in addition to that authorized under the schedules provided in the pay plan for services rendered by him/her, either in the discharge of his/her duties, or any additional duties which may be imposed upon him/her or which he/she may undertake or volunteer to perform.]

# (1) <u>Shift Differential Pay - Non-Bargaining Hourly Employees in the Police</u> <u>Department</u>

Non-bargaining hourly employees in the Police Department working between the hours of 3:00 p.m. and 11:00 p.m. (2nd shift) shall receive shift premium pay at the rate of two and one quarter (2-1/4%) percent of their rate of pay for those hours worked. Those non-bargaining hourly employees in the Police Department working between the hours of 11:00 p.m. and 7:00 a.m. (3rd shift) shall receive shift premium pay at the rate of two percent (2%) of their rate of pay for those hours worked (whether that be regular time, overtime, or acting time pay for either shift). (Ord. 093-08. Passed 12-15-08.)

# **197.15 MAJOR PAID BENEFITS**

### (a) Hospital and Medical Benefits

# (1) Applicability

This section (Major Paid Benefits) applies to all members or officers of the appointing authority and other full-time regular employees, both classified and unclassified; specifically exempt from this section are members of city council, the mayor, and, except as herein provided, the judge of the municipal court. Section 197.15(d) (Pensions) applies to members of council and the mayor. The judge of

the municipal court shall receive City shared contributions towards benefits as contained in this Section <u>197.15</u> to the extent permitted by law. Unless specifically authorized for part-time, permanent part-time or temporary employees by this Code or other controlling law, such part-time, permanent part-time or temporary employees are not eligible for major benefits, paid leave, or any other benefits described in this Code.

### (2) Scope of Health Benefits

Subject to reasonable cost containment measures, the City provides group hospitalization, surgical, and extended medical benefits for each full-time regular employee in accordance with the benefit schedule provided in the City's plan as on file in the office of the City Finance Director marked "City of Napoleon Health Benefit Plan (#HBP-1)" and as may be amended from time to time by resolution of Council. The Health Benefit Plan shall include covered services, co-pays and premium contribution.

## (b) Life Insurance

A death benefit, for non-bargaining employees, in the amount of thirty thousand dollars (\$30,000) shall be paid, under the terms of an insurance policy, to the designated beneficiary of a full-time regular employee of the City upon his/her death, providing such death occurs after the employee has completed thirty (30) days from the date of employment and the first of the month thereafter. Each employee shall furnish the City with a beneficiary designation. In the event the employee has failed to designate a beneficiary then the benefit shall be made to his/her estate, upon the application of the legal representative. The City will provide a certificate of insurance to each employee.

### (c) Leaves of Absence - Continuation of Premiums

Upon the written request of an employee on leave of absence, the City will continue the employee's coverage under the group life and health insurance plans, and will pay its share of the premiums for such plans in accordance with the provisions of this section for a maximum of thirty (30) days, except as otherwise provided in Section <u>197.19(g)</u> of this code and except as otherwise provided by law that supersedes this code. On the first day of the month following the commencement of the employee's leave of absence, the employee will then and thereafter be solely responsible for the payment of all subsequent such premiums.

### (d) <u>Pension Funds</u>

Employees shall be provided coverage under the Public Employees Retirement -System or Police and Fireman's Disability and Pension Fund as appropriate.

### (e) <u>Severance Pay</u>

Upon retirement, death, resignation, or termination, employees shall be paid for all, if any accumulated but unpaid vacation, holidays, regular pay and overtime pay, or compensatory time due and owed to them as of their last date of employment. In case of death, the above payments shall be made to the employee's estate or designated survivor(s).

### (f) <u>Unemployment Compensation/Workers Compensation</u>

Employees shall be provided unemployment compensation coverage and workers compensation as required by law. (Ord. 093-08. Passed 12-15-08.)

# **197.16 PAID LEAVES OF ABSENCE**

# (a) <u>Applicability</u>

The provisions of this chapter shall apply only to employees who are full-time regular employees unless otherwise expressly applied to other than full-time regular employees. This chapter (Paid Leaves of Absence) shall also expressly apply to members or officers of the appointing authority and other full-time regular unclassified employees, excluding elected officials. Nothing in this provision (a) shall be construed as prohibiting the limiting or restricting of applicability of a leave policy to "key employees" as may be provided in a specific policy.

# (b) Applications for Time Off and Scheduling of Time Off

The following guidelines will be followed when applying for and authorizing time off. Vacation, holidays, personal holidays, and compensatory time are considered time off. Any and all combinations of the above may be used when applying for time off.

Number of Days Off	Minimum Notice
less than 5	7 days
5 plus	35 days

To reserve vacation time, employees must apply for their vacations by November 25th of the year prior to the year the vacations will be taken and priority for time off within the above categories will be determined by departmental seniority from an employee's most recent employment date. With regard to any vacation application received after November 25th, priority for time off within the above categories will be determined by departmental seniority from an employee's most recent employment date only when employees apply for vacation on the same calendar day. Advanced application for vacation may be made so long as the employee will have credited the requested hours at the time the employee's vacation

is to commence; however, an employee may not, in advance, lock in vacation dates for multiple years.

Exceptions to minimum notice may be permitted subject to the approval of the appropriate supervisor.

Authorization of time off is subject to availability of personnel, and the recognized City objective of minimizing overtime paid.

## (c) <u>Bereavement Leave</u>

### (1) General

A full-time regular employee may be granted a leave of absence with pay to attend the funeral of a member of his/her immediate family. Such leave of absence will be granted between the day of death until and including the day of the funeral, not to exceed three (3) calendar days and shall not be charged against the employee's accumulated sick leave.

Immediate family, for the purposes of this Section, shall be defined as the employee's grandparents, brother, sister, father, father-in-law, mother, mother-in-law, spouse, child, stepchild, grandchild, or legal guardian.

A full-time regular employee shall be granted a one (1) day leave of absence with pay to attend the funeral of his/her spouse's brother, sister and grandparents, or the employee's son-in-law, daughter-in-law, aunt and uncle.

In the event of the death of any other relative of an employee, the employee shall, upon request, be excused for one (1) day to attend the funeral, with such leave day being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take an unpaid leave day.

### (2) Additional Bereavement Leave

Additional leave may be granted, at the discretion of the department head, or appointing authority whichever is applicable, for travel or such other related purposes, with such additional leave days being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take the leave unpaid.

### (3) Notification Requirements for Bereavement Leave

The employee must notify his/her supervisor of the purpose of his/her absence as

soon as possible but not later than one (1) hour prior to his/her scheduled starting time on the employee's first day of such absence from scheduled duty. The employee may be asked to provide to the department head, or appointing authority, whichever is applicable, verification of the death, relationship, and funeral date.

## (d) Personal Holidays

Except as herein provided, each employee shall be entitled to five (5) personal holidays per calendar year to be taken on any work day chosen by the employee and approved in advance by the employee's supervisor or the appointing authority, whichever is applicable. During the first calendar year of employment, the number of personal holidays, or portion thereof, shall be prorated based upon the month in which the employee is hired. An employee hired on December 1 or later shall have no personal holidays for that year. Personal holidays must be taken prior to the last day of the last complete pay period of the calendar year or they will be lost. Personal holidays from year to year cannot be accumulated.

For officers of the police department, any holidays banked shall be taken prior to the last day of the last complete pay period in November, or they will be converted to eight (8) hours cash payment on the first pay of December.

Instead of what has been stated above, the Assistant Chief of the fire/rescue department shall be entitled to five (5) personal days or one hundred twenty (120) hours each calendar year.

# (e) <u>Sick Leave</u>

# (1) Crediting of Sick Leave

Except as otherwise provided, sick leave credit shall be earned at the rate of 0.0575 hours for each hour of service only in active pay status, up to a maximum yearly accumulation of one hundred twenty (120) hours. Unused sick leave credit shall accumulate from year to year without limit. Effective September 1, 2000, of the non-full-time regular status employees, only permanent part-time employees shall earn sick leave credit and at the same rate as full-time regular employees; however, any other part-time or temporary employee that received such benefit prior to September 1, 2000 shall retain the same until such time is otherwise exhausted.

The Assistant Chief of the fire/rescue department may accumulate a maximum of one hundred ninety-two (192) sick leave hours each calendar year; however, in no event shall the Assistant Chief of the fire/rescue department accumulate more than three thousand six hundred (3,600) total hours.

### (2) Retention of Sick Leave

An employee who formerly worked for another public agency shall be given credit for any accumulated but unused sick leave provided that the employee was hired by the city within ten (10) years of the date on which the employee was last terminated from public service, and further provided that deduction from such sick leave credit shall be made for any payment or credit given by the previous agency in lieu of taking sick leave.

Unless otherwise provided by a specific ordinance or resolution of council pertaining to employment or previously authorized by the City, the sick leave so credited (transferred) may be used only to extend sick leave coverage while in the employment of the City, and only after all sick leave earned at the City has been exhausted; further, unless otherwise provided, such credited (transferred) sick leave may not be used in computing sick leave payout at retirement or additional (sick leave conversion) vacation leave purposes.

This provision shall not narrow or reduce the amount of sick leave credit received, nor shall it narrow or reduce a current sick leave balance, a sick leave conversion right or sick leave payout, as was previously authorized, of any person who is employed by the City at the time of this Code enactment.

#### (3) Expiration of Sick Leave

If illness or disability continues beyond the time covered by earned sick leave, the employee may be granted further leave in accordance with the City's FMLA policy, or other applicable leave policies, subject to qualification.

#### (4) Charging of Sick Leave

Sick leave shall be charged in minimum units of one-quarter (1/4) hour. An employee shall be charged for such leave only for days upon which he/she would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

#### (5) Uses of Sick Leave

Sick leave shall be granted to an employee who qualifies for sick leave only upon approval of the City and for the following reasons:

Illness or injury of the employee that requires time off from work.

Illness or injury to a member of an employee's immediate family when care or attendance by the employee is necessary requiring time off from work.

Medical, dental or optical examination or treatment of an employee or a member of his/her immediate family which requires the employee to take time off work, and

which cannot be scheduled during non-working hours or, when a member of the immediate family of an employee is afflicted with a contagious disease that requires the care and attendance of the employee or when, through exposure to a contagious disease the presence of the employee at his/her job would jeopardize the health of others.

For the purpose of this section, immediate family shall include the employee's father, mother, spouse, child, without regard to residency and will include a stepchild if in the employee's residence. The immediate family provisions contained herein shall be for a limited period of time (not to exceed three (3) consecutive days per week) to enable the employee to secure other arrangements for the care of the member of his/her immediate family, except as may be approved by the employee's appointing authority in unusual and exceptional circumstances.

\* Notwithstanding any other provision in this section, pregnancy, childbirth and other related medical conditions and temporary disability requiring the necessity of an employee to take time off work, will be considered, subject to qualification, under the FMLA and pregnancy and temporary disability policies of the City. In cases where any other leave qualifies, the applicable leave policy shall control in accordance with the City's Employment Policy Manual.

# (6) Evidence Required for Sick Leave Usage

Any employee requesting sick leave shall be required to furnish a satisfactory written signed statement to justify the use of sick leave.

If medical attention is required, a certificate stating the nature of the illness from a physician shall be required to justify the use of sick leave. Falsification of either a written, signed statement, or a physician's certificate may be grounds for disciplinary action including dismissal.

# (7) Notification by Employee

When an employee is unable to report to work, he/she shall notify his/her immediate supervisor, or other designated person, one (1) hour before the time he/she is scheduled to report to work on each day of absence, unless emergency conditions make it impossible, or other arrangements have been made in advance with the supervisor.

### (8) Abuse of Sick Leave

Employees failing to comply with sick leave rules and regulations shall not be paid for the period of time missed from work. Application for sick leave with intent to defraud will result in denial of pay to cover the day(s) in question and may result in disciplinary action up to and including dismissal. If pay has been received for sick leave for which there was no entitlement, the City shall have the right to recover from the employee any money wrongly paid.

Sick leave shall not be paid to any employee for time off of work which results from any action within the control of the employee such as intentional self-inflicted wounds, use of illegal drugs, alcoholic beverages, or injury sustained while committing a felony or other criminal action. This provision shall not apply to sick leave used for the purposes of participating in bona fide drug treatment, alcohol treatment, or mental health treatment programs.

### (9) Physician Statement

Employees on sick leave on more than three (3) consecutive working days shall be required to furnish a certificate from a physician notifying the City that the employee is unable to perform the job, and may be required to present a like certificate from a physician upon the employee's return to work indicating his/her fitness and ability to perform the job.

In addition, employees shall also be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which exceeds any one (1) of the following calendar year limits:

Two (2) occasions per employee for the employee's illness, for which no physician's certificate was presented and/or two (2) occasions per family member, for which no physician's certificate was presented; however, the total occasions per calendar year shall not exceed four (4).

Exceptions may be made to the limits listed above in certain circumstances, and only upon advance written approval of the department head or the appointing authority, whichever is applicable.

Employees may be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which is less than any one (1) of the calendar year limits shown above, if the City has reasonable suspicion that sick leave abuse is occurring or will occur.

Where sick leave is requested to care for a member of the immediate family, the City may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill person.

### (10) Physical Examination

The City may require an employee to take an examination, conducted by a physician, to determine the employee's physical or mental capability to perform the job. If determined incapable of doing so as a result of such examination, the employee may be placed on paid leave of absence, unpaid leave of absence, or

disability separation. The cost of such examination shall be paid by the City.

### (11) Sick-Leave Payout

Unless otherwise provided or modified by a specific ordinance or resolution of Council pertaining to employment, or unless otherwise declined by the employee, or otherwise deferred by the employee in anticipation of rehire by the City, any employee who retires or otherwise departs service, other than an involuntary departure, after ten (10) years of continuous service with the City or who dies in service after five (5) years of continuous service with the City, except part-time permanent employees, shall be compensated for accumulated but unused sick leave at the time of retirement or death in the form of a lump sum payment at the rate of:

• One (1) day's pay for every four (4) days of accumulated but unused sick leave up to nine hundred sixty (960) hours; the remaining time shall be at the rate of one (1) day's pay for every three (3) days of accumulated but unused sick leave.

• Such lump sum payment shall reduce to zero (i.e., eliminate) the employee's sick leave credit.

An employee's "daily base rate" or "day's pay" shall be figured by dividing the employee's annual base rate at the time of retirement or voluntary departure by 2080 hours and multiplying that base hourly rate figure by eight (8) hours.

The death benefit payment shall be made to the beneficiary designated by the employee in writing on a form provided by the City. In the event that there is no such valid designation, the payment shall be made to the employee's estate upon application of the legal representative thereof.

In the case of sick leave payout being deferred in anticipation of rehire by the City, the sick leave reconciliation shall be made as provided for in this section. A rehired employee shall be entitled to use all or part of the deferred sick leave so long as it is used in accordance with use of sick leave policies of the City. Any deferred sick leave amount may be demanded for payment by the earner of the sick leave at any time in accordance with the sick leave payout schedule, so long as the sick leave is not used or otherwise transferred to another governmental entity. In any event, full reconciliation and settlement of deferred sick leave payout shall be completed not later than twenty-four (24) months after last employment with the City.

# (12) Sick Leave Conversion

An employee with a sick leave balance in excess of nine hundred and sixty (960) hours may use a portion of such excess sick leave as vacation time by converting three (3) sick leave days for each one (1) day of vacation time. An employee may convert up to a maximum of fifteen (15) such excess sick leave days per calendar

year. However, such conversion shall not be permitted if payment of overtime to another employee becomes necessary as a result. This provision is subject to the provisions contained in Section 197.18 of this Code (Vacations).

# (f) Legal Holidays

# (1) Effects of Vacations and Days Off on City Observed Legal Holidays

When one (1) of the City observed legal holidays falls within an eligible employee's approved vacation period or scheduled day off, he/she shall be entitled to holiday pay for the legal holiday in lieu of his/her vacation pay. Those employees who work "shift work" may elect to receive the pay, to bank the holidays, or to bank the vacation day. Except for salary employees, shift work employees who work on any of the herein City observed legal holidays listed shall have the option of electing one (1) of the following when applied for in writing by the employee to the payroll department prior to the next scheduled pay period following the holiday:

Receive eight (8) hours holiday pay plus one and one-half (1-1/2) times their regular rate of pay for all time worked, except in the case of the Assistant Chief of the fire department position(s) which shall receive 11.2 hours holiday pay plus one and one-half (1-1/2) times his/her regular rate of pay for all time worked.

Receive an additional banked holiday (to be taken off prior to the ending of the next to last full pay period of the current fiscal year) plus receive one and one-half (1-1/2) times their regular rate of pay for all time worked. If the additional banked holiday is not taken off by the end of the next to last full pay period of the year it shall be paid in cash for eight (8) hours at straight time (except for the positions of Assistant Chief of the fire/rescue department which shall be 11.2 hours) rate payable the first pay in December of the current fiscal year.

# (2) Observance Days

For employees who have a regular work schedule other than Monday to Friday, the observance of the holiday shall be on the day of such City observed legal holiday. For those employees whose regular schedule is Monday to Friday, City observed legal holidays that fall on a Saturday will be observed on Friday, and City observed legal holidays that fall on Sunday will be observed on Monday.

### (3) Schedule of Observed Legal Holidays

The following are the paid City observed legal holidays:

January 1, Good Friday (being the Friday immediately prior to Easter Sunday), Memorial Day (being the last Monday in May), July 4th, Labor Day (being the first Monday in September), Thanksgiving (being the fourth Thursday in November), December 25th, and an additional floating holiday as specified below: If December 25th is Sunday, then December 25th will be recognized on December 26th and an employee shall also receive December 27th as the additional floating holiday.

If December 25th is Monday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Tuesday, then an employee shall also receive December 24th as the additional floating holiday.

If December 25th is Wednesday, then an employee shall also receive the day after Thanksgiving as the additional floating holiday.

If December 25th is Thursday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Friday, then an employee shall also receive December 24th as the additional floating holiday.

If December 25th is Saturday, then December 25th will be recognized on December 24th and an employee shall also receive December 23rd as the additional floating holiday.

In addition to what has been stated herein, President's Day shall be considered a legal holiday for the Assistant Chief of the fire/rescue department position(s); regardless, President's Day shall not be construed as a legal holiday for the City for any other purpose.

### (4) Failure to Work on Holiday

To become eligible for holiday pay, the employee must work the full last scheduled work day prior to, and the full next scheduled work day after, each of the City observed legal holidays listed unless the employee was otherwise in active pay status.

Employees who are scheduled to work on a designated City observed legal holiday and do not report for work on the holiday shall not be entitled to holiday pay unless their reason for not reporting would ordinarily constitute an acceptable excuse under the applicable provisions of this Code. (Ord. 093-08. Passed 12-15-08.)

### 197.17 TRAUMA LEAVE

Applicability: This Chapter is applicable to full-time regular employees of the classified service.

If a full-time regular employee in the classified service, while acting in his/her official capacity, is involved in an incident resulting in death or permanent disfigurement or disability to a person, or witnesses the death or permanent disfigurement or disability of a fellow employee, or witnesses the death of a person due to the application of deadly force by another, that employee shall receive trauma leave upon request of the employee to relieve the stress which has resulted from such incident.

The duration of such trauma leave shall be approved by the appointing authority. However, under no circumstances shall such trauma leave exceed thirty (30) days.

While on such trauma leave, the employee shall receive his/her normal rate of pay for such days, and they shall not be charged to his/her sick leave or any other accumulated but unused leave time.

Prior to his/her return to work, the City shall require the employee to take an examination, conducted by a physician, to determine if the affect of the trauma is relieved to the extent that the employee is both physically and mentally capable to perform the essential duties of the job. If determined incapable of doing so as a result of such examination, the employee may be placed on paid leave of absence, unpaid leave of absence, or disability separation. The cost of such examination shall be paid by the City.

(Ord. 44-01. Passed 5-21-01.)

# **197.18 VACATIONS**

# (a) <u>Entitlement Restrictions</u>

Except as otherwise provided in Section  $\underline{197.18}(h)$ , full-time regular employees are entitled to vacation with pay after one (1) year of continuous service in the most recent employment with the City and will be due only upon the completion of the first year of said employment, calculated from hire date. The amount of vacation leave to which an employee is entitled is based upon length of service and calculated and earned on a biweekly basis as follows:

Full-time regular employees (except Assistant Chief of the fire/rescue department positions)

Years of Service	Annual Hours	Bi-Weekly Accrual Hours
0 year but less than 6 years	80 hours	3.077 hours/each normal pay

6 years but less than 12	120 hours	4.616 hours/each normal pay
12 years or more	160 hours	6.154 hours/each normal pay

Full-time Assistant Chiefs of the fire/rescue department positions:

0 year through 1	48 hours	1.85 hours/each normal pay
2 years through 8	120 hours	4.62 hours/each normal pay
9 years through 15	192 hours	7.385 hours/each normal pay
16 years or more	240 hours	9.231 hours/each normal pay

## (b) Effect of Time Spent on Authorized Leave of Absence

Time spent on any authorized leave of absence, whether paid or unpaid, shall be counted in determining length of service for purposes of vacation eligibility.

# (c) <u>Scheduling of Vacations</u>

Vacations will be arranged to give consideration to the desire of the employee in accordance with a procedure established by the employee's department head which will not interfere with City operations.

# (d) Vacations to be Taken During Year After Earned

Except for the first year of service, accrued vacation leave may be taken by an employee at any time after accrual and entitlement, subject to the minimum increments established, so long as properly scheduled in accordance with other provisions of this Code, policy manual or work rule.

An employee shall not allow his/her total vacation time to exceed his/her maximum accrual entitlement for any employment year (considered for the purpose of this Section as being from the employee's anniversary date to the employee's next anniversary date) without prior approval from the appointing authority. for the purpose of this Section, the twelve month span of time between employee's anniversary date is an employment year.

This provision is applicable to accrued vacation as a result of sick leave conversion which is authorized in Section <u>197.16</u>(e)(12) of this Code. When carryover is requested by a department director, such approval may be by the council president, with notification to the body of council, or merely by the body of council.

# (e) <u>Vacation Forfeiture</u>

Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess of any authorized balance; moreover, any vacation time accrued in the first year of service shall be forfeited if any employee fails to complete one (l) year of continuous service.

## (f) Accrual

Vacation leave is accrued only while on active pay status, excluding overtime and in accordance with Section 197.18(a).

## (g) Lump Sum Payment of Vacation

In the event an employee is denied the opportunity to schedule and take accrued vacation leave due to operational needs of the City, or in the event an employee fails to schedule and take accrued vacation leave due to the operational needs of the City, the appointing authority may authorize a year-end lump sum payment to the employee in an amount not to exceed the monetary value of the employee's annual vacation accrual as provided in Section 197.18(a). In the case of a department director, lump sum payment may be approved by the council president, with notification to the body of council, or merely by the body of council.

# (h) <u>Prior Service Credit.</u>

**A.** Except as otherwise provided for in separate legislation, and except as otherwise specifically excluded by a collective bargaining agreement under Ohio R.C. 4117, to determine prior service for the purpose of computing the amount of vacation leave for an employee first employed on or after July 5, 1987 by the City of Napoleon, the employee shall have only his or her prior service with the City of Napoleon counted. Those employees (not elected officials) who were employed by the City of Napoleon prior to July 5, 1987 shall have all their public service with the State of Ohio or any of its political subdivisions credited pursuant to Ohio R.C. 9.44 (A). An employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio and who is employed by the State of Ohio or any political subdivision of said State on or after June 24, 1987, shall not have his or her prior service with the State of computing vacation leave. (Ord. 059-13. Passed 11-18-13.)

**B.** Except as may be otherwise provided for by separate legislation, employees entitled to prior service credit for purpose of computing vacation leave shall have their anniversary date deferred to their most recent date of employment with the City of Napoleon for purposes of: (1) vacation use or, (2) any use or forfeiture policy regarding vacation.

**C.** Elected officials are not entitled to prior service credit for purpose of calculating vacation benefit, if any. (Ord. 093-08. Passed 12-15-08.)

## **197.19 OTHER LEAVES OF ABSENCE**

### (a) Leave of Absence In General

#### (1) Application

The provisions of this Chapter shall apply only to full-time regular employees. This Chapter shall, unless otherwise stated, also apply to members or officers of the appointing authority, except members of city council and the mayor.

#### (2) Authorization of unpaid leave

The authorization of a leave of absence without pay is a matter of administrative discretion. The City shall decide in each individual case if a leave of absence is to be granted, within the limitations of this Code.

### (3) Sick Leave Credit and Vacation Credit

An employee on leave of absence without pay does not earn sick leave or vacation credit. However, the time spent on authorized unpaid leave of absence is to be counted in determining length of service for purpose of calculating vacation eligibility or other purposes where seniority is a factor, unless otherwise stated to the contrary in other applicable ordinance or resolution.

### (4) Falsification of Leave

Any leave of absence obtained through false representation, deceit, or fraud may be cause for disciplinary action up to and including dismissal.

### (5) Reinstatement From Leave

Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. Any replacement in the position while an employee is on leave is to be on a temporary basis.

### (b) <u>Court Leave</u>

Court leave with pay will be granted to an employee who is summoned and required to appear for jury duty by the United States, the State of Ohio, or a political subdivision during regular working hours. Court leave with pay will be granted to any employee subpoenaed and required to appear as a plaintiff, defendant, or witness in a criminal or civil matter related to City business so long as the action in controversy is not a controversy between the City and the employee so appearing. Employees will not be entitled to court leave when appearing in court for criminal or civil cases being heard in connection with the employee's personal matters, such as traffic court, divorce proceedings, custody, appearing as directed with juvenile, etc. Such absences may be charged to leave without pay, vacation or other accumulated compensable time upon approval of the employee's supervisor.

Employees shall honor any subpoena issued to them including those for Worker's Compensation and Unemployment Compensation.

Employees are expected to report for work if, after court or jury duty responsibilities are met, two (2) hours or more of the employee's regularly scheduled shift remains.

All moneys received as compensation, unless jury duty was served totally outside of regular working hours, shall be turned over to the City.

## (c) <u>Temporary Disability Leave</u>

Temporary disability leave shall be considered, subject to qualification, under the pregnancy and temporary disability leave policy of the City as contained in the City's Employment Policy Manual.

### (d) <u>Injury Leave</u>

Injury leave shall be considered, subject to qualification, under worker's compensation or the FMLA or pregnancy and temporary disability leave policies of the City as contained in the City's Employment Policy Manual.

# (e) <u>Reinstatement after Injury or after Leave Due to Injury</u>

### (1) General.

An employee who is absent due to Injury Leave as defined in the Section (Injury Leave), or who has been separated from service due to injury or physical disability incurred in the performance of duty, will be considered for reinstatement only through the reinstatement application process, provided that such application shall be filed not later than the earliest of the following:

- Twenty four (24) months after the injury occurred; or,
- Twelve (12) months after leave from service under the provisions of this Chapter; or,
- The date of service eligibility retirement.
#### (2) Payment of Accumulated Sick Leave after Injury

Except for part-time, permanent employees, any employee who is permanently separated from City service due to a service related disability compensated by the Ohio Bureau of Workers Compensation or the appropriate Retirement System Fund, as a result of a bodily injury received in the line of duty, shall receive a lump sum payment for one-half (1/2) of his/her accumulated but unused sick leave. Such lump sum payment shall reduce the employee's sick leave credit to zero. If the one-half (1/2) lump sum payment has not been made before the employee dies, the designated beneficiary of any employee who dies as a proximate result of such an injury shall receive payment for the full balance of the accumulated but unused sick leave.

#### (f) Military Leave

All employees who are members of the Ohio National Guard, the Ohio Defense Corps, the Naval Militia, or members of other reserve components of the Armed Forces of the United States are entitled to leave of absence from their respective duties without loss of pay for such time not to exceed a total of thirty-one (31) days in any one (1) calendar year. If while on active duty the employee's total gross wages are less than what they earn in City employment, the City will pay the employee the salary difference. If while on active duty the employee's total gross military wages are equal to or greater than what they earn in gross wages through City employment, the employee will not receive any salary reimbursement from the City.

• The employee is required to submit to his/her supervisor an order or statement from the appropriate military commander as evidence of such duty. There is no requirement that the service be in one (1) continuous period of time. The maximum number of hours for which payment may be made in any one (1) calendar year under this provision is one hundred seventy six (176) hours. Compensation received for the above purposes, not to exceed one hundred seventy six (176) hours, shall be submitted to the city finance director upon return from such duty, or as soon as possible. The city finance director will give the employee a receipt for the same.

• Employees who have worked for the City for at least thirty (30) calendar days will be granted a leave of absence without pay to be inducted or to otherwise enter military service. They are not paid for such leave unless they are members of reserve components as specified in the first paragraph of this Section.

• An appointment may be made to fill a vacancy created when an employee enters military service. However, if the person filling such a vacancy also enters military service he/she may be reinstated to the position after completion of service only if the first employee (the original incumbent) fails to apply to reinstatement within ninety (90) days of discharge or made written waiver of all rights to the position.

• An employee who voluntarily re-enlists while on active duty or a commissioned officer who voluntarily enters into extended duty beyond that required upon accepting a commission, is not eligible for reinstatement.

• Employees who are members of the Ohio National Guard will be granted emergency leave for mob, riot, flood, civil defense, or similar duties when so ordered by the Governor or assist civil authorities. Such leave will be without pay if it exceeds authorized paid military leave for the year. This leave will cover the official period of the emergency.

• Except for veterans that voluntarily re-enlist while on active duty or who voluntarily enters into extended duty beyond that required, a veteran separated or discharged under honorable conditions must in order to be reinstated, make application for re-employment to the former position within ninety (90) days from the date of release from service, or within ninety (90) days after release from hospitalization due to in service injury or illness which has not exceeded a period of more than one (1) year.

The following procedure will apply:

- A copy of a discharge or certificate of service must accompany all requests for reinstatement or reappointment;
- If a proper copy of discharge or certification is in order, reinstatement shall be accomplished within thirty (30) days after application is received by the appointing authority;

• Any change in classification or pay range which would have accrued to the position if the employee had been on the job shall apply.

#### (g) <u>Unpaid Personal Leave</u>

Any unpaid personal leave of absence requested must be submitted to the department head and approved by the appointing authority or his/her designated representative at least three (3) working days prior to the start of such leave. Unless otherwise specified, unpaid personal leave of absence is without benefits. Unpaid personal leave of absence, if approved, shall not exceed thirty (30) day intervals, and unless otherwise specified, shall be granted or denied at the discretion of the appointing authority or his/her designated representative.

Unpaid personal leaves of absences will generally not be granted for the purpose of working elsewhere, which includes self-employment.

#### (h) Family and Medical Leave (FMLA)

FMLA leave shall be as contained in the City's Employment Policy Manual. (Ord. 13-04. Passed 3-1-04.)"

Section 2. That, it is found and determined that all formal action of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 21.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

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

Section 4. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed:	Joseph D. Bialorucki, Council President
Approved:	
	Jason P. Maassel, Mayor
VOTE ON PASSAGE Yea Attest:	Nay Abstain

Roxanne Dietrich, Clerk of Council

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 035-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_,2022; & 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

#### **ORDINANCE NO. 035-22**

#### AN ORDINANCE AMENDING A CERTAIN SECTION OF THE CITY OF NAPOLEON PERSONNEL CODE, SPECIFICALLY SECTION 197.06(B), "RESIDENCY REQUIREMENTS"

WHEREAS, the Safety and Human Resources Committee met in a regular meeting held on May 23<sup>rd</sup>, 2022, and reviewed a certain section of the City Personnel Code, specifically Section 197.06(b), regarding suggested changes presented by City staff, and recommended that the City should adopt the amended Personnel Code; and,

WHEREAS, City Council acknowledges that from time to time it must review the various codes and policies of the City of Napoleon; and,

WHEREAS, City Council now desires to amend the Personnel Code of the City of Napoleon; Now Therefore,

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

Section 1. That, the City of Napoleon does hereby amend Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio as follows:

#### **"CHAPTER 197**

# PERSONNEL CODE

# City of Napoleon, Ohio

	1	97	.01	Preamble.
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- **<u>197.02</u>** Miscellaneous.
- **197.03** Employee records and discipline.
- **197.04** Employee relations.
- **<u>197.05</u>** Layoff and recall procedures.
- **<u>197.06</u>** Residency requirements.
- **197.07** City organization chart.
- **<u>197.08</u>** Preconditions for employment.
- **197.09** Promotions, assignments and transfers.
- **<u>197.10</u>** Hiring of seasonal and temporary workers.
- **<u>197.11</u>** Safety Committee.
- 197.12 Seniority.
- **<u>197.13</u>** Policy, procedures and work rules.
- **<u>197.14</u>** Hours of work and compensation.
- **<u>197.15</u>** Major paid benefits.
- **<u>197.16</u>** Paid leaves of absence.
- **<u>197.17</u>** Trauma leave.

reside within Henry County, Ohio, or within an adjacent county thereto within this State.

(b) Paid part time employees of the Fire/Rescue Department that are firefighters or emergency medical technicians or the like, or a combination thereof, and paid parttime employees of the Police Department, not to be construed as solely volunteer personnel, are required to reside within fifteen (15) miles of the Henry County Courthouse. The herein mentioned radii shall be construed as a straight line and not as driven miles. All other paid part-time employees of the City, regardless of paid parttime class, are exempt from the residency requirements of the City. Nothing herein shall be construed as to provide for grandfathering as it relates to residency should a part-time employee obtain full-time employee status; further, dual employees, meaning for the purpose of this provision, employees working in two (2) capacities of the City, one full-time and one paid part-time, shall meet the most restrictive residency requirement.

(c) Unless otherwise exempted, any employee of the City employed after the effective date of this section shall meet residency requirements within 365 days of employment with the City, except that the City Manager, City Finance Director and City Law Director shall meet residency requirements within 180 days of employment with the City.

(d) For purpose of continuing employment with the City, notwithstanding any other provision, policy, rule, resolution or ordinance, except the provision found in paragraph (f) hereof, full time regular employees (salary or hourly) employed by the City on or prior to April 16, 2007, regardless of probation status, shall have 180 days to meet the residency requirements of the City; moreover, full time regular employees (salary or hourly) employed by the City after April 16, 2007, but before the effective date of this section, regardless of probation status, shall have 365 days from the effective date of this section to meet the City's established residency requirements.

(e d) The appointing authority as appropriate, shall suspend from service any employee who fails to meet residency requirements as required by this section, until such time as the employee has met City residency requirements. In the event the suspension exceeds two (2) weeks in duration, the employee may be dismissed from the City service.

(f e) Unless otherwise prohibited by law, this section shall not be construed as to limit the enforceability of any residency provision found in a collective bargaining agreement between the City and a collective bargaining unit; further, nothing herein shall be construed as to limit the ability of an appointing authority of the City to require residency of its volunteers.

(Ord. 095 07. Passed 11 19 07 Ord. 0 -22. Passed xx-xx-22.)

#### **197.07 CITY ORGANIZATION CHART**



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
	Kevin Garringer, City Finance Director
	Marissa Hull, Clerk of Council
	Roxanne Dietrich, Administrative Assistant
Date:	June 28, 2022
Subject:	Third Street Sanitary Sewer Improvements ~
	Required Legislation for O.P.W.C. Grant
	Application

The Engineering Department traditionally applies for funding for sanitary sewer projects through the Ohio Public Works Commission (O.P.W.C.). This funding source is generically referred to as Issue II. This year I plan to apply for funding to offset a portion of the cost associated with the replacement of the existing brick arch sanitary sewer located on Third Street from Meekison Street to Williams Street.

As part of our application, legislation is required allowing the City Manager to sign all the forms and to make the application. Please direct the Law Director to draft the required legislation to allow us to apply for this funding. If you have any questions or require additional information, please contact me at your convenience.

CEL

MAPD MEMO ORDER OF NAPOLEON POLICE AND SAFETY ASSO. **OHIO STATE EAGLES CHARITY FUND** Checking 100.2100.44351 NAPOLEON POLICE AND SAFETY ASSO. Contributions:Grants Napoleon #4428 38-6 C/O NAPOLEON 4428 NAPOLEON POLICE AND SAFETY ASSO **OHIO STATE EAGLES** BEAVERCREEK, OH 45430 CHARITY FUND 1170 RICHFIELD CENTER 

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Vend	or Inv	Inv Dt	Due	Vouch	Gross Amt	Disc	Net Amt	DD	Remarks
08075	2200785-IN	06/15/2022	06/15/2022	14764035	12,480.00	0.00	12,480.00		WOOD POLES
08075 - /	A MEREDITH SCHN	IEIDER CO, L	LC		12,480.00	0.00	12,480.00		
06704	6372	06/10/2022	06/10/2022	14769036	1.200.00	0.00	1.200.00		CANADIAN GOOSE REMOVAL & SETUP FEE
	ABSOLUTE ANIMAL			14700000	1,200.00	0.00	1,200.00		
00036	20369759	06/10/2022	06/10/2022	14764003	172.60	0.00	172.60		MICS PIPE TAPE AND FITTINGS
00036 - /	ADVANCED DRAIN	AGE SYSTEN	IS INC		172.60	0.00	172.60		
0.4000	0000070044	05/04/0000	05/04/0000	4 470 400 4	00.74	0.00	00.74		
04923 04923 - 7		05/31/2022	05/31/2022	14764004	29.71 29.71	0.00	29.71 29.71		TANK RENTALS
04923 - 7					29.71	0.00	25.71		
00445	210286	06/23/2022	06/23/2022	14769038	20.00	0.00	20.00		2022 EPA LAB TESTING
00445	210294	06/23/2022	06/23/2022	14769039	140.00	0.00	140.00		2022 EPA LAB TESTING
00445 - /	ALLOWAY				160.00	0.00	160.00		
07673	19MWHQY CNCXL	06/23/2022	06/23/2022	14764039	34.87	0.00	34.87		PRINTER INK & EXHIBIT STICKERS
07673	19PTLKP76 Y37	06/16/2022	06/16/2022	14764040	59.85	0.00	59.85		PHONE CASES FOR WORK PHONES
07673 - /	AMAZON CAPITAL	SERVICES IN	IC		94.72	0.00	94.72		
08063	1037161	06/18/2022	06/18/2022	14769023	100.00	0.00	100.00		POOL RENTAL SECURITY DEPOSIT REFUNDS
08063 - 7	AMBER HOUTS				100.00	0.00	100.00		
07290	3824-a	04/22/2022	04/22/2022	14764028	147.50	0.00	147.50		CALIBRATION OF BACKFLOW TESTING DEVICE
07290 - /	AMERICAN BACKFI	LOW CALIBR	ATION		147.50	0.00	147.50		
00084	7002021014	04/23/2022	04/23/2022	14764001	77.00	0.00	77.00		2022 AWAA MEMBERSHIPS
00084		04/23/2022	04/23/2022	14764002	77.00	0.00	77.00		2022 AWAA MEMBERSHIPS
00084 - /	AMERICAN WATER	WORKS ASS	SOC		154.00	0.00	154.00		
00451	30175585	06/23/2022	06/22/2022	14764041	E0 0F	0.00	52.35		PEST AND VARMIT INSPECTIONS
00451	30175585	06/23/2022	06/23/2022 06/23/2022	14764041	52.35 52.25	0.00 0.00	52.35 52.25		PEST AND VARMIT INSPECTIONS PEST CONTROL
	ARROW SERVICES		00/20/2022		104.60	0.00	104.60		
						0.00			
04667	01125704	06/25/2022	06/25/2022	14769010	50.00	0.00	50.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 - /	ASHLEY TEMPLE				50.00	0.00	50.00		

07917	8734	06/21/2022	06/21/2022	14769040	555.28	0.00	555.28		FUNBRELLA 20 FT CLASSIC TOP ONLY
07917 -	- ASTRO POOL COM	IPANY, INC			555.28	0.00	555.28		
08063	01089904	06/25/2022	06/25/2022	14769024	100.00	0.00	100.00		POOL RENTAL SECURITY DEPOSIT REFUNDS
08063 -	- AUDREY MORRIS				100.00	0.00	100.00		
08161	1566	06/17/2022	06/17/2022	14769037	961.50	0.00	961.50		PLUMBING REPAIRS - NAPOLEON AQUATIC CENTER
08161 -	- AYERS MECHANIC	AL GROUP LI	LC		961.50	0.00	961.50		
01422		06/28/2022	06/28/2022	14766001	242.00	0.00	242.00		TAX REFUND 12457-R
01422 -	- BEBLER, PEGGY				242.00	0.00	242.00		
07398		06/30/2022	06/30/2022	14776001	294.13	0.00	294.13	Υ	OMAA TRAINING - DUBLIN OH
07000	EAGE				00440	0.00	00440		
07398 -	- BILLY HARMON				294.13	0.00	294.13		
	744054	00/04/0000		44707000	0.45	0.00	0.45		
00496	741354	06/21/2022	06/21/2022	14767036	9.15	0.00	9.15		2022 MONTHLY HELIUM TANK RENTAL
00496 -	- BLACK SWAMP EQ		٥		9.15	0.00	9.15		
05004	400740	00/40/0000	00/40/0000	4 470 4000	050.00	0.00	050.00		
05394	430713	06/13/2022	06/13/2022	14764029	650.00	0.00	650.00		HOIST INSPECTION
05394 -	- BOHL CRANE INC				650.00	0.00	650.00		
00508	3183578	06/06/2022	06/06/2022	14764007	5,537.56	0.00	5,537.56		2022 CHEMICAL DELIVERIES FOR WTP
00508	3183719	06/06/2022	06/06/2022	14764007	9.789.90	0.00	9,789.90		2022 CHEMICAL DELIVERIES FOR WTP
	- BONDED CHEMICA		00/00/2022	14704000	9,789.90	0.00	9,789.90 15.327.46		2022 CHEMICAL DELIVERIES FOR WIP
00308 -					15,527.40	0.00	15,527.40		
04667	01074166	06/11/2022	06/11/2022	14770013	100.00	0.00	100.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
	- BONNIE IMBROCK		00/11/2022	14//0010	100.00	0.00	100.00		
04007					100.00	0.00	100.00		
08169	000001	06/20/2022	06/20/2022	14769043	250.00	0.00	250.00		PIZZA SOLD AT AQUATIC CENTER
08169	000002	06/21/2022	06/21/2022	14769044	175.00	0.00	175.00		PIZZA SOLD AT AQUATIC CENTER
08169	000003	06/28/2022	06/28/2022	14769042	150.00	0.00	150.00		PIZZA SOLD AT AQUATIC CENTER
	- BRICK AND BREW	00/20/2022	00,20,2022		575.00	0.00	575.00		
00100	BRIGHT, ALB BRET				010.00	0.00	010.00		
04667	00980230	06/24/2022	06/24/2022	14769011	50.00	0.00	50.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
	- BRITTNEY BEARD				50.00	0.00	50.00		
					00.00				
02401	267617	06/21/2022	06/21/2022	14764043	320.56	0.00	320.56		MISC SUPPLIES
02401	267940	06/28/2022	06/28/2022	14767037	377.70	0.00	377.70		2022 MISC OPERATING SUPPLIES
	- BROWN SUPPLY C				698.26	0.00	698.26		

05549	X0191	05/31/2022	05/31/2022	14769041	420.00	0.00	420.00	NW SIGNAL SUMMER GUIDE ADVERTISEMENT
05549 -	BRYAN PUBLISHIN	G			420.00	0.00	420.00	
07897	1752	06/17/2022	06/17/2022	14764005	55.50	0.00	55.50	BAGGED ICE FOR OPS/ELEC CREWS
07897 -	BUCK ICE, LLC				55.50	0.00	55.50	
08056	STIPEND	06/29/2022	06/29/2022	14770015	500.00	0.00	500.00	JUNIOR GOLF PROGRAM COORDINATOR STIPEND
	CASTEEN REED	00/20/2022	00/20/2022	14770010	500.00	0.00	500.00	
00000	OADTEEN KEED				000.00	0.00	500.00	
02007	7440507	06/10/2022	06/10/2022	14704045	1 405 20	0.00	1 405 26	LCD TOWERS FOR DISPATCH STATIONS
03987	Z412537	06/10/2022		14764045	1,405.36	0.00	1,405.36	
03987	Z421329	06/10/2022	06/10/2022	14764046	77.15	0.00	77.15	LCD TOWERS FOR DISPATCH STATIONS
03987 -	CDW GOVERNMEN	IT INC			1,482.51	0.00	1,482.51	
01265	FH JULY 22	06/04/2022	06/04/2022	14769045	75.33	0.00	75.33	CEMETERIES MAINTENANCE BLDG PHONE
01265		06/20/2022	06/20/2022	14767038	140.07	0.00	140.07	TELEPHONE AND ALARM SERVICE FOR ALARMS
04005	22				045.40	0.00	045.40	
01265 -	CENTURYLINK EN	IBARQ			215.40	0.00	215.40	
07640		06/18/2022	06/18/2022	14770016	79.23	0.00	79.23	1ST HALF OF CABLE SERVICE
07640	1822 008125606	06/11/2022	06/11/2022	14764044	29.34	0.00	29.34	CABLE SERVICES
07040	1122	00/11/2022	00/11/2022	14704044	29.34	0.00	29.34	CABLE SERVICES
07640		06/21/2022	06/21/2022	14770014	128.57	0.00	128.57	CABLE & INTERNET - NAPOLEON AQUATIC CENTER
	2122							
07640 -	CHARTER COMMU	NICATIONS			237.14	0.00	237.14	
04667	01005809	06/26/2022	06/26/2022	14769012	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	CHASTITY DAWSO	N			50.00	0.00	50.00	
05669	93364189	06/23/2022	06/23/2022	14764047	5,548.11	0.00	5,548.11	LIQUID ALUM
					5,548.11	0.00	5,548.11	
					0,010.11	0.00	0,010.11	
06624	ELEC JUNE	06/20/2022	06/29/2022	14770004	76.00	0.00	76.00	SHOP FUEL
00024	22	00/29/2022	00/29/2022	14770004	76.00	0.00	76.00	SHOP FUEL
06624	FD JUNE	06/29/2022	06/29/2022	14770001	2,199.32	0.00	2,199.32	1ST HALF OF FUEL BILLS
	22				,		,	
06624	OPS JUNE	06/29/2022	06/29/2022	14770005	807.59	0.00	807.59	SHOP FUEL
	22							
06624	PD JUNE	06/29/2022	06/29/2022	14770002	2,768.20	0.00	2,768.20	
06624	22 PR JUNE	06/29/2022	06/29/2022	14770003	27.17	0.00	27.17	FUEL FOR MOWERS
00024	PR JUNE 22	00/29/2022	00/29/2022	14770003	21.11	0.00	21.11	FULLFOR WOWERS
	<i></i>							

06624 -	· CITY OF NAPOLEO	N			5,878.28	0.00	5,878.28	
08079	320778	05/13/2022	05/13/2022	14767039	4,965.77	0.00	4,965.77	PROFESSIONAL SERVICES CENTRAL SCHOOL PROPERTY
08079 -	CIVIL & ENVIRONM	IENTAL			4,965.77	0.00	4,965.77	
07855	7665	06/15/2022	06/15/2022	14769049	150.00	0.00	150.00	PORTABLE TOILET RENTAL
07855	77662	06/15/2022	06/15/2022	14769052	95.00	0.00	95.00	PORTABLE TOILET RENTAL
07855	77663	06/15/2022	06/15/2022	14769051	95.00	0.00	95.00	PORTABLE TOILET RENTAL
07855	77664	06/15/2022	06/15/2022	14769050	95.00	0.00	95.00	PORTABLE TOILET RENTAL
07855	77666	06/15/2022	06/15/2022	14769048	75.00	0.00	75.00	PORTABLE TOILET RENTAL
07855	77667	06/15/2022	06/15/2022	14769047	75.00	0.00	75.00	PORTABLE TOILET RENTAL
07855	77668	06/15/2022	06/15/2022	14769046	75.00	0.00	75.00	PORTABLE TOILET RENTAL
07855 -	- CO-MAN PORTABL	E TOILETS			660.00	0.00	660.00	
04667	01010539	06/19/2022	06/19/2022	14769013	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	· CRYSTAL FIFE				50.00	0.00	50.00	
01354	67507700	06/23/2022	06/23/2022	14769054	325.00	0.00	325.00	RISER, DESK ADJ, SIT TO STAND
01354 -	CURRENT OFFICE	SOLUTIONS			325.00	0.00	325.00	
04273	M8000415	06/13/2022	06/13/2022	14769053	2,263.00	0.00	2,263.00	PLUMBING REPAIR WORK @ AQUATIC CENTER
04273 -	· CUSTOM AGRI SYS	STEM INC			2,263.00	0.00	2,263.00	
01378	4TH JULY	06/13/2022	06/13/2022	14770006	250.00	0.00	250.00	BAND PERFORMANCE - JULY 4 2022
01070	22 • DAVID GRAHN				250.00	0.00	250.00	
01370 -	- DAVID GRAFIN				250.00	0.00	250.00	
05001	5082396A	04/20/2022	04/20/2022	14719003	4,522.68	0.00	4,522.68	AUTOCAD - CIVIL 3D SUBSCRIPTIONS/SUPPORT
05001 -	DLT SOLUTIONS IL	LC			4,522.68	0.00	4,522.68	
01422		06/28/2022	06/28/2022	14766002	12.47	0.00	12.47	TAX REFUND 03344-W
01422 -	- DRIV AUTOMOTIVE	E INC			12.47	0.00	12.47	
01422		06/28/2022	06/28/2022	14766003	114.00	0.00	114.00	TAX REFUND 14301-R
01422 -	ELLING, ANDREW				114.00	0.00	114.00	
00719	OHWAU129 849	06/01/2022	06/01/2022	14764048	28.27	0.00	28.27	FASTENERS & SUPPLIES
00719 -	- FASTENAL COMPA	NY			28.27	0.00	28.27	

00764	121969	03/30/2022	03/30/2022	14770017	391.15	0.00	391.15	1044 HELLOW TRADITIONAL HELMET & FRONT
00764 -	FIRE SAFETY SER	VICES INC			391.15	0.00	391.15	
07302	35	06/06/2022	06/06/2022	14764008	48.75	0.00	48.75	2022 LEGAL COUNSEL - PERSONNEL
07302 -	FISHEL DOWNEY A	LBRECHT			48.75	0.00	48.75	
06866	31701	06/13/2022	06/13/2022	14770009	817.20	0.00	817.20	OUTDOOR DIRECTIONAL ACCESS POINTS
06866 -	FLEX-COM				817.20	0.00	817.20	
07432	356901	06/17/2022	06/17/2022	14770007	32.00	0.00	32.00	PARTS AND SUPPLIES
07432	357199	06/21/2022	06/21/2022	14770018	34.45	0.00	34.45	FIRE AND AMBULANCE PARTS AND SUPPLIES
07432	357283	06/22/2022	06/22/2022	14770008	164.89	0.00	164.89	PARTS AND SUPPLIES
07432 -	FORREST AUTO S	UPPLY			231.34	0.00	231.34	
00816	21PSS1047	06/22/2022	06/22/2022	14770019	40.00	0.00	40.00	EMS AND FIRE CLASSES AND CPR CARDS
00816 -	FOUR COUNTY CA	REER CENTE	R		40.00	0.00	40.00	
07100	121620	06/21/2022	06/21/2022	14764030	58.52	0.00	58.52	PARTS NEEDED FOR CITY EQUIPMENT
07100 -	FREEDOM SALES	& RENTAL			58.52	0.00	58.52	
08061	1220519679	05/19/2022	05/19/2022	14770011	1,080.00	0.00	1,080.00	DIPPING DOTS
08061	1220622748	06/22/2022	06/22/2022	14770010	1,620.00	0.00	1,620.00	DIPPING DOTS
08061 -	GENESIS DISTRIBU	JTING			2,700.00	0.00	2,700.00	
04667	01116454	06/25/2022	06/25/2022	14769014	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	GERALDINE RIGGS	6			50.00	0.00	50.00	
00875	205976	06/11/2022	06/11/2022	14764009	587.20	0.00	587.20	ASPHALT A.C.
00875 -	GERKEN ASPHALT	PAVING INC			587.20	0.00	587.20	
07700	GLS9689	12/21/2021	12/21/2021	14767040	288.00	0.00	288.00	WIRELESS HEADSETS
07700 -	GREEN LINE SOLU	TIONS			288.00	0.00	288.00	
07992	227347	06/02/2022	06/02/2022	14764010	55.00	0.00	55.00	2022 PRE-EMPLOYMENT PHYSICALS/DRUG TEST
07992 -	HARNESS HEALTH	PARTNERS	-		55.00	0.00	55.00	
06121	06152022	06/15/2022	06/15/2022	14770020	813.41	0.00	813.41	MEDICATIONS
06121	25	06/04/2022	06/04/2022	14764011	207.00	0.00	207.00	DRUG TESTING - RANDOM & PRE EMPLOYMENT
06121 -	HENRY COUNTY H	OSPITAL			1,020.41	0.00	1,020.41	
							, ,	

00980	80	06/01/2022	06/01/2022	14764012	4,308.75	0.00	4,308.75		SEALING OF WTP LOTS AND DRIVES
00980 -	HILL ASPHALT PAV	/ING LLC			4,308.75	0.00	4,308.75		
01422		06/28/2022	06/28/2022	14766004	365.09	0.00	365.09		TAX REFUND 18394-R
01422 -	HUGHES, BRIAN W	/.P.			365.09	0.00	365.09		
07075	59761	05/05/2022	05/05/2022	14764013	429.00	0.00	429.00		2022 MAINTENANCE PRO SUPPORT SUBSCRIPTION
07075 -	INNOVATIVE MAIN	TENENCE SY	STEMS		429.00	0.00	429.00		
01422		06/28/2022	06/28/2022	14766005	160.00	0.00	160.00		TAX REFUND 02935-B
01422 -	JAY PETROLEUM I	NC			160.00	0.00	160.00		
04667	01079520	06/18/2022	06/18/2022	14769015	50.00	0.00	50.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	JENNIFER SOSEB	ΞE			50.00	0.00	50.00		
08117	356688	06/23/2022	06/23/2022	14767042	335.00	0.00	335.00		MOWER & IRRIGATION PARTS & SUPPLIES
08117 -	JERRY PATE TURF	& IRRIGATIC	N		335.00	0.00	335.00		
04667	00955457	06/17/2022	06/17/2022	14769016	50.00	0.00	50.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	JESSICA TRAPP				50.00	0.00	50.00		
02277	63116	05/26/2022	05/26/2022	14767043	252.77	0.00	252.77		TEE TIME SHIRTS
02277 -	JMK SPORTS INC				252.77	0.00	252.77		
06087	207869	06/17/2022	06/17/2022	14767041	17.00	0.00	17.00		2022 OUTSIDE LAB SAMPLING FOR EPA ANALYSIS
06087 -	JONES & HENRY L	ABORATORIE	S INC		17.00	0.00	17.00		
08156	BOOT	05/18/2022	05/18/2022	14752021	163.18	0.00	163.18	Y	OUTERWEAR ALLOWANCE
	REIMB								
08156 -	JOSHUA WILLIAMS	\$			163.18	0.00	163.18		
08176		06/28/2022	06/28/2022	14767035	313.25	0.00	313.25	Y	AMCJO SUMMER CONFERENCE 2022
00470	EAGE				242.05	0.00	242.05		
00176 -	JUDGE ELIZABETH	SURULLER			313.25	0.00	313.25		
04004	4050004	00/47/0000	00/47/0000	4 4707040	45.00	0.00	45.00		
01294	1356304	06/17/2022	06/17/2022	14767048	15.99	0.00	15.99		MOWER/TRACTOR PARTS & SUPPLIES
01294 -	KENN-FELD GROU	Р			15.99	0.00	15.99		
	114007 17	00/10/00000	00/40/0000		0.440.00		0.440.65		
05974		06/13/2022	06/13/2022	14764049	2,440.00	0.00	2,440.00		VARIOUS AMMUNITION
05974 -	KIESLERS POLICE	SUPPLY INC			2,440.00	0.00	2,440.00		

07362	2QTR MILEAGE 22	06/29/2022	06/29/2022	14767047	204.75	0.00	204.75	Y	MILEAGE REIMB FOR FINANCE STAFF
07362 -	- KIM FRANZ				204.75	0.00	204.75		
06354	86891	06/23/2022	06/23/2022	14767044	180.00	0.00	180.00		2022 SERVICE CONTRACT FOR PLC AND PROGRAMMING
06354 -	- KOESTER CORPOR	RATION			180.00	0.00	180.00		
04667	00946183	06/18/2022	06/18/2022	14769017	50.00	0.00	50.00		SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	- KRIS SHERWOOD				50.00	0.00	50.00		
00008 00008 00008	7072 7078 7107	06/16/2022 06/16/2022 06/17/2022	06/16/2022 06/16/2022 06/17/2022	14764014 14764016 14764036	18.99 25.98 9.99	0.00 0.00 0.00	18.99 25.98 9.99		TOOLS AND SUPPLIES MISC ITEMS NEEDED FOR WTP 2022 TOOLS,WIRE, BOLTS, CONNECTORS
00008 00008 00008	7110 7110 7113	06/17/2022 06/17/2022	06/17/2022 06/17/2022 06/17/2022	14764015 14770021	9.99 29.98 1.41	0.00	29.98 1.41		MISC ITEMS NEEDED FOR WTP 2022 STATION SUPPLIES, PAINT, PARTS, NUTS AND BOLT
80000	7153	06/20/2022	06/20/2022	14764050	37.98	0.00	37.98		MISC ITEMS, SUPPLIES, TOOLS, OPERATING MATERI
80000 80000	7154 7156	06/20/2022 06/20/2022	06/20/2022 06/20/2022	14764017 14764055	83.98 5.99	0.00 0.00	83.98 5.99		OPERATING SUPPLIES AND MISC TOOLS MISC MATERIALS AND TOOLS
00008	7150	06/20/2022	06/20/2022	14770022	27.99	0.00	27.99		STATION SUPPLIES, PAINT, PARTS, NUTS AND BOLT
00008	7193	06/21/2022	06/21/2022	14764051	43.99	0.00	43.99		MISC MATERIALS AND TOOLS
00008	7222	06/22/2022	06/22/2022	14764054	31.56	0.00	31.56		MISC MATERIALS AND TOOLS
00008	7239	06/22/2022	06/22/2022	14764031	7.98	0.00	7.98		MISC SUPPLIES FOR CITY BUILDING
00008	7243	06/22/2022	06/22/2022	14767049	69.98	0.00	69.98		HARDWARE & SUPPLIES
80000	7246	06/22/2022	06/22/2022	14764056	11.97	0.00	11.97		MISC SUPPLIES AND TOOLS
00008	7271	06/23/2022	06/23/2022	14770023	1.98	0.00	1.98		STATION SUPPLIES, PAINT, PARTS, NUTS AND BOLT
00008	7279	06/23/2022	06/23/2022	14764052	32.97	0.00	32.97		TOOLS AND SUPPLIES
80000	7290	06/23/2022	06/23/2022	14770024	25.43	0.00	25.43		STATION SUPPLIES, PAINT, PARTS, NUTS AND BOLT
00008	7356	06/27/2022	06/27/2022	14764053	29.76	0.00	29.76		TOOLS AND SUPPLIES
00008	7414	06/28/2022	06/28/2022	14767045	22.17	0.00	22.17		2022 MISC SUPPLIES
00008	7417	06/28/2022	06/28/2022	14767046	17.99	0.00	17.99		2022 MISC SUPPLIES
00008 -	- KURTZ ACE HARD	WARE			538.07	0.00	538.07		
07019		06/29/2022	06/29/2022	14767050	170.00	0.00	170.00		SOFTBALL UMPIRE FEES
07019 -	- LANIE GERDEMAN				170.00	0.00	170.00		
00026		06/06/2022	06/06/2022	14764018	144.67	0.00	144.67		FASTENERS NUTS BOLTS ETC
00026 -	- LAWSON PRODUC				144.67	0.00	144.67		

07154	INVLEX912 5	04/01/2022	04/01/2022	14770025	4,406.02	0.00	4,406.02	FIRE RESCUE 1 ACADEMY
07154 -					4,406.02	0.00	4,406.02	
06715	IN222821	06/13/2022	06/13/2022	14764020	1,070.30	0.00	1,070.30	REPAIR OF PUSH CAMERA
06715 -	M TECH COMPANY				1,070.30	0.00	1,070.30	
04822	31372120	05/19/2022	05/19/2022	14764019	121.43	0.00	121.43	MISC LAW BOOKS FOR 2022
04822 -	MATTHEW BENDER	R & CO INC			121.43	0.00	121.43	
04930	80419	06/23/2022	06/23/2022	14767052	164.48	0.00	164.48	MISC PARTS & SUPPLIES
04930 -	MENARDS				164.48	0.00	164.48	
07282	2149680	06/17/2022	06/17/2022	14764032	35.00	0.00	35.00	RUG/MAT LAUNDRY SERVICE
07282	2150872	06/21/2022	06/21/2022	14767002	35.00	0.00	35.00	WEEKLY THROW CARPET CLEANING AND DELIVERY
07282	2152756	06/24/2022	06/24/2022	14767001	32.00	0.00	32.00	JANITORIAL SERVICES FOR 2022
07282	2153940	06/28/2022	06/28/2022	14767051	35.00	0.00	35.00	WEEKLY THROW CARPET CLEANING AND DELIVERY
07282 -	MILLER'S TEXTILE				137.00	0.00	137.00	
00272	1178099	06/17/2022	06/17/2022	14769001	905.00	0.00	905.00	SWIMMING POOL CHEMICALS
00272 -	NORTHWEST POOL	_S INC			905.00	0.00	905.00	
05561	29478	06/06/2022	06/06/2022	14767003	7,222.00	0.00	7,222.00	NRP 64 POLYMER TOTES
05561 -	NRP MIDWEST LLC				7,222.00	0.00	7,222.00	
02367	2022-046	06/13/2022	06/13/2022	14767004	595.00	0.00	595.00	YOUTH INVESTIGATIONS & VICTIMS ADOVACY
02367 -	O.P.J.O. A.				595.00	0.00	595.00	
05344		06/15/2022	06/15/2022	14767009	6.82	0.00	6.82	OFFICE SUPPLIES AND EQUIPMENT
05244	002 ODP BUSINESS SO		C		6.82	0.00	6.82	
05544 -	ODF BUSINESS SO	LUTIONS, LL			0.02	0.00	0.02	
05041	22RC07218	05/26/2022	05/26/2022	14767005	60.00	0.00	60.00	QUARTERLY MARC'S RADIO FEE'S
05041 -	OHIO DEPT. OF AD	M. SERVICES	6		60.00	0.00	60.00	
08147	E6923	06/27/2022	06/27/2022	14769002	445.00	0.00	445.00	ONE WATER CONFERENCE - CLEVELAND
08147 -	ONE WATER OHIO				445.00	0.00	445.00	
06250	2174460049	06/17/2022	06/17/2022	14764021	132.02	0.00	132.02	PARTS NEEDED FOR CITY VEHICLES
06250	2174460304	06/20/2022	06/20/2022	14764033	16.99	0.00	16.99	PARTS NEEDED FOR CITY VEHICLES

06250	2174460528	06/23/2022	06/23/2022	14767008	4.99	0.00	4.99	PARTS NEEDED FOR CITY VEHICLES
06250	2174460535	06/23/2022	06/23/2022	14767007	15.67	0.00	15.67	PARTS NEEDED FOR CITY VEHICLES
06250	2174460539	06/23/2022	06/23/2022	14767006	39.92	0.00	39.92	PARTS NEEDED FOR CITY VEHICLES
06250	2174460649	06/24/2022	06/24/2022	14767011	100.69	0.00	100.69	PARTS NEEDED FOR CITY VEHICLES
06250	2174460859	06/27/2022	06/27/2022	14767010	25.69	0.00	25.69	PARTS NEEDED FOR CITY VEHICLES
06250 -	- O'REILLY AUTOMO	DTIVE INC.			335.97	0.00	335.97	
08085	329097	06/13/2022	06/13/2022	14764037	827.98	0.00	827.98	POE CIRCUIT REPAIR; FIRMWARE RESET ALIGN
08085 -	- PAGE TV				827.98	0.00	827.98	
04667	00936071	06/19/2022	06/19/2022	14769018	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	- PANTHERA MILEY				50.00	0.00	50.00	
01422		06/28/2022	06/28/2022	14766006	1,192.00	0.00	1,192.00	TAX REFUND 00565-W
01422 -	- PARSON III, WILBU	RN			1,192.00	0.00	1,192.00	
07440	MEALS	06/28/2022	06/28/2022	14767012	119.00	0.00	119.00	Y OHIO PEACE OFFICER TRAINING - RICHFIELD
07440 -	- PATRICK LANNAN				119.00	0.00	119.00	
06465	CT16566	04/06/2022	04/06/2022	14764022	79.76	0.00	79.76	HYD HOSE AND OR FITTINGS NEEDED
06465 -	- PAUL MARTIN AND	SONS LLC			79.76	0.00	79.76	
01422		06/28/2022	06/28/2022	14766007	157.94	0.00	157.94	TAX REFUND 01395-R
01422 -	- PEDRAZA, ROJELI	0			157.94	0.00	157.94	
07546	10635	06/20/2022	06/20/2022	14769003	1,239.10	0.00	1,239.10	INJECTION QUILL FOR CHEMICAL FEEDS
07546 -	- PELTON ENVIRON	MENTAL			1,239.10	0.00	1,239.10	
03014	29443402	06/21/2022	06/21/2022	14769005	922.30	0.00	922.30	SOFT DRINKS
03014	29443403	06/21/2022	06/21/2022	14769004	804.30	0.00	804.30	SOFT DRINKS
03014 -	- PEPSI BEVERAGES	S COMPANY			1,726.60	0.00	1,726.60	
04062	INV414297	06/20/2022	06/20/2022	14767013	1,119.10	0.00	1,119.10	SERVICE AGREEMENT, COPIES AND TONER
04062	INV414877	06/21/2022	06/21/2022	14767014	88.13	0.00	88.13	COPIES & SERVICE CHARGES
04062 -	<ul> <li>PERRY proTECH</li> </ul>				1,207.23	0.00	1,207.23	
01391	25791	06/17/2022	06/17/2022	14767015	1,670.57	0.00	1,670.57	OPERATING SUPPLIES
01391 -	- PERRYSBURG PIP	E & SUPPLY	co		1,670.57	0.00	1,670.57	
06244	54547	06/07/2022	06/07/2022	14767016	137.50	0.00	137.50	DIESEL AND UNLEADED FUEL FOR CITY OWNED PUMPS

06244	57629	06/23/2022	06/23/2022	14769006	723.00	0.00	723.00	FUEL - GOLF COURSE MAINTENANCE
06244	57630	06/23/2022	06/23/2022	14767017	3,392.45	0.00	3,392.45	DIESEL AND UNLEADED FUEL FOR CITY OWNED PUMPS
06244 -	- PORTER'S BP LLC				4,252.95	0.00	4,252.95	
00391	56670188	06/24/2022	06/24/2022	14769007	23.86	0.00	23.86	ELECTRICAL SUPPLIES, WIRE , CUTOUTS, CROSSARM
00391 -	- POWERLINE SUPP	LY			23.86	0.00	23.86	
04667	01087027	06/16/2022	06/16/2022	14769019	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	- RANDY BARNES				50.00	0.00	50.00	
07795	RCM01028	06/07/2022	06/07/2022	14767019	(294.99)	0.00	(294.99)	MISC K9 EQUIPMENT/CLOTHING/LIGHTS/HARNESS
07795	6 RINV25452	06/16/2022	06/16/2022	14767020	294.99	0.00	294.99	MISC K9 EQUIPMENT/CLOTHING/LIGHTS/HARNESS
01100	9	00,10,2022	00,10,2022	11101020	201.00	0.00	201.00	
07795 -	- RAY ALLEN MANUF	ACTURING			0.00	0.00	0.00	THIS VENDOR HAS A ZERO BALANCE AND A CHECK WILL BE PRINTED!
00284	2201587	06/16/2022	06/16/2022	14767021	27.37	0.00	27.37	MISC POLICE SUPPLIES / CLOTHING
	- RAY O'HERRON IN				27.37	0.00	27.37	
00201		•			21.01	0.00	21.07	
07428	41447	06/13/2022	06/13/2022	14769009	563.37	0.00	563.37	PARTS & SUPPLIES - FERRIS MOWERS
07428 -	- RED BARN SALES	& SERVICE			563.37	0.00	563.37	
07054	06272022	06/27/2022	06/27/2022	14767022	687.75	0.00	687.75	PARTS NEEDED FOR CITY GOLF CARTS
07054 -	- RICHARDS REPAIR	R			687.75	0.00	687.75	
08175	MAILBOX	06/18/2022	06/18/2022	14770012	50.00	0.00	50.00	MAILBOX REPLACEMENT DUE TO SNOW PLOWING
	REPLACE							
08175 -	- RICK HOFFMAN				50.00	0.00	50.00	
07145	05302022	05/30/2022	05/30/2022	14769008	235.00	0.00	235.00	USED GOLF BALLS
07145 -	- ROGER REX				235.00	0.00	235.00	
07556	MEALS	06/28/2022	06/28/2022	14767018	119.00	0.00	119.00	Y OHIO PEACE OFFICER TRAINING - RICHFIELD
07556 -	- RYAN VONDEYLEN	1			119.00	0.00	119.00	
08055	JUNE 2022	06/27/2022	06/27/2022	14770028	144.08	0.00	144.08	SUPPLIES
08055 -	- SAM'S CLUB				144.08	0.00	144.08	
04667	00935065	06/25/2022	06/25/2022	14769020	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	- SANDRA HOLIFIELI	D			50.00	0.00	50.00	

01422		06/28/2022	06/28/2022	14766008	1,043.00	0.00	1,043.00	TAX REFUND 00007-W
01422 -	SAUSSER, KIRK				1,043.00	0.00	1,043.00	
08073	13628	03/03/2022	03/03/2022	14767023	3,117.12	0.00	3,117.12	SC VIEW RECORDS MANAGEMENT
08073 -	SC STRATEGIC SO	LUTIONS			3,117.12	0.00	3,117.12	
04667	01046209	06/26/2022	06/26/2022	14769021	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	SCOTT BECK				50.00	0.00	50.00	
05852	67610	05/31/2022	05/31/2022	14764038	400.85	0.00	400.85	NET ADMIN SERVICES
05852 -	SONIT SYSTEMS L	LC			400.85	0.00	400.85	
07763	220000138	06/21/2022	06/21/2022	14767024	45.40	0.00	45.40	REPAIR OF BIKE
	491							
07763 -	SPOKE LIFE CYCLE	ES LLC			45.40	0.00	45.40	
03999	1937981	06/27/2022	06/27/2022	14767025	2,779.98	0.00	2,779.98	VANHYNING PUMPING STATION REPLACEMENT
03999	1937983	06/27/2022	06/27/2022	14767026	1,550.88	0.00	1,550.88	GIS PROFESSIONAL DESIGN SERVICES
03999	1937984	06/27/2022	06/27/2022	14767027	6,175.62	0.00	6,175.62	VANHYNING PUMPING STATION REPLACEMENT
03999 -	STANTEC				10,506.48	0.00	10,506.48	
07643	06162022	06/16/2022	06/16/2022	14764023	260.00	0.00	260.00	OUTSIDE COUNSEL
07643 -	SUNDERMAN & RO	DE LLP			260.00	0.00	260.00	
05775	1242586	06/15/2022	06/15/2022	14769026	1,334.04	0.00	1,334.04	CONCESSION SUPPLIES
05775	1242587	06/15/2022	06/15/2022	14769025	242.45	0.00	242.45	CONCESSION SUPPLIES
05775	1243518	06/22/2022	06/22/2022	14769027	611.85	0.00	611.85	CONCESSION SUPPLIES
05775 -	SWD FOOD SERVIC	CE			2,188.34	0.00	2,188.34	
04667	00934490	06/18/2022	06/18/2022	14769022	50.00	0.00	50.00	SHELTER HOUSE SECURITY DEPOSIT REFUNDS
04667 -	TAMMY BOETTNER	२			50.00	0.00	50.00	
06830	5380400	06/23/2022	06/23/2022	14769030	328.07	0.00	328.07	WIRE, CONNECTORS, STROBES, ECT
06830 -	TERMINAL SUPPLY	(			328.07	0.00	328.07	
06655	JUNE2022	06/23/2022	06/23/2022	14767029	721.97	0.00	721.97	JANITORIAL SERVICES FOR 2022
06655 -	THOMAS SPILLIS				721.97	0.00	721.97	
05703	100140	05/12/2022	05/12/2022	14769028	184.00	0.00	184.00	REC PROGRAM UNIFORMS AND CLUBHOUSE MERCH

05703 -	THREE CORD LLC				184.00	0.00	184.00		
06827	102788	06/20/2022	06/20/2022	14769029	1.117.76	0.00	1.117.76		TIRES NEEDED FOR CITY EQUIPMENT ADN VEHICLES
	TOMMY TIRE	06/20/2022	06/20/2022	14769029	1 -		, -		TIRES NEEDED FOR CITY EQUIPMENT ADN VEHICLES
06827 -	TOMINITTIRE				1,117.76	0.00	1,117.76		
02576	OTRWR REIMB	06/04/2022	06/04/2022	14767030	41.74	0.00	41.74	Y	OUTERWEAR REIMBURSEMENT
02576 -	TONY KUHLMAN				41.74	0.00	41.74		
		00/00/0000		( 1707000	07.00	0.00	07.00		
04128		06/23/2022	06/23/2022	14767028	37.00	0.00	37.00		OVI TESTING URINE & BLOOD FOR VARIOUS CASES
04128 -	TREASURER STAT	E OF OHIO			37.00	0.00	37.00		
01422		06/28/2022	06/28/2022	14766009	124.01	0.00	124.01		TAX REFUND 00246-W
01422 -	TUCKER, STEPHEN	١			124.01	0.00	124.01		
07842	1400076552	06/13/2022	06/13/2022	14764024	19.67	0.00	19.67		UNIFORMS
07842	1400077805	06/20/2022	06/20/2022	14764025	192.02	0.00	192.02		SERVICE BUILDING RAGS, RUGS, ADN UNIFORM RENT
07842	1400077815	06/20/2022	06/20/2022	14764026	19.36	0.00	19.36		2022 UNIFORMS FOR UNION OPERATORS
07842	1400077818	06/20/2022	06/20/2022	14767031	19.67	0.00	19.67		UNIFORMS
07842	1400079626	06/27/2022	06/27/2022	14769035	236.04	0.00	236.04		SERVICE BUILDING RAGS, RUGS, ADN UNIFORM RENT
07842	1400079635	06/27/2022	06/27/2022	14769031	19.36	0.00	19.36		2022 UNIFORMS FOR UNION OPERATORS
07842	1400079636	06/27/2022	06/27/2022	14769033	31.38	0.00	31.38		UNIFORMS PER AFSCME CONTACT
07842	1400079638	06/27/2022	06/27/2022	14769034	19.67	0.00	19.67		UNIFORMS
07842 -	UNIFIRST CORPOR	RATION			557.17	0.00	557.17		
01264	000047455 4252	06/18/2022	06/18/2022	14767032	16.50	0.00	16.50		MAILING AND PICK UP CHARGES
01264 -	UNITED PARCEL S	ERVICE			16.50	0.00	16.50		
04607	20224452	06/02/2002	06/00/0000	14760022	12 945 60	0.00	12 945 60		2022 CHEMICAL DELIVERIES FOR WTP
	20234453	06/23/2022	06/23/2022	14769032	13,845.60		13,845.60		2022 CHEMICAL DELIVERIES FOR WIP
04607 -	USALCO, LLC				13,845.60	0.00	13,845.60		
04185	22596	06/11/2022	06/11/2022	14764034	958.54	0.00	958.54		STONE FOR SPRAY PATCHING OF ROADS
04185 -	VIKING TRUCKING	INC.			958.54	0.00	958.54		
03430	AWWA RATHGE	05/19/2022	05/19/2022	14771019	216.00	0.00	216.00		AWWA MEMBERSHIP RENEWAL - JEFF RATHGE
03430	BAGGAGE	06/12/2022	06/12/2022	14771022	70.00	0.00	70.00		APPA CONFERENCE EXPENSES FOR JOEL MAZUR
03430	BAGGAGE MAZUR	06/12/2022	06/12/2022	14771023	30.00	0.00	30.00		APPA CONFERENCE EXPENSES FOR JOEL MAZUR

03430	EPA YD WST SITE	06/09/2022	06/09/2022	14771025	356.65	0.00	356.65	OEPA PERMIT FEE - YARD WASTE SITE NOI
03430	JULY 2022	06/08/2022	06/08/2022	14771018	21.40	0.00	21.40	MONTHLY WEB EX FEES
03430	SHERATON	06/12/2022	06/12/2022	14771020	137.15	0.00	137.15	OHIO FIRE CHIEFS LEGISLATIVE CONFERENCE
03430	SPECTRU M	06/08/2022	06/08/2022	14771017	469.94	0.00	469.94	INTERNET AND CABLE FEES
03430	TAXI 1	06/13/2022	06/13/2022	14771024	40.25	0.00	40.25	APPA CONFERENCE EXPENSES FOR JOEL MAZUR
03430	TAXI TN	06/12/2022	06/12/2022	14771021	18.00	0.00	18.00	APPA CONFERENCE EXPENSES FOR JOEL MAZUR
03430 -	VISA - F & M STATE	BANK			1,359.39	0.00	1,359.39	
06774	INV3917408	06/23/2022	06/23/2022	14767033	341.50	0.00	341.50	2022 ADMINISTRATION FOR IRS 125
06774 -	WAGE WORKS				341.50	0.00	341.50	
01297	023065	06/12/2022	06/12/2022	14771011	15.88	0.00	15.88	MISC SUPPLIES
01297	074964	06/12/2022	06/12/2022	14771015	59.57	0.00	59.57	FOOD, MISC ITEMS FOR COMMUNITY OUTREACH PROJ
01297	217585	05/24/2022	05/24/2022	14771006	74.20	0.00	74.20	MISC SUPPLIES
01297	573460	06/11/2022	06/11/2022	14771008	45.60	0.00	45.60	MISC SUPPLIES
01297	623475	06/10/2022	06/10/2022	14771010	18.86	0.00	18.86	MISC SUPPLIES
01297	674564	06/17/2022	06/17/2022	14771004	29.60	0.00	29.60	MISC SUPPLIES
01297	684505	06/09/2022	06/09/2022	14771009	21.80	0.00	21.80	MISC SUPPLIES
01297	750356	06/14/2022	06/14/2022	14771001	110.50	0.00	110.50	MISC SUPPLIES
01297	783234	06/17/2022	06/17/2022	14771002	34.19	0.00	34.19	MISC SUPPLIES
01297	790807	06/13/2022	06/13/2022	14771007	18.42	0.00	18.42	MISC SUPPLIES
01297	803993	06/02/2022	06/02/2022	14771014	6.88	0.00	6.88	OFFICE CLEANING MAINTENCE AND MEDICAL SUPPLIE
01297	852130	06/10/2022	06/10/2022	14771016	546.16	0.00	546.16	FOOD, MISC ITEMS FOR COMMUNITY OUTREACH PROJ
01297	855821	05/27/2022	05/27/2022	14771005	35.26	0.00	35.26	MISC SUPPLIES
01297	910586	06/18/2022	06/18/2022	14771003	10.00	0.00	10.00	MISC SUPPLIES
01297	921451	05/23/2022	05/23/2022	14771013	107.46	0.00	107.46	OFFICE CLEANING MAINTENCE AND MEDICAL SUPPLIE
01297	POOL	06/14/2022	06/14/2022	14771012	82.70	0.00	82.70	MISC SUPPLIES
01297 -	WALMART				1,217.08	0.00	1,217.08	
08173	007704	06/21/2022	06/21/2022	14767034	1,900.00	0.00	1,900.00	ASPHALT REPAIR @ BROWNELL & THIRD
08173 -	· WELLS AND SONS	PAVING			1,900.00	0.00	1,900.00	
01422		06/28/2022	06/28/2022	14766010	16.00	0.00	16.00	TAX REFUND 19527-R
01422 -	WITTMER, JACOB				16.00	0.00	16.00	
04262	22-502	06/07/2022	06/07/2022	14764027	10,000.00	0.00	10,000.00	TRANING FACILITY MAINTENANCE & UPDATES
04262 -	WR MEYERS CO. IN	NC.			10,000.00	0.00	10,000.00	

226 Vouchers		158,679.23	0.00	158,679.23	

Manual Check Register - City of Napoleon Month: 06 Batch: 14775 Bank: 00005 Date: 6/30/2022 Disb Date: 6/30/2022 Disb Month: 06

Vch#	Vnd#	Vendor Name	lnv#	Inv Date	Check Date	Acct	Proj	Amt	Remarks
14775001	00775	OHIO FIRE PENSION FUND	990734	06/30/2022	06/30/2022	100.2200.51540		17,797.20	
Subtotal		PAYROLL Accrue for FP				Check: 147347		17,797.20	

1 Vouchers	Total:	17,797.20	
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#### **Expense Distribution**

#### **Cash Distribution**

Account	Description	Amt	Account	Description	Amt
100.2200.51540	FIRE PENSION	17,797.20	100.0000.10100	CASH IN BANK	17,797.20
Total:		17,797.20	Total:		17,797.20

# Manual Check Register - City of Napoleon Month: 06 Batch: 14773 Bank: 00005 Date: 6/30/2022 Disb Date: 6/30/2022 Disb Month: 06

Vch#	Vnd#	Vendor Name	Inv#	Inv Date	Check Date	Acct	Proj	Amt	Remarks
14773001	00409	OHIO PUBLIC EMPLOYEES	990723	06/30/2022	06/30/2022	100.1100.51500		252.56	
						100.1200.51500		249.60	
						100.1300.51500		3,649.76	
						100.1370.51500		1,252.46	
						100.1400.51500		2,853.10	
						100.1500.51500		3,603.76	
						100.1520.51500		1,672.74	
						100.1600.51500		1,952.97	
						100.1700.51500		1,889.29	
						100.1800.51500		5,668.45	
						100.2100.51500		4,614.06	
						100.2101.51500		478.80	
						100.2200.51500		45.62	
						100.4700.51500		1,371.24	
						100.5130.51500		1,013.70	
						170.1510.51500		1,612.95	
						200.5100.51500		2,952.73	
						220.4100.51500		1,417.77	
						220.4200.51500		2,613.10	
						220.4300.51500		292.05	
						220.4400.51500		3,773.41	
						277.2021.51500		739.20	
						288.2021.51500		175.02	
						500.6110.51500		16,297.63	
						510.6200.51500		6,473.66	
						510.6210.51500		5,136.24	
						520.6300.51500		6,882.80	
						520.6310.51500		877.25	
						520.6311.51500		1,800.12	
						560.6400.51500		2,433.16	
						560.6420.51500		1,388.94	
						600.5200.51500		1,950.37	
Subtotal		PAYROLL Accrue for PE	RS			Check: 147345		87,384.51	
1 Vouchers	5						Total:	87,384.51	

### Manual Check Register - City of Napoleon Month: 06 Batch: 14773 Bank: 00005 Date: 6/30/2022 Disb Date: 6/30/2022 Disb Month: 06

#### **Expense Distribution**

#### **Cash Distribution**

Account	Description	Amt	Account	Description	Amt
100.1100.51500	PERS	252.56	100.0000.10100	CASH IN BANK	30,568.11
100.1200.51500	PERS	249.60	170.0000.10100	CASH IN BANK	1,612.95
100.1300.51500	PERS	3,649.76	200.0000.10100	CASH IN BANK	2,952.73
100.1370.51500	PERS	1,252.46	220.0000.10100	CASH IN BANK	8,096.33
100.1400.51500	PERS	2,853.10	277.0000.10100	CASH IN BANK	739.20
100.1500.51500	PERS	3,603.76	288.0000.10100	CASH	175.02
100.1520.51500	PERS	1,672.74	500.0000.10100	CASH IN BANK	16,297.63
100.1600.51500	PERS	1,952.97	510.0000.10100	CASH IN BANK	11,609.90
100.1700.51500	PERS	1,889.29	520.0000.10100	CASH IN BANK	9,560.17
100.1800.51500	PERS	5,668.45	560.0000.10100	CASH IN BANK	3,822.10
100.2100.51500	PERS	4,614.06	600.0000.10100	CASH IN BANK	1,950.37
100.2101.51500	PERS	478.80	Total	:	87,384.51
100.2200.51500	PERS	45.62			
100.4700.51500	PERS	1,371.24			
100.5130.51500	PERS	1,013.70			
170.1510.51500	PERS	1,612.95			
200.5100.51500	PERS	2,952.73			
220.4100.51500	PERS	1,417.77			
220.4200.51500	PERS	2,613.10			
220.4300.51500	PERS	292.05			
220.4400.51500	PERS	3,773.41			
277.2021.51500	PERS	739.20			
288.2021.51500	PERS	175.02			
500.6110.51500	PERS	16,297.63			
510.6200.51500	PERS	6,473.66			
510.6210.51500	PERS	5,136.24			
520.6300.51500	PERS	6,882.80			
520.6310.51500	PERS	877.25			
520.6311.51500	PERS	1,800.12			
560.6400.51500	PERS	2,433.16			
560.6420.51500	PERS	1,388.94			
600.5200.51500	PERS	1,950.37			
Total:		87,384.51			

#### Manual Check Register - City of Napoleon Month: 06 Batch: 14773 Bank: 00005 Date: 6/30/2022 Disb Date: 6/30/2022 Disb Month: 06

# Manual Check Register - City of Napoleon Month: 06 Batch: 14774 Bank: 00005 Date: 6/30/2022 Disb Date: 6/30/2022 Disb Month: 06

Vch#	Vnd#	Vendor Name	Inv#	Inv Date	Check Date	Acct	Proj	Amt	Remarks
14774001	00387	OHIO POLICE PENSION FUND	990733	06/30/2022	06/30/2022	100.2100.51530		23,002.33	
						100.2102.51530		1,458.32	
						100.2103.51530		1,479.12	
Subtotal		PAYROLL Accrue for PP				Check: 147346		25,939.77	
1 Vouchers							Total:	25,939.77	

#### **Expense Distribution**

Account	Description	Amt
100.2100.51530	POLICE PENSION	23,002.33
100.2102.51530	POLICE PENSION - POLICE/SRO	1,458.32
100.2103.51530	POLICE PENSION - POLICE/K-9	1,479.12
Total:		25,939.77

#### **Cash Distribution**

Account	Description	Amt
100.0000.10100	CASH IN BANK	25,939.77
Total:		25,939.77