

September 2022

◀ Aug 2022

Oct 2022 ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Labor Day- Closed	6 7:00 pm City Council	7 11:00am-1:00pm Employee Apprication Taco Bar @ Oberhaus Park	8	9	10
11	12	13	14	15	16	17
18	19 7:00am Personnel Committee 6:00 pm Tree Commission 7:00 pm City Council	20	21	22	23 8:00am Healthcare Cost Committee	24
25	26 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee - AMP Annual	27 4:30 pm Civil Service Commission - Conference -	28 6:30 pm Park Rec Board - - -	29	30	

City of Napoleon, Ohio

PERSONNEL COMMITTEE

Meeting Agenda

September 19, 2022 at 7:00 am

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

1. Call to Order
2. Approval of Minutes: August 7, 2021. (in the absence of any objections or corrections, the Minutes shall stand approved)
3. Executive Session: to Consider Employment of a Public Employee.
4. Adjournment.



Marrison Flogaus

Marrisa Flogaus - Clerk of Council

City of Napoleon, Ohio

PERSONNEL COMMITTEE MEETING MINUTES

Saturday, August 7, 2021 at 7:30 am

PRESENT

Committee Members Jason Maassel -Chair, Joe Bialorucki, Lori Siclair

City Staff Lanie Lambert, Human Resources Director

ABSENT

CALL TO ORDER

Chairman Maassel called the meeting to order at 7:37 am.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the August 2, 2021 Personnel Committee meeting were approved.

EXECUTIVE SESSION (TO CONSIDER EMPLOYMENT OF A PUBLIC EMPLOYEE)

Motion: Bialorucki Second: Siclair
to go into Executive Session to consider employment of a public employee

Roll call vote on the above motion:

Yea-Bialorucki, Maassel, Siclair

Nay-

Yea-3, Nay-0. Motion Passed

The Personnel Committee went into Executive Session at 7:38 am.

ADJOURN FROM EXECUTIVE SESSION

Motion: Siclair Second: Bialorucki
to adjourn from Executive Session at 12:23 p.m.

Roll call vote on the above motion:

Yea-Bialorucki, Maassel, Siclair

Nay-

Yea-3, Nay-0. Motion Passed

Chair Maassel reported No Action was taken.

ADJOURNMENT

Motion: Siclair Second: Bialorucki
to adjourn the Personnel Committee meeting at 12:24 p.m.

Roll call vote on the above motion:

Yea-Bialorucki, Maassel, Siclair

Nay-

Yea-3, Nay-0. Motion Passed

Approved

9-19-2022

Jason Maassel - Chair

City of Napoleon, Ohio

TREE COMMISSION

MEETING AGENDA

Monday, September 19 , 2022 at 6:00 pm

Location ~ City Building, 255 West Riverview Avenue, Napoleon, Ohio

1. Call to Order
2. Approval of Minutes- August 15, 2022 (in the absence of any objections or corrections, the minutes shall stand approved)
3. Review Tree Call Reports
4. Fall Contracts Update
5. Award Fall Planting Contract
6. Award Fall Trimming Contract
7. Begin Spring Plantings List
8. Review Next Year's Budget/Plans
9. Miscellaneous
10. Adjournment


Marrison Floga ~ Clerk

TREE COMMISSION MEETING MINUTES

Monday, August 15, 2022 at 6:00 pm

PRESENT

Committee Members	Larr Etzler-Chair, Dave Volkman, Ed Clausing, Gary Haase
Council Representative	Dr. Dave Cordes
City Staff	Aron Deblin-Construction Inspector
Recorder	Marrisa Flogaus
ABSENT	Kyle Moore

CALL TO ORDER

The Tree Commission meeting was called to order by Chair Etzler at 6:00 pm.

APPROVAL OF MINUTES

In the absence of any objections or corrections, the minutes from the July 18, 2022, meeting were approved as presented.

REVIEW TREE CALL REPORTS

Deblin reported he received eight tree call reports since the last meeting. Dr. Cordes called in about the newer trees planted on Washington Street sprouting fingers. This was added to the list of things to take care of when we have free time. To try and save a little money this is usually something the commission volunteers their time to get done. The Armory called in about a tree that was planted out front during a construction project a couple of years. The tree is leaning pretty hard. They wanted it straightened and possibly replanted on Monroe Street where two trees were removed in the past. A quote will be requested to have that tree straightened. The issue with some of the new tree wells is that there is no good way to stake a tree to help it with the wind. Hopefully, the dirt has settled from it being a new well. Then it can straighten and hold itself up a little better. As far as the trees on Monroe Street they were planted between the side walk and the curb. The curb actually bumps out and there's really no room to plant a tree there again. The soil conditions in that exact area would not be good since a stump was just ground there. We should hold off on Monroe Street for now. Also, if the street was ever redone they are probably going to straighten out that curb. Then there wouldn't be enough area and the trees would need removed anyways. 1160 Chesterfield has a pear tree that is dying and diseased. It has been added to the spring removal list as it is nothing that needs immediate attention. 619 S. Perry the homeowner asked if the tree in the right a way could be trimmed due to it blocking the sign for her quilt shop. Half of that tree is already gone due to trimming for the overhead wires. If the bottom is trimmed there won't be anything left. We have two options to leave it alone or to remove it completely. To see the sign it would need to be trimmed 4-5 feet up. It might not be worth saving. This is something to take a look at. Cordes asked what type of tree it was? Deblin replied he does not know, he didn't write it down. Volkman stated most of those along there are maples. Clausing asked if this is near the meat shop? Deblin stated it is just north of there between Barnes and Brownell across the street from the two story brick apartments. 1130 Becca has a tree the homeowner wants removed due to it dropping debris. It's one of the london tree with the real small leaves. The tree looks nice and healthy. In the past trees have not been removed due to a homeowner finding it dirty and not liking it. Clausing replied if the tree is healthy leave it. Deblin stated it is the only tree in the front yard and he thinks the homeowner doesn't want any trees. 1801 Lamar had the top brake out on an evergreen due to wind. This was found to be outside of the right a way and the property owners responsibility. The homeowner had started cleaning it up. 930 E. Riverview, the house on the north side of the cul-de-sac that ODOT just put in, had

stumps in the front yard. The homeowner was referred to ODOT. ODOT advised that was the county's doing when they relocated utilities. The county had an agreement with the previous owner that the house was sold as is. The homeowner is responsible for taking care of them and they are on the private side anyways. Cordes asked what it cost to take out a tree stump? Deblin replied it depends on the contractor usually anywhere from \$100- \$150. 538 W Washington had a small dead arborvitae tree in the alley outside their fence underneath the power lines. Greg was in the area and he was able to cut it off and feed it in the chipper. Etzler asked if the trees on Washington with the fingers are new trees? Deblin replied they are newer trees maybe 3-5 years old. Cordes agreed 3-5 years old. Etzler asked if they are ginkgo or dawn redwoods? Cordes advised there are several different types over there and for some reason there seems to be a bunch of those fingers growing off of a number of them. Do the fingers just get cut off or do they need to be treated? Deblin replied they usually just cut them off. Clausen stated several years ago, when Jim Fitzrider was working, they would take a day to cut them and then call the city to pick up the limbs. Deblin replied leave small piles and he would go around and pick them up. Clausen stated with COVID and stuff going on we just haven't done it. Cordes stated they are not too long and they wouldn't be bad right now. Clausen said they just don't look good. Cordes replied it's what they become when let go for two years. Etzler advised next year they will just be bigger. Cordes asked why do some of them split off and some don't? Deblin stated he believed the real fresh ones are sprouting from the moisture in the water bags down below. The ones on Washington haven't had a bag on them for a couple years, so this would just be new growth coming out of them. Volkman asked if they are grafted trees because sometimes grafted trees will do that. Cordes stated he thought maybe it was grafted from the rootstock. Volkman stated he doesn't remember what's down there. Deblin stated it is mixed by blocks due to the plan. Etzler stated if they are ginkgo they might be grafted because they generally only want the male trees. With the females we would get a bunch of complaints. Haase asked if the flowers stink? Etzler stated the fruit is pungently malodorous. Deblin stated he thinks there's only one in town, which is on Scott Street across from Circle K. Etzler advised there use to be two females by the pool area, which nobody noticed. The pool closed down before they would drop fruit. Haase asked if anything eats the fruit or does it all just fall? Etzler stated that some wild critter probably wouldn't mind the taste and he doesn't think they are poisonous. The nuts are a fairly large seed and can be pickled, it's an Asian delicacy. If we can why don't we as individuals try to work on those fingers on Washington Street.

FINALIZE FALL PLANTING LIST

Deblin reported he has fourteen trees in ten locations. They are replants from previous removals and are sporadic across town.

FINALIZE FALL TRIMMING LIST

Deblin reported we are going to start with finishing up the northwest quadrant, which is north of Woodlawn and west of Scott Street. There are a couple of streets left there to finish up. Then circle around Scott Street to Ken James and Bonaparte. There are a handful of trees out there. Then come around into town to do east of Scott Street north of the tracks, which is Yeager, Perry, Oakwood, Northcrest and Lakeview. Then we have to see how far we can get based on how much money we have left. We are hoping to have around \$10,000-\$12,000 left, which would be a normal fall trimming. They should be able to get most of that out without a problem. That area has roughly 283 trees and with their hourly rate we will be real close. Volkman asked when the request go out for the trimming bid? Deblin replied August 29th, never mind it's the 26th. That date might get pushed back on coming down the ladder here.

AWARD FALL REMOVALS LIST

Deblin reported the fall removal bids were due Friday and he didn't receive any. Phone calls were made

to the four contractors that packets were sent too and he was able to speak with three of them. All three stated they did not receive the packets, so somewhere the ball got dropped between the mail department and up front. This afternoon the packets were revised and sent out in the mail. The packet was also emailed to the contractors to ensure they received a packet. The bids will be due on September 2nd to give the contractors three weeks to complete. Obviously, that will push the completion date back to the week before Thanksgiving in November. We will need to review and award the removal via email or change the meeting date in September, since the bids are due September 2nd and our meeting isn't until September 19th. In case we change the meeting date the planting contracts are being changed to possibly be sent out tomorrow with the trimming instead of at the end of August and have them due September 2nd. Then we could award the three and see what our balance is for the trimming. Would you want an email recommendation sent out or do you want the meeting date changed? Since it will push everything back further, we shouldn't wait another three weeks until our meeting date to award it. Volkman stated he thought email has been done in the past when a situation came up. Deblin stated it would be a special meeting where he would put together a spread sheet to show the bids and his recommendation. Then you guys would send back whether you agreed or not. Clausing asked if it would be easier to do over email? Deblin replied it doesn't matter to him. Etzler asked if you get the bids on the 2nd would you send the email out then? Deblin replied he can send out the email on the 2nd sometime after lunch, since they are due by 11am. Etzler stated we can expect an email on September 2nd, but first does everyone want to respond via email?

Motion: Volkman Second: Clausing
To award fall removal via email

Roll call vote on the above motion:
Yea- Etzler, Cordes, Clausing, Volkman, Haase
Nay
Yea-5, Nay-0. Motion Approved.

Etzler stated the vote will be done via email since everyone agreed. Now we need to agree on when to have the answers for the email back. Cordes asked if a response is not sent back can the clerk or someone get a hold of us? Deblin stated that can be done. Cordes stated he was fine with the email, but he doesn't always check. Etzler stated lets agree by September 6th at 3:00pm a response will be sent.

Motion: Etzler Second: Haase

To have an answer via email to award fall removal contract by September 6th at 3:00pm

Roll call vote on the above motion:
Yea- Etzler, Cordes, Clausing, Volkman, Haase
Nay
Yea-5, Nay-0. Motion Approved.

AWARD FALL TOPSOIL LIST

Etzler asked if the topsoil bids were lost too? Deblin reported they were not and they were mailed at the same time as the fall removals. Packets were sent to two people for topsoil and received one back, which is normal. We received one from North Branch at a unit price of \$130 per hole. To fill all the holes we had proposed would be \$7,800, which is three removal contracts. We can trim that back if we want to try and save a little bit more money for trimming. It would be best just to get caught up. \$6,500 was estimated based on the last bid of \$110 per hole, but it went up. It could have went up due to the large amount of holes and they will probably have a couple of days into it. Etzler stated it went up to 60 holes.

Deblin replied yes and a normal contract is between 20-25 holes. It is roughly \$2,500 a contract for topsoil, so three contracts put together is \$7,500. Cordes stated we have to catch up or it will continue to grow. Etzler replied yes, lets get this taken care of. Deblin stated he agreed. Etzler stated he is not uncomfortable pushing back the trimming. We shouldn't let it slide too much, but we built up a little cushion there.

Motion: Etzler

Second: Volkman

To accept the contract for North Branch at \$130 per hole for 60 holes

Roll call vote on the above motion:

Yea- Etzler, Cordes, Clausing, Volkman, Haase

Nay

Yea-5, Nay-0. Motion Approved.

MISCELLANEOUS

Deblin reported due to the storms we had ten trees in the right a way that took substantial damage that will need to be removed. We will see who receives the fall removal contract and get a separate quote from them to remove the trees. The trees are either maples or pear, except one on E. Front Street is a london plane tree. Based on species there is no surprise that we had damage, since maples have been a problem for a while. Some of the damaged trees won't be that big of deal, but there are a couple that might be pricey. Probably around \$10,000 to \$12,000 extra, but Lulfs said we can get the money for those out of a separate account. Etzler stated he had a redspire ornamental pear, which is a fairly big tree, in his back yard that had a branch fall off. He was surprised how brittle those branches are. Deblin replied a lot of the pears that we had failures with are right at the crotch of the trunk and it rips the whole side of the tree out. Then there's nothing we can do to salvage the tree and it is unable to heal. Etzler stated don't plant anymore pear trees then. Deblin replied he thought pear trees have been banned in Ohio. They are off the planting list. Cordes stated he believed the flowers are poisonous and they started to breed in the wild, which caused problems. Etzler replied he would have to look into that. Cordes stated he heard it on the radio. Volkman stated he noticed the light strings on the tree wells downtown are getting real tight again. About 10 days ago he talked to Jeff Meyers, which is who he thought he talked to the last time. Jeff is with the group that puts the lights on. Cordes asked if the lights being too tight are bad for tree? Clausing replied yes, the tree is still growing. Deblin stated he would look into that and reach out to Jeff again if needed. Etzler stated people might not realize how much a those trees grow in diameter a year. Cordes stated especially if they get moisture. Clausing asked if there is anything more on the trees out at the golf course? Have they decided who will take care of them? Deblin replied it sounds like the Parks/Rec Department and the golf course will take care of them. Clausing stated he talked to the golfer and it is the fourth hole. There are three trees together and one is so hollow someone could walk right in the center of it. Deblin stated he is going to guess they will try to remove them this winter. Etzler asked where the london plane tree blew down? Deblin replied by the park on E Front Street right around the corner from where we planted the Arbor Day tree. Halfway up the trunk of the tree it twisted out. Cordes stated that seems like a common theme for the fast growing trees. They get hollow easy on the inside. Deblin stated this one wasn't hollow it just broke off. The whole top was laying there green and alive. A gust of wind must have went through there and hit it just right.

ADJOURNMENT

Motion: Volkman

Second: Etzler

to adjourn the Tree Commission meeting at 6:28pm

Roll call vote on the above motion:

Yea- Etzler, Cordes, Clausing, Volkman, Haase
Nay
Yea-5, Nay-0. Motion Approved.

Approved

September 19, 2022

Larr Etzler - Chairman

DRAFT



City of Napoleon, Ohio

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Memorandum

To: Mayor and City Council, City Manager, City
Finance Director, Law Director, Department
Supervisors, News media
From: Marrisa Flogaus, Clerk
Date: September 16, 2022
Subject: *Parks & Recreation Committee – Cancellation*

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, September 19, 2022 at 6:00 pm has been CANCELED due to lack of agenda items.

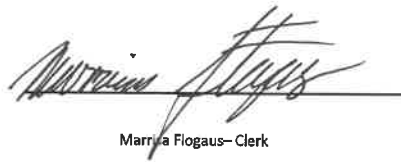
HEALTHCARE COST COMMITTEE

MEETING AGENDA

Friday, September 23, 2022 at 8:00am

Location ~ Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes: August 20, 2021 (in the absence of any objections or corrections, the minutes shall stand approved)
- 2) Review Healthcare Costs
- 3) Adjournment



Marissa Flogaus- Clerk

City of Napoleon, Ohio
HEALTHCARE COST COMMITTEE
MEETING MINUTES
Friday, August 20, 2021 at 8:00 am

PRESENT

Committee Members	Non-Bargaining: Chad Lulfs-Chairman Administration: Joel L. Mazur-City Manager and Acting Finance Director AFSCME: Kent Bacon Fire Department: Ben Jones Police Department: Rogelio Rubio
City Staff	Lanie Lambert-Human Resources
Clerk of Council	Roxanne Dietrich

ABSENT

Committee Members	Brad Strickland-Police, Roger Eis-AFSCME
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The Healthcare Cost Committee meeting was called to order at 8:07 am by Chairman Lulfs.

Approval of Minutes

Hearing no objections or corrections, the minutes from the June 8, 2021 meeting were approved as presented.

Healthcare Insurance Renewal

Lambert reviewed numbers presented at the BORMA meeting on August 10, 2021. Medical for all members of BORMA from January, 2021 through June, 2021 was \$7.189 million; in 2020 the medical cost was \$6.781 million. Prescriptions in 2021 were at \$2.9 million and in 2020 they were \$2.2 million. Prescriptions across the board are going up. Later there will be discussion on the prescription drug plans BORMA will be implementing to try to control these costs. The overall increase for 2021 for the entire BORMA pool was 4.44%. Napoleon's renewal for this year is 2.49% and that includes the 1% Wellness Credit.

For the City of Napoleon from January, 2021 through June, 2021 the medical claims were \$581,000 and in 2020 the medical claims were \$722,000. In 2021 the prescription cost was at \$185,000 and in 2020 the prescriptions were \$154,000. Lulfs stated overall we saved over \$110,000. What is the cost for Activate/Everside? Lambert explained BORMA pays that cost for all of the pool using our reserve. Lulfs noted that is proving to be worth it for us. Lambert added plus the wellness checks. Lulfs said we need to emphasize how well this is working to Council. Mazur asked for the other communities of BORMA what was their renewal increases? Lambert said the average was 4.44% for the whole BORMA group. Mazur asked that 4.44% is without the 1% and we are the only group to receive the 1% wellness credit? Lulfs asked how many people did not get a wellness check? Lambert said there were five, a couple were new hires, and they have a year to get their physical. Napoleon had a 95.4% participation.

Plan Options.

Lambert stated there are nine different options to choose from. None of the plans have a change in the out-of-pocket or deductibles for 2022. Napoleon currently offers Plan Nos. 2 and 3. Rubio said that is great news, the employees should be happy. Lulfs has received complaints about *having* to get a wellness check, our job is to protect people from themselves. We are trying to save them money with Lambert interjected and to possibly detect things early. Jones noted we are not *requiring* them; they just have to pay extra if they do not get a wellness check. Mazur asked in terms of actual dollars 1% equals Lambert said we are looking at 1.9 million Lulfs noted that would be \$20,000. Lambert continued if we stay with Plans PPO2 and PPO3 the increases per month would be for Single \$2.24, Employee/Spouse \$4.48, Employee/Child \$4.02, and Family \$6.72. The total increase for the city from 2021 to 2022 for the PPO2 plan is \$38,875.20 and for people on the PPO3 plan the increase is \$6,449. The total increase for all plans is \$45,324.48 (down 2 employees). The total cost for all plans for 2022 would be \$1,865,859.00. Employees hired after January 1, 2019 are required to go on the PPO3 plan and that savings was \$7,745.00. Lambert asked if there were any comments? Do you want to stay with the same plans, or do you want to make any changes? Lulfs commented I say we stay where we are with the success we are having. Rubio agreed, it is working for us, we are doing the right things and taking the right steps to help the employees and the City. We can always look at changing down the road if we need to. Mazur said we did look at other options and decided staying where we are at is the best option.

addition of a \$50 surcharge to the employee's health insurance premium for three years if the employee and spouse (if applicable) do not get their wellness check.

Motion: Bacon

Second: Rubio

to recommend beginning January 1, 2022 to extend the BORMA Wellness Program for three years (2022, 2023 and 2024); and that a \$50 surcharge be applied to the employees' health insurance premium when the employee and employee's spouse (if applicable) do not complete their wellness check by the date specified for each year

Rubio asked if we continue to have good numbers, could we look at doing away with the \$50 surcharge? Lambert's thoughts were if you take that away people will not participate. The other BORMA members do not have that surcharge and they are not getting participation. Lulfs pointed out, as a committee we make a recommendation to Council, and Council approves the legislation. Should the committee want to make a change next year, that recommendation would be made to Council, and it would be up to Council to approve of that change.

Roll call vote on the above motion:

Yea-Non-Bargaining, Fire, AFSCME, Administration, Police

Nay-

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

Open Enrollment

Lambert said BerniePortal will be used for open enrollment again this year. Once you are in the system, it will show you what you currently have with your health insurance. I am not planning on doing in-person meetings. Lulfs suggested if we receive a lot of comments on the insert, we may have to try to do something. Lambert noted BORMA now has 15 entities in the group.

Adjournment

Motion: Mazur

Second: Jones

to adjourn the Healthcare Cost Committee meeting at 8:43 am.

Roll call vote on the above motion:

Yea-Non-Bargaining, Fire, AFSCME, Administration, Police

Nay-

Yea-5, Nay-0. Motion Passed.

**Approved
9-23-22**

Chad E. Lulfs, P.E., P.S.
Chair, Healthcare Cost Committee



City of Napoleon 2022 & 2023 Contributions

Proposed January 1, 2023							
	Enrolled	Employer		Employee			
BORMA - Standard Plan 2	#	2023 Monthly Premium	ER %	EMPLOYER Cost Share Monthly	EE %	EMPLOYEE Cost Share Monthly	EE - 24 Deductions
Single	15	\$754.21	87.50%	\$659.93	12.50%	\$94.28	\$47.14
Employee + Spouse	10	\$1,508.41	87.50%	\$1,319.86	12.50%	\$188.55	\$94.28
Employee + Child(ren)	19	\$1,357.58	87.50%	\$1,187.88	12.50%	\$169.70	\$84.85
Family	33	\$2,262.62	87.50%	\$1,979.79	12.50%	\$282.83	\$141.41
Plan Total	77	\$126,857.73		\$111,000.51		\$15,857.22	
BORMA - Standard Plan 3	#	2023 Monthly Premium	ER %	EMPLOYER Cost Share Monthly	EE %	EMPLOYEE Cost Share Monthly	EE - 24 Deductions
Single	9	\$729.88	87.50%	\$638.65	12.50%	\$91.24	\$45.62
Employee + Spouse	3	\$1,459.75	87.50%	\$1,277.28	12.50%	\$182.47	\$91.23
Employee + Child(ren)	8	\$1,313.78	87.50%	\$1,149.56	12.50%	\$164.22	\$82.11
Family	5	\$2,189.64	87.50%	\$1,915.94	12.50%	\$273.71	\$136.85
Plan Total	25	\$32,406.61		\$28,355.78		\$4,050.83	
Monthly Total		\$159,264		\$139,356		\$19,908	
Annual Total		\$1,911,172		\$1,672,276		\$238,897	
2.25%							

Effective January 1, 2022							
	Enrolled	Employer		Employee			
BORMA - Standard Plan 2	#	2022 Monthly Premium	ER %	EMPLOYER Cost Share Monthly	EE %	EMPLOYEE Cost Share Monthly	EE - 24 Deductions
Single	15	\$737.61	87.50%	\$645.41	12.50%	\$92.20	\$46.10
Employee + Spouse	10	\$1,475.22	87.50%	\$1,290.82	12.50%	\$184.40	\$92.20
Employee + Child(ren)	19	\$1,327.70	87.50%	\$1,161.74	12.50%	\$165.96	\$82.98
Family	33	\$2,212.83	87.50%	\$1,936.23	12.50%	\$276.60	\$138.30
Plan Total	77	\$124,066.04		\$108,557.79		\$15,508.26	
BORMA - Standard Plan 3	#	2022 Monthly Premium	ER %	EMPLOYER Cost Share Monthly	EE %	EMPLOYEE Cost Share Monthly	EE - 24 Deductions
Single	9	\$713.82	87.50%	\$624.59	12.50%	\$89.23	\$44.61
Employee + Spouse	3	\$1,427.63	87.50%	\$1,249.18	12.50%	\$178.45	\$89.23
Employee + Child(ren)	8	\$1,284.87	87.50%	\$1,124.26	12.50%	\$160.61	\$80.30
Family	5	\$2,141.46	87.50%	\$1,873.78	12.50%	\$267.68	\$133.84
Plan Total	25	\$31,693.53		\$27,731.84		\$3,961.69	
Monthly Total		\$155,760		\$136,290		\$19,470	
Annual Total		\$1,869,115		\$1,635,475		\$233,639	

5. Renewal Delivery

- > Medical
 - > Overall Pool Increase: 4.68%
- > Dental: 0%
- > Vision: 0%
- > Life, AD&D: 14.3% (2 Year Rate)
- > Voluntary Life: 0% (2 Year Rate)

Proposed Motion:

A Motion to accept the Medical, Dental, Vision, Life, AD&D, and Voluntary Life Renewals effective January 1, 2023.

- > Stop Loss

Proposed Motion:

A Motion to allow Magis to negotiate the Stop Loss up to \$350,000 and to allow Chair to sign stop loss/renewal documents effective January 1, 2023.



7. Wellness Initiatives

2021-2022 Preventive Care Campaign Results

<u>City/Village</u>	<u>Completed Preventive Care Requirements</u>	<u>Census #</u>	<u>Participation % (2021-2022)</u>	<u>Participation % (2020-2021)</u>	<u>Renewal Credit</u>	<u>Additional Internal Incentives</u>
City of Napoleon	136	143	95.1%	95.4%	1.0%	*
Sandusky	18	22	81.8%	68.4%	1.0%	
Village of Carey	20	39	51.3%	66%		
Village of Hunting Valley	8	24	33.3%	28%		
Village of Archbold	16	67	23.9%	24.6%		
City of Bucyrus	16	139	11.5%	20.6%		
City of Wooster	243	251	96.8%	11.3%	1.0%	*
City of Defiance	27	263	10.3%	8.4%		
City of Bowling Green	42	434	9.7%	8.1%		
City of Fremont	18	205	8.8%	6.8%		
City of Oberlin	11	173	6.4%	5.8%		
Mayfield Village	6	118	5.1%	2.5%		
Village of Fayette	1	16	6.3%	0%		
Village of Hicksville	0	25	0%	0%		
Village of Wellington	1	71	1.4%	DNP		
Total	563	1990	28.2%	17.9%		



Health and Wealth!

BORMA Wellness Plan

The Preventive Care Campaign provided by **BORMA Members** offers employees and spouses covered by the plan the opportunity to earn **\$70 in gift cards!**
No paperwork is required.

Complete steps 1 and 2 below and earn \$70 in gift cards!

1. Schedule an **Annual Preventive Care Exam and Routine Lab Work** with your Primary Care Physician OR at an Everside Health Clinic to earn a **\$35** gift card!
2. Register and log into your member website at [Aetna.com](https://www.aetna.com), select *Well-being Resources*, and complete the **Health Risk Assessment** to earn a **\$35** gift card!

Schedule appointments between July 1, 2022 and June 30, 2023

Gift Cards will be delivered in the month of September 2023

Please request the following labs be collected when scheduling your appointment with your primary care provider.

* Total Cholesterol * Triglycerides * Glucose * HDL Cholesterol * LDL Cholesterol

Note: If the claim is not coded preventive/routine on your Explanation of Benefits for any reason, please contact MAGIS Advisory Group. Leslie@magisadvisorygroup.com Phone: 330.608.4231
All In-Network Preventive/Routine Claims will be covered at 100%. Out-of-Network claims will be subject to deductible and co-insurance

*Everside Health Locations and Contact information can be found on the next page.

Everside Health Clinic locations

Everside Akron South Main Street Health Center 338 S. Main St., Suite 201, Akron, OH 4430 Phone: 234.200.2770	Everside Health Akron-White Pond Drive Clinic 789 White Pond Dr., Suite a, Akron, OH 44320 Phone: 234.226.5038
Everside Health North Canton Lauby Rd., 5399 Lauby Rd., Suite 220, North Canton, OH 44720 Phone: 330.615.6498	Everside Health Mentor Great Lakes Plaza Clinic 7695 Mentor Ave., Mentor OH 44060 Phone: 440.368.0900
Everside Health Euclid Lincoln Electric Clinic 22801 St. Clair Ave., Euclid, OH 44117 Phone: 440.368.0899	Everside Health Wapakoneta Health Center 5 N. Blackhoof St., Wapakoneta OH 45895 Phone: 419.214.3182
Everside Health Beachwood Science Park Drive 25700 Science Park Dr., #120, Beachwood, OH 44122 Phone: 216.672.0211	Everside Health Cuyahoga Falls Health Center 421 Graham Rd., Cuyahoga Falls, OH 44221 Phone: 234.260.5870
Everside Health Seven Hills Lombardo Center Clinic 5700 Lombardo Center, Suite 120, Seven Hills, OH 44131 Phone: 866.808.6005	Everside Health Avon Sheffield Detroit Ave. Clinic 5445 Detroit Rd., Sheffield, OH 44054 Phone: 440.653.8033
Everside Health Defiance Clinic 25568 Elliott Rd., Defiance, OH 43512 Phone: 419.782.2147	Everside Health Archbold Clinic 213 Nolan Pkwy, Archbold, OH 43502 Phone: 567.444.4840
Everside Health Cooper Farms St., Henry Clinic 640 E. Main St., Henry, OH 45883 Phone: 419.763.4178	Everside Health Wauseon Clinic 844 N. Shoop Ave., Wauseon, OH 43567 Phone: 419.285.9002

City of Napoleon, Ohio

CITY COUNCIL

MEETING AGENDA

Monday, September 19, 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. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)
September 6, 2022 Regular Council Meeting Minutes

E. Citizen Communication

F. Reports from Council Committees

1. The Electric Committee did not meet on September 12, 2022 due to lack of agenda items.
2. The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on September 12, 2022 due to lack of agenda items.
3. The Municipal Properties, Building, Land Use and Economic Development Committee did not meet on September 12, 2022 due to lack of agenda items.
4. The Parks and Rec Committee did not meet on September 19, 2022 due to lack of agenda items.
5. The Personnel Committee met on September 19, 2022 at 7:00am; and went into executive session to consider employment of a public employee.

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

1. The Board of Public Affairs did not meet on September 12, 2022 due to lack of agenda items.
2. The Board of Zoning Appeals did not meet on September 13, 2022 due to lack of agenda items.
3. The Planning Commission did not meet on September 13, 2022 due to lack of agenda items.
4. The Tree Commission met September 19, 2022 at 6:00 pm with the agenda items:
 - a. Review Tree Call Reports
 - b. Fall Contracts Update
 - c. Award Fall Planting Contract
 - d. Award Fall Trimming Contract
 - e. Begin Spring Plantings List
 - f. Review Next Year's Budget/Plans

H. Introduction of New Ordinances and Resolutions-

1. **Ordinance No. 050-22**, an Ordinance Amending a Certain Section of the City of Napoleon Personnel Code, specifically Section 197.16(F)(3), "Schedule of Observed Legal Holidays", Also Amending the City of Napoleon Employment Policy Manual, specifically Policy 14.3, "Recognized Holidays"
2. **Resolution No. 051-22**, a Resolution Approving the Provisions of a Certain Collective Bargaining Agreement between the City of Napoleon, Ohio and American Federation of State, County, and Municipal Employees, AFL-CIO Local 3859 for the Term Commencing from December 1, 2022 through November 30, 2025, Authorizing the City Manager to Execute the same; and Declaring an Emergency

I. Second Reading of Ordinances and Resolutions -None

J. Third Reading of Ordinances and Resolutions

1. **Ordinance No. 047-22**, an Ordinance Approving Current June 2022 Replacement Pages to the City of Napoleon Codified Ordinances

2. **Ordinance No. 049-22**, an Ordinance Amending Threshold Amounts related to Competitive Bidding, Purchasing, Contracting, and Expenditures

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

1. Discussion/Action: to Participate in the 2023 Municipal Bridge Inspection Program(direct the Law Director to draft legislation)
2. Discussion/Action: Review/Approval of the Power Supply Cost Adjustment Factor for September 2022, PSCAF 3-month averaged factor \$0.01364 and JV2 \$0.075178
3. Discussion/Action: Third Quarter Budget Adjustments (Finance Committee meets September 26, 2022) (direct the Law Director to draft Legislation)
4. Discussion/Action: to Allow ODOT to work within the City Limits to pave State Route 110 up to State Route 108 (S. Perry Street) (direct the Law Director to draft Legislation)
5. Discussion/Action: to Purchase Padmount Transformer for \$72,000 that was not budgeted for (direct the Law Director to draft Legislation)

L. Executive Session (as needed)

M. Approve Payments of Bills and Financial Reports (In the absence of any objections or corrections, the payment of Bills and Financial Reports shall stand approved.)

N. Adjournment



Marris Flogaus- Clerk

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: October 3, 2022 @6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 10, 2022 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for October 2022
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 10, 2022 @7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 10, 2022 @7:30 pm)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, September 19, 2022 @6:00 pm)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, September 26, 2022 @6:30 pm)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, September 26, 2022 @7:30 pm)
- 8. Personnel Committee (as needed)**

B. Items Referred or Pending in Other City Committees, Commissions & Boards

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday October 10, 2022 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for October, 2022
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, October 11, 2022 @4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, October 11, 2022 @5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, September 19, 2022 @6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, September 27, 2022 @4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wed., September 28, 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 (2nd 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
Tuesday, September 06, 2022 at 7:00 pm

PRESENT

Council Members	Joe Bialorucki- Council President, Ross Durham- Council President Pro-Tem (left at 8:22pm), Daniel Baer, Lori Siclair, Dr. David Cordes
Mayor	Jason Maassel
City Manager	Joel Mazur
Law Director	Billy Harmon
Finance Director	Kevin Garringer
City Staff	Chad Lulfs- P.E., P.S. - Director of Public Works Clayton O'Brien- Fire Chief David Mack- Police Chief Jeff Wies- Water Treatment Superintendent Brittney Roof- Human Resource Director
Others	News- Media Chip Bullock Ben Hartford Cassie Floring
Recorder	Marrisa Flogaus
Absent	Ken Haase- Councilmember, Molly Knepley- Councilmember

CALL TO ORDER

Council President Bialorucki called the City Council meeting to order at 6:59pm with the Lord's Prayer followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from the August 15, 2022 Council meeting were approved as presented.

CITIZEN COMMUNICATION-

Chip Bullock introduced himself as the lead pastor at the Napoleon Church of Nazarene for five more days. This is my sixth year to come before council as we started our annual 5K Nap Naz run for the City in 2017. It has been a joint effort with the Parks and Rec Department. It was our attempt to become a good community partner and to show as an origination that is built on professions of love that we show love in more than words, but also in deeds. It has been cool to do this event within the City that anyone can sign up to participate in for over 5 years. It is a healthy fun family event that gives 100% of the net profits to the City. I am here to present the check from this summer's 5K. After 5 years it has been just shy of \$25,000, which averages about \$5,000 a year. This year I have a check for \$7,460 and we are pumped about that. Tony and I have been in communication about a Swearingen Park project for next year. I brought a couple people with me tonight because I will be moving soon. I have taken a position in Lima Ohio, but that doesn't mean this is ending. Cassie Floring is the new coordinator of this event and she has done awesome. I felt like I birthed it and gave it away for adoption. It's far better in her hands as

evidence by the growing nature of the whole thing. I think 30-40 business in some way participated and helped out this year. There has been community buy in for what we are trying to do. I'm coming back for the 7th annual 5K, since I'm only 45 minutes down the road. There will be a 10th, 15th, and 20th annual, so we will have a legacy we can look back on to see the \$150,000, \$200,000, or \$250,000 that we tangibly gave to the Parks and Rec Department. I want to make you aware that Ben Hartford, a staff pastor in the interim as a pastor for the church, is 100% in. If you have any questions Ben would be the one to talk to. Thank you so much for letting me come and share this with you.

Motion: Siclair Second: Cordes
To accept the donation from Napoleon Church of the Nazarene

Roll call vote on the above motion
Yea- Cordes, Siclair, Durham, Bialorucki, Baer
Nay-
Yea-5, Nay-0. Motion Passed

REPORTS FROM COUNCIL COMMITTEES

The Finance and Budget Committee did not meet on August 22, 2022 due to a lack of agenda items. Baer, chair of the Safety and Human Resources Committee reported the committee met on August 22, 2022; and recommend to Council to add Juneteenth and Veterans Day as City Holidays starting in 2023. The Technology Committee did not meet on September 6, 2022 due to a lack of agenda items.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS- None

Second Reading of Ordinances and Resolutions

Ordinance No. 047-22- Replacement Pages to Codified Ordinances

Council President Bialorucki read by title Ordinance No. 047-22, an Ordinance Approving Current June 2022 Replacement Pages to the City of Napoleon Codified Ordinances.

Motion:Durham Second: Siclair
to approve Second read of Ordinance No. 047-22

Mazur stated he had nothing new to report.

Roll call vote on the above motion
Yea- Cordes, Siclair, Durham, Bialorucki, Baer
Nay-
Yea-5, Nay-0. Motion Passed

Ordinance No. 049-22- Increase Bidding Threshold

Council President Bialorucki read by title Ordinance No. 049-22, an Ordinance Amending Threshold Amounts related to Competitive Bidding, Purchasing, Contracting, and Expenditures.

Motion: Durham Second: Cordes
to approve Second read of Ordinance No. 049-22

Mazur stated this would move the bidding threshold from \$25,000 to \$50,000, which is the current minimum standard set by the state. By ordinance it would stay at \$50,000 even if the state ordinance would change.

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

Third Reading of Ordinances and Resolutions

Ordinance No. 046-22- ODOT Resurfacing and Bridge Repair Project ST. RT. 110

Council President Bialorucki read by title Ordinance No. 046-22, an Ordinance Authorizing the Ohio Department of Transportation to Perform necessary Work within the City of Napoleon, Ohio regarding the Resurfacing and Bridge Repair Project on State Route 110.

Motion: Baer

Second: Cordes

to approve Third read of Ordinance No. 046-22

Mazur stated ODOT requires legislation to work within the city limits. This would allow ODOT to do work on State Route 110. Maassel asked if ODOT would be continuing the paving project further into town? Lulfs replied we received a verbal acceptance that they are willing to do it. However, they are waiting to forward us a contract and legislation until they have the plans closer to being done. This is due to the fluctuating prices. Prices are going up, but this will still be cheaper than doing it ourselves. ODOT agreed to repave up to Perry Street as well as to fix a couple of sink holes in the road and to adjust the draining structures in that section. As soon as the legislation and contract shows up I will get it on the agenda to draft legislation. Bialorucki asked when ODOT is planning to start the work? Lulfs replied the only thing I've been told so far is 2023. It sounds like they will try to bid it this fall, but it's slated for next spring or summer. Mazur stated there will be expense on our part. It's not granted, but an extension of their contract. Maassel replied it saves us the mobilization costs. Lulfs stated it saves on mobilization costs and they will cover a percentage of the cost, but not 100%. We will probably see \$100,000 in cost, but we would probably see double that if we did this on our own.

Roll call vote to pass Ordinance No.046-22 on Third read

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

GOOD OF THE CITY (Discussion/Action)

To Accept the 2022-2023 Drug Use Prevention Grant Program Award of \$2041.20 for the Police Department to be utilized by 8/31/2023 by the DARE Officer.

Chief Mack stated this grant can be used to reimburse salaries primary for the Dare Officer. We have to bill hours and submit a report in order to receive a grant for a certain amount of money to replace our salary costs.

Motion: Durham Second: Cordes
To accept the Drug Use Prevention Grant Award for the police department

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

On Recommendation to add Juneteenth and Veterans Day as City Holidays.

Mazur stated this was an item that was assigned to the committee by Council President Pro-Tem. During the committee meeting we had discussion about adding Juneteenth to the City's list of holidays. We looked at a measurement of what other cities have in terms of holidays. Other municipalities have between ten to twelve holidays, some have fourteen and we have eight. We discussed the list shown on the screen, which shows what cities observe Juneteenth as a holiday on Juneteenth. I took a poll at the AMP Board meeting, which is the reason different states are seen on this list. Roof made a list of local cities to see whether or not they observe Juneteenth and the list is split 50/50. A lot of communities on here have adopted it this year and some were early adopters as of two years ago. I see a trend of more cities starting to adopt it. For example, Wadsworth hasn't adopted it yet, but they are looking into it. Then we started to talk about other holidays that aren't observed and floating holiday. I think Councilwomen Knepley stated if we observe a holiday we should observe it on the same day as the rest of the nation. The committee decided it's important that the holidays are observed on the holiday, including Veterans Day. It is not out of line to add the two as holidays due to other municipalities having ten to twelve holidays. That's not even looking at counties or school systems because they are already observing these. I think the county has ten to twelve holidays and the school system follows all federal holidays. School is not in session during Juneteenth, but they do have some office staff. The committee voted unanimously to make this recommendation to the rest of council. Baer stated if you add the two holidays it totals ten, which is under what most cities in the area observe. There was a reason for Juneteenth and we tried to figure out what other day would fit. Knepley brought up Veterans Day and those two seem to best fit the addition, which is why we recommended those two days. Cordes stated I thought Baer recommend Veterans Day. Baer replied Knepley did more of the details. I did recommend it one way, but Knepley felt that we needed to honor the veterans too. In my personal opinion adding those two holidays is best for us. There was discussion on whether we want them to be floating or not. Harmon stated if council chooses to make any changes it will require legislation. Maassel asked which holidays we currently observe? Mazur replied New Years Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas Eve and Christmas. Maassel asked what holidays we don't observe? Mazur replied Juneteenth, Veteran Day, Presidents Day, Columbus Day and Martin Luther King Day. Maassel asked if this would take effect now or in 2023? Baer replied 2023, because we already passed Juneteenth. Cordes stated other communities are looking to add Juneteenth, so if the average of holidays are ten to twelve they would be scooting higher. I think it's important we have these two day recognized.

Motion: Siclair Second: Durham
To direct law director to draft legislation

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

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On Change Order No. 4 for the 2022 Miscellaneous Street Improvements Project to Gerken Asphalt Paving an increase of \$34,226.12.

Lulfs stated we have been finishing several streets on the list for paving this year. The contractor is coming back to finish the rest of those next week. We had an increase in cost of \$34,226.12 on Westmoreland from the modifications and additions. I want to note that approximately \$9,250 of that total is going to be reimbursed to us by the county. They have a portion of that road, so the engineering department offered to pay for that section. However, to keep everything tracked properly it was added to the change order. Mazur stated I wanted to note the additional section in front of the Elementary School was added by one of the drive approaches. Maassel stated hopefully we don't have to remove it again.

Motion: Durham Second: Cordes

To accept change order No.4 for the 2022 Miscellaneous Street Improvement Project

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

On Change Order No. 4 for the WWTP Improvements Project to Kirk Bros. Co. an increase of \$187,500.

Mazur stated this is something that was in the works for a long time in the negotiation phase. We went back and forth with the contractor to figure out what exactly was left out of the bid and what was the added cost. \$187,500 seems like a lot of money, but in the total contract cost we built in a 10% contingency and we are still within 3%. We are still within budget, but this is one of the bigger change orders. The new digester is being built and anytime you go deeper into this waste water treatment plant you're bound to run into something. A lot of this had to do with sheeting and shoring as protection for workers and everything that needed to take place to install this. I know we still have a little ways to go on the project, but were doing really well. This was probably the deepest hole we had to dig and there was a lot of piping underground. I think this is the most challenging piece of the project. Now, we have a Headworks Building, which is another big one. Other than that we are shoring up some minor items. The project is still moving along well. Maassel stated this seems like a big number. Was that just missed in the original bid or was it not anticipated? Harmon replied without going to deep in the discussion the original number submitted was much larger. After some discussion and negotiations this was the agreed upon amount between both sides.

Motion: Durham Second: Siclair

To accept change order No.4 for the WWTP Improvement Project

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

On recommendation to Set Trick or Treat for October 31, 2022 from 6:00pm to 7:30pm.

Mazur stated he had nothing to add other then it's on a fifth Monday, so all of Council will get to go trick or treating. Maassel stated he was asked by a constituent if we would ever consider having it on a Saturday night because it's easier than doing it after school. Siclair advised it is difficult to do after

school with little kids. Bialorucki stated the reason we don't do it on Friday and Saturday nights is due to more people being out creating traffic and possibly drunk driving. Maassel stated I know traditionally we do it on the 31st as long as it doesn't fall on a Sunday. I think last year we had it on a Saturday, because I'm assuming the 31st was a Sunday. It did really well last year compared to being on a week night. I'm not trying to take anything away from the Parks and Rec Board, I was just asking a question. Sicclair stated I like that it's always on the 31st, so there's never any confusion on when it is. Mazur stated last year it was on a Sunday. Maassel asked if we trick or treated on a Sunday last year? Mazur replied yes, I remember Jeff Comadall made a comment about it when he was still on council. Durham stated as a parent of three little ones having it on the exact day is great school night or not.

Motion: Sicclair Second: Baer

To set Trick or Treat for October 31, 2022 from 6:00pm to 7:30pm

Roll call vote on the above motion

Yea- Cordes, Sicclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

AROUND THE TABLE

Garringer- I have nothing.

Sicclair- I have the same.

Durham- In our packets there was a short memo from our IT Department letting us know they are updating the new finance server, the police department is getting updated computers and cameras in their cruisers and the focus on social media presence. I think the activity around that has been at an all-time high since I've been here, which is great. Thanks IT Department.

Bialorucki- I just have a question for Lulfs. Do you have any dates for the reseeding behind my house due to the sewer line? Lulfs stated they haven't provided us with any dates yet, but they are coming back to town for another project. We will work with them to get it all coordinated. Bialorucki asked if letters will go out or if the resident will know when they are coming back out? Lulfs replied it is our understanding through the course of the contractors and us speaking to individuals that everyone was aware they are coming, but haven't put dates out yet. We communicated it would be in fall because it is a waste to reseed in July or August. We usually have better luck in the spring or fall.

Maassel- A little while ago there was a historical sign in front of the building that got knocked down. When we complete our path project will that be replaced? Mazur replied yes. There is a supply chain issue. It's taking longer than expected to make it and get it here. It's ordered and we are just waiting on it to get here. We have the broken one still, not that it helps anything. I think the timing is pretty good, once it's done we can place it somewhere with good visibility like the walking path. Maassel stated I attended the ground breaking event for the new Keller Building. It's expected to be 150,000-square-foot and it's going to look like the building in Defiance. Three walls will be concrete and the other wall will be metal for opening up. Hopefully, foundation will be laid this year. It was a big win for the county,

city and Jennifer Arps. Following that the commissioners had Senator Rob McColley in their office. McColley was talking about Senate Bill 52, which takes the decision making process for potential solar and wind farms out of Columbus and back to the local level. Now, someone who wants to build it here can't go to Columbus and get the okay. If someone wanted to put one of these in the jurisdiction then they would have to go through the trustees and the commissioner. I think Senator McColley did a good job on that legislation. It makes it so if you want it you can have it, but if you don't want it there is a way to fight it. The example they always use is the village of Sherwood in Defiance County. The village was building infrastructure north of town for future growth and a solar company came in wanting to take the ground to develop a solar field. The village invested all that money in infrastructure, which would have been wasted if the solar company built there. I think they got that one stopped. I thought it was interesting there was a process at the local, county, trustee level if you want that or not. Also, tomorrow is employee appreciation day at Oberhaus Park 11:00am to 2:00pm.

Baer- I have nothing.

Cordes- I have nothing to add.

Harmon- I have nothing. Thank you.

Mazur- I wanted to add that JT tables and chairs donated the tent, table and chairs for use of the ground breaking event.

Siclair- I have a question. Do we have an update on the cameras for Kids Kingdom bathrooms? Mazur replied yes, temporary ones have been installed. They are not the best, since they are not what we ordered. We put this order in over 6 months ago and they said it would be 9-12 months until we could get them. We are still waiting on their arrival, so we talked to the company to see if they could get us temporary ones. We put two temporary cameras up and they are ready to go. When the cameras we ordered come in all we need to do is switch them out. Siclair asked if the cameras are working? Mazur replied yes. Siclair asked if they are helping? Mazur replied let's hope it works.

Bialorucki- I would like to request an executive session for compensation of personnel.

Executive Session (Compensation of Personnel and Collective Bargaining)

Motion:Durham Second: Cordes

To enter executive session for compensation of personnel at 7:37pm

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

Motion:Durham Second: Cordes

To enter executive for collective bargaining session at 7:37pm

Roll call vote on the above motion

Yea- Cordes, Siclair, Durham, Bialorucki, Baer

Nay-

Yea-5, Nay-0. Motion Passed

Motion: Baer Second: Siclair

To exit executive session for compensation of personnel at 8:36pm

Roll call vote on the above motion

Yea- Cordes, Siclair, Bialorucki, Baer

Nay-

Yea-4, Nay-0. Motion Passed

Bialorucki stated no action was taken.

Motion: Siclair Second: Cordes

To exit executive for collective bargaining session at 8:36pm

Roll call vote on the above motion

Yea- Cordes, Siclair, Bialorucki, Baer

Nay-

Yea-4, Nay-0. Motion Passed

Motion: Siclair Second: Baer

To direct the law director to draft legislation for the ASFME Contract

Roll call vote on the above motion

Yea- Cordes, Siclair, Bialorucki, Baer

Nay-

Yea-4, Nay-0. Motion Passed

Approve Payment of Bills (In the absence of any objections or corrections, the payment of bills shall stand approved)

ADJOURNMENT

Motion: Baer Second: Siclair

To adjourn the city council meeting at 8:37pm

Roll call vote on the above motion

Yea- Cordes, Siclair, Bialorucki, Baer

Nay-

Yea-4, Nay-0. Motion Passed

Approved
September 19, 2022

Joe Bialorucki, Council President

Jason Maassel, Mayor

Marrisa Flogaus- Recorder

DRAFT

ORDINANCE NO. 050-22

AN ORDINANCE AMENDING A CERTAIN SECTION OF THE CITY OF NAPOLEON PERSONNEL CODE, SPECIFICALLY SECTION 197.16(F)(3), "SCHEDULE OF OBSERVED LEGAL HOLIDAYS", ALSO AMENDING THE CITY OF NAPOLEON EMPLOYMENT POLICY MANUAL, SPECIFICALLY POLICY 14.3, "RECOGNIZED HOLIDAYS"

WHEREAS, the Safety and Human Resources Committee met in a regular meeting held on August 22, 2022, and reviewed a certain section of the City Personnel Code, specifically Section 197.16(f)(3), regarding suggested changes presented by City staff, and recommended that the City should adopt the amended Personnel Code; and,

WHEREAS, the amended language also appears in the City of Napoleon Employment Policy Manual, Policy 14.3; 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 and the Employment Policy Manual of the City of Napoleon; and,

WHEREAS, Council desires to make said amendments effective beginning January 1, 2023; **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, Section 197.16(f)(3) of the Codified Ordinances of the City of Napoleon, Ohio as follows:

"197.16 PAID LEAVES OF ABSENCE

(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), [Juneteenth](#), July 4th, Labor Day (being the first Monday in September), [Veteran's Day](#), 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.)”

Section 2. That, the City of Napoleon does hereby amend Policy 14.3 of the City of Napoleon Employment Policy Manual as follows:

“Policy 14.3 Recognized Holidays

The following holidays are recognized by the City of Napoleon as paid holidays:

- New Year's Day;
- Good Friday;
- Memorial Day (last Monday in May);
- Juneteenth;
- Independence Day;
- Labor Day;
- Veteran's Day;
- Thanksgiving Day;
- December 25th;
- Note: Special floating holiday exists when December 25th falls on a Wednesday, (see Personnel Code §197.16).

- For full time non-bargaining employees, (except police and fire that are twenty-four (24) hour services) as an additional benefit, on the day of December 24th when the City Administration building is open for business, the work day shall be considered 7:30am to 2:00pm with a regular lunch period for those persons scheduled to work; however, said employees shall be compensated for the full eight (8) hours as if worked, except that no employee shall receive any additional benefit from sick leave, vacation leave or similar other type leave as a result of this Policy.
- Recognizing that police and fire departments are essential twenty-four (24) hour services, full time non-bargaining employees in police and fire services of the City, who work a substantial amount (more than six (6) hours) of a full shift between the hours of 12:01 a.m. to 11:59 p.m. on a December 24th when the City Administration building is open for business, shall receive a straight two (2) hours of holiday time.”

Section 3. That, this Ordinance hereby amends Ordinance No.(s) 048-14 and 035-22 so as to incorporate and adopt all identified changes noted herein, commencing January 1, 2023. The remaining, unchanged portions of Ordinance No.(s) 048-14 and 035-22 remain in full force and effect as they existed prior to the changes.

Section 4. That, any changes needed to pages, page numbers, or appendixes are hereby approved to accommodate for the above amendments.

Section 5. 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 6. 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 7. 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 ____ Nay ____ Abstain

Attest:

Marrisa Flogaus, Clerk of Council

I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 050-22 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.

Marrisa Flogaus, Clerk of Council

RESOLUTION NO. 051-22

A RESOLUTION APPROVING THE PROVISIONS OF A CERTAIN COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO AND AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO LOCAL 3859 FOR THE TERM COMMENCING FROM DECEMBER 1, 2022 THROUGH NOVEMBER 30, 2025, AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND DECLARING AN EMERGENCY

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

Section 1. That, the provisions of a certain Collective Bargaining Agreement (hereinafter referred to as "the Agreement") between the City of Napoleon, Ohio (hereinafter called "the City") and the American Federation of State, County, and Municipal Employees, AFL-CIO local 3859 (hereinafter called "the Union") for the term commencing December 1, 2022 through November 30, 2025, both dates inclusive, (a true and complete copy of which is on file in the office of the City Finance Director marked as City Contract No. 2022) have been reviewed and are approved by this Council.

Section 2. That, upon ratification of the Agreement by the Union, the City Manager is authorized and directed to execute the Agreement in the name of and on behalf of the City, subject to any non-material amendments, additions, or deletions as deemed necessary or advisable by the City Manager and approved by the City Law Director. The Agreement may contain a provision that allows the terms and conditions of the Agreement to be retroactively applied, the same being hereby approved if so exist.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow essential City services to continue without distraction or disruption; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to enter into the agreement 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:

Marrisa Flogaus, Clerk of Council

I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 051-22 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.

Marrisa Flogaus, Clerk of Council

ORDINANCE NO. 047-22

**AN ORDINANCE APPROVING CURRENT JUNE 2022 REPLACEMENT
PAGES TO THE CITY OF NAPOLEON CODIFIED ORDINANCES**

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

WHEREAS, the City has heretofore entered into a contract with the American Legal Publishing Corporation (formerly known as Walter H. Drane Company) to prepare and publish such revision which is before Council; **Now Therefore**,

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

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the June 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

Section 2. That, among others, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

Impounding Vehicles on Public Property

General Offenses Code

No Changes

Section 3. That, the complete text of all current Codified changes is set forth in the current replacement pages to the City of Napoleon's Codified Ordinances, said pages which are attached to this Ordinance as Exhibit "A." Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. 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 5. 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 6. That, upon passage, this Ordinance shall take 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:

Marrisa Flogaus, Clerk of Council

I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 047-22 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.

Marrisa Flogaus, Clerk of Council

INSTRUCTIONS FOR INSERTING
JUNE 2022 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES
OF NAPOLEON

All new replacement pages bear the footnote "June 2022 Replacement". Please discard old pages and insert these new replacement pages immediately as directed in the following table.

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OF THE
CITY OF
NAPOLEON
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CERTIFICATION

We, Jason Maassel, Mayor and Marrisa Hall, Executive Assistant to Appointing Authority - Clerk of Council of Napoleon, Ohio pursuant to Article II Section 2.15 of the Charter and Section 121.03 of the Administrative Code, hereby certify that the general and permanent ordinances of the City of Napoleon, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Napoleon, Ohio, 1996, as amended to June 20, 2022.

/s/ Jason Maassel
Mayor

/s/ Marrisa Hall
Clerk of Council

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- (2) A taxpayer may amend a declaration under rules prescribed by the Tax Administrator. When an amended declaration has been filed, the unpaid balance shown due on the amended declaration shall be paid in equal installments on or before the remaining payment dates. The amended declaration must be filed on the next applicable due date as outlined in (C)(1)(a) through (d) of this section.
 - (3) On or before the fifteenth day of the fourth month of the year following that for which the declaration or amended declaration was filed, an annual return shall be filed and any balance which may be due shall be paid with the return in accordance with Section 194.091 of this Chapter.
 - (a) For taxpayers who are individuals, or who are not individuals and are reporting and filing on a calendar year basis, the annual tax return is due on the same date as the filing of the federal tax return, unless extended pursuant to division (G) of section 5747.08 of the Revised Code.
 - (b) For taxpayers who are not individuals, and are reporting and filing on a fiscal year basis or any period other than a calendar year, the annual return is due on the fifteenth day of the fourth month following the end of the taxable year or period.
 - (4) An amended declaration is required whenever the taxpayer's estimated tax liability changes during the taxable year. A change in estimated tax liability may either increase or decrease the estimated tax liability for the taxable year.
- (D) (1) In the case of any underpayment of any portion of a tax liability, penalty and interest may be imposed pursuant to Section 194.10 of this Chapter upon the amount of underpayment for the period of underpayment, unless the underpayment is due to reasonable cause as described in division (E) of this section. The amount of the underpayment shall be determined as follows:
- (a) For the first payment of estimated taxes each year, twenty-two and one-half per cent of the tax liability, less the amount of taxes paid by the date prescribed for that payment;
 - (b) For the second payment of estimated taxes each year, forty-five per cent of the tax liability, less the amount of taxes paid by the date prescribed for that payment;
 - (c) For the third payment of estimated taxes each year, sixty-seven and one-half per cent of the tax liability, less the amount of taxes paid by the date prescribed for that payment;
 - (d) For the fourth payment of estimated taxes each year, ninety per cent of the tax liability, less the amount of taxes paid by the date prescribed for that payment.
- (2) The period of the underpayment shall run from the day the estimated payment was required to be made to the date on which the payment is made. For purposes of this section, a payment of estimated taxes on or before any payment date shall be considered a payment of any previous underpayment only to the extent the payment of estimated taxes exceeds the amount of the payment presently required to be paid to avoid any penalty.
- (E) An underpayment of any portion of tax liability determined under division (D) of this section shall be due to reasonable cause and the penalty imposed by this section shall not be added to the taxes for the taxable year if any of the following apply:

- (1) The amount of estimated taxes that were paid equals at least ninety per cent of the tax liability for the current taxable year, determined by annualizing the income received during the year up to the end of the month immediately preceding the month in which the payment is due.
- (2) The amount of estimated taxes that were paid equals at least one hundred per cent of the tax liability shown on the return of the taxpayer for the preceding taxable year, provided that the immediately preceding taxable year reflected a period of twelve months and the taxpayer filed a return with the municipal corporation under Section 194.091 of this Chapter for that year.
- (3) The taxpayer is an individual who resides in the Municipality but was not domiciled there on the first day of January of the calendar year that includes the first day of the taxable year.

(F) A Tax Administrator may waive the requirement for filing a declaration of estimated taxes for any class of taxpayers after finding that the waiver is reasonable and proper in view of administrative costs and other factors.
(Ord. 053-15. Passed 11-16-15.)

194.08 CREDIT FOR TAX PAID.

194.081 CREDIT FOR TAX PAID - CITY OF NAPOLEON.

Every individual taxpayer domiciled in the municipality who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this chapter/ordinance, may claim a nonrefundable credit against the tax imposed by this chapter/ordinance upon satisfactory evidence that tax has been paid to another municipality. The credit shall not exceed seventy percent (70%) of the amount obtained by multiplying the income, qualifying wages, commissions, net profits or other compensation subject to tax in the other municipality by the lower of the tax rate in such other municipality or the tax rate imposed under this chapter/ordinance.

(b) If a resident of Napoleon operates a business or businesses in another taxing municipality and the business or businesses incur a loss, the amount of the loss is deemed primarily subject to the taxing jurisdiction of the other taxing municipality and may not be used to reduce the taxpayer's Napoleon tax base.
(Ord. 019-22. Passed 4-4-22.)

194.082 REFUNDABLE CREDIT FOR QUALIFYING LOSS.

(A) As used in this section:

- (1) "Nonqualified deferred compensation plan" means a compensation plan described in section 3121(v)(2)(C) of the Internal Revenue Code.
- (2) (a) Except as provided in division (A)(2)(b) of this section, "qualifying loss" means the excess, if any, of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan over the total amount of income the taxpayer has recognized for federal income tax purposes for all taxable years on a cumulative basis as compensation with respect to the taxpayer's receipt of money and property attributable to distributions in connection with the nonqualified deferred compensation plan.

- (b) If, for one or more taxable years, the taxpayer has not paid to one or more municipal corporations income tax imposed on the entire amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan, then the "qualifying loss" is the product of the amount resulting from the calculation described in division (A)(2)(a) of this section computed without regard to division (A)(2)(b) of this section and a fraction the numerator of which is the portion of such compensation on which the taxpayer has paid income tax to one or more municipal corporations and the denominator of which is the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan.
 - (c) With respect to a nonqualified deferred compensation plan, the taxpayer sustains a qualifying loss only in the taxable year in which the taxpayer receives the final distribution of money and property pursuant to that nonqualified deferred compensation plan.
 - (3) "Qualifying tax rate" means the applicable tax rate for the taxable year for the which the taxpayer paid income tax to a municipal corporation with respect to any portion of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan. If different tax rates applied for different taxable years, then the "qualifying tax rate" is a weighted average of those different tax rates. The weighted average shall be based upon the tax paid to the municipal corporation each year with respect to the nonqualified deferred compensation plan.
- (B)
 - (1) Except as provided in division (D) of this section, a refundable credit shall be allowed against the income tax imposed by a municipal corporation for each qualifying loss sustained by a taxpayer during the taxable year. The amount of the credit shall be equal to the product of the qualifying loss and the qualifying tax rate.
 - (2) A taxpayer shall claim the credit allowed under this section from each municipal corporation to which the taxpayer paid municipal income tax with respect to the nonqualified deferred compensation plan in one or more taxable years.
 - (3) If a taxpayer has paid tax to more than one municipal corporation with respect to the nonqualified deferred compensation plan, the amount of the credit that a taxpayer may claim from each municipal corporation shall be calculated on the basis of each municipal corporation's proportionate share of the total municipal corporation income tax paid by the taxpayer to all municipal corporations with respect to the nonqualified deferred compensation plan.
 - (4) In no case shall the amount of the credit allowed under this section exceed the cumulative income tax that a taxpayer has paid to a municipal corporation for all taxable years with respect to the nonqualified deferred compensation plan.
- (C)
 - (1) For purposes of this section, municipal corporation income tax that has been withheld with respect to a nonqualified deferred compensation plan shall be considered to have been paid by the taxpayer with respect to the nonqualified deferred compensation plan.

- (2) Any municipal income tax that has been refunded or otherwise credited for the benefit of the taxpayer with respect to a nonqualified deferred compensation plan shall not be considered to have been paid to the municipal corporation by the taxpayer.

(D) The credit allowed under this section is allowed only to the extent the taxpayer's qualifying loss is attributable to:

- (1) The insolvency or bankruptcy of the employer who had established the nonqualified deferred compensation plan; or
- (2) The employee's failure or inability to satisfy all of the employer's terms and conditions necessary to receive the nonqualified deferred compensation.
(Ord. 053-15. Passed 11-16-15.)

194.083 CREDIT FOR PERSON WORKING IN JOINT ECONOMIC DEVELOPMENT DISTRICT OR ZONE.

A Municipality shall grant a credit against its tax on income to a resident of the Municipality who works in a joint economic development zone created under section 715.691 or a joint economic development district created under section 715.70, 715.71, or 715.72 of the Ohio Revised Code to the same extent that it grants a credit against its tax on income to its residents who are employed in another municipal corporation, pursuant to Section 194.081 of this Chapter.
(Ord. 053-15. Passed 11-16-15.)

194.084 CREDIT FOR TAX BEYOND STATUTE FOR OBTAINING REFUND.

(A) Income tax that has been deposited or paid to the Municipality, but should have been deposited or paid to another municipal corporation, is allowable by the Municipality as a refund, but is subject to the three-year limitation on refunds as provided in Section 194.096 of this Chapter.

(B) Income tax that should have been deposited or paid to the Municipality, but was deposited or paid to another municipal corporation, shall be subject to collection and recovery by the Municipality. To the extent a refund of such tax or withholding is barred by the limitation on refunds as provided in Section 194.096, the Municipality will allow a non-refundable credit equal to the tax or withholding paid to the other municipality against the income tax the Municipality claims is due. If the Municipality's tax rate is higher, the tax representing the net difference of the tax rates is also subject to collection by the Municipality, along with any penalty and interest accruing during the period of nonpayment.

(C) No carryforward of credit will be permitted when the overpayment is beyond the three-year limitation for refunding of same as provided in Section 194.096 of this Chapter.

(D) Nothing in this section requires a Municipality to allow credit for tax paid to another municipal corporation if the Municipality has reduced credit for tax paid to another municipal corporation. Section 194.081 of this Chapter regarding any limitation on credit shall prevail.

(Ord. 053-15. Passed 11-16-15.)

194.09 ANNUAL RETURN.

194.091 RETURN AND PAYMENT OF TAX.

- (A) (1) An annual return with respect to the income tax levied on Municipal Taxable Income by the Municipality shall be completed and filed by every taxpayer for any taxable year for which the taxpayer is subject to the tax, regardless of whether or not income tax is due.

- (2) The Tax Administrator shall accept on behalf of all nonresident individual taxpayers a return filed by an employer, agent of an employer, or other payer located in the Municipality under subsection 194.051(C) of this Chapter when the nonresident individual taxpayer's sole income subject to the tax is the qualifying wages reported by the employer, agent of an employer, or other payer, and no additional tax is due to the Municipality.
- (3) All resident individual taxpayers, 18 years of age and older, shall file an annual municipal income tax return with the Municipality, regardless of income or liability.
- (4) If a taxpayer is retired and is receiving only Social Security income or other retirement income, then that taxpayer need not file an annual tax return. However, during any tax year, if that taxpayer receives income other than retirement income or Social Security income (for example, including but not limited to, income received from lottery winnings, taxable wages, or any other miscellaneous income), then that taxpayer must file a timely tax return for each year in which income other than retirement income or Social Security income is received.
- (5) All tax payments are first applied to the oldest year owing, and such payments are first applied to penalty and interest for that year, and then to tax owed.

(B) If an individual is deceased, any return or notice required of that individual shall be completed and filed by that decedent's executor, administrator, or other person charged with the property of that decedent.

(C) If an individual is unable to complete and file a return or notice required by the Municipality in accordance with this chapter, the return or notice required of that individual shall be completed and filed by the individual's duly authorized agent, guardian, conservator, fiduciary, or other person charged with the care of the person or property of that individual. Such duly authorized agent, guardian, conservator, fiduciary, or other person charged with the care of the person or property of that individual shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the duly authorized agent, guardian, conservator, fiduciary, or other person.

(D) Returns or notices required of an estate or a trust shall be completed and filed by the fiduciary of the estate or trust. Such fiduciary shall provide, with the filing of the return, appropriate documentation to support that they are authorized to file a return or notice on behalf of the taxpayer. This notice shall include any legally binding authorizations, and contact information including name, address, and phone number of the fiduciary.

(E) No municipal corporation shall deny spouses the ability to file a joint return.

(F) (1) Each return required to be filed under this section shall contain the signature of the taxpayer or the taxpayer's duly authorized agent and of the person who prepared the return for the taxpayer, and shall include the taxpayer's social security number or taxpayer identification number. Each return shall be verified by a declaration under penalty of perjury.

- (2) A taxpayer who is an individual is required to include, with each annual return, amended return, or request for refund required under this section, copies of only the following documents: all of the taxpayer's Internal Revenue Service form W-2, "Wage and Tax Statements," including all information reported on the taxpayer's federal W-2, as well as taxable wages reported or withheld for any municipal corporation; the taxpayer's Internal Revenue Service form 1040; and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return. An individual taxpayer who files the annual return required by this section electronically is not required to provide paper copies of any of the foregoing to the Tax Administrator unless the Tax Administrator requests such copies after the return has been filed.
 - (3) A taxpayer that is not an individual is required to include, with each annual net profit return, amended net profit return, or request for refund required under this section, copies of only the following documents: the taxpayer's Internal Revenue Service form 1041, form 1065, form 1120, form 1120-REIT, form 1120F, or form 1120S, and, with respect to an amended tax return or refund request, any other documentation necessary to support the refund request or the adjustments made in the amended return.
 - (4) A taxpayer that is not an individual and that files an annual net profit return electronically through the Ohio business gateway or in some other manner shall either mail the documents required under this division to the Tax Administrator at the time of filing or, if electronic submission is available, submit the documents electronically through the Ohio business gateway or a portal provided by Municipality. The department of taxation shall publish a method of electronically submitting the documents required under this division through the Ohio business gateway on or before January 1, 2016. The department shall transmit all documents submitted electronically under this division to the appropriate Tax Administrator.
 - (5) After a taxpayer files a tax return, the Tax Administrator shall request, and the taxpayer shall provide, any information, statements, or documents required by the Municipality to determine and verify the taxpayer's municipal income tax liability. The requirements imposed under division (F) of this section apply regardless of whether the taxpayer files on a generic form or on a form prescribed by the Tax Administrator.
 - (6) Any other documentation, including schedules, other municipal income tax returns, or other supporting documentation necessary to verify credits, income, losses, or other pertinent factors on the return shall also be included to avoid delay in processing, or disallowance by the Tax Administrator of undocumented credits or losses.
- (G) (1) (a) Except as otherwise provided in this chapter, each individual income tax return required to be filed under this section shall be completed and filed as required by the Tax Administrator on or before the date prescribed for the filing of state individual income tax returns under division (G) of section 5747.08 of the Ohio Revised Code. The taxpayer shall complete and file the return or notice on forms prescribed by the Tax Administrator or on generic forms, together with remittance made payable to the Municipality or Tax Administrator.

- (b) Except as otherwise provided in this chapter, each annual net profit income tax return required to be filed under this section by a taxpayer that is not an individual shall be completed and filed as required by the tax administrator on or before the fifteenth day of the fourth month following the end of the taxpayer's taxable year or period. The taxpayer shall complete and file the return or notice on forms prescribed by the tax administrator or on generic forms, together with remittance made payable to the Municipality or Tax Administrator.
 - (c) In the case of individual income tax return required to be filed by an individual, and net profit income tax return required to be filed by a taxpayer who is not an individual, no remittance is required if the amount shown to be due is ten dollars or less.
 - (2) If the Tax Administrator considers it necessary in order to ensure the payment of the tax imposed by the Municipality in accordance with this chapter, the Tax Administrator may require taxpayers to file returns and make payments otherwise than as provided in this section, including taxpayers not otherwise required to file annual returns.
 - (3) With respect to taxpayers to whom Section 194.092 of this Chapter applies, to the extent that any provision in this division conflicts with any provision in Section 194.092 of this Chapter, the provision in Section 194.092 of this Chapter prevails.
- (H) (1) For taxable years beginning after 2015, the Municipality shall not require a taxpayer to remit tax with respect to net profits if the amount due is ten dollars or less.
- (2) Any taxpayer not required to remit tax to the Municipality for a taxable year pursuant to division (H)(1) of this section shall file with the Municipality an annual net profit return under division (F)(3) and (4) of this section. (Ord. 053-15. Passed 11-15-15.)
- (I) (1) If any report, claim, statement, or other document required to be filed, or any payment required to be made, within a prescribed period or on or before a prescribed date under this chapter is delivered after that period or that to the Tax Administrator or other municipal official with which the report, claim, statement, or other document is required to be filed, or to which the payment is required to be made, the date of the postmark stamped on the cover in which the report, claim, statement, or other document, or payment is mailed shall be deemed to be the date of delivery or the date of payment. "The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.
- (2) If a payment under this chapter is made by electronic funds transfer, the payment shall be considered to be made on the date of the timestamp assigned by the first electronic system receiving that payment. For purposes of this section, "receiving that payment" refers to the transfer of funds from the account of the taxpayer. Such funds are no longer under control of the taxpayer once the timestamp has occurred. (Ord. 036-16. Passed 1-19-16.)

(J) The amounts withheld for the Municipality by an employer, the agent of an employer, or other payer as described in Section 194.051 of this Chapter shall be allowed to the recipient of the compensation as credits against payment of the tax imposed on the recipient unless the amounts withheld were not remitted to the Municipality and the recipient colluded with the employer, agent, or other payer in connection with the failure to remit the amounts withheld.

(K) Each return required by the Municipality to be filed in accordance with this section shall include a box that the taxpayer may check to authorize another person, including a tax return preparer who prepared the return, to communicate with the Tax Administrator about matters pertaining to the return. The return or instructions accompanying the return shall indicate that by checking the box the taxpayer authorizes the Tax Administrator to contact the preparer or other person concerning questions that arise during the examination or other review of the return and authorizes the preparer or other person only to provide the Tax Administrator with information that is missing from the return, to contact the Tax Administrator for information about the examination or other review of the return or the status of the taxpayer's refund or payments, and to respond to notices about mathematical errors, offsets, or return preparation that the taxpayer has received from the Tax Administrator and has shown to the preparer or other person. Authorization by the taxpayer of another person to communicate with the Tax Administrator about matters pertaining to the return does not preclude the Tax Administrator from contacting the taxpayer regarding such matters.

(L) The Tax Administrator of the Municipality shall accept for filing a generic form of any income tax return, report, or document required by the Municipality in accordance with this Chapter, provided that the generic form, once completed and filed, contains all of the information required by ordinances, resolutions, or rules adopted by the Municipality or Tax Administrator, and provided that the taxpayer or tax return preparer filing the generic form otherwise complies with the provisions of this Chapter and of the Municipality's ordinance or resolution governing the filing of returns, reports, or documents.

(M) When income tax returns, reports, or other documents require the signature of a tax return preparer, the Tax Administrator shall accept a facsimile of such a signature in lieu of a manual signature.

- (N) (1) As used in this division, "worksite location" has the same meaning as in Section 194.052 of this chapter.
- (2) A person may notify a tax administrator that the person does not expect to be a taxpayer with respect to the municipal corporation for a taxable year if both of the following conditions apply:
- (a) The person was required to file a tax return with the municipal corporation for the immediately preceding taxable year because the person performed services at a worksite location within the municipal corporation, and the person has filed all appropriate and required returns and remitted all applicable income tax and withholding payments as provided by this chapter. The tax administrator is not required to accept an affidavit from a taxpayer who has not complied with the provisions of this chapter.
 - (b) The person no longer provides services in the municipal corporation, and does not expect to be subject to the municipal corporation's income tax for the taxable year. The person shall provide the notice in a signed affidavit that briefly explains the person's circumstances, including the location of the

previous worksite location and the last date on which the person performed services or made any sales within the municipal corporation. The affidavit also shall include the following statement: "The affiant has no plans to perform any services within the municipal corporation, make any sales in the municipal corporation, or otherwise become subject to the tax levied by the municipal corporation during the taxable year. If the affiant does become subject to the tax levied by the municipal corporation for the taxable year, the affiant agrees to be considered a taxpayer and to properly register as a taxpayer with the municipal corporation, if such a registration is required by the municipal corporation's resolutions, ordinances, or rules." The person shall sign the affidavit under penalty of perjury.

- (c) If a person submits an affidavit described in division (N)(2) of this section, the tax administrator shall not require the person to file any tax return for the taxable year unless the tax administrator possesses information that conflicts with the affidavit or if the circumstances described in the affidavit change, or the taxpayer has engaged in activity which results in work being performed, services provided, sales made, or other activity that results in municipal taxable income reportable to the Municipality in the taxable year. It shall be the responsibility of the taxpayer to comply with the provisions of this chapter relating to the reporting and filing of municipal taxable income on an annual municipal income tax return, even if an affidavit has been filed with the tax administrator for the taxable year. Nothing in division (N) of this section prohibits the tax administrator from performing an audit of the person.
(Ord. 053-15. Passed 11-16-15.)

194.092 RETURN AND PAYMENT OF TAX; INDIVIDUALS SERVING IN COMBAT ZONE.

(A) Each member of the national guard of any state and each member of a reserve component of the armed forces of the United States called to active duty pursuant to an executive order issued by the President of the United States or an act of the Congress of the United States, and each civilian serving as support personnel in a combat zone or contingency operation in support of the armed forces, may apply to the Tax Administrator of the Municipality for both an extension of time for filing of the return and an extension of time for payment of taxes required by the Municipality in accordance with this chapter during the period of the member's or civilian's duty service and for one hundred eighty days thereafter. The application shall be filed on or before the one hundred eightieth day after the member's or civilian's duty terminates. An applicant shall provide such evidence as the Tax Administrator considers necessary to demonstrate eligibility for the extension.

- (B) (1) If the Tax Administrator ascertains that an applicant is qualified for an extension under this section, the Tax Administrator shall enter into a contract with the applicant for the payment of the tax in installments that begin on the one hundred eighty-first day after the applicant's active duty or service terminates. Except as provided in division (B)(3) of this section, the Tax Administrator may prescribe such contract terms as the Tax Administrator considers appropriate.

- (2) If the Tax Administrator ascertains that an applicant is qualified for an extension under this section, the applicant shall neither be required to file any return, report, or other tax document nor be required to pay any tax otherwise due to the Municipality before the one hundred eighty-first day after the applicant's active duty or service terminates.
 - (3) Taxes paid pursuant to a contract entered into under division (B)(1) of this section are not delinquent. The Tax Administrator shall not require any payments of penalties or interest in connection with those taxes for the extension period.
- (C) (1) Nothing in this division denies to any person described in this division the application of divisions (A) and (B) of this section.
- (2) (a) A qualifying taxpayer who is eligible for an extension under the Internal Revenue Code shall receive both an extension of time in which to file any return, report, or other tax document and an extension of time in which to make any payment of taxes required by the Municipality in accordance with this chapter. The length of any extension granted under division (C)(2)(a) of this section shall be equal to the length of the corresponding extension that the taxpayer receives under the Internal Revenue Code. As used in this section, "qualifying taxpayer" means a member of the national guard or a member of a reserve component of the armed forces of the United States called to active duty pursuant to either an executive order issued by the President of the United States or an act of the Congress of the United States, or a civilian serving as support personnel in a combat zone or contingency operation in support of the armed forces.
- (b) Taxes the payment of which is extended in accordance with division (C)(2)(a) of this section are not delinquent during the extension period. Such taxes become delinquent on the first day after the expiration of the extension period if the taxes are not paid prior to that date. The Tax Administrator shall not require any payment of penalties or interest in connection with those taxes for the extension period. The Tax Administrator shall not include any period of extension granted under division (C)(2)(a) of this section in calculating the penalty or interest due on any unpaid tax.

(D) For each taxable year to which division (A), (B), or (C) of this section applies to a taxpayer, the provisions of divisions (B)(2) and (3) or (C) of this section, as applicable, apply to the spouse of that taxpayer if the filing status of the spouse and the taxpayer is married filing jointly for that year. (Ord. 053-15. Passed 11-16-15.)

194.093 USE OF OHIO BUSINESS GATEWAY; TYPES OF FILINGS AUTHORIZED.

(A) Any taxpayer subject to municipal income taxation with respect to the taxpayer's net profit from a business or profession may file any municipal income tax return or, estimated municipal income tax return, or extension for filing a municipal income tax return, and may make payment of amounts shown to be due on such returns, by using the Ohio Business Gateway.

(B) Any employer, agent of an employer, or other payer may report the amount of municipal income tax withheld from qualifying wages, and may make remittance of such amounts, by using the Ohio Business Gateway.

(C) Nothing in this section affects the due dates for filing employer withholding tax returns or deposit of any required tax.

(D) The use of the Ohio Business Gateway by municipal corporations, taxpayers, or other persons does not affect the legal rights of municipalities or taxpayers as otherwise permitted by law. The State of Ohio shall not be a party to the administration of municipal income taxes or to an appeal of a municipal income tax matter, except as otherwise specifically provided by law.

(E) Nothing in this section shall be construed as limiting or removing the authority of any municipal corporation to administer, audit, and enforce the provisions of its municipal income tax. (Ord. 053-15. Passed 11-16-15.)

194.094 EXTENSION OF TIME TO FILE.

(A) Any taxpayer that has duly requested an automatic six-month extension for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return shall be the fifteenth day of the tenth month after the last day of the taxable year to which the return relates.

(B) Any taxpayer that qualifies for an automatic federal extension for a period other than six-months for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return shall be the same as that of the extended federal income tax return.

(C) A taxpayer that has not requested or received a six-month extension for filing the taxpayer's federal income tax return may request that the tax administrator grant the taxpayer a six-month extension of the date for filing the taxpayer's municipal income tax return. If the request is received by the tax administrator on or before the date the municipal income tax return is due, the tax administrator shall grant the taxpayer's requested extension.

(D) An extension of time to file under this chapter is not an extension of the time to pay any tax due unless the Tax Administrator grants an extension of that date.

(E) If the State Tax Commissioner extends for all taxpayers the date for filing state income tax returns under division (G) of section 5747.08 of the Ohio Revised Code, a taxpayer shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return shall be the same as the extended due date of the state income tax return. (Ord. 053-15. Passed 11-16-15.)

194.095 AMENDED RETURNS.

- (A) (1) A taxpayer shall file an amended return with the Tax Administrator in such form as the Tax Administrator requires if any of the facts, figures, computations, or attachments required in the taxpayer's annual return to determine the tax due levied by the Municipality in accordance with this chapter must be altered.
- (2) Within sixty (60) days after the final determination of any federal or state tax liability affecting the taxpayer's municipal tax liability, that taxpayer shall make and file an amended municipal return showing income subject to the municipal income tax based upon such final determination of federal or state tax liability, and pay any additional municipal income tax shown due thereon or make a claim for refund of any overpayment, unless the tax or overpayment is ten dollars or less.

- (3) If a taxpayer intends to file an amended consolidated municipal income tax return, or to amend its type of return from a separate return to a consolidated return, based on the taxpayer's consolidated federal income tax return, the taxpayer shall notify the Tax Administrator before filing the amended return.
 - (B) (1) In the case of an underpayment, the amended return shall be accompanied by payment of any combined additional tax due together with any penalty and interest thereon. If the combined tax shown to be due is ten dollars or less, such amount need not accompany the amended return. Except as provided under division (B)(2) of this section, the amended return shall not reopen those facts, figures, computations, or attachments from a previously filed return that are not affected, either directly or indirectly, by the adjustment to the taxpayer's federal or state income tax return unless the applicable statute of limitations for civil actions or prosecutions under Section 194.19 of this Chapter has not expired for a previously filed return.
 - (2) The additional tax to be paid shall not exceed the amount of tax that would be due if all facts, figures, computations, and attachments were reopened.
 - (C) (1) In the case of an overpayment, a request for refund may be filed under this division within the period prescribed by division (A)(2) of this section for filing the amended return even if it is filed beyond the period prescribed in that division if it otherwise conforms to the requirements of that division. If the amount of the refund is ten dollars or less, no refund need be paid by the Municipality to the taxpayer. Except as set forth in division (C)(2) of this section, a request filed under this division shall claim refund of overpayments resulting from alterations to only those facts, figures, computations, or attachments required in the taxpayer's annual return that are affected, either directly or indirectly, by the adjustment to the taxpayer's federal or state income tax return unless it is also filed within the time prescribed in Section 194.096 of this Chapter. Except as set forth in division (C)(2) of this section, the request shall not reopen those facts, figures, computations, or attachments that are not affected, either directly or indirectly, by the adjustment to the taxpayer's federal or state income tax return.
 - (2) The amount to be refunded shall not exceed the amount of refund that would be due if all facts, figures, computations, and attachments were reopened.
- (Ord. 053-15. Passed 11-16-15.)

194.096 REFUNDS.

- (A) Upon receipt of a request for a refund, the Tax Administrator of the Municipality, in accordance with this section, shall refund to employers, agents of employers, other payers, or taxpayers, with respect to any income or withholding tax levied by the Municipality:
 - (1) Overpayments of more than ten dollars;
 - (2) Amounts paid erroneously if the refund requested exceeds ten dollars.
- (B) (1) Except as otherwise provided in this chapter, returns setting forth a request for refund shall be filed with the Tax Administrator, within three years after the tax was due or paid, whichever is later. Any documentation that substantiates the taxpayer's claim for a refund must be included with the

return filing. Failure to remit all documentation, including schedules, other municipal income tax returns, or other supporting documentation necessary to verify credits, income, losses or other pertinent factors on the return will cause delay in processing, and / or disallowance of undocumented credits or losses.

- (2) On filing of the refund request, the Tax Administrator shall determine the amount of refund due and certify such amount to the appropriate municipal corporation official for payment. Except as provided in division (B)(3) of this section, the administrator shall issue an assessment to any taxpayer whose request for refund is fully or partially denied. The assessment shall state the amount of the refund that was denied, the reasons for the denial, and instructions for appealing the assessment.
- (3) If a Tax Administrator denies in whole or in part a refund request included within the taxpayer's originally filed annual income tax return, the Tax Administrator shall notify the taxpayer, in writing, of the amount of the refund that was denied, the reasons for the denial, and instructions for requesting an assessment that may be appealed under Section 194.18 of this Chapter.

(C) A request for a refund that is received after the last day for filing specified in division (B) of this section shall be considered to have been filed in a timely manner if any of the following situations exist:

- (1) The request is delivered by the postal service, and the earliest postal service postmark on the cover in which the request is enclosed is not later than the last day for filing the request.
- (2) The request is delivered by the postal service, the only postmark on the cover in which the request is enclosed was affixed by a private postal meter, the date of that postmark is not later than the last day for filing the request, and the request is received within seven days of such last day.
- (3) The request is delivered by the postal service, no postmark date was affixed to the cover in which the request is enclosed or the date of the postmark so affixed is not legible, and the request is received within seven days of the last day for making the request.

(D) Interest shall be allowed and paid on any overpayment by a taxpayer of any municipal income tax obligation from the date of the overpayment until the date of the refund of the overpayment, except that if any overpayment is refunded within ninety days after the final filing date of the annual return or ninety days after the completed return is filed, whichever is later, no interest shall be allowed on the refund. For the purpose of computing the payment of interest on amounts overpaid, no amount of tax for any taxable year shall be considered to have been paid before the date on which the return on which the tax is reported is due, without regard to any extension of time for filing that return. Interest shall be paid at the interest rate described in division (A)(4) of Section 194.10 of this Chapter.

(E) As used in this section, "withholding tax" has the same meaning as in Section 194.10 of this Chapter. (Ord. 053-15. Passed 11-16-15.)

194.10 PENALTY, INTEREST, FEES, AND CHARGES.

(A) As used in this section:

- (1) "Applicable law" means this chapter, the resolutions, ordinances, codes, directives, instructions, and rules adopted by the Municipality provided

such resolutions, ordinances, codes, directives, instructions, and rules impose or directly or indirectly address the levy, payment, remittance, or filing requirements of a municipal income tax.

- (2) "Federal short-term rate" means the rate of the average market yield on outstanding marketable obligations of the United States with remaining periods to maturity of three years or less, as determined under section 1274 of the Internal Revenue Code, for July of the current year.
 - (3) "Income tax," "estimated income tax," and "withholding tax" mean any income tax, estimated income tax, and withholding tax imposed by a municipal corporation pursuant to applicable law, including at any time before January 1, 2016.
 - (4) "Interest rate as described in division (A) of this section" means the federal short-term rate, rounded to the nearest whole number per cent, plus five per cent. The rate shall apply for the calendar year next following the July of the year in which the federal short-term rate is determined in accordance with division (A)(2) of this section.
 - (5) "Return" includes any tax return, report, reconciliation, schedule, and other document required to be filed with a Tax Administrator or municipal corporation by a taxpayer, employer, any agent of the employer, or any other payer pursuant to applicable law, including at any time before January 1, 2016.
 - (6) "Unpaid estimated income tax" means estimated income tax due but not paid by the date the tax is required to be paid under applicable law.
 - (7) "Unpaid income tax" means income tax due but not paid by the date the income tax is required to be paid under applicable law.
 - (8) "Unpaid withholding tax" means withholding tax due but not paid by the date the withholding tax is required to be paid under applicable law.
 - (9) "Withholding tax" includes amounts an employer, any agent of an employer, or any other payer did not withhold in whole or in part from an employee's qualifying wages, but that, under applicable law, the employer, agent, or other payer is required to withhold from an employee's qualifying wages.
- (B) (1) This section shall apply to the following:
- (a) Any return required to be filed under applicable law for taxable years beginning on or after January 1, 2016;
 - (b) Income tax, estimated income tax, and withholding tax required to be paid or remitted to the Municipality on or after January 1, 2016 for taxable years beginning on or after January 1, 2016
- (2) This section does not apply to returns required to be filed or payments required to be made before January 1, 2016, regardless of the filing or payment date. Returns required to be filed or payments required to be made before January 1, 2016, but filed or paid after that date shall be subject to the ordinances or rules, as adopted from time to time before January 1, 2016 of this Municipality.

(C) The Municipality shall impose on a taxpayer, employer, any agent of the employer, and any other payer, and will attempt to collect, the interest amounts and penalties prescribed in this section when the taxpayer, employer, any agent of the employer, or any other payer for any reason fails, in whole or in part, to make to the Municipality timely and full payment or remittance of income tax, estimated income tax, or withholding tax or to file timely with the Municipality any return required to be filed.

- (1) Interest shall be imposed at the rate defined as "interest rate as described in division (A) of this section", per annum, on all unpaid income tax, unpaid estimated income tax, and unpaid withholding tax. This imposition of interest shall be assessed per month, or fraction of a month.
- (2) With respect to unpaid income tax and unpaid estimated income tax, a penalty equal to fifteen percent of the amount not timely paid shall be imposed.
- (3) With respect to any unpaid withholding tax, a penalty equal to fifty percent of the amount not timely paid shall be imposed.
- (4) With respect to returns other than estimated income tax returns, the Municipality shall impose a monthly penalty of twenty-five dollars for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed a total of one hundred fifty dollars in assessed penalty for each failure to timely file a return.

(D) With respect to income taxes, estimated income taxes, withholding taxes, and returns, the Municipality shall not impose, seek to collect, or collect any penalty, amount of interest, charges or additional fees not described in this section.

(E) With respect to income taxes, estimated income taxes, withholding taxes, and returns, the Municipality shall not refund or credit any penalty, amount of interest, charges, or additional fees that were properly imposed or collected before January 1, 2016.

(F) The Tax Administrator may, in the Tax Administrator's sole discretion, abate or partially abate penalties or interest imposed under this section when the Tax Administrator deems such abatement or partial abatement to be appropriate. Such abatement or partial abatement shall be properly documented and maintained on the record of the taxpayer who received benefit of such abatement or partial abatement.

(G) The Municipality may impose on the taxpayer, employer, any agent of the employer, or any other payer the Municipality's post-judgment collection costs and fees, including attorney's fees. (Ord. 053-15. Passed 11-16-15.)

194.11 AUDIT.

(A) At or before the commencement of an audit, as defined in Section 194.03(3) of this Chapter, the Tax Administrator shall provide to the taxpayer a written description of the roles of the Tax Administrator and of the taxpayer during an audit and a statement of the taxpayer's rights, including any right to obtain a refund of an overpayment of tax. At or before the commencement of an audit, the Tax Administrator shall inform the taxpayer when the audit is considered to have commenced.

(B) Except in cases involving suspected criminal activity, the Tax Administrator shall conduct an audit of a taxpayer during regular business hours and after providing reasonable notice to the taxpayer. A taxpayer who is unable to comply with a proposed time for an audit on the grounds that the proposed time would cause inconvenience or hardship must offer reasonable alternative dates for the audit.

(C) At all stages of an audit by the Tax Administrator, a taxpayer is entitled to be assisted or represented by an attorney, accountant, bookkeeper, or other tax practitioner. The Tax Administrator shall prescribe a form by which a taxpayer may designate such a person to assist

or represent the taxpayer in the conduct of any proceedings resulting from actions by the Tax Administrator. If a taxpayer has not submitted such a form, the Tax Administrator may accept other evidence, as the Tax Administrator considers appropriate, that a person is the authorized representative of a taxpayer.

A taxpayer may refuse to answer any questions asked by the person conducting an audit until the taxpayer has an opportunity to consult with the taxpayer's attorney, accountant, bookkeeper, or other tax practitioner. This division does not authorize the practice of law by a person who is not an attorney.

(D) A taxpayer may record, electronically or otherwise, the audit examination.

(E) The failure of the Tax Administrator to comply with a provision of this section shall neither excuse a taxpayer from payment of any taxes owed by the taxpayer nor cure any procedural defect in a taxpayer's case.

(F) If the Tax Administrator fails to substantially comply with the provisions of this section, the Tax Administrator, upon application by the taxpayer, shall excuse the taxpayer from penalties and interest arising from the audit. (Ord. 053-15. Passed 11-16-15.)

194.12 ROUNDING.

A person may round to the nearest whole dollar all amounts the person is required to enter on any return, report, voucher, or other document required under this chapter. Any fractional part of a dollar that equals or exceeds fifty cents shall be rounded to the next whole dollar, and any fractional part of a dollar that is less than fifty cents shall be dropped, rounding down to the nearest whole dollar. If a person chooses to round amounts entered on a document, the person shall round all amounts entered on the document. (Ord. 053-15. Passed 11-16-15.)

194.13 AUTHORITY AND POWERS OF THE TAX ADMINISTRATOR.

194.131 AUTHORITY OF TAX ADMINISTRATOR; ADMINISTRATIVE POWERS OF THE TAX ADMINISTRATOR.

The Tax Administrator has the authority to perform all duties and functions necessary and appropriate to implement the provisions of this Chapter, including without limitation:

- (A) Exercise all powers whatsoever of an inquisitorial nature as provided by law, including, the right to inspect books, accounts, records, memorandums, and federal and state income tax returns, to examine persons under oath, to issue orders or subpoenas for the production of books, accounts, papers, records, documents, and testimony, to take depositions, to apply to a court for attachment proceedings as for contempt, to approve vouchers for the fees of officers and witnesses, and to administer oaths; provided that the powers referred to in this division of this section shall be exercised by the Tax Administrator only in connection with the performance of the duties respectively assigned to the Tax Administrator under a municipal corporation income tax ordinance or resolution adopted in accordance with this chapter;
- (B) Appoint agents and prescribe their powers and duties;
- (C) Confer and meet with officers of other municipal corporations and states and officers of the United States on any matters pertaining to their respective official duties as provided by law;
- (D) Exercise the authority provided by law, including orders from bankruptcy courts, relative to remitting or refunding taxes, including penalties and interest thereon, illegally or erroneously imposed or collected, or for any other reason overpaid, and, in addition, the Tax Administrator may investigate any claim of overpayment

and make a written statement of the Tax Administrator's findings, and, if the Tax Administrator finds that there has been an overpayment, approve and issue a refund payable to the taxpayer, the taxpayer's assigns, or legal representative as provided in this chapter;

- (E) Exercise the authority provided by law relative to consenting to the compromise and settlement of tax claims;
 - (F) Exercise the authority provided by law relative to the use of alternative apportionment methods by taxpayers in accordance with Section 194.062 of this Chapter;
 - (G) Make all tax findings, determinations, computations, assessments and orders the Tax Administrator is by law authorized and required to make and, pursuant to time limitations provided by law, on the Tax Administrator's own motion, review, redetermine, or correct any tax findings, determinations, computations, assessments or orders the Tax Administrator has made, but the Tax Administrator shall not review, redetermine, or correct any tax finding, determination, computation, assessment or order which the Tax Administrator has made for which an appeal has been filed with the Local Board of Tax Review or other appropriate tribunal, unless such appeal or application is withdrawn by the appellant or applicant, is dismissed, or is otherwise final;
 - (H) Destroy any or all returns or other tax documents in the manner authorized by law;
 - (I) Enter into an agreement with a taxpayer to simplify the withholding obligations described in Section 194.051 of this Chapter.
- (Ord. 053-15. Passed 11-16-15.)

194.132 AUTHORITY OF TAX ADMINISTRATOR; COMPROMISE OF CLAIM AND PAYMENT OVER TIME.

(A) As used in this section, "claim" means a claim for an amount payable to the Municipality that arises pursuant to the municipal income tax imposed in accordance with this chapter.

(B) The Tax Administrator may do either of the following if such action is in the best interests of the Municipality:

- (1) Compromise a claim;
- (2) Extend for a reasonable period the time for payment of a claim by agreeing to accept monthly or other periodic payments, upon such terms and conditions as the Tax Administrator may require.

(C) The Tax Administrator's rejection of a compromise or payment-over-time agreement proposed by a person with respect to a claim shall not be appealable.

(D) A compromise or payment-over-time agreement with respect to a claim shall be binding upon and shall inure to the benefit of only the parties to the compromise or agreement, and shall not extinguish or otherwise affect the liability of any other person.

- (E)
 - (1) A compromise or payment-over-time agreement with respect to a claim shall be void if the taxpayer defaults under the compromise or agreement or if the compromise or agreement was obtained by fraud or by misrepresentation of a material fact. Any amount that was due before the compromise or agreement and that is unpaid shall remain due, and any penalties or interest that would have accrued in the absence of the compromise or agreement shall continue to accrue and be due.
 - (2) The Tax Administrator shall have sole discretion to determine whether or not penalty, interest, charges or applicable fees will be assessed through the duration of any compromise or payment-over-time agreement.

(F) The Tax Administrator may require that the taxpayer provide detailed financial documentation and information, in order to determine whether or not a payment-over-time agreement will be authorized. The taxpayer's failure to provide the necessary and required information by the Tax Administrator shall preclude consideration of a payment-over-time agreement.

(Ord. 053-15. Passed 11-16-15.)

194.133 AUTHORITY OF TAX ADMINISTRATOR; RIGHT TO EXAMINE.

(A) The Tax Administrator, or any authorized agent or employee thereof may examine the books, papers, records, and federal and state income tax returns of any employer, taxpayer, or other person that is subject to, or that the Tax Administrator believes is subject to, the provisions of this Chapter for the purpose of verifying the accuracy of any return made or, if no return was filed, to ascertain the tax due under this Chapter. Upon written request by the Tax Administrator or a duly authorized agent or employee thereof, every employer, taxpayer, or other person subject to this section is required to furnish the opportunity for the Tax Administrator, authorized agent, or employee to investigate and examine such books, papers, records, and federal and state income tax returns at a reasonable time and place designated in the request.

(B) The records and other documents of any taxpayer, employer, or other person that is subject to, or that a Tax Administrator believes is subject to, the provisions of this Chapter shall be open to the Tax Administrator's inspection during business hours and shall be preserved for a period of six years following the end of the taxable year to which the records or documents relate, unless the Tax Administrator, in writing, consents to their destruction within that period, or by order requires that they be kept longer. The Tax Administrator of a municipal corporation may require any person, by notice served on that person, to keep such records as the Tax Administrator determines necessary to show whether or not that person is liable, and the extent of such liability, for the income tax levied by the Municipality or for the withholding of such tax.

(C) The Tax Administrator may examine under oath any person that the Tax Administrator reasonably believes has knowledge concerning any income that was or would have been returned for taxation or any transaction tending to affect such income. The Tax Administrator may, for this purpose, compel any such person to attend a hearing or examination and to produce any books, papers, records, and federal and state income tax returns in such person's possession or control. The person may be assisted or represented by an attorney, accountant, bookkeeper, or other tax practitioner at any such hearing or examination. This division does not authorize the practice of law by a person who is not an attorney.

(D) No person issued written notice by the Tax Administrator compelling attendance at a hearing or examination or the production of books, papers, records, or federal and state income tax returns under this section shall fail to comply.

(Ord. 053-15. Passed 11-16-15.)

194.134 AUTHORITY OF TAX ADMINISTRATOR; REQUIRING IDENTIFYING INFORMATION.

(A) The Tax Administrator may require any person filing a tax document with the Tax Administrator to provide identifying information, which may include the person's social security number, federal employer identification number, or other identification number requested by the Tax Administrator. A person required by the Tax Administrator to provide identifying information that has experienced any change with respect to that information shall notify the Tax Administrator of the change before, or upon, filing the next tax document requiring the identifying information. A taxpayer registration update form is required of all residents eighteen years and older, and all businesses.

CHAPTER 303 Enforcement, Impounding and Penalty

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| <p>303.01 Compliance with lawful order of police officer; fleeing.</p> <p>303.02 Traffic direction in emergencies; obedience to school guard.</p> <p>303.03 Officer may remove ignition key.</p> <p>303.04 Road workers, motor vehicles and equipment excepted.</p> <p>303.041 Emergency, public safety and coroner's vehicles exempt.</p> <p>303.05 Application to persons riding, driving animals upon roadway.</p> <p>303.06 Freeway use prohibited by pedestrians, bicycles and animals.</p> <p>303.07 Application to drivers of government vehicles.</p> | <p>303.08 Impounding of vehicles; redemption.</p> <p>303.081 Impounding vehicles on private residential or agricultural property.</p> <p>303.082 Private tow-away zones.</p> <p>303.083 Impounding vehicles on public property.</p> <p>303.09 Leaving junk vehicles on private or public property without permission or notification.</p> <p>303.10 Providing false information to police officer.</p> <p>303.99 General Traffic Code penalties.</p> <p>303.991 Committing an offense while distracted penalty.</p> |
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CROSS REFERENCES

See sectional histories for similar State law

Disposition of unclaimed vehicles - see Ohio R.C. 737.32, 4513.62 et seq.

Citations for minor misdemeanors - see Ohio R.C. 2935.26 et seq.

Power of trial court of record to suspend or revoke license for certain violations - see Ohio R.C. 4507.16, 4507.34

State point system suspension - see Ohio R.C. 4507.40

Uniform application of Ohio Traffic Law - see Ohio R.C. 4511.06

Marking motor vehicles used by traffic officers - see Ohio R.C. 4549.13

Distinctive uniform required for traffic officers - see Ohio R.C. 4549.15

Exceptions for emergency or public safety vehicles - see TRAF. 331.20, 333.06

303.01 COMPLIANCE WITH LAWFUL ORDER OF POLICE OFFICER; FLEEING.

(a) No person shall fail to comply with any lawful order or direction of any police officer invested with authority to direct, control or regulate traffic.

(b) No person shall operate a motor vehicle so as willfully to elude or flee a police officer after receiving a visible or audible signal from a police officer to bring the person's motor vehicle to a stop.

(EDITOR'S NOTE: Refer to Ohio R.C. 2921.331 for filing charges under subsection (b) hereof since the jury or judge as trier of fact may determine the violation to be a felony.)

(c) Whoever violates this section is guilty of failure to comply with an order or signal of a police officer. A violation of subsection (a) is a misdemeanor of the first degree. Except as hereinafter provided, a violation of subsection (b) is a misdemeanor of the first degree. A violation of subsection (b) is a felony if the jury or judge as trier of fact finds any one of the following by proof beyond a reasonable doubt:

- (1) In committing the offense, the offender was fleeing immediately after the commission of a felony;
- (2) The operation of the motor vehicle by the offender was a proximate cause of serious physical harm to persons or property;
- (3) The operation of the motor vehicle by the offender caused a substantial risk of serious physical harm to persons or property.

(d) In addition to any other sanction imposed for a violation of subsection (a) of this section or a misdemeanor violation of subsection (b) of this section, the court shall impose a class five suspension from the range specified in Ohio R.C. 4510.02(A)(5). If the offender previously has been found guilty of an offense under this section, in addition to any other sanction imposed for the offense, the court shall impose a class one suspension as described in division (A)(1) of that section. The court may grant limited driving privileges to the offender on a suspension imposed for a misdemeanor violation of this section as set forth in Ohio R.C. 4510.021. No judge shall suspend the first three years of suspension under a class two suspension of an offender's license, permit or privilege required by this division on any portion of the suspension under a class one suspension of an offender's license, permit, or privilege required by this subsection.
(ORC 2921.331)

303.02 TRAFFIC DIRECTION IN EMERGENCIES; OBEDIENCE TO SCHOOL GUARD.

(a) Police officers shall direct or regulate traffic in accordance with the provisions of this Traffic Code, provided that, in the event of fire or other emergency or to expedite traffic or safeguard pedestrians, they are authorized to direct traffic as conditions may require notwithstanding the provisions of this Traffic Code. Firemen, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. The direction of traffic may be by word or audible signal, by gesture or visible signal or by any combination thereof. No person shall fail to comply with any lawful order or direction of any police officer or fireman issued pursuant to this section.

(b) No person shall fail to comply with any lawful order or direction of any school crossing guard invested with authority to direct, control or regulate traffic in the vicinity of the school to which such guard may be assigned.

(c) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

303.03 OFFICER MAY REMOVE IGNITION KEY.

A law enforcement officer may remove the ignition key left in the ignition switch of an unlocked and unattended motor vehicle parked on a street or highway, or any public or private property used by the public for purposes of vehicular travel or parking. The officer removing such key shall place notification upon the vehicle detailing his name and badge number, the place where such key may be reclaimed and the procedure for reclaiming such key. The key shall be returned to the owner of the motor vehicle upon presentation of proof of ownership.
(ORC 4549.05)

- D. The telephone number and the address of the place from which a towed vehicle may be recovered at any time during the day or night;
- E. A statement that the failure to recover a towed vehicle may result in the loss of title to the vehicle as provided in division (B) of Ohio R.C. 4505.101.

In order to comply with the requirements of subsection (a)(1) of this section, the owner of a private property may modify an existing sign by affixing to the existing sign stickers or an addendum in lieu of replacing the sign.

- (2) A towing service ensures that a vehicle towed under this section is taken to a location from which it may be recovered that complies with all of the following:
 - A. It is located within twenty-five linear miles of the location of the private tow-away zone, unless it is not practicable to take the vehicle to a place of storage within twenty-five linear miles.
 - B. It is well-lighted.
 - C. It is on or within a reasonable distance of a regularly scheduled route of one or more modes of public transportation, if any public transportation is available in the municipal corporation or township in which the private tow-away zone is located.

- (b)
 - (1) If a vehicle is parked on private property that is established as a private tow-away zone in accordance with subsection (a) of this section, without the consent of the owner of the private property or in violation of any posted parking condition or regulation, the owner of the private property may cause the removal of the vehicle by a towing service. The towing service shall remove the vehicle in accordance with this section. The vehicle owner and the operator of the vehicle are considered to have consented to the removal and storage of the vehicle, to the payment of the applicable fees established by the Public Service Commission in rules adopted under Ohio R.C. 4921.25, and to the right of a towing service to obtain title to the vehicle if it remains unclaimed as provided in Ohio R.C. 4505.101. The owner or lienholder of a vehicle that has been removed under this section, subject to subsection (c) of this section, may recover the vehicle in accordance with subsection (g) of this section.
 - (2) If a municipal corporation requires tow trucks and tow truck operators to be licensed, no owner of a private property located within the municipal corporation shall cause the removal and storage of any vehicle pursuant to subsection (b) of this section by an unlicensed tow truck or unlicensed tow truck operator.
 - (3) No towing service shall remove a vehicle from a private tow-away zone except pursuant to a written contract for the removal of vehicles entered into with the owner of the private property on which the private tow-away zone is located.

(c) If the owner or operator of a vehicle that is being removed under authority of subsection (b) of this section, arrives after the vehicle has been prepared for removal, but prior to the actual removal from the property, the towing service shall give the vehicle owner or operator oral or written notification at the time of such arrival that the vehicle owner or operator may pay a fee of not more than one-half of the fee for the removal of the vehicle established by the Public Service Commission in rules adopted under Ohio R.C. 4921.25, in order to obtain release of the vehicle. That fee may be paid by use of a major credit card unless the towing service uses a mobile credit card processor and mobile service is not available at the time of the

transaction. Upon payment of that fee, the towing service shall give the vehicle owner or operator a receipt showing both the full amount normally assessed and the actual amount received and shall release the vehicle to the owner or operator. Upon its release the owner or operator immediately shall move the vehicle so that the vehicle is not parked on the private property established as a private tow-away zone without the consent of the owner of the private property or in violation of any posted parking condition or regulation.

- (d) (1) Prior to towing a vehicle under subsection (b) of this section, a towing service shall make all reasonable efforts to take as many photographs as necessary to evidence that the vehicle is clearly parked on private property in violation of a private tow-away zone established under subsection (a) of this section.

The towing service shall record the time and date of the photographs taken under this section. The towing service shall retain the photographs and the record of the time and date, in electronic or printed form, for at least thirty days after the date on which the vehicle is recovered by the owner or lienholder or at least two years after the date on which the vehicle was towed, whichever is earlier.
- (2) A towing service shall deliver a vehicle towed under subsection (b) of this section to the location from which it may be recovered not more than two hours after the time it was removed from the private tow-away zone, unless the towing service is unable to deliver the motor vehicle within two hours due to an uncontrollable force, natural disaster, or other event that is not within the power of the towing service.
- (e) (1) If an owner of a private property that is established as a private tow-away zone in accordance with subsection (a) of this section causes the removal of a vehicle from that property by a towing service under subsection (b) of this section, the towing service, within two hours of removing the vehicle, shall provide notice to the Police Department concerning all of the following:
 - A. The vehicle's license number, make, model and color;
 - B. The location from which the vehicle was removed;
 - C. The date and time the vehicle was removed;
 - D. The telephone number of the person from whom the vehicle may be recovered;
 - E. The address of the place from which the vehicle may be recovered.
- (2) The Chief of Police shall maintain a record of any vehicle removed from private property in the Chief's jurisdiction that is established as a private tow-away zone of which the Chief has received notice under this section. The record shall include all information submitted by the towing service. The Chief shall provide any information in the record that pertains to a particular vehicle to a person who, either in person or pursuant to a telephone call, identifies self as the owner, operator or lienholder of the vehicle, and requests information pertaining to the vehicle.
- (f) (1) When a vehicle is removed from private property in accordance with this section, within three business days of the removal, the towing service or storage facility from which the vehicle may be recovered shall cause a search to be made of either of the following to ascertain the identity of the owner and any lienholder of the vehicle:

- A. The records of the Bureau of Motor Vehicles;
 - B. The records of any vendor or vendors, approved by the Registrar of Motor Vehicles, that are capable of providing real-time access to owner and lienholder information.
 - (2) The towing service or storage facility may search the National Motor Vehicle Title Information System in order to determine the state in which the vehicle is titled. The entity that provides the record of the owner and any lienholder under this division shall ensure that such information is provided in a timely manner.
 - (3) Subject to subsection (f)(6) of this section, the towing service or storage facility shall send notice to the vehicle owner and any known lienholder as follows:
 - A. Within five business days after the applicable entity provides the identity of the owner and any lienholder of the motor vehicle, if the vehicle remains unclaimed, to the owner's and lienholder's last known address by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt.
 - B. If the vehicle remains unclaimed thirty days after the first notice is sent, in the manner required under subsection (f)(3)A. of this section.
 - (4) Sixty days after any notice sent pursuant to subsection (f)(3) of this section is received, as evidenced by a receipt signed by any person, or the towing service or storage facility has been notified that delivery was not possible, the towing service or storage facility, if authorized under Ohio R.C. 4505.101(B), may initiate the process for obtaining a certificate of title to the motor vehicle as provided in that section.
 - (5) A towing service or storage facility that does not receive a signed receipt of notice, or a notification that delivery was not possible, shall not obtain, and shall not attempt to obtain, a certificate of title to the motor vehicle under Ohio R.C. 4505.101(B).
 - (6) With respect to a vehicle concerning which a towing service or storage facility is not eligible to obtain title under Ohio R.C. 4505.101, the towing service or storage facility need only comply with the initial notice required under subsection (f)(3)A. of this section.
- (g) (1) The owner or lienholder of a vehicle that is removed under subsection (b) of this section may reclaim it upon both of the following:
- A. Presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, a certificate of registration for the motor vehicle or a lease agreement;
 - B. Payment of the following fees:
 - 1. All applicable fees established by the Public Utilities Commission in rules adopted under Ohio R.C. 4921.25, except that the lienholder of a vehicle may retrieve the vehicle without paying any storage fee for the period of time that the vehicle was in the possession of the towing service or storage facility prior to the date the lienholder received the notice sent under subsection (f)(1)A. of this section;
 - 2. If notice has been sent to the owner and lienholder as described in subsection (f) of this section, a processing fee of twenty-five dollars (\$25.00).

- (2) A towing service or storage facility in possession of a vehicle that is removed under authority of subsection (b) of this section shall show the vehicle owner, operator or lienholder who contests the removal of the vehicle all photographs taken under subsection (d) of this section. Upon request, the towing service or storage facility shall provide a copy of all photographs in the medium in which the photographs are stored, whether paper, electronic, or otherwise.
- (3) When the owner of a vehicle towed under this section retrieves the vehicle, the towing service or storage facility in possession of the vehicle shall give the owner written notice that if the owner disputes that the motor vehicle was lawfully towed, the owner may be able to file a civil action under Ohio R.C. 4513.611.
- (4) Upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle, a certificate of registration for the motor vehicle or a lease agreement, the owner of a vehicle that is removed under authority of subsection (b) of this section may retrieve any personal items from the vehicle without retrieving the vehicle and without paying any fee. The owner of the vehicle shall not retrieve any personal items from a vehicle if it would endanger the safety of the owner, unless the owner agrees to sign a waiver of liability. For purposes of subsection (g)(4) of this section, "personal items" do not include any items that are attached to the vehicle.

(h) No person shall remove, or cause the removal of any vehicle from private property that is established as a private tow-away zone under this section, or store such a vehicle other than in accordance with this section, or otherwise fail to comply with any applicable requirement of this section.

(i) This section does not affect or limit the operation of Ohio R.C. 4513.60 or Ohio R.C. 4513.61 to 4613.65 as they relate to property other than private property that is established as a private tow-away zone under subsection (a) of this section.

(j) Whoever violates subsection (h) of this section is guilty of a minor misdemeanor.

(k) As used in this section, "owner of a private property" or "owner of the private property" includes, with respect to a private property, any of the following:

- (1) Any person who holds title to the property;
- (2) Any person who is a lessee or sublessee with respect to a lease or sublease agreement for the property;
- (3) A person who is authorized to manage the property;
- (4) A duly authorized agent of any person listed in subsections (k)(1) to (3) of this section. (ORC 4513.601)

303.083 IMPOUNDING VEHICLES ON PUBLIC PROPERTY.

(a) The County Sheriff or Chief of Police, within the Sheriff's or Chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the Sheriff or Chief of Police of such action and of the location of the place of storage, may order into storage any motor vehicle, including an abandoned junk motor vehicle as defined in Ohio R.C. 4513.63, that:

- (1) Has come into the possession of the Sheriff, Chief of Police, or state highway patrol trooper as a result of the performance of the Sheriff's, Chief's or trooper's duties; or

- (2) Has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the Sheriff or Chief of Police of the reasons for leaving the motor vehicle in such place. However, when such a motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately unless either of the following applies:
 - A. The vehicle was involved in an accident and is subject to Ohio R.C. 4513.66, or any substantially equivalent municipal ordinance;
 - B. The vehicle is a commercial motor vehicle. If the vehicle is a commercial motor vehicle, the Sheriff, Chief of Police, or state highway patrol trooper shall allow the owner or operator of the vehicle the opportunity to arrange for the removal of the motor vehicle within a period of time specified by the Sheriff, Chief of Police, or state highway patrol trooper. If the Sheriff, Chief of Police, or state highway patrol trooper determines that the vehicle cannot be removed within the specified period of time, the Sheriff, Chief of Police, or state highway patrol trooper shall order the removal of the vehicle.
 - (3) Subject to subsection (c) of this section, the Sheriff or Chief of Police shall designate the place of storage of any motor vehicle so ordered removed.
- (b) If the Sheriff, Chief of Police, or a state highway patrol trooper issues an order under subsection (a) of this section and arranges for the removal of a motor vehicle by a towing service, the towing service shall deliver the motor vehicle to the location designated by the Sheriff or Chief of Police not more than two hours after the time it is removed.
- (c) (1) The Sheriff or Chief of Police shall cause a search to be made of the records of an applicable entity listed in Ohio R.C. 4513.601(F)(1) to ascertain the identity of the owner and any lienholder of a motor vehicle ordered into storage by the Sheriff or Chief of Police, or by a state highway patrol trooper within five business days of the removal of the vehicle. Upon obtaining such identity, the Sheriff or Chief of Police shall send or cause to be sent to the owner or lienholder at the owner's or lienholder's last known address by certified or express mail with return receipt requested, by certified mail with electronic tracking, or by a commercial carrier service utilizing any form of delivery requiring a signed receipt. The notice shall inform the owner or lienholder that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of the sending of the notice.
- (2) A. The owner or lienholder of the motor vehicle may reclaim the motor vehicle upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title or memorandum certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. Upon presentation of proof of ownership evidenced as provided above, the owner of the motor vehicle also may retrieve any personal items from the vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval

fee established by the Public Utilities Commission in rules adopted under Ohio R.C. 4921.25 if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under Ohio R.C. 4513.69(B)(3), if applicable. However, the owner shall not do either of the following:

1. Retrieve any personal item that has been determined by the Sheriff, Chief of Police, or a state highway patrol trooper, as applicable, to be necessary to a criminal investigation;
2. Retrieve any personal item from a vehicle if it would endanger the safety of the owner, unless the owner agrees to sign a waiver of liability.

B. For purposes of subsection (c)(2) of this section, "personal items" do not include any items that are attached to the vehicle.

- (3) If the owner or lienholder of the motor vehicle reclaims it after a search of the applicable records has been conducted and after notice has been sent to the owner or lienholder as described in this section, and the search was conducted by the place of storage, and the notice was sent to the motor vehicle owner by the place of storage, the owner or lienholder shall pay to the place of storage a processing fee of twenty-five dollars (\$25.00), in addition to any expenses or charges incurred in the removal and storage of the vehicle.

(d) If the owner or lienholder makes no claim to the motor vehicle within ten days of the date of sending the notice, and if the vehicle is to be disposed of at a public auction as provided in Ohio R.C. 4513.62 or any substantially equivalent municipal ordinance, the Sheriff or Chief of Police, without charge to any party, shall file with the Clerk of Courts of the county in which the place of storage is located an affidavit showing compliance with the requirements of this section. Upon presentation of the affidavit, the Clerk, without charge, shall issue a salvage certificate of title, free and clear of all liens and encumbrances, to the Sheriff or Chief of Police. If the vehicle is to be disposed of to a motor vehicle salvage dealer or other facility as provided in Ohio R.C. 4513.62 or any substantially equivalent municipal ordinance, the Sheriff or Chief of Police shall execute in triplicate an affidavit, as prescribed by the Registrar of Motor Vehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with. The Sheriff or Chief of Police shall retain the original of the affidavit for the Sheriff's or Chief's records, and shall furnish two copies to the motor vehicle salvage dealer or other facility. Upon presentation of a copy of the affidavit by the motor vehicle salvage dealer, the Clerk of Courts, within thirty days of the presentation, shall issue a salvage certificate of title, free and clear of all liens and encumbrances.

(e) Whenever a motor vehicle salvage dealer or other facility receives an affidavit for the disposal of a motor vehicle as provided in this section, the dealer or facility shall not be required to obtain an Ohio certificate of title to the motor vehicle in the dealer's or facility's own name if the vehicle is dismantled or destroyed and both copies of the affidavit are delivered to the Clerk of Courts.

(f) No towing service or storage facility shall fail to comply with this section.
(ORC 4513.61)

303.09 LEAVING JUNK VEHICLES ON PRIVATE OR PUBLIC PROPERTY WITHOUT PERMISSION OR NOTIFICATION.

(a) No person shall willfully leave an "abandoned junk motor vehicle" as defined in Ohio R.C. 4513.63 on private property for more than seventy-two consecutive hours without the permission of the person having the right to the possession of the property or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway, for forty-eight consecutive hours or longer, without notification to the Police Chief of the reasons for leaving the vehicle in such place.

For purposes of this section, the fact that a vehicle has been so left without permission or notification is prima-facie evidence of abandonment. Nothing contained in this section shall invalidate the provisions of other ordinances regulating or prohibiting the abandonment of motor vehicles on streets, highways, public property or private property within the Municipality. (ORC 4513.64)

(b) Whoever violates this section is guilty of a minor misdemeanor, and shall also be assessed any costs incurred by the Municipality in disposing of such junk motor vehicle, less any money accruing to the Municipality from such disposal.

303.10 PROVIDING FALSE INFORMATION TO POLICE OFFICER.

(a) No person shall knowingly present, display or orally communicate a false name, social security number or date of birth to a law enforcement officer who is in the process of issuing to the person a traffic ticket or complaint. (ORC 4513.361)

(b) No person shall knowingly make a false statement as to any matter or thing required by the provisions of this Traffic Code. (1978 Code 71.12)

(c) Whoever violates this section is guilty of a misdemeanor of the first degree.

303.99 GENERAL TRAFFIC CODE PENALTIES.

(a) General Misdemeanor Classifications. Whoever violates any provision of this Traffic Code for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor. (ORC 4513.99)

(b) Penalties. Whoever is convicted of or pleads guilty to a violation of this Traffic Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

<u>Classification of Misdemeanor</u>	<u>Maximum Term of Imprisonment</u>	<u>Maximum Fine</u>
First degree	180 days	\$1,000.00
Second degree	90 days	750.00
Third degree	60 days	500.00
Fourth degree	30 days	250.00
Minor	No imprisonment	150.00

(ORC 2929.24; 2929.28)

(c) Felony Offenses. A prosecution for any offense which is classified as a felony under state law shall be filed under the appropriate state law section.

303.991 COMMITTING AN OFFENSE WHILE DISTRACTED PENALTY.

(a) As used in this section and each section of the Traffic Code where specified, all of the following apply:

- (1) "Distracted" means doing either of the following while operating a vehicle:
 - A. Using a handheld electronic wireless communications device, as defined in Ohio R.C. 4511.204 except when utilizing any of the following:
 1. The device's speakerphone function;
 2. A wireless technology standard for exchanging data over short distances;
 3. A "voice-operated or hands-free" device that allows the person to use the electronic wireless communications device without the use of either hand except to activate, deactivate, or initiate a feature or function;
 4. Any device that is physically or electronically integrated into the motor vehicle.
 - B. Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.
- (2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of Section 331.43.
- (3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage or a circumstance affecting the health or safety of individuals.

As used in subsection (a)(3) of this section:

 - A. "Utility" means an entity specified in division (A), (C), (D), (E) or (G) of Ohio R.C. 4905.03.
 - B. "Utility service vehicle" means a vehicle owned or operated by a utility.

(b) If an offender violates any section of this Traffic Code which provides for an enhanced penalty for an offense committed while distracted and the distracting activity is a contributing factor to the commission of the violation, the offender is subject to the applicable penalty for the violation and, notwithstanding Ohio R.C. 2929.28, is subject to an additional fine of not more than one hundred dollars (\$100.00) as follows:

- (1) Subject to Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation or summons for a violation of any section of the Traffic Code that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars (\$100.00).

In lieu of payment of the additional fine of one hundred dollars (\$100.00), the offender instead may elect to attend a distracted driving safety course, the duration and contents of which shall be established by the Ohio Director of Public Safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars (\$100.00), so long as the offender submits to the court both the offender's payment in full and such written evidence.

- (2) If the offender appears in person to contest the ticket, citation or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars (\$100.00).

If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more than one hundred dollars (\$100.00), the court shall inform the offender that, in lieu of payment of the additional fine of not more than one hundred dollars (\$100.00), the offender instead may elect to attend the distracted driving safety course described in subsection (b)(1) of this section. If the offender elects the course option and attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of not more than one hundred dollars (\$100.00), so long as the offender submits to the court the offender's payment and such written evidence.
(ORC 4511.991)

Street	From	To	Prohibited Side(s)
Clinton St., W.	Scott St.	Clinton St., W. (205 feet East of Scott St.)	N. (except in area posted for special parking)
Clinton St., W.	Woodlawn Ave.	Haley Ave.	N.
Commerce Dr.	Interchange Dr.	Riverview Ave., E.	Both
Cripple Creek Ct.	Jahns Rd.	Cul-de-sac	W.
Daggett Dr.	Huddle Rd.	Maumee Ave., W.	E.
Depot St.	Oakwood Ave.	Maple St.	Both
Derome Dr.	Northcrest Dr., E. end	Northcrest Dr., W. end	S.
Detroit Ave.	Yeager St.	Dead End	W.
Dodd St.	Scott St.	Cul-de-sac	W.
Duquesne Dr.	Bordeaux Dr.	Lemans Dr.	S.
Duquesne Dr.	Jahns Rd.	Bordeaux Dr.	Both
Enterprise Ave.	Riverview Ave., E.	American Road	Both
Enterprise Ave.	American Road	Corporation Limits	E.
Erie St.	Washington St.	Railroad right-of-way	W.
Euclid Ave.	Appian Ave.	Last St.	S.
Fair St.	Oakwood Ave.	Dead End	S.
Fairview Dr.	Maumee Ave., W.	Dead End	Both
Fifth St.	Meekison St.	Rohrs St.	E.
Fifth St.	Rohrs St.	Raymond St.	W.
Fillmore St.	Oakwood Ave.	Railroad right-of-way	S.
Fillmore St.	E. Riverview Ave.	Railroad right-of-way	Both
First St.	Maumee Ave., W.	Pontious Pl. R/W	Both
Fourth St.	Meekison St.	Rohrs St.	Both
Freedom Dr.	Corporation Limits	Corporation Limits	Both
Front St., E.	Perry St., N.	Jefferson St.	S.
Front St., W.	Perry St., N.	Riverview Ave., W.	South

Street	From	To	Prohibited Side(s)
Garden St.	Riverview Ave.	Park St.	W.
Glenbrook Ct.	Harmony Dr.	Cul-de-sac	W.
Glenwood Ave.	Riverview Ave., W.	Corporation Limits	Both
Graceway Dr., E.	Maumee Ave., W.	Graceway Dr., W.	W.
Graceway Dr., W.	Huddle Rd.	Graceway Dr., E.	W.
Haley Ave.	Woodlawn Ave.	Riverview Ave.	W.
Harmony Dr.	Glenwood Ave.	Harmony Dr., N.	Inner Loop
Harmony Dr., N.	Glenwood Ave.	Indiana Ave.	S.
High St.	Haley Ave.	Lumbard St.	S.
Highland Ave.	Woodlawn Ave.	Lagrange St.	E.
Hobson St.	Clinton St., E.	Oakwood Ave.	E.
Hobson St.	Washington St.	Clinton St.	E.
Hobson St.	Riverview Ave.	Main St. (30 feet south of alley)	E.
Hobson St.	Front St.	Alley (between Front St. & Main St.)	W.
Huddle Rd.	Perry St., S.	Maumee Ave., W.	N.
Hudson St.	Oakwood Ave.	Dead End	Both
Hurst St., N.-S.	Riverview Ave., W.	Hurst Dr., E.-W.	W.
Hurst Dr., E.-W.	Hurst Dr., N.-S.	Jahns Rd.	S.
Independence Dr.	Oakwood Ave.	Enterprise Ave.	Both
Indiana Ave.	Lagrange St.	N. Harmony Dr.	E.
Indiana Ave.	Oakdale Dr.	Lagrange St.	Both
Indiana Ave.	Woodlawn Ave.	Oakdale Dr.	E.
Industrial Dr.	Riverview Ave., E.	Twp. Rd. R-3	Both
Interchange Dr.	Commerce Dr.	Industrial Dr.	Both
Jahns Rd.	Riverview Ave., W.	Corporation Limits	Both
Jefferson St.	Front St., E.	Washington St., E.	W.
Joliette Dr.	Duquesne Dr.	Capri Dr.	E.

Street	From	To	Prohibited Side(s)
Wayne Park Dr.	Co.Rd. M1	Westerly intersection of Riverview Ave., W.	S.
Wayne St.	Riverview Ave., E.	Main St., W.	E.
Welsted St.	Glenwood Ave.	Avon Pl.	S.
Westchester Ave.	Briarheath Ave.	Kenilworth Ave.	N.
Westchester Ave.	Kenilworth Ave.	Briarheath Ave.	S. (4 hr. parking)
Westmont Ave.	Briarheath Ave.	Glenwood Ave.	N.
Westmoreland Ave.	Clairmont Ave.	Bales Rd.	E.
Westwood Ave.	Harmony Dr., S.	Harmony Dr., N.	E.
Willard St.	Woodlawn Ave.	Lagrange St.	E.
Williamsburg Ave.	Becca Ln.	Dead End	S.
Wood Dr.	Scott St., N.	Cul-de-sac	Both
Woodlawn Ave.	Clinton St., W.	Corporation Limits	Both
Woodlawn Ct.	Woodlawn Ave.	High St.	E.
Yeager St.	Oakwood Ave.	Dodd St.	Both

(Ord. 005-22. Passed 3-7-22.)

<i>STOP STREET</i>	<i>RIGHT-OF-WAY</i>
Norton Ave.	Park St.
Norton Ave.	Strong St.
Norton Ave.	Welsted St.
Oak St.	Daggett Ave.
Oakdale Dr.	Indiana Ave.
Oakdale Dr.	Glenwood Ave.
Oakwood Ave.	Perry St., N.
Oakwood Park	Oakwood Ave.
Oberhaus Park	Maumee Ave., W.
Ohio St.	Glenwood Ave.
Ohio St.	Scott St.
Old Creek Dr.	Oakwood Dr.
Old School Dr.	Clairmont Ave.
Orchard Ln.	Briarcliff Dr.
Orchard Ln.	Riverview Ave., W.
Orwig Ave.	Main St., W.
Orwig Ave.	Washington St., W.
Orwig Ave.	Welsted St.
Oxford St.	Appian Ave.
Park Ln.	Park St.
Park Pl.	Park St.
Park St.	Glenwood Ave.
Park St.	Riverview Ave., W.
Perry St., N.	Yeager St.
Perry St., N. (Southbound only)	Shelby St.
Pontious Pl.	First St.
Pontious Pl.	Perry St., S.
Railroad St.	Oakwood Ave.
Railroad St.	Perry St., N.

<i>STOP STREET</i>	<i>RIGHT-OF-WAY</i>
Railroad St.	Scott St.
Raymond St.	Fifth St.
Raymond St.	Perry St., S.
Reiser St.	Monroe St.
Reiser St.	Perry St., N.
Reynolds St.	Ohio St.
Reynolds St.	Woodlawn Ave.
Richmar Ln.	Indiana Ave.
Ritter Park	Riverview Ave., W.
Rohm Dr.	Briarcliff Dr.
Romain St.	Clinton St., W.
Romain St.	Washington St., W.
Rye St.	Yeager St.
Scott St.	Riverview Ave., W. - Rt. 424
Second St.	Barnes Ave., E.
Sedward Ave.	Riverview Ave., W.
Sheffield Ave.	Clinton St., W.
Sheffield Ave.	Riverview Ave., W. - Rt. 424
Sheffield Ave.	Washington St., W.
Sheffield Ave., N.	Lagrange St.
Sheffield Ave., N.	Ohio St.
Sheffield Ave., N.	Woodlawn Ave.
Shelby St.	Hobson St.
Shelby St.	Maple St.
Shelby St.	Monroe St.
Shelby St.	Perry St.
Shelby St.	Scott St.
Short St.	Appian Ave.

<i>STOP STREET</i>	<i>RIGHT-OF-WAY</i>
Williamsburg Ave.	Becca Ln.
Woodlawn Ct.	Woodlawn Ave.
Yeager St.	Oakwood Ave.

(b) All-Way Stops:

<u>INTERSECTION</u>
Bales Rd./Washington St., W. and Glenwood Ave.
Bales Rd./Westermoreland Ave.
Briarheath Ave. at Clairmont Ave.
Clinton St. at Monroe St.
Clinton St., W. at Norton Ave.
Glenwood Ave. at Woodlawn Ave.
Haley Ave. at Washington St., W.
Industrial Dr. at American Rd.
Indiana St. at Ohio St.
Kenilworth Ave. at Westmont Ave.
Main St., W. at Scott St.
Main St., W. at Webster St.
Main St., E. at Hobson St.
Monroe St. at Washington St.
Norton Ave. at Washington St.
Park St. at Sheffield Ave.
Raymond St. at Third St.
Scott St. at Front St.
Sheffield Ave. at Clinton St.
Third St. at Raymond St.

(c) Yield streets:

YIELD STREET	RIGHT-OF-WAY
Chelsea Ave. (north/south)	Chelsea Ave. (east/west)
Hobson St., (S. approach)	Washington St., E.
Last St.	Euclid St.
Monroe St.	Oakwood Ave.
Buckeye Ln. (eastbound) Buckeye Ln. (westbound)	Rohm Dr. (eastbound)

(d) Signals: Signals shall be at locations below described. The City Manager shall determine the sequencing of signals and may authorize night time flashing of signals and use of turn arrows.

<u>Location</u>	<u>Description</u>
Appian Ave. at Maumee Ave., E. (St. Rt. 110)	This three (3) phase signal controls a three-way intersection with Appian Ave. dead-ending into East Maumee Ave., actuated by loop detectors. The signal generally "stands on green" for through traffic on East Maumee Ave.
Maumee Ave. (St. Rt. 110) at Perry St., S. (St. Rt. 108)	This five (5) phase signal controls a four (4) way intersection actuated by loop detectors. Signal generally "stands on green" for through traffic on South Perry St. An all red phase added to provide for pedestrian traffic.
Perry St., N. at Front St., E. & W.	This two (2) phase signal generally "stands on green" for Perry St. The Front St. signal is actuated by loop detectors.
Perry St., N. (St. Rt. 108) at Riverview Ave. (St. Rt. 424)	This eight (8) phase, fully actuated signal controls a four-way intersection activated by loop detectors. Loop detectors are not provided for the North Perry St., through lanes. The signal generally "stands on green" for through traffic on North Perry St.

<u>Location</u>	<u>Description</u>
Perry St., N. (St. Rt. 108) at Washington St.	This three (3) phase signal controls a four-way intersection actuated by loop detectors which generally "stands on green" for through traffic on North Perry St.
Perry St., N. (St. Rt. 108) at Clinton St.	This three (3) phase signal controls a four-way intersection which is actuated by timed sequencing.
Clinton St. (St. Rt. 108) at Scott St. and Woodlawn Ave.	This four (4) phase signal controls a five-way intersection actuated by loop detectors.
Scott St. at Washington St.	This two (2) phase signal is actuated by timed sequencing to cycle through the intersection.
Scott St. (St. Rt. 108) at Lagrange St.	This three (3) phase signal controls a four (4) way intersection actuated by loop detectors. Signal generally "stands on green" for North Scott St.
Scott St. (St. Rt. 108) at Southern Entrance to Heritage Plaza	This three (3) phase signal controls a four (4) way intersection actuated by loop detectors. Signal generally "stands on green" for through traffic on North Scott St.
Industrial Drive at Independence Drive	This two (2) phase signal is actuated by timed sequencing to cycle through the intersection.
Industrial Drive at Ramps "A" and "D"	This three (3) phase signal controls a 3-way intersection at Ramps "A" and "D" of the Industrial Drive Interchange. Loop detectors are provided on Ramp "A" for both left and right-through lanes. The signal generally "stands on green" for through traffic on Industrial Drive.

(e) Alleys:

All alleys shall be considered the yield street at all crossings with streets.
(Ord. 005-22. Passed 3-7-22.)

- (i) Daily greens fees shall be as follows:
- (1) Generally.
Weekdays:
 9 holes \$10.00
 18 holes \$14.00
Saturday, Sunday and nationally recognized holidays:
 9 holes \$12.00
 18 holes \$16.00
 - (2) Junior Greens Fees.
Weekdays:
 9 holes \$5.00
 18 holes \$10.00
Weekends and Nationally Recognized Holidays:
 9 holes \$7.00
 18 holes \$14.00
Prepaid Discount Card For Greens fees
 9 holes, for ten rounds \$80.00
- (j) Fee for motorized cart use shall be as follows:
- (1) Motorized cart fee: The privilege of using a non-City motorized cart on the course is restricted to persons holding a valid annual golf privilege card. The cart shall be used only by the holder of such card or his or her immediate family, and guests accompanied by the holder or a member of the holder's immediate family. The annual privilege fee is \$260.00 if gas powered, with an additional \$20.00 being charged if the motorized cart is electrically powered.
 - (2) Motorized cart rental 9 holes
 \$7.00 per person with a maximum of two carts per group.
 - (3) Motorized cart rental 18 holes
 \$10.00 per person with a maximum of two carts per group.
 - (4) Prepaid discount motorized cart rental for 10 rounds of 9 holes
 \$55.00 per person
- (k) Pull cart fee shall be as follows:
- (1) Pull fee: No charge for using one's own cart.
 - (2) Pull cart rental: \$1.50 (up to 18 holes)
- (l) Golf clubs rental: \$2.00 (up to 18 holes)
- (m) Greens privilege fee and cart use fee shall be for the golfing season from April 1 through October 31, both dates inclusive, subject to the extension of the season by Director of the Parks and Recreation Department. The City has the right to close the course at any time for special events, unplayable conditions, or for other cause deemed appropriate by the Parks and Recreation Department.
- (n) The daily greens fee and daily cart rental fees during "off peak times" of the annual golf season for promotional reasons shall be reduced in an amount of thirty percent (30%) of the herein established rates. What constitutes and is declared "off peak times" is in the sole discretion of the Parks and Recreation Director.
- (o) Discounts shall apply to senior citizens as follows: \$3.00 off regular greens fees and \$2.00 off per person motorized cart rentals, both during the times of 8:00 a.m. through 1:00 p.m. on days of weekdays only, excluding nationally recognized holidays.
- (p) Nothing in this section shall be construed as to limit City Council's authority to adjust daily, weekly, monthly, or annual rates. (Ord. 004-15. Passed 1-19-15.)
- (q) Due to the devastating rain and weather that was experienced in the 2015 Golf Season:

- (1) Any member who has paid their dues as of August 3rd, 2015 will receive 50% off of a membership for the 2016 season, and Cart rental will be given at no charge for the remainder of the 2015 season.
- (2) Any player purchasing a greens fee at full price shall receive a cart rental at no charge. Those not wishing to use a motorized cart will receive 50% off of a 9 hole or 18 hole greens fee. The 50% reduction has a cap of 18 holes per day. (Ord. 044-15. Passed 8-3-15.)
- (r) In order to provide an opportunity for area employers to offer healthy recreational activities for their employees, a Corporate Membership rate shall be created per the following:
- (1) The Corporate Membership will be available for eligible employees. Eligible employees' family members are not included in the Corporate Membership benefit.
- (2) The Corporate Membership will be available for eligible employees of a company that has purchased a Corporate Membership; that Corporate Membership must be paid in full to the Napoleon Golf Course before the usage is permitted.
- (3) The Corporate Membership will include unlimited greens fees for eligible employees.
- (4) The Corporate Membership does not include cart rentals.
- (5) The following table establishes the fees for a Corporate Membership to the employer, based on number of employees:

Number of Employees	Annual Fee
25 and under	\$1,000.00
26 - 49	\$2,000.00
50 - 99	\$3,000.00
100 - 199	\$4,500.00
200 and above	\$6,500.00

(Ord. 003-18. Passed 3-5-18.)

- (s) In order to provide an opportunity for area organizations to offer golf outings, a golf outing rate shall be created per the following:

Number of Holes	Fee per Participant
9	\$15.00
18	\$25.00

(Ord. 086-18. Passed 1-21-19.)

- (t) In order to provide an opportunity for the public to utilize the Municipal golf facilities between the months of November through March, a golf simulator rate shall be created per the following:
- (1) Golf simulator hours of operation shall be subject to the discretion of the Director of the Parks and Recreation Department.
- (2) The City has the right to close the simulator at any time for any cause deemed appropriate by the Parks and Recreation Department.
- (3) Nothing in this section shall be construed as to limit City Council's authority to adjust golf simulator rates.
- (4) The following table establishes the fees for rental of the golf simulator:

Weekday	Rental Time	Cost
Before 3:00 pm	½ hour	\$18.00
After 3:00 pm	½ hour	\$20.00
Before 3:00 pm	1 hour	\$22.00
After 3:00 pm	1 hour	\$28.00
Weekend/Holiday	½ hour	\$24.00
	1 hour	\$32.00

(Ord. 011-22. Passed 4-18-22.)

955.10 SHELTER HOUSE/COMMUNITY CENTER RATES.

(a) Shelter house rentals shall be as follows:

Rental Times	Ritter (Weekday)	Ritter (Weekend)	Wayne (Weekday)	Wayne (Weekend)
9:00 a.m.-12:00 p.m.	\$40.00	\$45.00	\$35.00	\$40.00
1:00 p.m.-5:00 p.m.	40.00	45.00	35.00	40.00
9:00 a.m.-5:00 p.m.	45.00	50.00	40.00	45.00
6:00 p.m. - 11:00 p.m.	45.00	50.00	40.00	50.00
1:00 p.m. -11:00 p.m.	50.00	55.00	45.00	50.00
9:00 a.m.-11:00 p.m.	55.00	60.00	50.00	55.00

Weekend rates will also apply on all City observed holidays; no proration of fees permitted.

Due at time of making reservation is a non-refundable five dollar (\$5.00) application fee and a fifty dollar (\$50.00) security deposit. The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than seven (7) days prior to the reserved date; then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed fifty dollars (\$50.00). Any monies to be returned to the tenant will be paid within thirty (30) days after the rental date.

(b) Rental of the Community Center at Oberhaus Park shall be as follows:

Rental Times	Weekday	Weekend
9:00 a.m. - 12:00 p.m.	\$55.00	\$65.00
1:00 p.m. - 5:00 p.m.	65.00	75.00
9:00 a.m. - 5:00 p.m.	90.00	100.00
6:00 p.m. - 11:00 p.m.	90.00	100.00
1:00 p.m. - 11:00 p.m.	100.00	110.00
9:00 a.m. - 11:00 p.m.	120.00	130.00

Weekend rates will also apply on all City observed holidays; no proration permitted.

Due at time of making reservation is a non-refundable five dollar (\$5.00) application fee and a fifty dollar (\$50.00) security deposit. The full remainder amount of the rental is due when picking up the key. The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than seven (7) days prior to the reserved date, then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed fifty dollars (\$50.00). Any monies to be returned to the tenant will be paid within thirty (30) days after the rental date.

(c) Notwithstanding any other provision of these Codified Ordinances, the use of the Community Center at Oberhaus Park by the Napoleon based Rotary Club and Lions Club shall be pursuant to the terms and conditions established by separate agreement between the clubs and the City. Priority in reservation may be given to the clubs by the Parks and Recreation Director absent any provision in the agreement.

(d) Except as provided herein, reservations shall only be made in the calendar year the facility is intended to be reserved. During the month of December in the preceding year, residents, as defined in this chapter, shall be permitted to reserve dates for the following year.

(e) Terms and conditions of any rental agreement shall be established by the City Manager and approved as to form and correctness by the Law Director.
(Ord. 076-19. Passed 12-2-19.)

955.11 PERSONS PERMITTED ON COURSE.

The municipal golf course is open to the public; however, the course shall only be entered for authorized recreational purposes. During the golf season when the course is open for play, no person is permitted on the municipal golf course unless registered and playing on a valid annual golf privilege card or upon the payment of the established greens fee. Caddies while working or authorized municipal employees while in the performance of their duties are exempt from this provision. Playing of golf shall be only during the golf season unless otherwise permitted; further, if permitted at times when the club house is closed, registration is not required.
(Ord. 30-97. Passed 5-5-97.)

955.12 PERSONS EXEMPT FROM GREENS FEES.

(EDITOR'S NOTE: Former Section 955.12 was repealed by Ordinance 18-2003, passed March 3, 2002.)

955.13 PLAY UPON COURSE SUBJECT TO APPROVAL OF GREENSKEEPER.

Any play upon the course shall be subject to the approval of the greenskeeper who will determine playing conditions from the standpoint of damage to the greens and course.
(1978 Code 96.19)

955.14 RULES AND REGULATIONS.

The following rules and regulations shall be in effect:

- (a) "a.m." is to be considered until 9:30 a.m.
- (b) Military personnel on active duty, while on authorized leave, shall play without charge, upon presentation of a proper military identification card.
- (c) Annual golf privilege cards. Annual golf privilege cards are valid from March 15 to October 31 of each year. Payment of annual golf privilege fees exempt holders from daily greens fees throughout the golf season as well as providing holders with specific golf privileges related to some special golf dates and times as may be established. (Ord. 30-97. Passed 5-5-97.)

PARKS

955.15 CLOSING HOURS.

(a) Except as herein provided, the municipal parks shall be closed between the hours of 11:00 p.m. and sunrise.

(b) No person, without privilege to do so, shall knowingly enter or remain upon any municipal park at any time a municipal park is closed.

(c) It is an affirmative defense to a charge under division (b) of this section if the person involved is engaged in an activity properly authorized by the City Manager or other City official designated by the City Manager to authorize such activity.

(d) Notwithstanding any other provision of this Code, when declared by the City Manager to be in the interest of public peace, health, or safety, the City Manager may vary the hours established in this Section 955.15 by journalizing the same with the Parks and Recreation Department and having the varied hours posted at the park.
(Ord. 040-08. Passed 5-19-08.)

MUNICIPAL SWIMMING POOL

955.16 SWIMMING POOL ADMISSION.

For the purpose of Section 955.16 of the City of Napoleon Codified Ordinances only, Resident shall be defined as an individual or family residing in the City of Napoleon Corporation limits, not the definition listed in Section 955.02, stating "Resident" means a person living in the corporate limits of the City or a payer of City income tax. (For the purpose of this definition, a payer of City income tax will mean one who currently pays the full established rate of City income tax or paid the full established rate of City income tax within the preceding twelve-month period (unless the payer was exempted due to an alternate City tax policy of the City); one living within the corporate limits will mean one who has the City as his or her place of domicile; further, when a child is a participant, the consideration of being a resident or non-resident shall be determined by the status of the parent or legal guardian of the participant that pays any applicable participation or activity fee.

(a) The annual swim admission card for the Municipal Swimming Pool shall be as follows:

- (1) Family (up to five (5) members) annual swim admission card fee:

Resident:	\$100.00
Nonresident:	\$200.00
- (2) Additional family members annual swim admission card fee:

Resident:	\$10.00
Nonresident:	\$30.00
- (3) Adult individual annual swim admission card fee:

Resident:	\$60.00
Non-resident:	\$100.00
- (4) Child individual annual swim admission card:

Resident:	\$50.00
Non-resident:	\$85.00
- (5) Senior citizen annual swim admission card fee:

Resident:	\$50.00
Non-resident:	\$75.00
- (6) Chief Care Provider annual swim admission card fee:

Resident:	\$50.00
Nonresident:	\$60.00

(b) The daily swim admission fee for the Municipal Swimming Pool shall be as follows:

(1) Daily admission fee for children:

Resident - \$3.00

Non-resident - \$5.00

Children aged three years old and younger:

Resident - free

Non-resident - free

Ten (10) visit pass for children:

Resident - \$27.00

Non-resident (\$45.00

(2) Daily admission fee for adults:

Resident - \$4.00

Non-resident - \$6.00

Ten (10) visit pass for adults:

Resident - \$36.00

Non-resident - \$54.00

Daily admission fee for senior citizens (aged 65 and older):

Resident - \$3.00

Non-resident - \$5.00

Ten (10) visit pass for senior citizens:

Residents - \$27.00

Non-residents - \$45.00

(c) The Director of Parks, Recreation and Cemeteries is authorized to establish up to six special pool events per season on which a reduced daily recreation admission fee could be offered on a per person or per family basis.

(d) Annual swim admission cards are seasonal and are valid in the summer season of each year during hours as determined by the Parks and Recreation Department.

(e) Pool facility exclusive use rental under terms and conditions and times as authorized by the Parks and Recreation Director (subject to specific approval and terms as set by the Parks and Recreation Director; additionally, Parks and Recreation Director reserves the right to deny rental for any reason):

(1) Saturday or Sunday evening from 6-9 p.m.

Resident - \$250.00

Non-resident - \$400.00

(2) All day Friday, Saturday, and Sunday:

Resident - \$750.00

Non-resident - not available

(f) Nothing in this section shall be construed as to limit City Council's authority to adjust daily, weekly, monthly or annual rates.

(g) In order to provide an opportunity for area employers to offer healthy recreational activities for their employees and families, a Corporate Membership rate shall be created per the following:

- (1) The Corporate Membership will be available for eligible employees, and up to four (4) additional immediate family members. (Immediate family members for this section are defined as spouse and children living in the same household.)
- (2) The Corporate Membership will be available to companies located within the Napoleon Corporation limits, and only to employees that work at locations within the Napoleon Corporation limits.
- (3) The Corporate Membership will be available for eligible employees of a company that has purchased a Corporate Membership; the company shall provide a list of eligible employees prior to the start of the pool season. The Corporate membership must be paid in full before the usage is permitted.
- (4) Employees must display a valid membership badge issued by the City of Napoleon to verify eligibility and admission.
- (5) Family members of employees are not included as part of the corporate membership privileges, unless eligible as defined in subsection (g)(1) of the Ordinance.
- (6) Corporate memberships are valid from Memorial Day (or on the first day of pool opening) through Labor Day for pool closing) of each season.
- (7) The following table establishes the fees for a Corporate Membership to the employer, based on number of employees.

Number of Employees	Annual Fee
25 and under	\$2,000.00
26-50	\$3,500.00
51-100	\$5,000.00
101-150	\$7,500.00
Over 150	\$10,000

(Ord. 054-20. Passed 12-7-20.)

955.17 DAILY RATES.

(EDITOR'S NOTE: See Section 955.16.)

955.18 OPENING AND CLOSING OF MUNICIPAL SWIMMING POOL.

(a) Except as provided in divisions (c) and (d) of this section or except in case of an accident, emergency or disaster, the Municipal Swimming Pool, hereinafter called the Swimming Pool, in the City shall be kept open at all times during regular hours in the summer season, normally being Memorial Day weekend through Labor Day, if the air temperature at the Swimming Pool is 73°F or higher, and the Swimming Pool Manager is directed to so keep the Swimming Pool open.

(b) In the event the air temperature at the Swimming Pool at any time during regular hours in the summer season is less than 73°F, the Swimming Pool Manager is authorized to close the Swimming Pool for the duration of that day.

(c) In the event the weather conditions at the Swimming Pool become dangerous or threatening at any time during regular hours in the summer season, the Swimming Pool Manager is authorized to close the Swimming Pool for the duration of that day as he/she determines prudent in the exercise of his/her best judgment.

(d) The City has the right to close the Swimming Pool at anytime during the season for special events or other cause deemed appropriate by the Parks and Recreation Department.
(Ord. 30-97. Passed 5-5-97.)

955.19 RECREATION PROGRAM PARTICIPATION FEES.

(a) Rates (per participant):

Activity	(Rates)	
	Resident	Nonresident
Tee Ball	\$20	\$30
Youth Little League	\$20	\$30
Junior Little League	\$20	\$30
Henry Co. Bank Lge. Softball	\$20	\$30
Rookie League Softball	\$20	\$30
Minor League Softball	\$20	\$30

Major League Softball	\$20	\$30
Little Cats Basketball	\$20	\$30
Wild Kittens Basketball	\$20	\$30
Kiddy Cats Basketball	\$20	\$30
Flag Football	\$20	\$30

Activity	(Rates)	
	Resident	Nonresident
Intramural Basketball	\$20	\$30
Tennis Lessons/League	\$20	\$30
Soccer	\$20	\$30
Safety City	\$10	\$15
Outdoor Education Program (per activity)	\$5	\$5

(Ord. 021-15. Passed 4-6-15.)

CHAPTER 1519 Fireworks

(EDITOR'S NOTE: The Council of the City of Napoleon, by Ordinance 028-22, passed June 20, 2022, expressly opts out of the provisions set forth in House Bill 172, and reaffirms the ban on the possession, sale, and discharging, igniting or exploding fireworks as set forth in Chapter 1519 of the Codified Ordinances of the City of Napoleon. Further, Chapter 1519 of the Codified Ordinances of the City of Napoleon is reaffirmed in its entirety.)

1519.01	Definitions.	1519.04	Possession, sale or
1519.02	Public exhibition permit		discharge prohibited;
	required; fee; bond;		exceptions.
	records.	1519.05	Application.
1519.03	Unlawful conduct by	1519.99	Penalty.
	exhibitor.		

CROSS REFERENCES

Manufacturers to comply with building and zoning ordinances - see Ohio R.C. 3743.06(F)
 Wholesalers to comply with building and zoning ordinances - see Ohio R.C. 3743.19(G)
 Arrests, seizure of fireworks by certified fire safety inspector - see Ohio R.C. 3743.68
 Conflict of Fire Marshal's rules with rules of Ohio Board of Building Standards - see Ohio R.C. 3781.11(D)

1519.01 DEFINITIONS.

As used in this chapter:

- (a) "Beer" and "intoxicating liquor" have the same meanings as in Ohio R.C. 4301.01.
- (b) "Booby trap" means a small tube that has a string protruding from both ends, that has a friction-sensitive composition and that is ignited by pulling the ends of the string.
- (c) "Cigarette load" means a small wooden peg that is coated with a small quantity of explosive composition and that is ignited in a cigarette.
- (d) (1) "1.3 G fireworks" means display fireworks consistent with regulations of the United States Department of Transportation as expressed using the designation "Division 1.3" in Title 49, Code of Federal Regulations.
 (2) "1.4 G fireworks" means consumer fireworks consistent with regulations of the United States Department of Transportation as expressed using the designation "Division 1.4" in Title 49, Code of Federal Regulations.
- (e) "Controlled substance" has the same meaning as in Ohio R.C. 3719.01.

- (f) "Fireworks" means any composition or device prepared for the purpose of producing a visible or an audible effect by combustion, deflagration or detonation, except ordinary matches and except as provided in Section 1519.05.
- (g) "Licensed exhibitor of fireworks" or "licensed exhibitor" means a person licensed pursuant to Ohio R.C. 3743.50 to 3743.55.
- (h) "Licensed manufacturer of fireworks" or "licensed manufacturer" means a person licensed pursuant to Ohio R.C. 3743.02 to 3743.08.
- (i) "Licensed wholesaler of fireworks" or "licensed wholesaler" means a person licensed pursuant to Ohio R.C. 3743.15 to 3743.21.
- (j) "Novelties and trick noisemakers" include the following items:
 - (1) Devices that produce a small report intended to surprise the user, including, but not limited to, booby traps, cigarette loads, party poppers and snappers;
 - (2) Snakes or glow worms;
 - (3) Smoke devices;
 - (4) Trick matches.
- (k) "Party popper" means a small plastic or paper item that contains not more than sixteen milligrams of friction-sensitive explosive composition, that is ignited by pulling string protruding from the item, and from which paper streamers are expelled when the item is ignited.
- (l) "Railroad" means any railway or railroad that carries freight or passengers for hire, but does not include auxiliary tracks, spurs and sidings installed and primarily used in serving a mine, quarry or plant.
- (m) "Smoke device" means a tube or sphere that contains pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.
- (n) "Snake or glow worm" means a device that consists of a pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning, which ash expands in length as the pellet burns.
- (o) "Snapper" means a small, paper-wrapped item that contains a minute quantity of explosive composition coated on small bits of sand, and that, when dropped, implodes.
- (p) "Trick match" means a kitchen or book match that is coated with a small quantity of explosive composition and that, upon ignition, produces a small report or a shower of sparks.
- (q) "Wire sparkler" means a sparkler consisting of a wire or stick coated with a non-explosive pyrotechnic mixture that produces a shower of sparks upon ignition and that contains no more than one hundred grams of this mixture.
(ORC 3743.01)

**1519.02 PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND;
RECORDS.**

(a) A licensed exhibitor of fireworks who wishes to conduct a public fireworks exhibition within the Municipality shall apply for approval to conduct the exhibition to the Fire Chief and from the Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer.

The required approval shall be evidenced by the Fire Chief or Fire Prevention Officer and by the Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer, signing a permit for the exhibition, the form for which shall be prescribed by the State Fire Marshal. Any exhibitor of fireworks who wishes to conduct a public fireworks exhibition may obtain a copy of the form from the Fire Marshal or, if it is available, from the Fire Chief, Fire Prevention Officer, Police Chief or other similar chief law enforcement officer, or the designee of the Police Chief or similar chief law enforcement officer.

ORDINANCE NO. 049-22

AN ORDINANCE AMENDING THRESHOLD AMOUNTS RELATED TO COMPETITIVE BIDDING, PURCHASING, CONTRACTING, AND EXPENDITURES

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

Section 1. That, Section 105.01 of the Codified Ordinances of the City of Napoleon, Ohio (Council to Authorize Purchase or Contract) is hereby amended and enacted as follows:

“105.01 COUNCIL TO AUTHORIZE PURCHASE OR CONTRACT IN
EXCESS OF ~~\$25,000~~ \$50,000.

Except as provided for in Section 105.03, no purchase shall be made or contract, including but not limited to any construction contract, entered into, by or on behalf of the City, in excess of ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000), unless approved by Council. Except as otherwise provided for in Sections 105.03, 106.02, 106.04 or statute or other applicable law, or other legislation specifically finding it in the best interest of the City to eliminate the necessity of competitive bidding, approved by a majority vote of the current members of Council concurring thereto, for expenditures that exceed ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000), the City Manager, City Finance Director, or City Law Director shall advertise for sealed bids for the purchases or contracts for their respective departments and present them to Council for approval, and advise Council on the advantages or disadvantages of such bid(s). Except as provided for in Section 105.03, no purchase shall be made, contract let, or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation by Council. The City Finance Director may issue such rules, governing purchasing procedures within the administrative organization, as Council shall approve.”

Section 2. That, Section 105.02 of the Codified Ordinances of the City of Napoleon, Ohio (Contracts, Material and Labor) is hereby amended and enacted as follows:

“105.02 CONTRACTS, MATERIAL AND LABOR.

Department Directors, (i.e. the City Manager, City Finance Director and City Law Director), or his or her designee in his or her absence, may purchase materials, supplies, equipment and services for their respective departments for amounts up to and including ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000), subject to the availability and appropriation of funds, without the necessity of advertising for bids as no competitive bidding is required.

All department heads of the City, when authorized by their department director (i.e. the City Manager, City Finance Director, or City Law Director), or his or her designee in his or her absence, may purchase materials, supplies, equipment and services for their respective departments for amounts up to and including ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000), subject to availability of funds, without the necessity of advertising for bids as no competitive bidding will be required. All other purchases

and/or contracts, except that which is exempted by ordinance, resolution, statute or other applicable law, in excess of ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000), shall be made only after advertisement, receipt of sealed bid, and award by Council. Any award let by the bidding process shall be to the lowest and best bidder.”

Section 3. That, Section 156.01 of the Codified Ordinances of the City of Napoleon, Ohio (Donations Accepted) is hereby amended and enacted as follows:

“156.01 DONATIONS ACCEPTED; FUND ESTABLISHED.

(a) City boards and commissions are empowered to accept in the name of the City any donation of money, securities, equipment, or any personal property which, in itself or the proceeds from which, is to be for a City use or for the general public use, subject to subsequent approval by motion of Council at the next regularly scheduled Council meeting (except that, subsequent approval by Council is not required for donation amounts below \$100.01). Such recipient board or commission shall recommend to City Council the approval of such donation or restriction upon the donation or of any execution of any trust prior to the motion for approval by Council being made. However, gifts to the City or the general public of real property, either absolutely or in trust, which, in themselves or the proceeds from which, are to be used for City use or for the general public use, shall be accepted by the City only after they shall have been recommended by the recipient board or commission to the City Council, and approved by legislation thereof. Upon recommendation of the board or commission, subject to the approval by legislation of City Council, the City or its designated officer may execute every trust or restriction imposed upon the use of property rights by deed, treatment, or other conveyance, transferring the title of such property to the City or to the general public for City use or for use by the general public.

(b) The Finance Director is authorized and directed to establish a fund or funds for acceptance of donations received under the authority of this section either as a “general donation fund”, or “specified donation fund” that is specific to the board or commission, as deemed appropriate by the Finance Director. The total anticipated proceeds from such donations are deemed appropriated for such donated purpose by this Council and are deemed in the process of collection within the meaning of Ohio R.C. 5705.41; therefore, immediate expenditure for the purpose the money was donated is authorized, except that any expenditure in excess of ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000) shall require Council approval prior to expenditure.”

Section 4. That, Rule 2.28 of Section 195.02 of the Codified Ordinances of the City of Napoleon (Expenditure of Funds by Civil Service Commission) is hereby amended and enacted as follows:

“Expenditure Of Funds By Commission

Subject to budgetary constraints and appropriation of funds, a commission member may expend funds, not to exceed two hundred dollars (\$200.00), for a proper public purpose, without prior approval of the commission or body of council.

Subject to budgetary constraints and appropriation of funds, the commission, as a whole, may expend funds, not to exceed ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000); each purchase or contract, subject to approval of the purchase order by the City Manager. Any

amounts exceeding ~~twenty-five~~ fifty thousand dollars (\$~~25~~50,000) shall be subject to approval of the body of council.”

Section 5. That, the City of Napoleon, Ohio, being a municipal corporation with a charter form of government, shall not be bound by the provisions contained in Sections 723.52 and 723.53 [Force Account Projects] of the Ohio Revised Code, City Council finding it is in the best interest of the City to eliminate the necessity of competitive bidding for projects using its own forces to construct, reconstruct, widen, resurface, or repair a street or public way.

Section 6. That, Sections 105.01, 105.02, 156.01, and Rule 2.28 of Section 195.02 as existed prior to the enactment of this Ordinance are repealed.

Section 7. 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 8. 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 9. That upon passage, this Ordinance shall take 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:

Marrisa Flogaus, Clerk of Council

I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 049-22 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.

Marrisa Flogaus, Clerk of Council



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

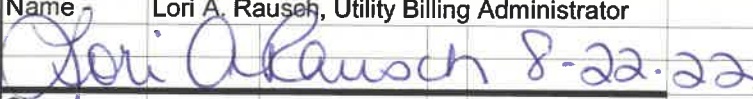

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kevin Garringer, City Finance Director
Billy Harmon, City Law Director
Marrisa Flogaus, Clerk of Council
Roxanne Dietrich, Executive Assistant
Date: September 7, 2022
Subject: 2023 Municipal Bridge Inspection Program ~
Request for Legislation

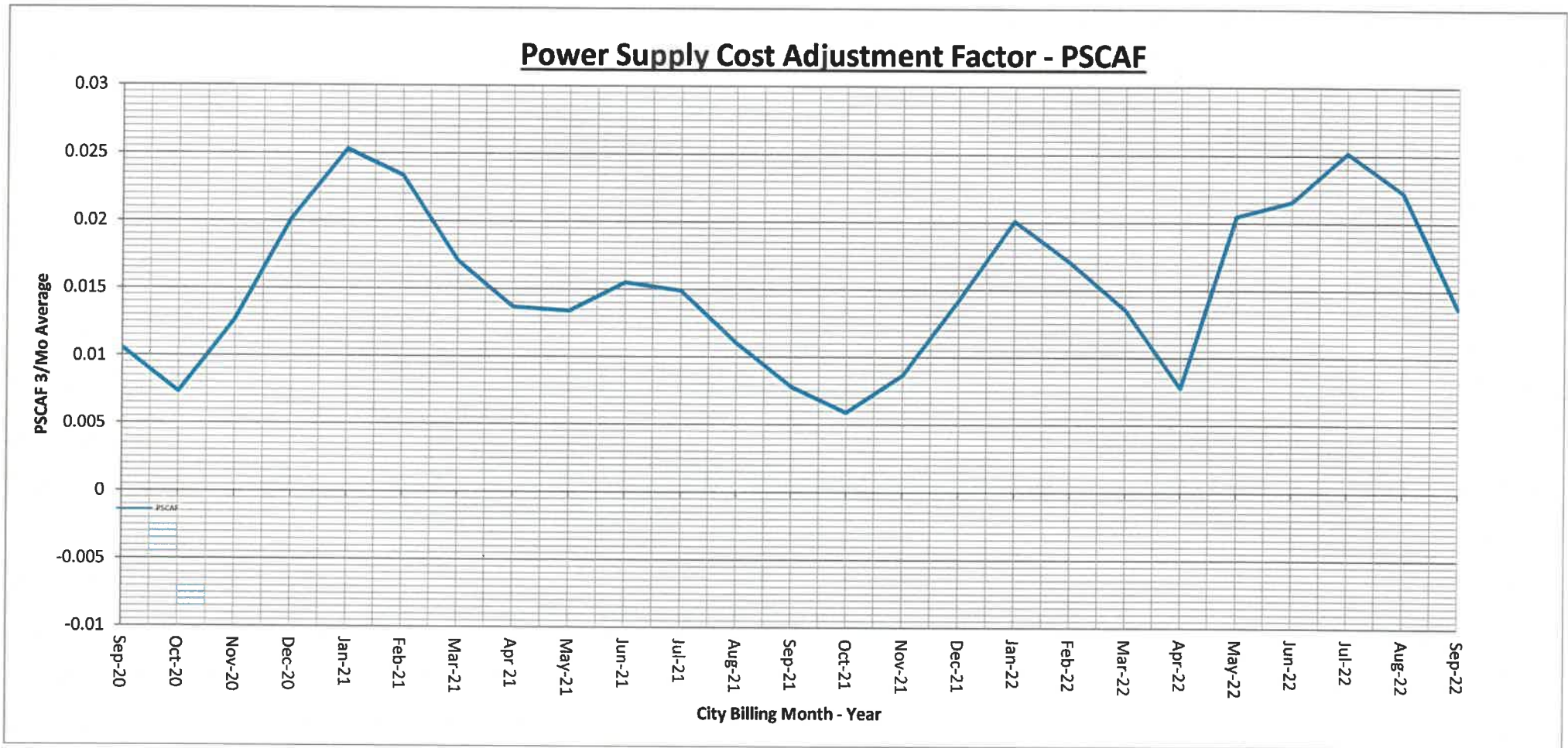
The City of Napoleon's Department of Public Works that legislation be prepared to allow the City of Napoleon to continue to participate in the State of Ohio's 2023 Municipal Bridge Inspection program. The Ohio Department of Transportation (O.D.O.T.) has provided sample legislation that needs to be prepared in order to participate.

Federal law requires that all bridges are inspected annually. Through this program, O.D.O.T. hires local, qualified consultants to perform the inspections and file them with the State of Ohio. There is no cost to the City to participate in the program and the State of Ohio covers all costs from the consultants. If we do not participate in this program, all inspection costs will be the responsibility of the City of Napoleon.

Please direct the Law Director to draft the appropriate legislation to participate in the 2023 Municipal Bridge Inspection Program.

CEL

CITY OF NAPOLEON, OHIO - PSCAF											
POWER SUPPLY COST ADJUSTMENT FACTOR (PSCAF) - COMPUTATION OF MONTHLY PSCAF											
COMPUTATIONS WITH CORRECTED DATA FROM JULY, 2015, THROUGH MARCH, 2017											
AMP Billed Usage Month	PSCAF City Billing Month	AMP - kWh Delivered As Listed on AMP Invoices	Purchased Power Supply Costs (*=Net of Known) (+ OR - Other Cr's)	Rolling 3-Month Totals Current + Prior 2 Months kWh Cost		Rolling 3 Month Average Cost	Less: Fixed Base Power Supply Cost	PSCA Dollar Difference + or (-)	PSCA-Corrted. 3 MONTH AVG.FACTOR + Line Loss	Total Residential Cost / kWh For Month	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)		
		Actual Billed	Actual Billed w/Cr's	c + prior 2 Mo	d + prior 2 Mo	f / e	\$0.07194 Fixed	g + h	i X 1.075		
Aug 20	Oct 20	14,271,168	\$ 1,182,034.49	43,198,916	\$ 3,530,758.01	\$ 0.08173	\$ (0.07194)	\$ 0.00979	\$ 0.00731	0.1135	
Oct 20	Dec 20	11,645,057	\$ 1,128,722.92	37,661,159	\$ 3,414,239.00	\$ 0.09066	\$ (0.07194)	\$ 0.01872	\$ 0.02012	0.1299	
Nov 20	Jan 21	11,652,657	\$ 1,113,624.87	35,042,648	\$ 3,345,829.38	\$ 0.09548	\$ (0.07194)	\$ 0.02354	\$ 0.02531	0.1340	
Dec 20	Feb 21	12,648,166	\$ 1,124,907.42	35,945,880	\$ 3,367,255.21	\$ 0.09368	\$ (0.07194)	\$ 0.02174	\$ 0.02337	0.1299	
Jan 21	Mar 21	12,962,585	\$ 1,034,448.66	37,263,408	\$ 3,272,980.95	\$ 0.08783	\$ (0.07194)	\$ 0.01589	\$ 0.01708	0.1236	
Feb 21	Apr 21	12,300,987	\$ 1,049,227.94	37,911,738	\$ 3,208,584.02	\$ 0.08463	\$ (0.07194)	\$ 0.01269	\$ 0.01364	0.1265	
Mar 21	May 21	11,917,978	\$ 1,053,961.87	37,181,550	\$ 3,137,638.47	\$ 0.08439	\$ (0.07194)	\$ 0.01245	\$ 0.01338	0.1237	
Apr 21	June 21	10,765,694	\$ 918,047.72	34,984,659	\$ 3,021,237.53	\$ 0.08636	\$ (0.07194)	\$ 0.01442	\$ 0.01550	0.1261	
May 21	July 21	11,537,945	\$ 964,238.17	34,221,617	\$ 2,936,247.76	\$ 0.08580	\$ (0.07194)	\$ 0.01386	\$ 0.01490	0.1232	
June 21	Aug 21	13,563,554	\$ 1,066,460.78	35,867,193	\$ 2,948,746.67	\$ 0.08221	\$ (0.07194)	\$ 0.01027	\$ 0.01104	0.1166	
July 21	Sept 21	14,499,118	\$ 1,106,204.19	39,600,617	\$ 3,136,903.14	\$ 0.07921	\$ (0.07194)	\$ 0.00727	\$ 0.00782	0.1133	
Aug 21	Oct 21	15,646,644	\$ 1,212,305.64	43,709,316	\$ 3,384,970.61	\$ 0.07744	\$ (0.07194)	\$ 0.00550	\$ 0.00591	0.1110	
Sept 21	Nov 21	12,554,924	\$ 1,097,036.16	42,700,686	\$ 3,415,545.99	\$ 0.07999	\$ (0.07194)	\$ 0.00805	\$ 0.00865	0.1175	
Oct 21	Dec 21	12,131,921	\$ 1,125,088.51	40,333,489	\$ 3,434,430.31	\$ 0.08515	\$ (0.07194)	\$ 0.01321	\$ 0.01420	0.1237	
Nov 21	Jan 22	12,362,753	\$ 1,135,197.78	37,049,598	\$ 3,357,322.45	\$ 0.09062	\$ (0.07194)	\$ 0.01868	\$ 0.02008	0.1281	
****Dec 21	Feb 22	12,816,596	\$ 1,016,008.94	37,311,270	\$ 3,276,295.23	\$ 0.08781	\$ (0.07194)	\$ 0.01587	\$ 0.01706	0.1238	
Jan 22	Mar 22	13,995,086	\$ 1,160,729.26	39,174,435	\$ 3,311,935.98	\$ 0.08454	\$ (0.07194)	\$ 0.01260	\$ 0.01355	0.1199	
Feb 22 ‡	Apr 22	12,258,331	\$ 1,108,306.10	39,070,013	\$ 3,285,044.30	\$ 0.08408	\$ (0.07194)	\$ 0.01214	\$ 0.01305	0.1205	
Mar 22	May 22	12,370,598	\$ 1,125,556.75	38,624,015	\$ 3,394,592.11	\$ 0.08789	\$ (0.07194)	\$ 0.01595	\$ 0.01715	0.1297	
Apr 22*	June 22	11,096,205	\$ 1,163,207.66	35,725,134	\$ 3,397,070.51	\$ 0.09509	\$ (0.07194)	\$ 0.02315	\$ 0.02156	0.1313	
May 22	July 22	11,848,670	\$ 1,079,183.13	35,315,473	\$ 3,367,947.54	\$ 0.09537	\$ (0.07194)	\$ 0.02343	\$ 0.02519	0.1333	
June 22	Aug 22	13,396,810	\$ 1,124,595.07	36,341,685	\$ 3,366,985.86	\$ 0.09265	\$ (0.07194)	\$ 0.02071	\$ 0.02226	0.1267	
July 22	Sept 22	14,463,421	\$ 1,156,720.13	39,708,901	\$ 3,360,498.33	\$ 0.08463	\$ (0.07194)	\$ 0.01269	\$ 0.01364		
** Reduction of \$100,000 from actual invoice from AMP to be taken from reserve as approved by Council to lessen PSCA for month due to COVID-19 Pandemic.											
*** reduced PSCAF for Sept 20 from \$.01377 to \$.01056 to reflect corrected PSCAF with adjustment for Aug 20 by -\$.003210 to incorporate the \$100,000 with the three month rolling average											
(November 2020 PSCAF is up because the approved credits/adjustments are now off of the three month rolling average											
**** Addition of \$344,986.22 from sale of JV5 Recs on February 2022 City Billing Month- AMP December 2021 Power Billing Invoice											
‡ Addition of \$193,082.78 from sale of JV5 Recs on April 2022 City Billing Month- AMP February 2022 Power Billing Invoice											
* reduced PSCAF for June 22 from \$.02489 to \$.02156 to reflect corrected PSCAF with adjustment for May 22 by -\$.003330.											
PSCAF - Preparers Signature:						PSCAF - Reviewers Signature:					
Name Lori A. Rausch, Utility Billing Administrator						Name - Kevin L. Garringer, Finance Director					
											
Signature						Signature					
Date						Date					





AMERICAN MUNICIPAL POWER, INC.
1111 Schrock Rd, Suite 100
COLUMBUS, OHIO 43229
PHONE: (614) 540-1111
FAX: (614) 540-1078

INVOICE NUMBER: 1003838
INVOICE DATE: 15-AUG-22
DUE DATE: 30-AUG-22
TOTAL AMOUNT DUE: \$1,156,720.13
CUSTOMER NUMBER 5020
CUSTOMER P.O. #:

City of Napoleon
255 West Riverview Avenue
P.O. Box 151
Napoleon, OH 43545-0151

MAKE CHECK PAYABLE TO AMP.
DIRECT INVOICE QUESTIONS TO BILLING@AMPPARTNERS.ORG

City of Napoleon Power Billing – July, 2022

Municipal Peak: 30,128 kW
Total Metered Energy: 14,531,982 kWh

Total Power Charges:	\$902,511.33
Total Transmission/Capacity/Ancillary Services:	\$242,582.42
Total Other Charges:	\$11,626.38
Total Miscellaneous Charges:	\$0.00

TOTAL CHARGES **\$1,156,720.13**

*To avoid a delayed payment charge, payment must be made to provide available funds for use by AMP on or before the due date.

Wire or ACH Transfer Information:

Huntington National Bank
Columbus, Ohio
Account No. 0189-2204055
ABA: #44 000024

Mailing Address:

AMP Inc.
Department L614
Columbus, OH 43260

DETAIL INFORMATION OF POWER CHARGES July, 2022 **City of Napoleon**

FOR THE MONTH OF:	July, 2022	Total Metered Load kWh:	14,531,982
		Transmission Losses kWh:	-68,561
		Distribution Losses kWh:	0
		Total Energy Req. kWh:	14,463,421
Time of Pool Peak:	07/20/2022 @ H.E. 16:00	Coincident Peak kW:	29,694
Time of Municipal Peak:	07/20/2022 @ H.E. 15:00	Municipal Peak kW:	30,128
Transmission Peak:	June,29,2021 @ H.E. 15:00	Transmission Peak kW:	30,320
		PJM Capacity Requirement kW:	28,916

City of Napoleon Resources

AMP CT - Sched @ ATSI

Demand Charge:	\$2.944540 kW	12,400 kW =	\$36,512.30
Energy Charge:	\$0.090550 kWh	99,475 kWh =	\$9,007.47
Transmission Credit:			-\$52,956.26
Capacity Credit:	\$1.374838 kW	-12,400 kW =	-\$17,047.99
Subtotal			-\$24,484.48

Fremont - sched @ Fremont

Demand Charge:	\$3.521790 kW	8,767 kW =	\$30,875.53
Energy Charge:	\$0.043985 kWh	5,225,638 kWh =	\$229,847.44
Net Congestion, Losses, FTR:			\$40,426.25
Capacity Credit:	\$1.541809 kW	-8,767 kW =	-\$13,517.04
Debt Service:	\$4.615970 kW	8,767 kW =	\$40,468.21
Adjustment for prior month:			\$26.88
Subtotal		5,225,638 kWh	\$328,127.27

AMP Hydro CSW - Sched @ PJMC

Demand Charge:	\$53.540000 kW	3,498 kW =	\$187,282.92
Energy Charge:	\$0.026000 kWh	2,010,582 kWh =	\$52,275.13
Net Congestion, Losses, FTR:			\$7,315.70
Capacity Credit:	\$5.113216 kW	-3,498 kW =	-\$17,886.03
REC Credit (Estimate):			-\$13,571.43
MISO Market Credits	-\$0.010964 kWh	2,010,582 kWh =	-\$22,044.16
Subtotal		2,010,582 kWh	\$193,372.13

Meldahl Hydro - Sched @ Meldahl Bus

Demand Charge:	\$32.007579 kW	504 kW =	\$16,131.82
Energy Charge:	\$0.026000 kWh	278,837 kWh =	\$7,249.77
Net Congestion, Losses, FTR:			-\$189.06
Capacity Credit:	\$2.140119 kW	-504 kW =	-\$1,078.62
REC Credit (Estimate):			-\$1,882.15
Subtotal		278,837 kWh	\$20,231.76

JV6 - Sched @ ATSI

Demand Charge:	\$7.991822 kW	225 kW =	\$1,798.16
Energy Charge:		17,389 kWh =	
Transmission Credit:	\$0.185378 kW	-225 kW =	-\$41.71
Capacity Credit:	\$0.104089 kW	-225 kW =	-\$23.42
Subtotal			\$1,733.03

Greenup Hydro - Sched @ Greenup Bus

Demand Charge:	\$26.199606 kW	330 kW =	\$8,645.87
Energy Charge:	\$0.009000 kWh	177,004 kWh =	\$1,593.03
Net Congestion, Losses, FTR:			-\$40.07
Capacity Credit:	\$1.340212 kW	-330 kW =	-\$442.27
REC Credit (Estimate):			-\$1,194.77
Subtotal		177,004 kWh	\$8,561.79

DETAIL INFORMATION OF POWER CHARGES July, 2022
City of Napoleon

Prairie State - Sched @ PJMC

Demand Charge:	\$11.951075 kW	4,976 kW =	\$59,468.55
Energy Charge:	\$0.006415 kWh	3,806,319 kWh =	\$24,417.28
Net Congestion, Losses, FTR:			\$13,800.58
Capacity Credit:	\$1.638493 kW	-4,976 kW =	-\$8,153.14
Debt Service:	\$22.991365 kW	4,976 kW =	\$114,405.03
Transmission from PSEC to PJM/MISO, including non-Prairie State variable charges/credits:	\$0.006443 kWh	3,806,319 kWh =	\$24,525.02

Subtotal		3,806,319 kWh	\$228,463.32
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NYPA - Sched @ NYIS

Demand Charge:	\$4.074032 kW	940 kW =	\$3,829.59
Energy Charge:	\$0.025710 kWh	556,802 kWh =	\$14,315.19
Net Congestion, Losses, FTR:			\$2,759.50
Capacity Credit:	\$1.523711 kW	-935 kW =	-\$1,424.67

Subtotal		556,802 kWh	\$19,479.61
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JV5 - 7X24 @ ATSI

Demand Charge:	\$13.092617 kW	3,088 kW =	\$40,430.00
Energy Charge:	\$0.019837 kWh	2,297,472 kWh =	\$45,574.67
Transmission Credit:	\$6.152147 kW	-3,088 kW =	-\$18,997.83
Capacity Credit:	\$1.523714 kW	-3,088 kW =	-\$4,705.23
Debt Service (current month):	\$17.660712 kW	3,088 kW =	\$54,536.28

Subtotal		2,297,472 kWh	\$116,837.89
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JV5 Losses - Sched @ ATSI

Energy Charge:		33,477 kWh =	
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Subtotal		33,477 kWh	\$0.00
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JV2 - Sched @ ATSI

Demand Charge:	\$3.010000 kW	264 kW =	\$794.64
Energy Charge:		503 kWh =	
Transmission Credit:	\$5.009470 kW	-264 kW =	-\$1,322.50
Capacity Credit:	\$1.867159 kW	-264 kW =	-\$492.93
JV2 Project Fuel Costs not recovered through Energy Sales to Market :			\$169.77

Subtotal		503 kWh	-\$851.02
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AMP Solar Phase I - Sched @ ATSI

Demand Charge:		1,040 kW =	
Energy Charge:	\$0.041279 kWh	164,129 kWh =	\$6,775.09
Transmission Credit:			-\$3,857.68
Capacity Credit:	\$0.701981 kWh	-1,040 kWh =	-\$730.06

Subtotal		164,129 kWh	\$2,187.35
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Efficiency Smart Power Plant 2020-23

ESPP 2020-2023 obligation @ \$1.650 /MWh x 139,116.5 MWh / 12:			\$19,128.51
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Subtotal			\$19,128.51
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Northern Power Pool -

On Peak Energy Charge: (M-F HE 08-23 EDT)	\$0.092939 kWh	445,791 kWh =	\$41,431.17
Off Peak Energy Charge:	\$0.043213 kWh	234,953 kWh =	\$10,153.11
Sale of Excess Non-Pool Resources to Pool:	\$0.075638 kWh	-884,950 kWh =	-\$66,936.11
Pool Congestion Hedge:			\$5,076.00

Subtotal		-204,206 kWh	-\$10,275.83
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TRANSMISSION / CAPACITY / ANCILLARY SERVICES -

Demand Charge:	\$6.152148 kW	30,320 kW =	\$186,533.13
Energy Charge:	\$0.000250 kWh	12,165,949 kWh =	\$3,037.95
RPM (Capacity) Charges:	\$1.833287 kW	28,916 kW =	\$53,011.34

Subtotal			\$242,582.42
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OTHER CHARGES:

Dispatch Center Charges:	\$0.000032 kWh	14,531,982 kWh =	\$471.33
Service Fee A	\$0.000229 kWh	11,906,100 kWh =	\$2,726.50
Service Fee B	\$0.000580 kWh	14,531,982 kWh =	\$8,428.55

Subtotal			\$11,626.38
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DETAIL INFORMATION OF POWER CHARGES July, 2022
City of Napoleon

Total Demand Charges	\$457,089.26
Total Energy Charges	\$445,422.07
Total Transmission/Capacity/Ancillary Services	\$242,582.42
Total Other Charges	\$11,626.38
Total Miscellaneous Charges	\$0.00
GRAND TOTAL POWER INVOICE	\$1,156,720.13

BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE -September, 2022

2022 - SEPTEMBER BILLING WITH JULY 2022 AMP BILLING PERIOD AND AUGUST 2022 CITY CONSUMPTION AND BILLING DATA

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

DATA PERIOD	MONTH / YR	DAYS IN MONTH	MUNICIPAL PEAK						
AMP-Ohio Bill Month	JULY, 2022	31	30.128						
City-System Data Month	AUG, 2022	31							
City-Monthly Billing Cycle	SEPT, 2022	30							
=====CONTRACTED AND OPEN MARKET POWER=====									
						==PEAKING==			=====HYDRO POWER=====
PURCHASED POWER-RESOURCES ->	AMP CT	FREMONT ENERGY	PRAIRIE STATE SCHED. @ PJMC	MORGAN STNLY REPLMNT. 2015-20	NORTHERN POWER	JV-2 PEAKING	AMP-HYDRO CSW	MELDAHL-HYDRO SCHED. @	GREENUP HYDRO SCHED. @
	SCHED. @ ATSI	SCHEDULED	REPLMT @ PJMC	7x24 @ AD	POOL	SCHED. @ ATSI	SCHED. @ PJMC	MELDAHL BUS	GREENUP BUS
Delivered kWh (On Peak) ->	99,475	5,225,638	3,806,319		445,791	503	2,010,582	278,837	177,004
Delivered kWh (Off Peak) ->					234,953				
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->					-884,950				
Net Total Delivered kWh as Billed ->	99,475	5,225,638	3,806,319	0	-204,206	503	2,010,582	278,837	177,004
Percent % of Total Power Purchased->	0.6878%	36.1302%	26.3169%	0.0000%	-1.4119%	0.0035%	13.9012%	1.9279%	1.2238%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits):									
Demand Charges	\$36,512.30	\$30,875.53	\$59,468.55			\$794.64	\$187,282.92	\$16,131.82	\$8,645.87
Debt Services (Principal & Interest)		\$40,468.21	\$114,405.03						
DEMAND CHARGES (-Credits):									
Transmission Charges (Demand-Credits)	-\$52,956.26					-\$1,322.50			
Capacity Credit	-\$17,047.99	-\$13,517.04	-\$8,153.14			-\$492.93	-\$17,886.03	-\$1,078.82	-\$442.27
Sub-Total Demand Charges	-\$33,491.95	\$57,826.70	\$165,720.44	\$0.00	\$0.00	-\$1,020.79	\$169,396.89	\$15,053.20	\$8,203.60
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$9,007.47	\$229,847.44	\$24,417.28		\$41,431.17		\$52,275.13	\$7,249.77	\$1,593.03
Energy Charges - (Replacement/Off Peak)					\$10,153.11				
Net Congestion, Losses, FTR		\$40,426.25	\$13,800.58				\$7,315.70	-\$189.06	
Transmission Charges (Energy-Debits)			\$24,525.02						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)		\$26.88							
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)					-\$66,936.11				
Net Congestion, Losses, FTR									-\$40.07
MISO Market Credits							-\$22,044.16		
Bill Adjustments (General & Rate Levelization)					\$5,076.00	\$169.77	-\$13,571.43	-\$1,882.15	-\$1,194.77
Sub-Total Energy Charges	\$9,007.47	\$270,300.57	\$62,742.88	\$0.00	-\$10,275.83	\$169.77	\$23,975.24	\$5,178.56	\$358.19
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									
Service Fees AMP-Part A - (+Debit/-Credit)									
Service Fees AMP-Part B - (+Debit/-Credit)									
Other Charges & Bill Adjustments - (+Debit/-Credit)									
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL NET COST OF PURCHASED POWER	-\$24,484.48	\$328,127.27	\$228,463.32	\$0.00	-\$10,275.83	-\$851.02	\$193,372.13	\$20,231.76	\$8,561.79
Percent % of Total Power Cost->	-2.0771%	27.8365%	19.3816%	0.0000%	-0.8717%	-0.0722%	16.4046%	1.7164%	0.7263%
Purchased Power Resources - Cost per kWh->	-\$0.246137	\$0.062792	\$0.060022	\$0.000000	-\$0.050321	-\$1.691889	\$0.096177	\$0.072558	\$0.048371

BILLING SUMMARY AND CONS

2022 - SEPTEMBER BILLING WITH JULY 2022 /

PREVIOUS MONTH'S POWER BILLS - PU**DATA PERIOD**

AMP-Ohio Bill Month

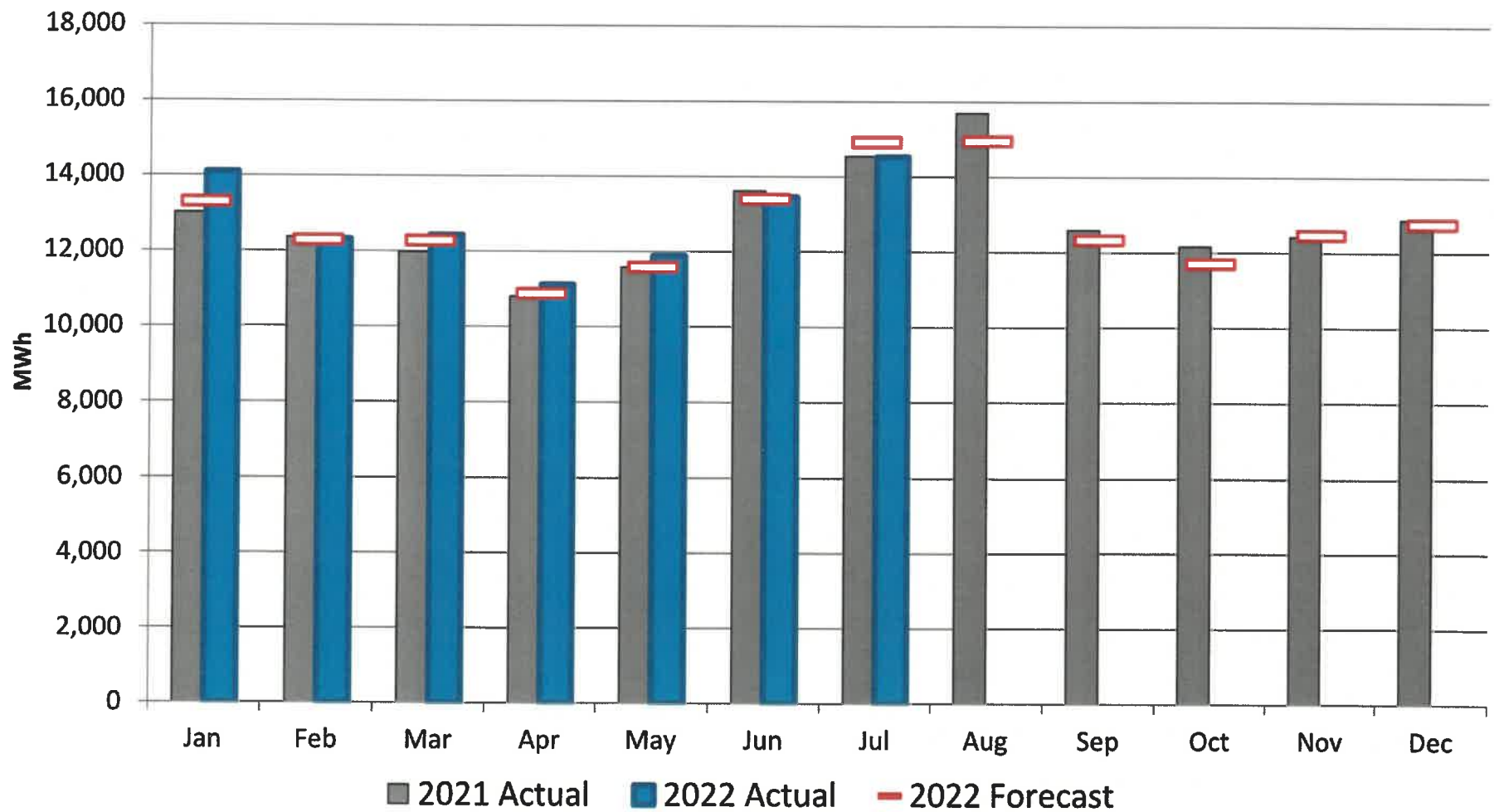
City-System Data Month

City-Monthly Billing Cycle

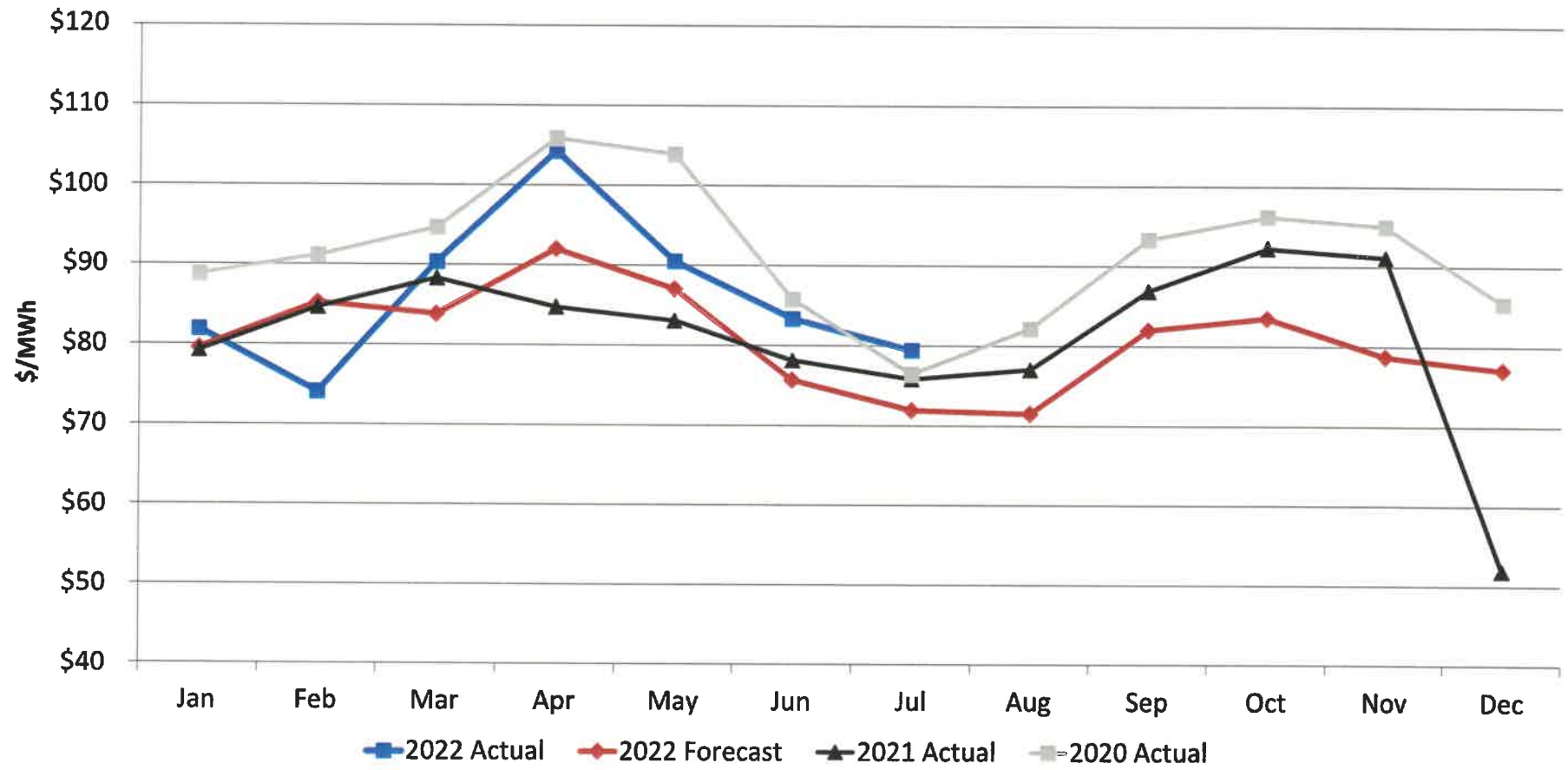
	=====WIND=====			===SOLAR===		===TRANSMISSION, SERVICE FEES & MISC. CONTRACTS===				
(	NYPA	JV-5	JV-6	AMP SOLAR	EFFNCY.SMART	TRANSMISSION	SERVICE FEES	MISCELLANEOUS	TOTAL -	
PURCHASED POWER-RESOURCES -> (	HYDRO	HYDRO	WIND	PHASE 1	POWER PLANT	CHARGES	DISPATCH, A & B	CHARGES &	ALL	
(	SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	LEVELIZATION	RESOURCES	
Delivered kWh (On Peak) ->	556,802	2,297,472	17,389	164,129	0	0	0	0	15,079,941	
Delivered kWh (Off Peak) ->									234,953	
Delivered kWh (Replacement/Losses/Offset) ->		33,477							33,477	
Delivered kWh/Sale (Credits) ->									-884,950	
Net Total Delivered kWh as Billed ->	556,802	2,330,949	17,389	164,129	0	0	0	0	14,463,421	
Percent % of Total Power Purchased->	3.8497%	16.1162%	0.1202%	1.1348%	0.0000%	0.0000%	0.0000%	0.0000%	100.0003%	
									100.0000%	
Verification Total - >										
COST OF PURCHASED POWER:										
DEMAND CHARGES (+Debits)										
Demand Charges	\$3,829.59	\$40,430.00	\$1,798.16		\$0.00	\$186,533.13			\$572,302.51	
Debt Services (Principal & Interest)		\$54,536.28							\$209,409.52	
DEMAND CHARGES (-Credits)										
Transmission Charges (Demand-Credits)		-\$18,997.83	-\$41.71						-\$73,318.30	
Capacity Credit	-\$1,424.67	-\$4,705.23	-\$23.42						-\$64,771.34	
Sub-Total Demand Charges	\$2,404.92	\$71,263.22	\$1,733.03	\$0.00	\$0.00	\$186,533.13	\$0.00	\$0.00	\$643,622.39	
ENERGY CHARGES (+Debits):										
Energy Charges - (On Peak)	\$14,315.19	\$45,574.67		\$6,775.09		\$3,037.95			\$435,524.19	
Energy Charges - (Replacement/Off Peak)									\$10,153.11	
Net Congestion, Losses, FTR	\$2,759.50								\$64,112.97	
Transmission Charges (Energy-Debits)				-\$3,857.68					\$20,667.34	
ESPP Charges					\$19,128.51				\$19,128.51	
Bill Adjustments (General & Rate Levelization)									\$26.88	
ENERGY CHARGES (-Credits or Adjustments):										
Energy Charges - On Peak (Sale or Rate Stabilization)									-\$66,936.11	
Net Congestion, Losses, FTR				-\$730.06					-\$770.13	
MISO Market Credits										
Bill Adjustments (General & Rate Levelization)									-\$11,402.58	
Sub-Total Energy Charges	\$17,074.69	\$45,574.67	\$0.00	\$2,187.35	\$19,128.51	\$3,037.95	\$0.00	\$0.00	\$470,504.18	
TRANSMISSION & SERVICE CHARGES, MISC.:										
RPM / PJM Charges Capacity - (+Debit)						\$53,011.34			\$53,011.34	
RPM / PJM Charges Capacity - (-Credit)									\$0.00	
Service Fees AMP-Dispatch Center - (+Debit/-Credit)							\$471.33		\$471.33	
Service Fees AMP-Part A - (+Debit/-Credit)							\$2,726.50		\$2,726.50	
Service Fees AMP-Part B - (+Debit/-Credit)							\$8,428.55		\$8,428.55	
Other Charges & Bill Adjustments - (+Debit/-Credit)									\$0.00	
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$53,011.34	\$11,626.38	\$0.00	\$64,637.72	
TOTAL NET COST OF PURCHASED POWER	\$19,479.61	\$116,837.89	\$1,733.03	\$2,187.35	\$19,128.51	\$242,582.42	\$11,626.38	\$0.00	\$1,178,764.29	
Percent % of Total Power Cost->	1.6525%	9.9119%	0.1470%	0.1856%	1.6228%	20.5794%	0.9863%	0.0000%	98.130%	
Purchased Power Resources - Cost per kWh->	\$0.034985	\$0.050125	\$0.099662	\$0.013327	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.081500	
Verification Total - >										\$1,156,720.13
(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWH) = JV2 Electric Service Rate - >										\$0.075178
(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWH) = JV5 Electric Service Rate - >										\$0.075178

Napoleon Capacity Plan - Actual													
Jul	2022	ACTUAL DEMAND =		30.13	MW								
Days	31	ACTUAL ENERGY =		14,532	MWH								
	SOURCE	DEMAND MW	DEMAND MW-MO	ENERGY MWH	LOAD FACTOR	DEMAND RATE \$/KW	ENERGY RATE \$/MWH	CONGESTION/L OSSES \$/MWH	CAPACITY CREDIT RATE \$/KW	TRANSMISSION CREDIT RATE \$/KW	TOTAL CHARGES (16)	EFFECTIVE RATE \$/MWH (17)	% OF DOLLARS (18)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	NYPA - Ohio	0.94	0.94	557	80%	\$4.07	\$25.71	\$4.96	-\$1.52		\$19,480	\$34.98	1.7%
2	JV5	3.09	3.09	2,297	100%	\$30.75	\$19.84		-\$1.52	-\$6.15	\$116,838	\$50.85	10.1%
3	JV5 Losses	0.00	0.00	33	0%						\$0		0.0%
4	JV6	0.23	0.23	17	10%	\$7.99			-\$0.10	-\$0.19	\$1,733	\$99.66	0.2%
5	AMP-Hydro	3.50	3.50	2,011	77%	\$47.24	\$19.25	\$3.64	-\$5.11		\$193,372	\$96.18	16.8%
6	Meldahl	0.50	0.50	279	74%	\$32.01	\$19.25	-\$0.68	-\$2.14		\$20,232	\$72.56	1.8%
7	Greenup	0.33	0.33	177	72%	\$26.20	\$2.25	-\$0.23	-\$1.34		\$8,562	\$48.37	0.7%
8	AFEC	8.77	8.77	5,226	80%	\$8.14	\$43.99	\$7.74	-\$1.54		\$328,127	\$62.79	28.4%
9	Prairie State	4.98	4.98	3,806	103%	\$34.94	\$12.86	\$3.63	-\$1.64		\$228,463	\$60.02	19.8%
10	AMP Solar Phase I	1.04	1.04	164	21%		\$41.28		-\$0.70	-\$3.71	\$2,187	\$13.33	0.2%
11	AMPCT	12.40	12.40	99	1%	\$2.94	\$90.55		-\$1.37	-\$4.27	-\$24,484	-\$246.14	-2.1%
12	JV2	0.26	0.26	1	0%	\$3.01			-\$1.87	-\$5.01	-\$851		-0.1%
13	NPP Pool Purchases	0.00	0.00	681	0%		\$83.23				\$56,680	\$83.23	4.9%
14	NPP Pool Sales	0.00		-885	0%		\$75.64				-\$66,936	\$75.64	-5.8%
	POWER TOTAL	36.03	36.03	14,463	54%	\$573,135	\$388,853	\$4.43	-\$65,501	-\$77,176	\$883,383	\$61.06	76.6%
15	Energy Efficiency			0							\$19,129		1.7%
16	Installed Capacity	28.92	28.92			\$1.83					\$53,011	\$3.65	4.6%
17	Transmission	30.32	30.32	12,166		\$6.15	\$0.25				\$189,571	\$13.05	16.4%
18	Service Fee B			14,532			\$0.58				\$8,429	\$0.58	0.7%
19	Dispatch Charge			14,532			\$0.03				\$471	\$0.03	0.0%
	OTHER TOTAL					\$239,544	\$31,066				\$270,611	\$19.62	23.4%
GRAND TOTAL PURCHASED				14,463							\$1,153,994		
Delivered to members		30.128	30.128	14,532	55%						\$1,153,994	\$79.41	100.0%
	2022 Forecast	DEMAND		ENERGY	L.F.						TOTAL \$	\$/MWh	Avg Temp
	2021 Actual	28.90		14,911	69%						\$1,071,328	\$71.85	73.5
	2020 Actual	29.13		14,548	67%						\$1,103,538	\$75.85	75.4
		30.69		15,831	69%						\$1,209,017	\$76.37	78.8
											Actual Temp		75.8

Napoleon 2022 Monthly Energy Usage



Napoleon 2022 Monthly Rates

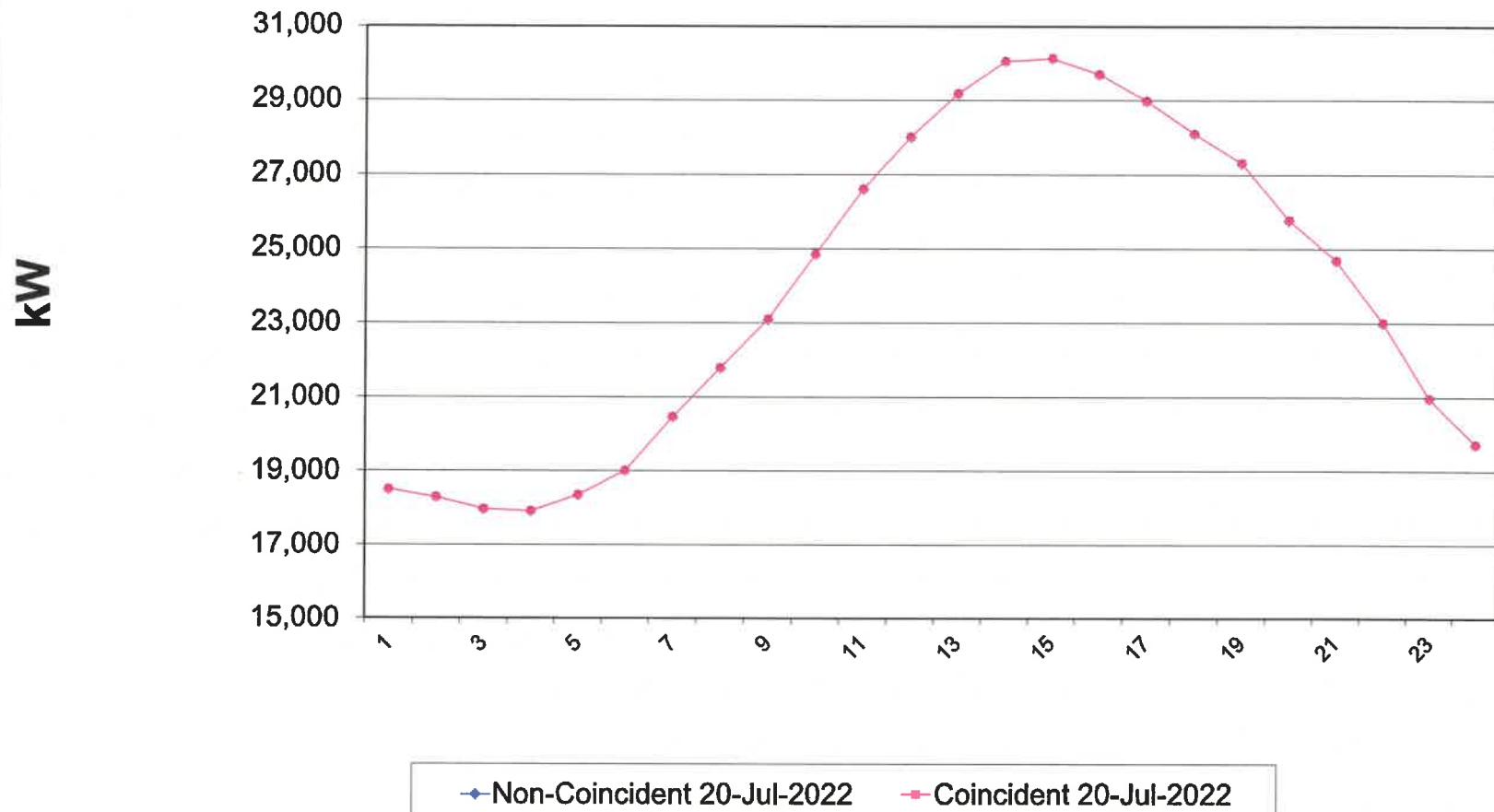


NAPOLEON

	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
Date	7/1/2022	7/2/2022	7/3/2022	7/4/2022	7/5/2022	7/6/2022	7/7/2022	7/8/2022	7/9/2022	7/10/2022	7/11/2022	7/12/2022	7/13/2022	7/14/2022	7/15/2022
Hour															
100	17,678	15,061	14,223	14,350	16,862	17,999	15,601	16,974	14,527	13,142	14,817	18,377	16,272	15,652	15,875
200	16,955	14,502	13,431	13,755	16,314	17,413	15,244	16,375	13,808	12,686	14,416	18,008	15,835	15,281	15,135
300	16,606	14,092	12,886	13,217	16,381	16,882	14,762	16,098	13,270	12,295	14,245	17,789	15,292	14,942	14,820
400	16,398	13,760	12,702	12,903	16,737	16,971	14,736	16,001	13,041	12,232	14,252	17,592	15,335	15,133	14,903
500	16,441	13,692	12,585	12,894	16,889	17,470	15,261	16,690	13,104	12,351	15,004	18,084	15,994	15,612	15,418
600	17,016	13,516	12,326	12,468	17,785	18,209	15,917	17,210	13,202	12,182	15,783	18,727	16,761	16,325	16,030
700	18,857	14,316	12,923	13,403	18,725	19,253	17,252	18,397	13,982	12,556	17,073	20,364	18,131	17,817	17,169
800	21,066	15,334	13,942	14,770	19,766	20,027	18,840	19,707	14,977	13,458	18,691	22,083	19,658	19,228	18,390
900	22,651	16,734	15,174	16,438	20,413	20,688	20,350	20,688	15,918	14,497	20,053	22,996	21,092	20,784	19,535
1000	24,211	17,904	16,386	18,241	20,727	21,355	21,645	20,954	16,857	15,437	21,412	24,261	22,365	21,541	20,237
1100	25,702	18,975	17,816	19,417	21,468	21,725	22,649	21,183	17,763	16,344	22,510	24,940	23,447	22,288	21,185
1200	26,829	19,698	18,837	20,862	22,647	22,637	23,607	21,472	18,386	17,306	23,542	25,011	24,528	23,220	22,037
1300	27,345	20,167	19,783	21,707	23,956	22,722	24,567	21,841	18,898	18,079	23,829	25,593	25,282	23,640	22,839
1400	27,041	20,616	20,223	22,476	25,562	22,722	25,175	21,637	19,010	18,677	23,920	25,713	25,902	23,998	23,378
1500	26,149	20,848	20,538	22,908	26,863	22,530	25,485	21,825	18,928	19,198	24,383	25,949	23,798	24,190	23,176
1600	25,148	21,282	21,326	22,849	27,429	21,868	25,114	21,891	19,436	20,090	24,478	25,707	23,599	24,051	22,836
1700	22,646	21,250	21,735	22,870	27,013	21,511	24,184	21,001	19,585	20,639	24,550	25,060	23,091	23,885	22,965
1800	21,192	20,319	21,721	22,337	26,657	20,829	23,856	20,231	19,566	20,850	24,653	24,645	21,807	23,677	20,579
1900	20,200	19,279	21,384	21,351	25,946	20,406	23,261	19,145	18,901	20,368	23,879	23,734	21,803	23,150	19,323
2000	19,384	18,296	20,015	20,499	25,273	19,902	22,498	18,681	17,862	19,500	23,087	22,643	20,724	22,163	18,673
2100	19,072	17,796	18,745	19,752	24,596	19,620	21,730	18,369	17,029	18,670	22,594	21,329	19,910	21,168	18,245
2200	18,167	17,002	17,689	18,829	22,191	18,585	20,492	17,663	16,139	17,540	21,693	19,851	18,827	19,794	17,125
2300	16,892	15,983	16,400	19,046	20,230	17,352	18,996	16,613	14,939	16,585	20,311	18,387	17,666	18,125	16,097
2400	15,750	15,013	15,167	17,909	18,995	16,398	17,953	15,310	13,885	15,528	19,076	17,283	16,580	16,858	15,227
Total	499,396	415,535	407,957	435,251	519,425	474,624	489,175	455,956	393,013	390,210	488,251	524,126	483,699	482,522	450,197

	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Date	7/16/2022	7/17/2022	7/18/2022	7/19/2022	7/20/2022	7/21/2022	7/22/2022	7/23/2022	7/24/2022	7/25/2022	7/26/2022	7/27/2022	7/28/2022	7/29/2022	7/30/2022	7/31/2022
Hour																
100	14,587	14,635	15,415	17,352	18,488	18,689	18,636	16,895	16,055	17,347	15,415	16,414	17,591	15,922	13,519	14,220
200	14,260	14,335	15,137	16,788	18,276	18,139	17,641	16,119	15,383	16,822	14,699	16,934	15,819	15,294	13,064	13,544
300	13,914	14,080	14,943	16,425	17,949	17,412	16,898	15,669	14,829	16,097	14,075	15,426	16,375	14,942	12,697	13,086
400	13,893	13,867	15,212	16,426	17,894	17,200	16,845	15,708	13,868	16,060	14,531	16,472	16,472	14,913	12,600	12,863
500	14,113	14,036	16,157	16,617	18,337	17,819	17,233	15,839	14,048	16,650	15,031	16,031	17,007	15,269	12,555	12,832
600	14,308	14,119	17,244	17,162	18,991	18,438	17,441	15,833	14,640	17,101	15,941	17,097	17,760	15,920	12,556	12,745
700	14,736	14,595	18,440	18,529	20,451	19,945	18,509	16,156	15,219	17,857	16,977	18,194	18,953	17,053	13,129	13,198
800	15,791	15,228	19,952	20,201	21,777	21,699	20,395	16,945	16,507	19,447	18,187	19,217	20,787	18,521	14,596	14,034
900	16,545	15,850	20,694	21,876	23,088	23,262	22,177	17,648	17,586	20,518	19,048	20,324	22,159	19,777	15,611	15,054
1000	17,032	16,985	21,885	23,530	24,847	24,372	23,378	17,785	18,572	21,260	19,659	21,008	23,462	20,615	16,506	16,633
1100	17,290	18,049	23,406	25,292	26,602	25,700	25,123	17,562	19,841	22,186	20,206	21,495	24,223	21,704	17,252	17,997
1200	17,633	18,705	24,397	26,424	27,996	26,450	25,577	18,337	20,391	23,186	20,699	21,577	25,115	22,243	18,086	19,303
1300	18,130	18,894	25,146	27,373	29,176	27,083	26,115	19,259	21,404	23,459	22,014	22,246	25,573	22,836	18,641	20,195
1400	19,068	18,463	25,787	27,838	30,055	27,630	26,497	19,961	21,636	23,704	22,778	23,026	26,031	23,129	19,226	20,959
1500	19,553	18,390	26,246	28,086	30,128	27,720	26,443	20,959	22,081	23,914	23,392	23,653	26,450	23,020	19,726	21,296
1600	19,988	18,247	26,435	28,189	29,694	27,921	26,082	21,781	22,736	23,692	23,580	24,316	25,902	22,342	20,364	21,954
1700	20,246	18,228	26,438	27,714	28,978	27,485	26,049	22,603	23,671	23,297	23,699	24,110	25,460	21,611	20,716	22,194
1800	19,998	17,866	26,018	26,822	28,092	27,139	25,461	23,104	23,747	22,589	23,435	24,038	24,625	20,457	20,555	22,291
1900	19,437	17,677	25,240	25,830	27,299	26,478	24,711	22,727	22,857	21,407	22,926	23,466	23,376	19,922	20,313	21,644
2000	18,927	17,674	24,244	24,640	25,765	25,219	23,533	21,714	22,141	20,416	21,835	22,544	22,304	18,976	19,254	20,853
2100	18,742	17,641	23,289	23,677	24,677	24,111	22,497	21,008	21,763	19,974	20,959	21,846	21,345	18,315	18,494	19,975
2200	17,794	17,088	21,767	22,356	22,995	22,625	20,969	19,711	20,509	18,682	19,356	20,784	19,787	16,869	17,454	18,741
2300	16,593	16,546	20,021	20,764	20,954	21,145	19,314	18,041	19,432	17,228	18,087	19,463	18,148	15,549	16,137	17,830
2400	15,509	15,798	18,560	19,507	19,713	19,735	17,944	17,033	18,499	16,161	17,231	18,310	16,850	14,428	14,974	16,552
Total	408,087	381,198	512,073	539,418	572,222	553,416	525,468	448,397	457,415	479,054	463,760	486,005	512,689	449,627	398,025	419,993
											Maximum	30,128	Minimum	12,182	Grand Total	14,531,982

Napoleon Peak Day Load Curve



RATE REVIEW COMPARISONS - Current to Prior Month and Prior Year

2022 SEPTEMBER BILLING - ELECTRIC PSCAF - BILLING COMPARISONS TO PRIOR PERIOD:

Rate Comparisons to Prior Month and Prior Year for Same Period

	Service	Service	Current	Prior Month	Prior Year		Service	Service	Current	Prior Month	Prior Year
	Usage	Units	SEPTEMBER	AUGUST	SEPTEMBER		Usage	Units	SEPTEMBER	AUGUST	SEPTEMBER
Customer Type			2022 Rate	2022 Rate	2021 Rate				2022 Rate	2022 Rate	2021 Rate
Customer Type ->			RESIDENTIAL USER - (w/Gas Heat)			RESIDENTIAL USER - (All Electric)					
Customer Charge			\$6.00	\$6.00	\$6.00				\$6.00	\$6.00	\$6.00
Distribution Energy Charge			\$20.93	\$20.93	\$20.93				\$33.39	\$33.39	\$33.39
Distribution Demand Charge											
Power Supply Energy Charge	978	kWh	\$71.20	\$71.20	\$71.20	1,976	kWh	\$143.85	\$143.85	\$143.85	\$143.85
Power Supply Demand Charge											
PSCAF - Monthly Factor	978	kWh	\$13.34	\$21.77	\$7.65	1,976	kWh	\$26.95	\$43.99	\$15.45	\$15.45
kWH Tax- Level 1	978	kWh	\$4.55	\$4.55	\$4.55	1,976	kWh	\$9.19	\$9.19	\$9.19	\$9.19
kWH Tax- Level 2											
kWH Tax- Level 3											
Total Electric			\$116.02	\$124.45	\$110.33				\$219.38	\$236.42	\$207.88
Water	6	CCF	\$63.37	\$63.37	\$50.55	11	CCF	\$105.21	\$105.21	\$83.14	\$83.14
Sewer (w/Stm.Sew. & Lat.)	6	CCF	\$78.27	\$78.27	\$70.89	11	CCF	\$112.42	\$112.42	\$98.89	\$98.89
Storm Water (Rate/ERU)			\$9.50	\$9.50	\$9.50			\$9.50	\$9.50	\$9.50	\$9.50
Refuse (Rate/Service)			\$18.00	\$18.00	\$18.00			\$18.00	\$18.00	\$18.00	\$18.00
Sub-Other Services			\$169.14	\$169.14	\$148.94				\$245.13	\$245.13	\$209.53
Total Billing - All Services			\$285.16	\$293.59	\$259.27				\$464.51	\$481.55	\$417.41
Verification Totals->			\$285.16	\$293.59	\$259.27				\$464.51	\$481.55	\$417.41
				Cr.Mo to Pr.Mo	Cr.Yr to Pr.Yr					Cr.Mo to Pr.Mo	Cr.Yr to Pr.Yr
Dollar Chg.to Prior Periods				-\$8.43	\$25.89					-\$17.04	\$47.10
% Inc/Dec(-) to Prior Periods				-2.87%	9.99%					-3.54%	11.28%
=====											
Cost/kWH - Electric	978	kWh	\$0.11863	\$0.12725	\$0.11281	1,976	kWh	\$0.11102	\$0.11965	\$0.10520	\$0.10520
% Inc/Dec(-) to Prior Periods				-6.77%	5.16%					-7.21%	5.53%
Cost/CCF - Water	6	CCF	\$10.56167	\$10.56167	\$8.42500	11	CCF	\$9.56455	\$9.56455	\$7.55818	\$7.55818
Cost/GALLONS - Water	4,488	GAL	\$0.01412	\$0.01412	\$0.01126	8,229	GAL	\$0.01279	\$0.01279	\$0.01010	\$0.01010
% Inc/Dec(-) to Prior Periods				0.00%	25.36%					0.00%	26.55%
Cost/CCF - Sewer	6	CCF	\$13.04500	\$13.04500	\$11.81500	11	CCF	\$10.22000	\$10.22000	\$8.99000	\$8.99000
Cost/GALLON - Sewer	4,488	GAL	\$0.01744	\$0.01744	\$0.01580	8,229	GAL	\$0.01366	\$0.01366	\$0.01202	\$0.01202
% Inc/Dec(-) to Prior Periods				0.00%	10.41%					0.00%	13.68%
(Listed Accounts Assume SAME USAGE for kWH and Water (CCF) for All Billing Periods)											
(One "1" Unit CCF of Water = "Hundred Cubic Foot" = 748.05 Gallons)											

RATE REVIEW COMPARISONS - Current to Prior Month and Prior Year

2022 SEPTEMBER BILLING -

Rate Comparisons to Prior Month a

			Current	Prior Month	Prior Year			Current	Prior Month	Prior Year	
	Service	Service	SEPTEMBER	AUGUST	SEPTEMBER		Service	Service	SEPTEMBER	AUGUST	SEPTEMBER
Customer Type	Usage	Units	2022 Rate	2022 Rate	2021 Rate		Usage	Units	2022 Rate	2022 Rate	2021 Rate
Customer Type ->			COMMERCIAL USER - (3 Phase w/Demand)			INDUSTRIAL USER - (3 Phase w/Demand)					
Customer Charge			\$18.00	\$18.00	\$18.00			\$100.00	\$100.00	\$100.00	
Distribution Energy Charge	7,040	kWh	\$38.02	\$38.02	\$38.02	98,748	Reactive	\$2,303.85	\$2,303.85	\$2,303.85	
Distribution Demand Charge	20.32	kW/Dmd	\$92.86	\$92.86	\$92.86	1510.1	kW/Dmd	\$8,215.30	\$8,215.30	\$8,215.30	
Power Supply Energy Charge	7,040	kWh	\$623.04	\$623.04	\$623.04	866,108	kWh	\$39,165.42	\$39,165.42	\$39,165.42	
Power Supply Demand Charge								\$15,296.55	\$15,296.55	\$15,296.55	
PSCAF - Monthly Factor	7,040	kWh	\$96.03	\$156.71	\$55.05			\$11,223.03	\$18,315.59	\$6,434.32	
kWH Tax- Level 1			\$9.66	\$9.66	\$9.66			\$9.66	\$9.66	\$9.66	
kWH Tax- Level 2			\$20.80	\$20.80	\$20.80			\$56.24	\$56.24	\$56.24	
kWH Tax- Level 3								\$3,087.71	\$3,087.71	\$3,087.71	
Total Electric			\$898.41	\$959.09	\$857.43	\$79,457.76			\$86,550.32	\$74,669.05	
Water	25	CCF	\$217.77	\$217.77	\$170.92	300	CCF	\$2,446.61	\$2,446.61	\$1,936.11	
Sewer (w/Stm.Sew. & Lat.)	25	CCF	\$209.44	\$209.44	\$177.29	300	CCF	\$2,087.69	\$2,087.69	\$1,717.29	
Storm Water (Rate/ERU)			\$9.50	\$9.50	\$9.50			\$330.00	\$330.00	\$330.00	
Refuse (Rate/Service)			\$5.00	\$5.00	\$5.00			\$5.00	\$5.00	\$5.00	
Sub-Other Services			\$441.71	\$441.71	\$362.71	\$4,869.30			\$4,869.30	\$3,988.40	
Total Billing - All Services			\$1,340.12	\$1,400.80	\$1,220.14	\$84,327.06			\$91,419.62	\$78,657.45	
Verification Totals->			\$1,340.12	\$1,400.80	\$1,220.14	\$84,327.06			\$91,419.62	\$78,657.45	
Dollar Chg.to Prior Periods				Cr.Mo to Pr.Mo	Cr.Yr to Pr.Yr				Cr.Mo to Pr.Mo	Cr.Yr to Pr.Yr	
% Inc/Dec(-) to Prior Periods				-\$60.68	\$119.98				-\$7,092.56	\$5,669.61	
				-4.33%	9.83%				-7.76%	7.21%	
=====											
Cost/kWH - Electric	7,040	kWh	\$0.12762	\$0.13623	\$0.12179	866,108	kWh	\$0.09174	\$0.09993	\$0.08621	
% Inc/Dec(-) to Prior Periods				-6.32%	4.79%				-8.20%	6.41%	
Cost/CCF - Water	25	CCF	\$8.71080	\$8.71080	\$6.83680	300	CCF	\$8.15537	\$8.15537	\$6.45370	
Cost/GALLONS - Water	18,701	GAL	\$0.01164	\$0.01164	\$0.00914	224,415	GAL	\$0.01090	\$0.01090	\$0.00863	
% Inc/Dec(-) to Prior Periods				0.00%	27.41%				0.00%	26.37%	
Cost/CCF - Sewer	25	CCF	\$8.37760	\$8.37760	\$7.09160	300	CCF	\$6.95897	\$6.95897	\$5.72430	
Cost/GALLON - Sewer	18,701	GAL	\$0.01120	\$0.01120	\$0.00948	224,415	GAL	\$0.00930	\$0.00930	\$0.00765	
% Inc/Dec(-) to Prior Periods				0.00%	18.13%				0.00%	21.57%	
(Listed Accounts Assume SAME USA											
(One "1" Unit CCF of Water = "Hundre											

BILLING SUMMARY ANISUMPTION for BILLING CYCLE -September, 2022											
2022 - SEPTEMBER BILLING WITH JUMP BILLING PERIOD AND AUGUST 2022 CITY CONSUMPTION AND BILLING DATA											
Class and/or Schedule	# of Bills	Aug-22 (kWh Usage)	Aug-22 Billed	Billed kVa of Demand	Cost / kWh For Month	Cost / kWh Prior 12 Mo Average	# of Bills	Sep-21 (kWh Usage)	Sep-21 Billed	Cost / kWh For Month	
Residential (Dom-In)	3,436	3,095,614	\$391,134.70	0	\$0.1264	\$0.1226	3,435	3,202,763	\$362,224.37	\$0.1131	
Residential (Dom-In) w/Ecosmart	5	3,773	\$486.94	0	\$0.1291	\$0.1243	6	5,560	\$629.08	\$0.1131	
Residential (Dom-In - All Electric)	649	489,888	\$63,222.11	0	\$0.1291	\$0.1217	623	490,182	\$56,024.43	\$0.1143	
Res.(Dom-In - All Elec.) w/Ecosmart	1	973	\$123.83	0	\$0.1273	\$0.1230	1	860	\$97.74	\$0.1137	
Total Residential (Domestic)	4,091	3,590,248	\$454,967.58	0	\$0.1267	\$0.1224	4,065	3,698,365	\$418,975.62	\$0.1133	
Residential (Rural-Out)	808	895,868	\$120,771.68	0	\$0.1348	\$0.1291	811	929,322	\$111,598.22	\$0.1201	
Residential (Rural-Out) w/Ecosmart	4	4,272	\$577.26	0	\$0.1351	\$0.1314	4	4,055	\$491.58	\$0.1212	
Residential (Rural-Out - All Electric)	358	422,236	\$56,696.49	0	\$0.1343	\$0.1276	358	443,696	\$52,989.86	\$0.1194	
Res. (Rural-Out - All Electric) w/Ecosmar	2	1,509	\$209.84	0	\$0.1391	\$0.1293	2	1,448	\$181.25	\$0.1252	
Residential (Rural-Out w/Dmd)	15	11,779	\$1,631.07	199	\$0.1385	\$0.1234	15	13,327	\$1,632.48	\$0.1225	
Residential (Rural-Out - All Electric w/Dm	8	7,913	\$1,075.19	49	\$0.1359	\$0.1290	9	8,092	\$990.83	\$0.1224	
Total Residential (Rural)	1,195	1,343,577	\$180,961.53	248	\$0.1347	\$0.1284	1,199	1,399,940	\$167,884.22	\$0.1199	
Commercial (1 Ph-In - No Dmd)	83	39,614	\$6,501.32	0	\$0.1641	\$0.1568	80	37,671	\$5,653.39	\$0.1501	
Commercial (1 Ph-Out - No Dmd)	51	9,536	\$1,937.51	0	\$0.2032	\$0.1886	50	12,727	\$2,184.53	\$0.1716	
Total Commercial (1 Ph) No Dmd	134	49,150	\$8,438.83	0	\$0.1717	\$0.1636	130	50,398	\$7,837.92	\$0.1555	
Commercial (1 Ph-In - w/Demand)	263	334,072	\$52,777.78	2029	\$0.1580	\$0.1496	260	406,475	\$54,614.57	\$0.1344	
Commercial (1 Ph-Out - w/Demand)	24	49,412	\$7,103.09	188	\$0.1438	\$0.1388	24	46,180	\$5,977.45	\$0.1294	
Total Commercial (1 Ph) w/Demand	287	383,484	\$59,880.87	2,217	\$0.1561	\$0.1482	284	452,655	\$60,592.02	\$0.1339	
Commercial (3 Ph-Out - No Dmd)	2	40	\$41.56	10	\$1.0390	\$0.1482	2	40	\$40.98	\$1.0245	
Total Commercial (3 Ph) No Dmd	2	40	\$41.56	10	\$1.0390	\$0.1482	2	40	\$40.98	\$1.0245	
Commercial (3 Ph-In - w/Demand)	223	1,942,106	\$267,665.93	6894	\$0.1378	\$0.1310	218	2,130,527	\$260,195.30	\$0.1221	
Commercial (3 Ph-Out - w/Demand)	36	298,036	\$41,731.51	1270	\$0.1400	\$0.1321	37	328,934	\$40,447.25	\$0.1230	
Commercial (3 Ph-Out - w/Dmd.&Sub-St.	3	221,040	\$27,045.81	445	\$0.1224	\$0.1233	3	92,080	\$10,764.23	\$0.1169	
Commercial (3 Ph-In - w/Demand, No Ta	1	5,160	\$728.16	24	\$0.1411	\$0.1292	1	7,960	\$950.35	\$0.1194	
Commercial (3 Ph-In - w/Dmd.&Sub-StC	1	136,320	\$16,970.43	335	\$0.1245	\$0.1182	1	156,000	\$17,173.72	\$0.1101	
Total Commercial (3 Ph) w/Demand	264	2,602,662	\$354,141.84	8,968	\$0.1361	\$0.1300	260	2,715,501	\$329,530.85	\$0.1214	
Large Power (In - w/Dmd & Rct)	14	2,001,693	\$221,706.41	4278	\$0.1108	\$0.1028	14	2,212,511	\$205,795.02	\$0.0930	
Large Power (In - w/Dmd & Rct, w/SbCr)	2	772,584	\$82,024.70	1560	\$0.1062	\$0.0997	2	892,886	\$83,088.25	\$0.0931	
Large Power (Out - w/Dmd & Rct, w/SbCr)	1	182,168	\$23,354.29	550	\$0.1282	\$0.1155	1	208,862	\$23,337.71	\$0.1117	
Large Power (In - w/Dmd & Rct, w/SbCr)	2	76,974	\$7,873.78	129	\$0.1023	\$0.1227	2	82,790	\$14,033.06	\$0.1695	
Total Large Power	19	3,033,419	\$334,959.18	6,517	\$0.1104	\$0.1035	19	3,397,049	\$326,254.04	\$0.0960	
Industrial (In - w/Dmd & Rct, w/SbCr)	1	799,135	\$81,907.94	1579	\$0.1025	\$0.0966	1	880,030	\$76,240.76	\$0.0866	
Industrial (In - w/Dmd & Rct, No/SbCr)	1	926,100	\$93,313.31	1707	\$0.1008	\$0.0937	1	1,018,394	\$88,421.95	\$0.0868	
Total Industrial	2	1,725,235	\$175,221.25	3,286	\$0.1016	\$0.0950	2	1,898,424	\$164,662.71	\$0.0867	
Interdepartmental (In - No Dmd)	9	27,853	\$3,981.31	128	\$0.1429	\$0.1295	9	27,190	\$3,521.88	\$0.1295	
Interdepartmental (Out - w/Dmd)	2	880	\$146.39	0	\$0.1664	\$0.1628	2	806	\$124.47	\$0.1544	
Interdepartmental (In - w/Dmd)	27	21,653	\$3,334.82	0	\$0.1540	\$0.1402	27	25,153	\$3,457.27	\$0.1374	
Interdepartmental (3Ph-In - w/Dmd)	12	163,284	\$21,852.66	526	\$0.1338	\$0.1281	11	173,801	\$21,622.51	\$0.1244	
Interdepartmental (Street Lights)	6	30,685	\$2,963.08	0	\$0.0966	\$0.0965	6	30,685	\$2,951.66	\$0.0962	
Interdepartmental (Traffic Signals)	8	1,190	\$110.02	0	\$0.0925	\$0.0925	8	1,251	\$115.69	\$0.0925	
Generators (JV2 Power Cost Only)	1	12,569	\$664.02	25	\$0.0528	\$0.0000	1	10,595	\$302.28	\$0.0285	
Generators (JV5 Power Cost Only)	0	0	\$0.00	0	\$0.0000	\$0.0000	0	0	\$0.00	\$0.0000	
Total Interdepartmental	65	258,114	\$33,052.30	679	\$0.1281	\$0.1229	64	269,481	\$32,095.76	\$0.1191	
SUB-TOTAL CONSUMPTION & DEMAND	6,059	12,985,929	\$1,601,664.94	21,925	\$0.1233	\$0.1165	6,025	13,882,853	\$1,507,874.12	\$0.1086	
Street Lights (In)	13	0	\$13.76	0	\$0.0000	\$0.0000	13	0	\$13.75	\$0.0000	
Street Lights (Out)	2	0	\$1.91	0	\$0.0000	\$0.0000	2	0	\$1.92	\$0.0000	
Total Street Light Only	15	0	\$15.67	0	\$0.0000	\$0.0000	15	0	\$15.67	\$0.0000	
TOTAL CONSUMPTION & DEMAND	6,074	12,985,929	\$1,601,680.61	21,925	\$0.1233	\$0.1165	6,040	13,882,853	\$1,507,889.79	\$0.1086	

BILLING SUMMARY AND																
2022 - SEPTEMBER BILLING WITH JUL																
Class and/or Schedule	# of Bills	Oct-21 (kWh Usage)	Oct-21 Billed	Cost / kWh For Month	# of Bills	Nov-21 (kWh Usage)	Nov-21 Billed	Cost / kWh For Month	# of Bills	Dec-21 (kWh Usage)	Dec-21 Billed	Cost / kWh For Month	# of Bills	Jan-22 (kWh Usage)	Jan-22 Billed	Cost / kWh For Month
Residential (Dom-In)	3,440	3,426,619	\$379,578.88	\$0.1108	3,428	2,082,463	\$244,434.73	\$0.1174	3,427	1,869,765	\$231,933.25	\$0.1240	3,433	2,092,664	\$269,470.14	\$0.1288
Residential (Dom-In) w/Ecosmart	6	4,969	\$556.55	\$0.1120	6	2,745	\$331.08	\$0.1206	6	2,289	\$294.75	\$0.1288	5	2,264	\$299.25	\$0.1322
Residential (Dom-In - All Electric)	638	520,028	\$58,304.14	\$0.1121	639	358,136	\$42,334.53	\$0.1182	654	421,249	\$51,540.91	\$0.1224	653	589,827	\$74,056.45	\$0.1256
Res. (Dom-In - All Elec.) w/Ecosmart	1	1,131	\$124.48	\$0.1101	1	630	\$73.72	\$0.1170	1	625	\$76.67	\$0.1227	1	581	\$75.10	\$0.1293
Total Residential (Domestic)	4,085	3,952,747	\$438,564.05	\$0.1110	4,074	2,443,974	\$287,174.06	\$0.1175	4,088	2,293,928	\$283,845.58	\$0.1237	4,092	2,685,336	\$343,900.94	\$0.1281
Residential (Rural-Out)	811	957,340	\$112,889.19	\$0.1179	811	661,597	\$82,346.83	\$0.1245	808	692,541	\$89,633.45	\$0.1294	806	764,980	\$102,627.67	\$0.1342
Residential (Rural-Out) w/Ecosmart	4	4,271	\$507.44	\$0.1188	4	2,808	\$355.05	\$0.1264	4	2,934	\$385.49	\$0.1314	4	2,736	\$378.26	\$0.1383
Residential (Rural-Out - All Electric)	357	453,829	\$53,242.02	\$0.1173	357	324,351	\$39,965.13	\$0.1232	358	364,023	\$46,444.38	\$0.1276	358	422,365	\$55,785.97	\$0.1321
Res. (Rural-Out - All Electric) w/Ecosmart	2	1,594	\$194.47	\$0.1220	2	1,094	\$142.74	\$0.1305	2	1,871	\$240.31	\$0.1284	2	2,416	\$318.68	\$0.1319
Residential (Rural-Out w/Dmd)	15	18,047	\$2,122.45	\$0.1176	15	13,468	\$1,659.83	\$0.1232	15	65,202	\$7,796.69	\$0.1196	15	106,601	\$13,279.09	\$0.1246
Residential (Rural-Out - All Electric w/Dm)	9	8,649	\$1,036.14	\$0.1198	9	6,958	\$870.52	\$0.1251	9	10,857	\$1,367.21	\$0.1259	9	18,961	\$2,430.13	\$0.1282
Total Residential (Rural)	1,198	1,443,730	\$169,991.71	\$0.1177	1,198	1,010,276	\$125,340.10	\$0.1241	1,196	1,137,428	\$145,867.53	\$0.1282	1,194	1,318,059	\$174,819.80	\$0.1326
Commercial (1 Ph-In - No Dmd)	82	40,309	\$5,928.37	\$0.1471	81	32,942	\$5,104.41	\$0.1550	79	34,894	\$5,518.13	\$0.1581	79	38,830	\$6,259.94	\$0.1612
Commercial (1 Ph-Out - No Dmd)	50	9,829	\$1,805.45	\$0.1837	50	9,111	\$1,742.52	\$0.1913	50	11,215	\$2,068.29	\$0.1844	50	12,148	\$2,261.20	\$0.1861
Total Commercial (1 Ph) No Dmd	132	50,138	\$7,733.82	\$0.1543	131	42,053	\$6,846.93	\$0.1628	129	46,109	\$7,586.42	\$0.1645	129	50,978	\$8,521.14	\$0.1672
Commercial (1 Ph-In - w/Demand)	262	417,912	\$56,178.73	\$0.1344	259	296,064	\$42,657.99	\$0.1441	258	255,321	\$39,279.78	\$0.1538	263	250,009	\$39,354.03	\$0.1574
Commercial (1 Ph-Out - w/Demand)	24	49,953	\$6,359.28	\$0.1273	24	41,944	\$5,519.26	\$0.1316	24	38,177	\$5,312.26	\$0.1391	24	42,581	\$6,180.88	\$0.1452
Total Commercial (1 Ph) w/Demand	286	467,865	\$62,538.01	\$0.1337	283	338,008	\$48,177.25	\$0.1425	282	293,498	\$44,592.04	\$0.1519	287	292,590	\$45,534.91	\$0.1556
Commercial (3 Ph-Out - No Dmd)	2	80	\$45.80	\$0.5725	2	40	\$41.02	\$1.0255	2	40	\$41.24	\$1.0310	2	11,840	\$1,651.26	\$0.1395
Total Commercial (3 Ph) No Dmd	2	80	\$45.80	\$0.5725	2	40	\$41.02	\$1.0255	2	40	\$41.24	\$1.0310	2	11,840	\$1,651.26	\$0.1395
Commercial (3 Ph-In - w/Demand)	218	2,293,385	\$276,265.22	\$0.1205	218	2,063,203	\$255,918.30	\$0.1240	217	1,721,749	\$225,471.25	\$0.1310	218	1,607,951	\$219,724.02	\$0.1366
Commercial (3 Ph-Out - w/Demand)	37	321,245	\$39,639.12	\$0.1234	37	315,992	\$40,513.47	\$0.1282	37	433,544	\$55,170.21	\$0.1273	37	404,366	\$54,006.94	\$0.1336
Commercial (3 Ph-Out - w/Dmd.&Sub-St.)	3	100,560	\$11,534.40	\$0.1147	3	89,200	\$10,559.76	\$0.1184	3	82,560	\$10,124.46	\$0.1226	3	80,000	\$10,309.19	\$0.1289
Commercial (3 Ph-In - w/Demand, No Ta)	1	9,360	\$1,063.36	\$0.1136	1	7,960	\$943.24	\$0.1185	1	2,560	\$396.92	\$0.1550	1	1,240	\$178.35	\$0.1438
Commercial (3 Ph-In - w/Dmd.&Sub-St.C)	1	151,680	\$16,451.29	\$0.1085	1	147,360	\$16,373.03	\$0.1111	1	143,040	\$16,632.64	\$0.1163	1	136,320	\$16,651.13	\$0.1221
Total Commercial (3 Ph) w/Demand	260	2,876,230	\$344,953.39	\$0.1199	260	2,623,715	\$324,307.80	\$0.1236	259	2,383,453	\$307,795.48	\$0.1291	260	2,229,857	\$300,869.63	\$0.1349
Large Power (In - w/Dmd & Rct)	14	2,142,186	\$197,491.72	\$0.0922	14	2,079,714	\$196,908.13	\$0.0947	14	1,985,158	\$196,046.77	\$0.0988	14	1,817,810	\$194,183.93	\$0.1068
Large Power (In - w/Dmd & Rct, w/SbCr)	2	914,654	\$83,112.77	\$0.0909	2	905,112	\$81,990.05	\$0.0906	2	964,979	\$92,554.03	\$0.0959	2	928,978	\$95,194.13	\$0.1025
Large Power (Out - w/Dmd & Rct, w/SbCr)	1	165,078	\$20,122.90	\$0.1219	1	235,381	\$27,414.46	\$0.1165	1	285,706	\$32,979.35	\$0.1154	1	254,207	\$30,929.19	\$0.1217
Large Power (In - w/Dmd & Rct, w/SbCr)	2	82,790	\$13,882.84	\$0.1677	2	93,586	\$12,165.67	\$0.1300	2	100,341	\$9,503.46	\$0.0947	2	91,430	\$9,498.37	\$0.1039
Total Large Power	19	3,304,708	\$314,610.23	\$0.0952	19	3,313,793	\$318,478.31	\$0.0961	19	3,336,184	\$331,083.61	\$0.0992	19	3,092,425	\$329,805.62	\$0.1066
Industrial (In - w/Dmd & Rct, w/SbCr)	1	804,332	\$68,763.45	\$0.0855	1	775,369	\$69,908.02	\$0.0902	1	828,290	\$77,805.37	\$0.0939	1	774,707	\$79,348.60	\$0.1024
Industrial (In - w/Dmd & Rct, No/SbCr)	1	1,026,016	\$87,158.85	\$0.0849	1	974,509	\$85,414.74	\$0.0876	1	1,124,441	\$101,900.31	\$0.0906	1	1,029,537	\$101,097.69	\$0.0982
Total Industrial	2	1,830,348	\$155,922.30	\$0.0852	2	1,749,878	\$155,322.76	\$0.0888	2	1,952,731	\$179,705.68	\$0.0920	2	1,804,244	\$180,446.29	\$0.1000
Interdepartmental (In - No Dmd)	9	26,538	\$3,240.46	\$0.1221	9	21,368	\$2,740.35	\$0.1282	9	22,155	\$2,878.26	\$0.1299	10	28,201	\$3,752.72	\$0.1331
Interdepartmental (Out - w/Dmd)	2	891	\$133.35	\$0.1497	2	816	\$126.40	\$0.1549	2	808	\$129.87	\$0.1607	2	696	\$119.31	\$0.1714
Interdepartmental (In - w/Dmd)	27	24,205	\$3,293.02	\$0.1360	27	19,621	\$2,786.31	\$0.1420	27	46,153	\$6,360.34	\$0.1378	28	55,273	\$7,885.43	\$0.1427
Interdepartmental (3Ph-In - w/Dmd)	11	177,083	\$20,603.61	\$0.1164	11	146,600	\$18,532.87	\$0.1264	11	170,036	\$22,206.29	\$0.1306	12	182,778	\$23,879.10	\$0.1306
Interdepartmental (Street Lights)	6	30,685	\$2,967.81	\$0.0967	6	30,685	\$2,950.80	\$0.0962	6	30,685	\$2,967.93	\$0.0967	6	30,685	\$2,961.57	\$0.0965
Interdepartmental (Traffic Signals)	8	1,263	\$116.77	\$0.0925	8	1,205	\$111.43	\$0.0925	8	1,322	\$122.23	\$0.0925	8	1,131	\$104.59	\$0.0925
Generators (JV2 Power Cost Only)	1	10,959	\$485.26	\$0.0443	1	14,654	\$660.66	\$0.0383	1	20,335	\$1,191.22	\$0.0586	1	12,411	\$768.99	\$0.0620
Generators (JV5 Power Cost Only)	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000
Total Interdepartmental	64	271,624	\$30,840.28	\$0.1135	64	234,949	\$27,808.82	\$0.1184	64	291,494	\$35,856.14	\$0.1230	67	311,175	\$39,471.71	\$0.1268
SUB-TOTAL CONSUMPTION & DEMAND	6,048	14,197,470	\$1,525,199.59	\$0.1074	6,033	11,756,686	\$1,293,497.05	\$0.1100	6,041	11,734,865	\$1,336,373.72	\$0.1139	6,052	11,796,504	\$1,425,021.30	\$0.1208
Street Lights (In)	13	0	\$13.75	\$0.0000	13	0	\$13.76	\$0.0000	13	0	\$13.91	\$0.0000	13	0	\$13.76	\$0.0000
Street Lights (Out)	2	0	\$1.91	\$0.0000	2	0	\$1.91	\$0.0000	2	0	\$1.91	\$0.0000	2	0	\$1.92	\$0.0000
Total Street Light Only	15	0	\$15.66	\$0.0000	15	0	\$15.67	\$0.0000	15	0	\$15.82	\$0.0000	15	0	\$15.68	\$0.0000
TOTAL CONSUMPTION & DEMAND	6,063	14,197,470	\$1,525,215.25	\$0.1074	6,048	11,756,686	\$1,293,512.72	\$0.1100	6,056	11,734,865	\$1,336,389.54	\$0.1139	6,067	11,796,504	\$1,425,036.98	\$0.1208

BILLING SUMMARY AND																
2022 - SEPTEMBER BILLING WITH JUL																
Class and/or Schedule	# of Bills	Feb-22 (kWh Usage)	Feb-22 Billed	Cost / kWh For Month	# of Bills	Mar-22 (kWh Usage)	Mar-22 Billed	Cost / kWh For Month	# of Bills	Apr-22 (kWh Usage)	Apr-22 Billed	Cost / kWh For Month	# of Bills	May-22 (kWh Usage)	May-22 Billed	Cost / kWh For Month
Residential (Dom-In)	3,426	2,370,678	\$295,326.35	\$0.1246	3,437	2,404,340	\$290,833.61	\$0.1210	3,433	2,149,232	\$261,077.25	\$0.1215	3,436	1,834,534	\$239,521.63	\$0.1306
Residential (Dom-In) w/Ecosmart	5	2,362	\$302.61	\$0.1287	5	2,265	\$284.58	\$0.1256	5	2,076	\$262.31	\$0.1264	5	2,269	\$299.57	\$0.1326
Residential (Dom-In - All Electric)	653	721,055	\$87,473.42	\$0.1213	647	861,011	\$100,615.41	\$0.1169	653	697,240	\$81,920.90	\$0.1175	655	527,792	\$66,908.18	\$0.1258
Res. (Dom-In - All Elec.) w/Ecosmart	1	478	\$61.40	\$0.1285	1	561	\$69.06	\$0.1231	1	546	\$67.10	\$0.1229	1	442	\$58.75	\$0.1329
Total Residential (Domestic)	4,085	3,094,563	\$383,163.78	\$0.1238	4,090	3,268,177	\$391,802.66	\$0.1199	4,092	2,849,094	\$343,327.56	\$0.1205	4,097	2,365,027	\$306,788.13	\$0.1297
Residential (Rural-Out)	806	909,599	\$117,737.46	\$0.1294	806	972,758	\$121,916.22	\$0.1253	803	791,084	\$100,247.66	\$0.1267	804	720,415	\$97,386.42	\$0.1352
Residential (Rural-Out) w/Ecosmart	4	3,286	\$436.32	\$0.1328	4	3,460	\$445.19	\$0.1287	4	2,581	\$340.94	\$0.1321	4	2,481	\$347.72	\$0.1402
Residential (Rural-Out - All Electric)	359	519,789	\$66,253.24	\$0.1275	360	584,553	\$71,997.58	\$0.1232	358	452,648	\$56,334.15	\$0.1245	359	400,926	\$53,308.52	\$0.1330
Res. (Rural-Out - All Electric) w/Ecosmart	2	2,912	\$371.23	\$0.1275	2	3,404	\$418.62	\$0.1230	2	2,789	\$345.19	\$0.1238	2	2,399	\$317.55	\$0.1324
Residential (Rural-Out w/Dmd)	15	130,055	\$15,755.67	\$0.1211	15	43,783	\$5,263.42	\$0.1202	15	30,180	\$3,661.73	\$0.1213	15	24,852	\$3,227.32	\$0.1299
Residential (Rural-Out - All Electric w/Dmd)	9	10,711	\$1,381.26	\$0.1290	9	8,818	\$1,122.58	\$0.1273	8	7,467	\$950.67	\$0.1273	8	6,841	\$928.51	\$0.1357
Total Residential (Rural)	1,195	1,576,352	\$201,935.18	\$0.1281	1,196	1,616,776	\$201,163.61	\$0.1244	1,190	1,286,749	\$161,880.34	\$0.1258	1,192	1,157,914	\$155,516.04	\$0.1343
Commercial (1 Ph-In - No Dmd)	78	41,787	\$6,525.38	\$0.1562	78	48,977	\$7,311.83	\$0.1493	78	43,688	\$6,602.63	\$0.1511	78	38,229	\$6,180.82	\$0.1617
Commercial (1 Ph-Out - No Dmd)	50	12,801	\$2,312.59	\$0.1807	50	14,091	\$2,435.58	\$0.1728	50	9,982	\$1,895.58	\$0.1899	50	9,241	\$1,868.06	\$0.2021
Total Commercial (1 Ph) No Dmd	128	54,588	\$8,837.97	\$0.1619	128	63,068	\$9,747.41	\$0.1546	128	53,670	\$8,498.21	\$0.1583	128	47,470	\$8,048.88	\$0.1696
Commercial (1 Ph-In - w/Demand)	262	269,652	\$40,916.05	\$0.1517	261	302,351	\$43,988.27	\$0.1455	263	274,144	\$40,625.98	\$0.1482	264	282,496	\$43,577.76	\$0.1543
Commercial (1 Ph-Out - w/Demand)	24	40,796	\$5,755.90	\$0.1411	24	44,374	\$5,977.07	\$0.1347	24	40,663	\$5,574.18	\$0.1371	24	43,043	\$6,169.53	\$0.1433
Total Commercial (1 Ph) w/Demand	286	310,448	\$46,671.95	\$0.1503	285	346,725	\$49,965.34	\$0.1441	287	314,807	\$46,200.16	\$0.1468	288	325,539	\$49,747.29	\$0.1528
Commercial (3 Ph-Out - No Dmd)	2	16,120	\$2,185.83	\$0.1356	2	1,840	\$275.57	\$0.1498	2	600	\$113.82	\$0.1897	2	120	\$52.46	\$0.4372
Total Commercial (3 Ph) No Dmd	2	16,120	\$2,185.83	\$0.1356	2	1,840	\$275.57	\$0.1498	2	600	\$113.82	\$0.1897	2	120	\$52.46	\$0.4372
Commercial (3 Ph-In - w/Demand)	218	1,660,780	\$220,105.95	\$0.1325	218	1,762,076	\$225,778.00	\$0.1281	218	1,644,391	\$211,650.33	\$0.1287	218	1,550,181	\$212,017.03	\$0.1368
Commercial (3 Ph-Out - w/Demand)	37	289,726	\$38,769.83	\$0.1338	36	328,071	\$42,282.49	\$0.1289	36	277,135	\$35,930.39	\$0.1296	36	243,247	\$33,867.29	\$0.1392
Commercial (3 Ph-Out - w/Dmd.&Sub-St.)	3	95,760	\$11,961.34	\$0.1249	3	113,520	\$13,653.89	\$0.1203	3	106,880	\$12,986.52	\$0.1215	3	129,720	\$16,389.96	\$0.1263
Commercial (3 Ph-In - w/Demand, No Tax)	1	1,320	\$181.10	\$0.1372	1	1,360	\$180.58	\$0.1328	1	1,360	\$179.72	\$0.1321	1	1,200	\$173.72	\$0.1448
Commercial (3 Ph-In - w/Dmd.&Sub-St.C)	1	121,440	\$14,637.81	\$0.1205	1	121,920	\$14,265.49	\$0.1170	1	105,600	\$12,435.41	\$0.1178	1	126,720	\$15,579.47	\$0.1229
Total Commercial (3 Ph) w/Demand	260	2,169,026	\$285,656.03	\$0.1317	259	2,326,947	\$296,160.45	\$0.1273	259	2,135,366	\$273,182.37	\$0.1279	259	2,051,068	\$278,027.47	\$0.1356
Large Power (In - w/Dmd & Rct)	14	1,692,314	\$182,005.92	\$0.1075	14	1,957,121	\$191,916.55	\$0.0981	14	1,777,337	\$181,549.78	\$0.1021	14	1,749,970	\$192,161.06	\$0.1098
Large Power (In - w/Dmd & Rct, w/SbCr)	2	859,065	\$86,069.60	\$0.1002	2	930,878	\$91,181.64	\$0.0980	2	742,000	\$74,554.88	\$0.1005	2	739,657	\$78,271.01	\$0.1058
Large Power (Out - w/Dmd & Rct, w/SbCr)	1	241,403	\$27,510.53	\$0.1140	1	253,801	\$27,258.51	\$0.1074	1	236,376	\$25,171.28	\$0.1065	1	223,885	\$25,192.07	\$0.1125
Large Power (In - w/Dmd & Rct, w/SbCr)	2	150,230	\$5,848.96	\$0.0389	2	73,370	\$6,538.16	\$0.0891	2	90,243	\$10,998.18	\$0.1219	2	102,188	\$10,214.52	\$0.1000
Total Large Power	19	2,943,012	\$301,435.01	\$0.1024	19	3,215,170	\$316,894.86	\$0.0986	19	2,845,956	\$292,274.12	\$0.1027	19	2,815,700	\$305,838.66	\$0.1086
Industrial (In - w/Dmd & Rct, w/SbCr)	1	704,007	\$71,887.25	\$0.1021	1	911,662	\$85,067.15	\$0.0933	1	748,422	\$72,166.79	\$0.0964	1	804,792	\$82,342.20	\$0.1023
Industrial (In - w/Dmd & Rct, No/SbCr)	1	944,746	\$90,674.81	\$0.0960	1	1,034,091	\$92,499.48	\$0.0895	1	868,416	\$80,783.52	\$0.0930	1	992,604	\$97,689.52	\$0.0984
Total Industrial	2	1,648,753	\$162,562.06	\$0.0986	2	1,945,753	\$177,566.63	\$0.0913	2	1,616,838	\$152,950.31	\$0.0946	2	1,797,396	\$180,031.72	\$0.1002
Interdepartmental (In - No Dmd)	9	40,165	\$5,012.69	\$0.1248	9	45,168	\$5,386.87	\$0.1193	9	35,804	\$4,350.94	\$0.1215	9	29,348	\$3,908.78	\$0.1332
Interdepartmental (Out - w/Dmd)	2	733	\$122.15	\$0.1666	2	763	\$123.50	\$0.1619	2	660	\$109.75	\$0.1663	2	692	\$119.04	\$0.1720
Interdepartmental (In - w/Dmd)	28	74,754	\$10,313.92	\$0.1380	28	87,712	\$11,733.07	\$0.1338	27	54,317	\$7,361.22	\$0.1355	27	47,744	\$6,866.48	\$0.1438
Interdepartmental (3Ph-In - w/Dmd)	12	209,220	\$26,131.56	\$0.1249	12	229,937	\$27,788.50	\$0.1209	12	180,122	\$22,610.67	\$0.1255	12	191,038	\$25,070.61	\$0.1312
Interdepartmental (Street Lights)	6	30,685	\$2,963.94	\$0.0966	6	30,685	\$2,964.71	\$0.0966	6	30,685	\$2,961.57	\$0.0965	6	30,685	\$2,950.80	\$0.0962
Interdepartmental (Traffic Signals)	8	1,249	\$115.51	\$0.0925	8	1,281	\$118.44	\$0.0925	8	1,114	\$103.02	\$0.0925	8	1,182	\$109.31	\$0.0925
Generators (JV2 Power Cost Only)	1	21,411	\$762.66	\$0.0356	1	25,992	\$888.15	\$0.0342	1	18,816	\$695.06	\$0.0369	1	19,242	\$3,303.66	\$0.1717
Generators (JV5 Power Cost Only)	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000
Total Interdepartmental	66	378,217	\$45,422.43	\$0.1201	66	421,538	\$49,003.24	\$0.1162	65	321,518	\$38,192.23	\$0.1188	65	319,931	\$42,328.68	\$0.1323
SUB-TOTAL CONSUMPTION & DEMAND	6,043	12,191,079	\$1,437,870.24	\$0.1179	6,047	13,205,994	\$1,492,579.77	\$0.1130	6,044	11,424,598	\$1,316,619.12	\$0.1152	6,052	10,880,165	\$1,326,379.33	\$0.1219
Street Lights (In)	13	0	\$13.75	\$0.0000	14	0	\$14.29	\$0.0000	13	0	\$13.76	\$0.0000	13	0	\$13.76	\$0.0000
Street Lights (Out)	2	0	\$1.91	\$0.0000	2	0	\$1.91	\$0.0000	2	0	\$1.91	\$0.0000	2	0	\$1.91	\$0.0000
Total Street Light Only	15	0	\$15.66	\$0.0000	16	0	\$16.20	\$0.0000	15	0	\$15.67	\$0.0000	15	0	\$15.67	\$0.0000
TOTAL CONSUMPTION & DEMAND	6,058	12,191,079	\$1,437,885.90	\$0.1179	6,063	13,205,994	\$1,492,595.97	\$0.1130	6,059	11,424,598	\$1,316,634.79	\$0.1152	6,067	10,880,165	\$1,326,395.00	\$0.1219

BILLING SUMMARY AND															
2022 - SEPTEMBER BILLING WITH JUL															
Class and/or	# of	Jun-22	Jun-22	Cost / kWh	# of	Jul-22	Jul-22	Cost / kWh	# of	Aug-22	Aug-22	TOTAL	TOTAL	Avg.Cost	Avg.Num.
Schedule	Bills	(kWh Usage)	Billed	For Month	Bills	(kWh Usage)	Billed	For Month	Bills	(kWh Usage)	Billed	KWH USEAGE	BILLING	Per kWh	of Bills
												PRIOR 12 MO	PRIOR 12 MO	For Period	For Period
Residential (Dom-In)	3,433	1,806,656	\$238,049.09	\$0.1318	3,438	2,249,960	\$299,713.95	\$0.1332	3,436	3,095,614	\$391,134.70	28,585,288	\$3,503,297.95	\$0.1226	3,434
Residential (Dom-In) w/Ecosmart	5	2,551	\$337.14	\$0.1322	5	3,382	\$449.50	\$0.1329	5	3,773	\$486.94	36,485	\$4,533.36	\$0.1243	5
Residential (Dom-In - All Electric)	650	431,573	\$55,866.75	\$0.1294	648	408,532	\$54,562.63	\$0.1336	649	489,888	\$63,222.11	6,516,513	\$792,829.86	\$0.1217	647
Res.(Dom-In - All Elec.) w/Ecosmart	1	503	\$66.56	\$0.1323	1	749	\$98.91	\$0.1321	1	973	\$123.83	8,079	\$993.32	\$0.1230	1
Total Residential (Domestic)	4,089	2,241,283	\$294,319.54	\$0.1313	4,092	2,662,623	\$354,824.99	\$0.1333	4,091	3,590,248	\$454,967.58	35,146,365	\$4,301,654.49	\$0.1224	4,087
Residential (Rural-Out)	808	631,405	\$87,084.41	\$0.1379	809	733,834	\$102,567.59	\$0.1398	808	895,868	\$120,771.68	9,660,743	\$1,246,806.80	\$0.1291	808
Residential (Rural-Out) w/Ecosmart	4	2,343	\$333.14	\$0.1422	4	3,696	\$515.81	\$0.1396	4	4,272	\$577.26	38,923	\$5,114.20	\$0.1314	4
Residential (Rural-Out - All Electric)	359	332,487	\$45,190.01	\$0.1359	359	340,203	\$47,390.26	\$0.1393	358	422,236	\$56,696.49	5,061,106	\$645,597.61	\$0.1276	358
Res. (Rural-Out - All Electric) w/Ecosmart	2	1,813	\$246.83	\$0.1361	2	1,452	\$206.91	\$0.1425	2	1,509	\$209.84	24,701	\$3,193.62	\$0.1293	2
Residential (Rural-Out w/Dmd)	15	23,411	\$3,074.09	\$0.1313	15	15,053	\$2,086.95	\$0.1386	15	11,779	\$1,631.07	495,758	\$61,190.79	\$0.1234	15
Residential (Rural-Out - All Electric w/Dmd)	8	6,210	\$856.92	\$0.1380	8	6,944	\$973.93	\$0.1403	8	7,913	\$1,075.19	108,421	\$13,983.89	\$0.1290	9
Total Residential (Rural)	1,196	997,669	\$136,785.40	\$0.1371	1,197	1,101,182	\$153,741.45	\$0.1396	1,195	1,343,577	\$180,961.53	15,389,652	\$1,975,886.91	\$0.1284	1,196
Commercial (1 Ph-In - No Dmd)	79	36,648	\$6,016.00	\$0.1642	80	37,789	\$6,322.69	\$0.1673	83	39,614	\$6,501.32	471,378	\$73,924.91	\$0.1568	80
Commercial (1 Ph-Out - No Dmd)	51	8,619	\$1,804.19	\$0.2093	51	9,071	\$1,899.47	\$0.2094	51	9,536	\$1,937.51	128,371	\$24,214.97	\$0.1886	50
Total Commercial (1 Ph) No Dmd	130	45,267	\$7,820.19	\$0.1728	131	46,860	\$8,222.16	\$0.1755	134	49,150	\$8,438.83	599,749	\$98,139.88	\$0.1636	130
Commercial (1 Ph-In - w/Demand)	262	240,391	\$38,973.69	\$0.1621	263	270,155	\$45,378.36	\$0.1680	263	334,072	\$52,777.78	3,599,042	\$538,322.99	\$0.1496	262
Commercial (1 Ph-Out - w/Demand)	24	40,669	\$5,907.11	\$0.1452	24	43,013	\$6,467.00	\$0.1503	24	49,412	\$7,103.09	520,805	\$72,303.01	\$0.1388	24
Total Commercial (1 Ph) w/Demand	286	281,060	\$44,880.80	\$0.1597	287	313,168	\$51,845.36	\$0.1656	287	383,484	\$59,880.87	4,119,847	\$610,626.00	\$0.1482	286
Commercial (3 Ph-Out - No Dmd)	2	120	\$52.59	\$0.4383	2	80	\$47.35	\$0.5919	2	40	\$41.56	30,960	\$4,589.48	\$0.1482	2
Total Commercial (3 Ph) No Dmd	2	120	\$52.59	\$0.4383	2	80	\$47.35	\$0.5919	2	40	\$41.56	30,960	\$4,589.48	\$0.1482	2
Commercial (3 Ph-In - w/Demand)	222	1,580,830	\$219,923.61	\$0.1391	221	1,707,063	\$243,057.13	\$0.1424	223	1,942,106	\$267,665.93	21,664,242	\$2,837,772.07	\$0.1310	219
Commercial (3 Ph-Out - w/Demand)	36	219,875	\$31,534.61	\$0.1434	36	247,617	\$35,893.72	\$0.1450	36	298,036	\$41,731.51	3,707,768	\$489,786.83	\$0.1321	37
Commercial (3 Ph-Out - w/Dmd.&Sub-St.)	3	144,360	\$18,468.72	\$0.1279	3	127,640	\$16,816.73	\$0.1318	3	221,040	\$27,045.81	1,383,320	\$170,615.01	\$0.1233	3
Commercial (3 Ph-In - w/Demand, No Ta)	1	1,360	\$193.85	\$0.1425	1	1,840	\$343.70	\$0.1868	1	5,160	\$728.16	42,680	\$5,513.05	\$0.1292	1
Commercial (3 Ph-In - w/Dmd.&Sub-St.C)	1	120,000	\$14,879.25	\$0.1240	1	133,440	\$17,038.06	\$0.1277	1	136,320	\$16,970.43	1,599,840	\$189,087.73	\$0.1182	1
Total Commercial (3 Ph) w/Demand	263	2,066,425	\$285,000.04	\$0.1379	262	2,217,600	\$313,149.34	\$0.1412	264	2,602,662	\$354,141.84	28,397,850	\$3,692,774.69	\$0.1300	260
Large Power (In - w/Dmd & Rct)	14	1,938,738	\$212,555.38	\$0.1096	14	1,999,569	\$228,072.04	\$0.1141	14	2,001,693	\$221,706.41	23,354,121	\$2,400,392.71	\$0.1028	14
Large Power (In - w/Dmd & Rct, w/SbCr)	2	786,399	\$84,299.90	\$0.1072	2	763,301	\$85,040.60	\$0.1114	2	772,584	\$82,024.70	10,200,493	\$1,017,381.56	\$0.0997	2
Large Power (Out - w/Dmd & Rct, w/SbCr)	1	229,664	\$25,837.83	\$0.1125	1	205,897	\$25,441.16	\$0.1236	1	182,168	\$23,354.29	2,722,428	\$314,549.28	\$0.1155	1
Large Power (In - w/Dmd & Rct, w/SbCr)	2	78,460	\$16,879.00	\$0.2151	2	57,722	\$15,130.12	\$0.2621	2	76,974	\$7,873.78	1,080,124	\$132,566.12	\$0.1227	2
Total Large Power	19	3,033,261	\$339,572.11	\$0.1119	19	3,026,489	\$353,683.92	\$0.1169	19	3,033,419	\$334,959.18	37,357,166	\$3,864,889.67	\$0.1035	19
Industrial (In - w/Dmd & Rct, w/SbCr)	1	793,964	\$80,161.24	\$0.1010	1	796,040	\$83,301.23	\$0.1046	1	799,135	\$81,907.94	9,620,750	\$928,900.00	\$0.0966	1
Industrial (In - w/Dmd & Rct, No/SbCr)	1	992,761	\$98,609.45	\$0.0993	1	1,011,239	\$101,668.59	\$0.1005	1	926,100	\$93,313.31	11,942,854	\$1,119,232.22	\$0.0937	1
Total Industrial	2	1,786,725	\$178,770.69	\$0.1001	2	1,807,279	\$184,969.82	\$0.1023	2	1,725,235	\$175,221.25	21,563,604	\$2,048,132.22	\$0.0950	2
Interdepartmental (In - No Dmd)	9	23,402	\$3,223.79	\$0.1378	9	23,498	\$3,423.53	\$0.1457	9	27,853	\$3,981.31	350,690	\$45,421.58	\$0.1295	9
Interdepartmental (Out - w/Dmd)	2	878	\$145.49	\$0.1657	2	976	\$162.59	\$0.1666	2	880	\$146.39	9,599	\$1,562.31	\$0.1628	2
Interdepartmental (In - w/Dmd)	26	27,787	\$4,154.89	\$0.1495	26	20,950	\$3,286.85	\$0.1569	27	21,653	\$3,334.82	505,322	\$70,833.62	\$0.1402	27
Interdepartmental (3Ph-In - w/Dmd)	12	153,252	\$20,915.68	\$0.1365	12	145,376	\$20,782.88	\$0.1430	12	163,284	\$21,852.66	2,122,527	\$271,996.94	\$0.1281	12
Interdepartmental (Street Lights)	6	30,685	\$2,971.73	\$0.0968	6	30,685	\$2,963.94	\$0.0966	6	30,685	\$2,963.08	368,220	\$35,539.54	\$0.0965	6
Interdepartmental (Traffic Signals)	8	1,185	\$109.56	\$0.0925	8	1,225	\$113.25	\$0.0924	8	1,190	\$110.02	14,598	\$1,349.82	\$0.0925	8
Generators (JV2 Power Cost Only)	1	14,879	\$1,098.67	\$0.0738	1	14,006	\$1,080.42	\$0.0771	1	12,569	\$664.02	195,869	\$11,801.05	\$0.0602	1
Generators (JV5 Power Cost Only)	0	0	\$0.00	\$0.0000	0	0	\$0.00	\$0.0000	0	0	\$0.00	0	\$0.00	\$0.0000	0
Total Interdepartmental	64	252,068	\$32,619.81	\$0.1294	64	236,716	\$31,813.46	\$0.1344	65	258,114	\$33,052.30	3,566,825	\$438,504.86	\$0.1229	65
SUB-TOTAL CONSUMPTION & DEMAND	6,051	10,703,878	\$1,319,821.17	\$0.1233	6,056	11,411,997	\$1,452,297.85	\$0.1273	6,059	12,985,929	\$1,601,664.84	146,172,018	\$17,035,198.20	\$0.1165	6,046
Street Lights (In)	13	0	\$13.76	\$0.0000	13	0	\$13.76	\$0.0000	13	0	\$13.76	0	\$165.77	\$0.0000	13
Street Lights (Out)	2	0	\$1.92	\$0.0000	2	0	\$1.92	\$0.0000	2	0	\$1.91	0	\$22.96	\$0.0000	2
Total Street Light Only	15	0	\$15.68	\$0.0000	15	0	\$15.68	\$0.0000	15	0	\$15.67	0	\$188.73	\$0.0000	15
TOTAL CONSUMPTION & DEMAND	6,066	10,703,878	\$1,319,836.85	\$0.1233	6,071	11,411,997	\$1,452,313.53	\$0.1273	6,074	12,985,929	\$1,601,680.61	146,172,018	\$17,035,386.93	\$0.1165	6,061



OHIO DEPARTMENT OF TRANSPORTATION
Mike DeWine, Governor Jack Marchbanks, Ph.D., Director

District 2
317 East Poe Rd., Bowling Green, OH 43402-1330
419-353-8131
transportation.ohio.gov

September 13, 2022

Chad Lulfs, P.E., P.S.
City of Napoleon
255 W. Riverview Ave.
Napoleon, OH 43545

RE: **HEN SR 110 0.30 Resurfacing, PID 94321**

Dear Mr. Lulfs:

In order for ODOT to construct the project within the City limits, legislation needs to be enacted. To accomplish that, transmitted herewith are two copies of a participatory legislation. The project is currently scheduled for May 5, 2023 sale.

If acceptable, please present this legislation to your City Council for enactment. Note that the appropriate official designated as the contractual officer should sign in that capacity in the lower section of page 3.

Upon enactment, please return all copies of the legislation, all with original signatures and affixed with your City's seal to this office. If your City has no seal, please include a letter indicating that fact with the legislation. We will return one original to you once we obtain our Director's signature.

ODOT would like to receive the enacted legislations by no later than December 23, 2022 to maintain the scheduled sale date for the project.

If you have any questions, please give me a call. My phone number is 419-373-4438.

Respectfully,

A handwritten signature in blue ink, reading "Christopher Hibbett".

Christopher Hibbett
District 2 LPA Liaison

PURCHASE REQUISITION

CITY OF NAPOLEON, OHIO

255 West Riverview Avenue, P.O. Box 151

Napoleon, Ohio 43545-0151

TAX I.D. NUMBER 34-6400941

REQUISITION

NUMBER :

DATE :

09/09/22

REQUESTING DEPARTMENT/DIVISION

TYPE OF PURCHASE ORDER REQUESTED

Department/Division Number and Name:

6110 - ELECTRIC

☒ REGULAR PO

☐ BLANKET PO

☐ MULTI/VENDOR PO

☐ BY ORD/RES/MOT/CNT

☐ CONFIRMING/ EMERGENCY PO

Project Number and Name (If Any):

ORD/RES/MOT/CNT #

MAIL ORIGINAL PO

ASSIGNED PO #

☐ YES ☒ NO

VENDOR INFORMATION

ACCOUNT NUMBER

DEPT OK

TOTAL

VENDOR NAME:

PEAK ELECTRIC INC

VENDOR #

06940

500.6110.54410

☒

ADDRESS LINE 1:

320 NORTH BYRNE RD

ADDRESS LINE 2:

CITY:

TOLEDO, OH

STATE:

ZIP CODE:

43607

PHONE: 419-726-4848

FAX:

CONTACT Travis Founds

QUOTES (List (3) Quotes, When Available)

VENDOR NO. 1

\$

VENDOR NO. 2

\$

VENDOR NO. 3

\$

(Must = Total Requisition) TOTAL →

ACCOUNT DISTRIBUTION

\$72,000.00

QUANTITY

UNIT

ITEM DESCRIPTION (Include Catalog and/or Part Number if Available)

UNIT PRICE

TOTAL

1 1 ea 2000 kva padmount transformer 12470/7200Y Pri 480/277Y Sec

72,000.00

(Must = Total Distribution) TOTAL REQUISITION - All Items → →

\$72,000.00

CAPITAL BUDGETED ITEM: ☐ YES ☒ NO

FIXED ASSET/ INVENTORY: ☐ YES ☒ NO

ADDITIONAL COMMENTS

APPROVED BY: (Signatures)

Employee/ Supervisor

Date

09/09/22

Department/ Division Head

Date

09/09/22

Appointing Authority

Date

9/9/22