

# 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  - - -	29	30 7:30am- Special Finance and Budget Meeting	

# October 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 7:00 pm City Council	4	5	6 Employee Appreciation Golf Outing and Chili Cook-Off Starting at 2:45pm	7	8
9	10 6:30 pm Electric Committee Board of Public Affairs 7:00 pm Water/Sewer Comm. 7:30 pm Municipal Properties Committee	11 4:30 pm Board of Zoning Appeals 5:00 pm Planning Commission	12	13	14	15
16	17 6:00 pm Tree Commission 6:00 pm Park Rec Committee 7:00 pm City Council	18	19	20	21	22
23	24 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	25 4:30 pm Civil Service Commission	26 6:30 pm Park Rec Board	27	28	29
30	31					



# City of Napoleon, Ohio

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

**To:** City Council, Mayor, City Manager, City Finance Director, Law Director, Department Heads, News-media  
**From:** Marrison Flogaus, Clerk  
**Date:** September 30, 2022  
**Subject:** Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the *Technology and Communications Committee* for Monday, October 3, 2022, at 6:15 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

**CITY COUNCIL**

MEETING AGENDA

**Monday, October 3, 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. Presentation of an Audit Award by Lorie Brodie from the State Auditor's Office**

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

**F. Citizen Communication**

**G. Reports from Council Committees**

1. The Finance and Budget Committee did not meet on September 26, 2022 at 6:30pm due to lack of quorum.
2. The Safety and Human Resource Committee met on September 26, 2022 at 7:30pm and;
  - a. Recommended to Council to Change the Verbiage of Over-Time Rate Qualifications
  - b. Recommended to Council to partner with the Center for Child and Family Advocacy for a Comfort Dog
  - c. Recommended to Council to increase the Municipal Court Bailiffs Pay-Scale for 2023
3. The Finance and Budget Committee held a Special Meeting on September 30, 2022 at 7:00am and;
  - a. Recommended to Council to Approve the Third Quarter Budget Adjustments
  - b. Recommended to Council to Approve the Upgrade for Authority Utility Program
  - c. Recommended to Council to Set November 11, 2022 and November 12, 2022 as the date for the Annual Budget Review
4. Technology Committee did not meet October 3, 2022 due to lack of agenda items.

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

1. Healthcare met on September 23, 2022 at 8:00am and;
  - a. recommended to accept the proposed healthcare plans for 2023
  - b. recommended to continue the wellness program as is
2. Civil Service Commission met on September 27, 2022 at 4:30pm and;
  - a. approved to utilize the National Testing Network for the written test with advertising for the position of Entry Level or Lateral Police Officer Patrolman Grade to start October 3, 2022 and end on October 31, 2022.
  - b. approve a one-time rule change to change the process to providing the city application to the candidate passing the physical agility test
  - c. to approve the certain credits for Police Officer Patrolman Grade applicants who have obtained a passing score and supplied proof when they submit their application.
  - d. recommended to the Human and Safety Resource Committee to Appoint an Assistant Chief of Police
3. The Parks and Rec Board did not meet on September 28, 2022 due to a lack of agenda items.

**I. Introduction of New Ordinances and Resolutions**

1. **Ordinance No. 052-22**, an Ordinance authorizing the Municipal Bridge Inspection Program through ODOT
2. **Ordinance No. 053-22**, 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
3. **Ordinance No. 054-22**, an Ordinance supplementing the annual appropriation measure (supplement No. 3) for the year 2022; and declaring an Emergency (Suspension Requested)
4. **Ordinance No. 055-22**, an Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriations 3) from one appropriation line item to another appropriation line item pursuant to ORC. Section

5705.40 for the fiscal year ending December 31, 2022 as listed in Exhibit A; and declaring an Emergency (Suspension Requested)

5. **Resolution No. 056-22**, a Resolution authorizing the expenditure of funds in excess of twenty-five thousand dollars (\$25,000) for the purpose of purchasing a padmount transformer for the City of Napoleon Electric Department, and to award said purchase to Peak Electric, Inc.; and declaring an Emergency (Suspension Requested)

**J. Second Reading of 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

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

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

1. Discussion/Action: Liquor Permit Application for Familia Guerro LLC at 1406 Scott Street, Napoleon, Ohio
2. Discussion/Action: discussion regarding an amendment to the Keller CRA
3. Discussion/Action: on recommendation to accept the proposed healthcare plans for 2023
4. Discussion/Action: on recommendation to continue the wellness program as is
5. Discussion/Action: on recommendation to Change the Verbiage of Over-Time Rate Qualifications
6. Discussion/Action: on recommendation to partner with the Center for Child and Family Advocacy for a Comfort Dog
7. Discussion/Action: on recommendation to increase the Municipal Court Bailiffs Pay-Scale for 2023
8. Discussion/Action: approval of Plans and Specifications for the Main Street and Orwig Avenue Waterline Improvements Project.
9. Discussion/Action: to Approve the Upgrade for Authority Utility Program
10. Discussion/Action: to Set November 11, 2022 and November 12, 2022 as the date for the Annual Budget Review
11. Discussion/Action: Efficiency Smart Program (refer to Electric Committee and BOPA).
12. Discussion/Action: Approval of the Interim AMP Board Representative for Napoleon
13. Discussion/Action: Farewell to Napoleon's City Manager, Joel Mazur / Appointment of Acting City Manager

**M. Executive Session (Personnel: Collective Bargaining)**

**N. Approve Payments of Bills** (In the absence of any objections or corrections, the payment of bills shall stand approved.)

**O. Adjournment**



Marrison Flogaus  
Marrison Flogaus- Clerk

**CITY COUNCIL MEETING MINUTES**

Monday, September 19, 2022 at 7:00 pm

**PRESENT**

Council Members	Joe Bialorucki- Council President, Ross Durham- Council President Pro-Tem, Daniel Baer, Dr. David Cordes, Molly Knepley
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 Greg Kuhlman- Electric Superintendent Clayton O'Brien- Fire Chief Greg Smith- Police Lieutenant Brittney Roof- Human Resource Director
Others	News- Media
Recorder	Marrisa Flogaus
Absent	Ken Haase- Councilmember, Lori Sicclair- Councilmember (Webex)

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**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 September 6, 2022 Council meeting were approved as presented.

**CITIZEN COMMUNICATION- None**

**REPORTS FROM COUNCIL COMMITTEES**

The Electric Committee did not meet on September 12, 2022 due to lack of agenda items.

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on September 12, 2022 due to lack of agenda items.

The Municipal Properties, Building, Land Use and Economic Development Committee did not meet on September 12, 2022 due to lack of agenda items.

The Parks and Rec Committee did not meet on September 19, 2022 due to lack of agenda items.

The Personnel Committee met on September 19, 2022 at 7:00am; and went into executive session to consider employment of a public employee.

**INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS**

**Ordinance No. 050-22- Amending Holidays**

Council President Bialorucki read by title Ordinance 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”

Motion: Baer                      Second: Durham  
to approve First read of Ordinance No. 050-22

Mazur stated this was discussed at the Human and Safety Resources Committee. Originally the committee meeting was to discuss adding Juneteenth as a holiday. During the meeting Veteran’s Day was brought up as another holiday to add. The committee recommended to add both holidays as observed holidays to the city’s personnel code. This does not include the bargaining unit contracts, which are being negotiated now. This ordinance will only be for the non-bargaining employees.

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

**Resolution No. 051-22- AFSCME Contract**

Council President Bialorucki read by title Resolution 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

Motion: Durham                      Second: Knepley  
to approve First read of Resolution No. 051-22

Mazur stated I will go through the contract negotiations issue list for AFSCME. The negotiations started about a month and a half ago. We went through the interest based bargaining process, which is customary here. We went through it with their new council of representatives and their mostly new executive board. Only one of them had been on it in the past. I won’t go through all the issues, just the more pertinent ones. Maassel interjected top three or top five is enough. Mazur replied okay, top three. One change that was requested was to increase the minimum call out time. Right now, there is a two hour minimum call out. When an employee is called in they automatically get credited for two hours, even if the employee is done before the two hours. Typically when someone is called in it takes longer than two hours, except for about a third of the time. The minimum call out time in this contract has been changed to three hours. Another change made was to the number of personal holidays for employees with over twenty-five years. Employees with over twenty-five years currently have six personal days, we added one more personal day to give them a total of seven. Lastly, the big one, wages. The wage increases we have agreed to are 3.5% for the first year, 3% for the second year and 3.5% for the third year. This totals 10% over the three year period. I think some of the other jurisdictions that we looked at are comparable to this. In the AFSCME Union we think for retention purposes we are doing well. In certain cases we are better than some of the neighboring communities, but not the best. In terms of retention it’s a very important item for us. There are other things in the agreement, but they don’t have a monetary impact.

Roll call vote on the above motion

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

### **Second Reading of Ordinances and Resolutions- None**

### **Third 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: Cordes  
to approve Third read of Ordinance No. 047-22

Mazur stated I have nothing new to report.

Roll call vote to pass Ordinance No.047-22 on Third read

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

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: Knepley  
to approve Third read of Ordinance No. 049-22

Mazur stated I have nothing new to report. Maassel stated Council is entrusting the people we trust with a lot more authority and we can take it back if we need to.

Roll call vote to pass Ordinance No.049-22 on Third read

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

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

#### **To Participate in the 2023 Municipal Bridge Inspection Program**

Lulfs stated a few years back there was a tragic bridge collapse in, I believe, Minnesota. At that time the federal government required all bridges be inspected annually. The state offers a program in which they do all the inspections for free. If we choose not to participate in the program we would still be required to have the inspections and we would have to pay for them. This is the legislation we would need to participate in the program. Essentially, this will get our bridges inspected at no cost to us. Bialorucki asked when this needs to be completed. Lulfs replied mid-December. Maassel asked if this is for every bridge in Napoleon. Lulfs replied yes, but we don't have control over all of them. We only have control over four bridges. The county is in charge of their own and I'm not sure who is in charge of inspecting the Perry St and Industrial Dr. bridge. Maassel asked if we would have to worry about the railroad

bridge? Lulfs replied no. Cordes asked if there is any down side to the state inspecting them? Lulfs replied no, we have been participating for several years. There was a trip up at the state and they need it renewed. Honestly, I'm not sure if they even needed legislation in the past to participate. Cordes asked what happens if the state finds a problem? Are we allowed to get a second opinion? Lulfs replied we could. The state contracts the inspections with consulting firms that specialize in bridges, in the past we have had DGL out of Toledo and Mannik Smith out of Maumee. We have never had an issue with the current rating we have on our bridges that are open. I don't see there being any problems. Cordes stated I'd rather find out about any problems ahead of time rather than after. Lulfs stated we have one bridge that is closed, but it's on a dead end street. Mazur stated this adds more consistency to the inspection process. When you have multiple consultants, people or engineers doing the inspections one person might think differently of the condition then of the other. Cordes replied that is the reason I was asking about the second opinion.

Motion: Cordes                      Second: Durham  
To direct the law director to draft legislation

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

**To Approve the Power Supply Cost Adjustment Factor for September 2022, PSCAF 3- month averaged factor \$0.01364 and JV2 \$0.075178**

Mazur stated this is a pretty violate time for the natural gas market. Usually when you have consistency in your usage compared to the previous three months of the prior year you would think there would be some similarities. This is a good year to capture what is going on in the natural gas market in terms of how it effects our rates directly. The usage in May-July of 2021 is consistent with May-July of 2022 and our power supply adjustment factor is up. We will be somewhere around the 12.3-12.34 cent per kilowatt hour range, which is still good compared to what's going on around us. In the AMP bill the steepest jump is at the Freemont natural gas plant. This is up by \$175,000 due to what natural gas prices are doing. The Prairie State facility is staying consistent. The hydroelectric plants are staying a little bit low and fairly consistent. It starts to compound when you get any nuances in the bill. Natural gas prices in June of 2010 was the highest it's ever been prior to a few days ago. We have been dealing with a violate market and these are the results. The rate per kilowatt hour is higher than normal, but it's still good compared to other providers.

Motion: Durham                      Second: Knepley  
To approve the Power Supply Cost Adjustment Factor for September 2022

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

**Third Quarter Budget Adjustments**

Garringer reported the Finance and Budget Committee will be meeting next Monday at 6:30pm. There will be plenty of items on the third quarter budget adjustments. By instructing the law director to draft legislation this allows us to bring the adjustments to Council the following Monday and we can close the month out earlier.

Motion: Durham      Second: Knepley  
To direct the law director to draft legislation

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

**To Allow ODOT to Work within the City Limits to Pave State Route 110 up to State Route 108 (S. Perry Street)**

Lulfs stated to clarify this is the legislation that says we will financially participate. The last legislation was allowing ODOT to work within town. The most recent estimate I have received from ODOT for the city's portion is \$225,000. If we did it ourselves it would probably cost twice that. Bialorucki asked if our finance director is okay with this. Garringer replied yes, anytime we can save money I am on board.

Motion: Baer      Second: Durham  
To direct the law director to draft legislation

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

**To Purchase Padmount Transformer for \$72,000 that was not budget for**

Mazur stated it is a good problem to have when industry is coming in and taking inventory for new project development. The industry pays us for these transformers, but we still own them and are on the hook for maintaining them. Right now, the price of transformers are double what they use to be and there is lag time in receipt. Currently, we do not have an adequate inventory for the amount of transformers that we have out there right now of this size. The request is to have this added as legislation and have it passed under suspension at the next Council meeting. That way we can get the order in, so we are not out if someone's transformer goes out of service. We don't have a spare to replace it and we can't even borrow or buy one because they just don't exist right now. This kind of came up pretty quick for us because of what's been going on with DANA and ADS. Bialorucki asked for confirmation that we've depleted our stock of these by using them for DANA and ADS. Mazur replied yes, they upsized. Durham asked where we are buying this from? Kuhlman replied he received a line from another superintendent. Durham asked from another municipality? Kuhlman replied yes, he put me in touch with a guy who is kind of a locator nationwide. Right now, the emails from municipalities are going crazy looking for CANs and nobody wants to give any up due to the shortage. This guy found me one and for insurance if one of our other utilities went down this is a must. Otherwise we wouldn't have one and they would be out indefinitely. Cordes asked if this is aluminum not copper? Kuhlman replied yes, the cost of transformers are so expensive now that anyone who was going to go to copper has now gone with aluminum. I will get the money back down the road when an industry comes in. Maassel asked if one is enough? Kuhlman replied I have two on order that were supposed to be here last April. Then they were pushed back to this June, then October and now they're supposed to be here in January. We really don't have a choice and eventually we would get this money back. Maassel asked if

we need to pick them up? It is a shipping problem or a construction problem? Kuhlman replied the price includes shipping. Maassel stated do we need to go pick it up, so we don't get knocked down the line anymore? Kuhlman stated I was assured this would be here in 6-8 weeks. For the record we will be purchasing it from Peak Electric out of Perrysburg and the guy's name is Reese Petit.

Motion: Cordes                      Second: Knepley  
To direct the law director to draft legislation

Roll call vote on the above motion

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

#### **AROUND THE TABLE**

Mazur- This is the first Council meeting, since the official announcement that I will be leaving to go to the City of Oregon. I wanted to thank you all. This has been a great Council even though some people have turned over. Everyone on Council both past and present have been wonderful. I really appreciate everything you do and how willing you are to be progresses yet conservative enough not get too crazy. It has been a really good ride for me. It was a tough decision, but I feel like I'm destined to go there. I'm nothing but grateful to have this honor and opportunity to be here with you all.

Harmon- Congrats to Mazur and best of luck.

Cordes- I think Mazur has done a fantastic job and he will be a hard act to follow. Hopefully, we will be able to find a good person to take his shoes.

Baer- We wish you the best Mazur, but hate to see you leave. You have done a good job for us and we will miss you. Also, we are getting together as a group for the annual CIC meeting. Council will have a table of eight.

Maassel- Do we have an update if the Front St. and Jahns Rd. walking path will be done this year? Lulfs replied yes, but I don't have an exact date when they are coming back. I spoke to a representative at Nagel's who informed me when they come back they are planning on bringing multiple concrete crews. Bialorucki asked if we are doing concrete or asphalt? Lulfs replied the project is concrete. I will present the remainder of Front St. project during the budget and the majority of that will be asphalt. Maassel stated I would also like to request an executive session to consider employment of a public employee.

Bialorucki- Mazur, congratulation and good luck. I think the reason a lot of us are consistent on Council has a lot to do with all the help you provide. I know you have made my job a lot easier, whether you're going to bat for the city or just explaining things that I didn't understand. You explained those things in layman terms and made it easier to do my job. Thank you and you will be missed a lot.

Durham- Mazur, you said your nothing but grateful, but I think that's the position we are in. We are nothing but grateful for your time and service here. Thank you and you will be truly missed. Oregon's getting a good one, best of luck to you.

Knepley- Congrats Mazur. I have appreciated all the hand holding through city government and learning my way through. It is nice to see a city manager who truly has Napoleons best interest at heart. I think we can all say that. Thank you and you will be missed.

Garringer- Congrats, Mazur. In the next couple weeks we have a lot of discussions to go over to tie up any loose ends. Budgeting season is upon us and we will move forward with that. I was thankful to have the first round last year with your assistance to see how it's done at the City of Napoleon. I anticipate a smooth process this year even without a city manager.

**Executive Session (to consider employment of a public employee)**

Motion: Durham          Second: Knepley

To enter executive session for at 7:32pm

Roll call vote on the above motion

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

Motion: Durham          Second: Cordes

To exit executive session for at 7:56pm

Roll call vote on the above motion

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

Bialorucki stated no action was taken.

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

**ADJOURNMENT**

Motion: Durham          Second: Knepley

To adjourn the City Council meeting at 7:56pm

Roll call vote on the above motion

Yea- Knepley, Durham, Bialorucki, Baer, Cordes

Nay-

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

Approved

October 3, 2022

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Joe Bialorucki, Council President

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Jason Maassel, Mayor

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Marrisa Flogaus- Recorder

DRAFT

# LEGISLATION CONSENT

Rev. 8/5/2022

## Ordinance No. 052-22

### ODOT Project Title: Municipal Bridge Inspection Program

The following is an Ordinance enacted by the City of Napoleon, Ohio of Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

#### SECTION I – Project Description

WHEREAS the (LPA) has determined the need for the described project:

*Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.*

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio of Henry County, Ohio:

#### SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

#### SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

*The State shall assume and bear 100% of all the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).*

*The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.*

#### SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

#### SECTION V – Project Duration and Consent Applicability

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

**SECTION VI – Authorization of Project**

The City Manager of the City of Napoleon, Ohio is hereby empowered on behalf of the City of Napoleon to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

Passed: \_\_\_\_\_, 2022.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Contractual Agent of LPA – title)

Attested: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY  
STATE OF OHIO**

The City of Napoleon of Henry County, Ohio

I, MARRISA FLOGAUS, as Clerk of Council for the City of Napoleon, Ohio of Henry County, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 052-22, adopted by the legislative Authority of the said City of Napoleon, Ohio on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
That the publication of such Ordinance has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in \_\_\_\_\_, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
(Clerk)

**(CITY SEAL)**

the City of Napoleon, Ohio of Henry County, Ohio

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Napoleon, Ohio of Henry County, Ohio.

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
(Contractual Agent)

For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
(Director, Ohio Department of Transportation)

**PRELIMINARY LEGISLATION**

Participatory

Ordinance # 053-22

**PID No. 94321**

**County/Route/Section HEN SR 110 0.30 Resurfacing**

The following is an ordinance enacted by the City of Napoleon, Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**SECTION I - Project Description**

WHEREAS, the LPA/STATE has identified the need for the described project:

*Resurface SR 110 from SR-108 to SR-109 in Henry County. Project includes repair of the HEN-110-0481 bridge.*

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio

**SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA agrees to assume and contribute the entire cost and expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation.
- 2) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration. In addition, the LPA will assume and bear one hundred percent (100%) of the total cost of any curb ramps, pavement repair, sidewalks and similar items not covered under the Urban Paving Policy.
- 3) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 4) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 5) The State agrees to be the lead agency and to administer the construction phase of the project.

**SECTION IV - Utilities and Right-of-Way Statement**

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

**SECTION VI - Authority to Sign**

The City Manager of said City is hereby empowered on behalf of the City  
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: \_\_\_\_\_, 2022.  
(Date)

Attested: \_\_\_\_\_  
(Clerk Signature)

\_\_\_\_\_  
(Contractual Officer Signature)

Attested: \_\_\_\_\_  
(Clerk Signature)

\_\_\_\_\_  
(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY  
STATE OF OHIO

City of Napoleon, Henry County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Napoleon, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

\_\_\_\_\_, Page \_\_\_\_\_ .  
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Clerk

(SEAL)  
(If Applicable)

City of Napoleon, Ohio

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Napoleon, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

\*\*\*\*\*  
For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

**ORDINANCE NO. 054-22**

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 3) FOR THE YEAR 2022; AND DECLARING AN EMERGENCY**

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 055-21 for the fiscal year ending December 31, 2022 shall be supplemented (Supplement No. 3) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

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

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

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

Passed: \_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_\_ Nay \_\_\_\_\_ Abstain

Attest:  
\_\_\_\_\_  
Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 054-22 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*

**2022 APPROPRIATION BUDGET - SUPPLEMENTAL #3**

**ORDINANCE No. xxx-22**

<b><u>Supplemental #3</u></b>	<b><u>PERSONAL SERVICES</u></b>	<b><u>OTHER</u></b>	<b><u>TOTAL</u></b>	<b><u>2022 FUND TOTAL</u></b>
<b>Fund 100 General Fund</b>				
100.1100.51560 Social Security <i>Reason: Not enough budgeted at the beginning of the year</i>	\$88.05			
100.1300.51101 Salary-Non Barg-Overtime <i>Reason: Not enough budgeted at the beginning of the year</i>	\$195.18			
100.1370.53810 Legal Advertising <i>Reason: Not enough budgeted at the beginning of the year</i>		\$5,000.00		
100.1370.54900 Supplies-Civil Service <i>Reason: Not enough budgeted at the beginning of the year</i>		\$1,000.00		
100.1500.57000 Machinery and Equipment <i>Reason: Purchase of new monitors not intially budgeted</i>		\$450.00		
100.1800.53340 Service Fees-Acting Judges <i>Reason: Visiting judges while waiting on Muni Court Appointment</i>		\$10,000.00		
100.1900.53300 Serv Fees-Professional <i>Reason: Not enough budgeted at the beginning of the year</i>		\$6,000.00		
100.1900.53410 County-Auditor Fees <i>Reason: Not enough budgeted at the beginning of the year</i>		\$3,390.00		
100.2100.51130 Salary-Police Command <i>Reason: Retirement payout not budgeted at the beginning of the year</i>	\$28,500.00			
100.2100.51131 Salary-Police Command-OT <i>Reason: Not enough budgeted at the beginning of the year</i>	\$4,599.00			
100.2100.54800 Supplies-Uniforms <i>Reason: Not enough budgeted at the beginning of the year for new uniforms</i>		\$4,600.00		
100.2101.51710 Hospitalization Insurance <i>Reason: Not enough budgeted at the beginning of the year</i>	\$1,567.62			
100.2200.51413 Salary- Fire PT-OT <i>Reason: Not enough budgeted at the beginning of the year</i>	\$912.50			
100.2200.53110 Electricity		\$5,000.00		
100.2200.54230 Garage Rotary -Fuel <i>Reason: Unforeseen changes in fuel and electric cost</i>		\$10,000.00		
100.4700.51190 Cemetary Salary-Seasonal <i>Reason: Not enough budgeted at the beginning of the year</i>	\$347.50			
100.9800.59110 Reimb-Shared Admin. Expenses <i>Reason: Not enough budgeted at the beginning of the year</i>		\$5,230.67		
			<b><u>\$86,880.52</u></b>	<b><u>\$86,880.52</u></b>
<b>Fund 170 Municipal Income Tax Fund</b>				
170.1510.53421 3% Retainer Fee <i>Reason: New line item due to move to RITA</i>		\$55,000.00		
			<b><u>\$55,000.00</u></b>	<b><u>\$55,000.00</u></b>
<b>Fund 220 Recreation Fund</b>				
220.4200.53900 Bank Servicing Charges <i>Reason: Not enough budgeted at the beginning of the year</i>		\$5,777.73		
220.4200.54210 Supplies-Concessions-General <i>Reason: Not enough budgeted at the beginning of the year</i>		\$658.91		

220.4200.54215 Supplies-Concessions-Beer <i>Reason: Not enough budgeted at the beginning of the year</i>	\$1,500.00		
220.4200.54230 Supplies-Fuel <i>Reason: Not enough budgeted at the beginning of the year</i>	\$2,000.00		
220.4300.53110 Utilities-Electric <i>Reason: Not enough budgeted at the beginning of the year</i>	\$1,722.58		
220.4300.53111 Utilities-Natural Gas <i>Reason: Not enough budgeted at the beginning of the year</i>	\$6,306.57		
220.4300.53113 Utilities-Water and Sewer <i>Reason: Not enough budgeted at the beginning of the year</i>	\$2,247.44		
220.4400.54230 Supplies-Fuel <i>Reason: Not enough budgeted at the beginning of the year</i>	\$2,000.00		
		<b><u>\$22,213.23</u></b>	<b><u>\$22,213.23</u></b>
<b>Fund 221 Napoleon Aquatic Center</b>			
221.4300.56000 Misc. Operating Cost <i>Reason: Increase for Auditor cost. Not in original budget</i>	\$3,356.17		
		<b><u>\$3,356.17</u></b>	<b><u>\$3,356.17</u></b>
<b>Fund 227 Cemetery Trust Fund</b>			
227.4700.57000 Machinery and Equipment <i>Reason: Increase for new dump truck due to fire of old truck</i>	\$9,568.00		
		<b><u>\$9,568.00</u></b>	<b><u>\$9,568.00</u></b>
<b>Fund 277 Probation Officer Grant Fund</b>			
277.2021.51500 PERS <i>Reason: Not enough budgeted at the beginning of the year</i>	\$567.56		
		<b><u>\$567.56</u></b>	<b><u>\$567.56</u></b>
<b>Fund 320 Oakwood/American TIF Fund</b>			
320.7000.53390 Services-School TIF Payments	\$5,403.81		
320.7000.53410 County-Auditor Fees	\$305.13		
<i>Reason: New fund and line item due to TIF Payments coming in</i>			
		<b><u>\$5,708.94</u></b>	<b><u>\$5,708.94</u></b>
<b>Fund 400 Capital Improvement Fund</b>			
400.2100.57000 Machinery and Equipment	\$1,500.00		
	\$4,800.00		
	\$12,664.00		
	\$2,501.98		
<i>Reason: Increase to due donation for Air Purifying System Equipment to fit new police car Replacement of AC Unit at PD Purchase of ballistic vests for PD</i>			
400.2100.57200 Buildings and Improvements <i>Reason: Increase for PD upgrades to showers plus flooring of locker &amp; decon rooms</i>	\$9,140.00		
400.2103.57000 Machinery and Equipment <i>Reason: Purchase of PD car from Deshler</i>	\$54,073.00		
400.4400.57200 Buildings and Improvements <i>Reason: Not enough budgeted at the beginning of the year</i>	\$2,141.60		
400.5100.57000 Machinery and Equipment <i>Reason: Increase for nonbudgeted purchase of plotter</i>	\$4,398.75		
		<b><u>\$91,219.33</u></b>	<b><u>\$91,219.33</u></b>
<b>Fund 500 Electric Utility Revenue Fund</b>			
500.1520.57000 Machinery and Equipment <i>Reason: Increase for nonbudgeted Finance server data transfer</i>	\$3,835.00		
500.6110.54410 Supplies-Transformers <i>Reason: Nonbudgeted item for tranformer due to Dana Company</i>	\$63,000.00		



**ORDINANCE NO. 055-22**

**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 3) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AS LISTED IN EXHIBIT A; AND DECLARING AN EMERGENCY**

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

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

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

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

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

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

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

Passed: \_\_\_\_\_

\_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_

\_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_\_ Nay \_\_\_\_\_ Abstain

Attest:

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Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 055-22 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.*

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*Marrisa Flogaus, Clerk of Council*

**FISCAL YEAR ENDING 2022- TRANSFER OF APPROPRIATION (No. 3)****Ordinance Number:** xxx-22

	<u>Amount Requested</u>	<u>Amount Received</u>
<b>FROM :</b> 100.1520.52000 Travel, Training & Education	(500.00)	
<b>TO :</b> 100.1520.54110 Supplies-Postage/Delivery Charges		500.00
<i>Reason: Due to postal rate increases</i>		
<b>FROM :</b> 100.2100.53520 Cnt. Maint-Equipment	(100.00)	
<b>TO :</b> 100.2100.53540 Cnt. Maint-Computer Hardware		100.00
<i>Reason: Police Safety PO Overage</i>		
<b>FROM :</b> 100.2100.53530 Cnt. Maint-Radio/Phones	(1,100.00)	
<b>TO :</b> 100.2100.53620 Cnt. Maint-Janitorial		1,100.00
<i>Reason: Police safety remainder of year needs</i>		
<b>FROM :</b> 100.2100.54300 Supplies-Vehicle Parts/Supply	(2,200.00)	
<b>TO :</b> 100.2100.53115 Utilities-Cable		2,200.00
<i>Reason: Installing of WIFI Access Points in new cars</i>		
<b>FROM :</b> 100.2100.53210 Serv Cnt.-Computer Software	(150.00)	
<b>TO :</b> 100.2101.53114 Utilities-Telephone		150.00
<i>Reason: Cover Code Enforcement for remainder of the year</i>		
<b>FROM :</b> 100.2102.52000 Travel, Training and Education -Police/SRO	(400.00)	
<b>TO :</b> 100.2102.53114 Utilities-Telephone		400.00
<i>Reason: Cover School Resource Officer for remainder of the year</i>		
<b>FROM :</b> 100.2102.54500 Supplies-Other Equipment -Police/SRO	(500.00)	
<b>TO :</b> 100.2102.54230 Supplies- Gasoline/Diesel Fuel -Police/SRO		500.00
<i>Reason: Cover School Resource Officer for remainder of the year</i>		
<b>FROM :</b> 100.2102.54800 Supplies-Uniforms -Police/SRO	(200.00)	
<b>TO :</b> 100.2102.54230 Supplies- Gasoline/Diesel Fuel -Police/SRO		200.00
<i>Reason: Cover School Resource Officer for remainder of the year</i>		
<b>FROM :</b> 100.2103.52000 Travel, Training and Education -Police/K-9	(800.00)	
<b>TO :</b> 100.2103.54230 Supplies- Gasoline/Diesel Fuel -Police/K-9		800.00
<i>Reason: Cover K-9 Officer for remainder of the year</i>		
<b>FROM :</b> 100.2103.54300 Supplies-Vehicle Parts/Supply -Police/K-9	(300.00)	
<b>TO :</b> 100.2103.54230 Supplies- Gasoline/Diesel Fuel -Police/K-9		300.00
<i>Reason: Cover K-9 Officer for remainder of the year</i>		
<b>FROM :</b> 100.2200.51410 Salary-Firemen Parttime	(273.50)	
<b>TO :</b> 100.2200.51411 Salary-Firefighter in Training		273.50
<i>Reason: Amount needed due to charged wrong account</i>		
<b>FROM :</b> 100.4700.51200 Salary-AFSCME	(4,500.00)	
<b>TO :</b> 100.4700.51190 Salary-Seasonal		4,500.00
<i>Reason: Not enough budgeted at the beginning of the year</i>		
<b>FROM :</b> 100.5130.54300 Supplies-Vehicle Parts/Supply	(800.00)	
<b>TO :</b> 100.5130.54230 Supplies -Gasoline/Diesel Fuel		800.00
<i>Reason: Projected fuel need to end of the year</i>		
<b>FROM :</b> 200.5100.54500 Supplies-Other Equipment	(2,400.00)	

**FISCAL YEAR ENDING 2022- TRANSFER OF APPROPRIATION (No. 3)****Ordinance Number:** xxx-22

	<u>Amount Requested</u>	<u>Amount Received</u>
TO : 200.5100.54230 Supplies-Gasoline/Diesel Fuel <i>Reason: Projected fuel need to end of the year</i>		2,400.00
FROM : 220.4200.54210 Supplies-Concessions-General	(250.00)	
TO : 220.4200.54300 Supplies-Vehicles Parts/Supply <i>Reason: Additional funds needed</i>		250.00
FROM : 220.4200.57200 Buildings	(1,500.00)	
TO : 220.4200.54200 Supplies-Operating Materials <i>Reason: Additional funds needed</i>		1,500.00
FROM : 220.4200.57200 Buildings	(2,000.00)	
TO : 220.4200.54210 Supplies-Concessions-General <i>Reason: Additional funds needed</i>		2,000.00
FROM : 220.4200.54240 Supplies-Chemicals	(2,000.00)	
TO : 220.4200.54200 Supplies-Operating Materials		1,500.00
220.4200.54230 Supplies-Gasoline/Diesel Fuel <i>Reason: Additional funds needed</i>		500.00
FROM : 220.4300.54200 Supplies-Operating Materials	(1,700.00)	
TO : 220.4300.54240 Supplies-Chemicals <i>Reason: Additional funds needed</i>		1,700.00
FROM : 400.2100.57000 Machinery and Equipment	(7,644.00)	
TO : 400.2103.57000 Machinery and Equipment <i>Reason: Price change due to vehicle order</i>		7,644.00
FROM : 500.6110.52000 Travel, Training and Education	(5,000.00)	
TO : 500.6110.57600 Electric Improvements <i>Reason: Primary underground wire needed</i>		5,000.00
FROM : 500.6110.56900 Undefined Contingencies	(10,536.50)	
TO : 500.6110.53300 Serv. Fees-Professional <i>Reason: Electric Rate Study</i>		10,536.50
FROM : 510.6200.56900 Undefined Contingencies	(11,887.00)	
TO : 510.6200.53300 Serv. Fees-Professional <i>Reason: Emergency Pipe Repair at water treatment plant Also, replacement of Air Regulator Valve</i>		11,887.00
FROM : 510.6210.54200 Supplies-Operating Materials	(2,300.00)	
TO : 510.6210.54230 Supplies-Gasoline/Diesel Fuel <i>Reason: Projected fuel need to end of the year</i>		2,300.00
FROM : 510.6210.57000 Machinery and Equipment	(15,000.00)	
TO : 510.6210.54510 Supplies-Meters/Meter Testing <i>Reason: Additional meters purchased</i>		15,000.00
FROM : 520.6300.56900 Undefined Contingencies	(13,970.00)	
TO : 520.6300.57000 Machinery and Equipment <i>Reason: South Side Lift Station drive replacement</i>		13,970.00
FROM : 560.6400.54200 Supplies- Operating Materials	(5,000.00)	
560.6400.53300 Serv. Fees-Professional	(2,000.00)	
TO : 560.6400.54230 Supplies-Gasoline/Diesel Fuel <i>Reason: Projected fuel need to end of the year</i>		7,000.00

**FISCAL YEAR ENDING 2022- TRANSFER OF APPROPRIATION (No. 3)**

**Ordinance Number:** xxx-22

	<u>Amount Requested</u>	<u>Amount Received</u>
<b>FROM :</b> 560.6412.52000 Travel, Training and Education	(400.00)	
<b>TO :</b> 560.6412.53520 Cnt. Maint-Equipment		400.00
<i>Reason: Blower repair on mosquito fogger</i>		
<b>FROM :</b> 560.6412.52010 Memberships and Dues	(130.00)	
<b>TO :</b> 560.6412.53520 Cnt. Maint-Equipment		130.00
<i>Reason: Blower repair on mosquito fogger</i>		
<b>FROM :</b> 560.6412.54200 Supplies-Operating Materials	(100.00)	
<b>TO :</b> 560.6412.53520 Cnt. Maint-Equipment		100.00
<i>Reason: Blower repair on mosquito fogger</i>		
<b>FROM :</b> 560.6412.54240 Supplies-Chemicals	(2,429.33)	
<b>TO :</b> 560.6412.53520 Cnt. Maint-Equipment		2,429.33
<i>Reason: Blower repair on mosquito fogger</i>		
<b>FROM :</b> 560.6420.54200 Supplies-Operating Materials	(2,400.00)	
<b>TO :</b> 560.6420.54230 Supplies-Gasoline/Diesel Fuel		2,400.00
<i>Reason: Projected fuel need to end of the year</i>		
<b>FROM :</b> 561.6400.57200 Buildings and Improvements	(2,000.00)	
<b>TO :</b> 561.6400.57000 Machinery and Equipment		2,000.00
<i>Reason: Additional dumpsters needed to replace old ones</i>		
<b>FROM :</b> 600.5200.54200 Supplies-Operating Materials	(700.00)	
<b>TO :</b> 600.5200.54230 Supplies-Gasoline/Diesel Fuel		700.00
<i>Reason: Projected fuel need to end of the year</i>		
<b>FROM :</b> 600.5200.54200 Supplies-Operating Materials	(5.00)	
<b>TO :</b> 600.5200.56000 Misc. Operating Cost		5.00
<i>Reason: For 8 year CDL Renewal</i>		
<b>FROM :</b> 600.5200.54500 Supplies-Other Equipment	(5,000.00)	
<b>TO :</b> 600.5200.54300 Supplies-Vehicle Parts/Supply		5,000.00
<i>Reason: Additional supplies needed for vehicles</i>		
<b>Total Transfer of Appropriation</b>	----- (108,175.33)	----- 108,175.33

**RESOLUTION NO. 056-22**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FOR THE PURPOSE OF PURCHASING A PADMOUNT TRANSFORMER FOR THE CITY OF NAPOLEON ELECTRIC DEPARTMENT, AND TO AWARD SAID PURCHASE TO PEAK ELECTRIC, INC.; AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 106.04 of the City of Napoleon Codified Ordinances provides that “when the City may otherwise be required by the laws of Ohio, ordinance or resolution, to make any purchase or contract of any type of property or services, or contract for purchases or services by competitive bid, the proposal process, or qualified base selection process, Council may eliminate the necessity therefor in the best interest of the City, as determined in the sole discretion of Council by a majority vote of the current members of Council[;]” and,

**WHEREAS**, the City of Napoleon Electric Department desires to purchase necessary materials for the proper operation of the Department; and,

**WHEREAS**, the purchase of a padmount transformer was not included in the 2022 Master Bid Resolution, Resolution No. 052-21; and,

**WHEREAS**, the aforementioned materials can be purchased from Peak Electric, Inc.; and,

**WHEREAS**, Peak Electric, Inc. was not included in the City Reoccurring Costs Vendor List, Resolution No. 051-21, for the year 2022; and,

**WHEREAS**, based on all the foregoing, it is the opinion of this Council that it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding, as permitted in Article VI, Section 6.05 of the Charter of the City of Napoleon and Section 106.04 of the City of Napoleon Codified Ordinances; **Now Therefore**,

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of twenty-five thousand dollars (\$25,000) for the purchase of the necessary machinery, materials, supplies or other articles for its Electric Department, purchasing said items from Peak Electric, Inc.. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize Peak Electric, Inc. for the purchase of machinery, materials, supplies or other articles for which the Department has need pursuant to City of Napoleon Codified Ordinances Section 106.04.

Section 3. That, the City Manager is authorized and directed to enter into the aforementioned contract(s).

Section 4. 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 5. 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 6. 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; 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 begin the purchase process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: \_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Attest:

\_\_\_\_\_  
Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 056-22 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. 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:

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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.*

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*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*

**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

2631016		TREX		FAMILIA GUERRERO LLC	
06 01 2021		06 01 2021		1406 N SCOTT ST	
09 06 2022		09 06 2022		NAPOLEON OH 43545	
D5 D6		D5 D6			
35 088 A		F28313			

FROM 09/23/2022

5488654				MANN GROUP OF CINCINNATI INC	
06 01 2021		06 01 2021		DBA DANIELS RESTAURANT & PUB	
09 06 2022		09 06 2022		2735 SHORT VINE ST 1ST FL & BSMT	
D5 D6		D5 D6		CINCINNATI OHIO 45219	
31 066					



MAILED 09/23/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/24/2022

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TREX 2631016**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF NAPOLEON CITY COUNCIL**  
PO BOX 151  
NAPOLEON OHIO 43545



Department  
of Commerce

Rev 2/10/2021

Mike DeWine, Governor  
Jon Husted, Lt. Governor

Division of Liquor Control  
Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
  - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

**FAX:** (614) 644 – 3166

**EMAIL:** [LiquorLicensingMailUnit@com.state.oh.us](mailto:LiquorLicensingMailUnit@com.state.oh.us)

**MAIL:** Ohio Division of Liquor Control  
Attn: Licensing Unit  
6606 Tussing Road  
PO Box 4005  
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to [https://www.comapps.ohio.gov/liqr/liqr\\_apps/PermitLookup/PermitHolderOwnership.aspx](https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx) and enter the permit number listed on the legislative notice; or
- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Licensing Section  
6606 Tussing Road  
Reynoldsburg, OH 43068-9009

Fax 614-728-1281  
TTY/TDD 800-750-0750  
[com.ohio.gov](http://com.ohio.gov)

An Equal Opportunity Employer and Service Provider

**Resolution No. 057-22 Exhibit A**  
**AMENDMENT NO. 1**

This Amendment No. 1 (the “Amendment”) to Community Reinvestment Area Agreement No. 2021-000 (the “Agreement”) is made and entered into by and between the City of Napoleon, Ohio, a municipal corporation located at 255 W. Riverview Avenue, Napoleon, Ohio, 43545 (the “City”) and Keller Logistics Group, Inc., organized under the laws of Ohio, located at 24862 Elliott Rd, Defiance, OH 43512 (the “Enterprise”) (collectively referred to as “Parties”).

WHEREAS, the Enterprise has expressed the Agreement is being re-assigned from Keller Logistics Group, Inc. to Keller Napoleon Industrial Properties, LLC and it is the Parties’ intent to amend the terms and conditions of the Agreement to reflect such reassignment. Keller Napoleon Industrial Properties, LLC accepts all responsibility of the Agreement.

WHEREAS, the Enterprise has expressed that the Project will increase the industrial building approximate size from 100,000 square feet to 150,000 square feet.

WHEREAS, the Enterprise Project will now commence by September 6, 2022.

NOW, THEREFORE, on the basis of the foregoing recital and in consideration of the mutual promises and agreements of the Parties, the City and the Enterprise agree to amend the Agreement as follows:

**Section 3. The Project.** The Project will involve a total capital investment in real property currently estimated at \$6,500,000.00, plus or minus 10% in development and construction of a light-industrial building, approximate size being 150,000 square feet, on the Real Property. (a) A description of all the investments to be made at the facility including value of new real property shall be as in Appendix(s) "A" and "B", incorporated into this Agreement by attachment hereto.

(b) The Project will commence by September 6, 2022, and all acquisition, construction, and installation of the Project will be completed by July 31, 2023.

(c) The total investment of this construction project is greater than the (10%) of market value of the facility assets already owned at the site prior to such expenditures.

Additionally, the following Definitions of the Agreement are amended as follows:

“Improvements” means the improvements to the real property resulting from the Project, as more fully described in Appendix B1 of the Amendment, incorporated by reference hereto.

“Project Completion Date” means July 31, 2023, even though the actual completion date may be earlier.

IN WITNESS WHEREOF, the City and the Enterprise have caused this Amendment to be executed on their behalf by their respective duly authorized officer or representative on this \_\_\_\_ day of \_\_\_\_\_, 2022.

**AGREED:**

**CITY OF NAPOLEON, OH**

By \_\_\_\_\_  
Joel Mazur, City Manager

**KELLER NAPOLEON INDUSTRIAL PROPERTIES,  
LLC**

By \_\_\_\_\_  
Bryan Keller, CEO

**CONSENTED TO:**

**NAPOLEON AREA CITY SCHOOL DISTRICT**

By: \_\_\_\_\_  
Ty Otto, School Board President

By: \_\_\_\_\_  
Michael Bostelman, School Board Treasurer

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Prosecuting Attorney

EXHIBIT "B"

Appendix "B1"

THE IMPROVEMENTS

The Project will involve a total capital investment in real property currently estimated at \$6,500,000.00, plus or minus 10% in development and construction of a light-industrial building, approximate size being 150,000 square feet, on the Real Property located on 720 Independence Drive, Napoleon, OH 43545.

(a) A description of all the investments to be made at the facility including value of new real property shall be as in Appendix(s) "A" and "B", incorporated into this Agreement by attachment hereto.

(b) The Project will commence by September 6, 2022 and all acquisition, construction, and installation of the Project will be completed by July 31, 2023.

(c) The total investment of this construction project is greater than the (10%) of market value of the facility assets already owned at the site prior to such expenditures.

**RESOLUTION NO. 057-22**

**A RESOLUTION AUTHORIZING AMENDMENTS TO THE  
PREVIOUSLY EXECUTED COMMUNITY  
REINVESTMENT AREA (CRA) AGREEMENT WITH  
KELLER LOGISTICS, INC. WITHIN NAPOLEON CRA #7;  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Reinvestment Area Program, pursuant to Ohio Revised Code Chapter 3735, authorizes the City to grant real property tax exemptions on eligible new investments; and,

**WHEREAS**, the City by Resolution 114-01 adopted on October 1, 2001 that designated an area (CRA 7) as a Community Reinvestment Area pursuant to Ohio Revised Code Chapter 3735 and, with the adoption of Resolution No. 65-02 adopted June 17, 2002 enlarged the area; and,

**WHEREAS**, the Director of Development determined that the area so designated by the City contained the characteristics set forth in Ohio Revised Code Section 3735.66; and,

**WHEREAS**, the Director of Development certified the area as a community reinvestment area known as Zone No. 069-53550-02 (the "Area"); and,

**WHEREAS**, the City by Resolution No. 037-21, passed unanimously on October 19, 2021, authorized a Community Reinvestment Area (CRA) Agreement with Keller Logistics, Inc.; and,

**WHEREAS**, the appropriate school(s) were provided with all legally-required notices; and,

**WHEREAS**, the Napoleon Area City School District Board of Education, either waived the timeliness of the notice requirement(s) and approved the proposed agreement or, timely received the notice(s) and made approval; and,

**WHEREAS**, the Community Investment Corporation (CIC) of Henry County now requests amendments to the previously executed Community Reinvestment Area (CRA) Agreement with Keller Logistics, Inc., as listed in Exhibit A attached hereto and made a part of this Resolution; and,

**WHEREAS**, the City now desires to amend the previously executed Community Reinvestment Area (CRA) Agreement with Keller Logistics, Inc.; **Now Therefore**,

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

Section 1. That, the City approves and consents to certain amendments to the previously executed Community Reinvestment Area (CRA) Agreement with Keller Logistics, Inc., in substantially the form as being currently on file with the City Finance Director, Agreement No. 2021-17, subject to any changes deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; said agreement having been reviewed by this Council.

Section 2. That, said amendments are listed in Exhibit A attached hereto and made a part of this Resolution.

Section 3. That, the City Manager is both authorized and directed to execute the Community Reinvestment Area Agreement as referred to in Section 1 of this Resolution in the name of and on behalf of the City.

Section 4. 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 Ohio Revised Code Section 121.22 and the Codified Ordinances of the City of Napoleon, Ohio.

Section 5. That, if any 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 6. 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 expeditiously proceed with this development project for the economic welfare of the inhabitants of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect a the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the construction process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: \_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_\_ Nay \_\_\_\_\_ Abstain

Attest:  
\_\_\_\_\_  
Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 057-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; and I further certify the compliance with the 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 2022 & 2023 Contributions

Proposed January 1, 2023							
	Enrolled	Employer		Employee			
<b>BORMA - Standard Plan 2</b>	#	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
<b>Plan Total</b>	<b>77</b>	<b>\$126,857.73</b>		<b>\$111,000.51</b>		<b>\$15,857.22</b>	
<b>BORMA - Standard Plan 3</b>	#	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
<b>Plan Total</b>	<b>25</b>	<b>\$32,406.61</b>		<b>\$28,355.78</b>		<b>\$4,050.83</b>	
<b>Monthly Total</b>		<b>\$159,264</b>		<b>\$139,356</b>		<b>\$19,908</b>	
<b>Annual Total</b>		<b>\$1,911,172</b>		<b>\$1,672,276</b>		<b>\$238,897</b>	
		2.25%					

Effective January 1, 2022							
	Enrolled	Employer		Employee			
<b>BORMA - Standard Plan 2</b>	#	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
<b>Plan Total</b>	<b>77</b>	<b>\$124,066.04</b>		<b>\$108,557.79</b>		<b>\$15,508.26</b>	
<b>BORMA - Standard Plan 3</b>	#	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
<b>Plan Total</b>	<b>25</b>	<b>\$31,693.53</b>		<b>\$27,731.84</b>		<b>\$3,961.69</b>	
<b>Monthly Total</b>		<b>\$155,760</b>		<b>\$136,290</b>		<b>\$19,470</b>	
<b>Annual Total</b>		<b>\$1,869,115</b>		<b>\$1,635,475</b>		<b>\$233,639</b>	

## 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		
<b>Total</b>	<b>563</b>	<b>1990</b>	<b>28.2%</b>	<b>17.9%</b>		





## 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](mailto: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

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



# City of Napoleon

Brittany Roof, Human Resources Director

255 West Riverview Avenue • P.O. Box 151 • Napoleon, Ohio 43545-0151

Phone: 419.592.4010 • Direct: 419.591.2847 • Fax: 419.599.8393

[broof@napoleonohio.com](mailto:broof@napoleonohio.com)

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September 22, 2022

The Human Resource Department, with support from the City Manager, wants to change the verbiage in the policy and personnel code in regards to overtime capability for hourly non-bargaining employees.

- Personnel Code – 197.14:D:8 – Overtime -Basic Rate
  - Current Verbiage:
    - All work performed in excess of the regular forty (40) hour work week, shall be overtime and shall be compensated at the rate of time and one half (1-1/2) times the employee's regular rate of pay, except as provided below.
  - New Verbiage (Change back to code in 2012):
    - All work performed in excess of eight (8) continuous hours or in excess of the regular forty (40) hour work week, shall be overtime and shall be compensated at the rate of time and one half (1-1/2) times the employee's regular rate of pay, except as provided below. (The eight (8) continuous hours is subject to all Non-Bargaining Employees)
  
- Personnel Code – 197.16:F:1 – Effects of Vacations and Days Off on City Observed Legal Holidays
  - Current Verbiage:
    - 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:
  - New Verbiage:
    - 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 may elect to

receive the pay, to bank the holidays, or to bank the vacation day. Except for salary employees, hourly 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:

- Employee Policy Manual – 4.4 – Effects of Time Off on Ability to Earn Overtime
  - Current Verbiage:
    - Overtime is controlled by the Personnel Code §197.14, and is computed on work performed excess of a regular forty (40) hour work week, except fire and rescue. For all hourly employees, including fire and rescue personnel, time actually worked does not include leave of any type. When a Police Lieutenant is forced to work as a contracted Police Officer, then he/she shall be paid per Article 25.1 of the Police Union Contract. A Department Head may require an employee to return to work on any particular day to work over and above the standard work schedule without the necessity of paying the overtime rate, so long as the above formula for overtime is followed.
  - New Verbiage (Change back to 2011 version):
    - Overtime is controlled by the Personnel Code §197.14, and is computed on work performed in excess of eight (8) continuous hours per day or in excess of a regular forty (40) hour work week, except fire and rescue. For all non-bargaining hourly employees, including fire and rescue personnel, time actually worked does include paid leave. A Department Head may require an employee to return to work on any particular day to work over and above the standard work schedule without the necessity of paying the overtime rate, so long as the above formula for overtime is followed.

Thank you,  
Brittany Roof  
Human Resource Director



# Napoleon Police Department

## Chief David Mack

310 Glenwood Ave O P.O. Box 151  
Napoleon, Ohio 43545-0151

Phone: (419) 599-2810 O Fax: (419) 599-7969

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

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### MEMORANDUM

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*Mayor*  
Jason Maassel

*City Manager*  
Joel L. Mazur

*Police Chief*  
David J. Mack

*Administrative  
Lieutenant &  
PIO*  
Edward Legg

*Lieutenants*  
Chad Moll  
Greg Smith

*Sergeant*  
Justin Ruffer

*School Resource  
Officer*  
Bradley Strickland

*To: Health & Human Resources Committee*  
*From: David J Mack, Chief of Police*  
*cc: Joel Mazur, City Manager; Roberta Mack, Director Center for Child and Family Advocacy, Brad Strickland, IUPA Local #240; Billy Harmon, City Law Director, Sheriff Mike Bodenbender, Henry County Sheriff & Prosecutor; and Gwen Howe-Gebers, County Prosecutor, outgoing correspondence*  
*Date: September 18, 2022*  
*Effective:*  
*Subject: Comfort Dog Partnership with Center for Child and Family Advocacy*

#### **Announcement:**

I am excited to inform the council of another example of a great partnership with a local organization, the Center for Child, and Family Advocacy. At the beginning of this year, I was requested by the City Manager and Lanie Lambert. Human Resource Director for the City to research this partnership and the development of a Therapy K-9 Program.

With this said, this was accomplished, and the Center for Child and Family Advocacy was contacted, and we researched the need and the process to achieve this goal. The Center had just retired last year, their existing therapy dog due to medical illness and thus was excited at this opportunity. The Center was able to locate and purchase a pure breed Australian Shepard, considered one of the top breeds for therapy/comfort k9s.

#### **Intent:**

The intent of the therapy dog program will be to work with a select canine, law enforcement personnel, and therapist with the Center for Child and Family Advocacy which employs the county's victim advocates. Everyone will be trained in methods of trauma-informed care to provide victims with an outlet for the mental, physical, or psychological effects of experienced trauma.

#### **History In Ohio:**

Since the inception of the "New Wave Policing K-9 Program" by the Franklin County Sheriff's office, a therapy dog program, which was the first program in Ohio in 2017, and only the 6<sup>th</sup> in the nation, the Franklin County SO Therapy Dog program has received requests to join victims' assistance efforts from various victim advocacy groups and local, state, and federal law enforcement agencies across Central Ohio and the country. Due to the program's overwhelming popularity and success, we

feel this is well worth the investment in time and resources for the Napoleon Police Department and the Center for Child and Family Advocacy.

### **Other Local Programs:**

The Napoleon Area Schools is currently in the same process of training a therapy K-9. This is a long process for any entity to take on, and they are about a year ahead of where we are currently at. Napoleon Area Schools personnel supported our efforts and provided significant research and connections with trainers.

St Paul Luther Church and School of Napoleon also is contemplating beginning their own therapy K-9 program; however, they are still months away from the start, according to Paster Marcis. He, too, was very supportive and feels that having multiple programs in the city will only enhance our much-needed efforts in combating mental health concerns in Napoleon.

Even though there are two other organizations in the City of Napoleon who are in some part of the same process, there remains a very important and specific need for not only the City of Napoleon Police but also the Center for the Child and Family Advocacy to undergo the same process to meet the needs of our community.

### **Mission and Needs Assessment:**

The mission of the Therapy K-9 program is to enhance and assist in the response and treatment of trauma and mental health by providing a well-trained dog as a medium in those efforts.

Internally: The Therapy K-9 program will assist first responders and all staff within the city cope with exposure to traumatic events and support efforts to increase resilience to improve mental health and wellness. The therapy K-9 will also be made available to all divisions within the city to assist in their individual missions.

Externally: The Therapy K-9 program will support community partners whose mission is to provide services to those affected by trauma, mental health, and crime. Unless otherwise directed by the Police Chief or his designee and/or the Director of the Center for Child and Family Advocacy, all partnerships will be with the government and non-profit organizations

In Ohio, to date, there has been a 300% increase in mental health clients since the same time frame last year, according to the Center. Mental health-related calls continue to rise for the city police department, and the frequency of severe violent crimes, such as strangulation, continues on that same track.

City Police Department and the Center's missions of a therapy K-9 program are very similar, and both involve individuals around the criminal justice world and not in a school setting. Significant privacy concerns arise with servicing victims of crime and utilizing outside resources such as in-school therapy K-9s. School K-9 programs will have many hurdles in the criminal justice system, from scheduling to confidentiality concerns, due to the very different settings between the two worlds.

Both missions are vital, but both are unique as well. We believe that all could benefit from each other when the next significant trauma event is experienced by our community. Like in other law enforcement K-9 programs, multiple K-9s serve a purpose for larger missions.

According to Franklin County representatives, K-9 Child Advocacy Center (CAC) was at 87% disclosure of abuse; however, after K-9 is utilized, they have seen 100% disclosure rate. This increased the prosecution rate of perpetrators, as well.

**Training:**

The training from Franklin County Sheriff's Office will be provided at no cost to the Center or the City, other than travel expenses. At 16 weeks of age, the K-9 can start obedience training. There is quarterly training 4 times a year. When the K-9 achieves a year old, there is a weeklong K-9 therapy training. There will be a significant focus on obedience and an eventual certification from the "Alliance of Therapy Dogs."

**Use:**

The primary use will be to help improve the mental wellness of city employees and the Center's employees and to help with the effects of trauma on all citizens. It has been recommended to us to have two (2) handlers in the same household by Franklin County representatives, if possible

**Conclusion:**

We believe that this would be another innovative tool for assistance and community engagement in our community for both our organizations.

The city will share through the signing of an MOU the minor costs associated with the program, such as animal care. Expenses such as food and, to some extent, toys and bedding are expected to be covered by donations. American Rescue Act Funds could also be utilized for this expense due to the mental health wellness of first responders.

The Napoleon Veterinarian Clinic has agreed to discount their services for this program, as they did with K-9 Luke and another K-9 in the county.

A handwritten signature in blue ink that reads "Chief Dave Mack". The signature is written in a cursive, flowing style.

# Therapy K9s: Changing the way law enforcement serves communities

The Franklin County Sheriff's Office started a police therapy K9 program to improve community engagement and better serve their citizens

Apr 17, 2019

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By Jason Ratcliff

In March 2017 Sheriff Dallas Baldwin of the [Franklin County Sheriff's Office](#) in Columbus, Ohio, began the first law enforcement therapy K9 program in the state. At the time we were one of only six other agencies we could identify nationwide who were utilizing the [benefits of therapy dogs](#).

As an agency that embraces [community engagement](#), we realized therapy dogs could be beneficial tools to serve our citizens in a unique way. Dogs transcend cultures, religious beliefs and political affiliations, so we knew they could provide a segue into establishing stronger relationships with our diverse population.



Various agencies benefit from the the Franklin County Sheriff's Office therapy K9 program, including children's services, the prosecutor's office, the FBI, and veteran's and drug courts. (Photo/Jason Ratcliff)

The program has been such a success in our community that as of this writing, our program has grown to three canines. We have two handlers who are [Certified Trauma Practitioner Clinical \(CTP-C\)](#), as well as two Qualified Behavioral Health Specialists (QBHS) through the state of Ohio.

### **THERAPY K9 PROGRAM ACTIVITIES**

Although public relations and community engagement represent a portion of our efforts, the cornerstone of our program is victim's advocacy, mental health and trauma.

We utilize the dogs in weekly group and individual counseling sessions with children enrolled in the mood and behavioral program at our local children's hospital. Many of these children suffer from anxiety and are depressed, suicidal or have had suicidal ideations. As part of this partnership, the hospital is collecting outcome data for us. The last set of data indicated that 90% of the children reported an increase in mood

when dogs were present, 100% of clients felt the dog's presence was helpful and 100% of clients reported a decrease in the overall SUDs (subjective units of distress scale) ratings of the children.

In addition to this partnership, we work closely with our county children services agency, our prosecutor's office, the FBI, and our veteran's and drug court, as well as partnerships with several school districts where we specifically target children with behavioral challenges.

### **THERAPY K9 PROGRAM EXPENSES**

The main expenses of a canine program revolve around the care of the dog themselves. We have been very fortunate that our program is funded through donations and [community partnerships](#). All veterinarian care, food, supplies and grooming are provided by community partners free of charge. In addition to those services, we have received approximately \$60,000 in monetary donations since the program's inception from individual and corporate donors that assists us with needs not covered by the service providers.

Marketing our program to let our community know about what we do has been key to our success. Harnessing the power of [social media](#), attending key events and taking advantage of the relationship between our public relations office and the media has been crucial to spreading our message, our needs and our mission.

### **THERAPY K9 PROGRAM TRAINING**





Sergeant Jason Ratcliff pictured with therapy K9 Kit. (Photo/Jason Ratcliff)

To run a top-notch program, we recently sent one of our handlers through a Master K9 Trainer school and they are now a member of the [International Association of Canine Professionals \(IACP\)](#).

In addition, we have staff who are evaluators for a nationally recognized therapy dog certification body. This enables us to do our training in-house and tailored to our specific needs, as well as assist other agencies who are looking to start a program.

To help us better understand how to use our dogs effectively, several of our handlers are in the process of obtaining their CTP-C designation (Certified Trauma Practitioner-Clinical).

### **3 CONSIDERATIONS BEFORE LAUNCHING A THERAPY DOGS PROGRAM**

The Franklin County Sheriff's Office has a total of 14 dogs: 11 are dual-purpose K9s and three are therapy K9s. A therapy K9 can be anything from a chihuahua to a pit bull. A therapy K9 is selected by temperament alone, and breed plays no factor.

Agencies interested in starting a therapy K9 program can utilize their local animal shelter or rescue organization who often have dog behavioral specialists to help you select the best dog for your mission. If an agency prefers a breed of dog, they should work with a reputable breeder who can assist them in selecting the best dog for their needs from the available litters.

Here are three steps agencies should take as they plan a therapy dog program:

## 1. Get leadership support

Key to the success of any new program is buy-in from the top. Because the concept of therapy K9s is so unfamiliar to the world of law enforcement, I recommend doing thorough research before presenting the idea to decision-makers. Plead your case as to why it works. There are plenty of studies on the benefits of therapy dogs and, as with any new venture, it is a good idea to see who is being successful and reach out for advice and trusted counsel to not only gain insight but to save time. Don't reinvent the wheel. It is much easier to take an existing model and tweak it to your needs.



Various agencies benefit from the the Franklin County Sheriff's Office therapy K9 program, including children's services, the prosecutor's office, the FBI, and veteran's and drug courts. (Photo/Jason Ratcliff)

## 2. Establish funding for the program

Economic factors are next in importance. We are fortunate that our community has financially supported us, but that support didn't fall into our laps. Many hours have been, and continue to be, dedicated to marketing and spreading our message. Only you can decide if that is the right course for you. If your canine remains healthy, yearly maintenance costs should hover somewhere between \$1,000 to \$2,000. This is a small price to pay for the return on investment your agency and community will receive through strengthened relationships.

## 3. Review liability concerns

Liability issues and concerns will differ from agency to agency, especially with organizations that currently do not have a traditional K9 program in place. Behavior/temperament testing is crucial to a successful program. I would not recommend an agency select a dog without a temperament test from a trained professional, which should be a documented part of a dog's file. In addition, ongoing training should be documented. An agency also needs to incorporate a comprehensive set of standard operating procedures for all handlers to follow. At the end of the day, even a well-trained dog has the propensity to bite, which is why it's so crucial a therapy K9 program is ran with the same professionalism as any other unit in an agency.

**LE THERAPY K9 SCHOOL ESTABLISHED**

We routinely field calls and emails regarding how we managed to create a successful program. Questions range from how we pick and train dogs, liability issues, financing and our standard operating procedures.

Due to the amount of questions we receive, we created a week-long Law Enforcement Therapy K9 school through a partnership with our county Animal Control office where we will be selecting and training therapy dog candidates from the shelter. Our first class will be held in late summer of 2019. There will be no costs to agencies other than travel and lodging expenses if needed. At the end of the school, we will send officers home with a fully trained canine ready to serve their community free of charge.



The cornerstone of the Franklin County Sheriff's Office therapy K9 program is victim's advocacy, mental health and trauma. (Photo/Jason Ratcliff)

Since we began this venture almost two years ago we have identified approximately 40 law enforcement agencies nationwide deploying therapy dogs in their communities. We have seen tremendous results from our program and community support has been overwhelming. It is my hope that other agencies will consider bringing this innovative concept to the communities they are sworn to serve and protect.

**About the author**

*Jason Ratcliff is a 23-year law enforcement veteran. He has served the last 20 of those years with the Franklin County Sheriff's Office in Columbus, Ohio, where he has worked in corrections, patrol, investigations and now as a sergeant on the community relations team. Contact Jason at [jvratcliff@franklincountyohio.gov](mailto:jvratcliff@franklincountyohio.gov).*

Tags > [Community Policing](#) • [K-9](#) • [K-9 Operations](#)

**RECOMMENDED FOR YOU**

< [Photo of the Week: When cops need a hand, they find a paw instead](#)      [Calif. police chief introduces plan to proactively assess current K-9 policies](#)      [Photo of the Week: Prote protectors](#) >

**POLICE1 TOP 5**

- 1** [Lawsuit: No pay for commuting Wash. state troopers is unlawful](#)
- 2** [Minneapolis LE use-of-force numbers have climbed after handcuff policy change](#)
- 3** [Video shows moments that led up to officer being shot by suspect during foot pursuit](#)
- 4** [Video: 4 good Samaritans aid LEO struggling with suspect during traffic stop](#)
- 5** [Over half of \\$100M verdict thrown out after man tased in 2018 pursuit](#)

[MORE POLICE1 ARTICLES >](#)



# GETTING STARTED WITH FIRST RESPONDER THERAPY DOGS



# DISCLAIMER

The materials provided in this webinar are for general informational and educational purposes only. The materials are not intended to be and should not be considered legal advice or opinions. You should not act upon any information presented without first seeking legal counsel on your specific matter. This session is being presented on May 11, 2022.

# PRESENTERS



## **CHIEF NEIL GANG**

Pinole (CA) Police  
Department



## **CAPTAIN REED NORWOOD**

West Metro (CO) Fire  
Department



## **MARIE RIDGEWAY, MSW, LICSW, RYT**

Founder and Police Therapist  
Ridgeway & Associates  
Twin Cities, MN

# THE CASE FOR THERAPY DOGS

- Promotes the release of serotonin, dopamine and oxytocin
- Lowers blood pressure
- Lowers anxiety and improves mood
- Increases feeling of support
- Brings smiles and joy!



# THE CASE FOR THERAPY DOGS

- Acts as catalyst in the therapy process—i.e., “breaks the ice”
- Reduces resistance to therapy
- Alleviates symptoms of PTSD
- Help personnel open up, manage emotions



# PROGRAM TYPES

- Difference between emotional support dogs, service dogs and therapy dogs
- Agency-based
  - Department-owned dogs
  - Volunteer (reserve) program
- Partner with outside organization/non-profit
- Provided by mental health resource
- Dedicated resource for first responder or cross-trained for community crisis response



# AUDIENCE QUESTIONS

- What are your thoughts about utilizing a dog trained in another skill set as a therapy dog?
- Are there benefits to having therapy dogs that also deploy to assist community members? Drawbacks?
- Have you heard of departments having therapy K9s that live at the station and are deployed from the station?
- Do therapy dogs work with the agency's professional support counselor or psychologist? Are they present at critical incident debriefs?
- How do you suggest dealing with employees who don't support a therapy dog program and have threatened to file union grievances if we proceed—even when most of our personnel want it? What about allergic personnel?

# BUILDING EXECUTIVE SUPPORT

- Can start at any level with a program champion, but needs leadership buy-in
- If not ready to purchase dogs, will a volunteer model work?



# FUNDING SOURCES

- Your budget! Build into wellness program
- Asset forfeiture
- Donations (equipment, dogs)
- American Rescue Plan Act funding for personnel wellness programs
- Community organizations and businesses



# FUNDING CONSIDERATIONS

- Insurance
- Training
- Equipment (vests)
- Handler compensation/OT for off-duty callouts
- Food
- Vehicles
- Veterinarian care



# AUDIENCE QUESTIONS

- Are there resources to aid with presentations to chief of police/town council?
- When advocating for this type of program to our administration, what are the most important points to cover?
- I'm currently in the schools as a resource officer. It's easy to pitch why we need a therapy unit during the school year, but what is the justification during the summer months?
- Are there grants to start programs like this?
- What's the approximate cost to train/deploy one dog? How much should we budget for the entire program?

# SELECTING THE HANDLERS

- Someone with passion!
- Any level—but need leadership buy-in
- Ability to care for dog at home
- Rapport and credibility as a trusted peer
- Trained peer support team member (if possible)
- Experience with the dog—know when dog needs to decompress and how



# SELECTING THE DOGS

- Not a “station dog”
- Family pets vs. breeder-supplied vs. donations vs. “repurposed” dogs
- Importance of temperament
- Determine the purpose—crisis response or dedicated to personnel?



# TRAINING & CERTIFYING THE DOGS

- Obedience training
- Alliance of Therapy Dogs
- American Kennel Club Canine Good Citizen
- HOPE Animal-Assisted Crisis Response
- Pet Partners
- Therapy Dogs International



# AUDIENCE QUESTIONS

- Is there a “best breed” for a therapy dog? Golden Doodles? A Pit Bull/Boxer cross?
- If my dog becomes the department therapy dog (funded by city), what are my options if we change our minds/move agencies/buy out, etc.?
- Is there any national accreditation for therapy dogs? What does the certification process entail?
- Do handlers have to be sworn personnel?

# AGENCY BENEFITS

- Reduce stigma
- Show support for all personnel
- Peer support
- Debriefing/defusing
- Cross-use potential for crisis response
- Improve retention



# COMMUNITY BENEFITS

- Share the resource with other public safety agencies
- Build trust/engagement—  
“Date with Milo” contest
- Assist families of injured/killed
- Outreach at department events, recruiting
- Social media



# QUESTIONS?

[webinars@lexipol.com](mailto:webinars@lexipol.com)

## **CHIEF NEIL GANG**

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# FOR MORE INFORMATION

[info.lexipol.com/first-responder-therapy-dogs](http://info.lexipol.com/first-responder-therapy-dogs)

- Presentation slides
- Recording of webinar
- Sample program guidelines/policies
- Related articles



# City of Napoleon

Brittany Roof, Human Resources Director

255 West Riverview Avenue • P.O. Box 151 • Napoleon, Ohio 43545-0151

Phone: 419.592.4010 • Direct: 419.591.2847 • Fax: 419.599.8393

[broof@napoleonohio.com](mailto:broof@napoleonohio.com)

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September 22, 2022

The Municipal Court, with the support of the Human Resource Department, would like to re-evaluate the wage scale and job description for the Municipal Court Bailiff position.

- The current rate for the Municipal Court Bailiff is \$1, 573.08 to \$1,769.71. The current Municipal Court Bailiff is at the top of this scale. We will provide a proposed scale for where the Municipal Court Bailiff position should be at with hopes to make this position a competitive position and keep turn over low.
- The current job description for the Municipal Court Bailiff position hasn't been updated since 2014, which is outdated. We will be proposing a new job description adding in items such as basic building maintenance, visual/audio set up and compliance with court appearances, and others that will presented at the meeting.

Thank you,

Brittany Roof  
Human Resource Director



# Municipal Court Bailiff

Brittany Roof



# Topic one

Job Description Update

## COURT BAILIFF

Department: Municipal Court  
Reports to: Judge  
FLSA Status: Salaried (Exempt)  
Civil Service: Un-Classified (Non-Competitive)  
Union: Non-Bargaining  
Prepared by: Brittany Roof, HR Director  
Approved by: Judge Amy C. Rosebrook  
Approved Date: September 26, 2022

### SUMMARY

Under general supervision, this position provides armed Bailiff services for the City of Napoleon Municipal Court. Bailiffs maintain the safety, security, neutrality, integrity, and confidentiality of the court system, and serve and execute court orders. Bailiffs prevent potentially life-threatening activities directed toward judges, court personnel, jurors, witnesses, defendants, prisoners, and the general public; and maintain order in the courtrooms and commons areas. The Bailiff executes and serves court orders throughout the City of Napoleon including warrants, writs, and other processes directed by the Judge or lawful authority.

**ESSENTIAL DUTIES AND RESPONSIBILITIES** include the following.

#### Courtroom Security and Cleanliness

- Maintains security over inmates to/from/during court hearings and maintains courtroom security and decorum during proceedings.
- Maintains cleanliness in the court room.
- Maintains security for jurors when required.
- Provides fixed post and/or security at assigned areas to protect life and property of personnel and citizens.
- Enforces state statutes and performs high visibility preventative security.
- Responds to special security needs and duress alarms.

#### Documentation

- Prepares and submits written reports pertaining to crimes, incidents, activities, and other violations.
- Promptly informs supervisors of unusual incidents or conditions.
- Prepares all criminal/traffic docket paperwork per Judges standards.
- Prepares the courtroom and files for Criminal and Traffic Arraignments, including digital/video arrangements needed per Judge standards and requests.
- Process all files and docket paperwork per Judge standards and document completion.
- Administers oaths to witnesses and jurors when required and receives verdicts in the same manner and form and to the extent as the Clerk or Deputy Clerks of Court.
- Sends referrals to alcohol/drug and domestic violence agencies.
- Assists in record checks as may be require from time to time.

#### Field Duty Services

- Serves and executes all warrants, writs and other process directed to him/her by any proper and lawful authority.

- Approves all undertaking and bonds given in actions of replevin and all redelivery bonds in attachment.
- Executes court process directed to the Bailiff's office.
- Completes records documenting type of service.
- Investigates and takes custody or issues citations of person under the discretion of court ordered warrants and orders of detention (Including body attachments)
- Immobilizes vehicles as ordered by the Court.

#### Other duties as required by the Judge

- Announces entrance of Judge.
- Assists Clerks and Deputy Clerks when requested.
- Performs other duties as directed by the Judge.

### QUALIFICATIONS

#### KNOWLEDGE, SKILLS, AND ABILITIES

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Must be 21 years of age or older
- Have a thorough knowledge of the Court procedures; tact in dealing with litigants and the general public; good physical condition.
- Must be able to physically control disorderly persons.

#### EDUCATION, CERTIFICATIONS, and/or EXPERIENCE

- Working knowledge of the criminal justice system.
- Must have a minimum of a high school diploma or equivalent.
- Or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.
- Must possess a valid Ohio Driver's license and be certified or able to acquire certification to carry a firearm; moreover, must have the ability to be bonded. Further, must be certified or be able to acquire certification in other areas as required by law.

#### ENVIRONMENT, PHYSICAL ACTIVITIES, AND REQUIREMENTS OF THIS POSITION

- Generally, work is performed inside the court; however, duties will require travel from time to time within and without the county.
- 
- Must be fluent in both written and spoken English.
- The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
  - Able to physically restrain disorderly individuals
  - Accurately report what is observed utilizing ones basic senses.

# Topic two

Increase in pay scale

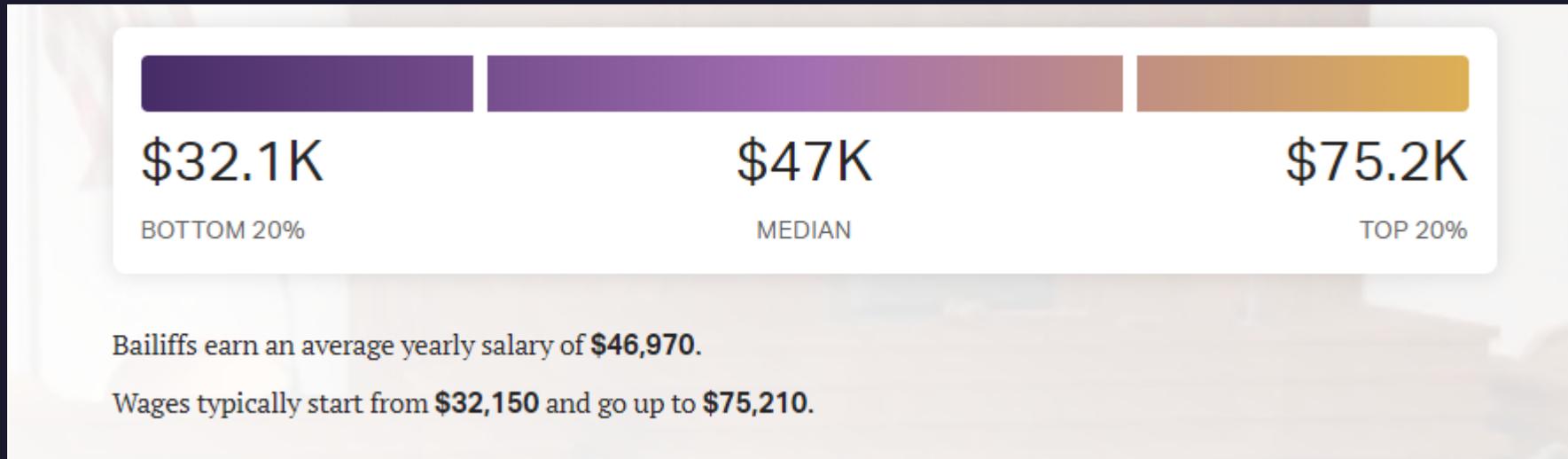
# Current Wage Scale

- Starting Pay : \$1,573.08 Pay Period = \$40,900.08 Salary
  - Roughly \$19.66 an hour
- Top Pay: \$1,769.71 Pay Period = \$46,012.46 Salary
  - Roughly \$22.12 an hour

Current Bailiff is at the top of the pay scale.



# Wages Around Us....



# Wages Around Us...

## Bailiff earnings by seniority

90th percentile

Top-level bailiff earnings begin at:

\$36.16

per hour

\$75,210

per year



75th percentile

Senior-level bailiff earnings begin at:

\$28.78

per hour

\$59,860

per year



50th percentile

Mid-level bailiff earnings begin at:

\$22.58

per hour

\$46,970

per year



25th percentile

Junior-level bailiff earnings begin at:

\$17.76

per hour

\$36,940

per year



10th percentile

Starting level bailiff earnings begin at:

\$15.46

per hour

\$32,150

per year



# Proposed Wage Scale

Our current Bailiff with years of service and experience in the position is considered to be in the Mid-Level environment at our court. With the wage he currently sits, this puts him at the starting of where he should be, which is why we propose an increase to his scale to \$60,000 as the top. We want to keep the bottom where it is in case, we have another Bailiff come in with less experience and years of service.

- Starting Pay : \$1,573.08 Pay Period = \$40,900.08 Salary
  - Roughly \$19.66 an hour
- Top Pay: \$2,307.69 Pay Period = \$60,000 Salary
  - Roughly \$28.84 an hour





# 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](http://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  
Roxanne Dietrich, Executive Assistant  
Jeff Rathge, Operations Superintendent  
Marrisa Flogaus, Clerk of Council  
**Date:** September 27, 2022  
**Subject:** Orwig Avenue & W. Main Street Waterline Improvements – Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans, bid documents, and specifications for the above referenced project. This project consists of replacing the existing waterlines on Orwig Avenue from Welsted Street to W. Washington Street and on W. Main Street from Sheffield Avenue to Orwig Avenue. The completion date for this project is October 28, 2023.

Engineer's Estimate of Construction: \$440,000.00.

CEL