

November 2022

◀ Oct 2022

Dec 2022 ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2 6:30 pm Special Park Rec Board	3	4	5
6	7 7:00 pm City Council	8 8:15am Privacy Committee 4:30 pm Board of Zoning Appeals	9 6:00pm Civil Service Police Officer Test @ St. Pauls	10	11 8:00am Annual Budget Review Meeting	12 8:00am Annual Budget Review Meeting
13	14 6:30 pm Electric Committee Board of Public Affairs 7:00 pm Water/Sewer Comm. 7:30 pm Municipal Properties Committee	15	16	17	18	19
20	21 6:00 pm Park Rec Committee 7:00 pm City Council	22 4:30 pm Civil Service	23	24 Thanksgiving - Closed	25	26
27	28 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	29	30 6:30 pm Park Rec Board			



City of Napoleon, Ohio

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

Memorandum

To: City Council, Mayor, City Manager, City Finance Director, Law Director, Department Heads, News-media
From: MARRISA FLOGAUS, Clerk
Date: November 4, 2022
Subject: Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the *Technology and Communications Committee* for Monday, November 7, 2022, at 6:15 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

PRIVACY COMMITTEE

SPECIAL MEETING AGENDA

Tuesday, November 8, 2022 at 8:15 am

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

- 1) **Approval of Minutes - May 10, 2022.** (In the absence of any objections or corrections, the Minutes shall stand approved)
- 2) **Review Policies/Procedures for Identity Theft Protection**
- 3) **Report from Staff**
- 4) **Adjournment.**


Marrison Flogaus - Clerk

PRIVACY COMMITTEE MEETING MINUTES

Tuesday, May 10, 2022 at 8:20 am

PRESENT

Committee Members Tony Cotter-Chair, Joel Mazur, Shannon Fielder
City Staff Lori Rausch-Utility Billing Supervisor
Kevin Garringer-Finance Director
Recorder Roxanne Dietrich

ABSENT

CALL TO ORDER

Cotter, Chair of the Privacy Committee, called the meeting to order at 8:20 am.

APPROVAL OF MINUTES

The minutes from the November 16, 2021 meeting were approved as presented.

REVIEW POLICIES/PROCEDURES FOR IDENTITY THEFT PROTECTION

Garringer reported RITA is progressing. We have a weekly call on Wednesdays and are on schedule. There is a total of three extracts and the second extract was done yesterday. We will be changing to a different credit card company with the utilities. We are switching to a company that will allow us to have more options to pay and hopefully be easier. We are going to a company called Invoice Cloud that is set up for utility customers. Customers will be able to text and pay which we cannot do now, they will be able to login and pay without creating an account and they you cannot do that now. This company is more customer service friendly and hopefully if people want to use it, they can see their bills easier online. This will be done around September 2022. Rausch stated there was one no card holder authorization. We are calling it *fraud* as they are saying they did not authorize. Garringer said a family member used the card.

Cotter stated the Rec Department uses credit cards at the front desk at the pool and golf course. Everything is through RecDesk, it's a company. We get similar reports. If we see a declined swipe or something fraudulent, it automatically sends us an email. It is pretty good at making sure anything fraudulent we are made aware of. 99% of the time it is just declined whether it is a bad card or insufficient funds or something like that, so those protections are in place.

REPORT FROM STAFF

Garringer reported there was a privacy issue out at Municipal Court. An individual paid a few people's court fines with a stolen credit card. We tried to issue the money back to the person whose credit card stolen but, we cannot get a hold of them so, the money is in an unclaimed fund. That happened within the last six months.

ADJOURNMENT.

Motion: Mazur Second: Fielder
to adjourn the Privacy Committee meeting at 8:26 am.

Roll call vote on the above motion:

Yea-Fielder, Mazur, Cotter

Nay-

Yea-3, Nay-0. Motion Passed.

Approved

November 8, 2022

Tony Cotter - Chair

City of Napoleon, Ohio

Meeting Agenda

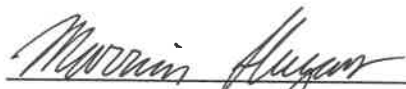
BOARD OF ZONING APPEALS

Tuesday, November 8, 2022 at 4:30 pm

BZA 22-03 – Variance to an Accessory Building over 1,000 square feet – 926 W. Washington St.

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

1. Call to Order
2. Approval of Minutes – October 11, 2022. (In the absence of any corrections or objections, the Minutes shall stand approved)
3. **New Business**
BZA 22-03 -Variance to Property Setback at 926 W. Washington
 1. An application for public hearing has been filed by Josh Sonnenberg of 926 W. Washington St. Napoleon, Ohio 43545. The applicant is requesting approval for a variance to Residential Districts Established / General Prohibitions section 1131.01 (5)(A) Accessory building are allowed to be constructed on any residentially zoned building lot subject to the following provisions: No more than two accessory buildings or structures with a combined gross floor area of 1,000 square feet shall be allowed on a residentially zoned building lot; and accessory building and structures are subject to other zoning regulation applicable to the district in which they are located. The residence is location in an R-2 Low-Density Residential District. The Applicant is requesting to add an additional 780 square feet to the existing garage (accessory building) of 598 square feet, putting the square footage at 1,378 square feet, exceeding the maximum by 378 square feet.
4. Closing Remarks
5. Adjournment.



Marrison Flogaus - Clerk of Council

BOARD OF ZONING APPEALS MEETING MINUTES

Tuesday, October 11, 2022 at 4:30 pm

BZA 22-02 ~ Variance to Property Setback – 1724 W. Riverview Ave.

PRESENT

Board Members Tom Mack-Chair, David Dill, Lynn Rausch, Larry Vocke, Steve Small
City Staff Kevin Schultheis-Code Enforcement/Zoning Administrator
Clerk of Council Marrisa Flogaus
Others Harold Wagner

ABSENT

Board Member

CALL TO ORDER

Mack, chair of the Board of Zoning Appeals, called the meeting to order at 4:30 pm.

APPROVAL OF MINUTES

The minutes from the March 08, 2022 meeting were approved as presented.

NEW BUSINESS

BZA 22-02 -Variance to Property Setback at 1724 W. Riverview

Mack read the background on BZA 22-02. An application for Public Hearing has been filed by Harold Wagner of 1724 W. Riverview Ave. Napoleon, Ohio. The applicant is requesting approval of a Variance to Section 1147 regarding the Building Setbacks in an R-1 Suburban Residential District. The applicant is requesting a variance to the east side property line for a new garage structure (Accessory Building) from 10 feet to 6 feet.

RESEARCH AND FINDINGS

Schultheis presented his research and findings for BZA 22-02:

A variance is needed to allow a new accessory building to be inside the set back requirements of 10 feet of the property line to 6 feet.

STANDARDS FOR A VARIANCE:

The Board, after a hearing, may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district;
- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question;
- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvements in the vicinity or district in which the property is located;
- (d) That granting such variance will not alter the land use characteristics of the vicinity or district, diminish the value of adjacent land and improvements, or increase the congestion in the public streets.

Schultheis reported that none of these will be a problem as a result of this. The applicant is only asking for 6 feet and will still be 4 feet off the property line. Letters were sent and nobody objected. They were all in agreement. Mack asked if any phone calls were received. Schultheis replied no. Mack asked if this will be attached or detached. Schultheis replied detached. Mack asked if there was a print of where it



City of Napoleon, Ohio

Code Enforcement

Kevin Schultheis, Inspector/Zoning Administrator

255 West Riverview Avenue

Napoleon, OH 43545

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

www.napoleonohio.com

BZA-22-03

Variance to Residential Districts Established / General Prohibitions / Accessory building sqft.

Location: 926 W. Washington St. Napoleon, Ohio

Memorandum

To: Members of the Board and Zoning Commission

From: Kevin L. Schultheis, Zoning Administrator/Code Enforcement Officer

Subject: Variance to an accessory building over 1,000 square feet.

Meeting Date: November 8, 2022 4:30 PM

Hearing #: BZA-22-03

Background:

An application for public hearing has been filed by Josh Sonnenberg of 926 W. Washington St. Napoleon, Ohio 43545. The applicant is requesting approval for a variance to Residential Districts Established / General Prohibitions section 1131.01 (5)(A) Accessory building are allowed to be constructed on any residentially zoned building lot subject to the following provisions: No more than two accessory buildings or structures with a combined gross floor area of 1,000 square feet shall be allowed on a residentially zoned building lot; and accessory building and structures are subject to other zoning regulation applicable to the district in which they are located. The residence is location in an R-2 Low-Density Residential District. The Applicant is requesting to add an additional 780 square feet to the existing garage (accessory building) of 598 square feet, putting the square footage at 1,378 square feet, exceeding the maximum by 378 square feet.

Research and Findings

1. A variance is needed to allow the new garage (accessory building) to exceed the maximum square footage by 378 square feet.
2. Scope of Project: (see attached)
3. Research finds the lot usage percentage will still be well outside maximum lot coverage of 35%, and will not alter the land used characteristics of the vicinity or district, diminish that value of the adjacent land and improvements.

Standards for a Variance

The board, after a hearing, may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district.
- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied the property in question.
- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvement in the vicinity or district in which the property is located;
- (d) That granting such variance will not alter the land used characteristics of the vicinity or district, diminish the value of the adjacent land and improvements, or increase the congestion in the public street. (Ord. 69-01. Passed 7-2-01)

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer.

Application for Public Hearing

City of Napoleon, Ohio

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

Planning Commission

(MZON 100.1700.46690)

- Conditional Use
\$125.00
- Amendment
\$125.00
- Subdivision in City
\$75.00 + \$5.00 each, after two
- Preliminary Plat of Development
\$125.00
- Alley Vacation
\$25.00 + publication cost

Preservation Commission

(MZON 100.1700.46690)

- Certificate of Appropriateness
\$25.00

Board of Zoning Appeals

(MZON 100.1700.46690)

- Certificate of Zoning
\$25.00
- Re-Zoning
\$125.00
- Variance
\$125.00
- Administrative Appeal
\$50.00

Address of property: 926 West Washington

Description of request: Building ~~on~~ into a detached garage

Josh Sonnenberg
OWNER(S) NAME (PRINT)

926 West Washington
ADDRESS- CITY, STATE, ZIP

419-438-2829
PHONE NUMBER

Josh Sonnenberg
SIGNATURE

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

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

Josh Sonnenberg
APPLICANT NAME (PRINT)

Josh Sonnenberg
APPLICANT SIGNATURE

926 West Washington
ADDRESS

Napoleon, Ohio 43545
CITY, STATE, ZIP

419-438-2829
PHONE

Hearing #: _____ Hearing Date: _____ Zoning District: _____

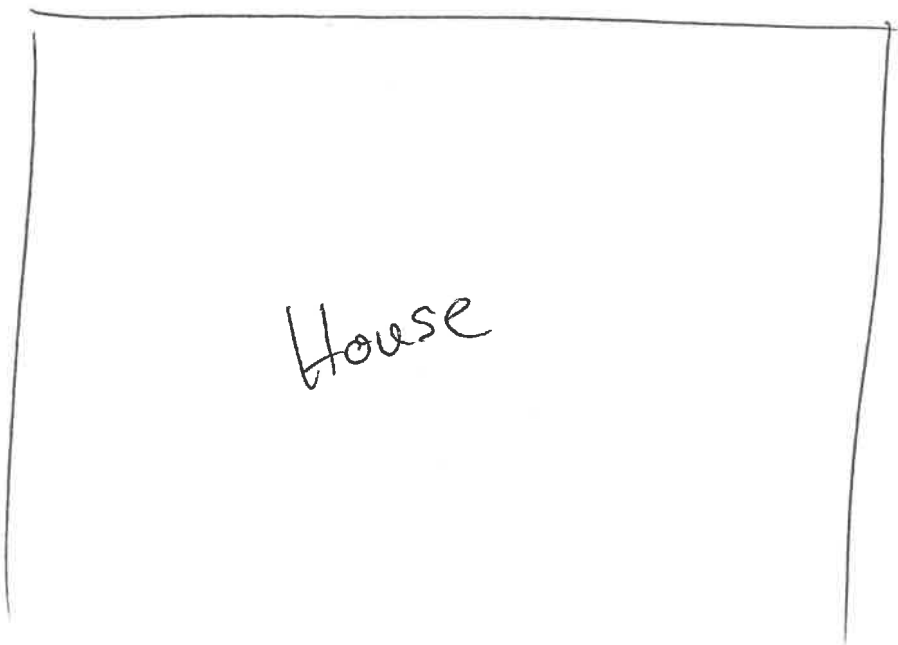
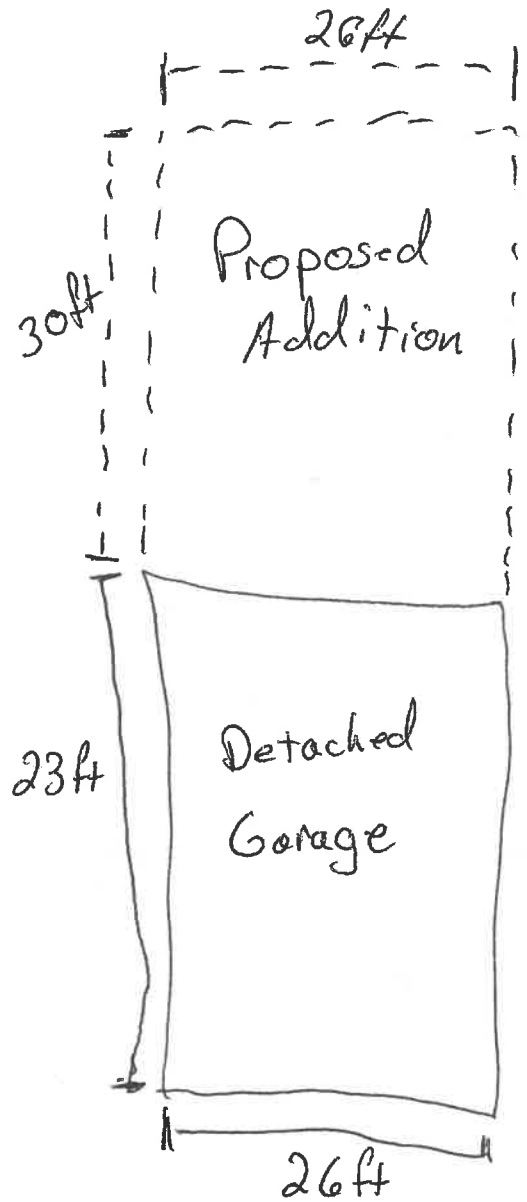
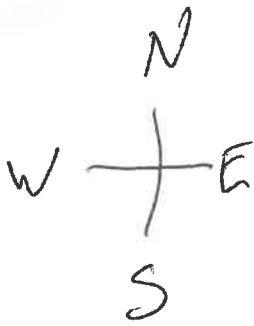
Office Use Only

Batch # _____

Check # _____

Date _____

Josh Sonnenberg
926 West Washington
Napoleon, Ohio 43545
419-438-2829







City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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www.napoleonohio.com

Memorandum

To: Planning Commission, City Council, Mayor,
City Manager, City Finance Director, Law
Director, Department Supervisors, News-media

From: Marrisa Flogaus, Clerk

Date: November 4, 2022

Subject: Planning Commission – Cancellation

The regularly scheduled meeting of the **PLANNING COMMISSION** for Tuesday, November 8, 2022 at 5:00 pm has been *cancelled* due to lack of agenda items.

City of Napoleon, Ohio

CIVIL SERVICE COMMISSION
SPECIAL MEETING AGENDA

Wednesday, November 09, 2022 at 6:00 pm

Location: Saint Paul Lutheran Church, 1075 Glenwood Avenue, Napoleon, OH

1. Call to Order
2. Approve Applicants for the Position of Police Officer (Patrolman Grade)
3. Administer the Police Officer (Patrolman Grade) Physical Agility Test
4. Certify List for the Position of Police Officer (Patrolman Grade)
5. Fire Chief Assessment Center
6. Any Other Matters to Come Before the Commission
7. Adjournment.



Marrison Flogas - Clerk

City of Napoleon, Ohio
CIVIL SERVICE COMMISSION SPECIAL MEETING MINUTES
Tuesday, October 18, 2022 at 4:00 pm

PRESENT

Commission Members Bill Finnegan-Chair, Megan Lytle-Steele
City Staff Clayton O'Brien- Fire Chief
Joel Frey- Assistant Fire Chief
Brittney Roof – HR Director
Recorder MARRISA FLOGAUS

ABSENT

Commission Member Amy Bains

CALL TO ORDER

Chair Finnegan called the Civil Service Commission meeting to order at 4:02pm.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the Civil Service Commission meeting on September 27, 2022 were approved as presented.

APPROVE APPLICANTS FOR THE POSITION OF FIREFIGHTER/ PARAMEDIC

We are asking to have the following seven applicants approved and certified:

Reed Warnement
Abigail Zunk
Alex Rupp
Joshua Benath
Andrew Petronio
Eric Rolls
Ann Burrell

Motion: Lytle-Steele Second: Finnegan

To approve and certify the seven candidates listed above

Roll call vote on the above motion:

Yea-Lytle-Steele, Finnegan

Nay-

Yea-2, Nay-0. Motion Passed.

CERTIFY LIST FOR THE POSITION OF FIREFIGHTER/ PARAMEDIC

Lytle-Steele asked why a few of the candidates didn't complete the firefighter mile? Roof stated Ann Burrell is a lateral transfer, so she will not have to take a firefighter mile and Abigail will have until appointment to complete. The seven candidates being requested to be on the Certified Eligibility List for the Position of Firefighter/Paramedic are:

NAME	SCORE	EXPIRATION DATE
Reed Warnement	94.57	October 18, 2024
Abigail Zunk	92.75	October 18, 2024
Alex Rupp	103.51	October 18, 2024
Joshua Benath	94.64	October 18, 2024
Andrew Petronio	79.82	October 18, 2024
Eric Rolls	93.50	October 18, 2024
Ann Burrell	88.759	October 18, 2024

Approved
11-9-2022

Bill Finnegan, Chair

DRAFT

City of Napoleon, Ohio
**SPECIAL CITY COUNCIL
MEETING**

IN JOINT SESSION WITH
FINANCE AND BUDGET COMMITTEE

Friday, November 11, 2022 at 8:00am

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

1. Call to Order
2. Review of 2023 Budget Proposals
3. Adjournment



Marrison Flogaus -Clerk

City of Napoleon, Ohio
SPECIAL MEETING

OF THE
FINANCE AND BUDGET COMMITTEE

IN JOINT SESSION WITH

CITY COUNCIL

Friday, November 11, 2022 at 8:00am

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

1. Call to Order
2. Review of 2023 Budget Proposals
3. Adjournment



Marrison Flogaus - Clerk

City of Napoleon, Ohio
**SPECIAL CITY COUNCIL
MEETING**

IN JOINT SESSION WITH
FINANCE AND BUDGET COMMITTEE

Saturday, November 12, 2022 at 8:00am

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

1. Call to Order
2. Review of 2023 Budget Proposals
3. Adjournment


MARRISA FLOGAUS, Clerk

City of Napoleon, Ohio
SPECIAL MEETING
OF THE
FINANCE AND BUDGET COMMITTEE
IN JOINT SESSION WITH
CITY COUNCIL
Saturday, November 12, 2022 at 8:00am

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

1. Call to Order
2. Review of 2023 Budget Proposals
3. Adjournment



Marrison Flogaus - Clerk

BUDGET REVIEW SCHEDULE WITH CITY COUNCIL

Friday, November 11, 2022	
8:00 AM	Administration - 1300
8:45 AM	Municipal Court - 1800, 1810
9:05 AM	Henry County CIC - 3500
9:25 AM	Henry County Chamber - 123-1900
9:45 AM	Engineering - 1700 Operations - 5100, 5110, 5120, 5130, 5200, 6400, 6410, 6411, 6412, 6420
11:00 AM	Law - 1400
11:30 AM	IT - 1600
11:45 AM	HR - 1370
12 Noon	Lunch
12:30 PM	Parks & Recreation 4100, 4200, 4300, 4400, 4700
1:15 PM	Wastewater Treatment Plant -6300, 6310, 6311
2:00 PM	Water Treatment Plant -6200, 6210
2:45 PM	Electric -6110, 6111
3:30 PM	Police - 2100

Saturday, November 12th	
8:00 AM	Finance -1500,1520 Council/Mayor 1100/1200
9:00 AM	Fire -2200
10:00 AM	Finance/CM Summary

City of Napoleon, Ohio

CITY COUNCIL

MEETING AGENDA

Monday, November 07, 2022 at 7:00 pm

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

A. Call to Order

B. Attendance (Noted by Clerk)

C. Prayer and Pledge of Allegiance

D. Swearing-in Firefighter/Paramedics: Anna Pugsley, Alex Rupp and Cuyler Kepling

E. Swearing-in Patrolman Jacob Trejo

F. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)
October 17, 2022 Regular Council Meeting Minutes

G. Citizen Communication

H. Reports from Council Committees

1. The Finance and Budget did not meet on October 24, 2022 due to lack of agenda items.
2. The Safety and Human Resources Committee met on October 24, 2022 at 7:30pm and;
 - a. Recommended to Council to approve the GIS Position
 - b. Recommended to Council to approve the Assistant Police Chief Job Description and Wage Scale Layout
 - c. Recommended to Council to approve the Operations Wage Restructure

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

1. The Civil Service Commission did not meet on October 25, 2022 due to lack of agenda items.
2. The Preservation Commission met on October 25, 2022 at 4:30pm and;
 - a. approved NPC 22-03, an exterior mural on the East side of the business building facing Monroe Street.
 - b. approved NPC 22-04, an exterior 7x14 LED sign on the West face of the building above the second floor windows
3. The Parks and Rec Board did not meet on October 26, 2022 due to lack of agenda items.
4. The Parks and Rec Board held a special meeting on November 2, 2022 at 6:30pm and;
 - a. approve the Parks and Recreation Budget for 2023 as presented
 - b. To recommend to City Council the additional request for personnel

J. Introduction of New Ordinances and Resolutions

1. **Ordinance No. 063-22**, An Ordinance approving the execution of an Efficiency Smart Schedule with American Municipal Power, Inc.; and declaring an Emergency

K. Second Reading of Ordinances and Resolutions

1. **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
2. **Ordinance No. 058-22**, An Ordinance amending certain sections of the City of Napoleon Personnel Code, specifically Section 197.14(D)(8), "Overtime – Basic Rate", Section 197.16(F)(1), "Effects of Vacations and Days Off on City Observed Legal Holidays," and Section 197.14(D)(5), "Minimum call-out Time;" also amending the City of Napoleon Employment Policy Manual, specifically Policy 4.4, "Effects of Time Off on Ability to Earn Overtime Pay"
3. **Ordinance No. 059-22**, An Ordinance amending Ordinance No. 053-21 regarding compensation of the Napoleon Municipal Court Bailiff for the year 2023; and declaring an Emergency
4. **Resolution No. 060-22**, A Resolution approving the provisions of a certain collective bargaining agreement no. 2022-MED-08-0736 between the City of Napoleon and Local 240 Napoleon Police Officers Association IUPA, AFL-CIO for the term commencing from December 1, 2022 Through November 30, 2025; authorizing the city manager to execute the same; and declaring an Emergency

5. **Resolution No. 061-22**, A Resolution approving the provisions of a certain collective bargaining agreement no.2022-MED-08-0777 between the City of Napoleon and Local 3363 International Association of Fire Fighters for the term commencing from January 1, 2023 through December 30, 2025; authorizing the City Manager to execute the same; and declaring an Emergency

L. Third Reading of 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

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

1. Discussion/Action: Approval for the Fire Department to apply for MARCS Radio grant
2. Discussion/Action: Change Order No. 1 for VanHyning Pumping Station Replacement.
3. Discussion/Action: on recommendation to approve the GIS Position
4. Discussion/Action: on recommendation to approve the Assistant Police Chief Job Description and Wage Scale Layout
5. Discussion/Action: on recommendation to approve the Operations Wage Restructure
6. Discussion/Action: Award of Orwig Avenue & W. Main Street Waterline Improvements project
7. Discussion/Action: Feasibility Study (refer to Municipal Properties, Building, Land Use & Economic Development Committee)
8. Discussion/Action: Safety Services Strategic Plan (refer to Safety and Human Resources Committee)

N. Executive Session (as needed)

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

P. Adjournment


Marrison Flogaus
Marrison Flogaus—Clerk

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: November 7, 2022 @6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 14, 2022 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for November 2022
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 14, 2022 @7:00 pm)
 - a. Downtown Garbage Cans
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 14, 2022 @7:30 pm)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, November 21, 2022 @6:00 pm)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, November 28, 2022 @6:30 pm)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, November 28, 2022 @7:30 pm)
- 8. Personnel Committee (as needed)**

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

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday November 14, 2022 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for November, 2022
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, November 8, 2022 @4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, November 8, 2022 @5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, January 16, 2022 @6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, November 22, 2022 @4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wed., November 30, 2022 @6:30 pm)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 8, 2022 @10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Monday, December, 2022 @6:45 pm)
- 9. Housing Council (1st Monday after the TIRC meeting)**
- 10. Health Care Cost Committee (as needed)**
- 11. Preservation Commission (as needed)**
- 12. Napoleon Infrastructure/Economic Development Fund Review Committee (NIEDF) (as needed)**
- 13. Tax Incentive Review Council**
- 14. Volunteer Firefighters' Dependents Fund Board (as needed)**
- 15. Volunteer Peace Officers' Dependents Fund Board (as needed)**
- 16. Lodge Tax Advisory & Control Board (as needed)**
- 17. Board of Building Appeals (as needed)**
- 18. ADA Compliance Board (as needed)**

City of Napoleon, Ohio
CITY COUNCIL MEETING MINUTES
Monday, October 17, 2022 at 7:00 pm

PRESENT

Council Members	Joe Bialorucki- Council President, Ross Durham- Council President Pro-Tem, Daniel Baer, Lori Siclair, Ken Haase, Molly Knepley, Dr. David Cordes
Mayor	Jason Maassel
Acting City Manager	Chad Lulfs- P.E., P.S. - Director of Public Works
Law Director	Billy Harmon
Finance Director	Kevin Garringer
City Staff	Brittney Roof- Human Resource Director David Mack- Police Chief Clayton O'Brien- Fire Chief Joel Frey- Assistant Fire Chief Elizabeth Schuller
Others	Aron Deblin News- Media Joey Boston-Efficiency Smart Steve Dupee-Efficiency Smart Sean Clements-Efficiency Smart
Recorder	Marrisa Flogaus
Absent	

CALL TO ORDER

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

EFFICENCY SMART PRESENTATION

Sean Clements from AMP gave a presentation on the Efficiency Smart Program. As we think about an energy efficiency program as people who operate on electric utility you have two ways to meet your power supply needs. You will buy power, but you can also reduce usage. At the end of the day whatever you can do more cheaply or cost effectively favors your city. In the first column is the rate which we generated electrical saving over the past three years. Those are higher values than we are used to seeing as those came with some challenging years due to the pandemic. In the other column you'll see what we project for Napoleon over the next three years if you renew. In the third column you'll see what the market looks like if you're going out to buy power on the market. This is the average price predicted by AMP's Power Supply Division. There are of factors driving those numbers up to \$77 per megawatt hour, which is not a number we are used to seeing. We've been able to enjoy \$30 to \$60 per megawatt hour prices, so this number is a significant increase over past years. This is helping make energy efficiency an even more attractive option for your utility. Transmissions price continue to go up it's about \$6.37 for next year. Capacity is probably the cheapest and the most stable. Energy efficiency can't reduce all of your usage, but we can do the inefficient part at the top and do it very cost

effectively. It's the most affordable way to meet your power supply needs and it comes with some benefits. These are not benefits you get when you buy from other sources. One of the benefits is customer satisfaction. This is a great way for your customers to lower their bills and get information that they need to understand their usage to lower it if they need or want to. It demonstrates your utilities investment back into the community, which is a challenging thing to do within an electric utility. With doing so it actually improves the perception and loyalty of the utility. It builds trust and support in future decisions you may need to make. It really can generate a sense of community and pride. We started a new customer service in 2022. One of the things that we've already seen is that 83% of people that participated in the Efficiency Smart Program have a more positive view of their utility, the other 17% had the same view and nobody said they had a worst one. Customer engagement is how we achieve those customer satisfaction result. We do our best to work as an extension of your utility and to augment your staff. Joey Boston is our account manager dedicated to Napoleon. She works to try to partner with you and your staff to help enhance our efforts. One of our favorite values that our program offers is economic development benefits. If we can help your local companies lower their operating costs they're more likely to stay in town, contribute to a healthy electrical load, and are more likely to reinvest in themselves, which is a way of reinvesting in the city. Also, it can be a way to help attract more businesses to town, which I'm sure you've experienced in the past few years. One new thing we're seeing is companies coming to us or their city utilities stating I have corporate sustainability goals and mandates I have to meet that I don't know how. We can help them measure usage, set goals, prioritize projects to meet those goals and that's a big factor in those companies satisfaction with the local utilities. The simplest way I figured out to explain Efficient Smart is that we are a hands on service who doesn't work from remote, we get in town in person and work directly with your customers to help them reduce their usage. We do this by providing them with information, advice and financial incentives that they make on investments into technology that will reduce their usage. That will change how they operate their company and how the technology operates at their facility or homes. We're going to measure the difference from before and after to provide a monthly update. Just to point out AMP does hire a third party verification company that checks our results annually to make sure what we're saying is something you will fully realize. AMP's member services for energy efficiency have worked with 65 member utilities through 4 states. I work for a company called VEIC and we have a 15 year partnership with AMP, which has been really great. We are good at designing solutions to the local market needs because every energy solution for every local market is going to be different and were good at figuring out how to do that. One of the cool things about my experience being here for 11 years is there aren't a bunch of municipal energy efficiency programs in the country. It's not a very common thing you run into and you have to learn how to do it as it's different than how you'd run a state run program. We've really learned how to do it in our last contract cycles. We've added kilowatts goal to help with peaks to reduce transmission and capacity costs. The longer we are here the longer our partnership with the city and the more we build trust with the customer or companies that will let Boston in on the planning stage of the process. We've also done programs where we can target spending locally. We run a lighting program where we bring bulbs to local stores to help them sell, which creates foot traffic and revenue to local stores. Some things that haven't changed are our performance guarantees. We are very focused on delivering those and we try our best to be an objective 3rd party. For the record for anyone who might be confused we don't sell product and we aren't paid by distributors. We are customer first and vendor second. They are an important part of our process, but we have to be customer first. We have a history of returning on an investment greater than 100%. We're going to talk about the challenges that came

with the pandemic and how that impacted us over the three year cycle. On a positive note even when the program doesn't thrive at the same level we're used to it still has a strong return on investments. When I was here last fall we talked about with even being a little bit behind on goals it was still a great return on investments. We've had people who have been in the program for a long time ask if it's still worth doing, which Napoleon is part of that. We put together the saving during the 2015, 2019 and 2022 cycle. The 2022 number was the highest. I'm super excited to see this because that means there's an abundance of opportunities for our communities even the ones we have been in the longest. Also, it tells me that in an inflationary market your customers still have an appetite for energy efficiency. It gives them a way to control cost they may not have control over otherwise. We have a healthy relationship with lighting projects because they are an easy way to introduce people to the program with a quick payback and are less invasive to facility or homes. We are seeing more savings each year coming from non-lighting technology as we are beginning to work with companies at a deeper level. Tenneco gave us the blessing to share their story that we've turned into a case study. This really speaks to our economical development value. We've helped them reduce their energy usage by 30%, their peak demand by 32% and they've done 11 energy efficiency projects. They started with lighting then moved onto compressed air and controls, which is saving them over a lifetime of these measures \$2.5 million. We're forecasting your contract results to our current contract cycle that ends on December 31 of this year. It is on schedule to achieve the lifetime savings of the measures installed almost 24,000 megawatt hours of an accrued value of about 440,000 summer kilowatt of savings, which will result in a little over \$2.1 million in customer savings. The total program cost has been a little over \$700,000 through the last three years. Those cost savings have come back to you in result of that \$1.4 million, which means to purchase the energy transmission and capacity associated with the energy would cost you over \$1.4 million. Bialorucki asked just to clarify it says lifetime savings achieved, so that's not for the last 3 year contract? Clements replied it's for the work done over the last three years. It's not program to date, so it's not our 12 year history. I find if we share the program to date numbers they get so big it's harder to compute. The pandemic did stifle our ability early on to do some of our program activity. It resulted in two things a little bit lower spending and a little bit lower performance. We are used to exceeding our goals and not needing to talk about minimum performance guarantees, but your existing contract does have performance guarantees for both goals at 70%. The good news is that we worked with AMP for a one time solution around this pandemic challenge. We wanted to bring people a more constant experience financially like they had in the past, so they would give us another chance to come back for another contract and we could deliver at the high levels were are used to. We added a layer of compensation above what's in the contract for any short falls of those two goals of up to 100%. With that we are currently forecasting ending at 88% of the megawatt hour goal and 62% of the kilowatt goal. The 62% mark would have triggered the contractual clause, but we wanted to compensate you with the 12% of the megawatt hours not achieved and the 38% of the kilowatts not achieved. I'm giving you an estimate with a range to get an order of magnitude of dollar amount were looking at, which is between a \$90,000- \$120,000 payment compensation back to the City of Napoleon for what we call under performance. Bialorucki asked if that's received directly on our AMP bill? Dupee replied it would come back in form of a check sometime in the 1st quarter of 2023. Clements stated I know that's new information, but its good information. When you renew for your next contract here are the terms and benefits. Monthly cost are a little over \$21,000, which is a three year cost of \$761,000. These numbers are not radically different than your last contract cycle. The megawatt hour goal is roughly similar at 2,300. The kilowatt goal 521. This time we're going to knock it out of the park and make that last cycle a

distant memory. I would like to point out the avoided cost number is jumping up. If you remember I said \$1.4 million for the last one. Part of that value isn't just from the savings assuming you achieve 100%, but the other part of that is the rising cost of energy that you facing if you need to get it elsewhere. Now you'll see that return on investment number jump up, so that's one of the things that market conditions for those prices are doing to the decision making landscape. I included the menu of services to be fully transparent about how we determine our goals and rates. We recommend Efficiency Smart because it's an affordable way through your power supply needs to deliver high levels of customer satisfaction through effective customer engagement and results in positive economic development tools for your community. Bialorucki asked when you were showing the slide with the huge increase in 2022 with non-lighting would that be because a lot of people during the pandemic started redoing kitchens or getting new washers and dryers? Clements replied very much so not surprisingly during 2020 in particular we saw a home improvement fascination. Our rebates for home appliances went up pretty significantly as well. What's driving part of this is the relationships built with local business. They start doing more projects with us then they get to a point where they won't start a project without calling us or asking us to come be involved with the planning process. That's what's driving a lot of this the willingness because it takes a level of trust. If you're going to do a compressed air system in an industrial facility that's an integral part of production and they better have a high degree of confidence that it's going to return their investment. Now that we've built that trust we're able to make those recommendations that they will follow and realize the benefits. Bialorucki asked do you reach out to our business customers directly or do you work with the CIC? Boston replied both, we work really closely with her Henry County CIC and I knock on doors or make phone calls. Clements stated when we start program cycles we work with the city to find out who the biggest users are, if anyone is facing challenges or struggling to control costs to remain competitive. We can help them out and that can happen in any number of ways. Boston stated I would like to add that I've been working with Lulfs at the Waste Water Plant. Lulfs stated we've worked with them at the Waste Water Plant as well as the Water Plant. They would give us input whether or not certain components might be oversized and whether or not we can control some of the power needs by adding variable frequency drives. Without a variable frequency drive a pump is either on or off. A variable frequency drive slowly ramps it up or soft starts the pump. They review all the plans to see if there's any place we need to incorporate those that we didn't. On the Waste Water Plant we didn't find a lot, but we definitely had a couple small items that could add up over time. Maassel stated when I first got onto city council I sat by Jim Hershburger and during the 1st council meeting he looked at me and said a lot of this is just common sense. If we can spend \$700,000 and get \$2.1 million in savings back over three years it's just common sense. It's pretty simple math. I liked your point about demonstrates investments back into the community. We fight that sometimes. For example, why is Napoleon an AMP community, which is a great reason to show the value it brings. Clements replied that's a great point. Last week I read one of the comments on the new customer surveys and one of the residents said they were proud of their village for offering this program. One of our goal is to help you be the voice of why public power. Bialorucki asked if we choose to renew when does this need to be submitted back? Clements replied technically your contract ends on December 31 of this year. It all depends on your approval process. Garringer said if it gets voted on tonight it will get sent to legal and the three read is enough time to be completed by the end of the year.

APPROVAL OF MINUTES

The minutes from the October 03, 2022 Council meeting were approved as presented.

CITIZEN COMMUNICATION- None

REPORTS FROM COUNCIL COMMITTEES

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on October 10, 2022 due to lack of agenda items.

The Municipal Properties, Building, Land Use and Economic Development Committee did not meet on October 10, 2022 due to lack of agenda items.

The Personnel Committee met on October 11, 2022 at 7:15am; and went into executive session to consider employment of a public employee.

The Electric Committee did not hold their special meeting on October 11, 2022 due to being canceled by the Chair.

The Parks and Rec Committee did not meet on October 17, 2022 due to lack of agenda items.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Resolution No. 057-22- Keller CRA Amendment

Council President Bialorucki read by title Resolution 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

Motion: Durham Second: Haase
to approve First read of Resolution No. 057-22

Lulfs stated this resolution modifies the resolution we had a year ago. It reassigns the CRA from Keller’s Logistics Group Inc. to Keller’s Napoleon Industrial Properties LLC, so that’s just a change of name. Also, it increases the square footage of the project from 100,000 square feet to 150,000 square feet and modified their commence date to September 6. Other than those few things everything else stayed the same. I spoke with Jen at the CIC, they are on board and hope to start moving forward. She didn’t give me a date on when they expected to move the dirt.

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

Yea-7, Nay-0. Motion Passed

Ordinance No. 058-22- Overtime Verbiage

Council President Bialorucki read by title Ordinance 058-22, An Ordinance amending certain sections of the City of Napoleon Personnel Code, specifically Section 197.14(D)(8), “Overtime – Basic Rate”, Section 197.16(F)(1), “Effects of Vacations and Days Off on City Observed Legal Holidays,” and Section 197.14(D)(5), “Minimum call-out Time;” also amending the City of Napoleon Employment Policy Manual, specifically Policy 4.4, “Effects of Time Off on Ability to Earn Overtime Pay”

Motion: Haase Second:
to approve First read of Ordinance No. 058-22

Lulfs stated during the Human and Safety Resource Committee it was recommended to modify the Personnel Code and the Employment Policy Manual. Right now, the non-bargaining employees receive overtime based on a forty hour week and this would change that to an eight hour day. Roof stated when

effect the 1st of the year. HR has done research and compiled numbers from neighboring communities. This would reflect the wages and we wouldn't be near the top, but right now we are near the bottom. If you note in section 4 the municipal court judge may adjust the municipal court bailiff salary as long as it is within the limits and wouldn't be able to go outside those limits without approval from Council. Schuller stated with the current ordinance I can't give the bailiff a raise even if I wanted to. The bailiff's job description was last updated in 2014, so we updated that to reflect what the bailiff is currently doing. Things have changed dramatically especially with covid and there is a lot more technology involved. Also, my bailiff has been operating on his own since last November and the part time bailiff just stated today. He does a really good job and employee retention is important, so I would like to increase the pay scale to keep him in line with other municipalities. Lulfs stated there has been a fair amount of turn over there due to the salary. Durham stated salary across the board is something that we found, especially during contracts, that we need to position ourselves to be competitive with other municipalities. My hang up here is the timing of this request with the budget less than a month away. Why couldn't it just wait until then? I understand it wouldn't be in effect until the 1st of the year. I think we are going to have to review compensation for all positions, not just the bailiffs. Why not wait until budget when we can do a complete overall review? Harmon replied it seems like the review is done, as far as wages go by HR. The information is already in front of you. Roof stated the purpose of setting this up now is so Judge Schuller can set her budget up for next year knowing she can count on the funds for this. I know one of the concerns I heard from last council was if the bailiff was going to go directly to the top of the scale, which he is not. The bailiff currently sits at the top of the scale where it's at now, so he is maxed out completely. The purpose of opening up the upper end and leaving the lower end is due to the experience level. For example, if anything were to happen to the current bailiff and say the full-time bailiff/probation officer takes their spot we can start them out on the lower end. Opening this up for the current bailiff allows the judge to put in the proper steps for him to possibly reach the high, but it really just helps space everything out. It's to give her the ability to before budget figure out where the current bailiff needs to be and where the steps need to be. That way when she comes with her budget she has that laid out for you versus waiting until the last minute. Bialorucki stated I think that was a good question since we are so close I wouldn't want to set a precedent to start doing this before budget. Hopefully, that will not happen in the future. There is a need for this sooner rather than later. It sounds like you want to take care of the person who's been working hard for the past year on his own. Maassel stated updating the job description is something that needs to be done. Garringer stated just for clarification if this gets passed this doesn't go into effect until 2023. I don't believe the intention is to give the bailiff a raise next week and then another one the following. The way I read the ordinance is that it's effective in 2023.

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Resolution No. 060-22- Police Contract

Council President Bialorucki read by title Resolution 060-22, A Resolution approving the provisions of a certain collective bargaining agreement no. 2022-MED-08-0736 between the City of Napoleon and Local 240 Napoleon Police Officers Association IUPA, AFL-CIO 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: Haase Second: Knepley
to approve First read of Resolution No. 060-22

Roof stated just like every other contract there are some pros and cons. Chief Mack did a really good job working closely with the union to come to the forefront of what their issue were to help solve them ahead of time so that when we went into contract it was a one day deal in and out. With that comes different impacts, of course we had housekeeping items that came up and some other items. The items I will go over are wages, educational benefits and scheduled of city observed legal holidays. Those are the only things that we could find with a dollar amount attached to them. We added the verbiage if the City observes any more legal holidays they will automatically get built into the contract. There is a potential overtime piece that is dependent on how the schedule is laid out for that year. For educational benefits we see an impact of about \$5,000. That was just changing some amounts to encourage individuals to go back to school to better themselves not only for their career path, but for the police department as well so they can grow into positions internally. For wages the City has propose with the union do a 5%, 3%, 3% across the board for the next three years.

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Resolution No. 061-22- Fire Contract

Council President Bialorucki read by title Resolution 061-22, A Resolution approving the provisions of a certain collective bargaining agreement no. 2022-MED-08-0777 between the City of Napoleon and Local 3363 International Association of Fire Fighters for the term commencing from January 1, 2023 through December 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. 061-22

Roof stated fire was very seamless. Chief O'Brien was very good at working with the fire union to make sure we had things across the board ahead of time, so we knew what we were going to be working with. The impacts I would like to point out that had money tied to them were legal holidays, acting time and wages. For the legal holidays attached would be the potential of overtime. For acting time we asked Captain Bowen to figure out an estimated cost, which would be \$2,500 a year. This is for individuals that would have to act as a captain or a captain that would have to act as an assistant chief or chief. Captains currently get a 10% bump, which is what we justified this off of. Now, if we have an individual on the line that has to act as a Capitan he would get the 10% increase. Another thing that I would like to point out is that we changed the scheduling of vacations. Right now, they have to take off 24 hours, which causes the department overtime for that full 24 hours. This was adjusted down, so it could be taken off at 12 hour increments. This could in the long run decrease the amount of overtime if that individual could work the other part of the shift. For wages we did a 5%, 3%, 3% across the board for the next three years. Maassel stated it is really great that we had two union negotiations that were really not contentious.

These were some of the easier ones I've ever been a part of. Good job to everyone involved. You get things done a lot faster when you do a lot of the communication before you get to the bargaining table. You don't let it fester for three years and let it build angst during negotiations. Bialorucki replied I agree.

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Ordinance No. 062-22- Acting City Manager

Council President Bialorucki read by title Ordinance 062-22, An Ordinance appointing Chad Lulfs as Acting City Manager for the City of Napoleon, Ohio beginning October 7, 2022; and declaring an Emergency

Motion: Haase Second: Knepley
to approve First read of Ordinance No. 062-22

Bialorucki stated I think this is very self-explanatory. Lulfs stated correct, per the charter you have to have someone in that position. This would make it a temporary appointment, which I believe everyone is working with the understanding that it would be revoked upon the hiring of a full time person. Bialorucki stated Lulfs with your experience in engineering, public works and in the past years when you stepped in when someone been on vacation or when our last city manager left is why you were chosen. We appreciate all your hard work and knowledge you have for this community.

Motion: Haase Second: Baer
to suspend the rule requiring three reads of Ordinance 062-22

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Roll call vote to pass Ordinance No. 062-22 under suspension and emergency

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

Nay-

Yea-7, Nay-0. Motion Passed

Second Reading of Ordinances and Resolutions

Ordinance No. 052-22- Municipal Bridge Inspection Program

Council President Bialorucki read by title Ordinance 052-22, an Ordinance authorizing the Municipal Bridge Inspection Program through ODOT

Motion: Durham Second: Cordes
to approve Second read of Ordinance No. 052-22

Lulfs stated this was brought to us by ODOT asking if we wanted to participate in the Municipal Bridge Inspection Program. The program will fulfil our federal requirement to get our bridges inspected at the cost of the state rather than us having to cover the costs. The state will randomly select a consultant and

usually that is by county. We won't know who it is, but they all have to be pre-qualified. This is an opportunity for us to get our annual bridge inspections done at no cost to the City.

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Ordinance No. 053-22- St. Rt. 110 Resurfacing

Council President Bialorucki read by title Ordinance 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

Motion: Haase Second: Knepley
to approve Second read of Ordinance No. 053-22

Lulfs stated this will allow us to participate in the paving of State Route 110. The State of Ohio had announced they were planning to pave from Route 109 up to the City corporation limits. I asked ODOT if they would be willing to pave up to State Route 108 (S. Perry St.) if we participated with the cost. They agreed and this legislation would allow that. Our portions for the cost have not been finalized, but has been estimated between \$200,000 and \$250,000. We will have that in the budget for when we present the budget. It allows us to get it done for less than half the cost of if we were to do it on our own. With fifty cents on the dollar it's technically like a grant effect. I would like to see us pave State Route 110.

Roll call vote on the above motion

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

Nay-

Yea-7, Nay-0. Motion Passed

Third Reading of 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: Durham Second: Siclair
to approve Third read of Ordinance No. 050-22

Lulfs stated this legislation would give us the holidays of Juneteenth and Veteran's day both to be effective in 2023. One point to note if this does pass the contracts have clauses that would activate them within the contract as well.

Roll call vote to pass Ordinance No.050-22 on Third read

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

Nay-

Yea-7, 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: Haase Second: Knepley
to approve Third read of Resolution No. 051-22

Lulfs stated nothing has changed since the last read. This is the contract for AFSCME, which is our third contract within the City.

Roll call vote to pass Ordinance No.051-22 on Third read
Yea- Siclair, Durham, Bialorucki, Baer, Haase, Cordes, Knepley
Nay-

Yea-7, Nay-0. Motion Passed

GOOD OF THE CITY (Discussion/Action)

Review/Approval of the Power Supply Cost Adjustment Factor for October 2022, PSCAF 3-month averaged factor \$0.0338 and JV2 \$0.440627

Garringer stated I would like to mention that it's not \$0.0338 its \$0.01338. This is just the cost factor and we do a three month rolling average, which is a pretty advance formula. We are just asking for approval of \$0.01338 and JV2 \$0.440627.

Motion: Durham Second: Siclair
to approve the Power Supply Cost Adjustment Factor for October 2022 as a PSCAF 3-month averaged factor \$0.01338 and JV2 \$0.440627

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

Yea-7, Nay-0. Motion Passed

To enter into a Three- Year Agreement with Efficiency Smart (Direct the Law Director to Draft Legislation)

Bialorucki stated obviously we heard the presentation earlier today. Right now, all we are looking for is for the law director to draft legislation. Then we will have three reads to discuss. Garringer stated I have the contract that was emailed to me earlier that I will get to the City Law Director for review to have legislation enacted for 1st read by next meeting.

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

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

Yea-7, Nay-0. Motion Passed

Liquor Permit Application for SaneHoltz McKarns Inc at 2269 Scott Street, Napoleon, Ohio

Lulfs stated this would be for Main Stop. Chief Mack advised of no issues. Harmon stated this is one of those where silence is acceptance.

Personnel Committee Update

Maassel stated we have meet a couple times as a Personnel Committee. I think we've had a total of 11 candidates and we like to have a deeper pool. We will explore other avenues to maybe get a little bit of a deeper pool.

Potential Procedure of Hiring a New Fire Chief

Maassel stated as we go along the lines of hiring a new city manager we also need a new fire chief. Ideally we would like to have a city manager in place to bring on a new fire chief. In the meantime there are steps we can do to provide the new city manager with a qualified pool of applicants. Roof stated this will be brought to the Civil Service Commission first, but I'm going to partner with the Ohio Fire Chiefs' Association. They have an extensive process that they go through to look for fire chiefs. They will sit down with council, since we don't have a city manager, to discuss what qualities we want for our next fire chief. They will look at the job description and make recommendations to change the description or to leave it as is. We will both post the position and the resumes will go straight to them. They will then give us a one page narrative on each person giving their qualifications, background checks, employments and different things they pull out with their investigation. With that they will recommend six people to compete in an assessment center. If the recommendation doesn't include an internal candidate and we wish to add some we can chose to pick a number of internal candidates and remove the same amount of current candidates from the list or we can add more to the process. The chosen candidates will go through an assessment center that would put them through real life situations or incidents that could range from super easy to very extremely hard to gage their responses. This can include anything from press releases to being incident command on a large structure fire. Fire Chiefs from across the State of Ohio will be on a judging panel to score them. Then they will provide the top three names of the individuals that passed the assessment center with their recommendation on who to hire. We will receive scores for all of the individuals that went through the assessment center in case we decide not to choose out of the recommended three. This process will put the candidates through an extensive understanding of what we want of a fire chief and will test if they are compatible for the position. Bialorucki stated thank you for this information. Did you just learn this or was this from your previous job? Roof replied previous, but O'Brien helped a lot with this. Maassel stated obviously Civil Service has to agree to this first. There is a cost to this, but it's under \$10,000. It's a service we would pay for to hopefully get three really qualified candidates and give us or the new city manager one heck of a good choice. I appreciate Roof and O'Brien to get the ball rolling for us. Haase stated this sounds like the way to go.

Yard Waste Site \$100.00 Donation

Lulfs stated that an individual from out in the county stopped up late last week to ask if he could make a \$100 donation and stay anonymous. He has a permit to use the yard waste site and he really likes the facility and the service. Bialorucki stated that's great. Is there plans on what to use the \$100 for? Garrigner replied we put it in the sanitation fund as he didn't ask for it to be earmarked for anything. He pays his fee and he feels that the value he's getting out of it is a lot more than he paid. Bialorucki stated I doubt that's a place we really want to put a bench or anything. Maassel stated with the storms we had this year it seems like we have a larger pile of mulch than usual. Lulfs replied yes, there is a very large

Bialorucki- Garringer, do you have an update on the text I sent you. Garringer replied yes. On social media this past weekend there were issues brought forward regarding emails people received stating their bill was past due. That was addressed this morning. We switched over to a new company called Invoice Cloud the company is supposed to give us more options for better outreach to customers to make sure they can pay in more ways than one. That wasn't supposed to be sent out then because the due date isn't until today. That was addressed with Invoice Cloud on the mistake they made and we were assured this wouldn't happen again moving forward. For the individuals we have an email addresses for an email will be sent out on the 1st of every month reminding them that that their bill is out there and can be paid. Then moving forward we have it set for the 26th-27th of each month to send out an email reminder for those who haven't paid that their bill is past due at the time. Technically anything received after today is considered past due, so that one will say they are subject to shut off. Maassel asked if we are sending things snail mail as well? Garringer replied yes. We only send the emails to people we have email addresses to, which isn't a majority of them. They will still receive a paper bill if they wish to and a majority of them will. What this offers is an easier way for some people to pay, some will take advantage of it and others won't. Overall, the program is a good step for us. It was just an unfortunate mistake that happened this one time and we hope it doesn't happen again. Bialorucki stated thank you and we appreciate you looking into that for us.

Durham- In Tuesday's paper we saw that the City of Oregon is getting Chief O'Brien. It's sad to see you go chief, but congratulations and we will miss you a lot. The employees golf outing was about a week ago and I want to give kudos to Roof. She did a great job putting that on and everything went smoothly. It was a great time and it's always fun connecting with everyone working for the city.

Siclair- I guess I will just ditto everything Durham said. We will miss you O'Brien. We had a great time at the golf outing and the chili was great. It was great to have the opportunity to get together with all the staff for that. Also, the Witches Brew is for a really good cause to support CASA and I hope people come out to participate.

Knepley- Nothing. Thank you.

Garringer- I just want to follow up again that the CIC event is this Thursday. We do have a table and I have a list of everyone who RSVP, so if you're not sure if you're on the list come see me afterwards. Kudos to our operations crew during the 1st week of October. They had pretty good weather for our unlimited pick up and they got everything completed by the end of the week. I can't report of any issues they had. There was a few places that had an enormous amount of stuff to pick up as usual. That is a service that we do for the community twice a year. I think people don't realize how many people it take to get that done. Lulfs stated we will have a memo on the totals in the next packet.

Lulfs stated there was a question in the chat on whether sick time or approved time off would allow you to have overtime. The way the code is currently written does not, but the legislation being proposed will modify that for non-bargaining.

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: Siclair Second: Cordes
To adjourn the City Council meeting at 8:23pm

Roll call vote on the above motion

Yea- Siclair, Durham, Bialorucki, Baer, Haase, Cordes, Knepley
Nay-

Yea-7, Nay-0. Motion Passed

Approved
November 7, 2022

Joe Bialorucki, Council President

Jason Maassel, Mayor

Marrisa Flogaus- Recorder

DRAFT

ORDINANCE NO. 063-22

AN ORDINANCE APPROVING THE EXECUTION OF AN EFFICIENCY SMART SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon, Ohio (“Municipality”) owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and,

WHEREAS, American Municipal Power, Inc. (“AMP”) is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia; and,

WHEREAS, AMP and Municipality have entered into a Master Services Agreement (MSA), AMP Contract No. C-11-2005-4440, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement (the “Schedules”); and,

WHEREAS, AMP and the Vermont Energy Investment Corporation (“VEIC”) will enter or have entered into an agreement (the “ES Agreement”) for the implementation of an energy efficiency program known as Efficiency Smart (“ES”), and to provide a program of energy efficiency services (“ES Services”) designed to lower the total need for higher cost electric generation facilities or purchased power and thereby reduce Municipality’s customers’ bills, to be offered to AMP Members; and,

WHEREAS, AMP and Municipality desire to enter into a Schedule (“ES Schedule”), under the MSA, which provides that AMP will obtain and sell to Municipality, and Municipality will agree to take and pay for, a share of the ES Services which AMP will acquire through the ES Agreement; and,

WHEREAS, in furtherance of such purpose and in accordance with Resolution No. 064-13, passed unanimously by City Council on November 18, 2013, the Municipality entered into an Efficiency Smart Rebate Agreement with AMP; **Now Therefore,**

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

Section 1. That, the Efficiency Smart Schedule between this Municipality and AMP, substantially in the form on file with the Clerk of Council, including Appendices thereto, is approved, and the City Manager is hereby authorized to execute and deliver such Schedule, with such changes as the City Manager may approve as neither inconsistent with this Resolution nor materially detrimental to the Municipality, the execution of the Efficiency Smart Schedule to be conclusive evidence of such approval.

Section 2. That, the City Manager is hereby authorized to take any action necessary for the Municipality to fulfill its obligations under the Efficiency Smart Schedule.

Section 3. That, the Efficiency Smart Schedule shall begin upon the effective date of 12:00 am, January 1st, 2023, and remain effective until 11:59 pm, December 31, 2025, unless otherwise terminated per the provisions of the Schedule.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, if any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

Section 7. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for timely administration of the rebate (s) necessary to assure public peace, health or safety; therefore, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to continue the process 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 Ordinance No. 063-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Marrisa Flogaus, Clerk of Council

RESOLUTION NO. 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 at 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

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.

ORDINANCE NO. 058-22

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CITY OF NAPOLEON PERSONNEL CODE, SPECIFICALLY SECTION 197.14(D)(8), “OVERTIME – BASIC RATE”, SECTION 197.16(F)(1), “EFFECTS OF VACATIONS AND DAYS OFF ON CITY OBSERVED LEGAL HOLIDAYS,” AND SECTION 197.14(D)(5), “MINIMUM CALL-OUT TIME;” ALSO AMENDING THE CITY OF NAPOLEON EMPLOYMENT POLICY MANUAL, SPECIFICALLY POLICY 4.4, “EFFECTS OF TIME OFF ON ABILITY TO EARN OVERTIME PAY”

WHEREAS, the Safety and Human Resources Committee met in a regular meeting held on September 26, 2022, and reviewed certain sections of the City Personnel Code, specifically Section 197.14(d)(8), Section 197.16(f)(1), and Section 197.14(d)(5), 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 4.2 and Policy 4.4; 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 197.14(d)(8) of the Codified Ordinances of the City of Napoleon, Ohio as follows:

“197.14 Hours of Work and Compensation

(d) Compensatory Time

(8) Overtime – Basic Rate

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 nonbargaining employees, no pyramiding. Must be approved by Department Head.)”**

Section 2. 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~~ 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: (No Pyramiding)

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."

Section 3. That, the City of Napoleon does hereby amend Policy 4.4 of the City of Napoleon Employment Policy Manual as follows:

"Policy 4.4 Effects of Time Off on Ability to Earn Overtime Pay

Overtime is controlled by the Personnel Code §197.14, and is computed on work performed excess of ~~a regular forty (40) hour work week~~ eight (8) continuous hours per day or in excess of a regular forty (40) hour work week, except fire and rescue. For all nonbargaining hourly employees, including fire and rescue personnel, time actually worked does not include ~~leave of any type paid leave~~. ~~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. (No Pyramiding)"

Section 4. That, the City of Napoleon does hereby amend Chapter 197, Section 197.14(d)(5) of the Codified Ordinances of the City of Napoleon, Ohio as follows:

"197.14 Hours of Work and Compensation

- (d) **Compensatory Time**
- (5) **Minimum Call-out Time**

Except as provided in the Section below entitled "Court Appearance Time", when an employee is required to and does report back to work at a time not contiguous to his regular scheduled work shift, he/she shall be guaranteed a minimum of ~~one (1)~~ three (3) hours pay. However, additional callouts during any ~~one (1)~~ three (3) hour callout period will not result in additional guaranteed ~~one (1)~~ three (3) hour minimum pay (no pyramiding).”

Section 6. That, this Ordinance hereby amends Ordinance No.(s) 048-14, 035-22, and 050-22 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, 035-22, and 050-22 remain in full force and effect as they existed prior to the changes.

Section 7. That, any changes needed to pages, page numbers, or appendixes are hereby approved to accommodate for the above amendments.

Section 8. 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 9. 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 10. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Marrisa Flogaus, Clerk of Council

I, MARRISA FLOGAUS, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 058-22 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. 059-22

**AN ORDINANCE AMENDING ORDINANCE NO. 053-21
REGARDING COMPENSATION OF THE NAPOLEON
MUNICIPAL COURT BAILIFF FOR THE YEAR 2023; AND
DECLARING AN EMERGENCY**

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

WHEREAS, Pursuant to Ohio Revised Code Section 1901.33 the Municipal Court Judge has requested an amendment regarding compensation of the Municipal Court Bailiff; and,

WHEREAS, Pursuant to Ohio Revised Code Section 1901.33 the Municipal Court Judge is empowered to appoint a Bailiff without advertising for this position and is further empowered to set the compensation for this position as long as the compensation is reasonable; and,

WHEREAS, Council now desires to amend Ordinance No. 053-21 to amend the pay scale for the position of Municipal Court Bailiff; and,

WHEREAS, Exhibit B, attached hereto and incorporated herein, reflects the amendment to be made; and

WHEREAS, Council desires to make said compensation amendments effective on the pay period starting on or about January 1, 2023; **Now Therefore**,

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

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio, (the "City") had previously established a new 2022 Position Classification Pay Plan ("Pay Plan") for its non-bargaining employees, passed by Council on December 20, 2021.

Section 2. That, effective with the pay period for the Year 2022, that commences on or about January 1, 2023, the amendments as listed in Exhibit "B" shall be in effect.

Section 3. That, this Ordinance allows the terms and conditions of this pay Ordinance to be retroactively applied, the same being hereby approved as it so exists.

Section 4. That, the position of Municipal Court Bailiff as established in and for the City for the Napoleon Municipal Court shall be considered a full time regular employee having a salary, exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, continues to be approved by this Council. The Municipal Court Bailiff shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Municipal Court Bailiff's salary at any time so long as within the limits of Exhibit B.

Section 5. That, no further amendments shall be effectuated by this legislation and all previous provisions in effect prior to this legislation regarding compensation of City employees shall remain in effect.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open

meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 7. 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 8. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

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. 059-22 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

Exhibit "B"
(Based on an 80 hour pay period)

Title	BOTTOM	TOP	
Assistant to the City Engineer	\$2,884.70	\$3,328.50	
City Engineer	\$3,383.97	\$4,105.14	
Public Works Director	\$4,024.66	\$4,818.71	
Golf Course & Grounds Superintendent	\$2,055.35	\$2,762.82	
Parks & Recreation Director/Cemetery	\$1,862.63	\$3,237.28	
Assistant Finance Director	\$3,073.79	\$3,568.15	
Electrical Engineer	\$3,201.17	\$3,728.14	
Electric Distribution Superintendent	\$3,263.74	\$4,020.45	
IT Administrator	\$2,013.63	\$2,991.30	
Human Resources Director	\$2,295.80	\$3,483.97	
Municipal Court Bailiff	\$1,573.08	\$1,769.71	\$2,307.69
Municipal Court Clerk	\$1,945.73	\$3,407.31	
Assistant Fire Chief	\$2,274.48	\$3,328.50	
Fire Chief	\$2,829.22	\$3,735.23	
Operations Superintendent	\$2,347.02	\$3,328.50	
Water Superintendent	\$2,569.60	\$3,463.13	
Wastewater Superintendent	\$2,569.60	\$3,463.13	
Chief of Police	\$2,982.84	\$3,846.18	

RESOLUTION NO. 060-22

A RESOLUTION APPROVING THE PROVISIONS OF A CERTAIN COLLECTIVE BARGAINING AGREEMENT NO. 2022-MED-08-0736 BETWEEN THE CITY OF NAPOLEON AND LOCAL 240 NAPOLEON POLICE OFFICERS ASSOCIATION IUPA, AFL-CIO 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 Napoleon Police Officers Association IUPA, AFL-CIO Local 240 (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 interim Clerk of Council marked as City Contract No. 2022-MED-08-0736) 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 exists.

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.

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. 060-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Marrisa Flogaus, Clerk of Council

RESOLUTION NO. 061-22

A RESOLUTION APPROVING THE PROVISIONS OF A CERTAIN COLLECTIVE BARGAINING AGREEMENT NO. 2022-MED-08-0777 BETWEEN THE CITY OF NAPOLEON AND LOCAL 3363 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS FOR THE TERM COMMENCING FROM JANUARY 1, 2023 THROUGH DECEMBER 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 Local 3363 International Association of Fire Fighters (hereinafter called "the Union") for the term commencing January 1, 2023 through December 30, 2025, both dates inclusive, (a true and complete copy of which is on file in the office of the Clerk of Council marked as City Contract No. 2022-MED-08-0777) 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 it so exists.

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.

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. 061-22 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

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.

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



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Mayor & City Council
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Kevin Garringer, City Finance Director
Jeremy Okuley, WWTP Superintendent
Marrisa Hull, Clerk of Council
Roxanne Dietrich, Executive Assistant
Date: October 25, 2022
Subject: VanHyning Pump Station Replacement ~ Change Order No. 1


The City of Napoleon's Department of Public Works requests approval of Change Order No. 1 for the above referenced project. During construction of the project, rock was encountered. Although soil borings were performed prior to the design of the project, no rock was found. Once encountered, it was discovered that the original pump station was backfilled with concrete. Removal of the concrete required the use of a small excavator with a rock breaker from a depth of 15' to a depth of over 40'. The total time involved was over 8 working days to remove the concrete.

In the bid documents, a contingency item was included for 20 c.y. of "5a – Rock Excavation". The unit price bid for this item was \$500 per c.y. This is a valid unit price for this type of work due to the requirement of specialized equipment and the amount of time normally involved. Because the "rock" extended past the bottom of our excavation and the size of the excavation to allow us to build the pump station, the total quantity of "rock" removed was 356 c.y. Subtracting off the 20 c.y. that were in the bid, the total change order amount is \$168,000.00. The cost of this work will be included in the project financing which is a low interest loan through D.E.F.A.

I am requesting that Council approve Change Order No. 1 in the amount of \$168,000.00 to Vernon Nagel, Inc. for Rock Excavation.


The Cost for Change Order No. 4 is \$187,500.00

CEL



Geographic
Information
Systems (GIS)
Technician /
Senior
Technician

Brittany Roof



Topic one

Job Description

City of Napoleon

GEOGRAPHIC INFORMATION SYSTEMS (GIS) TECHNICIAN/SENIOR TECHNICIAN

DEPARTMENT: Engineering Department
REPORTS TO: City Engineer/Public Works Director
FLSA STATUS: Hourly (Non-Exempt)
CIVIL SERVICE: Classified (Non-Competitive)
UNION: Non-Bargaining
APPROVED BY: Joel Mazur, City Manager
APPROVAL DATE: XXXXX

SUMMARY

Under direct supervision of the City Engineer/Public Works Director, the GIS Analyst coordinates and monitors the City's Geographic Information System (GIS) activities; coordinates the development of the GIS systems and database according to City goals and objectives, and assures the integrity and security of the database.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned not specifically listed here:

- Prepare, collect, organize, and input data to maintain and enhance the City's GIS including field research and GPS data collection and processing.
- Conduct spatial analysis and database development, extraction, and manipulation to support a variety of planning, engineering, administrative, and other applications.
- Work on GIS initiatives and projects supporting a range of departmental needs throughout the City.
- Assist with GIS and data analysis, prepare and execute queries, produce maps, spreadsheets, graphs, and other analytical products.
- Prepare and deliver GIS based presentations.
- Assist in projects through the use of AutoCAD.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

- Utilize ESRI's suite of GIS software, including ArcGIS Pro and ArcGIS Online.
- Field data collection techniques/processes, including remote devices and GPS.
- Utilizing Python scripting and automated techniques for processing.
- Data editing, attribution, database design and development with knowledge of SQL/SQL databases and Python.
- Understanding of Microsoft Office suite of products.
- Knowledge of Windows operating systems preferred.
- Knowledge of zoning and permitting preferred.
- Ability to understand departmental needs and work cooperatively with departments to develop concepts and solutions.

EDUCATION AND/ OR EXPERIENCE

- Senior Technician: Bachelor's Degree in GIS, Geology, Geography, Geomatics Engineering, or a related field or 10 years of GIS experience; GISP preferred, or ability to acquire within two (2) years of employment.
- Technician: 2 Year Degree in GIS, Geology, Geography, Geomatics Engineering, or a related field or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License.

LANGUAGE SKILLS

- Must be fluent in English and able to communicate effectively verbally and in writing.

REASONING ABILITY

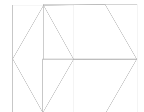
- Must be able to understand and carry out oral and written directions.
- Able to make good judgments and have initiative.
- Confidentiality of information is a must; any information gained in performance of duties must remain within the Department(s).

PHYSICAL DEMANDS

- Must be able to lift up to 50 pounds repeatedly.

WORK ENVIRONMENT

- This job is performed on-site and in the field.



Topic two

Create a Pay Scale

(Restructure Engineering Department)

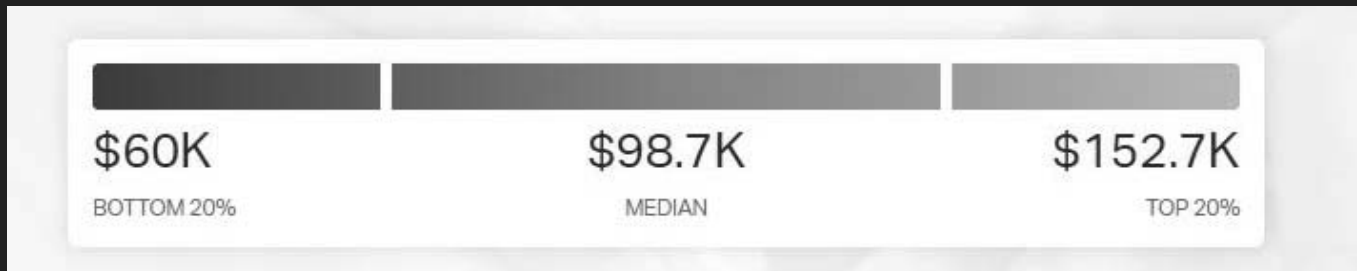
Current Structure

Engineering Technician	\$19.41	\$22.29	\$23.88	\$25.62
Senior Engineering Technician	\$23.05	\$26.54	\$28.41	\$30.47
Staff Engineer	\$21.42	\$24.70	\$26.54	\$28.51
Licensed Staff Engineer	\$29.00	\$31.18	\$33.54	\$37.51
Construction Inspector*	\$25.95	\$29.82	\$31.95	\$35.11
Senior Electric Engineering Technician	\$21.42	\$24.70	\$26.54	\$28.50
Electrical Construction/Maintenance Inspector*	\$28.77	\$33.11	\$35.50	\$38.06

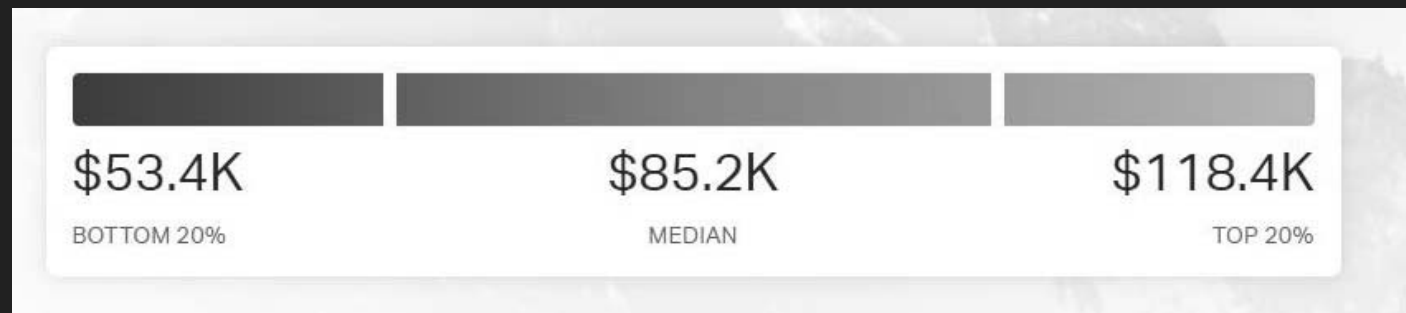


Wages Around Us....

Engineer Pay Ranges



GIS Pay Ranges




Wages Around Us...

Engineers

80th percentile

Top-level engineer earnings begin at:


\$73.41 per hour	\$152,696 per year
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75th percentile

Senior-level engineer earnings begin at:

\$60.85 per hour	\$126,563 per year
---------------------	-----------------------



50th percentile


Mid-level engineer earnings begin at:

\$47.46 per hour	\$98,710 per year
---------------------	----------------------

25th percentile

Junior-level engineer earnings begin at:


\$36.89 per hour	\$76,722 per year
---------------------	----------------------



10th percentile

Starting level engineer earnings begin at:

\$28.85 per hour	\$59,998 per year
---------------------	----------------------




Geographic Information Systems (GIS)

90th percentile

Top-level geographer earnings begin at:

\$56.91 per hour	\$118,380 per year
---------------------	-----------------------



75th percentile


Senior-level geographer earnings begin at:

\$49.07 per hour	\$102,060 per year
---------------------	-----------------------

50th percentile

Mid-level geographer earnings begin at:

\$40.97 per hour	\$85,220 per year
---------------------	----------------------



25th percentile

Junior-level geographer earnings begin at:

\$31.13 per hour	\$64,740 per year
---------------------	----------------------



10th percentile

Starting level geographer earnings begin at:

\$25.68 per hour	\$53,410 per year
---------------------	----------------------



Proposed Wage Scale

Title	A	B	C	D
Engineer Technician	\$18.00	\$19.26	\$20.61	\$22.05
Senior Engineering Technician	\$23.00	\$24.61	\$26.33	\$28.18
Staff Engineer	\$24.00	\$25.68	\$27.48	\$29.40
Licensed Engineer	\$32.00	\$34.24	\$36.64	\$39.20
Construction Inspector	\$25.95	\$29.82	\$31.95	\$35.11
GIS Technician	\$18.00	\$19.26	\$20.61	\$22.05
Senior GIS Technician	\$24.00	\$25.68	\$27.48	\$29.40

City of Napoleon

GEOGRAPHIC INFORMATION SYSTEMS (GIS) TECHNICIAN/SENIOR TECHNICIAN

DEPARTMENT:	Engineering Department
REPORTS TO:	City Engineer/Public Works Director
FLSA STATUS:	Hourly (Non-Exempt)
CIVIL SERVICE:	Classified (Non-Competitive)
UNION:	Non-Bargaining
APPROVED BY:	Joel Mazur, City Manager
APPROVAL DATE:	XXXX

SUMMARY

Under direct supervision of the City Engineer/Public Works Director, the GIS Analyst coordinates and monitors the City's Geographic Information System (GIS) activities; coordinates the development of the GIS systems and database according to City goals and objectives, and assures the integrity and security of the database.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned not specifically listed here:

- Prepare, collect, organize, and input data to maintain and enhance the City's GIS including field research and GPS data collection and processing.
- Conduct spatial analysis and database development, extraction, and manipulation to support a variety of planning, engineering, administrative, and other applications.
- Work on GIS initiatives and projects supporting a range of departmental needs throughout the City.
- Assist with GIS and data analysis, prepare and execute queries, produce maps, spreadsheets, graphs, and other analytical products.
- Prepare and deliver GIS based presentations.
- Assist in projects through the use of AutoCAD.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

- Utilize ESRI's suite of GIS software, including ArcGIS Pro and ArcGIS Online.
- Field data collection techniques/processes, including remote devices and GPS.
- Utilizing Python scripting and automated techniques for processing.
- Data editing, attribution, database design and development with knowledge of SQL/SQL databases and Python.
- Understanding of Microsoft Office suite of products.
- Knowledge of Windows operating systems preferred.
- Knowledge of zoning and permitting preferred.
- Ability to understand departmental needs and work cooperatively with departments to develop concepts and solutions.

EDUCATION AND/ OR EXPERIENCE

- Senior Technician: Bachelor's Degree in GIS, Geology, Geography, Geomatics Engineering, or a related field or 10 years of GIS experience; GISP preferred, or ability to acquire within two (2) years of employment.
- Technician: 2 Year Degree in GIS, Geology, Geography, Geomatics Engineering, or a related field or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License.

LANGUAGE SKILLS

- Must be fluent in English and able to communicate effectively verbally and in writing.

REASONING ABILITY

- Must be able to understand and carry out oral and written directions.
- Able to make good judgments and have initiative.
- Confidentiality of information is a must; any information gained in performance of duties must remain within the Department(s).

PHYSICAL DEMANDS

- Must be able to lift up to 50 pounds repeatedly.

WORK ENVIRONMENT

- This job is performed on-site and in the field.

Acknowledgement

I acknowledge that I have received, reviewed, and fully understand the above job description. Further, I acknowledge and agree that this job description is provided for informational purposes and is not an implicit or explicit agreement of employment or continuing employment.

Employee Name (Please Print) _____

Employee Signature _____

Date _____

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily with or without reasonable accommodation and possess or have the qualifications listed. The requirements listed are representative of the knowledge, skill, and/or physical ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



Assistant Chief of Police

Brittany Roof

Topic one

Job Description

CITY OF NAPOLEON

**ASSISTANT
CHIEF OF POLICE**

DEPARTMENT: Police
REPORTS TO: Chief of Police
FLSA STATUS: SALARIED (EXEMPT)
CIVIL SERVICE: Classified (Competitive)
UNION: Non-Bargaining
APPROVED BY: Civil Service, Council
APPROVED DATE:

SUMMARY

This position primarily consists of non-manual work directly related to the management of the City Police Department. The Assistant Chief exercises his discretion and independent judgment with respect to significant department matters.

The Assistant Chief directs activities of the police department in the enforcement of laws and ordinances, the prevention of crime and the protection of life and property by performing the following duties personally through subordinate supervisors.

This position is an administrative post involving immediate responsibility for planning, developing, and directing a complete program of police administration. The City Manager prescribes general policies, plans, and objectives for the Police Department and advises as to procedures when extraordinary situations arise, however, the Police Chief has complete internal control over police activities and personnel and exercises wide discretion in the administration of the department.

ESSENTIAL DUTIES AND RESPONSIBILITIES INCLUDE THE FOLLOWING. As required, other duties may be assigned.

- Plans, directs and exercise general supervision over the work of the entire department.
- Formulates and enforces rules and regulations and work methods and procedures.
- Makes or reviews all personnel assignments.
- Reviews activities and reports of officers.
- Enforces disciplinary measures when necessary.
- Ascertain that recruits and regular officers receive adequate training in police methods and procedures.
- Directs the preparation and maintenance of police records and files.
- Directs the investigation of major criminal offenses.
- Studies court cases and decisions that might affect police policies and procedures.
- Cooperates with State and Federal officers in the apprehension of wanted persons.
- Sees that reports are prepared for the Chief of Police, City Manager, National Safety Council, Federal Bureau of Investigation and State of Ohio.
- Prepares budget estimates and controls the expenditure of department's funds under the direction of the Chief of Police.
- Conducts correspondence, requisitions, supplies and recommends the purchase of necessary equipment.
- Supervises the preparation of annual budget requests Under the Direction of the Chief of Police.
- Meets with and answers questions for the public.

- Attends State and National police conventions and training courses.
- Acts for the Chief of Police when directed.

SUPERVISORY RESPONSIBILITIES

The Assistant Chief suggests and recommends as to the hiring, firing, advancement, promotion or any other change of status of other employees to the Chief of Police.

- Assists the Chief of Police in the preparation of an annual budget for recommendation to the City Manager and the City Council and offers detailed justification for all reports.
- Assists the Chief in conducting ongoing budget review and control program.
- Disciplines subordinates per City Ordinances and Personnel Policies.
- Issues oral and written reprimands as required.
- Provides and compiles any information that may be required for investigation regarding disciplinary action.
- Resolves work related conflicts involving departmental personnel.
- Considers and acts upon complaints.
- Approves Police Department payroll.

QUALIFICATIONS

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.

EDUCATION AND/OR EXPERIENCE

- Comprehensive knowledge of police administration and police methods.
- Comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communication.
- Thorough knowledge of controlling laws and ordinances.
- Extensive successful experience as a Police Officer, several years of which shall have been at the level of Police Lieutenant.
- Possess a four (4) year college degree from an accredited college in any discipline or have an equivalent of a two (2) year college degree from an accredited college in any discipline and ten (10) years of full-time law enforcement experience. The ten (10) years of full-time law enforcement experience shall include five (5) years of full-time supervisory experience in law enforcement or another related field. Or as determined by the Napoleon Civil Service Commission.

LANGUAGE SKILLS

Must be fluent in both written and spoken English.

MATHEMATICAL SKILLS

Basic math and accounting skills.

REASONING ABILITY

- Demonstrated ability to lead and direct the activities of Police Officers.
- Ability to maintain cooperative relationships with other City offices and with the general public.
- High social intelligence, resourcefulness and sound judgment in emergencies.

- Demonstrated integrity and tact.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License.
- Must be certified to carry a firearm and skilled in the use of firearms. Must be certified as an Ohio Peace Officer.

PHYSICAL DEMANDS

- Must have good hearing and sight with or without corrective measures.
- Ability to implement, read, interpret and enforce policies, procedures, directives, signs, maps and directories.
- Ability to direct emergency operations.
- Ability to communicate verbally and in writing.
- Ability to operate a motor vehicle.
- Ability to cope with stressful situations.
- Mobility in an office environment.
- Physical fitness; good physical condition.

WORK ENVIRONMENT

- Office work as well as outside work.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily with or without reasonable accommodation and possess or have the qualifications listed. The requirements listed are representative of the knowledge, skill, and/or physical ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Topic two

Create a Pay Scale

Current Structure

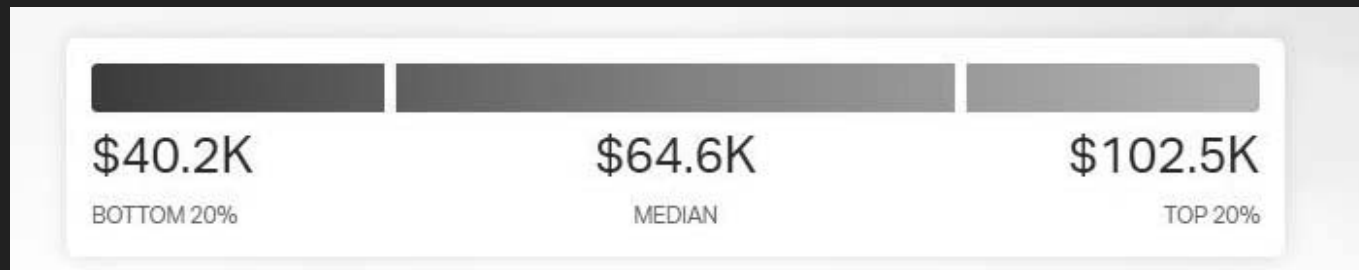
- Currently there is no position for Assistant Chief.

Title	Bottom	Top
Police Chief	\$2,982.84	\$3,846.18
Assistant Chief of Police	-	-

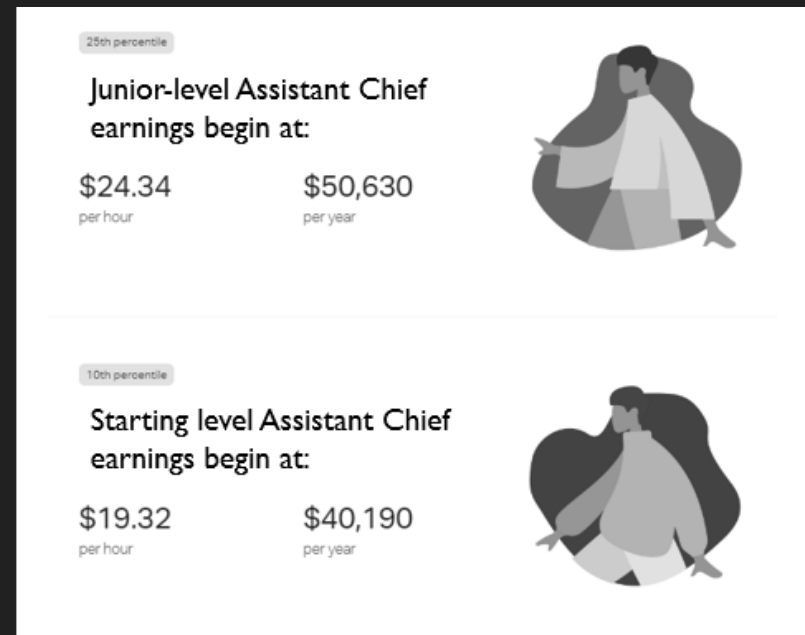
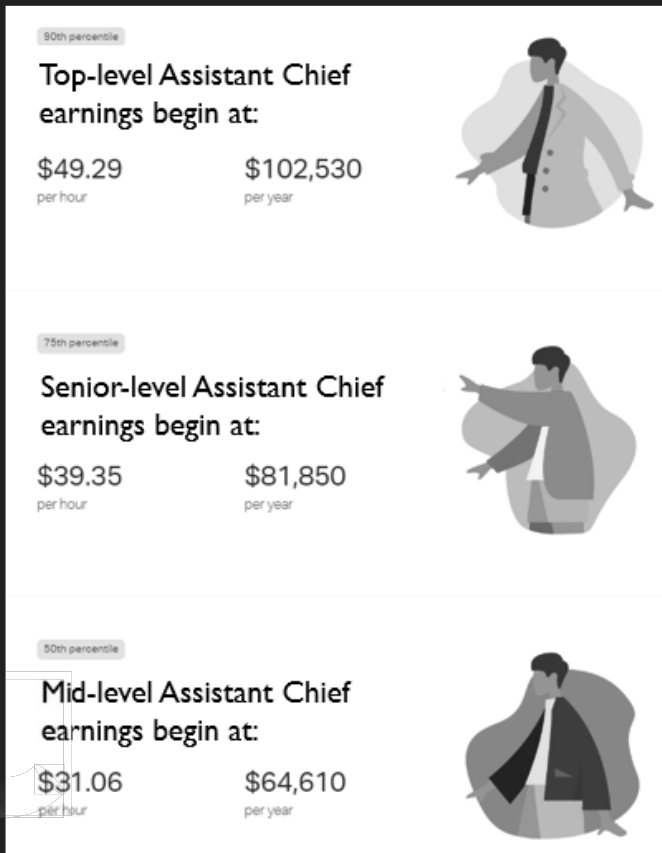
Title	A	B	C	D
Lieutenant	\$0.00	\$33.70	\$35.29	\$37.06

Year	Title	A	B	C	D
2023	Sergeants	\$33.682	\$35.213	\$35.213	\$35.213
2024	Sergeants	\$34.694	\$36.271	\$36.271	\$36.271
2025	Sergeants	\$35.728	\$37.3520	\$37.3520	\$37.3520

Wages Around Us....



Wages Around Us...



Proposed Wage Scale

Year	Title	A	B	C	D
2023 – 5%	Sergeants	\$33.682	\$35.213	\$35.213	\$35.213
2024 – 3%	Sergeants	\$34.694	\$36.271	\$36.271	\$36.271
2025 – 3%	Sergeants	\$35.728	\$37.3520	\$37.3520	\$37.3520

Year	Title	A	B	C	D
2023 – 5%	Lieutenant	\$36.04	\$37.68	\$37.68	\$37.68
2024 – 3%	Lieutenant	\$37.12	\$38.81	\$38.81	\$38.81
2025 – 3%	Lieutenant	\$38.23	\$39.97	\$39.97	\$39.97

Years	Title	Bottom	Top
2023-2025	Asst. Chief	\$3,225.23	\$3,421.14

Years	Title	Bottom	Top
2023-2025	Chief	\$3,717.07	\$3,942.86

CITY OF NAPOLEON
**ASSISTANT
CHIEF OF POLICE**

DEPARTMENT: Police
REPORTS TO: Chief of Police
FLSA STATUS: **SALARIED (EXEMPT)**
CIVIL SERVICE: Classified (Competitive)
UNION: Non-Bargaining
APPROVED BY: Civil Service, Council
APPROVED DATE:

SUMMARY

This position primarily consists of non-manual work directly related to the management of the City Police Department. The Assistant Chief exercises his discretion and independent judgment with respect to significant department matters.

The Assistant Chief directs activities of the police department in the enforcement of laws and ordinances, the prevention of crime and the protection of life and property by performing the following duties personally through subordinate supervisors.

This position is an administrative post involving immediate responsibility for planning, developing, and directing a complete program of police administration. The City Manager prescribes general policies, plans, and objectives for the Police Department and advises as to procedures when extraordinary situations arise; however, the Police Chief has complete internal control over police activities and personnel and exercises wide discretion in the administration of the department.

ESSENTIAL DUTIES AND RESPONSIBILITIES INCLUDE THE FOLLOWING. As required, other duties may be assigned.

- Plans, directs and exercise general supervision over the work of the entire department.
- Formulates and enforces rules and regulations and work methods and procedures.
- Makes or reviews all personnel assignments.
- Reviews activities and reports of officers.
- Enforces disciplinary measures when necessary.
- Ascertains that recruits and regular officers receive adequate training in police methods and procedures.
- Directs the preparation and maintenance of police records and files.
- Directs the investigation of major criminal offenses.
- Studies court cases and decisions that might affect police policies and procedures.
- Cooperates with State and Federal officers in the apprehension of wanted persons.
- Sees that reports are prepared for the Chief of Police, City Manager, National Safety Council, Federal Bureau of Investigation and State of Ohio.
- Prepares budget estimates and controls the expenditure of department's funds under the direction of the Chief of Police.
- Conducts correspondence, requisitions, supplies and recommends the purchase of necessary equipment.
- Supervises the preparation of annual budget requests Under the Direction of the Chief of Police.
- Meets with and answers questions for the public.
- Attends State and National police conventions and training courses.
- Acts for the Chief of Police when directed.

SUPERVISORY RESPONSIBILITIES

The Assistant Chief suggests and recommends as to the hiring, firing, advancement, promotion or any other change of status of other employees to the Chief of Police.

- Assists the Chief of Police in the preparation of an annual budget for recommendation to the City Manager and the City Council and offers detailed justification for all reports.
- Assists the Chief in conducting ongoing budget review and control program.
- Disciplines subordinates per City Ordinances and Personnel Policies.
- Issues oral and written reprimands as required.
- Provides and compiles any information that may be required for investigation regarding disciplinary action.
- Resolves work related conflicts involving departmental personnel.
- Considers and acts upon complaints.
- Approves Police Department payroll.

QUALIFICATIONS

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.

EDUCATION AND/OR EXPERIENCE

- Comprehensive knowledge of police administration and police methods.
- Comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communication.
- Thorough knowledge of controlling laws and ordinances.
- Extensive successful experience as a Police Officer, several years of which shall have been at the level of Police Lieutenant.
- Possess a four (4) year college degree from an accredited college in any discipline or have an equivalent of a two (2) year college degree from an accredited college in any discipline and ten (10) years of full-time law enforcement experience. The ten (10) years of full-time law enforcement experience shall include five (5) years of full-time supervisory experience in law enforcement or another related field. Or as determined by the Napoleon Civil Service Commission.

LANGUAGE SKILLS

Must be fluent in both written and spoken English.

MATHEMATICAL SKILLS

Basic math and accounting skills.

REASONING ABILITY

- Demonstrated ability to lead and direct the activities of Police Officers.
- Ability to maintain cooperative relationships with other City Offices and with the general public.
- High social intelligence, resourcefulness and sound judgment in emergencies.
- Demonstrated integrity and tact.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License.

- Must be certified to carry a firearm and skilled in the use of firearms. Must be certified as an Ohio Peace Officer.

PHYSICAL DEMANDS

- Must have good hearing and sight with or without corrective measures.
- Ability to implement, read, understand and enforce policies, procedures, directives, signs, maps and directories.
- Ability to direct emergency operations.
- Ability to communicate verbally and in writing.
- Ability to operate a motor vehicle.
- Ability to cope with stressful situations.
- Mobility in an office environment.
- Physical fitness; good physical condition.

WORK ENVIRONMENT

- Office work as well as outside work.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily with or without reasonable accommodation and possess or have the qualifications listed. The requirements listed are representative of the knowledge, skill, and/or physical ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

CHAPTER 145
Police Department

- 145.01 Composition and control of Police Department.
- 145.02 Police Chief
- 145.03 Additional police officers in emergency.
- 145.04 General duties of Police Department.
- 145.05 Creation of Police Auxiliary.
- 145.06 Storage fees for legally impounded vehicles.
- 145.07 Fees for legal process.

CROSS REFERENCES

- Police protection contracts - see Ohio R.C. 737.04
- Recovered property and disposition - see Ohio R.C. 737.29 et seq.
- Auxiliary police - see Ohio R.C. 737.051 737.06
- General duties - see Ohio R.C. 737.11

145.01 COMPOSITION AND CONTROL OF POLICE DEPARTMENT.

(a) The Police Department of the City shall be composed of a department head known as the "Police Chief" and such other officers, dispatchers, clerks, secretaries and other employees as provided by legislation of the City, the Organizational Chart of the City, and/or the Administrative Code of the City.

(b) Notwithstanding any prior ordinance or resolution to the contrary, the Napoleon City Police Department shall be composed of the following:

- 1 Police Chief
- 1 Assistant Police Chief
- 3 Sworn officers of the supervisory grade
- 12 Sworn officers of the patrol grade
- 6 Communication officers
- 1 (not to exceed 20) Auxiliary officers

(c) The making of an assignment by the Chief of one or more officers to an investigative division shall not be construed as disturbing the composition of the Police Department or

violating subsection (b) hereof; moreover, temporary vacancies in the Police Department shall not be construed as a departure from this section.

(d) Nothing in this chapter shall be construed as limiting the number of additional officers that may be required in case of an emergency.

(Ord. 008-20. Passed 3-2-20.)

145.02 POLICE CHIEF.

The Police Chief shall have direction and control over all personnel in the City's Police Department, including all auxiliary police officers, and other officers and employees in the Police Auxiliary Unit; however, the City Manager maintains his or her power and authority over the Department as found in Article IV of the City's Charter and Chapter 133 of this Code.

(Ord. 82-01. Passed 7-2-01.)

145.03 ADDITIONAL POLICE OFFICERS IN EMERGENCY.

(a) In case of riot or other like emergency, Ohio R.C. 737.10 shall control, the Mayor being the person appointing the additional patrolmen and officers and being the person who calls upon the agencies or entities for assistance as authorized by Ohio R.C. 737.10; however, once appointed, such additional patrolmen and officers shall come under the control of the City Manager, Police Chief, Assistant Police Chief, a Police Lieutenant or acting police supervisor. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to law.

(b) For the purpose of satisfying Ohio R.C. 737.041, City police officers and necessary equipment and apparatus related thereto may be provided to any county, municipal corporation, township, or township police district of this State or to a park district created pursuant to Ohio R.C. 511.18 or 1545.01, to any multijurisdictional drug, gang, or career criminal task force, or to a governmental entity of an adjoining state, without having a contract, for the purpose of preserving the public peace and protecting persons and property. Such officers, equipment, and apparatus shall be furnished only after having received a request from a person with proper authority and only after approval by the City Manager, Police Chief, a police lieutenant or acting police supervisor. The provisions of Ohio R.C. 737.041 and 737.10 are applicable to this section insofar as it pertains hereto. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to law.

(c) Except as otherwise provided in subsection (a) hereof, the City Manager, Police Chief, Assistant Police Chief, a Police Lieutenant or acting police supervisor may call another governmental entity to provide additional police protection by the furnishing of personnel, together with appropriate equipment and apparatus, as may be necessary to preserve the public peace and protect persons and property in the City of Napoleon. The City may, but is

not required to, reimburse the political subdivision which furnished the aid for any expenses incurred by them as a result of rendering the aid. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to law. Officers provided are to be provided under the authority of Ohio R.C. 737.04 and 737.041, or other applicable law or contract.

(Ord. 86-02. Passed 7-15-02.)

145.04 GENERAL DUTIES OF POLICE DEPARTMENT.

The Police Department of the City shall preserve the peace, protect persons and property, and obey and enforce all ordinances and resolutions of the City, all criminal laws of this State and the United States, all court orders issued and consent agreements approved pursuant to Ohio R.C. 2919.26 and 3113.31, all protection orders issued pursuant to Ohio R.C. 2903.213 or 2903.214, and protection orders issued by courts of another state, as defined in Ohio R.C. 2919.27, and enforce laws and have all other duties as may be later defined in Ohio R.C. 737.11 or other sections of the Ohio Revised Code applicable to municipal police. The Police Department shall perform any other duties that are provided by ordinance or resolution. The Chief, Assistant Police Chief, or officer of the Police Department may participate, as the director of an organized crime task force established under Ohio R.C. 177.02 or as a member of the investigatory staff of such a task force, in an investigation of organized criminal activity in any county or counties in this state under Ohio R.C. 177.01 to 177.03, subject to the approval of the City Manager.

(Ord. 82-01. Passed 7-2-01.)

145.05 CREATION OF POLICE AUXILIARY.

- (a) There is created in and for the Police Department a Police Auxiliary.
- (b) The City Manager and Police Chief shall have the power to determine the qualifications, number, duties and powers of the members of the Auxiliary force, as well as the number of its members, so long as the number is within the level(s) established in Section 145.01.
- (c) Remuneration shall be one dollar (\$1.00) per year per person, unless otherwise provided by Council. (Ord. 82-01. Passed 7-2-01.)

145.06 STORAGE FEES FOR LEGALLY IMPOUNDED VEHICLES.

- (a) The City hereby establishes a storage fee for all vehicles legally impounded by the Police Department and stored upon a premises owned or controlled by the City, with exception to bonafide recovered stolen vehicles. The determination of what constitutes a bonafide recovered stolen vehicle is at the sole discretion of the Police Chief.

(b) A fee of \$6.00 per day is established for such storage of vehicles, payable to the General Fund of the City, said fee subject to amendment by Council.

(c) All vehicles so impounded shall be released only to the owner or authorized agent thereof, upon proper proof of ownership, payment of tow bill and payment of all storage fees. No vehicle shall be released except by court order or upon authorization by the Police Chief and/or his or her designated agent.

(Ord. 82-01. Passed 7-2-01.)

145.07 FEES FOR LEGAL PROCESS.

The following is a schedule of fees that shall be taxed as costs in any civil, criminal or traffic action or proceeding in a Municipal Court of the performance by officers or other employees of the City's Police Department for any of the services specified herein. The Court or its Clerk, pursuant to Section 1901.26 of the Ohio Revised Code, shall tax in the bill of costs against the judgment debtor or those legally liable therefor for the judgment as follows:

(a) For the service and return of the following writs and orders:

(1) Execution:

A. When money is paid without levy or when no property is found, twenty dollars;

B. When levy is made on real property, for the first tract, twenty-five dollars and for each additional tract, ten dollars;

C. When levy is made on goods and chattels, including inventory, fifty dollars.

(2) Writ of attachment of property, except for purpose of garnishment, forty dollars;

(3) Writ of attachment for the purpose of garnishment, ten dollars;

(4) Writ of replevin, forty dollars;

(5) Warrant to arrest, for each person named in the writ, ten dollars;

(6) Search Warrant, five dollars;

(7) Attachment for contempt, for each person named in the writ, six dollars;

(8) Writ of possession or restitution, sixty dollars;

(9) Subpoena, for each person named in the writ, in either a civil or criminal case, six dollars;

(10) Venire, for each person named in the writ, in either a civil or criminal case, six dollars;

- (11) Summoning each juror, other than on venire, in either a civil or criminal case, six dollars;
 - (12) Writ of partition, twenty-five dollars;
 - (13) Order of sale on partition, for the first tract, fifty dollars, and for each additional tract, twenty-five dollars;
 - (14) Other order of sale of real property, for the first tract, fifty dollars, and for each additional tract, twenty-five dollars;
 - (15) Administering oath to appraisers, three dollars each;
 - (16) Furnishing copies for advertisements, one dollar for each hundred words;
 - (17) All summons, writs, orders or notices, for the first name, six dollars and for each additional name, one dollar.
- (b) In addition to the fee for service and return:
- (1) On each summons, subpoena, writ, order or notice, mentioned above, a fee of one dollar per mile for the first mile, and fifty cents per mile for each additional mile, going and returning, actual mileage to be charged on each additional name;
 - (2) Taking bail bond, three dollars;
 - (3) Jail fees, as follows:
 - A. For receiving a prisoner, five dollars each time a prisoner is received, and for discharging or surrendering a prisoner, five dollars each time a prisoner is discharged or surrendered. The departure or return of a prisoner from or to a jail in connection with a program established under Section 5147.28 of the Revised Code is not a receipt, discharge, or surrender of the prisoner for purposes of this division.
 - B. Taking a prisoner before a judge or court, per day, five dollars;
 - C. Order to commit to jail, order on jailer for prisoner, or order of ejectment, including copies to complete service, one dollar for each defendant named therein.
 - D. Calling action, one dollar;
 - E. Calling jury, three dollars;
 - F. Calling each witness, three dollars;
 - G. Bringing prisoner before court on habeas corpus, six dollars.
 - (4) Poundage on all moneys actually made and paid to the sheriff on execution, decree or sale of real estate, one and one-half per cent;
 - (5) Making and executing a deed of land sold on execution, decree or order of the court, to be paid by the purchaser, fifty dollars.

(6) For attending a criminal case during the trial or hearing and having charge of prisoners, each case, two dollars and fifty cents, but, when so acting, such officer shall be entitled to a witness fee if called upon to testify.

When any of the services described in subsection (a) or (b) hereof are rendered by an officer or employee of the City's Police Department, whose salary or per diem compensation is paid by the City, the applicable legal fees and any other extraordinary expenses, including overtime, provided for the service shall be taxed in the costs in the case and, when collected, shall be paid into the general fund of the City.

The Police Chief shall charge the same fees for the execution of process issued in any other state as the Chief charges for the execution of process of a substantively similar nature that is issued in this State.
(Ord. 058-07. Passed 7-2-07.)



Operations Superintendent

Brittany Roof

Topic one

Job Description

Operations Superintendent

Reports To: Director of Public Works
FLSA Status: Salaried (Exempt)
Civil Service: Classified (Non-Competitive)
Union: Non-Bargaining
Approved By: Joel Mazur, City Manager
Approved Date: February 21, 2017

SUMMARY

This position is salaried and primarily consists of office or non-manual work that is directly related to the administration and supervision of the City's street, sanitation, garage, water distribution, wastewater collection and maintenance programs. The Operations Superintendent exercises discretion and independent judgment with respect to division matters.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned as required.

- Supervision is exercised over unskilled, semi-skilled and skilled workers directly or through subordinate supervisors.
- Monitors and evaluates employee performance; prepares and presents employee performance reviews; works with employees to correct deficiencies.
- Provides or coordinates staff training.
- Advises the Public Works Director on personnel utilization and manpower requirements.
- Directs and coordinates a comprehensive snow removal program.
- Supervises shop activities including equipment maintenance and procurement and storage of materials; assures maintenance of City facilities is performed.
- Advises subordinate supervisors in technical and complex problems involving City facilities and programs; coordinates program activities involving more than one (1) department.
- Coordinates maintenance of City streets, water distribution, wastewater collection and sanitation facilities with other City departments and the general public.
- Prepares and presents operating and special reports as required.
- Assists in the preparation of division budget and expenditures.
- Assists in the selection and training of new employees.
- Ensures that lower level personnel comply with applicable occupational health and safety standards.
- Performs related work as required.

The Operations Superintendent's suggestions and recommendation as to hiring, firing, advancement, promotion or any other change of status of subordinate employees is given particular weight by the Public Works Director and the City Manager.

QUALIFICATIONS

- Working knowledge of the principles of administration.
- Considerable knowledge of the methods, materials and equipment common to public works operations.
- Working knowledge in budget preparation.
- Working knowledge of appropriate codes and operations.
- Ability to prepare reports and keep records.

- Ability to communicate effectively both verbally and in writing.
- Ability to effectively organize and direct personnel.
- Ability to establish and maintain effective working relationships with employees, other agencies and the public.
- Good professional judgment.

EDUCATION and/or EXPERIENCE

- High school graduate or equivalent.
- Seven (7) years of increasingly responsible public works experience including three (3) years at a supervisory level.

LANGUAGE SKILLS

- Must be fluent in both written and spoken English.

REASONING ABILITY

- Must be able to establish and maintain effective working relationships with employees and public.
- Must be able to exercise good judgment.
- Must be able to understand and carry out complex oral and written directions.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License
- Backflow Prevention Certification
- Must possess a valid Class I Water Distribution
- Must be able to obtain a Class II Water Distribution Certification within two (2) years and maintain.
- Certificate and a valid Class II Wastewater Collections from the State of Ohio according to 2PD00000*QD Class II collection system (page 31 of NPDES permit).

PHYSICAL DEMANDS

- Must be able to lift up to 20 lbs.

WORK ENVIRONMENT

- This job must be performed on-site, unless otherwise directed.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily with or without reasonable accommodation and possess or have the qualifications listed. The requirements listed are representative of the knowledge, skill, and/or physical ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Topic two

Restructure Pay Scale

Current Structure

Title	Bottom	Top
Operations Superintendent	\$2,347.02	\$3,328.50

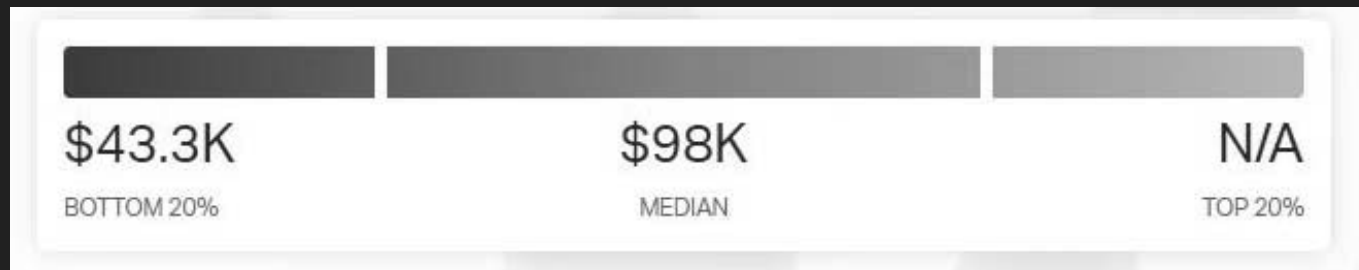
Current Operations Superintendent

- Been with the City of Napoleon since June 1, 1992.
- Currently Operations Superintendent is at the top of his pay scale.

Assistant Operations Superintendent

- Has been with the City of Napoleon since April 26, 1999.
- Will be the new Operations Superintendent in June of 2023.

Wages Around Us....



Wages Around Us...

75th percentile

Senior-level operations manager earnings begin at:

\$72.96
per hour

\$151,750
per year



50th percentile

Mid-level operations manager earnings begin at:

\$47.10
per hour

\$97,970
per year



25th percentile

Junior-level operations manager earnings begin at:

\$29.18
per hour

\$60,690
per year



10th percentile

Starting level operations manager earnings begin at:

\$20.80
per hour

\$43,260
per year



Proposed Wage Scale

Our current Operations Superintendent with years of service and experience in the position is considered to be in the Senior-Level environment. With the wage he currently sits, this puts him between the Junior and Mid-Level, which is why we propose a change to his scale. This will set us up for success with the new Superintendent taking over in June. This scale adjustment will allow us to set up the new Superintendent to reach goals and achieve a higher rate for years of service in the future.

Title	Bottom	Top
Operations Superintendent	\$2,569.60	\$3,463.13

Operations Superintendent

Reports To:	Director of Public Works
FLSA Status:	Salaried (Exempt)
Civil Service:	Classified (Non-Competitive)
Union:	Non-Bargaining
Approved By:	Joel Mazur, City Manager
Approved Date:	February 21, 2017

SUMMARY

This position is salaried and primarily consists of office or non-manual work that is directly related to the administration and supervision of the City's street, sanitation, garage, water distribution, wastewater collection and maintenance programs. The Operations Superintendent exercises discretion and independent judgment with respect to division matters.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned as required.

- Supervision is exercised over unskilled, semi-skilled and skilled workers directly or through subordinate supervisors.
- Monitors and evaluates employee performance; prepares and presents employee performance reviews; works with employees to correct deficiencies.
- Provides or coordinates staff training.
- Advises the Public Works Director on personnel utilization and manpower requirements.
- Directs and coordinates a comprehensive snow removal program.
- Supervises shop activities including equipment maintenance and procurement and storage of materials; assures maintenance of City facilities is performed.
- Advises subordinate supervisors in technical and complex problems involving City facilities and programs; coordinates program activities involving more than one (1) department.
- Coordinates maintenance of City streets, water distribution, wastewater collection and sanitation facilities with other City departments and the general public.
- Prepares and presents operating and special reports as required.
- Assists in the preparation of division budget and expenditures.
- Assists in the selection and training of new employees.
- Ensures that lower level personnel comply with applicable occupational health and safety standards.
- Performs related work as required.

The Operations Superintendent's suggestions and recommendation as to hiring, firing, advancement, promotion or any other change of status of subordinate employees is given particular weight by the Public Works Director and the City Manager.

QUALIFICATIONS

- Working knowledge of the principles of administration.
- Considerable knowledge of the methods, materials and equipment common to public works operations.
- Working knowledge in budget preparation.
- Working knowledge of appropriate codes and operations.
- Ability to prepare reports and keep records.

- Ability to communicate effectively both verbally and in writing.
- Ability to effectively organize and direct personnel.
- Ability to establish and maintain effective working relationships with employees, other agencies and the public.
- Good professional judgment.

EDUCATION and/or EXPERIENCE

- High school graduate or equivalent.
- Seven (7) years of increasingly responsible public works experience including three (3) years at a supervisory level.

LANGUAGE SKILLS

- Must be fluent in both written and spoken English.

REASONING ABILITY

- Must be able to establish and maintain effective working relationships with employees and public.
- Must be able to exercise good judgment.
- Must be able to understand and carry out complex oral and written directions.

CERTIFICATES, LICENSES, REGISTRATIONS

- Must possess a valid Ohio Driver's License
- Backflow Prevention Certification
- Must possess a valid Class I Water Distribution
- Must be able to obtain a Class II Water Distribution Certification within two (2) years and maintain.
- Certificate and a valid Class II Wastewater Collections from the State of Ohio according to 2PPD00000*QD Class II collection system (page 31 of NPDES permit).

PHYSICAL DEMANDS

- Must be able to lift up to 20 lbs.

WORK ENVIRONMENT

- This job must be performed on-site, unless otherwise directed.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily with or without reasonable accommodation and possess or have the qualifications listed. The requirements listed are representative of the knowledge, skill, and/or physical ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: City Council & Mayor
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Kevin Garringer, City Finance Director
Jeff Rathge, Operations Superintendent
Marrisa Flogaus, Clerk of Council
Roxanne Dietrich, Administrative Assistant
Date: November 2, 2022
Subject: Orwig Avenue & W. Main Street Waterline Improvements ~ Recommendation of Award

On Wednesday, November 2, 2022, bids were opened and read aloud for the above referenced project. Four bids were submitted and read as follows:

<u>Bidder</u>	<u>Base Bid</u>
Salenbien Trucking & Excavating	\$387,697.00
Bryan Excavating, L.L.C.	\$408,475.00
Vernon Nagel, Inc.	\$409,030.00
Fenson Contracting, L.L.C.	\$410,000.00

The Engineer's Estimate for this project is \$440,000.00. This project consists of replacing the existing waterlines on Orwig Avenue from Welsted Avenue to W. Washington Street and on W. Main Street from Sheffield Avenue to Orwig Avenue.

Since this project was included in the City of Napoleon's Master Bid Ordinance, I request that Council pass a simple motion to award Salenbien Trucking & Excavating the contract for the Orwig Avenue & W. Main Street Waterline Improvements in the amount of \$387,697.00. If you have any questions or require additional information, please contact me at your convenience.

CEL