

May 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	1	2	3	4
5	6 6:00pm Technology Committee (cancelled) 7:00pm City Council	7	8	9	10	11
12	13 6:30pm BOPA 6:30pm Electric Com 7:00pm Water/Sewer 7:30pm Muni Prop.	14 Privacy Commission 4:30pm BZA 5:00pm Planning Commission	15	16	17	18
19	20 6:00pm Parks and Rec Commission 6:00 Tree Commission 7:00pm City Council	21	22	23	24	25
26	27 Memorial Day City Offices Closed	28 4:30pm Civil Service 6:30pm Finance and Budget 7:30pm Safety and Human Resources	29 6:30pm Parks and Rec Board	30	31	1



City of Napoleon, Ohio

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Memorandum

To: City Council, Mayor, City Manager, City Finance Director, Law Director, Department Heads, News-media
From: Mikayla Ramirez, Clerk
Date: May 3, 2024
Subject: Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, May 6, 2024, at 6:00 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

CITY COUNCIL

MEETING AGENDA

Monday, May 6, 2024, 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/Paramedic Josh Benarth**
- E. Approval of Minutes** (in the absence of any objections or corrections, the minutes shall stand approved)
April 15, 2024, Regular Council Meeting Minutes
- F. Citizen Communication**
- G. Reports from Council Committees**
 - 1. The Finance and Budget Committee did not meet on April 22, 2024 due to lack of agenda items.
 - 2. The Safety and Human Resources Committee did not meet on April 22, 2024 due to a lack of agenda items.
 - 3. The Technology and Communications Committee did not meet earlier tonight due to a lack of agenda items.
- H. Reports from Other Committees, Commissions and Boards** (*Informational Only-Not Read*)
 - 1. The Civil Service Commission did not meet April 23, 2024 due to lack of agenda items.
 - 2. The Parks and Recreation Board met on April 24, 2024 and;
 - A. Recommended to change golf course age policy to include a waiver and educational piece.
- I. Introduction of New Ordinances and Resolutions- None**
- J. Second Reading of Ordinances and Resolutions-None**
- K. Third Reading of Ordinances and Resolutions**
 - 1. **Resolution No. 007-24**, A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of performing the 2024 Sanitary Sewer Flow Monitoring update, and to award said project to Stantec Consulting Services, Inc.; and declaring an Emergency (tabled)
 - 2. **Resolution No. 009-24**, A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of designing the reconstruction of the E. Washington Street Improvements Project, and to award said project to Peterman & Associates, Inc.; and declaring an Emergency
 - 3. **Ordinance No. 011-24**, An Ordinance amending a section of Chapter 939 of the City of Napoleon Codified Ordinances, specifically Section 939.05, Net Metering, also amending Ordinance No. 056-12
- L. Good of the City** (Any other business as may properly come before Council, including but not limited to):
 - 1. Discussion/Action: Adult use cannabis
 - 2. Discussion/Action: 2024 Sanitary Sewer Cleaning Program – Renewal of Contract

M. Executive Session (Matters of a competitive nature relating to a City owned or operated utility)

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

O. Adjournment

A handwritten signature in blue ink that reads "Mikayla Ramirez". The signature is written in a cursive style and is positioned above a horizontal line.

Mikayla Ramirez—Clerk

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: May 6, 2024 @6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 13, 2024 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for May 2024
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 13, 2024 @7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 13, 2024 @7:30 pm)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, April 15, 2024 @6:00 pm)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, April 22, 2024 @6:30 pm)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, April 22, 2024 @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, May 13, 2024 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for March 2024
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 14, 2024 @4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 14, 2024 @5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, April 15, 2024 @6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, April 23, 2024 @4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wed., April 24, 2024 @6:30 pm)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, May 9, 2024 @10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 11, 2024 @4:00pm)
- 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, April 15, 2024, at 7:00 pm

PRESENT

Council Members	Ross Durham - Council President, Brittany Schwab- Council President Pro-Tem, Ken Haase, Dr. David Cordes, Robert L. Weitzel, Tom Weaver, Jordan McBride
Mayor	Joseph Bialorucki
Acting City Manager	Chad Lulfs- P.E., P.S. - Director of Public Works
Finance Director	Kevin Garringer
Law Director	Billy Harmon
City Staff	Ed Legg- Police Chief Greg Kuhlman- Electric Superintendent
Others	News- Media Greg Snyder
Acting Clerk of Council	Marrisa Flogaus

ABSENT

CALL TO ORDER

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

APPROVAL OF MINUTES

The minutes from the April 1, 2024, Regular Council meeting are approved as presented.

CITIZEN COMMUNICATION-NONE

REPORTS FROM COUNCIL COMMITTEES

The Electric Committee did not meet on April 08, 2024, due to lack of agenda items

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on April 08, 2024 due to lack of agenda items.

The Municipal Properties, Building, Land Use and ED Committee did not meet on April 08, 2024 due to lack of agenda items

The Parks and Recreation Committee did not meet earlier tonight due to lack of agenda items

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Resolution No. 015-24- ODOT Salt Contract

Council President Durham read by title Resolution No. 015-24, A Resolution authorizing the City Manager to enter into a contract for the purchase of sodium chloride in cooperation with ODOT; and declaring an Emergency (Suspension Requested)

Motion: Haase Second: Schwab
to approve First Read of Resolution No. 015-24

Lulfs stated many of you remember each year in the spring we receive notification from the state of Ohio that we can enter into their purchasing agreement for salt. One of the things to point out this usually shows up with little notice. We are required to have this signed and back before we would have

another City Council Meeting. The law department was gracious enough to get this thrown together Thursday. April is a 5 Monday month, so we don't have another meeting. This would allow us to purchase salt as part of their pool. We tell them how much salt we need. This year we're planning on requesting 100 ton. We have budgeted for 200, but the barn is quite full. We want to stay on their list. We budgeted 200 ton at \$100 per ton. Last year I believe we paid \$72 and some change. That should be plenty in the budget. We're required to take 90% of what we order. We're requesting that this is passed under suspension, so that we can be included in this year's salt contract with ODOT. Bialorucki stated they don't tell us the cost. Lulfs stated they haven't bid it yet, so we don't know the price. We've had years that we've paid as low as \$32 per ton and as high as \$132 per ton. Even if it does approach that high end we have enough in the budget due to only requesting 100 ton. Schwab asked what would happen if we don't take the 90%? Is there a penalty for that? Lulfs replied the contract says that we have to. They're going to bill us for it one way or another. We have room in the barn for 100 ton. We have room for probably a couple hundred ton. Right now we have 1,700 ton sitting there, so we're in good shape. We want to stay on that list. There is concern, I spoke to the county about this, we both have concerns if we take a year off we might not be notified the next year. When we're only getting a three weeks' notice, we don't want to miss even the small window that we get. We won't take the delivery until after the 1st of the year. Weitzel stated I would just like to add that years ago we couldn't get salt. Now that we've been doing this we've always had salt. There were some bad winters that we just didn't have any. I can remember we received Egyptian salt one year. Lulfs replied that was the one that was \$132 per ton. We had to get it from Egypt. Weitzel stated think it's important to do this and not fall off the list. Schwab asked do we get preferred pricing in that concept because were bulk? Lulfs replied we do. The bids that the state receives are by region. Cleveland might be one price and Northwest Ohio might be another. Since it's the state doing the bulk order it's much better than what we could get on our own.

Motion: Haase Second: Cordes
to suspend the rule requiring three reads of Resolution No. 015-24

Roll call vote on the above motion:
Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel
Nays-
Yeas-7, Nays-0. Motion Passed.

Roll call vote to pass Resolution No. 015-24 under Suspension and Emergency
Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel
Nays-
Yeas-7, Nays-0. Motion Passed.

SECOND READ OF ORDINANCES AND RESOLUTIONS

Resolution No.009-24- East Washington St.

Council President Durham read by title Resolution 009-24, a Resolution authorizing the expenditure of fifty thousand dollars (\$50,000) for the purpose of designing the reconstruction of the E. Washington Street Improvements Project, and to award said project to Peterman & Associates, Inc.; and declaring an Emergency

Motion: Schwab Second: Haase

to approve Second Read of Resolution No. 009-24

Lulfs stated there is nothing new with this legislation. We're finalizing the contract. I'm meeting with them tomorrow afternoon. Hopefully by the first meeting in May we'll have the contract complete. Haase asked if the grant for \$850,000 was received? Lulfs replied we haven't been told yet. We turned in a good application. As soon as we get word I'll be sure to pass that on.

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Ordinance No. 011-24- Solar Rule Update

Council President Durham read by title Ordinance 011-24, An Ordinance amending a section of Chapter 939 of the City of Napoleon Codified Ordinances, specifically Section 939.05, Net Metering, also amending Ordinance No. 056-12

Motion: Weaver

Second: Weitzel

to approve Second Read of Ordinance No. 011-24

Lulfs stated there is no change to the legislation. The legislation would add commercial/ industrial to have 100 Kw load versus the existing 25 kW. The limit aggregate load is 3%. It removes the limit of 75% of customers personal usage load. Again, there are no changes to the legislation since the last meeting. McBride stated I'm just asking again if it would make sense for the industrial portion of this to not have net metering. Still allow residential net metering, but not industrial. That allows business to size themselves properly and doesn't reward power generation back onto the grid. Again, with my employer it's a similar set up. We don't have the opportunity to back load the grid and take credit. That helps dictate some of the sizing on that portion. I'm looking for comminatory on why the Committee decided to go this or if that had been looked at. Lulfs replied I don't know if the Committee itself discussed that and I'm not certain myself who was there for that discussion. I just know the 100 kW is what they went with because of so many other communities using that number. It was a compromise. I believe it was initially requested to be 400 kW. With the other communities being polled it was found that 100 kW was were many of them were. I can't specifically. Weaver interjected being on the Committee that's accurate. Small did all the research. Haase stated you have to have a starting point. McBride replied absolutely. Haase stated this seems to be a good starting point. Lulfs stated I believe that was part of the discussion. Start here and if we want to reshape this in the future we would have the opportunity. I know this as well as other pieces of legislation we discussed that we might want to take a look at them periodically. Whether that's annually or every three years. We have that option. McBride stated strongly agree it's a good starting point. It's a step in the right direction. My fear is with the funding that is available, the focus on solar with alternative green energy, now is the chance for some of our local businesses to take advantage of some of the federal funds that are available to them. I agree it's a good starting point, but I just want to be as aggressive as we can to allow some of our business to continue to benefit from the funding. That's why I'm asking Council to make sure we take all the necessary steps and look at it. Not just say because other communities to do this, but because this make sense for us. If we come to that determination I'm happy to agree with everyone and say "hey, cool", but I don't want to do it just because it works in other communities. I want to understand why this is what we're asking for our community. Cordes stated I was part of the discussions with the city manager regarding this. We felt this was a safe number to go with

and was a compromise. Kulhman, did you have anything to add? Kulhman replied like Lulfs said this is a starting point. We'll see how it pans out in a year to three years. I'm certainly open for discussions at that point. Haase asked if there are any other businesses asking about it? Kulhman replied no. Auto Zone has panels, but for some reason they dropped it. I haven't heard from them. They have panels on the roof for a year now, but I haven't received a call from them. Cordes asked if Custom Ag was looking at helping others possibly install? Kulhman replied there are a lot of contractors out there that are pushing solar due to grant money. Cordes stated I thought they were aiming to help install it. McBride stated I know I mentioned the engineering studies last time. I suggested that be a part of their requirement entry. The customer asking to do this would front that bill and ensure it's looked at by a third-party to ensure that it's not going to disrupt our system or AMP. Someone other than our customers and us need to look at it, so they can give they're opinion. After thinking about it more I think that it makes more sense to have a larger barrier to entry and get it right. I am concerned that we're not requiring additional engineering studies to look at this. Respectfully to what Kulhman said 100 is safe, but safe really doesn't tell me much. What does safe mean? Is 500 kW safe? Is a Megawatt safe? I'd like to see a larger focus on the engineering side to ensure our grid is reliable and not effected. I'm not seeing that in this current legislation. Schwab stated is it a fair assessment to say that we can keep an eye on things, so if things start moving we can make a movement. Lulfs replied yes, the electric department monitors their system and they would be involved in any development that would occur whether it would be an existing business or a new development coming in.

Roll call vote on the above motion:

Yeas- Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays- McBride

Yeas-6, Nays-1. Motion Passed.

THIRD READ OF ORDINANCES AND RESOLUTIONS

Resolution No. 007-24- Stantec

Council President Durham read by title Resolution 007-24, a resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of performing the 2024 Sanitary Sewer Flow Monitoring update, and to award said project to Stantec consulting Services, Inc.; and declaring an Emergency

Motion: Haase Second: Weaver

to approve Third Read of Resolution No. 007-24

Lulfs stated I'm still currently working on this contract with Stantec. At this time I would request to table this legislation until I'm able to get a final contract in place. I would prefer not to have the legislation passed without a contract.

Motion: Weitzel Second: Cordes

to table Third Read of Resolution No. 007-24

Roll call vote to table Resolution No. 007-24

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

GOOD OF THE CITY (Discussion/Action)

Approval of the Power Supply Cost Adjustment Factor for April 2024 as PSCA 3-month averaged factor \$0.01578 and JV2 \$0.062429

Lulfs stated I have notes here from the city manager. Keep in mind this is not my language. Slightly lower 3 MMA, I don't know if that's megawatts. Then otherwise nothing significant to point out. Garringer stated compared to last month it's trickling down as we would see at this time of year. It's definitely in range or at the lower end. I suggest that we approve this. Nothing has happened in the electric word that would have caused an increase or decrease at this moment.

Motion: Schwab

Second: Weaver

to approve the Power Supply Cost Adjustment Factor for April 2024 as PSCA 3-month averaged factor \$0.01578 and JV2 \$0.062429

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Renewal of Liquor Permits in the City of Napoleon

Lulfs stated theres no action required. Legg, are you aware of this? Legg asked which one in particular as there are a couple? Lulfs stated it doesn't give me an address. Durham asked if this was for the city's golf course? Flogaus stated this is the renewals for the entire city. Lulfs replied oh, it's all of them. Harmon confirmed that its renewals for everyone. Weitzel stated typically we would ask the Chief if there are any complaints on a particular liquor license. Lulfs stated this is city wide for all permits. Legg, do you have anyone in particular that you have an issue with? Legg replied we don't have any issues. Harmon stated in this situation silence is accepted. Durham asked Harmon if he knew how frequently we had to renew these? Harmon replied I believe every year.

To appoint Jeff Weis to the Healthcare Cost Committee

Lulfs stated all of the unions in the City, we have three, all get two representatives to the Healthcare Cost Committee, non-bargaining gets two representatives and the direct hires from Council get two representatives. Chief Mack was one of the non-bargaining representatives. With his retirement we just need someone else appointed. Jeff Weis offered to fill that role, so we just ask for him to be appointed.

Motion: Haase

Second: Schwab

to appoint Jeff Weis to the Healthcare Cost Committee

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

to Approve PC-24-05 Special Use or Conditional Use Permit for a small machine shop to build silencers with Alcohol, Tobacco and Firearms authorization

Bialorucki stated the Planning Commission met last Tuesday where this was presented to us. We had a little bit of discussion mainly regarding if there was going to be any disturbance to the neighbors and the size of the machine. The applicant Greg Snyder came tonight to answer any questions. We passed it

unanimously, so the next step after Council passes this Mr. Snyder would need to apply to ATF to get permission to make the silencers. Durham ask Snyder if he would like to add anything? Snyder stated none of my neighbors complained and one of my neighbors actually called in support. I plan to keep it really small. Thank you for the opportunity. Schultheis told me it's in my hands and can be taken away. I don't take that lightly. Thank you for the consideration. Schwab asked once the license and patent is received would you be selling it out of your garage? Snyder replied by the grace of god I came up with a couple ideas. If you guys would pass this from my understanding it would take about a year for the ATF to allow it. Then it would take another year for me to make them and go through the patent process. My idea was to sell them online. If it becomes successful I would have to get a shop some point down the road. This just allows me to get started. I don't plan on people coming to my house. Maybe I could sell them to a gun shop. That's quite a ways down the road. Bialorucki stated we received a question about where he would keep them to which he stated that he has a safe inside the house where they would be stored. That way someone's not trying to break into his garage. Weitzel asked if the sale from the house would have to have a separate permit? Bialorucki replied yes.

Motion: Haase Second: Weitzel

To Approve PC-24-05 Special Use or Conditional Use Permit for a small machine shop to build silencers with Alcohol, Tobacco and Firearms authorization

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Award of the 2024 Miscellaneous Street Improvements Project

Lulfs stated I included a memo in the packet. We opened bids last week for the 2024 Miscellaneous Street Improvements Project. We received two bids. The low bid was for Helms and Sons Excavating Inc. for \$1,040,801. It's our recommendation to award to Helms. They performed our paving operations last year. I believe they also did them about 6 years ago, so we've worked with them a couple times. We would like to get it awarded, so we can get it on their calendar because it is so extensive. There's an entire list of streets. I believe 28 of them. Durham stated and \$200,000 below the projected price. Lulfs replied yes. We're looking at some options. Whether we want to just stop there or get a price for additional work. If we do get additional work it would be limited to stay below the \$1.2 million budget number.

Motion: Schwab Second: Weitzel

To Award of the 2024 Miscellaneous Street Improvements Project to Helms and Sons Excavating Inc. for \$1,040,801.

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

AROUND THE TABLE

Lulfs stated we put numbers together this afternoon for spring cleanup. We were up compared to last year. Last spring we were at \$32,000 this year were just shy of \$35,000. We did have to rent two trucks for an extra day. Our man hours were down, which was good. We didn't have much overtime. If you recall

last year they increased the landfill charges, so that was \$1,000 of the extra. Then scrap metal was about half of what we normally get, it just wasn't there. The final total was \$34,980.52. Bialorucki stated I'll blame Georges Furniture's huge going out of business sale. I saw recliners out everywhere. Lulfs stated we had a few issues with large heavy items that we didn't pick up. I think there were 2-3 pianos. We can't pick them up. There are rules as to weight limitations and sizes. Overall I think the biggest impact is our disposal fees going up. Since, Okuley took over last June he has been looking at ways to revamp this process. We have a few possible modifications that we're looking at for the fall. There weren't any major surprises and I think it went well. They were able to finish and we didn't work Saturday. Haase stated there were a couple hundred mattresses laying out there in the rain all night. Lulfs replied the rain didn't help. Durham stated I would like to thank the staff. It's a tough week. My father in law did that for quite some time and he's thankful to not be doing it anymore. I had one more thing. We are actively discussing the contract with Holgate, so we sent them some sample contracts for water. The mayor requested that I assist them with some of the engineering of it, which I offered when I met with hem. They want to try to get a contract in place or outlined before they get too far down the path of funding options. I think the funding agency would like to see the regionalization contract in place prior to agreeing to fund their project. We're working with them. Smalls been communicating with them. We'll keep you up to speed as they move forward and they are moving forward. I don't have anything else.

Harmon- Nothing for me. Thank you.

McBride- No, thanks.

Weitzel- Nothing.

Haase- I thought the old Hogrefe piece of land, the 13 acres, didn't have any low land in there. Lulfs stated the piece that they're talking about for wetland mitigation would be the farthest north piece that wasn't part of the 2005 project. It's the property that was bought 2-3 years ago where Interstate and Commerce meet. If you were to keep going straight on Interstate you'd be in the property. That property wasn't mitigated before we bought it. Haase asked if there was core samples taken of the ground? Lulfs replied I don't believe we have to do any Brownfield type investigation. It's just that wetlands have been identified there. I know Roof sat through a webinar last week about some new funding that's going to be coming available for wetland mitigation.

Bialorucki- I have nothing today.

Schwab- Nothing.

Cordes- Nothing.

Weaver- The Finance and Budget Meeting next week will be canceled.

Garringer- I have nothing.

Durham- There's a request for a brief executive session.

Executive Session (Pending or imminent court action)

Motion: Weaver Second: Schwab

to enter into executive session for Pending or Imminent Court Action at 7:32 pm

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Motion: Haase Second: Cordes

to exit into executive session for Pending or Imminent Court Action at 7:40 pm

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Durham stated no action taken.

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

ADJOURNMENT

Motion: Schwab Second: Weaver

to adjourn the City Council meeting at 7:41p.m.

Roll call vote on the above motion:

Yeas- McBride, Weaver, Cordes, Schwab, Durham, Haase, Weitzel

Nays-

Yeas-7, Nays-0. Motion Passed.

Approved

April 15, 2024

J. Ross Durham, Council President

Joe Bialorucki, Mayor

Marrisa Flogaus, Acting Clerk

RESOLUTION NO. 007-24

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PERFORMING THE 2024 SANITARY SEWER FLOW MONITORING UPDATE, AND TO AWARD SAID PROJECT TO STANTEC CONSULTING SERVICES, INC.; AND DECLARING AN EMERGENCY

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

WHEREAS, the City of Napoleon has been required by the Ohio Environmental Protection Agency (OEPA) to perform a 2024 Sanitary Sewer Flow Monitoring Update; and,

WHEREAS, the City of Napoleon Engineering Department desires to award said update to Stantec Consulting Services, Inc. based on the company’s first-hand knowledge of the City’s collection system. Further, Stantec Consulting Services, Inc. has performed all previously required City collection studies since 2008; and,

WHEREAS, the Sanitary Sewer Flow Monitoring Update project was included in the 2024 Master Bid Resolution, Resolution No. 041-23; and,

WHEREAS, Stantec Consulting Services, Inc. was included in the City Reoccurring Costs Vendor List, Resolution No. 042-23, for the year 2024; and,

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

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of performing the 2024 Sanitary Sewer Flow Monitoring update, awarding said project to Stantec Consulting Services, Inc.. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding and the quality based selection process.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize Stantec Consulting Services, Inc. for the completion of the 2024 Sanitary Sewer Flow Monitoring update pursuant to City of Napoleon Codified Ordinances Section 106.04.

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

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open

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

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

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the update process in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: _____
J. Ross Durham, Council President

Approved: _____
Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Marrisa Flogaus, Acting Clerk of Council

I, Marrisa Flogaus, Acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 007-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2024; & 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, Acting Clerk of Council

RESOLUTION NO. 009-24

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF DESIGNING THE RECONSTRUCTION OF THE E. WASHINGTON STREET IMPROVEMENTS PROJECT, AND TO AWARD SAID PROJECT TO PETERMAN ASSOCIATES, INC.; AND DECLARING AN EMERGENCY

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

WHEREAS, the City of Napoleon began the E. Washington Street Sanitary Sewer Improvements Project in 2023, designed by Peterman Associates, Inc.; and,

WHEREAS, the City of Napoleon Engineer applied for and received additional funding toward the project, which would require additional reconstruction; and

WHEREAS, the City of Napoleon Engineering Department desires to award said project to Peterman Associates, Inc. based on the company’s first-hand knowledge of this project. Further, Peterman Associates, Inc. has performed the design of the previous phases of the project; and,

WHEREAS, the E. Washington Street Sanitary Sewer Improvements project was included in the 2024 Master Bid Resolution, Resolution No. 041-23; and,

WHEREAS, Peterman Associates, Inc. was included in the City Reoccurring Costs Vendor List, Resolution No. 042-23, for the year 2024; and,

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

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of designing the reconstruction of the E. Washington Street Improvements Project, awarding said project Peterman Associates, Inc.. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding and the quality based selection process.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize Peterman Associates, Inc. for the completion of the designing the reconstruction of the E. Washington Street Improvements Project pursuant to City of Napoleon Codified Ordinances Section 106.04.

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

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

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

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to complete the project in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: _____
J. Ross Durham, Council President

Approved: _____
Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Marrisa Flogaus, Acting Clerk of Council

I, Marrisa Flogaus, Acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 009-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2024; & 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, Acting Clerk of Council



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: J. Andrew Small, City Manager
From: Chad E. Luffs, P.E., P.S., Director of Public Works
cc: Billy Harmon, City Law Director
Amanda Griffith, Clerk of Council
Brian Okuley, Operations Superintendent
Tammy Fein, Law Department Paralegal
Date: March 7, 2024
Subject: E. Washington Street Improvements

In 2023, a purchase order was issued to Peterman Associates, Inc. for the design of the first two phases of the E. Washington Street Sanitary Sewer Improvements project. The project consists of replacing the existing brick arch sewer from the Wastewater Treatment Plant to the intersection of Perry Street and Main Street. Because of the cost, the project was divided into three phases.

I applied for and received a grant through the Ohio Public Works Commission (\$325,000) and intended to apply this toward Phase I. I also applied for additional grant funding (\$850,000) through the Ohio E.P.A.'s funding division, D.E.F.A. This application is still under review, but it looks favorable. I recently uncovered a third grant through the Community Development Block Program, C.D.B.G. This grant would provide an additional \$500,000 for the project. However, to help ensure a competitive application, we would need to reconstruct the street, storm sewer, and waterline along with the sanitary sewer.

The original sanitary sewer design performed by Peterman & Associates, Inc. is nearly complete. The additional design work required to complete reconstruction plans will push the design costs over the \$50,000.00 threshold. Therefore, I am requesting Council to direct the Law Director to draft the appropriate legislation to waive the requirement for Quality Based Selection and allow us to extend the existing agreement/contract with Peterman Associates, Inc. The negotiated contract would return to Council for approval prior to execution.

ORDINANCE NO. 011-24

AN ORDINANCE AMENDING A SECTION OF CHAPTER 939 OF THE CITY OF NAPOLEON CODIFIED ORDINANCES, SPECIFICALLY SECTION 939.05, NET METERING, ALSO AMENDING ORDINANCE NO. 056-12

WHEREAS, the City of Napoleon ("City") operates a municipal electric utility system; and,

WHEREAS, the City desires to offer its qualifying consumers a per kWh credit for solar power energy supplied back to the City's electric utility system; and,

WHEREAS, the City of Napoleon previously passed Ordinance No. 056-12, on September 17, 2012, establishing Section 939.05 Net Metering for the City of Napoleon; **Now Therefore**,

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

Section 1. That, Chapter 939 "Electric Rates" of the Codified Ordinances of the City of Napoleon, is hereby amended and enacted as follows:

"939.05 NET METERING

(A) **Net Metering.** Net Metering means measuring the difference between the electricity supplied over the electric distribution system (power grid) and the electricity generated by the consumer's solar power system which is fed back into the electric distribution system over a specific billing period.

(B) **Availability of Service.** Net Metering is available to qualifying consumers on a first come, first served basis, ~~who own and operate qualifying consumer generator facilities designed to operate in parallel with the City's Electric System~~ until the nameplate capacity of all participating generators is equal to the maximum program limit of three percent (3.0%) of the system peak demand of all customers during the previous calendar year. The City Manager reserves the right to deny any consumer, for any reason, the ability to enter into a net metering agreement with the City.

(C) **Conditions of Service.**

1. A qualifying consumer is one whose generating facility complies with all the following requirements:

~~a. Is fueled by solar power not to exceed seventy five percent (75%) of consumer's personal usage load, as determined by the City of Napoleon's Electric Department;~~

- ~~b~~a. Is owned and operated by the consumer and is located on the consumer-generator's premises;
- ~~e~~b. Is designed and installed to operate in parallel with the City's Electric System without adversely affecting the operation of equipment and service of the City and its consumers and without presenting safety hazards to City and consumer personnel; and
- ~~d~~c. Is intended primarily to offset part or all of the consumer-generator's electricity needs.

2. The consumer's generating equipment:

a. Shall be installed in accordance with the manufacturer's specifications as well as all applicable provisions of the National Electrical Code. All equipment and installations shall comply with all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronic Engineers, and Underwriters Laboratories.

b. Shall be installed in compliance with the Standards for Interconnection and Parallel Operation of Small-Scaled, Customer-Owned Solar, Wind, Hydroelectric or Fuel Cell Powered Generating Facilities up to 25kW (residential) or 100kW (commercial/industrial), and with all applicable requirements of Wood County Building Inspection (inside corporation limits) or Napoleon Power and Light (outside corporation limits).

3. An application for interconnection with the City's distribution system must be made by the consumer or the consumer's authorized representative. The interconnection permit must provide at least the following information regarding the consumer-generator's facility: Inverter type, array size, certification, and manufacturer's specifications including details about circuit protective devices; generation facility certifications; the installing electrician name, address, and phone number; and proof of inspection and approval from the appropriate City inspector(s).

(D) **Metering.** Net energy metering shall be accomplished using a single meter capable of registering the flow of electricity in each direction. If the existing electrical meter installed at the consumer's facility is not capable of measuring the flow of electricity in two directions, the consumer shall be responsible for all expenses for the purchase and installation of an appropriate meter with such capability. The City may, at the consumer's or the city's expense and with written consent of the consumer, install one or more additional meters to monitor the flow of electricity.

(E) **Rate.** At the end of the billing period a calculation will be made to determine the difference, if any, between the amount of kWh supplied to the consumer from the city's system and the amount of kWh supplied to the city's system from the consumer.

1. **Credit:** If the consumer generator's facility feeds more kWh of electricity back to the City's system than the City supplies to the consumer, at the same site, during the billing period, then fifty percent (50%) of the excess kWh will be given as a kWh credit for the beginning of the next billing period for the same site. At no time will the consumer be entitled to, nor compensated for, any monetary payout of the excess electricity fed back to the city's system.
2. **Billing Period:** The billing period is January 1st through either December 31st of each calendar year or the last day of the month in which the consumer ceases operation of the net metering agreement, whichever comes first.
3. **For Example:** At the end of the billing period it was determined that consumer X's solar system delivered to the City's system 100 kWh, then consumer X would receive a credit of 50 kWh for that same site.

(F) **Special Terms and Conditions.**

1. Each consumer under a net meter system must carry a minimum of \$100,000.00 in liability insurance naming the City as an additional insured.
2. The consumer-generator must install and maintain a manual disconnect switch that will disconnect the net metering facility from the Napoleon Utilities electric system. The disconnect switch must be a lockable, load-break switch that plainly indicates whether it is in the open or closed position. The disconnect switch must be readily accessible to Napoleon Utility personnel at all times and located within 10 feet of the meter. The disconnect switch may be located more than 10 feet from the billing meter provided that permanent instructions are posted at the meter indicating the precise location of the disconnect switch. This information must be indicated on the application form and approved by the Utility.

(G) **Additional Charges.** The consumer shall pay any additional charges, as determined by the City, for equipment, labor, metering, testing or inspections that are requested by the consumer or needed by the City.

(H) **Length of Term.** Contracts under this schedule shall be automatically renewed on January 1st of each year, unless either the consumer or the City provides written notice to terminate the agreement within ten (10) calendar days of the renewal.”

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

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

Section 5. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

J. Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Marrisa Flogaus, Acting Clerk of Council

I, Marrisa Flogaus, Acting Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 011-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2024; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Marissa Flogaus, Acting Clerk of Council



City of *NAPOLEON*, Ohio

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

Memorandum

To: Members of the Electric Committee and Board of Public Affairs
From: J. Andrew Small, City Manager
cc: Members of City Council and Mayor Bialorucki, Greg Kuhlman, Mike Dietrich, Kevin Garringer
Date: March 6, 2024
Subject: Solar Rules

Last summer, the City was approached by electric customers seeking to add photovoltaic panels (solar generation) on their property and connect to our system. The customers requested systems that are considerably larger than our current rules allow (25kW).

I conducted research utilizing AMP resources and compiled a list of 30 communities that have rules regarding solar generation. Many of the communities divided their maximum allowable loads into two classes; residential and non-residential (commercial/industrial).

At the Electric Committee/BOPA meeting in August, I requested your review and feedback on whether the City should add a classification for non-residential (commercial industrial) customers and, if so, where do we set the maximum load for this class. The feedback from our Electric Department leadership prompted both bodies to reject adding the additional classification, as well as the increased load.

Since then, Custom Agri Systems, Inc. inquired about adding up to 420kW of solar to their operation to utilize credits that are currently available. Following additional discussion with Greg Kuhlman, Electric Superintendent and Mike Dietrich, Distribution Services Supervisor, they agreed to allow up to 100kW of solar generation, per customer, to our system. In addition, the Program would be available on a first-come, first-serve basis and we would limit the amount of solar generation to 3.0% of the system peak demand of all customers during the previous calendar year. For Napoleon, our peak demand averages around 30.75MW, so a 3% limit would allow for a maximum program load of approximately 920kW. Finally, I worked with Mike and Greg to craft a new Interconnection Permit to allow for the increased load which also includes a clause regarding the Program limitations.

I look forward to the discussion Monday evening. If you would like any additional information or have any questions before then, please don't hesitate to contact me.

JAS

Bowling Green (\$250 Processing Fee)

100kW max

The following is criteria taken from Bowling Green, but this information is common among most utilities:

The Generating Facility must meet the following criteria:

1. Is an inverter-based energy facility with a rated capacity and output of 100 kW or less when including any storage capabilities and is interconnected behind the meter.
2. Is a single-phase or three-phase service at 60 Hertz at a nominal voltage of 120/240, 120/208, or 277/480 volts furnished through a bidirectional electric meter or meters capable of recording the flow of electricity in each direction.
3. Is owned by the Customer and is located on the Customer's premises.
4. Serves only the Customer's immediate premises. Serves no other customer or off-site premises owned by the Customer.
5. Is intended only to offset part of the Customer's own electrical energy requirements for the premises.
6. Is interconnected with and operates in parallel phase and synchronization with the Electric Distribution System and is in compliance with these Interconnection Standards.
7. Contains a Utility-approved mechanism(s) that automatically disconnects the Generation Facility and interrupts the flow of electricity to the Electric Distribution System in the event that electric service to the Customer is interrupted.
8. Meets all the following generating capacity limitations:
 - i. Generation Facility annual energy production shall not exceed Customer's annual energy requirements.
 - ii. Customer's Generation Facility in kWAC shall not exceed Customer's average monthly demand when historical demand (kW) meter readings are available for a previous 12-month period as determined by the Utility, or 100 kW, whichever is less.

Bedford, VA

50kW max

Not to exceed 500kW aggregate

Berea, OH

10kW residential

60kW non-residential

Not to exceed 1% of peak system demand

Initial limit 360kW re-evaluated every 3 years

Blakely, PA

No roof mounted or ground mounted solar collectors may produce more than 35% of the average monthly use (for previous 12 months) of the building that they are being installed on to service.

Celina, OH

Customers average monthly demand max, or 250kW (whichever is less)

Limited to the lesser of:

- (1) total aggregate participation of Utility approved customer-owned renewable generation totaling 2,500 kW
- (2) 5% of the Utility's previous year peak demand (kW)
- (3) the total aggregate when including the total Utility approved customer-owned behind-the-meter generation and Utility's own generation may cause reverse-power flow at the Utility's 69 kV interconnection points

Cleveland, OH

1000kW max

Limit to 15% of the peak load of the line or line segment

Coldwater, MI (\$100 Application Fee)

150kW max

generating equipment not to exceed 80% of the annual calculated or metered electrical need

Columbiana, OH

50kW max

Cuyahoga Falls, OH

10kW residential

200kW commercial/industrial

Edgerton, OH (cost of the bi-directional meter plus \$250.00 for installation)

10kW residential

100kW non-residential

Limits the aggregate amount of on-site solar to 1% of the village's annual energy requirement

Ephrata, PA

<25kW

25kW-100kW

>100kW - case-by-case basis

Galion, OH

25kW max

Greenwich, OH

50kW max

25kW max

ELECTRIC DISTRIBUTION SYSTEM IMPACT ANALYSIS:

After receiving a properly completed Interconnection Application, the Utility will analyze the potential impact of the Generation Facility on the Electric Distribution System...and will include the following:

- a. The Customer Generation Facility's proposed Point of Interconnection is on a radial distribution circuit and not a transmission line.
- b. The proposed Generation Facility complies with IEEE 1547 and UL 1741 standards.
- c. The proposed Generation Facility's capacity in aggregation with other generation on the circuit shall not exceed 15 percent (15%) of the total circuit peak demand (kW) as most recently measured at the substation during the previous 12-month period; nor shall it exceed 15 percent (15%) of a distribution circuit line section annual peak demand (kW).
- d. The proposed Generation Facility, in aggregation with other generation on the distribution circuit, shall not contribute more than 10 percent (10%) to the distribution circuit's maximum fault current at the point on the primary voltage distribution line nearest the proposed interconnection point.
- e. The proposed Generation Facility, in aggregation with other Customer-owned Generation Facilities connected to the distribution circuit, may not cause any distribution protective devices and equipment (including substation breakers, fuse cutouts, and line reclosers, or other customer equipment on the electric distribution system) to be exposed to fault currents exceeding 85 percent (85%) of the short circuit interrupting capability.
- f. No additional Generation Facilities shall be interconnected on a circuit that already exceeds 85 percent (85%) of its short circuit interrupting capability.
- g. When a proposed Generation Facility is single-phase and is to be interconnected on a center tap neutral on a 240-volt service, its addition shall not create an imbalance between the two sides of the 240-volt service of more than 20 percent of the nameplate rating of the service transformer.
- h. The proposed Generation Facility installation must be certified to pass an applicable non-islanding test, or use reverse power relays or other means to meet IEEE 1547 unintentional islanding requirements.
- i. On a three-phase, three-wire primary electric distribution line, a three- or single-phase generator shall be connected phase-to-phase.
- j. When the Applicant's facility is to be connected to three-phase, four-wire primary distribution lines, a three- or single-phase generator shall be connected line-to-neutral and shall be effectively grounded.
- k. A review of the type of electrical service provided to the Customer, including line configuration, and the transformer connection, shall be conducted to limit the potential for creating over-voltage on the Electric Distribution System due to a loss of ground during the operation time of any anti-islanding function.
- l. When the proposed Generation Facility is to be interconnected on a single-phase shared secondary line, the aggregate generation capacity on the shared secondary line, including the proposed Generation Facility, shall not exceed ten kilowatts (10 kW).

Hillsdale, MI (\$100 Application Fee)

30kW max

The Net Metering Program is voluntary and is available on a first-come, first-serve basis until the nameplate capacity of all participating generators is equal to the maximum program limit of 1.0% of the HBPU's system peak demand for all customers during the previous calendar year.

Hudson, OH (\$80-\$150 application fee plus up to \$500 to cover meter and hardware costs at time of application)

25kW residential

200kW commercial

Meets HPP loading stipulations

- (1) < 25kW residential inverter rating
- (2) < 200kW commercial inverter rating
- (3) < Distribution transformer kVa rating for all PV (including other connected facilities)
- (4) < 5% distribution feeder load (peak)
- (5) < 5% substation transformer sizing (N-1)
- (6) < 1% system load (historical peak)

Kutztown, PA (\$220 Application Fee)

10kW residential

50kW commercial/industrial

Credit the customer-generator at the Borough's avoided cost of generation

Lansdale, PA (\$310 Application Fee)

25kW residential

525kW commercial

Lebanon, OH

100kW max

Marshall, MI (\$100 Application Fee)

30kW max

Montpelier, OH

Limited to 3% of the Village's annual energy requirement

Milan, OH (\$75 Filing Fee)

50kW max

Minster, OH (\$50 Processing Fee)

10kW max

New Bremen, OH (Application Fee of \$200 for a Residential Customer and \$700 for a Non-Residential Customer)

10kW residential

500kW commercial

Paducah, KY

30kW

First come-first serve basis up to cumulative capacity of 1% of single-hour peak load from previous year

Princeton, WV

30kW

Total capacity available under this Policy is provided upon request and approval and on a first-come, first-served basis up to a cumulative capacity of one percent (1%) of the PEPB single hour peak system load during its previous calendar year.

Shelby, OH

10kW residential

100kW commercial/industrial

Wadsworth, OH

20kW residential

200kW commercial

Westerville, OH (\$75 Application Fee)

10kW residential

200kW commercial/industrial

>200kW may be considered on a case-by-case basis

Additional Technical Requirements may be required for systems greater than 200 kW

Wyandotte, MI (\$100 Application Fee)

5kW residential

30kW all other classes

Installed capacity of all units is 5000kW max

Zelienople, PA

25kW residential

500kW non-residential

If the total generating capacity of all customer-generation using net metering systems served exceeds 5% of the capacity necessary to meet the Borough's aggregated monthly peak demand for a particular calendar year, the Borough may elect not to provide net metering services to additional customers.

Fees shall include Borough costs, including but not limited to an application fee, inspection fee, and annual inspection fee. Each fee shall be set by resolution of the Borough. The customer shall be responsible for costs of any and all system studies and upgrades, including metering, required to accommodate generation.

Application Fee	\$300
Interconnection Fee	At Cost
Initial Inspection Fee	\$150
Annual Inspection Fee	\$150

Napoleon, OH

25kW max (not to exceed seventy-five percent (75%) of consumer's personal usage load)

If the consumer generator's facility feeds more kWh of electricity back to the City's system than the City supplies to the consumer, at the same site, during the billing period, then fifty percent (50%) of the excess kWh will be given as a kWh credit for the beginning of the next billing period

EXAMPLE: NAPOLEON SOLAR USAGE/BILLING CALCULATION

Solar Usage for the Year 2022			
Name	[REDACTED]		
Service Address	[REDACTED]		
Account	[REDACTED]		
	Previous Year End Reading	Current Year End Reading	Difference
Meter			
Delivered	96394	112356	15962
Received	32425	38204	5779
Solar Meter	64422	74026	9604
Calculating Solar Metering			
Delivered (D7)	15962		
Solar (D9)	9604		
Total of Delivered & Solar (B13+B14)	25566		
Received (D8)	5779		
Total of D & S minus Received (B15-B17)	19787		
This is the amount of power the customer would have used if they didn't have solar installed.			
Sum of B18 (value) multiply by 75%	14840		
If the value is less than the "received" value then use that value.			
If that value is more than the "received" value then use the "received" value.			
Value	5779		
Take the lower value of either the received (D8 or 75% value and divide it in half to get the amount to credit.			
Total Credit	2890		
Credit (50% Output to Power Grid or CPUL)			

COPY OF ANNUAL CREDIT LETTER TO CUSTOMER



CITY OF NAPOLEON, OHIO

Finance Department – Division of Utilities
255 West Riverview Avenue • P O 151 • Napoleon, Ohio 43545-0151
phone (419) 599-1235 fax (419)-592-6748
Web Page: www.napoleonohio.com
Email: utilities@napoleonohio.com

January 10, 2023

[REDACTED]
[REDACTED]
Napoleon, [Ohio 43545](http://www.napoleonohio.com)

RE: Consumer – Annual Computation of Net Metering Credit – Account No. 17*05500*1

Dear Consumer,

Pursuant to the Policy established by Ordinance No. 056-12, passed September 17, 2012 (*See Copy "A" Attached - Ord.No.056-12*) the City of Napoleon, Ohio (City) has computed your Annual Net Metering Credit. **The Credit computed is 2,890 kWh** (*See Copy "B" Attached - Solar Credit Computation*).

This Credit will be applied to your February 1, 2023 account billing. Any excess Credit will be carried on to future months billing until completely utilized.

It is noted, in Ordinance No. 056-12, Section (F), the Policy requires the consumer to carry a **minimum of \$100,000.00 in liability insurance naming the City as an additional insured**. This must be updated at least Annually, or anytime your insurance provider changes. Please contact your insurance provider and have them supply the City with the necessary *Certification of Insurance* naming the City as an additional insured.

Should you have any questions on the computation, or need any additional information, I can be reached at (419) 599-1235.

Thank you.

Sincerely,

Kevin Garringer
Finance Director

Attachments

Cc: J. Andrew Small, City Manager
Greg Kuhlman, Electric Superintendent
Lori Rausch, Utility Billing Administrator

City of Napoleon, Ohio

Interconnection Permit – For Net Metering (Solar Only)

Section 1. Customer Information

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Address for site of Net Metering (if different than above): _____

City: _____ State: _____ Zip Code: _____

Daytime Phone: _____ Evening Phone: _____

Utility Customer Account Number (from utility bill): _____

Section 2. Generating Facility Information

System Type: Solar

Inverter Manufacturer: _____ Inverter Model: _____

Inverter Serial Number: _____ Inverter Power Rating: _____

Inverter Location: _____

Disconnect Type: Manual Disconnect (see Napoleon Cod. Ord. Sec. 939.05 (F)(2) for further details)

Location: _____

Section 3. Installation Information

Electrician: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Daytime Phone: _____ Proposed Installation Date: _____

Section 4. Inverter Certification

The generating facility's inverter meets the requirements of IEEE 929, "Recommended Practice for Utility Interface of Photovoltaic (PV) systems: and Underwriters Laboratories (UL) 1741, "Standard for Static Inverters and Charge Controllers for Use in Photovoltaic Power Systems".

Signed (Equipment Vendor): _____ Date: _____

Name (Printed): _____ Company: _____

Section 5. Installation Certifications

1. The generating facility has been installed in compliance with the “Standards for Interconnection and Parallel Operation of Small-Scaled, Customer-Owned Solar, Wind, Hydroelectric or Fuel Cell Powered Generating Facilities up to 25 kW (residential) or 100 kW (commercial/industrial), and with all applicable requirements of the National Electrical Code and the City of Napoleon office of building inspection.

Signed (Electrician): _____ Date: _____
Name (Printed): _____ Company: _____

2. The system has been installed to Owner’s satisfaction and in accordance with the operation manual.

Section 6. Insurance

Attached copy of the liability insurance required by §939.05 (F)(2)

Section 7. Attestation

I do hereby attest, subjecting myself under the penalty of law, that the above information is true and accurate.

Signature: _____ Date: _____

Section 8. Program Limitations

The Program is available on a first-come, first-serve basis until the nameplate capacity of all participating generators is equal to the maximum program limit of 3.0% of the system peak demand of all customers during the previous calendar year.

Approval of Permit Application	
Electric Superintendent: _____	Date: _____
City Manager: _____	Date: _____



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: J. Andrew Small, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: City Council & Mayor
Kevin Garringer, City Finance Director
Brian Okuley, Operations Superintendent
Marrisa Flogaus, Administrative Assistant
Roxanne Dietrich, Administrative Assistant
Date: April 23, 2024
Subject: 2024 Sanitary Sewer Cleaning Program ~ Renewal of Contract

In 2023, Advanced Rehabilitation Technology was awarded the Sanitary Sewer Cleaning contract for Year 1. As part of that bid, bidders were also allowed to bid on Year 2. I am requesting award of Year 2 to Advanced Rehabilitation Technology.

Advanced Rehabilitation Technology's bid for Year 2 was \$94,440.75. The budget amount for 2024 is \$95,000.00. This project consists of cleaning various sections of the sanitary sewer collection system. **I request that Council pass a motion for us to execute a renewal contract with Advanced Rehabilitation Technology for the Sanitary Sewer Cleaning Project for Year 2 in the amount of \$94,440.75.** If you have any questions or require additional information, please contact me at your convenience.

CEL