

July

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4 4th OF JULY OFFICE WILL BE CLOSED	5
6	7 7:00 pm City Council	8	9	10	11	12
13	14 6:30 pm Electric Comm. 6:30 pm BOPA 7:00 pm Water and Sewer Comm. 7:30 Muni Prop. Comm.	15	16	17	18	19
20	21 6:00 pm Tree Commn. 6:00 pm Parks & Rec Comm. 7:00 pm City Council	22 4:30 pm Civil Service	23	24	25	26
27	28 6:00 Finance & Budget Comm. 7:30 Safety & Human Resources Comm.	29	30 6:30 pm Parks & Rec Board	31		



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: Mayor and City Council, City Manager,
City Finance Director, Law Director,
Department Supervisors, News Media

From: Marrisa Flogaus, Acting Clerk

Date: July 3, 2025

Subject: Technology and Communications Committee—
Cancellation

The regularly scheduled meeting of the Technology and Communications Committee for Monday, July 07, 2025, at 6:30 pm has been **CANCELED** due to lack of agenda items.



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Memorandum

To: Board of Zoning Appeals
cc: Mayor and City Council, City Manager,
City Finance Director, Law Director,
Department Supervisors, News Media
From: Marrisa Flogaus, Acting Clerk
Date: July 3, 2025
Subject: Board of Zoning Appeals-Cancelation

The regularly scheduled meeting of the Board of Zoning Appeals for Tuesday, July 08, 2025, at 4:30 pm has been **CANCELED** due to lack of agenda items.



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Memorandum

To: Planning Commission
cc: Mayor and City Council, City Manager,
City Finance Director, Law Director,
Department Supervisors, News Media
From: Marrisa Flogaus, Acting Clerk
Date: July 3, 2025
Subject: Planning Commission-Cancelation

The regularly scheduled meeting of the Planning Commission for Tuesday, July 08, 2025, at 5:00 pm has been **CANCELED** due to lack of agenda items.

City of Napoleon, Ohio
CITY COUNCIL
MEETING AGENDA

Monday, July 07, 2025, at 7:00 pm

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

A. Call to Order

B. Attendance (Noted by Clerk)

C. Prayer and Pledge of Allegiance

D. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)
June 16, 2025, Regular Council Meeting Minutes

E. Citizen Communication

F. Reports from Council Committees

1. The Finance and Budget Committee meet on June 23, 2025 at 5:30pm and;
 - a. Recommended to Council to approve the Second Quarter Budget Adjustments and 2026 Tax Budget
2. The Safety and Human Resources Committee met on June 23, 2025 at 6:00pm and;
 - a. Discussed E-Bike and Golf Cart Issues in Park Areas
3. The Technology Committee did not meet on July 7, 2025 due to a lack of agenda items.

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

1. The Civil Service Commission did not meet on June 24, 2025 due to a lack of agenda items.
2. The Parks and Recreation Board did not met on June 25, 2025 due to a lack of agenda items.

H. Introduction of New Ordinances and Resolutions

1. **Resolution No. 024-25**, A Resolution adopting the 2026 Tax Budget for the City of Napoleon, Ohio, as required in Sections 5705.28 and 5705.281 of the Ohio Revised Code and Directing the Finance Director to file the same with the County Auditor; and declaring an emergency (Suspension Requested)
2. **Ordinance No. 025-25**, An Ordinance supplementing the annual appropriation measure (Supplement No. 2) for the year 2025; and declaring an emergency(Suspension Requested)
3. **Ordinance No. 026-25**, An Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriation 2) from one appropriation line item to another appropriation line item pursuant to ORC. 5705.40 for the fiscal year ending December 31, 2025 as listed in Exhibit A; and declaring an emergency (Suspension Requested)
4. **Resolution No. 027-25**, A Resolution authorizing the Finance Director to transfer certain fund balances (Transfer No. 3) from respective funds to other funds pursuant to ORC. Section 5705.14 on an as needed basis in fiscal year 2025, as listed in exhibit A; and declaring an emergency (Suspension Requested)
5. **Resolution No. 028-25**, A Resolution authorizing the City Manager to execute any and all documents necessary to acquire 1.07 acres of land, more or less, located within the City of Napoleon, Ohio; and declaring and emergency (Suspension Requested)

I. Second Reading of Ordinances and Resolutions

1. **Resolution No. 022-25**, A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing a fire truck for the City of Napoleon Fire Department, and to award said purchase to The Sutphen Corporation; and declaring an emergency
2. **Ordinance No. 023-25**, An Ordinance approving current May 2024 through April 2025 replacement pages to the city of Napoleon Codified Ordinances.

J. Third Reading of Ordinances and Resolutions

1. **Ordinance No. 020-25**, An Ordinance allowing ODOT to work inside City limits to remove and replace the existing pavement on US 6/24 from the US 6 interchange to the Maumee River Bridge and repair bridges within the same section; and declaring an emergency

2. **Ordinance No. 021-25**, An Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$650,000, for the purpose of paying the costs of improving the municipal fire facilities by acquiring a pumper fire truck, together with all necessary and related appurtenances thereto, and declaring an emergency

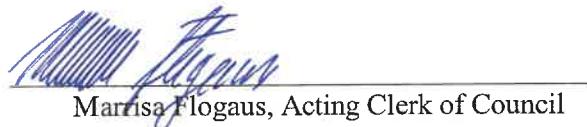
K. Good of the City (Any other business as may properly come before Council, including but not limited to):

1. Discussion/Action: Direct the Law Director to draft the appropriate legislation to allow the City Manager to apply for O.P.W.C (Issue II) funding.
2. Discussion/Action: Director the Law Director to draft legislation, pursuant to Napoleon Ordinance 106.04, to contract with Delta Star Inc for the purchase of a 69/12.47Kv, 20.0/26.7/33.3 MVA Three Phase Power Transformer with LTC.
3. Discussion/Action: To accept The 2025-2026 Training and Equipment Grant for the Fire Department
4. Discussion/Action: Update on Pool and Golf Course Storage Building Bids

L. Executive Session (As may be needed).

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

N. Adjournment



Marissa Flogaus, Acting Clerk of Council

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

1. **Technology & Communication Committee (1st Monday)**
(*Next Regular Meeting: July 7, 2025 @ 6:15 pm*)
2. **Electric Committee (2nd Monday)**
(*Next Regular Meeting: Monday, July 14, 2025 @ 6:30 pm*)
 - a. Review of Power Supply Cost Adjustment Factor for July 2025
 - b. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(*Next Regular Meeting: Monday, July 14, 2025 @7:00 pm*)
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(*Next Regular Meeting: Monday, July 14, 2025 @7:30 pm*)
 - a. Yard Waste Site Rules
5. **Parks & Recreation Committee (3rd Monday)**
(*Next Regular Meeting: Monday, July 21, 2025 @6:00 pm*)
6. **Finance & Budget Committee (4th Monday)**
(*Next Regular Meeting: Monday, July 28, 2025 @6:30 pm*)
7. **Safety & Human Resources Committee (4th Monday)**
(*Next Regular Meeting: Monday, July 28, 2025 @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, July 08, 2025 @6:30 pm*)
 - a. Review of Power Supply Cost Adjustment Factor for July 2025
 - b. Electric Department Report
2. **Board of Zoning Appeals (2nd Tuesday)**
(*Next Regular Meeting: Tuesday, July 08, 2025 @4:30 pm*)
3. **Planning Commission (2nd Tuesday)**
(*Next Regular Meeting: Tuesday, July 08, 2025 @5:00 pm*)
4. **Tree Commission (3rd Monday)**
(*Next Regular Meeting: Monday, July 21, 2025 @6:00 pm*)
5. **Civil Service Commission (4th Tuesday)**
(*Next Regular Meeting: Tuesday, July 22, 2025 @4:30 pm*)
6. **Parks & Recreation Board (Last Wednesday)**
(*Next Regular Meeting: Wednesday, July 30, 2025 @6:30 pm*)
7. **Privacy Committee (2nd Tuesday in May & November)**
(*Next Regular Meeting: Tuesday, November 11, 2025 @10:30 am*)
8. **Records Commission (2nd Tuesday in June & December)**
(*Next Regular Meeting: Tuesday, December 09, 2025 @ 8:15am*)
9. **Housing Council (1st Monday after the TIRC meeting)**
10. **Health Care Cost Committee (as needed)**
11. **Preservation Commission (as needed)**
12. **Napoleon Infrastructure/Economic Development Fund Review Committee (NIEDF) (as needed)**
13. **Tax Incentive Review Council**
14. **Volunteer Firefighters' Dependents Fund Board (as needed)**
15. **Volunteer Peace Officers' Dependents Fund Board (as needed)**
16. **Lodge Tax Advisory & Control Board (as needed)**
17. **Board of Building Appeals (as needed)**
18. **ADA Compliance Board (as needed)**

City of Napoleon, Ohio
City Council Meeting Minutes
Monday, June 16, 2025, at 7:00 pm

Present

Council Members	Ross Durham-Council President, Brittany Schwab-Council President Pro-Tem, Ken Haase, Robert L. Weitzel, Tom Weaver, Jordan McBride, Dr. David Cordes
Mayor	Joseph Bialorucki
City Manager	Lori Sinclair
Finance Director	Kevin Garringer
Law Director	Billy Harmon
Clerk of Council	Ann Harper
City Staff	Justin Ruffer- Assistant Police Chief, David Bowen- Fire Chief
Others	News-Media, Alan Meyer

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

In the absence of any objections or corrections, the minutes from the June 2, 2025, meeting were approved as presented.

Citizen Communication

Meyer: Hello, my name is Alan Meyer. My address is 530 W. Washington Street, Napoleon.
Durham: Welcome Mr. Meyer. Meyer: Thank you. I'm a current resident here in Napoleon and have enjoyed living here my entire life. I want what is best for our city and understand there needs to be structure for things to run well. I'm a college graduate and currently work as an advanced manufacturing engineer. I include this information because the zoning violation process that I'm about to explain has been very confusing to me. I hope that coming here tonight to share my experience can help other residents of Napoleon and improve our city. I have quite a bit to say about our current issue. I am working with our City Manager and zoning administrator. Before I get into this, I want you to understand that I want to speak the truth in a respectful way. I have been made aware of the fact that I have a zoning violation regarding the location of my RV/bus conversion down by the river behind the Northwest Signal building. I've received two violation letters that have copied and pasted code with no explanation of how I have violated that code. The code is not specific; it has bullet points under each item. When I read through it, I have questions as to how it applies to me and my situation. My goal is not to get special treatment but to understand how I have broken this code and suggest that the process of how the code violations are handled be reassessed. I received a zoning violation notice saying I violated codes 1141.01 and 1105.02. The introductory sentence speaks about a zoning violation saying there's an issue with the use of my recreational vehicle, but the codes copied and pasted below say nothing about an RV, what I needed to do and so forth. I called and spoke with the zoning administrator on the phone, and he said we would let it go this week until the city manager got back from vacation the following week. The zoning administrator spoke with the city manager, and I received a call from the zoning administrator informing me that my RV must be moved. I requested clarification as to why that was, and I was told that I needed to speak to the city manager directly. I called her and left a message. In the meantime, I received a second zoning violation stating the same issue. On that Friday afternoon I got a call back from the city manager saying that I needed to apply for a conditional use permit, but I could not be used as an Airbnb which I had told Schultheis that this was an initial intent from the get-go. I asked the city manager if the RV can stay there until the appeals/conditional use process played out and she was not sure of that at the time. I also asked for the code violation information about the Airbnb since it had not yet been provided to me. She said she would call me back on

Monday with that information. I didn't receive a call back on Monday or Tuesday so I called her Wednesday morning, and she informed me that the RV must be moved by Monday, or I would be served a third violation which would result in me going to court. When I asked for Airbnb clarification on why that couldn't be there, that was not provided. I explained to her that only gives me two days to move the RV and that I didn't know where to put it. Direct quotes on what feedback I got for that was, "I think it is ugly", "I'm new here and I do not want my city to look ugly", and "you're a grown adult and there are plenty of places that offer paid storage, you can find one and park it there". There were no exceptions or negotiations, just do what I say or go to court. This is even after I explained how nearly every lot around me is storing and or actively using an RV, for example there's a storage facility two lots west of where mine is that the City Manager admitted probably has zoning issues of its own and suggested that I park my RV there. There's also a six-camper campground, two lots east of where my camper is. There are obviously campers all throughout Riverview and all throughout Napoleon. I spoke with Mayor Joe Bialorucki about the situation, and he was very helpful. He requested that I get an extension on having to move it which the city manager and the zoning administrator granted a 2-week extension which I was grateful for obviously. He requested zoning clarification which the zoning administrator agreed to. I received a letter from the zoning administrator stating that it has come to my attention that I didn't understand the codes I was violating, and below that was copied and pasted zoning violations with no further explanation. Some of which didn't necessarily even apply such as the Bed and Breakfast information. The letter didn't have any coding citations, so I really don't know where that really came from and still didn't explain the wrong in what I was doing. It doesn't say anywhere in there that RV's can't be there. It does refer to automobiles, trucks and trailers, but never recreational vehicles which are always referred to in the code separately. It doesn't say anything about Airbnb's. I am planning to meet with Schultheis to talk through these things, and time is limited. We have a meeting scheduled for next Monday, so we'll be talking about that. Durham: Okay, Mr. Meyer, thank you so much for all the information. Mr. Mayor, do you have any insights as you were involved in the conversation previously. Bialorucki: Just from hearing from both sides, it sounds like we need to look into getting more clarification, if you still don't understand. I haven't read through the violations or the codes myself. Obviously, you did. Meyer: As much as I could. Bialorucki: I don't know if Harmon, our law director, I know you haven't read into this, but have you looked at any of the code violations? Harmon: I haven't seen it. I wouldn't be able to comment directly on the facts, and I haven't memorized the code. I'd be happy to look at it, moving forward. Durham: Mr. Meyer, you said your meeting with Kevin Schultheis was this coming Monday or next week? Meyer: That is correct because this was a short week, and that was the soonest we could do. Sinclair: I did not see the first two notifications that Mr. Meyer received but I did see the third one. My understanding is that you're parked in a C-4 which has very specific approved uses. Business must take place in a covered building which if your Airbnb is running out of a bus beside a building that is not allowed, that was the violation. Additionally, no storage of vehicles in C-4 and so as it is a bus it is a vehicle storage. I believe Mr. Schultheis said that he had some options for you if you wanted to use it for personal camping, but to run your business there was not permitted. Meyer: I haven't been able to speak to him about that because obviously there are two conversations going being an Airbnb and an RV used down there. Both which I would like to do, so there can be some conversation but we haven't spoke about those options yet. I understand that it's in a C-4 but I think everything I said still applies in which there are RV's throughout C-4 in every zoning district in Napoleon. I know a comment was made that I may not know if they were serviced with zoning violation which is correct I cannot know that about everybody, but there are a lot of them. Just drive around and look and you'll see probably hundreds. Durham: Thank you again, Mr. Meyer. I'm curious about how your meeting next week with Schultheis goes. Sinclair, do you plan being in that meeting do you know? Sinclair: I was not aware. I wasn't aware that you would be here tonight either, or I would have brought better notes and what not, that I could share with you but that's what I can remember from the conversation. Durham: I think getting all parties in the room would certainly help so if I can be involved in any capacity to do so as well. If it needs to go to the Board

of Zoning we can discuss that as well. Thank you for all the information and the updates and we certainly appreciate your time. I look forward to further conversation. Meyer: Thank you. Bialoruki: What time is your meeting with Schultheis next week? Meyer: It was scheduled for 4:30 on Monday. Bialoruki: 4:30, okay. Durham: Thank you, Mr. Meyer. Any other citizen communication this evening?

Reports from Council Committees

The Budget Committee did not meet on June 9, 2025, due to being canceled by the chair.

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on June 9, due to lack of agenda items.

The Municipal Properties Building Land Use and Economic Development Committee did not meet on June 9, 2025 due to lack of agenda items.

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

Introduction of New Ordinances and Resolutions

Resolution No. 022-25 – Purchase of a fire truck

Council President Durham read by title Resolution NO. 022-25, A Resolution authorizing the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purpose of purchasing a fire truck for the City of Napoleon Fire Department, and to award set purchase to Herb Fire Equipment; and declaring an emergency.

Motion: Schwab Second: Haase
To approve First read of Resolution No. 022-25

Garringer: This is the resolution authorizing the expenditure. The other resolution is for references that allow us to get the bonding and the funds for the possible purchase of the vehicle. This allows us to then purchase the vehicle from Herb Fire Equipment. It has just come to my attention that we pay the company called Sutphen Corporation, they're the ones that make the fire truck. Herb Fire Equipment are just the salesmen of this matter. This information was given to me within the last 30 minutes, so with the help of Harmon, we may have to amend this moving forward. Harmon: If you would direct me to amend then we will have it fixed by the next read. Garringer: But we should be able if we do pass it tonight then move to second with the amendment. Harmon: If it's approved tonight, it will move on to second read with that amendment and everything's the same. Garringer: Okay, so there will be a correction to this if it moves forward tonight.

Roll Call vote on the above motion
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nays - 0
Yea - 7, Nays - 0 Motion passed

Roll Call to approve the amended resolution
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nay - 0
Yea - 7, Nay - 0 Motion passed

Second read of Ordinances and Resolutions

Ordinance No. 023-25 – Replacement Pages for the Codified Ordinances of Napoleon

Council President Durham read by title Ordinance No. 023-25, An Ordinance approving current May 2024 through April 2025 replacement pages to the city of Napoleon Codified Ordinances.

Motion: Haase Second: Schwab
To approve Second read of Ordinance No. 023-25

Siclair: This is in response to the semi-annual review by American Legal Publishing, formally known as Walter Drane Company of the ordinances and the updates that are needed. Harmon: There was a mistake in there, eagle eyed council person Bobby Weitzel found a mistake and let us know about it. We did get that fixed prior to this reading tonight. It is my understanding that everything's correct and we got it fixed before it showed up in front of council. Durham: Nice catch council member Weitzel.

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

Resolution No. 020-25 – ODOT Bridge Repair

Council President Durham read by title Ordinance No. 020-25, An ordinance allowing ODOT to work inside City limits to remove and replace the existing pavement on US 6/24 from the US 6 interchange to the Maumee River Bridge and repair bridges within the same section; and declaring an emergency.

Motion: Schwab Second: Weitzel
To approve Second read of Resolution No. 020-25

Siclair: This is the authorization that ODOT needs to do work within the city. This work is scheduled for September 1, 2026. They wish to have the legislation by this coming September so we would have no need for suspension. Durham: Thank you.

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

Third read of Ordinances and Resolutions

Ordinance No. 021-25 – Bond Ordinance

Council President Durham read by title Ordinance No. 021-25, an Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$650,000.00 for the purpose of paying the costs of improving the municipal fire facilities by acquiring a pumper fire truck, together with all necessary and related appurtenances thereto, and declaring an emergency.

Motion: Schwab Second: Weaver
To approve Third read of Ordinance No. 021-25

Garringer: This is the second read of the many discussed bonding process of obtaining the fire truck funds. There's no changes from the first read, so I ask that we pass the second to move to third. Durham: I did see those questions and answers in the council packet that Chief Bowen answered for me and I appreciate that Chief.

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

Third Reading of Ordinances and Resolutions

Resolution No. 019-25 Property Transfer to CIC

Council President Durham read by title Resolution No. 019-25, a Resolution authorizing the transfer of certain property to wit: approximately 15.705 acres, more or less of real property, part of parcel NO.41-110048.0000, owned by the City of Napoleon to the Community Improvement Corporation of Henry County, Ohio; and declaring an emergency.

Motion: Haase Second: Schwab
to approve Third read of Resolution No. 019-25

Siclair: This is the third and final read to complete the transfer of the 1602 Glenwood Avenue property to the CIC. Durham: Thank you, Siclair. Durham: Do you know what closing date on that by chance? Not yet. Siclair: No, I do not

Roll call vote to pass Resolution No. 019-25 on Third read
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nays -
Yea-7, Nays-0. Motion Passed.

Good of the City (discussion/action)

The approval of the power supply cost adjustment factor for June, 2025 as PSCA 3-month average factor \$0.01747 and JV2 \$0.043445.

Siclair: This is the three-month rolling average. Looks to me like everything is in line with what it usually looks like at this time of year. I'll let Garringer add anything if there is anything. Garringer: There's really nothing more to add. It's just that it's our three-month rolling average based off the usage and the cost of this time frame and it's pretty much in line of this time every year. I would ask for approval. Durham: Thank you, sir.

Motion: Schwab Second: Weaver
To approve the Power Supply Cost Adjustment factor for June 2025 as PSCA 3-month averaged factor \$0.01747 and JV2 \$0.043445

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

Second quarter budget adjustments and 2026 tax budget.

Garringer: What we're asking is to direct the law director to draft the appropriate legislation for the items that will be discussed in next Monday's Budget and Finance Committee meeting. It would come to council the first Monday of July. We do this every quarter. It's just directing law director to get those items ready. And the only difference is this one here, in addition to the budget adjustments is that we have to annually present the tax budget to the budget commission of the county per statute and we do this one time a year and it's due the end of July. There is a separate resolution that comes with that. We've also passed that every year, but it's the time of year that we need to do that.

Motion: Schwab Second: Haase
to direct the law director to draft legislation

Roll call vote on the above motion
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nays -

Yeas-7, Nays-0. Motion Passed.

Around the Table

Siclair- I'd like to request that a discussion of e-bikes and motorized scooters be referred to the Safety and Human Resources Committee. Durham: Mr. Chair? McBride: Yep, we'll take that. Durham: Thank you. McBride: Yeah, I think we're going to shoot for 6:30 next week. I think it's next Monday. I just want to make sure that Brittany Roof is good with it. We'll move it from 7:30 to 6:30. Siclair: Okay, that's all I had, thanks.

Harmon- Two short things for me. If I could introduce Stephen Maloney, who's in the back. He's our assistant law director currently on contract. He's helping us in the Municipal court. He's going to be sitting here in July while I'm in Spain. I'm going to give him everything he absolutely needs. Tammy's going to help me. I'm going to still be paying attention while I'm on vacation, of course. I don't expect that I'll ask him to do too many things, but he will be here to answer your questions. He's got a lot to do anyway. But there he is, I'm going to try to kick him out of here before we got to executive session just incase it takes a little bit of time. That's his face and he'll be seated here. If you have any questions for the law department at council, he'll answer them or try to or at least write them down and we'll get you an answer soon. And if I could ask an executive session for pending litigation, I don't plan on taking more than five minutes just to give you a quick update.

McBride- Nothing for me this evening.

Weitzel- Nothing.

Haase: I had a couple questions for the engineer, but I see he's not here. Is there an answer available for the possibility that the railroad is going to fix it crossing on Oakwood Street as they promised last year when we did our construction? Siclair: All I know is what the previous city manager told me was that was coming, but I've heard nothing and there's been no communication with me personally. Haase: There's some flags put up on Railroad Street, like survey type markers. Is there any idea what that's about? Siclair: I have no idea. Durham: I'm sure we can get those answers and maybe include them in the weekly summary if possible. Haase: Okay, that's it.

Bialorucki- Nothing.

Schwab- No.

Cordes- No, I'm good, thank you.

Garringer- I do have one item and it's about House Bill 335 that was introduced to you recently from Representative David Thomas out of Jefferson. This is something we all need to keep an eye on. If you read in Saturday's paper, there was an article where the county auditor discussed this with the county commissioners. If this passes in the current state it could eliminate the inside millage of our village. Some rough numbers that I took last year's inside millage we would receive \$613,000.00 and change. Some of these are earmarked for police pension funds, some of it's for the fire department's pensions. It all ends up going towards general fund cost, so I don't want to say what cuts we would have to make if we don't find ways to obtain this funding if this is eliminated from it. The options would be to pass a property tax levy because what inside millages is non voted because what inside millages is non voted taxes and that's what they want to eliminate or we would have to pass an increase in our income tax. And this is just preliminary and I'm just throwing this out as those are basically our two option to recoup the \$613,000.00 and change. If we did not recoup that amount and again I'm very cautious when I say this, various cuts may have to be made. That's a big chunk of change for us to absorb out of the general fund. I don't have any ideas what those cuts

would be. That would certainly be a discussion point amongst committees. The Ohio Municipal League is certainly against this. County Auditors Association's against it. County Commissioners Association is against this. Every school district is certainly against this. All entities that receive inside millage. The only inside millage that would not be affected would be townships because they do not have the ability to enact a sales tax or an income tax. The idea basically is that you're going to have to put stuff on the ballot and have your citizens pass any type of things. They're not going to allow any more unvoted property taxes. I don't know if this has legs. I don't know what the governor feels about this, but it is out there and I just think that it's a big enough thing out there that certainly council needs to be aware of it. As this moves forward, I can certainly keep counsel informed. Durham: Thank you.

Durham- Last week I failed to greet our new Clerk of Council, Ann. I would just like to do so this evening. Welcome. We're very happy to have you and we look forward to working with you. Harper: I appreciate that. Durham: Outside of that I would just request an executive session for the sale and purchase of property. If I could have a motion to go into executive session for that matter, please.

Motion: Haase Second: Schwab
To enter into executive session for the sale or purchase of property at 7:28 pm

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

Motion: Schwab Second: Weitzel
To enter into executive session for pending litigation at 7:28 pm

Roll call to the above motion.
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nays-
Yea-7, Nays-0. Motion Passed.

Motion: Haase Second: Weitzel
To exit executive session for the sale or purchase of property at 7:48 pm

Roll call to the above motion
Yea - Haase, Weitzel, McBride, Weaver, Cordes, Schwab, Durham
Nays-
Yea-7, Nays-0. Motion Passed.

Motion: Schwab Second: Weitzel
To direct the law director to draft legislation to acquire the Heller Eller property

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

Motion: Schwab Second: McBride
To exit executive session for pending litigation at 7:48 pm

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

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

Adjournment

Motion: Schwab Second: Weitzel
to adjourn the City Council meeting at 7:49 pm

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

Approved

J. Ross Durham, Council President

Joe Bialorucki, Mayor

Ann Harper, Clerk

RESOLUTION NO. 024-25

A RESOLUTION ADOPTING THE 2026 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTIONS 5705.28 AND 5705.281 OF THE OHIO REVISED CODE AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

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

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

WHEREAS, the requirement for a Public Hearing concerning this 2026 Tax Budget is also waived pursuant to Ohio Revised Code Sections 5705.281 and 5705.30; and,

WHEREAS, the 2026 Tax Budget must be adopted on or before July 15, 2025; **Now Therefore**,

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

Section 1. That, the City Council of Napoleon, Ohio adopts the 2026 Tax Budget, as required by ORC Sections 5705.28 and 5705.281, in the form presented to Council and currently on file in the Office of the Finance Director and marked as the 2026 Tax Budget.

Section 2. That, the Finance Director is hereby directed to file the 2026 Tax Budget with the County Auditor on or before July 20, 2025.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the July 15 and July 20, 2025 deadlines as noted above;

therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to adopt and file the Tax Budget in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE Yea Nay Abstain

Attest:

Ann Harper, Clerk of Council

I, Ann Harper, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 0-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

County Auditors Form No 32(Rev.3-90)- Prepare in Triplicate
On or before July 20th two copies of this Budget must be submitted to County Auditor

Henry County, Ohio
Office of **NAPOLEON CORP.**, _____, 20_____

To the County Auditor:

The Council of Said City hereby submits its annual Budget for the year commencing January 1st, 2025 for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

City Fiscal Officer

County Auditor

County Treasurer

County Prosecuting Attorney

Schedule A

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

FUND	Amount approved by Budget commission Inside 10 M Limitation	Amount to be derived from Levies Outside 10 M Limitation	County Auditor's	
			Inside 10 M Limit	Outside 10 M Limit
1. General Fund	\$ 413,220.00		2	
4. Road and Bridge Fund				
5. Cemetery Fund				
9. Police District Fund	\$ 123,966.00		0.6	
10. Fire District Fund	\$ 61,983.00		0.3	
11. Road District Fund				
12. Park & Rec Levy Fund		\$ 294,163.00		1.9
14. Miscellaneous Funds				
15. General Bond Retirement Fund				
20. Special Levy Funds				
21. Capital Equipment Fund				
28. Ambulance and Emergency Medical Services Fund				

\$ 893,332.00 4.8

SCHEDULE B

FUND	Max. Rate Authorized to be Levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20 not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 2019 PARKS & REC not to exceed 20 years (EXP TY2038)	1.9	\$ 294,163.00	
Levy authorized by voters on 20 not to exceed 5 years			
Levy authorized by voters on 20 _____ not to exceed years			
Levy authorized by voters on 20 _____ not to exceed years			
Levy authorized by voters on 20 _____ not to exceed years			
Levy authorized by voters on 20 _____ not to exceed years			

ORDINANCE NO. 025-25

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION
MEASURE (SUPPLEMENT NO. 2) FOR THE YEAR 2025; AND DECLARING
AN EMERGENCY**

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 025-25 for the fiscal year ending December 31, 2025 shall be supplemented (Supplement No. 2) as provided in Exhibit A, attached hereto and made a part hereof.

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

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

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

Passed: _____

J. Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE Yea Nay Abstain

Attest:

Ann Harper, Clerk of Council

I, Ann Harper, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 025-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

2025 APPROPRIATION BUDGET - SUPPLEMENTAL #2

ORDINANCE No. 025-25

<u>Supplemental #2</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	<u>2025 FUND TOTAL</u>
Fund 100 General				
100.1370.56000 Misc. Operating Cost-HR		\$2,595.50		
100.2100.51900 Unemployment Compensation	\$1,497.00			
100.2100.56000 Misc. Operating Cost		\$2,500.00		
100.2103.51301 Salary-Patrol Officers-OT-Police/K-9	\$2,000.00			
100.4700.53113 Utilities-Water and Sewer		\$500.00		
<i>Reason: HR cost are for new PD hires. Police is for donations for summer programs.</i>			<u>\$9,092.50</u>	<u>\$9,092.50</u>
Fund 210 EMS Transport Service				
210.2200.53510 Cnt. Maint.-Vehicles		\$8,499.16		
<i>Reason: Repairs to Ambulance 802</i>			<u>\$8,499.16</u>	<u>\$8,499.16</u>
Fund 220 Recreation				
220.4200.54211 Supplies-Golf-Retail		\$1,600.00		
220.4400.57000 Machinery and Equipment		\$6,000.00		
<i>Reason: Additional funding for Golf apparel and Glenwood Bball concession stand</i>			<u>\$7,600.00</u>	<u>\$7,600.00</u>
Fund 435 E. Washington Street Improvement				
435.5100.57500 Street Improvements		\$1,800,000.00		
435.5100.57700 Water Improvements		\$500,000.00		
435.5100.57800 Sanitary Sewer Improvements		\$1,300,000.00		
435.5100.57900 Storm Sewer Improvements		\$350,000.00		
<i>Reason: Moved the budgeted project to it's own fund</i>			<u>\$3,950,000.00</u>	<u>\$3,950,000.00</u>
Fund 500 Electric Utility Revenue				
500.6110.51201 Salary-AFSCME-OT	\$20,000.00			
<i>Reason: Increased mutual aid cost (we are reimbursed)</i>			<u>\$20,000.00</u>	<u>\$20,000.00</u>
Fund 511 Water Depreciation Reserve				
511.6210.57700 Water Improvements		-\$400,000.00		
<i>Reason: Moved the budgeted project to it's own fund</i>			<u>-\$400,000.00</u>	<u>-\$400,000.00</u>
Fund 513 Water OWDA Bond Retirement				
513.8600.53410 County Auditor-Fees		\$100.00		
<i>Reason: Nothing budgeted at the beginning of the year</i>			<u>\$100.00</u>	<u>\$100.00</u>
Fund 515 Maumee River Crossing Project				
515.6210.57700 Water Improvements		\$400,000.00		
<i>Reason: Moved the budgeted project to it's own fund</i>			<u>\$400,000.00</u>	<u>\$400,000.00</u>
Fund 521 Sewer Utility Replacement and Improvement				
521.6310.57500 Street Improvements		-\$2,100,000.00		
521.6310.57700 Water Improvements		-\$500,000.00		
521.6310.57800 Sanitary Sewer Improvements		-\$1,000,000.00		
521.6310.57900 Storm Sewer Improvements		-\$350,000.00		
<i>Reason: Moved the budgeted project to it's own fund</i>			<u>-\$3,950,000.00</u>	<u>-\$3,950,000.00</u>
Fund 523 OWDA SA Debt Retirement				
523.8600.53410 County Auditor-Fees		\$775.00		
<i>Reason: Nothing budgeted at the beginning of the year</i>			<u>\$775.00</u>	<u>\$775.00</u>
Fund 560 Sanitation (Refuse) Revenue				
560.6400.53510 Cnt. Maint.-Vehicles		\$2,520.00		
560.6400.54300 Supplies-Vehicle Parts/Supply		\$10,179.00		
<i>Reason: Emergency repairs to refuse truck #39</i>			<u>\$12,699.00</u>	<u>\$12,699.00</u>
TOTAL FUNDS	<u>\$23,497.00</u>	<u>\$35,268.66</u>	<u>\$58,765.66</u>	<u>\$58,765.66</u>

ORDINANCE NO. 026-25

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 2) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025 AS LISTED IN EXHIBIT A; AND DECLARING AN EMERGENCY

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

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

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

Section 1. That, pursuant to Section 5705.40 of the Ohio Revised Code, and this Ordinance No. 026-25, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2025, as listed in Exhibit A, attached hereto and made a part hereof.

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

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

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

Passed: _____

J. Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Ann Harper, Clerk of Council

I, Mikayla Ramirez, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 026-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

FISCAL YEAR ENDING 2025- TRANSFER OF APPROPRIATION (No. 2)Ordinance Number: 026-25

		<u>Amount Requested</u>	<u>Amount Received</u>
FROM :	100.1300.54300 Supplies-Vehicle Parts/Supply	(900.00)	
TO :	100.1300.53114 Utilities/Telephone		900.00
	<i>Reason: Phone for City Manager</i>		
FROM :	100.1370.53810 Legal Advertising	(500.00)	
TO :	100.1370.54100 Supplies Office-HR		500.00
	<i>Reason: New Desk for HR</i>		
FROM :	100.1500.51100 Salary Non Bargaining	(63,455.60)	
	100.1500.51101 Salary Non Bargaining-OT	(1,000.00)	
	100.1500.51500 PERS	(8,900.00)	
	100.1500.51600 Worker's Comp	(1,275.00)	
	100.1500.51700 Medicare	(921.00)	
	100.1500.51710 Hospitalization Insurance	(10,653.00)	
	100.1500.51750 Life Insurance	(70.00)	
TO :	100.1520.51100 Salary Non Bargaining		63,455.60
	100.1520.51101 Salary Non Bargaining-OT		1,000.00
	100.1520.51500 PERS		8,900.00
	100.1520.51600 Worker's Comp		1,275.00
	100.1520.51700 Medicare		921.00
	100.1520.51710 Hospitalization Insurance		10,653.00
	100.1520.51750 Life Insurance		70.00
	<i>Reason: Budget Correction to move employee to the proper department</i>		
FROM :	100.1900.56900 Undefined Contingencies	(1,000.00)	
TO :	100.1500.57000 Machinery & Equipment		1,000.00
	<i>Reason: Replace the printer in Payroll.</i>		
FROM :	100.1900.56900 Undefined Contingencies	(2,000.00)	
TO :	100.1900.53610 Cnt. Maint.-Buildings & Structures		2,000.00
	<i>Reason: Various repairs to the Admin Building</i>		
FROM :	220.4300.52000 Travel & Training	(650.00)	
	220.4300.53114 Telephone	(750.00)	
	220.4300.53300 Professional Services	(500.00)	
TO :	220.4300.54200 Materials and Supplies		1,900.00
	<i>Reason: Additional Funds Needed</i>		
FROM :	510.6200.56900 Undefined Contingencies	(5,900.00)	
TO :	510.6200.53300 Serv. Fees-Professional		5,900.00
	<i>Reason: Cover rebuild of the Wauseon Pump</i>		
FROM :	510.6200.56900 Undefined Contingencies	(8,724.40)	
TO :	510.6200.53520 Cnt. Maint.-Equipment		8,724.40
	<i>Reason: Cover repair of Chemical Feed Room heat system program</i>		
FROM :	510.6200.56900 Undefined Contingencies	(12,000.00)	
TO :	510.6200.57200 Buildings and Improvement		12,000.00
	<i>Reason: Cover price of ro membrane replacement and install</i>		
Total Transfer of Appropriation		(119,199.00)	119,199.00

RESOLUTION NO. 027-25

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES (TRANSFER NO. 3) FROM RESPECTIVE FUNDS TO OTHER FUNDS PURSUANT TO ORC. SECTION 5705.14 ON AN AS NEEDED BASIS IN FISCAL YEAR 2025, AS LISTED IN EXHIBIT A; AND DECLARING AN EMERGENCY

WHEREAS, the City is a charter municipality having those powers of self government as stated in Article I of its Charter; and,

WHEREAS, in order to provide Fund Balances for approved expenditures in certain funds on an as needed basis, it is necessary to transfer funds from respective funds to other funds; **Now Therefore**,

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

Section 1. That, pursuant to Section 5705.14 of the ORC and this Resolution No. 027-25, the Finance Director is hereby authorized and directed to transfer monies, transfer number 3, among the various funds on an as needed basis in Fiscal Year 2025 as listed in Exhibit A attached hereto and made a part of this Resolution.

Section 2. 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 the City of Napoleon, Ohio.

Section 3. 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, only that portion shall be held invalid and the remainder shall remain valid.

Section 4. 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 assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to transfer the funds 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:

Ann Harper, Clerk of Council

I, Ann Harper, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 027-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

2025 TRANSFER OF FUNDS - No. 3**Ordinance 027-25**

FROM:	TO:	AMOUNT
521.9900.59580	435.0000.49900	\$1,500,000.00

Transfer to 435 E. Washington St. Improvement Fund

Purpose: To place the E. Washington St. Project in its own fund

FROM:	TO:	AMOUNT
511.9900.59580	515.0000.49900	\$400,000.00

Transfer to 515 Maumee River Crossing Project Fund

Purpose: To place the Maumee River Waterline Project in its own fund

RESOLUTION NO. 028-25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE 1.07 ACRES OF LAND, MORE OR LESS, LOCATED WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to City of Napoleon Charter Section 6.01, Council may provide, by ordinance or resolution, a method for the City to purchase, construct, lease, sell, or to otherwise dispose of real property and, tangible or intangible personal property, including the contracting therefor, that may be contrary to any provision of the laws of Ohio.

WHEREAS, the City of Napoleon desires to acquire a certain 1.07 acres of land, more or less, located within the City of Napoleon, Ohio; and,

WHEREAS, the City of Napoleon desires to acquire said land for further economic development of the City; **Now Therefore**;

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

Section 1. That, the City of Napoleon authorizes and directs the City Manager to execute any and all documents necessary for the acquisition of one and seven one hundredths (1.07) acres of land which is located within the City of Napoleon.

Section 2. That, the properties listed are identified as at the location of the intersection of Perry Street and Oakwood Avenue, Napoleon, Henry County, Ohio, "Lot 1"; and a specific portion of Parcel Number 4100.9723.0020, consisting of one and seven one hundredths (1.07) total acres of land, more or less.

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 for the City to begin economic development of the property; 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: _____

J. Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Ann Harper, Clerk of Council

I, Ann Harper, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 028-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

RESOLUTION NO. 022-25

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE PURPOSE OF PURCHASING A FIRETRUCK FOR THE CITY OF NAPOLEON FIRE DEPARTMENT, AND TO AWARD SAID PURCHASE TO THE SUTPHEN CORPORATION; AND DECLARING AN EMERGENCY

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

WHEREAS, the City of Napoleon Fire Department desires to purchase a vehicle for the proper operation of the Department; and,

WHEREAS, the purchase of the vehicle was not included in the 2025 Master Bid Resolution, Resolution No. 043-24; and,

WHEREAS, the aforementioned materials can be purchased from the Sutphen Corporation; and,

WHEREAS, the Sutphen Corporation was not included in the City Reoccurring Costs Vendor List, Resolution No. 044-24, for the year 2025; and,

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

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of fifty thousand dollars (\$50,000) for the purchase of the necessary software, materials, supplies or other articles for its Fire Department, purchasing said items from the Sutphen Corporation. Further, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City of Napoleon authorizes the City Manager on behalf of the City of Napoleon to utilize the Sutphen Corporation for the purchase of software, materials, supplies or other articles for which the Fire Department has need pursuant to City of Napoleon Codified Ordinances Section 106.04.

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

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

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

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

Passed: _____

J. Ross Durham, Council President

Approved: _____

Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE Yea Nay Abstain

Attest:

Ann Harper, Clerk of Council

I, Ann Harper, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 022-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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.

Ann Harper, Clerk of Council

ORDINANCE NO. 023-25

AN ORDINANCE APPROVING CURRENT MAY 2024 THROUGH APRIL 2025 REPLACEMENT PAGES TO THE CITY OF NAPOLEON CODIFIED ORDINANCES

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

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

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

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

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the current May 2024 through April 2025 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

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

Administrative Code
Municipal Tax Code

Traffic Code
Enforcement, Impounding and Penalty
Operation Generally
OVI; Willful Misconduct; Speed
Licensing; Accidents
Safety and Equipment

Streets, Utilities and Public Services Code
Electric Rates
Recreation Facilities

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

publication of new matter contained therein.

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

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

Section 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

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. 023-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2025; & 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

PRELIMINARY LEGISLATION
(CONSENT)

Ordinance No. : 020-25
PID No. : **110524**
County/Route/Section : **HEN US 6/24 11.32/4.62**

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

SECTION I – Project Description

WHEREAS, the STATE has determined the need for the described project:

A Major Rehabilitation project to remove and replace the existing pavement on US 6/24 from the US 6 interchange to the Maumee River Bridge and repair bridges within the same section.

NOW THEREFORE, be it ordained by the City of Napoleon 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 as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project. No such features have been identified to date.

SECTION IV Authority to Sign

The LPA hereby authorizes the City Manager of said City of Napoleon to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the City Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Napoleon to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION V – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

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 VI – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project 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 the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VII-Emergency measure

(as applicable)

The 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.

Passed: _____, 2025.
(Date)

Attested: _____
Clerk of Council

Lori Sinclair, City Manager

J. Ross Durham, President of Council

5/27/2025

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Napoleon of Henry County, Ohio

I, _____, as Clerk of the City of Napoleon of Henry County, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said City of Napoleon on the _____ day of _____, 2025.

(LPA)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2025.

SEAL

Clerk of Council

City of Napoleon of Henry County, Ohio

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

ORDINANCE NO. 021-25

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$650,000, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL FIRE FACILITIES BY ACQUIRING A PUMPER FIRE TRUCK, TOGETHER WITH ALL NECESSARY AND RELATED APPURTEANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this City Council has requested that the Finance Director, as fiscal officer of this City, certify the estimated life or period of usefulness of the Improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Finance Director has certified to this City Council that the estimated life or period of usefulness of the Improvement is at least five (5) years and that the maximum maturity of the Bonds is ten (10) years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Napoleon, Henry County, Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“*Authorized Denominations*” means the minimum denominations or any integral multiple in excess thereof as set forth in the Certificate of Award.

“*Bond Proceedings*” means, collectively, this Ordinance, the Certificate of Award and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders of the Bonds.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“*Bond Registrar*” means the Finance Director, the Original Purchaser or a bank or trust company authorized to do business in the State of Ohio, as designated by the Finance Director in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Certificate of Award and until a successor Bond Registrar shall have been designated by the City and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bonds*” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“*Certificate of Award*” means the certificate authorized by Section 6, to be executed by the Finance Director, setting forth and determining those terms or other matters pertaining to the

Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“*City*” means the City of Napoleon, Ohio.

“*City Law Director*” means the City Law Director of the City or any person serving in an interim or acting capacity with respect to that office.

“*City Manager*” means the City Manager of the City or any person serving in an interim or acting capacity with respect to that office.

“*Clerk of Council*” means the Clerk of Council of the City Council or any person serving in an interim or acting capacity with respect to that office.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*Code*” means the Internal Revenue Code of 1986, as amended, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“*Finance Director*” means the Finance Director of the City or any person serving in an interim or acting capacity with respect to that office.

“*Financing Costs*” shall have the meaning given in Section 133.01 of the Ohio Revised Code.

“*Interest Payment Dates*” means, unless otherwise specified in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“*Mandatory Redemption Date*” shall have the meaning set forth in Section 3(b).

“*Mandatory Sinking Fund Redemption Requirements*” shall have the meaning set forth in Section 3(e)(i).

“*Mayor*” means the Mayor of the City or any person serving in an interim or acting capacity with respect to that office.

“*Original Purchaser*” means the purchaser of the Bonds specified in the Certificate of Award.

“*Principal Payment Dates*” means, unless otherwise specified in the Certificate of Award, December 1 in each of the years from and including 2026 to and including 2035; *provided* that the

first Principal Payment Date may be advanced up to one year and the last Principal Payment Date may be advanced by such number of years as determined necessary by the Finance Director, and *provided further* that in no case shall the final Principal Payment Date exceed the maximum maturity limitation referred to in the preambles hereto, all of which determinations shall be made by the Finance Director in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

“*Serial Bonds*” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“*Term Bonds*” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose: Application of Proceeds. This City Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum principal amount of \$650,000 (the “*Bonds*”) for the purpose of paying the costs of improving the municipal fire facilities by acquiring a pumper fire truck, together with all necessary and related appurtenances thereto (the “*Improvement*”). The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The principal amount of Bonds to be issued shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the Finance Director in the Certificate of Award to be the principal amount of Bonds that is required to be issued at this time for the purpose described in this Section 2, taking into account the costs of the Improvement, the estimates of the Financing Costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the City (or withheld by the Original Purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor and/or paying agent, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the City. Any portion of those proceeds received by the City representing premium

(after payment of any Financing Costs identified in the Certificate of Award) or accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date. If requested by the Original Purchaser, the Finance Director is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year and computed on the basis as shall be determined by the Finance Director, subject to subsection (c) of this Section 3, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Finance Director, subject to subsection (c) of this Section 3, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the determination of the best interest of and financial advantages to the City, the Finance Director shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 6.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the main office of the Bond Registrar; *provided, however*, to the extent that the Bonds are represented by a single Term Bond as permitted by this Section 3, principal of the Bonds which is redeemed pursuant to a Mandatory Sinking Fund Redemption Requirement shall be payable when due without prior presentation or surrender of the Bond but redemption of such principal shall be duly endorsed on the Bond Register, and in the case of the final principal payment due hereunder, surrender of the Bond at the main office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Finance Director, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Finance Director, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption

Requirement (and corresponding mandatory redemption obligation), as specified by the Finance Director, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Finance Director, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in Authorized Denominations, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Finance Director in the Certificate of Award; provided that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Finance Director to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in Authorized Denominations, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination unit of

principal thereof shall be treated as if it were a separate Bond of the Authorized Denomination. If it is determined that one or more, but not all, of the Authorized Denomination units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of an Authorized Denomination unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the Authorized Denomination unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Section 3(d), upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of

those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Finance Director, in the name of the City and in their official capacities, *provided* that either or both of those signatures may be a facsimile. The Bonds shall also be countersigned by the Mayor, *provided* that the signature of the Mayor may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Finance Director, shall be numbered as determined by the Finance Director in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The Finance Director is hereby authorized to designate in the Certificate of Award the Finance Director, the Original Purchaser or a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The Finance Director shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Certificate of Award, except to the extent paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Finance Director on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange.

(a) **Bond Register.** So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its main office. Subject to the provisions of Section 3(d), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section 5. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the main office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the main office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date; *provided, however,* if the Bond submitted for exchange or transfer represents more than one maturity, the Bond Registrar is authorized if necessary, after review by the Finance Director and bond counsel for the City, to deliver a new Bond or Bonds representing the appropriate principal amounts, Principal Payment Dates and denominations.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6. Sale of the Bonds to the Original Purchaser. The Finance Director is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Finance Director in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the Closing Date, and shall be awarded by the Finance Director with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Finance Director is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Finance Director shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The Mayor, the City Manager, the Finance Director, the City Law Director, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. Any actions heretofore taken by the Mayor, the City Manager, the Finance Director, the City Law Director, the Clerk of Council or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

Section 7. Provision for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the laws of the State of Ohio and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing,

(ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Finance Director or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Bonds, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Bonds, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Finance Director or any other officer of the City having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Section 9. Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid or reimbursed by the Original Purchaser in accordance with the Certificate of Award, is authorized and approved, and the Finance Director is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 10. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP, as bond counsel, are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. To the extent they are not paid or reimbursed pursuant to the Certificate of

Award, the Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 11. Municipal Advisor. The services of Sudsina & Associates, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. To the extent they are not paid or reimbursed pursuant to the Certificate of Award, the Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to promptly deliver or cause to be delivered a certified copy of this Ordinance and an executed copy of the Certificate of Award to the County Auditor of Henry County, Ohio.

Section 13. Satisfaction of Conditions for Bond Issuance. This City Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 14. Compliance with Open Meeting Requirements. This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this City Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety in the City and for

the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to facilitate the timely execution of a contract relating to the acquisition of the Improvement; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed: _____, 2025

J. Ross Durham, Council President

Approved: _____, 2025

Joseph Bialorucki, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Marrisa Flogaus, Clerk of Council

I, Marrisa Flogaus, Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 021-25 was duly published in the Northwest Signal, a newspaper of general circulation in said City on the _____ day of _____, 2025; and 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

CERTIFICATION OF RECORDS

I, Marrisa Flogaus, Clerk of Council, of the City of Napoleon, Ohio, do hereby certify and attest that this document to be a **True and Correct** copy of Ordinance Number 021-25, passed _____, 20____.

Marrisa Flogaus, Clerk of Council

Date

FISCAL OFFICER'S CERTIFICATE

To the City Council of the City of Napoleon, Ohio:

As fiscal officer of the City of Napoleon, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$650,000 (the “*Bonds*”), to be issued for the purpose of paying the costs of improving the municipal fire facilities by acquiring a pumper fire truck, together with all necessary and related appurtenances thereto (the “*Improvement*”), that:

1. The estimated life or period of usefulness of the Improvement is at least five (5) years.
2. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Ohio Revised Code, is ten (10) years.

Dated: May 30, 2025



Ken Gandy
Finance Director
City of Napoleon, Ohio



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: *Lori Sinclair, City Manager*
From: *Chad E. Lulfs, P.E., P.S., Director of Public Works*
cc: *City Council & Mayor
Kevin Garringer, City Finance Director
Ann Harper, Clerk of Council*
Date: *June 20, 2025*
Subject: *W. Clinton Street & Erie Street Improvements ~
Required Legislation for O.P.W.C. Grant
Application*

The Engineering Department traditionally applies for funding for sanitary sewer projects through the Ohio Public Works Commission (O.P.W.C.). This funding source is generically referred to as Issue II. This year I plan to apply for funding to offset a portion of the cost associated with the replacement of the existing clay sanitary sewers located on W. Clinton Street from Sheffield Avenue to Erie Street and Erie Street from W. Washington Street to W. Clinton Street.

As part of our application, legislation is required to allow the City Manager to sign all the forms and to make the application. Please direct the Law Director to draft the required legislation to allow us to apply for this funding. If you have any questions or require additional information, please contact me at your convenience.

CEL



NAPOLEON POWER & LIGHT

TRUST. STRENGTH. COMMUNITY.

1775 INDUSTRIAL DRIVE, PO Box 151

NAPOLEON, OH 43545

PHONE: (419) 599-1891 FAX: (419) 875-3100

MEMORANDUM

TO: Lori Sinclair, City Manager

FROM: Greg Kuhlman, Electric Superintendent

SUBJECT: Enterprise Substation Transformer – Draft Legislation

DATE: June 25, 2025

CC: Mayor & City Council
Mikayla Ramirez, Clerk of Council
Kevin Garringer, Finance Director
Mike Dietrich, Electric Distribution Services

The City of Napoleon's Electric Department requests to have the law director draft legislation, pursuant to Napoleon Ordinance 106.04, to contract with Delta Star Inc for the purchase of a 69/12.47Kv, 20.0/26.7/33.3 MVA Three Phase Power Transformer with LTC.

We are asking council's permission to move forward with the purchase of the transformer for the negotiated price of \$2,389,478.00. The previous bidding process yielded results that were non-compliant with our requests. Delta Star Inc was the most compliant of the four bids received. With council's permission, we negotiated the aforementioned price of \$2,389,478.00. This is a price reduction of \$100,000 and all compliance matters have been met at this time. This included delivery, testing, oil fill and setup on site by Delta Star Inc. There is a three to four year lead time for the manufacturing of the transformer so we ask that council initiate the purchase request to lock in this price and secure the order.



**Ohio Division of EMS
Notice of Contract Award
2025 - 2026 Award Year**

Grant Description 2025-2026 P1 -Training & Equipment Grant	Funding Period July 01, 2025 - December 31, 2025	Award Amount \$4,785.14
Agency ID#: 35-015	Agency Name: Napoleon Fire Dept	Tax ID: 34-6400941

This document represents approval of your EMS **2025-2026 P1 -Training & Equipment Grant** application. This notification supersedes all other notification of grant awards. **Failure to use all of the awarded funds within the award period of July 01, 2025 - December 31, 2025 will result in a forfeiture of all unexpended funds.**

Grantees may submit invoices for reimbursement as frequently as once a month. Grantees needing funds in advance should complete the Agency Hardship Application available at www.ems.ohio.gov and fax the form to 614-351-6006. **Any applicant who leaves a balance of \$300 or more by the end of the grant cycle, or uses grant funds to purchase items not on the approved on the Training & Equipment List will forfeit any remaining award and will forfeit a grant for one year. (See additional restrictions below for Economic Hardship and Board Priority awards.)**

Guidelines for the purchase of training and equipment:

1) Purchases for software and hardware for the purpose of reporting to EMSIRS are limited to \$1,500.00 annually.

2) Only EMS agencies that are Ohio EMS accredited training institutions or approved CE sites may be reimbursed for training equipment.

3) Invoices must be submitted by no later than **30 days** following the end of the grant cycle in order to be eligible for reimbursement.

a. An EMS organization shall forfeit any remaining money in a grant award and may not be eligible for an award in the following grant year, if the EMS organization:

- I. leaves an unexpended balance of \$300.00 or more by the end of the grant cycle; OR
- II. has a remaining balance of \$300.00 or more after the reimbursement deadline (30 days after end of grant cycle) ; OR
- III. uses grant funds to purchase items not approved by the Ohio EMFTS Board.

Supplemental Economic Hardship & Board Priority Grantees:

If you have been awarded Supplemental Board Priority or Economic Hardship funds your agency has been approved to purchase the equipment items provided by your agency in the supplemental funds application. Under the application agreement, these funds are **only** for the purchase of the equipment or training Item(s) on your approved grant application. Failure to expend these funds on the approved equipment items listed on this document will result in a forfeiture, and repayment of these grant funds to the Division by your agency.



City of Napoleon, Ohio

Parks and Recreation Department

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Telephone: (419) 592-4010 Fax: (419) 592-8955

www.napoleonohio.com

Memorandum

To: *Lori Sinclair, City Manager*
cc.: *Chad Lulfs, Director of Public Works*
From: *Tony Cotter, Parks and Recreation Director*
Date: *July 2, 2025*
Subject: *Pool and Golf Course Storage Building Bids*

Bids for the Pool and Golf Course Storage Building were opened on Wednesday, June 25th. Only one bid was received for the project which was submitted by Country View Construction of Holmesville, Ohio. Their bid was \$213,765.00. The engineer's estimate for the project was \$160,000.

Since the sole bid submitted is over 10% of the engineer's estimate and exceeds the amount budgeted for the project, I am recommending this bid be rejected. Staff will reassess the scope of the project and the budgeted amount and have a recommendation for the 2026 budget.

If you have any questions or need additional information, please let me know.



Friday, July 4

8:00AM-12:00PM **Girls Softball Skill Challenge and All-Star Games**

- Location
 - The Ballpark on Glenwood
- Info
 - All Stars from the Girls Rec Softball programs will compete in skills challenges and All-Star games.

9:00AM-6:00PM **Hole In One Contest (Sponsored by American Legion)**

- Location
 - Near Shelter House at Glenwood Park

9:00AM **Red, White, and Blue Golf Scramble**

- Location
 - Napoleon Golf Club
- Info
 - 4 person scramble
 - Teams play from the red, white, and blue tees
 - Prizes will be awarded to...
 - Winning Team
 - Individual awards
 - Closest to the pin
 - Long drive
 - Longest putt
 - Entry fee will be \$200.00 per team (10 team minimum)
 - Contact the clubhouse at 592-5526 to enter your team or for more information.

9:00AM-11:00AM **Basketball Hotshot Contest**

- Location
 - Glenwood Park Basketball Court
- Info
 - Boys and Girls age groups are 9-12, 13-15, and 16-18
 - Registration at 9:00 a.m. with competition to begin at 9:30 a.m.
 - Trophies to winners in each age group

12:00PM **Chicken Barbecue**

- Location
 - American Legion
- Info
 - Chicken dinners and bratwurst sandwiches
 - Eat in or carry-outs available



12:00PM-6:00PM

Free Open Swim

- Location
 - Napoleon Aquatic Center
- Info
 - Games (2-4pm)
 - Pool games/contests put on by the staff
 - Prizes and goodies for the winners

5:00PM

Sr. Little League Baseball All-Star Game

- Location
 - The Ballpark on Glenwood

8:00PM

Napoleon Community Band

- Location
 - Glenwood Park
- Info
 - Local instrumental band playing all of the traditional Independence Day music leading up to the fireworks display.

10:00PM

Fireworks Display

- Location
 - Viewing at Glenwood Park
 - Shot from NHS Grounds
- Info
 - There will be no parking on Bales Road from Westmoreland Dr. to Chelsea Ave. and on Briarheath Dr. from Kenilworth to Bales Road.
 - Viewing will be in Glenwood Park and the Napoleon School areas.
 - No viewing in side any secured areas