

# July

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4 <b>4th OF JULY OFFICE WILL BE CLOSED</b>	5
6	7 7:00 pm City Council	8	9	10	11	12
13	14 6:30 pm Electric Comm. canceled 6:30 pm BOPA-canceled 7:00 pm Water and Sewer Comm.- canceled 6:00 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 12:00 pm AD Hoc Committee	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](http://www.napoleonohio.com)

## *Memorandum*

**To:** Board of Public Affairs  
**cc:** Mayor and City Council, City Manager,  
City Finance Director, Law Director,  
Department Supervisors, News Media  
**From:** Ann Harper, Clerk  
**Date:** July 11, 2025  
**Subject:** Board of Public Affairs-Cancelation

The regularly scheduled meeting of the Board of Public Affairs for Monday, July 14, 2025, at 6:30 pm has been **CANCELED** due to lack of agenda items.



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## *Memorandum*

**To:** Electric Committee  
**cc:** Mayor and City Council, City Manager,  
City Finance Director, Law Director,  
Department Supervisors, News Media  
**From:** Ann Harper, Clerk  
**Date:** July 11, 2025  
**Subject:** Electric Committee-Cancelation

The regularly scheduled meeting of the Electric Committee for Monday, July 14, 2025, at 6:30 pm has been **CANCELED** due to lack of agenda items.



# City of Napoleon, Ohio

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## Memorandum

**To:** Water, Sewer, Refuse, Recycling and Litter Committee  
**cc:** Mayor and City Council, City Manager,  
City Finance Director, Law Director,  
Department Supervisors, News Media  
**From:** Ann Harper, Clerk  
**Date:** July 11, 2025  
**Subject:** Water, Sewer, Refuse, Recycling and Litter Committee -  
Cancelation

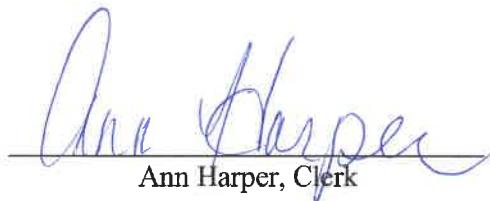
The regularly scheduled meeting of the Water, Sewer, Refuse, Recycling and Litter Committee for Monday, July 14, 2025, at 7:00 pm has been **CANCELED** due to lack of agenda items.



**City of Napoleon, Ohio**  
**Municipal Properties, Buildings, Land Use and Economic Development Committee**  
**Special Meeting Agenda**  
**Monday, July 14, 2025, at 6:00 PM**

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

- 1) Approval of Minutes Monday, April 14, 2025 (in the absence of any objections or corrections, the minutes shall stand approved).
- 2) Yard Waste Site Rules
- 3) State Championship Signs
- 4) Any Other Matters to Come Before the Committee
- 5) Adjournment



Ann Harper, Clerk

**City of Napoleon, Ohio**  
**Municipal Properties, Buildings, Land Use and Economic Development Committee**  
**Special Meeting Minutes**  
**Monday, April 14, 2025, at 6:00 pm**

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**Present**

Council Members	Robert Weitzel-Chair, Brittany Schwab, Ross Durham, Joe Bialorucki
City Manager	Andy Small
Clerk of Council	Mikayla Ramirez
Others	News-Media, Jen Arps, Neil Hersh, Teresa Hersh

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**Call to Order**

Chairman Weitzel called the Municipal Properties, Building, Land Use and Economic Development Committee meeting to order at 6:00 pm.

**Approval of Minutes**

In the absence of any objections or corrections, the minutes from the February 10, 2025, meeting were approved as presented.

**New CRA-Woodland Homes**

Small said, the builder Woodland Homes came to us and inquired about some properties in town. They bought some properties and are interested in a CRA, which is modeled after the JAMR Properties CRA from 5-6 years ago. We did go and tighten up the language in regard to the transferability of the agreement. It only goes to the developer and the first owner, after that it is null. It is a 10-year 50% abatement on the property taxes. Arps said, Woodland Homes purchased two lots on Hudson Street and will split one of those lots, which will eventually become 3 individual lots. They are going to do 3 single family homes that are all a little different (see the blueprints) but priced around \$250,000-\$285,000. They do this in other communities as well. They were also interested in the land bank lots, so they see the need for that price point in this area. They are familiar with CRA's and have done them in Lucas County. They did state they get 100% for 10 years in Lucas County but I said we are not Lucas County. We are just trying to support this developer, especially at this price point. I spoke with Mike Bostelman because it is a 50% tax abatement the school, township and Four County don't have a vote, but they do get notified. While they are aware, they would like 25% to the homeowner and 50% to the developer. Then, once it sells maybe the homeowner gets 25%. I did go back to Woodland Homes and they still requested the 50% because in their minds the owners can get larger financing through the bank if their taxes are abated for 50% so I see what they're saying. I did tell Mike that and he understood it. Bialorucki said, is there a deadline for the houses to be built. Arps said, yes, so they are going to do all 3 at one time and they will be done by December 31, 2025. Durham said, so Woodland Homes pays the \$500 annually for 10 years. Arps said, only while they own. Then, once it's sold the residents will pay an annual \$50 fee and that goes to the CIC. Schwab said, in, "section C" it indicates annual fee, but it's not defined so if it went forward with the city council recommendation, I would suggest a few changes so there is consistency. Small said, Jen can adjust the language. Schwab said, in, "section 6 E" it indicates the enterprise is going to file an application with the county auditor. Arps said, that is a DTE24 form. Schwab said, do we have an estimate on what kind of value we are looking at. Jen said, yes, \$598,720.00 is the total investment. This will all be with the packet I present to council. Schwab said, under Ohio Revised Code 3735.68 it indicates we have the option to revoke a tax exemption, do we annually go through this. Arps said, yes, during the TIRC, we do that annually in March. Weitzel said, is the second owner an occupant. Arps said, yes. Weitzel said, should we have another meeting to discuss the street and alley back there that's not clear at the end of Hudson. Arps said, they spoke with Chad to ask that. Weitzel said, I think we should make that more accessible.

Motion: Durham      Second: Weitzel

To recommend to council to request the law director to draft legislation

Roll call on vote on the above motion:

Yea- Bialorucki, Weitzel, Schwab, Durham

Nay-

Yeas- 4, Nays- 0. Motion passed.

### **State Championship Policy**

Small said, last week I received an email from the council president from a father of a 2-time state champion inquiring about signs at our corporation limit. It made me start looking, Roxanne and Marissa found no written policy anywhere in regard to when do we put up signs. So, I am looking for some direction. I think we should have something written down so that the question can be answered more quickly. Durham said, I do recall the previous mayor saying that for team championships we would put a sign up for one championship and two for an individual. Obviously, there is no procedure put in place, but I am in favor of recognizing those individuals. I did some research, and it seems that 75 cities in Ohio do have a policy to recognize those individual state champions so it's not uncommon. I think in the past we made proclamations from the mayor. If we can partner with the schools to recognize their accomplishments, then I would be in favor. Small said, would that be an individual state champion or do they have to win twice. Durham said, I think one championship for a team sport and two championships for an individual. Bialorucki said, why not if they are a champion one time. Durham said, I know previously for a single championship we would do a proclamation but the recommendation for the sign would be two championships for an individual.

Schwab said, I agree they should be recognized but want to make sure it is done right. Bialorucki said, do we have any idea how many state champions there have been. Small said, I know this year there were 2. Bialorucki said, I don't want to upset people if people are missed. Small said, we could create a larger sign and recognize the most recent and when we have new one the oldest one comes off. Weitzel said, I think we should recognize all of them even if they win a championship once. I would like to see these policies someplace they can be easily recovered. I would like to see the billboard to have a removable plaque and to give a year's designation for how long they will stay up. We can go back 20 years and then for 10 years it can be up then they can come down. If they achieve a new mark a year or star can be put beside it. Maybe it's the rotation time that we can change periodically. These are just numbers I'm throwing out there. Small said, I agree the newest one comes on and the oldest one comes off. Weitzel said, the concept is acceptable. Do you need a motion. Small said, no just a policy. Weitzel said, who will we recognize and will we recognize them all. I would like to see them all recognized. T. Hersh said, would you do one sign. Small said, my thought was one sign at the Woodlawn entrance. N. Hersh said, in Ella our daughters case I thought it would be cool to see and for other kids to see. Durham said, we you think one for individuals and one for teams. Small said, I actually did come up with this and it would be 2 signs, but it is just a thought. Weitzel said, I would like one that is really nice. Bialorucki said, I would like to recognize as many as we can as far back as we can. Do we have any idea how many there are. I can do some research. Weitzel said, a 4 by 8 might not be big enough. Small said, we can put together some policy.

Motion: Durham

Second: Bialorucki

Motion to table the state championship policy

Roll call on vote on the above motion:

Yea- Durham, Bialorucki, Weitzel, Schwab

Nay-

Yeas- 4, Nays- 0. Motion passed.

### **Adjournment**

Motion: Bialorucki

Second: Durham

to adjourn the Municipal Properties, Building, Land Use and Economic Development Committee meeting at 6:33 pm

Roll call on vote on the above motion:

Yea- Durham, Bialorucki, Weitzel, Schwab

Nay-

Yea- 4, Nay- 0. Motion passed.

**Approved**

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Robert Weitzel-Chairman

DRAFT

## **ORDINANCE NO. 003-24**

### **AN ORDINANCE AMENDING SECTIONS 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, AND 925.22 OF THE CITY OF NAPOLEON, OHIO CODIFIED ORDINANCES AS THEY RELATE TO REFUSE SERVICE; ALSO AMENDING ORDINANCE NO.(S) 082-04 AND 062-18, RULES FOR DISPOSAL AT THE CITY'S YARD WASTE COLLECTION SITE**

**WHEREAS**, the Board of Public Affairs and the Water, Sewer, Refuse Recycling and Litter Committee of Council met on January 8, 2024, and reviewed and recommended the following changes to the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service; **Now Therefore**,

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

Section 1. That, Section 925.07 of the Codified Code of Napoleon, Ohio shall be amended and enacted as follows:

##### **“925.07 BAGS AND TAGS.**

Plastic bags must be used for garbage, refuse or rubbish and shall be properly tagged, except as permitted in Section 925.13, and shall not exceed 30 gallons each in capacity. The weight of the bag and contents shall not exceed 25 pounds. Paper sacks, cardboard boxes, and fiber drums are not approved type garbage or refuse containers. Unapproved containers will be left untouched by collection crews. Where the subscriber chooses to use a bag holder, a clean refuse can, not to exceed 35 gallon capacity, may be used. When the bag is filled, it shall be tied securely for pickup. Broken glass or sharp objects shall be wrapped in newspaper before placing in plastic bags or liners and in such a manner as to avoid puncturing and injury to collection personnel. Plastic bags not properly tagged may be either left at the place found or picked up at the discretion of the Operations Superintendent or his or her designee; however, when found at the curb site or normal pickup area, it shall be deemed placed there by the subscriber for the purpose of pickup by the collection crews. Because of the additional labor involved in tracking and invoicing a picked up untagged bag, the cost of such service, when picked up, will be ~~twice the normal tag rate~~ six dollars (\$6.00) per bag. The amount will be invoiced or placed on the subscriber's utility bill.”

Section 2. That, Section 925.12 of the Codified Code of Napoleon, Ohio shall be amended and enacted as follows:

##### **“925.12 ROUTE-SCHEDULES.**

(a) Collections will be made in accordance with a regular route schedule established by the Operations Superintendent. Time of collections can vary due to weather conditions, City approved holidays, difference in volumes of pickup materials, failure of equipment, etc. Should a permanent change in any collection route become necessary, notification of the change will be carried in newspaper advertisements, or other convenient form of notification at least 5 days before the beginning in change of pickup time.

(b) No garbage or refuse collections will be made on Sundays and, generally, not City approved holidays. Collection schedules for weeks during which holidays occur will be carried in the local newspaper, the City website, Facebook page and utility bill.

Section 3. That, Section 925.13 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

**"925.13 RATES.**

(a) The following rates are established as a monthly base fee as it relates to City bag refuse service, and shall be charged to each subscriber utilizing or mandated to utilize the City's bag refuse service. Commercial use of residential type recycling service is permitted in accordance with paragraph (c). Nothing in this provision shall be construed as mandating the City to provide refuse service outside its corporate limits.

<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
<del>\$18.00</del> <ins>\$20.00</ins>	<del>\$24.30</del> <ins>\$26.00</ins>

(b) Each subscriber to the City's bag refuse service will be permitted to have two (2) bags of garbage or refuse, per week, at no additional cost (without necessity of a tag), as part of the established monthly fee paid by all City bag refuse subscribers; thereafter, there will be a charge of ~~\$2.00~~ \$4.00 per tag. ~~that~~ Tags shall be affixed to the outside of each bag after the first two (2) bags as provided for in Section 925.07. Tags may be purchased at the office of the City Utilities Department or at other locations as may be designated.

(c) Commercial recycling service when provided by the City, in or outside the corporation limits, shall be at the rate of ~~\$18.00~~ \$21.00 per month for up to six residential type recycling bins with additional bins, up to ten in total, at the rate of \$1.00 per month for each additional bin over six. Levels of service shall be established on an annual basis.

(d) Low occupancy: The City will allow residential customers to request a partial credit on the monthly refuse charge provided the residential customer demonstrates and/or proves that no garbage was generated during the entire month and/or billing cycle. Proof will be in the form of a sworn affidavit signed and notarized by the residential customer stating the reason for non-generation of garbage and requesting a partial credit for the period of the billing cycle. Refuse charge will remain on the monthly bill and requests must be made after each billing cycle, and no later than sixty (60) days after the utility bill "billing due date" for which the request of is being made. Proof will be subject to verification by the Refuse Collection Department in operations. Additionally, the customer's utility account will be checked for consumption history of electric, water, and sewer. If consumption history is minimal for electric and there is neither water nor sewer consumption during the time period of the billing the request will be approved. However, if there is average or normal consumption history for electricity or there is water or sewer usage the request will not be approved. Approved requests will be credited to the customer account on the next earliest possible billing. However, the customer will not receive any credit for special sanitation services as established in Section 925.17(b). The customer's affidavit is only valid for six (6) months and must be renewed thereafter. Affidavit forms will be provided upon request."

Section 4. That, Section 925.16 of the Codified Code of Napoleon, Ohio, shall be amended as follows:

**"925.16 PURCHASE OF TAGS AND UTILITY PAYMENTS**

(a) Tags shall be purchased in advance from the Utilities Department of the City or their designated agent and, when required, shall be firmly affixed to the bag containing the garbage or refuse. ~~If no tag is tags are found affixed at time of scheduled collection (except for the two (2) weekly bags of garbage or refuse that is allowed at no additional charge by the City), the garbage or refuse will not be collected.~~

(b) If a customer makes payment on or before the due date of a bill to an agent designated or authorized by the public utility to accept payment, the payment shall not be considered past due regardless of whether or not it is received in the company offices by the due date.”

Section 5. That, Section 925.17 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

**"925.17 CHARGE FOR SPECIAL SANITATION SERVICES.**

(a) No additional fee, except as may be otherwise provided in this chapter, shall be charged to subscribers utilizing the City's bag refuse service within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) The City's seasonal pickup program at a time or times as determined by the City;
- (2) Limited leaf collection each year;
- (3) Mosquito control (within the City);
- (4) Specially-announced pickups for storm debris;
- (5) Yard-waste drop-off site operation;
- (6) Equipment and supply costs for a curbside recycling program;
- (7) Operating costs for a curbside recycling program;
- (8) Pickup of public garbage containers (within the City).

(b) The sum of ~~\$5.00~~ \$6.00 per month shall be charged to all electric utility accounts, other than all subscribers utilizing the City's bag refuse service as provided in division (a) above, within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) Mosquito control;
- (2) Specially announced pickups for storm debris;
- (3) Yard-waste drop-off site operation;
- (4) Pickup of public garbage containers.

(c) **The sum of \$15.00 per cubic yard shall be charged to subscribers requesting special pickup of refuse. Special pickups will only occur on normally scheduled pickup date.”**

Section 6. That, Section 925.19 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

**"925.19 CHARGES FOR SPECIALLY REQUESTED PICKUP SERVICES.**

The following items, although not an exhaustive list, shall be considered specially requested pickup services by the Sanitation Department of the City. Any such item shall incur additional charges, which charges shall be closely calculated as the actual labor, equipment and disposal cost thereof as incurred by the City: ~~Such labor, equipment and disposal cost shall be recommended by the Board of Public Affairs, approved by motion of Council and placed on file with the City Finance Director, subject to modification. Any modification of rates shall be on file 7 days prior to the effective date for public viewing:~~

- (a) All appliances, which shall include, but not be limited to, refrigerators, stoves, freezers, washers, dryers, air conditioners, water heaters, dishwashers, compactors.
- (b) Furniture, including, but not limited to, couches, chairs and tables.
- ~~(c) Loose yard waste, including, but not limited to, brush, leaves and other vegetative wastes.~~
- (d) All other items and loose materials.
- ~~(e) Tires and automotive parts and any other item, mentioned or not, that is not part of the normal weekly garbage or refuse pickup.”~~

Section 7. That, Section 925.22 of the Codified Code of Napoleon, Ohio, shall be amended and enacted as follows:

**“SECTION 925.22 PROHIBITION AGAINST PLACING YARD WASTE FOR COLLECTION.**

~~Except as provided for in Section 925.19,~~ It shall be a violation of this chapter for any person to place yard waste for collection, removal or disposal by the City's Sanitation Department.”

Section 8. That, Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the Codified Code of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, are repealed.

Section 9. That, the rules for disposal at the City's yard waste collection site were previously recommended to Council by the Board of Public Affairs and the Water, Sewer, Refuse, Recycling and Litter Committee of Council.

Section 10. That, the rules for disposal at the City's yard waste collection site as recommended were approved by Council by unanimous passage of Ordinance No. 082-04 on June 21, 2004 and Ordinance No. 062-18 passed on December 3, 2018.

Section 11. That, the rules for disposal at the City's yard waste collection site shall be amended and enacted as follows:

**“YARD WASTE COLLECTION SITE(S) RULES**

**Rule 1. ACCEPTED MATERIAL**

The only materials accepted and to be deposited at the Yard Waste Site are: grass, brush, flower waste, domestic vegetative waste, leaves. No person shall deposit any other material at said Site.

**Rule 2. GRASS**

All grass deposited at the Site must be removed from bags and deposited in a loose condition. No bagged grass shall be deposited at the Site.

**Rule 3. BRUSH PILES**

Brush piles found at the Site are to be used only for drop brush, flower waste, leaves, and domestic vegetative waste (e.g. corn stalks, tomato vines, hedge clippings). The items mentioned in this Rule 3 shall only be placed in loose condition in the brush pile and shall not be deposited in bags or boxes. No person shall deposit items as mentioned in this Rule 3 that exceed 10" (inches) in diameter or 48" (inches) in length.

**Rule 4. LEAVES**

Leaves deposited at the Site must be removed from bags and deposited in loose condition only in the designated area.

**Rule 5. CONCRETE RECYCLING**

Any person depositing scrap concrete at the Yard Waste Site shall have prior written permission from the Operations Superintendent, or his/her designee.

**Rule 6. APPLICABLE LAW**

All persons utilizing the Yard Waste Collection Site shall follow all Regulations, Rules and Laws of this City and State pertaining to dumping at Yard Waste Collection Site.

**Rule 7. MULCH AVAILABILITY**

- a. Mulch is available during daylight hours to anyone at no charge, so long as quantity exists.
- b. The city will load a vehicle upon request, within the capacity of City equipment, at a charge of ~~\$5.00~~ \$8.00 per ~~load~~ first scoop (2-3 cubic yards) and \$4.00 for each additional scoop.
- c. The City will deliver a small dump truck load of mulch (approximately 2 cubic yards) inside the City limits for a charge of ~~\$10.00~~ \$16.00. Outside the City limits, but inside Henry County, the charge will be ~~\$10.00~~ \$16.00 plus ~~\$1.00~~ \$3.00 per loaded mile.
- d. The City will deliver a large dump truck load of mulch (approximately 6 cubic yards) inside the City limits for a charge of ~~\$15.00~~ \$24.00. Outside the City limits, but inside Henry County, the charge will be ~~\$15.00~~ \$24.00 plus ~~\$1.25~~ \$3.00 per loaded mile.
- e. Any request for loading or delivery of mulch must be made through the Operations Department Offices at 419-599-1891, between the hours of ~~8:00 a.m.~~ 7:00 a.m. and ~~5:00 p.m.~~ 3:00 p.m. Loading and delivery will occur on Fridays ONLY. No delivery or loading will be scheduled on weekends or at anytime that could result in overtime or when work schedules would need to be adjusted to accommodate this service.

Any person found violating Rule 1, 2, 3, 4, 5 or 6 of the Yard Waste Collection Rules shall be deemed guilty of a minor misdemeanor offense."

Section 12. That, the City Yard Waste Policy shall be amended and enacted as follows:

**"YARD WASTE SITE POLICY**

1722 Oakwood Ave.

Ordinance No. 062-18

1. The Yard Waste Site will only be open from dawn until dusk.
2. Only City residents and select businesses that pay a fee to dispose of yard waste will be permitted to dispose of yard waste at the Yard Waste Site.
3. A non-resident may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~sixty dollars (\$60)~~ ~~seventy-five dollars (\$75)~~ per year. The Pass will be valid for each calendar year.

4. If a person other than the resident is disposing of yard waste at the Yard Waste Site for a resident, the individual must provide proof that the yard waste being disposed of is from a resident's address.
5. A business that does not already pay the refuse fee on the utility bill may be permitted to dispose of yard waste at the Yard Waste Site if the business contacts the City Utility Department and elects to pay ~~five dollars (\$5)~~ six dollars (\$6) per month for unlimited use of the Yard Waste Site.
6. A contractor (Handyman/Lawn Service) with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for two hundred dollars (\$200) per year. The Pass will be valid for each calendar year.
7. A **Tree Service/Tree Removal** contractor with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~two hundred dollars (\$200)~~ one thousand dollars (\$1,000) per year. The Pass will be valid for each calendar year.
8. A **Tree Service/Tree Removal** contractor with a business address outside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for ~~two hundred dollars (\$200)~~ two thousand dollars (\$2,000) per year. The Pass will be valid for each calendar year."

Section 13. 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 14. 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 15. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: 4-1-24

  
J. Ross Durham, Council President

Approved: 4-1-24

  
Joseph D. Bialorucki, Mayor

VOTE ON PASSAGE 5 Yea 2 Nay 0 Abstain

Attest:



Marrisa Flogaus, Clerk of Council

*I, Marrisa Flogaus, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 003-24 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 6 day of April, 2024; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*



Marrisa Flogaus, Clerk of Council

Heather Lane

Heather Lane

Subscribed and sworn to before me this 7th day of April, 2024.

Caroline Ellen Betts

Notary Public

Caroline Ellen Betts  
Notary Public, State of Ohio  
My Commission Expires:  
June 25, 2028

PUBLISHERS FEE: \$204.75  
NOTARY FEE: \$4.00

Caroline Ellen Betts

**Summary of Ordinance No.(s) 003-24, 012-24, 013-24 and  
Resolution No. 010-24**  
**(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHA-  
TER, CHAPTER 121 OF THE CODE OF ORDINANCES AND  
COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVI-  
SIONS OF ORC CHAPTER 731)**  
**NOTICE**

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

**Ordinance No. 003-24**

An Ordinance amending Sections 925.07, 925.12, 925.13, 925.16, 925.17, 925.19, and 925.22 of the City of Napoleon, Ohio Codified Ordinances as they relate to refuse service, also amending Ordinance No.(s) 082-04 and 062-18, rules for disposal at the city's yard waste collection site  
In this legislation, the City of Napoleon amended the City refuse service rules.

**Ordinance No. 012-24**

An Ordinance supplementing the annual appropriation measure (Supplement No. 1) for the year 2024; and declaring an Emergency  
In this legislation, the City of Napoleon supplemented the annual appropriation measure for 2024.

**Ordinance No. 013-24**

An Ordinance authorizing the Finance Director to make appropriation transfers (Transfer of Appropriation 1) from one appropriation line item to another appropriation line item pursuant to ORC. Section 5705.40 for the fiscal year ending December 31, 2024 as listed in Exhibit A; and declaring an Emergency  
In this legislation, the City of Napoleon authorized the Finance Director to make Transfer of Appropriation 1 pursuant to ORC. Section 5705.40 for fiscal year ending December 31, 2024.

**Resolution No. 010-24**

A Resolution authorizing the expenditure of funds over fifty thousand dollars (\$50,000) for the purpose of purchasing a vehicle and snowplow for the City of Napoleon Wastewater Department, and to award said purchase to Dave White Chevrolet; and declaring an Emergency  
In this legislation, the City of Napoleon authorized the expenditure in excess of \$50,000 to purchase a vehicle and snowplow from Dave White Chevrolet for the Wastewater Department.

The above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director



# CITY OF NAPOLEON, OHIO

## OPERATIONS DEPARTMENT

PO Box 151, 1775 INDUSTRIAL DR.

NAPOLEON, OH 43545

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

## MEMORANDUM

TO: Municipal Properties, Buildings, Land Use & Economic Development Committee

FROM: Brian Okuley, Operations Superintendent

SUBJECT: Yard Waste Site Rules and Policy Review

DATE: July 11, 2025

CC: Chad Lulfs, Director of Public Works  
Lori Sinclair, City Manager  
Marrisa Flogaus, Administrative Assistant  
Ann Harper, Clerk of Council

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- Review of rules and policy
  - Ordinances 062-18 to 003-24
  - Proposed changes and additions
- Permit Process
  - Create form for completion at time of purchase
  - Permit validity (calendar year)
  - Access to permit purchase data
- Unacceptable Material
  - Engineered wood
  - Root balls
  - Dirt
- Use of personal equipment/machinery prohibited
  - Chainsaws
  - Mowers, tractors, skid loaders, etc.
- SOP with the police department
  - Identification process of those utilizing the site
  - What if all we need is for them to return to pickup the unacceptable material
  - When and how to report suspected illegal activity
  - Warning or Citation options - Charter 925.24 and 925.99
  - Result of investigation
- Use of site by other City departments
  - Electric
  - Cemetery/Parks

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Operations Superintendent

Brian Okuley

[BOKULEY@NAPOLEONOHIO.COM](mailto:BOKULEY@NAPOLEONOHIO.COM)

CITY OF NAPOLEON, OHIO

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# YARD WASTE SITE RULES & POLICY

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## **HISTORICAL RULES**

Adopted		
Amended	Resolution No. 105-03	10/20/2003
Amended	Ordinance No. 082-04	06/21/2004
Amended	Ordinance No. 003-24	04/01/2024

## **HISTORICAL POLICY**

Adopted	Ordinance No. 062-18	12/03/2018
Amended	Ordinance No. 003-24	04/01/2024

# CITY OF NAPOLEON

## YARD WASTE SITE

### **RULE 1. ACCEPTED MATERIAL**

The only materials accepted and to be deposited at the Yard Waste Site are: ~~brush referred to as broken or lopped branches and yard waste referred to as grass clippings, brush, flower waste, domestic vegetative waste, and leaves~~. No person shall deposit any other material at said Site.

### **RULE 23. BRUSH PILES**

~~The brush~~ Brush piles found at the Site ~~are is~~ to be used only for ~~broken or lopped branches, drop brush, flower waste, leaves, and domestic vegetative waste (e.g. corn stalks, tomato vines, hedge clippings)~~. The items mentioned in this Rule 3 shall only be placed in loose condition in the brush pile and shall not be deposited in bags or boxes. No person shall deposit items as mentioned in this Rule 23 that must not exceed 10" (inches) in diameter or 48" (inches) in length.

### **RULE 32. YARD WASTE PILE~~GRASS~~**

~~The yard waste pile found~~ All grass deposited at the Site is to be used only for grass clippings, flower waste, domestic vegetative waste and leaves. Items as mentioned in this Rule 3 must be removed from bags and deposited in a loose condition. ~~No bagged grass shall be deposited at the Site.~~

### **RULE 4. LEAVES**

~~Leaves deposited at the Site must be removed from bags and deposited in loose condition only in the designated area.~~

### **RULE 45. CONCRETE RECYLING**

~~Any~~ No person shall depositing scrap concrete at the ~~Yard Waste Site must have~~ without prior permission from the Operations Superintendent, or his designee.

### **RULE 5. USE OF PERSONAL MACHINERY OR EQUIPMENT**

No person shall utilize personal machinery or equipment referred to as, but not limited to, chainsaws, mowers, tractors or skid loaders at the Site.

### **RULE 6. APPLICABLE LAW**

All persons utilizing the Yard Waste Site shall follow all ~~Policies~~, Regulations, Rules and Laws of this City and State pertaining to dumping at ~~the~~ Yard Waste Site.

### **RULE 7. MULCH AVAILABILITY**

Mulch is available during daylight hours ~~to anyone~~ at no charge, so long as quantity exists.

The City will load a vehicle upon request, within the capacity of City equipment, at a charge of \$8.00 per first scoop (2-3 cubic yards) and \$4.00 for each additional scoop.

The City will deliver a small dump truck load of mulch (approximately 2 cubic yards) inside the City limits for a charge of \$16.00. Outside the City limits, but inside Henry County, the charge will be \$16.00 plus \$3.00 per loaded mile.

The City will deliver a large dump truck load of mulch (approximately 6 cubic yards) inside the City limits for a charge of \$24.00. Outside the City limits, but inside Henry County, the charge will be \$24.00 plus \$3.00 per loaded mile.

Any request for loading or delivery of mulch must be made through the Operations Department Office at 419-599-1891, between the hours of 7:00 a.m. and 3:00 p.m. Loading and delivery will occur on Fridays ONLY. No delivery or loading will be scheduled on weekends or at any time that could result in overtime or when work schedules would need to be adjusted to accommodate this service.

## CITY OF NAPOLEON YARD WASTE SITE

### **POLICY 1.**

The Yard Waste Site will only be open from dawn until dusk.

### **POLICY 2.**

Only City residents and select businesses that pay a fee to ~~dispose of yard waste~~ will be permitted to ~~utilize~~ ~~dispose of yard waste~~ at the Yard Waste Site.

### **POLICY 3.**

A non-resident may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for seventy-five dollars (\$75) per year. The Pass will be valid for each calendar year.

### **POLICY 34. (we may want to eliminate this altogether)**

If a person other than the resident is disposing of yard waste at the Yard Waste Site for a resident, the individual must provide proof that the yard waste being disposed of is from a resident's address.

**If a person other than the resident is taking mulch from the Yard Waste Site for a resident, the individual must provide proof that the mulch is taken to a resident's address.**

### **POLICY 45.**

A business that does not already pay the refuse fee on the utility bill may be permitted to dispose of yard waste at the Yard Waste Site if they contact the City Utility Department and elect to pay six dollars (\$6) per month for unlimited use of the Yard Waste Site.

### **POLICY 6.**

A Handyman/Lawn Service contractor with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for two hundred dollars (\$200) per year. The Pass will be valid for each calendar year.

### **POLICY 7.**

A Tree Service/Tree Removal contractor with a business address inside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for one thousand dollars (\$1,000) per year. The Pass will be valid for each calendar year.

### **POLICY 8.**

A Tree Service/Tree Removal contractor with a business address outside Henry County may utilize the Yard Waste Site if an annual Yard Waste Site Pass is purchased for two thousand dollars (\$2,000) per year. The Pass will be valid for each calendar year.

### **POLICY 9.**

Non-residents or businesses caught disposing of yard waste at the Yard Waste Site may be cited for "Unauthorized Use of the City Yard Waste Site" under Ordinance Section 925.24. The prohibition would read as follows:

- No person or business entity with a physical address, street address, residential address, or business address outside the corporate limits of the City of Napoleon, Ohio, shall utilize or in any

way make use of the city of Napoleon Yard Waste Site without prior written approval by the City Manager.

- The lack of notice of restricted access, posted or otherwise, is not a defense to this section.
- Pursuant to Ordinance Section 925.99 a violation of the prohibition would be a minor misdemeanor punishable by a fine up to \$150.00.

A sign will be placed at the Yard Waste Site identifying these policies.

**POLICY 10.**

All individuals utilizing the Yard Waste Site are subject to having their identification check.

ORDINANCE NO. 062-18

AN ORDINANCE ESTABLISHING A YARD WASTE SITE  
POLICY AND ENACTING NAPOLEON CODIFIED ORDINANCE  
925.24 A PROHIBITION AGAINST UNAUTHORIZED USE OF  
THE CITY YARD WASTE SITE

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

Section 1. That this Council hereby adopts and enacts the Yard Waste Site Policy attached hereto as Exhibit "A."

Section 2. That Part IX, Streets, Utilities and Public Services Code, shall be amended by enacting Napoleon Codified Ordinance 925.24 to read as follows:

**925.24 Prohibition Against Unauthorized Use of the City Yard Waste Site**

a. No person or business entity with a physical address, street address, residential address, or business address outside the corporate limits of the City of Napoleon, Ohio, shall utilize or in any way make use of the City of Napoleon Yard Waste Site without prior written approval by the City Manager.

b. The lack of notice of restricted access, posted or otherwise, is not a defense to this section.

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

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

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

Passed: December 3, 2018

  
Joseph D. Bialorucki, Council President

Approved: December 3, 2018

  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 1 Nay 1 Abstain

Attest:

Gregory J. Heath/cp

Gregory J. Heath, Clerk/Finance Director

*I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 062-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 8th day of December, 2018; & 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.*

Gregory J. Heath/cp

Gregory J. Heath, Clerk/Finance Director



# *City of NAPOLEON, Ohio*

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## *Memorandum*

*Mayor*  
Jason Maassel

*Members of Council*

**PRESIDENT:**  
Joseph Bialorucki

**PRESIDENT PRO-  
TEM:**  
Daniel Baer

Jeff Comadoll  
Travis B. Sheaffer  
Kenneth Haase  
Jeff Mires  
Lori Sinclair

*City Manager*  
Joel L. Mazur

*Finance Director*  
Gregory J. Heath

*Law Director*  
Billy D. Harmon

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

**To:** *Members of Napoleon City Council  
Board of Public Affairs*

**From:** *Joel L. Mazur, City Manager  
Billy D. Harmon, Law Director*

**Date:** *October 3, 2018*

**RE:** *Proposed Yard Waste Site Policy Changes*

As we discussed in regularly scheduled meetings, the Henry County Commissioners have ceased paying \$4,100 annually to the City of Napoleon to allow residents to dispose of yard waste at the City Yard Waste Site. Below is a generalization of policies to address allowing only residents to dispose of yard waste at the yard waste site:

- Only City residents and select businesses that pay a fee to dispose of yard waste will be permitted to dispose of yard waste at the Yard Waste Site.
- If a person other than a resident is disposing of yard waste at the Yard Waste Site for a resident, the individual must provide proof that the yard waste being disposed of is from a resident's address.
- A business that does not already pay the refuse fee on the utility bill may be permitted to disposed of yard waste at the Yard Waste Site if they contact the City Utility Department and elect to pay \$5 per month for unlimited use of the Yard Waste Site.
- Non-residents or businesses caught disposing of yard waste at the Yard Waste Site may be cited for "Unauthorized Use of the City Yard Waste Site" under proposed new Ordinance Section 925.24. The prohibition would read as follows:
  - No person or business entity with a physical address, street address, residential address, or business address outside the corporate limits of the City of Napoleon, Ohio, shall utilize or in any way make use of the City of Napoleon Yard Waste Site without prior written approval by the City Manager.

Ordinance No. 062-18 Exhibit A

- The lack of notice of restricted access, posted or otherwise, is not a defense to this section.
- Pursuant to already established Ordinance Section 925.99 a violation of the proposed prohibition would be a minor misdemeanor punishable by a fine of up to \$150.00.
- A sign will be placed near the entrance of the Yard Waste Site identifying these policies.
- All individuals disposing of yard waste at the Yard Waste Site are subject to having their identification checked when disposing of yard waste.

STATE OF OHIO  
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 8th day of December, 2018.

Kimberly Imm  
Kimberly Imm

Subscribed and sworn to before me this  
11th day of December, 2018

Beverly Griteman  
Beverly Griteman  
Notary Public,  
State of Ohio  
My Commission Expires  
February 13, 2021

Printer's Fee: \$153.40  
Notary Fee: \$2.00

**Summary of Ordinance No. 062-18  
and Resolution No. 068-18**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

**NOTICE**

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

**Ordinance No. 062-18**  
**AN ORDINANCE ESTABLISHING A YARD WASTE SITE POLICY AND ENACTING NAPOLEON CODIFIED ORDINANCE 925.24, A PROHIBITION AGAINST UNAUTHORIZED USE OF THE CITY YARD WASTE SITE**

In this legislation, the City of Napoleon established a policy regarding the use of the Yard Waste Site and enacted Codified Ordinance 925.24 which prohibits unauthorized use of the Site.

**Resolution No. 068-18**  
**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF REFUNDING CERTAIN CITY TAX OVERPAYMENTS, WHICH WAS NOT INCLUDED IN THE 2018 APPROPRIATION BUDGET, ALSO AUTHORIZING THE CITY FINANCE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER THE NECESSARY FUND BALANCES PER OHIO REVISED CODE (ORC) SECTION 5705.14 AS LISTED IN EXHIBIT A (TRANSFER NO. 4); AND DECLARING AN EMERGENCY**

In this legislation, the City of Napoleon authorized the expenditure of funds over \$25,000 for the purpose of refunding certain City tax overpayments.

*All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director*