To: Mayor & Members of Council

**FROM:** Jon Bisher/rd

SUBJECT: General Information

DATE: December 14, 2012

### CALENDAR

Monday, December 17<sup>th</sup> - CITY COUNCIL Meeting at 7:00 PM

### C. APPROVAL OF CITY COUNCIL MINUTES

- 1. Special Meeting on November 26
- 2. Regular Meeting on December 3

### E. REPORTS FROM COUNCIL COMMITTEES

- 1. *Technology Committee* (December 3<sup>rd</sup>)
- 2. *Electric Committee* (December 10<sup>th</sup>)

### G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

- 1. *Ordinance No. 087-12* an Ordinance Authorizing the Finance Director to make Appropriation Transfers from Respective Funds, Departments and Categories to other Funds, Departments and Categories Pursuant to Section 5705.40 ORC for the Fiscal Year Ending December 31, 2012 as Listed in Exhibit A (Final); and Declaring an Emergency. (Request Suspension)
- 2. *Ordinance No. 088-12* an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 5) for the Year 2012. (Request Suspension)
- 3. *Resolution No. 089-12* a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances from Respective Funds to other Funds per Section 5705.14 ORC on an as needed basis in Fiscal Year 2012; listed in Exhibit "A" (Transfer 4); and Declaring an Emergency. (Request Suspension)
- 4. *Ordinance No. 090-12* an Amendment to Ordinance No. 078-12 which established a New Position Classification Pay Plan for Employees of the City of Napoleon, in include the Public Works Director and to lower the bottom pay scale of Executive Assistant to Appointing Authority; and Declaring an Emergency. (Request Suspension)

### H. SECOND READING OF ORDINANCES AND RESOLUTIONS

1. *Resolution No. 085-12* a Resolution Authorizing Bond Counsel to Amend the Purpose Statement of the \$1,800,000.00 Issuance of Bonds for the City of Napoleon's Water System to also include the Design, Engineering and Building of a New Water Treatment Plant; and Declaring an Emergency.

### I. THIRD READING OF ORDINANCES AND RESOLUTIONS

1. *Resolution No. 079-12* a Resolution Authorizing the Expenditure of Funds and Authorizing a Department Director to Take Bids on Certain Projects, Services, Equipment, Materials or Supplies without the Requirement for Additional Legislation to do so in the Year 2013; and Declaring an Emergency.

- 2. **Resolution No. 080-12** a Resolution Authorizing Expenditure of Funds in Excess of \$25,000.00 in and for the Year 2013 as it Relates to Reoccurring Costs Associated with the Operation of the City, for Payment of Expenses, and for Purchases Associated with Vendors Utilized by Multiple Departments within the City; Elimination of Necessity of Competitive Bidding in and for the Year 2013 as it Relates to Certain Transactions; Declaring an Emergency.
- 3. *Resolution No. 081-12* a Resolution Authorizing a Contribution to the Community Improvement Corporation of Henry County, Ohio; in and for the Year 2013; Declaring an Emergency.

## J. GOOD OF THE CITY

- **1.** Approval of Electric Billing Determinants for December, 2012
- **2.** Recommendation to Award Bid for Welsted Water Main Replacement Project (Welsted to Sheffield)
  - a. We have enclosed Chad's Memorandum with his recommendation of award along with the bid summary sheet from Wednesday's bid opening.
- Write-Off of Uncollectable Accounts in Utility Billing and Income Tax

   Enclosed is the list of "Proposed 2012 Write-Offs for Uncollectable Accounts".
- 4. Accepting \$1,000.00 Donation from CenturyLink/Century Tel, Inc. for the Police Department

### CANCELLATIONS

- a. Tree Commission Meeting
- b. Parks & Rec Committee Meeting

### **TUESDAY, DECEMBER 18<sup>TH</sup>**

Napoleon Solar Circuit Tour and Awards Event

### WEDNESDAY, DECEMBER 19<sup>TH</sup>

Parks & Recreation Board Meeting - at 6:30 pm

### **INFORMATIONAL ITEMS**

- 1. AMP UPDATE/November 9, 2012
- 2. **OML BULLETIN/December 7**, 2012
- 3. **OML BULLETIN/December** 14, 2012

rd Records Retention CM-11 - 2 Years

### Monthly Calendar

### December 1 - 31, 2012



## 🕗 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	1
BISHER - Vacation	6:30 PM Finance & Budget	4:30 PM Civil Service	6:30 PM Parks & Rec Board			10:00 AM Christmas Parade
BISHER - Vacation	Comm. and City Council	Commission Mtg.	Mtg.			10.00 AW Christmas Farade
	Meeting	Commission witg.	initg.			
	7:30 PM Safety & Human					
	Resources Committee Meeting					
	AV - Sheryl					
2	3	4	5	6	7	8
	7:00 PM City COUNCIL					
	Meeting					
	8:00 PM Technology &					
	Communication Committee					
	AV - Dan					
	1					
	1					
9	10	11	12	13	14	15
	6:30 PM Electric Committee	3:30 PM Preservation		AMP - Bisher	AMP - Bisher	
	BOPA Meeting	Commission Mtg				
	5	4:00 PM Records Commission				
		Mtg.				
		4:30 PM Board of Zoning				
		Appeals Mtg.				
16	17	18	19	20	21	22
16	17	18	19 6-20 DM Darks & Bas Board	20	21	22
16	7:00 PM City COUNCIL	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18		20	21	22
16	7:00 PM City COUNCIL	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
16	7:00 PM City COUNCIL Meeting	18	6:30 PM Parks & Rec Board	20	21	22
	7:00 PM City COUNCIL Meeting AV - Rox		6:30 PM Parks & Rec Board Mtg.			
<u>16</u> 23	7:00 PM City COUNCIL Meeting AV - Rox	25	6:30 PM Parks & Rec Board Mtg. <b>26</b>	27	28	29
	7:00 PM City COUNCIL Meeting AV - Rox		6:30 PM Parks & Rec Board Mtg.			
	7:00 PM City COUNCIL Meeting AV - Rox	25	6:30 PM Parks & Rec Board Mtg. <b>26</b>	27	28	29
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### Monthly Calendar

### January 1 - 31, 2013



December 2012	January 2013	February 2013		
SMTWTFS	SMTWTFS	SMTWTFS		
1	1 2 3 4 5	1 2		
2 3 4 5 6 7 8	6 7 8 9 10 11 12	3 4 5 6 7 8 9		
9 10 11 12 13 14 15	13 14 15 16 17 18 19	10 11 12 13 14 15 16		
16 17 18 19 20 21 22	20 21 22 23 24 25 26	17 18 19 20 21 22 23		
23 24 25 26 27 28 29	27 28 29 30 31	24 25 26 27 28		
30 31				

## 🕗 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	1	2	3	4	5
BISHER - Vacation	5th Monday-No Scheduled Meet BISHER - Vacation	HOLIDAY - New Year's Day	BISHER - Vacation	BISHER - Vacation		
	BISHER - Vacation	BISHER - Vacation				
6	7	8	9	10	11	12
	7:00 PM City COUNCIL					
	Meeting					
	8:00 PM Technology &					
	Communication Committee					
	AV - Dan					
13	14	15	16	17	18	19
15		15	AMP - BISHER	AMP - BISHER	10	19
	6:30 PM Electric Committee BOPA Meeting		AMP - BISHER	AMP - BISHER		
	7:00 PM Water/Sewer					
	Committee Meeting					
	7:30 PM Municipal Properties/ED Committee					
	Meeting					
	AV - Rox					
	64	00			07	00
20	21	22	23	24	25	26
	6:00 PM City TREE Commission Meeting					
	Commission Meeting					
	8:00 PM Parks & Rec Committee Meeting					
	AV - Dan					
27	28	29	30	31	1	2
	6:30 PM Finance & Budget					
	6:30 PM Finance & Budget Committee Meeting					
	7:30 PM Safety & Human					
	Resources Committee Meeting					
	AV - Sheryl					
			1			

# City of Napoleon, Ohio CITY COUNCIL

LOCATION: City Hall Offices, 255 West Riverview Avenue, Napoleon, Ohio

# MEETING AGENDA

### Monday, December 17, 2012 at 7:00 PM

A. Attendance (Noted by the Clerk)

### **B.** Prayer & Pledge of Allegiance

- C. Approval of Minutes (In the absence of any objections or corrections, the minutes shall stand approved.)
  1. Special Meeting on November 26
  - 2. Regular Meeting on December 3

### **D.** Citizen Communication

### E. Reports from Council Committees

- 1. Technology Committee (Majority Report) met on Monday, December 3 and:
  - **a.** Recommended to stay with the current configuration and not combine with the court server
  - **b.** Discussed and tabled *Review the Possibility of an Additional IT Position* pending results of the State Performance Audit
- 2. Electric Committee (*Majority Report*) met on Monday, December 10 and:
   a. Recommended approval of electric billing determinants
- 3. Water, Sewer, Refuse, Recycling & Litter Committee did not meet on December 10 due to lack of agenda items.
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee did not meet on December 10 due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
  - Board of Public Affairs met on Monday, December 10 with the following agenda items:
     a. Review/Approval of electric billing determinants for December
     b. Electric department report
  - 2. Board of Zoning Appeals met on Tuesday, December 11 with the following agenda item:
    a. BZA 12-10 915 Scott St. Bernard Dietrich
  - Records Commission met on December 11 with the following agenda item:
     a. Review of Records Retention Schedule: Income Tax Dept.
  - 4. Preservation Commission met on December 11 with the following agenda item:
     a. NPC 12-10 539 N. Perry St. The Napoleon Eagles

#### G. Introduction of New Ordinances and Resolutions

- 1. Ordinance No. 087-12 An Ordinance authorizing the Finance Director to make appropriation transfers from respective funds, departments and categories to other funds, departments and categories pursuant to section 5705.40 ORC for the fiscal year ending December 31st, 2012 as listed in Exhibit A (Final); and declaring an emergency (*Request suspension*)
- 2. Ordinance No. 088-12 An Ordinance supplementing the annual appropriation measure (Supplement No. 5) for the year 2012 (*Request suspension*)
- **3. Resolution No. 089-12** A Resolution authorizing the Finance Director to transfer certain fund balances from respective funds to other funds per section 5705.14 ORC on an as needed basis in fiscal year 2012, listed in Exhibit "A" (Transfer 4); and declaring an emergency (*Request suspension*)
- 4. Ordinance No. 090-12 An Amendment to Ordinance No. 078-12 which established a new position classification pay plan for employees of the City of Napoleon, to include the Public Works Director and to lower the bottom pay scale of Executive Assistant to Appointing Authority; and declaring an emergency (*Request suspension*)

### H. Second Readings of Ordinances and Resolutions

1. **Resolution No. 085-12** A Resolution authorizing bond counsel to amend the purpose statement of the \$1,800,000.00 issuance of bonds for the City of Napoleon's water system to also include the design, engineering, and building of a new water treatment plant and declaring an emergency

### I. Third Readings of Ordinances and Resolutions

- 1. **Resolution No. 079-12** A Resolution authorizing the expenditure of funds and authorizing a department director to take bids on certain projects, services, equipment, materials, or supplies without the requirement for additional legislation to do so in the year 2013; and declaring an emergency
- 2. Resolution No. 080-12 A Resolution authorizing expenditure of funds in excess of \$25,000.00 in and for the Year 2013 as it relates to reoccurring costs associated with the operation of the City, for payment of expenses, and for purchases associated with vendors utilized by multiple departments within the City; elimination of necessity of competitive bidding in and for the year 2013 as it relates to certain transactions; declaring an emergency
- **3. Resolution No. 081-12** A Resolution authorizing a contribution to the Community Improvement Corporation of Henry County, Ohio, in and for the year 2013; declaring an emergency
- J. Good of the City (Any other business as may properly come before Council, including but not limited to:)
  - Discussion/Action: Approval of electric billing determinants for December as follows: Generation Charge: Residential @ \$.08693; Commercial @ \$.10572; Large Power @ \$.06020; Industrial @ \$.06020; Demand Charge Large Power @ \$12.89; Industrial @ \$12.77; JV Purchased Cost: JV2 @ \$.02110; JV5 @ \$.02110
  - 2. Discussion/Action: Recommendation to award bid for Welsted Water Main Replacement Project (Welsted to Sheffield)
  - 3. Discussion/Action: Write-off of uncollectable accounts in utility billing and income tax
  - 4. Discussion/Action: Accepting \$1,000 donation from CenturyLink/CenturyTel, Inc. for the Police Department
- K. Executive Session (as needed)
- L. Approve Payment of Bills and Approve Financial Reports (In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)
- M. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

- A. Items Referred or Pending in Committees of Council 1. Technology & Communication Committee (1<sup>st</sup> Monday) (Next Regular Meeting: Monday, January 7, 2013 @ 8:00 PM) a. Review Possibility of MIS Assistant Position (Tabled) 2. Electric Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, January 14 @ 6:30 PM) a. Review of Electric Billing Determinants b. Electric Department Report c. Performance Audit for the Electric Department 3. Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, January 14 @ 7:00 PM) 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, January 14 @ 7:30 PM) a. Updated Info from Staff on Economic Development (as needed) 5. Parks & Recreation Committee (3<sup>rd</sup> Monday) (Next Regular Meeting: Monday, January 21 @ 8:00 PM) 6. Finance & Budget Committee (4<sup>th</sup> Monday) (Next Regular Meeting: Monday, December 24 @ 6:30 PM) 7. Safety & Human Resources Committee (4<sup>th</sup> Monday) (Next Meeting: Monday, December 24 @ 7:30 PM) **8. Personnel Committee** (As needed) B. Items Referred or Pending In Other City Commissions and Boards 1. Board of Public Affairs (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, January 14, 2013 @ 6:30 PM) **a.** Review of Electric Billing Determinants b. Electric Department Report 2. Board of Zoning Appeals (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, January 8, 2013 @ 4:30 PM) a. BZA 12-10 Item #1 (Tabled) 3. Planning Commission (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, January 8, 2013 @ 5:00 PM) 4. Tree Commission (3<sup>rd</sup> Monday) (Next Regular Meeting: Monday, January 21, 2013 @ 6:00 PM) 5. Civil Service Commission (4<sup>th</sup> Tuesday) (Next Regular Meeting: Wednesday, January 22, 2013 @ 4:30 PM) December meeting is canceled due to lack of agenda items. 6. Parks & Recreation Board (Last Wednesday) (Special Meeting: Wednesday, December 19, 2012 @ 6:30 PM) a. Discussion/Action on Recreation Program Participant Fees b. Discussion/Action on Letter of Support for Napoleon Civic Center c. Discussion/Action on Parks & Recreation Service Award 7. Privacy Committee (2nd Tuesday in May & November) (Next Regular Meeting: Tuesday, May 14, 2013 @ 10:30 AM) 8. Records Commission (2<sup>nd</sup> Tuesday in June & December) (Next Regular Meeting: Tuesday, June 11, 2013 @ 4:00 PM) 9. Housing Council (1<sup>st</sup> Monday of the month after the TIRC meeting) (Next Meeting: Monday, May 6, 2013? @ 6:30 PM) 10. Health Care Cost Committee (As needed) **11. Preservation Commission** (As needed) 12. Infrastructure/Economic Development Fund Review Committee (As needed) 13. Tax Incentive Review Council (As needed)
  - **14. Volunteer Firefighters' Dependents Fund Board** (As needed) (*Next Meeting: Monday, January 7, 2013 @ 6:50 PM*)
  - 15. Lodge Tax Advisory & Control Board (As needed)
  - **16. Board of Building Appeals** (As needed)
  - **17. ADA Compliance Board** (As needed)
  - 18. NCTV Advisory Board (As needed)

# City of Napoleon, Ohio CITY COUNCIL Special Meeting Minutes

Monday, November 26, 2012 at 6:30 PM

PRESENT	
City Council	John Helberg - President, James Hershberger, Patrick McColley, Christopher Ridley,
	Jason Maassel
Finance & Budget	Christopher Ridley - Chair, John Helberg, Jason Maassel, Mayor Ronald Behm
City Staff	Dr. Jon A. Bisher, City Manager
	Trevor Hayberger, Law Director Gregory J. Heath, Finance Director/Clerk of Council
	Sheryl Rathge, Executive Assistant
	Robert Weitzel, Police Chief
Others	News Media
Recorder	Barbara Nelson
ABSENT	
Council	Jeff Lankenau, Travis Sheaffer
Call To Order	President Helberg called the meeting to order at 6:30 PM
Discussion	Hayberger said the Committee suggested that he review this issue. He did this, but Chief Weitzel is here tonight. Hayberger believes it is more important for the Committee to consider the Chief's input.
	Chief Weitzel said there is a quandary at the State level about whether sweepstakes machines should be considered gambling or not. We are waiting for regulations from the State on this type of operation. Many communities put legislation in place as reasonable controls to assure the operation is run cleanly. We already have regulations that deal with this in Chapter 711. Council can make this a separate issue since it is separate at the State level, or they can leave it in 711 that we've had for a very long time. It is in place for every other amusement device in the City. It deals with pool tables, pinball machines, games of skill, etc. In his opinion, those regulations are in place so the City can have certain reasonable controls over these establishment. The license could be revoked for violations or fineable as a minor misdemeanor.
	McColley asked what would cause fees or taxes to be higher than a normal amusement device. Hayberger said there is a difference between a gumball machine and a sweepstakes machine. McColley asked how many times the police have been to CutRate Tobacco or Rick's Sports Bar or McDonalds since January. Chief Weitzel said he couldn't say without researching. McColley asked if the police had been to Rick's more than CutRate Tobacco. Chief Weitzel said yes. McColley asked if they had been to McDonalds more than CutRate Tobacco. Chief Weitzel said he would have to research that. McColley said a comment was made before that the reason we charge more is because the machines will increase crime. He is trying to establish how much more the police go to CutRate Tobacco than to other places in the community.
	Hayberger said you have to look statewide. These are new businesses. Chief Weitzel said this is untried territory. The State put a moratorium on these operations because of a hole in the legislation. We can remain in 711 requiring current licenses. The issue would be whether or not they have a license. That is one way to deal with a problematic situation. If people were playing for money at a pool table, we could revoke their permit and they would have to remove the devices used for gambling.

Maassel asked how many businesses there are like this. Chief Weitzel said he has been told there are two. They were supposed to register with the State Attorney General's office last summer, but they had not registered the last time he checked. Chairman Ridey asked if anyone in the audience would like to speak.

Alyssa Harmon introduced herself as the Attorney for CutRate Tobacco and Mike's daughter. Sweepstakes machines are in the twilight zone and don't fall under any definition. There is a big push by the casino industry to ban sweepstakes machines. There are eight of these machines inside another business in town. Harmon explained that the machines work using phone cards. You can go to McDonalds and buy a Big Mac and get a sweepstakes ticket. There is a difference between having 5-8 machines and 70 terminals like in Toledo, etc. Is the City trying to regulate the machine, the activity, or the establishment? She asked that Council look at specific circumstances rather than painting with a broad brush. The police have not been to CutRate since it started operating machines in January. They have been to Rick's 21 times and at Walmart many more times.

Bisher said there was a story about this on the front page of the Toledo Blade this morning. The State legislature may consider this issue before the end of the year. We may not need to solve the problem because it may be solved by the State in the next 30 days. Ridley said that he spoke with state Representative Lynn Wachtmann, and that Representative Wachtmann is not sure whether it will get done in the lame duck session. Ridley stated that if we put regulations in place, the State will probably supercede what we do. Ridley's advice is to not take any action because it won't be valid when the State is done. Ridley believes that the State's intent is to ban the devices completely. This is in line with the Ohio Trial Lawyers Association recommendations and the recommendations of the Ohio Attorney General.

Chief Weitzel said we already have regulations in place. The machines will remain in 711 if no action is taken. If we have problems related to those licensed devices, we can take away the use. Calls to police at other places are not usually related to amusement devices. We used to have complaints related to the old Arcade City. There was trouble with pedestrian and car traffic related to the machines. The businesses had to take reasonable steps to take care of the problem. The sweepstakes businesses should already have an amusement license and stickers on their machines.

Mayor Behm said it doesn't make sense to license machines considering the amount of money we get back. Chief Weitzel said if we don't have some reasonable regulations in place, there is a problem. It is not an issue for the business to fill out a form and mail it in. Helberg said there is no assurance from the State that they will do anything soon. Harmon said the same money that is pushing this issue brought us gambling because a store with machines takes away money from casinos.

Maassel asked if there is a penalty for not registering with the State. Harmon said there is no enforcement mechanism. Some businesses may not register because they don't think they fall under that definition. Hayberger said the Attorney General's office thinks the legislature missed this. Weitzel said Chapter 711 of the Codifieds would make this no different than playing a pinball machine. McColley said the State could regulate them. Weitzel said if so, we wouldn't have to worry about their 711 license anymore. We don't regulate gambling. The State does.

Heath said the amusement licenses fall under the Finance Department. These machines are not currently registered. We can follow through and send them forms.

	We redid the regulations after there was backroom gambling at the Legion. We aren't a field operation. We don't know if they're gambling or not. We will send the forms.
	Helberg said we can assume they fall under 711 until the State tells us it is gambling. Heath said they are mechanical devices. Hayberger said typical gambling machines were made a little different to try to change the definition of gambling. Helberg said we could consider them amusement devices until they are proved to be gambling. Hayberger said he disagrees with Representative Wachtmann. We can always be more restrictive than the State.
	Ridley said there is a difference between a business that does this along with other avenues, and one that has this as their sole source of income. There is a definite negative effect on the local economy. There are legitimate reasons to regulate it. At this time, it is not necessary because it will be invalidated or clarified by the State. We may need to revisit this to enforce the policies on hand. Helberg said 711 is in force.
	Ridley asked if <i>Amusement License Fees on Gaming</i> includes 711. Hayberger said there is no criminal charge for this. We would only discuss 711 if we wanted to repeal it. Ridley said this should be a separate agenda item for full Council. Mayor Behm said those regulations are for a certain purpose. We are regulating gumball machines and horse rides now. Hayberger said we will want to know what the numbers are and what the licenses bring in. Behm said it is ridiculous to have a license fee for a gumball machine. Heath said this also covers pool tables, pinball machines and claw machines. Behm said we license bicycles too. Ridley said we can't discuss that tonight because it was not an agenda item. Bisher said we may have a law in 30 days. Helberg said if they don't, we need to look at it again.
Motion To Adjourn	Motion: Ridley Second: Maassel To adjourn the Council meeting at 7:17 PM
Passed	Roll call vote on above motion:
Yea-5	Yea- Hershberger, Helberg, McColley, Ridley, Maassel
Nay-0	Nay-
	John A. Helberg, President
Date Approved:	
December 17, 2012	Ronald A. Behm, Mayor
	Roman A. Domin, Mayor
	Gregory J. Heath, Finance Director/Clerk of Council

# City of Napoleon, Ohio CITY COUNCIL Meeting Minutes Monday, December 3, 2012 at 7:00 PM

	<i>·</i>
PRESENT	Ling Hall and Descident Lefters Leghanner Tracis Sharfford (aming 1 of 7(10) Lemon
Council	John Helberg: President, Jeffrey Lankenau, Travis Sheaffer (arrived at 7:18), James Hershberger, Patrick McColley, Christopher Ridley (arrived at 8:42), Jason Maassel
Mayor	Ronald A. Behm
City Manager	Dr. Jon A. Bisher
Law Director	Trevor M. Hayberger
FinanceDirector/Clerk	Gregory J. Heath
City Staff	Robert Bennett, Fire Chief
	Chad Lulfs, City Engineer
	Dan Wachtman, MIS Administrator
Recorder	Barbara Nelson
Others	News Media, Sally Heaston
ABSENT	
Council	Christopher Ridley
Prayer	President Helberg called the meeting to order at 8:00 pm with the Lord's Prayer and the Pledge of Allegiance.
Presentation Of 2013 Appropriation Budget	Mayor Ronald A. Behm presented the 2013 appropriation budget (attached).
Approval Of Minutes	Minutes of the December 19, 2012, meeting stand approved with no objections.
Citizen Communication	None
Communication	
Committee Reports	The Parks & Recreation Committee did not meet on Monday, November 19 due to lack of agenda items.
	Finance & Budget Committee met on Monday, November 26. They discussed but took no action on <i>Amusement License Fees on Gaming</i> .
	The Safety and Human Resources Committee met with Township Trustees on November 26 and reviewed EMS costs and revenues.
Introduction Of	Descident Helberg and her title Ordinance No. 076 10 A. O. F. (11) 1
Introduction Of Ordinance No. 076-12	President Helberg read by title Ordinance No. 076-12 An Ordinance establishing
Orumance No. 070-12	the appropriation measure (budget) of the City of Napoleon, Ohio for the fiscal year ending December 31, 2013
Motion To Approve	Motion: Maassel Second: Lankenau
First Read	To approve first read of Ordinance No. 076-12
Discussion	Heath said the attachments to this Ordinance were inadvertently omitted from the
	packet and were handed out tonight. They include what was reflected in the budget
	with final adjustments, as presented by the Mayor tonight. Council typically passes
	this legislation the same night that the Mayor presents it.
Matter T. G 1	
Motion To Suspend The Rule	Motion: HershbergerSecond: LankenauTo suspend the rule requiring three readings
Council Meeting Minutes	1 of 8 12/12/2012

Passed	Roll call vote on above motion:
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Passed	Roll call vote to pass Ordinance No. 076-12 under suspension of the rule
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Introduction Of Resolution No. 077-12	President Helberg read by title Resolution No. 077-12 A Resolution authorizing the Finance Director to transfer certain fund balances from respective funds to other funds per Section 5705.14 ORC on an as needed basis in fiscal year 2013, listed in Exhibit "A"; and declaring an emergency
Motion To Approve	Motion: Hershberger Second: Maassel
First Read	To approve first read of Resolution No. 077-12
Discussion	Heath said this is the follow-up to the other ordinance approving the movement of various funds. This needs to be passed with the other ordinance.
Motion To Suspend	Motion: Hershberger Second: Lankenau
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 077-12 under suspension of the rule
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Introduction Of Ordinance No. 078-12	President Helberg read by title Ordinance No. 078-12 An Ordinance establishing a new position classification pay plan for employees of the City of Napoleon; repealing Ordinance No. 091-11 and Ordinance No. 098-11; and declaring an emergency
Motion To Approve	Motion: Hershberger Second: McColley
First Read	To approve first read of Ordinance No. 078-12
Discussion	Hayberger explained the legislation approves a 2% increase for most employees. There were more changes in the fire department for part-time fire fighters as discussed at the budget meetings. Bisher said these changes will help with the high turnover for volunteers. We will pay less to start, but keep people motivated with incremental increases.
Motion To Suspend	Motion: Hershberger Second: Lankenau
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Passed	Roll call vote to pass Ordinance No. 078-12 under suspension of the rule
Yea-5	Yea- Helberg, McColley, Lankenau, Maassel, Hershberger
Nay-0	Nay-

	Sheaffer arrived at 7:18 PM.
Introduction Of Resolution No. 083-12	President Helberg read by title Resolution No. 083-12 A Resolution authorizing the City Manager to negotiate an extension of the Raw Water Supply Line Agreement between the City of Napoleon, Ohio and the City of Wauseon, Ohio
Motion To Approve	Motion: Maassel Second: Lankenau
First Read	To approve first read of Resolution No. 083-12
Discussion	Bisher said the next pieces of legislation come from recommendations made by the Water, Sewer, Refuse, Recycling & Litter Committee and Council. He explained the steps that must be taken regarding the new water plant. We must have a reservoir available. Wauseon wants this agreement too. We are hiring special counsel to be sure we are doing this correctly. This is a 25 year agreement that started in 1999. We would like to stay with the agreement as is, but negotiate extensions beyond that from 15-30 more years to assure the new plant will have access to the reservoir.
Motion To Suspend	Motion: Lankenau Second: Maassel
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 083-12 under suspension of the rule
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Introduction Of Resolution No. 084-12	President Helberg read by title Resolution No. 084-12 A Resolution authorizing the expenditure of funds over twenty-five thousand dollars (\$25,000.00) for the purpose of obtaining a Water Treatment Pilot Test Study and declaring an emergency
Motion To Approve	Motion: McColley Second: Maassel
First Read	To approve first read of Resolution No. 084-12
Discussion	Bisher said he and Heath and Hayberger will meet on Wednesday with bond counsel regarding the \$1.8 million note. We need to change the purpose clause to make if for the new plant and old plant as needed. Bisher said we want to start immediately. Lulfs said the EPA requires this test to protect the City. We will test the membrane system. Bisher requested suspension.
Motion To Suspend	Motion: Hershberger Second: Lankenau
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 084-12 under suspension of the rule
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-0	Nay-
Introduction Of Resolution No. 085-12	President Helberg read by title Resolution No. 085-12 A Resolution authorizing bond counsel to amend the purpose statement of the \$1,800,000.00 issuance of bonds

	for the City of Napoleon's water system to also include the design, engineering, and building of a new water treatment plant and declaring an emergency
Motion To Approve First Read	Motion: HershbergerSecond: MaasselTo approve first read of Resolution No. 085-12
Discussion	Bisher said Hayberger did a good job on this. The blue text in the legislation was added to protect the old plant. Heath said this note matures in July. We will probably start the process in May for reissuing and will modify the language. Helberg asked if it would be prudent to add language in case another locality wants to join the group. Hayberger said if Council wants to take first read, we will find out more tomorrow. The legislation can be amended.
Passed Yea-6 Nay-0	Roll call vote on above motion: Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay-
Second Read Of Resolution No. 079-12	President Helberg read by title Resolution No. 079-12 A Resolution authorizing the expenditure of funds and authorizing a department director to take bids on certain projects, services, equipment, materials, or supplies without the requirement for additional legislation to do so in the year 2013; and declaring an emergency
Motion To Approve Second Read	Motion: HershbergerSecond: McColleyTo approve second read of Resolution No. 079-12
Discussion	Helberg said there is a concern about the mini-excavator being listed in the budget that was included in the Mayor's report. Council did not want it included in legislation yet. Bisher said this was not included in the legislation. We told Council we would bring back additional documentation showing the need for this equipment. Lulfs gave a brief report on the history of excavator use, and assured Council that he would not purchase this equipment without their approval.
Motion To Suspend The Rule	Motion: Lankenau To suspend the rule requiring three readings
Failed	Motion failed for lack of a second.
2 <sup>nd</sup> Read Passed Yea-6 Nay-0	Roll call vote to approve second read of Resolution No. 079-12 Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay-
Second Read Of Resolution No. 080-12	President Helberg read by title Resolution No. 080-12 A Resolution authorizing expenditure of funds in excess of \$25,000.00 in and for the year 2013 as it relates to reoccurring costs associated with the operation of the City, for payment of expenses, and for purchases associated with vendors utilized by multiple departments within the City; elimination of necessity of competitive bidding in and for the year 2013 as it relates to certain transactions; declaring an emergency
Motion To Approve Second Read	Motion: McColleySecond: MaasselTo approve second read of Resolution No. 080-12
Discussion	No changes since the last reading
Passed	Roll call vote to approve second read of Resolution No. 080-12
Courseil Martin - Minutas	1 of 8 12/12/2012

Yea-5 Nay-0 Abstain-1	Yea- McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay- Abstain - Helberg
Second Read Of Resolution No. 081-12	President Helberg read by title Resolution No. 081-12 A Resolution authorizing a contribution to the Community Improvement Corporation of Henry County, Ohio, in and for the year 2013; declaring an emergency
Motion To Approve Second Read	Motion: LankenauSecond: SheafferTo approve second read of Resolution No. 081-12
Discussion	No changes since last reading.
Passed Yea-6 Nay-0	Roll call vote to approve second read of Resolution No. 081-12 Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay-
Third Read Of Ordinance No. 070-12	President Helberg read by title Ordinance No. 070-12 An Ordinance amending Section 121.0(a) of the City of Napoleon Administrative Code and Rule 6.5 of the Rules and Regulations of City Council regarding publication of legislation by summary
Motion To Pass On Third Read	Motion: Hershberger Second: Sheaffer To pass Ordinance No. 070-12 on third read
Discussion	There have been no changes since last reading. Sally Heaston, General Manager at the Northwest Signal introduced herself. She wanted to clarify that although it was stated that this legislation would save the City about \$20,000 per year on publication of legislation. Total 2012 expense for all publications is currently \$15,900. The City may save \$5,000 per year with this legislation. The Signal also uploads to the State website at no charge. She understands Council's decision, but it is also important for legislation to be readily available to the public. This has an impact on the NW Signal as a small business. They pay utilities and taxes in the City and may have to cut an employee which means less tax for the City. Council should think about this when making future decisions and contact them if there is a problem. (Ridley arrived.)
Passed Yea-6 Nay-0 Abstain-1	Roll call vote to pass Ordinance No. 070-12 on third read Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay- Abstain-Ridley
GOOD OF THE CITY Discussion/Action Appointment To Privacy Committee	Heath said Gloria Mikoljczak retired on November 30. She served on the Privacy Committee. Heath recommended Trevor Hayberger to fill Mikolajczak's term.
Motion To Appoint Trevor Hayberger To Privacy Committee	Motion: McColleySecond: MaasselTo accept the recommendation of Greg Heath to appoint Trevor Hayberger to fill the term (ending 1/1/2014) of Gloria Mikolajczak on the Privacy Committee
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger Nay-

Performance Audit For The Electric Dept.	President Helberg said former President Miller suggested Bisher get something from AMP about doing a performance audit for the electric department. Bisher said he doesn't know what Miller had in mind. Maybe APPA can do it. Helberg said we can see if the State can do it. The cost to do this was \$15,000 originally. It will cost more now. They'd have to come back again when they're almost finished. Maassel asked if other departments were missed. Hayberger said electric and court were not done.
Performance Audit for the Electric Department Assigned To 1/14/13 Meeting Of Electric Committee	Lankenau suggested letting the Electric Committee look at this. Helberg asked that staff get quotes from APPA and the State Auditor. Heath said John Courtney would also be familiar with costs in similar bodies. Bisher said Sawvill in Findlay may also be able to do this. The reason we excluded the State was because it audited Galion and didn't have a clue how to audit their electric plant. They don't audit enough communities with an electric business. The City can go for an RP3 certification. Going through that process makes the department more efficient. Helberg said he is enjoying and learning from the audit process. He assigned <i>Performance Audit for the</i> <i>Electric Department</i> to the January meeting of the Electric Committee.
Good Of The City(cont) Bisher	Bisher – no items
Hayberger	Hayberger has some issues to discuss in executive session regarding personnel and pending litigation.
Lankenau	Lankenau cancelled the Water, Sewer, Refuse, Recycling and Litter Committee meeting for Monday, Dec. 10 due to lack of agenda items.
Sheaffer	Sheaffer said a resident on E. Washington St. is concerned about potholes there. Sheaffer would like information to take back to the resident. Bisher will check on this. Sheaffer said the Volunteer Fire Fighters Dependents Fund Board must have an organizational meeting in January. Council members agreed that Sheaffer and Hershberger should continue to serve on this board. Sheaffer scheduled the meeting for 10 minutes before the January 7 Council Meeting. Hershberger will talk to Bud Mitchell and see if he will serve.
McColley	McColley said the cord he mentioned last month is still hanging under his table area.
Mayor Behm	Mayor Behm will have many appointments at the next Council meeting. He is still looking for Civil Service and Tree Commission members. Tom Druhot is resigning from BOPA. Dr. David Cordes will replace him, but resign from Civil Service.
Helberg	Helberg said he appreciates receiving the Status of Legislation and Contracts update after Council meetings. Heath said Roxanne Dietrich does that report.
Hershberger	Hershberger asked about work on Scott St. Bisher said they are moving poles on the west side of Scott St. to be sure they are out of the way for construction. Lulfs said we made our final submission two weeks ago. We hope to advertise after the 1 <sup>st</sup> of the year and could begin digging in late winter or early spring. Helberg said the State is selling some huge projects the 3 <sup>rd</sup> week of January.
Maassel	Maassel – no items
Ridley	Ridley commended the Police Dept. for their work on the recent trial. He also commended the electric department for restoring power quickly on his street after a transformer blew.

Heath

Heath distributed information detailing the potential impact of House Bill (HB) 601 on the City's finances. The information is based on 2011 income tax. There will be an approximate \$260,000 negative impact to the City. Helberg was told this will not be passed in the lame duck session. Heath said it won't go away either.

Mayor Behm said he and Helberg met with Representative Wachtmann about HB 601. Wachtmann will speak with the head of the House Committee based on their talking points. They made it clear that Council's concern is the unknowns. If what is being said is true, we are definitely not in favor of it. Other communities are also coming forward. Wachtmann will come back to them with information and the Mayor will report back to Council. Once we take a position, it is official.

Helberg said HB 601 will have to be reintroduced under a different number next year. We can address it again then. Mayor Behm said there are too many unknowns, but he agrees with Heath's concerns. Ridley said we may make a statement about a problem that doesn't exist.

Heath said we are living in a very political world. We have to fight issues at the grassroots level. Any legislative body has to lobby. PACS are funded and the Ohio Municipal League (OML) is the only organization we have. We must protect our revenue. The State is trying to get control of our income tax. McColley agrees with Heath. Negotiations are still going on.

Helberg would like to send the short version of the legislation, stay in contact with legislators, and address these issues now. Ridley agrees with the need to protect our ability to tax and the home rule issue. There are problems with both proposals. On some of the specific taxes mentioned is the estate tax. He believes this is an immoral tax and would not vote for sending anything that includes the estate tax in it.

Hayberger said the legislation could be changed to say "other miscellaneous taxes." McColley doesn't agree with many taxes we pay, but the City is losing that revenue. Hayberger said that doesn't count the unfunded mandates. Ridley would like the legislation to be more generic and ask them to consider home rule. He is more concerned about the control issue. McColley said they have until December 31 to pass HB 601. They shouldn't pass it when there is a lot of controversy around it. Sheaffer said the more opposition they get now, the less inclined they will be to reconsider it next year. Lankenau would like to go on the record now.

Heath said Council did one resolution objecting to the centralization issue. This is a bigger fight than we realized. They are talking about setting up a State Board that makes rules on taxation and creating Appeals Boards. Helberg said the legislation says the City still needs a tax administrator on staff even if the tax is centralized. Mayor Behm said the City has rules that make people license their bicycles. We overregulate citizens. Hayberger said we can let the State do it for us.

President Helberg read by title Resolution No. 086-12 A Resolution strongly opposing the passage of HB 601 by the Ohio General Assembly which proposes uniformity measures for municipal income tax in the form of unfunded mandates and a substantial loss of revenue; and declaring an emergency

Motion: SheafferSecond: LankenauTo adopt Resolution No. 086-12 strongly opposing House Bill 601

Maassel said as long as Council is not tying ourselves to something later, we don't

**Introduction Of** 

**Resolution No. 086-12** 

**Motion To Approve** 

	want to wait two more weeks. We have to move on this tonight.
Motion To Suspend	Motion: Lankenau Second: Sheaffer
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-1	Nay-Ridley
Passed	Roll call vote to pass Resolution No. 084-12 under suspension of the rule
Yea-6	Yea- Helberg, McColley, Sheaffer, Lankenau, Maassel, Hershberger
Nay-1	Nay-Ridley
Motion To Go Into	Motion: Ridley Second: Maassel
Executive Session	To go into Executive Session to discuss personnel and pending litigation
Passed	Roll call vote on above motion:
Yea-7	Yea- Helberg, McColley, Sheaffer, Lankenau, Ridley, Maassel, Hershberger
Nay-0	Nay-
Into Exec Session	Council went into Executive Session at 8:34 PM.
Motion To Come Out	Motion: Maassel Second: McColley
Of Exec Session	To come out of Executive Session.
Passed	Roll call vote on above motion:
Yea-7	Yea- Helberg, McColley, Sheaffer, Lankenau, Ridley, Maassel, Hershberger
Nay-0	Nay-
Out Of Executive Session	Council came out of Executive Session at 9:08 PM. President Helberg reported that the discussion was regarding personnel and pending litigation. No action was taken
Approval Of Bills	Bills and reports stand approved as presented with no objections.
Motion To Adjourn	Motion: Lankenau Second: McColley To adjourn the meeting.
Passed	Roll call vote on above motion:
Yea –7	Yea- Helberg, McColley, Sheaffer, Lankenau, Ridley, Maassel, Hershberger
Nay -0	Nay-
Adjournment	Meeting adjourned at 9:10 PM.
Approved:	John A. Helberg, Council President
December 17, 2012	Ronald A. Behm, Mayor
	Gregory J. Heath, Finance Director/Clerk of Council

# City of Napoleon

# **Technology & Communication Committee**

# Majority Report

The Technology & Communication Committee met on Monday, December 3, 2012, and:

- **a.** Recommended to stay with the current configuration and not combine with the court server
- *b.* Discussed and tabled *Review the Possibility of an Additional IT Position* pending results of the State Performance Audit.

Jason Maassel, Chair

James Hershberger, Committee

Christopher Ridley, Committee

City of Napoleon, Ohio

# **Electric Committee**

# Majority Report

The Electric Committee met on Monday, December 10, 2012 and recommended that Council:

Accept the BOPA recommendation to approve electric billing determinants for December 2012 as follows: Generation Charge: Residential @ \$.08693; Commercial @ \$.10572; Large

Power @ \$.06020; Industrial @ \$.06020; Demand Charge Large Power @ \$12.89; Industrial @ \$12.77; JV Purchased Cost: JV2 @ \$.02110; JV5 @ \$.02110

Travis Sheaffer, Chair

Patrick McColley, Committee

Jason Maassel, Committee

#### **ORDINANCE NO. 087-12**

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS FROM RESPECTIVE FUNDS, DEPARTMENTS AND CATEGORIES TO OTHER FUNDS, DEPARTMENTS AND CATEGORIES PURSUANT TO SECTION 5705.40 ORC FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012 AS LISTED IN EXHIBIT "A" (FINAL); 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, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2012, as listed in Exhibit "A" (Final), 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.

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

John A. Helberg, Council President

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

Ronald A. Behm, Mayor

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

Attest:

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. 087-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Gregory J. Heath, Clerk/Finance Director

### FISCAL YEAR ENDING 2012- 4TH QUARTER BUDGET ADJUSMENTS

### 2012 APPROPRIATION BUDGET - TRANSFER OF APPROPRIATIONS (NO. 1)

2012 APPROPRIATION BUDGET - TRANSFER OF APPRO Appropriation Transfer No. 1 - 4th Quarter Budget Adjustments - F					
FROM/ FUND TO DEPARTMENT/COST CENTER	= ACCOUNT CATEGORY = PERSONAL SERVICES OTHER			APPROPRIATION CATEGORY'S <u>NET CHANGE</u>	
TO DEPARTMENT/COST CENTER	DEINVICED			MLT CHANGE	
100 GENERAL FUND					
FROM: 1300 City Manager/Administrative	-40.00		**	-40.00	
TO: 1300 City Manager/Administrative		40.00	** **	40.00	
Total Appropriation Transfers-100 General Fund	-40.00	40.00	**	0.00	
170 MUNICIPAL INCOME TAX FUND			•		
FROM: 1510 Finance/Income Tax Collection	-5,950.00	-6,560.00	**	-12,510.00	
TO: 9900 Transfer Accounts		12,510.00	**	12,510.00	
Total Appropriation Transfers-170 Municipal Income Tax Fund	-5,950.00	5,950.00	**	0.00	
180 KWH TAX COLLECTION (GF) FUND	x				
FROM: 9800 Reimbursements-Shared Expenses		-4,100.00	**	-4,100.00	
TO: 9900 Transfer Accounts		4,100.00	**	4,100.00	
Total Appropriation Transfers-180 KWH Tax Collection (GF) Fund	0.00	0.00	**`	0.00	
220 RECREATION FUND					
FROM: 4100 Recreation/Administrative		-130.00	**	-130.00	
TO: 4100 Recreation/Administrative	130.00		**	130.00	
Total Appropriation Transfers-220 Recreation Fund	130.00	-130.00	**	0.00	
223 SPECIAL EVENTS FUND (123)	* ·	· . · · · .	÷		
FROM: 1900 General Government/Miscellaneous	*	-631.00	**	-631.00	
TO: 9900 Transfer Accounts	· .	631.00	**	631.00	
Total Appropriation Transfers-223 Special Events Fund	0.00	0.00	**	0.00	
500 ELECTRIC UTILITY REVENUE FUND	,				
FROM : 9800 Reimbursement Accounts-Shared Expenses		-8,900.00	**	-8,900.00	
TO: 9900 Transfer Accounts	• • • •	8,900.00	**	8,900.00	
Total Appropriation Transfers-500 Electric Utility Rev.Fund	0.00	0.00	**	0.00	
510 WATER REVENUE FUND					
FROM : 1520 Finance/Utility Billing		-320.00	**	-320.00	
FROM: 6200 Water/Treatment Plant Operations	-8,370.00		**	-8,370.00	
FROM : 6210 Water/Distribution System	-5,570.00	-14,320.00	**	-19,890.00	
FROM: 9800 Reimbursement Accounts-Shared Expenses		-11,060.00	**	-11,060.00	
TO: 6200 Water/Treatment Plant Operations		39,640.00	**	39,640.00	
Total Appropriation Transfers-510 Water Revenue Fund	-13,940.00	13,940.00	**	0.00	

## FISCAL YEAR ENDING 2012- 4TH QUARTER BUDGET ADJUSMENTS

### 2012 APPROPRIATION BUDGET - TRANSFER OF APPROPRIATIONS (NO. 1)

	KOFKIATION BUDGET - TRANSFER OF AFTR			 	47/0040
Appropriat	ion Transfer No. 1 - 4th Quarter Budget Adjustments -			12/	
	. <u></u>	= ACCOUNT (		APPROPRIATION	
FROM/	FUND	PERSONAL	<u> </u>		CATEGORY'S
TO	DEPARTMENT/COST CENTER	SERVICES	OTHER		NET CHANGE
	520 SEWER REVENUE FUND	· ·	20 700 00	**	20 700 00
	6300 Sewer(WWT)/Treatment Plant Operations		-32,790.00	. <u></u> .	-32,790.00
TO :	9900 Transfer Accounts		32,790.00	**	32,790.00
Total Appr	opriation Transfers-520 Sewer Revenue Fund	0.00	0.00	**	0.00
-	560 SANITATION (REFUSE) REVENUE FUND				
FROM :	6412 Sanitation(Refuse)/SRS-Mosquito Control		-2,640.00	**	-2,640.00
FROM :	6420 Sanitation(Refuse)/Recyling Programs		-14,350.00	**	-14,350.00
FROM :	9800 Reimbursement Accounts-Shared Expenses		-2,610.00	**	-2,610.00
	6400 Sanitation(Refuse)/Collection and Disposal		18,790.00	**	18,790.00
	6420 Sanitation(Refuse)/Recyling Programs	810.00	• . •	**	810.00
			~~~~ <u>~</u>	**	******
Total Appr	opriation Transfers-560 Sanitation (Refuse) Fund	810.00	-810.00	**	0.00
	600 CENTRAL GARAGE ROTARY FUND			ь .	
FROM	5200 Service/Central Garage	2,260.00	1,000.00	**	3,260.00
	5600 Service/Fuel Rotary Purchases		-3,260.00	**	-3,260.00
10.				**	
Total Appr	opriation Transfers - 600 Central Garage Rotary Fund	2,260.00	-2,260.00	**	0.00

#### ORDINANCE NO. 088-12

#### AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 5) FOR THE YEAR 2012

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 089-11; supplemented by Ordinance No. 019-12; Ordinance No. 027-12; Ordinance No. 051-12; and Ordinance No. 072-12 for the fiscal year ending December 31, 2012 shall be supplemented (Supplement No. 5) 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 provides for appropriations for the current expenses of the City; therefore, upon passage, this Ordinance shall take immediate effect, subject to the provisions of Article II, Sec. 2.15 of the Charter.

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

John A. Helberg, Council President

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

Ronald A. Behm, Mayor

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

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. 088-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, \_\_\_\_; & 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, Clerk/Finance Director

ORDINANCE No. 088-12, Passed 12/17/2012	==== 2012 - 4TH C		,	2012
4TH Quarter Final - Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->	SERVICES	OTHER	TOTAL	TOTAL
100 GENERAL FUND	l · · ·			
1100 City Council/Legislative	-620	-1,610	-2,230	
1200 Mayor/Executive	-90	-660	-750	
1300 City Manager/Administrative	-1,430	0	-1,430	
1370 City Manager/Human Resources	-170	-6,720	-6,890	
1400 Law Director/Administrative	-62,940	-12,500	-75,440	
1500 Finance/Administrative	-940	-330	-1,270	
1520 Finance/Utility Billing	-5,310	-8,500	-13,810	
1600 Information Systems/Administrative	-29,130	0	-29,130	
1700 Engineering/City Engineer	-13,370	-5,170	-18,540	
1800 Municipal Court/Judicial	-4,280	-15,950	-20,230	
1900 General Government/Miscellaneous	0	-40,400	-40,400	
2100 Police/Safety Services	-21,050	-11,160	-32,210	
2200 Fire/Safety Services	-28,270	-42,770	-71,040	
3100 Building Inspections/Zoning & Planning	-1,610	-9,700	-11,310	
4700 Cemetery/Operations	-2,810	-6,750	-9,560	
5130 Service/Buildings, Properties, Equipment	-5,030	-100	-5,130	
9800 Reimbursements-Shared Expense	0,000	0	0	
9900 Transfer Accounts	0	-70,480	-70,480	
	· · · · · · · · · · · · · · · · · · ·			
Total - 100 General Fund	-177,050	-232,800	-409,850	-\$409,850
·····		=========	========	
147 UNCLAIMED MONIES FUND				
9400 Unclaimed Monies Agency Accounts	0	0	0	
9900 Transfer Accounts	0	U	U	
Total - 147 Unclaimed Monies Fund	0	0	0	\$0
		========	=========	
170 MUNICIPAL INCOME TAX FUND				
1510 Finance/Income Tax Collection	0	0	0	
9900 Transfer Accounts	O O	185,700	185,700	
Total - 170 Municipal Income Tax Fund	0	185,700 =======	185,700 ========	\$185,700
		· · · · · · · · · · · · · · · · · · ·		
180 kWH TAX (GF) COLLECTION FUND				
9800 Reimbursements-Shared Expense	0	0	0	
9900 Transfer Accounts	. 0,	8,900	8,900	
Total - 180 kWH Tax (GF) Collection Fund	0	8,900	8,900	\$8,900
195 LAW LIBRARY FUND		750	750	
1800 Municipal Court/Judicial	0	750	750 750	
9900 Transfer Accounts	. O.	750	750	
Total 105 Law Library Eurof		1,500	1,500	\$1,500
Total - 195 Law Library Fund	·			φ1,500
	========		==========	

ORDINANCE No. 088-12, Passed 12/17/2012 4TH Quarter Final - Appropriation Budget Adjustments	==== 2012 - 4TH G			
4TH Quarter Final - Appropriation Budget Adjustments	1		USIMENTS ==	2012
	PERSONAL			FUND
CATEGORY ->	SERVICES	<u>OTHER</u>	<u>TOTAL</u>	TOTAL
200 STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND	<b>]</b>			
5100 Service/Streets Maintenance and Properties	-1,080	-49,660	-50,740	
5110 Service/Ice and Snow Removal	-20,780	-8,700	-29,480	
5120 Service/Strorm Drainage	-850	-2,500	-3,350	
			00.570	600 670
Total - 200 Street (SCM&R) Fund	-22,710 =======	-60,860 ======	-83,570 =======	-\$83,570
201 STATE HIGHWAY IMPROVEMENT FUND				
5100 Service/Streets Maintenance and Properties	0	-4,200	-4,200	-\$4,200
	=======	================	======	+ 11
202 MUNICIPAL (50%) MV LICENSE TAX FUND				
5100 Service/Streets Maintenance and Properties	0	-5,000	-5,000	-\$5,000
	<b></b>	==========		
203 MUNICIPAL (100%) MV LICENSE TAX FUND	an Aran Ar			
5100 Service/Streets Maintenance and Properties		7,000	7,000	
9900 Transfer Accounts	0 <sup>.</sup>	0	0	· .
Total - 203 Municipal 100% MV License Tax Fund	0	7,000	7,000	\$7,000
204 COUNTY MV LICENSE PERMISSIVE TAX FUND				
5100 Service/Streets Maintenance and Properties	0	0	0	\$0
	=========			
210 EMS TRANSPORT SERVICE FUND				
2200 Fire/Safety Services	0.	-23,100	-23,100	
9800 Reimbursements-Shared Expense	0	0	0	
9900 Transfer Accounts	0	0	0	
	· · · · · · · · · · · · · · · · · · ·			<b>*</b> ***
Total - 210 EMS Transport Service Fund	0	-23,100 =======	-23,100 =======	-\$23,100
220 RECREATION FUND	_ *			
4100 Parks/Administrative	0	-6,580	-6,580	
4200 Recreation/Golf Operating	-6,400	-10,450	-16,850	
4300 Recreation/Pool Operating	-10,380	-5,520	-15,900	
4400 Recreation/Programs	-7,710	-14,050	-21,760	
Total - 220 Recreation Fund	-24,490	-36,600	-61,090	-\$61,090
223 SPECIAL EVENTS FUND (Fund Renumbered in 2013 - See 12				
1900 General Government/Miscellaneous	0	0	0	
9900 Transfer Accounts	0	4,872	4,872	
Total - 223 Special Events Fund	Ο	4,872	4,872	\$4,872
			==========	
227 NAPOLEON CEMETERY TRUST FUND				
227 NAPOLEON CEMETERY TRUST FUND 4700 Cemetery/Grounds	0	-1,000	-1,000	-\$1,000

BUDGET SUMIMARY BY FUNL	J, DEPARTIV			URI
ORDINANCE No. 088-12, Passed 12/17/2012	==== 2012 - 4TH (	QT BUDGET AD	JUSTMENTS ===	2012
4TH Quarter Final - Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->_	SERVICES	<u>OTHER</u>	TOTAL	TOTAL
230 ECONOMIC DEVELOPMENT FUND (Fund Renumbered in				
3500 Economic Development	 0		0	
9900 Transfer Accounts		53,000	53,000	
		00,000	00,000	
Total 220 Connersia Development Evend	0	53,000	53,000	\$53,000
Total - 230 Economic Development Fund		==========	===========	400,000
231 ED DOWNTOWN REVITALIZATION GRANT FUND		050.000	250.200	#250 0D
3510 ED Downtown Revitalization	· · · · · · · · · · · · · · · · · · ·	-359,280		-\$359,280
an a		==========	=======================================	
240 HOTEL/MOTEL TAX FUND				
3800 Travel and Tourism	0	2,000	2,000	
9900 Transfer Accounts	0	2,000	2,000	
Total - 240 Hotel Motel Tax Fund	0	4,000	4,000	\$4,000
	=========	==========	==========	
242 FIRE EQUIPMENT FUND				
2200 Fire/Safety Services	0	-241,000	-241,000	-\$241,000
		==========	=========	
243 REFUND-FIRE LOSS FUND	·	2 9 9 9 9 1 9 1 1 1 1 1 1 1 1 1 1 1 1 1		
1900 General Government/Miscellaneous	, O	0	0	\$0
1900 General Government/Miscendarcous		==========	==========	, .
			ана <u>а</u> на селото на Селото на селото на се	
260 CDBG, CHIS & CHIP GRANT FUND	e e la companya de la			
	0	-372,110	-372,110	н н.
3300 Contracts-Grt.SrvMVPLN	0	-572,110	-012,110	
9900 Transfer Accounts	Υ.	U	U	
		270 440	272 440	-\$372,11(
Total - 260 CDBG, CHIS & CHIP Grant Fund	0	-372,110	-372,110	-\$372,110
	==========			
261 CDBG PROGRAM INCOME FUND		50.000	50.000	¢ = 2 - 0.0/
3300 Contracts-Grt.SrvMVPLN	0	-53,200	1	-\$53,200
		=======		
	-			
270 INDIGENT DRIVERS ALCOHOL FUND				
1800 Municipal Court/Judicial	0	-21,500	-21,500	-\$21,500
	=========	=========		
271 LAW ENFORCEMENT & EDUCATION FUND				
2100 Police/Safety Services	-2,420	-780	-3,200	-\$3,200
· · · · · · · · · · · · · · · · · · ·	========	===========	=========	
	1			
272 COURT COMPUTERIZATION FUND				
1800 Municipal Court/Judicial	0	-2,710	-2,710	
9800 Reimbursements-Shared Expense	0	0	0	
See Commencemente envire Experies				
Total - 272 Court Computerization Fund	0	-2,710	-2,710	-\$2,710
		==========	==========	+-,
and the second				
272 LAW ENEODOEMENT TOUET EUND				
273 LAW ENFORCEMENT TRUST FUND		-1,350	-1,350	-\$1,35
2100 Police/Safety Services	····	- 1,350	-1,350	-91,550

BUDGET SUMMARY BY FUND,	DEFANII		DUAILO	
ORDINANCE No. 088-12, Passed 12/17/2012	For a set of the se	QT BUDGET AD	JUSTMENTS ==	
4TH Quarter Final - Appropriation Budget Adjustments CATEGORY ->	PERSONAL SERVICES	OTHER	TOTAL	FUND <u>TOTAL</u>
274 MANDATORY DRUG FINE FUND 2100 Police/Safety Services	-550	-1,500	-2,050	-\$2,050
275 MUNICIPAL PROBATION SERVICE FUND				
1800 Municipal Court/Judicial	-1,100	-1,000 ========	-2,100 ========	-\$2,100
277 PROBATION OFFICERS GRANT FUND 1800 Municipal Court/Judicial (Various Years)		0	0	\$0
278 COURT SPECIAL PROJECTS FUND 1800 Municipal Court/Judicial	0	0	0	\$0
279 HANDICAP PARKING FINE FUND 1800 Municipal Court/Judicial	0	-1,100	-1,100 =========	-\$1,100
280 CERTIFIED POLICE TRAINING FUND 1800 Municipal Court/Judicial	-1,000	-2,000	-3,000 =======	-\$3,000
281 INDIGENT DRIVERS INTERLOCK AND ALCOHOL MONITOR 2100 Police/Safety Services	0	-2,000	-2,000 =======	-\$2,000
290 POLICE PENSION FUND 2100 Police/Safety Services	1,770	0	1,770 ======	\$1,770
291 FIRE PENSION FUND 2200 Fire/Safety Services	1,250	0	1,250 =======	\$1,250
295 IRS 125 BENEFITS PLAN FUND 1900 General Government/Miscellaneous	0	-21,940 =========	-21,940 ========	-\$21,940
300 GENERAL BOND RETIREMENT FUND 8100 General Obligation Debt Services	0	0	0 =========	\$0
310 SA BOND RETIREMENT FUND 8500 Special Assessment Debt Services	0	-1,000	-1,000 	-\$1,000

BUDGET SUMMARY BY FUND,	DEPARTIV		JUATEG	UKI
ORDINANCE No. 088-12, Passed 12/17/2012	==== 2012 - 4TH G	T BUDGET AD	JUSTMENTS ==	2012
4TH Quarter Final - Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->	SERVICES	OTHER	TOTAL	TOTAL
400 CAPITAL IMPROVEMENT FUND	· · · · · · · · · · · · · · · · · · ·			
1400 Law Director/Administrative	0	-2,000	-2,000	
1500 Finance/Administrative	0	-19,600	-19,600	
1600 Information Systems/Administrative	O``	0	0	
1700 Engineering/City Engineer	0	-14,000	-14,000	
2100 Police/Safety Services	0	-16,200	-16,200	
2200 Fire/Safety Services	0	0	0	
4200 Recreation/Golf Operating	Ō	0	0	
4300 Recreation/Pool Operating	0	-1,600	-1,600	
4400 Recreation/Programs	0	-25,000	-25,000	
4700 Cemetery/Grounds	, o	-780	-780	
5100 Service/Streets Maintenance and Properties	0	-135,350	-135,350	
5200 Service/Garage Rotary	0	0	0	
9900 Transfer Accounts	0	0	o	1
	· · · · · · · · · · · · · · · · · · ·			
Total - 400 Capital Improvement Fund	0 · · · · · · · · · · · · · · · · · · ·	-214,530	-214,530	-\$214,530
		===========	==========	, , ,
the second s			· .	
401 CIP FUNDING RESERVE FUND				
1900 General Government/Miscellaneous	· · · · · · 0 · · ·	0	0	\$0
		===========		1
				1
435 CLAIRMONT AVE.RECONSTRUCTION PROJECT FUND	1. A.			
5100 Service/Streets Maintenance and Properties	0 <sup>-</sup>	0	0	\$0
			==========	1
	•			1
438 SCOTT STREET IMPROVEMENT PROJECT FUND				1
5100 Service/Streets Maintenance and Properties	0	-3,811,930	-3,811,930	-\$3,811,930
		============		
439 HALEY I & I REDUCTION PROJECT FUND				
5100 Service/Streets Maintenance and Properties	0	0	0	\$0
		=========	=========	
440 STEVENSON STREET IMPROVEMENT FUND				
5100 Service/Streets Maintenance and Properties	0	0	0	
9900 Transfer Accounts	0	8,126	8,126	
	unter waar waar saar waar wan unti man jaar laht and shat high shat biga jaht ada.			
Total - 440 Stevenson Street Improvement Fund	0	8,126	8,126	\$8,126
	========	========[		
500 ELECTRIC UTILITY REVENUE FUND				
1520 Finance/Utility Billing	0	-800	-800	
6110 Electric/Operations, Distribution System	-93,440	-62,110	-155,550	
6111 Electric/Purchased Power	0	0	0	
9800 Reimbursement Accounts-Shared Expenses	0	-8,930	-8,930	
9900 Transfer Accounts	0	0	0	
	*************			
Total - 500 Electric Utility Revenue Fund	-93,440	-71,840	-165,280	-\$165,280
			==========	
501 ELECTRIC UTILITY RESERVE FUND	· · · · ·			
6110 Electric/Operations, Distribution System	0 <sub></sub>	0	0	\$0
		========		

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ORDINANCE No. 088-12, Passed 12/17/2012	==== 2012 - 4TH	QT BUDGET AD	JUSTMENTS ==	2012
4TH Quarter Final - Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->	SERVICES	OTHER	TOTAL	TOTAL
502 ELECTRIC UTY. REPLCMNT.& IMPROVEMENT FUND		· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	·····
6110 Electric/Operations, Distribution System	0	0	0	\$0
		========		<b>*</b> -
503 ELECTRIC DEVELOPMENT FUND			· · · · ·	
6110 Electric/Operations, Distribution System		0		
	· · · · · · · · · · · · · · · · · · ·	0		
9900 Transfer Accounts	· · ·			
				¢ο
Total - 503 Economic Development Fund		U	U	\$0
		=========		
510 WATER REVENUE FUND				and the second
1520 Finance/Utility Billing	0:	0	0	
6200 Water/Treatment Plant Operations	0	0	0	
6210 Water/Distribution System	0	0	0	
9800 Reimbursement Accounts-Shared Expenses	0	-13,670	-13,670	
9900 Transfer Accounts	0	0	0	
			** - *	
Total - 510 Water Revenue Fund	0	-13,670	-13,670	-\$13,670
511 WATER DEPRECIATION RESERVE FUND				
6210 Water/Distribution System	0	-6,120	-6,120	-\$6,120
oz to water/Distribution oystem		==========	=========	+ + 3
512 WATER DEBT RESERVE FUND	· · · ·			
		0	n i	\$0
8300 Revenue Funds Debt Services				ΨŬ
en e				
513 WATER OWDA BOND RETIREMENT FUND		100	100	-\$190
8300 Revenue Funds Debt Services	0,	-190	-190	-2120
and a second	========	==========		
514 WATER TOWER PAINTING & IMPROVEMENT FUND				
6200 Water/Treatment Plant Operations	0	-60,910	-60,910	
9900 Transfer Accounts	0	0	0	
Total - 514 Water Tower Paint & Imp.Fund	0	-60,910	-60,910	-\$60,910
	=========	==========		
519 WATER PLANT RENOVATION & IMPROVEMENT PROJE	СТН			
6200 Water/Treatment Plant Operations	0	-1,782,100	-1,782,100	
9900 Transfer Accounts	0	0	0	
Total - 519 Water Plant Ren.& Imp.Prj.Fund	0	-1,782,100	-1,782,100	-\$1,782,100
		=======================================		. , .
520 SEWER (WWT) UTILITY REVENUE FUND				
1520 Finance/Utility Billing	0	-320	-320	
	-28,810	-151,240	-180,050	
6300 Sewer(WWT)/Treatment Plant Operations	-28,810	-18,740		
6310 Sewer(WWT)/Collection System		-20,200		
6311 Sewer(WWT)/Cleaning, Imp. (SSO & CSO)	-3,560			
9800 Reimbursement Accounts-Shared Expenses	0	-23,320	-23,320	
9900 Transfer Accounts	0	0	0	
				<b>AA</b> ( <b>H A-</b> -
Total - 520 Sewer (WWT) Uty. Revenue Fund	-33,870	-213,820	-247,690	-\$247,690
	=========		================	

2012-BUDGET-ORDINANCE-06-FINAL

# EXHIBIT-A ATTACHMENT TO ORDINANCE No. 088-12

		A REAL PROPERTY OF A REAL PROPERTY OF A		1 A
ORDINANCE No. 088-12, Passed 12/17/2012	==== 2012 - 4TH (	T BUDGET ADJ	USTMENTS ==	2012
4TH Quarter Final - Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->	SERVICES	OTHER	TOTAL	TOTAL
521 SEWER (WWT) UTY.REP. & IMP. FUND				
6300 Sewer(WWT)/Treatment Plant Operations	0	-64,100 ========	-64,100 =======	-\$64,10
522 SEWER (WWT) UTILITY RESERVE FUND				
8300 Revenue Funds Debt Services	0	-19,900	-19,900	-\$19,90
· · · · · · · · · · · · · · · · · · ·		==========		
523 OWDA SA DEBT RETIREMENT FUND	· · · · · · · · · · · · · · · · · · ·			
8600 Special Assessment Debt Services (OWDA)	0	-4,450	-4,450	-\$4,45
		========	===========	
560 SANITATION (REFUSE) REVENUE FUND				
1520 Finance/Utility Billing	0	-160	-160	
6400 Sanitation(Refuse)/Collection and Disposal	-2,810	0	-2,810	
6410 Sanitation(Refuse)/SRS-Seasonal Pickup Program	-1,200	-9,130	-10,330	
5411 Sanitation(Refuse)/SRS-Yard Waste Site	-1,200	-1,500	-2,700	
6412 Sanitation(Refuse)/SRS-Mosquito Control	0	0	0	
5420 Sanitation(Refuse)/Recyling Programs	0	0	0	
9800 Reimbursement Accounts-Shared Expenses	0	-2,070	-2,070	
9900 Transfer Accounts	0	0	0	
Total - 560 Sanitation(Refuse) Revenue Fund	-5,210	-12,860	-18,070	-\$18,07
	<u> </u>			
561 SANITATION (REFUSE) DEPRECIATION RESERVE FUND				
6400 Sanitation(Refuse)/Collection and Disposal	0	-42,000	-42,000	-\$42,00
580 METER DEPOSITS (ELECTRIC & WATER) FUND				
3500 Meter Deposits/Unapplied Cash	0	-20,000	-20,000	-\$20,00
500 CENTRAL GARAGE/FUEL ROTARY FUND				
5200 Service/Central Garage	0	0	0	
5600 Service/Fuel Purchase Rotary	0	-36,740	-36,740	
Total - 600 Central Garage/Fuel Rotary Fund	0	-36,740	-36,740	-\$36,74
		==========		
				an ang san han yan ang han tak san tau tau tau tau kan san ang kan san ang san san san san san
* GRAND TOTAL - ALL FUNDS	-\$358,820	-\$7,548,092	-\$7,906,912	-\$7,906,91
and the second			J	

#### **RESOLUTION NO. 089-12**

### A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES FROM RESPECTIVE FUNDS TO OTHER FUNDS PER SECTION 5705.14 ORC ON AN AS NEEDED BASIS IN FISCAL YEAR 2012, LISTED IN EXHIBIT "A" (TRANSFER 4); 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; and,

**WHEREAS**, Council previously authorized such a transfer in Resolution Numbers 090-11; 028-12; and, 052-12 however, another transfer is necessary; Now Therefore,

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

Section 1. That, pursuant to Section 5705.15 of the ORC and this Resolution, the Finance Director is hereby authorized and directed to transfer monies among the various funds on an as needed basis in Fiscal Year 2012 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.

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

John A. Helberg, Council President

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

Ronald A. Behm, Mayor

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

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 089-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_, '', & 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, Clerk/Finance Director

	2012 APPROPRIATION BUDGET - TRANSFER		
	2012 APPROPRIATION BUDGET - TRANSFER		~ .
	RESOLUTION No. 089-12, Passed 12/17/2012		
	4th Qt.Adjustments - 2012 TRANSFER OF FUNDS - No. 4	= TRANSFER	AMOUNTS =
	FUND NAME, FROM - TO, PURPOSE	FROM	
FROM:	100 GENERAL FUND	-\$164,000	
TO:	200 STREET (SCM&R) FUND		-\$164,000
	Subsidize Street SCM&R Programs due to insufficient funds from G	asoline Tax and	License Fees.
EDOM.	100 GENERAL FUND	\$14,520	
	600 CENTRAL FOND	\$14,520	\$14,520
		e Fund	φ1 <del>4</del> ,520
Purpose:	Subsidize Operating Expenditures of Central Garage Rotary Charge	S Fund.	· •
FROM:	170 MUNICIPAL INCOME TAX FUND	\$107,480	· ·
TO:	100 GENERAL FUND		\$107,480
Purpose:	Net Transfer (62%) of Income Tax Receipts to 100 General Fund.	· · ·	
FROM	170 MUNICIPAL INCOME TAX FUND	\$24,850	
	220 RECREATION FUND	φ24,000	\$24,850
	Net Transfer of Income Tax Levy Receipts to 220 Recreation Fund.	,	φ24,000
ruipose.			
FROM:	170 MUNICIPAL INCOME TAX FUND	\$65,880	
TO:	400 CAPITAL IMPROVEMENT FUND		\$65,880
Purpose:	Net Transfer (38%) of Income Tax Receipts to 400 CIP Fund.		•
EDOM.		\$13,000	
	180 KWH TAX COLLECTION (GF) FUND 100 GENERAL FUND	\$15,000	\$13,000
	Transfer of Net Balance of KWH Tax Funds into the General Fund.		φ10,000
ruipose.	Tansier of Net Balance of NWIT Tax I drug into the General I dru.		1
FROM:	195 LAW LIBRARY FUND	\$750	
TO:	100 GENERAL FUND	,	\$750
Purpose:	Transfer of City Share for Highway Patrol Fine Monies per ORC.		· · ·
EDOM.	223 SPECIAL EVENTS FUND (123)	\$5,503	
	123 SPECIAL EVENTS FUND (123)	\$0,000	\$5,503
	Renumber Fund from 223 to 123 to meet GAAP reporting standards	move halance	
ruipose.			10 110 120 1 01
FROM:	230 ECONOMIC DEVELOPMENT FUND (130)	\$53,000	
TO:	130 ECONOMIC DEVELOPMENT FUND (230)		\$53,000
Purpose:	Renumber Fund from 230 to 130 to meet GAAP reporting standards	, move balance	to New 130 Fur
FROM	240 HOTEL-MOTEL TAX FUND	\$2,000	. :
	100 GENERAL FUND	÷	\$2,000
	3% City Share of Total Collections, per Ordinance to 100 General Fu	und.	+,

EXHIBIT-A ATTACHMENT TO RESOLUTION No. 089-12

2012 APPROPRIATION BUDG	ET - TRANSFER OF FUNDS	
RESOLUTION No. 089-12, Passed 12/17/2	The second secon	
4th Qt.Adjustments - 2012 TRANSFER OI		·
FUND NAME, FROM - TO, PURPOSE	FROM	<u><u>TO</u></u>
FROM: 440 STEVENSON ST IMPROVEMENT PRO	OJECT FUND \$4,275	
TO: 400 CAPITAL IMPROVEMENT FUND		\$4,275
Purpose: Move Balance of Advanced Project Local S	hare Funds Back to Fund of Origination.	
FROM: 440 STEVENSON ST. IMPROVEMENT PRO	OJECT FUND \$1,008	
TO: 514 WATER TOWER PAINTING & MAINTE	ENANCE FUND	\$1,008
Purpose: Move Balance of Advanced Project Local S	hare Funds Back to Fund of Origination.	
FROM: 440 STEVENSON ST IMPROVEMENT PRO	OJECT FUND \$2,843	
TO: 520 SEWER (WWT) REVENUE FUND		\$2,843
Purpose: Move Balance of Advanced Project Local S	hare Funds Back to Fund of Origination.	
FROM: 500 ELECTRIC REVENUE FUND	\$8,900	
TO: 180 KWH TAX COLLECTION (GF) FUND	······································	\$8,900
Purpose: Transfer to 180 kWH Tax Fund, 100 Genera	al Fund share of kWH Tax.	
FROM: 520 SEWER (WWT) REVENUE FUND	\$32,790	
TO: 438 SCOTT STREET IMPROVEMENT PRO	· · · · · · · · · · · · · · · · · · ·	\$32,790
Purpose: City Share of Street Improvement Project G		<i><b>QOL</b>,100</i>
Turpose, only onare of orect improvement roject o		
	· · · · · · · · · · · · · · · · · · ·	**************************************
TOTALS - FROM	\$172,799	
TOTALS - TO		\$172,799
		=======

#### **ORDINANCE NO. 090-12**

#### AN ORDINANCE AMENDING ORDINANCE NO. 078-12 WHICH ESTABLISHED A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, TO INCLUDE THE PUBLIC WORKS DIRECTOR AND TO LOWER THE BOTTOM PAY SCALE OF THE EXECUTIVE ASSISTANT TO APPOINTING AUTHORITY; AND DECLARING AN EMERGENCY

**WHEREAS**, Council reviewed the proposed Year 2013 annual appropriation measure and finds, in general, as it relates to its most non-bargaining employees of this City of Napoleon, Ohio, that a compensation increase of 2% more or less is generally warranted in pay steps and/or pay scales; and,

**WHEREAS**, Council reviewed the proposed Year 2013 annual appropriation measure and finds, as it relates to the positions of City Manager, Finance Director, and Law Director, that a compensation increase of 2% in bi-weekly salary calculated from the amount that which would have otherwise been received in the year 2013 is warranted in pay scales; and,

**WHEREAS**, Council is desirous of adopting a new Classification Pay Plan for its non-bargaining employees; Now Therefore,

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

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio, ("this City") establishes a new Position Classification Pay Plan for its non-bargaining municipal employees.

Section 2. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the pay scale (steps) for this City's non-bargaining hourly paid employees (full time) shall be leveled, unless modified, as provided in the table found in this §2 (expressed in base hourly amounts). Subject to the provisions of this City's Personnel Code, the Employment Policy Manual PM2001-1, and §3 of this Ordinance, the Department Director (Appointing Authority) may place any employee affected by this Ordinance at the level of compensation the Department Director deems appropriate.

Title		В	С	D
Clerk-Typist II	\$11.31	\$12.39	\$13.30	\$14.27
Receptionist	12.79	13.97	14.99	16.10
Records Clerk/Recorder	14.06	15.35	16.50	18.94
Account Clerk I	11.31	12.14	12.75	13.49
Account Clerk II	14.06	15.35	16.50	17.81
Civil Engineering Technician	17.15	18.75	20.08	21.55

Senior Engineering Technician	20.36	22.32	23.89	25.63
Zoning Administrator (Building/Zoning Administrator)	22.28	24.36	26.10	27.99
Distribution Services Supervisor	24.71	27.04	29.00	31.09
Electrical Construction/Maintenance Inspector	24.71	27.04	29.00	31.09
Chief Water Treatment Operator	20.36	22.32	23.89	25.63
Chief Wastewater Treatment Operator	20.36	22.32	23.89	27.00
Construction Inspector	22.28	24.36	26.10	28.68
Sanitation Foreman	17.15	18.75	20.08	21.55
Police Lieutenant	25.48	27.25	28.52	29.95
Accounts Payable Clerk	14.06	15.35	16.50	17.81
Administrative Assistant	15.60	17.12	18.39	19.80
Senior Account Clerk	15.60	17.12	18.39	21.73
Senior Electric Engineering Technician	20.36	22.32	23.89	25.63
Service Building Secretary	11.31	12.14	12.75	13.49
Tax Administrator	15.97	17.49	18.75	22.25
Utility Billing Supervisor	15.97	17.49	18.75	20.08
Assistant Chief of Fire/Rescue Department	15.13	16.34	17.37	18.39
Staff Engineer	18.93	20.77	22.32	23.98

Section 3. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, each non-bargaining employee (full time regular) (hourly) holding such a position, subject to Employment Policy Manual PM2001-1 Policy §8.10 (compensation reviews), is eligible on such employee's annual hiring anniversary date of uninterrupted full time service with this City, to be advanced one (1) step in the pay plan until the maximum step is reached. The non-bargaining employee's (full time regular) (hourly) step location prior to advancement in this "New Pay Plan" shall be determined by contrasting employee's base hourly rate said employee received prior to the enactment of this Ordinance with the table found in §2 of this Ordinance for the respective year. For new hires the Appointing Authority may place an employee within the scale where the Appointing Authority deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay. Step increases for transfer employees shall be in accordance with §197.09(e) of the Personnel Code. A mere reclassification of a current position, where job duties are substantially the same, does not constitute a transfer. Notwithstanding any other provision of this Pay Plan, the Zoning Administrator shall receive a bonus to be pro-rated over the calendar year of Five Hundred (\$500.00) Dollars for each certification he or she holds, as follows: an Ohio Residential Building Official; Ohio Residential Plumbing Inspector; and, Ohio Electrical Safety Inspector. Notwithstanding any other

provision of this Pay Plan, the Assistant Chief of the Fire/Rescue Department shall receive a bonus to be pro-rated over the calendar year of *Two Thousand* (\$2,000.00) *Dollars* for Ohio paramedic certification and services related thereto. Notwithstanding any other provision of this Pay Plan, the Staff Engineer of the City's Engineering Department shall receive an additional *One* (\$1.00) *Dollar* per hour over and above the established base hourly rate upon successful passage of examinations as administered by the National Council of Examiners for Engineering and Surveying (NCEES), except for the Professional Engineer license (in Ohio) which shall be an increase of *Two* (\$2.00) *Dollars* per hour over and above the established base hourly rate upon attainment thereof.

Section 4. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the Pay Scale for non bargaining employee (salaried) (full time) positions of this City, not covered or otherwise exempt under the Fair Labor Standard Act (FLSA) as it relates to overtime, shall be leveled, unless modified, as provided in the table found in this §4 (expressed in base biweekly salary amounts). Subject to the provisions of this City's Personnel Code, the Employment Policy Manual PM2001-1, and §5 of this Ordinance, the Department Director (Appointing Authority) may place any employee affected by this Ordinance at the level the Department Director deems appropriate.

Title	Bottom of Scale	Top of Scale
Assistant to the City Engineer	\$1718.65	\$2391.19
City Engineer	2443.00	3774.19
Parks and Recreation Director/Cemetery Sexton	1645.87	2722.20
Water Superintendent	1903.32	2912.12
Wastewater Superintendent	1903.32	2912.12
Electrical Engineer	1960.10	2739.36
Electric Distribution Superintendent	2144.46	2998.96
Operations Superintendent	1885.18	2624.10
Fire Chief	2239.63	3140.92
Chief of Police	2239.63	3140.92
Golf Course & Grounds Superintendent	1816.18	2323.23
Municipal Court Clerk (see Sec. 11 of this Ordinance)	1719.31	1753.70
Assistant Finance Director	1723.15	2584.73
Management Information System Administrator (MIS)	1779.32	2399.72
Human Resources Director	2028.66	2929.63
Public Works Director	3932.38	4011.03

That, effective with the first pay period for the Year 2012, that Section 5. commences on or about December 24, 2012, each non bargaining employee (salaried) (full time) position of this City as defined in §4 of this Ordinance, is eligible to have a minimum salary increase of 2% for Year 2013, subject to Employment Policy Manual PM2001-1 Policy §8.10 (compensation reviews), calculated from what the employee is making at the time just prior to the proposed increase period. In no event shall any increase place the employee above the top scale as established in §4 of this Ordinance. For new hires or current employees the Department Director (Appointing Authority) may place an employee, at anytime, within the scale where the Department Director deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay. NOTWITHSTANDING THE ABOVE, THE PUBLIC WORKS DIRECTOR, IN ADDITION TO THE BI-WEEKLY SALARY AND ANY LONGEVITY RECEIVED BY THE CITY ENGINEER, THERE SHALL BE THE BI-WEEKLY AMOUNT OF THREE HUNDRED EIGHTY-FOUR DOLLARS AND *62/100 (\$384.62)*.

Section 6. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the pay scale for non bargaining employee (salaried) (full time) positions of this City, defined as non-exempt under the Fair Labor Standard Act (FLSA) as it relates to overtime, shall be leveled, unless modified, as provided in the table found in this §6 (expressed in base biweekly salary amounts). Subject to the provisions of this City's Personnel Code, the Employment Policy Manual PM2001-1 and §7 of this Ordinance, the Department Director (Appointing Authority) may place any employee affected by this Ordinance at the level the Department Director deems appropriate. Notwithstanding any ordinance, resolution, provision of this City's Personnel Code or policy to the contrary, any overtime as it relates to non-exempt salaried employees as found in this §6 shall be calculated on a 40 hour work week and not an 8 hour day. In the case of the Chief Probation Officer, level placement shall be controlled by Section 14 of this Ordinance and subject to the provisions found in Section 14; moreover, flexible time shall be permitted at the discretion of the Municipal Court Judge as it relates to the Chief Probation Officer; finally, the Chief Probation Officer shall not accrue overtime without the express consent of the Municipal Court Judge.

Title	Bottom of Scale	Top of Scale
Executive Assistant to Appointing Authority	\$ <b>1515.20</b>	\$1738.00
	<del>1542.70</del>	
Chief Probation Officer (see Sec.14 of this Ordinance)	\$1285.60	\$1285.60

Section 7. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, each non bargaining employee (salaried) (full time) positions of this City, defined as non-exempt under the Fair Labor Standard Act (FLSA) as it relates to overtime and as found in §6 of this Ordinance, is eligible to have a minimum salary increase of 2% for Year 2013, subject to Employment Policy Manual PM2001-1 Policy §8.10 (compensation reviews), calculated from what the employee is making at the time just prior to the proposed increase period; however, in no event shall any increase place the employee above the top scale as established in §6 of this Ordinance. For new hires or current employees the Department Director (Appointing

Authority) may place an employee, at anytime, within the scale where the Department Director deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay.

Section 8. That, effective with the first pay period of the Year 2013, that commences on or about December 24, 2012, the pay scale (steps) for part time, permanent part time and temporary employees of this City shall be leveled, unless modified, as provided in the table found in this §8, except when Federal or State minimum wage of a higher amount is required, then the higher amount of the Federal or State minimum wage shall apply. Subject to the provisions of this City's Personnel Code and Employment Policy Manual PM2001-1, the Department Director (Appointing Authority) may place any employee affected by this Ordinance at the level the Department Director deems appropriate within the scale. Employment Policy Manual PM2001-1 Policy §8.10 (compensation reviews), is applicable only to permanent part time employees.

Title	Bottom of Scale	Top of Scale
Clerk-Typist I (Part Time)	\$9.10	\$11.83
Golf Course Club House Attendant (Part Time)	7.45	12.93
Life Guard (Part Time)	7.45	12.93
Seasonal Laborer – Other	7.45	12.93
Parks Maintenance Worker (Part Time)	7.45	12.93
Recreational Worker (Part Time)	7.45	12.93
Probationary/Trainee Fire Fighter/EMT	8.00	11.73
All Fire/Rescue Department (Part Time)	11.60	15.32
Legal Clerk (Temporary)	13.09	20.01
Income Tax/Collection Clerk (Part Time)	9.10	15.28
"Construction Engineer" (Temporary) Engineer Department	37.14	37.88
Construction Inspector (Temporary)	12.24	12.48

Section 9. All paid part time, permanent part time, and temporary employees of this City shall, effective with the first pay period of the Year 2013, that commences on or about December 24, 2012, have a minimum hourly base pay increase of 2% for Year 2013 calculated from what the employee's base rate was just prior to this proposed increase. Only Permanent part time employees are subject to Employment Policy Manual PM2001-1 Policy §8.10 (compensation reviews), when applicable. Part time employees of the Fire/Rescue Department will remain on probationary/trainee status until removed by the City Manager upon recommendation of the Fire Chief. For new hires or current employees of this City, the Appointing Authority may place an employee within the scale where the Appointing Authority deems appropriate considering merit and

fitness. Nothing in this section shall be construed to prohibit a decrease in pay. The non full time status positions found in the table in §8 of this Ordinance (i.e. temporary part time or permanent part time) may be modified by the Appointing Authority at anytime, except that Council shall approve any modification to a full time status.

Section 10. That, compensation for employees' appointments made in order to fill temporarily vacant positions shall be at a rate established by the Department Director (Appointing Authority), except that it shall not exceed the top pay scale established in this Ordinance for the position being filled. Temporary positions being filled by temporary employees for whom no pay scale has been established shall be at a pay scale established by the Department Director (Appointing Authority) by comparing the temporary position created to the most similar position established within the same department that is utilizing the temporary employee. In the event no such similar position exists, then it shall be paid in an amount as determined appropriate by the Department Director so long as the amount paid may be accomplished without exceeding the department's annual budget.

Section 11. That, notwithstanding any section of this Ordinance to the contrary, compensation of the Clerk of the Napoleon Municipal Court shall be as found in §4 of this Ordinance unless otherwise set by the Municipal Court Judge pursuant to ORC §1901.31 (C).

Section 12. That, compensation for the Chief Deputy Clerk and all other Deputy Clerks of the Napoleon Municipal Court shall be as set by the Clerk of the Napoleon Municipal Court pursuant to ORC §1901.31 (H). Longevity for full time Deputy Clerks shall be as set by Ordinance or Resolution. A Chief Deputy Clerk shall be considered a Deputy Clerk for longevity purposes.

Section 13. That, the compensation for Municipal Court Bailiff and/or Deputy Bailiff shall be established by the Municipal Court pursuant to ORC 1901.32.

Section 14. That, the position of Chief Probation Officer as established in and for this City of Napoleon for the Napoleon Municipal Court shall be considered a full time regular employee having a salary –non-exempt status. The job description as included in this City's Position Classification Plan as prepared and/or revised by the Municipal Court Judge is continued to be approved by this Council. The Chief Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Chief Probation Officer's salary at any time so long as within the limits of the CCA Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Chief Probation Officer's pay and benefits exceed the amount of the CCA Grant or as otherwise may be supplemented by the Municipal Court. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.

Section 15. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Manager of this City shall be *Four Thousand and Ten dollars and 82/100 (\$4,010.82)* and continue as such each year thereafter, so long as employed, unless modified by Council.

Section 16. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Finance Director of this City shall be *Three Thousand Four Hundred and Twenty-five dollars and* 

09/100 (\$3,425.09) and continue as such each year thereafter, so long as employed, unless modified by Council.

Section 17. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Law Director of this City shall be *Two Thousand Fife Hundred and Ten dollars and 76/100* (\$2,510.76) and continue as such each year thereafter, so long as employed, unless modified by Council.

Section 18. That, all positions and/or classifications found in this Ordinance shall be deemed created, established, and existing in and for the City of Napoleon, Ohio. The status of part time employees may be further defined by the Department Director (Appointing Authority) as permanent part time, temporary, seasonal, or intermittent employees without affecting the compensation status as stated in this Ordinance. Nothing in this Ordinance shall be construed as mandating that each and every position and/or classification be filled by this City.

Section 19. That, those employees who are covered by collective bargaining agreements shall be paid in accordance with the respective collective bargaining agreement.

Section 20. That, all compensation paid under this Ordinance is subject to appropriation of funds by the Council.

Section 21. That, the Finance Director may adjust compensation for all affected employees to meet the intent of this Ordinance.

Section 22. That, all pay scales reflected in this Pay Plan shall be rounded, utilizing the five rule, to the nearest penny.

Section 23. That, no position mentioned in this Ordinance shall receive longevity benefit unless specified in this City's adopted longevity plan unless otherwise specifically provided for herein, or except as may be permitted by the City's longevity policy.

Section 24. That, Ordinance No. 091-11 and Ordinance No. 098-11 is repealed in its entirety effective December 24, 2012.

Section 25. 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 26. 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 27. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force

and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

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

John A. Helberg, Council President

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

Ronald A. Behm, Mayor

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

Attest:

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. 090-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_; & 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, Clerk/Finance Director

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#### **RESOLUTION NO. 085-12**

#### A RESOLUTION AUTHORIZING BOND COUNSEL TO AMEND THE PURPOSE STATEMENT OF THE \$1,800,000.00 ISSUANCE OF BONDS FOR THE CITY OF NAPOLEON'S WATER SYSTEM TO ALSO INCLUDE THE DESIGN, ENGINEERING, AND BUILDING OF A NEW WATER TREATMENT PLANT AND DECLARING AN EMERGENCY

**WHEREAS**, the City of Napoleon, in Ordinance 029-12, issued \$1.8 million in the anticipation of issuing bonds for the purpose of improving the municipal water system; and,

**WHEREAS**, the City of Napoleon desires to include the design, engineering, and building of a new water treatment plant to the purpose statement of the \$1.8 million bonds; **Now Therefore**,

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

Section 1. That, the City of Napoleon authorizes bond counsel to amend the purpose statement of the \$1.8 million issuance of bond to the effect that the "purpose of paying the costs of improving the municipal water system *IN THE DESIGN*, *ENGINEERING, AND BUILDING OF A NEW WATER TREATMENT PLANT AND/OR* by improving and rehabilitating the water treatment plant and related storage facilities and rehabilitating the Vocke Street water tower, and providing all necessary and related appurtenances thereto".

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 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, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

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 expeditiously eliminate a condition related to public peace, health or safety accessible to our citizens; 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: \_\_\_\_\_

John A. Helberg, Council President

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

Ronald A. Behm, Mayor

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

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 085-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_; & 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, Clerk/Finance Director

#### **RESOLUTION NO. 079-12**

#### A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AUTHORIZING A DEPARTMENT DIRECTOR TO TAKE BIDS ON CERTAIN PROJECTS, SERVICES, EQUIPMENT, MATERIALS, OR SUPPLIES WITHOUT THE REQUIREMENT FOR ADDITIONAL LEGISLATION TO DO SO IN THE YEAR 2013; AND DECLARING AN EMERGENCY

**WHEREAS**, each year from time to time, a Department Director (City Manager, City Finance Director, or City Law Director) is required to come to Council for authority to take bids for certain projects, services, or the purchase or lease of equipment, materials or supplies used in the City operations; and,

**WHEREAS**, in order to provide a more feasible, economical, and expedited method of bidding procedures, it is deemed necessary to give to the above mentioned Department Directors authority to bid such projects, services, equipment, materials, or supplies without the necessity of continued legislation; **Now Therefore**,

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

That, the City Manager, City Finance Director, and City Law Director, for Section 1. their respective departments, subject to Council's approval as to the specifications, plans, agreements, and other related bid documents when applicable, are hereby authorized to advertise and receive bids or take proposals as applicable for the projects, services, equipment, materials, or supplies that are anticipated to be in excess of \$25,000.00 as listed in attached Exhibit "A", (such exhibit being incorporated into this Resolution by attachment and made a part hereof), without the necessity of further legislation in the year 2013; further, Council finds that the expenditure of funds in excess of \$25,000.00 for each project, service, equipment, material, or supply listed in said Exhibit "A", is necessary and authorized, subject to an approved motion of Council permitting the respective Department Director to make award. If a contract for said project, service, equipment, material, or supply is awarded to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awardee subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director. In the case of a non-competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awarded subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director

Section 2. That, Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City as it relates to the projects identified in Section 1 of this Resolution; moreover, Council may waive any informalities in the bidding process.

Section 3. That, Chapters 105 and 106 of the Codified Ordinances of Napoleon, Ohio, shall continue to be applicable to any projects, services, equipment, materials, or supplies listed in attached Exhibit "A"; moreover, nothing in this Resolution shall be construed as limiting the Department Directors in making purchases or contracting for services in any manner as provided for in said Chapters, statutory law or as otherwise provided by Council. When competitive bidding is required for any project, service, equipment, material or supply as a matter of law, it shall be utilized unless otherwise eliminated by act of Council. When quality based selection is required for any project listed in Exhibit "A" for architectural, engineering, or construction management services as a matter of law, then the quality based selection process shall be utilized unless otherwise eliminated by act of Council. Also, Council hereby finds that the expenditure of funds in excess of \$25,000.00 for each architectural, engineering, or construction management service as found in Exhibit "A" is necessary and approved as a proper public expenditure of funds, subject to approved motion of Council permitting the Department Director to make the award. Finally, the combining of projects, or the contracting the purchase of services, equipment, materials, or supplies is permitted of any project or item listed in Exhibit "A" without necessity of further authorization by Council.

Section 4. That, a Department Director is authorized to use this Resolution for authority for said bids and/or purchases as contained in this Resolution.

Section 5. That, any item listed in attached Exhibit "A" may be leased in lieu of purchasing when deemed appropriate by the respective Department Director.

Section 6. That, all leases, purchases and contracts for projects, services, equipment, materials, or supplies is subject to appropriation and certification of funds.

Section 7. That, any trade-ins shall be controlled by §107.05(c) of the Codified Ordinances of Napoleon, Ohio, as may be amended from time to time.

Section 8. 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 \$121.22 of the Ohio Revised Code and the Codified Ordinances of the City of Napoleon, Ohio.

Section 9. That, if any other prior resolution or ordinance 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 10. 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 the timely purchase of materials, supplies, equipment or services essential to provide 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.

Passed: \_\_\_\_\_\_\_ John A. Helberg, Council President
Approved: \_\_\_\_\_\_\_ Ronald A. Behm, Mayor
VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain
Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 079-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; & 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, Clerk/Finance Director

#### ITEMS AUTHORIZED FOR BID:

- ⇒ **1600 MIS** Servers and Computers
- ⇒ **1700 ENGEERING/CITY ENGINEER** Pickup Truck
- ⇒ 2100 Police/Safety Services 2 Patrol Cars
- ⇒ 2200 FIRE/SAFETY SERVICE SCBA Replacement (Air Packs) Fire Station Improvements

#### $\Rightarrow$ 5100 - Service/Streets And Improvements

Road and Street Resurfacing Annual Program Salt (Ice and Snow Removal) Roadside Mowing Contracts Sidewalk and Curb Repair/Replacement Dump Truck Replacement Scott Street Improvements Miscellaneous Street Striping Downtown Parking Lot Improvements Scott Street Underpass Bike Paths Canal Basin Resurfacing Project

#### $\Rightarrow$ 6110 - Electric/Operations & Distribution

Pole Replacement Program Transformers (Inventory Replacement) Substations Relay Testing - North Side, Glenwood, South Side, Industrial Electrical Underground and Overhead Upgrades Traffic Signal Upgrades Substation 69kV Air Break Switch Industrial Substation Feeders Substation Service Truck GIS System Vehicle - Meter Reader Pickup Truck Oil Containment (Spec)

#### $\Rightarrow$ 6200 - Water/Treatment Plant

Cleaning of Sludge Lagoons Water Tower Painting and Maintenance WTP Build (Design)

#### 2013 Appropriation Budget - Annual Bid List In Excess of \$25,000.00 Exhibit "A"

#### $\Rightarrow$ 6210 - Water/Distribution System

Water System Supplies Chemicals (Water and Wastewater Plants) Chemicals (Miex Resin and Salt) Valve Exercising and Replacement Program Hudson Street Waterline Improvements

#### $\Rightarrow$ 6300 - Sewer (WWT) / TREATMENT PLANT

L.T.C.P. Updates - Sewer Improvement Rebuild of #1 Mechanical Screen #2 UV Reactor 2 Effluent Pumps

#### $\Rightarrow$ 6310 - Sewer/Collection System

Sanitary Sewer Repairs
Haley Avenue Interceptor I/I Reduction Project (LTCP Project No. 17B)
 (Construction)
Ohio Street Sanitary Sewer Upgrades
Kenilworth Area I/I Project (LTCP #16B) (Construction)
Oberhaus Interceptor I/I Project (LTCP #21A) (Design)
Southside I/I Project (LTCP #20A1) (Design)

#### $\Rightarrow$ 6420 - Sanitation/Recycling

Recycling Services Contract New Packer Truck Landfill Contract Brush Grinding Concrete Grinding Chemicals, Mosquito Control

#### **RESOLUTION NO. 080-12**

#### A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 IN AND FOR THE YEAR 2013 AS IT RELATES TO REOCCURRING COSTS ASSOCIATED WITH THE OPERATION OF THE CITY, FOR PAYMENT OF EXPENSES, AND FOR PURCHASES ASSOCIATED WITH VENDORS UTILIZED BY MULTIPLE DEPARTMENTS WITHIN THE CITY; ELIMINATION OF NECESSITY OF COMPETITIVE BIDDING IN AND FOR THE YEAR 2013 AS IT RELATES TO CERTAIN TRANSACTIONS; DECLARING AN EMERGENCY

WHEREAS, the City each year has reoccurring costs associated with the conducting of business with groups or associations established for or on behalf of the political subdivisions or instrumentalities of the State, which annually exceed \$25,000.00; and,

**WHEREAS**, the City each year has reoccurring costs associated with the conducting of business, many which result in mandatory payments or merely occurs as a result of the method of accounting utilized by the City's Finance Department; and,

**WHEREAS**, for convenience and efficiency, purchase orders are annually written to vendors by multiple departments of the City with a combined total that exceeds \$25,000.00; Now Therefore,

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

Section 1. That, the expenditure of funds by the City in excess of \$25,000.00, in and for the year 2013, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits from the following:

American Municipal Power, Inc.	For:	Contracted Power Purchase and Services
BORMA Benefit Plans	For:	Insurance Premiums (Health)
Public Entities Pool (PEP)	For:	Insurance Premiums (Property & Casualty)
CIC of Henry County, Ohio	For:	Economic Development Services
Defiance County Landfill	For:	Sanitation Dumping Services
Henry County Auditor	For:	Auditor Assessment Fees
Henry County EMA	For:	Emergency Management Agency
Henry County Engineer	For:	Engineering Shared Projects
Henry County Landfill	For:	Sanitation Dumping Services
Henry County Regional		
Water/Sewer District	For:	Payments for Water Collections
James G. Zupka, CPA, Inc.	For:	Annual Auditing Services
John Donovan - Law Librarian	For:	Law Library Payments
Maumee Valley Planning	For:	CHIS/CHIP Grant Administration
Napoleon/Henry County		
Chamber of Commerce	For:	Tourist Bureau
Ohio Bureau of Workers Compensation	For:	Employee Worker's Comp. Insurance Coverage
Ohio Police Pension Fund	For:	Police Pension Payment

Ohio Fire Pension Fund	For:	Fire Pension Payment
Ohio Public Employers Retirement System	For:	Pension Payments
Treasurer State of Ohio	For:	Various Items

Section 2. That, the expenditure of funds by the City in excess of \$25,000.00, in and for the year 2013, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification:

Calfee, Halter & Griswold, LLP Cedar Point Accounting Dept. City of Napoleon, Garage Rotary City of Napoleon, Income Tax City of Napoleon, Payroll City of Napoleon, Rescue City of Napoleon, Utility City of Napoleon, Utility City of Napoleon, Utility City of Napoleon, Utility Embarq Farmer and Merchant's State Bank Huntington National Bank Napoleon, Inc. Napoleon Area Schools National City Bank Ohio Gas Company Ohio Water Development (OWDA) OMEGA JV5/Amp-Ohio Inc. OMEGA JV6/Amp-Ohio Inc. Orica Water Care, Inc. Rescue-Township Charges (EMS) **Robinson Salt** Schonhardt and Associates Service Organization, Inc. Smart Bill, LTD Squires, Sanders and Dempsey Treasurer State of Ohio **US Bank** 

For: Specialized Legal Services For: Tickets for Resale For: Garage Rotary Services For: Refunds of Income Taxes For: Payroll Postings For: Township Portion of EMS Revenues For: Meter Deposit Refunds For: Utility Services For: Water and Sewer Refunds For: Electric Refunds For: Telephone Services For: Banking and Debt Service Payment For: Debt Service Payment For: Newspaper Publication Services For: NCTU and Other For: Debt Service Payment For: Utility Services For: Debt Service Payment For: Purchase of Power For: Purchase of Power For: MIEX Water Treatment Chemicals For: EMS Revenues to Townships For: Salt for Miex Plant For: CAFR Preparation For: Insurances (Health Deductibles) For: Outsourcing of Utility Bill Printing and Mailing For: Bond Counsel (Professional Services) For: Payments to State For: Debt Service Payments

US EPA (Treasurer, State of Ohio)	For: Permits
US Postmaster	For: Postal Services and Supply
Village of Malinta	For: OWDA Debt Service
Walter Drain Co.	For: Codification Services (Professional Services)

Section 3. That, the expenditure of funds in excess of \$25,000.00 is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2013 from the following vendors; however, in no event shall the amount exceed \$25,000.00 for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution from the below listed vendors:

A & A Custom Crushing	For: Concrete Crushing
Agrium Advanced Technologies	For: Golf Course Chemicals
Auglaize Tree Service	For: Tree Services
Brown Wood Preserving Co., Inc.	For: Electric Poles
Brownstown Electric Supply	For: Electric Supplies
CDW Government, Inc.	For: Computers and Supplies
Cintas	For: Uniform Services
City Blue, Inc.	For: Survey Supplies
Clarke Mosquito Control Product	For: Mosquito Control Supply
CMI (Creative Microsystems, Inc.)	For: Software and Hardware Systems
Concrete Specialist Company, Ltd.	For: Concrete Repair/Replacement
Darr's Cleaning, Inc.	For: Sewer Cleaning and Inspection
Dennis Panning Excavating	For: Yard Waste Hauling and Disposal
Downtown	For: Downtown Renovation Vendors
Estabrook, Corp.	For: Pump Supplies and Repairs
Feller, Finch & Associates, Inc.	For: Engineering Services (Professional Services)
Finley Fire Equipment	For: Fire Engines and Service Repairs
Fire Safety Services Inc.	For: Fire Services and Supply
Fire Service, Inc.	For: Fire Services and Supply
Ft. Defiance Service Master	For: Cleaning and Sanitizing Services
Garcia Surveyors, Inc.	For: Surveying Services (Professional Services)
Gerken Asphalt Paving, Inc.	For: Paving
General/Chemical Performance	For: Chemicals
Go Green, Inc.	For: Brush Grinding Services
HD Supplies Utilities, Ltd.	For: Electrical Parts and Supply
Hull and Associates, Inc.	For: Consulting Services (Professional Services)
Huron Lime, Inc.	For: Lime Chemicals

Hydro Dyne Engineering, Inc. Irvine Electrical and Testing Jack Doheny Supplies Ohio, Inc. Jones and Henry Engineering Ltd. Kalida Truck Kuhlman Corp. Kurtz Ace Hardware Lingvai Excavating, LLC Lingvai Paving, LLC Linward Electric, Inc. The Mannik and Smith Group, Inc. Mid-Ohio Sludge Management Mohre Electronics Co. Morton Salt Neptune Equipment Northbranch Nursery, Inc. Northwest Landscape Service Northwest Pools Office Depot Paulding County Engineer's Office Pepco Parker Hannfin Corp. Perrysburg Pipe and Supply Perry Corporation Peterman Associates, Inc. Porter's BP. LLC **Powerline Supply** Premier Patching, Inc. **Quality Cleaning** Reed City Power Line Supply Co. **RTEC** Communications, Inc. S & S Directional Boring Saylor Tree Service, LLC Solomon Corporation Spectrum Engineering Corp. Stantec Consulting Services, Inc. T & J. Excavating

For: Wastewater Remanufacturing of Screens For: Testing and Supplies For: Wastewater Supplies For: Engineering Services (Professional Services) For: Vehicle Accessories For: Parts and Supply For: Supply For: Construction Services For: Paving Services For: Traffic Signal Repairs For: Engineering Services (Professional Services) For: Sludge Removal For: Radio Services, Parts and Supply For: Road Salt For: Meter Parts and Supplies For: Landscaping/Tree Services For: Landscaping and Supplies, Roadside and City Owned Property Mowing For: Pool Chemicals For: Office Supply For: Cold Patch For: Supplies For: Water Meter Analyzer For: Parts and Supply For: Copier, Scanner and Printer Supplies For: Engineering Services (Professional Services) For: Gas and Diesel Fuel For: Electrical Parts and Supplies For: Road Patching For: Janitorial Services For: Electrical Parts and Supply For: Communication Supplies & Equipment For: Directional Boring For: Tree Services For: Transformers and Electric Supplies For: Engineering Services (Professional Services) For: Engineering Services (Professional Services) For: Excavating Services

T & R Electric	For: Transformers
Vernon Nagel, Inc.	For: Trucking and Hauling Services
Viking Trucking, Inc.	For: Trucking and Hauling Services
Vince's TV and Appliance	For: Networking and Computer Supplies
Werlor, Inc.	For: Brush Grinding Services/Recycling Services
Wesco Distribution, Inc.	For: Electrical Supplies
Westech Distribution	For: Water Miex System Services
Woods Auto Supply	For: Parts and Supply
Zacks Recycling, LLC	For: Recycling Services
Werlor, Inc. Wesco Distribution, Inc. Westech Distribution Woods Auto Supply	<ul><li>For: Brush Grinding Services/Recycling Services</li><li>For: Electrical Supplies</li><li>For: Water Miex System Services</li><li>For: Parts and Supply</li></ul>

Section 4. That, due to nature or uniqueness of the transactions or vending listed in Sections 1, 2 and 3 of this Resolution, except for the prohibition in Section 3 regarding the one time purchase over \$25,000.00, any requirement that may exist for competitive bidding is hereby eliminated in the best interest of the City.

Section 5. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.

Section 6. 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 7. 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 8. 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 prompt purchases required to remain operational, being operational essential 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.

Passed:	 	 	
Approved:			

Ronald A. Behm, Mayor

John A. Helberg, Council President

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

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 080-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_; & 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, Clerk/Finance Director

#### **RESOLUTION NO. 081-12**

#### A RESOLUTION AUTHORIZING A CONTRIBUTION TO THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO, IN AND FOR THE YEAR 2013; DECLARING AN EMERGENCY

**WHEREAS**, the City, by Ordinance in accordance with Section 1724.10 of the Ohio Revised Code, designated The Community Improvement Corporation of Henry County, Ohio ("CIC") as the agency of the City for the industrial, commercial, distribution, and research development of the City; and,

WHEREAS, a "Plan" as defined in Section 165.01 of the Revised Code was prepared and confirmed to advance, encourage, and promote the industrial, commercial, distribution, and research development of the City in a manner which among several things, creates and preserves jobs and employment opportunities in the City and the State and improves the economic welfare of the people of the City and of the State; and further, encourages and causes the maintenance, location, relocation, expansion, modernization, and equipment of sites, buildings, structures, and appurtenant facilities for industrial, commercial, distribution, and research activities within the City and thereby preserves, maintains, or creates additional opportunities for employment within the City; and,

**WHEREAS**, this Council desires to further advance the Plan and has determined to financially assist the CIC with operational and the other expenses in the Year; Now Therefore,

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

Section 1. That, in an effort to further advance the "Plan" referenced in the preamble of this Resolution, the City Finance Director is directed and authorized to pay to The Community Improvement Corporation of Henry County, Ohio ("CIC") the amount of Twenty-Nine Thousand (\$29,000.00) Dollars in and for the Year 2013 to the CIC for operational expenses and costs for the advancement of economic development projects for both present companies and future companies. An additional \$20,000.00 is authorized in 2013 for planning services with the contingency that the amount is matched by the Henry County Commission. The amounts contributed herein are deemed by this Council to be a proper public expenditure of public funds.

Section 2. That, the monies contributed as found in Section 1 of this Resolution shall be used for operational expenses and to advance the "Plan" as referenced in the preamble of this Resolution and shall not be pledged to secure any debt of the CIC.

Section 3. That, all payments stated in this Resolution are subject to appropriation of funds by Council. In the event appropriation of funds by Council is satisfied, payment shall be made by the Finance Director in quarterly installments to the CIC, all in and for the year 2013.

Section 4. That, Ordinance Number 003-12 is repealed upon the effective date of this Ordinance.

Section 5. 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 6. 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 7. 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 economic projects to timely move forward; projects that will create jobs; 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.

John A. Helberg, Council President
Ronald A. Behm, Mayor
Abstain

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 081-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_; & 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, Clerk/Finance Director



# 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

<i>To:</i>	Dr. Jon A. Bisher, City Manager
From:	Chad E. Lulfs, P.E., P.S., Director of Public Works
сс:	Mayor & City Council
	Greg Heath, Finance Director
	Chris Peddicord, Assistant Finance Director
Date:	December 17, 2012
Subject:	Welsted Water Main Replacement Project
	Recommendation of Award of Contract

On Wednesday, December 12, 2012, eight (8) bids were opened and read aloud for the above referenced project:

Vernon Nagel, Inc.	\$267,275.00
Gleason Construction, Inc.	\$294,960.00
Lingvai Excavating, Inc.	\$302,468.75
B. Hill'z Excavating, Inc.	\$304,100.00
Eclipse Co., L.L.C.	\$310,678.06
JDR Excavating, Inc.	\$315,120.00
Crestline Paving & Excavating	\$320,321.00
Anderzack-Pitzen Construction	\$329,210.00

The published Engineer's Estimate for this project is \$300,000.00. This project consists of installing new PVC waterlines on Welsted Street from Sheffield Avenue to Glenwood Avenue, on Strong Street from Sheffield Avenue to Orwig Avenue, and on Orwig Avenue from Strong Street to Welsted Street.

Having reviewed the submitted bids, it is my recommendation that Council award Vernon Nagel, Inc. the contract for the Welsted Water Main Replacement Project in the amount of \$267,275.00. If you have any questions or require additional information, please contact me at your convenience.

CEL

			OLEON OHIO ARY SHEET			
Project Name: Welsted Water Main Replacement Project	VENDOR					
	(A)	(B)	(C)	(D)	(E)	
DATE OPENED	Karen Zamlen	Anderzack-Pitzen	JDR Excavating, Inc.	Lingvai Excav., LLC	Crestline Paving &	
December 12, 2012	Eclipse Co. LLC	Construction	PO Box 591	1222 E. Wilson St.	Excav Co., Inc.	
ГIME: 11:00 AM	233209 Miles Rd 120B	424 E. Main St.	433-1/2 Oak Ave.	Bryan, OH 43506	1913 Nebraska Ave	
OPENED BY:	Warrensville Hts OH	Metamora, OH 43540	Findlay, OH 45839-		PO Box 3356	
Gregory J. Heath	44128		1591		Toledo, OH 43607	
ENGINEER'S ESTIMATE: \$300,000						
BIDDER QUALIFICATION**	X	x	X	X	x	
BID BOND**	X	X	X	X	X	
NON COLLUSION AFFIDAVIT**	X	X	x	x	X	
CORPORATE RESOLUTION	X	X	x	X	X	
PROPERTY TAX						
CERTIFICATION - ORC 3517.13	X	X	x	x	x	
LABOR						
	\$150,000.00	\$129,000.00	\$135,120.00	\$117,000.00	\$220,321.00	
MATERIAL	\$160.678.06	\$200,210.00	\$180,000.00	\$185,468.75	\$100,000.00	
TOTAL BASE BID	\$310,678.06	\$329,210.00	\$315,120.00	\$302,468.75	\$320,321.00	

\*\*Required at bid opening

			OLEON OHIO ARY SHEET		
Project Name: Welsted Water Main Replacement Project	ater Main VENDOR				
	(F)	(G)	(H)	(I)	(J)
DATE OPENED December 12, 2012 TIME: 11:00 AM OPENED BY:	<u>B. Hill'z Excav., Inc.</u> 8085 McCutcheonville Rd. Wayne, OH 43466		<u>Vernon Nagel, Inc.</u> 0154 Co Rd 11C Napoleon, OH 43545		
Gregory J. Heath ENGINEER'S ESTIMATE: \$300,000	Wayne, On 45466				
BIDDER QUALIFICATION**	x	X	X		
BID BOND**	X	X	X		
NON COLLUSION AFFIDAVIT**	x	X	X		
CORPORATE RESOLUTION	X	X	X		
PROPERTY TAX					
CERTIFICATION - ORC 3517.13	X	X	X		
LABOR	\$167,614.00	\$178,000.00	\$ 91,300.00		
MATERIAL	\$136,486.00	\$116,960.00	\$175,975.00		
TOTAL BASE BID	\$304,100.00	\$294,960.00	\$267,275.00		

\*\*Required at bid opening



# CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151 Gregory J. Heath, Director of Finance/Clerk of Council phone (419) 599-1235 fax (419)-599-8393 Web Page: www.napoleonohio.com E-mail: gheath@napoleonohio.com

DATE:	December 17, 2012
TO:	Members of City Council Dr. Jon A. Bisher, City Manger Trevor Hayberger, Law Director
FROM:	Gregory J. Heath, Finance Director/Clerk of Council $\mathcal{BH}_{\ell}$
SUBJECT:	Annual Write Off of Uncollectable Accounts

Attached herewith, is the listing of Proposed 2012 Write Offs for Uncollectable Accounts. They reflect write offs for Accounts dated 2008 and back, including any currently known Bankruptcies or persons whom are deceased.

#### Total Write Offs is summarized as follows:

- Income Tax	\$ 2,888.76
- Utility Billing (All Services)	\$26,759.16
- EMS Services	\$75,230.33
- Miscellaneous Billings	\$ 1,317.86

I am requesting a motion from City Council authorizing the 2012 Write Offs for Uncollectable Accounts as submitted.

Thank you for your assistance in this matter.

## City of Napoleon Income Tax Write Off's for 2012

There is a total of 26 accounts with a balance of \$2,888.76.

~

# **Proposed Utility Bill**

#### Writeoffs for 2012 City of Napoleon

#### Active Accounts Placed Before 01/01/2009 Not in Legal and No Current Payment Arrangement as of 12/02/2012 with Credit Adjustments

Last Name	First Name	List Date	t Au	Balance
WORTMAN	JON ANN	12/3/1996	\$	146.06
		Total 1996	\$	146.06
SCHREIBER	KENNETH C	2/13/1998	\$	218.89
BARNETT	JOHN E	4/7/1998	\$	136.56
		Total 1998	\$	355.45
SALDIVAR	ANGELA L	11/2/1999	\$	86.41
		Total 1999	\$	86.41
BALL	JASON M	2/3/2000	\$	101.36
HILE	CHRISTOPHER	6/5/2000	\$	13.51
		Total 2000	\$	114.87
BENDER	ALAN R	3/6/2002	\$	225.97
FIELDS	BARBARA	4/12/2002	\$	158.38
		Total 2002	\$	384.35
ALVAREZ	ERIC	1/13/2003	\$	127.97
CASHMAN	KAREN	1/13/2003	\$	316.13
ORDWAY	CARRIE A	1/13/2003	\$	166.28
CRUZ	LORENZA	3/12/2003	\$	192.34
KELLER	CORI L	7/11/2003	\$	37.45
WADE	KELLY J	12/19/2003	\$	184.07
		Total 2003	\$	1,024.24
GOMEZ	THOMAS	1/30/2004	\$	34.71
WILHELM	LISA	1/30/2004	\$	155.71
LANE	MICHAEL W	5/20/2004	\$	214.31
COOPER	JESSICA	8/17/2004	\$	160.20
PAUS	ELAINE	10/21/2004	\$	377.84
		Total 2004	\$	942.77
BOTTICHER	WILMA C	1/6/2005	\$	190.58
FITE	WENDY M	4/29/2005	\$	129.36
GARCIA	JESSICA	6/20/2005	\$	161.05
LANDVERSICHT	KURT R	6/20/2005	\$	67.99
SMITH	SCOTT A	6/20/2005	\$	6.50
VANTREASE	ROBERT M	6/20/2005	\$	255.46
BETTS	CHARLES M	7/4/2005	\$	29.73
NASH	DOUGLAS	7/4/2005	\$	135.23
HOPKINS	CORA L	8/16/2005	\$	195.84
LOTZ	SARAH L	8/31/2005	\$	216.94
HERNANDEZ	APRIL M	9/12/2005	\$	114.76
CORONA	ADELITA	9/14/2005	\$	447.49
SCHLOSSER	JANET K	9/19/2005	\$	235.93

Proposed Utility Bill					
		offs for 2012			
Last Name	First Name	List Date		Balance	
YATES	WILLIAM R	9/29/2005		132.72	
CASH	CRYSTAL	11/11/2005		262.38	
RICE	CHARLOTTE P	11/21/2005		189.09	
		Total 2005	\$	2,771.05	
Last Name	First Name	List Date		Balance	
BERLANGA	TONY	1/3/2006	\$	229.83	
TONJES	BETTY A	1/20/2006	\$	111.35	
HARSHAW	KENNETH	3/9/2006	\$	663.47	
		Total 2006	\$	1,004.65	
Last Name	First Name	List Date		Balance	
ADAMS	TERRY L	1/8/2007	\$	54.13	
AGUILAR	SANDRA O	1/8/2007	\$	996.56	
BELFORD	RACHAEL L	1/8/2007	\$	225.25	
BOFIA	SHANE A	1/8/2007	\$	49.81	
вох	TAMMY	1/8/2007	\$	99.96	
BROWN	TROY A	1/8/2007	\$	437.30	
DEAN	JAMIE N	1/8/2007	\$	192.91	
GERKEN	ALVIN W	1/8/2007	\$	268.46	
GERKEN	LINDA	1/8/2007	\$	154.80	
HERRERA	RAUL	1/8/2007	\$	801.07	
LEE	DAVID	1/8/2007	\$	7.90	
MARR	SCOTT A	1/8/2007	\$	296.58	
RYAN	ERIN K	1/8/2007	\$	12.27	
SPIRES	DAWN M	1/8/2007	\$	26.27	
STEVENSON	CHRISTOPHER D	1/8/2007	\$	250.22	
UNDERWOOD	CASEY	1/8/2007	\$	115.20	
WITTE	JOSHUA	1/8/2007	\$	201.22	
YAW	CHERYL L	1/8/2007		155.45	
LUDWIG	CHRISTINE	2/28/2007	\$	7.26	
ASHLEY	LEIGH	7/16/2007	\$	109.17	
GOFF	JENNIFER N	7/16/2007	\$	179.89	
GOINS	JOHN ROBERT	7/16/2007	\$	353.37	
OLEJOWNIK	MICHELLE D	7/16/2007	\$	121.04	
WELCH	TONYA L	7/16/2007	\$	152.20	
BALL	JAMIE A	7/25/2007	\$	149.24	
BELFORD	ASHLEY	10/1/2007	\$	42.28	
ESTER	GERRI	10/1/2007	\$	181.89	
VALDEZ	TIFFANY K	10/1/2007	\$	389.70	
STEUDE	RYLAND L	10/31/2007	\$	423.46	
WADE	SHAWN E	10/31/2007	\$	120.40	
BELKNAP	MICHAEL	11/20/2007	\$	105.29	
CASH	DUSTIN S	11/20/2007	\$	47.05	
ΝΟνακ	LINDSAY E	11/20/2007	\$	143.12	
RODRIGUEZ	MARIA	11/20/2007	\$	142.02	
KARR	BILLY JOE	12/28/2007	\$	235.65	
SMITH	JEFFERY	12/28/2007	\$	748.68	
		Total 2007	\$	7,997.07	

# Proposed Utility Bill

Writeoffs for 2012				
Last Name	First Name	List Date		Balance
ADKINS	MISTY	1/28/2008	\$	302.37
BLACKBURN	MARY	MARY 1/28/2008		301.55
BOYD	JAMES	1/28/2008	\$	321.69
MCCLORY	DAVID L	1/28/2008	\$	57.53
BOGERT	MIKE	4/24/2008	\$	20.56
CURTZWILER	BRANDON M	4/24/2008	\$	195.30
MCCORKLE	SARAH	4/24/2008	\$	115.22
MUNCY	JANICE L	4/24/2008	\$	28.10
SMITH	JARID	4/24/2008	\$	221.79
BABCOCK	HEATHER L	5/27/2008	\$	26.35
BABCOCK	ЈОНИ С	5/27/2008	\$	224.43
BALTODANO	MARIA M	5/27/2008	\$	165.31
BILTZ	MEGAN E	5/27/2008	\$	199.42
BOOHER	CHARITY	5/27/2008	\$	224.88
CLUCKEY	AMANDA	5/27/2008	\$	150.31
DAVIS	BRANDY R	5/27/2008	\$	238.14
DAWSON	SHANNON M	5/27/2008	\$	257.95
DONNELLY	MARIA	5/27/2008	\$	438.77
FLORES	TORRIE	5/27/2008	\$	143.02
GARAY	JORGE	5/27/2008	\$	43.67
GARCIA	MARY B	5/27/2008	\$	92.53
GIBSON	CORAL	5/27/2008	\$	257.16
GORE	HEIDI	5/27/2008	\$	285.54
HARDEN	ALEX	5/27/2008	\$	30.74
HUMES	MISTY D	5/27/2008	\$	41.23
HUTCHISON	HEATHER N	5/27/2008	\$	614.87
JONES	CHRISTOPHER G	5/27/2008	\$	133.84
MAYS	WALTER J	5/27/2008	\$	88.35
MILLER	ALFONSO	5/27/2008	\$	75.21
PHILLIPS	ASHLYNN N	5/27/2008	\$	144.79
RODRIGUEZ	JOSEPH	5/27/2008	\$	342.90
ROEHM II	REGINALD P	5/27/2008	\$	353.49
SNYDER	MICHAEL	5/27/2008	\$	120.52
TUSSINGER	TYLER K	5/27/2008	\$	276.49
VALDEZ	JORGE RUBEN	5/27/2008	\$	154.71
VELA	RUDY	5/27/2008	\$	329.51
SCHNITKEY	MARK	7/10/2008	\$	74.56
	\$	7,092.80		
Total of W	\$	21,919.72		

# Proposed Utility Bill Writeoffs for 2012

Bankruptcy Acco	ounts			
Last Name	First Name	Date		Balance
THOMAS	JOSHUA	6/28/2007		149.92
		Total 2007	\$	149.92
HARSH	MAURICE	12/23/2010	\$	93.34
		Total 2010	\$	93.34
ANKNEY	JASON	11/9/2011	\$	129.84
		Total 2011	\$	129.84
ALLPORT	DENNIS	1/24/2012	\$	516.73
MCCORMICK	TERESA	4/11/2012	\$	1,024.21
ELLEDGE	JASON	4/27/2012	\$	637.20
SMITH	CAMERON	7/11/2012	\$	337.93
SMITH DIEMER	ANDREA	7/11/2012	\$	348.27
		Total 2012	\$	2,864.34
Tota	l of Bankruptcy Wri	teoffs	\$	3,237.44
Deceased				
Last Name	First Name	Date		Balance
GRAVETTER	DEBRA	12/29/2011	Ś	188.97
SHADLE	JAMES	12/29/2011	\$	474.84
		Total 2011	\$	663.81
KRONTZ	JACQUELINE J.	1/20/2012	\$	209.01
ARPS	LINDA	3/9/2012	\$	25.00
VON DEYLEN	JOHN L.	6/27/2012	\$	704.18
		Total 2012	\$	938.19
Total of Deceased Writeoffs				1,602.00
Total Writeoffs for 2012				26,759.16

#### City of Napoleon

#### Active Accounts Placed Before 01/01/2009 Not in Legal and No Current Payment Arrangement as of 12/02/2012 with Credit Adjustments

	Arrangement	as of 12/02/2012	with Credit Adjustme	nts	
Last Name	F	irst Name	List Date		Balance
TAYLOR	KAY L		6/25/1997	\$	260.00
			Total 1997	\$	260.00
Last Name	F	irst Name	List Date		Balance
RICHMOND	DAN		6/12/2000	\$	260.00
MARR	SCOTT A		12/19/2000		330.00
SLONE	JUDITH L		12/19/2000	•	31.43
BEOTIE			Total 2000	\$	621.43
				Ŧ	
Last Name	F	irst Name	List Date		Balance
SNYDER	DEANNA M		10/2/2002	\$	400.00
DAVIS	CONSTANCE	A	11/4/2002	\$	1,230.00
			Total 2002	\$	1,630.00
Last Name	F	irst Name	List Date		Balance
BARNETT	JAMES		6/30/2003	\$	143.42
SCHWIEBERT	SHERRIE		8/12/2003	\$	400.00
WILLIAMS	ROBIN		8/12/2003	\$	400.00
			Total 2003	\$	943.42
Last Name	F	irst Name	List Date		Balance
RIVERA	ERNEST O		1/23/2004	\$	400.00
BADERTSCHER	JENNIE		3/15/2004		103.75
SCHWIEBERT	SHERRIE		3/15/2004		615.00
SKILES	CLIFFORD		3/15/2004		615.00
WITTENMYER	BRAD L		3/15/2004		615.00
BRANHAM	NOAH		7/15/2004		615.00
BRICKEL	TINA		7/15/2004		615.00
GROTH	PAUL		7/15/2004		615.00
	PAUL		7/15/2004		615.00
GROTH			7/15/2004		615.00
GROTH	PAUL		7/15/2004		400.00
GROTH	PAUL		Total 2004	ې \$	
			10Ld1 2004	Ş	5,823.75
Last Name	F	irst Name	List Date		Balance
DAVIS	CONSTANCE	A	10/5/2005	\$	400.00
DAVIS	CONSTANCE	A	10/5/2005	\$	615.00
MAGERS	STEPHANIE E		10/5/2005	\$	615.00
OSBORNE	MARK A		10/5/2005	\$	615.00
PATTON	TAMALA S		10/5/2005	\$	615.00
SNYDER	EUGENE E		10/5/2005		615.00
ROHDY	MARTIN D		10/14/2005		400.00
ALMAGUER	ANGELA		11/11/2005		615.00
BROWN	GEORGE R		11/11/2005		151.45
LAWRENCE	TAMMY L		11/11/2005		615.00
Page 1 of 5	1771411411 E		Total 2005	\$	5,256.45
ICRETOID				Υ	5,200170

Last Name	First Name	List Date	Balance
FULLER	KEITH C	3/27/2006	\$ 615.00
MEEKS	STEVEN	3/27/2006	\$ 615.00
RICE	ODGAR E	3/27/2006	\$ 1,015.00
SANCHEZ JR	JOSEPH	3/27/2006	\$ 615.00
		Total 2006	\$ 2,860.00
Last Name	First Name	List Date	Balance
BADERTSCHER	JENNIE	3/14/2007	\$ 70.93
BOSARD	CURTIS E	3/14/2007	\$ 615.00
BROWN	CHERYL	3/14/2007	\$ 615.00
BUCHHOP	ANDREW	3/14/2007	\$ 1,015.00
ELLIOTT	CODY J	3/14/2007	\$ 615.00
HARSH	ASHLEY N	3/14/2007	
KRAMP	SHANNON L	3/14/2007	\$ 615.00
TREMBACH	BETH J	3/14/2007	\$ 615.00
CRANDALL	CRYSTAL A	4/5/2007	\$ 615.00
EMERLING	BROOKE M	4/5/2007	\$ 615.00
NEIPP	RONALD R	4/5/2007	\$ 615.00
RHOADS	WARD J	4/5/2007	\$ 615.00
SIGLEY	NICHOLE	4/5/2007	\$ 615.00
SWEENEY	AMY H	4/5/2007	\$ 615.00
BRANHAM	NOAH	7/13/2007	\$ 615.00
CARRIZALES	JOSE A	7/13/2007	\$ 615.00
GOINS	JOHN ROBERT	7/13/2007	\$ 615.00
LAMBERT	RENFORD D	7/13/2007	\$ 615.00
BEARD	RONALD E	7/25/2007	\$ 70.47
PRYOR	GEORGE	8/31/2007	\$ 1,365.70
SNYDER	DEANNA M	8/31/2007	\$ 400.00
MCCORKLE	MIKE	10/31/2007	\$ 615.00
SCHULTZ	RAYMOND D	10/31/2007	\$ 615.00
		Total 2007	\$ 13,992.10
Last Name	First Name	List Date	Balance
ANDERSON	MATT	8/19/2008	\$ 68.28
ANDRESON	LINCOLN	8/19/2008	\$ 68.86
BABCOCK	SHARON K	8/19/2008	\$ 682.85
BARTELHEIM	WILLIAM	8/19/2008	\$ 1,131.35
BAUMAN	JENNA	8/19/2008	\$ 682.85
BERNICKE	PENNY	8/19/2008	\$ 448.50
BROWN	DAWN	8/19/2008	\$ 682.85
CALDWELL	JAMES C	8/19/2008	\$ 192.85
CAMPBELL	LONNIE		\$ 682.85
CARTER	KAREN		\$ 682.85
DAVIS	HEATHER	8/19/2008	
DILWORTH	HARVEY H	8/19/2008	
EBERLY	LISA	8/19/2008	
EIS	BRIAN	8/19/2008	
		- ,	

Last Name	First	Name	List Date	Balance
EVANS	JESSICA		8/19/2008	\$ 448.50
FIGGY	JESSICA		8/19/2008	\$ 448.50
FIGGY	JESSICA		8/19/2008	\$ 448.50
FLORES	DEBORAH		8/19/2008	\$ 448.50
FLOYD	JARED		8/19/2008	\$ 448.50
GENTILLE	JILL		8/19/2008	\$ 66.74
GILLEN	JUSTIN		8/19/2008	\$ 448.50
GONZALES	NICHOLAS		8/19/2008	\$ 682.85
HALL	CODY		8/19/2008	\$ 695.35
HANDSHOE	JOSEPH		8/19/2008	\$ 682.85
HARTLEY	DAVID		8/19/2008	\$ 682.85
HOWE	STACEY		8/19/2008	\$ 448.50
HOWE	STACY		8/19/2008	\$ 448.50
INGEL	NICHOLAS		8/19/2008	\$ 682.85
JUAREZ	FERNANDO		8/19/2008	\$ 707.85
KINDER	CONNIE		8/19/2008	\$ 682.85
MARCH	MIKE		8/19/2008	\$ 670.35
MARTIN	TERRY		8/19/2008	\$ 60.47
MCMAHON JR	MARK		8/19/2008	\$ 86.92
MEDINA	BETH		8/19/2008	\$ 682.85
MOODY	DARRELL		8/19/2008	\$ 72.97
MULLEN	JEFFREY		8/19/2008	\$ 682.85
ORTHWEIN	ANDREW F		8/19/2008	\$ 448.50
PEDEOLLSE	ASHELY		8/19/2008	\$ 682.85
POWER	PHILLIP		8/19/2008	\$ 615.00
QUINTERO	ERIC		8/19/2008	\$ 448.50
RAMIREZ	MOISE		8/19/2008	\$ 436.00
RAYOUM	BRANDON		8/19/2008	\$ 682.85
ROBERTS	DONALD		8/19/2008	\$ 61.84
ROSALES	AUGUSTINA		8/19/2008	\$ 682.85
SCARBERRY	DIANA L		8/19/2008	\$ 1,365.70
SCHMIDT	MARY		8/19/2008	\$ 72.97
SCHWABEL	LARRY		8/19/2008	\$ 448.50
SNYDER	EUGENE		8/19/2008	\$ 70.47
TELFORD	TIM		8/19/2008	\$ 682.85
URTON JR	ROBERT		8/19/2008	\$ 448.50
VONDEYLEN	CONNIE		8/19/2008	\$ 66.74
WILLIS	JEROME		8/19/2008	\$ 682.85
WODARSKI	BRIAN		8/19/2008	\$ 670.35
WOOLRIDGE	КАТНҮ		8/19/2008	\$ 448.50
BETTINGER	CHELSEA		8/20/2008	\$ 50.00
CAPPES	ELIZABETH		8/20/2008	\$ 720.35
CARSON	DEBORAH		8/20/2008	\$ 432.85
DAVIS	SAMUEL		8/20/2008	\$ 298.89
GAGNON	JEFFERY		8/20/2008	\$ 42.10
HODGE	AUDREY		8/20/2008	\$ 65.43

Last Name		First Name	List Date	Balance
HOUGH	JASON		8/20/2008	\$ 498.50
KUJAWA	JOHN		8/20/2008	\$ 64.97
MEDINA	BETH		8/20/2008	\$ 61.84
SCHWABLE	JUSTIN		8/20/2008	\$ 720.35
SMIDDY	MAGHAN		8/20/2008	\$ 140.05
ZENDE	WILLIAM		8/20/2008	\$ 64.97
AGUILAR	YVONNE		9/5/2008	\$ 400.00
ANDERSON	MARCUS		9/5/2008	\$ 695.35
LAUTERMILCH	SUE		9/5/2008	\$ 76.10
SCHROEDER	DENNIS L		9/5/2008	\$ 720.35
WENNEBERG	BRADLEY		9/5/2008	\$ 456.87
BUFF	RICKY C		10/1/2008	\$ 473.50
DAVIS	JONATHAN		10/1/2008	\$ 448.50
MINNICH	KYLE		10/1/2008	\$ 369.16
MOODY	DARRELL		10/1/2008	\$ 81.79
RAMIREZ	JUANA		10/1/2008	\$ 473.50
RETTIG	BRENDA L		10/1/2008	\$ 1,148.78
ROBERTS	DONALD		10/1/2008	\$ 74.22
WHITE	GREGORY		10/1/2008	\$ 720.35
HELTON	BROOK		10/28/2008	451.50
MAGALLANES	DANIEL		10/28/2008	720.35
NG	KYLA		10/28/2008	\$ 461.00
GRUBAUGH	MARC L		11/26/2008	81.79
LAWRENCE	TIFFANY N		11/26/2008	473.50
LYONS	DANNY		11/26/2008	75.00
MILLER	SUZETTE R		11/26/2008	31.39
PRYOR	GEORGE		11/26/2008	707.85
TANSEY	NANCY A		11/26/2008	77.94
ZENDE	WILLIAM		11/26/2008	\$ 66.54
			Total 2008	\$ 39,414.88
Total of Writeoffs fro	om Credit Adji	ustments		\$ 70,802.03
Bankruptcy				
Last Name	F	First Name	List Date	Balance
ROTH	KENDRA		7/27/2007	\$ 1,230.00
			Total 2007	\$ 1,230.00
Total Bankruptcy Writeoffs for 2012				\$ 1,230.00
Deceased/Accident				
Last Name	F	irst Name	List Date	Balance
YEDICA	DAVID		1/21/2009	\$ 82.02
BADENHOP	CARL		2/28/2009	77.86
WING	DOUGLAS		6/24/2009	\$ 1,097.81
YEDICA	DAVID		9/16/2009	\$ 161.96
REEVES	CHRIS		12/1/2009	\$ 829.74
Page 4 of 5			Total 2009	\$ 2,249.39

## Proposed EMS Writeoffs for 2012

\$

Last Name	Firs	t Name	List Date	Balance
WALTERS	PAUL		1/22/2010	\$ 9.14
YEDICA	DAVID		1/24/2010	\$ 238.92
BAKER	SCOTT		2/9/2010	\$ 6.53
YEDICA	DAVID		8/11/2010	\$ 254.54
MALDONADO	JORGE		10/29/2010	\$ 401.72
			Total 2010	\$ 910.85
Last Name	First	t Name	List Date	Balance
PRECHT	AUGUSTA		4/15/2011	\$ 18.03
MANN	VIVALYN		9/3/2011	\$ 9.09
STORCH	RICHARD		11/7/2011	\$ 10.94
			Total 2011	\$ 38.06
Total of Deceased/Accident Writeoffs for 2012			\$ 3,198.30	
	Total Writeoffs	for 2012		\$ 75,230.33

# Proposed Misc. Billing Writeoffs for 2012

\$

**City of Napoleon** 

Last Name COMMUNICATIONS	First Name T & T	List Date 8/2/2005 Total 2005	\$ <b>\$</b>	Balance 600.00 <b>600.00</b>
PARKS	LUELLA	12/11/2007 Total <b>2007</b>	\$ <b>\$</b>	11.26 <b>11.26</b>
AMERICAN HOME COUNTRYWIDE COUNTRYWIDE DANIEL FIRST AMERICAN TAX FIRST AMERICAN TAX	MORTGAGE JOSEPH SERVICES SERVICES	7/22/2010 7/22/2010 7/22/2010 7/22/2010 7/22/2010 10/2/2010 Total 2010		81.60 121.60 147.80 222.80 97.80 35.00 <b>706.60</b>
Total Misc Billing Writeoffs for 2012			<b>\$</b> 1	1,317.86

Donation 100.2100.470.20

JPMORGAN CHASE BANK,

DALLAS



CENTURYTEL, INC. ATTN: Controller's Group P.O. BOX 4065 MONROE, LA 71211 1-877-386-7151

Void after 90 days

Check Number ALL AND A STATE OF

88-88/1113

11/15/2012

\*\*\*\*\*1,000.00\*

USD

\*\*\* ONE THOUSAND USD\*\*\*

Pay to the order of:

NAPOLEON CITY POLICE DEPARTMEN PO BOX 151 NAPOLEON OH 43545

Sailey

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# Memorandum

- To: Tree Commission, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors
- From: Gregory J. Heath, Finance Director/Clerk of Council
- **Date:** 12/13/2012
- Re: Tree Commission Meeting Cancellation

The regular meeting of the Tree Commission, which was scheduled for Monday,

December 17 at 6:00 PM, has been canceled due to lack of agenda items.

# Memorandum

- To: Parks & Recreation Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media
   From: Gregory J. Heath, Finance Director/Clerk of Council
- **Date:** 12/10/2012
- Re: Parks & Recreation Committee Meeting Cancellation

The Parks & Recreation Committee meeting, which was scheduled for Monday,

December 17 at 8:00 PM, has been canceled due to lack of agenda items.

City of Napoleon, Ohio

# PARKS & RECREATION BOARD

LOCATION: City Hall Offices, 255 West Riverview Avenue, Napoleon, Ohio

# Special Meeting Agenda

# Wednesday, December 19, 2012 at 6:30 PM

- 1. Call to Order
- 2. Approval of Minutes
- 3. Discussion and/or Action on Recreation Program Participant Fees
- 4. Discussion and/or Action on Letter of Support for Napoleon Civic Center
- 5. Discussion and/or Action on Parks & Recreation Service Award
- 6. Miscellaneous
- 7. Any other Items to Come Before the Board

Gregory J. Heath, Finance Director/Clerk of Council

# City of Napoleon, Ohio PARKS AND RECREATION BOARD

# Special Meeting Minutes Wednesday, November 28, 2012 at 6:30 PM

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PRESENT				
Parks & Recreation	Matt Hardy – Chair, Mike Saneholtz, David Prigge, Peg Funchion, Chad			
(P&R) Board	Richardson, Shawn Thompson, Aaron Schnitkey			
City Staff	Tony Cotter, Parks & Recreation Director			
Recorder	Barbara Nelson			
Others	Patrick McColley			
ABSENT				
Members	None			
wiember s	None			
Call To Order	Chairman Hardy called the meeting to order at 6:30 PM.			
Approval Of Minutes	Minutes of the November 1, 2012, meeting stand approved.			
Recreation Program User Fees	Cotter said recreation program user fees were accepted as part of the 2013 budget requests taken to the Finance & Budget Committee. Nothing in the way of a fee schedule has gone to Council yet. He doesn't anticipate taking anything until January so that fees can be put in place for spring sports. Based on what was discussed at the meeting last month, the Parks & Recreation (P&R) Board is looking for ways to create policies and regulations that will assist those who may struggle with fees. Cotter distributed possible recreation user fee policies (attached) that could be implemented commencing with the Spring 2013 programs.			
	Online registration was discussed in conjunction with verification of residency. Cotter said other programs accept affidavits for this. This is something that will have to be worked out. We want online registrations as much as possible. McColley said the Board of Elections has the address of everyone in the county. It should be easy to confirm if someone lives at an address in the City. The burden of proof is on the parents, not the City. Cotter said we could have a disclaimer on the website stating that those living outside of town must submit proof of paying City income tax. The simplest way would be to limit participants to those living in town; however, people who pay City income tax will object to their children not being allowed to play. Cotter will see how other cities handle this issue.			
	Board members discussed whether discounts should be given per family, per child, per year, per season, per program, or a combination of these. Cotter's thought was to utilize what the schools do with free and reduced price school lunches. This is based on the number in the family and family income level. If a family could provide that documentation, we could say they qualify. His concern is that privacy issues may be a problem. He will check with the Law Director on this. Board members suggested checking with Job & Family Services about food stamps and Medicaid qualification. This might also involve privacy issues, but if parents volunteer the information, it should be alright.			
	The yearly pass idea would put a lot of pressure on the person at the front desk to keep track of. A kid could start a sport, then quit and want their money back. Cotter will ask other cities how they handle this problem. We want to involve every child we can in recreation programs. There are scholarships available for 5 <sup>th</sup>			

	& 6 <sup>th</sup> grade football and Little League. Nobody knows who doesn't pay. The Board will wait until the next meeting to discuss these things once Cotter has information from other cities.
	Cotter said the magic number for enhanced revenue for 2013 is \$23,000. He asked McColley if the P&R Committee or Council must take action on the Board's recommendations. McColley said building revenue and cutting expenses is the Board's realm. The Board's recommendations can bypass the P&R Committee and go to Council. They make the request for legislation to implement the Board's recommended fees. Those present agreed to meet on Wednesday, December 19 instead of December 26.
	Members talked about the aging population at local clubs, golf course, etc. What was normal today was not normal 25 years ago. Golfing won't go back to what it was. We can do things to attract people there (e.g. 2 hour 9 hole scramble instead of a 4 hour 18 hole scramble).
Miscellaneous	Cotter reported that he met with the Finance & Budget Committee and Council the day after the Board's last meeting. The recommended expense reductions and revenue enhancements were put in place. They had questions about the amount of money lost at the pool and golf course. The subsidy from the general fund to Parks & Recreation has averaged around \$70,000 for operations, not counting capital improvement items.
	Cotter found out at the budget presentation that although some Council members were pleased with the Board's efforts to cut expenses, their goal is for the subsidy to be at 0. Even if we closed the pool and golf course, we still have 10 parks to maintain. McColley said he doesn't foresee the capital improvement money being removed, but Council wants a 0 subsidy for P&R operations.
	Members discussed using carryover to reduce the subsidy. McColley noted that they would run out of carryover. Cotter said it is a numbers game. There are two ways to get to where we need to be: raise revenue or cut expenses. Members agreed that implementing user fees will not make up for the amount of money needed in 2013. McColley said P&R has its hands in a lot of little things. There will have to be small fees here and there and small cuts here and there. The biggest thing is that as long as the Board is making progress, Council should be okay with it, but the subsidy amount cannot go up.
	Funchion said we will never be able to pay for the losses at the pool. We might need to go to the public for a levy for the pool and golf course. Prigge asked if anyone talked to the Aquatic Club (AC) about helping with pool costs. They charge \$130 per child in AC and they use the pool more than the City. If their program is strong, they could pay part of the user fee to the City. Funchion asked if AC pays to use the pool for weekend tournaments. Cotter said they do not pay. Hardy said AC took over swim lessons for us. Prigge suggested letting them know the situation we are in. They may raise their user fee to pay something to the City for using the pool. They are putting up a building to store equipment. Cotter said the building project is on hold now.
	Funchion said we have to know how much the City will subsidize in 2014 so we know how much to cut. We may need to close the pool or golf course early in 2013. McColley said the Mayor wants the subsidy at 0, but as long as the Board

	can show what they've done to raise revenue, Council will not get on them.			
	Prigge said he is grateful that AC is doing swim lessons, but we don't charge them to use the pool and they are making a profit off that. They practice every day in the summer for free. Cotter said he talked with some of the AC people. He didn't say we might close the pool, but gave them figures on operational costs and personnel costs. Prigge said they would have to use the high school pool if the City pool closes. McColley suggested incorporating the AC into the City rate structure and charge them \$20 per child. Hardy said every kid on the high school golf team has to buy a golf membership. Every kid on AC could buy a pool membership.			
	Hardy said the pool rents for \$150 for 2 hours and AC uses the pool for 2 events during the summer for free. It is not right to charge kids for recreation fees and not charge the AC kids who use the pool.			
Motion To Charge A \$500 User Fee To Weekend Pool Event	Motion: FunchionSecond: SaneholtzThat a \$500 user fee be charged to whoever sponsors a weekend event thatrequires shutting down the pool			
Sponsors	Hardy asked if Cotter thought it was appropriate to pass a motion without talking to the Aquatic Club first. Cotter said he let at least one individual at the AC know that fees were coming. They have hundreds of children involved.			
Passed Yea-7 Nay-0	Roll call vote on motion to charge \$500 user fee for weekend events Yea – Hardy, Saneholtz, Prigge, Funchion, Schnitkey, Richardson, Thompson Nay-			
Motion To Charge \$20 User Fee To AC Members	Motion: Funchion To include a \$20 user fee for Aquatic Club members who swim in the City pool			
	Hardy noted that this is not a recreation run program. We can't do that for Little League because they already charge their own user fees. Saneholtz said they use City facilities like the pool. McColley noted that the pool costs a lot more to run. Cotter said the \$500 motion will go into the rate recommendation. Beyond that, we could have the AC come in and talk about fees. Swim clubs in other communities give money to support the pool. We need the money or AC may not have a facility to use.			
Failed	Motion regarding \$20 user fee for AC members failed for lack of a second.			
	Prigge asked if football and baseball pay a fee for using City fields. Hardy said they do not. Thompson said City employees line the fields, weed and feed, mow, etc. McColley said these groups can increase their user fees in order to pay the City. Funchion asked if the City pays lifeguards for AC practices. Cotter said the AC pays the cost of lifeguards for their events.			
	Prigge said fees should be in place for all groups that use City parks, pool, etc. Schnitkey said we could charge a set fee for the year instead of each event. Cotter said we could look at charging proportionately. McColley said AC has 200 members and shouldn't pay the same as baseball or football. Hardy said we are not using \$100,000 to operate ball diamonds. Cotter said we are doing a 180 on what our business is. Funchion suggested looking at all non-P&R Dept. programs and coming up with rates for them to pay.			

	Cotter said these are tough decisions, but there is a performance audit going on.
	They will make recommendations for us to act on or Council will act. We are trying to be proactive. Prigge said we could do all of this and only make up ¼ of what we need. Cotter said the easy thing to do is to take a vote and close the two big things that cost money, but that is not the right thing to do politically. We have to keep chipping away at this. Prigge suggested looking at the number of kids in a program and using a formula to figure the charge. It could be based on what that program costs the City. Thompson said these would be maintenance fees to help maintain what we have, not to operate the whole thing. It is a percentage to help out.
	McColley said the best argument for the pool is to say we charge \$1,000 (or whatever fee is decided) for football and that's half of the cost to the City. We are charging you \$10,000 (or whatever fee is decided) and that's only a small fraction of the cost to the City. Hardy said junior high baseball changes year to year. It will be harder for them to come up with money. Saneholtz said they may need to have more fundraisers.
	Cotter said he will invite someone from AC to come to the January meeting. We can formulate a game plan at the December meeting. Funchion ask Cotter to ask other cities if they charge fees to non-sponsored people. Cotter said he will check on this. 2013 will be a testing year. We need revenues to come in strong. He told his staff to tighten their belts. We just accepted another piece of land on the other side of the river. We can't sell Meyerholtz Park. Wayne Park would be the one to sell if the Board is still interested in this. Hardy said it could be broken into two lots. McColley said it may get into the flood plain. Cotter said we will deal with this later.
Miscellaneous	
Schnitkey	Schnitkey – no items
Prigge	Prigge – no items
Thompson	Thompson – no items
Richardson	Richardson – no items
Hardy	Hardy – no items
Funchion	Funchion – no items
Saneholtz	Saneholtz – no items
Any Other Items	Cotter distributed copies of the proposed beverage agreement (attached) with the Pepsi Beverages Company (PBC). Members discussed the cost of beverages opposed to purchasing them at Walmart or on sale at other local merchants. Saneholtz said the problem is that the City guys would have to go and get it. Funchion noted that we would lose the \$2,500 yearly sponsorship payment from PBC. Cotter said PBC will take unused cases of pop back at the end of the year. This is a 5-year contract. We will lose the coolers at the golf course and have to come up with \$5,000-6,000 if we don't go with this contract. This is a guaranteed \$2,500 per year plus rebate money on each invoice.

Motion To Follow Through With PBC Agreement	Motion: SaneholtzSecond: RichardsonTo allow Tony Cotter to follow through with the Pepsi Beverage Agreement
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea – Hardy, Saneholtz, Prigge, Funchion, Schnitkey, Richardson, Thompson Nay-
	Prigge asked about tennis lessons. Cotter said they will pay fees now. The Defiance College tennis coach ran it last year. It is a 6 week program meeting 3 times per week. Funchion suggested having a tennis league instead of lessons. Saneholtz said we could charge the person who teaches the lessons for using the courts. Cotter said all decisions don't have to be made tonight. He is not advocating doing away with the tennis program or others. We just want to reduce costs. If we eliminate payment of the instructor, the program would die. McColley said the instructor could have the students pay. Cotter said the tennis program feeds into the high school program. We could ask for some involvement from the high school. Cotter talked to Russ Shaeffer about having a week-long camp instead of a 5 week program. Prigge noted that any kind of camp is expensive. Cotter said intramural volleyball instructors requested that we change how we list them in our budget. They asked to be paid a stipend as instructors instead of a club subsidy. Hardy believes all non-recreation items need to go away. Richardson said we have to have something for the older kids. Schnitkey said baseball won't go away if we charge for the field, but intramural may. Thompson said they may need to start charging kids. Cotter said we would have to recoup costs because it is a non-recreation program. If we took it over, whatever they charge kids would come to us. He does not recommend taking on any more programs. Schnitkey asked if this would be the same for basketball. Cotter said that ship already sailed this year, but the decision must be made next year. The amount of money we are paying him hasn't changed since the 1980's. He also officiates. This is a non-city program and no different than other non-city programs. The coordinator may have to charge more. We pay one referee and one scorekeeper. The program cost is easily \$1,500.
	Cotter said fees can go to Council right away, but the rules take longer. Baseball/softball will be the first season to be hit with fees and registration starts mid-March.
Motion To Adjourn	Motion: ThompsonSecond: PriggeTo adjourn the meeting at 8:27 PM
Passed Yea - 7 Nay- 0	Roll call vote on above motion. Yea – Hardy, Saneholtz, Prigge, Funchion, Schnitkey, Richardson, Thompson Nay -

Date Approved

Matt Hardy, Chair



December 7, 2012

# Fitch Ratings affirms AMP's combined hydro projects at 'A' rating

By Bob Trippe - senior vice president of finance/CFO

Fitch Ratings has affirmed the 'A' rating on the American Municipal Power, Inc. Combined Hydroelectric Projects (CHP) revenue bonds.

The AMP CHP consists of three separate, run-of-the-river hydroelectric generating facilities on the Ohio River: the Cannelton, Smithland and Willow Island facilities.



Fitch states the rating outlook is stable. According to Fitch, key rating drivers were environmentally beneficial resource, strong take-or-pay contracts, concentration of satisfactory purchasers, standard contract step-up provision, and effective member and project management.

"AMP has demonstrated its ability to oversee and manage its 129 members to ensure that each meets and maintains a variety of financial and operation requirements," the release states. "Project management to date, particularly during development, has also been strong."

Project construction has progressed with completion dates remaining 2014-15.

For copies of the press release, please contact Chris Deeter at 614.540.0848 or cdeeter@amppartners.org.

# Several regulatory developments of note on GHG, particulate standards

By Julia Blankenship – manager of energy policy and sustainability

On Dec. 4, the Natural Resources Defense Council (NRDC) released a lengthy report outlining its vision of a path for the U.S Environmental Protection Agency (EPA) to proceed with the regulation of greenhouse gases (GHGs) from existing fossil fuel-fired power plants.

You may recall EPA issued regulations limiting GHG emissions from new fossil fuel-fired power plants in April 2012, while acknowledging the agency did not intend to regulate existing units at that time. Since the November election, speculation has increased as to when, not if, EPA would move to regulate existing units for GHGs.

NRDC proposes that EPA utilize Section 111(d) of the Clean Air Act to set GHG limits at the state, not the federal, level. Each state-specific GHG performance standard under NRDC's proposal would be based on a state-specific generation mix, plus national average emission rate benchmarks. NRDC is confident that their proposal has a solid legal foundation – something that prior EPA efforts have not fully enjoyed, as evidenced by numerous pending legal challenges facing the agency.

The NRDC proposal also seeks to incorporate end-use and demand-side

# *City of Hamilton names Pochard as director for Department of Electric*

The City of Hamilton recently announced Anthony "Tony" Pochard is being promoted to the position of director for the Department of Electric. Pochard has held the position of assis-



tant director of the Department of Electric since April 2011, and has served as the acting director of electric since March of 2012.

"Tony's knowledge and experience make him a highly valued employee and a key asset to the city's electric system," said Tim Werdmann, deputy city manager. "With his successful track record with the department, he is extremely deserving of this promotion and, I have no doubt, will continue to do an excellent job for the city and its electric customers."

The City of Hamilton owns and operates all four of the primary utilities in the city, including electric (generation, transmission and distribution), natural gas (distribution), water (production and distribution) and water reclamation (collection and treatment) systems.

# Member contact list, estimated quantity sheets coming soon for Joint Purchasing Program

By Jennifer Flockerzie – GIS coordinator

AMP is currently working on a member contact list for the 2013 Joint Purchasing Alliance Program (JP Program). After Jan. 1, AMP's JP Program will be sending out estimated quantity sheets to members who would like to participate.

Members will be asked to review the list of Joint Purchase items and provide us with estimated quantities of forecasted purchases for 2013.

continued on Page 2

# **Regulatory developments**

continued from Page 1

energy efficiency measures and assumes additional reductions in SO2 and NOx from the new performance standards. The full study can be accessed <u>here</u>.

Also on Tuesday, EPA forwarded its long-delayed National Ambient Air Quality Standard (NAAQS) for fine particulate matter (PM) to the Office of Management and Budget (OMB) for interagency review. EPA expected to finalize the standards on Dec. 14, consistent with a court-ordered deadline between EPA, the American Lung Association, and the National Parks Conservation Association.

EPA proposed the revisions to the PM NAAQS in June 2012. The current NAAQS for fine PM is 15 micrograms per cubic meter of air. The proposed update to the PM NAAQS has been under review by EPA since 2007. The agency missed a 2011 deadline for issuing revised PM NAAQS, and as late as May 4, 2012, stated in a brief to the D.C. Circuit that it needed until at least August 2013 to issue a final revised standard.

The proposed fine PM NAAQS would lower the allowable limit from 15 micrograms per cubic meter to between 12 and 13 micrograms per cubic meter. The agency's focus appears to be on obtaining emission reductions of fine PM from power plants and other stationary sources, rather than mobile sources.

It is feared that the tighter level of the proposed fine PM NAAQS could greatly increase the number of nonattainment areas across the country, and could negatively impact even the permitting of new natural gas-fired power plants, especially in non-attainment areas. The timing of non-attainment designations is unknown, but could happen relatively quickly following the release of the final PM NAAQS since data has been collected for a long time.

The new standards are expected to impact not only primary PM sources, but also NOx, SO2, and ammonia sources that can contribute to secondary PM that forms in the atmosphere.

AMP is closely tracking these developments and will file appropriate comments.

If you need additional information on either of these developments, please contact me at 614.540.0840 or jblankenship@amppartners.org

# AFEC weekly update

By Craig Kleinhenz – manager of power supply planning

Throughout last week, the plant averaged a 74 percent load factor, with Sunday seeing the lowest production day (66 percent load factor) and yesterday the highest (80 percent).

These higher load factors come despite the duct burners being dispatched only 25 hours this week (with only five of those hours seeing close to max production). The lower duct burner production was offset by a robust amount of off-peak production as the plant was only dispatched to minimum load 28 hours.

From last Friday through yesterday, on-peak 7x16 prices were \$5.53/MWh higher than AFEC dispatch costs.

#### On Peak (16 hour) prices into AEP/Dayton Hub

Week end	ing Dec. 7			
MON \$33.00	TUE \$31.00	WED \$34.50	THU \$38.75	FRI \$33.75
Week ending Nov. 30				
MON \$49.00	TUE \$41.00	WED \$43.75	THU \$38.00	FRI \$35.50
AEP/Dayton 2013 5x16 price as of Dec. 7 — \$41.95				

AEP/Dayton 2013 5x16 price as of Nov. 30 — \$41.30

# **Joint Purchasing Program**

continued from Page 1

Price quotes will be requested only for items members include on their quantity sheets. Providing estimates for specific transformer sizes, wire sizes, pole classes, pole heights, etc., will guarantee that members receive competitive price quotes for each item they may plan to purchase.

The Joint Purchase Program is open to all AMP members and participation in this program and the Request for Proposal (RFP) process is voluntary. There is no cost to participate and there are no costs associated with the program beyond the purchase price of any material ultimately ordered by the participating member community.

By combining member quantities, AMP hopes to improve and increase the response from vendors – thereby providing members with more significant savings than they would be able to obtain individually.

#### Member experiences

Increased member participation in the JP Program has led to additional program items and vendors. Members have reported savings of thousands of dollars, and indicated they will participate again.

"It was really nice having this program because we didn't have to shop around on pricing. I would recommend the program to other people because the footwork is already done," said Ben Wehner, electric superintendent for the Village of Jackson Center. "In the past we saved around \$20 to \$40 per pole."

To be added to the 2013 member contact list or to obtain a list of items and instructions on how to participate in the program, please contact me at 614.540.0853 or jflockerzie@amppartners.org.

# Energy markets have mixed week

By Craig Kleinhenz

Energy markets experienced mixed messages this week. Markets faced upward pressures from a larger than expected withdrawal of natural gas from storage this week as a result of the cold spell that occurred over the end of November.

The counter to this bullish news is the warmer weather that we have experienced over the last several days. This warmer weather is expected to last into next week, putting downward pressure on the energy markets.

January natural gas prices had an up and down week but closed up \$0.02/MMBtu from last week to end at \$3.67/MMBtu. The 2013 on-peak electric prices at AD Hub finished up \$0.65/MWh from last week, closing at \$41.95/MWh.

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# Upcoming AMP, APPA events

By Jennifer Flockerzie

#### APPA Lineworkers Rodeo – March 22-23

Hosted by Kissimmee Utility Authority, this national event is the foremost showcase of public power lineworker skill and knowledge. At the Rodeo, journeyman and apprentice lineworkers can compete for professional recognition, attend training courses and practice essential skills in a safe environment.

# APPA Engineering and Operations Technical Conference – March 24-27

Join other public power utilities from across the United States in Kissimmee, Florida, to discuss real world issues. This conference continues to be the only national conference designated to meet the needs of public power engineering and operations staff.

Areas of focus include transmission and distribution, environmental policy, generation, safety, SCADA, metering, security and system planning.

#### APPA Technical Services Conference – April 23-24

The conference, held at AMP headquarters, is intended to promote and contribute to the objective of operational safety and reliable system services. A variety of topics are presented each year and additional information will be available as the event nears.

## APPA presents DEED webinar

APPA will offer a DEED webinar from 2 to 3 p.m. Dec. 13. The program, Meet Zilowatt: Free Tools for Conservation

Education in your Community's Schools, will be led by Bruce Lesch, key account representative for City of Palo Alto



Utilities, and Al Yuen, managing director for Zilowatt.

The webinar will focus on new ways to offer energy education, and showcase a set of lessons and tools that were designed to support energy education and conservation behavior change initiatives at local schools. Visit www. zilowatt.org for more information on the program.

AMP covers all DEED dues for members who also belong to APPA. This webinar is free to DEED members and worth 0.1 CEU/1.0 PDH credits.

Click <u>here</u> to register. For assistance with registration, email to info@publicpower.org



# News or Ads?

Call Krista Selvage at 614.540.6407 or email to kbselvage@amppartners.org if you would like to pass along news or ads.



# American Municipal Power

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### Scholarship information is coming

By Karen Ritchey - manager of communication programs

Informational packets regarding the Richard H. Gorsuch and Lyle B. Wright scholarships including rules, eligibility, deadlines and nomination forms were mailed to AMP's principal contacts today. They are also available on AMP's Member Extranet.

Scholarship information will be mailed to high school guidance counselors in each member community next week. AMP member communities can nominate one high school senior for each scholarship (Gorsuch and Wright). Nominations are due by Jan. 18.

The Wright scholarship applicant must be a student whose household receives electricity from an AMP member community. The applicant for the Gorsuch scholarship must be a student whose parent or guardian is an employee of an AMP member municipal electric department or an employee of AMP.

Up to four Wright and up to four Gorsuch scholarships will be awarded. Winners will be determined by the AMP Board of Trustees and announced in May.

Since the program began in 1988, AMP has provided \$224,000 in scholarships to graduating high school seniors. Member communities are encouraged to participate in this program by nominating a student for the scholarships. If you have any questions, please contact me at 614.540.0933 or kritchey@amppartners.org.



An internet connection and a computer are all you need to educate your entire staff for just \$89. Register today at www.APPAAcademy.org. Non-APPA members enter coupon code **webinar** to receive the member rate.

#### 2013 Electric Utility 101 Webinar Series

- Generation Jan. 15
- Substations Feb. 12
- Transmission March 18
- Distribution April 16
- 2013 Utility Governance Webinar Series
- Assessing the Future of Public Power's Business Model Jan. 22
- How Public Power Is Governed: The Structures and Authorities of Utility Boards Feb. 19
- Duties, Responsibilities and Legal Obligations of Public Power Governing Boards March 28
- Federal Legislative and Regulatory Issues for Boards April 15



**2013 Legislative Rally: March 11-13** *Grand Hyatt Washington, Washington, D.C.* Click <u>here</u> for more information.

AMP/OMEA will send out information regarding group activities after the first of the year.

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# 2012 AMP Hard Hat Safety Award recipients

There were 14 municipal electric systems with Hard Hat Safety Award winners for 2012 recognized at the AMP/OMEA Conference held in October. Recipients will continue to be recognized at meetings in their home communities and officially presented with their awards at that time.



Colt Fackler (left), Pioneer lineman, receives a 2012 AMP Hard Hat Safety Award from Rick Fairbanks, Pioneer electric superintendent.



Bill Metcalfe (left), Coldwater's electric department superintendent, congratulates 2012 AMP Hard Hat Safety Award recipient Dennis Steele, Coldwater warehouse technician.



Matt Killion (left), Bryan plant supervisor, presents Bryan Power Plant Operator II Brent Hulbert with a 2012 AMP Hard Hat Safety Award.



Drew Shepard (left), Montpelier journeyman lineman, accepts a 2012 AMP Hard Hat Safety Award from Kevin Mercer, Montpelier superintendent.

# **Update Classifieds**

# City of Columbiana seeks city manager candidates

City of Columbiana Council is looking to appoint a manager to lead our community with a mayor/council/manager charter form of government.

Job responsibilities: Executive management and leadership duties to include: appoint employees, supervise departments, enforce laws, prepare budget, prepare reports, execute contracts, and work with labor groups.

Qualifications: An accredited Bachelor's Degree in Public Administration or a related field is preferred, along with at least five years of local government experience.

Wage will be based on qualifications.

Resumes with salary requirement will be accepted until Dec. 17 at the City Manager's office, 28 W. Friend St., Columbiana, OH 44408 or by email to rlgreen@cityofcolumbiana.org. www.cityofcolumbiana.org Equal Opportunity Employer.

# Cuyahoga Falls offers exam for Lineman Class B position

Lineman Class B Electric Department City of Cuyahoga Falls: The Civil Service Commission will hold an opencompetitive written exam at 6:30 p.m. Jan. 8. Entry level pay: \$24.8946 per hour. At least one year's experience as a lineman required. Valid OH Commercial Driver's License (CDL). Non-smoking environment.

Visit www.cityofcf.com for complete exam posting and Civil Service application or call 330.971.8150 for application packet. Job summary: under the guidelines of the training program, assists in the operation, construction and maintenance of transmission and distribution lines.

Applications must be postmarked by Dec. 28. Exam fee is \$25 cash or money order due with application (no personal checks). EEO/ADA



# Legislative Bulletin

# **Ohio Municipal League Legislative Bulletin**

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### **Committee Schedule**

### **December 7, 2012**

#### Interested Party Meeting Called for December 17 on Municipal Tax Uniformity Bill

We received word from Rep. Cheryl Grossman (R-Grove City) that she and her co-sponsor, Rep. Mike Henne (R-Clayton) will be holding an interested party meeting Monday, December 17, to discuss HB 601, legislation they introduced which would drastically effect the operations of the municipal income tax.

Much Activity Still Remains For Lame Duck Session

Many issues remain fluid as the General Assembly continues with the flurry of legislative activity in an attempt to wrap-up the Lame Duck session and retire the 129 th General Assembly. As we reported to you last week, there are a number of bills that will affect municipalities that are part of the final legislative push, but many of these remain unresolved with Legislators having next week to apply the finishing touches so that the bills will be approved and sent to Governor Kasich for his consideration.

#### Here is a brief description of the bills that remain a work in progress that we are following closely:

HB 50, TYPE-II Annexation legislation remains in the Senate Ways and Means committee where it received a Sponsor hearing this week but nothing more. The bill will be before the Senate committee again next week as they meet at 11a.m. in the North Hearing Room to hold a second hearing on the proposal. The hearing is scheduled to include all testimony with the possibility that amendments will be offered, a substitute bill may be presented and whatever makes it to the final version from the committee work is scheduled for a possible vote. We are working with Chairman Schaffer to stay informed on what may be offered as amendments or what the substitute bill may include, but those decisions have yet to be finalized.

HB 360, Rep. Rosenberger's wireless 9-1-1 charges bill that addresses the sun-setting of the current funding system for the statewide emergency communication system was amended and reported out of the Senate Energy & Public Utilities committee and later passed by the Ohio Senate with a 28-5 vote. The bill was amended by the Senate committee to address areas of importance as the state considers next generation issues and PSAP consolidation. The bill was amended with proposals that would: ensure all fees collected can only go to existing and future equipment, technology and Nex-Gen processes; authorizes the Ohio auditor of state to conduct audits of county 9-1-1 expenditures; mandatory reductions of funded local public safety answering points (PSAP); reduce the total state funding by 50% to counties that fail to meet PSAP consolidation standards, among other things. The Emergency Services Internet Protocol Network (ESINet) Steering Committee has been formed, on which municipalities have two representatives, that will be tasked with creating a report to help chart long term operational guidelines. The bill will be sent back to the Ohio House for their consideration of

the language changes made by the Ohio Senate.

HB 523 and SB 254, Rep Combs' and Sen. Patton's legislation that deal with Mayor's Court population levels are still in the process. HB 523 was passed by the House Judiciary Committee on November 27 and now rests in the House Rules committee, awaiting the call to be considered by the full House membership. Meanwhile, Sen. Patton's bill that would set the population limit at 200 for communities to be eligible to hold Mayor's Court was passed out of the Senate Judiciary Committee and also is waiting to be called to the floor for consideration by the full Senate membership.

SB 364, legislation sponsored by Sen. Seitz which proposes alterations in the current LGF distribution formula received a first Sponsor only hearing in the Senate Finance Committee and is scheduled for a second hearing, all testimony, Tuesday, December 11 at 9:00 a.m. in the Senate Finance Hearing Room. The league is waiting to see a report created by county auditor's as to the effects the proposal will have on the current system and what the change in treatment would mean for municipalities. We expect this issue to be back next year when budget conversations and drafting takes place.

There have been a couple bills introduced this General Assembly that address the regulation of internet cafes across the state but one bill seems to be the vehicle bill most likely to be adopted. HB 605 was introduced by Rep. Huffinan which proposes to further regulate these "businesses of chance" by imposing broader definitions of what would be classified as illegal gambling, bans cash payouts from electronic sweepstakes devices, and caps the value of any merchandise awarded at \$10. The bill was approved by the House Judiciary Committee December 4 and the next day voted favorably by a majority of 63-30 House members. The bill will now be taken-up by the Ohio Senate with quick action expected.

Below we have attached the upcoming week's legislative committee schedule. We are still hearing that the members of the legislature would prefer to complete their work by the end of next week so the Governor would have time to consider the work accomplished before the year's end. But much like the Lame Duck session, those decisions are still being made.

We hope everyone has a safe weekend and we will report to you next week how the different legislative issues are resolved.



# Legislative Bulletin

## **Ohio Municipal League Legislative Bulletin**

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#### **Committee Schedule**

#### December 14, 2012

#### **INTERESTED PARTY MEETING MONDAY ON HB601 INVITATION ONLY**

We have received a number of inquiries to our office from members interested in attending the interested party meeting that Representative Cheryl Grossman (R-Grove City) has scheduled for this coming Monday, to discuss legislation (HB 601) she and Rep. Mike Henne (R-Vandalia) have introduced which would cause significant change to the administration and effectiveness on the municipal income tax. Like the previous seven interested party meetings organized by the Sponsors of the legislation, the attendee list of those invited to participate is limited to only those that have attended in the past and were part of the original invited working group, put together by the Representatives.

We will be producing a Legislative Bulletin the first of next week covering the highlights of Monday's HB 601 interested party meeting. Also next week, we will go through the legislative action that took place this week as the Lame Duck session came to an end late yesterday. The General Assembly has yet to officially "sine die", meaning they have not officially declared the work of the 129 th General Assembly complete and have left the schedule open until Tuesday. This delay in officially wrapping-up the work for this Session seems to only be a precaution in case the Governor feels a need to call the legislature back, as he considers the bills that have been sent to him for his approval.