# **M**emorandum

To: Mayor & Members of Council
From: Jon Bisher/rd
Subject: General Information
Date: June 28, 2013

Jon is on Vacation until Monday, July 8<sup>th</sup> and has Appointed Chad Lulfs as the Acting City Manager

#### CALENDAR

2014 Tax Budget PUBLIC HEARING @ 6:55 pm

CITY COUNCIL AGENDA @ 7:00 pm

#### C. APPROVAL OF MINUTES

The minutes from the June 17<sup>th</sup> Regular Council Meeting and June 20<sup>th</sup> Special Council meeting are enclosed.

#### G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

- 1. **RESOLUTION NO. 032-13** a Resolution Adopting the 2014 Tax Budget for the City of Napoleon, Ohio, as required in Section 5705.28 of the ORC and Directing the Finance Director to File the Same with the County Auditor; and Declaring an Emergency. (Suspension Requested)
- 2. **ORDINANCE NO. 033-13** an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 3) for the Year 2013; and Declaring an Emergency. (Suspension Requested)
- 3. **RESOLUTION NO. 034-13** 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" (Transfer 2); and Declaring an Emergency. (Suspension Requested)
- 4. **RESOLUTION NO. 035-13** a Resolution Authorizing the City Manager and/or Fire Chief to Accept the Grant from the Assistance to Firefighters Grant Program; and Declaring an Emergency. (Suspension Requested)

#### I. GOOD OF THE CITY

Items I.1., I.2., and I.3. are recommendations from the Finance & Budget Committee.

- 1. Recommendation to Establish a General Fund Reserve Account
- 2. Recommendation to Establish a Quarterly Review of the General Fund and the Capital Improvement Fund Balance by the Finance & Budget Committee
- 3. Recommendation to Accept the 2<sup>nd</sup> Quarter Budget Adjustments as Revised and to Direct the Law Director to Draft Legislation
- 4. License Agreement with Brick 'n Brew
  - ➤ A copy of the License Agreement is enclosed.

5. Review of Sidewalk Grant Under Rt. 24 Overpass

#### **RELATED ITEMS**

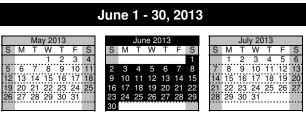
- 1. FOURTH OF JULY Activities
- 2. **CANCELLATION –** *Technology and Communications Committee*
- 3. Press Release announcing Refuse & Recycling Routes for the week of July 1 5, 2013.
- 4. HB 5 information from Ohio Municipal League
- 5. AMP Update/June 21, 2013
- 6. Ohio Municipal League Bulletin/June 28, 2013

rd Records Retention CM-11 - 2 Years

#### Monthly Calendar

#### June 1 - 30, 2013





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#### 🕗 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
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	24		26	27	BISHER - OFF	
	24 6:30 PM Finance & Budget Committee Mtg.		26 BISHER - Vacation	27 6:00 PM Special Civil Service Commission Meeting	BISHER - OFF	29
	24		26 BISHER - Vacation	27	BISHER - OFF	29
	24 6:30 PM Finance & Budget Committee Mtg.		26 BISHER - Vacation	27 6:00 PM Special Civil Service Commission Meeting	BISHER - OFF	29
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City of Napoleon, Ohio

# **CITY COUNCIL**

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

# Public Hearing Agenda

# Monday, July 1, 2013 at 6:55 PM

- Public Hearing
   To review the proposed 2014 Tax Budget and Inside Ten (10) Mill Levy
   Rates allocated to the City
- B. Any Other Items That May Properly Come Before Council
- C. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

County Auditors Form No 32(Rev.3-90)- Prepare in Triplicate

On or before July 20th two copies of this Budget must be submitted to County Auditor

Henry County, Ohio June 17, 2013

To the County Auditor:

The Council of Said Village hereby submits its annual Budget for the year commencing January 1st, 20 for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

\*Whade Fiscal Officer

City

**County Auditor** 

Gregory J. Heath, Finance Director/Clerk of Council City of Napoleon, Ohio

2014 TAX BUDGET

**County Treasurer** 

**County Prosecuting Attorney** 

Schedule A

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

City of Nanalaan Ohio	- <u></u>	l I		Γ		County	Auditor's
City of Napoleon, Ohio City Tax Valuation: \$144,228,26 FUND	0 Mills	b comm	unt approved y Budget hission Inside A Limitation		Amount to be derived from Levies Outside 10 M Limitation	Inside 10 M Limit	Outside 10 M Limit
1. General Fund	2.0	\$	288,457	Γ			
4. Road and Bridge Fund							
5. Cemetery Fund		ļ					
9. Police District Fund	0.6	\$	86,537			`	
10. Fire District Fund	0.3	\$	43,269	ļ			
11. Road District Fund							
12. Park Levy Fund							
14. Miscellaneous Funds		L					
15. General Bond Retirement Fund							
20. Special Levy Funds							
21. Capital Equipment Fund		<u> </u>					
28. Ambulance and Emergency Medical Services Fi	bnu			1			

\$ 418,263

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LEVIES OUTSIDE 10 MILL. LI	MITATION, EXCLUSIV	E OF DEBT LEVIES	
FUND	Max. Rate Authorized to be Levied	County Addition of a	
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Current Expense Levy authorized by voters on 20			
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SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20			
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Do you propose any changes to levies? (please note above)

City of Napoleon, Ohio

# **CITY COUNCIL**

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

## MEETING AGENDA Monday, July 1, 2013 at 7:00 PM

- A. Attendance (Noted by the Clerk)
- B. Prayer & Pledge of Allegiance
- **C. Approval of Minutes:** June 17 & June 20 (*In the absence of any objections or corrections, the minutes shall stand approved.*)
- **D.** Citizen Communication
- E. Reports from Council Committees
  - 1. Parks & Recreation Committee did not meet on Monday, June 17 due to lack of agenda items.
  - 2. Finance & Budget Committee (Majority Report) met on Monday, June 24 and recommended:
    - **a.** To establish a general fund reserve account;
    - **b.** To establish a quarterly review of the general fund and the capital improvement fund balance by the Finance & Budget Committee;
    - c. To accept the Parks & Recreation Director's golf course update report and budgetary plan; and
    - **d.** To accept the 2<sup>nd</sup> quarter budget adjustments as revised and to direct the Law Director to draft legislation
  - 3. Safety & Human Resources Committee did not meet on June 24 due to lack of agenda items.

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

- 1. Civil Service Commission met on Wednesday, July 19 with the following agenda items:
  - a. Letter from Police Lt. Candidates
  - b. Consideration of Cancellation of Police Lt. Testing & Rescheduling
- **2.** Civil Service Commission did not meet on Tuesday, June 25 due to a Special Meeting scheduled for Thursday, June 27 with the following agenda items:
  - a. Administer & Grade the Civil Service Test for the Position of Fire Captain
  - **b.** Certify the Eligible List for Fire Captain
  - c. Application Dates for Police Lieutenant
- 3. Parks & Recreation Board did not meet on Wednesday, June 26 due to lack of agenda items.
- G. Introduction of New Ordinances and Resolutions
  - 1. **Resolution No. 032-13** A Resolution adopting the 2014 tax budget for the City of Napoleon, Ohio, as required in Section 5705.28 of the ORC and directing the Finance Director to file the same with the County Auditor; and declaring an emergency (*Suspension requested*)
  - **2.** Ordinance No. 033-13 An Ordinance supplementing the annual appropriation measure (Supplement No. 3) for the year 2013; and declaring an emergency (*Suspension requested*)
  - **3. Resolution No. 034-13** 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" (Transfer 2); and declaring an emergency (*Suspension requested*)
  - **4. Resolution No. 035-13** A Resolution regarding acceptance of a grant from FEMA for \$210,900 for purchase of Self Contained Breathing Apparatus; and declaring an emergency (*Suspension requested*)

#### H. Second and Third Readings of Ordinances and Resolutions

There are no second or third readings of Ordinances and Resolutions.

- I. Good of the City Any other business as may properly come before Council, including but not limited to:
  - 1. Discussion/Action: Recommendation to establish a general fund reserve account
  - **2. Discussion/Action:** Recommendation to establish a quarterly review of the general fund and the capital improvement fund balance by the Finance & Budget Committee
  - **3.** Discussion/Action: Recommendation to accept the 2<sup>nd</sup> quarter budget adjustments as revised and to direct the Law Director to draft legislation
  - 4. Discussion/Action: License agreement with Brick'N'Brew
  - 5. Discussion/Action: Review of sidewalk grant under Rt. 24 overpass
- J. Executive Session: (As needed)

- K. 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.)
- L. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

#### A. Items Referred or Pending in Committees of Council

- Technology & Communication Committee (1<sup>st</sup> Monday) 1. (Next Regular Meeting: Monday, July 1, 2013 @ 8:00 PM) 2. Electric Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, July 8 @ 6:30 PM) a. Review of Electric Billing Determinants **b.** Electric Department Report c. Solar Acquisition of Additional Solar Power d. Electric Rate Stabilization from AMP 3. Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, July 8 @ 7:00 PM) **a.** Sewer Insurance **b.** Sewer Assessment **c.** Sewer Ownership 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, July 8 @ 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, July 15 @ 8:00 PM.) 6. Finance & Budget Committee (4<sup>th</sup> Monday) (Next Regular Meeting: Monday, July 22 @ 6:30 PM) 7. Safety & Human Resources Committee (4<sup>th</sup> Monday) (Next Meeting: Monday, July 22 @ 7:30 PM) Meeting with Townships Last 2013 Regular Meeting with Townships scheduled for November 25 **8. Personnel Committee** (As needed) B. Items Referred or Pending In Other City Committees, Commissions & Boards **1.** Board of Public Affairs (2<sup>nd</sup> Monday) (Next Regular Meeting: Monday, July 8 @ 6:30 PM) a. Review of Electric Billing Determinants **b.** Electric Department Report c. Solar Acquisition of Additional Solar Power d. Electric Rate Stabilization from AMP e. Sewer Insurance f. Sewer Assessment g. Sewer Ownership 2. Board of Zoning Appeals (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, July 9 @ 4:30 PM) 3. Planning Commission (2<sup>nd</sup> Tuesday) (Next Regular Meeting: Tuesday, July 9 @ 5:00 PM) 4. Tree Commission (3<sup>rd</sup> Monday) (Next Regular Meeting: Monday, July 15 @ 6:00 PM ) 5. Civil Service Commission (4<sup>th</sup> Tuesday) (Next Regular Meeting: Tuesday, July 23 @ 4:30 PM) 6. Parks & Recreation Board (Last Wednesday) (Next Regular Meeting: Wednesday, August 28 @ 6:30 PM –July meeting is canceled.)
  - 7. Privacy Committee (2nd Tuesday), Nagasi 20 C offer 1 m Valy m (Next Regular Meeting: Tuesday, November 12 @ 10:30 AM)
  - 8. Records Commission (2<sup>nd</sup> Tuesday in June & December) (Next Regular Meeting: Tuesday, December 10 @ 4:00 PM)
  - **9.** Housing Council (1<sup>st</sup> Monday of the month after the TIRC meeting) (*Next Meeting: Monday, May 5, 2014 @ 6:30 PM*)
  - 10. Health Care Cost Committee (As needed) (Next Meeting: Monday, July 8, 2013 @ 8:30 AM)
    a. Changes to Health Care Options for 2014
  - **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)
  - 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)
  19. Housing Advisory Committee (As needed)
- 20. Fair Housing Board (As needed)

# City of Napoleon, Ohio **CITY COUNCIL** Meeting Minutes Monday, June 17, 2013 at 7:00 PM

PRESENT	
Council	John Helberg (President), Travis Sheaffer, James Hershberger, Patrick McColley,
	Christopher Ridley
Mayor	Ronald A. Behm
City Manager	Dr. Jon A. Bisher
Law Director Finance Director/Clerk	Trevor M. Hayberger
City Staff	Gregory J. Heath Robert Bennett, Fire Chief
City Stall	Dennis Clapp, Electric Superintendent
	Marty Crossland, Staff Engineer
	Scott Hoover, Water Plant Superintendent
	Chad Lulfs, City Engineer
	Sheryl Rathge, Executive Assistant
Recorder	Robert Weitzel, Police Chief Barbara Nelson
Others	News Media, Jeff Marihugh
ABSENT	
Council	Jeff Lankenau, Jason Maassel
Call To Order	President Helberg called the meeting to order at 7:00 p.m. with the Lord's Prayer followed by the Pledge of Allegiance.
Minutes Approved	Minutes of the June 3 Council meeting stand approved with no objections.
CitizenCommunication	None
Citizencommunication	None
Reports From Committees	The Technology & Communication Committee did not meet on Monday, June 3 due to lack of agenda items.
Reports From	The Technology & Communication Committee did not meet on Monday, June 3 due to lack of agenda items. Chairman Sheaffer reported that the Electric Committee met on Monday, June 10 and recommended:
Reports From	The Technology & Communication Committee did not meet on Monday, June 3 due to lack of agenda items. Chairman Sheaffer reported that the Electric Committee met on Monday, June 10 and recommended: <b>a.</b> Approval of June billing determinants
Reports From	<ul> <li>The Technology &amp; Communication Committee did not meet on Monday, June 3 due to lack of agenda items.</li> <li>Chairman Sheaffer reported that the Electric Committee met on Monday, June 10 and recommended:</li> <li>a. Approval of June billing determinants</li> <li>b. To move forward with the utility bill assistance program</li> </ul>
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Reports From	<ul> <li>The Technology &amp; Communication Committee did not meet on Monday, June 3 due to lack of agenda items.</li> <li>Chairman Sheaffer reported that the Electric Committee met on Monday, June 10 and recommended: <ul> <li>a. Approval of June billing determinants</li> <li>b. To move forward with the utility bill assistance program</li> <li>c. To look at rate stabilization from AMP</li> </ul> </li> <li>Chairman Lankenau reported that the Water, Sewer, Refuse, Recycling and Litter Committee met on June 10 and: <ul> <li>a. Took no action on <i>How to Handle Sanitary Sewer Leads on Upcoming Projects</i></li> <li>b. Recommended to agree to the concept of a water plant that is a consortium with our neighbors</li> </ul> </li> <li>The Municipal Properties, Buildings, Land Use and Economic Development</li> </ul>

Motion To Approve First Read	Motion: McColleySecond: RidleyTo approve first read of Resolution No. 025-13
Discussion	Hayberger said we haven't finalized this contract yet but he wants the authorization to be in place when it's ready. This is for antennae on top of the water tower.
Motion To Suspend The Rule	Motion: Hershberger Second: Ridley To suspend the rule requiring three readings
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Passed Yea-5 Nay-0	Roll call vote to pass Resolution No. 025-13 under suspension of the rule Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Introduction Of Ordinance No. 028-13	President Helberg read by title Ordinance No. 028-13 An Ordinance supplementing the annual appropriation measure (Supplement No. 2) for the year 2013; and declaring an emergency
Motion To Approve First Read	Motion: SheafferSecond: HershbergerTo approve first read of Ordinance No. 028-13
Discussion	Bisher said there is a series of three resolutions to be passed. Council talked about this economic development project, but the project fell apart and we didn't put money in the budget for it. The project is still not there, but this is in conjunction with several other county projects. We need to pass the legislation saying we are in favor of this group of projects. We need to certify funds and there are none there to certify. We will make a budget adjustment of \$96,300, but there is no intent to spend that \$96,300 this year. This gives the county the go ahead. The other two resolutions allow us to agree with the plan and be part of it.
Motion To Suspend The Rule	Motion: Sheaffer Second: Hershberger To suspend the rule requiring three readings
Failed Yea-4 Nay-0 Abstain-1	Roll call vote on above motion: Yea- Sheaffer, Ridley, Hershberger, Helberg Nay- Abstain-McColley
	Bisher said five votes are needed for passage due to the emergency clause.Heath said this legislation is required by July 1 so Council may need a special meeting to pass it under suspension and emergency. Hayberger suggested amending the legislation to take out the emergency clause and pass it on first read. This will show a good faith effort. We can insert the clause for the next meeting and pass it under suspension and emergency as amended.
Motion To Amend	Motion: SheafferSecond: RidleyTo amend Resolution No. 028-13 and remove the emergency clause
Passed Yea-4 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Ridley, Hershberger, Helberg Nay-

Abstain-1	Abstain- McColley
Motion To Approve As Amended	Motion: SheafferSecond: RidleyTo approve first read of Resolution No. 028-13 as amended
Passed Yea-4 Nay-0 Abstain-1	Roll call vote on above motion: Yea- Sheaffer, Ridley, Hershberger, Helberg Nay- Abstain- McColley
	McColley said these are for township projects. He is the townships' engineer and put them together. Hayberger said McColley is part of the contract itself. Bisher said even though McColley would have no financial gain, it is best for him to abstain.
Introduction Of Resolution 029-13	President Helberg read by title Resolution No. 029-13 A Resolution authorizing the City Manager, Jon Bisher, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or local Transportation Improvement Program(s) and to execute contracts as required; and declaring an emergency
Motion To Amend First Read	Motion:Second:RidleyTo amend Resolution No. 029-13 to remove the emergency clause
Motion To Approve 1 <sup>st</sup> Read As Amended	Motion:Second:RidleyTo approve first read of Resolution No. 029-13 as amended
Passed Yea-4 Nay-0 Abstain-1	Roll call vote to amend Resolution No. 029-13: Yea- Sheaffer, Ridley, Hershberger, Helberg Nay- Abstain-McColley
Passed Yea-4 Nay-0 Abstain-1	Roll call vote to approve first read of Resolution No. 029-13 as amended Yea- Sheaffer, Ridley, Hershberger, Helberg Nay- Abstain-McColley
Introduction Of Resolution No. 030-13	President Helberg read by title Resolution No. 030-13 A Resolution authorizing the City Manager to enter into a cooperative agreement with Pleasant, Damascus, Harrison, and Monroe Townships for the Township Roads C2, B1, 5A, 12, K and Industrial Drive Project
Motion To Amend	Motion: RidleySecond: HershbergerTo amend Resolution No. 030-13 to remove the emergency clause
Motion To Approve First Read	Motion:SheafferSecond: RidleyTo approve first read of Resolution No. 030-13 as amended
Passed Yea-4 Nay-0 Abstain-1	Roll call vote to amend Resolution No. 030-13: Yea- Sheaffer, Ridley, Hershberger, Helberg Nay- Abstain- McColley
Passed Yea-4	Roll call vote to approve first read of Resolution No. 030-13 as amended Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg
	$2 \circ f 0$

Nay-0 Abstain-1	Nay- Abstain- McColley
Introduction Of Resolution No. 031-13	President Helberg read by title Resolution No. 031-13 A Resolution authorizing the City Manager to enter into a contract with Clemans, Nelson and Associates, Inc., for professional services regarding consultation for collective bargaining issues and other personnel issues; and declaring an emergency
Motion To Approve First Read	Motion: McColleySecond: RidleyTo approve first read of Resolution No. 031-13
Discussion	Hayberger said we looked at consultant services for collective bargaining agreements. Clemans, Nelson & Associates seemed like the best group. There is an emergency clause because we have many things to do before negotiations start. Bisher said this will cover personnel issues too. We are putting them on retainer for collective bargaining reasons. Helberg said the monthly minimum is \$175 per month for one year and the hourly rate depends on who you talk to. Haybrger said the retainer will be worthwhile.
Motion To Suspend The Rule	Motion: Ridley Second: Hershberger To suspend the rule requiring three readings
Passed Yea-5 Nay-0	Roll call vote to suspend the rule: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Passed Yea-5 Nay-0	Roll call vote to pass Resolution No. 031-13 under suspension Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Third Read Of Resolution No. 023-13	President Helberg read by title Resolution No. 023-13 A Resolution authorizing the City Manager to enter into a contract with Courtney and Associates for professional services regarding the electric rate and functionalized cost of service study
Motion To Pass On Third Read	Motion: Ridley Second: McColley To pass Resolution No. 023-13 on third read
Discussion	Nothing changed since the last reading.
Passed Yea-5 Nay-0	Roll call vote to pass Resolution No. 023-13 on third read Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
No 2 <sup>nd</sup> Or 3 <sup>rd</sup> Readings	There were no second or third readings of Ordinances and Resolutions.
GOOD OF THE CITY <u>Discussion/Action</u> Motion To Approve Billing Determinants	Motion: McColleySecond: SheafferTo accept the recommendation for approval of June electric billing determinantsas follows:Generation Charge: Residential @ \$.07479; Commercial @ \$.08884; Large Power@ \$.04663; Industrial @ \$.04663; Demand Charge Large Power @ \$13.17;Industrial @ \$15.11; JV Purchased Cost: JV2 @ \$.03743; JV5 @ \$.03743

Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Utility Bill Assistance	Heath said the utility bill assistance issue was presented to Electric Committee and BOPA. This impacts all utility bills. It will provide additional utility bill assistance for individuals in need. The concept is to round utility bills to the nearest whole dollar on a voluntary basis and put the extra money aside in a caring fund. Northwest Ohio Community Action Commission (NOCAC) would decide who is eligible to receive the funds. Customers can opt in and opt out any time, similar to the EcoSmart Program. Bisher said the maximum a customer could be in for would be \$12 per year. McColley said BOPA suggested doing this during certain months of the year. Heath said he hasn't talked to NOCAC about that yet. He can ask them to come and talk to Council.
	Helberg asked if this donation would be tax deductible at the end of the year. Heath said he doesn't know. Helberg asked if customers can put in more money if they choose to. Heath said he is not opposed to this. The problem is tracking it on our billing system. McColley said someone may want to donate their money to a specific agency to get the tax deduction. Mayor Behm said there are greater needs than what is available. This is a big issue.
Motion To Develop Agreement & Prepare Legislation	Motion: RidleySecond: SheafferTo direct the Law Director to develop an agreement with NOCAC and prepare legislation to move forward with the utility bill assistance program
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Rate Stabilization	Bisher said electric rates are projected to go lower for the next 2 years then jump up in 2016. This is an appropriate time to consider rate stabilization. AMP can hold some of our money and keep rates where they are now, then shave it off as the rates go up. Large businesses want to know where they will be. It helps them to keep rates stable. BOPA and Electric want to see what AMP has to say about this. Helberg asked what if someone is into rate stabilization then goes out of business. Bisher said they would gain nothing. There are winners and losers with wholesale power costs. Helberg asked if the time period to balance rates out would be two years. Bisher said it wouldn't be beyond 4 years, maybe 3 years: 2014, 2015, 2016, 2017. AMP can come and give a presentation with projections.
Motion To Look At Rate Stabilization	Motion: Ridley Second: Sheaffer To look at rate stabilization from AMP
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Water Plant	Motion: McColleySecond: RidleyTo discuss Water Plant
	Heath said no motion is necessary for action or discussion on these items until an action is taken. Helberg said he was corrected on this a month ago.

Bisher said the Mayor and some Councilors met with Liberty Center and the
Regional Water/Sewer District about the water plant. Being part of a consortium
would help stabilize water costs. We have had good results with the pilot plant even
though the river is stinky right now. A consortium is a different way of doing
business. We owned the plant and sold water outside the City limits with a 50%
surcharge. We would build a new water plant with other folks and sell water at the
same price we get. Each entity runs their own distribution system. We won't be able
to push annexation for water issues with a consortium. He believes Council would
make the right decision if they stay with this new model. The advantage is not
paying for the whole plant. The debting will not go on our books. The model
suggests this be done through assessments. The USDA would make a loan to the
Water/Sewer District. We buy water from them. An independent group would run
the plant. Napoleon will contract to run it initially since we have certified personnel
to do it. We just hired someone with membrane plant experience.

Helberg said the estimate for water customers' assessments is about \$100 per year for 40 years. Heath confirmed that the actual assessment has not been determined yet and could vary higher or lower depending on many factors. If the time is reduced to 30 years, the assessment will be about \$125 per year. Bisher said a new entity joining the co-op would have to pay a fee. Any entity joining as an original member would be a partial owner. The entities would be in a consortium running the plant and water rates would be the same for all. Helberg said the consortium would all be responsible for fines. Bisher said capital improvements are each entity's responsibility. Helberg said the USDA grant/loan wanted us to go the assessment route to tie revenues to bonds.

Bisher said if we do the plant on our own, the USDA would work with us and give us a portion of the grant, but it is more easily done as a consortium. McColley said this governing style will attract others. There has been interest from other villages to join in the future. Helberg said the cost to rehab the old plant would be \$16,000,000 for old technology. The new plant would cost \$22,000,000 and have new technology. Bisher said the membrane plant will put us in good stead with what the EPA requires now and for at least the next 10 years. We may still have staff at the plant to monitor other things. The water line does not go into the deal. We would parcel off the north tower and it would be part of the package that goes to the consortium with the new plant. That water tower is a \$1,000,000 repair/maintenance problem for Council if we keep it. Hayberger asked about the antennae. Bisher said the antennae would be passed to the consortium since they would be on their property.

Motion To Agree	Motion: McColley Second: Ridley
With Consortium	To move forward with the concept of a water plant that is a consortium with our
Concept	neighbors
Passed	Roll call vote on above motion:
Yea-5	Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg
Nay-0	Nay-
Presentation of Tentative 2014 Tax Budget	Heath said this represents the inside 10 mill allocation to the City. No action is needed on this item. We are required by the ORC to have a hearing on this item each year. We will need a resolution for the next Council meeting adopting the tax budget. This must be acopted by July 15 <sup>th</sup> and to the county auditor by July 20 <sup>th</sup> .
Motion To Set Public Hearing	Motion: McColleySecond: SheafferTo set a Public Hearing on the 2014 Tax Budget for Monday, July 1, at 6:55 pm

Passed Yea-5 Nay-0 Plans/Specs For Kenilworth I/I Project	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay- Lulfs presented the plans and specifications for the Kenilworth Area Inflow & Infiltration Removal Project (LTCP Project No. 16B). This project is partially funded through a grant from the Ohio Public Works Commission. He requested approval of plans and specifications in order to move forward with the project. Helberg said sewer leads will be replaced without assessments. Lulfs said there are only three people in the entire project that have to relocate their taps and they happen to be in this phase of the project.
Motion To Approve	Motion:McColleySecond: HershbergerTo approve plans/specifications for Kenilworth I/I Project
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
2 <sup>nd</sup> Quarter Budget Adjustments Assigned To Finance & Budget	President Helberg assigned <i>Review of 2<sup>nd</sup> Quarter Budget Adjustments</i> to the Finance & Budget Committee.
<u>Good Of The City</u> (Cont.) Bisher	Bisher said we are putting up signage for Scott St and for Rt. 424 Riverview East to make it better for detours. The worst will be when the intersection is closed for 30 days. Lulfs said this is scheduled for September/October and could change. Bisher said we hope to get Rt. 424 West open this week.
	Bisher said there is an issue with resurfacing on Dodd St. We won't get to it this year. Helberg asked if a waterline will be replaced there. Bisher affirmed.
Hayberger	Hayberger – no items
Sheaffer	Sheaffer – no items
McColley	McColley said the Water, Sewer, Refuse, Recycling & Litter Committee talked about bringing the sewer leads issue back to Council. Helberg said there is inequity involved in requiring someone to replace their sewer from the main when new projects provide a sewer including the tap on the main and the right of way. There is a distinct difference. McColley said people could argue that they put a line or tap in 10 years ago and we tore it up. Sheaffer said he is not comfortable making people pay for something the City has done. Ridley said if you live on the wrong side of the street and the sewer fails, you are responsible to replace it from your house back. Can the City afford to take ownerships of that lead across the street? The Water/Sewer Committee suggested looking at some kind of opt in insurance program of some way to impact the City's budget minimally.
	Helberg said Heath had this problem at his house. We may need to go back and reimburse people who had to pay. Hayberger said we don't want to go retroactive, but we can look forward. Mayor Behm asked about insurance. McColley said the issue was that people might join because their sewer is failing. Hayberger said we couldn't have opt-in insurance. Helberg said on the insurance issue everyone would have to be in no matter what. Bisher said we can socialize the insurance program and raise rates or we can raise rates so we pick up from the property line or we can keep

	rates the same as they are. This problem hasn't been solved because it is not easily solved without raising rates.
	Helberg said Lulfs stated we may do 6-8 of these per year and that could jump initially but it would even out after a few years. Lulfs said many people take roots out of their tap to maintain it, but if they didn't have to pay for it, they might not. Helberg said the cost for insurance would be about \$70,000 per year. Bisher said maybe not that much. Hayberger suggested putting \$70,000 in a pool. McColley said this would provide insurance to the right of way or property line. Bisher said we offer assistance in our Clean Water Removal Assistance Program (CWRAP) program for storm water issues. We fund it every year from the sewer fund.
	<ul> <li>Heath said you are talking about three issues:</li> <li>1. Assessing a project as a whole</li> <li>2. Ownership of the sewer from the right of way line out</li> <li>3. Laterals – putting in leads and assessing</li> </ul>
	These issues need to be resolved for next year's budget. These items can be referred to the Water/Sewer Committee. Hayberger said they should also go to BOPA regarding insurance. Ridley said we have to resolve the ownership issue before we resolve the ownership issue. Can we afford it? Heath said if we do insurance, we resolve ownership. Ridley said the insurance issue is a budgetary concern.
Sewer Insurance; Sewer Assessment; and Sewer Ownership Assigned To WSRRL & BOPA	<ul> <li>President Helberg assigned the following items to the Water, Sewer, Refuse, Recycling &amp; Litter Committee and BOPA:</li> <li>1. Sewer Insurance</li> <li>2. Sewer Assessment</li> <li>3. Sewer Ownership</li> </ul>
Mayor Behm	Behm – no items
Helberg	Helberg – no items
Hershberger	Hershberger – no items
Ridley	Ridley asked about the proposed roundabouts on Rt. 108 underneath the Rt. 24 bridge. Bisher said this was rejected by the State last week. Lulfs said this was a \$6,000,000 project. We have to make a decision whether to keep the grant for the sidewalks. There is a \$500,000 cost for engineering and construction. He and Bisher have not had time to talk about this yet. Helberg said there were homes out there before ODOT put the highway in and ODOT did not put the sidewalks in when the highway was built. Lulfs said we can make that argument.
	Ridley questioned two cell phone bills and charges for Service Org fees. Heath explained these items to Ridley's satisfaction.
Heath	Heath included Moody's verification of our credit rating in the Council packet. This ended up to be a full review even though they made the error that caused the problem. Our rating has been reaffirmed and we stand in good stead.
	Heath included House Bill 5 information in the packet. Councilors can contact their representatives about this. It is still in House Committee, but there is a push to get it moved out for a vote before the end of July.

Motion To Go Into Executive Session	Motion: SheafferSecond: McColleyTo go into Executive Session to discuss compensation of personnel with the Municipal Court Judge
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Into Executive Session	Council went into Executive Session at 8:48 p.m.
Motion To Come Out Of Executive Session	Motion: Sheaffer Second: McColley To come out of Executive Session.
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Out Of Executive Session	Council came out of Executive Session at 9:10 p.m. President Helberg reported that the discussion was regarding compensation of personnel and no action was taken.
<b>Approval Of Bills</b>	Bills and reports stand approved as presented with no objections.
Motion To Adjourn	Motion: Sheaffer Second: Ridley To adjourn the meeting.
Passed Yea –5 Nay -0	Roll call vote on above motion: Yea- McColley, Sheaffer, Ridley, Hershberger, Helberg Nay-
Adjournment	Meeting adjourned at 9:11 p.m.
Approved: July 1, 2013	John A. Helberg, Council President         Ronald A. Behm, Mayor         Gregory J. Heath, Finance Director/Clerk of Council
	Gregory J. Heam, Finance Director/Clerk of Council

### City of Napoleon, Ohio CITY COUNCIL Meeting Minutes Thursday, June 20, 2013 at 6:00 PM

PRESENT Council Mayor City Manager Law Director FinanceDirector/Clerk Recorder City Staff Others ABSENT Council	John Helberg - President, Jeffrey Lankenau, Travis Sheaffer, James Hershberger, Christopher Ridley Ronald A. Behm Dr. Jon A. Bisher Trevor M. Hayberger Gregory J. Heath Barbara Nelson Robert Weitzel, Police Chief News Media Patrick McColley, Jason Maassel
Call To Order	President Helberg called the meeting to order at 5:52 PM
Second Read Of Ordinance No. 028-13	President Helberg read by title Ordinance No. 028-13 An Ordinance supplementing the annual appropriation measure (Supplement No. 2) for the year 2013
Motion To Approve Second Read	Motion: Ridley Second: Hershberger To approve second read of Ordinance No. 028-13
Motion To Amend	Motion: RidleySecond: LankenauTo amend Ordinance No. 028-13 to add an emergency clause
Passed Yea-5 Nay-0	Roll call vote to amend Ordinance No. 028-13 Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg Nay-
Motion To Suspend The Rule	Motion: Lankenau Second: Ridley To suspend the rule requiring three readings
Passed Yea-5 Nay-0	Roll call vote on above motion: Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg Nay-
Passed Yea-5 Nay-0	Roll call vote to pass Ordinance No. 028-13 under suspension as amended Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg Nay-
Second Read Of Resolution No. 029-13	President Helberg read by title Resolution No. 029-13 A Resolution authorizing the City Manager, Jon Bisher, to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or local Transportation Improvement Program(s) and to execute contracts as required
Motion To Approve Second Read	Motion: Maassel Second: Ridley To approve second read of Ordinance No. 029-13
Motion To Amend	Motion: LankenauSecond: HershbergerTo amend Resolution No. 029-13 to add an emergency clause
	1  of  2

Passed	Roll call vote to amend Resolution No. 029-13
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Motion To Suspend The Rule	Motion: LankenauSecond: MaasselTo suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 029-13 under suspension as amended
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Second Read Of Resolution No. 030-13	President Helberg read by title Resolution No. 030-13 A Resolution authorizing the City Manager to enter into a cooperative agreement with Pleasant, Damascus, Harrison, and Monroe Townships for the Township Roads C2, B1, 5A, 12, K and Industrial Drive Project
Motion To Approve	Motion: Ridley Second: Lankenau
Second Read	To approve second read of Resolution No. 030-13
Motion To Amend	Motion: MaasselSecond: RidleyTo amend Ordinance No. 030-13 to add an emergency clause
Passed	Roll call vote to amend Resolution No. 030-13
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Motion To Suspend	Motion: Lankenau Second: Ridley
The Rule	To suspend the rule requiring three readings
Passed	Roll call vote on above motion:
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Passed	Roll call vote to pass Resolution No. 030-13 under suspension as amended
Yea-5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay-0	Nay-
Motion To Adjourn	Motion: Ridley Second: Lankenau To adjourn the meeting.
Passed	Roll call vote on above motion:
Yea –5	Yea- Lankenau, Ridley, Maassel, Hershberger, Helberg
Nay -0	Nay-
Adjournment	Meeting adjourned at 6:02 PM.
	John A. Helberg, Council President

#### Approved: July 1, 2013

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council



#### **RESOLUTION NO. 032-13**

#### A RESOLUTION ADOPTING THE 2014 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTION 5705.28 OF THE ORC AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

**WHEREAS**, at least two (2) copies of the Tax Budget have been on file with the Finance Director for public inspection not less than ten (10) days before its adoption; and,

**WHEREAS**, the Finance and Budget Committee of Council, by and through the Finance Director, has prepared a Tax Budget pursuant to Article II, Sec. 2.13 of the City's Charter; and,

**WHEREAS**, a Public Hearing was held on July 1, 2013 concerning this 2014 Tax Budget.

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

Section 1. That, the City Council of Napoleon, Ohio adopts the 2014 Tax Budget, as required by Section 5705.28 ORC, in the form presented to Council and currently on file in the Office of the Finance Director and marked as the 2014 Tax Budget.

Section 2. That, the Finance Director is hereby directed to file the 2014 Tax Budget with the County Auditor on or before July 20, 2013.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the filing deadlines; 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. 032-13 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* 

#### EXHIBIT-A ATTACHMENT TO RESOLUTION No. 032-13

#### County Auditors Form No 32(Rev.3-90)- Prepare in Triplicate

On or before July 20th two copies of this Budget must be submitted to County Auditor

Henry County, Ohio Office of NAPOLEON CORP,

June 17 <sub>20</sub>13

To the County Auditor: City The Council of Said-Wilage hereby submits its annual Budget for the year commencing January 1st, 20 for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

Whate Fiscal Officer

City

**County Auditor** 

Gregory J. Heath, **Finance Director/Clerk of Council** City of Napoleon, Ohio

2014 TAX BUDGET

**County Treasurer** 

**County Prosecuting Attorney** 

#### Schedule A

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

		1		Π			County	Auditor's
City of Napoleon, Ohio City Tax Valuation: \$144,228,26 FUND	0 Mills	b comm	unt approved y Budget hission Inside M Limitation		Amount to be derived from Levies Outside 10 M Limitation			Outside 10 M Limit
1. General Fund	2.0	\$	288,457	Γ				
4. Road and Bridge Fund								
5. Cemetery Fund								
9. Police District Fund	0.6	\$	86,537	1				
10. Fire District Fund	0.3	\$	43,269					
11. Road District Fund								
12. Park Levy Fund		<u> </u>						
14. Miscellaneous Funds		<u> </u>		-				
15. General Bond Retirement Fund		<u> </u>	· · · · · · · · · · · · · · · · · · ·					
20. Special Levy Funds		<u> </u>		4		ł		
21. Capital Equipment Fund		<u> </u>				ł		
28. Ambulance and Emergency Medical Services F	und	<u> </u>		J		]	L	· ·

418,263 \$

	SCHEDULE B		
LEVIES OUTSIDE 10 MILL. L	IMITATION, EXCLUSIV	E OF DEBT LEVIES	
FUND		County Auditor's Est. of Yield of Levy ( Carry to Schedule A, Collumn II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20			
not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20			
not to exceed years			
Levy authorized by voters on 20		······································	
not to exceed years			
Levy authorized by voters on 20			
not to exceed years			
Levy authorized by voters on 20			
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#### COUNTY AUDITOR'S ESTINATE

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VALUE:	AGR RES SUB-CL1	NIN COM IND	UTIL-RE SUD-CL2 UTIL-PP	TOTAL
24 HARRISON /HAPOLEON	27220 4,513880 4,541100	158150 51100	209250 8730	4,759080
27 Liberty t/Hapoleon	141480 12350 153830	1,773520 1,134530	2,908050	3,061880
28 LIBERTY T/NAPOLEON	34340 971880 1,006220	2,145510 4,906120	860 7,052490 354920	8,413630
41 NAPOLEON /NAPOLEON	183860100.896100101.079960	24,316400 1,919280	2130 26,237810 675900	127,993670
TI BATULCUA FHATULLUA	103000100,070100101,07700	L7,310400 1,717200	2130 20,237010 013300	121,773010
HAPOLEON CORP	386,900 106,781,110	28,393,580	2,990 1,039,550	144,228,260
Napoleon Corp	106,394,210	0 8.011.030	36,407,600	0
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T A X:			TX/ MIL	RT EF/RT LS MILLS		UTILITY *PERSONAL P	SENERAL Ropertyx	TDTAL Receipts	(includes rollback ants)
FIREMAN #174	'S FI /	JND 7		30 . 300000000 . 30000000		311.87		43268, 50	
GENERAL \$175	FUXI 7	,		00 . 0000000000 . 000000000		2079.10		288456.52	
POLICE #176	,	,		60 . 60000000 . 6000000		623.73		86536.96	
ALL	L	εŲ	IES		415,247.28	3,014	1. 70	418 , 261. 98	

4/12 14:	31:10	TAX RA	TES AND	REDU	CTION	FACTORS	CORPORATION	52	Z. 9
RD NUMBER votd/raw	? I/expd			N N I Inside	L S × Dutside		TAXING	DISTRIC	TS
		. 30	. 3000 . 3000	. 30			24 27 28 41		
CENERAL	FUND 7	2.00	2.0000 2.0000	2.00			24 27 28 41		
POLICE	1	. 60	. 6000 . 6000 . 6000	. 60		*****	24 27 28 41		
		2.90 TUTAL 2.9000 TUTAL 2.9000 TUTAL 2.9000 TUTAL	EFFECTIVE RATE, EFFECTIVE RATE;	TAX CLASS Tax class	ONE TND				
	100 100 107 100 100 100 100 100 100 100								
						~ = = = = = = = = = = = = = = = = = = =	nte filo (19 Ale 19 filo este la contra de ser al das casas ana por por		
	RD NUMBER Vot4/TANG LEDM CORI FIREMAN / GENERAL	4/12 14:31:10 RD NUNDER vot4/raud/expd LEDM CORF FIRCMAH'S FUND //// GENERAL FUND // POLICE	RD NUNBER TAX RATE REDUCT NOTATIONAL STATE REDUCT IN MILLS FACTOR FIRMAA'S FUND .30 /// GENERAL FUND 2.00 // PULICE .60 / / 2.90 TDTAL	RD NUNDER vot4/rawd/expd         TAX RATE IX NILLS         REDUCTION FACTORS         EFFCTVE RATES           LEDM CORP FIREMARYS FUND         .30         .3000         .3000           /         .30         .3000         .3000           GENERAL FUND         .30         .2000         .3000           /         .30         .3000         .3000           POLICE         .60         .6000         .4000           2.900 TUTAL         2.900 TUTAL         .2900 TOTAL EFFECTIVE RATE, .29000 TOTAL EFFECTIVE RATE,	RD NUMBER vot4/rawd/expd       TAX RATE IN MILLS       REDUCTION FACTORS       EFFCTUE RATES       N I I INSIDE         LEDM CDRP FIREMAN'S FUND       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .3000       .3000       .30         /       .3000       .3000       .30         /       .3000       .3000       .3000         /       .3000       .3000       .3000         /       .3000       .3000       .3000         /       .3000       .3000       .3000         /       .3000       .3000       .3000         /       .3000       .3000       .3000         /       .0000       .0000       .0000         /       .3000       .4000       .4000         2.9000       .9000       .4000       .4000         .2.9000       .9000       .4000       .4000         .2.9000       .5000       .4000       .4000         .2.9000       .4000	RD NUMBER vot4/rawd/expd       TAX RATE IN NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS       M INSIDE         LEDM CDRP FIREMAN'S FUND       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .30       .3000       .30         /       .3000       .30       .30         /       .30       .3000       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .30       .30         /       .3000       .4000       .60         /       .4000       .4000       .4000         .2.9000       .3000       .4000       .4000 <td>RP NUMBER votd/rawd/expd       TAX RATE IX NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS       M         LEDM CORP FIREMAN'S FUND       .30       .3000       .30         / /       .3000       .30         / /       .300       .30         / /       .2000       2.000         / /       .00       2.000         / /       .30       .600         / /       .30       .6000         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         .000       .000       .600         .000       .000       .600         .000       .000       .600         .2.90       .000       .600         .2.900       .000       .600         .2.900       .000       .600         .2.900       .600       .600         .2.9000       .600       .600<td>RP NUMBER votd/rawd/expd       TAX RATE IX NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS M IMSIDE       TAXING         LEDM CORP FIREMAN'S FUND       .30       .3000       .30       .24 27 28 41         / / /       .300       .3000       .30       .24 27 28 41         / / /       .00       2.000       2.00       .24 27 28 41         / / /       .00       .000       .00       .200       .24 27 28 41         / / /       .00       .6000       .60       .24 27 28 41         / / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .900       .4000       .60       .60       .24 27 28 41         .2.900       .900       .600       .60       .60       .24 27 28 41         .2.900       .900       .4000       .600       .60       .60         .2.9000       .900       .900       &lt;</td><td>RP NUMBER votd/rawd/expd         TAX RATE IX NILLS         REDUCTION RATES         EFFCTUE INSIDE         N H ILLS N TAXING         TAXING         DISTRIC           LEDN CORP FIREMAN'S FUND         .30         .3000         .30         .24 27 28 41           / / /         .300         2.000         2.00         .24 27 28 41           / / /         .00         2.000         2.00         .24 27 28 41           / / /         .30         .600         .60         .24 27 28 41           / / /         .00         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / .         .3000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41</td></td>	RP NUMBER votd/rawd/expd       TAX RATE IX NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS       M         LEDM CORP FIREMAN'S FUND       .30       .3000       .30         / /       .3000       .30         / /       .300       .30         / /       .2000       2.000         / /       .00       2.000         / /       .30       .600         / /       .30       .6000         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         / /       .000       .600         .000       .000       .600         .000       .000       .600         .000       .000       .600         .2.90       .000       .600         .2.900       .000       .600         .2.900       .000       .600         .2.900       .600       .600         .2.9000       .600       .600 <td>RP NUMBER votd/rawd/expd       TAX RATE IX NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS M IMSIDE       TAXING         LEDM CORP FIREMAN'S FUND       .30       .3000       .30       .24 27 28 41         / / /       .300       .3000       .30       .24 27 28 41         / / /       .00       2.000       2.00       .24 27 28 41         / / /       .00       .000       .00       .200       .24 27 28 41         / / /       .00       .6000       .60       .24 27 28 41         / / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .900       .4000       .60       .60       .24 27 28 41         .2.900       .900       .600       .60       .60       .24 27 28 41         .2.900       .900       .4000       .600       .60       .60         .2.9000       .900       .900       &lt;</td> <td>RP NUMBER votd/rawd/expd         TAX RATE IX NILLS         REDUCTION RATES         EFFCTUE INSIDE         N H ILLS N TAXING         TAXING         DISTRIC           LEDN CORP FIREMAN'S FUND         .30         .3000         .30         .24 27 28 41           / / /         .300         2.000         2.00         .24 27 28 41           / / /         .00         2.000         2.00         .24 27 28 41           / / /         .30         .600         .60         .24 27 28 41           / / /         .00         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / .         .3000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41</td>	RP NUMBER votd/rawd/expd       TAX RATE IX NILLS       REDUCTION FACTORS       EFFCTVE RATES       M H ILLS M IMSIDE       TAXING         LEDM CORP FIREMAN'S FUND       .30       .3000       .30       .24 27 28 41         / / /       .300       .3000       .30       .24 27 28 41         / / /       .00       2.000       2.00       .24 27 28 41         / / /       .00       .000       .00       .200       .24 27 28 41         / / /       .00       .6000       .60       .24 27 28 41         / / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         / /       .000       .6000       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .000       .600       .60       .24 27 28 41         .2.900       .900       .4000       .60       .60       .24 27 28 41         .2.900       .900       .600       .60       .60       .24 27 28 41         .2.900       .900       .4000       .600       .60       .60         .2.9000       .900       .900       <	RP NUMBER votd/rawd/expd         TAX RATE IX NILLS         REDUCTION RATES         EFFCTUE INSIDE         N H ILLS N TAXING         TAXING         DISTRIC           LEDN CORP FIREMAN'S FUND         .30         .3000         .30         .24 27 28 41           / / /         .300         2.000         2.00         .24 27 28 41           / / /         .00         2.000         2.00         .24 27 28 41           / / /         .30         .600         .60         .24 27 28 41           / / /         .00         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / /         .3000         .6000         .60         .24 27 28 41           / .         .3000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41           // .         .9000         .6000         .60         .24 27 28 41

Do you propose any changes to levies? (please note above)

#### **ORDINANCE NO. 033-13**

#### AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 3) FOR THE YEAR 2013; AND DECLARING AN EMERGENCY

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 076-12 and 018-13, and 028-13 for the fiscal year ending December 31, 2013 shall be supplemented (Supplement No. 3) as provided in Exhibit "A", attached hereto and made a part hereof.

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

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

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for purposes of complying with grant requirements which are 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: \_\_\_\_\_

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

Ronald A. Behm, Mayor

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. 033-13 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

2013 APPROPRIATION BUI	DGET - SUPF	PLEMENTA	L BUDGE	Т
BUDGET SUMMARY BY FUN	ID, DEPARTI	MENT AND	CATEGO	RY
and a second	==== 2013 2nd Qt.	BUDGET ADJUS	TMENTS ===	2013
Appropriation Budget Adjustments CATEGORY ->	PERSONAL SERVICES	OTHER	TOTAL	FUND <u>TOTAL</u>
100 GENERAL FUND				
1370 City Manager/Human Resources 1500 Finance/Administrative	-\$30,000 \$0	\$30,000 \$8,000	\$0 \$8,000	
Total - 100 General Fund	-\$30,000	\$38,000	\$8,000	\$8,000
210 EMS TRANSPORT SERVICE FUND 2200 Fire/Safety Services	\$0 ========	\$6,800 ========	\$6,800 ========	\$6,800
242 FIRE EQUIPMENT FUND           2200 Fire/Safety Services	\$0	\$500 =======	\$500 ========	\$500
276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services	\$0 =========	\$6,000 	\$6,000 =======	\$6,000
400 CAPITAL IMPROVEMENT FUND 9900 Transfer Accounts	\$0	\$600	\$600	\$600
520 SEWER (WWT) UTILITY REVENUE FUND 6300 Sewer(WWT)/Treatment Plant Operations	======================================	\$6,950	\$6,950	\$6,950
* GRAND TOTAL - ALL FUNDS	======================================	\$58,850	======== \$28,850 ========	======================================

2013 APPROPRIATION BUD	)GET - SUPP	LEMENTAL	. BUDGE	Т		
BUDGET SUMMARY BY FUN	D, DEPARTN	IENT AND	CATEGO	RY		
	D 06/26/201					
ORDINANCE No. 033-13, Passed 07/01/2013	=== 2013 2nd Qt. E	BUDGET ADJUST	MENTS ===	2013		
Proposed Appropriation Budget Adjustments	PERSONAL			FUND		
CATEGORY ->	SERVICES	<u>OTHER</u>	TOTAL	TOTAL		
100 GENERAL FUND						
1370 City Manager/Human Resources	-\$30,000	\$30,000	\$0			
Move Appropriations from Personal Services -\$30,000 to Other +\$30,000 for Clemens, Nelson & Assoc.						
Account - 100.1370.53350 Service Fees-Consultation		\$30,000				
1500 Finance/Administrative	<b>\$0</b>	\$8,000	\$8,000			
		_				
- Additional for Legal Advertising due to Major Project	s and Vacant Posit	tion Advertising +	-\$8,000:			
Account - 100.1500.53810 Legal Advertising		\$8,000				
Total - 100 General Fund	-\$30,000	\$38,000	\$8,000	\$8,000		
Total - Too General Fund	=======================================	========================				
210 EMS TRANSPORT SERVICE FUND	<b>•</b> •	<b>*</b> ** ***	<b>66 000</b>	\$6,800		
2200 Fire/Safety Services	\$0	\$6,800	\$6,800 =======	φ0,000		
- Additional for EMS Training per Council, and Machine	erv & Fauinment fi	rom Donated Fun	ds +\$5,300:			
- Additional for EWS Training per Council, and Machine	cry or Eduiphine in .	\$4,500				
Account - 210.2200.52000 Travel & Training		\$2,300	1			
Account - 210.2200.57000 Machinery & Equipment		<b>\$1</b> ,000	-			
242 FIRE EQUIPMENT FUND	7					
	*	•				
2200 Fire/Safety Services	\$0	\$500	\$500	\$500		
2200 Fire/Safety Services	\$0 =======	\$500 =========	\$500 =======	\$500		
2200 Fire/Safety Services	\$0 ====================================	=======================================	\$500 ========	\$500		
2200 Fire/Safety Services - Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg	\$0 ======== jet Approved \$221,	.500) +\$500:	\$500 =	\$500		
2200 Fire/Safety Services	\$0 ======== jet Approved \$221,	=======================================	\$500 	\$500		
2200 Fire/Safety Services - Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery & Equipment	\$0 ======== jet Approved \$221,	.500) +\$500:	\$500 			
2200 Fire/Safety Services - Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery & Equipment 276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI	\$0 ======== jet Approved \$221, \$0	.500) +\$500:	\$500  \$6,000	\$500 \$6,000		
2200 Fire/Safety Services - Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery & Equipment 276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services	get Approved \$221, \$0 ========	======================================	\$6,000 =======================	\$6,000		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor</li> </ul>	get Approved \$221, \$0 ========	======= ,500) +\$500: \$500 \$6,000 ========= ,400 + Local Sha	\$6,000 =======================	\$6,000		
2200 Fire/Safety Services - Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery & Equipment 276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services	get Approved \$221, \$0 ========	======================================	\$6,000 =======================	\$6,000		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor Accounts - 276.2100.57000 Machinery &amp; Equipment</li> </ul>	get Approved \$221, \$0 ========	======= ,500) +\$500: \$500 \$6,000 ========= ,400 + Local Sha	\$6,000 =======================	\$6,000		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor Accounts - 276.2100.57000 Machinery &amp; Equipment</li> <li>400 CAPITAL IMPROVEMENT FUND</li> </ul>	get Approved \$221, \$0 ========	======= ,500) +\$500: \$500 \$6,000 ========= ,400 + Local Sha	\$6,000 =======================	\$6,000 000:		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor Accounts - 276.2100.57000 Machinery &amp; Equipment</li> </ul>	et Approved \$221, \$0 ===================================	======= ,500) +\$500: \$500 \$6,000 ======== ,400 + Local Sha \$6,000	\$6,000 \$6,000 ======== re-\$600) +\$6,	\$6,000 000:		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor Accounts - 276.2100.57000 Machinery &amp; Equipment</li> <li>400 CAPITAL IMPROVEMENT FUND 9900 Transfer Accounts</li> </ul>	et Approved \$221, \$0 ===================================	======= ,500) +\$500:	\$6,000 \$6,000 ======== re-\$600) +\$6,	\$6,000 000:		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Cor Accounts - 276.2100.57000 Machinery &amp; Equipment</li> <li>400 CAPITAL IMPROVEMENT FUND</li> </ul>	et Approved \$221, \$0 ===================================	======= ,500) +\$500: \$500 \$6,000 ======== ,400 + Local Sha \$6,000	\$6,000 \$6,000 ======== re-\$600) +\$6,	\$6,000 000:		
<ul> <li>2200 Fire/Safety Services</li> <li>Additional for Approved FEMA Grant for SCBA Gear, (Grant \$210,900 + Local Share \$11,100 - Prior Budg Accounts - 242.2200.57000 Machinery &amp; Equipment</li> <li>276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FI 2100 Police/Safety Services</li> <li>Additional for Approved LEBGF Grant for Mobile Con Accounts - 276.2100.57000 Machinery &amp; Equipment</li> <li>400 CAPITAL IMPROVEMENT FUND 9900 Transfer Accounts</li> <li>Additional for Local Share on LEGB Grant +\$600: Accounts - 400.9900.59530 TR-TO 276 LEBGF</li> </ul>	et Approved \$221, \$0 ===================================	======= ,500) +\$500:	\$6,000 \$6,000 ======== re-\$600) +\$6,	\$6,000 000:		
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#### **RESOLUTION NO. 034-13**

#### 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" (TRANSFER 2); AND DECLARING AN EMERGENCY

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

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

**WHEREAS**, Council previously authorized such a transfer in Resolution No. 077-12; 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 5705.14 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 2013 as listed in Exhibit "A" (Transfer 2), 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. 034-13 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

#### EXHIBIT-A ATTACHMENT TO RESOLUTION No. 034-13

	2013 APPROPRIATION BUDGET - TRANSFER	<u>OF FUNDS</u>	
	RESOLUTION No. 034-13, Passed 07/01/2013		
	BUDGET CHANGE - 2013 TRANSFER OF FUNDS - No. 2	= TRANSFER	AMOUNTS =
	FUND NAME, FROM - TO, PURPOSE	FROM	TC
FROM:	400 CAPITAL IMPROVEMENT FUND	\$600	
	276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FUND		\$600
Purpose:	Local Share of LEBGF Grant for Mobile PC Devices		•
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10 A.	TOTALS - FROM	<u>600</u>	- - -
	TOTALS - TO		<u>600</u>

	2013 APPROPRIATION BUDGET - TRANSFE	R OF FUNDS		· · ·	
	RESOLUTION No. 034-13, Passed 07/01/2013 BUDGET CHANGE - 2013 TRANSFER OF FUNDS - No. 2	= TRANSFER AMO			
	FUND NAME, FROM - TO, PURPOSE	FROM	<u></u>	Account Numbers Fro	m & To
FROM:	400 CAPITAL IMPROVEMENT FUND	\$600	<u></u>	<- 400.9900.59530 276 TR-TO LEBGF	·
TO:	276 LAW ENFORCEMENT BLOCK GRANT (LEBGF) FUND	• • • •	\$600	<- 276.0000.49900 Transfers-In	
Purpose:	Local Share of LEBGF Grant for Mobile PC Devices				
×	TOTALS - FROM	<u>600</u>	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	• • ••••
	TOTALS - TO		<u>600</u>	i	

#### **RESOLUTION NO. 035-13**

#### A RESOLUTION AUTHORIZING THE CITY MANAGER AND/OR FIRE CHIEF TO ACCEPT THE GRANT FROM THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM; DECLARING AN EMERGENCY

**WHEREAS,** the City of Napoleon does desire to accept the Assistance to Firefighters Grant for the purchase of personal protection equipment for the City of Napoleon Fire Department; Now Therefore,

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

Section 1. That, the City Manager and/or the Chief of the Fire/Rescue Department of the City is/are authorized on behalf of the City to accept the Assistance to Firefighters Grant, whose award number is EMW-2012-FO-03591 and whose award amount is \$210, 900.00, for the purchase of personal protection equipment for the City of Napoleon Fire Department; moreover, to execute any and documents to accomplish the receiving of grant funds.

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 allow for the receiving of grant funds for equipment 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: \_\_\_\_\_

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. 035-13 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

# LICENSE AGREEMENT

Pursuant to City Code 133.03

This Non-Exclusive License Agreement (hereinafter called this "Agreement") is made by and between the City of Napoleon, Ohio (hereinafter called the "City") and Blackwood Construction Services, LLC; Al Blackwood, President a person of legal age, (hereinafter called the "Licensee") for the consideration and upon the terms and conditions set forth herein, all of which are hereby agreed to by the parties.

Subject to the full and prompt payment by the Licensee of all monetary consideration set forth in this Agreement and subject to the performance and observance by the Licensee of all terms and conditions set forth in this Agreement, the City hereby grants to the Licensee the non-exclusive license to utilize a portion of right-a-way and/or property of the City (hereinafter called "Premises") for the sole purpose of: use of a portion of the sidewalk by the Licensee, it's Lessee, and their agents, guests and invitees for temporary placement and use of tables chairs, and umbrellas for food and non-alcoholic beverage service. Area specifically described as follows:

Situated in the City of Napoleon, County of Henry, and State of Ohio, and described as: A portion of the area located within the right-of-way abutting the property located at 625 N. Perry Street, the property being described as:

A portion of Lot No. 1 (now Lot Numbers 1,2, 3, & 4) in Block No. 2 of Phillip's & Stafford's 4<sup>th</sup> Addition to the Town (now City) of Napoleon, Henry County, Ohio.

#### See Exhibits "A" for illustration purpose only.

City claims right to the premises by virtue of the Original Plat to the City of Napoleon, Ohio found in Volume 2 at Page 15 of the Plat Records of the Henry County Recorder, Henry County, Ohio.

The Licensee shall be responsible for improvement costs associated with the said Premises; however, said Premises shall remain the property of the City.

This Agreement does not allow and prohibits the Licensee to construct any structures upon the Premises.

This Agreement does not allow and prohibits the Licensee to serve or have alcoholic beverages upon the Premises.

This Agreement does not allow and prohibits the Licensee to have or maintain temporary placement of tables, chairs, or other similar devices unless the place of business is open for operation or said devices are secured from removal.

The City shall have the exclusive right to terminate this Agreement without cause, and for convenience of the City, without the City suffering penalty or recourse. The City shall give Licensee seven (7) days notice of its intent to terminate this Agreement. This License may terminate by mutual consent of the parties, in writing, at anytime.

This Agreement is subject to the City interfering with the use of the area for installation and/or repair of utilities, whether planned or in case of emergency or other work. Any damage to Licensee's property located upon the City's Premises resulting from the installation or repair of utilities or necessity to work by the City or its agents shall be at the sole expense of Licensee. This Agreement is subject to other uses deemed appropriate by the City as determined in the sole discretion of the City Manager of Napoleon, Ohio.

Hence this Agreement, the parties acknowledge that this land described is on City property or within the City's right-of-way.

Licensee shall pay City the sum of One Dollar (\$1.00) and other valuable consideration in and for the consideration of this Agreement, the receipt of which is hereby acknowledged.

The Licensee at all times shall comply with Zoning Ordinances and Regulations of the City.

In the event Licensee violates any term or condition of this Agreement, the City, by its City Manager or other representative, shall serve Licensee by personal service or by certified mail at the address of: 631 N. Perry Street, Napoleon, Ohio, 43545, or as may be amended in writing to the City, of its intention to terminate this Agreement and the Licensee shall thereafter have thirty (30) days in which to cure any default or reestablish its use of the rights granted by this Agreement. If such violation of any term or condition of this Agreement is not cured by Licensee in the period herein stated, the City may terminate this Agreement without any further action whatsoever without suffering penalty or recourse. In case of abandonment, the City shall notify Licensee of its intent to terminate this Agreement; however, where the City can not reasonable discover the Licensee's whereabouts, the City may terminate this Agreement without any other action whatsoever and without the City suffering penalty or recourse. In that event of termination with or without cause or of abandonment, Licensee shall immediately forfeit all rights and privileges associated with this Agreement (including the right of possession) and shall vacate the Premises covered by this Agreement; and all improvements thereon shall be the sole and absolute property of the City without any obligation to compensate Licensee therefore if not claimed and removed by Licensee within thirty (30) days of actual abandonment. In case of termination and/or abandonment, Licensee shall pay the cost of any cleanup and restoration of Premises to its original condition.

At all times during the existence of this Agreement, Licensee shall maintain in full force and effect liability insurance, naming the City of Napoleon as an additional insured with insurance carriers and in amounts satisfactory to the City. The Licensee shall pay all premiums for such insurance coverage as they become due. The City shall have the right to hold a memorandum copy of such insurance policy and the Licensee shall deliver to the City a memorandum copy thereof and receipts verifying that all premiums therefore have been paid.

In addition, the Licensee shall indemnify and hold harmless the City, its officers, officials, agents, and employees from all demands, claims, expenses, losses and liabilities whatsoever that may occur or may be claimed by persons or entities with respect to the injury, death, damage or destruction of any person or property occurring on or about the Premises resulting from the use, misuse, possession, occupancy or non-occupancy of the premises by the Licensee or its Lessee, or their agents, guests and invitees or others herein mentioned or not. Licensee shall pay to defend any such claim. This provision shall survive termination of this Agreement.

The Licensee shall not create, permit, or suffer any lien or encumbrance against or upon the Premises during the existence of this Agreement.

The City's waiver of any default by Licensee shall not constitute a continuing waiver or a waiver of any subsequent default, whether of the same or any other term or condition of this Agreement. Any delay or failure by the City to exercise any right, power, or remedy provided in this Agreement or bylaw or in equity shall not constitute a waiver of any such right, power or remedy or acquiescence in any default by the Licensee.

The intent of the parties in this Agreement is to grant a one year revocable license to Licensee (which is otherwise automatically renewed each year unless otherwise terminated or revoked), not a leasehold interest, easement, right-of-way or any other right, title or interest in land. This License shall remain in effect so long as Blackwood Construction Services, LLC; Al Blackwood, President owns the adjacent property as recorded in Henry County Deed Volume 134, at Page 964 of the Deed Records of Henry County, unless otherwise terminated by the City or Blackwood Construction Services, LLC; Al Blackwood, President. This Agreement shall automatically terminate upon the transfer of the Licensee's rights to the adjacent property, as recorded in Volume 134, at Page 964 of the Deed Records of Henry County, Ohio to a third party. This Agreement is not transferable.

This Agreement contains the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those set forth in this Agreement. This Agreement shall supersede all previous commitments, representations, understandings and agreements, whether verbal or written, regarding the subject mater of this Agreement.

This Agreement is effective June 30, 2013, and terminates one year thereafter, unless terminated earlier by one or both of the parties to this Agreement in accordance with the termination rights of one or both of the parties. This Agreement terminates, supersedes, and replaces the prior Agreement covering the same subject matter, the parties waving any notice requirement to allow for such termination.

The City shall cause this Agreement to be filed with the recorder of Henry County, Ohio at the Licensee's expense.

IN WITNESS WHEREOF, the City has caused two (2) originals of this Agreement to be executed on this	day of
, 2013, and the Licensee has executed two (2) originals of this Agreement on this _	day of
, 2013.	

Signed and acknowledged in the presence of:

#### CITY OF NAPOLEON, OHIO

Pursuant to City Code Sec. 133.03

State of Ohio ss: County of Henry

Before me, a Notary Public in and for the State of Ohio, personally appeared the City of Napoleon by Dr. Jon A. Bisher, City Manager, who acknowledged that he signed this License Agreement and that the same is his free act and deed as such officer and the free act and deed of the City of Napoleon, Ohio.

IN TESTIMONY WHEREOF, I have signed my name and affixed my official seal at \_\_\_\_\_\_ Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

Signed and acknowledged in the presence of:

Notary Public My Commission Expires:

LICENSEE, BLACKWOOD CONSTRUCTION, LLC

Al Blackwood, President

State of Ohio ss: County of \_\_\_\_\_

Before me, a Notary Public in and for the State of Ohio, personally appeared Al Blackwood, President, Licensee, who acknowledged that he signed this License Agreement and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have signed my name and affixed my official seal at \_\_\_\_\_\_ Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

(SEAL)

Notary Public My Commission Expires:

Approved as to form and correctness:

Trevor M. Hayberger Law Director, City of Napoleon



# Tuesday, July 2:

9:00 am - 9:00 p.m. Hole In One Contest - sponsored by the Napoleon American Legion. Any person scoring a hole-in-one will receive \$1,000 compliments of the American Legion. (Two or more winners shall split the prize). Gift certificates will be awarded daily to persons closest to the pin. Located near wooden shelterhouse at Glenwood Park.

1:00 pm - 9:00 p.m.3 on 3 Basketball Tournament - Glenwood Park<br/>Age groups - 13- 15 (boys and girls)1:00 p.m. start<br/>5:00 p.m. start<br/>Teams shall consist of a maximum of four (4) players.<br/>Double elimination format. \$20.00 entry fee per team.<br/>Trophies and shirts awarded to winners. Registration deadline is<br/>Monday, July 1.



# Wednesday, July 3:

9:00 am - 6:00 p.m.

**Hole In One Contest** - sponsored by the Napoleon American Legion. Any person scoring a hole-in-one will receive \$1,000 compliments of the American Legion. (Two or more winners shall split the prize). Gift certificates will be awarded daily to persons closest to the pin. Located near wooden shelterhouse at Glenwood Park. 6:00 - 7:30 p.m

**Big Wheel Race** – Napoleon Middle School rear parking lot. Age groups for those 7 and under. Prizes for winners. Register at the site.



# Thursday, July 4:

8:00 a.m.

#### Red, White, and Blue Golf Scramble – Golf Course

This will be a unique 5 person scramble where teams will play from the red, white, and blue tees. Prizes will be awarded to winning teams as well as individual awards for closest to the pin, long drive, and longest putt. Entry fee will be \$100.00 per team (10 team minimum). Contact the clubhouse at 592-5526 to enter your team or for more information.



- 9:00 a.m. 6:00 p.m Hole-In-One Contest Glenwood Park
- 9:00 a.m. 1:00 p.m. Basketball Hotshot Contest Glenwood Park Basketball Court. Boys and Girls age groups are 9-12, 13-15, and 16-18. Registration at 9:00 a.m. with competition to begin at 9:30 a.m. Trophies to winners in each age group
- **10:00 a.m. 6:00 p.m** Free Open Swim at the Napoleon Municipal Pool

**12:00 p.m.Chicken Barbecue** - located inside at the American Legion.<br/>Chicken dinners and bratwurst sandwiches. Eat in or carry-outs<br/>available. Outside beverage stand also open at 11:00 a.m.

**2:00 - 3:00 p.m** Kids Games at the Municipal Pool - prizes and candy donated by the American Legion.



- 1:00 p.m. Girls Softball All-Star Game All Stars from the Girls Fastpitch Softball Minor League program to compete at the High School.
   1:00 p.m. Junior Little League All-Star Game – Glenwood Park.
   4:00 p.m. Girls Softball Challenge – High School Softball Fields
- sion stand will be open through the fireworks. (tentative)

Skills challenges, homerun derby, alumni game, and more. Conces-

**5:00 p.m.** Sr. Little League Baseball All-Star Game – Glenwood Park



- 8:00 p.m. Napoleon Community Band Glenwood Park Local instrumental band playing all of the traditional Independence Day music leading up to the fireworks display.
- **10:00 p.m.** Fireworks Display Glenwood Park (Please park in the parking lots at Glenwood Park and the High School - there will be no parking on Bales Road from Briarheath Dr. to Chelsea Ave. and on Briarheath Dr. from Kenil worth to Bales)



# Memorandum

To: Technology and Communication Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media

From: Gregory J. Heath, Finance Director/Clerk of Council

**Date:** 6/24/2013

**Re:** Technology and Communication Committee Meeting Cancellation

The July 1, 2013, meeting of the Technology and Communication

Committee has been <u>CANCELED</u> due to lack of agenda items.

# City of NAPOLEON, Ohio

**Operations Department** 1775 Industrial Dr., P.O. Box 151, Napoleon, OH 43545 Phone: 419/599-1891 Fax: 419/592-4379

Operations Superintendent Jeffrey H. Rathge

Water Distribution Foreman Brian Okuley

Streets/Sewer Foreman Roger Eis

Sanitation Foreman Perry Hunter

Head Mechanic Tony Kuhlman



# **4TH OF JULY REFUSE & RECYCLING ROUTES**

Napoleon, Ohio, -- Due to the upcoming Fourth of July holiday, the refuse and recycling pick up routes for the City of Napoleon will be as follows for the week of July 1 – July 5, 2013 ONLY:

- Monday, July 1 as usual
- Tuesday, July 2 as usual
- Wednesday, July 3 as usual; Thursday's route will also be run on Wednesday, (there is a possibility of later than usual pick up time for Thursday's route)
- Thursday, July 4 HOLIDAY NO PICKUP
- 🥝 🛛 Friday, July 5 as usual

Wednesday's and Thursday's routes will both be run on Wednesday, July 3<sup>rd</sup>. The Operations Department is asking that for those affected, an extra effort be made to have their refuse and recycling at the curb by 7:00 a.m. on the 3<sup>rd</sup>.

Please contact the Operations Department, at the above referenced number if there are any questions regarding this matter.



### Fw: Fwd:

From:	"Gregory J Heath" <gheath@napoleonohio.com></gheath@napoleonohio.com>	06/24/13 01:35 PM
To:	"Roxanne Dietrich" <rdietrich@napoleonohio.com></rdietrich@napoleonohio.com>	
Attachments	: 6.21.13 H.WaysMeansNotice.docx (42.1 kB); HB56.19BeckZainoMeetingRec	ap.docx (21 kB);

For Council Packet!

-----Original Message-----From: "Michelle Jordan" <datataxgroup@gmail.com> To: "undisclosed-recipients:"@napoleonohio.com Date: 06/24/2013 01:09 PM Subject: Fwd:

Dear DATA members:

Please see the e-mail below from Kent Scarrett. Thank you so much to Kent for providing this information for us. Please distribute to everyone in your administration, and to any other city or village official who might benefit from this information.

OTHER TAX GROUPS, please distribute!! Thank you!

#### Michelle

----- Forwarded message ------From: kent scarrett <<u>kscarrett@gmail.com</u>> Date: Sat, Jun 22, 2013 at 10:57 AM Subject: To: rflickinger@citvofbarberton.com, mayor@citvofbryan.com, slove1963@vahoo.com, attymfortunato@sbcglobal.net, healy@cantonohio.gov, oville@frontier.com, "McCall, Valarie" <vmccall@city.cleveland.oh.us>, prtyson@columbus.gov, Tim.Riordan@daytonohio.gov, czmarilee@aol.com, stiney.vonderhaar@evendaleohio.org, MayorKeckler@yahoo.com, kiptonvillage@ncw.com, mayor@ci.lancaster.oh.us, mayor@cityhall.lima.oh.us, joyce-jim@msn.com, deades@rrohio.com, clerkofcouncil@cambridgeoh.org, mayorschertzer@marionohio.org, roberttribby@mayfieldheights.org, ghunter@hunterlawoffices.us, mepayton@hotmail.com, dgillock@nridgeville.org, Mayor@orrville.com, mayorsoffice@cityofparma-oh.gov, mayor@seuclid.com, jbodenmiller@ci.springfield.oh.us, stcmayor@stclairsville.com, grepella@cityofsteubenville.us, Patrick Titterington <patrick.titterington@troyohio.gov>, btownsend@westcarrollton.org, mhall@groveport.org, Michelle Jordan <datataxgroup@gmail.com>, timothy.cosgrove@squiresanders.com, Tina Timberman <ttimberman@ci.athens.oh.us>, bmeaker@city.cleveland.oh.us, TAX-Barb Jobes <br/>
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### **ANNOUNCEMENT OF COMMITTEE MEETING**

**COMMITTEE:** Ways & Means Committee **CHAIR:** Representative Peter Beck

DATE: TIME: ROOM:

# \*\*The House Ways and Means Committee will not meet until further notice.

The Chair respectfully requests all testifying parties to submit testimony to his office 24 hours prior to committee.

All amendments should be submitted to the Chairman's office 24 hours in advance. Testimony can be emailed to: <u>rep54@ohiohouse.gov</u>

cc:

House Clerk Committee Clerk Assistant Majority Floor Leader's Office Legislative and Policy Directors Minority Leader's Office Legislative Information Office Committee Members Speaker's Office Caucus Staff LSC

PressRoom

*Emíly Gíllís* Legislative Aide Office of Representative Beck 614.644.6027 <u>emily.gillis@ohiohouse.gov</u>

#### ITEMS UNRESOLVED NEEDING "MORE WORK"

#7.} Mandates 5- year NOL CF. Current law allows municipalities the option of either permitting a NOL CF or not allowing an NOL CF. Muni lang. drafted so that municipalities with 0, 1, 3 and 5 year NOL CFs are grandfathered in and able to retain NOL CF. Municipalities offering NOL CF other than 0, 1, 3 or 5 (ex. 2, 7, 10) required to round down to the nearest NOL CF of 0, 1, 3 or 5. New municipalities levying and imposing a tax after bill is passed required to have NOL CF of 5 years; does not include newly formed JEDDs or JEDZs. 718.01(E)(8). Sub. H.B. 5, pp. 5-6. [5 alternative treatments discussed]

#13.} Adds definition of "Audit" as "the examination of a person or the inspection of the books, records, memoranda, or accounts of a person for purpose of determining liability for a municipal income tax, provided the tax administrator has contacted the person in writing, via telecommunication, or in person, regarding the examination or to request additional data." Muni lang. struck. At the suggestion of Chairman Beck, adds listing of items to be included with a municipal income tax return. 718.05(E) and 718.36. Sub. H.B. 5, pp. 11, 29-30 and 59-60.

#16.} Adds definition of "Assessment" as "written finding by the tax administrator that a person has underpaid municipal income tax, or owes penalty and interest that commences the person's time limitation for making an appeal to the local board of tax review...and has 'ASSESSMENT' written in all capital letters at the top of such finding." Assessment also includes the denial in whole or in part of "qualified" refund claims. "Qualified Refund Claim" is defined as "a refund claim made on a timely filed amended tax return." Muni lang. drafted so that the term "assessment" is no longer in the bill; replaced with "written determination of the tax administrator," which excludes denial of refund claims, issuance of billing statements, miscellaneous correspondence, including notification of mathematical errors and/or a tax administrator's request for additional information from the definition. 718.01(OO) and 718.11. Sub. H.B. 5, pp. 12 and 42-43.

#17.} Increases 12-day occasional entrant exemption to 20 days. Muni lang. drafted so that employers are not required to withhold unless employee meets 20-day threshold; once exceed 20 days, employer must withhold from day 1. Drafted to address subcontractors and "worksite location" Employers with total gross receipts less than \$150,000 not required to withhold on employees working in multiple jurisdictions, regardless of how many days they may work in each municipality. Rather, employer required to withhold in municipality in which the principal place of work is located. (Discussed alternative of payroll – could be more easily verifiable.) 718.011. Sub. H.B. 5, pp. 12-15.

#20.} Allows an alternative apportionment method for net profit returns to be used on an amended return or an appeal of an assessment without prior approval of the tax administrator. Muni lang. does NOT allow an alternative apportionment method for net profit returns to be used on an amended return or an appeal of an assessment without prior approval of the tax administrator. 718.02(B)(2). Sub. H.B. 5, p.18.

#31.} Consolidated net profit returns must be based on consolidated federal taxable income of an affiliated group as filed with the IRS; specifies that consolidated federal taxable income is the basis for determining municipal AFTI. Muni lang. drafted so that if an affiliated group files a

federal consolidated return, it must file consolidated with the municipality. Also eliminates the percentages associated with net profit and loss of a pass-through entity. 718.06. Sub. H.B. 5, pp. 34-36.

#32.} Creates an estimated payment deminimus threshold of \$200. Muni lang. drafted to provide estimated payment deminimus of \$50. 718.08(B)(1). Sub. H.B. 5, p.37.

#36.} Assessments issued by municipalities (including the denial of a qualified refund claim) must include notification by personal service, certified mail or authorized delivery service of appeal rights to the local board of tax review. TPs have 60 days after receipt of assessment notice to appeal. Local boards of tax review shall schedule a hearing within 60 days of receiving appeal request. Eliminates most criminal prosecutions and all civil filings against TPs & replaces with certification filed with the county clerk of court of common pleas for judgment entry in the county in which the municipal corporation is located. Muni lang. removes statutory lien process. Restores criminal/civil filings and statute of limitations, providing for tolling of the statute of limitations during appeals. 718.12 and 718.18. Sub. H.B. 5, pp. 43-50.

#38.} Requires tax administrators to report by June 15<sup>th</sup> each year to the MTPB & to the State Tax Commissioner the amount of annual tax revenue collected in the prior calendar year. Muni lang. struck.718.13(C)(1).Sub. H.B.5, p48.

#39.} Mandates same notification and TP appeal right requirements to TPs for reductions or denials of certified refund requests as for assessments. Allows ordinary mail notification for reduction of refunds other than qualified refunds. Muni lang. struck. Denial of refund on amended return is a written determination of the tax administrator subject to appeal. 718.01(OO)(2) and 718.19(E). Sub. H.B. 5, pp. 12 and 51.

#45.} Requires PTEs to withhold and remit the net profit tax due to a municipality, based on the entity's net profits earned in a municipality, on behalf of each partner/owner of the PTE. Defines partnerships, S Corps, or any other entity given pass-through treatment for federal income tax purposes, but excluding trusts, estates, grantor trusts and single-member LLCs, as PTEs. Muni lang. clarified that owners subject to tax in resident community are entitled only to the credit provided in the resident municipality. 718.43(C) and (D). Sub. H.B. 5, p. 67.

#### ITEMS RECOMMENDED BY MUNIS COALITION ACCEPTS

#4.} Lottery & gambling winnings are included in definition of taxable income. Muni lang. clarifies that only professional gamblers can offset gambling losses against gambling winnings. 718.01(B)(4). Sub. H.B. 5, p. 2.

#8.} "Patronage dividends" must be deducted from municipal Adjusted Federal Taxable Income ("AFTI"). Muni lang. Language struck. 718.01(E)(10). Sub. H.B. 5, p. 6.

**#**9.} State's bright-line test and domiciled in a municipality. Muni lang. replaces "bright-line test" with a codification of common law factors for determining residence. 718.01(J) and 718.012. Sub. H.B. 5, pp. 7 and 15-16.

#19.} Eliminates net profit sales apportionment "throw-back" provision. Muni lang. retains the sales apportionment "throw-back" provision. 718.02(D). Sub. H.B. 5, p.19.

#22.} Exempts rental income of residents from residence taxation when a rental activity not constituting a business or profession is located outside of the resident's municipality. Muni lang. removes the exemption as set forth in H.B. 5. 718.02(E). Sub. H.B. 5, p.19.

#35.} Specifies make-up of local boards of tax review as 3 members. Muni lang. Remains as drafted in H.B. 5, but clarifies that members appointed by the legislative authority may be reappointed. 718.11(A)(3). Sub. H.B. 5, pp.42.

#40.} Adds Ohio Secretary of State as agent for service of process or notice for assessments. Muni lang. struck. 718.21. Sub. H.B. 5, p. 52.

#42.} "Problem Resolution Officer" Muni lang. struck.

#43} MTPB lang. struck

#44.} TPs "aggrieved by an action or omission"; TP can bring the action for damages in common pleas court only if the action or omission resulted from frivolous disregard of O.R.C. 718 provisions, MTPB rules, or tax administrator instructions. Muni lang. eliminates all references to the MTPB and the section that permits a taxpayer cause of action. 718.39. Sub. H.B. 5, pp.62-63.

#46.} Reinstates 3 municipal tax administrator representatives to Ohio Business Gateway ("OBG") steering committee. Muni lang. Drafted so that 3 municipal tax administrators are selected by the Governor from a list of candidates provided by the OML. 5703.57(C)(1)(b). Sub. H.B. 5, p.69.

#47.} Eliminates ability to appeal from decision of local board of tax review to the court of common pleas. Muni lang. reinstates the ability to appeal a local board of tax review decision to the court of common pleas, and establishes a standard of review for the Ohio BTA. 5707.011. Sub. H.B. 5, pp.70-72.

#### ITEMS NEEDING "CLEANED-UP"/DRAFTING ERRORS

#3.} Resident partners of pass-through entities ("PTEs") allowed to offset any type of municipal taxable income by pass-through losses. Muni lang. clarifies that distributive share losses can only offset distributive share income from the same PTE. 718.01(B)(1)(a), 718.01(B)(2)(a). Sub. H.B. 5, pp. 1-2 and 7.

#25.} Withholding due date of the last day of the month. Muni lang. drafted to indicate a due date of the 15<sup>th</sup> day of the month following the end of a quarter. 718.03(B)(3). Sub. H.B. 5, p. 23.

#27.} By 12/31/14 to either amend their ordinances to specifically adopt by reference all provisions of proposed O.R.C. 718, or repeal their income tax ordinance. Issue is to clarify that councils are not required to act to recognize supremacy of state statute.

#### ITEMS REMAIN AS DRAFTED IN SUB.HB5

- #1.} Ties O.R.C. 718 terms not otherwise defined in the bill
- #2.} Eliminates residence tax exemption for S Corporation ("S Corp") owners.
- #5.} Individuals under 18 years old is taxable.
- #6.} Exempts any "JobsOhio" income.
- #10.} Eliminates 2106 deduction.

#11.} Removes all income reported by TPs on Schedules C, E & F from definition of "intangible income."

- #15.} Adds definitions for "Related Member" and "Related Entity."
- #21.} Adds apportionment provision for sales of services.

#23.} Requires semi-monthly withholding payments if withholding > \$11,999 in the previous calendar year

#24.} Adds withholding due date of the 15<sup>th</sup> day of the following month for monthly filers #26.} Requires a casino facility or lottery sales agent conducting video lottery terminals on behalf of the state & located within the municipal corporation to withhold & remit municipal income tax on winnings that must be withheld on for Internal Revenue Services ("IRS") purposes.

#37.} Employer incorrectly paid withholding to a municipality, & the municipality that should have been paid has a tax rate > the tax rate of the municipality that was incorrectly paid, the municipality that should have been paid may assess the difference between the tax rates against the employer, during the period of incorrect payment.

#### ITEMS FOR US TO CONSIDER

#28/#29.} Creates \$5 deminimus tax due and refund amounts; creates deminimus net profit thresholds. Chairman wants us to consider raising to \$10

#### QUESTIONS

#12.} RITA/CCA 3<sup>rd</sup> party administrator restricted to 31 munis

JEDD/JEDDZ-If entity created with more then one muni with varying NOL treatment, which prevails?

#### NO MOVEMENT FROM CHAIRMAN

#18.} Duty Days

To:

# Fw: Ohio Municipal League Legislative Bulletin

"Roxanne Dietrich" <rdietrich@napoleonohio.com>

From: "Gregory J Heath' <gheath@napoleonohio.com>

06/27/13 04:00 PM

Cc: "Shannon Fielder" <sfielder@napoleonohio.com>, "Chris Peddicord" <cpeddicord@napoleonohio.com>

For Council Packets

-----Original Message-----From: "Ohio Municipal League" <kscarrett@omlohio.org> To: gheath@napoleonohio.com Date: 06/27/2013 03:30 PM Subject: Ohio Municipal League Legislative Bulletin



# Legislative Bulletin

# Ohio Municipal League \*<u>SPECIAL BULLETIN</u>\*

June 27, 2013

### Dr. Michael Pagano, Nationally Recognized Local Government Finance Expert to Address OML Tax Conference, July 11th

In less than two weeks, the Ohio Municipal League will be holding our annual Municipal Income Tax Conference at the Marriott NW Hotel in Dublin, Ohio.

As in previous conferences, our goal in conducting the annual tax conference is to bring together municipal Tax Administrators, Finance Directors, Mayors/Managers and other administrative staff members from across the state interested in learning the latest information concerning the municipal income tax from "best practices" perspectives that are being used by other cities and villages to increase administrative efficiencies, access to the latest trends in taxation procedures and to remain current on activities taking place at Ohio's Statehouse that may affect the effectiveness of the current local tax system.

This year, we are especially excited about the line-up of workshops that will be part of the conference and we wanted to bring a few of these to your attention. The program agenda can be found <u>HERE</u>.

Concerning the Statehouse perspective of activity surrounding the municipal income tax reform legislation, HB 5, we are very fortunate to have confirmations by Ohio House Ways and Means

#### Inbox [1/64] - UNIGOV WebMail - Roxanne Dietrich <rdietrich@napoleonohio.com>

Committee Chairman Rep. Peter Beck and ranking minority committee member Rep. Tom Letson, who will be joining our panel discussion on HB 5, the MIT reform proposal. Also participating in the discussion will be Mayor Debbie Sutherland from Bay Village and Dayton City Manager Tim Reardon, who have been actively working on the changes being considered in the legislation from the genesis of the issue. To date, HB5 has received 8 hearings in the House Ways and Means Committee, with more expected later in the year.

In addition to the Honorable legislators who will be sharing their perspectives, we are very excited to welcome nationally recognized local government financing expert, Michael A. Pagano, PhD., who is currently the Dean of the College of Urban Planning and Public Affairs, University of Illinois at Chicago. I have attached a recent article Professor Pagano authored <u>HERE</u> about the funding challenges states face nationally to support in an adequate manner the needs of their local governments and how Ohio policymakers have chosen a smart policy for supporting their local partners.

The focus of Professor Michael A. Pagano's work is on the life blood of municipalities, that is, their finances and the relationship of their financial situation to the intergovernmental system. In addition to serving as Dean of the College of Urban Planning and Public Affairs, Michael is also a Fellow of the National Academy of Public Administration (which was chartered by Congress to assist federal, state, and local governments in improving their effectiveness, efficiency, and accountability), co-editor with Susan Clarke of Urban Affairs Review, and Faculty Fellow of UICs Great Cities Institute. He is co-editor of The Dynamics of Federalism in National and Supranational Political Systems, coauthor of three books, Terra Incognita: Vacant Land and Urban Strategies (2004), Cityscapes and Capital (1995), Cities and Fiscal Choices (1985), and has written over 100 papers on urban finance, capital budgeting, federalism, transportation policy, infrastructure, urban development and fiscal policy. He is Principal Investigator with Christopher Hoene (former research director of the National League of Cities) on a 3-year grant from the MacArthur Foundation to examine the constraints on cities' fiscal policy responses to changes in their financial environments (2012-2015).

Since 1991, he has written the annual City Fiscal Conditions report for the National League of Cities and was Principal Investigator on the Pew Charitable Trusts Government Performance Project to grade the states on Infrastructure Management (2003-08). Prior to his joining the faculty at the University of Illinois at Chicago in 2001, Pagano had been professor of political science since 1980 at Miami University. He holds a B.A. from the Pennsylvania State University and a Ph.D. from the University of Texas at Austin.

We feel very fortunate to be able to provide our municipal tax and finance administration officials with this level of timely, accurate and comprehensive information as part the 2013 OML Income Tax Conference. The conference will be held at the Marriott NW in Dublin July 11-12th. You can find the registration material <u>HERE</u> to secure your seat at this year's event.

We encourage not only tax and finance oriented staff members to attend but encourage your Mayors, Managers, Council members and other administrative officials to attend to learn how what plans may be in the works to change the current MIT system and to better understand how Ohio funds its municipalities responsibly and the benefits that all Ohioans gain from this reasoned approach to funding challenges.



June 21, 2013

# APPA recognizes Gladden, Krieger with awards at 2013 National Conference

By Jolene Thompson – senior vice president of member services and external affairs & OMEA executive director

Kevin Gladden, village administrator for Genoa, and Ed Krieger, director of Piqua Power System, recently received national recognition at the American Public Power Association's (APPA) 2013 National Conference held June 14-19 in Nashville, Tennessee.

Gladden was one of eight to receive the Larry Hobart Seven Hats Award, which recognizes managers who perform a variety of duties in communities of 2,500 or fewer electric meters. Recipients have demonstrated accomplishments in seven areas: planning and design, administration, public relations, field supervision, accounting, human resources and community leadership. Gladden was the recipient of the AMP Seven Hats Award in 2012.

Krieger, director of Piqua Power System, was one of three to receive the Robert E. Roundtree Rising Star Award. The award provides a scholarship to an employee of an APPA member utility who has been in his/her current position for five or fewer years, and has demonstrated the dedication to the goals and principles of public power.

Both Kevin and Ed were nominated by the AMP and OMEA Boards. There were 21 individuals and 10 utilities recognized for service at APPA's conference general session.

A video tribute of all the winners is available at <u>http://videos.publicpower.</u> org/american-public-power-association-2013-award-winners\_

Congratulations to Ed and Kevin!



LEFT: Phyllis Currie (right), chair of the APPA Board of Directors during 2012-13; and William Carroll (left), immediate past chair of the APPA Board of Directors during 2012-13, present Kevin Gladden with the Larry Hobart Seven Hats Award.

RIGHT: Ed Krieger receives the Robert E. Roundtree Rising Star Award from Phyllis Currie (right) and William Carroll (left).



Photos courtesy of APPA



# Linemen hone their skills in AMP's Intermediate course

By Robert Rumbaugh – manager of technical training

Thirteen employees from 10 member communities took part in AMP's Lineworker Training Intermediate course this week, June 17-21.

The third class in AMP's lineworker series, the weeklong Intermediate program incorporates book work and hands-on training to provide additional installation skills, troubleshooting and simulated energized work. The course is designed to provide a better knowledge of metering, transformers, system protection and national standards.

Intermediate participants and instructors pictured are (from left): row one-Gary Shultz, instructor; Gary Besecker of Arcanum; James Martin of Wadsworth; Curtis Graves of Wadsworth; Josh Wright of New Martinsville; Jesse Brubaker of Orrville; John Most of Orrville; Bob Rumbaugh, instructor; row two-Jason Kratochvil of Zelienople; Curt Adkins of Hamilton; Aaron Licari of Hamilton; Sean Shaulis of Newton Falls; Jonathan Hamilton of Yellow Springs; Dennis McDonald of Girard; and Mike Behary of Lodi.

A well-trained workforce keeps employees and customers safe, and increases utility reliability. More information on upcoming lineworker training sessions is available by contacting Jennifer Flockerzie, AMP technical services program coordinator, at jflockerzie@amppartners.org or 614.540.0853.

#### **OMEA co-sponsors APPA policy** resolution on energy efficiency By Jolene Thompson

The OMEA co-sponsored Resolution 13-08, one of three new policy resolutions approved by American Public Power Association (APPA) members at the APPA 2013 National Conference, held June 14-19. The resolution addresses the need for fuel diversity in energy efficiency legislation.

The other resolutions formally adopted by the APPA Legislative and Resolutions (L&R) Committee address the rights of hydro power customers at U.S. Army Corps of Engineers projects and President Obama's budget proposal related to the Tennessee Valley Authority.

The AMP/OMEA delegation participated in the L&R committee during the 2013 APPA L&R Rally in March, and eight resolutions previously approved by the committee were formally adopted at the National Conference this week. These included a resolution supporting municipal bonds. AMP/OMEA co-sponsored the resolution in March, calling for FERC to adopt equitable measures for allocating the cost of new transmission projects. Other resolutions included: maintaining self-supply in the capacity markets; effective mutual aid network; and protecting existing hydropower and improving the mandatory conditioning authority process.

These resolutions provide policy guidance for APPA staff and their advocacy efforts.

Copies of the resolutions adopted by the membership of APPA can be found at http://aristotle.publicpower.org/ Pages/APPAPOLICY2013.aspx

For questions or more information, please contact me at jthompson@amppartners.org.

# **Contact AMP for help with** disaster plans, Mutual Aid

By Michelle Palmer – assistant vice president of technical services

Storm season is upon us. After Wapakoneta's call for mutual aid last week, we wanted to again remind our membership on the importance of the program.

Wapakoneta was able to restore power to all but three customers in less than 24 hours thanks to the assistance they received from Bowling Green, Bradner, Bryan, Deshler and Pemberville.

AMP is also available to help members who need to update their disaster plans or perform a mock storm drill.

Members who have not yet signed a Mutual Aid Agreement are strongly encouraged to do so. A total of 91 AMP members have executed the agreement.

If you have any updates for mutual aid contacts or point persons, please let us know so we can be sure to have correct email addresses and phone numbers for every mutual aid community. Contact Jennifer Flockerzie at 614.540.0853 or iflockerzie@amppartners.org with updates.

The mutual aid guidelines, standard operating procedures, and sector coordinator contact information are available in AMP's online Member Directory, found on the Member Extranet section of AMP's website.

Please contact me with questions or if you need additional information at mpalmer@amppartners.org or 614.540.0924.

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

Week ending June 21 MON THE WED THU FRI \$40.87 \$44.77 \$34.77 \$38.21 \$39.92 Week ending June14 MON TUE FRI WED THU \$42.11 \$40.77 \$42.88 \$34.33 \$33.33

AEP/Dayton 2014 5x16 price as of June 21 — \$41.98 AEP/Dayton 2014 5x16 price as of June 14 - \$41.98

## Four AMP members now serving on APPA **Board of Directors**

By Jolene Thompson

The American Public Power Association's (APPA) Board of Directors now includes officials from four AMP members.

Steve Saum, director of utilities for the Danville Utilities Department, was newly elected to the Board



Steve Saum

- Andrew Boatright, electric utility manager of Westerville Electric and AMP Board member, continues to serve his term on the Board and was chosen by newly installed APPA Board Chair J. Gary Stauffer to serve on the APPA Executive Committee
- Patrick McCullar, president and CEO of DEMEC and AMP Board member continues to serve his term on the Board
- Paul Beckhusen, director of Coldwater Board of Public Utilities and AMP Board member. continues to serve his term on the Board

APPA Board members are chosen to represent 10 regions across the country.







Paul Beckhusen

Patrick McCullar



# 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.

2

www.amppartners.org

### Concrete placement continues at AMP's hydro construction sites

*By Pete Crusse – vice president of hydroelectric construction* 

#### Cannelton

Walsh Construction Co. completed its final mass concrete placement for the powerhouse roof June 10. Work continues inside of the powerhouse, including the installation of mechanical and electrical equipment, piping, valves, ductwork, electrical equipment, cable trays, boxes, conduits and lighting fixtures are being installed.

Walsh's subcontractor, ICS continues the installation of cooling water piping and re-installing the modified air-towater coolers on the Unit 1 (U1), Unit 2 (U2), and Unit 3 (U3) bulb noses. ICS also continues to pre-fabricate piping for the bulb noses and other systems. The final measurements for the next section of trashrack guide rails and bearing plates continue. The installation of intake/draft tube bulkheads and emergency closure gate beams, plates, and guides continue. The layout and installation of the grounding plates for U1, U2, and U3 bulb noses are under way.

ICS continues the pre-assembly of the U1 turbine shaft and bearings. Walsh has also completed 77 percent (126,741 cubic yards) of the total hardfill (165,000 cubic yards) for the powerhouse closure structures which form the damming element on each side of the plant. An aerial photo of the powerhouse is shown.



#### Smithland

CJ Mahan construction has continued its work at Smithland with the setting of forms for the draft tube liners (DTLs). Mahan also continues with the preparation of the dredging spoil pond, extending the land side sheet pile cutoff wall, and working on the hardfill batch plant. Mahan will have to place hardfill similar to the work done at Cannelton to provide the hardfill closure structures. Mahan's subcontractors also continue work, including powerhouse electrical support, rebar installation around the DTLs, bracing of the bulb turbine housing, and preassembly of the stay cones. A view of the draft tube liner installation and powerhouse concrete is shown.



#### **Willow Island**

At Willow Island, Ruhlin Construction continued with forming, rebar and concrete placement in the powerhouse. Only 160 cubic yards were placed last week due to weather and a breakdown of the batch plant. Approximately 1,200 cubic yards are planned to be placed in the next week. Pours are being made in the Intake and Central Block areas. Ruhlin's mechanical subcontractor (ICS) continued aligning and welding the DTL sections for Unit 1 and Unit 2 this week.

The exterior weld on all sections is now complete. Unit 2 welding should be complete by June 17. The stay cone, lower pier, generator access and upper pier sections all arrived on site and ICS has begun pre-assembly work. Concrete placed to date equaled 27,777 (36 percent) of the total 76,170 cubic yards to be placed. An additional 60,000 cubic yards of hardfill need to be placed, however, that work has not yet begun. An aerial view looking slightly upstream on May 30 is shown.



#### Meldahl

At Meldahl, Alberici Baker (AB) continues with concrete placements for the stay cone, bulb nose, and final powerhouse bridge crane beam segment. AB has also completed the roof decks for the main power transformers. AB set the main bridge crane girders this past week, and performed grouting for some concrete voids.

The mechanical work continues as well, with the initial shimming and torqueing Unit 2 rotor poles and the performance of the roundness check. Welding was also completed on the Unit 2 bulb nose cone, and preassembly work continues on the Unit 3 bulb nose and turbine shaft. A picture of the setting of one of the main bridge crane girders is shown.



# **Update Classifieds**

# City of Hudson seeks substation electrician

The City of Hudson is seeking a Substation Electrician to perform skilled work in connection with the construction, operation and maintenance of the City of Hudson's various substations; engages in any work related to the construction, maintenance and operation of system equipment, circuits, and structures which may be energized up to 140,000 volts; responsible for the testing, repairing and installation of single and poly phase meters within the Public Works Department, Hudson Public Power Division.

Current Pay range is \$29.25-\$35.30 per hour, DOQ. Graduation from high school or GED, two years of college related course work appropriate to assignment and five years' experience required. Must have valid and maintain a valid Ohio driver's license free from any court ordered restrictions. Possession of or the ability to obtain within one year of appointment a Ohio Class A commercial driver's license. Position is in the Utility Worker bargaining unit. Candidate must be able to successfully complete a background investigation and pre-employment physical examination to include drug screening.

Application forms may be printed at <u>www.hudson.oh.us</u> or obtained at the City of Hudson Municipal Services Center, 115 Executive Pkwy, Suite 400, Hudson, Ohio, between 8 a.m. and 4 p.m. weekdays. Submit completed applications, preferably with resume attached, to the City of Hudson/HR, Attention: Substation Electrician, 115 Executive Pkwy, Suite 400, Hudson, OH 44236, no later than 4 p.m. on Friday, June 28, 2013. EOE

# Danville seeks chief engineer

City of Danville Utilities Department: Water & Gas Chief Engineer. Performs difficult professional work planning, designing and engineering the present and long-range programs for rehabilitation and/or extensions to the water and gas distribution systems; Administers construction projects and contracts; Administers governmental regulations to ensure compliance; Oversees and directs engineering staff and contract firms; Supervises GIS, corrosion control and other programs; Comprehensive knowledge of the theories, principles and practices of Water & Gas distribution engineering and of the construction, operation and maintenance of Water & Gas distribution systems; Thorough knowledge of supervisory principles and practices; Must be familiar with CAD and drafting software.

Bachelors' degree in Engineering from an accredited college or university; Mechanical or Civil preferred; Extensive experience as an engineer in the water & gas distribution field; Possession of valid drivers' license; Engineer in Training Certification required and the ability to obtain valid registration as a Professional Engineer in the State of Virginia within 6 months of employment.

Starting Salary Range: \$55,524 - \$86,954/ DOQ. Position will remain open until filled. Equal Opportunity Employer. Visit <u>www.danville-va.gov</u> for more information.

## AFEC weekly update

By Ryan Thompson – power supply planning engineer

Due to mild weather and low LMP's, AFEC was dispatched offline last Friday and returned to normal operation late morning the following Sunday. With hotter weather in the forecast, AFEC is expected to remain online for the weekend and throughout the upcoming week.

AFEC averaged a 70 percent load factor Monday through Thursday, and for the week, AFEC averaged a 45 percent load factor (based on 675 MW). AFEC was \$5.25/MWh cheaper than onpeak market prices over the last seven days.

# Markets quiet despite coming heat

By Craig Kleinhenz – manager of power supply planning

Natural gas prices inched higher this week as the weather forecast for the next week does include some days around 90 degrees. This was held in check by the recent mild weather that has helped to boost natural gas storage levels.

July natural gas prices finished trading up \$0.07/MMBtu from last week to end at \$3.88/ MMBtu. August natural gas prices are currently trading at \$3.90/MMBtu. 2014 on-peak electric prices at AD Hub finished unchanged from last week, closing at \$41.98/MWh.

# Calendar

July 25—AMP finance & accounting subcommittee meeting: "Financial Planning for Municipalities" course AMP Headquarters, Columbus

Aug. 20—AMP Golf Outing & Organization and Project Update Dinner Golf, Rattlesnake Ridge Golf Club Dinner, Crowne Plaza Hotel

Aug. 29—AMP finance & accounting subcommittee meeting Holiday Inn-Johnstown, Pennsylvania

Sept. 12—AMP finance & accounting subcommittee meeting Piqua Power System, 201 Hemm Ave., Piqua

Oct. 6-12—Public Power Week activities in member communities

Oct. 7-11—AMP Advanced Lineworker training AMP Headquarters, Columbus

Oct. 28-31—AMP/OMEA Conference *Hilton Columbus at Easton, Columbus* 

Dec. 5—AMP finance & accounting subcommittee meeting AMP Headquarters, Columbus

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United States Army Corps of Engineers leadership and AMP President/CEO Marc Gerken listen to Lockmaster Joe Hannah during a tour of Meldahl hydro construction, and the Captain Anthony Meldahl Locks and Dam on June 25.

# **USACE** leadership tours Meldahl

By Pete Crusse – vice president of hydroelectric construction

AMP President/CEO Marc Gerken and I were invited to meet Brigadier General Margaret Burcham and Col. Steven McGugan, Huntington District – United States Army Corps of Engineers (USACE), on June 25 to tour the ongoing repair work at the Captain Anthony Meldahl Locks and Dam.



We had the opportunity to walk across the top of the gates and the dam to overlook AMP's construction of the Meldahl facility.

AMP President/CEO Marc Gerken looks on as two distributors and two stators are being offloaded upstream of the Meldahl Project.

Major pieces of the hydro project were also delivered this week to the Meldahl Project, including two distributors and two stators. The stators and distributors were manufactured by Voith Hydro at the facility they opened in Hannibal, Ohio.

Upon commercial operation of the Meldahl project, AMP will obtain 48.6 percent share of the existing Greenup hydro project, currently owned by the City of Hamilton. The 72-MW Greenup Hydroelectric Plant is located on the Ohio River at the Greenup Locks & Dam, near Portsmouth, Ohio.

AMP's hydroelectric projects will add more than 300 MW of new, renewable generation to the region.

## *Obama climate initiative targets power plant emissions*

*By Jolene Thompson – senior vice president of member services and external affairs/OMEA executive director* 

On June 26, President Obama fleshed out another portion of his second-term agenda with the announcement of a major new "Climate Action Plan." Following up on his promise in the 2013 State of the Union address to move forward on climate change if Congress refused to pass legislation, the president's climate initiative relies on existing administrative authority and new executive actions, and thus can be implemented without congressional approval.

While the president's Climate Action Plan has many separate components that touch on various aspects of climate change, the central and most controversial element directs EPA to proceed with rulemakings for carbon limits on both new AND existing power plants.

As you may recall, EPA missed its April 2013 deadline to finalize a rule to establish new source performance standards (NSPS) for CO2 and other greenhouse gas (GHG) emissions from new electric generating units. Under the President's new climate initiative, EPA must propose a new rule to address GHG emissions from these new units by Sept. 20, 2013, essentially redrafting the previously proposed rule issued in April 2012. For existing units, EPA has been directed to issue a draft rule by June 1, 2014, with a final rule due by June 1, 2015. States would be required to submit their implementation plans and regulations to EPA by June 30, 2016.

As to the content or form of these new rules, the president's announcement provided no real details, but it did include some direction to EPA, including to:

• Engage the states and other stakeholders in the rule-development process;

# Grassroots legislative alert calls for members' help

By Jolene Thompson

Members should watch for a grassroots legislative alert coming in the next week, reinforcing the need for Senate support to preserve tax-exempt financing.

Senate Finance Committee leaders have unveiled a "blank slate" tax reform proposal, which includes no deductions, credits or exclusions. In order for the municipal bond and tax-exempt financing exclusion to be added back into the proposal, Senators must make a case for retaining it.

We encourage members to either resend their previously passed resolutions in support of tax-exempt finance or write letters to their Senators as soon as possible – no later than July 9. The resolution is located on the Member Extranet section of <u>AMP's website</u>.

If you know your senator or district contact personally, please make a personal contact or call.

As you know, this is a priority issue for all public power entities. Tax-exempt financing and municipal bonds are an essential tool, and integral component of economic growth and wellbeing.

We would like to thank our member communities in advance for taking action as part of this grassroots effort.

Please contact me with questions at 614.540.1111 or jthompson@amppartners.org.

## State AGs urge against EPA 'Sue & Settle' approach

By Julia Blankenship – director of energy policy and sustainability

In an action that may have been somewhat preempted by the Administration's Climate Action Plan announcement this week, 21 state attorneys general last week wrote to EPA Acting Administrator Bob Perciasepe, urging the agency to avoid entering into any settlement negotiations or agreements with respect to GHG regulations. In April, a number of other states, cities, and environmental organizations filed Notice of Intent to sue EPA over its delay in finalizing GHG standards for new power plants.

Of the AMP footprint states, the AGs from Kentucky, Michigan, Ohio, Virginia and West Virginia joined 16 of their colleagues in noting that EPA did not "fail to perform a non-discretionary duty," as the Notices of Intent allege.

As supporting documentation, the AGs provided details of various requirements and associated discretionary actions under the Clean Air Act relative to the establishment of new source performance standards in general and noted that the petitioners' allegations of EPA's inaction "lack merit." Finally, the AGs requested that, should EPA decide that it is compelled to enter into settlement discussions, the AGs should be provided with notice and an opportunity to be involved with any effort to resolve the Notices of Intent.

AMP will continue to track and report on relevant legal actions on this topic. If you have any questions, please feel free to contact me at <u>jblankenship@amppartners.org</u> or 614.540.0840.

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

Week end	ling June 28			
MON \$51.12	TUE \$53.95	WED \$49.33	THU \$39.07	FRI \$36.62
Week end	ling June 21			
MON \$44.77	TUE \$40.87	WED \$34.77	THU \$38.21	FRI \$39.92
AFP/Davt	on 2014 5v16	price as of I	une 28 _ \$4	0.25

AEP/Dayton 2014 5x16 price as of June 28 — \$40.25 AEP/Dayton 2014 5x16 price as of June 21 — \$41.98

# Obama climate initiative

continued from Page 1

- Tailor the regulations and guidelines to reduce costs;
- Develop approaches that use market-based mechanisms (potentially including cap and trade, carbon tax, etc.), performance standards, or other flexible regulatory measures;
- Ensure that the standards enable reliance on "a range" of energy sources and technologies;
- Ensure that standards continue to provide reliable and affordable electric power; and
- Work with the Department of Energy and other state and federal agencies to promote clean energy technologies and energy efficiency.

It is important to note that, whether a utility owns an affected unit or not, the rules impacting GHGs from both new and existing units will be expected to have broad implications for all electricity users, as compliance costs will likely show up in market prices.

Besides refocusing the global debate on climate change onto the U.S. fleet of fossil-fueled power plants, the Administration's Climate Action Plan includes reference to accelerating the permitting for clean energy projects, including the development of new hydropower facilities at existing dams. The initiative also calls for additional renewables on federal lands, a strategy for reducing emissions of hydrofluorocarbons (HFCs) and methane, new efficiency standards for appliances and federal buildings, new federal loan authority for advanced fossil technologies, and increased U.S. efforts to develop climate change mitigation and adaptation plans. The proposal also directs the Department of Transportation and EPA to begin to develop fuel efficiency standards for heavy-duty vehicles.

Finally, the Climate Action Plan continues the president's 2009 pledge for the U.S. to reduce its CO2 emissions to 17 percent below 2005 levels by 2020 if other nations commit to reductions as well. The president recommitted the U.S. to a leadership role in international climate negotiations and also called for the U.S. to stop financing the development of new coal-fired power plants internationally.

AMP staff will continue to evaluate the new Climate Action Plan and will provide updates and additional information as it becomes available. In the meantime, if you have any questions, please contact me at <u>jthompson@amppartners.org</u> or 614.540.1111.

# **AMP provides NERC updates**

By Lisa McAlister – deputy general counsel FERC/RTO affairs

AMP hosted a conference call to present an update on North American Electric Reliability Corporation (NERC) topics on



June 20. These included: 1) the Bulk Electric System (BES) Definition; 2) Geomagnetic Disturbances; and 3) NERC standards subject to future enforcement and pending regulatory approval.

The presentation from the call is posted on the Member Extranet section of <u>AMP's website</u> as "Utility Services Presentation (June 20, 2013)."

For questions or to request that Utility Services provide more detailed analysis of the BES definition's application to your system, please contact Terry Leach at 614.540.0863 or <u>tleach@amppartners.org</u>.

## Casebere retires, Bryan selects Carlin as new director of utilities

Provided by Bryan Municipal Utilities

Bryan's Director of Utilities Steve Casebere has announced that he will retire at the end of July and the Bryan Board of Public Affairs named Bryan Municipal Utilities (BMU) Electric Superintendent Brian Carlin as the new director of utilities at a recent meeting.

Casebere has worked for BMU for 25

years, having been the director of utilities

for the past 16 years. Among Casebere's

many accomplishments as director

include his role in starting a commu-

nications department, establishing a

second interconnect with First Energy

to increase system reliability and serve

as a backup source of power, refurbish-

and constructing a 2-MW solar field. He

ing the Auglaize Hydroelectric Plant,



Steve Casebere



Brian Carlin

has also served on the AMP Board of Trustees since 1994. "The thing I am most proud of is our employees," Casebere said. "They are professionals doing good work, and they care about Bryan and its residents. One of the best things we have done is develop a culture of working safely and looking out for one another. I will miss working with them."

Carlin has more than 23 years of experience in the utility industry. He started in the cable industry and began working at BMU as a meter reader in 1994. He completed training courses through the utility and worked his way up from an apprentice lineworker to a top-level line worker. In 2007, Carlin was selected to head up the electric department. That same year, he earned a bachelor's degree in organizational business management from Bluffton University.

"Bryan Municipal Utilities is 121 years old. Our ancestors built the system, paid for it and even resisted selling it," Carlin said. "What we have is special. It has taken great people to get to this point. I want to keep on that track for the benefit of future citizens of Bryan."

# AMP Member Directory updated with technical data

By Bethany Kiser – manager of electronic publications/website

The AMP Member Directory now contains 2012 technical data and updated civic information for all AMP member communities. You can access the directory's web page from a link on the password-protected Member Extranet section of <u>AMP's website</u>.

In addition, all changes made to the directory since the last update are detailed in a separate PDF document housed on the directory's page.

If you have any changes, questions or need login access to view the directory, please contact me at 614.540.0945 or by email at <u>bkiser@amppartners.org</u>.

## **Efficiency Smart updates website**

By Steven Nyeste - communications and public affairs specialist, Efficiency Smart

Efficiency Smart launched an updated <u>www.efficien-</u> <u>cysmart.org</u> last week, incorporating improved functionality and navigation, as well as several new features, aimed to enhance the online experience for visitors.

One of the major components of our new site is a private, password-protected community page for each municipality that designated contacts will



be able to access. This page includes select real-time data points as well as monthly reports, current promotions and local outreach activities.

In addition to current items, there will also be an archive of past reports, promotions and outreach items (from the beginning of 2013) that will be available to access.

- Energy saving tips for residents and businesses
- Enhanced rebate and program information
- Community-specific news and events
- Interactive map functions
- Mobile device friendly design
- Links to Efficiency Smart social media accounts
- Search function capability

If you have any questions about the website, feel free to contact Carrie Hoover, Efficiency Smart's director of marketing, communications and public affairs at choover@veic.org.

## Ephrata steps into the limelight on 'Today in America' show

By Krista Selvage – manager of publications

Congratulations go out to the Borough of Ephrata, which was a featured guest on the national television show "Today in America" with Terry Bradshaw.

Ephrata's segment focuses on the history of the borough, and the community's commitment to work ethic and each other. It also mentions the benefits of Ephrata's public power and the great quality of life.

The show aired June 23 on the FOX Business Network to more than 68 million households.

A video clip can be viewed at <u>http://www.youtube.com/</u> watch?v=wX2rfomP4vM.

"Today in America" blends business news stories, lifestyle features and in-depth interviews with doctors, scientists, inventors, business owners, philanthropists and newsmakers from a variety of industries. The show is filmed on location in cities around the world.

Ephrata was also recently highlighted in AMP's Member Spotlight. Find out more about the borough and its involvement with AMP at <u>http://amppartners.org/members/</u> <u>member-spotlight/archive/ephrata/</u>.

# AMP Member Spotlight shines on City of Columbus

By Krista Selvage

Columbus, Ohio, is the latest member community to be highlighted in the <u>Member Spotlight</u> section of AMP's website.

Named in honor of legendary explorer Christopher Columbus, the city is both the capital of Ohio and the largest city in the state. It has a niche for whatever pace of life suits your mood – from fast-moving Downtown to quiet metro parks.

The Columbus Division of Power was established in the late 1890s, and provides reliable and competitively priced electricity services to more than 12,500 meters in residential, commercial and industrial customers.

We encourage you to visit Member Spotlight and take a little time to get to know some of the other AMP member communities.

# **AFEC weekly update**

By Craig Kleinhenz – manager of power supply planning

AFEC had a solid seven days of generation this week. The small heat wave last weekend helped to keep loads and prices high enough that AFEC generated base min during the off-peak hours and base-max during on-peak hours for the entire weekend.

The plant continued this generation pattern through the week with the expectation of Tuesday, when it was dispatched lower for several hours due to a local transmission constraint. Duct burners even saw a little bit of action this week as they were run for about 24 hours across several different days.

For the week AFEC averaged a 72 percent load factor (based on 675 MW). AFEC was \$8.02/MWh cheaper than on-peak market prices over the last seven days.

### Energy markets take a dip

By Craig Kleinhenz

Mild weather so far this summer has started to push natural gas and power prices lower. Cooler temperatures have meant less natural gas usage for power generation. This has resulted in more natural gas getting injected into storage than normal for this time of year. Several weeks of high injections have pushed natural gas storage levels back to historical average.

This news has sent both power and natural gas prices lower. August natural gas prices finished trading down \$0.32/MMBtu from last week to end at \$3.58/MMBtu. 2014 on-peak electric prices at AD Hub finished down \$1.73/MWh from last week, closing at \$40.25/MWh.

# **Update Classifieds**

# City of Hudson seeks substation electrician

The City of Hudson is seeking a Substation Electrician to perform skilled work in connection with the construction, operation and maintenance of the City of Hudson's various substations; engages in any work related to the construction, maintenance and operation of system equipment, circuits, and structures which may be energized up to 140,000 volts; responsible for the testing, repairing and installation of single and poly phase meters within the Public Works Department, Hudson Public Power Division.

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## 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.

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Legislative Bulletin

## **Ohio Municipal League Legislative Bulletin**

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## June 28, 2013

# WORK CONTINUES ON HB 5 MUNICIPAL INCOME TAX REFORM BILL

As we alerted our members over the last several weeks, there had been a vocal and energized push by the proponents of HB 5, the municipal income tax reform bill, to have the bill voted out of the House Ways and Means Committee this past week so the Ohio House would be faced with acting on the legislation before the legislature left Columbus, for their Summer recess. As we have shared with our members and the members of the Ways and Means committee and full membership of the Ohio House, we feel the bill is nowhere near ready for consideration of passage, with a number of original and significant issues that threaten already depleted revenues and proposals that would result in the loss of local control, remaining in the legislation before them. We want to thank the large number of municipalities who shared these concerns and contacted their legislators sharing with them the need to not rush the process established by the House Ways and Means Committee Chairman, Rep. Peter Beck, and that more time is needed to improve the bill before it should be considered for a vote.

We are happy to report that the committee did not act on the bill to meet the artificial deadline and the bill will continue to receive the important examinations and suggestions for alternative language during the summer. It is our understanding that House Ways and Means Committee Chairman Peter Beck will be holding four statewide Interested Parties meetings; two in July and two to take place in August with the locations and exact dates to be forthcoming.

It is our impression that HB 5 will be moving quickly out of the Ohio House when the General Assembly returns after Labor Day. It is very important that our members stay "engaged" with the HB 5 summer activities: attend the Interested Part meetings when the date is set for your area and talk to your members of both the House and Senate about how Ohio's continued economic recovery is dependent upon municipalities ability to continue to raise revenues at the local level in support of basic services, when you see them in your communities over the summer.

# HOUSE PASSES BILL TO BAN RED LIGHT & SPEED CONTROL CAMERA USE

The Ohio House of Representatives moved quickly this week to allow the state of Ohio to prohibit municipalities from using red light and speed control devices through their passage of sub. HB 69. The legislation introduced by Reps. Ron Maag (R-Loveland) and Dale Mallory (D-Cincinnati) was passed by the House Transportation, Public Safety and Homeland Security Tuesday evening by a vote of 9-4, with republican and democrat committee members crossing "party lines" to either

support or oppose the proposal. On Wednesday, the full Ohio House, by a bi-partisan vote of 61-32 affirmed its support for the bill and sent it on to the Ohio Senate for their consideration. Although the bill that was approved by the Ohio House is an all ban on the use of the safety device cameras by communities and the Ohio Highway Patrol, there was an amendment adopted that would make it legal for a local authority to use a traffic photo monitoring device in a school zone if a law enforcement officer is present at that location.

We want to thank all of our municipal administrative and safety force officials who came to the Statehouse Tuesday and shared with committee members their opposition to the restrictive legislation. Even though the legislation was favorably approved and continues on through the legislative process, it was and remains crucial for legislators to hear and to continue to receive the information that the majority of municipalities who use these devices are always working to improve their systems through collaborating with other communities to develop "best practices" standards to insure the public safety controls are fairly and efficiently used. The witnesses that were able to join us at the Statehouse shared examples of these "best practices" such as having a police officer review the violations to confirm their accuracy before motorists are notified. Since the General Assembly has begun their Summer recess, sub. HB 69 will not receive a hearing until sometime later this year. It is our hope that members of the Ohio Senate will consider the safety studies that have been conducted and testimony offered from municipalities across the state that show there are real safety benefits to residents of Ohio through the protections offered by the safety device cameras and the use of these cameras allow police officers the ability to respond to calls for service in a more efficient way.

Please contact your member of the Ohio Senate or if you see them this summer in your community, let them know that "throwing the baby out with the bathwater" through an all-out ban is not in the best interest of the motoring public or municipalities and a regulated system will address the concerns that have been raised by the proponents.

# OHIO GENERAL ASSEMBLY SENDS BIENNIEL BUDGET TO GOVERNOR

After a rather lengthy debate the Senate passed the Conference Committee report by a vote of 21-11. A few hours later the Ohio House passed the report by a vote of 51-43. The bill will now be going to the Governor for his signature and possible line item vetoes.

Since everyone knows the volume of the budget bill, we will be breaking down the bill in sections over the upcoming weeks. This version contains information pertaining to the proposed tax changes.

Some of the items included in the proposal include a reworked tax reform package that was introduced last week, tweaking Commercial Activity Tax (CAT) changes and preserving some tax breaks for low-income Ohioans that were to be eliminated in light of the new state-level Earned Income Tax Credit. The CAT changes, one of the methods used to fund income tax cuts, originally would have lowered from \$1 million to \$500,000 the gross-receipts threshold at which the 0.26 percent rate takes effect.

In changes introduced Tuesday, the conference committee set new CAT minimum tax payments. Businesses with \$1 million to \$2 million in receipts would face an \$800 minimum; businesses between \$2 million and \$4 million, a \$2,100 minimum; and businesses with more than \$4 million in receipts, a \$2,600 minimum.

Republicans said last week they planned to eliminate the \$20 personal exemption credit and a credit for Ohioans earning less than \$10,000, replacing them with the EITC. They reversed course Tuesday, still creating the EITC but keeping the credit for those earning less than \$10,000 and limiting the personal exemption credit to those earning less than \$30,000. The \$2.56 billion joint House-Senate plan drops income tax rates 10 percent, phased in over three years, starting with an 8.5 percent cut for the current tax year.

Republicans opted for a variety of other tax changes to pay for the two cuts. The state sales tax rate would increase by a quarter percent. In addition, the state would prospectively pull back on paying a share of Ohioans' local property taxes. For new or replacement levies, the plan would eliminate the 12.5 percent property tax rollbacks. Existing and renewal levies would not be affected. Questions raised so far dealing with levies and the answers we have received from the Department of Taxation are listed below:

1. Can voters approve a straight renewal of an existing levy and continue to receive the 10% and 2 ½% reimbursement from the state on such renewals for levies placed on the ballot in 2014 and beyond? **Yes** 

2. If a replacement levy or a new levy is put on the ballot in August or November of 2013 will these levies receive the full 10 and 2 1/2% reimbursement from the state when collection begins in 2014? **Yes for August, no for Novemb**er

3. What impact does it have if the replacement levy or new levy is placed on the ballot in 2013 but collection is delayed until 2015? If the levy is approved in August 2013 it gets rollback reimbursement, but not if it's passed in November 2013.

The plan also would reverse a Strickland administration proposal to make the homestead exemption on property taxes for senior citizens universal. House and Senate Republicans want to restore an income threshold for qualifying for that exemption, though anyone currently receiving the exemption would not be affected. The new income threshold would be \$30,000.

Other changes include eliminating tax breaks for gambling losses and on the sale of magazine subscriptions and digital goods. The magazine change, meant to treat subscriptions the same as newsstand sales, does not apply to charitable nonprofit publications, according to a factsheet Republican lawmakers released. The plan also creates an Ohio Earned Income Tax Credit, set as a percentage of a similar federal credit, though Ohio's will not be refundable, as the federal credit is. Achieving full membership in the multi-state Streamlined Sales Tax initiative is also expected to bring in about \$20 million in additional sales tax collections that are already due but not currently being collected for online and catalogue purchases. The plan also includes raising tobacco taxes on some non-cigarette products to the same rate at which cigarettes are taxed.

The Conference Committee Report also contains:

- Money for Clean Ohio.
- Implementing recommendation of the E911 Steering Committee
- Address some concerns that were raised by public employers with membership determinations for OPERS

• Allows for Open Meeting Law Exception for Discussion of Local economic Development Project Applications

These are just a few items that were included in the Committee of Conference on HB59. We will continue to update you as to additional items included in HB59 as we continue to research the 5,000 plus page document. In the interim if you would like to view the final comparison document you may see it HERE, make sure to view the" AS REPORTED BY CONFERENCE COMMITTEE DOCUMENT". Please remember that the Governor has yet to view the final document and has yet to issue his vetoes.

# DR. MICHAEL PAGANO, NATIONALLY RECOGNIZED LOCAL GOVERNMENT FINANCE EXPERT TO SPEAK AT JULY 11 OML TAX CONFERENCE

In less than two weeks, the Ohio Municipal League will be holding our annual Municipal Income Tax Conference at the Marriott NW Hotel in Dublin, Ohio.

As in previous conferences, our goal in conducting the annual tax conference is to bring together municipal Tax Administrators, Finance Directors, Mayors/Managers and other administrative staff members from across the state interested in learning the latest information concerning the municipal income tax from "best practices" perspectives that are being used by other cities and villages to increase administrative efficiencies, access to the latest trends in taxation procedures and to remain current on activities taking place at Ohio's Statehouse that may affect the effectiveness of the current local tax system.

This year, we are especially excited about the line-up of workshops that will be part of the conference and we wanted to bring a few of these to your attention. The program agenda can be found <u>HERE</u>.

Concerning the Statehouse perspective of activity surrounding the municipal income tax reform legislation, HB 5, we are very fortunate to have confirmations by Ohio House Ways and Means Committee Chairman Rep. Peter Beck and ranking minority committee member Rep. Tom Letson, who will be joining our panel discussion on HB 5, the MIT reform proposal. Also participating in the discussion will be Mayor Debbie Sutherland from Bay Village and Dayton City Manager Tim Reardon, who have been actively working on the changes being considered in the legislation from the genesis of the issue. To date, HB5 has received 8 hearings in the House Ways and Means Committee, with more expected later in the year.

In addition to the Honorable legislators who will be sharing their perspectives, we are very excited to welcome nationally recognized local government financing expert, Michael A. Pagano, PhD., who is currently the Dean of the College of Urban Planning and Public Affairs, University of Illinois at Chicago. I have attached a recent article Professor Pagano authored <u>HERE</u> about the

funding challenges states face nationally to support in an adequate manner the needs of their local governments and how Ohio policymakers have chosen a smart policy for supporting their local partners.

The focus of Professor Michael A. Pagano's work is on the life blood of municipalities, that is, their finances and the relationship of their financial situation to the intergovernmental system. In addition to serving as Dean of the College of Urban Planning and Public Affairs, Michael is also a Fellow of the National Academy of Public Administration (which was chartered by Congress to assist federal, state, and local governments in improving their effectiveness, efficiency, and accountability), co-editor with Susan Clarke of Urban Affairs Review, and Faculty Fellow of UICs Great Cities Institute. He is co-editor of The Dynamics of Federalism in National and Supranational Political Systems, coauthor of three books, Terra Incognita: Vacant Land and Urban Strategies (2004), Cityscapes and Capital (1995), Cities and Fiscal Choices (1985), and has written over 100 papers on urban finance, capital budgeting, federalism, transportation policy, infrastructure, urban development and fiscal policy. He is Principal Investigator with Christopher Hoene (former research director of the National League of Cities) on a 3-year grant from the MacArthur Foundation to examine the constraints on cities' fiscal policy responses to changes in their financial environments (2012-2015).

Since 1991, he has written the annual City Fiscal Conditions report for the National League of Cities and was Principal Investigator on the Pew Charitable Trusts Government Performance Project to grade the states on Infrastructure Management (2003-08). Prior to his joining the faculty at the University of Illinois at Chicago in 2001, Pagano had been professor of political science since 1980 at Miami University. He holds a B.A. from the Pennsylvania State University and a Ph.D. from the University of Texas at Austin.

We feel very fortunate to be able to provide our municipal tax and finance administration officials with this level of timely, accurate and comprehensive information as part the 2013 OML Income Tax Conference. The conference will be held at the Marriott NW in Dublin July 11-12th. You can find the registration material <u>HERE</u> to secure your seat at this year's event.

We encourage not only tax and finance oriented staff members to attend but encourage your Mayors, Managers, Council members and other administrative officials to attend to learn what plans may be in the works to change the current MIT system and to better understand how Ohio funds its municipalities responsibly and the benefits that all Ohioans gain from this reasoned approach to funding challenges.

# **COMMITTEE NOTICES FOR NEXT WEEK**

As is normal, following the passage of the state two year operating budget, the Ohio legislature has recessed from their legislative calendar for a summer break and will return sometime after Labor Day. For the remainder of the summer, if this was a normal cycle it would be all quiet. However, the question of Medicaid and its expansion may lead to some committee activity over the summer. We will be sure to notify our members if any committee activity takes place over the summer.