Memorandum

To: Mayor & Members of Council **From:** Monica Irelan, City Manager

Subject: General Information

Date: June 16, 2014

CALENDAR

AGENDA - *City Council Meeting*Monday, June 16th @ 7:00 pm

C. APPROVAL OF MINUTES – from the June 2^{nd} Regular Council Meeting and Special Public Hearing Meeting

G. Introduction of New Ordinances And Resolutions

- 1. *Resolution No. 041-14* a Resolution by the City Council of Napoleon, Ohio Opposing the Passage of House Bill 5 and Senate Bill 282 Effecting the City Income Taxes; and Declaring an Emergency.
- 2. *Ordinance No. 042-14* an Ordinance Amending the Personnel Code Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

- 1. **Resolution No. 038-14** a Resolution Authorizing the City Manager to Execute all Documents Necessary to Apply and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects deemed necessary by the City Engineer in the Year 2014.
 - a. As explained in the enclosed Memorandum from Chad, the project submitted will be the Oberhaus I/I Reduction Project (L.T.C.P. Project No. 21A).
- 2. **Resolution No. 039-14** a Resolution Authorizing the City Finance Director to Direct Payment of \$820,991.00 to American Municipal Power, Inc. for the Net Stranded Liability for the AMPGS Project.
- I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS
- **J. GOOD OF THE CITY** (Discussion/Action)
 - 1. Recommendation to Approve June Billing Determinants
 - 2. Safety City Donation from United Way of Henry County

3. Approval of Plans and Specifications for the 2014 Miscellaneous Street Improvements project

- a. The plans and specifications are on file with the Finance Director's office; Chad's Memorandum on this project is enclosed.
- 4. **Downtown Pocket Park** (Refer to Committee)
- 5. **Water Treatment Plant** (Refer to Committee)
- 6. VFW Post 828 Donation for Fire Department
- K. EXECUTIVE SESSION: Economic Development

MEETINGS/CANCELLATIONS

- 1. AGENDA **Tree Commission** Monday, June 16th @6:00 pm
- 2. CANCELLATION Parks & Recreation Committee

INFORMATIONAL ITEMS

- 1. Copy of Greg Heath's letter sent to Senator Sherrod Brown opposing taxing of municipal bonds (our Resolution No. 034-14).
- 2. AMP Update/June 6, 2014
- 3. AMP Update/June 13, 2014
- 4. Public Power Connections / Summer 2014

MI:rd
Records Retention
CM-11 - 2 Years

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Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	6:15 PM TECHNOLOGY	Bisher - Vacation	6:00 PM - 8:00 pm RIVER	10:00 AM WNDH Kidz Fest	7:00 PM - 11:00 pm / Rally in	Bisher - Vacation
	Committee	District Vacation	6:00 PM - 8:00 pm RIVER CITY RODDERS CRUISE-IN	@Glenwood Park	the Alley	эмег часагол
	6:55 PM 2015 Tax Budget		Bisher - Vacation	Bisher - Vacation	Bisher - Vacation	
	Public Hearing					
	7:00 PM City COUNCIL					
	Meeting					
	Bisher - Vacation					
	District vacation					
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Bisher - Vacation	6:30 PM ELECTRIC	4:00 PM Records Commission				
	Committee	Mtg.				
	Board of Public Affairs	AMP - Bisher				
	7:00 PM Municipal					
	Properties/ED Committee					
	Meeting					
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Bisher-APPA Conference, Denv	6:00 PM City TREE	Bisher-APPA Conference, Denv	Bisher-APPA Conference, Denv	Bisher-APPA Conference, Denv		
	Commission Meeting					
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	6:30 PM FINANCE &	AMP - Bisher	AMP - Bisher		6:00 PM Ribfest	
	BUDGET Committee Meeting					
	7:30 PM SAFETY & HUMAN					
	RESOURCES Committee					
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29	RESOURCES Committee Meeting	1	2	3	4	5
29	RESOURCES Committee Meeting	1	2 6:00 PM - 8:00 PM RIVER	3	4 HOLIDAY - 4th of July - City C	5
29	RESOURCES Committee Meeting	1		3		5
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29	RESOURCES Committee Meeting	1	6:00 PM - 8:00 PM RIVER	3		5
29	RESOURCES Committee Meeting	1	6:00 PM - 8:00 PM RIVER	3		5

City of Napoleon, Ohio

CITY COUNCIL

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

MEETING AGENDA

Monday, June 16, 2014 at 7:00 pm

- **A. Attendance** (*Noted by the Clerk*)
- B. Prayer & Pledge of Allegiance
- **C. Approval of Minutes:** June 2 Regular and Special Meetings (*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 16 due to lack of agenda items.
 - **2. Electric Committee** (*Majority Report*) met on Monday, June 9 and recommended:
 - a. Approval of June billing determinants
 - **3.** Water, Sewer, Refuse, Recycling & Litter Committee did not meet on Monday, June 9 due to lack of agenda items.
 - **4. Municipal Properties, Buildings, Land Use & Economic Development Committee** met on Monday, June 9 and discussed:
 - a. City Manager update on Economic Development Plan
- F. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
 - 1. Civil Service Commission did not meet on Tuesday, May 27 due to lack of agenda items.
 - **2. Board of Public Affairs** met on Monday, June 9 with the following agenda items:
 - a. Review of Electric Billing Determinants
 - **b.** Electric Department Report
 - c. Review of Electric Rates with Courtney & Associates (Tabled)
 - **3. Board of Zoning Appeals** did not meet on Tuesday, June 10 due to lack of agenda items.
 - **4.** Planning Commission did not meet on Tuesday, June 10 due to lack of agenda items.
 - **5. Records Commission** met on Tuesday, June 10 and discussed:
 - a. Review of Records Retention Schedules
 - **6. Tree Commission** met tonight with the following agenda items:
 - a. Spring Programs
 - **b.** Fall Programs
 - c. Scott Street Replanting
- G. Introduction of New Ordinances and Resolutions
 - 1. **Resolution No. 041-14,** a Resolution opposing House Bill 5 and Senate Bill 282.
 - **2. Resolution No. 042-14,** a Resolution regarding the Personnel Code updates.
- H. Second Readings of Ordinances and Resolutions
 - Resolution No. 038-14, a Resolution authorizing the City Manager to execute all documents necessary to apply and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Project (LTIP) funds for projects deemed necessary by the City Engineer in the year 2014.
 - **2. Resolution No. 039-14,** a Resolution authorizing the City Finance Director to direct payment of \$820,991.00 to American Municipal Power, Inc. for the net stranded liability for the AMPGS Project
- I. Third Readings of Ordinances and Resolutions

There are no third readings of Ordinances and Resolutions.

- J. Good of the City Any other business as may properly come before Council, including but not limited to:
 - 1. **Discussion/Action:** Recommendation to approve June billing determinants as follows:

Generation Charge: Residential @ \$0.07094; Commercial @ \$0.08576; Large Power @ \$0.03914; Industrial @ \$0.03914; Demand Charge Large Power @ \$14.14; Industrial @ \$15.82; JV Purchased Cost: JV2 @ \$0.03497; JV5 @ \$0.03497

(Billing determinants for month before: Generation Charge: Residential @ \$0.08677; Commercial @ \$0.10393; Large Power @ \$0.05563; Industrial @ \$0.05563; Demand Charge Large Power @ \$14.36; Industrial @ \$15.02; JV Purchased Cost: JV2 @ \$0.04804; JV5 @ \$0.04804)

2. Discussion/Action: Safety City donation from United Way of Henry County: \$500.00

- **3. Discussion/Action:** Approval of Plans, Specifications, Documentation and Contracts for Miscellaneous Street Improvements Project
- **4. Discussion/Action:** Downtown Pocket Park (Refer to Committee)
- K. Executive Session: Economic Development
- L. Approve Payment of Bills and Approve Financial Reports (In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)
- M. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

1. Technology & Communication Committee (1st Monday)

(Next Regular Meeting: Monday, July 7 @ 6:15 pm)

a. NCTV Contract (Tabled)

2. Electric Committee (2nd Monday)

(Next Regular Meeting: Monday, July 14 @ 6:30 pm)

- a. Review of Electric Billing Determinants
- **b.** Electric Department Report
- c. Review of Electric Rates with Courtney & Associates (Tabled)

3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)

(Next Regular Meeting: Monday, July 14 @ 7:00 pm)

4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)

(Next Regular Meeting: Monday, July 14 @ 7:30 pm)

- a. City Manager Update on Economic Development Plan
- b. Updated Info from Staff on Economic Development (as needed)

5. Parks & Recreation Committee (3rd Monday)

(Next Regular Meeting: Monday, July 21 @ 6:15 pm)

6. Finance & Budget Committee (4th Monday)

(Next Regular Meeting: Monday, June 23 @ 6:30 pm)

7. Safety & Human Resources Committee (4th Monday)

(Next Meeting: Monday, June 23 @ 7:30 pm)

a. Changes to the Employee Manual (Tabled)

2014 Regular Meetings with Townships scheduled for February and November

8. Personnel Committee (As needed)

B. Items Referred or Pending In Other City Committees, Commissions & Boards

1. Board of Public Affairs (2nd Monday)

(Next Regular Meeting: Monday, July 14 @ 6:30 pm)

- a. Review of Electric Billing Determinants
- **b.** Electric Department Report
- c. Review of Electric Rates with Courtney & Associates (Tabled)

2. Board of Zoning Appeals (2nd Tuesday)

(Next Regular Meeting: Tuesday, July 8 @ 4:30 pm)

3. Planning Commission (2nd Tuesday)

(Next Regular Meeting: Tuesday, July 8 @ 5:00 pm)

4. Tree Commission (3rd Monday)

(Next Regular Meeting: Monday, July 21 @ 6:00 pm)

5. Civil Service Commission (4th Tuesday)

(Next Regular Meeting: Tuesday, June 24 @ 4:30 pm)

6. Parks & Recreation Board (Last Wednesday)

(Next Regular Meeting: Wednesday, July 30 @ 6:30 pm)

7. Privacy Committee (2nd Tuesday in May & November)

(Next Regular Meeting: Tuesday, November 11 @ 10:30 am)

8. Records Commission (2nd Tuesday in June & December)

(Next Regular Meeting: Tuesday, December 9 @ 4:00 pm)

- **9.** Housing Council (1st Monday of the month after the TIRC meeting)
- **10.** Health Care Cost Committee (As needed)
- 11. Preservation Commission (As needed)
- 12. Infrastructure/Economic Development Fund Review Committee (As needed)
- 13. Tax Incentive Review Council (As needed)
- 14. Volunteer Firefighters' Dependents Fund Board (As needed)
- 15. Lodge Tax Advisory & Control Board (As needed)
- **16.** Board of Building Appeals (As needed)
- **17. ADA Compliance Board** (As needed)
- 18. NCTV Advisory Board (As needed)

CITY COUNCIL

Meeting Minutes

Monday, June 2, 2014 at 7:00 pm

PRESENT

Council

John Helberg (President), Jason Maassel (President Pro-Tem), Jeff Comadoll, Jeffrey

Marihugh, Christopher Ridley, Travis Sheaffer, Heather Wilson

Mayor

City Manager Law Director

Finance Director/Clerk

Recorder City Staff Ronald A. Behm Monica S. Irelan

Trevor M. Hayberger Gregory J. Heath

Tammy M. Fein

Robert Bennett, Fire Chief

Matt Bilow, Waste Water Treatment Plant Supervisor

Dennis Clapp, Electric Superintendent Marty Crossland, Staff Engineer Dan Wachtman, MIS Administrator

Robert Weitzel, Police Chief

News Media; Residents of West Riverview Avenue: Gary Bostelman; Brian and

Jackie Westhoven; Bob Jones; Mark Pritchard; Guy Miller

ABSENT Council City Staff

Others

Prayer

President Helberg called the meeting to order at 7:02 pm with the Lord's Prayer followed by the Pledge of Allegiance.

Approval Of Minutes

Minutes of the May 19 Council meeting stand approved with no objections or corrections.

Citizen
Communication

Gary Bostelman, 926 West Riverview Avenue, stated that residents on West Riverview Avenue are being required to pay to have sidewalks installed now that the sewer construction project is complete, Bostelman added that the residences on the East side of the avenue are not required to pay to have the already existing sidewalks replaced. Bostelman stated that he along with some other residents of West Riverview Avenue are asking for an assessment regarding the cost of the sidewalk installation by way of real estate tax assessment; he believes this way of paying to be more fair and equitable for current and future property owners; to share in the cost of the sidewalk installation.

Helberg asked, if the sidewalk installations were assessed, if there is a sidewalk program that the residents could apply for regarding possible partial reimbursement; Crossland stated that this program is for sidewalk replacement not installation. Bostelman asked Council if all nine (9) residents must be involved; or if three (3) property owners could be involved; Hayberberger reminded Council that the Legislation will require three (3) reads and thirty (30) days before it is in effect, and there is a timeframe required for the assessment process to follow as well, and this will put other property owners on notice.

Bob Jones, 960 West Riverview Avenue, asked Council if a bike and walking path could be installed instead of a sidewalk; Irelan stated that the size of the road does not allow for a bike path. Marihugh stated the existing bike path is on the other side of the road near the boat ramp at Ritter Park. Irelan stated there is not the correct

amount of right of way on either side of the road to accommodate a bike and walking path; Crossland stated that Sheffield Avenue has no place for bike path, even though there may be ample room on the west end, there is no room on the east end of road. Hayberger stated that the State dictates the regulations regarding what is allowed, not the City.

Heath stated that this project may be reviewed, and although there are three (3) continuous property owners, there may be an issue regarding the assessment process: adding that when Clairmont Avenue was done, all the owners installed their sidewalks at their own expense at a cheaper cost than the City would have received, due to the prevailing wage rule. Heath stated that an assessment of this project will cost more to the property owners due to debt assessment. Crossland stated that the sewer project is complete, and the sidewalks are the only outlying issue; Heath stated that the assessment would only be on sidewalks, and the number of property owners requesting an assessment for installing sidewalks is five (5) out of nine (9) with a resident in the middle of the block opting to pay for the sidewalk installation presently; Heath stated the assessment process would be easier if the properties to be assessed were in straight line, due to different parts of the Codes dictating the procedure; Helberg asked if the property that will pay presently could be skipped in the assessment procedure; Hayberger stated this would increase the cost; Hayberger will research this. Heath reminded Council and the audience that the assessment process is quite involved, adding that total concurrence is much easier, but if there is not total concurrence, the City must prove a necessity to assess; to impose the will to force the property owner to install a sidewalk; and there may be other issues as well, adding that if the project is assessed, the City must do the work.

Motion To Direct The Law Director To Research, Work With City Engineer And Residents Regarding Possibility Of Assessing Sidewalk Installation And Draft Legislation Regarding Such Motion: Marihugh Second: Comadoll
To direct the Law Director to research, and work with the City Engineer and
residents regarding the possibility of assessing sidewalk installation and draft
Legislation regarding such

Passed Yea- 7

Nay- 0

Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg Nay-

Committee Reports

The Technology & Communication Committee met on Monday, June 2 and discussed:

1. NCTV Contract

Behm reported that he recently received an email from Ken Newenschwander regarding having the new civic center house an access channel for NCTV as well as a radio station staffed by volunteers.

The Finance & Budget Committee did not meet on Tuesday, May 27 due to lack of agenda items.

Chairperson Wilson reported that the Safety and Human Resources Committee met on Tuesday, May 27 and recommended:

1. Approving contracting out billing of EMS run copays after Heath's research;

- 2. Approving changes to the Personnel Code as presented; and
- 3. Tabling approving changes to the Employee Manual.

Heath included a memo in the Council packet regarding Dual Eligibility Patients; see attached.

Heath stated that this memo is regarding a review by legal staff on the issue regarding dual eligible patients for both Medicare and Medicaid; based on Federal law if an entity accepts Medicare or Medicaid, then the entity is assumed to accept the payment as in full and the remainder cannot be net billed, including copays. Heath stated that the previous stance of Medicare and Medicaid was to pay the copays, but now entities cannot bill for copays separately because it is considered a net bill. Heath stated that the representative from McKeeson, previously Med3000, will get information to Hayberger for review. Heath added that Council can lobby the State of Ohio to continue the Medicaid copay program, adding that of the approximate \$16,000 of revenue, 90% of that figure is a loss of revenue to the City. Behm asked which fund this money comes from; Heath replied that it comes from the EMS Transport Fund and the net goes back to General Fund.

Introduction Of Resolution No. 038-14

President Helberg read by title Resolution No. 038-14, a Resolution authorizing the City Manager to execute all documents necessary to apply and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for projects deemed necessary by the City Engineer in the year 2014.

Motion To Approve First Read

Motion: Maassel Second: Ridley To approve first read of Resolution No. 038-14

Discussion

Marihugh asked which projects would be included under this Resolution; Irelan explained that this Resolution merely allows Irelan to sign any grant applications and award certificates when needed, and there are no specific projects listed at this time. Ridley asked if there were any specific projects that may be considered; Crossland stated that he is not sure which projects will be submitted; Hayberger stated that this Resolution is typically submitted later in the year, however it has been submitted now since there is no Suspension or Emergency clause requested, and it will need three (3) reads and thirty (30) day before it goes into effect. Irelan restated that this Resolution merely gives her the authority to sign grant applications as needed, but she will research which specific projects may be submitted for the Second and Third Reads of the Resolution.

Passed Yea- 7

Roll call vote on above motion:

Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg Nay-

Nay- 0

Introduction Of Resolution No. 039-14

President Helberg read by title Resolution No. 039-14, a Resolution authorizing the City Finance Director to direct payment of \$820,991.00 to American Municipal Power, Inc. for the net stranded liability for the AMPGS Project

Motion To Approve First Read

Motion: Sheaffer Second: Maassel To approve first read of Resolution No. 039-14

Discussion

Hayberger stated this Resolution was to formalize the discussion that took place regarding the AMPGS Settlement; Heath stated that AMP requested this Resolution by June 1 for direction, and Heath will contact AMP to indicate the plans of the City.

Heath stated that the money used to pay these stranded costs will not be borrowed; this Resolution will require three (3) reads and thirty (30) days before it goes into effect, and the amount is listed as a liability on the 2013 financials showing a net loss; Heath stated this will be appropriated at the next quarterly budget adjustments.

Passed

Roll call vote to approve first read of Resolution No. 039-14

Yea- 7 Nav- 0 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

Introduction Of Resolution No. 040-14 President Helberg read by title Resolution No. 040-14, a Resolution authorizing the expenditure of finds over twenty-five thousand dollars (\$25,000.00) for the purpose of conducting a Combined System Operational Plan Update, and to sole source said appraisals to Stantec Consulting Services, Inc.; and declaring an Emergency (Suspension Requested)

Motion To Approve First Read Motion: Sheaffer Second: Maassel To approve first read of Resolution No. 040-14

Discussion

Bilow stated that the Waste Water Treatment Plant Operational Plan is required by the EPA to be updated, as the Plan from March 1996 is the latest version, and Stantec is most qualified to do this. Irelan stated that this requirement was included as part of the agreement between the City and EPA for the City to receive a project hiatus, adding that Stantec is the best company to complete this project because of their institutional knowledge of system; adding that Stantec has been an integral participant in the Long Term Control Plan projects as well as the hiatus discussions. Maassel asked what the cost of this project would be; Bilow stated that the estimated cost will not exceed \$27,000.

Motion To Suspend The Rules Motion: Sheaffer Second: Marihugh To suspend the rules requiring three readings

Passed Roll call vote on above motion:

Yea- 7

Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

Nay- 0
Passed

Yea-7

Nay- 0

Roll call vote to pass Resolution No. 040-14 under suspension of the rules Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

There Are No Second Reads Of Ordinances And Resolutions There are no Second Reads of Ordinances and Resolutions.

Third Read Of Ordinance No. 031-14

President Helberg read by title Ordinance No. 031-14, an Ordinance to approve current January 2014 Replacement Pages to the Napoleon Codified Ordinances

Motion To Pass On Third Read

Motion: Comadoll Second: Ridley

To pass Ordinance No. 031-14 on third read

Discussion

Hayberger stated that this is the six (6) month update required by the Walter Drane Company reflecting changes to State Law; adding that there are no changes to the Ordinance since the Second Read.

Passed Roll call vote to pass Ordinance No. 031-14 on third read

Yea- 7 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay- 0 Nay-

Third Read Of Ordinance No. 032-14 President Helberg read by title Ordinance No. 032-14, an Ordinance of Napoleon City Council changing the Zoning Map pursuant to 1125.02 of the Codified Ordinance of the City of Napoleon to reflect the amendment of the Zoning Classification for property located at 2269 Scott Street, Napoleon, Ohio from I-2

Open Industrial to C-4 Planned Commercial

Motion To Pass On Third Read Motion: Sheaffer Second: Maassel

To pass Ordinance No. 032-14 on third read

Discussion Hayberger stated this is the property behind Wendy's, and this is a more appropriate

zoning classification for the property; there are no changes to the Ordinance since the

Second Read.

Passed Roll call vote to pass Ordinance No. 032-14 on third read

Yea- 7 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay- 0 Nay-

Third Read Of Resolution No. 033-14 President Helberg read by title Resolution No. 033-14, a Resolution adopting the 2015 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

Motion To Pass On Third Read Motion: Ridley Second: Maassel

To pass Resolution No. 033-14 on third read

Discussion Heath stated this Resolution is the purpose of the earlier Public Hearing, adding that

there are no changes to the Resolution.

Passed Roll call vote to pass Resolution No. 033-14 on third read

Yea- 7 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

GOOD OF THE CITY

Nay- 0

Discussion/Action

Approval of Change Order No. 1 (Final) For The Kenilworth Area I/I Removal Project, LTCP Project No. 16B, an increase of \$15,856.07, Contractor: Vernon Nagel Crossland stated that the Change Order was for lawn restorations from last Fall's project on Kenilworth Avenue; the project is now complete and up to date. Marihugh asked if the total cost including this Change Order was still within the original Engineering estimate; Crossland replied yes, the total cost including this Change Order is \$313,347.

Motion To Approve Change Order No. 1 (Final) For The Kenilworth Area I/I Removal Project Motion: Maassel Second: Ridley

To approve Change Order No. 1 (Final) for the Kenilworth Area I/I Removal Project,

LTCP Project No. 16B, an increase of \$15,856.07, Contractor: Vernon Nagel

Passed Roll call vote on above motion:

Yea-6 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel

Nay- 0 Abstain- 1 Nay-Abstain- Helberg

Recommended Changes To The Personnel Code Irelan distributed a memo regarding the potential changes to the Personnel Code as approved by the Safety & HR Committee on May 27; see attached.

Motion To Direct The Law Director To Draft An Ordinance Reflecting Changes To The Personnel Code Motion: Wilson Second: Comadoll
To direct the Law Director to draft an Ordinance reflecting the changes made to the
City's Personnel Code

Passed Yea- 7 Nav- 0 Roll call vote on above motion: Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg Nav-

Light Bulb Recycling Program

Irelan distributed a memo regarding the Light Bulb Recycling Program issues and alternatives; see attached.

Irelan reported that the safety issues regarding the light bulb recycling program were brought to her attention at an internal staff meeting, and after researching the process, procedures and safety regulations, Irelan immediately terminated the program. Irelan is requesting Council's direction on the residential section of the program, and Irelan recommends either outsourcing the recycling or discontinuing the service. Irelan stated that if the program is discontinued, she has written proposed language for the City website showing residents where they can drop off their light bulbs for recycling at no charge; adding that certain light bulbs are warrantied. Irelan reminded Council that the City is not allowed to take commercial light bulbs, and Irelan recommends discontinuing the residential recycling program for safety reasons. Marihugh asked if this was a concern regarding the mercury levels in the light bulbs; Irelan replied it is. Marihugh asked if a moratorium should be written to remind residents not to place the light bulbs in their regular refuse; Irelan stated that the EPA dictates putting the light bulbs in two (2) sealed plastic bags before putting in outside garbage, as long as the light bulbs are not shattered. Irelan added that it is not in the City's best interest to transport the light bulbs to the Bowling Green location for recycling. Helberg asked how much this program has currently cost the City; Irelan stated that the City has spent approximately \$700 this year; Clapp stated that the cost will increase to approximately \$1,000 for the rest of the year and the City will also have to pay to recycle the light bulbs, as this cost does not include labor cost associated with the program. Helberg asked what the quarterly cost for the program would be if it were outsourced; Irelan stated the cost would begin at \$2520 just for the truck to present for five (5) hours, Clapp added that it would also cost thirty (30) cents per each four (4) foot light bulb and forty (40) cents per each eight (8) foot light bulb. Irelan restated her recommendation to discontinue the program, adding that the Ohio EPA is not currently regulating what residents do with their light bulbs.

Motion To Discontinue Residential Light Bulb Recycling Program Motion: Marihugh Second: Ridley
To discontinue the residential light bulb recycling program

Passed Roll call vote on above motion:

Yea- 7 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

Good Of The City

(Cont.) Heath

Heath stated that the issue regarding Municipal Income Taxes is no longer restricted to House Bill 5; there is now a Senate Bill and just as Heath predicted, the Senate is making a larger grab, adding that this Bill has the potential to be ominous to the City's Income Tax revenue. Heath urged Council to contact their Ohio Senators and Representatives, and to lobby to not make the pending changes to this City revenue source. Heath added that only taxing residents and not businesses will be a major loss to City.

Motion To Direct The Law Director To Draft A Resolution In Opposition To The Senate Bill

Motion: Maassel Second: Wilson

To direct the Law Director to draft a Resolution in opposition to the Senate Bill regarding Municipal Income Taxes

Passed

Yea- 7 Nav- 0 Roll call vote on above motion:

Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

Heather Wilson thanked all involved for the Memorial Day parade.

Wilson commended the Parks and Recreation Department for the condition of the

local parks.

Ridley Ridley echoed Wilson on both the parade and the condition of the parks.

Ridley canceled the Water, Sewer, Refuse, Recycling & Litter Committee meeting

scheduled for June 9 due to lack of agenda items.

Ridley asked how the President's new plan to lower carbon emissions will affect the City; Irelan stated this is a 625 page report with an additional 125 pages added, and she is researching the impact. Irelan added that this is a several year plan, and the

State will decide how the plan is implemented.

Maassel Maassel asked for a Water Plant update; Irelan stated that she is working with Special Projects Clerk Bisher and the County, adding that there are a few more

meetings, but the project is set up to move forward.

Helberg stated that the Municipal Properties, Buildings, Land Use & Economic

Development Committee will have a special meeting on Monday June 9 at 7:00 pm.

Behm stated that he recently participated in the naturalization ceremony held at the

middle school; adding that it was a great experience.

Behm stated that he had recently received a complaint from a resident regarding the grass height at a residence on Appian Avenue and asked Irelan to review this issue. Irelan stated that nuisance hearings are being held every Tuesday, adding that this property was being taken care of by a company and the City is keeping eye on the

property; the property was mowed today.

Sheaffer Sheaffer noted that there was an article regarding economic development in the paper, and he would like this information included in the upcoming Economic Development Committee meeting, adding that he would like the bike path information included as well; Sheaffer believes that improving quality of life issues can be used to keep residents in the City. Sheaffer stated he saw an example of a coworking facility in Toledo; residents rent time in the building for consultation of different businesses in one place. Marihugh Marihugh thanked the Operations Department for installing the delineators at the corner of Ohio Street and Scott Street, but he would still like to see the concrete painted yellow. Comadoll Comadoll reported that he got to see the operation of the new miniexcavator, stating that it works well and it was well worth the cost. None Hayberger None **Irelan** Bills and financial reports stand approved as presented with no objections. **Approval Of Bills** Second: Ridley **Motion To Adjourn** Motion: Wilson To adjourn the meeting. **Passed** Roll call vote on above motion: Yea-7 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg Nav- 0 Nav-Adjournment Meeting adjourned at 8:22 pm.

Approved: John A. Helberg, Council President

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio CITY COUNCIL

Special Meeting Minutes - Public Hearing Monday, June 2, 2014 at 6:55 P.M.

PRESENT Council Members

John Helberg - President, Jason Maassel, Travis Sheaffer, Chris Ridley, Jeffrey

Marihugh, Heather Wilson, Jeff Comadoll

Mayor City Manager Law Director Ronald A. Behm Monica S. Irelan Trevor M. Hayberger Gregory J. Heath

Finance Director/Clerk Recorder

Tammy M. Fein

City Staff

Robert Bennett, Fire Chief Marty Crossland, Staff Engineer Jeff Rathge, Operations Superintendent

Robert Weitzel, Police Chief

Others

News Media

ABSENT Council Members

Call To Order

President Helberg called the public hearing to order at 6:57 PM.

2015 Tax Budget

President Helberg said the hearing is to review the proposed 2015 Tax Budget and inside ten (10) mill levy rates allocated to the City.

Heath distributed the 2015 Tax Budget, Schedules A and B memo; see attached.

Heath stated that this Public Hearing is a requirement of the ORC, and is attached to Ordinance No. 034-14 which will be in its third reading at tonight's Council meeting, and is used for the purpose of determining the undivided local government funds; explaining the origin of the Tax Budget and its division within the county. Heath stated this is the certification of millage rates and inside 2.9 mills; Heath listed the mills and stated the total estimated evaluation is approximately \$144,710,680.

Public Comment

President Helberg asked if anyone in the audience wished to give public comment. No response.

Motion To Close Hearing

Motion: Marihugh Second: Comadoll To close the public hearing at 7:00 PM

Passed

Roll call vote on above motion:

Yea- 7 Nav- 0 Yea- Sheaffer, Marihugh, Comadoll, Wilson, Ridley, Maassel, Helberg

Nay-

Date Approved:

John A. Helberg, Council President

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

Public Hearing Minutes 6/11/2014

RESOLUTION NO. 041-14

A RESOLUTION BY THE CITY COUNCIL OF NAPOLEON, OHIO OPPOSING THE PASSAGE OF HOUSE BILL 5 AND SENATE BILL 282 EFFECTING THE CITY INCOME TAXES; AND DECLARING AN EMERGENCY

WHEREAS, Municipalities in Ohio exist primarily as a tool of self-governance to provide high quality services to the citizens which live in them and to the constituents who visit for work, entertainment, educational and economic development purposes; and,

WHEREAS, Municipalities agree that revenue-neutral uniformity on issues that will ease compliance burdens for businesses in and potentially locating to Ohio would be of great benefit to all of Ohio; and,

WHEREAS, HB 5 and Senate Bill 282 as introduced and the subsequent substitute draft offered by the Sponsors contains language that is detrimental to the financial stability of municipalities; will reduce revenue for all municipalities in Ohio; includes "unfunded mandates" which will limit the ability for municipalities to provide basic services to residents, businesses, and visitors; creates special tax breaks while raising taxes on other taxpayers; and, creates additional state level bureaucracy; and,

WHEREAS, the recent confiscation of Local Government Funds, elimination of the Estate Tax, and the elimination of promised reimbursement for the loss of revenues due to the repeal of the Tangible Personal Property and Public Utilities Taxes has resulted in an unsustainable loss of already depleted revenues for Ohio cities and villages to operate effectively; and,

WHEREAS, Municipalities have been responsive in the past to efforts to streamline the rules and regulations and create uniformity in the overwhelming majority of local tax codes creating a streamlined process for all taxpayers; and,

WHEREAS, municipalities across the state, in cooperation with the Ohio Municipal League, business interest representatives and select members of the Ohio General Assembly, have drafted a comprehensive legislative proposal that addresses all areas identified in HB5 and Senate Bill 282 seeking greater uniformity and predictability in the current municipal income tax system which represents solutions far more revenue-neutral to municipalities; and,

WHEREAS, Municipalities must fight to protect their single largest revenue source, which provides essential municipal services, promoting a positive quality of life that residents and businesses alike rely upon, and any forced reduction in this revenue will have a negative impact on residents and businesses, creating an environment detrimental to retaining and attracting business in Ohio; now therefore,

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

Section 1. That, this Resolution urges state legislators to reject HB 5 and Senate Bill 282, and to adopt the provisions crafted by select members of Ohio's General Assembly who have worked extensively with business and municipal leaders to create solutions benefited to all Ohioans.

- Section 2. That, the Ohio General Assembly should focus on restoring previous funding levels to the Ohio Business Gateway and focus on correcting its multitude of programming problems and customer service issues to make that tool less cumbersome, more useful and relevant to municipalities and businesses as a simple, generic, one-stop method of filing local business income tax returns in one location.
- Section 3. That, members of the Ohio House and Senate should reject HB 5 and Senate Bill 282 and instead continue to engage in constructive dialogue with local officials to gain consensus on the correction of the perceived issues of potential revenue-neutral commonality and uniformity in those few remaining differences in municipal income tax provisions.
- Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for the further reason of the urgency of communicating to the Ohio General Assembly prior to any short-sighted or harmful action being taken by that legislative body; 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 Attest:	Abstain
Gregory J. Heath, Clerk/Finance Director	

	Director of the City of Napoleon, do hereby certify vas duly published in the Northwest Signal, a
nan me joregoing Resolution No. 041 -14 w newspaper of general circulation in said Ci	
; & I further certify the compliance	with rules established in Chapter 103 of the Codified
Ordinances Of Napoleon Ohio and the laws	s of the State of Ohio pertaining to Public Meetings.
	Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 042-14

AN ORDINANCE AMENDING THE PERSONNEL CODE CHAPTER 197 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON

WHEREAS, the Safety and Human Resources Committee met in a regular meeting held on May 27th, 2014, and reviewed the entire Personnel Code and suggested changes presented by staff and recommended that the City should adopt the amended Personnel Code; and,

WHEREAS, City Council acknowledges that from time to time it must review the various codes and policies of the City of Napoleon; and

WHEREAS, City Council now desires to amend the Personnel Code of the City of Napoleon; Now Therefore,

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

Section 1. That, the City of Napoleon does hereby amend Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio as follows:

"

CHAPTER 197

PERSONNEL CODE

City of Napoleon, Ohio

197.01 Preamble.

197.02 Miscellaneous.

197.03 Employee records and discipline.

<u>197.04</u>	Employee relations.
<u>197.05</u>	Layoff and recall procedures.
<u>197.06</u>	Residency requirements.
<u>197.07</u>	City organization chart.
<u>197.08</u>	Preconditions for employment.
<u>197.09</u>	Promotions, assignments and transfers.
<u>197.10</u>	Hiring of seasonal and temporary workers.
<u>197.11</u>	Safety Committee.
<u>197.12</u>	Seniority.
<u>197.13</u>	Policy, procedures and work rules.
<u>197.14</u>	Hours of work and compensation.

- **197.15** Major paid benefits.
- **197.16** Paid leaves of absence.
- **197.17** Trauma leave.
- **197.18** Vacations.
- 197.19 Other leaves of absence.

197.01 PREAMBLE

(a) Applicability, Purpose and Interpretation

The term "Code" as used in this Chapter shall be interpreted to mean the "Personnel Code" unless its context clearly indicates otherwise and shall be considered part of the Administrative Code of the City of Napoleon, Ohio, whether codified or not.

Any resolution, ordinance, code or other similar instrument that refers to the "Personnel Code" shall be construed to mean this Code.

This Code supersedes and replaces all applicable federal and state laws, statutes, codes, policies, and all matters or issues pertaining to employee wages, benefits, and working conditions over which it has authority to supersede and replace. However, AN ORDINANCE OR RESOLUTION OF THE CITY MAY SUPERSEDE THIS CODE IF THE SPECIFIC ISSUE OR ISSUES ADDRESSED IN THE ORDINANCE OR RESOLUTION CONFLICT WITH

THIS CODE. this Code does not supersede or replace resolution or ordinance numbers, 128-95, 16-98 and 117-06 (employment resolutions or ordinances pertaining to the City Manager and City Finance Director) as may be amended from time to time (except as it pertains to residency). A TYPICAL EXAMPLE OF WHEN THIS MAY OCCUR IS WHEN A NEW HIRE NEGOTIATES TERMS DIFFERENT THEN THIS CODE, BUT IT IS NOT LIMITED TO JUST THIS EXAMPLE.

Further, this Code does not pertain to the position of Judge of the Napoleon Municipal Court which shall be controlled by the Ohio Revised Code, except for the benefits as authorized by Section 197.14(i) concerning "Retirement Contribution Pickup" and as provided in 197.15 of this Code.

In the event that any provision of this Code and its application to any employee is held to be contrary to law by a court of competent jurisdiction, in areas of law that it may not be contrary, it shall be of no further force and effect, except to the extent permitted by law; but all other provisions and applications shall continue in full force and effect.

Any provision of a collective bargaining agreement shall govern matters covered herein only to the extent required by law. Nothing in this Code shall be construed as giving additional benefits to members of a bargaining unit that are not otherwise stated in the collective bargaining agreement.

(b) **Definitions**

Definitions for the purpose of this Code:

Any reference in this Code to "hire date", "date of employment", "anniversary date", "hired" and the like shall generally mean the first date of service following the most recent notice of hiring, unless the context clearly indicates otherwise.

Active Pay Status - Shall mean that an employee has received or is entitled to

receive pay for one (1) of the following reasons when properly authorized in accordance with the terms of this Code: time worked whether at regular or overtime rates; sick leave; vacation leave; personal holiday; legal holiday; bereavement leave; or, compensatory time off. Active pay status shall exclude any unpaid time, unpaid leaves of absence, or unpaid separation from employment, whether authorized or unauthorized. The definition of active pay status as herein defined is intended to define active employment and is not intended nor shall it be construed as to supersede the requirements of earning overtime pay or compensatory time.

Appointing Authority - The directors of the city as provided by Charter, i.e. city manager, city finance director and city law director and may include other officers as authorized by the charter. Appointing authority may, when the text clearly indicates, mean the city council when the positions are appointed by council. Appointing authority may be others as designated by act of council or when delegated to others by the city manager, city finance director or city law director. Finally, for employees of the municipal court, the appointing authority shall be as provided by the Ohio Revised Code.

Bargaining Unit - Shall mean all employees of the City of Napoleon employed in a group of positions recognized by the City who are represented by an exclusive representative and whose terms of employment are covered by a collective bargaining agreement.

Class - A group of positions (or one (1) position) that:

Have similar duties and responsibilities;

Require like qualifications; and

Can be equitably compensated by the same salary range.

Classified Service - as defined in the Napoleon Civil Service Code and or Civil Service Rules of the City, the Charter, ordinance or other controlling law.

Class Title - The official designation or name of the class as stated in the class specification. It shall be used on all personnel records and actions. Working or office titles may be used for purposes of internal administration.

Director(s) - The city manager, city finance director, and city law director.

Employee - Unless the context otherwise indicates, employee shall mean any employee of the City.

Employee, Full-Time Regular - An employee hired to work for the City full-time, at least thirty-seven and one half (37-1/2) THIRTY (30) hours per week on a regular basis (normally 52 weeks per year) (except authorized leave). A full-time firefighter or EMT shall be considered full-time if they work a twenty-four (24) hour duty day at least fifty-three (53) hours per week on a regular basis (normally fifty-two (52) weeks per year, except authorized leave); or, if they work an eight (8) hour duty day at least thirty-seven and one-half (37-1/2) hours per week on a regular basis (normally 52 weeks per year, except authorized leave). Full time employees include both hourly and salary employees. For the purpose of this Code, the city manager, city law director, city finance director and those other fulltime positions appointed by council shall be considered full-time regular employees of the city and be entitled to the benefits as provided to other full-time regular employees, except where specifically excluded or where the context of the section clearly indicates that such section is not applicable to the positions. Council members and the mayor are not considered employees of any type for the purpose of this Code, except for purpose of public retirement benefits, workers compensation benefits and other benefits as specifically authorized by ordinance to be applicable to the council or mayor, or as may otherwise be required by law. For the purpose of this Code, board and commission members of the city are not considered employees of any type and are not entitled to benefits except unless specifically authorized for board and commission members by ordinance or as may otherwise be required by law.

Employee, Part-Time - An employee hired to work part-time, less than a regular **thirty-seven and one half (37-1/2)** *THIRTY (30)* hour work week (regardless of the number of weeks per year worked), for less than twelve (12) continuous months. Any reference to a summer, seasonal or intermittent employee shall mean part-time employee.

Employee, Permanent Part-Time - An employee hired to work part-time, less than a regular thirty-seven and one-half (37-1/2) THIRTY (30) hour work week, for twelve (12) or more continuous months, unless for a specific assignment on a temporary basis.

Employee, Temporary - An employee who may work a regular thirty-seven and one-half (37-1/2) hours or more work week, but—THAT-is hired for a period of time expected to be less than eight (8) months ONE HUNDRED AND TWENTY (120) DAYS PER ROLLING CALENDAR YEAR or no later than on completion of a specific assignment is considered a temporary employee. A temporary employee may be offered and may accept a new temporary assignment and still retain temporary status, provided there is a one (1) week break of employment.

Grievance - Shall mean an allegation by a full-time regular employee of the classified service for the City that there has been a breach, misinterpretation, or improper application of this Code (It is not intended that the grievance procedure be used to effect changes in this Code nor those matters which are controlled by the provisions of Federal or State laws and/or by the United States or Ohio Constitutions).

Involuntary Departure - Shall mean disciplinary termination or a firing of an employee.

Legal Holiday - Any City observed legal holiday, except President's Day.

Non-Bargaining Employees - Employees not a member of an officially recognized bargaining unit.

Pay Period Normal - Monday 12:00 a.m. through the following Sunday 11:59 p.m. for two (2) consecutive weeks (biweekly), with exception of the Police Department which is Monday 7:00 a.m. through the following Monday 6:59 a.m. for two (2) consecutive weeks (biweekly).

Perform The Job - For the purposes of this Code, perform the job shall mean perform the essential functions of the job, with or without reasonable accommodation, without posing a direct threat to the health or safety of the employee or others.

Physician - Unless the context indicates otherwise physician shall mean a medical doctor of medicine or osteopathy licensed to practice medicine or surgery in the State of Ohio.

Position - A group of currently assigned duties and responsibilities requiring the full or any part-time or temporary employment of one (1) person. A position may be occupied or vacant.

Residence - The place where one actually lives or has his/her home; a person's dwelling or place of habitation; an abode; house where one's home is. Personal presence is required without intention of definite or early removal and with purpose to remain for an undetermined period (not a post office box or just a mailing address). Place of residence is the place as reasonably determined to qualify as a residence of an employee by the employee's appointing authority.

Residency - A term to describe residence requirements as required by the City for

employment purposes.

Resident - Any person who occupies a residence within this *THE* City and *ITS LIMITS*, having a present intent to remain within the City for a period of time.

Shift Work - Work in a department when at least three (3) separate and distinct shifts exist in a twenty-four (24) hour period.

Statutory Holiday - Any City observed legal holiday with exception to President's Day, *OR AS DEFINED IN AN APPROVED BARGAINING AGREEMENT*.

Unclassified Service - As defined in the Napoleon Civil Service Code or Civil Service Rules of the City, the charter, ordinance, resolution, or other controlling law.

(Ord. 015-12. Passed 3-5-12.)

197.02 MISCELLANEOUS

(a) Extensions of Times and Deadlines

Unless the context indicates otherwise, whenever a certain event is to occur on a date which is a Saturday, Sunday, or City legally observed holiday, or a certain deadline is to expire on a date which is Saturday, Sunday, or City legally observed holiday, the date upon which such event shall occur or such deadline shall expire shall be the first date thereafter which is not a Saturday, Sunday, or City legally observed holiday.

Unless the context indicates otherwise, in computing any period of time prescribed or allowed by this Code, the date of the act or event from which the designated period of time begins to run shall not be included.

(b) Gender Reference

All references to employees in this Code shall include both sexes, and wherever the male gender is used, it shall be interpreted to include male and female employees.

(c) Personnel Policies to be Governed by Code

It is the intent of city council that all of the City's personnel policies, guidelines, and procedures shall be governed by the charter and ordinances or resolutions duly passed by city council, unless otherwise authorized by council and except as otherwise authorized by this Code.

(d) Prohibition Against Discrimination

The provisions of the Code, shall be applied to employees without discrimination as to age, sex, marital status, race, color, creed, religion, national origin, ancestry, union affiliation, handicap and/or disability.

(e) Waiver in Case of an Emergency

In cases of emergency declared by the President of the United States, the Governor of the State of Ohio, the Mayor, the City Manager, or the United States Congress or the Ohio General Assembly, such as, but not limited to acts of God and civil disorder, any or all portions of this Code may be temporarily suspended by the City.

(f) Amendments to Existing Job Descriptions

The City may amend existing job descriptions from time to time as needed for its operational purposes. The City will present a copy of the amended job description to any affected full-time regular employee at least seven (7) days before the new job description shall take effect. If such employee believes a violation of this Code has occurred as a result of any such revision to a job description, the full-time regular employee may file a grievance as provided for in this Code. During any grievance process, any employee affected by the proposed change in job description shall use his/her best efforts to carry out his/her duties under the new job description (this Section is not applicable to any person or position defined an appointing authority or falling into the unclassified service).

197.03 EMPLOYEE RECORDS AND DISCIPLINE

(a) Access to Personnel Service Records

Employee service records shall only be accessible by the public to the extent required or permitted by law.

(b) Causes for Discipline

(1) Applicability and Overview

Any employee may be disciplined for just or proper cause. Violations of any municipal ordinance, statutes or other law of any political subdivision or any state, and violations of any or all city policies, rules or regulations or lawful orders shall constitute just or proper cause. Finally, any violation contained in a collective bargaining agreement shall also constitute proper cause for discipline as it relates to collective bargaining employees.

(2) Closure of Items Related to Discipline

Employee's personal service record as it relates to discipline shall be marked closed for the purpose of progressive discipline in accordance with the following schedule; however, such shall be subject to the public records law:

• Reprimands

Any reprimand shall be closed from the record after one (1) year from the date of the reprimand, providing there is no intervening disciplinary action during the one (1) year period.

• Suspensions Less Than Thirty (30) Days

Any suspension of less than thirty (30) days shall be closed from the record after a period of two (2) years, providing there is no intervening disciplinary action during the two (2) year period.

• Suspensions Longer Than Thirty (30) Days

Any suspension of thirty (30) days or more shall be closed from the record after three (3) years, providing that there is no intervening disciplinary action during the three (3) year period.

(c) Discipline Action as it Relates to Classified Employees

Where the City deems appropriate, the City will apply a policy of progressive and corrective discipline, with the progressive steps as follows: oral reprimand; written reprimand; suspension; demotion; or, dismissal (this section is not applicable to those persons or positions considered the appointing authority or to other unclassified employees). This section is not to be construed as prohibiting suspension or dismissal without progressive discipline where the cause for such suspension or dismissal is deemed warranted by the City due to the nature or circumstances of the conduct involved.

(1) Oral and Written Reprimands

When it becomes necessary for a supervisor to reprimand a classified employee, it shall be done with discretion.

In the event that a supervisor finds it necessary to orally reprimand an employee and determines to keep a record of that oral reprimand, such employee shall be made aware that a record of such oral reprimand is being maintained in the City's files or records. Employees are not entitled to hearings for oral reprimands.

Classified Employees may appeal a written reprimand to a review officer designated by the appointing authority, but may not appeal the disciplinary action to the Civil Service Commission. Such review shall be informal and the rules of evidence shall not apply. A classified employee may thereafter submit a written

statement to the appointing authority concerning the reprimand and outlining such employee's basis for concern, and a copy of such statement shall be appended to the copy of the reprimand in such employee's personal service record. Such statement must be filed within ten (10) days of the determination of the appointing authority to approve a reprimand.

The supervisor shall provide the classified employee with a copy of any written reprimand or any record of oral reprimand entered in such employee's file. The classified employee shall acknowledge receipt of same by signing and dating the original copy of such record.

(2) Procedure for (Disciplinary) Suspension, Demotion, or Dismissal.

Classified employees shall not be suspended, demoted, or dismissed for disciplinary reasons from duty without first being afforded the opportunity for a disciplinary review before the appointing authority or his/her designee, except that, where it is necessary to immediately relieve the employee from duty due to gross misconduct, a department head or his/her designee may temporarily suspend such employee for a period not to exceed seventy-two (72) hours, excluding Saturdays, Sundays, and holidays.

When a classified employee has been suspended without a disciplinary review, such employee shall be afforded a disciplinary review before the appointing authority or his/her designee within seventy-two (72) hours, excluding Saturdays, Sundays, and holidays. The employee's pay status for the days which he/she was suspended shall be determined by the appointing authority or his/her designee at the disciplinary review.

When a classified employee is charged with a violation that is likely to result in such employee receiving a disciplinary suspension, demotion, or dismissal, the following shall apply:

• Except as provided above, the classified employee shall be given notice at least five (5) calendar days in advance of the disciplinary review and that notice shall advise such employee of the general nature of the suspected violation. The classified employee shall be advised in the notice of his/her right to be represented by counsel at such review.

Any disciplinary suspension, demotion, or dismissal may only be appealed as outlined in Section 197.03(c)(3) below and in accordance with the Civil Service Rules. ("Appeals from Disciplinary Suspensions, Demotions and Dismissals")

(3) Appeals from Disciplinary Suspensions, Demotions and Dismissals

Except for probationary employees, if a classified employee has been suspended for disciplinary reasons in excess of three (3) days or demoted or dismissed due to disciplinary reasons, he/she may file an appeal before the Civil Service Commission (hereinafter referred to as the commission).

A classified employee may not waive a disciplinary review before the appointing authority and then subsequently file an appeal before the commission.

An appeal must be filed in writing within ten (10) calendar days after the appointing authority has determined to impose or uphold, whichever is later, a disciplinary suspension, demotion, or dismissal. Any appeal not submitted to the commission within such ten (10) calendar day time period shall be deemed settled on the basis of the determination given by the appointing authority at the disciplinary review.

(4) Powers, Duties and Limits of Authority of Commission

The powers, duties, and limits of authority of the commission shall be as contained in City's Revised Code of General Ordinances and the Rules of the Civil Service Commission.

The decision of the commission may be appealed according to the Civil Service Rules to the Common Pleas Court of Henry County, Ohio.

Upon request, a copy of the work record shall be furnished to the classified employee.

(5) Scheduling of Disciplinary Reviews

Disciplinary reviews called for in this Section may be scheduled at the discretion of the department head or appointing authority, whichever is applicable, taking into consideration the employee's work shift and subsequent appropriate rest time.

(d) <u>Discipline Action for Unclassified Employees</u>

(1) Unclassified

Pursuant to Article V, Section 5.01 (D) of the Charter, when not otherwise established in the Charter, council may determine that certain positions and employees in the civil service of the city are classified and that others are unclassified; nevertheless, at minimum, the department heads of the police department and fire department (i.e. chief of each department) shall be subject to civil service review for suspension in excess of three (3) days and/or dismissal.

(2) Prior to Suspension or Termination

All compensated unclassified employees shall be given an opportunity to be heard by the authority that appointed them prior to suspension without pay or involuntary termination; however, no finding of cause need be made prior to suspending or terminating an unclassified employee. Such opportunity to be heard may be conducted in executive session when before the council unless objected to by council or the person who is the subject of the suspension or involuntary termination. The act of suspension or involuntary termination shall be in open meeting when involving the city manager, finance director or law director or any clerk of council.

(3) Board Members or Commissions of the City

Section <u>197.03</u>(d) is not applicable to members of boards or commissions of the City, the mayor, elected or appointed members of council.

(Ord. 015-12. Passed 3-5-12.)

197.04 EMPLOYEE RELATIONS.

(a) **Employee Discussion**

In the interest of sound and harmonious employee relations, a discussion process may be established whereby, upon request by the City or employee, employees may meet and confer with members of the appointing authority (city manager, city finance director or city law director) as may be appropriate, to discuss work related issues and matters as governed by this Code.

Limitations

Such discussions are not intended, nor are they in any way to be interpreted or otherwise construed, to effect changes or revisions in this Code, but are solely intended for the purpose of discussing general information of interest to the City and its employees in accordance with the provision of this Chapter. Neither the City nor its employees shall be obligated to act upon any issue or matter raised during such discussions.

(b) **Purpose of Meetings**

The purpose of such meetings shall be limited to:

- Discuss the administration of this Code.
- Notify employees of changes made by the City which affect employees.
- Discuss matters of potential grievances which have not been filed.
- Disseminate general information of interest to the City and employees.
- Give employees the opportunity to share the view of employees and/or make suggestions on subjects of interest to such employees.
- Discuss ways to increase productivity and improve efficiency.
- Consider and discuss health and safety matters relating to such employees.

(Ord. 44-01. Passed 5-21-01.)

(c) Exit Interviews

When requested in writing, upon any employee's resignation or retirement, he/she shall be afforded the opportunity for an interview with the appointing authority and/or his/her designee. The purpose of this interview shall be to allow the employee to express reasons for resignation and/or his/her views on the operation of his/her department.

(Ord. 44-01. Passed 5-21-01.)

(d) **Grievance Procedure**

(1) Applicability and Overview

This Section is not applicable to those persons or positions defined as the appointing authority or other unclassified employees.

It is the intent of the City that this grievance procedure be the sole and exclusive grievance and appeal procedure for classified employees, and any other grievance and appeal procedures shall not be applicable.

Grievances and appeals related to disciplinary matters shall be handled in accordance with the herein established grievance procedures. This Section is limited to grievances related to all other issues regarding wages, benefits, and terms and conditions of employment, excluding disciplinary action(s).

(2) Information Required in Grievances

All grievances must contain the following information to be considered and must be filed using the grievance form:

Aggrieved employee's name and signature.

	Aggrieved employee's classification.
	• Date grievance was filed in writing.
	Date and time grievance occurred.
	Where grievance occurred.
	Description of incident giving rise to the grievance.
	Articles and sections of law or policies violated.
	Description of actions that will resolve the grievance.
(3)	Limitations
	All grievances must be processed at the proper step in the progression in order to be considered at the subsequent steps. An inadequacy of the grievance form may be corrected and resubmitted so long as done within five (5) calendar days from date of return.
	Such employee may withdraw a grievance at any point by submitting in writing a statement to that effect, or by permitting the time requirements at any step to lapse without further appeal.

The time limits provided for herein shall be strictly adhered to. Any grievance not initially submitted or appealed to the next step within the specified time limits shall be deemed invalid or resolved based upon the City's last answer, as the case may be (an untimely grievance is void and an untimely appealed grievance is resolved based on the last answer); provided however, that any grievance not answered by the City within the stipulated time limits may be advanced by the employee to the next step in the grievance procedure. All time limits on grievances may be extended upon mutual consent of the City and employee affected.

If an emergency occurs, rights of grievance under this Code may be suspended. Upon the termination of any emergency should valid grievances exist, they shall be processed in accordance with the provisions outlined in the grievance procedure of this Code and shall proceed from the point in the grievance procedure to which they (the grievances) had properly progressed, prior to the emergency.

(4) Method of Processing Grievances

The following procedure shall be followed:

A. Step 1 - Review by Immediate Supervisor

In order for a grievance to receive consideration under this procedure, the grievant must identify the grievance to the employee's immediate supervisor, in writing, within twelve (12) calendar days of the employee having, through the exercise of reasonable diligence, knowledge of the occurrence of the incident giving rise to the grievance. The employee's immediate supervisor shall investigate and provide an appropriate answer within six (6) calendar days following the day on which the employee's immediate supervisor was presented the grievance.

B. Step 2 - Review by Department Head

If the grievance is not resolved in Step 1, and the supervisor is not the department head, then the employee may, within six (6) calendar days of the supervisor's response, take up the grievance with his department head. The department head shall investigate and respond to the grievant within six (6) calendar days after receiving the Step 1 reply.

C. Step 3 - Review by Appointing Authority

Where the grievance is filed with a member of the appointing authority, due to the absence of an immediate supervisor or department head position in that department and is not resolved accordingly, another member of the appointing authority shall be appointed to hear said grievance and render a decision in accordance with the provisions of this Step 3.

(5) Scheduling of Grievance Hearings

Grievance hearings called for in this Chapter may be scheduled at the discretion of the department head or appointing authority, whichever is applicable, taking into consideration the grievant's work shift.

(6) Who May Bring Grievance

A grievance may be brought by any employee, except: the appointing authorities, unclassified employees and employees covered by a collective bargaining agreement. Where a group of such employees desire to file a grievance involving a situation affecting each employee in the same manner, one (1) employee selected by such group may process the grievance as a class action grievance, provided each such employee desiring to be included in the class action grievance, signs said grievance and the grievance is filed in a timely manner. For the purpose of this Section timely manner shall be within seven (7) days after notice is received.

197.05 LAYOFF AND RECALL PROCEDURES

(a) Applicability

This Section is not applicable to those persons or positions defined as the appointing authority or other unclassified employees. Further, no employee who is a member of a bargaining unit may displace a non-bargaining unit employee for the purpose of this Chapter.

When the City determines that a reduction in full-time work force or job abolishment is necessary, full-time regular employees shall be laid off in accordance with the provisions of this Chapter. Part-time, permanent part-time, or temporary employees may be laid off at any time without notice, or right of recall.

(Ord. 74-00. Passed 8-7-00.)

(b) Layoff Notification Requirements

In the event of a long term layoff, full-time regular employees shall be notified twenty-one (21) calendar days in advance of the effective date of the layoff. Such employees will be notified of the City's decision to implement any short term layoff (lasting seventy-two (72) hours or less) as soon as possible.

(c) Priority of Employees Laid Off

In the event of a layoff, whether long term or short term, full-time regular employees will be laid off in accordance with their departmental seniority by job classification (last hired, first laid off). Such employee with the least departmental seniority in the department and job title which is designated for layoff shall be notified of the layoff and shall have the right to displace another employee at the same classification or lower classification series within the department who has less total City seniority, provided that the initially laid off employee is qualified to perform the work of the new position. Any employee displaced by this procedure shall have the right to displace another employee by the same procedure. This process may continue until the least senior employee is laid off.

(d) Recall

(1) No New Hire Before Recall

Vacancies and/or newly created positions shall be filled first by those full-time regular employees on lay off provided they are qualified to fill the new positions or vacancies, unless such laid off employee refuses a recall to the position to be filled or fails to respond to a recall notice in a timely manner.

(2) Recall Period

Employees who are laid off are subject to recall from lay off for a period of three hundred sixty five (365) days from date of lay off. After that time they shall be deemed to be permanently separated from City service, and no longer on layoff.

(3) Priority of Recall

A recall from layoff shall be based on departmental seniority by job classification (last laid off, first recalled). Notice of recall from a long term layoff shall be by certified or registered mail. If certified or registered mail is returned as undeliverable, the City shall be deemed to have fulfilled its obligations by mailing the recall notice to the last mailing address provided by the employee by regular U.S. Mail.

(4) Response Time to Recall Notices

In the case of long term layoff, the employee shall have fourteen (14) calendar days following the date of mailing the recall notice to notify the City of his/her intention to return to work, and shall have ten (10) calendar days following notification to the City of his/her intent to return to work in which to report for duty, unless a different day for returning to work is otherwise mutually agreed.

197.06 RESIDENCY REQUIREMENTS

- (a) Except as otherwise provided herein, all employees of the City are required to reside within Henry County, Ohio, or within an adjacent county thereto within this State.
- (b) Paid part-time employees of the Fire/Rescue Department that are firefighters or emergency medical technicians or the like, or a combination thereof, and paid part-time employees of the Police Department, not to be construed as solely volunteer personnel, are required to reside within fifteen (15) miles of the Henry County Courthouse. The herein mentioned radii shall be construed as a straight line and not as driven miles. All other paid part-time employees of the City, regardless of paid part-time class, are exempt from the residency requirements of the City. Nothing herein

shall be construed as to provide for grandfathering as it relates to residency should a part-time employee obtain full-time employee status; further, dual employees, meaning for the purpose of this provision, employees working in two (2) capacities of the City, one full-time and one paid part-time, shall meet the most restrictive residency requirement.

- (c) Unless otherwise exempted, any employee of the City employed after the effective date of this section shall meet residency requirements within 365 days of employment with the City, except that the City Manager, City Finance Director and City Law Director shall meet residency requirements within 180 days of employment with the City.
- (d) For purpose of continuing employment with the City, notwithstanding any other provision, policy, rule, resolution or ordinance, except the provision found in paragraph (f) hereof, full-time regular employees (salary or hourly) employed by the City on or prior to April 16, 2007, regardless of probation status, shall have 180 days to meet the residency requirements of the City; moreover, full-time regular employees (salary or hourly) employed by the City after April 16, 2007, but before the effective date of this section, regardless of probation status, shall have 365 days from the effective date of this section to meet the City's established residency requirements.
- (e) The appointing authority as appropriate, shall suspend from service any employee who fails to meet residency requirements as required by this section, until such time as the employee has met City residency requirements. In the event the suspension exceeds two (2) weeks in duration, the employee may be dismissed from the City service.
- (f) Unless otherwise prohibited by law, this section shall not be construed as to limit the enforceability of any residency provision found in a collective bargaining agreement between the City and a collective bargaining unit; further, nothing herein shall be construed as to limit the ability of an appointing authority of the City to require residency of its volunteers.

 (Ord. 095-07. Passed 11-19-07.)

197.07 CITY ORGANIZATION CHART

(a) <u>City Manager to Maintain Chart</u>

The city manager shall maintain an organization chart of all full-time positions in the City service. Amendments to this chart may be made only after approval by motion of council.

(b) Position Classification Plan

(1) Administration

The city manager shall be responsible for administering the position classification plan. The city manager may assign other employees under manager's authority to assist him/her in this activity.

(2) Allocation of New Position

The director of his/her department or designee shall complete or have completed a position description covering the duties and responsibilities of each proposed position. The city manager shall allocate the position to one (l) of the classes in the position classification plan. If a suitable class does not exist, he/she shall establish a new class and allocate the position to it.

(Ord. 44-01. Passed 5-21-01.)

(3) Allocation Appeals

If an employee has facts which indicates to him/her that his/her position is improperly allocated, he/she may request the city manager to review the allocation of this position. Such request shall be submitted in writing and shall contain a statement of justification.

(4) Amendments to The Position Classification Plan

Each time it appears desirable to establish a new class of positions or to abolish a current class of positions, the city manager shall effect such a change by issuing an amendment to the position classification plan. Notice of such change shall be circulated to the mayor, council, city law director, city finance director, and all department heads.

(5) Interpretation of Class Specifications

The class specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions which shall be allocated to the classes established. In a series of classes, such as the engineering classes, the specifications for all classes should be reviewed as a unit.

(6) Maintenance of the Plan

Maintenance of the organizational plan shall be in accordance with subsections (b)(6)A. to (b)(6)E., both subsections inclusive.

A. On Vacancy of Position

Each time a vacancy occurs, a position description shall be completed and submitted to the city manager for a review of the allocation of the position. This requirement may be waived by the city manager in cases where changes in the duties and responsibilities of a position have been minimal.

B. On Reorganization of Department

Each time a department is reorganized, position descriptions for all affected employees shall be submitted to the city manager for his/her review.

C. On Request of City Manager

The city manager may require department heads or supervisors under his/her authority to submit position descriptions on a periodic basis, or any time he/she has reason to believe that there has been a change in the duties and responsibilities of one (1) or more positions. The city manager may request other directors, and the directors shall furnish upon request of the city manager, position descriptions on a periodic basis, or any time he/she has reason to believe that there has been a change in the duties and responsibilities of one (1) or more positions. (Ord. 44-01. Passed 5-21-01.)

D. On Establishment of Any Class

Each time a new class is established, a class specification shall be written and incorporated into the existing plan. The class title shall be added to the schematic list of titles. Likewise, an abolished class shall be deleted from the position classification plan by removing the class specification and eliminating the class title from the schematic list of titles.

E. Biennial Review

The city manager is responsible to conduct a general review of the position classification plan at least once every two (2) years.

(7) Official Copy of the Position Classification Plan

The city manager shall be responsible for maintaining an official copy of the position classification plan. The official copy shall include regulations for administration, schematic list of class titles and class specifications, plus all amendments thereto. A copy of the official plan shall be available for inspection by the public under reasonable conditions during business hours.

(8) Position Vacancies, Maximum Number of Employees

The employment positions set forth in the plan indicate the various types and kinds of work which the City expects to require. Under normal operations, some positions may be filled only occasionally or intermittently, and others may not be filled at all. The presence of an employment position or job classification in this plan does not imply or require that the City shall keep such position or job filled at all times or at

any particular time, nor maintain any particular number or quota of employees in any position or job classification.

197.08 PRECONDITIONS FOR EMPLOYMENT

(a) Age Requirements for Police and Fire Departments

No police officer shall be hired who is younger than twenty-one (21) years of age. No fire or rescue person shall be hired who is younger than eighteen (18) years of age. There shall be no maximum age limit for officers of the police, fire or rescue divisions.

(b) Character, Criminal Records

The City shall not employ any person who has been convicted of a felony, nor employ any person otherwise prohibited from holding a position in public service.

(c) No Political or Religious Tests

Consideration of political or religious opinions as a test for employment or promotion in any position of the City service shall not be practiced. Membership in any organization shall not be required of any employee.

(d) Physical Examinations

Full-time employment with the City of Napoleon shall be contingent, and part-time, permanent part-time or temporary employment may be contingent on passing a physical examination by a physician designated by the City, at the City of Napoleon's expense, after an offer of employment, to determine that employees are physically capable of performing the essential job duties.

(e) Probationary Period

All newly appointed classified employees shall serve a probationary period of one (1) year. An employee shall not receive credit toward completion of the probationary period for absence from work for any approved time off in excess of five (5) work days.

Newly hired classified employees shall have no seniority during their probationary period. Upon completion of the probationary period, their seniority date shall be the original date of current appointment for the purpose of: (1) determining the employee's entitlement to all fringe benefits; and (2) determining the employee's continuous service date.

Probationary employees are only entitled to benefits such as health, overtime, compensatory time, paid leave, retirement pickup and other such similar type benefits when and as provided elsewhere in this code for non-probationary employees, unless otherwise stated. What is considered a similar type benefit shall be at the sole determination of the appointing authority.

(Ord. 093-08. Passed 12-15-08.)

197.09 PROMOTIONS, ASSIGNMENTS AND TRANSFERS

(a) General

The City has exclusive control of promotion, assignment and transfer of all employees. Unless otherwise provided, when an employee is in the competitive civil service, such employee will be required to competitively test for promotion.

In assigning of employees to special positions, duties, or assignments, the City will offer to the extent possible, these positions, duties, or assignments to all qualified personnel and the City shall consider the following criteria in determining who shall serve in the available position, duty, or assignment and each criteria will be given the weight deemed appropriate by the appointing authority as it relates to the position, duty, or assignment:

pos	ition, duty, or assignment:
•	Experience;
•	Specialized training;
•	Job evaluations;
•	Seniority (City and departmental);
•	Physical & mental capabilities that are essential to the job duties;
•	Current title; and

Impact of the assignment upon other operations of the City.

(b) **Probationary Periods for Transfers and Promotions: Noncompetitive**

If a full-time regular employee in the classified service is promoted or transfers voluntarily from one (1) department to another, in a non-competitive position, he/she shall be subject to a thirty (30) calendar day probationary period. The employee shall have ten (10) working days in which to voluntarily return to his/her former position. The City may return the employee to his/her former position at any time during the probation period.

If a full-time regular employee in the classified service is involuntarily transferred from one (1) department to another, in a noncompetitive position, he/she shall be subject to a probationary period of one hundred and eighty (180) days. If he/she should be unsuccessful in his/her new position he/she may be laid off if no other suitable position exists within the City.

(c) Transfers Within City

If a full-time regular employee of the classified service voluntarily transfers to another department within the City, such employee will lose all departmental seniority rights previously earned in his/her pre-transfer department, and will be placed at the bottom of the seniority list of the department to which he/she has transferred.

In the case of non-disciplinary involuntary transfers to another City position, such employee will retain all seniority rights which he/she would have had if he/she had not been transferred.

(d) Vacancies in the City

- (1) Except in the case of rehire, where the City's policy on rehire shall control, when a non-competitive classified vacancy occurs in a position within the City, the appointing authority shall, when practical, cause to be posted such position for a period of at least ten (10) business days and first consider employees within the department division and then the department where the vacancy exists and next consider employees generally within the City's services. "First consider" shall mean, with all other things being equal, the person within the division or department where the vacancy exists shall be given the utmost consideration for filling the vacancy. "Employee" as used in the context of this provision includes, full-time regular, permanent part time, part time, and temporary employees. The City appointing authority may hire from outside the City services, without necessity of posting, when deemed by the appointing authority it not practical to post or fill the position by transfer. Only when posted within the City services may an employee apply for the position by proper filing of a transfer application therefor. If such employee is granted the position applied for, such position shall be considered a voluntary transfer.
- (2) A person serving in a paid part-time position with the City's Fire and Rescue Department and who applied for a vacant position by transfer may accept the new position that is the subject of the transfer without vacating his or her current paid part-time position, unless otherwise determined by an affected appointing authority.
- (3) Nothing in this section shall be construed as to prohibit the appointing authority from simultaneously posting the position within the City services and advertising outside the City services; moreover, nothing in this section shall be construed as to prohibit the appointing authority from not filling the position by transfer when a more qualified person is available outside the City services who is ready, willing and able to accept the position.
- (4) When a vacant position is posted internally, an interview should be afforded to employees of the City meeting the minimum qualifications that have properly applied for the vacant position.
- (5) In the case of original appointment or promotion within the competitive classified positions, civil service examinations and procedures shall apply to the extent

required.

(e) Step Increases When Transferred.

When an employee is involuntarily transferred from one position to another, any step increase eligibility shall be on the employee's original hire anniversary date as if the employee was not transferred. If any employee makes a voluntary transfer, an employee must complete probation within the new classification prior to being eligible for any step increase, such eligibility being on the employee's original hire anniversary date. In the event that the voluntary transfer employee's original hire anniversary date passes while an employee is on probation, then the step increase eligibility shall be immediate upon completing probation and said employee will be eligible for an additional step increase at the employee's next immediate original hire anniversary date. Finally, in the event that an employee returns to his/her prior classification and missed a step increase in that prior classification, he/she shall be placed in the step as if never vacating the position effective on the date of such occurrence. Any increase shall be subject to successful performance evaluation. Nothing in this provision shall be construed as requiring any step increase.

(Ord. 51-05. Passed 8-1-05.)

197.10 HIRING OF SEASONAL AND TEMPORARY WORKERS

Restrictions

If a laid off employee is hired as a part-time, permanent part-time, or temporary employee he/she shall be paid the rate and shall receive only those benefits, if any, allowed for such position. Such employment shall not constitute a "recall" within the meaning nor subject to the provisions of Section 197.05.

197.11 SAFETY COMMITTEE WORK GROUP

A safety **committee WORK GROUP** made up of those members that serve in or under the Department of Management as deemed appropriate by the City Manager shall be established by the City Manager. **THIS IS NOT A BOARD OR COMMITTEE OF CITY COUNCIL AND IS NOT A "PUBLIC BODY" AS DEFINED IN ORC 121.22.** The purpose of the Safety Committee is to **develop DISCUSS** safety policies and procedures for City operations for the approval of the City Manager, which, upon approval shall have the full force and effect of any other rule or regulation established by the City.

An employee within the Department of Management may be required to be a member of and to participate in the City's safety **committee** *WORK GROUP*.

Enforcement of safety policies so established will be the same as for any other work rule established by the City. (Ord. 015-12. Passed 3-5-12.)

197.12 SENIORITY

Except as may otherwise specifically be provided for in this Code, seniority shall be computed on the basis of an employee's uninterrupted length of continuous service with the City. For the purpose of this section, all paid leaves are considered uninterrupted continuous service; moreover, unpaid leaves as follows, shall not be considered an interruption of continuous service: suspensions, military leave during the time a person is eligible for reinstatement, injury leave for injuries occurring on duty, FMLA leave and pregnancy/temporary disability leave. An employee who is laid off and then is properly reinstated to City service within one year from the date of the layoff is credited with continuous service time for the period spent in layoff status. Likewise, up to a maximum of six months will be credited for time spent on

an approved unpaid leave of absence, except when the leave of absence is for outside employment, including self-employment, then the employee shall receive no credit during the leave. Nothing in this section shall be construed as superseding or modifying provisions of this Code and policies of the City concerning how probationary periods are calculated. Department seniority when transfers are involved are controlled by Section 197.09(c).

(Ord. 13-04. Passed 3-1-04.)

197.13 POLICY, PROCEDURES AND WORK RULES

(a) Policies and Procedures

The city manager, city finance director, and city law director, as appropriate, are authorized to establish work rules and policies not inconsistent with this Code without council approval. Any policy or procedure manual so established shall be distributed to all affected full-time regular employees before taking effect, and copies shall be made available for review of affected part-time, permanent part-time, or temporary employees.

(Ord. 74-00. Passed 8-7-00.)

(b) Establishment of Work Rules

Work rules may be established by department heads, subject to approval of the appointing authority.

(c) Complaints of Non-Uniform Application of Rules

Any complaint involving the non-uniform application of work rules, policies and procedures or any complaint involving a conflict between the terms of this Code and work rules, policies and procedures may be resolved through the grievance procedure.

(d) Employees to Observe Rules

This Section shall not be interpreted in any manner to relieve an employee of his/her responsibilities to follow the established uses, rules, and procedures necessary to preserve the good order and discipline of the City whether or not such rules and procedures have been reduced to writing. New employees shall be informed of all written work rules, policies and procedures in existence at the earliest possible time, and no later than sixty (60) days following their date of hire.

(e) Notification of Rule Changes

Copies of changes in existing work rules, shall be provided to employees six (6) calendar days before they are to take effect unless an emergency is declared by the appointing authority that is promoting the rule change.

(Ord. 44-01. Passed 5-21-01.)

(f) Rules to be Interpreted Uniformly

Work rules shall be interpreted and applied uniformly to all similar employees under similar circumstances.

197.14 HOURS OF WORK AND COMPENSATION

(a) Work Week For Employees

The standard normal work week for full-time regular employees shall be forty (40) hours, (except that certain fire department personnel work a fifty-three (53) hour work week) exclusive of lunch or other meal periods (except employees of the Police and Fire Departments as well as employees of the Water Treatment Department and the Wastewater Treatment Department are inclusive of lunch or meal period). The City will use its best efforts to schedule employees' days off such that the days off are contiguous.

This section is intended to define the normal hours of work in effect at the time of execution of this Code, and shall not be construed as a guarantee of work per day or per week.

The work week is considered to be from Monday 12:00 a.m. through the following Sunday 11:59 p.m. with exception of the Police Department which is Monday 7:00 a.m. through the following Monday 6:59 a.m.

(b) <u>Longevity Pay Plan</u>

May be paid as established by separate legislation.

(c) Overtime – Hourly Paid Employees

(1) Applicability

This Section is not applicable to those persons or positions defined as the appointing authority or other salary status employees. For all hourly employees, including fire and rescue personnel, work performed means, actually worked and does not include leave of any type.

(2) Advance Approval Required to Work Overtime

Any overtime hours must be authorized in advance by the appropriate supervisor.

(d) <u>Compensatory Time</u>

With approval of the department head or appointing authority, employees, except Police Lieutenants and Assistant Chiefs of the Fire/Rescue Department, that are eligible for overtime pay may have the option of overtime pay or compensatory time off in lieu of overtime pay for hours worked in an overtime status to a maximum accumulation of sixty (60) hours at any one time, regardless of carryover. Police Lieutenants and Assistant Chiefs of the Fire/Rescue Department that are eligible for overtime pay may have the option of overtime pay or compensatory time off in lieu of overtime pay for hours worked in an overtime status to a maximum of one hundred (100) hours at any one time, regardless of carryover. Any accumulated balance of unused compensatory time shall be paid off on the first pay period in December, unless otherwise permitted to be carried over by the applicable department head or appointment authority.

Employees shall not be eligible for compensatory time credit for any hours for which they were otherwise compensated.

(1) Rate of Credit of Compensatory Time

Compensatory time shall be credited at the appropriate overtime rate (either one and one half rate or double rate) for each hour of authorized overtime worked.

(2) Submission in Writing

All requests for credit of compensatory time must be submitted in writing during the pay period in which the overtime was worked. Such request shall show the date and time when compensatory time was earned.

(3) Rules for taking Compensatory Time Off

Compensatory time off shall be subject to advance approval by the employee's department head or appointing authority. Not less than one (1) hour of compensatory time shall be taken off on any one (1) day.

(4) Conversion to Overtime Pay

Any employee shall be permitted to transform accumulated compensatory hours into overtime payment, in minimum blocks of eight (8) hours, upon seven (7) days notice to the payroll department of the City. The seven (7) day notice requirement shall be waived in the case of termination of employment with the City.

(5) Minimum Call-out Time

Except as provided in the Section below entitled "Court Appearance Time", when an employee is required to and does report back to work at a time not contiguous to his regular scheduled work shift, thus necessitating additional travel to and from work, he/she shall be guaranteed a minimum of one (1) hour pay at the overtime rate, for each time he/she is called in. TWO (2) HOURS PAY. HOWEVER, ADDITIONAL CALLOUTS DURING ANY TWO (2) HOUR CALLOUT PERIOD WILL NOT RESULT IN ADDITIONAL GUARANTEED TWO (2) HOUR MINIMUM PAY (NO PYRAMIDING).

(6) Court Appearance Time

Any employee, who is required to return to work in order to make a City related court appearance at a time not contiguous to the beginning or end of his/her shift, shall be paid for a minimum of three (3) hours time at the appropriate overtime rate. If the employee is held beyond the minimum three (3) hour period, he/she shall be compensated at the appropriate overtime rate to the nearest one-quarter (1/4) hour for the time his/her presence is required for such court appearance.

If the employee is normally scheduled to work between the hours of 7:00 p.m. and 7:00 a.m. and spends more than five (5) hours in court, he/she shall not be required to work, if scheduled that day. He/she may instead charge eight (8) hours to sick leave, provided he/she notifies the current supervisor at least two (2) hours prior to the beginning of his/her shift of his/her intention not to report for work under the provisions of this Section.

(7) Actual Call-out Time

Actual call-out	time shall b	be defined a	s the time	between	the follo	owing	limits:
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- The earlier of the time of arrival at the work site, or the time of arrival at the appropriate work facility, and
- The time of departure from the work site or from the appropriate work facility whichever is later.

If an employee is called back to work again after leaving from an earlier call-out he/she shall be deemed to have been called out again.

(8) Overtime - Basic Rate

All work performed in excess of eight (8) continuous hours or in excess of the regular forty (40) hour work week, shall be overtime and shall be compensated at the rate of time and one half (1-1/2) times the employee's regular rate of pay, except as provided below.

(9) Overtime in Excess of Eight Hours

Any authorized hours of overtime worked in excess of eight (8) continuous hours of overtime shall be payable at twice the employee's regular rate of pay. This shall not apply to the first eight (8) hours worked on a holiday by an employee who is regularly scheduled to work on that holiday.

(10) (9) Requirement to be Available to Work Overtime

It is an essential aspect of employment with the City that all employees make themselves available for overtime work. Employees who do not make themselves available and/or who otherwise refuse to work overtime on a regular or repeated basis or during emergencies (declared or otherwise) when requested to do so, and who do not have a bona fide reason for such unavailability and/or refusal, may be subject to disciplinary action, including dismissal.

(11) (10) Part-time, Permanent Part-Time, Temporary Employees (Overtime)

For part-time, permanent part-time or temporary firefighters and emergency medical technicians (EMT's) to be eligible for overtime, such employee must work in excess of one hundred and six (106) hours for a bi-weekly pay period (work period) (fourteen (14) days).

For part-time, permanent part-time or temporary employees (not firefighters or EMT's) to be eligible for overtime, the employee must perform work in excess of forty (40) hours in a work week, regardless if they work over eight (8) hours in any given work day, except that any employee working in a City amusement or recreational establishment (example: public pool, golf course) that is open less than seven (7) months is exempt from any overtime rate of pay.

(12) (11) Full-time Non Bargaining Firefighters or EMTs.

For full-time firefighters and emergency medical technicians (EMTs) who are not in the collective bargaining unit, and work a twenty-four (24) duty day, to be eligible for overtime, such employee must perform work in excess of fifty-three (53) hours per week or in excess of the regular twenty-four (24) hour duty day. When such employee is required to report back to work at a time not contiguous to his/her regularly scheduled duty day, thus necessitating additional travel to and from work, he/she shall be guaranteed a minimum of one (1) hour pay, (two (2) hours pay when so reporting back to work occurs between the hours of midnight and 5:00 a.m.), at his/her overtime rate for each call back to work.

For the purpose of this section, the term "report back" shall be defined as a specific and actual time that the employee returns to work only.

(e) Overtime - Salaried employees

(1) Applicability

This section is applicable to those persons or positions defined as the appointing authority and other employees that may be exempted from being paid the overtime rate pursuant to the provisions of the Fair Labor Standards Act.

(2) General

In the case of salaried positions of managerial and professional employees, it is

implicit in the nature of their positions that time beyond the normal work schedule may often be necessarily spent on the job for which no additional compensation is permitted.

(3) Salaried Employees

Salaried employees are required to work the hours necessary to complete the work tasks. Although expected to work a normal forty (40) hour week, it is also understood that such employee may work less or more hours without deduction or additional compensation. Any abuse of this provision shall be determined by the council when dealing with appointees of council and determined by the appointing authority when dealing with salaried employees under their authority, as deemed appropriate by such authority.

(f) Paid Lunch Periods

If the City determines that an hourly employee is required to remain at the work site for the entire length of a period of eight (8) hours or more, then the employee shall be permitted a one-half (1/2) hour paid lunch break during said period, provided the employee shall make him/herself available to respond to work demands during the lunch period if the need arises. Refusal to respond to work demands during lunch period if the need arises will be subject to discipline, including dismissal.

(g) Pay Plan

(1) Administration

The appointing authority shall be responsible for administering the pay plan for his/her respective department. Each appointing authority shall be responsible for making arrangements to ensure that the administration of the plan for all employees within his/her respective department is on an equitable basis.

(2) Interpretation

The appointing authority shall be responsible for interpreting the application of the plan to all pay questions which are not specifically covered by this regulation, using the principles expressed herein as a policy guide.

(3) New appointees

A new employee shall normally be paid the minimum rate of pay for his/her class. Exceptions may be granted in the following cases upon the written prior approval of the appointing authority.

A. Appointments of Individuals With Less Than Minimum Qualifications

The minimum rate of each class is based upon the assumption that a new employee meets the minimum qualifications stated in the class specification. If it becomes necessary to appoint a new employee of lesser qualifications, he/she should be started below the minimum rate of the class.

B. Appointments of Individuals With More Than Minimum Qualifications

If a new employee more than meets the minimum qualifications and will not accept
appointment at the minimum rate of the class, he/she may be appointed at a higher
step. Cases should be thoroughly analyzed and measured against objective
standards as determined by the appointing authority.

(4) Pay Changes - Promotions, Transfers, Demotions and Reallocations

A. Promotions to Higher Class

When an employee is promoted to a position in a higher class, his/her base pay shall be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above his/her present base pay.

B. Transfers Voluntary

An employee who voluntarily transfers into another position shall so transfer at the current minimum base pay rate of the position into which the employee transfers, unless experience, skill, and position constitute being transferred at a higher pay rate, as shall be solely determined by the appointing authority.

C. Demotions

When an employee is demoted to a lower class position, he/she shall be paid at a rate which is within the approved range for the lower class position. The rate of pay shall be set by the appointing authority.

D. Reallocations Downward

When an employee's position is reallocated to a lower class of positions (non-disciplinary), the employee shall be permitted to continue at his/her present rate (except in event of general service wide reductions), but such employee shall not be entitled to any base pay increase by any mechanism whatsoever, until and unless the sum of the base rate of pay for the reallocated position in the newly established level and class of the employee, plus any longevity pay entitlements of the employee applied to the base pay of the new level and class would become greater than the actual present pay rate of the employee.

E. Reinstated Employees

A reinstated employee shall be paid at a base pay within the approval range for the position to which he/she is reinstated. The appointing authority will establish the rate of pay.

F. Rates for Classes to be Established by Ordinance

The class plan rates of pay for each class of positions prescribed in the position classification plan for the City shall be changed by and rates of pay for new classes of positions shall be established by council in the form of ordinances, or amendments thereto which provide for such rates.

(h) Rest Periods

Hourly employees may schedule with department head up to two (2) fifteen (15) minute rest periods during each work day which is scheduled to last eight (8) hours or more. Each rest period shall be taken at the work site, and shall in no circumstances exceed fifteen (15) minutes in length from the time productive work ceases until it begins again. Rest periods shall not be scheduled or taken in the first one and one half (1-1/2) hours of the work day.

(i) Retirement Contribution Pick-Up

May be established by the City in separate legislation.

(j) Salaries and Wages

Executive and management officers and employees' salaries for the following executive and management officers and employees shall be established by ordinance or resolution:

- City Manager
- City Finance Director
- City Law Director

(k) Total Remuneration

The salary or hourly rate, plus reimbursement for expenses incurred by approved use of private automobile on City business, uniform allowance, official travel expense, and any special provisions outlined in this pay plan shall be the total remuneration for any employee. [Except as otherwise provided herein, no employee covered by this plan shall receive pay from the City in addition to that authorized under the schedules provided in the pay plan for services rendered by him/her, either in the discharge of his/her duties, or any additional duties which may be imposed upon him/her or which he/she may undertake or volunteer to perform.]

(l) <u>Shift Differential Pay - Non-Bargaining Hourly Employees in the Police Department</u>

Non-bargaining hourly employees in the Police Department working between the hours of 3:00 p.m. and 11:00 p.m. (2nd shift) shall receive shift premium pay at the rate of two and one quarter (2-1/4%) percent of their rate of pay for those hours worked. Those non-bargaining hourly employees in the Police Department working between the hours of 11:00 p.m. and 7:00 a.m. (3rd shift) shall receive shift premium pay at the rate of two percent (2%) of their rate of pay for those hours worked (whether that be regular time, overtime, or acting time pay for either shift). (Ord. 093-08. Passed 12-15-08.)

197.15 MAJOR PAID BENEFITS

(a) Hospital and Medical Benefits

(1) Applicability

This section (Major Paid Benefits) applies to all members or officers of the

appointing authority and other full-time regular employees, both classified and unclassified; specifically exempt from this section are members of city council, the mayor, and, except as herein provided, the judge of the municipal court. Section 197.15(d) (Pensions) applies to members of council and the mayor. The judge of the municipal court shall receive City shared contributions towards benefits as contained in this Section 197.15 to the extent permitted by law. Unless specifically authorized for part-time, permanent part-time or temporary employees by this Code or other controlling law, such part-time, permanent part-time or temporary employees are not eligible for major benefits, paid leave, or any other benefits described in this Code.

(2) Scope of Health Benefits

Subject to reasonable cost containment measures, the City provides group hospitalization, surgical, and extended medical benefits for each full-time regular employee in accordance with the benefit schedule provided in the City's plan as on file in the office of the City Finance Director marked "City of Napoleon Health Benefit Plan (#HBP-1)" and as may be amended from time to time by resolution of Council. The Health Benefit Plan shall include covered services, co-pays and premium contribution.

(b) Life Insurance

A death benefit, *FOR NON-BARGAINING EMPLOYEES*, in the amount of thirty thousand dollars (\$30,000) shall be paid, under the terms of an insurance policy, to the designated beneficiary of a full-time regular employee of the City upon his/her death, providing such death occurs after the employee has completed thirty (30) days from the date of employment and the first of the month thereafter. Each employee shall furnish the City with a beneficiary designation. In the event the employee has failed to designate a beneficiary then the benefit shall be made to his/her estate, upon the application of the legal representative. The City will provide a certificate of insurance to each employee.

(c) Leaves of Absence - Continuation of Premiums

Upon the written request of an employee on leave of absence, the City will continue the employee's coverage under the group life and health insurance plans, and will pay its share of the premiums for such plans in accordance with the provisions of this section for a maximum of thirty (30) days, except as otherwise provided in Section 197.19(g) of this code and except as otherwise provided by law that supersedes this code. On the first day of the month following the commencement of the employee's leave of absence, the employee will then and thereafter be solely responsible for the payment of all subsequent such premiums.

(d) **Pension Funds**

Employees shall be provided coverage under the Public Employees Retirement - System or Police and Fireman's Disability and Pension Fund as appropriate.

(e) Severance Pay

Upon retirement, death, resignation, or termination, employees shall be paid for all, if any accumulated but unpaid vacation, holidays, regular pay and overtime pay, or compensatory time due and owed to them as of their last date of employment. In case of death, the above payments shall be made to the employee's estate or designated survivor(s).

(f) <u>Unemployment Compensation/Workers Compensation</u>

Employees shall be provided unemployment compensation coverage and workers compensation as required by law. (Ord. 093-08. Passed 12-15-08.)

197.16 PAID LEAVES OF ABSENCE

(a) Applicability

The provisions of this chapter shall apply only to employees who are full-time regular employees unless otherwise expressly applied to other than full-time regular employees. This chapter (Paid Leaves of Absence) shall also expressly apply to members or officers of the appointing authority and other full-time regular unclassified employees, excluding elected officials. Nothing in this provision (a) shall be construed as prohibiting the limiting or restricting of applicability of a leave policy to "key employees" as may be provided in a specific policy.

(b) Applications for Time Off and Scheduling of Time Off

The following guidelines will be followed when applying for and authorizing time off. Vacation, holidays, personal holidays, and compensatory time are considered time off. Any and all combinations of the above may be used when applying for time off.

Number of Days Off	Minimum Notice
less than 5	7 days
5 plus	35 days

To reserve vacation time, employees must apply for their vacations by November 25th of the year prior to the year the vacations will be taken and priority for time off within the above categories will be determined by departmental seniority from an employee's most recent employment date. With regard to any vacation application received after November 25th, priority for time off within the above categories will be determined by departmental seniority from an employee's most

recent employment date only when employees apply for vacation on the same calendar day. Advanced application for vacation may be made so long as the employee will have credited the requested hours at the time the employee's vacation is to commence; however, an employee may not, in advance, lock in vacation dates for multiple years.

Exceptions to minimum notice may be permitted subject to the approval of the appropriate supervisor.

Authorization of time off is subject to availability of personnel, and the recognized City objective of minimizing overtime paid.

(c) **Bereavement Leave**

(1) General

A full-time regular employee may be granted a leave of absence with pay to attend the funeral of a member of his/her immediate family. Such leave of absence will be granted between the day of death until and including the day of the funeral, not to exceed three (3) calendar days and shall not be charged against the employee's accumulated sick leave.

Immediate family, for the purposes of this Section, shall be defined as the employee's grandparents, brother, sister, father, father-in-law, mother, mother-in-law, spouse, child, stepchild, grandchild, or legal guardian.

A full-time regular employee shall be granted a one (1) day leave of absence with pay to attend the funeral of his/her spouse's brother, sister and grandparents, or the employee's son-in-law, daughter-in-law, aunt and uncle.

In the event of the death of any other relative of an employee, the employee shall, upon request, be excused for one (1) day to attend the funeral, with such leave day being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take an unpaid leave day.

(2) Additional Bereavement Leave

Additional leave may be granted, at the discretion of the department head, or appointing authority whichever is applicable, for travel or such other related purposes, with such additional leave days being deducted from the employee's accumulated vacation, compensatory time, personal holiday, or sick leave balance at the employee's discretion. Alternatively, the employee may elect to take the leave unpaid.

(3) Notification Requirements for Bereavement Leave

The employee must notify his/her supervisor of the purpose of his/her absence as soon as possible but not later than one (1) hour prior to his/her scheduled starting time on the employee's first day of such absence from scheduled duty. The employee may be asked to provide to the department head, or appointing authority, whichever is applicable, verification of the death, relationship, and funeral date.

(d) Personal Holidays

Except as herein provided, each employee shall be entitled to five (5) personal holidays per calendar year to be taken on any work day chosen by the employee and approved in advance by the employee's supervisor or the appointing authority, whichever is applicable. During the first calendar year of employment, the number of personal holidays, or portion thereof, shall be prorated based upon the month in which the employee is hired. An employee hired on December 1 or later shall have no personal holidays for that year. Personal holidays must be taken prior to the last day of the last complete pay period of the calendar year or they will be lost. Personal holidays from year to year cannot be accumulated.

For officers of the police department, any holidays banked shall be taken prior to the last day of the last complete pay period in November, or they will be converted to eight (8) hours cash payment on the first pay of December.

Instead of what has been stated above, the Assistant Chief of the fire/rescue department shall be entitled to five (5) personal days or one hundred twenty (120) hours each calendar year.

(e) Sick Leave

(1) Crediting of Sick Leave

Except as otherwise provided, sick leave credit shall be earned at the rate of 0.0575 hours for each hour of service only in active pay status, up to a maximum yearly accumulation of one hundred twenty (120) hours. Unused sick leave credit shall accumulate from year to year without limit. Effective September 1, 2000, of the non-full-time regular status employees, only permanent part-time employees shall earn sick leave credit and at the same rate as full-time regular employees; however, any other part-time or temporary employee that received such benefit prior to September 1, 2000 shall retain the same until such time is otherwise exhausted.

The Assistant Chief of the fire/rescue department may accumulate a maximum of

one hundred ninety-two (192) sick leave hours each calendar year; however, in no event shall the Assistant Chief of the fire/rescue department accumulate more than three thousand six hundred (3,600) total hours.

(2) Retention of Sick Leave

An employee who formerly worked for another public agency shall be given credit for any accumulated but unused sick leave provided that the employee was hired by the city within ten (10) years of the date on which the employee was last terminated from public service, and further provided that deduction from such sick leave credit shall be made for any payment or credit given by the previous agency in lieu of taking sick leave.

Unless otherwise provided by a specific ordinance or resolution of council pertaining to employment or previously authorized by the City, the sick leave so credited (transferred) may be used only to extend sick leave coverage while in the employment of the City, and only after all sick leave earned at the City has been exhausted; further, unless otherwise provided, such credited (transferred) sick leave may not be used in computing sick leave payout at retirement or additional (sick leave conversion) vacation leave purposes.

This provision shall not narrow or reduce the amount of sick leave credit received, nor shall it narrow or reduce a current sick leave balance, a sick leave conversion right or sick leave payout, as was previously authorized, of any person who is employed by the City at the time of this Code enactment.

(3) Expiration of Sick Leave

If illness or disability continues beyond the time covered by earned sick leave, the employee may be granted further leave in accordance with the City's FMLA policy, or other applicable leave policies, subject to qualification.

(4) Charging of Sick Leave

Sick leave shall be charged in minimum units of one-quarter (1/4) hour. An employee shall be charged for such leave only for days upon which he/she would otherwise have been scheduled to work. Sick leave payment shall not exceed the normal scheduled work day or work week earnings.

(5) Uses of Sick Leave

Sick leave shall be granted to an employee who qualifies for sick leave only upon approval of the City and for the following reasons:

Illness or injury of the employee that requires time off from work.

Illness or injury to a member of an employee's immediate family when care or attendance by the employee is necessary requiring time off from work.

Medical, dental or optical examination or treatment of an employee or a member of his/her immediate family which requires the employee to take time off work, and which cannot be scheduled during non-working hours or, when a member of the immediate family of an employee is afflicted with a contagious disease that requires the care and attendance of the employee or when, through exposure to a contagious

disease the presence of the employee at his/her job would jeopardize the health of others.

For the purpose of this section, immediate family shall include the employee's father, mother, spouse, child, without regard to residency and will include a stepchild if in the employee's residence. The immediate family provisions contained herein shall be for a limited period of time (not to exceed three (3) consecutive days per week) to enable the employee to secure other arrangements for the care of the member of his/her immediate family, except as may be approved by the employee's appointing authority in unusual and exceptional circumstances.

* Notwithstanding any other provision in this section, pregnancy, childbirth and other related medical conditions and temporary disability requiring the necessity of an employee to take time off work, will be considered, subject to qualification, under the FMLA and pregnancy and temporary disability policies of the City. In cases where any other leave qualifies, the applicable leave policy shall control in accordance with the City's Employment Policy Manual.

(6) Evidence Required for Sick Leave Usage

Any employee requesting sick leave shall be required to furnish a satisfactory written signed statement to justify the use of sick leave.

If medical attention is required, a certificate stating the nature of the illness from a physician shall be required to justify the use of sick leave. Falsification of either a written, signed statement, or a physician's certificate may be grounds for disciplinary action including dismissal.

(7) Notification by Employee

When an employee is unable to report to work, he/she shall notify his/her

immediate supervisor, or other designated person, one (1) hour before the time he/she is scheduled to report to work on each day of absence, unless emergency conditions make it impossible, or other arrangements have been made in advance with the supervisor.

(8) Abuse of Sick Leave

Employees failing to comply with sick leave rules and regulations shall not be paid for the period of time missed from work. Application for sick leave with intent to defraud will result in denial of pay to cover the day(s) in question and may result in disciplinary action up to and including dismissal. If pay has been received for sick leave for which there was no entitlement, the City shall have the right to recover from the employee any money wrongly paid.

Sick leave shall not be paid to any employee for time off of work which results from any action within the control of the employee such as intentional self-inflicted wounds, use of illegal drugs, alcoholic beverages, or injury sustained while committing a felony or other criminal action. This provision shall not apply to sick leave used for the purposes of participating in bona fide drug treatment, alcohol treatment, or mental health treatment programs.

(9) Physician Statement

Employees on sick leave on more than three (3) consecutive working days shall be required to furnish a certificate from a physician notifying the City that the employee is unable to perform the job, and may be required to present a like certificate from a physician upon the employee's return to work indicating his/her fitness and ability to perform the job.

In addition, employees shall also be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which exceeds any one (1) of the following calendar year limits:

• Two (2) occasions per employee for the employee's illness, for which no physician's certificate was presented and/or two (2) occasions per family member, for which no physician's certificate was presented; however, the total occasions per calendar year shall not exceed four (4).

Exceptions may be made to the limits listed above in certain circumstances, and only upon advance written approval of the department head or the appointing authority, whichever is applicable.

Employees may be required to furnish a certificate from a physician for each illness of less than three (3) days duration, for each occasion which is less than any one (1) of the calendar year limits shown above, if the City has reasonable suspicion that sick leave abuse is occurring or will occur.

Where sick leave is requested to care for a member of the immediate family, the City may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill person.

(10) Physical Examination

The City may require an employee to take an examination, conducted by a physician, to determine the employee's physical or mental capability to perform the job. If determined incapable of doing so as a result of such examination, the employee may be placed on paid leave of absence, unpaid leave of absence, or disability separation. The cost of such examination shall be paid by the City.

(11) Sick-Leave Payout

Unless otherwise provided or modified by a specific ordinance or resolution of Council pertaining to employment, or unless otherwise declined by the employee, or otherwise deferred by the employee in anticipation of rehire by the City, any employee who retires or otherwise departs service, other than an involuntary departure, after ten (10) years of continuous service with the City or who dies in service after five (5) years of continuous service with the City, except part-time permanent employees, shall be compensated for accumulated but unused sick leave at the time of retirement or death in the form of a lump sum payment at the rate of:

- One (1) day's pay for every four (4) days of accumulated but unused sick leave up to nine hundred sixty (960) hours; the remaining time shall be at the rate of one (1) day's pay for every three (3) days of accumulated but unused sick leave.
- Such lump sum payment shall reduce to zero (i.e., eliminate) the employee's sick leave credit.

An employee's "daily base rate" or "day's pay" shall be figured by dividing the employee's annual base rate at the time of retirement or voluntary departure by 2080 hours and multiplying that base hourly rate figure by eight (8) hours.

The death benefit payment shall be made to the beneficiary designated by the employee in writing on a form provided by the City. In the event that there is no such valid designation, the payment shall be made to the employee's estate upon application of the legal representative thereof.

In the case of sick leave payout being deferred in anticipation of rehire by the City, the sick leave reconciliation shall be made as provided for in this section. A rehired

employee shall be entitled to use all or part of the deferred sick leave so long as it is used in accordance with use of sick leave policies of the City. Any deferred sick leave amount may be demanded for payment by the earner of the sick leave at anytime in accordance with the sick leave payout schedule, so long as the sick leave is not used or otherwise transferred to another governmental entity. In any event, full reconciliation and settlement of deferred sick leave payout shall be completed not later than twenty-four (24) months after last employment with the City.

(12) Sick Leave Conversion

An employee with a sick leave balance in excess of nine hundred and sixty (960) hours may use a portion of such excess sick leave as vacation time by converting three (3) sick leave days for each one (1) day of vacation time. An employee may convert up to a maximum of fifteen (15) such excess sick leave days per calendar year. However, such conversion shall not be permitted if payment of overtime to another employee becomes necessary as a result. This provision is subject to the provisions contained in Section 197.18 of this Code (Vacations).

(f) Legal Holidays

(1) Effects of Vacations and Days Off on City Observed Legal Holidays

When one (1) of the City observed legal holidays falls within an eligible employee's approved vacation period or scheduled day off, he/she shall be entitled to holiday pay for the legal holiday in lieu of his/her vacation pay. Those employees who work "shift work" may elect to receive the pay, to bank the holidays, or to bank the vacation day. Except for salary employees, shift work employees who work on any of the herein City observed legal holidays listed shall have the option of electing one (1) of the following when applied for in writing by the employee to the payroll department prior to the next scheduled pay period following the holiday:

Receive eight (8) hours holiday pay plus one and one-half (1-1/2) times their regular rate of pay for all time worked, except in the case of the Assistant Chief of

the fire department position(s) which shall receive 11.2 hours holiday pay plus one and one-half (1-1/2) times his/her regular rate of pay for all time worked.

Receive an additional banked holiday (to be taken off prior to the ending of the next to last full pay period of the current fiscal year) plus receive one and one-half (1-1/2) times their regular rate of pay for all time worked. If the additional banked holiday is not taken off by the end of the next to last full pay period of the year it shall be paid in cash for eight (8) hours at straight time (except for the positions of Assistant Chief of the fire/rescue department which shall be 11.2 hours) rate payable the first pay in December of the current fiscal year.

(2) Observance Days

For employees who have a regular work schedule other than Monday to Friday, the observance of the holiday shall be on the day of such City observed legal holiday. For those employees whose regular schedule is Monday to Friday, City observed legal holidays that fall on a Saturday will be observed on Friday, and City observed legal holidays that fall on Sunday will be observed on Monday.

(3) Schedule of Observed Legal Holidays

The following are the paid City observed legal holidays:

January 1, Good Friday (being the Friday immediately prior to Easter Sunday), Memorial Day (being the last Monday in May), July 4th, Labor Day (being the first Monday in September), Thanksgiving (being the fourth Thursday in November), December 25th, and an additional floating holiday as specified below:

If December 25th is Sunday, then December 25th will be recognized on December 26th and an employee shall also receive December 27th as the additional floating holiday.

If December 25th is Monday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Tuesday, then an employee shall also receive December 24th as the additional floating holiday.

If December 25th is Wednesday, then an employee shall also receive the day after Thanksgiving as the additional floating holiday.

If December 25th is Thursday, then an employee shall also receive December 26th as the additional floating holiday.

If December 25th is Friday, then an employee shall also receive December 24th as the additional floating holiday.

If December 25th is Saturday, then December 25th will be recognized on December 24th and an employee shall also receive December 23rd as the additional floating holiday.

In addition to what has been stated herein, President's Day shall be considered a legal holiday for the Assistant Chief of the fire/rescue department position(s); regardless, President's Day shall not be construed as a legal holiday for the City for any other purpose.

(4) Failure to Work on Holiday

To become eligible for holiday pay, the employee must work the full last scheduled work day prior to, and the full next scheduled work day after, each of the City observed legal holidays listed unless the employee was otherwise in active pay status.

Employees who are scheduled to work on a designated City observed legal holiday and do not report for work on the holiday shall not be entitled to holiday pay unless their reason for not reporting would ordinarily constitute an acceptable excuse under the applicable provisions of this Code.

(Ord. 093-08. Passed 12-15-08.)

197.17 TRAUMA LEAVE

Applicability: This Chapter is applicable to full-time regular employees of the classified service.

If a full-time regular employee in the classified service, while acting in his/her official capacity, is involved in an incident resulting in death or permanent disfigurement or disability to a person, or witnesses the death or permanent disfigurement or disability of a fellow employee, or witnesses the death of a person due to the application of deadly force by another, that employee shall receive trauma leave upon request of the employee to relieve the stress which has resulted from such incident.

The duration of such trauma leave shall be approved by the appointing authority. However, under no circumstances shall such trauma leave exceed thirty (30) days.

While on such trauma leave, the employee shall receive his/her normal rate of pay for such days, and they shall not be charged to his/her sick leave or any other accumulated but unused leave time.

Prior to his/her return to work, the City shall require the employee to take an examination, conducted by a physician, to determine if the affect of the trauma is relieved to the extent that the employee is both physically and mentally capable to perform the essential duties of the job. If determined incapable of doing so as a result of such examination, the employee may be placed on paid leave of absence, unpaid leave of absence, or disability separation. The cost of such examination shall be paid by the City.

(Ord. 44-01. Passed 5-21-01.)

197.18 VACATIONS

(a) Entitlement Restrictions

Except as otherwise provided in Section 197.18(h), full-time regular employees are entitled to vacation with pay after one (1) year of continuous service in the most recent employment with the City and will be due only upon the completion of the first year of said employment, calculated from hire date. The amount of vacation leave to which an employee is entitled is based upon length of service and calculated and earned on a biweekly basis as follows:

Full-time regular employees (except Assistant Chief of the fire/rescue department positions)

	Annual Hours	Bi-Weekly Accrual Hours
Years of Service		

0 year but less than 6 years	80 hours	3.077 hours/each normal pay
6 years but less than 12	120 hours	4.616 hours/each normal pay
12 years or more	160 hours	6.154 hours/each normal pay

Full-time Assistant Chiefs of the fire/rescue department positions:

0 year through 1	48 hours	1.85 hours/each normal pay
2 years through 8	120 hours	4.62 hours/each normal pay
9 years through 15	192 hours	7.385 hours/each normal pay
16 years or more	240 hours	9.231 hours/each normal pay

(b) Effect of Time Spent on Authorized Leave of Absence

Time spent on any authorized leave of absence, whether paid or unpaid, shall be counted in determining length of service for purposes of vacation eligibility.

(c) Scheduling of Vacations

Vacations will be arranged to give consideration to the desire of the employee in accordance with a procedure established by the employee's department head which will not interfere with City operations.

(d) Vacations to be Taken During Year After Earned

Except for the first year of service, accrued vacation leave may be taken by an employee at any time after accrual and entitlement, subject to the minimum increments established, so long as properly scheduled in accordance with other provisions of this Code, policy manual or work rule. An employee shall not allow his/her total vacation time to exceed eighty (80) hours his/her maximum accrual entitlement for any employment year (considered for the purpose of this Section as being from the employee's anniversary date to the employee's next anniversary date) without prior approval from the appointing authority. This provision is applicable to accrued vacation as a result of sick leave conversion which is authorized in Section 197.16(e)(12) of this Code. When carryover is requested by a department director, such approval may be by the council president, with notification to the body of council, or merely by the body of council.

(e) Vacation Forfeiture

Employees shall forfeit their right to take or to be paid for any vacation leave to their credit which is in excess of any authorized balance; moreover, any vacation time accrued in the first year of service shall be forfeited if any employee fails to complete one (1) year of continuous service.

(f) Accrual

Vacation leave is accrued only while on active pay status, excluding overtime and in accordance with Section 197.18(a).

(g) Lump Sum Payment of Vacation

In the event an employee is denied the opportunity to schedule and take accrued

vacation leave due to operational needs of the City, or in the event an employee fails to schedule and take accrued vacation leave due to the operational needs of the City, the appointing authority may authorize a year-end lump sum payment to the employee in an amount not to exceed the monetary value of the employee's annual vacation accrual as provided in Section 197.18(a). In the case of a department director, lump sum payment may be approved by the council president, with notification to the body of council, or merely by the body of council.

(h) **Prior Service Credit.**

- Except as otherwise provided for in separate legislation, and except as otherwise specifically excluded by a collective bargaining agreement under Ohio R.C. 4117, to determine prior service for the purpose of computing the amount of vacation leave for an employee first employed on or after July 5, 1987 by the City of Napoleon, the employee shall have only his or her prior service with the City of Napoleon counted. Those employees (not elected officials) who were employed by the City of Napoleon prior to July 5, 1987 shall have all their public service with the State of Ohio or any of its political subdivisions credited pursuant to Ohio R.C. 9.44 (A). An employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio and who is employed by the State of Ohio or any political subdivision of said State on or after June 24, 1987, shall not have his or her prior service with the State of Ohio or any political subdivision of said State counted for the purpose of computing vacation leave. (ORD 059-13, PASSED 11-18-13.) except as otherwise herein provided. An employee who retired from the City of Napoleon in accordance with the provisions of any retirement plan offered by the State of Ohio and who retired from the City of Napoleon after August 1, 2005, shall upon rehire to a full-time regular position with the City of Napoleon, be granted the same service credit the retiree received just prior to his or her retirement and thereafter the service credit shall increase on an annual basis.
- **B.** Except as may be otherwise provided for by separate legislation, employees entitled to prior service credit for purpose of computing vacation leave shall have their anniversary date deferred to their most recent date of employment with the City of Napoleon for purposes of: (1) vacation use or, (2) any use or forfeiture policy regarding vacation.
- **C.** Elected officials are not entitled to prior service credit for purpose of calculating vacation benefit, if any. (Ord. 093-08. Passed 12-15-08.)

197.19 OTHER LEAVES OF ABSENCE

((a))]	Leave	of	Absence	In	General
٨	a	, ,	Larc	VI.	ADSCIICC		Other ar

(1) Application

The provisions of this Chapter shall apply only to full-time regular employees. This Chapter shall, unless otherwise stated, also apply to members or officers of the appointing authority, except members of city council and the mayor.

(2) Authorization of unpaid leave

The authorization of a leave of absence without pay is a matter of administrative discretion. The City shall decide in each individual case if a leave of absence is to be granted, within the limitations of this Code.

(3) Sick Leave Credit and Vacation Credit

An employee on leave of absence without pay does not earn sick leave or vacation credit. However, the time spent on authorized unpaid leave of absence is to be counted in determining length of service for purpose of calculating vacation eligibility or other purposes where seniority is a factor, unless otherwise stated to

the contrary in other applicable ordinance or resolution.

(4) Falsification of Leave

Any leave of absence obtained through false representation, deceit, or fraud may be cause for disciplinary action up to and including dismissal.

(5) Reinstatement From Leave

Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. Any replacement in the position while an employee is on leave is to be on a temporary basis.

(b) Court Leave

Court leave with pay will be granted to an employee who is summoned and required to appear for jury duty by the United States, the State of Ohio, or a political subdivision during regular working hours. Court leave with pay will be granted to any employee subpoenaed and required to appear as a plaintiff, defendant, or witness in a criminal or civil matter related to City business so long as the action in controversy is not a controversy between the City and the employee so appearing.

Employees will not be entitled to court leave when appearing in court for criminal or civil cases being heard in connection with the employee's personal matters, such as traffic court, divorce proceedings, custody, appearing as directed with juvenile, etc. Such absences may be charged to leave without pay, vacation or other accumulated compensable time upon approval of the employee's supervisor.

Employees shall honor any subpoena issued to them including those for Worker's Compensation and Unemployment Compensation.

Employees are expected to report for work if, after court or jury duty responsibilities are met, two (2) hours or more of the employee's regularly scheduled shift remains.

All moneys received as compensation, unless jury duty was served totally outside of regular working hours, shall be turned over to the City.

(c) <u>Temporary Disability Leave</u>

Temporary disability leave shall be considered, subject to qualification, under the pregnancy and temporary disability leave policy of the City as contained in the City's Employment Policy Manual.

(d) <u>Injury Leave</u>

Injury leave shall be considered, subject to qualification, under worker's compensation or the FMLA or pregnancy and temporary disability leave policies of the City as contained in the City's Employment Policy Manual.

(e) Reinstatement after Injury or after Leave Due to Injury

(1) General.

An employee who is absent due to Injury Leave as defined in the Section (Injury Leave), or who has been separated from service due to injury or physical disability incurred in the performance of duty, will be considered for reinstatement only through the reinstatement application process, provided that such application shall be filed not later than the earliest of the following:

- Twenty four (24) months after the injury occurred; or,
- Twelve (12) months after leave from service under the provisions of this Chapter; or,
- The date of service eligibility retirement.

(2) Payment of Accumulated Sick Leave after Injury

Except for part-time, permanent employees, any employee who is permanently separated from City service due to a service related disability compensated by the Ohio Bureau of Workers Compensation or the appropriate Retirement System Fund, as a result of a bodily injury received in the line of duty, shall receive a lump sum payment for one-half (1/2) of his/her accumulated but unused sick leave. Such lump sum payment shall reduce the employee's sick leave credit to zero. If the one-half (1/2) lump sum payment has not been made before the employee dies, the designated beneficiary of any employee who dies as a proximate result of such an injury shall receive payment for the full balance of the accumulated but unused sick leave.

(f) Military Leave

All employees who are members of the Ohio National Guard, the Ohio Defense

Corps, the Naval Militia, or members of other reserve components of the Armed Forces of the United States are entitled to leave of absence from their respective duties without loss of pay for such time not to exceed a total of thirty-one (31) days in any one (1) calendar year. If while on active duty the employee's total gross wages are less than what they earn in City employment, the City will pay the employee the salary difference. If while on active duty the employee's total gross military wages are equal to or greater than what they earn in gross wages through City employment, the employee will not receive any salary reimbursement from the City.

- The employee is required to submit to his/her supervisor an order or statement from the appropriate military commander as evidence of such duty. There is no requirement that the service be in one (1) continuous period of time. The maximum number of hours for which payment may be made in any one (1) calendar year under this provision is one hundred seventy six (176) hours. Compensation received for the above purposes, not to exceed one hundred seventy six (176) hours, shall be submitted to the city finance director upon return from such duty, or as soon as possible. The city finance director will give the employee a receipt for the same.
- Employees who have worked for the City for at least thirty (30) calendar days will be granted a leave of absence without pay to be inducted or to otherwise enter military service. They are not paid for such leave unless they are members of reserve components as specified in the first paragraph of this Section.
- An appointment may be made to fill a vacancy created when an employee enters military service. However, if the person filling such a vacancy also enters military service he/she may be reinstated to the position after completion of service only if the first employee (the original incumbent) fails to apply to reinstatement within ninety (90) days of discharge or made written waiver of all rights to the position.
- An employee who voluntarily re-enlists while on active duty or a commissioned officer who voluntarily enters into extended duty beyond that required upon accepting a commission, is not eligible for reinstatement.
- Employees who are members of the Ohio National Guard will be granted

emergency leave for mob, riot, flood, civil defense, or similar duties when so ordered by the Governor or assist civil authorities. Such leave will be without pay if it exceeds authorized paid military leave for the year. This leave will cover the official period of the emergency.

• Except for veterans that voluntarily re-enlist while on active duty or who voluntarily enters into extended duty beyond that required, a veteran separated or discharged under honorable conditions must in order to be reinstated, make application for re-employment to the former position within ninety (90) days from the date of release from service, or within ninety (90) days after release from hospitalization due to in service injury or illness which has not exceeded a period of more than one (1) year.

The following procedure will apply:

- A copy of a discharge or certificate of service must accompany all requests for reinstatement or reappointment;
- If a proper copy of discharge or certification is in order, reinstatement shall be accomplished within thirty (30) days after application is received by the appointing authority;
- Any change in classification or pay range which would have accrued to the position if the employee had been on the job shall apply.

(g) <u>Unpaid Personal Leave</u>

Any unpaid personal leave of absence requested must be submitted to the department head and approved by the appointing authority or his/her designated

representative at least three (3) working days prior to the start of such leave. Unless otherwise specified, unpaid personal leave of absence is without benefits. Unpaid personal leave of absence, if approved, shall not exceed thirty (30) day intervals, and unless otherwise specified, shall be granted or denied at the discretion of the appointing authority or his/her designated representative.

Unpaid personal leaves of absences will generally not be granted for the purpose of working elsewhere, which includes self-employment.

(h) Family and Medical Leave (FMLA)

FMLA leave shall be as contained in the City's Employment Policy Manual.

(Ord. 13-04. Passed 3-1-04.)"

- Section 2. That, it is found and determined that all formal action 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 21.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.
- Section 3. That, unless otherwise stated, 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 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

Attest:	E Yea	Nay	Abstain		
Gregory J. Heath, Cle I, Gregory J. H the foregoing Ordinanc general circulation in s further certify the comp Napoleon Ohio and the	leath, Clerk/Finance se No. 042-14 was d said City, on the bliance with rules es	e Director o luly publish day o stablished in	ed in the Northwes f n Chapter 103 of th	ne Codified Ordinanc	r of : & I
			Gregory I Heat	h Clark/Financa Direct	

RESOLUTION NO. 038-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY AND ACCEPT OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS FOR PROJECTS DEEMED NECESSARY BY THE CITY ENGINEER IN THE YEAR 2014

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

- Section 1. That, the City Manager is directed to execute all documents necessary to apply for and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for the year for projects deemed necessary by the City Engineer in the Year 2014, including but not limited to execution of Grant Agreement(s).
- 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 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 Dire	ctor
that the foregoing Resolution No. 038-14 newspaper of general circulation in said; & I further certify the compliance	ace Director of the City of Napoleon, do hereby certify was duly published in the Northwest Signal, a City, on the day of, ce with rules established in Chapter 103 of the Codified tws of the State of Ohio pertaining to Public Meetings.
	Gregory J. Heath, Clerk/Finance Director

OWPC 0384 Page 2 - Resolution No. 038-14



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Chad E. Lulfs, P.E., P.S., Director of Public Works
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Monica Irelan, City Manager

From: Chad E. Lulfs, P.E., P.S., Director of Public Works

cc:

Date: June 13, 2014

Subject: 2015 Issue II Projects List

Due to the amount of grant funding we are receiving in 2015, we only have one (1) project we can submit for Issue II funding assistance. I plan to submit the Oberhaus I/I Reduction Project (L.T.C.P. Project No. 21A). This project will repair/replace the Oberhaus Interceptor from Scott Street to Willard Street.

CEL

RESOLUTION NO. 039-14

A RESOLUTION AUTHORIZING THE CITY FINANCE DIRECTOR TO DIRECT PAYMENT OF \$820, 991.00 TO AMERICAN MUNICIPAL POWER, INC. FOR THE NET STRANDED LIABILITY FOR THE AMPGS PROJECT

WHEREAS, the City of Napoleon was a participating partner in the AMPGS project; and,

WHEREAS, the AMPGS project now has incurred stranded; and,

WHEREAS, the City of Napoleon's share of the net AMPGS stranded liability is \$820,991.00; and,

WHEREAS, the City of Napoleon has already budgeted \$700,000.00 for payment towards the said stranded costs; and,

WHEREAS, the Council for the City of Napoleon now desires to pay not only \$700,000.00 that was previously budgeted but also the remaining \$120,991.00 of the net stranded liability; now therefore,

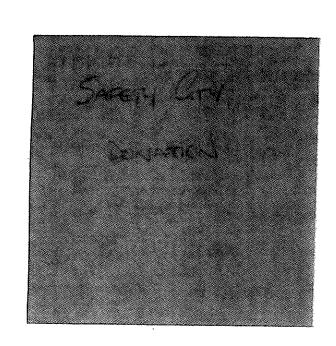
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

- Section 1. That, upon the effective date of this Resolution, the City Finance Director is hereby authorized to execute payment of \$820,991.00 to American Municipal Power, Inc. for the net stranded liability for the AMGS project.
- Section 2. That, the Finance Director is authorized to transfer any funds necessary and legal to obtain the \$120,991.00 that was not previously budgeted.
- 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 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 foregoing Resolution No. 039-14 was duly published circulation in said City, on the day of the compliance with rules established in Chapter 10 the laws of the State of Ohio pertaining to Public M	
	Gregory J. Heath, Clerk/Finance Director

Sabets tity Donation



220.440.44350

500.00

UNITED WAY OF HENRY COUNTY 08-83 611 N. PERRY ST. NAPOLEON, OH 43545-1701 PNC Bank, N.A. 070

9843

5/29/2014

PAY TO THE ORDER OF_

City of Napoleon

Five hundred and 00/100-----

T DOLLAR

MEMO Rec Dept. - Safety City

Thans W. Mack

AUTHORIZED SIGNATURE



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Chad E. Lulfs, P.E., P.S., Director of Public Works
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Monica Irelan, City Manager

From: Chad E. Lulfs, P.E., P.S., City Engineer

cc: Mayor & City Council

Greg Heath, City Finance Director

Date: June 16, 2014

Subject: 2014 Miscellaneous Streets Project

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the 2014 Miscellaneous Streets Project. This project consists of resurfacing: Scott Street under U.S. Rt. 6/24; a portion of Haley Avenue from W. Washington Street to W. Main Street; a portion of Lagrange Street from Scott Street to Dodd Street; Sycamore Drive from Jahns Road to Hurst Drive; a portion of Clairmont Avenue from West School to Woodlawn Avenue; a portion of Indiana Avenue from Ohio Street to Oakdale Drive; a portion of Clinton Street between Scott Street and Perry Street; American Road from Industrial Drive to the east end of the truck stops; scratch courses on Industrial Drive from the northerly ramps to American Road; and placement of asphalt pavement at the Operations Building.

Engineer's Estimate of Construction: \$265,000.00. Budgeted amount for this project is \$300,000.00.

CEL

Napoleon Fire/Rescue

Memo

To: Ms. Monica Irelan, City Manager

From: Chief Robert J. Bennett, EFO

cc: file

Date: June 13, 2014

Re: Donation of \$1000

The Napoleon VFW post 8218 would like to donate \$1,000 to the Napoleon Fire and Rescue. Would you please place this item on the Council agenda for June 16th. The presenter will be Don Camp from the post. The contact person is Quarter Master Scott Walters he can be reached at 419-599-5768 or the Post phone number at 419-599-1456.

I will be present to accept on behalf of the Fire Department but this does require Council acceptance. The Post would like some publicity and a photo opportunity for the newspaper.

City of Napoleon, Ohio

TREE COMMISSION

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

Meeting Agenda

Monday, June 16, 2014 at 6:00 PM

I.	Approval of Minutes (In the absence of any objections or corrections, the minutes shall stand approved.)
II.	Tree Call Report
III.	Spring Programs
IV.	Fall Programs
V.	Scott Street Replanting
VI.	Any Other Matters to Come before the Commission
	Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio TREE COMMISSION

Meeting Minutes Monday, May 19, 2014 at 6:00 pm

PRESENT

Commission
City Staff
Recorder
Others

David Volkman – Chair, Kirk Etzler, Anella Huff, Jeffrey Marihugh, Bill Rohrs

Marty Crossland, Staff Engineer

Tammy Fein

ABSENT

Members

Becky Rohre

Call To Order

Chairperson Volkman called the meeting to order at 6:00 pm.

Approval Of Minutes

The minutes from April 21 stand approved with no corrections or objections.

Tree Call Report

Crossland reported that he received many calls regarding trees that were outside of the right of way, and the homeowners were responsible for these issues.

Crossland received a call from Renee Freppel, 511 High Street, regarding a possibly dying tree; Freppel requested that if the tree is removed, there is no replacement tree planted.

Crossland received a call from Leslie Helberg, 1056 North Perry Street, requesting a tree removal due to an uneven sidewalk. Crossland inspected the area, noting that the tree is an eight (8) inch red maple, and the sidewalk is uneven by approximately one half (1/2) inch. Crossland requested the members of the Tree Commission inspect this issue.

Crossland noted there is a pear tree located at 680 West Riverview Avenue that may require removal.

Spring Programs

Crossland stated the Fall 2013 trimming is completed, and distributed a memo titled 2014 Spring Tree & Stump Removal; see attached.

Crossland stated the prices listed on the memo are based on the bid prices submitted, and the total cost may increase to approximately \$8,500. Crossland stated there are eight (8) tree pending tree removals and three (3) of these are located near schools; Crossland will coordinate with the schools and the Police Department to ensure safety, adding this should be completed by May 27, 2014.

Other Upcoming Projects

Crossland reported that Park Street and the surrounding side streets may be included in a multiphase project to begin in 2015, adding that the Union Street conceptual design is being drawn.

Crossland reported that Northcrest Circle had approximately five (5) trees removed for the improvements project, and the billing for these removals will be handled through the project in September; Crossland added that the Northcrest and Riverview stumps will be removed first since sidewalks will be required to be installed after completion of the project.

Any Other Matters To Come Before The

Volkman reported that the Arbor Day Observance was successful; the Greenhagen family had their photo taken with the tree before it was planted.

Commission

Crossland spoke with Stephanie Miller regarding the Scott Street replanting and which trees would be most appropriate to handle the amount of salt that is put down in the winter, adding that the trees on the East side will be smaller to allow a safe distance from overhead utilities, and the trees on the West side will be larger for shade and there will be no vertical obstruction to consider. Crossland added that the gas line was moved and the water line is located approximately one (1) to two (2) feet behind the curb, and the signage will be a consideration during the replanting. Etzler asked what trees Miller had recommended for this project; Crossland replied Honey Locust will tolerate the salt well, and either Amur Maple or a Serviceberry tree for the East side. Crossland stated that Japanese Lilac was an option however there was already many of those in the downtown and they may not be as sturdy. Marihugh suggested Bittersweet and Etzler suggested Black Locust because they are hearty and have a nice aroma and flowers, Crossland added that Miller suggested Zelkova as well.

Marihugh asked about the progress of the project at Hogrefe's; Crossland inspected the area and noticed that there are approximately six (6) to twelve (12) trees that should be removed however the rest look healthy, and it will take time to thin out the area. Volkman stated he noticed this as well, and this should be taken care of within the next few years; Crossland stated Fall 2014 could be an appropriate time to begin the project of this tree removal, leaving the stumps at ground level.

Crossland updated the Tree Commission contact information with Miller; Huff and Volkman reported that they have not received information from Miller yet.

Motion To Adjourn

Motion: Marihugh Second: Etzler

To adjourn the meeting at 6:42 pm.

Passed

Yea- 5

Nay- 0

Roll call vote on above motion:

Yea- Marihugh, Volkman, Huff, Rohrs, Etzler

Nay-

Approval Date:

David Volkman, Chair

Memorandum

To: Parks & Recreation Committee, Council, Mayor, City Manager,

City Law Director, City Finance Director, Department Supervisors,

Media

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

Date: 6/11/2014

Re: Parks & Recreation Committee Meeting Cancellation

The regular Parks & Recreation Committee meeting scheduled for Monday, June 16 at 6:15pm has been CANCELED due to lack of agenda items.



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO Box 151 • Napoleon, Ohio 43545-0151 phone (419) 592-4010 fax (419)-599-8393 Gregory J. Heath, Finance Director/Clerk of Council

Web Page: www.napoleonohio.com gheath@napoleonohio.com

June 4, 2014

Senator Sherrod Brown U. S. Senate Washington, D.C. 20510

Dear Senator Brown:

On behalf of the City Council of Napoleon, Ohio, I am forwarding to you the attached Resolution stating the City's opposition of sequestration and the anticipated tax on the interest on Municipal Bonds, which was passed unanimously by City Council on May 19, 2014.

The ability of state and local governments to issue tax-exempt financing in the form of municipal bonds is critical to providing essential infrastructure throughout the nation, including that developed by public power utilities in the form of power generation facilities, distribution and transmission lines and equipment, emission control and efficiency improvements, etc.

Yet, Congress and the Administration are considering various proposals that would eliminate or alter this vital form of public financing, which has been exempt from federal taxation for 100 years. Some potential current threats to tax-exempt financing include:

- Changing the tax-exempt status of municipal bond interest (including taxing the interest earned by certain classes of taxpayers);
- Issuing municipal bonds as tax-credit bonds, instead of tax-exempt bonds;
- Replacing the muni-tax exemption with a direct subsidy to the issuer;
- Narrowing the scope of projects eligible for tax-exempt financing; or
- Changing overall tax rates or tax treatment of investment income (could make tax-exempt investments less attractive).

All of the above actions would only increase costs for communities by making publicly issued debt less attractive to investors. Without those investors and a robust municipal bond market, communities will likely be priced out of the corporate bond market and thus may not be able to obtain financing for critical public infrastructure.

While we understand and appreciate efforts to reduce the federal budget deficit and reform the federal tax code, we urge you to reject changes to this stable, cost-effective, and essential public financing tool. Our community needs tax-exempt financing to remain viable for our future.

Sincerely,

Enegony J. Heath
Gregory J. Heath

Clerk of Council/Finance Director

June 6, 2014

USEPA proposes CO2 limits for existing power plants throughout the nation

By Jolene Thompson – senior vice president/OMEA executive director Using information from various news and coalition sources

On Monday, the U.S. Environmental Protection Agency (USEPA) issued a proposed rule that would require existing power plants nationwide to achieve an average of 30 percent reductions in CO2 from by 2030 (see more on this below). Each individual state's contribution to the national reduction target will vary with the intensity of fossil-fueled generation in that state.

The announcement is viewed as the centerpiece of the Administration's Climate Action Plan, announced last June. (Earlier this year, USEPA issued a proposed rule to limit CO2 emissions from new power plants as the first step in implementing the plan; AMP/OMEA commented on that proposed rule in May 2014 with a focus on potential impacts on future natural gas generation.)

The existing unit rule, which is expected to be final by June 2015, is based on a section of the Clean Air Act – 111(d) – that gives the responsibility to individual states to determine how they will meet USEPA's targets. States will generally be given one year after the rule is final to file their state implementation plans (SIPs) with USEPA (2016); a one-year extension until 2017 is permitted under limited circumstances and states that wish to participate in multi-state arrangements may get a two-year extension until 2018. However, all states will be required to show progress toward meeting their individual goals through filed interim plans.

The underlying assumptions that went into the formation of the rule and the targets are extremely complicated, and most states and utilities are still attempting to determine the potential impacts. While the Obama Administration has promoted the rule as cutting fossil-fueled power plant GHG pollution 30 percent below 2005 levels by 2030, the complex regulation doesn't explicitly require that – instead, it sets separate targets for each state to make emissions cleaner by that date, using the USEPA's estimates of how much mileage the states can get from strategies like promoting energy efficiency or shifting toward natural gas instead of coal. In actuality, the USEPA calculated its pollution goals based on the most recent complete data available – from 2012.

The rule doesn't impose a pollution cap – in other words, it doesn't tell states how many tons of carbon they're allowed to emit, or order them to cut the number of tons by any specific percentage. Instead, the rule focuses on the carbon rate – the amount of CO2 released for each



AMP offers second Basic 1 lineworker training course

By Bob Rumbaugh - manager of technical training

Due to member demand, AMP held its second Basic 1 training course June 2-6. The program features classroom work and hands-on sessions including pole top and bucket rescue, climbing skills, setting crossarms, and balance and reaching exercises. There were 17 participants from 11 member communities in Ohio and Pennsylvania.

Please contact AMP Technical Services Program Coordinator Jennifer Flockerzie at 614.540.0853 or jflockerzie@amppartners.org with questions or for more information.

Basic 1 participants pictured above are (from left): row one-Jason Durkee, St. Marys; Tom Peterson, St. Marys; Brenton Gilmore, Ellwood City; Lucas Chasteen, Cuyahoga Falls; Vince Esposito, Ellwood City; Nate Bryant, Cuyahoga Falls; Chris Klinger, Mifflinburg; Bob Rumbaugh, AMP manager of technical training and class instructor; row two-Eric Schaaf, St. Marys; Casey Luedeke, St. Marys; Andrew Caruso, Cuyahoga Falls; Gary Shultz, AMP safety consultant and class instructor; Dave Slife, Tipp City; Mark DeMarino, Grafton; Jeff Tester, Wapakoneta; John Charles, Blakely; Bruce Follweiler, class instructor; Nathan Myers, Wellington; Nathan Keller, Kutztown; and Rodney Snyder, Eldorado.

MWh of electricity produced and "portfolio approach." Cutting that rate means a state will put out less carbon pollution (assuming its electricity production stays the same). The USEPA notes that states will have the freedom to decide how to meet the targets when they write their compliance plans; but in formulating the rule, the USEPA did its own math estimating how much each state could presumably cut based on the state's mix of coal, gas, nuclear and renewable sources, power output and energy efficiency programs. The rule doesn't appear to give states credit for carbon cuts they made between 2005 and 2012 (which is an area we will be raising concerns about in our comments).

The USEPA calculated the states' targets using four building blocks that states could use for reducing emissions: increased efficiency at individual power plants; increased reliance on existing natural gas plants; increased use of renewable energy and existing nuclear plants; and efficiency programs for end users.

Due to the critical nature of the states' role in the process, the ultimate compliance obligations and potential opportunities for AMP's assets will not be known until the states finalize their plans - this means that our advocacy efforts over the next few years will need to be directed at the state level in addition to the federal level. We're already participating in various national working groups, as well as in stakeholder group with Ohio policymakers where the AMP Fremont Energy Center is expected to have a compliance obligation and our Efficiency Smart and solar efforts may be valuable. Prairie State staff and counsel are working with Illinois officials and keeping the owners' group representatives updated. Additionally, we're planning outreach in Kentucky and West Virginia where there may be opportunities for our new hydropower projects to receive benefits (we are still assessing the scope of opportunities for hydropower under the draft

On Peak (16 hour) prices into AEP/Dayton Hub					
Week end	ing June 6				
MON \$52.61	TUE \$47.53	WED \$43.73	THU \$41.01	FRI \$41.18	
Week end	ing May 30				
MON \$48.30	TUE \$55.40	WED \$51.82	THU \$41.80	FRI \$45.76	
AEP/Dayton 2015 5x16 price as of June 6 — \$48.48					
AEP/Dayton 2015 5x16 price as of May 30 — \$48.80					

guidelines). We will also coordinate with our partner organizations in all AMP footprint states.

The rule is not expected to impact our diesel units.

Comments on the proposed existing unit rule will be due within 120 days of its publication in the Federal Register, which we expect late this month. AMP/OMEA will be filing comments on the proposal, reflecting our high-priority issues including the impacts on Prairie State and AFEC, treatment of small generators (25 megawatts and below, which we believe are exempt), treatment of hydropower and energy efficiency, consideration of "early action" (efficiency, renewables, carbon offsets, etc.) to offset compliance obligations, etc.

Due to the structure of the rule and our footprint, it's possible that AMP/OMEA may be in the position to support a multi-state trading program; however, we will have serious reservations about such a program structure if it falls under PJM and MISO as some have suggested.

In addition to issuing the proposed rule for existing units, the USEPA simultaneously issued a proposed rule that would address modified and reconstructed units. At this point, there does not appear to be a "fix" for New Source Review (NSR) in either proposed rule; this is a matter that USEPA reportedly will address in the near future.

continued on Page 4

Work on AMP hydro projects progresses toward completion

By Phil Meier - vice president of hydroelectric development & operations

Cannelton

The water-up progress at Cannelton continues. The upstream cofferdam was breached on April 24. Water levels are fluctuating only slightly as the channel excavation work continues in the upstream and the cofferdam remove continues in the downstream.

Other work inside the plant includes many mechanical systems including, but not limited to, the emergency diesel generator and the installation of the elevator. Turbine erection continues to progress as well with the machining of the outer gate barrel bolt holes, which are being elongated to allow for final adjustments on Unit 1.

The Unit 2 distributor should be installed soon, and pipefitters continue installation of piping and supports in the stay columns, turbine access shafts, and oil and drain systems.



see HYDRO Page 3

Willow Island

In recent construction activities, Ruhlin Construction placed over 283 cubic yards of concrete in the powerhouse and scheduled 550 cubic yards for this week. Ruhlin continues to place forms and make concrete placements in the tailrace block. The crawler crane has been placed on the roof and is being used for installation of some major turbine generator parts. Ruhlin continues forming and placing concrete for the O/H crane columns as well as dredging work on the approach channel. To date, Ruhlin has excavated around 50,000 cubic yards of the estimated 80,000 cubic yards in the approach area.

ICS completed the pre-assembly work on both turbine shafts. The inner gate barrel (IGB) has been installed on both shafts. The IGB is being removed from the Unit 1 shaft to be sent back to York for machining. The rotors have been painted and ICS resumed installation of the rotor poles. The transmission line contractor, Sargent Construction, resumed work this week and began installing the tower sections.

Smithland

As the Smithland project had a much later start, we are at 78.5 percent of the total concrete to be placed (i.e. 74,203 cubic yards vs. 94,500). Hardfill (a concrete soil mix) for the closure structures is about 34 percent complete with 54,076 cubic yards placed to date.

CJ Mahan Construction's subcontractors progressed as well with Collier/Aldridge installing conduit and grounding conductor for powerhouse concrete placements, and Harmon Steel installing rebar for powerhouse concrete placements. CJ Mahan and National Steel Erectors continued re-alignment activities for bulb turbine housing/stay cone assemblies.

Excavation also continued with the "long-stick" excavation activities in the approach channel while the hydraulic dredge was down for mechanical repairs. Lastly, Sargent Construction continued setting tower structures and hanging insulators for the transmission line.

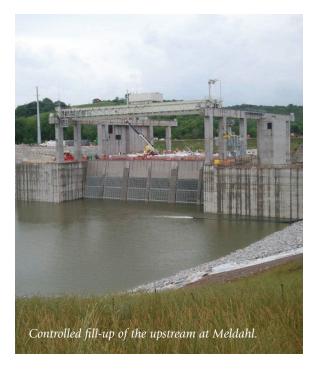
Meldahl

Alberici Baker (AB) has begun the cofferdam watering up. AB continues to fill the intake and trailrace. AB's subcontractor Aquarius Marine continues approach channel dredging activities on two shifts, six days per week and continues tailrace channel excavation on two shifts, six days per week as well as continuing hauling, spreading and compacted excavated material in Spoil Area 3. Baker Concrete continues rubbing and patching powerhouse entrance building exterior walls and shafts, and Alberici Constructors continue flushing the Unit 1 turbine and generator bearings as well as installing Unit 2 bulb nose fans, ductwork, electrical and fire suppression system.

The balance of plant work is moving as well with the subcontractor IHP continuing fabrication and installation of bearing oil piping on elevation and setting Unit 2 and 3 cooling water pump skid and Governor pressure tanks. The electrical sub, Glenwood Electric continues pulling and terminating power and control cables for HVAC equipment and terminating 138kV cables on the take-off structure and gas-insulated switchgear, the 125Vdc battery cells, and miscellaneous other work.







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All member utilities are eligible for AMP Lineworkers Rodeo

By Jennifer Flockerzie – technical services program coordinator

Registration is under way for AMP's first annual AMP Lineworkers Rodeo. The event will be held on Aug. 23 at AMP headquarters, with training sessions also offered in the morning on Aug. 22.

The Rodeo will feature three levels of competition: team, individual and apprentice. Teams consist of two journeyman lineworkers and one ground support person. The groundworker remains groundworker for all five events. An apprentice lineworker can serve as a groundworker, unless he/she is competing at this event in the apprentice category. A team can elect to include an alternate. The alternate can only participate in the event if someone is injured and unable to compete. The alternate must be capable of filling any position on the team and cannot be an apprentice. Communities may combine on their own to form and compete as a team. Individuals consist of one journeyman lineworker who is not competing on a team. Apprentices are considered to be an individual who has entered an apprentice program within the last four years. An apprentice is defined by their status effective on the date of the Rodeo.

All AMP member utilities are eligible to participate. Events will be judged based upon safety, work practices, neatness, ability, equipment handling, and timely event completion. Competitive events are:

Apprentice

- 1. Written Test
- Hurtman Rescue 2.
- 3. Single Phase and Neutral Tie-In
- 4. Framing Event
- Three Phase Fuse Replacement 5.

Individual Journeyman

- Hurtman Rescue 1.
- 2. Single Phase Transfer
- 3. 100A Cutout Change out
- 4. Arrester Change Out
- Alley Arm Insulator Change Out 5.

Journeyman Teams

- 1. Hurtman Rescue
- 2. Single Phase Transfer
- 100A Cutout Change out 3.
- 4. Arrester Change Out
- Alley Arm Insulator Change Out

The deadline to register as a contestant is July 22. The Rodeo is a family-friendly event and will be open to the public at no charge.

In order for contestants to be considered for AMPsponsored funding for the American Public Power Association's (APPA) 2015 Lineworkers Rodeo, they must participate in AMP's 2014 Rodeo event.

Registration forms (contestant, volunteer, sponsor/ vendor, and banquet) are available on the AMP website at http://amppartners.org/amp-lineworkers-rodeo/. Please contact me at rodeo@amppartners.org or 614.540.0853 for more information.

USEPA proposes CO2 limits

continued from Page 2

AMP/OMEA staff and counsel are reviewing the 645-page existing unit rule (with hundreds more pages of technical support documents) and the 188-page modified/reconstructed unit rule. These rules combined represent a major regulatory shift for fossil-fueled generation in the United States and AMP/OMEA are fully engaged on your behalf. Please watch for updates. We will host member webinars in July or August and a session at the AMP/OMEA Annual Conference to provide members with more detail as it is determined.

If you have any questions, please let me know at ithompson@amppartners.org or 614.540.1111.

AMP highlights Oak Harbor in latest Member Spotlight

By Krista Selvage - manager of publications

AMP is shining its Member Spotlight on Oak Harbor, which is celebrating 100 years in public power in 2014. The Electric Department has been providing reliable and dependable service since 1914.



While much of the business and commerce of the area are related to agriculture, today

the village has less of an emphasis on manufacturing and more on specialty shops, convenience stores and services businesses. With a population of about 2,700, Oak Harbor is located 25 miles southeast of Toledo, 80 miles south of Detroit, 120 miles north of Columbus, and 90 miles west of Cleveland.

Learn more about Oak Harbor and its AMP participation in the Member Spotlight section of the AMP website.

AFEC weekly update

By Craig Kleinhenz - manager of power supply planning

AFEC put its spring maintenance outage in the rearview mirror as the plant returned to more normal operations this week. On May 30 the plant did some testing and operated at 1x1 base maximum levels during the daytime hours and 2x1 base maximum levels during the evening peak. The balance of the week the plant operated at base maximum levels during the daytime hours with the exception of June 1 and June 5 when the plant was dispatched offline due to low market prices.

The plant was also dispatched offline during the overnight hours May 31 and June 2. Duct burners were used four hours this week during the evening of June 3 due to high market prices. The plant ended the week with a load factor of 33 percent (based on a plant rating of 675 MW).

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Virginia membership meets for Finance & Accounting **Subcommittee**

By Joe Regan - member credit compliance analyst

AMP welcomed the Virginia AMP membership to a Finance & Accounting Subcommittee Meeting on June 5 in Salem, Va.

Jeff Klein, with Kensington Capital Advisors, started off the meeting with a presentation on bond proceeds investments. Specifically, Klein covered what the decision process is that AMP must go through when investing bond proceeds and how to maximize the return while still being aware of the arbitrage limitations on earnings.

Dawn Lund, vice president of Utility Financial Solutions, followed Klein with a discussion on cost of service challenges and solutions.

Lund was followed by Harry Phillips, AMP's director of marketing/member relations, who gave an update and overview of the Efficiency Smart program and how it can assist in meeting members' energy efficiency targets.

During lunch, Chris Deeter, AMP's assistant vice president of finance and member credit compliance, discussed "Financial Soundness: The Economy and your Municipality."

Finishing out the day, Tom Sillasen, AMP's director of energy accounting and reporting, covered the concepts behind AMP's power invoices.

The next Finance & Accounting Subcommittee meeting will be held July 24 at AMP headquarters in Columbus. All interested parties from municipalities are invited.

Please RSVP to either myself at jregan2@amppartners.org or 614.540.6913, or Chris Deeter at cdeeter@amppartners.org or 614.540.0848.

Markets finish week mixed

By Craig Kleinhenz

A higher-than-expected report of natural gas in storage helped to keep electric prices relatively flat for the week.

The 2015 on-peak electric prices fell \$0.32/MWh for last week with AD Hub closing at \$48.48/MWh. Natural gas prices had their own idea as they ended the week higher despite the bearish news. July natural gas ended the week \$0.14 higher than last week ending the week at \$4.70/MMBtu.

PMEA reception educates lawmakers on public power

By Michael Beirne – assistant vice president of government affairs & publications

Following the success of the Pennsylvania Municipal Electric Association's (PMEA) first legislative reception last year, PMEA held a second reception on



June 3 in Harrisburg, Pa. More than 50 PMEA members and lawmakers attended the event.

Members discussed the benefits of public power and educated lawmakers on Pennsylvania municipal electric providers. AMP was pleased to be represented and to offer support to PMEA in its important efforts.

For more information about PMEA, please contact PMEA Executive Director Dave Woglom at 610.330.5856 or woglomd@lafayette.edu, or PMEA President and Grove City Borough Manager Vance Oakes at vance@grovecityonline.com or 724.458.7060.

Update Classifieds

Bowling Green seeks wastewater collection equipment operator

Wastewater Collection Equipment Operator - Water Distribution & Wastewater Collection Division (BGEO Pay Grade 5: \$18.39 - \$23.49 per hour). Responsible for maintaining and repairing municipal sewers, installing new storm and sanitary lines, and performing lift station maintenance. Operates jet, TV and dump trucks, backhoes, jack hammers, tapping machines, air monitors, concrete saws and flow meters; uses hand tools; repairs blacktop, concrete, manholes, and catch basins; and performs other related duties as assigned. Work is performed outdoors in confined spaces in proximity to sewage; night, weekend and holiday work.

High school diploma or equivalent; Class B Commercial Driver's License with Tanker Endorsement; one to three years of relevant experience; or any combination of experiences which provides the required skill sets to

perform the essential functions of the job. A copy of the job description will be provided to applicants. Qualified persons must complete an application that is available in the Personnel Dept. of the City of Bowling Green, 304 N. Church St., Bowling Green, OH 43402-2399. The application is also available online at http://www.bgohio.org/departments/personneldepartment/employment-opportunities. Resumes alone will not be considered. Telephone: 419.354.6200; Fax 419.352.1262; email: BGPersonnel@bgohio.org. The deadline to apply for this position is 4:30 p.m. June 10, 2014. AA/EEO

Tipp City seeks lineworker

The City of Tipp City Electric Department (TCED) is accepting applications for the position of Journeyman Lineman. TCED will be hiring up two journeyman lineworkers and may consider those that currently

working through an apprentice training program.

Duties, under the direction of Electric Department Supervisors, will include but not limited to:

- Operation of equipment used in the construction and maintenance of energized electric circuits, i.e. bucket truck, digger derrick, trencher, wire stringing equipment.
- Working at heights from bucket truck and with climbing equipment.
- Physical labor in the construction and maintenance of city owned facilities.
- A Class A CDL with trailer certification will be required within six months of hire.
- Work on energized circuits up to and including
 69,000 volts with proper safety equipment and tools.
- A minimum of four years' experience in outside electrical construction, maintenance and trouble shooting is required.

Periodic drug and alcohol testing will be required. Work in inclement weather, on-call and non-traditional hours will be required.

Tipp City has an excellent wage and benefits package. Resume and application to City Manager's Office. Tipp City Government Center, 260 S. Garber Dr., Tipp City, Ohio 45371. Resume/application are due June 20, 2014. Tipp City is an Equal Opportunity Employer.

Coldwater sells load tap changer

The City of Coldwater is selling a load tap changer. Details are listed below. For more information please contact Charles Bauschard at 517.279.6907 or cbauschard@coldwater.org. Visit the Member Extranet section of AMP's website for more information.

Manufacturer: Westinghouse

Manufacturer Date: 1981

Model: Oil-immersed UTT-B

• Oil Quantity: 360 gallons/1400 lbs

• Number of Positions: 33 (16L-N-16R)

Operating Pressure: <0.5 psi and >5 psi

Counter: LTC 1: 198,191 changes; LTC 2: 193,835 changes

Shelby has opening for waste water treatment plant operator

The City of Shelby, Ohio, has an opening for an Ohio Certified EPA Waste Water Treatment Plant Operator. The hourly position is responsible for all operations at the activated sludge Waste Water Treatment facility.

Responsibilities include, but are not limited to: maintains plant equipment and grounds, operates equipment, collects samples, performs lab tests, makes operational rounds throughout the plant, prepares and maintains reports.

This position is for a second shift operator with the possibility of covering third shift. This position requires one mandatory weekend per month.

Requirements for the position are: high school

diploma or General Education Degree (GED); a valid Ohio Driver's License, and a minimum of an Ohio Environmental Protection Agency (OEPA) Waste Water Treatment Class I License.

Applications may be obtained at Shelby City Hall, 43 W. Main St., Shelby, Ohio 44875. Please call Waste Water Treatment Plant Superintendent Charlton Brown at 419.347.7453 with questions.

Village of Clinton accepts applications for lineworker

The Village of Clinton has an immediate opening for a lineworker in its Electrical Department. A journeyman lineman is the preferred level of knowledge, skill, and ability; however, the village will consider those with some level of training and/or experience in the electrical field. Duties include being responsible for the operation, maintenance and construction of the village's municipal electric distribution system.

Must have a high school diploma or GED; have or can obtain a CDL driver's license; mechanical knowledge and experience operating equipment such as an aerial bucket truck, digger derrick truck, backhoe and power tools preferred. The successful candidate, if less experienced, must promptly complete the lineworker apprenticeship program and become a journeyman lineworker.

Clinton offers an attractive wage and benefit package. Salary is commensurate with experience.

Applications are available at the Village of Clinton website www.villageofclinton.org. Please submit a completed job application and resume by June 17, 2014, to Village of Clinton, 119 E. Michigan Ave., Clinton, Michigan 49236.

Danville is looking for electric substation superintendent

The Utilities Department is seeking an experienced candidate to perform administrative and expert technical support for the Substation and Meter Department as well as coordinating the dispatch/control of power supply. Electric substation superintendent will be responsible for preparing the budget and monitoring expenditures, programming; testing and calibrating all meters; handle customer complaints; providing technical support for meter technicians; supervise meter technicians, substation technicians and systems operators.

Qualified candidates will have the ability to read, understand, and interpret financial reports and/or legal documents; the ability to supervise, train, motivate, and discipline authorized personnel. Must have broad knowledge in a general professional or technical field or a bachelor's degree in related field. Possession of valid drivers license required. Starting salary range: \$56,993 - \$68,391/Annual. Position open until filled apply online: www.danville-va.gov Equal Opportunity Employer.

June 13, 2014

Market prices and congestion remained normal for the month of May

By Mike Migliore – assistant vice president of power supply planning & transmission

May weather did not see any extremes – therefore, prices and congestion were moderate as well. Transmission line outage in the PP&L area limited exports and thus produced lower than normal prices in that area of PJM.

AVERAGE DAILY RATE COMPARISONS					
	May 2014 \$/MWh	April 2014 \$/MWh	May 2013 \$/MWh		
A/D Hub 7x24 Price	\$41.53	\$40.43	\$37.69		
PJM West 7x24 Price	\$42.03	\$41.46	\$39.76		
A/D to AMP-ATSI Congestion/Losses	\$1.12	\$1.65	\$0.79		
A/D to Blue Ridge Congestion/Losses	\$0.97	\$0.50	\$0.92		
A/D to PJM West Congestion/Losses	\$0.50	\$1.03	\$2.07		
PJM West to PP&L Congestion/Losses	-\$4.90	-\$0.82	-\$0.28		
IND Hub to A/D Hub Congestion/Losses	\$3.14	\$3.13	\$2.27		

Obama's signature of WRDDA should improve processes for hydro development

By Jolene Thompson – senior vice president/OMEA executive director

President Obama signed the Water Resources Reform and Development Act (WRRDA) into law on June 10. The bill includes provisions supported by the National Hydropower Association (NHA) and AMP/OMEA that aim to improve the regulatory and permitting processes for hydro development. The bill states, among other things, that the development of non-federal hydroelectric power at Corps of Engineers civil works projects, including locks and dams, shall be given priority and that permits must be issued in a timely manner.

The Corps may look to outside parties for funding instead of relying on appropriations as the measure contains multiple references to third-party contributions of funds.

AMP plans second offering of Public Power Certification training program

By Kent Carson – senior director media relations & communications programs

Following the success of AMP's new Public Power Certification training course, we are planning a second offering of this important program starting in late July.

see CERTIFICATION Page 2

Markets have volatile week

By Craig Kleinhenz – manager of power supply planning

The first part of the week saw declining natural gas prices as traders reacted to mild weather forecasts for the next several weeks across the United States. That changed June 12 when the natural gas storage numbers came in below expectations for the week.

This led to natural gas prices closing \$0.25/MMBtu higher in just one day, which erased the declines seen earlier in the week. July natural gas ended the week \$0.06 higher than last week at \$4.76/MMBtu. 2015 on-peak electric prices fell \$0.61/MWh for last week with AD Hub closing at \$47.87/MWh

AFEC weekly update

By Craig Kleinhenz

Mild weather and low market prices led to the plant being dispatched offline numerous days this week. On Monday, Wednesday and Thursday the plant was dispatched online and saw base maximum production during most on-peak hours.

Duct burners were not used this week and the plant ended the week with a load factor of 19 percent (based on a plant rating of 675 MW).

Hotline Training provides techniques for bucket work

By Jennifer Flockerzie – technical services program coordinator

There are still spots available for AMP's Hotline Training course, to be held June 30-July 2 at AMP headquarters. This new course is designed to provide an in-depth understanding of proper work techniques for line construction from the bucket, and will focus on the skills and

continued on Page 2

More than 85 officials - both elected and appointed - from AMP member communities completed the first offering of the training and the feedback received from participants was extremely positive. Participants will be receiving their certificates shortly, and will be recognized in Update and at the AMP/OMEA Conference in October.

In coordination with the American Public Power Association (APPA), AMP created this series of six webinars to cover both the technical and regulatory aspects of the industry, as well as an overview of public power and AMP. The program is designed for both newly elected (or appointed) and experienced utility policymakers.

The role of local governing boards is crucial as local oversight is one of the important differences between public power and other electric providers. With that in mind, the Public Power Certification training program is offered at no cost to AMP member community officials. The sessions are: Electric Utility 101, Electric Utility Governance, AMP Organizational Overview, Power Supply Overview, Financial, and Legislative/Regulatory.

The live course sessions will be recorded and available for viewing following the session. Individuals can either participate in the live webinar or view the recording to receive credit for the session. Participation is limited to elected/ appointed officials from AMP member communities. A specific schedule for the initial round of training as well as a registration form is available on the Member Extranet section of the AMP website.

For more information, please contact me at 614.540.0842 or kcarson@amppartners.org.

May Operations Statistics					
	JV6 Wind Output	Belleville Output	Avg. A/D Hub On-Peak Rate		
May 2014	22%	68%	\$51/MWh		
May 2013	23%	94%	\$45/MWh		
	Fremont Energy Center Output	Blue Creek Wind Output	Napoleon Solar Output		
May 2014	20%	28%	24%		
May 2013	43%	32%	24%		
*Fremont capacity factor based on 675 MW rating *Solar capacity factor based on 3.54 MW rating					

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

	•	<i>,</i> 1	, ,	<u></u>
Week end	ling June 13			
MON	TUE	WED	THU	FRI
\$46.77	\$45.75	\$43.78	\$40.89	\$36.45
Week end	ling June 6			
MON	TUE	WED	THU	FRI
\$52.61	\$47.53	\$43.73	\$41.01	\$41.18
AEP/Dayton 2015 5x16 price as of June 13 — \$47.87				

Hotline Training techniques

AEP/Dayton 2015 5x16 price as of June 6 — \$48.48

continued from Page 1

knowledge required for bucket truck work. Similar to AMP's climbing class, the course is entirely hands-on and performed in the bucket. Geared to operations staff, the course is an expansion of the lineworker series. A harness is required for this class.

For more information or to register, please contact me at iflockerzie@amppartners.org or 614.540.0853.

Save the date Aug. 19 for meeting, member outing

By Michael Beirne - assistant vice president of government affairs & publications

AMP's annual organizational and project update dinner and member outing have been scheduled for Aug. 19. The organizational dinner will be held at the Crowne Plaza Hotel and is open to all members and Municipal Electric Partners (MEPs). AMP President/CEO Marc Gerken and members of AMP's executive management team will provide insight on various AMP initiatives.

Additional information for the organizational dinner and member outing will be provided at a later date. Please contact me at 614.540.0835 or mbeirne@amppartners.org with questions.

Poles arrive for first annual AMP Lineworkers Rodeo

On June 11, Thomasson Co. delivered 36 poles to AMP headquarters, which will be used for AMP's first annual Lineworkers Rodeo on Aug. 23. AMP will begin placing poles on June 24 and is seeking volunteers from member communities for assistance. Please contact Bob Rumbaugh, manager of technical training, at rrumbaugh@amppartners.org or 614.204.8500 for more information regarding volunteer efforts. Registration forms for AMP's Lineworkers Rodeo are available at http://amppartners.org/amp-lineworkers-rodeo/.





Summer edition of 'Public Power Connections' now available

By Krista Selvage - manager of publications

The 2014 summer edition of Public Power Connections (PPC) was distributed this week to AMP principal contacts and others who have requested it. In this edition are stories on power supply 101: planning an energy portfolio, Energy Depot, energy efficiency, and an efficiency tip.



Members who would like

to be added to the list of PPC email recipients may contact me at 614.540.6407 or kbselvage@amppartners.org. Member comments and suggestions are always welcomed.

For current and past editions, please visit the Member Extranet section of AMP's website.

AMP encourages members to apply for APPA's DEED grants

By Michelle Palmer, P.E. - assistant vice president of technical services

The grant cycle for American Public Power



Association's (APPA) Demonstration of Energy & Efficiency Developments (DEED) program is now open. AMP members can apply for up to \$125,000 in funding to support innovative utility projects.

AMP pays for its members to be a DEED participant and encourages utilities to apply. AMP and a number of its members have received grants in previous years. Past projects that have been supported by DEED grants have involved wastewater efficiency, safety videos, security best practices and guidelines, LED street lighting demonstrations, energy efficiency program pilots, and renewable energy pilots.

The DEED application deadline is Aug. 15. If you need AMP's assistance in compiling your application for DEED, please contact me at mpalmer@amppartners.org or 614.540.0924. For additional program information, send an email to DEED@PublicPower.org or visit the DEED section of APPA's website at http://publicpower. org/Programs/interiordetail2col.cfm?ItemNumber=31300 &navItemNumber=38572.

Hydro photos updated

Updated construction photos of AMP hydroprojects are now posted on the AMP website. These images are updated regularly to illustrate the progress of project construction in chronological order.

NERC update call, webinar to cover topics with Utility Services

By Art Iler – director of reliability standards compliance

AMP, in coordination with Utility Services Inc., will host the next NERC update conference call and webinar at 1:30 p.m. June 26. The update will include discussions on: CIP V5 Low Impact Effort - SDT Suggested Modifications; BESnet instructional videos; BES Cyber Asset Survey Risk Based Registration; Suggestions for Annual Self-Certifications/Readiness Review/Review of Internal Controls; PRC-027-1 - System Protection Coordination; Reminder To-Do List - EOP-004-2 and PRC-005-2; and I'm a TO - now what? The update will be followed by a question and answer session.

Please contact me with any questions, and for the dialin number and webinar instructions at 614.540.0857 or ailer@amppartners.org.

Calendar

June 13-18—APPA National Conference Denver, Colorado

June 16-20—Lineworker Training Intermediate AMP Headquarters, Columbus

June 30-July 2—Hotline Training AMP Headquarters, Columbus

July 24—AMP Finance & Accounting Subcommittee Meeting AMP Headquarters, Columbus

Aug. 6—Sustainability Subcommittee Webinar 2 p.m. Email jblankenship@amppartners.org for log-in information

Aug. 19—Project Update & Member Outing

Aug. 23—AMP Lineworkers Rodeo AMP Headquarters, Columbus

Aug. 28—AMP Finance & Accounting Subcommittee Meeting Johnstown, Pennsylvania

Sept. 8-12—Lineworker Training Basic 2 AMP Headquarters, Columbus

Sept. 11—AMP Finance & Accounting Subcommittee Meeting Piqua, Ohio

Sept. 22-26—Lineworker Training Advanced AMP Headquarters, Columbus

Oct. 5-11—Public Power Week

Oct. 6-8—Underground Training AMP Headquarters, Columbus

Oct. 27-30—AMP/OMEA Conference Hilton Columbus at Easton, Columbus

Oct. 28—AMP Finance & Accounting **Subcommittee Meeting** Hilton Columbus at Easton, Columbus

Dec. 4—AMP Finance & Accounting **Subcommittee Meeting** AMP Headquarters, Columbus

Update Classifieds

City of Marshall has opening for director of electric utilities

The City of Marshall (an RP3 community) is seeking a Director of Electric Utilities to manage the city's electrical production, distribution and metering departments. There are approximately 4,500 commercial, industrial and residential electrical customers. The successful candidate will be a people person with exceptional leadership skills and solid knowledge of overhead and underground electric distribution, transformers, meters, and budgeting. A full job description can be found at www.cityofmarshall.com.

Five to eight years of progressively responsible experience required. Municipal utility experience and bachelor's degree in related field a plus. \$70,000 - \$77,000 DOQ plus fringe benefits. Will report to the City Manager. Submit resume to Human Resources, 323 W. Michigan, Marshall, Michigan 49068. Equal Opportunity Employer M/F/H/V. Position open until filled.

Village of Clinton accepts applications for lineworker

The Village of Clinton has an immediate opening for a lineworker in its Electrical Department. A journeyman lineman is the preferred level of knowledge, skill, and ability; however, the village will consider those with some level of training and/or experience in the electrical field. Duties include being responsible for the operation, maintenance and construction of the village's municipal electric distribution system.

Must have a high school diploma or GED; have or can obtain a CDL driver's license; mechanical knowledge and experience operating equipment such as an aerial bucket truck, digger derrick truck, backhoe and power tools preferred. The successful candidate, if less experienced, must promptly complete the lineworker apprenticeship program and become a journeyman lineworker.

Clinton offers an attractive wage and benefit package. Salary is commensurate with experience.

Applications are available at the Village of Clinton website www.villageofclinton.org. Please submit a completed job application and resume by June 17, 2014, to Village of Clinton, 119 E. Michigan Ave., Clinton, Michigan 49236.

Tipp City seeks lineworker

The City of Tipp City Electric Department (TCED) is accepting applications for the position of Journeyman Lineman. TCED will be hiring up two journeyman lineworkers and may consider those that currently working through an apprentice training program.

Duties, under the direction of Electric Department Supervisors, will include but not limited to:

- Operation of equipment used in the construction and maintenance of energized electric circuits, i.e. bucket truck, digger derrick, trencher, wire stringing
- Working at heights from bucket truck and with

- climbing equipment.
- Physical labor in the construction and maintenance of city owned facilities.
- A Class A CDL with trailer certification will be required within six months of hire.
- Work on energized circuits up to and including 69,000 volts with proper safety equipment and tools.
- A minimum of four years' experience in outside electrical construction, maintenance and trouble shooting is required.

Periodic drug and alcohol testing will be required.

Work in inclement weather, on-call and non-traditional hours will be required.

Tipp City has an excellent wage and benefits package. Resume and application to City Manager's Office. Tipp City Government Center, 260 S. Garber Dr., Tipp City, Ohio 45371. Resume/application are due June 20, 2014. Tipp City is an Equal Opportunity Employer.

Danville is looking for electric substation superintendent

The Utilities Department is seeking an experienced candidate to perform administrative and expert technical support for the Substation and Meter Department as well as coordinating the dispatch/control of power supply. Electric substation superintendent will be responsible for preparing the budget and monitoring expenditures, programming; testing and calibrating all meters; handle customer complaints; providing technical support for meter technicians; supervise meter technicians, substation technicians and systems operators.

Qualified candidates will have the ability to read, understand, and interpret financial reports and/or legal documents; the ability to supervise, train, motivate, and discipline authorized personnel. Must have broad knowledge in a general professional or technical field or a bachelor's degree in related field. Possession of valid drivers license required. Starting salary range: \$56,993 -\$68,391/Annual. Position open until filled apply online: www.danville-va.gov Equal Opportunity Employer.

Coldwater sells load tap changer

The City of Coldwater is selling a load tap changer. Details are listed below. For more information please contact Charles Bauschard at 517.279.6907 or cbauschard@coldwater.org. Visit the Member Extranet section of AMP's website for more information.

- Manufacturer: Westinghouse
- Manufacturer Date: 1981
- Model: Oil-immersed UTT-B
- Oil Quantity: 360 gallons/1400 lbs
- Number of Positions: 33 (16L-N-16R)
- Operating Pressure: <0.5 psi and >5 psi
- Counter: LTC 1: 198,191 changes; LTC 2: 193,835 changes

PUBLIC POWER

CONNECTIONS

POWER SUPPLY 101: PLANNING AN ENERGY PORTFOLIO

How the market works and how utilities create unique power supply portfolios

he main types of power a utility needs to plan for are: baseload, intermediate and peaking. Baseload is the power that meets basic demand of everyday power use (24 hours a day, seven days a week). Intermediate power is used during the 16 highest demand hours (when people are using the most energy Monday through Friday). Peak power is when the demand for energy is at its very highest (generally late afternoon and during the hottest and coldest times of year).



Diversifying how communities get power. Utilities try to avoid the hourly markets because they are the most volatile. Increasing the number of ways a community gets its power helps avoid these markets.

Diversifying fuel types. Hydro, wind, solar, natural gas, coal and landfill gas are all different types of fuel. Having only one source of fuel would be like investing all of your retirement money into only one place.

Diversifying terms and products.

When utilities do buy power on the market, there are ways to diversify the terms, the products and the counterparties to mitigate risks.

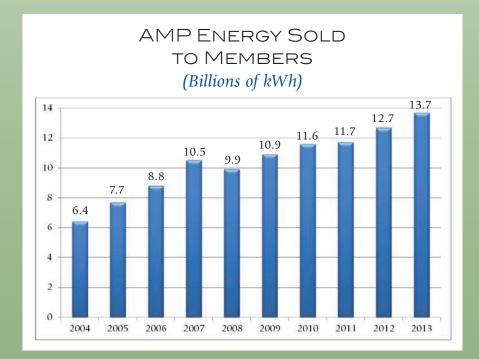
There are three major factors that drive the price of power: consumer

demand (weather/economy), generation prices (cost of producing and transmitting), and environmental and regulatory issues (both on the generation and fuel production side).

Almost every municipal electric community has to buy some power on the market, even those that generate, in order to be prepared for times of higher demand. Power can be bought hourly, daily, monthly or annually. Communities generally get power through:

- Hourly market electric purchases
- Generation (own power plants)
- Market contracts (bilateral deals: where both parties agree to the sale/purchase of energy for a set product, term and price)

Selecting the right combination depends on each municipal electric community. What works for one might not work for another. Diversification is what contributes to the overall goal of providing stable, lower rates.





A garage refrigerator will use 45 to 50 percent more energy in a 90-degree garage than in a 70-degree garage. If you truly need one, use an energy-efficient refrigerator, but you will definitely keep your usage down and save money by using your kitchen refrigerator.

ENERGY DEPOT: PERFORMING A MINI ENERGY AUDIT

nergy Depot is a web-based set of online energy tools for use by American Municipal Power, Inc. (AMP) member communities. Through Energy Depot, residential customers can calculate their overall energy usage and estimate costs and energy savings derived from various changes in equipment or energy efficiency/conservation improvements. Customers also have access to a wide range of home energy information topics, frequently asked questions and answers on home energy use. There is no charge to customers for using this Energy Depot service.



quickly a new water heater will pay for itself in lower energy costs. Energy Depot's Appliance Calculator can help you quickly determine estimated annual energy

tool compares the annual energy use and cost for

a range of water heaters. You can also learn how

use and operating costs for most household appliances and heating/cooling systems. Air conditioner costs are the biggest weather-related usage for the summer months.

Energy Depot offers these top five energy saving tips:

Through Energy Depot, Enercom has introduced Energy Snapshot, an innovative new version of auditing software that provides a high-quality home energy audit in five minutes or less. Energy Snapshot provides a comprehensive analysis of your home's energy use and will identify personalized cost-saving opportunities.

To utilize Energy Depot's services, please visit http://www.energydepot. com/ampohiores/.

In addition to helping you perform a mini energy audit for your home, Energy Depot provides tips on ways to lower your energy use and your energy bill.

Buying a new utility or appliance? Energy Depot has an Energy Library that can help you figure out what would be appropriate for your lifestyle.

There is also a Comparison Tool. According to Energy Depot, water heating is typically the second largest use of energy in your home. The

- When you replace your refrigerator, consider a high-efficiency model. Energy Star refrigerators are at least 15 percent more efficient than standard models. Models with a top or bottom freezer are also more efficient than side-by-side models.
- A dripping hot water faucet can waste enough water in a week to fill half a bath, so fix leaking faucets and make sure they're fully turned off.
- Using portable space heaters to warm chilly areas may allow you to keep the rest of your home at a cooler, more economical temperature.
- Check your thermostat's accuracy using a reliable thermometer. An inaccurate thermostat can increase your cooling costs significantly. Consider an electronic thermostat - they are more accurate than older models.
- Have your cooling system checked and tuned-up annually. A wellmaintained system will use less energy and last longer.

WHAT IS...? ENERGY EFFICIENCY

Energy efficiency encompasses all changes that result in a reduction in the energy used for a given energy service (such as heating or lighting). This reduction in energy consumption can be a result of technical changes, better organization and management, or improved economic efficiency in the sector (productivity gains).

Energy efficiency is practiced on all levels, from residential to commercial and industrial. It can be as simple as turning off and unplugging electric devices when they are not being used (computers, cell phone chargers, small appliances, etc.), to as complex as installing energy-efficient industrial heating and cooling systems.

The two main drivers to improve energy efficiency are financial and environmental. By reducing energy use, you will also reduce your energy costs, which can result in savings (the more you reduce, the more you



can save). Using less energy means less need to generate electricity, resulting in environmental benefits.

Learn more tips and information about energy efficiency and what you can do at www.efficiencysmart.org or http://energy.gov/eere/office-energyefficiency-renewable-energy.

