

---

# Memorandum

---

**To:** Mayor & Members of Council  
**From:** Monica Irelan, City Manager  
**Subject:** General Information  
**Date:** August 22, 2014

1. **CALENDAR**

2. **MONDAY, AUGUST 25<sup>TH</sup>**

- **AGENDA / Safety & Human Resources Committee Meeting @6:30 pm**
  - I. APPROVAL OF MINUTES – the minutes from the June 23<sup>rd</sup> meeting are enclosed.
  - II. REVIEW OF HIGHLAND AVENUE PARKING – we have enclosed a Memorandum from Chad with his recommendation.
- **CANCELLATION – Finance & Budget Committee Meeting**

3. **TUESDAY, AUGUST 26<sup>TH</sup>**

- **CANCELLATION – Civil Service Commission Meeting**

4. **WEDNESDAY, AUGUST 27<sup>TH</sup>**

- **AGENDA – Parks & Recreation Board @6:30 pm**

5. **FRIDAY, AUGUST 29<sup>TH</sup>**

- **AGENDA – Health Care Cost Committee @8:30 am**

6. **OML LEGISLATIVE BULLETIN August 15, 2014: Worker's Comp**

7. **E-Mails from Greg Heath:**

- **Mandel Endorsed by OSCPA; Supports Single Form Municipal Filing for Small Business**
- **HB5: Bill Could Save Taxpayers, Cities Say it Would Cause Drastic Cuts**

MI:rd  
Records Retention  
CM-11 - 2 Years

July 2014							August 2014							September 2014						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1	2							
6	7	8	9	10	11	12	3	4	5	6	7	8	9	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	21	22	23	24	25	26	27
27	28	29	30	31			24	25	26	27	28	29	30	28	29	30				
							31													

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>
<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
					Bisher - up North	Bisher - up North
<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
Bisher - up North	6:30 PM SAFETY & HUMAN RESOURCES Committee Meeting Bisher - up North	Bisher - up North	6:30 PM Parks & Rec Board Mtg. Bisher - up North	Bisher - up North	8:30 AM Health Care Cost Committee Meeting Bisher - up North	Bisher - up North
<b>31</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
Bisher - up North	HOLIDAY - Labor Day - City of Bisher - up North	6:15 PM TECHNOLOGY Committee 7:00 PM City COUNCIL Meeting Bisher - up North				

City of Napoleon, Ohio

## **Special Meeting**

of

## **Safety & Human Resources Committee**

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

### **Special Meeting Agenda**

Monday, August 25, 2014 at 6:30 PM

- I.    **Approval of Minutes** *(In the absence of any objections or corrections, the minutes shall stand approved.)*
- II.   **Review of Highland Avenue Parking**
- III.   **Any Other Matters Currently Assigned To Committee**
- IV.   **Adjournment**

---

Gregory J. Heath, Clerk/Finance Director

Special Meeting

of

**Safety & Human Resources Committee**

In Joint Session with

**City Council**

**Special Meeting Minutes**

**Monday, June 23, 2014, at 6:30 PM**

<b>PRESENT</b>	
<b>Committee</b>	Heather Wilson – Chair, Jeff Comadoll, Jeffrey Marihugh
<b>City Council</b>	John Helberg (President), Jason Maassel (President Pro Tem), Chris Ridley, Travis Sheaffer (arrived at 6:37 PM)
<b>City Staff</b>	Monica S. Irelan, City Manager Gregory J. Heath, Finance Director/Clerk of Council Jon Bisher, Special Projects Clerk Roxanne Dietrich, Administrative Assistant Morgan Druhot, Human Resources Director Scott Hoover, Water Treatment Plant Superintendent Lieutenant Ed Legg, Police Department Chad Lulfs, City Engineer Dan Wachtman, MIS Director
<b>Recorder</b>	Tammy Fein
<b>Others</b>	News Media; Rick Baden, Malinta; Max Fetterman, Liberty Center Mayor; Frank Godwin, Liberty Center; Robert Hastedt, Henry County Commissioner; Rex Huffman, Attorney representing Henry County Water/Sewer District; Glenn Miller, Henry County Commissioner; Jeff Nulton, Village of Florida; Nick Rettig, Henry County Water Sewer District; Tom VonDeylen, Henry County Commissioner
<b>ABSENT</b>	
<b>Members</b>	Ronald A. Behm, Mayor
<b>Others</b>	Trevor M. Hayberger, Law Director
<b>Call To Order</b>	President Helberg called the City Council meeting to order at 6:30 PM.
<b>Water Treatment Plant Presentation By City Manager</b>	<p>Irelan presented a Water Treatment Plant Presentation to Council, adding that all figures represented in the presentation are taken directly from the 2013 Preliminary Engineering Study; see attached.</p> <p>Irelan reported that the decision regarding the direction of the Water Plant is on an urgent basis, adding that the assessment process would take approximately six (6) months to complete.</p> <p>Irelan listed the four (4) available options and related estimated costs regarding the Water Plant:</p> <p>Option 1 – rehab the current Plant, adding the new processes with an estimated cost of \$11,804,700;</p> <p>Option 2 – build a new conventional Plant on the same site with an estimated cost of \$19,519,200;</p> <p>Option 3 – proceed with the new membrane Plant with an estimated cost of \$22,948,800;</p> <p>or</p> <p>Option 4 – buying water from other entities such as Defiance and Archbold with an estimated cost ranging from \$10,655,250 to \$21,310,500.</p>

**Water Treatment  
Plant Presentation  
By City Manager  
(Continued)**

Marihugh asked what flow rate the Plant would operate with the new processes; Ireland replied it should be comparable to what the Plant is running currently; Hoover stated the Plant is a 4.5 million gallon (MG) plant, however the current restrictions do not allow the Plant to run that hard, adding that realistically the Plant runs between 3.5 and 4 million gallons, and rehabbing the Plant would bring the Plant back up to the 4.5 million gallon flow rate. Helberg stated that it was originally explained to Council that if the plant was rehabbed, it would not be long before the Environmental Protection Agency (EPA) changes would be required; Ireland stated that would be true if the Plant were to be rehabbed in the current state, however adding the new processes would meet the EPA requirements. Hoover stated that the current Plant still does not meet the Long Term 2 (LT2) rule that was mandated October 2013; Hoover is attempting to get an extension on this rule that would go through October 2016, but this extension has not been granted as of yet due to the failure of the Pilot Study; the EPA does not know which direction the City will follow regarding the Plant, so an extension cannot be approved until this is decided. Ireland stated that she spoke with the Engineers regarding the quality of water from a membrane plant versus a lime soda plant, and the Engineers stated the quality of water would be the same with either process, adding that all the same EPA requirements will be met from either process. Helberg asked if there were any upcoming regulations to consider; Hoover does not believe there is other than the current LT2 regulation that is already in place. Hoover stated that there are algae regulations that may appear in the future but there is no guarantee that any of the options will meet this regulation. Hoover added that any process used, whether a membrane plant, a lime soda ash plant or a Granular Activated Carbon (GAC) plant, all include chlorine in the process, and once the chlorine is added, Total Trihalomethanes (TTHMs) will form.

Marihugh asked if Option 2, building a new conventional Plant on the same site, including pumping; Hoover believes it does include the electrical costs; Ireland does not believe that this includes the cost of raw water.

Ireland stated that a study completed by the American Water Works Association (AWWA) Research Foundation, Integration Of Membrane Filtration Into Water Treatment Systems, regarding Option 3, proceeding with the new membrane Plant, requires the use of many contractors since the equipment utilized for the process is so specialized, and many membrane plants were required to hire more employees due to the manpower required to operate the plant. Helberg asked if these costs were incorporated in the figure listed as a cost for Option 3; Ireland replied that it is not included in that figure.

Ridley asked Ireland to elaborate on the unacceptable Pilot Study; Ireland stated that the Pilot Study was rejected the first time that it was submitted and the City was under the impression that this was because more data was needed, however as of June 3 the EPA rejected the Pilot Study again recommending a second Pilot Study be submitted, meaning as of now, the current plan that was submitted is rejected by the EPA. Helberg asked what the EPA recommendations were for the second Pilot Study; Ireland stated the EPA is requiring far more concentration on pretesting of the raw water source, as well as concentrating on the pretreatment of iron and manganese. Hoover stated that the City has found significant amounts of iron and manganese through internal testing that was originally attributed to equipment failure and the use of ferric chloride in the Pilot Study; Hoover restated that the EPA rejected the Pilot Study, so if building a membrane plant is the option that is chosen, a new Pilot Study must be submitted. Helberg asked the timeframe for a new Pilot Study; Ireland stated a proper Pilot Study based on the AWWA report, the Study should be a year round report to test water temperature changes, run off seasons, and especially testing cold water which the original Pilot Study did not do. Hoover stated the original Pilot Study was for 2000 continuous hours, which included stale water during the times that water was not being brought in through the intake; Hoover suggested meeting with the EPA before another Pilot Study is completed to

discover the specific parameters to be met.

Irelan stated that the estimated cost regarding Option 4, buying water from other entities such as Defiance and Archbold, is based solely on the feet of pipe that would be necessary to get from the City Water Treatment Plant to the other entities, with an estimated cost of \$125 per foot of pipe. Irelan added that any water purchased must still be treated when it arrives at the City Water Treatment Plant; Hoover added that a form of GAC would be used, and Defiance is currently under a TTHM advisory within their city limits; Irelan added that the TTHM count would be even higher when it arrived here. Irelan also added that the right of way on Route 24 is not owned by Defiance or the City, and it may be quite a lengthy process to negotiate access to the right of way from the State; Lulfs added that the State is opposed to allowing this access. Irelan stated that she questions whether an agreement can be reached to run the pipe through Wauseon to get to Archbold, which results in the range of cost presented with this option; adding that according to the Fulton County Water Report, Archbold would need a raw water source, recommending the City, before any water could be sold to the City since the current raw water sources are drying up. Irelan added that Archbold also had TTHM issues that would increase when the water arrived here.

Helberg asked Irelan what the estimated rate increases to the water customers would be for each Option; Irelan stated that the Courtney study completed in 2011 estimated a 40% rate increase on the water bill with a \$15 million principal over thirty (30) years at 5.5% interest; Helberg added that this figure did not consider the City joining a Consortium; adding that the rates will increase even higher for City customers due to the loss of the surcharge revenue. Irelan stated that the assumed cost of rehabbing the current Plant is \$11 million, not the \$15 million as figured in the study. Irelan did not request that Courtney do any further studies until direction by Council was given. Ridley asked if the City must do a new pilot study if rehabbing the current plant or building a new conventional plant is the option that is chosen; Hoover does not believe so, there may be some research involved if a new process is involved for treatment. Irelan stated that the current plant has already been used in the treatment of water, and the EPA is aware that the raw water will work in this process, and this must only be proven in a new process. Ridley asked how much the first Pilot Study cost; Irelan replied \$352,000. Ridley asked if a new Study would be for an extended length of time; Irelan stated that she would request the new study to include an extended timeframe as well as testing of cold water, even if this was not required by the EPA; adding that she is worried about the cold water in the new membrane system; as there are certain plants that shut down the membrane portion of the plant in the winter because the water is too cold, and the City's Plant would not be able to shut down. Helberg added if the Plant runs off the reservoir during the winter, there is not enough storage space to warm the water in the winter; Hoover added the City is under an obligation to pump one (1) million gallons per day to Wauseon.

Marihugh asked if a plant is built with the consortium, what would the City's estimated stranded costs equal on the MIEX System; Irelan believes that at the end of December 2014, the balance would be approximately \$2,725,000; Marihugh asked Heath how this cost would be handled; Heath replied that this issue has not yet been addressed with the consortium.

Wilson asked why the membrane plant option was originally chosen over the other options since the membrane plant seems to be so risky; Bisher replied that he does not believe the membrane plant option to be risky as there are other communities that run membrane plants, including Delta, Upper Sandusky, Bowling Green, and Paulding, even though lyme soda is the proven technology. Bisher stated that Brian O'Connell, Bowling Green Utility Director, stated that even though his employees do not like to run the membrane plant, however O'Connell does not believe that Bowling Green could meet

**Water Treatment  
Plant Presentation  
By City Manager  
(Continued)**

the TTHM requirements without the membrane; Bisher added that the membrane plant is shut down in the winter at Bowling Green but not at Upper Sandusky or Paulding. Bisher stated the technology seemed like the best option versus conventional; Bisher does not believe that rehabbing the current plant is going to work due to the condition of the plant. Bisher stated that he agrees with the data that Irelan presented, even if there were different assumptions two years ago when this project was started; the critical decisions at the time involved working with the consortium, and not debting out the cost of the project. Bisher stated that having control over the cost of water is a major concern as well, adding that the cost of the water is important to the Economic Development of the area, having reasonably priced water could attract new business, even if it seems high to residents. Bisher stated that the issue of what to do with the MIEX equipment if that process is abandoned was never resolved; Hoover spoke with Burr Oak State Park, the first MIEX plant, and their MIEX equipment after being for sale for a number of years was eventually sold at the scrap metal price; Hoover added that the push on MIEX technology is fading; Bisher stated that the MIEX process also works much differently in the cold than in the summer; Hoover added that there will be some changes to the process that will result in significant decrease in cost over the next year; Bisher stated that realistically the MIEX equipment will not bring revenue, and there are operational cost savings to moving to a different process. Hoover has researched this with other plants, and membrane processes are not inexpensive and GAC must be recharged and regenerated; adding that all processes involve a cost. Hoover stated that Bowling Green budgets \$150,000 per year for membranes and believes that figure should be higher, and Delta has recently reported that they are having trouble with their membranes as well.

Irelan reminded Council that, even though there are issues with each option, her priority is to get the best quality water for the least expensive cost for the customers.

Ridley asked if a new conventional plant was built or if the current plant was rehabbed, would the MIEX process continue to be used; Hoover does not believe that MIEX will have a longterm life and recommends phasing it out and reusing the contactors and tanks for pretreatment purposes and sell off the other equipment. Helberg asked if the processes added in the rehab of the current plant will do away with the need for the MIEX process; Hoover stated the processes added would do away with the need for MIEX. Helberg asked if anyone researched the Paulding membrane plant since they operate over the winter; Hoover replied that Paulding is experiencing damage due to a wrong chemical being used, adding that he has spoken with Delta, Upper Sandusky, and Bowling Green; Upper Sandusky recently had to change out all of their membranes due to cracking in December, and Bowling Green only uses 15% membrane processed water, with the rest being lime soda ash processed water; Hoover added that Bowling Green recommended choosing a GAC process.

Wilson believes that the membrane plant seems too risky including the cold water issues; Sheaffer agrees. Bisher stated that he asked O'Connell what process he would choose, and O'Connell replied that if he 'had to build the plant over, he would build a membrane plant'. Marihugh asked if O'Connell had ever made water; Bisher replied that O'Connell is the Utilities Director, not an Operator. Hoover asked what will happen when the membranes don't work on a cold day or if the water cannot run through the plant because the membranes are plugged; adding that the other membrane plants have a backup system which is an advantage that the City will not have. Hoover stated that the water source changes dramatically every day, adding that he has doubts if the plant would work when the water is too cold. Bisher stated that the EPA requires a certain water quality through our system and does not want the City to pay millions of dollars for a plant that does not work; the EPA is concerned with the process as it is drawn up now. Hoover agrees with the EPA, adding that he believes that they are looking out for the benefit of the City.

**Water Treatment  
Plant Presentation  
By City Manager  
(Continued)**

Frank Godwin, Village of Liberty Center, stated that the Pilot Study states that the Plant will not treat Maumee River water; and Godwin believes it will not be affordable to build this type of plant; Godwin agrees with Hoover and the Operators who have ran the Water Treatment Plant for the last twenty eight (28) years.

Helberg asked if the new conventional plant would be the best option over rehabbing the current plant based on the length of time the different plants would last; Ireland stated that according to the studies, the rehabbed plant would last as long as a new plant, as both options are designed to have a lifespan of forty (40) years, but the value of the asset of the rehabbed plant at the end of forty (40) years will not be as high as if the new plant were built.

Maassel suggested eliminating Option 4, buying water from other entities.

Wilson asked if there was a benefit to building a new conventional plant and using the current plant as a backup; Hoover stated that the rehab will completely restore the current plant to new condition, along with additional processes being added. Hoover added that according to the engineering firm that did the 2011 study, the current building is in adequate condition. Goodwin asked if TTHMs are down to zero (0); Hoover stated he was not certain since membranes were the focus of the studies. Maassel asked Hoover for his recommendation regarding these options; Hoover recommends rehabbing the current plant and putting in the new treatment processes and saving approximately \$10 million, adding that the rehab process will not be easy but will be cost effective. Hoover recommended some other changes to the current plant if rehabbing is the option chosen, including aeration in the clearwell and in the elevated towers. Sheaffer asked Hoover if he could make the current plant work during the rehabbing process; Hoover believes that he and the Operators can make the plant run during the rehab and Hoover has some ideas regarding building the rehab in stages. Hoover stated that there is technology that can assist the current plant. Ireland stated that she backs Hoover completely; Helberg stated he was just making sure this option was a feasible one. Sheaffer stated that he is inclined to go with Hoover's recommendation to rehab.

Wilson asked how the other Consortium members felt about this option; Godwin believes that Council should listen to the Operators since they produce the water and operate the plant on a daily basis. Godwin asked if the Consortium would remain the same if a different option was chosen; Helberg added that Godwin's recommendation of listening to the Operators is how the City originally ended up with the MIEX process, which the City is now trying to get rid of. Ireland stated that Hoover improves the MIEX process every day; Helberg agreed, adding that the testing done by Hoover has really improved the performance of the MIEX process.

Heath asked if rehabbing the facility includes the tower; Ireland stated that it does and she believes it also includes improvements to the VanHynning pump and station. Bisher asked if the plant will be a consortium plant or City plant. Godwin reminded Council that an agreement has already been signed in which the City agrees to be part of the Consortium and asked if that would remain the same if a different option is chosen other than the new membrane plant; Helberg stated there is an agreement stating all parties are working together, with a buyout clause for each party; Ireland stated it is a forty (40) year agreement with an early termination clause of three (3) years with written notice and a buyout of the party's total share must be received. Sheaffer stated he would like to stay in the consortium adding that this keeps the prices lower by sharing the cost; Marighugh stated he is opposed to 'giving away City assets'. Ireland stated that the agreement gives the asset of the Water Treatment Plant and the tower to the County, removing the assets from the City financial statements. Helberg believes the City should stay with the Consortium. Heath suggested addressing the issues of the ownership of the assets and the 25% upcharge in order to remain in the consortium; Sheaffer agreed, adding that the

**Water Treatment  
Plant Presentation  
By City Manager  
(Continued)**

agreement could be restructured. Sheaffer asked why the assets were originally to be turned over to the County; Bisher replied this was written this way to get the debt off the City's books, and the anticipated assessments for the project could only be completed by the County. Sheaffer asked if an assessment is still a viable option; Bisher replied that an assessment could only be an option if the County has ownership of the facility. Bisher stated there could be stranded costs if the City leaves the Consortium and the other members of the Consortium will purchase water from an entity other than the City after the current contracts are honored. Wilson believes that no Council member has yet suggested leaving the Consortium. Nick Rettig, Henry County Water Sewer, stated that the same issue was encountered with McClure; McClure wanted the Consortium to purchase the current system and the Consortium was willing to do that, however the cost of the system was added back to the water bills. Heath stated if the County assumes ownership of the facility, ownership would include the MIEX process. Heath asked the status and amounts of any United States Department of Agriculture (USDA) grants and if the USDA was willing to finance a rehab of the current facility; Rettig believes that the USDA is willing to finance any of the options although no specific figures have been set. Heath suggested that a new Water/Sewer district could be formed instead of a consortium which may give more balanced control on the Board, since the City remains 80% of the product as well as 80% of the cost, and having a vote equal to 80% should be a serious consideration. Helberg asked what the differences are between a Water/Sewer district and a consortium; Rex Hoffman, Attorney representing Henry County Water/Sewer District, believes forming a regional district water service district to control votes and services is a viable option and Ohio Revised Code Section 6119 allows for this; adding that the district could only be for water not sewer, and this would allow for assessment and gives flexibility to the City, and the citizens become the customers. Heath stated that Bond Council has never seen a consortium created in this manner, but they have seen a Water/Sewer district. Heath added that forming a regional Water/Sewer district under the Statute becomes its own political and legal entity solely for the purpose of water distribution and this entity would still be allowed to assess, and the makeup of the Board becomes independent of the City.

Helberg stated that the current agreement was to keep the consortium together working toward a solution and then working toward an operational agreement; Heath stated that the Water/Sewer district would take ownership from the County, Heath believes it was originally the County's intent to be mediator in combining all the entities in this project, however a formed district would become an entity unto its own and the County would not be involved; Sheaffer agrees with Heath's suggestion of forming a regional Water/Sewer district; Heath reminded Council that the Henry County Water/Sewer District would be a member of the newly formed regional Water/Sewer district. Ridley asked why this arrangement was not pursued in the first place; Bisher stated this option was previously discussed, at one time this was a County water district with a County board that must approve all changes including running water lines; the Commissioners were tired of approving these changes and the format was changed to a regional water district; Heath added they are only distribution. Hoffman stated part of the purpose of forming a regional Water/Sewer district is to save cost, adding that there are two (2) current regional Water/Sewer districts and adding a third would lose the benefit of having economies of scale; Hoffman added that the consortium can work, but the hurdle is getting the constituents to agree regarding billing. Helberg stated that if the City loses customers, the rates will increase; Hoffman stated that Henry County was the source chosen for water. Sheaffer stated his concern of turning this project over to the County is that past Commissioners have not remembered that the City is a vast majority of the population, and Sheaffer prefers to keep a measure of proportional control; Godwin stated there would be a voting member of every community on the Consortium regarding rates. Helberg restated the issue of concern is that the City would only have one (1) vote like all other members, although comprising 80% of the population and cost; Helberg asked if the agreement regarding consortium voting could be modified.

**Motion To  
Direct The City  
Manager To  
Discuss The  
Options Of  
Rehabbing The  
Current Facility  
And Remaining  
With The  
Consortium With  
Balance Of  
Representation  
With The  
Consortium**

To direct the City Manager to discuss the options of rehabbing the current facility and remaining with the Consortium with balance of representation on the Board with the Consortium

Marihugh restated his opposition to staying in the Consortium; Marihugh asked who would pay to feed Malinta, Florida and other systems if there was an issue; Helberg stated this was discussed at a previous Consortium meeting; the stranded costs would be allowed to be rolled into the debt, either through the rates or through the Capital Improvement Project. Marihugh stated that if repairs are not made timely, there will be an issue with the water. Bisher stated that the Consortium agreement covers the facility as well as the large water tower and the City keeps the small tower. Heath added that the distribution lines with no connection to the master meters must be discussed with the Consortium regarding ownership.

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

Heath believes Irelan needs direction on how the consortium should be set up; either keeping the Consortium as it is now or creating a regional separate district. Marihugh asked who can come to the Consortium meetings; Helberg replied it is a working group, and attendees not on the Consortium must be invited by Irelan. Marihugh asked when minutes would be recorded; Marihugh believes most decisions have been made using the 'cloak and dagger' approach; Helberg does not believe any decisions have been a secret, and Irelan is being open with the decisions, Heath and Hayberger attend most of the meetings as well, Helberg believes Council does not need to politically monitor each meeting; Maassel and Sheaffer agreed. Sheaffer added that all meetings so far have been exploratory and no decisions have been made.

## Changes To The Personnel Code

Page 7 of 15

Wilson recapped the issues presented and tabled regarding the changes to the Personnel Code:

1. Cell phone and internet benefit as related to the Human Resources Director position; Wilson stated that this position is a Department Head position, meaning that Ireland has final decision regarding the reimbursement of these benefits for the Human Resources Director position, however Wilson requested that Ireland evaluate the necessity of any reimbursement for any position, as reimbursements are options, not mandates.
2. Special wording for permanent parttime benefits; Wilson stated that the Safety & HR Committee previously agreed unanimously to delete this wording as the Committee believed the wording targeted one (1) specific position and showed favoritism toward a parttime employee; Wilson was concerned about the precedent this wording would set for other parttime employees.

Helberg stated that the City tried to reduce cost for Obamacare through the parttime positions, such as staying under a certain number of hours; Helberg added that the more administrative based parttime positions may need the cell and internet reimbursement due to the scope of the job, adding that fulltime positions also have different benefits offered depending on the position, and the same could be done with the parttime positions. Wilson asked what different benefits were offered to fulltime positions; Ireland stated that not all fulltime positions have the same benefits, and gave the example that some fulltime positions, at the time of hiring, were given the benefit of taking their vacation time upfront even though this practice did not follow the manual at the time; Ireland added that this is why there would be a clause in the Personnel Code allowing Ireland to bring a Resolution before Council requesting benefits outside the Personnel Code as Ireland deems fit for individual newly hired positions. Heath cited the example of when he was hired; Heath had accrued vacation and sick time previously that Council provided for him to bring to the position; Sheaffer added that a computer was purchased for Bisher from the Community Improvement Corporation (CIC) when he was newly hired. Heath stated the cellphone and internet benefit are decisions of the Appointing Authority at their discretion.

Wilson stated that she is concerned with the inconsistency, adding that she has researched this issue and according to the reports that she read, the lack of consistency causes low morale; Wilson believes that allowing for different benefits for different employees is not being fair and equitable, adding that she believes that because an employee has a license does not mean they are a better employee; Wilson believes the City must be more diligent about being consistent. Sheaffer stated that Ireland has a hiring range in pay for any position; Wilson stated that pay ranges are different than benefits, and Wilson believes the pay range gives Ireland the flexibility that she is requesting in the hiring process. Wilson believes the inconsistency in benefits will cause employees to become disgruntled, adding that it will cost more to train the turnover due to disgruntled employees. Ireland stated there is a difference between being fair than treating everyone the same, adding that fairness should be based on experience and education, not the position.

Ridley asked for clarification regarding any atypical employment benefit offer being required to be approved by Council; Heath replied yes, and this change allows for contracts to be negotiated for different employees; adding that the previous Personnel Code precluded Council from having separated employee contracts; Heath believes that limiting or reducing benefits will tie the hands of Council regarding hiring future employees. Heath stated that the unionized bargaining agreements do not cover every issue, and the Personnel Code covers the items that are not covered in those agreements, adding that Heath believes this should be covered for future agreements; Ireland made the distinction that all employees in a unionized contract are considered to be all treated the

**Changes To The  
Personnel Code  
(Continued)**

same, unless it is stipulated otherwise, however nonunion employees are not all treated the same, and Irelan believes that the flexibility is necessary. Sheaffer reminded the Committee that each atypical benefit request will come before Council for decision on an individual basis; Sheaffer believes that it is important to give the City Manager the authority to hire better employees with the flexibility this will afford. Wilson stated the additional benefits will increase cost to the City; Irelan stated that it will allow the City to lower the salary base which is what vacation and sick time benefits are based on, and this may save the City money. Irelan stated that some employees would rather have time off instead of extra pay, and this will also save the City money. Helberg stated that the rollups must be saved; Sheaffer believes that these atypical benefits will not be the norm, and Council can control this issue as the final decision maker.

Comadoll stated that after Bisher was hired as Special Projects Clerk with negotiated benefits, there was a parttime employee who asked Comadoll if these benefits would be for all parttime employees, to which Comadoll explained those benefits were negotiated for the individual, not all parttime employees. Irelan stated that Council gave the cellphone and internet benefits to their employee so Council could reach him as they deem necessary; Irelan added that she does not need to get in touch with the parttime employees who are not receiving these benefits, and that is why they are not receiving these benefits. Irelan stated the Human Resources Director permanent parttime position is a Department Head earning these benefits; Sheaffer suggested opening the benefit to all permanent parttime employees with a caveat attached for the education benefit; Irelan does not believe it is the responsibility of the City to pay for the education of all employees, and believes the education benefit should be used to promote employee training. Heath added that the Finance Department has one of the larger travel and training budget, and the issue is making up efficiency through training and education; Heath encourages his employees to take advantage of the employee education benefit, and currently has only one (1) employee using it. Heath suggested that education enhances the department; Sheaffer believes there is a difference between professional development and a full college degree being paid for; Heath was here when this original policy was passed, and the theory behind the policy is that education of the employees makes each Department and the City as a whole more efficient; Sheaffer is open to allowing this benefit for all permanent parttime positions. Wilson stated that the City should not be the steppingstone for employees and must figure out why this is the case; Heath believes this is due to pay and benefits; Wilson believes this is due to inconsistency, poor working conditions and the employees believing that they are not being treated well. Irelan stated she and Druhot are researching the issues causing employees to leave.

Ridley asked if education is covered in the union contract; Irelan stated that parttime firefighters are nonunion. Ridley asked if the Committee was requesting that different permanent parttime employees with different job descriptions all be treated the same; Wilson asked if the parttime firefighters were not union because they are parttime; Irelan stated that it is rare to have any parttime positions in a union though some positions were grandfathered into the American Federation of State, County, and Municipal Employees (AFSCME) union, however Irelan believes the reason they are not unionized was due to a management decision regarding negotiated items that do not pertain to the parttime positions. Irelan stated there are legal guidelines and has never worked for a City with unionized parttime employees until now; Irelan is asking for flexibility to provide different benefits to different positions. Wilson stated that there are two issues; flexibility and parttime positions; Helberg asked if both issues were covered in the written language of the Personnel Code; Wilson believes the specific language regarding permanent parttime employees was geared toward one (1) position which is why the Committee decided to have it struck out. Marihugh asked if the job description book has been updated recently; Irelan stated there have been approximately four (4) revisions; Marihugh asked if the job descriptions have the correct information; Irelan stated they

**Changes To The  
Personnel Code  
(Continued)**

have been revised and updated, and per Policy these have been sent to the unions to be checked.

Irelan stated that the first change listed to the Personnel Code was suggested by Hayberger, adding the original language was struck out, leaving the rule that any benefit agreement outside of the Personnel Code will come before Council for approval. Wilson believes this wording to be vague, adding that she is concerned that the former City Manager spoke out of turn and now Council is responsible for promises that should not have been made. Helberg stated this issue was addressed at the budget meeting and was not rewritten into Personnel Code until now; Council agreed that there had been extensive previous discussions regarding the Human Resources Director position; Heath stated that benefits were not discussed at that time. Irelan reminded Council that the changed clause would have forced the requested benefits, although approved through the Budget, to be brought before Council for final approval; Maassel and Sheaffer agreed with this change. Wilson asked if everyone without a standard contract will get the same benefits; Irelan stated no. Wilson believes that the benefits must have a specific layout; Irelan stated that the specific benefits are spelled out in the Employee Manual. Sheaffer summarized that newly hired nonunion employees coming in at different positions will start with the same benefits regarding sick and vacation time, unless negotiated and brought before Council for approval. Wilson asked if Council must approve negotiated benefits for parttime and fulltime newly hired employees; Irelan restated that any language outside of the Personnel Code must be brought before Council for approval whether it is for parttime or fulltime employees. Marihugh asked if there was a mandate regarding newly hired employee benefits; Heath stated this is statutory, and the Ohio Revised Code mandates sicktime only. Lulfs stated that he has a parttime Engineer that is used occasionally on major projects, who uses his computer at home to save cost; this Engineer is not offered the cellphone and internet benefits, but Lulfs can see how offering these benefits to this Engineer could potentially benefit the City.

**Safety & HR  
Motion To  
Approve The  
Language  
Change To The  
Preamble Of The  
Personnel Code**

Motion: Wilson Second: Comadoll  
To approve the language change to the Preamble of the Personnel Code, Section 197.01(a)

**Passed**  
**Yea- 3**  
**Nay- 0**

Roll call vote on above motion:  
Yea – Marihugh, Comadoll, Wilson  
Nay –

Irelan reminded the Committee and Council that the fulltime hours are still defined at thirty (30) hours due to the Obamacare issue; Heath added that this language was defined due to hospitalization, however the Fair Labor Standards Act (FLSA) rule requires 37.5 hours to be fulltime. Irelan stated this change also redefines the title of ‘temporary employee’.

Irelan stated that the change to Section 197.11 was a change in language from Safety Committee to Safety Work Group, eliminating the public meeting requirements since this body will not make decisions.

Irelan stated the next change regarded Section 197.14, Subsection (d)(5); mirroring the AFSCME contract regarding the practice of ‘pyramiding time’, and changing the minimum callout paid time from two (2) hours to one (1) hour. Irelan stated the next change was in the same section, changing any wording regarding overtime from eight (8) hours per day, to forty (40) hours per week.

**Safety & HR  
Motion To  
Recommend  
Council Approve  
Changes To  
Personnel Code  
As Presented**

**Passed**  
**Yea- 3**  
**Nay- 0**

**Council Motion  
To Accept Safety  
& HR Committee  
Recommendation  
To Approve  
Changes To  
Personnel Code**

**Passed**  
**Yea- 7**  
**Nay- 0**

**Changes To The  
Employee Manual**

Motion: Wilson                      Second: Marihugh  
To recommend Council approve all changes to the Personnel Code as presented

Roll call vote on above motion:  
Yea – Marihugh, Comadoll, Wilson  
Nay –

Motion: Ridley                      Second: Sheaffer  
To accept Safety & HR Committee recommendation to approve all changes to the Personnel Code as presented

Roll call vote on above motion:  
Yea – Comadoll, Wilson, Ridley, Maassel, Helberg, Sheaffer, Marihugh  
Nay –

Irelan distributed the Employee Manual with the previously discussed changes to the Safety & HR Committee and Council; see attached.

Irelan stated the first change was Policy 2.2; defining that only regular fulltime employees are entitled to benefits, and changing the fulltime hours definition from 37.5 to thirty (30). Wilson stated this Policy lists the benefits on a base level before negotiation of any other benefits to be brought before Council.

Irelan stated the next change was Policy 3.5; Irelan sent Druhot and Hayberger to a Human Resource law seminar which recommended this language. Ridley suggested striking the language regarding sexual orientation until this language is defined by State law. Wilson suggested finding out any language requirements from the State before editing the language; Sheaffer stated that sexual orientation is not a protected class. Heath believes there will be a timing issue regarding the passing of the Legislation; Irelan suggesting giving protection to the same classes as the State, leaving it unspecific.

**Safety & HR  
Motion To  
Amend The  
Policy 3.5 Change  
To Mirror State  
Law**

**Passed**  
**Yea- 3**  
**Nay- 0**

Motion: Wilson                      Second: Comadoll  
To amend the change to Policy 3.5 to mirror the language of State Law requirements

Roll call vote on above motion:  
Yea- Marihugh, Comadoll, Wilson  
Nay-

Irelan stated that the language in the Employee Manual regarding overtime will be changed to match the language in the Personnel Code; changing any reference of eight (8) hours per day to forty (40) hours per week.

Irelan stated the next change was Policy 4.6; adding language requiring timesheets to be turned in by 10:00am on the following business day if a holiday falls on a Monday. Heath added this is due to the Automated Clearing House (ACH) standard processing change; previously this could be processed in one (1) day, however Federal law now requires a two (2) day processing period.

Irelan stated the next change was Policy 5.5; adding the language of 'no artificial hair colors outside of the norm'; Irelan stated this change was a recommendation from the Human Resources law seminar attended by Druhot and Hayberger.

Irelan stated the next change was Policy 5.6; adding a zero-tolerance policy for drugs and alcohol, and adding information regarding the current random drug testing policy to the Manual.

Irelan stated the next change is Policy 5.7; adding the language of theft to the list of unacceptable activities.

Irelan stated the next change is Policy 5.10; adding standard language regarding a weapon policy, with the rules regarding a Conceal Carry permit defined. Helberg asked Irelan if she was aware that the City will take on some potential liability from the Policy; now that the right to carry a permitted weapon has been taken away, if harm occurs the City will be more liable for the individual's safety; Lieutenant Legg stated that the Ohio Conceal and Carry permit does not allow a weapon in any government building; Ridley asked if a Conceal and Carry permit is different than an Open Carry permit; Irelan stated that neither permit allow weapons in government buildings. Irelan stated this policy is to keep employees from carrying weapons into the workplace. Lulfs asked if this included an employee vehicle; Irelan stated this does include employee vehicles. Legg reported that when transporting a firearm, State law requires the firearm to be secured and the ammunition be secured separately; adding that the exception to this law is the Conceal and Carry permit. Legg explained that an empty firearm must be secured and not readily fireable. Sheaffer stated that the Conceal and Carry permit language states that a weapon in a vehicle is secured if the door is locked. Wilson is concerned about future issues regarding weapons in the parking lot on city property; Irelan stated there is signage posted regarding this. Heath stated that word 'company' should be changed to 'City facilities'.

**Safety & HR  
Committee  
Motion To Direct  
The Law  
Director To  
Amend Policy  
5.10 For Liability  
Reasons**

Motion: Wilson Second: Comadoll  
To direct the Law Director to amend Policy 5.10 for liability reasons

**Passed  
Yea- 3  
Nay- 0**

Roll call on above motion:  
Yea – Marihugh, Comadoll, Wilson  
Nay-

Irelan stated the next change is Policy 6.5; Druhot stated that it is recommended not to tell employees that all information regarding harassment complaints will be kept confidential as some information is required to be shared; Ridley asked if the word discretion could adequately replace confidentiality or should it be more defined; Irelan stated that 'use of discretion shall be used by all parties' will be added.

**Safety & HR  
Motion To**

Motion: Wilson Second: Marihugh  
To adjust the wording of discretion

**Adjust The  
Wording Of  
Discretion**

**Passed**  
**Yea- 3**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Marihugh, Comadoll, Wilson  
Nay-

Irelan stated the next change is Policy 7.3; Wilson stated that the additional fee was explained at the last meeting by Chief Bennett to allow calls to be made if cell service is lost; Lulfs added there is a special code required to use this service.

Irelan stated the next change is Policy 7.6; eliminating permanent parttime employees from receiving the internet reimbursement benefit.

Irelan stated the next change is to Policies 7.12 and 7.13; Heath addressed the issue of insurance coverage on City employees using personal property; this is the language from the insurance company which they suggested adding to the policy.

Helberg asked if the Police Department vehicles should be provided with Bluetooth connections to avoid being on their cellphones while driving; Heath believes the Police should be provided with hands-free access if this is a safety issue. Heath believes the Police Department should be properly equipped to follow the law properly; Helberg believes the City Manager should have the discretion to buy the Bluetooth kits for the Police cruisers. Legg stated that the law that enables the Police Department to speed to enforce laws is the same law that allows the Police Department to use their phones to enforce laws. Ridley stated that reference to Ohio Revised Code (ORC) regarding technology should be added; Heath stated this is the insurance wordage recommended by the insurance company. Wilson stated that the Police Department may be exempt, but believes the Policy may not be clear enough regarding other employees; Heath stated this a liability issue and the City will be less secured from a legal liability standpoint, making the employee disciplinable for not following this Policy; Ridley added that this wordage regarding the ORC is already defined in this Employee Manual.

Irelan stated the next change is to Policies 7.17, 7.18, and 7.19; adding language regarding use of personal property for City use.

Irelan stated the next change is to Policy 8.10; deleting the language regarding three (3) marks of exceeding standards that would cancel one (1) mark of not satisfactory.

Irelan stated the next change is to Policy 10.16; adding language suggested from the Human Resource Law seminar.

Irelan stated the next change is to Policy 15.14; adding language defining the step by step process for requesting Family and Medical Leave Act (FMLA) leave.

Irelan stated the next change is to Policy 19.1; changing the grading scale from letter grade to a percentage scale; Wilson added this more closely matches some of the contract wording.

Irelan stated the next change is to Policies 21.1 and 21.2; changing the employee appreciation program from twice per year to once per year during the summer months. Sheaffer suggesting keeping the fifty percent (50%) discounted rental for fulltime employees in the manual; Irelan gave the history of this benefit being added in 1983/4 as there were no raises given and this benefit was given in lieu of raises to all fulltime and parttime employees, excluding volunteer firefighters, City Council and the Mayor. Irelan

added that the Parks & Recreation Board wants to delete the first half of this benefit and keep the second half but changing the wording from 'at no cost' to 'give the City Manager the discretion to determine the cost'; Maassel agrees with the Board. Ireland stated employees have generally not used the benefit in the last two (2) years, and this benefit was negotiated out of the AFSCME contract. Helberg stated that the union negotiated this benefit out of the contract for wage increases, and the nonunion employees are getting generally the same wage increases. Heath stated the issue is the parks fundability of the Recreation programs and this is a loss of revenue to those programs. Ireland stated that the fifty percent (50%) discounted rental fee is still in the Fire Department contract but this is not available for the Golf Course. Heath stated that utilization has evolved to a minimal level; Helberg stated he has received a lot of complaints from the public referring to the City employees receiving this benefit. Heath noted that the Safety & HR Committee does not have enough votes to make a motion to recommend out any changes, since Wilson and Marihugh would be required to abstain from the vote.

**Council Motion  
To Approve  
Changes To  
Policy 21.2 As  
Presented**

Motion: Maassel Second: Ridley  
To approve changes to Policy 21.2 as presented

**Failed**  
**Yea- 3**  
**Nay- 2**  
**Abstain- 2**

Roll call vote on above motion:  
Yea-Ridley, Maassel, Helberg  
Nay- Comadoll, Sheaffer  
Abstain- Marihugh, Wilson

**Policy 21.2 Defaults  
Back To The  
Original Language**

Heath noted that Policy 21.2 will default back to the original language due to the Failure of the Motion.

**Safety & HR  
Committee Motion  
To Recommend  
Council Approve  
The Employee  
Manual With  
Changes As  
Presented**

Motion: Wilson Second: Comadoll  
To recommend Council approve the Employee Manual with changes as presented

**Passed**  
**Yea- 3**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Marihugh, Comadoll, Wilson  
Nay-

**Council Motion To  
Direct The Law  
Director To Draft  
Legislation  
Regarding The  
Changes To The  
Employee Manual  
As Presented**

Motion: Ridley Second: Maassel  
To direct the Law Director to draft Legislation regarding changes to the Employee Manual as presented

**Passed**  
**Yea- 7**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Comadoll, Wilson, Ridley, Maassel, Helberg, Sheaffer, Marihugh  
Nay-

Heath believes the changes to the Personnel Code and the Employee Manual should follow the three (3) reads thirty (30) days requirement to give employees time to read the changes and vocalize their opinions if they choose to do so; Sheaffer agreed.

**Approval Of  
Minutes**

Minutes of the May 27 Safety & HR Committee meeting stand approved with no objections or corrections.

**Safety & HR  
Motion To Adjourn**

Motion: Comadoll                      Second: Marihugh  
To adjourn the meeting at 10:14 PM

**Passed**  
**Yea- 3**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Marihugh, Comadoll, Wilson

**Council Motion To  
Adjourn**

Motion: Ridley                      Second: Maassel  
To adjourn the meeting at 10:14 PM

**Passed**  
**Yea- 7**  
**Nay- 0**

Roll call vote on above motion:  
Yea – Comadoll, Wilson, Ridley, Maassel, Helberg, Sheaffer, Marihugh  
Nay –

---

Heather Wilson, Chairperson



# 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](http://www.napoleonohio.com)

## Memorandum

**To:** Monica Ireland, City Manager  
**From:** Chad E. Lulfs, P.E., P.S., Director of Public Works  
**cc:**  
**Date:** August 22, 2014  
**Subject:** Highland Avenue Parking

As requested we have reviewed the on-street parking on Highland Avenue. There does not appear to be, nor has there ever been, an Engineering justification for the parking to be on one side or the other. The side to allow parking was arbitrarily selected many years ago.

As previously discussed at City Council, the situation in this area has changed since the establishment of regulated on-street parking. The United States Postal Service has mandated that mailboxes be erected on the same side as the allowed parking. This has caused interruptions in the mail service due to parked vehicles blocking the drive-up access for the postal carrier vehicles.

After objectively considering the situation, it is my recommendation to change the permitted on-street parking to the opposite side of the street. Trying to regulate the parking on this street by not allowing parking during certain periods of the day would require a police presence to enforce this regulation; this may not always be possible. Changing the side of the street on which parking is allowed could cause residents in other areas of town to request that the on-street parking be changed on their streets. If this occurs, we will consider each one on a case-by-case basis.

CEL

# Memorandum

**To:** Finance & Budget Committee, Council, Mayor, City Manager, City Law  
Director, City Finance Director, Department Supervisors, Media  
**From:** Gregory J. Heath, Clerk of Council/Finance Director  
**Date:** 8/19/2014  
**Re:** Finance & Budget Committee Meeting Cancellation

---

The Finance & Budget Committee meeting, regularly scheduled for Tuesday, August 25, 2014 at 6:30 PM has been CANCELED due to lack of agenda items.

# Memorandum

**To:** Civil Service Commission, Council, Mayor, City Manager, City Law Director,  
City Finance Director, Department Supervisors, Media

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

**Date:** 8/19/2014

**Re:** Civil Service Commission Meeting Cancellation

---

The regular Civil Service Commission meeting, scheduled for Tuesday,  
August 26 at 4:30 PM, has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

## **PARKS & RECREATION BOARD**

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

### **Regular Meeting Agenda**

Wednesday, August 27, 2014 at 6:30 PM

1. Call to Order
2. Approval of Minutes: May 28, 2014
3. Financial Reports for the Golf Course and Swimming Pool Operations
4. Discussion on Proposed 2015 Capital Improvements
5. Update on Upcoming Recreation Programs
6. Miscellaneous
7. Any other Items to Come Before the Board

---

Gregory J. Heath, Finance Director/Clerk of Council

---

City of Napoleon, Ohio  
**PARKS AND RECREATION (P&R) BOARD**

**Meeting Minutes**  
**Wednesday, May 28, 2014 at 6:30 PM**

<b>PRESENT</b>	
<b>Parks &amp; Recreation (P&amp;R) Board</b>	Joe Bialorucki, Peg Funchion, Chad Richardson, Mike Saneholtz, Aaron Schnitkey (arrived at 6:48 pm)
<b>City Staff</b>	Tony Cotter, Parks & Recreation Director Monica S. Irelan, City Manager
<b>Recorder</b>	Tammy Fein
<b>Others</b>	Media; Jeff Comadoll, Council Representative; Joel Miller, Chamber of Commerce; Patrick McColley, Rotary Club
<b>ABSENT</b>	Matt Hardy, Philip Rausch
<b>Call To Order</b>	Board member Funchion called the meeting to order at 6:30 pm.
<b>Approval Of Minutes</b>	Minutes of the March 5 meeting stand approved with no objections or corrections.
<b>Discussion/Action: Pocket Park Proposal With Chamber Of Commerce</b>	<p>Joel Miller, Chamber of Commerce, reported that Rod Derrow, who had previously purchased properties on West Washington Street last fall at auction, would like to donate the front portion of Tin Lizzy's to the City for a pocket park. Miller stated that the City would take ownership of the property but the Chamber would maintain the property, using the open parks in Grand Rapids as an example, which have benches and planters and there may be the possibility of flowering tree, adding that the park area would be kept basic for cost and maintenance reasons. Miller stated that spacers will be installed instead of grass to keep maintenance costs lower. Miller suggested that Wifi availability could be added to encourage lunch meetings.</p> <p>Miller stated that Derrow's concern is the language in the contract regarding not selling or developing the area. Saneholtz asked if the designation as a Park puts the property under the Parks and Recreation Department domain; Cotter replied that this would depend on the terms of the contract, adding that he had spoken with Miller and the previous City Manager to start the process to get the Board's input and recommendations; Cotter added that Council could still decide that a different City Department would be responsible for the maintenance of the property. Saneholtz asked if there were funding sources set aside for any future maintenance of the property; Miller stated that the Chamber would take ownership of the development of the park, which is an extension of what the Chamber already does within the City, adding that the Chamber is looking at this as a long term commitment with very low maintenance involved. Richardson stated concern of the City taking ownership of the entire lot except for the area that will be left for parking; Miller stated that Derrow wants the property to be resurveyed and the lot to be split, which would take away that concern; Miller added that the lot is L shaped and almost reaches Katie Meyer's antique shop. Bialorucki asked which type of fence is on the property; Miller replied that it is polyvinyl; Bialorucki asked if the fence should be more structured; Miller stated this is an eight (8) foot substantial fence, and there are no concerns regarding the fencing. Cotter stated that the maintenance of the park handled by the City would be trash pickup and possible tree trimming and snow removal; there would not be much to maintain.</p>

# Motion To Recommend Pocket Park Proposal To Parks & Rec Committee

**Passed**  
**Yea- 5**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Schnitkey, Bialorucki, Funchion, Saneholtz, Richardson  
Nay-

Patrick McColley, Rotary Club, proposed to add a gas fire pit for community use at Oberhaus Park, adding that this project would be an eligible expense for the NatureWorks Grant; and would allow a gas line to be installed to Oberhaus shelterhouse allowing for gas heating instead of electric. McColley stated that the Grant would be in the amount of \$15,800 covering 75% of the cost of the project, and the Rotary Club would donate the remaining balance; adding that the City, not the Rotary Club, must apply for the grant. Saneholtz asked where the fire pit would be located at the shelterhouse; McColley replied on the concrete pad. Saneholtz asked if there would be a rental charge for parties to use; Cotter stated there would be. McColley stated there would be an electric valve switch to control the gas on remote control as the bathrooms currently are, and controlled from City building, and locked when not in use. Saneholtz asked what if a renter leaves the gas on accidentally; McColley replied that electricity is used to activate the switch and activate a timer, so this would be controlled from the City building. Bialorucki asked if there is any liability to the City involved with this project; McColley stated that there is liability associated with all aspects of the Parks and Recreation Department amenities, including the pool. McColley stated that this is the first step to start the process, and the project must go through the Law Director and the Fire Department regarding any liability questions. McColley stated that this project will be fairly inexpensive due to the grant. Function noted that the other fire pits that she has seen are encased in glass to avoid any accidents; McColley stated that the BTU content could be restricted as a precaution. Cotter stated his concerns, stating that this fire pit in a backyard would be fantastic, but this is at a park, and management will be an issue, adding that even if the locks are on a timer, and there is an electronic ignition, Cotter has concerns with the procedure not working or shutting off properly. McColley stated that he is checking to see if board is comfortable with this proposal. Saneholtz asked if there was a timeline; McColley stated not really, as this been discussed for a couple years. Cotter stated that he and City Engineer Lulfs met with the Ohio Gas Company and the gas line would come up off Huddle Road and be angled back toward the shelterhouse and metered directly at the building, adding that an upside is the heat at the shelterhouse could then be gas. McColley added that gas grills could be added later time; adding that this would be unique to the City, and the Rotary Club takes pride in Oberhaus Park and the fire pit fits well with the passive park feel. Cotter stated that this proposal would go to the Planning Commission next as a change to

use of the Park, then to Council to approve. Richardson asked if there were already charcoal grills at parks; Cotter replied there are. Cotter restated his concerns regarding turning the fire pit on and off and the means of supervision. McColley stated that the grant deadline is usually May 1, but it was pushed back and it does take some time to receive the grant, but approval to apply for the grant must be made soon. Funchion asked if the whole amount of the grant must be spent; McColley stated it is a 75% reimbursement, and ODOT rates will be used for equipment, and the work will be donated by Rotary members. Cotter stated this must be shown as a line item in the budget to show matching funds or donations. McColley stated that the grant will not be awarded until September, so the project would probably take place next year.

**Motion To  
Recommend applying  
for Grant**

Motion: Bialorucki                      Second: Richardson  
To recommend applying for the NatureWorks Grant

Cotter stated that he would prefer that project approved first, and recommends the motion be changed to project concept to be approved first.

**Motion To  
Recommend Project  
Proposal To Planning  
Commission**

Motion: Bialorucki                      Second: Richardson  
To recommend that the Fire Pit Proposal be recommended to the Planning Commission

**Passed**  
**Yea- 5**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Schnitkey, Bialorucki, Funchion, Saneholtz, Richardson  
Nay-

**Discussion/Action:  
Fourth Of July  
Celebration Activities**

Cotter distributed a memo regarding the Fourth of July celebration activities; see attached.

Cotter reported that the agenda for the Fourth of July activities is almost complete; noting that some items were moved earlier into weekend, adding that the activities were cut down to three (3) days and the concert in park was taken out to cut cost. Cotter stated that Melrose Pyrotechnics was contracted for the fireworks display with the same budget amount as last year of \$20,000 for the fireworks. Saneholtz asked if there was an alternate date for fireworks the fireworks scheduled in case of rain; Cotter replied that the alternate date is Saturday, July 5.

**Motion To Approve  
Fourth Of July  
Activities**

Motion: Saneholtz                      Second: Schnitkey  
To approve the Fourth of July activities

**Passed**  
**Yea- 5**  
**Nay- 0**

Roll call vote on above motion:  
Yea- Schnitkey, Bialorucki, Funchion, Saneholtz, Richardson  
Nay-

**Irelan Questions**

Cotter introduced City Manager Irelan to Parks and Recreation Board, stating that the Safety and HR Committee meeting had some issues that Irelan would like feedback on. Irelan stated that the issues were regarding the Employee Policy Manual and the discounted admission policy for fulltime employees. Irelan stated that Council had originally recommended striking this benefit from Policy, however there was discussion asking if the benefit outweighs the cost of the discount, and Irelan would like Board's recommendation. Irelan stated that the

benefits in questions are the half price discount of memberships to the golf course and the pool to fulltime employees, along with the benefit of parttime employees of the golf course being allowed to golf at the course at no cost. Saneholtz stated he has been on the Parks and Recreation Board for over twenty (20) years, adding that stipends used to be given to athletic clubs but had been deleted out of the budget in an effort to prioritize the money. Saneholtz believes that employees are paid enough to pay their fair share, and believes this benefit should be stricken from the policy. Funchion added that kids pay to play in City Recreation programs, and adults should have to pay as well. Funchion stated that the Board originally had no opinion on free golf for parttime golf course workers, adding that she agrees with Saneholtz. Irelan re-asked the Board if the discount to City staff should be stricken, but leave in that the parttime golf course employees should golf for free; Funchion replied yes. Cotter stated that he had decided that hours worked was a factor as to who received the free golf benefit. Irelan added that parttime golf course workers are paid less hourly due to the free golf benefit, and keeping that benefit is not counterproductive. Saneholtz reminded the Board that the Mayor stated that the golf course was not supervised well enough to make money, and Saneholtz believes that eliminating this benefit decrease the current pressure on the golf course. Funchion asked the number of parttime golf course employees who use the benefit; Cotter replied that eight (8) employees have the opportunity to use the benefit, however most of the parttime employees do not play golf each day. Cotter stated that he wants golfers to be employed at the golf course due to their understanding of the operation and maintenance involved with a golf course along with the game. Cotter supports this benefit and does not believe this is affecting the bottom line enough to take the benefit away. Cotter stated there was a misconception that all city employees received this benefit, however this is not true, and even without this benefit, some of these workers would probably not buy memberships. Irelan stated that these decisions are at Irelan's sole discretion, and not all employees get the same benefits, as benefits are based on education, training experience, and hours work. Irelan stated that the discretion will be left with Cotter, as Irelan trusts the Department Heads that are managing their respective departments. Irelan restated the current Policy, stating all fulltime regular employees are allowed to purchase half price memberships to golf course and pool, and parttime workers at certain facilities are allowed to use those facilities for free golf and swimming, adding that this Policy is the guidelines for nonunionized employees and not negotiable; these benefits have been stricken from the AFSCME contract, and the Police Department contract is still pending. Irelan stated that Council's current stance is to remove these benefits from the Policy, and this discussion is from the Safety and Human Resources Committee of Council.

**Motion To  
Recommend To  
Remove Discount  
Portion Of Fulltime  
Policy**

Motion: Saneholtz Second:

Motion to recommend to remove the discount portion for fulltime employees from the Policy

Richardson stated that he understands Cotter's point in wanting golfers to be employed at that golf course; Saneholtz believes the employees have the resources to pay, as they are all collecting pensions and can afford the cost. Richardson added that all of the parttime golf course employees are retired except one (1).

Bialorucki asked if there could be a discounted price instead of no cost; Saneholtz restated that residents are required to pay for kids to be in Recreation programs and

**Motion Died Due To  
Lack Of Second**

do not get them at no cost.  
Motion died to lack of Second.

Bialorucki believes that parttime golf course employees should be allowed to golf at a discounted cost; Schnitkey agrees, but believes there should be no discount if the City employee does not work at the golf course. Schnitkey asked of this would could the golf course to lose employees; Cotter does not believe it would; Saneholtz added that the golf course has a great staff, and he does not believe that the golf course would lose employees. Bialorucki suggested limiting the free golf course use to one (1) time per week; Irelan stated that if the Board is thinking about allowing this benefit in any form, then it must be kept in Manual and can be managed at a later date, but the policy must remain in the Manual to allow Irelan the power of flexibility to offer the agreed upon benefit; Irelan reminded the Board that the discretion is up to the City Manager to allow parttime employees to use the golf course at no cost, and Irelan suggested the Board recommend to change the 'at no cost' wording, but part of the benefit must remain in the Manual.

**Remove 'At No Cost'  
Wording And Keep  
Policy In The Manual**

Motion: Schnitkey Second: Bialorucki  
To remove the 'at no cost' wording and keep the Policy in the Manual

**Passed**  
**Yea- 4**  
**Nay- 1**

Roll call vote on above motion:  
Yea- Schnitkey, Bialorucki, Funchion, Richardson  
Nay- Saneholtz

**Miscellaneous  
Schnitkey**

None

**Richardson**

None

**Bialorucki**

None

**Saneholtz**

Saneholtz stated that some members of the Friends of Golf were concerned regarding the money raised from fundraisers, asking if there was a clear way to put the money into certain fund regarding golf course, not into the swimming pool and other parks areas. Cotter stated that the group is afraid the funds are being lost in General Fund, however these funds are a revenue item singled out in the system to track gross revenue of fundraisers and goes directly into the 4200 Golf Account on the revenue line, adding that money goes to no other account. Cotter gave the option that the Friends of Golf could start own their account as a private, nonprofit group and negotiate costs and donate money back to the golf course at their discretion; Saneholtz stated there are costs associated to becoming nonprofit group and the Friends Of Golf do not want to do that. Funchion suggested leaving the account the way it is; Saneholtz agreed, stating he was researching this for the group.

**Cotter**

Cotter reported that the swimming pool is filled and has passed inspection, there will be a group of schoolkids today and tomorrow and the pool will be opening for season on Saturday. Cotter added that the condition of the pool is not good due to the hard winter; adding money was put in budget for repairs and most of the budgeted line item was used to patch the cement. Cotter stated that the pool is getting to a point where there will be major problems with the concrete starting to

deteriorate and a major fix will be needed in the future, but at this point the goal is keeping the swimmers safe, and the concrete has been patched and painted over. Cotter reminded the Board that Council had indicated they would start to build a fund to fix pool, however Cotter does not know the total of the fund at this time. Cotter stated that the lift has been installed and it meets the ADA guidelines. Cotter added that there is money in the budget to account for any water loss, and this is being monitored. Cotter reported that Kelly Dopp is back as Pool Manager and the staff has been hired with an adequate substitution list. Saneholtz asked what the lifeguard wage was; Cotter stated that a first year lifeguard earns minimum wage. Cotter stated that City employees help the pool staff with any mechanical problems with pumps and electric issues if they arise, and the Pool Manager is responsible for chemicals range, as well as in-service training for guards. Cotter stated that the swim club is doing swim lessons at the pool again this year.

Cotter reported that the dock pole repair work began approximately three (3) weeks ago, but the company could not finish, and are not scheduled to come back until the first part of next week; adding that the pole snapped at the base and will be taken care of by insurance after the \$1000 deductible.

Cotter reported that ball season has started for all programs, and there are good registration numbers in baseball, and he even added an extra team in Youth Little League, and Junior Little League had a good response as well, adding that Youth Little League started tonight and TeeBall starts next week.

Cotter stated he has had an initial conversation with the high school tennis coach to get staff involved with the summer tennis program; the agenda for this program should be published in next week or two, and the program will be using local coaches instead of Defiance coaches like last year.

**Any Other Items To  
Come Before The Board**

None

**Motion To Adjourn**

Motion: Saneholtz  
To adjourn the meeting at 7:50 pm.

Second: Richardson

**Passed**  
**Yea- 5**  
**Nay- 0**

Roll call vote on above motion:  
Yea– Schnitkey, Bialorucki, Funchion, Saneholtz, Richardson  
Nay-

**Date Approved**

Matt Hardy, Chair

City of Napoleon, Ohio

## **HEALTH CARE COST COMMITTEE**

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

### **Meeting Agenda**

**Friday, August 29, 2014 at 8:30 AM**

- I. Approval of Minutes from September 13, 2013 (In the absence of any objections or corrections, the minutes shall stand approved.)
- II. Review of Health Care Premium Cost Increases
- III. Any Other Matters to Come Before the Committee
- IV. Adjournment

---

Gregory J. Heath, Finance Director/Clerk of Council

*City of Napoleon, Ohio*  
**HEALTH CARE COST COMMITTEE**

---

**Meeting Minutes**

Friday, September 13, 2013 at 8:30 AM

**PRESENT**

**Commission Members**

Mike Foreman (PD) - Chair, Jamie Mendez (PD), Chad Lulfs (NB), Joel Frey (Fire) Jeremy Okuley (AFSCME), Roger Eis (AFSCME), Greg Heath (AD)

**Acting Recorder**

Tracy Crist, Acting Recorder

**City Staff**

Chief Bennett, Morgan McCoy, Dave Mack

**Others**

**ABSENT Members**

Mary Thomas, Eric Rohrs, Leonard Durham, Jon Bisher

**Call To Order**

Chairperson Foreman called the meeting to order at 8:30 a.m.

**Approval Of Minutes**

Minutes from the July 8, 2013, meeting stand approved.

**Review Of Health  
Care Premium Cost  
Increases**

Heath reviews the information he handed out to each committee member (see attachment). The City is in a self funded consortium with other cities; the way it works, is each entity combined makes up approximately 2000 lives. The funding works by each member putting money into a pool, then each city has their own benefit policy.

Rates are set to fund the pool. There must be a certain amount of money in the pool to be able to fund the pool. The pool has been sufficiently depleted over the last several years, and we can't play games with the rates any more. Rates must cover cost of claims going out.

Heath goes over the handout in more detail. On page 2 it can be seen that more claims are going out than monies coming in for the pools as a whole.

Bennett questions why such small rate increases in the past?

Heath stated, remember we went through a recession. We, along with others, were dealing with reduced revenues. Heath also expanded on how the rates have been increased since 2009, based on what was recommended by Huntington Insurance versus what was approved by the consortium.

Recommended in 2009 was 2%; increase approved was 2%  
Recommended in 2010 was 4.84%; increase approved was 2%  
Recommended in 2011 was 6.25%; increase approved was 5.5%  
Recommended in 2012 was 2.36%; increase approved was 1.5%  
Recommended in 2013 was 5%; increase approved was 4%

We purposely took lesser rate increases in order to put less stress on those budgets.

As you will see on pages 2 and 3 we are running out of money and you can't keep doing this in a pool. If we were in the open market it would be a 40 to 50% increase; we'd be killed in the open market.

Heath continues on to Pg 4, the way you fund claims is like this: you self fund up to a certain point; then the premiums include money to pay insurance over and above. In 2011/12, we had \$150,000 planned retention; anything over and above that (ie cancer claims) is then covered by re-insurance. Those premiums are expensive but typically only have 3 to 5 claims per year. The thought was if we raise that level then we lower our premiums which we did. The problem is that we incurred \$50k of additional liability to the pool money. The City of Napoleon well exceeded their norm in claims liability in 2012.

Heath reviewed the graph on page 8 of the handout and explained the deficit in the reserve balance. This balance should be \$4.1 million but will fall below \$2 million in 2013. To fund the reserve to \$4.2 million in 1 year, an increase of 30.3% must happen. To fund the reserve to \$4.2 million in 3 years, an increase of 25.3% must happen.

Renewal rate strategies included level increases to all entities and tiered increases based on losses.

Heath explained that not all benefits are same in each entity. There was an adjusting factor that if your claims are greater than premiums than maybe if the pool increase was 5% then your increase could be up to 8% or greater. There were some problem designs and they came up with a base rate. Anyone who went above the base rate their rate goes higher. But this only works about one (1) time. The base rate has not been re-adjusted since originally put in place, to keep up with revenue and benefits; and now the pool is reacting to the reduction in revenue. This is why they are going back to tiered rate system. The other suggestion made by Huntington is to go to a common plan, and many pools are going to this.

Foreman questioned, that actually the different plans are not within each entity but within the whole pool?

Heath stated that's correct.

Heath reviewed Pg 15 of the handout: Napoleon's claims to premiums for 2012. Napoleon is 151% above our funding. The pool will not allow this to continue. They will either have tiered funding, revised growth funding or they will kick us out of the pool. The reason for this is in 2012, the pool as a whole was 112% above funding; meaning Napoleon represents 30 to 40% of the overall pool deficit in dollars. Yet we only represent 5% of the overall pool in members. For 2013, up through July we are still at almost 150% above funding. At 110 bodies, our claims are averaging \$1073.31 per each, while funding is averaging \$725.98 per each.

Pg 21 shows the revised rates using the 25.3% ; these are with previous agreed changes (increasing premium share and increased deductible), along with the HSA.

Heath reviewed the Excel spreadsheet on pages 22 and 23 of the handout.

Lulfs asked if the information on the spreadsheet were actual or budgetary numbers.

Heath replied they are budget numbers.

Heath reviewed the proposed increase and cost allocation for 2014 on pg 23 of the handout.

Heath talked about how the deductible was going to work. The network deductible is being changed to where the employee, whether single or family, is picking up half the deductible. The HSA is where the City will upfront fund the \$1200 single and \$2000 family for the first year. The money for the HSA will be deposited and available January 1 of the first year. Heath stated he could not guarantee that there would be a yearly deposit of funds after that. It was also stated that employees will have the ability to switch from the traditional plan to the HSA (or vice versa) during the open enrollment period each year.

Foreman asked if after three (3) years of putting in the 25.3% and building the BORMA fund back up, will the rates then slide back down?

Heath clarified that the 25.3% was only for the first year and from there the contribution rate could fluctuate depending on usage, it could go down, it could go up.

Bennett stated that the HSA was a good program for a young family with little to no health issues; but if you have chronic health problems, you would never be able to get ahead on the HSA.

Heath agreed that was correct.

Heath commented that there was still one thing that had not been decided on the HSA and that is where you bank. He said he is not clear on the responsibility of the bank, he believes they have to be pre-qualified to handle and HSA. Heath stated that if any of the responsibility comes back to the City, then the City will mandate where the employees bank for the HSA. If it is only the bank's responsibility, then the employees will be free to use the pre-qualified bank of their choice.

Eis questioned the HSA restriction of being 55 years old.

Foreman stated he believed it has to do with being eligible for other government programs at that age; it's to avoid people double dipping.

**Any Other Matters**

None

**Motion To Adjourn**

Motion: Lulfs                      Second: Heath  
To adjourn the meeting at 9:55 a.m.

**Passed**  
**Yea- 7**  
**Nay- 0**

Roll call vote on above motion:  
Yea – Foreman, Mendez, Lulfs, Frey, Okuley, Eis, Heath  
Nay -

**Date** \_\_\_\_\_

Michael Foreman, Chair



Ohio Municipal League  
Our Cities and Villages ★ Bringing Ohio to Life

# Legislative Bulletin

## Ohio Municipal League Legislative Bulletin

[OML HOME](#) • [Affiliates](#) • [Classifieds](#) • [Publications](#) • [About OML](#)

[Join the OML Legislative Bulletin E-Mail List](#)

[Committee Schedule](#)

**August 15 , 2014**

### **OHIO BUREAU OF WORKERS' COMPENSATION (BWC) ANNOUNCES SECOND \$1 BILLION REBATE**

*Below is a press release issued at a press conference held by Governor Kasich and BWC chief Steve Buehrer Wednesday, announcing a one-time rebate of \$1 billion for private employers and private taxing districts who pay into Ohio's workers' compensation system. Attached [HERE](#) is a document from BWC explaining in greater detail the proposal and the initiative by BWC to offer additional safety related training grants.*



Bureau of Workers'  
Compensation

Governor **John R. Kasich**

Administrator/CEO **Stephen Buehrer**

### **NEWS RELEASE**

**August 13, 2014**

### **KASICH PROPOSES "ANOTHER BILLION BACK" FOR WORKERS' COMP CUSTOMERS**

***Strong Investment Returns & Good Management Fuel Another \$1 Billion Rebate and Major New Investments in Workplace Safety***

COLUMBUS – Governor John R. Kasich today joined Ohio Bureau of Workers' Compensation (BWC) Administrator/CEO Steve Buehrer to announce a \$1 billion rebate to Ohio's private and public sector workers' compensation customers, as well as a major new investment in worker safety research and training. Dubbed "*Another Billion Back*," the rebate comes on the heels of last year's \$1 billion rebate for workers' comp customers. Both rebates were made possible by strong investment returns in the workers' compensation fund.

Kasich made the announcement at Portfolio Creative, a Columbus company that recruits and staffs talent in all areas of design, marketing, communications and advertising. They are one of approximately 184,000 private and 3,800 public employers likely to receive a rebate.

“Sound fiscal management and a well-executed investment strategy continue to put BWC in a position where it can return money to its customers—Ohio’s employers—but also to workers in the form of initiatives that help them stay safe on the job,” said Kasich. Ohio continues its effort to transform the workers’ comp system to be a better partner with employers and workers to help them succeed and stay safe, and the ability to make these types of significant rebates is part of that effort.”

BWC’s preliminary annualized return of investments was 8.9 percent over the last three fiscal years, including 13.3 percent in 2014. The State Insurance Fund net assets stand at \$7.7 billion and its funding ratio far exceeds target guidelines set by the BWC Board of Directors. If approved by the BWC Board of Directors, eligible private and public employers would receive a rebate equal to 60 percent of premiums paid during the July 1, 2012 through June 30, 2013 policy year (calendar year 2012 for public employers). The proposal will be presented to the board at its August meeting, and if approved in its September meeting, BWC could begin issuing checks as early as October\*.

*Another Billion Back* seeks to build on last year’s \$15 million investment in safety intervention grants with several initiatives that will ultimately enhance the safety, health and wellness of Ohio’s workforce. Additionally, special safety training is proposed to reduce injuries among firefighters, whom frequently have very high workers’ comp rates due to the dangerous and risky nature of their work.

“BWC’s Division of Safety and Hygiene is a national leader in promoting safe and healthy workplaces,” said Buehrer “Our safety services provide a superior return-on-investment. We want to encourage more and more employers to put safety education resources to work to keep their workers safe and reduce their workers’ comp costs. Our new safety initiatives will make these efforts more effective and accessible for employers.”

Buehrer added that BWC is also embarking on a safety campaign themed *Better Business Starts with Safety, Safety Starts at BWC* to reach Ohio employers and encourage them to take advantage of BWC’s safety services before experiencing a workplace injury or illness. A [microsite](#) allows employers to compare injury rates and costs within and across industry sectors. It also links employers directly to BWC safety consultants, who can survey their workplace and advise them on preventing occupational injuries and illnesses in their workplaces. The campaign is a result of the safety commitment made as part of last year’s *Billion Back* initiative, which also tripled safety grant funding to \$15 million for each of fiscal years 2014 and 2015.

*Another Billion Back* is an example of BWC’s work over the last four years to be a better partner in improving Ohio’s business environment and helping encourage the state’s economic revival. Sound financial and operational management has also allowed BWC to:

- Reduce average base rates for Ohio’s private employers, bringing combined four-year collections down \$409 million.
- Reduce average rates for public employers by an estimated \$70 million, placing them at their lowest levels in at least 30 years.
- Commit \$1.2 billion in transition credits to Ohio employers as part of the conversion to prospective billing.
- Expand safety funding, which resulted in allowed claims dropping below 100,000 for the first time.

*\*Eligible employers must be in good standing and have paid their January 1 to June 30 premiums.*



# Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

August 22, 2014

## Training sessions kick off Rodeo events

By Michelle Palmer, PE – assistant vice president of technical services

As a precursor to AMP's first annual Lineworkers Rodeo on Saturday, Aug. 23, AMP offered two morning training sessions today, Aug. 22.

For Training Session 1, Member Safety Manager Scott McKenzie (pictured top right) presented "Grounding and Step Potential." The class covered common grounding techniques to allow work to be performed safely, and equipotential grounding and step potential.

Director of Member Safety Kyle Weygandt (pictured bottom right) provided "Critical Care First Response" for Training Session 2. The program covered what to do in first aid emergencies if you are far away from EMTs or a squad response.

We look forward to seeing everyone at AMP headquarters tomorrow, Aug. 23, for AMP's first annual Lineworkers Rodeo. Events begin at 8:30 a.m. with an opening ceremony at 8 a.m. Good luck to all those competing in AMP's team, individual and apprentice events.

## Registration is now under way for the 2014 AMP/OMEA Conference

By Karen Ritchey – manager of communication programs

Registration information for the 2014 AMP/OMEA Conference is now available online. The registration brochure and a link to register online are located on the home page of the [AMP website](#). Printed copies of the registration brochure will be mailed beginning next week. Conference attendees are strongly encouraged to register online.

This year's event will be held Oct. 27-30 at the Hilton Columbus at Easton, 3900 Chagrin Dr., Columbus, OH. *see CONFERENCE Page 2*



## Mild weather keeps natural gas prices low

By Craig Kleinhenz – manager of power supply planning

The mild weather keeps on coming – helping to keep natural gas prices at low levels. The amount of natural gas that was injected into storage this week was 80 percent larger than the average amount injected this time of year, helping to narrow the deficit that was caused by the bitterly cold winter.

September natural gas ended \$0.01/MMBtu lower than last week closing yesterday at \$3.89/MMBtu.

Despite the natural gas markets remaining flat, future power prices saw an increase this week. 2015 on-peak electric prices climbed \$0.62/MWh from last week with AD Hub closing at \$44.77/MWh.

## AFEC weekly update

By Craig Kleinhenz

After weeks of very mild weather, the last several days have seen temperatures in the upper 80s. This resulted in several consecutive days of operation from AFEC after being dispatched offline last weekend.

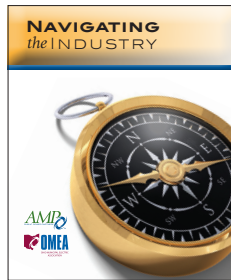
Monday through Thursday this week the plant operated at base maximum levels during the on-peak hours and offline during the overnight hours (with the exception of Thursday night when the plant remained online). Duct burners were used Monday evening as well as Tuesday and Wednesday afternoon.

The plant ended the week with a capacity factor of 32 percent (based on a plant rating of 675 MW).

Hotel reservations can also be made online at the AMP's website via the "[Hotel Reservations](#)" link, or by calling the Hilton at 614.414.5000 and using the group code "AMP." Please make reservations early as rooms in this block are limited and are only being held until Oct. 5.

As a reminder, nominations for the 2014 AMP Awards must be received by Sept. 9. Electronic versions of the nomination forms are available on the Member Extranet section of the [AMP website](#). Award recipients will be recognized at the AMP/OMEA Conference in the following categories: Environmental Stewardship, Hard Hat Safety (individual), Innovation, Public Power Promotion, Safety (system), Seven Hats, System Improvement, and Finance. Please note: Submissions for the Finance Awards do not require a nomination form.

If you need additional information regarding conference registration or AMP Awards, please contact me at 614.540.0933 or [kritchey@amppartners.org](mailto:kritchey@amppartners.org).



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

#### Week ending Aug. 22

MON	TUE	WED	THU	FRI
\$39.32	\$39.03	\$40.03	\$41.11	\$44.31

#### Week ending Aug. 15

MON	TUE	WED	THU	FRI
\$38.29	\$35.27	\$35.50	\$33.63	\$31.79

AEP/Dayton 2015 5x16 price as of Aug. 22 — \$44.77

AEP/Dayton 2015 5x16 price as of Aug. 15 — \$44.15

## Nominations open for AMP Board; proxy voting clarified

By Pam Lucas – nominating committee chair, AMP Board of Trustees

Four at-large seats on the AMP Board of Trustees will be up for election at the organization's general membership meeting



Oct. 29 during the 2014 AMP/OMEA Conference in Columbus. The at-large seats, for three-year terms, are held now by the Ohio communities of Cuyahoga Falls, Dover, Napoleon and Newton Falls. Trustees, whether at-large or service group representatives, are elected by member community – not by individual. The elected municipality then appoints a representative to fill its board seat. If your member community would like to be considered for nomination, please contact me at either 419.485.5543 or [plucas@montpelieroh.org](mailto:plucas@montpelieroh.org).

AMP General Counsel John Bentine provided the following reminder on the designation and notification of proxy in order to vote at general membership meeting, special meeting or service group caucus: Each member in good standing shall designate in writing one representative and may also designate one (or more) alternates. Each member, through its representative, shall be entitled one vote on any matter coming before the members at a general membership meeting, special meeting or service group caucus. Note: Proxy voting is permitted; however, a representative may only vote for one member community. Designation and notification of such proxy must be provided prior to such general membership meeting, special meeting or service group caucus via correspondence by the use of electronic means, facsimile, courier or U.S. mail from an authorized official (i.e., mayor/city manager/board chair or general manager) designating a person to carry the proxy for all voting purposes. Emails will suffice if email address is from member; otherwise correspondence must be on member letterhead or their respective legal adviser's letterhead.

Proxy correspondence should be addressed to Barbara Johnson at [bjohnson@amppartners.org](mailto:bjohnson@amppartners.org). If sending by courier or U.S. mail: Barbara Johnson, American Municipal Power, Inc., 1111 Schrock Road, Suite 100, Columbus, OH 43229.

## AMP holds annual Project Update Dinner for members

More than 90 AMP members, Municipal Electric Partners (MEPs) and key consultants met for AMP's annual Organization and Project Update Dinner on Aug. 19 at the Crowne Plaza Hotel Columbus North.

AMP President/CEO Marc Gerken provided an update on AMP's strategic goals and a look ahead at future endeavors. The following topics were also covered by AMP senior staff:

- **Power Supply** – Pam Sullivan, senior vice president of marketing and operations
- **Finance** – Bob Trippe, senior vice president of finance/CFO
- **IT and SCADA** – Brannon Kelley, chief information officer
- **Generation Projects** – Pete Crusse, vice president of hydroelectric construction
- **Risk Management** – Bobby Little, senior vice president and chief risk officer
- **Legislative/Regulatory Affairs, Sustainability and Human Resources** – Jolene Thompson, senior vice president of member services and external affairs/OMEA executive director
- **Legal Issues** – John Bentine, senior vice president/general counsel

## Sustainability Trends

By Julia Blankenship – director of energy policy & sustainability

A new poll released in July found that last year's severe winter has helped to erode the public's belief in "global warming." The report also found that public support for a carbon tax increased if the revenue would be used for renewable energy research and development (R&D) or returned to the taxpayers via rebates.

The joint study by the University of Michigan's Center for Local, State, and Urban Policy and Muhlenberg College's Institute of Public Opinion found that 60 percent would support a carbon tax if the revenue went to renewables, while 56 percent would support a revenue-neutral carbon tax. The poll's findings run counter to conventional wisdom that a carbon tax is a political non-starter.

The study is available at <http://closup.umich.edu/files/ieep-nsee-2014-spring-carbon-tax.pdf>.

## Take advantage of SEPA membership benefits

By Alice Wolfe – assistant vice president of power supply planning & alternative generation

AMP is an enterprise member of the Solar Electric Power Association (SEPA), which enables all AMP members to have direct access to SEPA's tools. SEPA is a nonprofit organization that provides information on solar technologies, policies and programs. Its mission is to support utility integration of solar to the benefit of the utility, its customers and the public good.

SEPA has an extensive online library, offers monthly webinars, hosts conferences and enables direct networking with peers in utilities and the solar industry. Recent webinars have included "Successful Customer Engagement: the Utility as a Solar Advisor to Customers" and "Owning and Leveraging Advanced Inverters." SEPA has bulletins on community solar and net metering, including case studies. Online resources, including webinars, are built-in with the membership and AMP members can access them at no charge.

To gain access to [SEPA's website](http://www.sepa.org), please contact Keila Marlowe at [kmarlowe@amppartners.org](mailto:kmarlowe@amppartners.org) or 614.540.6909. If you have questions about SEPA or its resources, please contact me at 614.540.6389 or [awolfe@amppartners.org](mailto:awolfe@amppartners.org).



## News or Ads?

Call Krista Selvage at 614.540.6407 or email to [kbselvage@amppartners.org](mailto:kbselvage@amppartners.org) if you would like to pass along news or ads.

## New Wilmington saves money, energy with LED lamps

New Wilmington Borough has replaced about 180 street lamps as part of a LED street lighting project. According to Efficiency Smart Representative Tim Stearns, this switch will save the borough about \$15,000 or an annual energy savings of 161,400 kilowatt hours. New Wilmington will receive rebates later this month when the project is completed.



New Wilmington Borough lineworkers Chris Bowersox and Dean Ligo replace mercury vapor street lamps with LED lamps.

Other 2014 Efficiency Smart LED street lighting projects include:

### Completed in 2014:

- Georgetown Highway, Phases 1 and 2

### In Progress:

- Oberlin
- Georgetown Side Streets
- Wadsworth, Phase 4
- Hubbard, Phases 2 and 3
- Jackson, Phase 1
- Edgerton, Phase 1
- Bowling Green
- Elmore, Phase 2

For more information on the Efficiency Smart program, please visit <http://www.energysmart.org/> or contact Randy Corbin, assistant vice president for energy policy and sustainability, at [rcorbin@amppartners.org](mailto:rcorbin@amppartners.org) or 614.540.0844.

## MEPs highlighted in show

Several of AMP's Municipal Electric Partners (MEPs) will be exhibiting at the 2014 Ohio Line Supervisors Equipment Show Sept. 10-11 at the Ohio Expo Center in Columbus. For more information on the show, please visit [http://www.ohiolineshow.com/2014\\_exhibitors.html](http://www.ohiolineshow.com/2014_exhibitors.html). There are many benefits of AMP's MEP program, including access to and inclusion in AMP's Member Directory, discounts, and exhibition and sponsorship opportunities. Applications are currently being accepted for the 2014-15 MEP program. For more information on the MEP program, contact Karen Ritchey at 614.540.0933 or [kritchey@amppartners.org](mailto:kritchey@amppartners.org).



## Update Classifieds

### St. Clairville seeks lineworkers

The City of St. Clairville has openings on its electric distribution crew for two lineworkers. The rate of pay depends on the candidate's education and/or experience. A Second Class or higher is the required level of knowledge, skills and abilities. The Civil Service Commission will review applicants and qualify them for interviews. A complete job description is available at [www.stclairville.com](http://www.stclairville.com).

Resumes should be mailed to: Director of Public Services, City of St. Clairville, P.O. Box 537, St. Clairville, OH 43950 or emailed to [nedgar@stclairville.com](mailto:nedgar@stclairville.com). Deadline is 3 p.m. Sept. 30, 2014.

### AMP is accepting applications for Cannelton Plant Operator I

AMP is seeking candidates for the position of Cannelton Plant Operator I.

Qualifications include: a two- or four-year degree in mechanical or electrical engineering; or engineering technology degree and two years of experience in plant operations; or 3-5 years of experience in power plant operations and/or maintenance. Candidates must demonstrate thorough knowledge of power plant equipment and principles of operation. Experience with programmable logic controllers and welding certification is a plus.

For more information and a complete job description, please visit the "Careers" section of the [AMP website](http://AMP website) or email to Teri Tucker at [tucker@amppartners.org](mailto:tucker@amppartners.org).

### Candidates encouraged to apply for Oberlin positions

The Oberlin Municipal Light and Power System (OMLPS) is accepting applications for the following fulltime positions. For complete job descriptions and applications, visit [www.cityofoberlin.com](http://www.cityofoberlin.com) or in person at Oberlin City Hall, 85 S. Main St., Oberlin, Ohio 44074. Applications should be returned via email to [hr@cityofoberlin.com](mailto:hr@cityofoberlin.com) or mailed to: City of Oberlin Human Resources Department, Oberlin City Hall, 85 S. Main St., Oberlin, Ohio 44074. Closing date for both positions is 4:30 p.m. Aug. 24, 2014. The City of Oberlin is a drug-free workplace and an Equal Employment Opportunity employer.

• **Technical Services Superintendent in the Electric Technical Services Division:** Responsible for the operation and maintenance of the technical services system. Minimum qualifications require a minimum of a bachelor's degree from an accredited four-year college or university with three years relevant work experience or a high school diploma or equivalent, supplemented with electrical engineering or related courses and seven or more years of relevant work experience or an equivalent combination of education and experience which provides the skills and abilities necessary

to perform the job. The position requires a valid Ohio class "A" commercial driver's license. Hourly Salary Range: \$56,591 - \$98,924/year D.O.Q.

• **Distribution Superintendent in the Electric Distribution Division:** Responsible for the operation, maintenance and routine construction work of the electric distribution system. Minimum qualifications are: high school diploma or equivalent (bachelor's degree from an accredited four-year college or university preferred), supplemented with electrical engineering or related courses and seven or more years relevant work experience or an equivalent combination of education and experience which provides the skills and abilities necessary to perform the job. The position requires a valid state of Ohio driver's license. Hourly Salary Range: \$56,591 - \$98,924/year D.O.Q.

## Calendar

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

**American Municipal Power, Inc.**

1111 Schrock Road • Suite 100

Columbus, Ohio 43229

614.540.1111 • FAX 614.540.1113

[www.amppartners.org](http://www.amppartners.org)



# **Fw: Mandel endorsed by OSCP, supports single form municipal filing for small business**

From: "Gregory J Heath" <gheath@napoleonohio.com>  
To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>

08/20/14 01:13 PM

---

-----Original Message-----

From: "Michelle Jordan" <datataxgroup@gmail.com>  
To: "undisclosed-recipients:"  
Date: 08/20/2014 10:29 AM  
Subject: Mandel endorsed by OSCP, supports single form municipal filing for small business

Dear DATA members:

Please see the two articles below, just 12 days apart. Mandel receives endorsement from OSCP (for his support in simplification of the municipal income tax system in Ohio), and then discusses single form municipal income tax filing for small businesses.

Please share this with your administration.

Thank you!

Michelle

--

Michelle Jordan  
DATA  
Dayton Area Tax Administrators

Tax Manager, Dayton Branch Office  
Central Collection Agency  
371 W Second St, Suite 110  
Dayton OH 45402  
[937.227.1359](tel:937.227.1359) Office  
[216.857.7382](tel:216.857.7382) Cell  
[www.ccatax.ci.cleveland.oh.us](http://www.ccatax.ci.cleveland.oh.us)

## **The Ohio Society of CPAs endorses Treasurer Josh Mandel**

### **PRESS RELEASE**

For Immediate Release  
August 7, 2014

On behalf of its 21,000 members, The Ohio Society of CPAs (OSCPA) has announced the endorsement of State Treasurer Josh Mandel for re-election.

"Josh Mandel has done an excellent job in his first term as state treasurer, earning Ohio a AAA credit rating and increasing government transparency and accountability by working to put the state checkbook online," said Scott D. Wiley, CAE, president and CEO. "We also value Mandel's efforts to improve our state's tax environment by working to simplify Ohio's municipal income tax system." A 17-member Statewide Endorsement Screening Committee and the Society's 17-member Executive Board separately evaluated the candidates. OSCP also identified Mandel's improvements in the treasurer's office, including capitalizing on

historically low interest rates, implementing a variety of cost-saving measures, and a clean audit three years in a row while cutting his budget by over \$4.7 million.

The Ohio Society of CPAs, established in 1908, represents more than 21,000 CPAs and accounting professionals in business, education, government and public accounting. The Ohio Society's members not only meet statutory and regulatory requirements as CPAs, but also embrace the highest standards of professional and ethical performance. This is achieved through ongoing professional education, comprehensive quality review and compliance with a strict Code of Professional Conduct.

###

# Mandel pushing for one-form tax filing

1

2

**By WKBN Staff**

Published: August 19, 2014, 3:13 pm Updated: August 19, 2014, 8:22 pm



YOUNGSTOWN, Ohio (WKBN) - Ohio State Treasurer Josh Mandel says he wants to make life easier for small business people trying to file their

municipal income taxes.

Mandel was in Youngstown Tuesday and met with local business men and women at City Machine Technologies. Mandel told the group he has been pushing lawmakers to approve changes in the paperwork local municipalities use to collect incomes taxes, namely he would like to move to a single-form tax filing document for small businesses.

"If they do business in a lot of small municipalities over the course of a year, at the end of the year, they have to figure out the rates, rules, regulations and forms for every single city," Mandel said. "We are the only state in America that does it that way."

Mandel is finishing his first four-year term in office.

# **Fw: Fwd: ARTICLE: Bill could save taxpayers, cities say it would cause drastic cuts**

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

08/19/14 08:25 AM

To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>

---

---

-----Original Message-----

From: "Michelle Jordan" <datataxgroup@gmail.com>

To: "undisclosed-recipients:"@napoleonohio.com

Date: 08/18/2014 09:27 AM

Subject: Fwd: ARTICLE: Bill could save taxpayers, cities say it would cause drastic cuts

Good morning!

Two points of clarification have been sent to me, and I am forwarding them on.

1. Dayton allows full credit up to their tax rate of 2.25%

2. Rep Bob Hackett, quoted as saying that cities are "already losing enough revenue with HB 5", voted in favor of HB 5 on the floor of the House in November 2013.

If anyone has any additional clarifications, please let me know and I will forward on to the group. Thank you!

Michelle

----- Forwarded message -----

From: **Michelle Jordan** <[datataxgroup@gmail.com](mailto:datataxgroup@gmail.com)>

Date: Mon, Aug 18, 2014 at 7:56 AM

Subject: ARTICLE: Bill could save taxpayers, cities say it would cause drastic cuts

To:

Dear DATA members:

Please see the article below from the Springfield News Sun, and share it with your administration.

Thank you!

Michelle

--

[Michelle Jordan](#)

[DATA](#)

[Dayton Area Tax Administrators](#)

[Tax Manager, Dayton Branch Office](#)

[Central Collection Agency](#)

[371 W Second St, Suite 110](#)

[Dayton OH 45402](#)

[937.227.1359](#) Office

[216.857.7382](#) Cell

[www.ccatax.ci.cleveland.oh.us](http://www.ccatax.ci.cleveland.oh.us)

# Bill could save taxpayers, cities say it would cause drastic cuts

Proposal would eliminate taxes on commuters.

[COMMENT](#) (14)

0

16

1

22

## Related

[View Larger](#)



A snow covered Maiden Lane is seen in a cars rear view mirror as a City of Springfield snow plow clears several inches of snow off Bechtle Avenue in February. If a proposed bill to eliminate taxes on commuters is approved, it could cost the city of Springfield millions and city leaders say it could lead to cuts in local services, such as snow plowing. Bill Lackey/Staff

[View Larger](#)



[Bill Lackey](#)

A Springfield Police Division cruiser at the scene of a crash last week in the city. If a proposed bill to eliminate taxes on commuters is approved, it could cost the city of Springfield millions and city leaders say it could lead to cuts in local services, such as police division staffing. Bill Lackey/Staff

[View Larger](#)

By [Michael Cooper](#)

Staff Writer

**SPRINGFIELD -** A bill that would eliminate the income taxes on commuters could save taxpayers money, but city leaders say it could result in drastic cuts in services.

State Sen. Kris Jordan introduced the legislation earlier this year. It would prohibit municipalities from levying a tax on the incomes of people who work there but don't live there.

"It's just a tax fairness issue," said Jordan, R-Ostrander. "If you have no say on increased taxes in a particular area and you don't get to vote on it or the elected officials in those areas, then you should not be forced to pay those taxes."

If approved by lawmakers, Springfield would likely collect millions of dollars less annually, Finance Director Mark Beckdahl said. About 35 percent of people who work in Springfield don't live in the city, he said, but it's difficult to estimate how much could be cut because the city doesn't require nonresidents to file a tax return.

The city may be forced to cut police and fire staffing if a large loss of income tax revenue occurred, Mayor Warren Copeland said.

"We've already cut 130 jobs, so where we go from here is really hard," he said.

## State impact

Of the 920 municipalities in Ohio, nearly 600 of them collect income taxes, said Kent Scarrett, director of communications for the Ohio Municipal League.

Both residents of those cities and villages and nonresidents who work there are taxed. It also applies to businesses that have earned net profits within the municipality.

It's a payroll tax based on wages, meaning it doesn't affect pensions, retirement benefits, unemployment, interest or rental income.

In Clark and Champaign counties, 10 cities and villages collect income taxes, including Springfield with a 2 percent tax and Urbana with a 1.4-percent tax.

Some cities give credits for taxes paid to other municipalities, reducing their bill. The city of Springfield gives half-credit to residents who work in other cities up to



### Bill Lackey

A Springfield Fire/Rescue Division medic unit at the scene of a recent accident in Springfield last week. If a proposed bill to eliminate taxes on commuters is approved, it could cost the city of Springfield millions and city leaders say it could lead to cuts in local services, such as fire division staffing. Bill Lackey/Staff

---

Interactive: How much do municipalities make in income taxes?

---

1 percent, Beckdahl said, while other cities, such as Dayton, don't provide credits.

It's impossible to say how much eliminating taxes commuters would cost cities across Ohio because municipalities don't track where the withholding comes from, Scarrett said. In some instances, cities could lose up to 60 to 70 percent of their revenue, he said.

"It would just be devastating," Scarrett said.

Municipalities do their best to host businesses to create jobs for their residents, Scarrett said.

"If those employers and those employees were no longer subject to withholding to subsidize or pay for the services they benefit from, it would be a challenge for municipalities to continue to be good hosts," Scarrett said. "In many instances, it would actually cause administrations to maybe not be as aggressive in courting businesses into their community because they're not paying for the services that they use."

The proposed changes present a sort of parasitic relationship, Scarrett said, where people use the services but don't contribute to the sustainability of those

services over time.

"It would be a tremendous hit to the revenue of those municipalities who have those sort of taxpayers in them," Scarrett said.

The legislation would affect each district differently, Jordan said, but as a matter of fairness he believes it needs to be done.

"I would ask them: Is it fair to tax people who receive very little of your services? Is it fair to tax them at the same rate as people who live and work in their community?" Jordan said.

The bill was assigned to the Senate Ways and Means committee. A hearing hasn't been scheduled, but the co-sponsor, state Sen. Tim Schaffer, R-Lancaster, is also the chairman of the committee, meaning a hearing could take place this winter. If the bill expires at the end of the year, Jordan said he will likely reintroduce it.

### **'Primary driver' of jobs**

The city of Springfield expects to collect \$28.6 million in income taxes next year, up 11 percent from 2011. The income tax makes up about 76 percent of its \$37.7 million general fund.

Nonresidents who work in Springfield use city services such as police, fire, emergency medical services, roads and snow removal, Beckdahl said.

"There are numerous services both citizens and those working here consume during the course of the week, so it's only right in our mind that they help pay for some of those services," he said.

Copeland agreed.

"We're the primary driver in bringing jobs to the community and I think it's only fair that they pay 2 percent," said Copeland, a Democrat.

## Attracting businesses

About 60 to 70 percent of Jordan's constituents live outside of municipalities in Delaware County, but he said they are forced to subsidize a municipal government because many of them work in cities in Franklin County.

"I've heard the complaints hundreds of times and I just thought it was time we tried to make it more fair," Jordan said.

The bill will also reduce the competition among cities to offer the largest tax incentive to attract businesses, Jordan said.

"They're trying to see who can give the most away to attract (businesses)," Jordan said. "If you get rid of the heavy reliance on income tax, I think that will help get rid of some of those issues."

In his district in north central Columbus, some businesses have moved 15 miles to receive better tax abatements, he said. In some of those cases, the tax abatement had expired in a nearby community.

Income taxes are the worst form of taxation, said Steven Curtis, the state director of the Ohio FairTax Association. They're destructive to the economy and burdensome to taxpayers, said Curtis, a Greene County resident.

"It should be blatantly obvious that the income tax is ultimately destructive to a municipality," Curtis said. "They should be working very hard to get rid of them in those places where they already have them."

States such as Texas, Florida and Tennessee, where there are no income taxes, are the area's that are growing the most, Curtis said.

"The income tax, by its very, very destructive nature, argues against growth, expansion and success," he said.

'Double whammy for cities'

The bill is not a new concept at the Statehouse, Scarrett said, but it's the most activity the municipal league has seen on it in recent years.

City leaders are concerned about the bill seeking to eliminate taxes on commuters, but said the most pressing issue for them is House Bill 5, which would create uniform municipal income tax regulations across Ohio.

State Rep. Bob Hackett is opposed to the bill eliminate commuter taxes because it would be a double whammy for cities when combined with HB 5, which he said could be approved this fall.

"They're already losing enough revenue with HB 5," the London Republican said. "If you couple that with the additional revenue loss, it would be too much."

State Rep. Ross McGregor and State Sen. Chris Widener didn't return calls seeking comment last week.

Earlier this year, the state budget update was first written with language that would have required municipal tax administrators to annually report revenue received from residents and nonresidents. If the information wasn't reported to the Ohio Department of Taxation, cities and villages could have faced losing local government funding from the state.

That language was later taken out by the conference committee, Scarrett said, but he doesn't think it's going to go away. It's possible a similar clause could be added into House Bill 5, a municipal income tax uniformity bill.

"It's something that a number of legislators are interested in capturing and seeing," Scarrett said.

It would create more work for the nearly 600 taxing municipalities in Ohio because they would have to manually separate the filings by hand or purchase software, which could be costly, he said. The municipal league is working with lawmakers about seeking alternative ways to find that information or creating a pilot program.

Curtis Mumma of Mumma Realty and Auctioneers lives in New Carlisle and works in Springfield. Taxing nonresidents is just more money out of his pocket, he said.

Mumma supports the bill to remove nonresident taxation, but he said he also wouldn't want to see a reduction in city services.

"I don't think anyone is for more taxes," he said. "They want what's fair."

The legislation in the long run won't solve Ohio's local tax structure that's hurting economic growth, said Dan Harkins, a local tax attorney and former Clark County Republican Party chairman, but rather only fixes the problem for commuters.

A form of unified government - merging county and city governments similar to those in Lexington, Ky., and Indianapolis - would improve efficiency and create less duplication in services, Harkins said.

"The better thing would be to eliminate the tax completely," Harkins said.

If enacted, the changes would benefit the city, he said.

"At the end of the day what this change would do is actually make the city of Springfield more attractive for commuters because our housing stock is inexpensive, we have adequate services and the cost of living is low," Harkins said.

### **Unmatched coverage**

The Springfield News-Sun is committed to covering tax issues across the Clark and Champaign counties, including recent stories on the Northeastern income tax issue and the city's street repair ballot issue.