Memorandum

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

Subject: General Information

**Date: October 17, 2014

CALENDAR

AGENDA: City Council - Monday, October 20th @7:00 pm

C. APPROVAL OF MINUTES

City Council Regular Meeting Minutes/October 6, 2014

G. Introduction of New Ordinances And Resolutions

- 1. **Ordinance No. 061-14**, an Ordinance Amending the Fixed Asset Policy of the City of Napoleon.
- 2. **RESOLUTION No. 062-14,** a Resolution Amending the Allocation of Funds as found in Section 193.11 of the Codified Ordinances of the City of Napoleon, Ohio.
- 3. **RESOLUTION No. 063-14**, a Resolution Authorizing the Expenditure of Funds Over Twenty-Five Thousand Dollars (\$25,000.00) for the Purpose of Repairing and/or Rebuilding the Primary Digester Mixer at the Wastewater Treatment Facility and Authorizing the Sole Sourcing of the Project to Meldrum Mechanical Services and Authorizing the City Manager to Enter into a Contract for said Repairs; and Declaring an Emergency.
- 4. **ORDINANCE No. 064-14**, an Ordinance Accepting the Annexation to the City of Napoleon of 5.448 Acres of Land Owned by MDC Holdings, LLC; and Declaring an Emergency.
- 5. **RESOLUTION No. 065-14**, a Resolution Approving Electric Rate Changes.
- 6. **RESOLUTION No. 066-14**, a Resolution Approving the Separation Agreement between the City of Napoleon and Fire Chief Robert Bennett.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **RESOLUTION No. 057-14**, a Resolution Authorizing the City Manager to File for and Execute all Documents Necessary to Enter into the Share Ohio Program

J. GOOD OF THE CITY (Discussion/Action)

- 1. Recommendation to Approve October Billing Determinants
 - a. The Electric Committee and Board of Public Affairs approved the October billing determinants at their Oct. 13th meetings.

- 2. Ambulance Service Rates (Refer to Safety & Human Resources Committee for November Meeting with the Townships)
 - a. Enclosed is information from McKesson and Medicare on an increase to ambulance transport rates.
- For Items 3 thru 7, we have attached the Planning Commission documents for each subject.
 - 3. PC 14-06 Replat of Lot No. 2 of the Morrow, Hinderer & Patton Addition
 - 4. PC 14-07 Minor Subdivision American Road
 - 5. PC 14-08 Replat of Part of Lot 41 of the Original Plat of the City of Napoleon
 - 6. PC 14-09 Replat of Lot B of the Replat of Lots 6 & 7 in Block 1 Phillips & Staffords First Addition
 - 7. PC 14-10 Public Improvements Public Park
- 8. Third Quarter Budget Adjustments
 - a. The worksheet with the requested budget adjustments for the third quarter is attached.
- 9. Napoleon Infrastructure/Economic Development Fund Review Committee Recommendation a. The minutes from this morning's meeting are attached.

INFORMATIONAL ITEMS

- 1. AGENDA: Tree Commission Meeting; Monday, October 20th at 6:00 pm
- 2. CANCELLATION: Parks & Rec Committee Meeting
- 3. OMEA Newsletter/October 2014
- 4. **AMP UPDATE/October** 17, 2014

MI:rd Records Retention CM-11 - 2 Years

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Calendar

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	Seasonal Cleanup Week					
5	6	7	8	9	10	11
	11:00 AM - 1:00 pm Employee					
	11:00 AM - 1:00 pm Employee Appreciation Picnic at Oberhaus Shelterhouse					
	Oberhaus Shelterhouse					
	7:00 PM City COUNCIL					
	Meeting					
12	13	14	15	16	17	18
	6:30 PM ELECTRIC	4:30 PM Board of Zoning	Napoleon's 180th Birthday - Cer		•	
	Committee	Appeals Meeting				
	Board of Public Affairs	5:00 PM Planning Commission				
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City of Napoleon, Ohio

CITY COUNCIL

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

MEETING AGENDA

Monday, October 20, 2014 at 7:00 pm

- **A. Attendance** (*Noted by the Clerk*)
- B. Prayer & Pledge of Allegiance
- **C. Approval of Minutes:** October 6 (*In the absence of any objections or corrections, the minutes shall stand approved.)*
- **D.** Citizen Communication
- E. Reports from Council Committees
 - 1. Parks & Recreation Committee did not meet on Monday, October 20 due to lack of agenda items.
 - **2.** Electric Committee (*Majority Report*) met on Monday, October 13 and recommended:
 - a. Approval of October billing determinants
 - 3. Water, Sewer, Refuse, Recycling & Litter Committee and Municipal Properties, Buildings, Land Use & Economic Development Committee did not meet on Monday, October 13 due to lack of agenda items.
- F. Reports from Other Committees, Commissions and Boards (Informational Only-Not Read)
 - **1. Board of Public Affairs** met on October 13 with the following agenda items:
 - a. Review of Electric Billing Determinants
 - **b.** Electric Department Report
 - **2. Board of Zoning Appeals** met on Tuesday, October 14 with the following agenda items:
 - a. BZA 14-04 900 W. Riverview Avenue
 - **3. Planning Commission** met on October 14 with the following agenda items:
 - a. PC 14-06 Re-plat of lot #2 of the Morrow, Hinderer & Patton Addition
 - **b.** PC 14-07 Minor subdivision American Road
 - c. PC 14-08 Replat of part of Lot 41 of the Original Plat of the City of Napoleon
 - **d.** PC 14-09 Replat of Lot B of the Replat of lots 6&7 in block 1 Phillips & Staffords First Addition
 - e. PC 14-10 Public Improvement Pocket Park
 - **4. Napoleon Infrastructure/Economic Development Fund Review Committee** met on October 17 with the following agenda item:
 - a. Reconsidering of Original Approved Grant for MWA Enterprises, LTD
 - **4. Tree Commission** met tonight with the following agenda items:
 - a. Fall Tree Programs
 - **b.** Scott Street Planting
 - c. Spring Tree Programs
- G. Introduction of New Ordinances and Resolutions
 - **1. Ordinance No. 061-14,** an Ordinance amending the Fixed Asset Policy of the City of Napoleon
 - **2. Resolution No. 062-14,** a Resolution amending the allocation of funds as found in Section 193.11 of the Codified Ordinances of the City of Napoleon, Ohio
 - **3. Resolution No. 063-14,** a Resolution authorizing the expenditure of funds over twenty-five thousand dollars (\$25,000.00) for the purpose of repairing and/or rebuilding the primary digester mixer at the Wastewater Treatment Facility and authorizing the sole sourcing of the project to Meldrum Mechanical Services and authorizing the City Manager to enter into a contract for said repairs; and declaring an Emergency
 - **4. Ordinance No. 064-14,** an Ordinance accepting the annexation to the City of Napoleon of 5.448 acres of land owned by MDC Holdings, LLC; and declaring an Emergency
 - **5. Resolution No. 065-14,** a Resolution approving Electric Rate Changes
 - **6. Resolution No. 066-14,** a Resolution approving the Separation Agreement between the City of Napoleon and Fire Chief Robert Bennett
- H. Second Readings of Ordinances and Resolutions

There are no Second Reads of Ordinances and Resolutions

- I. Third Readings of Ordinances and Resolutions
 - 1. **Resolution No. 057-14,** a Resolution authorizing the City Manager to execute any and all documents necessary to enter into the ShareOhio Program
- **J.** Good of the City Any other business as may properly come before Council, including but not limited to:

- 1. Discussion/Action: Recommendation to approve October billing determinants as follows: Generation Charge: Residential @ \$0.08478; Commercial @ \$0.10540; Large Power @ \$0.05296; Industrial @ \$0.05296; Demand Charge Large Power @ \$14.52; Industrial @ \$14.99; JV Purchased Cost: JV2 @ \$0.03971; JV5 @ \$0.03971
 - (Billing determinants for month before: Generation Charge: Residential @ \$0.08870; Commercial @ \$0.11225; Large Power @ \$0.05417; Industrial @ \$0.05417; Demand Charge Large Power @ \$15.57; Industrial @ \$16.40; JV Purchased Cost: JV2 @ \$0.03917; JV5 @ \$0.03917)
- **2. Discussion/Action:** Ambulance Service Rates (Refer to Safety & HR Committee for November meeting with the Townships)
- 3. Discussion/Action: PC 14-06 Re-plat of lot #2 of the Morrow, Hinderer & Patton Addition
- 4. Discussion/Action: PC 14-07 Minor subdivision American Road
- 5. Discussion/Action: PC 14-08 Replat of part of Lot 41 of the Original Plat of the City of Napoleon
- **6. Discussion/Action:** PC 14-09 Replat of Lot B of the Replat of lots 6&7 in block 1 Phillips & Staffords First Addition
- 7. Discussion/Action: PC 14-10 Public Improvement Pocket Park
- **8. Disucssion/Action:** Third Quarter Budget Adjustments
- **9. Discussion/Action:** Napoleon Infrastructure/Economic Development Fund Review Committee Recommendation
- **K.** Executive Session (As needed)

M. Adjournment

- L. Approve Payment of Bills and Approve Financial Reports (In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)
- Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

1. Technology & Communication Committee (1st Monday)

(Next Regular Meeting: Monday, November 3 @ 6:15 pm)

2. Electric Committee (2nd Monday)

(Next Regular Meeting: Monday, November 10 @ 6:30 pm)

- a. Review of Electric Billing Determinants
- **b.** Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)

(Next Regular Meeting: Monday, November10 @ 7:00 pm)

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

(Next Regular Meeting: Monday, November 10 @ 7:30 pm)

a. Updated Info from Staff on Economic Development (as needed)

5. Parks & Recreation Committee (3rd Monday)

(Next Regular Meeting: Monday, November 17 @ 6:15 pm)

6. Finance & Budget Committee (4th Monday)

(Next Regular Meeting: Monday, October 27 @ 6:30 pm)

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

(Next Meeting: Monday, October 27 @ 7:30 pm)

2014 Regular Meetings with Townships scheduled for February and November

8. Personnel Committee (As needed)

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

1. Board of Public Affairs (2nd Monday)

(Next Regular Meeting: Monday, November 10 @ 6:30 pm)

- a. Review of Electric Billing Determinants
- b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)

(Next Regular Meeting: Tuesday, November 11 @ 4:30 pm)

3. Planning Commission (2nd Tuesday)

(Next Regular Meeting: Tuesday, November 11 @ 5:00 pm)

4. Tree Commission (3rd Monday)

(Next Regular Meeting: Monday, November 17 @ 6:00 pm)

5. Civil Service Commission (4th Tuesday)

(Next Regular Meeting: Tuesday, October 28 @ 4:30 pm)

6. Parks & Recreation Board (Last Wednesday)

(Next Regular Meeting: Wednesday, October 29 @ 6:30 pm)

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

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

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

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

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

CITY COUNCIL

Meeting Minutes

Monday, October 6, 2014 at 7:00pm

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

Marihugh (arrived at 7:12pm), Christopher Ridley, Travis Sheaffer, Heather Wilson

Mayor

Ronald A. Behm Monica S. Irelan City Manager Law Director Trevor M. Hayberger

Finance Director/Clerk

Recorder **City Staff** Gregory J. Heath Tammy Fein

Tony Druhot, Acting Fire Chief

Chad Lulfs, City Engineer

Dan Wachtman, MIS Administrator Robert Weitzel, Police Chief

Others ABSENT Council **City Staff**

News Media; NCTV; Patrick McColley; Robert McColley, CIC Director

Prayer

President Helberg called the meeting to order at 7:00 pm with the Lord's Prayer followed by the Pledge of Allegiance.

Approval Of Minutes

Minutes of the September 15 and September 22 Council meetings stand approved with no objections or corrections.

Citizen

Communication

None

Committee Reports

The Technology & Communication Committee did not meet on Monday, October 6 due to lack of agenda items.

Chairman Maassel reported that the Finance & Budget Committee met on Monday, September 22 and recommended:

1. Approving changes to the 2014 Fixed Asset Policy as listed

The Safety and Human Resources Committee did not meet on Monday, September 22 due to lack of agenda items.

Introduction Of Resolution No. 060-14 President Helberg read by title Resolution No. 060-14, a Resolution accepting the annexation to the City of Napoleon of 5.448 acres of land owned by MDC Holdings, LLC; and declaring an Emergency

Motion To Approve First Read

Motion: Ridley Second: Maassel

To approve first read of Resolution No. 060-14

Discussion

Hayberger stated that the first Legislation to begin the Annexation process was approved approximately sixty (60) days ago, and this is the next step that requires approval. Hayberger asked for this Resolution to be Passed under Suspension of the rules and with an Emergency clause; Rob McColley stated the Suspension and Emergency requests are due to a timetable that is to be followed.

Motion To Suspend Motion: Comadoll Second: Ridley

The Rules To suspend the rules requiring three readings

Passed Roll call vote on above motion:

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

Nay- 0 Nay-

Passed Roll call vote to pass Resolution No.060-14 under suspension of the rules

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

Nay- 0 Nay-

Second Read Of Resolution No. 057-14 President Helberg read by title Resolution No. 057-14, a Resolution authorizing the

City Manager to execute any and all documents necessary to enter into the

ShareOhio Program

Motion To Approve Second Read Motion: Sheaffer Second: Maassel

To approve second read of Resolution No. 057-14

Discussion Irelan stated there are no changes since the first read, and has participated in a

webinar regarding the specifics of the program.

PassedRoll call vote to approve second read of Resolution No. 057-14Yea- 6Yea- Ridley, Maassel, Helberg, Sheaffer, Comadoll, Wilson

Nay- 0 Nay-

Third Read Of Ordinances And Resolutions There are no third reads of Ordinances and Resolutions.

GOOD OF THE CITY Discussion/Action

Updated Fixed Asset Policy

Heath stated that the Fixed Asset Policy was reviewed by the Finance & Budget Committee who recommended that the Policy be updated, along with other minor changes.

Motion To Direct Law Director To Draft Legislation Changing The Minimum Capitalization Amount From \$1,000 To \$7,500 Motion: Sheaffer Second: Wilson

To direct the Law Director to draft Legislation changing the minimum capitalization

amount from \$1,000 to \$7,500 in the Fixed Asset Policy

Passed Roll call vote on above motion:

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

Nav- 0 Nay-

Approval of Recommendation for Trick Or Treat Night Irelan distributed a memo regarding the recommendation of Tony Cotter, Parks and Recreation Director, to schedule Trick Or Treat Night for Thursday, October $30^{\rm th}$

from 5:30pm until 7:00pm; see attached.

Motion To Approve Motion: Maassel Second: Ridley

Trick Or Treat Night Recommendation To approve Trick Or Treat Night recommendation of Thursday, October 30 from 5:30pm until 7:00pm

Passed

Roll call vote on above motion:

Yea- 6 Nav- 0 Yea- Ridley, Maassel, Helberg, Sheaffer, Comadoll, Wilson

Nay-

Economic Development Plan

Irelan requested a review of the Economic Development Plan be referred to the Municipal Properties, Buildings, Land Use & Economic Development Committee.

Helberg stated he would rather leave this review in Council; Sheaffer suggested having a special meeting with Council. Behm believes that Glenn Grisdale was planning on being available the first Monday of November.

Helberg Referred Review Of The Economic Development Plan To November 3 Council Meeting Helberg referred the review of the Economic Development Plan to the November 3 Council Agenda.

Arrival Of Marihugh

Marihugh arrived at 7:12pm.

Change Order No. 2 (Final) Miscellaneous Street Improvement; Decrease Of \$49,135.71 Irelan distributed a memo regarding Change Order No. 2 (Final) for the Miscellaneous Street Improvement Project with a decrease of \$49,135.71; see attached.

Lulfs reported that approval of this Change Order will allow the project to be closed.

Motion To Approve Change Order No. 2 (Final) Miscellaneous Street Improvement Motion: Maassel Second: Ridley

To approve Change Order No. 2 (Final) Miscellaneous Street Improvements Project

Street Improvment

Passed

Yea- 6 Nay- 0 Abstain- 1 Roll call vote on above motion:

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

Nav-

Abstain- Helberg

Change Order No. 4 (Final) Perry St. Parking Lot Improvements; Increase Of \$600.13 Irelan distributed a memo regarding Change Order Number 4 (Final) for the Perry Street Parking Lot Improvements Project with an increase of \$600.13; see attached.

Irelan reported that approval of this Change Order will allow the project to be closed.

Marihugh asked when the backfilled space near the curb facing North Perry Street will be removed; Irelan stated that this will be filled with pavers by the Parks & Recreation Department, which will decrease the project cost. Maassel asked if the increase was due to the concrete pavement; Lulfs stated the increase was due to the additional concrete used along Perry Street to create a clean edge, adding that this was no fault of the contractor.

Motion To Approve Change Order No. 4 (Final) Perry St. Parking Lot Motion: Ridley Second: Marihugh

To approve Change Order No. 4 (Final) Perry Street Parking Lot Improvements

Project

Improvements

Passed Roll call vote on above motion:

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

Nay- 0 Nay-

Abstain- 1 Abstain- Helberg

Approval of Plans, Specifications, Documentation And Contracts For Police Department Building Roof Irelan reported that this is the hut behind the Police Department that needs repair; Weitzel stated that this is the original roof from the mid1940s that has been continually patched. Marihugh asked what type of roof would be installed; Weitzel stated an insulated steel roof to avoid needing any repairs in the near future.

Motion To Approve Plans, Specifications, Documentation And Contracts For Police Department Building Roof Motion: Marihugh Second: Maassel

To approve plans, specifications, documentation and contracts for Police Department

building roof

Passed

Roll call vote on above motion:

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

Nay- 0 Nay-

Acceptance Of Gift Of Property On Industrial Drive From Kevin And Kerri Homan Robert McColley reported that this property is technically owned by MWA Enterprises, LTD who purchased this land and is gifting the land to the City. Hayberger stated this is the extension of Industrial Drive required for the Grant.

Motion To Accept Property from MWA Enterprises, LTD Motion: Maassel Second: Sheaffer To accept gift of property from MWA Enterprises, LTD

Passed

Yea-7

Nay- 0

Roll call vote on above motion:

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

Nay-

Approval of Plans, Specifications, Documentation And Contracts For Recycling Processing Contract Irelan stated that a one (1) year contract for recycling processing was approved last year, and this is a three (3) year contract. Marihugh asked how many extensions were added to the previous contract; Lulfs stated that extensions are allowed on a monthly basis though no extensions were added to the previous contract. Hayberger recommends keeping the contract at a three (3) year timeframe to ensure no extensions are added. Irelan added the three (3) year timeframe would allow the contract to terminate without abusing the extension clause. Marihugh asked if the negotiating clause was included; Lulfs saw no changes to the contract other than the timeframe change from one (1) year to three (3) years.

Motion To Approve Plans, Specifications, Documentation And Contracts For Recycling Processing Contract Motion: Marihugh Second: Maassel

To approve plans, specifications, documentation and contracts for recycling processing contract

Council Meeting Minutes 4 of 8

Passed Roll call vote on above motion:

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

Nav- 0 Nay-

Good Of The City

(Cont.) Irelan None

Hayberger Hayberger stated that he will not be at next Council meeting due to a scheduling

conflict, but he can be available by phone.

Comadoll None

Marihugh Marihugh requested information regarding 622 East Riverview Avenue, including a long term plan and would like the eventual disposal of the property.

> Marihugh asked about the manhole adjustment to grade on Scott Street; Lulfs had a meeting with the contractor today and is researching options on how to approach this issue. Marihugh stated the manholes on East Riverview Avenue turned out well.

> Marihugh stated that Operations Staff used to do utility comparison rates every other year, stating that he would like to see a utility rate comparison with constituents in the area. Helberg stated this is a standard procedure during the rate approval process. Marihugh stated that Board of Public Affairs and the Water, Sewer, Recycling, Refuse & Litter Committee used to do this for all local utilities. Hayberger suggested researching this issue on how to complete the information in house.

Marihugh asked Lulfs how the hole at the intersection of Haley Avenue and Riverview Avenue is handling the colder weather; Lulfs stated that the area is being monitored and will continue to be monitored, though it is not getting worse; adding that the cold patch will not stick yet as the hole is not deep enough.

Marihugh asked Lulfs if the stop bar at the intersection of Haley Avenue and West Riverview Avenue was inspected; Lulfs stated that this was compared to Google earth and the stop bar is installed correctly.

Marihugh asked if there is any way to work with ODOT to put backfill in the area of the guardrail on Industrial Drive to get a 3/1 slope so the guardrail is not needed; Marihugh believes the radius is not the right size and the guardrail should not have to be reset by the City. Lulfs will speak with ODOT regarding this issue.

Marihugh asked Irelan if Department year end reports were generated and recommends requiring this again along with charted graphs; Irelan will research this.

Sheaffer None

Behm None

Helberg Helberg received a letter from the EPA regarding an evaluation of the water system; Irelan stated an annual review was done along with a tour of the plant and the report stated that the plant is doing well and the letter is a minor recommendation.

Maassel Maassel asked when the AMP election will be held; Irelan stated on the 28th with results on the 29th. Sheaffer will attend the election and will call with the results. Maassel asked when the Donovan building will be finished; Hayberger replied before the end of the month; the Commissioners are meeting tomorrow.

Maassel stated there is a cone on West Riverview Avenue that has not been moved after the construction; Lulfs believes this cone is marking a water valve; Lulfs will research.

Maassel thanked Tenneco for the invitation to their open house; stating it was informative.

Maassel thanked all involved for the Employee Appreciation picnic today.

Maassel congratulated Heath on the Auditor's award and presented him with a plague in appreciation of his efforts. Maassel also presented Heath with a certificate regarding Heath working for the City for twenty (20) years.

Ridley

None

Wilson

Wilson thanked the City for the picnic; and thanked the Fire Department and Police Department Staff for the hard work.

Heath

Heath thanked Council for the plagues. Heath stated the Auditor of State Award is for the entire City, and requested a Motion accepting the Award.

Motion To Accept Auditor Of State Award Motion: Maassel Second: Ridley

To accept the Auditor of State Award

Passed

Roll call vote on above motion:

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

Nay-

Heath distributed a memo regarding Ambulance Service Rates; see attached.

Helberg Referred The Ambulance Service Rates To The Safety & HR Committee With The Townships Invited Heath stated that the ambulance service rates are reviewed annually; Heath requested this be referred to the Safety & Human Resources Committee with the Townships being invited.

Heath stated that Governor Kasich announced another Bureau of Workers Compensation (BWC) rebate program, and using the figures from last year, this should equate to approximately \$45,000 - \$60,000 to the General Fund. Heath stated that last year Council earmarked to the General Fund Reserve Fund.

Heath started a Law Director yellow sheet request regarding the allocation of income tax which will be required to be read at the next Council meeting to meet the three (3) reads and thirty (30) day timeline, with the allocation staying the same as last year with sixty eight percent (68%) allocated to the General Fund and thirty two percent (32%) being allocated to the Enterprise Fund; Irelan agreed that the City is not in the financial position to go to a fifty percent (50%) split at this time.

Motion To Go Into Executive Session: Economic Development Motion: Ridley Second: Maassel
To go into Executive Session to discuss Economic Development

Roll call vote on above motion: Passed

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

Nay- 0 Nay-

Into Executive Session Council went into Executive Session at 7:45 pm.

Motion To Come

Out Of Executive Motion: Maassel Second: Ridley

Session To come out of Executive Session

Passed Roll call vote on above motion:

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

Nay- 0 Nay-

Out Of Executive

Council came out of Executive Session at 8:11 pm. President Helberg reported that Session the discussion was regarding Economic Development and no action was taken.

Motion To Go Into Executive Session: Compensation Of Personnel

Second: Maassel To go into Executive Session to discuss Compensation of Personnel

Roll call vote on above motion: **Passed**

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

Nav- 0 Nay-

Into Executive Session Council went into Executive Session at 8:12 pm.

Maassel

Motion: Ridley

Motion To Come Out Of Executive Session

Motion: To come out of Executive Session

Roll call vote on above motion: **Passed**

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

Nay- 0 Nay-

Out Of Executive Session

Council came out of Executive Session at 8:35 pm. President Helberg reported that the discussion was regarding Employee Compensation and no action was taken.

Second: Marihiugh

Approval Of Bills Bills and financial reports stand approved as presented with no objections.

Motion To Adjourn Motion: Marihugh Second: Ridley

To adjourn the meeting.

Passed Roll call vote on above motion:

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

Nav- 0 Nay-

Adjournment Meeting adjourned at 8:36 pm.

Approved:

John A. Helberg, Council President

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council



ORDINANCE NO. 061-14

AN ORDINANCE AMENDING THE FIXED ASSET POLICY OF THE CITY OF NAPOLEON

WHEREAS, the members of the Finance and Budget Committee met at a regular meeting and reviewed the Fixed Asset Policy and suggested changes presented by staff and recommended that the City should adopt the amended Fixed Asset Policy; and,

WHEREAS, this matter was previously brought before City Council at which time they directed the City Law Director return with an Ordinance to reflect the amendments; and,

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

WHEREAS, City Council now desires to amend the Fixed Asset Policy of the City of Napoleon; Now Therefore,

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

- Section 1. That, the City of Napoleon does hereby amend the Fixed Asset Policy, as set forth in "Exhibit A" which is attached and incorporated herein.
- Section 2. That, the City of Napoleon, once this Ordinance is effective does hereby make it retroactive to January 1, 2104.
- Section 3. That, it is found and determined that all formal action of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 21.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.
- Section 4. That, unless otherwise stated, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.
- Section 5. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

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

Attest:		
Gregory J. Heath, Clerk/Finance Direct	etor	
I. Gregory J. Heath. Clerk/Financ	ce Director of the Cit	y of Napoleon, do hereby certify tha
the foregoing Ordinance No. 061-14 was a general circulation in said City, on the	duly published in the	Northwest Signal, a newspaper of
further certify the compliance with rules e Napoleon Ohio and the laws of the State of	-	0 0
	Greac	ory I Heath Clerk/Finance Director

City of Napoleon

Fixed Asset Policy

Exhibit "A"



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Policy 0.0 Preface:

This document established by the Finance Department, approved by the Appointing Authority of the City of Napoleon, Ohio, in conjunction with the Revised Code of the State of Ohio as amended (hereinafter referred to as ORC), will govern the fixed asset activity of the City of Napoleon, Ohio (hereinafter referred to as CITY).

Policy 1.0 Policy:

It is the policy of the CITY to maintain a system of Fixed Assets which will provide a complete and accurate account of CITY owned assets of substantial value.

Policy 2.0 Scope:

The purpose of this policy is to formalize the procedures and approvals needed to authorize transactions with respect to fixed assets, (hereinafter referred to as FA), and to maintain a record of the CITY's fixed assets. The fixed asset accounting system facilitates overall control and custody of the CITY's property, which permits the assignment of direct responsibility for custody and proper use of specific fixed assets to individual public officials. Those items to which the governmental unit has title and meets the definitions below will be entered into the accounting records and transactions therein will be governed by the procedures in this manual.

2.1 Characteristics of Fixed Assets:

Fixed assets are specific items of property that:

- 1. Are tangible in nature;
- 2. Have a life longer than five (5) years;
- 3. Are not repair parts or supply items; and
- 4. Have a significant value.

With respect to the CITY, any fixed asset with a capitalization threshold greater than \$1,000 \$7,500 is considered to have significant value, otherwise known as the significant value test.

Policy 3.0 Categorizations of Fixed Assets:

3.1 Land:

Land includes all land parcels acquired for building sites, recreation, etc.

3.2 Buildings:

Buildings include all buildings (or structures that serve as buildings, such as permanently established trailers). Permanently attached fixtures installed during construction are considered part of the building. The subsequent addition of equipment

will be recorded as Machinery and Equipment. Major improvements, such as additions to buildings, are capitalized. The differentiation between additions, improvements, replacements, and repairs to fixed assets and the methods to record each are discussed in further detail in Section 13 of this policy.

Note: Labor costs are also added into the original cost.

3.3 Improvements other than Buildings:

Improvements other than buildings include improvements such as park facilities, parking lots, water lines, sewers and electric facilities.

3.4 Machinery and Mobile Equipment:

Machinery and mobile equipment includes all motor vehicles, trailers, and construction and maintenance equipment.

3.5 Office & Electronic Equipment and Fixtures:

Office & electronic equipment and fixtures. include all office equipment where the unit cost exceeds \$500, and have a five (5) year life.

3.6 Construction Work in Progress:

Construction work in progress includes all partially completed projects except roads and bridges. Buildings of various types will be the main component in this area. Upon completion, these assets are transferred to one of the other fixed asset classifications.

3.7 Exceptions:

Certain items possessed by Enterprise Fund departments, such as repair parts and supply items are not included in the definition of a fixed asset and are not subject to the these procedures (ie. transformers, fire hydrants). In addition, public domain or 'infrastructure' fixed assets, articles that are normally stationary and usually have longer useful lives than most fixed assets, are not currently included in the definition of fixed assets of the CITY's policy. However, infrastructure assets such as roads, bridges, curbs, gutters, streets, sidewalks, drainage and lighting systems, and similar structures will be included as fixed assets when the CITY is required to report them (in periods beginning after June 15, 2002), per Governmental Accounting Standards Board (GASB) Statement 34. Infrastructure fixed assets are discussed in further detail in Section 14 of this Policy.

Policy 4.0 Accounting for Fixed Assets:

The appropriate accounting treatment for the acquisition of a fixed asset is governed by the fund type from which the fixed asset was purchased and the ultimate use of the asset.

There are three (3) categories of funds employed in governmental accounting which are further classified into eight (8) fund types.

4.1 Governmental Funds:

Often called 'Source and Disposition Funds', Governmental Funds are those funds through which most governmental functions are typically financed. A government's expendable financial resources and related liabilities, except those accounted for in Proprietary Funds, are accounted for through Governmental Funds. The four (4) Governmental Fund types are: General, Special Revenue, Capital Projects, and Debt Service.

4.2 Proprietary Funds:

Sometimes called 'Commercial – Type Funds', Proprietary Funds are used to account for a government's ongoing organizations or activities that are similar to those found in the private sector. All assets, liabilities, equities, revenues, expenses and transfers relating to the government's business activities are accounted for through Proprietary Funds. Proprietary Funds are two (2) types: Enterprise and Internal Service Funds.

- 1. Enterprise Funds account for operations that are financed and operated in a manner similar to private business enterprises. An Enterprise Fund is where the intent is that the costs of providing goods or services to the general public on a continuing basis be financed through user charges (utilities).
- 2. Internal Service Funds account for the financing of good or services provided by one department or agency to other departments or agencies of the governmental unit, or to other governmental units, on a cost reimbursement basis.

4.3 Fiduciary Funds:

Fiduciary Funds are of two (2) types: Trust Funds and Agency Funds. They are used to account for assets held by a governmental unit in a trustee capacity and/or as an agent for individuals, private organizations, other governmental units or other funds.

Policy 5.0 Fixed Asset Categories:

Fixed assets may be classified in three (3) categories: General Fixed Assets, Fund Fixed Assets, and Infrastructure, depending on whether the asset is associated with a Governmental or Proprietary Fund type operation.

5.1 General Fixed Assets:

Fixed assets associated with governmental functions are known as General Fixed Assets. General Fixed Assets are not included in the balance sheets of Governmental Funds, but rather are reported at historical cost in a separate, self-balancing account group called the General Fixed Assets Account Group. The cost of General Fixed Assets are summarized in the General Fixed Assets Account Group by categories such as Land, Buildings, Improvements (other than Buildings), Furniture and Fixtures, Machinery and Equipment, and Construction in Progress. The source of the money used to acquire General Assets is recorded in an account known as 'Investment in General Fixed Assets'. Sources may include individual funds, federal or state grants, taxes, debt proceeds, etc. Source disclosure for General Fixed Assets is only required if a Comprehensive Annual Financial Report (CAFR) is prepared. If the governmental entity is unable to identify sources from subsequent years, source disclosure in the CAFR may begin with the year for which the statements are prepared.

5.2 Fund Fixed Assets:

Fixed assets utilized in Proprietary (Enterprise and Internal Service) Fund activities or in Trust Funds are accounted for in the appropriate fund, and are referred to as Fund Fixed Assets.

Enterprise Fund fixed assets are capitalized (recorded) in the fund because the fixed assets are used in the production of the goods or services provided and sold. In order to determine profit or loss, the expense of using these assets (Depreciation) must be included as an operation cost.

Internal Service Fund fixed assets are recorded in the fund accounts for similar reasons. These assets are also directly related to fund operations, as is the case with Enterprise Fund fixed assets. Depreciation must be recorded to determine fund expenses, charges to departments, and changes in fund equity.

The identification of the source of fixed assets associated with an Enterprise or Internal Service Fund is required in order for the entity to be able to properly prepare financial statements in accordance with Generally Accepted Accounting Principles (GAAP). Sources may include federal grants, special assessments, property taxes, contributions from other funds or developers, and purchase or construction by the Enterprise or Internal Service Fund itself.

Fixed assets associated with Trust Funds are also accounted for in those funds. This requirement assists in assuring compliance with the terms of the trust instrument, provides a deterrent to mismanagement of trust assets, and facilitates accounting for depreciation where the trust principal must be maintained intact.

5.3 Infrastructure:

According to the GASB Statement 34, Paragraphs 143 and 148, prospective reporting of general infrastructure assets in the statement of net assets is required for governments with total annual revenues between \$10 million and \$100 million, which includes the CITY, for periods beginning after June 15, 2002.

Those fixed assets belonging to an Enterprise, Internal Service or Trust Fund must be recorded and reported within the fund.

Policy 6.0 Responsibility For A Fixed Asset:

The department responsible for a fixed asset is normally the department that is using or last used the asset. The Finance Director or his/her designee must approve deviations from this general rule.

Policy 7.0 Location Of A Fixed Asset:

The location of a fixed asset is the physical location of the asset as broken down and number coded.

Policy 8.0 Fixed Asset Acquisition:

Means of acquiring fixed assets include, but are not limited to, purchase, donation, eminent domain, and trade. The department acquiring the fixed asset should complete a 'Fixed Asset Acquisition Record' (hereinafter referred to as FAAR) for all fixed assets.

See <u>Appendix A</u> for a sample FAAR and instructions on completing it. A complete list of code numbers to be used is provided on the reverse side of the FAAR. This Appendix may be updated as needed, as the FAAR and/or code numbers may change.

8.1 Acquisition Through Purchase:

The CITY's normal purchasing procedure shall be followed when purchasing a fixed asset.

8.2 Acquisition By Donation Or Eminent Domain:

If the asset is donated in lieu of CITY fees, received as a donation, or acquired through eminent domain, the cost assigned to the asset is the market value of the asset at the time of acquisition. The market value is obtained by an appraisal of the asset.

8.3 Acquisition By Trade Of Fixed Assets:

Transactions may or may not involve cash. If one (1) fixed asset is acquired through the trade of a non cash item, the cost of the acquired asset is the market value of the asset at the time it is received. The market value is obtained by an appraisal of the asset.

8.4.1 Recording The Fixed Asset Accepted:

To comply with the requirements of this policy, it is the responsibility of the Department Heads to report any of the above types of acquisitions to the Finance Department.

8.4.2 Responsibility Of The Finance Department:

It is the responsibility of the Finance Department to record in the CITY's accounting records all fixed assets acquired as described above. The asset data shall be obtained from the FAAR submitted by the Department Head. The Finance Department shall assign a tag number and sign the FAAR and return the designated copy to the Department Head as a notice of responsibility for the fixed asset.

8.5 Leases:

It is the responsibility of the Finance Department to analyze and prepare a FAAR for all leases that should be capitalized under GAAP. A copy of the FAAR shall be sent to the department responsible for the lease. This is to inform the Department Head that the item has been included in the CITY's fixed asset records and should be treated as any other fixed asset in regards to the recording of transactions or changing in the use or location of the asset.

8.6 Monitoring Compliance:

It is the responsibility of the Finance Department to examine invoices of all fixed asset purchases to ensure that a FAAR is properly prepared by the department receiving the assets.

Policy 9.0 Fixed Assets Transfers:

Department Heads are responsible for all fixed assets in their department's possession, as listed in the Finance Department's records. Transfers of fixed assets among departments within the CITY must be reported using a Fixed Asset Transfer Record (hereinafter referred to as FATR). If a fixed asset is transferred to another department and not reported to the Finance Director, the head of the department that transferred the fixed asset will be held responsible for the item until such time the transfer is recorded properly.

See <u>Appendix B</u> for a sample FATR and instructions on completing it. A complete list of code numbers to be used is provided on the reverse side of the FATR. This Appendix may be updated as needed, as the FATR and/or the code numbers may change.

9.1 Recording The Fixed Asset Transfer:

The department with current possession who shall forfeit responsibility of the fixed asset is hereinafter referred to as the Giving Department. The department who shall accept responsibility of the asset is hereinafter referred to as the Receiving Department. To comply with the requirements of this policy, it is the responsibility of the head of the Giving Department to identify any fixed asset transfer to the Finance Department.

9.2 Responsibility Of The Giving Department:

It is the responsibility of the Giving Department Head to provide the Finance Department, via FATR, the transfer of fixed assets. The top portion of the FATR shall be completed and signed. Both copies of the FATR shall be submitted to the Receiving Department Head.

9.3 Responsibility Of The Receiving Department:

The head of the department receiving the fixed asset should complete and sign the specified portion of the FATR acknowledging receipt of the asset and acceptance of the responsibility for it. Both copies should then be forwarded to the Finance Department.

9.4 Responsibility Of The Finance Department:

It is the responsibility of the Finance Department to record in the CITY's accounting records all fixed assets transferred internally between departments. The transfer data shall be obtained from the FATR submitted to them from the Receiving Department. The Finance Director shall initial and date the FATR and return one (1) completed copy to the Giving Department for release of responsibility and one (1) copy to the Receiving Department for acceptance of responsibility.

Policy 10.0 Fixed Asset Disposal:

All disposals of fixed assets must be made according to the procedures stipulated in this policy. The department with current possession initiating disposal of the fixed asset is hereinafter referred to as the Disposing Department. Before a department may dispose of a fixed asset, approval must be obtained via the Fixed Asset Disposal Record (hereinafter referred to as the FADR). After a FADR has received final approval, all copies should be sent to the Department Head disposing of the fixed asset.

See <u>Appendix C</u> for a sample FADR and instructions on completing it. A complete list of code numbers to be used is provided on the reverse side of the FADR. This appendix may be updated as needed, as the FADR and/or code numbers may change.

10.1 Methods Of Disposal:

Means of disposing fixed assets include, but are not limited to, sale, auction, or scrap. If a method arises that is not discussed below, Council has the ultimate decision to approve the proposed disposal.

10.1.1 Sale:

If the Disposing Department wishes to dispose of a fixed asset with a value as approved by Ordinance by direct sale to a specific entity, the sale must be approved by both the City Manager and Council. When the value of the asset is less than the Ordinance value, the sale needs only to be approved by the City Manager.

10.1.2 Auction:

If the Disposing Department wishes to dispose of fixed asset without having a buyer prearranged, the item shall be put up for sale at the CITY's annual auction. Disposing of a fixed asset through auction, regardless of the value amount, does not require approval from Council, just approval from the City Manager (however, Council is notified of the items for sale on the auction block at the time of the auction).

10.1.3 Scrap

Department Heads that wish to dispose of a fixed asset that hold no value need only to obtain approval from the City Manager.

10.2 Recording The Fixed Asset Disposal:

10.2.1 Responsibility Of The Disposing Department:

It is the responsibility of the Disposing Department Head to provide to the City Manager, via the FADR, the request to dispose of a fixed asset. The appropriate portion of the FADR shall be completed and signed. All copies shall be forwarded to the City Manager.

10.2.2 Responsibility Of The City Manager:

The City Manager shall review the FADR to determine if the fixed asset can be used by any other CITY department and should not be disposed of. (Copies of summaries of the FADR may need to be circulated to the various CITY departments for review.) If the City Manager can arrange among departments to transfer a fixed asset, the FADR should not be processed any further, and the procedure for fixed asset transfers (Section 9.0 of this policy) should be followed, including the completion of the FATR. If the fixed asset cannot be used economically by another department and if the proposed disposal method (sale, auction, scrap, etc.) appears reasonable, the City Manager shall complete and sign the appropriate portion of the FADR. After completion of the FADR, both copies shall be forwarded to Council if required according to Section 10.1 in this policy. If the conditions of the fixed asset do not require being approved by Council, one (1) copy of the approved FADR shall be forwarded to the Finance Department to be recorded, and one (1) copy shall be returned to the Disposing Department to proceed with disposal.

10.2.3 Responsibility Of Council:

Council is to approve any direct sale disposal of a fixed asset valued more than what is allowed by Ordinance. After the disposal has been approved, the FADR shall be returned to the Disposing Department until physical disposal has been completed.

10.3 Disposal Of The Fixed Asset:

The Disposing Department, after approval by the City Manager and Council (as required) via the FADR shall physically dispose of the fixed asset in accordance with the method adopted (ie. sale, auction, scrap, etc.) on the approved FADR.

10.4 Final Section Of The Disposal Request:

The Disposing Department Head should complete the final section of the FADR, remove the tag from the asset, and return the tag along with the appropriate copy of the complete disposal form to the Finance Department after making the physical disposal. The duplicate copy of the FADR is to be retained by the Disposing Department.

10.5 Responsibility Of The Finance Department:

It is the responsibility of the Finance Department to update the fixed asset records with the information form the approved FADR.

10.6 Disposal Of A Portion Of A Fixed Asset:

A partial disposal should be noted on the description line of the FADR. It should contain clear documentation of the portion being disposed of and that which remains. The original fixed asset tag is to remain on the portion of the asset still in use. All other

procedures for the disposal of a fixed asset (as written above in Section 10 of this policy) apply.

10.7 Collecting Sale Proceeds:

Upon notification of the actual disposal from the department that disposed of the item, the Finance Department should prepare and send an invoice to the entity purchasing the asset (if necessary). The Finance Department shall follow up on all approved FADRs to ensure that all disposals are made and that all sale proceeds are received by the CITY.

Policy 11.0 Tagging The Fixed Assets:

11.1 Responsibility For Tagging The Fixed Assets:

All fixed assets that are required to be tagged shall be tagged by the Finance Department upon completion of the FAAR. Tags should not be removed when fixed assets are transferred between CITY departments.

11.2 Fixed Assets That Should Be Tagged:

All fixed assets should be tagged <u>except</u> the following:

- 1. Land and land improvements;
- 2. Buildings; and
- 3. Any asset in which the tag would stand a very good chance of being defaced, destroyed, or lost by the normal use of the asset. (In these instances, a tag number will still be assigned but not applied to the asset.)

11.3 Placement Of The Tag:

There are no good and fast rules regarding tag placement. Normally, the tag should be placed where it can be easily seen. The location should be as uniform and accessible as possible. Suggestions that may be of assistance follow:

- 1. <u>Machinery</u>: the tag should be attached in a prominent, eye-level position on the front of the machine, yet where it will be least likely to be defaced in the course of normal operation of the machine.
- 2. <u>Desks, Tables, Benches, Chairs</u>: there is no one good place. Wherever they are placed, it should be uniform. If the tag is placed on the front end of a desk, it may be obscured when two (2) units are placed together. Consideration should be given in placing tags so when a number is to be checked, it will not disrupt operations by requiring a worker to move. Positions such as inside desk drawers (locked drawers present additional problems) and inside legs of desks should be avoided if at all possible. If the legs are removable, then apply the tag to the front rail of the desk or table.

- 3. <u>Files, Cabinets, etc.</u>: the best location appears to be on the front upper left-hand corner. Here it will not interfere with locks or normal operations. Again, uniformity will facilitate periodic number checks.
- 4. <u>Vehicles, Racks, etc.</u>: Care should be exercised that tags are not positioned where they may easily be removed or defaced by bumping, wearing, or hard blows. Again, try for uniformity. For example, the upper left-hand corner at eye level for racks is a good location. The inside door frame on the driver's side is a good location for placing tags on vehicles.

11.4 Accounting For Issued And Unissued Tags:

It is the responsibility of the Finance Department to maintain proper physical control over unissued tags. It is also the responsibility of the Finance Department to account for all issued and unissued tags as follows:

- 1. A record of all tag numbers available should be maintained by the Finance Department; and
- 2. Tag numbers of disposed assets should not be reused.

Policy 12.0 Accounting For Depreciation:

Other than land, the usefulness of most assets decline over time. To account for this, some method of write-down or write-off of cost must occur. Depreciation is the term most often used to indicate that tangible assets have declined in service potential.

Depreciation is not a matter of valuation but a means of cost allocation. Assets are not depreciated on the basis of a decline in their fair market value, but on the basis of systematic charges of cost to income.

12.1 Deprecation Of Proprietary Fixed Assets:

The method of calculating deprecation practiced by the CITY is called Straight Line. The depreciation expense is the same for each year of the asset's estimated useful life.

The following is an example of how to calculate and journalize depreciation using the Straight Line method:

An entity purchased a truck to be used in the sewer operation which is accounted for as a Proprietary Fund. The cost of the truck was \$10,000, its estimated useful life is four (4) years and its salvage value is estimated at \$1,000. The depreciation expense is calculated in the following manner:

<u>Cost – Salvage Value</u> = \$10,000 - \$1,000100 = \$2,250 - \$2475Estimated Useful Life 4

The truck was purchased on January 1, 1999. On December 31, 1999, the following entry would be necessary:

Depreciation Expense \$2,250 \$2,475

Accumulated Depreciation \$2,250 \$2,475

The net book value (NBV) of an asset is the original cost minus accumulated depreciation. At December 31, 1999, the truck's book value is \$7,750 \$7,525.

12.2 Depreciation Of General Fixed Assets:

When general fixed assets are depreciated, no depreciation expense is reported. Rather, a reduction in the Investment In General Fixed Assets account is recorded. Using the truck purchased in the preceding example, the entry would be:

Investment in GFA \$2,250 \$2,475

Accumulated Depreciation \$2,250 \$2,475

Reporting depreciation for general fixed assets is not required but is permitted. Depreciation of fixed assets must be recorded to determine total expenses, net income, and changes in fund equity of Proprietary and nonexpendable Trust Funds. The amount of accumulated depreciation plus the amount of depreciation experienced for the current period must be maintained for reporting purposes.

Policy 13.0 Additions, Improvements/Replacements, And Repairs:

13.1 Additions:

Any additions to assets are capitalized because a new asset has been created that increases the ability to provide service.

Sometimes it is difficult to differentiate improvements and replacements from normal repairs. If the expenditure increases the future service potential of the asset, it should be capitalized. If the expenditure maintains the existing level of service, it should be expensed/expended as a normal repair.

13.2 Improvements And Replacements:

Improvements and replacements are substitution of one asset for another. However, an improvement is the substitution of a better asset for the one currently used. A replacement is the substitution of a similar asset for the one being used.

To capitalize an expenditure as an improvement or replacement, record the new asset being acquired and remove the old asset from the fixed asset records. If the book

value or original cost of the old asset is not known, the cost of the new asset may either be debited to the accumulated depreciation account of the old asset (if deprecation is being recorded) or charged directly to the asset account.

13.3 Repairs:

Ordinary repairs are expenditures made to maintain assets in operating condition; they are charged to an expense or program/function expenditure account in the period in which they are incurred on the basis that it is the only period benefited. Replacement of minor parts, lubricating and adjusting of equipment, repainting, and cleanings are examples of the type of maintenance charges that occur regularly and are treated as ordinary operating expenses. It is often difficult to distinguish a repair from an improvement or replacement. The major consideration is whether the expenditure increases the future service potential. If a major repair, such as an overhaul occurs, several periods will benefit and the cost should be handled as an addition, improvement, or replacement, depending on the type of repair made.

Policy 14.0 Annual Review Of Fixed Assets:

A review of all fixed assets must be performed annually to assure that all fixed assets are still in use. Department Heads are responsible for ensuring that all reviews are completed in a timely and efficient manner.

Finance Department - Internal Policy	
Gregory J. Heath, Finance Director/Clerk	
Annointing Authority	

Section 15.0 Glossary:

Accumulated Depreciation: The total amount of the asset that has been allocated as depreciation.

Comprehensive Annual Financial Report (CAFR): Packet of yearly financial statements and information for the City of Napoleon, Ohio. It includes five (5) combined statements for each individual fund and account group prepared by the Finance Department in conformity with GAAP. Also included are supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

Capitalized: To include a purchase, improvement, repair, etc. as an asset.

Capitalization Threshold: With respect to the CITY, having an original cost greater than **one thousand dollars** (\$1,000.00) *SEVEN THOUSAND FIVE HUNDRED DOLLARS* (\$7,500.00), otherwise known as significant value.

City Council: Legislative body of the City of Napoleon comprised of seven (7) members elected by voters; referred to as Council in this document.

Department: A division of the CITY, each concerning a specific aspect of the entire system; examples are Law, Finance, Engineering, Income Tax, Police, Fire, Water Distribution, Electric Distribution, and Sewer Treatment Departments.

Department Head: Person in charge of and responsible for all of their respective departments' activities, including purchasing, trading, and disposing of fixed assets.

Depreciation: A method used to allocate the cost of an asset over the asset's useful life and to match the expense of the use in the same period the asset was used.

Eminent Domain: The power of the CITY over property within the CITY to appropriate all or any part thereof to a necessary public use with reasonable payment to the owner being made.

Fixed Asset: A tangible object with a useful life of more than five (5) years and having a significant value that will provide a future economic benefit to the CITY.

Section 15.0 Glossary (Continued):

Generally Accepted Accounting Principles (GAAP): Set of rules and regulations entities must follow in accounting for financial activities and when preparing financial statements.

Governmental Accounting Standards Board (GASB): Committee that develops the standards for state and local government accounting and financial reporting; Statement 34 presents new requirements for state and local governments to make annual reports more comprehensive and easier to understand.

Infrastructure: Public domain assets that are immobile and of value only to the CITY, such as streets, sidewalks, curbs, gutters, bridges, and drainage and lighting systems.

Market Value: The worth of the asset at that period of time set by the economy.

Net Book Value (NBV): Equals the original cost of an asset minus the accumulated depreciation of the asset at that point in time.

Original Cost: The amount the CITY paid for the asset at purchase, including tax, delivery, and other miscellaneous expenses.

Salvage Value: The worth of the asset at the end of its useful life. *THE CURRENT SALVAGE VALUE SET BY THE CITY IS 1% (ONE PERCENT).*

Tangible: Having a physical presence; able to be touched.

Test of Full Disclosure: Auditing check assuring that all information presented in the CAFR is complete, including complete fixed asset information.

Code Listing

Location Codes Department Codes 01 Finance Dept. 1200 Mayor 02 Administration 1300 City Manager 03 Engineering Dept. 1400 Law Director 04 Municipal Court 1500 Finance 05 Fire Dept. 1510 Income Tax 06 Police Dept. 1520 Utility Billing 07 Water Trt. Plant 1700 Engineering 08 Wastewater Office 1800 Municipal Court 09 Wastewater Lab 1900 General Government 10 Wastewater Digesters 2100 Police 11 Wastewater Pump Bldg. 2200 Fire 12 Wastewater Grounds 3100 Building Inspection 13 MSB Offices 4100 Parks & Recreation 14 MSB Garage Area 4200 Golf Course 15 MSB Vehicle Storage Area 4300 Swimming Pool 16 MSB Outside Storage 4700 Cemetery 17 Powerplant Bldg. 5100 Street CM&R 18 Glenwood Substation 5130 Maintenance Dept. 19 Industrial Substation 5200 Garage 20 Southside Substation 6110 Electric Distribution 21 Parks & Rec. Storage 6200 Water Treatment Plant 6210 Water Distribution 22 Golf Course 23 Swimming Pool 6300 Sewer Treatment Plant 24 Glenwood Park 6400 Sanitation 25 Swearingen Park 26 Meyerholtz Park Category Codes 27 Ritter Park 28 Wayne Park 100 Land 29 Oakwood Park 225 Building 30 Oberhaus Park 300 Improvements 31 Riverdowns Park 310 Improvements 32 Cemetery Office - Forest Hill 330 Infrastructure 33 Southside Lift Station 350 Infrastructure 34 Riverview Lift Station 405 Office M&E - 5 yr. 35 Holiday Inn Lift Station 410 Office M&E - 10 yr. 36 Williams Lift Station 415 Office M&E - 15 yr. 37 Van Hyning Lift Station 505 General M&E - 5 yr. 38 Palmer Ditch Lift Station 510 General M&E - 10 yr. 39 Scott St. Lift Station 515 General M&E - 15 yr. 40 Land Parcels 520 General M&E - 20 yr. 99 Throughout City 525 General M&E - 25 yr. 610 Furniture - 10 yr. 615 Furniture - 15 yr. 620 Furniture – 20 yr. 705 Vehicle - 5 yr. 710 Vehicle - 10 yr. 720 Vehicle - 20 yr. 900 Construction In Progress

Activity Codes

100 General Fixed Asset Group 500 Proprietary Fixed Asset 900 Items less than \$1,000 (Control)

Fund Codes

001 General Fund 002 Special Revenue Funds 004 Capital Projects Funds 005 Enterprise Funds 006 Internal Service Funds 007 Trust Funds – Expendable 008 Trust Funds – Nonexpendable 009 Pension Trust & Agency

Acquisition Codes

D DonationG GrantsP PurchasedT Transfer

Valuation Codes

A Actual Cost APP Appraised Cost EST Estimated Cost

Appendix A

Fixed Asset Acquisition Record (FAAR):

To be completed by the Acquiring Department:

The Acquiring Department shall initiate the recording process by completing as many of the following fields found on the FAAR as possible:

Serial Number: Enter the serial number of the fixed asset, if applicable.

Vendor Name: Enter the name of the entity from which the asset was acquired.

Description: Enter a brief, concise description of the fixed asset.

Misc. User: Enter the primary individual or department who will be using the fixed asset.

Misc. User: Enter any additional users of the fixed asset.

PO Number: Enter the purchase order number of the fixed asset.

The following seven (7) fields require code numbers; please refer to the reverse side of the FAAR for the code listings.

Location: Enter the location code where the fixed asset will be in use.

Department: Enter the department code for the department accepting responsibility for the fixed asset.

Category: Enter the category code that describes the asset. For definitions of categories,

see Sections 3.0 through 3.7.

Activity: Enter codes for General, Proprietary, or items less than \$1,000 \$7,500 AND

GREATER.

Fund: Enter code for fund type: General, Special Revenue, Capital Projects, Debt Service,

Enterprise

Internal Service, Trust Funds, Agency Funds.

Acq Code: (Acquisition Code) Enter the code for the method that the fixed asset was obtained.

Value Code: Enter whether the fixed asset cost is an *appraisal* an *estimation*, or the *actual value* of

the asset.

Ins Value: The value the insurance company places on a fixed asset, if known.

Quantity: Enter the number of units purchased, if applicable.

Cost: Enter purchase price per unit.

Total Cost: Enter the total price for all units purchased; (quantity * cost)

Acq Date: (Acquisition Date) Enter the date the asset is acquired (actual or estimated) and becomes

available for use.

The Acquiring Department Head shall sign, date, and forward the completed FAAR to the Finance Department.

To be completed by the Finance Department:

The following fields will automatically be calculated by the computer, and therefore will not need to have anything entered:

Life (months), Dep. (months), Salvage Value, Dep. Y-T-D, and Accum. Dep.

The Finance Director shall indicate the tag number assigned to the new asset, then sign and date the FAAR. The designated copy shall be returned to the Acquiring Department for acceptance of responsibility.

City of Napoleon

Fixed Asset Acquisition Record

To be completed by	the Acquiring Departn	nent:			
Department		Į	Department He	ad	
Serial Number		Vendor Name			
Description			<u> </u>		
Misc User	Mis	c User		PO Numbe	r
(Refer to reverse sid	de of form for Code List	ings)			
Location Code	Department Code	Category Code	Active	ity Code]
Location Code	Department code	category code	Activ	ity code	
Fund Code	Acq Code	Value Code			
runu code	Acq code	value code		<u> </u>	
Ins Value	Quantity	Cost/Unit	Total Cost		Acq Date
Please include any add	litional information regar	ding the fixed asset a	cquisition.		
	Department Hea	d Signature			Date
	e Finance Department:				
	of the City of Napoleon hav	e been updated to incl	ude the aforemen	tioned acquisi	tion.
Tag Number Assigned	Ein	ango Dirogton Cignotus			Date
Tag Number Assigned	rina	ance Director Signatur	C		Date

Appendix B

Fixed Asset Transfer Record (FATR):

The Giving Department shall initiate the FATR process. The Giving Department Head shall complete the designated portion, sign, and forward both copies to the Receiving Department. The Receiving Department Head shall complete the specified portion, sign, and forward both copies to the Finance Department. The Finance Department shall enter the new information into the computer records. After completed, the Finance Director shall initial and date the FATR. One (1) copy of the completed FATR shall be returned to the Giving Department acknowledging release of responsibility and one (1) to the Receiving Department acknowledging acceptance of responsibility.

To be completed by the Giving Department:

Tag Number: Every asset should have a tag affixed on it; if not, contact the

Finance Department

Serial Number: Fill in the asset's serial number to verify correct asset

Description: Fill in a description of the asset to verify correct asset

Department Head shall sign, date, and forward to the Receiving Department.

To be completed by the Receiving Department:

New Dept.: Enter new department code

New Category: If needed enter new category code
New Activity: If needed enter new activity code
New Fund: If needed enter new fund type code

Date Changed: Enter date of transfer

Department Head shall sign, date, and forward to the Finance Department.

To be completed by the Finance Department:

Tag Number: Once the tag number is entered into the computer, the

computer will bring up the following information pertaining to

that asset:

Serial Number, Vendor Name, Description, Misc. User, Misc. User, PO Number, Location Code, Department Code, Category Code, Activity Code, Fund Code, Acq. Code, Value Code, Ins. Value, Repl. Cost, Repl. Date, Quantity, Cost, Total Cost, and Acq. Date

Finance Director shall sign, date, and return each copy to the designated departments.

City of Napoleon

Fixed Asset Transfer Record

To be completed by the Giving Department:					
Tag Number		Ser	ial Number		
Description					
P					
	[
		Giving Depa	ertment Head Signatur	e Date	
To be completed by the Receiving Department:					
(Refer to reverse side of	form for Co	de Listings)			
New Department Code	New Cate	egory Code	New Activity Code	New Fund Code	
	٦				
Date Changed					
	•	Receiving De	partment Head Signati	ire Date	
To be completed by the I The fixed asset records of	_		een updated to include	the aforementioned transfer.	
	ſ				
		Finance Direct	tor Signature	Date	

Appendix C

Fixed Asset Disposal Record (FADR):

The disposing department shall initiate the FADR process. The FADR must get final approval before the disposing department shall physically dispose of the asset. Council and the City Manager must approve any disposal of a fixed asset with a cost more than \$1,000.00\$7,500. Any disposal of a fixed asset costing \$1,000.00\$7,500 or less must only get approval by the City Manager.

To be completed by the Disposing Department:

Tag Number: Fill in the number from the tag affixed on the asset assigned by

the Finance Department at the time of acquisition; if there is no

tag, contact the Finance Department for the assigned tag

number.

Serial Number: Fill in the asset's serial number to verify correct asset

Description: Fill in a description of the asset to verify correct asset; if only

disposing of a portion of the asset, describe what portion is being disposed of and what portion is to remain in use

Proposed Disposal Method: Indicate proposed method of disposal; examples of methods

are sale, donation, or scrap, among others

Sales Price Quotation: If proposed method of disposal is by sale, enter amount quoted

by entity that is purchasing the asset

The Disposing Department Head is to sign, date, and forward to the City Manager.

To be completed by the City Manager:

Transferable: Check yes or no; if yes, fill in the department being transferred

to and return to disposing department to begin FATR transfer

process

Disposal Decision: Check approve or disapprove; if disapprove, indicate reason

for disapproval and return to disposing department

The City Manager is to sign, date, and forward to Council (if over \$1,000.00\$7,500) for additional approval, or return to disposing department for physical disposal (if \$1,000.00\$7,500 or less)

To be completed by Disposing Department:

Disposal Date: Indicate date the fixed asset or portion thereof was physically

disposed of by method approved on FADR

Final Disposal Amount: If disposal by sale, enter amount received (or will receive)

from sale of the fixed asset

The Disposing Department is to remove tag from asset (or portion) that was disposed of and return to the Finance Department, along with the signed and dated approved FADR

To be completed by the Finance Department:

Tag Number: Once the tag number is input into the computer, the computer

will bring up all of the information pertaining to that asset

The additional information regarding the disposal, per the FADR, shall be entered by the Finance Department. The following entry is not found on the FADR and must be determined and entered by the Finance Department:

Dep Adjustment:

Gain/Loss: Indicate whether a gain or loss was incurred (ie, the asset was

sold for less or more than the market value)

The Finance Director shall initial, date, and return the designated copy of the FADR to the Disposing Department acknowledging release of responsibility. The Finance Director shall retain the copy specified for the Finance Department for records.

City of Napoleon Fixed Asset Disposal Record

Γο be completed by	the Disposing Department:	_
ag Number	Serial Number	
Description		
rescription		
Proposed Disposal Me	ethod	Sales Price Quotation
	Disposing Department Signature	Date
To be completed by	the City Manager:	
Transferable: YES or	NO If YES, enter transfer Receiving	Department
		
Disposal Decision: YE	ES or NO If NO, please give reason	
	City Manager Signature	Date
	City Manager Signature	Date
o be completed by	the Disposing Department at the time of ph	nysical disposal: _
Disposal Date	Final Disposal Amount	
To be completed by	the Finance Department:	
	ds of the City of Napoleon have been updated t	o include the aforementioned disposal.
	Finance Director Signature	Date

RESOLUTION NO. 062-14

A RESOLUTION AMENDING THE ALLOCATION OF FUNDS AS FOUND IN SECTION 193.11 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO

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

Section 1. That, Section 193.11 of the Codified Ordinances of Napoleon, Ohio, shall be amended and enacted as follows:

"193.11 ALLOCATION OF FUNDS.

- (a) Effective January 1, 2015, the funds collected under the provisions of this chapter shall be deposited in the "General Fund equivalent" of the City for municipal income taxes and shall be disbursed in the following order:
- (1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.
- (2) Not more than 62% of the net available tax receipts received annually may be used to defray operating expenses of the City.
- (3) At least 38% of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.
- (b) Effective January 1, 2016 and thereafter, the funds collected under the provisions of this chapter shall be deposited in the "General Fund equivalent" of the City for municipal income taxes and shall be disbursed in the following order:
- (1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.
- (2) Not more than 50% of the net available tax receipts received annually may be used to defray operating expenses of the City.
- (3) At least 50% of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments."
- Section 2. That, Section 193.11 of the codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Resolution, is repealed effective December 31, 2014 at 11:59 PM.
- Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal

requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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

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

Passed:			
			John A. Helberg, Council President
Approved:			
			Ronald A. Behm, Mayor
VOTE ON PASSAGE Attest:	Yea	Nay	Abstain
Gregory J. Heath, Clerk/Fi	nance Direc	ctor	
that the foregoing Resolution newspaper of general circulo	n No. 062 -14 ution in said	was duly put City, on the	of the City of Napoleon, do hereby certify ublished in the Northwest Signal, a day of es established in Chapter 103 of the
			of the State of Ohio pertaining to Public
			Gregory I Heath Clark/Finance Director

RESOLUTION NO. 063-14

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF REPAIRING AND/OR REBUILDING THE PRIMARY DIGESTER MIXER AT THE WASTEWATER TREATMENT FACILITY AND AUTHORIZING THE SOLE SOURCING OF THE PROJECT TO MELDRUM MECHANICAL SERVICES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SAID REPAIRS, AND DECLARING AN EMERGENCY

WHEREAS, it has been determined that the primary sludge digester mixer for the City of Napoleon's Wastewater Treatment Plant is in need of repair and/or rebuild; and.

WHEREAS, this matter was already in the budget with the estimated amount of \$22,000.00, and this matter is being brought before Council again because it has been brought to staff's attention that this matter could run over the \$25,000.00 bidding threshold; and,

WHEREAS, Meldrum Mechanical Services was the company that recently rebuilt the City of Napoleon's first mixer and therefore is familiar with what may be required; and,

WHEREAS, the Council believes it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; **Now Therefore**,

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

- Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 from the 2014 Budget for the repair and/or rebuild of the primary sludge digester mixer for the City of Napoleon's Wastewater Treatment Plant. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.
- Section 2. That, the City Manager is authorized to enter into a contract with Meldrum Mechanical Services to conduct the repairs and/or rebuild.
- Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the

earliest possible time so that the repairs can be done as soon as possible in hopes of avoiding a complete rebuild, which affect the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed:	
	John A. Helberg, Council President
Approved:	Ronald A. Behm, Mayor
VOTE ON PASSAGE Yea Nay	Abstain
Attest:	
Gregory J. Heath, Clerk/Finance Director	-
I, Gregory J. Heath, Clerk/Finance Direct that the foregoing Resolution No. 063-14 was duly newspaper of general circulation in said City, on t; & I further certify the compliance with ru Ordinances Of Napoleon Ohio and the laws of the	the day of, ules established in Chapter 103 of the Codified
\overline{c}	Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 064-14

AN ORDINANCE ACCEPTING THE ANNEXATION TO THE CITY OF NAPOLEON OF 5.448 ACRES OF LAND OWNED BY MDC HOLDINGS, LLC; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon has previously entered into an annexation agreement with MDC Holdings, LLC in compliance with an Expedited Type I Annexation of approximately 5.448 acres of land which is currently in the Township of Napoleon, Henry County, Ohio and more fully described in Exhibit "A" which is attached and incorporated herein; and,

WHEREAS, the City of Napoleon has previously consented to said annexation it now chooses to accept said annexation; and,

WHEREAS it is the intent of the City of Napoleon to respond accordingly; Now therefore.

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

- Section 1. That, the Council of the City of Napoleon, Ohio does hereby accept the annexation of the territory proposed and described in Exhibit A which is attached and incorporated herein. The zoning classification for this parcel is set at C-4, and this classification is reflected on the Official Zone Map of the City of Napoleon.
- Section 2. That, the Clerk of Council is hereby directed to forward a copy of this Resolution to the Henry County Board of Commissioners, the Henry County Auditor, the Henry County Recorder, and the Secretary of State for Ohio.
- Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the City to comply with ORC requirements regarding Type I Annexation; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed:	
	John A. Helberg, Council President
Approved:	
	Ronald A. Behm, Mayor
VOTE ON PASSAGE Yea Nay	Abstain
Attest:	
Gregory J. Heath, Clerk/Finance Director	
I, Gregory J. Heath, Clerk/Finance Director that the foregoing Resolution No. 064-14 was duly punewspaper of general circulation in said City, on the; & I further certify the compliance with rule Codified Ordinances Of Napoleon Ohio and the laws Meetings.	blished in the Northwest Signal, a, day of, les established in Chapter 103 of the
	Gregory J. Heath, Clerk/Finance Director

May. 14. 2014 12:11PM Wesche & Harmon Ltd.

No. 1867 P. 2

EXHIBIT "A"

Situated as being part of the Northeast Quarter of Section 15, Township 5 North, Range 6 East, Napoleon, Township, Henry County, Ohio, also being all of a 5.770 acre tract of land as recorded in Official Record Volume 273, Page 1274 and more particularly described as follows:

Beginning at a Monument box found marking the Southeast corner of the Northeast Quarter of Section 15, also being on the centerline of County Road 15 (Westmoreland Avenue) and the POINT OF BEGINNING;

Thence North 87°57'35" West along the South line of the Northeast Quarter of Section 15 a distance of 714.59 feet to a point on the East Limited Access right-of-way line of U.S. Route 24 (referenced by a 5/8 inch rebar with ID cap found lying 0.23 feet North and 0.24 feet East of said point);

Thence along said Limited Access Right-of-Way line of U.S. Route 24 the following three (3) courses:

North 46°23'56" East a distance of 225.46 feet to a 5/8 Inch rebar with ID cap set;

North 47°06'54" East a distance of 400.03 feet to a 5/8 inch rebar with ID cap set;

North 46°23'56" East a distance of 311.07 feet to a 5/8 inch rebar with ID cap set marking the intersection of said Limited Access right-of-way line of U.S. Route 24 and the West right-of-way line of County Road 15 (Westmoreland Avenue);

Thence along the right-of-way line of County Road 15 (Westmoreland Avenue) the following two (2) courses:

South 01°04'27" West a distance of 343.90 feet to a 5/8 inch rebar with ID cap set;

DESCRIPTION VERIFIED C 46HENRY COUNTY ENGINEER

C.)14 DATE: 5/14/14

South 88°55'33" East a distance of 45.00 feet to a Mag nail set on the centerline of County Road 15 (Westmoreland Avenue), also being the East line of the Northeast Quarter of Section 15;

Thence South 01°04'23" West along said centerline and said East line a distance of 323.06 feet to the POINT OF BEGINNING, said tract containing 5.448 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in April, 2014, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

The bearings used in this description are on an assumed meridian assuming the East line of the Northeast Quarter of Section 15 (also being the centerline of County Road 15 (Westmoreland Avenue) to be South 01°04'23" West and are for the purpose of angle determination only.

ORDINANCE NO. 065-14

AN ORDINANCE AMENDING SECTION 939.02 OF THE CODIFIED ORDINANCE OF THE CITY OF NAPOLEON TO UPDATE THE ELECTRIC RATE STRUCTURE;

WHEREAS, the Board of Public Affairs and the Electric Committee meet in a regular meeting and reviewed an update for the electric rate structure and determined that the consultant, John Courtney's, recommendation to update the electric rate structure was appropriate; Now Therefore,

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

- Section 1. That, Section 939.02 of the Codified Ordinances of the City of Napoleon, Ohio, shall be amended and enacted as stated in Exhibit A which is attached and incorporated herein.
- Section 2. That, Section 939.02 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance is repealed.
- Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.
- Section 5. That, this legislation shall be in full force and effect at the earliest time permitted by law.

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

Attest:	
Gregory J. Heath, Clerk/Finance Director	_
the foregoing Ordinance No. 065-14 was duly p general circulation in said City, on the	ector of the City of Napoleon, do hereby certify that ublished in the Northwest Signal, a newspaper of day of; & I shed in Chapter 103 of the Codified Ordinances Of pertaining to Public Meetings.
	Gregory J. Heath, Clerk/Finance Director

EXHIBIT "A"

939.02 RATES.

(a) Residential Service (RS).

(1) Availability for residential service. Applicable and available to residential users at the residential rate. Applicable and available to persons that live in or occupy single family dwelling units, or houses whether in a form of a house, or multiple apartments when individually metered, used strictly for "residential" or "domestic" purposes. Domestic purposes also includes agricultural pursuits where service is taken through one (1) meter primarily for residential purposes and secondary for the usual farm uses outside the home, but it is not extended to operations of a commercial nature or operations such as processing, preparing or distributing products not raised or produced on the farm, unless such operation is incidental to the usual domestic and farm uses. Is not applicable where more than one (1) dwelling unit (such as an apartment complex or manufactured home park (mobile home park)) is served through a single meter.

Where service is supplied through one (1) meter to an apartment house or multiple dwelling, for billing purposes, the rates will be applied as a single Commercial Customer. The Customer may arrange Customer's service, at Customer's expense, so as to separate the combined service and permit the Utility to install a separate meter for each individual apartment. In such cases, each individual apartment shall be billed as a single Residential Customer.

Except as may be provided herein, if a residential unit is used for both residential and commercial purposes, the applicable Commercial Service Rates shall apply unless the wiring is so arranged so that the residential usage can be separately metered. Hallways and other common facilities of an apartment and condominium building or complex will be billed on the Commercial Service Rate when metering is possible.

(2) <u>Residential rates schedule.</u> Customer Charge (per month)

Domestic: \$6.00

Rural:

\$10.00

Distribution Charge (all kWh)

Domestic: \$0.0169214

Rural: \$0.02**16**61

POWER SUPPLY CHARGE (ALL KWH)

DOMESTIC: \$0.0728 RURAL: \$0.0728

(3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, Demand Charge POWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders.

(b) <u>Commercial Service (CS).</u>

- (1) <u>Availability for commercial service.</u> Applicable and available to multiple dwelling units containing two (2) or more living quarters or dwelling units such as manufactured housing (mobile homes) or apartment complexes when master metered; also applicable and available to commercial, business, professional, industrial, agricultural, and other similar pursuits requiring electrical service.
 - (2) Commercial rate schedule.

Customer Charge (Single Phase): \$12.00

Customer Charge (Three Phase): \$18.00

Distribution Charge

All kWh: \$0.0181235

POWER SUPPLY CHARGE

ALL KWH: \$0.0885

(3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, Demand Charge POWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders.

(c) <u>Commercial Service-Demand (CSD).</u>

- (1) Availability for commercial service-demand. Applicable and available to multiple dwelling units containing two (2) or more living quarters or dwelling units such as manufactured housing (mobile homes) or apartment complexes when master metered; also available and applicable to commercial, business, professional, industrial, agricultural and other similar pursuits requiring electrical service.
 - (2) Rates.

Customer Charge (Single Phase): \$12.00

Customer Charge (Three Phase): \$18.00

Distribution ChargeS

All kW: \$4.57

ALL KWH: \$0.0054

POWER SUPPLY CHARGE

ALL KWH: \$0.0885

- (3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, Demand Charge POWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders.
- (4) Adjustment for primary metering. Where the transformer installation (regardless of ownership) is utilized solely to furnish service to a single customer, the utility may meter the service on the primary side of the transformers, and in such case, the measured values of the meter shall be reduced by five percent (5%), unless otherwise certified by testing at a lesser or greater percentage.

- (5) <u>Substation credit.</u> When the customer furnishes and maintains the complete substation equipment including any other apparatus necessary for the customer to take service at the voltage of the primary transmission or distribution line from which said customer is to receive service, the monthly bill shall be credited by an amount equal to \$0.15 multiplied by the billing demand.
- (6) <u>Billing demand</u>. Billing demand shall be the measured demand during the month.

(d) <u>Large Power Service (LPS)</u>.

- (1) Availability for large power service. Applicable and available for service to customers with contracted measured demands of 50 kW or greater and less than 1,500 kW having an average monthly usage of 300 or more kWh (less amount of kWh may qualify at request of customer and approval of City) per 1 kW of demand over a twelve month calendar year and used for nonresidential purposes.
 - (2) <u>Rates.</u>

Customer Charge:

\$100.00

Distribution ChargeS

All kVa:

\$5.526.23

ALL KWH:

\$0.0028

POWER SUPPLY CHARGES

ALL KVA:

\$11.60

ALL KWH:

\$0.0476

- (3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, Demand Charge POWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders.
- (4) Adjustment for primary metering. Where the transformer installation (regardless of ownership) is utilized solely to furnish service to a single customer, the Utility may meter the service on the primary side of the transformers, and in such case, the measured values of the meter shall be reduced by five percent (5%), unless otherwise certified by testing at a lesser or greater percentage.
- (5) <u>Substation credit.</u> When the customer furnishes and maintains the complete substation equipment including any other apparatus necessary for the customer to take service at the voltage of the primary transmission or distribution line from which said customer is to receive service, the monthly bill shall be credited by an amount equal to \$0.15 multiplied by the billing demand.
- (6) <u>Billing demand.</u> Billing demand shall be calculated in kVa and be the greatest of:
 - A. The calculated kVa demand during the month.
- B. The highest calculated kVa for the eleven (11) months prior to the current month, multiplied by 0.70.
- (7) <u>Power factor</u>. The average power factor shall be determined for each month by comparing the kilowatt-hours of power consumed during the month with the reactive power consumed during the month. The Billing Demand (kVa) shall be

determined by multiplying the maximum demand (kVa), as calculated for the billing period, by the multiplier as indicated in the calculation below:

1 + (.9 - pf)

where:

pf = Customer Power Factor

- (e) <u>Industrial Power Service (IPS).</u>
- (1) <u>Availability for industrial power service</u>. Applicable and available for service to customers with contracted measured demands of 1,500 kW or greater and used for nonresidential purposes.
 - (2) Rates for industrial power service.

Customer Charge:

\$100.00

Distribution ChargeS

All kVa:

\$3.2099

ALL KWH:

\$0.0028

POWER SUPPLY CHARGES

ALL KVA:

\$12.88

ALL KWH:

\$0.0476

- (3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, Demand Charge POWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders.
- (4) Adjustment for primary metering. Where the transformer installation (regardless of ownership) is utilized solely to furnish service to a single customer, the Utility may meter the service on the primary side of the transformers, and in such case, the measured values of the meter shall be reduced by five percent (5%), unless otherwise certified by testing at a lesser or greater percentage.
- (5) <u>Substation credit.</u> When the customer furnishes and maintains the complete substation equipment including any other apparatus necessary for the customer to take service at the voltage of the primary transmission or distribution line from which said customer is to receive service, the monthly bill shall be credited by an amount equal to \$0.15 multiplied by the billing demand.
- (6) <u>Billing demand</u>. Billing demand shall be calculated in kVa and be the greatest of:
 - A. The calculated kVa demand during the month.
- B. The highest calculated kVa for the eleven (11) months prior to the current month, multiplied by 0.70.
- (7) <u>Power factor.</u> The average power factor shall be determined for each month by comparing the kilowatt-hours of power consumed during the month with the reactive power consumed during the month. The Billing Demand (calculated in kVa) shall be determined by multiplying the maximum demand (kVa), as calculated for the billing period, by the multiplier as indicated in the calculation below:

1 + (.9 - pf)

where:

pf = Customers Power Factor

- (f) <u>Interdepartmental Service.</u>
- (1) <u>Availability for interdepartmental service.</u> Applicable and available for electrical energy used for City-owned and operated facilities, excluding street lighting.
 - (2) Rate for interdepartmental service.

Distribution Charge

All kWh: \$0.015

- (3) <u>Riders.</u> Customers under this schedule shall be subject to the applicable Generation Charge, and Transition Cost Rider as specified in the Generation, Demand and Transition Cost Riders.
- (g) Generation, DemandPOWER SUPPLY COST ADJUSTMENT, and Transition Cost Riders. EACH MONTH THE POWER SUPPLY COST ADJUSTMENT SHALL BE DETERMINED AS FOLLOWS: The Generation Charge to the Residential Service (RS) and Interdepartmental Service (IDS) Schedules shall be identical. The Commercial Service Schedule shall have a separate Generation Charge. The Commercial Service Demand (CSD), Large Power Service (LPS) and Industrial Service (IS) Schedules shall have separate Generation and Demand Charges. The calculation of Generation and Demand Charges shall be determined as a product of the following factors:
- (1) Determination of demand and energy costs. The total cost of purchased power is derived primarily from monthly bills rendered by AMP-Ohio. The bills are divided into demand charges (those charges applied by kW) and energy charges (those charges applied by kWh). Any adjustments, fees, and taxes shall be allocated by the percentage of the demand and energy charges of the individual elements of the bills. An additional \$60,000.00 shall be included in the monthly demand and energy costs.
- (2) Allocation of demand and energy costs. Energy costs shall be allocated to customers of the Residential Service (RS), Interdepartmental Service (IDS), Commercial Service (CS), Commercial Service Demand (CSD), Large Power Service (LPS), and Industrial Service (IS) Schedules on the basis of kWh sales during the previous month. The sales totals shall be adjusted to include system losses (kWh deliveries minus kWh sales) and City service not billed.
- The demand allocator of the respective classes of customers shall be calculated by the average and excess methodology. The respective demand allocator of each class shall be applied to total demand cost to determine the allocated demand charge to each customer group.
- (3) Reconciliation of revenue collection from previous month. Since the recovery of costs on a going forward basis is determined in part by sales from the previous month, there will be an over or under recovery of costs in the preceding month. Reconciliation is attained by applying the Demand and Generation Charges of the previous month to the respective billing units (kWh, kW and kVa). The actual recovery is then subtracted from the allocated demand and energy costs from the previous month. This will yield over/under recovery of Demand Charge revenue of the CSD, LPS, and IS customers and the respective Generation Charge revenue of the RS, IDS, CS, CSD, LPS and IS customers.
- Calculation of Demand and Generation Charges.

```
D1 = CDD + R
                                  -kW
                               D2 = LPD + R
                                -KVa1
                                D3 = ID + R
                                -KVa2
                             G1 = RD + RE + R
                                 -kWh1
                             G2 = CD + CE + R
                                --KWh2
                              G3 = CDE + R
                                KWh3
                               G4 = LPE + R
                                --KWh4
                               G5 = IE + R
                                 KWh5
 where:
D1 = Demand charge of the CDS customers;
D2 = Demand charge of the LPS customers:
D3 = Demand charge of the IS customers;
G1 = Generation charge of the RS/IDS customers:
— G2 = Generation charge of the CS customers;
— G3 = Generation charge of the CDS customers;
— G4 = Generation charge of the LPS customers:
G5 = Generation charge of the IS customers;
    RD = Allocated demand costs of the RS/IDS customers;
CD = Allocated demand costs of the CS customers;
  - CDD = Allocated demand costs of the CDS customers:
    LPD = Allocated demand costs of the LPS customers:
ID = Allocated demand costs of the IS customers:
RE = Allocated energy costs of the RS/IDS customers;
  CE = Allocated energy costs of the CS customers;
— CDE = Allocated energy costs of the CDS customers;
LPE = Allocated energy costs of the LPS customers;
IE = Allocated energy costs of the IS customers;
kW = Demand billing units (kW) of the CDS customers;
kVa1 = Demand billing units (kVa) of the LPS customers;
 kVa2 = Demand billing units (kVa) of the IS customers;
   - kWh1 = Sales billing units (kWh) of the RS/IDS customers;
 kWh2 = Sales billing units (kWh) of the CS customers:
kWh4 = Sales billing units (kWh) of the LPS customers;
   - kWh5 = Sales billing units (kWh) of the IS customers; and
-R = Allocated over/under recovery of costs from the previous month, by rate class.
```

The calculation of Demand and Generation Charges is a product of the following:

PSCA = [APSC - BPSC] X 1.075

WHERE:

APSC = THE CITY'S RUNNING THREE MONTH AVERAGE
POWER SUPPLY COST PER KWH, WHICH SHALL BE
DETERMINED TO 5 DECIMAL PLACES BY DIVIDING (1) THE
SUM OF THE MOST RECENT THREE MONTH'S TOTAL
PURCHASED POWER BILLINGS FROM ALL POWER
SUPPLIERS, INCLUDING COSTS ASSOCIATED WITH
OWNERSHIP AND OPERATION OF GENERATING FACILITIES
OWNED IN WHOLE, OR IN PART, BY THE CITY,
DEVELOPMENTAL COSTS ASSOCIATED WITH FUTURE
POWER SUPPLY RESOURCES, TRANSMISSION RELATED
CHARGES AND ANCILLARY AND SUPPLIER SERVICE FEES,
BY (2) THE TOTAL ENERGY DELIVERED TO THE CITY OVER
THE SAME THREE MONTH PERIOD.

BPSC = BASE POWER SUPPLY COSTS REFLECTED IN THE CITY'S BASE ELECTRIC RATES, WHICH IS \$0.07194 PER KWH.

(h) <u>Determination of Transition Costs.</u> The Transition Cost Rider shall be calculated and implemented upon the offering of Open Access Service.

Transition costs shall be calculated yearly. The Transition Cost Rider may be adjusted each year based on projected market price, average cost of power from transition cost sources, fixed costs of contracted power supply, implementation costs of the offering of Open Access Service and sales of the previous year. A reconciliation of over or under recovery of transition costs is taken forward to the next year as a debit or credit to transition costs. Projected transition cost recovery is allocated between demand and energy costs and TO BE credited to total demand and energy costs of generation POWER SUPPLY COSTS. This credit ensures that there will be no double recovery of transition costs.

The Transition Cost Rider shall be applicable to all rate schedules.

- (i) <u>Security/Outdoor Light Rate Schedule (non-metered).</u>
 - 175 watt mercury vapor \$8.25 (when City provides fixture)
 - 175 watt mercury vapor \$16.25 (when City provides pole and fixture)
 - 100 watt and below high pressure sodium \$6.75 (when City provides fixture)
- 100 watt and below high pressure sodium \$14.74 (when City provides pole and fixture)
 - 150 watt high pressure sodium \$7.75 (when City provides fixture)
 - 150 watt high pressure sodium \$15.75 (when City provides pole and fixture)
 - 250 watt mercury vapor \$10.00 (when City provides fixture)
 - 250 watt mercury vapor \$18.00 (when City provides pole and fixture)
 - 400 watt high pressure sodium \$13.25 (when City provides fixture)
 - 400 watt high pressure sodium \$21.25 (when City provides pole and fixture)
- * in the event that a bulb is used that is not listed, the rate shall be the rate as established for the closest in size and type as herein listed.
- (j) Definitions.

- "City". Means the City of Napoleon, Ohio and its electric utility service.
- "Customer Charge". Means a charge resulting from connections to the system, regardless of usage. These costs include portion of lines, service drops, meters, meter reading, billing customer information and records.
- "Demand". Means the rate at which electric energy is delivered expressed in kilowatts, or kilovolt amperes.
- "Demand Charge". Means a charge to recover demand related costs associated with purchased power.
- "Distribution Charges". Means charges that are designed to recover costs associated with the operation of the *CITY'S* transmission and distribution systems, with the exception of those costs recovered in the customer charge.
- "Generation Charge". Means a charge to recover commodity related (and some demand) costs of producing and/or purchasing power.
- "Kilovolt Ampere (KVA)". Means 1,000 voltamperes.
- "Kilowatt (KW)". Means 1,000 watts.
- "Kilowatt-hour (KWH)". Means the basic unit of electric energy equal to one (1) kilowatt of power supplied to or taken from an electric circuit steadily for one (1) hour. "POWER SUPPLY CHARGES". MEANS CHARGES THAT ARE DESIGNED TO RECOVER COSTS ASSOCIATED WITH THE ACQUISITION AND/OR PURCHASE OF POWER AND ENERGY REQUIRED TO MEET THE CITY'S POWER SUPPLY REQUIREMENTS, INCLUDING COSTS ASSOCIATED WITH DELIVERING THAT POWER AND ENERGY TO THE CITY'S ELECTRIC SYSTEM.
- "POWER SUPPLY COSTS". MEANS ALL COSTS ASSOCIATED WITH THE ACQUISITION AND/OR PURCHASE OF POWER AND ENERGY REQUIRED TO MEET THE CITY'S POWER SUPPLY REQUIREMENTS, INCLUDING COSTS ASSOCIATED WITH DELIVERING THAT POWER AND ENERGY TO THE CITY'S ELECTRIC SYSTEM.
- "Transition Costs". Generally defined as the difference between purchased power costs of those sources where construction costs, market price at the time of contractual obligation, and/or other factors that may cause the fixed and/or average cost of that power to be significantly higher than average market prices. In addition, significant additional system cost assumed as a result of the offering of open access service may also be included.

(Ord. 003-08. Passed 1-7-08.)

RESOLUTION NO. 066-14

A RESOLUTION AUTHORIZING THE CITY MANAGER ENTER INTO A SEPARATION AGREEMENT WITH FIRE CHIEF ROBERT BENNETT; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon having been informed that Fire Chief Robert Bennett desires to tender his resignation effective November 1st, 2014; and,

WHEREAS, the City of Napoleon and Chief Bennett desire to enter into a separation agreement; and,

WHEREAS, the Council for the City now desires to authorize the City Manager to enter into the separation agreement with Chief Bennett; Now therefore,

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

- Section 1. That, the City Manager is authorized to enter into the separation agreement with Chief Bennett and the City Manager is authorized to execute any and all documents necessary on behalf of the City, to do so.
- Section 2. That, the City of Napoleon, while expressly declaring that this separation agreement and any of its terms are not precedent setting nor binding upon the City for future separations, does waive section 197.16 of the Personnel Code and approves the pay out of sick leave as established in the separation agreement.
- Section 3. That, the City of Napoleon approves the payment of the COBRA premium as established in the separation agreement.
- Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.
- Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the November 1st date of resignation which would effect the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect at the earliest time permitted by law.

Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,	Passed:			
Ronald A. Behm, Mayor VOTE ON PASSAGE Yea Nay Abstain Attest: Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.				C
VOTE ON PASSAGE Yea Nay Abstain Attest: Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,	Approved:			D11 A. D-1 M
Attest: Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,,, & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.				Ronald A. Benm, Mayor
Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,	VOTE ON PASSAGE	Yea	Nay	Abstain
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Change I Heath Clark/Fingues Director	that the foregoing Resolution I newspaper of general circulate; & I further certify the	No. 066-14 ion in said ccomplianc	was duly pu City, on the ce with rules	blished in the Northwest Signal, a day of, established in Chapter 103 of the Codified
				gory J. Heath, Clerk/Finance Director

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Ronald A. Behm, Mayor VOTE ON PASSAGE Yea Nay Abstain Attest: Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.				C
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Gregory J. Heath, Clerk/Finance Director I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,	VOTE ON PASSAGE	Yea	Nay	Abstain
I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 066-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the day of,	Attest:			
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Change I Heath Clark/Fingues Director	that the foregoing Resolution I newspaper of general circulate; & I further certify the	No. 066-14 ion in said ccomplianc	was duly pu City, on the ce with rules	blished in the Northwest Signal, a day of, established in Chapter 103 of the Codified
				gory J. Heath, Clerk/Finance Director

RESOLUTION NO. 057-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ENTER INTO THE SHAREOHIO PROGRAM

WHEREAS, the City of Napoleon desires to enter into the ShareOhio Program for the loaning and borrowing of capital equipment from other governmental agencies; **Now therefore**,

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

- Section 1. That, the City Manager is directed to execute all documents necessary to enter into the ShareOhio Program.
- Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 4. That, this Resolution take effect at the earliest possible time permitted by law.

Passed:	
	John A. Helberg, Council President
Approved:	
	Ronald A. Behm, Mayor
VOTE ON PASSAGE Yea Nay	Abstain
A	
Attest:	
Gregory J. Heath, Clerk/Finance Director	

that the foregoing Resolution No. 057-14 wa	, <u>, , , , , , , , , , , , , , , , , , </u>
newspaper of general circulation in said Cir	
	with rules established in Chapter 103 of the Codified
Ordinances Of Napoleon Ohio and the laws	of the State of Ohio pertaining to Public Meetings.
	Gregory J. Heath, Clerk/Finance Director

Napoleon Fire/Rescue

Memo

To:

Ms. Monica Irelan, City Manager

From:

Chief Robert J. Bennett, EFO

CC:

Greg Heath, File

Date:

September 10, 2014

Re:

Ambulance Service rates

In accordance with the attached information from McKesson and Medicare I would recommend we increase our ambulance transport rates 1.4% to keep pace with the inflation factor supplied by Medicare.

This normally occurs I April when we renew the contracts with the Townships, but I thought the information would be helpful from a budget standpoint. I don't think we have seen the effect of the co-pay reduction yet and this may help off-set that to some minor point.

MCKESSON

September 10, 2014

The Center for Medicare and Medicaid Services recently released The Ambulance Inflation Factor (AIF) for CY2015 and has approved a 1.4% rate increase for EMS services. PLEASE NOTE: you are not limited to a 1.4% fee increase. McKesson recommends that your department review and adjust your charge rates annually, and adjust them when appropriate. Now is also a good time to make any other adjustments that may be applicable. For your convenience we have included your current charge rates. If you elect to adjust the fees, simply list the new amount and the effective date of the rate change and place a check mark (v) in the boxes of the rates your agency would like to establish.

E47- Napoleon	Current Rates (if preferr check mark each box the applies)	at Rates (if preferre	2015 with AIF of 1.4% Rates (if preferred, check mark each box that applies)	
Mileage (A0425)	\$ 13.68	\$ 13.87		\$
BLS (A0429)	\$ 534.71	\$ 542.20		\$
ALS1 (A0427)	\$ 822.13	\$ 833.64		\$
ALS2 (A0433)	\$ 1144.32	\$ 1160.34		\$

Effective date change of new rates:		
X		
Authorized Signature	Printed Name	
If you have any concerns/questions, pleas	se feel free to contact me.	
Best,		

Meghan Creecy, Client Services Representative EMS Billing Division

937-291-2971 Fax 937-353-1816 Office

McKesson Business Performance Services 3131 Newmark Drive Suite 100 Miamisburg, OH 45342 www.mckesson.com

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services





REVISED products from the MLN

• "ICD-10-CM/PCS Myths and Facts," Fact Sheet, ICN 902143, Downloadable only.

MLN Matters® Number: MM8895

Related Change Request (CR) #: CR 8895

Related CR Release Date: August 29, 2014

Effective Date: January 1, 2015

Related CR Transmittal #: R3057CP

Implementation Date: January 5, 2015

Ambulance Inflation Factor for CY 2015 and Productivity Adjustment

Provider Types Affected

This MLN Matters® Article is intended for physicians, other providers, and suppliers submitting claims to Medicare Administrative Contractors (MACs) for ambulance services provided to Medicare beneficiaries.

Provider Action Needed

CR8895 furnishes the CY 2015 ambulance inflation factor (AIF) for determining the payment limit for ambulance services. Make sure that your billing staffs are aware of the change.

Background

CR8895 furnishes the CY 2015 ambulance inflation factor (AIF) for determining the payment limit for ambulance services required by section 1834(l)(3)(B) of the Social Security Act (the Act).

Section 1834(1)(3)(B) of the Act provides the basis for an update to the payment limits for ambulance services that is equal to the percentage increase in the consumer price index for all urban consumers (CPI-U) for the 12-month period ending with June of the previous year. Section 3401 of the Affordable Care Act amended Section 1834(1)(3) of the Act to apply a

Disclaimer

This article was prepared as a service to the public and is not intended to grant rights or impose obligations. This article may contain references or links to statutes, regulations, or other policy materials. The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations and other interpretive materials for a full and accurate statement of their contents. CPT only copyright 2013 American Medical Association.

productivity adjustment to this update equal to the 10-year moving average of changes in economy-wide private nonfarm business multi-factor productivity (MFP) beginning January 1, 2011. The resulting update percentage is referred to as the AIF.

The MFP for calendar year (CY) 2015 is 0.70 percent and the CPI-U for 2015 is 2.10 percent. According to the Affordable Care Act, the CPI-U is reduced by the MFP, even if this reduction results in a negative AIF update. Therefore, the AIF for CY 2015 is 1.40 percent.

Part B coinsurance and deductible requirements apply to payments under the ambulance fee schedule. The 2015 ambulance fee schedule file will be available to MACs in November 2014. It may be updated with each quarterly Common Working File (CWF) update.

Additional Information

The official instruction, CR 8895 issued to your MAC regarding this change is available at http://www.cms.gov/Regulations-and-

<u>Guidance/Guidance/Transmittals/Downloads/R3057CP.pdf</u> on the Centers for Medicare & Medicaid Services (CMS) website.

If you have any questions, please contact your MAC at their toll-free number. That number is available at http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/index.html under - How Does It Work.

Disclaimer

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PLANNING COMMISSION RESOLUTION NO. PC 14-06

A RESOLUTION RECOMMENDING THE APPROVAL OF A REPLAT OF LOT 2 OF THE MORROW, HINDERER AND PATTON ADDITION

WHEREAS, Steve Kauffman Owner, has made an application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a Replat of Lot 2 of The Marrow, Hinderer and Patton Addition, a minor subdivision in the City of Napoleon, Ohio; and,

WHEREAS, this Commission has held a hearing pursuant to Section 1105.09 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC-14-06 (held October 14, 2014); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b)(1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; **Therefore**,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

- Section 1. That, it is the recommendation of this Planning Commission that A Re-plat of Lot 2 of The Morrow, Hinderer and Patton Addition, creating Lot 2A located in the East half (1/2) of the Southeast quarter (1/4) of Section 11, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"
- Section 2. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.
- Section 4. That, this Resolution shall take effect at the earliest time permitted by law.

Robert McLimans, Chairman

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-14-06

	<u>Approval</u>	<u>Disapproval</u>	<u>Absent</u>	
Robert McLimans, Chair Fredrick Furney, Marvin Barlow Ronald Behm, Mayor Tim Barry	_X_ _X_ _X_ _X_		 X 	
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				

PC 14-06

Re-plat of Lot #2 Morrow, Hinderer & Patton Addition

MEMORANDUM

TO: Members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Re-plat

MEETING DATE: October 14, 2014 @ 5:00 PM

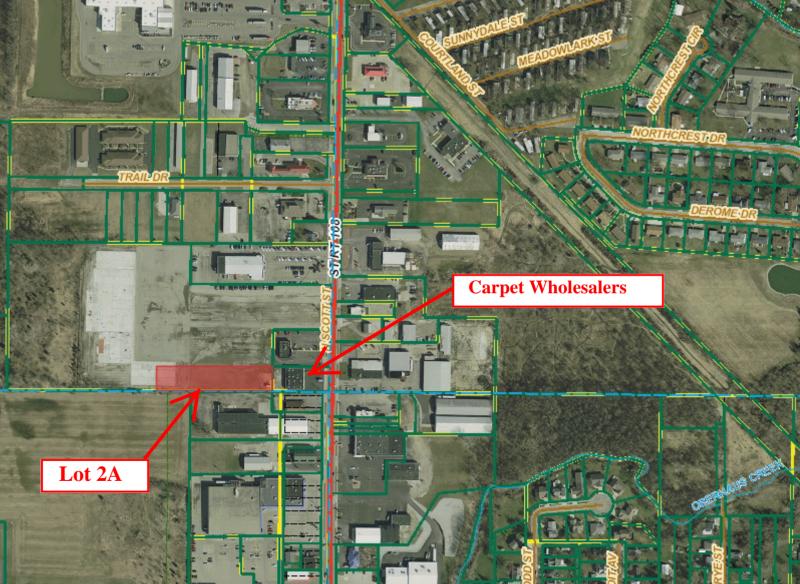
HEARING #: PC-14-06

BACKGROUND:

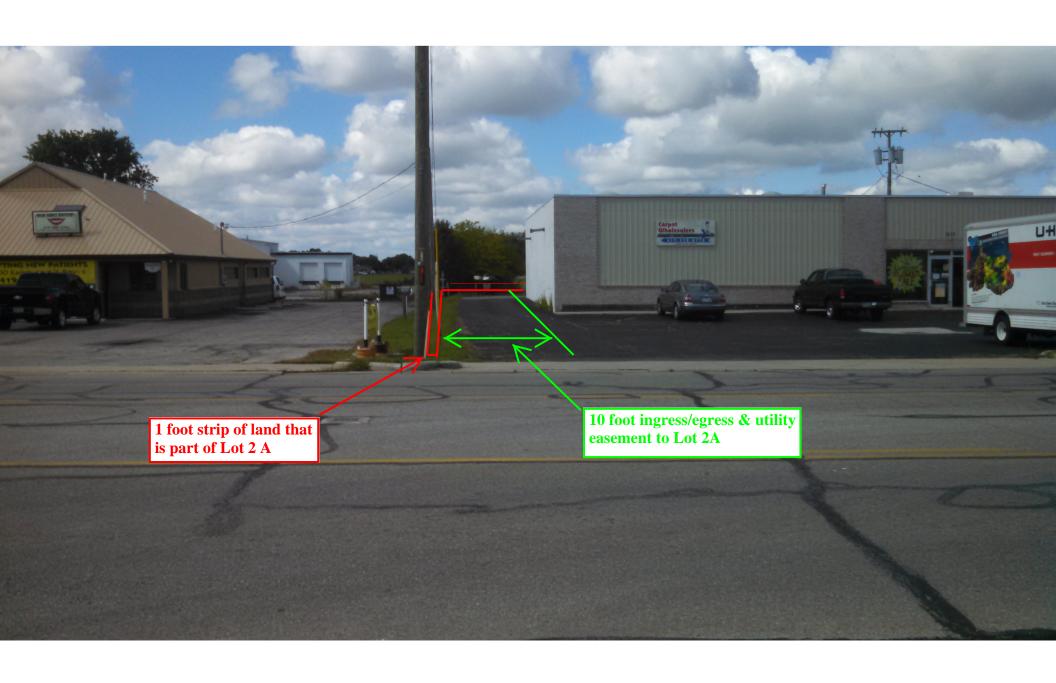
An application for public hearing has been filed by Steven Kauffman. The applicant is requesting a Re-plat of lot #2 of the Morrow, Hinderer & Patton Addition. This subdivision will create lot 2A that is located behind Carpet Wholesalers 1413 Scott St Napoleon. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-4 Planned Commercial Zoning District.

RESEARCH AND FINDINGS

- 1. The proposed Lot 2A is in a different subdivision and can never be joined with the lot in front of it along Scott St. At this time both lots will be owned by Carpet Wholesalers. If the back lot is ever sold separate the front lot access is still available to lot 2A by an ingress/egress & utility easement along the South side of the front lot. Water, storm and sanitary sewers are available for this lot along Scott St.
- 2. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks.
- 3. The City Engineer has reviewed and approved the proposed subdivision.







Lot 2B - 1.000 Acre

Situated as being part of Lot 2 in Morrow, Hinderer and Patton Addition as recorded in Slide 135 of the Henry County Record of Plats in the East Half of the Southeast Quarter of Section 11, Napoleon Township, City of Napoleon, Town 5 North, Range 6 East, Henry County, Ohio, also being part of a tract of land as recorded in Official Record Volume 261, Page 19 and more particularly described as follows:

Beginning at a Monument box found marking the Southeast corner of the Southeast Quarter of Section 11, also being on the centerline of Scott Street (State Route 108) and the POINT OF BEGINNING;

Thence South 89°07'00" West along the South line of the East Half of the Southeast Quarter of Section 11, also being the South line of said Lot 2 a distance of 663.35 feet to a 5/8 inch rebar with ID cap set and passing a 3/4 inch rebar found at 230.00 feet;

Thence along a new division the following two (2) courses:

North 00°00'00" East a distance of 100.00 feet to a drill hole set:

North 89°07'00" East a distance of 433.35 feet to a point found marking the Northwest corner of a 0.523 acre tract of land as recorded in Official Record Volume 268, Page 1484 of the Henry County Deed Records (referenced by a 3/4 inch rebar found lying 0.21 feet West of said point);

Thence along the perimeter of said 0.523 acre tract the following two (2) courses:

South 00°00' 00" East a distance of 99.00 feet to a 5/8 inch rebar with ID cap set;

North 89°07' 00" East a distance of 230.00 feet to a point on the East line of the Southeast Quarter of Section 11, passing a 5/8 inch rebar with ID cap set at 200.00 feet:

Thence South 00°00′00″ East along said East line, also being the centerline of Scott Street (State Route 108) a distance of 1.00 feet to the POINT OF BEGINNING, said tract containing 1.000 acre of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in August, 2014, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8.306

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (also being the centerline of Scott Street (State Route 108)) to be South 00°00' 00" East and are for the purpose of angle determination only.

Ingress/Egress & Utility Easement - 0.053 Acres

Situated as being part of the East Half of the Southeast Quarter of Section 11, Napoleon Township, City of Napoleon, Town 5 North, Range 6 East, Henry County, Ohio, also being part of a 0.523 acre tract of land as recorded in Official Record Volume 268, Page 1484 and more particularly described as follows:

Commencing at a Monument box found marking the Southeast corner of the Southeast Quarter of Section 11, also being on the centerline of Scott Street (State Route 108):

Thence North 00°00' 00" West along the East line of the Southeast Quarter of Section 11, also being the centerline of Scott Street (State Route 108), a distance of 1.00 feet to a point marking a Northeasterly corner of Lot 2 in Morrow, Hinderer and Patton Addition as recorded in Slide 135 of the Henry County Record of Plats and the POINT OF BEGINNING;

Thence along the perimeter of said Lot 2 the following two (2) courses:

South $89^{\circ}07'$ 00" West a distance of 230.00 feet to a 5/8 inch rebar with ID cap set, passing a 5/8 inch rebar with ID cap set at 30.00 feet;

North 00°00′00″ West a distance of 10.00 feet to a point;

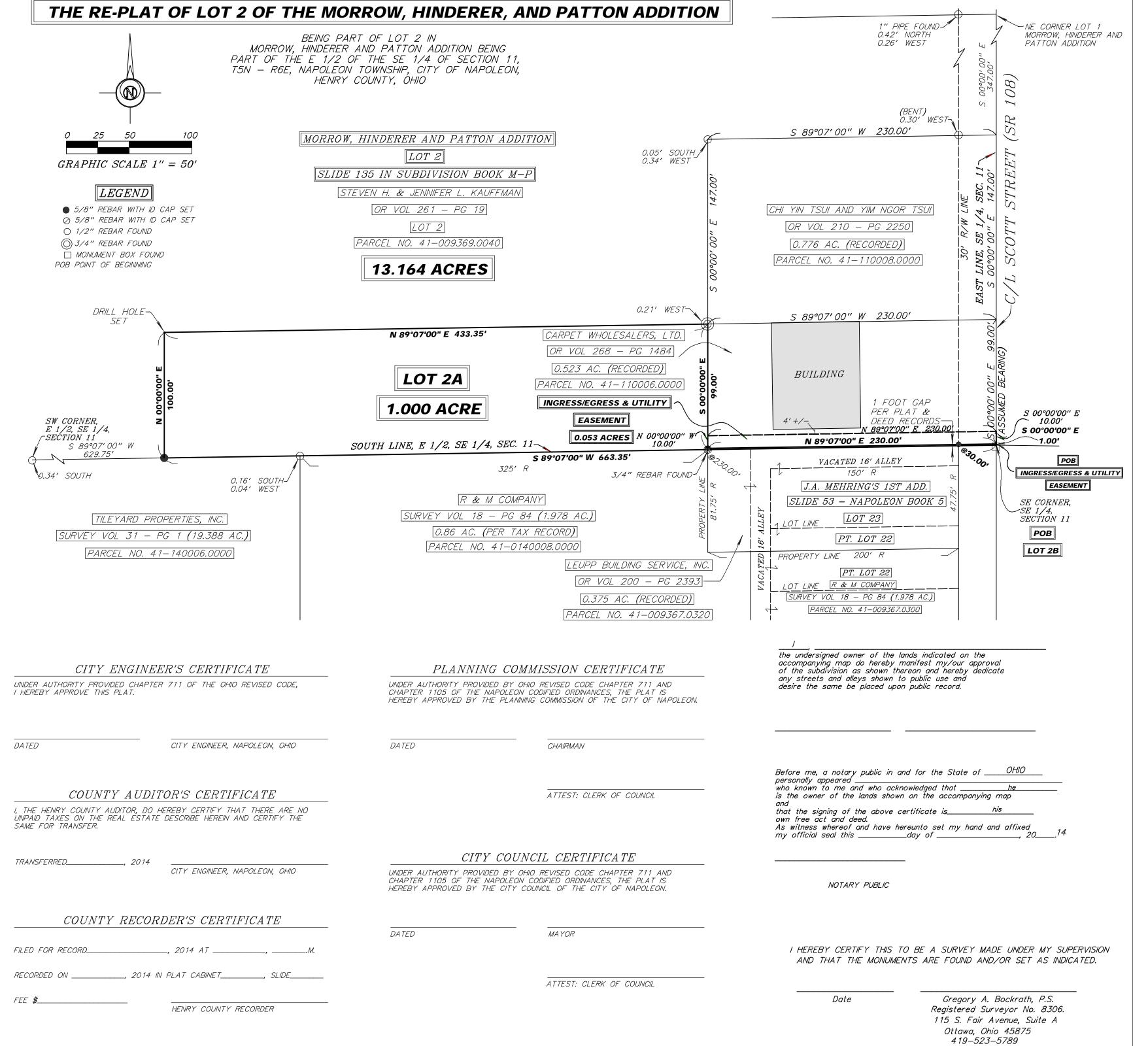
Thence North 89°07' 00" East a distance of 230.00 feet to point on the East line of the Southeast Quarter of Section 11, also being on the centerline of Scott Street (State Route 108);

Thence South 00°00′00″ East along said East line, also being the centerline of Scott Street (State Route 108) a distance of 10.00 feet to the POINT OF BEGINNING, said easement containing 0.053 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in August, 2014, under the supervision of Ohio Professional Surveyor Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (also being the centerline of Scott Street (State Route 108)) to be South 00°00' 00" East and are for the purpose of angle determination only.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION. BEYOND THE DEED DOCUMENTS CITED ON THE SURVEY DRAWING THERE MAY BE RECORDED OR UNRECORDED EASEMENTS AND/OR ENCUMBRANCES BENEFITING OR ENCUMBERING THE SURVEYED PROPERTY WHICH ARE NOT SHOWN ON THIS DRAWING.



PLANNING COMMISSION RESOLUTION NO. PC 14-07

A RESOLUTION RECOMMENDING THE APPROVAL OF A MINOR SUBDIVISION KNOWN AS NORTH POINT PLAT NO.4

WHEREAS, Edward and Mary Hoeffel, Owners, have made application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a Plat known as North Point Plat No. 4 minor subdivision in the City of Napoleon, Ohio; and,

WHEREAS, this Commission has held a hearing pursuant to Section 1105.09 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC-14-07 (held October 14, 2014); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b)(1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; **Therefore**,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

- Section 1. That, it is the recommendation of this Planning Commission that a Plat known as North Point Plat No. 4, a minor subdivision, creating Lot 5 located in the Southwest quarter (1/4) of Section Six (6), Town Five (5) North, Range Seven (7) East, Liberty Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"
- Section 2. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution shall take effect at the earliest time permitted by law.

Robert McLinfans, Chairman

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-14-07

	<u>Approval</u>	<u>Disapproval</u>	<u>Absent</u>	
Robert McLimans, Chair Fredrick Furney, Marvin Barlow Ronald Behm, Mayor Tim Barry	_X_ _X_ _X_ _X_		 X 	
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				

PC 14-07

Minor Subdivision American Rd.

MEMORANDUM

TO: Members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Minor Subdivision

MEETING DATE: October 10th 2014 @ 5:00 PM

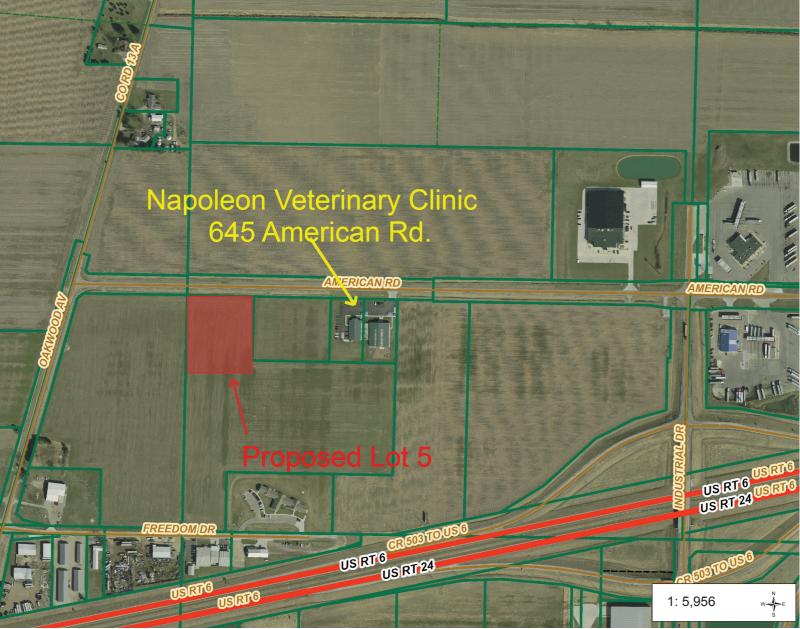
HEARING #: PC-14-07

BACKGROUND:

An application for public hearing has been filed by Ed & Mary Hoeffel. The applicant is requesting the approval of North Pointe Plat No. 4 a minor subdivision of land creating Lot #5 a 3 acre parcel of land located West of 645 American Rd., Napoleon. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in an I-1 Enclosed Industrial Zoning District.

RESEARCH AND FINDINGS

- 1. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks and parking requirements.
- 2. Water, storm and sanitary sewers are available for lot #5 along American Road.
- 3. The City Engineer has reviewed and approved the proposed subdivision.



LEGAL DESCRIPTION NW CORNER, SW 1/4 OF SEC. 6, LIB TWP. A parcel of land being part of the Southwest Quarter (1/4) of Section Six (6), Township—5—North, Range—7—East, Liberty Township, City of Napoleon, Henry County, Ohio ZONING INFORMATION THIS PROPERTY IS LOCATED IN THE "I-1" ENCLOSED INDUSTRIAL ZONING DISTRICT NAPOLEON TWP. - LIBERTY TWP. LEGEND $A \bullet = 5/8$ "x30" Iron Pin w/ID cap set this survey Bo = Iron Pin found from previous survey PRELIMINARY C = Steel Monument found from previous survey NOT FOR CONSTRUCTION = Railroad Spike found from previous survey E • = Point Found or Established this survey F • = Mag Nail set this survey Horizontal Scale - Feet N 0°52'24" E, S 89°26'52" E, 1264.97 S 89°34'27" E, 1264.67' S 89°20'51" E, 345.00' S 89°20'51" E, 738.80' 395.80' 171.50 171.50 180.44' 60' FRONT BUILDING SETBACK LINE DEDICATION CERTIFICATION The undersigned, owners of the real estate described herein, do hereby approve this plat and dedicate to the City of Napoleon, Ohio all rights—of— NORTH POINTE way, streets, easements, or other areas described as dedicated on this plat, including ownership rights to all utilities located therein. LOT # 2 LOT # 4 LOT # 3 LOT # 5 WITNESS OUR HANDS AND SEAL THIS____day of _ TRIVET, LLC TRIVET, LLC PETVET, LLC 1.300 ACRES 3.000 ACRES 1.300 ACRES 3.000 ACRES Witness Edward A. Hoeffel, Mary Hoeffel Witness 2638.36 STATE OF OHIO, HENRY COUNTY, SS: Before me the undersigned Notary Public in and for said county and state, personally appeared Edward A. Hoeffel and Mary Hoeffel, Husband & Wife 395.80 171.50 171.50 owners of the real estate described herein, who did aknowledge the N 89°20'51" W, 738.80' ~P.O.B. execution of the foregoing instrument as their voluntary act and deed for the purposes therein expressed. N 89°20'51" W, 343.86' Witness my hand and notarial seal this____day of __ 0.28'52" PAUL D. MARTIN Notary Public 7.079 Ac. EDWARD A. & MARY HOEFFEL SEAL 15.941 Ac. W. LINE, SW 1/4~ OF SECTION 6 827.83 <u>CITY ENGINEER'S CERTIFICATE</u> CITY COUNCIL CERTIFICATE l & Mary Hoeffel 13.270 Ac. Under authority provided Chapter 711 of the Ohio Revised Code, I hereby Under authority provided by Chapter 711 of the Ohio Revised Code and approve this plat. the City of Napoleon Code of Ordinances, this plat is hereby approved by the City Council of the City of Napoleon, Ohio Chad Lulfs, P.E. Dated Ordinance Number__ City Engineer, Napoleon, Ohio 28, Dated Mayor PLANNING COMMISSION CERTIFICATE ဝံ SURVEYOR'S CERTIFICATE Under authority provided by Chapter 711 of the Ohio Revised Code and the City of Napoleon Code of Ordinances, this plat is hereby approved by Attest: Clerk of Council Z I hereby certify that this plat represents a survey made by me, and that the Planning Commission of the City of Napoleon, Ohio. the specified monuments shown actually exist, and their location is COUNTY AUDITOR'S CERTIFICATE correctly shown. Dated Chairman Transferred_ **Henry County Auditor** Dated __, P.S. Ohio Registered Surveyor #_ Clerk of Council S. LINE, SW 1/4, SE CORNER, SEC. N 0°26'02" E. OF SECTION 6 1, NAPOLEON TWP. COUNTY RECORDER'S CERTIFICATE _,2014 at _____ B P.O.C. Exhibit "A" _,2014 in Plat Cabinet_ FREEDOM DRIVE ~ 40' R/W SW CORNER, S. LINE, SE FRACT. Henry County Recorder NOTES: SECTION 6, LIB TWP. Survey Number: 1/4 OF SECTION 1 The bearings shown hereon are taken from a centerline NAPOLEON, TWP. survey plat made in 1992-1993, for The Ohio Department

DRAWN BY R.D.S. ~ dba: NEW DIMENSIONS

of Transportation, titled "HEN-6-13.15"

PLANNING COMMISSION RESOLUTION NO. PC 14-08

A RESOLUTION RECOMMENDING THE APPROVAL OF A REPLAT OF PART OF LOT NUMBERED 41 OF THE ORIGANIAL PLAT OF THE CITY OF NAPOLEON

WHEREAS, Robert Jackson Owner, has made an application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a re-plat of Part of Lot Numbered 41 of The Original Plat of the City of Napoleon, a minor subdivision in the City of Napoleon, Ohio; and,

WHEREAS, this Commission has held a hearing pursuant to Section 1105.09 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC-14-08 (held October 14, 2014); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b)(1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; **Therefore**,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

- Section 1. That, it is the recommendation of this Planning Commission that a lot size variance for lot 41B of 1836 square feet be approved so that a Re-plat of Part of Lot Numbered 41 of The Original Plat of The City of Napoleon, creating Lot 41A and Lot 41B located in the East half (1/2) of the Southeast quarter (1/4) of Section 13, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"
- Section 2. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution shall take effect at the earliest time permitted by law.

Robert McLimans, Chairman

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-14-08

	<u>Approval</u>	<u>Disapproval</u>	<u>Absent</u>	
Robert McLimans, Chair Fredrick Furney, Marvin Barlow Ronald Behm, Mayor Tim Barry	_X_ _X_ _X_ _X_		 X 	
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				
Member Reason stated for disapproval:				

PC 14-08

Replat of Part of Lot 41 of the Original Plat of the City of Napoleon

MEMORANDUM

TO: Members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Replat

MEETING DATE: October 14, 2014 @ 5:00 PM

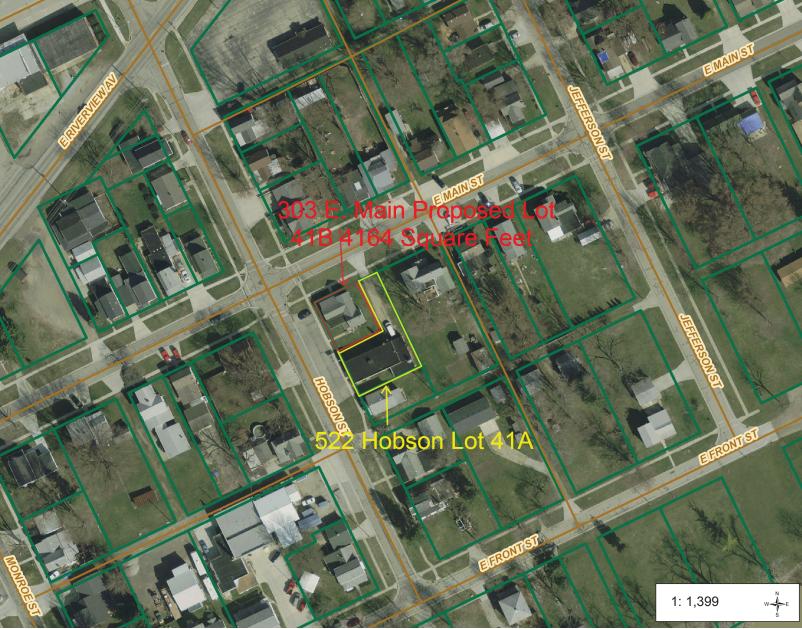
HEARING #: PC-14-08

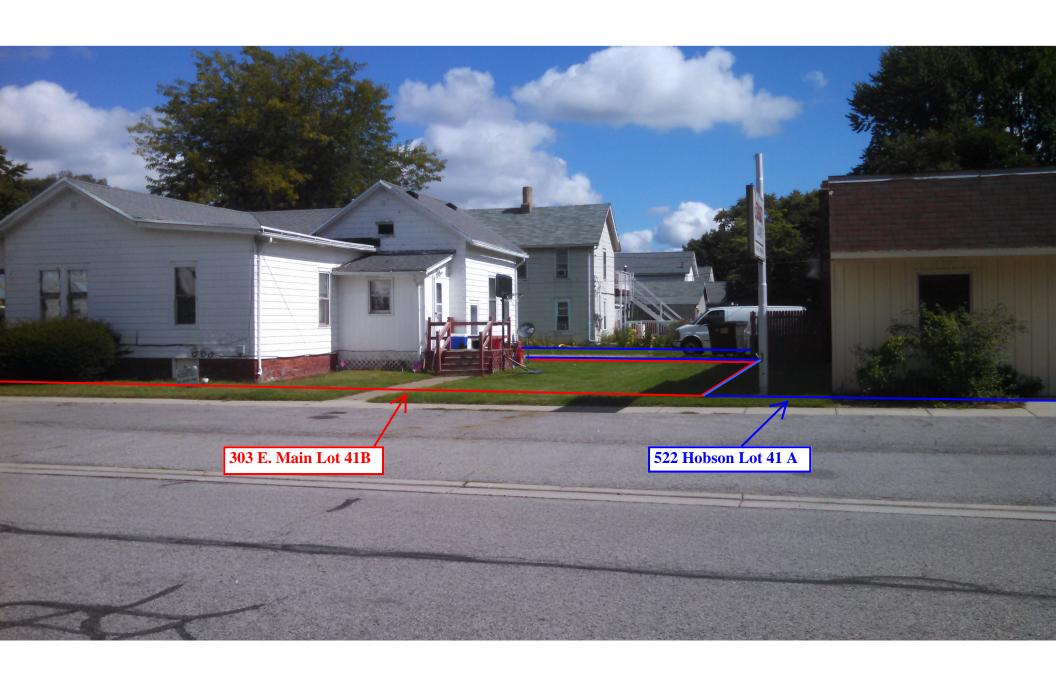
BACKGROUND:

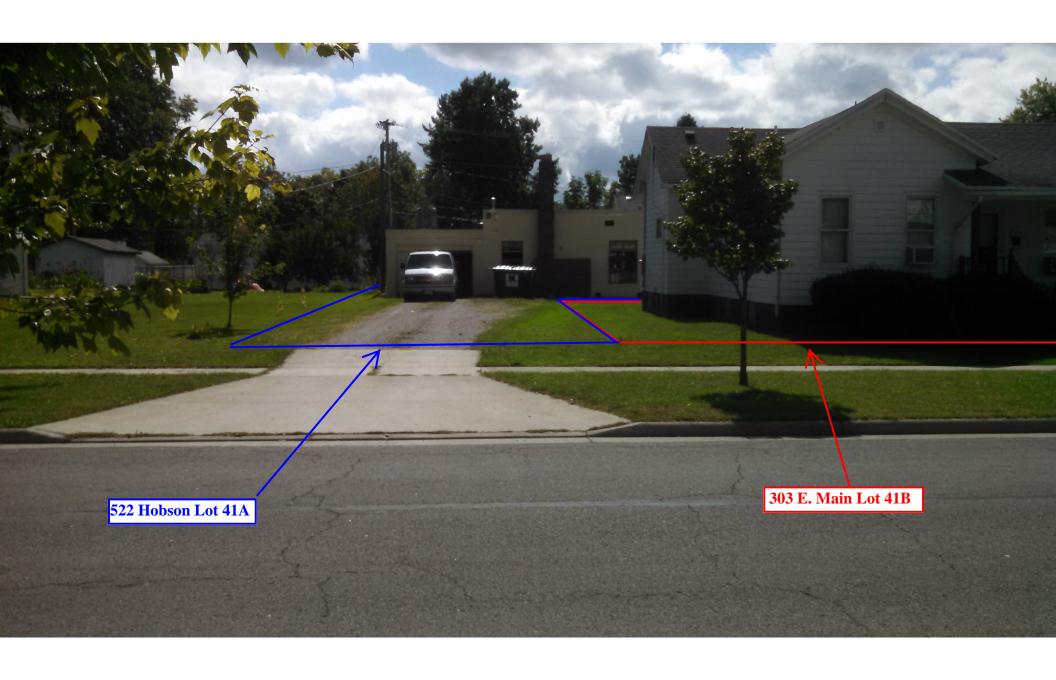
An application for public hearing has been filed by Robert Jackson. The applicant is requesting a Replat of lot 41 in Phillips and Staffords first Addition to the Original Plat of the City Napoleon. This subdivision will create lots 41A (522 Hobson Jackson Cleaners) and 41B (303 E Main). The applicant is also requesting an 1836 square foot variance be granted for the proposed Lot 41B. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-1 General Commercial Zoning District.

RESEARCH AND FINDINGS

- 1. The minimum lot area for a lot in a C-1 Zone that is used for a single family dwelling is 6000 sq. ft. The proposed Lot 41B is 4164 square feet. The property owner has requested this Board as per Section 1105.06 to grant a Variance of 1836 sq. ft. and reduce the required square feet for Lot 41B to 4164. It is not possible to have 6000 sq. ft in Lot 41B because a 25 foot wide driveway is needed on the East side of Lot 41B that provides access to a overhead door to the business on Lot 41A.
- 2. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, building setbacks, parking requirements and lot size for Lot 41A.
- 3. Both lots 41A and 41B have existing water and sewer services to each lot.
- 4. The City Engineer has reviewed and approved the proposed subdivision.







FINAL PLAT OF THE

REPLAT OF PART OF LOT NUMBERED 41 OF THE ORIGINAL PLAT OF THE CITY OF NAPOLEON, HENRY COUNTY, OHIO. BEING PART OF THE LOT NUMBERED 41 IN PHILLIPS AND STAFFORDS FIRST ADDITION TO THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF NAPOLEON, SOUTHEAST QUARTER (1/4) OF SECTION 13, T 5 N, R 6 E, NAPOLEON TOWNSHIP, HENRY COUNTY, OHIO.

LEGAL DESCRIPTION - MAIN STREET - 82.5' R/W Being Lot Numbered 41 in Phillips and Staffords First Addition to the Original Plat of the Village (Now City) of Napoleon, Napoleon Township, Henry County, Ohio. less and excepting the south forty (40) feet of said Lot. N 64°35'50" E B Containing 0.241 acre or 10505 square feet of land more or less, subject to all legal easements, zoning regulations and restrictions of 38.39 83.34 RW record. 41B .00.27 4164 S.G. 22 2 OWNERS' APPROVAL We the undersigned owners of the real estate described herein by instrument recorded in the Henry County Recorder's OR Volume 264, Page 244, hereby certify that we did sign this plat and that the plat 57.94' STREET correctly represents my assent to the adoption of this plat. N 64°35'50" E Witness my hand and seal this _____ day of _____, 2014. 6341 S.F. The Undersigned Owners: HOBSON 83.10' m. Witness Robert W. Jackson ZONING S 64°30'25" W Witness This property is located in the "C-1" Sandra J. Jackson General Commercial Zoning District 38.35 83.28 STATE OF OHIO, HENRY COUNTY, SS: Before me, the undersigned Notary Public in and for the county and state, 16.5' Alley personally appeared the above named owner, who did acknowledge the LEGEND execution of the foregoing instrument as her voluntary act and deed. A - Found iron pin from previous survey. SURVEYOR'S CERTIFICATE Witness my hand and notarial seal this _____ day of _____, 2014. B - Set iron pin w/cap this survey. I hereby certify this plat and survey to be correct to the best Reference Survey: Volume 30, Page 184 Notary Public Henry County Engineer's Record of Surveys. of my knowledge. COUNTY AUDITOR'S CERTIFICATE CITY ENGINEER'S CERTIFICATE HERBERT BEHRMAN, Reg. Surveyor No. 5778 I, the Henry County Auditor, do hereby certify that there are no unpaid 300 South First Street, Hamler, Ohio 43524 taxes on the property herein described and certify the same for transfer. Approved, this _____, 2014. Transfered this______ day of ______, 2014. Napoleon City Engineer CITY COUNCIL CERTIFICATE PLANNING COMMISSION CERTIFICATE Henry County Auditor COUNTY RECORDER'S CERTIFICATE Under authority provided by Chapter 711 of the Ohio Revised Code and Under authority provided by Chapter 711 of the Ohio Revised Code and Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby I, the Henry County Recorder, do hereby certify that this plat has been received approved by the Council of the City of Napoleon, Ohio. approved by the Planning Commission of the City of Napoleon, Ohio. for record at ______ o;clock __.M. on the ______, 2014. Recorded this ______, 2014 in Plat Cabinet, Slide ______ Chairman Date Exhibit "A" Fee \$____ Henry County Recorder

Attest: Clerk of Council

Clerk of Council

PC 14-09

Replat of Lot B of the Replat of Lots 6&7 in Block 1 Phillips & Stafffords First Addition to Napoleon

MEMORANDUM

TO: Members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Replat

MEETING DATE: October 14, 2014 @ 5:00 PM

HEARING #: PC-14-09

BACKGROUND:

An application for public hearing has been filed by Derrow Properties, Inc. The applicant is requesting a replat of Lot B of the replat of lots 6&7 in block 1 Phillips & Staffords First Addition. This subdivision will create Lot B1and Lot B2 located to the West of 120 W. Washington Napoleon. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in a C-1 General Commercial Zoning District.

RESEARCH AND FINDINGS

- 1. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks and parking requirements.
- 2. The buildings on the existing lot B have water and sanitary sewer services available on W. Washington St. The proposed Lot B2 is now an empty lot that has water and sanitary sewer services available on W. Washington St.
- 3. The City Engineer has reviewed and approved the proposed subdivision.

PLANNING COMMISSION REPORT

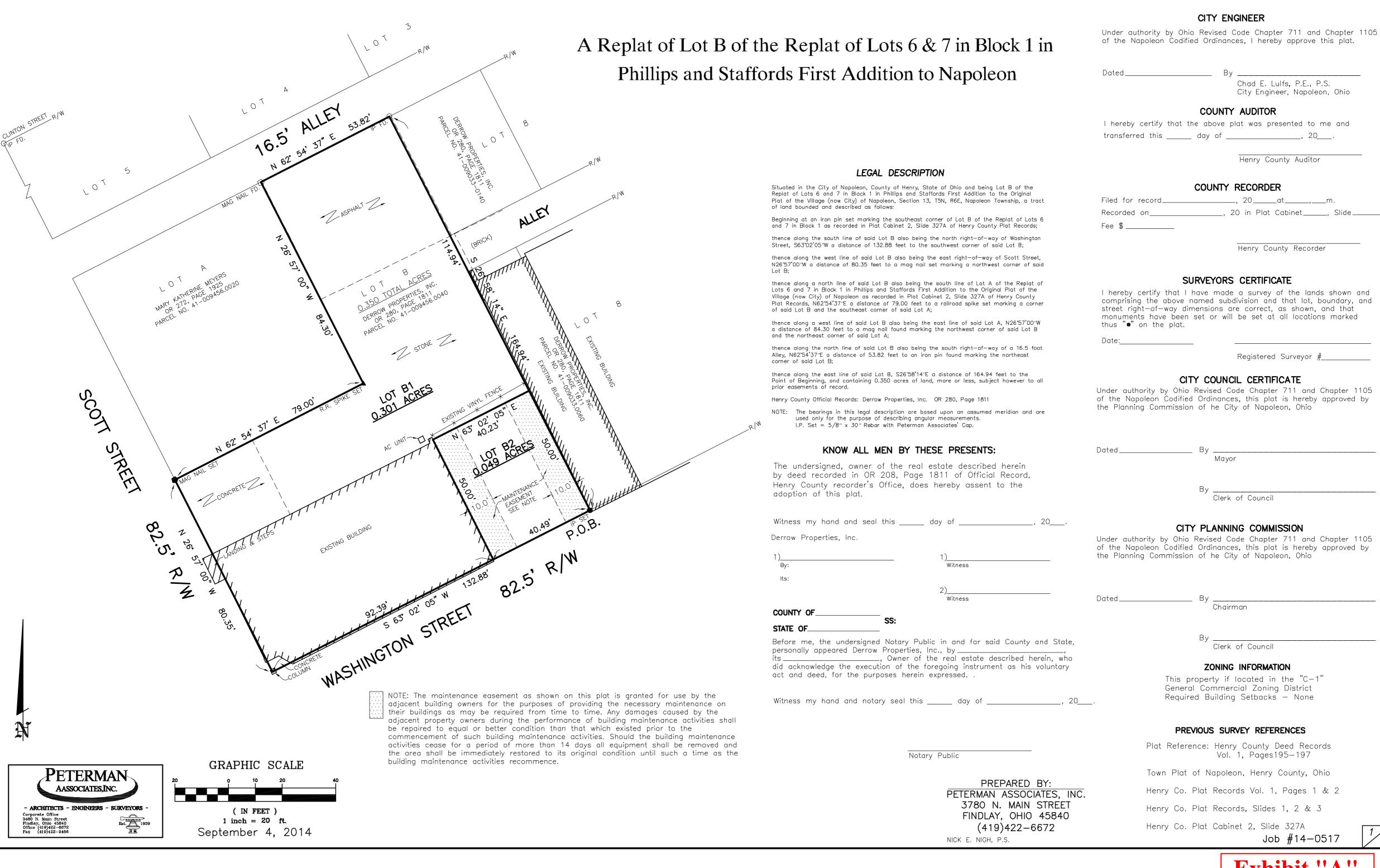
This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-14-09

	<u>Approval</u>	<u>Disapproval</u>	Absent	
Robert McLimans, Chair Fredrick Furney, Marvin Barlow Ronald Behm, Mayor Tim Barry	X X X X		 	
Member Reason stated for disapproval:				
MemberReason stated for disapproval:				
MemberReason stated for disapproval:				
MemberReason stated for disapproval:				







PLANNING COMMISSION RESOLUTION NO. PC 14-09

A RESOLUTION RECOMMENDING THE APPROVAL OF A REPLAT OF LOT B OF THE REPLAT OF LOTS 6 &7 IN PHILLIPS AND STAFFORDS FIRST ADDITION TO NAPOLEON

WHEREAS, Derrow Properties Inc. Owner, has made an application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a replat of Lot B of the Re-plat of Lots 6 & 7 in Block 1 in Phillips and Staffords First Addition to Napoleon, a minor subdivision in the City of Napoleon, Ohio; and,

WHEREAS, this Commission has held a hearing pursuant to Section 1105.09 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC-14-06 (held October 14, 2014); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b)(1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; **Therefore**,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

- Section 1. That, it is the recommendation of this Planning Commission that A Re-plat of Lot B of the Re-plat of Lots 6 & 7 in Block 1 in Phillips and Staffords First Addition to Napoleon, creating Lot B1 and Lot B2 located in Section 13, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. As shown in Exhibit "A"
- Section 2. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.
- Section 3. That, if any other prior Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution shall take effect at the earliest time permitted by law.

Robert McLimans, Chairman

RESOLUTION NO. PC. 14-10

A RESOLUTION BY THE PLANNING COMMISSION OF NAPOLEON, OHIO TO APPROVE OR DISAPPROVE OF CONSTRUCTION FOR THOSE THINGS FOUND IN 713.02 OF THE ORC

Whereas, the Planning Commission, pursuant to City Code 159.01 (c) (6) has before it an application made by the City of Napoleon, Ohio, Department of Engineering, to approve or disapprove the construction or authorization for construction of those things listed in ORC 713.02, to wit, extent of streets, alleys, ways, viaducts, bridges, waterways, waterfronts, subways, boulevards, parkways, parks, playgrounds, aviation fields and other public grounds, ways, and open spaces, of public buildings and other public property; and, public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; and,

Whereas, the Planning Commission has reviewed the general location and character of those things contained in the application; and,

Whereas, the Planning Commission acknowledges its additional duties of recommending approval or disapproval for the removal, relocation, widening, narrowing, vacating, abandonment, change of use of or extension of such public ways, grounds, open spaces, buildings, property, utilities, or terminals in the event it finds advisable to make, or it has made plans and maps of the whole or any portion of the municipal corporation, and of any land outside thereof, which, in the opinion of the commission, is related to the planning of the municipal corporation, except that the Commission does not have power with respect to the construction, maintenance, use, or enlargement of improvements by any public utility or railroad on its own property if such utility is owned or operated by an individual, partnership, association, or a corporation for profit. Now therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the Planning Commission pursuant to City Code 159.01 (c) (6) hereby recommends to City Council the approval the construction or authorization of construction of the Napoleon Downtown Pocket Park project contained in Exhibit "A" of this Resolution.

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

Page 1 -	Resolution No.	
age i -	Resolution No.	

conflict with this Resolution, then the provision if any portion of this Resolution is found to be not affect the validity of the remaining portions	invalid for any reason, such decision shall
by law. Passed:	Chairman
VOTE ON PASSAGE Yea Nay _	Abstain
·	

Page 2 - Resolution No.

PC Resolution 10/13/2014 11:18 AM

PLANNING COMMISSION REPORT

This form records the vote of each member of the Planning Commission and the reason for disapproval in the matter of:

PC-14-10

	<u>Approval</u>	<u>Disapproval</u>	Absent	
Robert McLimans, Chair Fredrick Furney, Marvin Barlow Ronald Behm, Mayor Tim Barry	_X_ _X_ _X_ _X_		 X 	
Member Reason stated for disapproval:				
MemberReason stated for disapproval:				
MemberReason stated for disapproval:				
MemberReason stated for disapproval:				
шарргочаг				

PC 14-10

Public Improvement Pocket Park

MEMORANDUM

TO: Members of The City Planning Commission

FROM: Tom Zimmerman, Zoning Administrator

SUBJECT: Public Improvement Pocket Park

MEETING DATE: October 14, 2014 @ 5:00 PM

HEARING #: PC-14-10

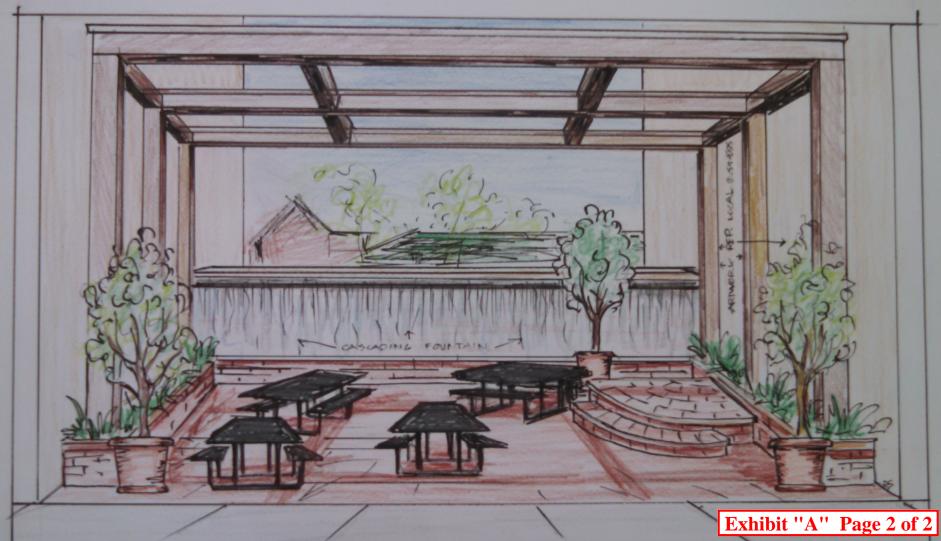
BACKGROUND:

An application for a public hearing has been filed by Derrow Properties, Inc. requesting The Planning Commission to consider the approval of a Pocket Park, located between buildings 120 and 126 W. Washington St. Napoleon this is a public improvement to The City. That is in accordance with the Ohio Revised Code section 713.01 through 713.15. This property is located in a C-1 district.

RESEARCH AND FINDING

- 1. This property is proposed to be donated by Derrow Properties, Inc. to The City of Napoleon for the construction of a Pocket Park to be used by the Public.
- 2. The Henry Co. Chamber of Commerce, Rotary and the City of Napoleon will install and maintain park benches, walkways and greenery.
- 3. As Per Ohio Revised Code section 713.01 through 713.15 and section 159.01 of the City's Ordinances all public improvements must have this board's approval concerning location and impact on the community.
- 4. This project has been approved by all City Departments and including the City's Parks and Recreation board.





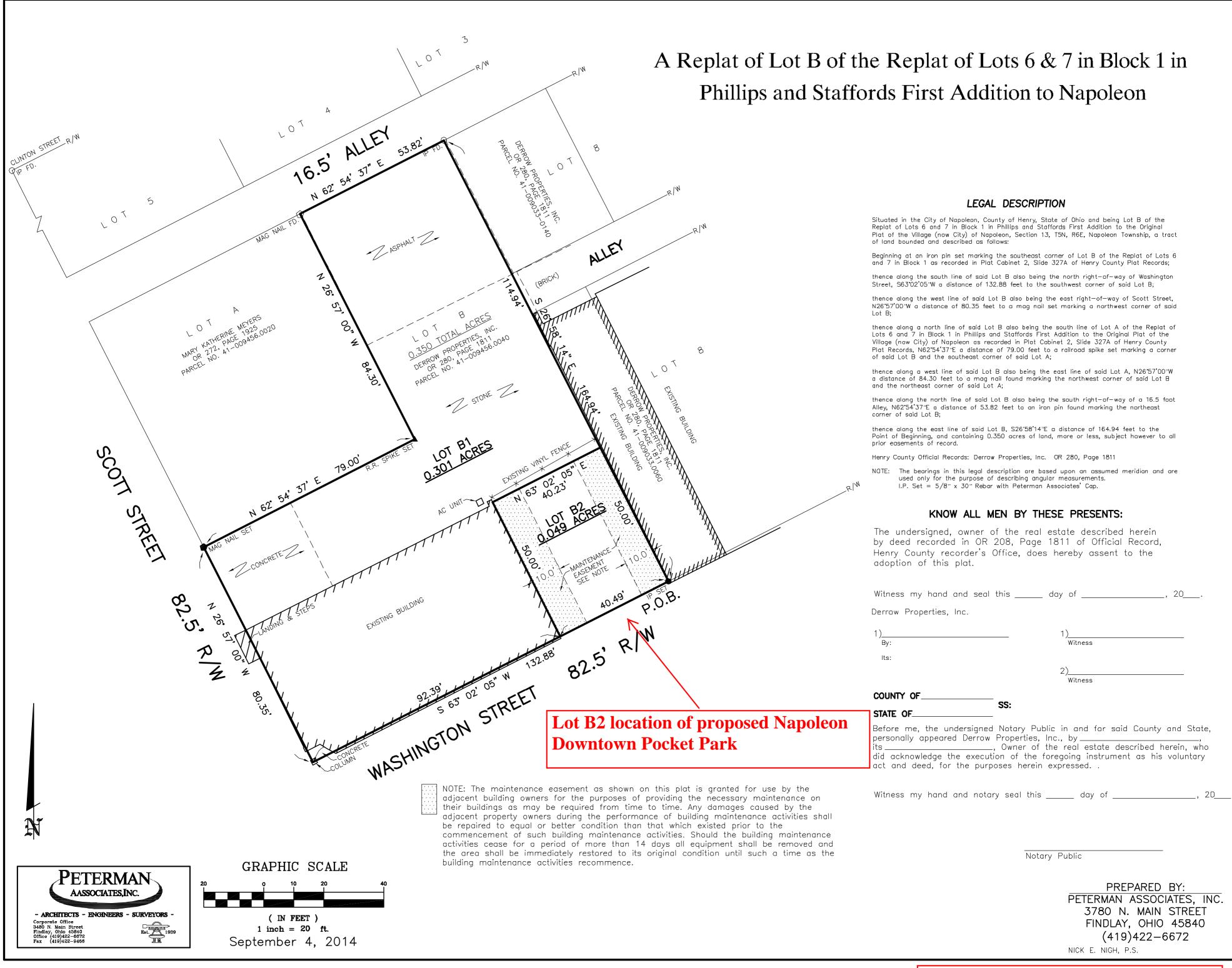


Exhibit "A" page 1 of 2

EXHIBIT-A ATTACHMENT TO ORDINANCE No. ___-14

2014 APPROPRIATION BUDGE	T - INTERIM	BUDGET A	DJUSTMENT	rs
BUDGET SUMMARY BY FU	ND, DEPARTI	MENT AND (CATEGORY	
	=== 2014 3RD Q	TR BUDGET AD.	JUSTMNTS.====	2014
ORDINANCE No, Passed/_/2014	PERSONAL			FUND
Proposed 3RD QUARTER - 2014 Appropriation Budget	SERVICES	<u>OTHER</u>	<u>TOTAL</u>	<u>TOTAL</u>
100 GENERAL FUND				
1100 City Council/Legislative	0	1,400	\$1,400	
2200 Fire/Safety Services	26,000	1,400		
2200 Tile/Odiety Cervices			Ψ20,000	
Total - 100 General Fund	\$26,000	\$1,400		\$27,400
- 100-1100 Additional for Cable Internet Accounts for Nev	w City Council Me	mhers not in Ori	iginal Budget ±	\$1 400·
Accounts - 100.1100.53115 Utilities-Cable	l only countries line	\$1,400		φ1,400.
- 100-2200 Additional for Payout of Accrued Balances on	Retiring Employe	e, not in Origina	Budget +\$26,0	00:
Accounts - 100.2200.51100 Salary-Non-Bargaining	\$26,000		<u> </u>	
, , ,	,			
195 LAW LIBRARY FUND				
1800 Municipal Court/Judicial	0	2,000	\$2,000	
9900 Transfer Accounts	0	2,000		
Total - 195 Law Library Fund	\$0	\$4,000	\$4,000	\$4,000
	========		========	
Accounts - 195.1800.53412 County-Law Library - 195-9900 Additional Appropriations due to Receipts exercises - 195.9900.59400 TR-TO - 100 General Fund	ceeding original b	\$2,000 udgeted estimate \$2,000	es +\$2,000:	
276 LAW ENFORCEMENT BLOCK GRANT FUND				
2100 Police/Safety Services	\$0	\$490	\$490	\$490
	========	========	========	
- 276-2100 Additional Appropriation for to Purchase Item	s as part the Gran			
Accounts - 276.2100.57000 Machinery & Equipment		\$490		
281 INDIGENT DRIVERS INTERLOCK AND ALCOHOL MO	0			
1800 Municipal Court/Judicial	\$0 	\$300 	\$300 	\$300
- 281-1800 Additional Appropriation for Electronic Monito	oring of Offenders	+\$300:		
Accounts - 281.1800.53441 Contracts-Enforcement & Edu		\$300		
521 SEWER (WWT) UTY.REP. & IMP. FUND				
<u></u>	\$0	50,000	\$50,000	\$50,000
6310 Sewer(WWT)/Collection System			-	. ,
6310 Sewer(WWT)/Collection System	========	========	========	
, , ,	========		+\$50,000:	
6310 Sewer(WWT)/Collection System - 521-6310 Additional Appropriations for Sewer Lateral R Accounts - 521.6310.57810 Sewer Later Improvements	========		+\$50,000:	
- 521-6310 Additional Appropriations for Sewer Lateral R	========	New City Policy	+\$50,000:	
- 521-6310 Additional Appropriations for Sewer Lateral R Accounts - 521.6310.57810 Sewer Later Improvements	========	New City Policy	<u>+\$50,000:</u>	\$82,190

City of Napoleon, Ohio

Napoleon Infrastructure/Economic Development Fund Review Committee

Meeting Minutes

Friday, October 17, 2014 at 9:00 AM

PRESENT

Members Recorder Others Robert McColley - Chair, Monica S. Irelan, Gregory J. Heath

Tammy Fein Jake Adams

ABSENT

Call To Order

Chairperson McColley called the meeting to order at 9:00 am.

Approval Of Minutes

Minutes of the September 11, 2013, meeting stand approved as written with no objections or corrections.

Reconsideration Of Original Approved Grant: MWA Enterprises, LTD McColley reported that the original grant for MWA Enterprises, LTD was approved for offsite sewer improvements involving expansion of the Petro truck stop to include a service center, requiring the road to be expanded a few hundred feet to the back of the property line. McColley stated that Mike Adams, owner of MWA Enterprises, was required to find the funding for this project, which he has done and the estimates were much lower than expected. McColley reported that the original grant awarded was for \$30,000 and only to be used if needed after all other funding was used. McColley stated that since the estimates were lower than expected, Adams requested the grant be reconsidered for other costs related to the project. McColley distributed a packet of information regarding the costs; see attached.

McColley stated that one item to be considered for the new purpose of the grant is \$710 for a pad required for the transformer; Heath believes the owner has the requirement of installing the pad.

McColley stated another item to be considered for the new purpose of the grant is for a four inch (4") gas line to be expanded approximately 775 feet, and the cost would be \$12,400.; however Adams is only asking for a contribution of \$6,325.

McColley stated that the final item to be considered for the new purpose of the grant involves property that will be deeded to the City from MWA Enterprises, making up the final portion of the road extension along the northern edge of the property line and having costs associated with acquiring that property \$4,125.48. Heath stated the sales cost was \$3,900 so this total must include the rollup fees. Adams asked if this cost included running the electric lines to the new building; Heath believes that the City will run the lines if they are above ground lines, to the transformer; adding that if the lines are underground, Heath believes there is a cost involved; Irelan agreed, adding that the business owner would be responsible for the difference in cost between above ground lines and underground lines. McColley stated that the grant will only cover items for the road expansion; nothing on the property. Heath asked what the Speiser estimate included as the change order total is \$57,650; McColley believes this is for the complete construction of the new building. Adams stated that the building addition is approximately 10,000 square feet; adding that the estimate was for the entire building.

McColley stated that the current balance of the Napoleon Infrastructure/Economic

Development Fund (NIEDF) is \$91,629.37 and are expecting to receive an additional \$6,787.50 through pilot payments of real estate tax abatements, bringing the balance up to approximately \$98,000.

McColley recommends canceling and revoking the original grant of \$30,000 and approving a new grant including the cost of the transformer, the extension of the gas line and the acquisition costs totaling \$11,160.48, which includes \$710 be paid directly to the contractor constructing the pad required; \$6,325 paid directly to Ohio Gas Company for the extension of the gas line; and \$4,125.48 paid directly to MWA Enterprises after the project is completed.

Motion To Cancel And Revoke Original NIEDF Grant Of \$30,000

Motion: Heath Irelan Second:

To cancel and revoke the original NIEDF Grant of \$30,000 to MWA Enterprises, LTD

Roll call vote on above amended motion:

Yea- Irelan, Heath, McColley

Nay-

Yea-3 Nav-0

Passed

Second: Motion: Heath Irelan

To recommend approval of a new grant of \$11,160.48 for project costs associated with the expansion of Petro, including \$710 paid directly to the contractor to pave the concrete pad; \$6,325 paid directly to the Ohio Gas Company for extension of the gas line; \$4,125.48 paid directly to MWA Enterprises, LTD upon completion of the project and all but the acquisition costs shall have a 10% overage allowance up to \$705.

Motion To Recommend Approval Of A New Grant Of \$11,160.48 For Project **Costs Associated With Expansion Of Petro, Including \$710 Paid Directly To The Contractor To Pave** The Concrete Pad: \$6325 Paid Directly To Ohio Gas Co. For **Extension Of The Gas** Line; \$4125.48 Paid **Directly To MWA Enterprises, LTD Upon Completion Of** The Project; All But **The Acquisition Costs** Shall Have A 10% **Overage Allowance**

> Adams asked that Council remember that this is a payback of the City promising to pay fifty percent (50%) of the original extension which was never paid and Mike Adams ended up paying one hundred percent (100%) of those original costs, when considering whether to approve this recommendation. McColley asked if grants were received for those costs paid by Adams; Adams replied that they were.

Passed

Roll call vote on above amended motion:

Yea-3

Yea- Irelan, Heath, McColley

Nay- 0

Nay-

Any Other Matters

There were no other matters to come before the Committee at this time.

Motion To Adjourn

Motion: Heath Second: Irelan
To adjourn the meeting at 9:18 am

Roll call vote on above motion:
Yea - Irelan, Heath, McColley
Nay
Robert McColley, Chair

Robert McColley, Chair

200 WEST HIGH STREET, P.O. BOX 528, BRYAN, OH 43506 PHONE: 419-636-1117 TOLL FREE 1-800-331-7396 FAX: 419-636-2134

October 9, 2014

Henry County CIC Attn: Rob McColley 104 E. Washington St. Suite 301 Napoleon, Ohio 43545

Dear Mr. McColley,

This is to confirm an agreement between you and Ohio Gas Company for the contribution required to extend the gas main 775 feet on Industrial Dr. (No. of American Rd) Napoleon, Ohio 43545. This does not include the cost of the service lines, which connects to the above said main and extends to the meters on your premises. The main line extension deposit and refund mechanism described herein is in accordance with Section 7 of Ohio Gas Company's tariff.

The cost of installing the 775 ft. main is approximately \$12,400.00. After allowances for Economic Development, a contribution of \$6,325.00 is required. This is subject to refund during the next ten- (10) years beginning with the construction of this main. The deposit will be refunded at the rate of \$1,600.00 for each additional business constructed and utilizing natural gas for central heating and water heating exclusively. Your contribution will be completely refunded with an additional 4 (four) customers connected and utilizing natural gas, to this portion of main.

Any portion of said deposit not refunded at the end of ten (10) years will belong to Ohio Gas Company and no further refunds will be required.

If you find this agreement satisfactory, please sign the acceptance below and return one copy to this office, along with your check in the amount of \$6,325.00.

Yours very truly,

ACCEPTED ______

OHIO GAS COMPANY

Douglas É. Westhoven Marketing Manager

cc: Mike Creager (14-04-09)



Suspect a natural gas leak? First, move your feet! Then call when you're down the street.

For more information, visit www.safegasohio.org



& SONS, INC.

ELECTRICAL CONTRACTORS

OH Lic.#19517

speis@embargmail.com

P.O. Box 545 · 400 E. Riverview Ave. · Napoleon, OH 43545 · 419-599-1846 · FAX 419-599-1602

ATTN: Adam Rosebrock Rupp/Rosebrock, Inc. 7-464 U.S. Rt. 24 Liberty Center, OH 43532 adamr@rupprosebrock.com DATE: 10/02/2014

CHANGE ORDER#1

Petro Lube 900 American Road, Napoleon, Ohio

1. Additional cost of \$710.00 for concrete transformer pad per City of Napoleon Electric Dept.

ADD:

For the price of

710.00

Note: City of Napoleon Electric Department has requested a concrete pad for power transformer. This is the only requirement which is not in the original proposal. The City of Napoleon Electric Department will not have any charges for electric infrastructure if we do this. This is per Greg Kuhlman (Napoleon Electric Superintendent).

TOTAL PRICE FOR CHANGES:

\$ 710.00

ORIGINAL CONTRACT TOTAL:

\$56,940.00

REVISED CONTRACT TOTAL:

\$57,650.00

We propose to furnish material and labor – complete in accordance with these specifications. Payable net 30. This quote expires in 30 days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

X J. Bret Speiser

10/02/2014

J. Bret Speiser, President

Date

Acceptance of Proposal – The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.



200 WEST HIGH STREET, P.O. BOX 528, BRYAN, OH 43506 PHONE: 419-636-1117 TOLL FREE 1-800-331-7396 FAX: 419-636-2134

August 8, 2014

Mr. Mike Adams

400 American Road

Napoleon, Ohio 43545

RE: Natural gas service - Petro Lube

Dear Mike,

Thanks for considering natural gas for your heating needs at Petro Lube.

Ohio Gas Company would be running a 4" gas main to the north end of Industrial Dr. to maintain adequate pressure requirements for future growth and to serve Petro Lube at this time.

The cost to extend this main 775 feet is \$12,400.00. After allowing footage based on load and equivalent main value, along with Ohio Gas Company's contribution to Economic Development of this area, we are asking you for a contribution of \$6,325.00 for the main. This does not include the service line. The cost for the service line is \$7.00 per foot for ³/₄" service from the road right-of-way to the meter location.

Ohio Gas Company will need an application for this service and gas load requirements. Your decision will determine when the construction can be started.

Should you have any further questions or comments, please feel free to call me at 1-800-331-7396 ext. 239 or 419-553-0808

Thanks again,

Douglas E. Westhoven Marketing Manager Ohio Gas Company



Suspect a natural gas leak? First, move your feet! Then call when you're down the street. City of Napoleon, Ohio

TREE COMMISSION

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

Meeting Agenda

Monday, October 20, 2014 at 6:00 PM

I.	Approval of Minutes (In the absence of any objections or corrections, the minutes shall stand approved.)
II.	Tree Call Report
III.	Fall Tree Programs
IV.	Scott Street Planting
V.	Spring Tree Programs
VI.	Any Other Matters or Items Currently Assigned to the Commission
VII.	Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio TREE COMMISSION

Meeting Minutes Monday, September 15, 2014 at 6:00 pm

PRESENT

Commission
City Staff
Recorder
Others

Kirk Etzler, Anella Huff, Becky Rohre, Bill Rohrs, Jeffrey Marihugh

Marty Crossland, Staff Engineer

Tammy Fein

ABSENT

Members

David Volkman

Call To Order

Committee member Rohrs called the meeting to order at 6:00 pm.

Approval Of Minutes

The minutes from August 18 stand approved with no corrections or objections.

Tree Call Report

Crossland distributed a Tree Tracker Report regarding the tree calls; see attached.

Crossland stated there were only a few additions to the Report, including: 704 West Clinton Street to be removed as it is a hollow Silver Maple on Norton; 324 and 420 East Clinton Street have two (2) small trees that have died and do not need to be added to the removal list due to their size, and should be replanted; and Glenwood Park near the pool has a tree between the chain link fence and street that should be removed.

Fall Tree Programs

Crossland distributed a memo regarding the Planting and Trimming Contract Bids; see attached.

Crossland opened bids today for planting and trimming contracts; receiving one (1) bid for each contract. Crossland reported that North Branch Nursery had the lowest bid of \$6,198 for the planting contract and Tawa Tree Service had the lowest bid of \$225 per hour for the trimming contract which will cover a full two (2) weeks of trimming, and this company is International Society of Arboriculture (ISA) certified.

Crossland is also researching having a tree by the boatramp shelter house removed as well.

Scott Street Planting

Crossland showed a map showing the new utilities, drive approaches and sidewalks on Scott Street.

Crossland stated the map will allow for the replanting of trees on Scott Street while avoiding new utility services when planting the thirty seven (37) trees to be placed from Emmanuel Lutheran Church up to the Auto Zone building. Crossland marked on the map where he believes trees should not be planted as well as where the road signage is located. Crossland stated that approximately twelve (12) to fifteen (15) feet is a good amount of space for trees to be planted away from drive approaches. Marihugh expressed concerns regarding trees being planted too close to waterlines and sanitary trenches; Crossland explained that the trees are being placed in areas that will not cause damage to the new construction, however the placement could be up for discussion if necessary.

Crossland read a draft of the letter that will go to the adjacent homeowners regarding the replanting of trees at residences on Scott Street, giving the homeowners the

option to opt-out of having a tree planted at their Scott Street residence. Crossland stated that the trees listed in the letter are suggested by Stephanie Miller, and are resilient to salt, as they are on a main thoroughfare. Crossland will mail these letters in December with a deadline of February 2015 for a reply; this will be sufficient time to place the residents who would like a tree planted to be placed on the Spring Planting list. Marihugh asked if alternate sites would be researched if a homeowner declines a tree; Crossland replied that are normally twenty five (25) to thirty five (35) regular plantings and this would be additional plantings; there is no concern of a dwindling number of trees planted in the City.

Yard Waste Site Planting

Rohre asked why there would be any replanting at the Yard Waste Site since the wildlife eats the trees; Crossland replied the trees are used as a shield between the Yard Waste Site and the road. Crossland stated that the replanted trees will be put on the list for watering and spraying; Etzler believes the current healthy trees should be added to these lists as well. Crossland stated there approximately nine (9) trees that are dead and should be replaced; adding that it will not be Tree Commission funds that will purchase the replacement trees, the Commission is merely advising the City as to the type of tree that should be replanted. Marihugh suggested that maintenance should be a priority to keep the trees alive; Etzler agreed. Crossland suggested replacing the dead trees with the same species, currently Spruce and Pine, and keeping up with maintenance.

Any Other Matters To Come Before The Commission

Crossland showed the Commission a jar that a resident brought in with two (2) bugs that crawled out of a maple tree that the resident had cut down; Crossland took pictures and sent them to the Ohio Department of Natural Resources (ODNR); these are a type of wasp that can sense stress in a tree and use the tree as shelter; these wasps do not harm humans or trees.

Crossland distributed the information to the Commission to take the Tree Commission Academy; Rohre stated that she was interested; Huff will check to see if she can attend with Rohre. Crossland added that the City would pay the registration fee.

Crossland stated that the Urban Forestry Seminar will take place on Bluffton Campus; Crossland will email a copy of the information to the Commission; Crossland is interested in attending this Seminar.

Crossland stated that the watering bags have been removed and there were approximately four (4) that were damaged out of one hundred fifty (150) bags that were placed. Marihugh asked if these could be purchased less expensively from an arboretum supply company; Crossland had researched this previously; the bags are the same price at Kurtz Hardware and Crossland would prefer to shop locally.

Motion To Adjourn

Motion: Etzler Second: Marihugh

To adjourn the meeting at 6:49 pm.

Passed

Yea-5

Nav- 0

Roll call vote on above motion:

Yea- Huff, Rohrs, Etzler, Marihugh, Rohre

Nay-

Approval Date:



October 2014

OMEA NEWSLETTER

EVENTS OF NOTE

AMP/OMEA Conference Oct. 27-30, 2014

Hilton Columbus at Easton Columbus, Ohio

Election Day Nov. 4, 2014



CONTACT US

Jolene Thompson – OMEA Executive Director/AMP Senior Vice President of Member Services & External Affairs

jthompson@amppartners.org

Michael Beirne – AMP/OMEA Assistant Vice President of Government Affairs & Publications mbeirne@amppartners.org

Jodi Allalen – AMP/OMEA Government Affairs Coordinator jallalen@amppartners.org

Website - www.amppartners.org

Phone – 614.540.1111

Lobbying: Working hard to make the voice of OMEA members heard

From the desk of Michael Beirne

One of the main functions of the OMEA is helping to make the voice of its 80 Ohio members heard to policymakers at both the federal and state levels. OMEA works with legislators and their staff on developing and amending legislation as needed to provide the best results for its members.

The OMEA staff monitors bills as they move through the legislative process keeping watch on legislation that could potentially have an impact on its members. There are currently 153 bills that OMEA has in its legislative tracking system (an



American Public Power Association's Legislative Rally Washington, D.C.

OMEA and AMP members attend the earlier this year in

updated list of bills can be found on the Member Extranet portion of the AMP website).

In addition to legislation that is formally introduced, during the committee process it is vital to know which amendments are on track to possibly become part of bills. The OMEA staff has to be aware of anything detrimental in order to try and stop an amendment from becoming part of the legislation.

Equally as important is the ability to work with legislators and their staff on getting vital amendments added to bills. This sometimes requires significant time working with different lawmakers to educate them on the importance of the issue. An example of this is the beneficial provision added to the recently passed energy bill (SB 310) that includes favorable language regarding the Greenup hydroelectric generating facility, which included critical grassroots help by City of Hamilton officials, including Mayor Pat Moeller, and will benefit all Meldahl/Greenup participants.

The member grassroots efforts coordinated by OMEA have benefitted many communities over the years. In addition to the Greenup example, this includes the favorable treatment in the energy deregulation bills (SB 3 in 1999 and SB 221 in 2008), securing continued treatment of the kWh tax in budget and other bills, and removal of onerous provisions in the securitization bill (2011).

Having a group speak with one voice in favor of or opposition to an issue has a powerful effect on decisions made at both the state and federal levels. OMEA member officials can count on us to work with them to provide sample grassroots letters and talking points on the issues of importance.

Lawmakers move to push legislation due to lame duck session

 \bigwedge /ith the 2014 fall general \mathbf{V} election upon us, a lame duck session will soon get under way. As defined by the U.S. Senate glossary of legislative terms, a lame duck session is "when Congress (or either chamber) reconvenes in an even-numbered year following the November general elections to consider various items of business. Some lawmakers who return for this session will not be in the next Congress. Hence, they are informally called 'lame duck' members participating in a 'lame duck' session." This definition also applies to state government.

All Ohio House seats and half

of the Senate are up for election on Nov. 4. Following the election, legislators will begin meeting to try to push through legislation before the end of the current legislative session.

According to both the House Speaker Bill Batchelder (R-Medina) and Senate President Keith Faber (R-Celina), there are many issues that need to be addressed this fall. Both chambers plan a busy lame duck schedule with a number of committee and session dates after the November election. In order for legislation to become law, it must be passed out of both the House and Senate

on or before Dec. 31, 2014 and then signed by the Governor. After Dec. 31, all legislation still pending is considered dead and will have to be re-introduced in the new general assembly starting in January.

The legislative agenda has yet to be set in stone, but many legislators are speculating about which issues will move this fall, including municipal income tax revisions, sales tax holidays, substance abuse prevention and several midbiennium review (MBR) bills. OMEA staff is keeping a close watch on all legislation with the potential to impact our members.

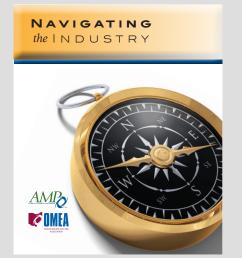
Ohio legislative issues to be discussed at AMP/OMEA Conference

unicipal electric utilities are stronger through joint action and the upcoming AMP/OMEA Conference features sessions that will help members navigate the energy industry.

The conference, to be held Oct. 27-30 at the Hilton Columbus at Easton, will include an Ohio Legislative Update, Federal Legislative and Regulatory Issues Update, session on USEPA air rules and other meetings of interest to the industry.

The registration brochure, including a tentative conference session schedule, has been mailed to OMEA members and is also available online at www.amppartners.org.

The Morning General Session II, held from 10 to 11 a.m. Oct. 28, will focus on the new 111 (d) USEPA rule. Craig Butler, director of the Ohio EPA, and Roger Martella from Sidley Austin will be the speakers for this session: What the USEPA GHG Rules Mean for



the Country, Region & AMP/OMEA Members.

The Federal Legislative & Regulatory Issues Update, held from 9 to 10 a.m. Oct. 29, will focus on how public power issues at the national level impact AMP/OMEA members. Attendees of the Ohio Legislative Update morning session will hear the latest on legislative issues that affect the energy industry and Ohio's municipal electric systems.

Following the Ohio Legislative Update, the OMEA will hold its

annual General Membership meeting. The issues update is scheduled for 10 to 10:30 a.m., followed by the OMEA General Membership Meeting from 10:30 to 11 a.m.

For additional information regarding conference registration, please contact Jodi Allalen or Michael Beirne at 614.540.1111, or <u>jallalen@amppartners.org</u> or <u>mbeirne@amppartners.org</u>.

GET TO KNOW YOUR LEGISLATORS:

Senator Cliff Hite

en. Cliff
H i t e
(R-Findlay)
is currently
serving in his
second term as
a member of
the Ohio Senate,
representing
District, which

the 1st Senate District, which encompasses an 11-county region of Northwest Ohio, including all or part of Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Logan, Paulding, Putnam, Wert and Williams counties. OMEA communities included in his district are Arcadia, Bryan, Deshler, Edgerton, Holiday City, Montpelier, Napoleon, Ohio City, Pioneer, St. Marys and Wapakoneta. Prior to his appointment to the Senate, Hite served two terms in the Ohio House of Representatives.

For the second time during his tenure in the Senate. Hite has been tapped to preside as the chair of the Senate Standing Committee on Agriculture. Ohio's number-one industry - agriculture - employs one in every seven Ohioans and contributes more than \$105 billion to the state's economy. In this important role, Hite oversees state policy for this sector of Ohio's economy. Senator Hite also serves on the following committees: Education, and Natural Resources, Education Finance Subcommittee, Insurance and Financial Institutions, Public Utilities, and Ways and Means.

Prior to entering public service in Columbus, Hite spent three decades teaching high school history and coaching football. He puts his passion for teaching and student success to use as the vice chair of the Senate Standing Committee on

Education. His experience in the classroom makes Hite a leader in education policy in the Buckeye state.

Hite remains an active member of the Northwest Ohio community, including service as a member of the Benevolent and Protective Order of the Elks of Findlay. He is a member of the Hancock County Sports Hall of Fame, remains active as a high school Sunday school teacher at his church and is an honorary member of Kiwanis International.

Hite has received numerous accolades for his service to the people of Ohio's 1st Senate District. He has been named a Defender of Liberty by the American Conservative Union and has twice been named Watchdog of the Treasury by the United Conservatives of Ohio.

Hite holds a bachelor's degree in secondary education from the University of Kentucky, where he played quarterback for the Wildcats.

State Representative Sandra Williams



S a n d r a
Williams (DCleveland) of
the 11th District
is serving her
fourth term in
the Ohio House
of Representa-

tives and is currently running for an open seat in the Senate. She represents a portion of Cleveland, including Cleveland Public Power.

As a prominent member of the Democratic Party, Williams has built bipartisan relationships with Ohio lawmakers. Williams is currently the ranking member on the House Public Utilities committee and is a member of the Manufacturing and Workforce Development, Economic Development and Regulatory reform

committees. She also serves on the Ohio Power Siting Board, and was appointed to the Minority Development and Financing Advisory Board.

Williams has focused her efforts on economic development legislation such as the renewal of the Third Frontier program (a measure aimed at expanding the state's high-tech research capabilities to increase the pace of commercialization in Ohio), and improving contracting opportunities for women and minority contractors in prominent development projects throughout the state.

Before starting her career as a public servant, Williams worked in the field of criminal justice for more than a decade. She held several different positions, including corrections officer, probation officer, parole officer

and mediator. Williams also served as a member of the U.S. Army Reserve from 1987 to 1995.

Williams began her career at the Statehouse as a legislative aide. Her five years in that role gave her unique insight and exceptional credentials to help her earn the trust and respect of voters when they elected her in 2006, 2008 and 2010.

Williams holds a bachelor's degree in political science and criminal justice from Cleveland State and a master's degree in criminal justice administration from Tiffin University. She was awarded an honorary doctorate from Tiffin University for her commitment to public service, and recently received an executive master's degree in business administration at Cleveland State University.

Someone you should know: Keith Brooks

eith Brooks has long been a key member of the OMEA legislative lobbying team. Brooks brings extensive government experience with him as he works on behalf of the OMEA in tracking legislation and lobbying state lawmakers.

Brooks received a bachelor's degree from Ohio State University and a law degree from the University of Toledo College of Law. Upon graduation, he served in the Ohio Senate as legal counsel to the majority and later became chief of staff. Departing the Senate, Brooks affiliated and became of counsel with the law firm of Agee, Clymer, Morgan and Fulton, where he began his lobbying practice. Brooks maintained his practice with that firm for 25 years before establishing Capitol Advocates.

At Capitol Advocates, he uses a non-partisan

approach when interacting with key decision makers on both sides of the political aisle – a must for any successful government relations program. Brooks has an extensive network of contacts in the state legislature and at key state agencies.



These relationships help him navigate the complex world of state government. From tracking and monitoring key bills to a complete legislative strategy, Brooks works to tailor a program that fits the needs of the OMEA and guarantees that the organization's voice is heard by important policymakers.

Brooks has represented AMP and the OMEA since 1984. Capitol Advocates is located in Columbus and includes Kurt Leib, Dan Leite and Courtney Saunders.

2014 November Elections: Who is up for election?

GOVERNOR/LT. GOVERNOR

John Kasich/Mary Taylor (R) Edward FitzGerald/Sharen Swartz-Neuhardt (D)

ATTORNEY GENERAL

Mike DeWine (R) David Pepper (D)

AUDITOR OF STATE

Dave Yost (R) John Patrick Carney (D)

TREASURER OF STATE

Josh Mandel (R) Connie Pillich (D)

OHIO SUPREME COURT

Tom Letson Judi French John P. O'Donnell

All Ohio House of Representative seats

17 Ohio Senate seats

All 16 Ohio seats in U.S. House of Representatives

SECRETARY OF STATE

Jon Husted (R) Nina Turner (D)

Key Ohio legislation being tracked by OMEA

The full list of legislation in the OMEA tacking system is available on the AMP member extranet or by contacting Michael Beirne at 614.540.0835 or mbeirne@amppartners.org.

HB 312 – Rep. Terry Johnson (R-Portsmouth) referred to House Public Utilities Committee

To allow electric light companies to recover economic and job retention program costs

Am. Sub. HB 5 – Rep. Cheryl Grossman (R-Grove City) and Rep. Michael Henne (R-Clayton) passed House and was introduced in the Senate and referred to Senate Finance Committee

Municipal income tax-revisions

Sub. HB 9 – Rep. Peter Stautberg (R-Anderson Twp.) passed House and Senate. House refused to concur in Senate amendments on Dec. 11, 2013; Senate insisted on amendments and requested a committee of conference on Jan. 1, 2014

Receivers-powers/procedure for real property sales

HB 312 – Rep. Terry Johnson (R-Portsmouth) referred to House Public Utilities Committee

To allow electric light companies to recover economic and job retention program costs

HB 319 – Rep. Cheryl Grossman (R-Grove City) referred to House Public Utilities Committee

To permit natural gas companies to apply for an infrastructure development rider to cover costs of certain economic development projects

HB 337 – Rep. Lou Terhar (R-Cincinnati) referred to House State and Local Government Committee

To revise budgeting requirements which apply to local governments, and revise requirements and sanctions for noncompliance

Am. Sub. HB 375 – Rep. Matt Huffman (R-Lima) referred to House Ways and Means Committee. Passed House on May 14, 2014

To levy a severance tax on horizontally drilled oil and gas wells

HB 472 – Rep. Jeffrey McClain (By request) (R-Upper Sandusky)

To make operating and other appropriations, and to provide authorization and conditions for the operation of state programs. This bill has been divided into 14 separate bills, some of which have been signed into law and others which are being heard in several different committees

Am. HB 506 – Rep. Andy Thompson (R-Marietta)/Jack Cera (D-Bellaire) referred to House Agriculture and Natural Resources Committee. Passed House on June 4, 2014 and introduced in Senate on June 9, 2014

To require the director of the Ohio EPA to adopt standards of performance for carbon-dioxide emissions from existing coalfired and natural gas-fired electric generating units

HB 545 – Rep. Anne Gonzales (R-Westerville) introduced and referred to the Public Utilities Committee

Master metering/submetering-utility service to rented spaces

HCR 58 – Rep. Robert Sprague (R-Findlay) introduced and referred to the Policy and Legislative Oversight Committee

Municipal bonds-preserve tax exempt status

SB 59 – Sen. Bill Beagle (R-Tipp City) referred to Senate Public Utilities Committee

To authorize an eligible regional council of governments to establish itself as an education energy council for the purpose of issuing debt to pay for school district energy purchases

SB 181/HB 368 – Sen. Kris Jordan (R-Powell) Rep. Matt Lynch (R-Bainbridge Township) referred to Senate Public Utilities Committee/referred to House Public Utilities Committee

To require electric distribution utilities to obtain a customer's consent prior to installing a smart meter on the customer's property

October 17, 2014

BMU celebrates Public Power Week, hosts open house at electric facilities

Provided by Bryan Municipal Utilities

Bryan Municipal Utilities (BMU) celebrated Public Power Week with an employee appreciation lunch and an open house at the Electric Facilities on Oct. 9.

Community members watched BMU lineworkers demonstrate their climbing and line working skills. In addition, attendees spun a wheel of fortune to win prizes. Children dressed up in lineworker gear and received free color photos. They also generated electricity pedaling an energy bike. BMU staff





served up hot dogs from the grill, popcorn and refreshments.

AMP/OMEA file comments on USEPA's proposed emissions standards

By Cody Dill – manager of environmental affairs

On June 18, 2014, the U.S. Environmental Protection Agency (USEPA) proposed standards to address carbon dioxide (CO2) emissions from reconstructed and modified electric generating units (EGU). AMP/OMEA submitted comments on the proposed standards on Oct. 15. Comments were made with reference to both the legality and technical feasibility of the proposed standards. AMP/OMEA also provided support for the filings of both the American Public Power Association (APPA) and the Prairie State Generating Co. (PSGC). The AMP/OMEA comments, as well as those from APPA and PSGC, will be posted on the AMP extranet on Oct. 20.

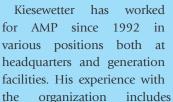
AMP also continues work on draft comments of the proposed CO2 emission guidelines for existing EGUs. Comments for the existing unit emission guidelines are due Dec. 1.

Please contact me with questions or for more information at 614.540.6382 or cdill@amppartners.org.

Kiesewetter, Easton take on new roles with AMP

By Marc Gerken, PE - president/CEO

AMP is pleased to announce the appointment of two individuals filling key management positions with the organization. Scott Kiesewetter was named senior vice president of generation operations, and John Christopher "Chris" Easton was named vice president of business operations.





Scott Kiesewetter



Chris Easton

engineering and supervisory positions at the former Richard H. Gorsuch Generating Station and positions at headquarters overseeing transmission/distribution design, distributed generation, operations engineering/accounting, new plant engineering and project development. For more than 20 years he has held various positions with the organization – gaining experience across-the-board from generation to the Energy Control Center. As senior vice president, Kiesewetter will be a member of the AMP Executive Management Team and will oversee all functions of the Power Generation Group, including all generation resources.

Easton brings 30 years of experience with municipal electric system management to AMP. He spent his career with the City of Wadsworth, Ohio, starting as planning and development

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Natural gas injection exceeds analysts' expectations

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

The Energy Information Administration (EIA) reported 94 Bcf of natural gas injected into storage last week, exceeding analysts' expectations. This is 14 Bcf above the five-year average injection, and natural gas in now stands 9.4 percent below levels seen this time last year. As a result, market prices dropped again this week.

November natural gas dropped \$0.05/MMBtu from last week closing yesterday at \$3.79/MMBtu. 2015 on-peak electric rates are now \$0.18/MWh lower than last week with AD Hub at \$45.20/MWh.

AFEC weekly update

By Alice Wolfe

With the temperature cooling and more generators taking fall outages, AFEC had a strong week of generation. The plant was dispatched online every day this week, operating at base maximum levels during on-peak hours and base minimum levels overnight.

Duct burners were used 21 hours, including last Friday and again on Tuesday and Wednesday. The plant ended the week with a capacity factor of 68 percent (based on a plant rating of 675 MW). AFEC will take its own fall outage beginning on Oct. 18.

McCullar, Gerken speak at roundtable discussion

By Jolene Thompson – senior vice president & OMEA executive director

AMP's leadership was well represented at the recent state, federal and industry roundtable discussion Energy Resource Portfolios for the Electric Power Industry: Decision Making for a Reliable, Affordable and Clean Future.

AMP President/CEO Marc Gerken was a member of the panel Environmental Requirements and Renewable Generation. AMP Board Member Patrick McCullar, president/CEO of the Delaware Municipal Electric Corporation, participated in the panel discussion Who is Responsible for Energy Resource Portfolios Decisions?

Held at the NRECA Conference Center in Arlington, Virginia, Oct. 16-17, the roundtable brought together knowledgeable stakeholders to engage with one another in regard to how decisions about energy resource portfolios can be made to achieve all that the public demands.



News or Ads?

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

On Peak (16 hour)	prices into	AEP/Dayto	n Hub
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Week end	ling Oct. 17			
MON \$41.26	TUE \$47.19	WED \$44.44	THU \$42.92	FRI \$35.27
Week end	ling Oct. 10			
MON \$38.64	TUE \$44.45	WED \$38.11	THU \$40.01	FRI \$40.04
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New roles with AMP

continued from Page 1

director and assistant director of public service. In January 2004 he was named public service director, a position he held until his retirement from the city last July. With 10 years as a member of the AMP Board of Trustees, he has the knowledge and experience needed for coordinating AMP's strategic planning effort, managing facilities and various programs as well as performing program analysis. His responsibilities will include overseeing all AMP-owned properties, vehicles and equipment, the AMP Forestry Program and AMPO Inc., AMP's for-profit electric and natural gas aggregation services provider.

Please join me in congratulating Scott and Chris on their new roles with AMP.

AMP series focuses on recent OSHA rule updates

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

There are two webinars remaining in AMP's series on the Occupational Safety and Health Administration's (OSHA) recent rules update:

- 10 a.m. Nov. 6: Fall Protection
- 10 a.m. Nov. 13: General Training

Recordings of the previous webinars in the series (Host/Contractor Provisions, and Minimum Approach Distance and Arc Flash Hazard Analysis) are available on the Member Extranet section of the AMP website.

Offered by AMP's safety team, these free one-hour webinars address OSHA's recently updated standards for Electric Power Generation/Transmission, and Distribution and Electrical Protective Equipment.

For more information on OSHA's rules or to register for a webinar, please email to newOSHArule@amppartners.org or contact me at 614.540.0924 or mpalmer@amppartners.org.

An Update on New OSHA Regulations session will also be offered during the AMP/OMEA Conference from 4 to 5 p.m. Oct. 28 at the Hilton Columbus at Easton.

AMP/OMEA Conference features Financial/IT Track

The Financial/IT Track at the AMP/OMEA Conference will cover important industry issues. Track sessions are listed below. As a reminder, registration information for the conference, to be held Oct. 27-30 at Hilton Columbus at Easton, is available on the main page of the AMP website.

2 to 3 p.m. Oct. 28: Cyber Security for Municipal Utilities & Discussion on SCADA and Generation Operations Data -AMP staff will discuss why cyber security is crucial within the utility sector and will also provide insight on how AMP is building a datacentric infrastructure for its own operations as well as for the benefit of its members.



Dan Aschenbach

3 to 4 p.m. Oct. 28: Public Power **Electric Utility Credit Outlook -**This presentation and discussion by Dan Aschenbach, senior vice president of Moody's Investors Service, will cover the significant

credit strengths and challenges affecting the electric industry, financial ratios used in evaluating AMP and its participating municipal utilities, and a credit outlook. This session has been approved by the Ohio Supreme Court for Continuing Legal Education (CLE) credit.

4 to 5 p.m. Oct. 28: Regional Economic Growth in AMP Member States - Speaker Mark Vitner, managing director and senior economist at Wells Fargo, will give an outlook for the U.S. macro economy as well as the outlook for the regional economies of AMP member states.

NERC update call, webinar to cover topics with Utility Services

By Art Iler - director of reliability standards compliance

AMP, in coordination with Utility Services Inc., will host the next NERC update conference call and webinar at 1:30 p.m. Oct. 23. The update will include discussions on BES Review; RF Meeting Summary; Risk Based Registration (RBR); Reliability Assurance Initiative (RAI); PRC-005-2 including best practices and transition/implementation; MOD-031-1 FERC NOPR; FERC October meeting actions; PRC-006-SERC-1; and CIP-003. There will be a question and answer session at the end.

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

Rolling Blackouts to rock conference after banquet

After the AMP/OMEA Conference banquet, put on your dancing shoes for an evening with the Rolling Blackouts. Back by popular demand, the Rolling Blackouts are experienced musicians that share a municipal electric system connection as customers, staff members or consultants.

Formed in 2004, the group specializes in pop/ rock classics from the 1950s to 1970s. This year's performance will kick off with an "unplugged" acoustic set of sing-along favorites.

Anyone interested in sitting in with the band is encouraged to contact Hamilton Director of Electric Kevin Maynard at 513.785.7208 or maynardk@ci.hamilton.oh.us.

AMP Groundworker Training course covers industry basics

By Bob Rumbaugh – manager of technical training

Eight employees from five members in three states participated in AMP's Groundworker Training course Oct. 14-16.

Great for cross training from other departments, the groundworker course is designed for entry-level apprentices as a beginning course or for municipal employees who assist the electric line crew as groundmen.

Course participants pictured are (from left): row one-Al Bartosiak, Shelby; Tim Warren, Girard; Tim Sanders, Marshall; Bob Rumbaugh, course instructor; row two-Kyle Wuebker, Minster; Darren Elliott, Plymouth; Kip Sundberg, Marshall; Joel Zebolsky, Marshall; and Dan Jinks, Marshall.

The groundworker course is offered throughout the year and as requested. For more information, please contact Jennifer Flockerzie at <u>iflockerzie@amppartners.org</u> or 614.540.0853.



Classifieds

Village of Monroeville accepts applications for dual position

The Village of Monroeville, OH is seeking qualified applicants for the dual position of the part-time certified journeyman lineworker and part-time Village Administrator. The successful candidate must have experience with a 12kV electric distribution system, 3-phase metering and substation maintenance for a department servicing over 900 customers. The candidate must also have significant management and supervision experience, and skills in leadership, community/economic development, and local government regulations. The successful candidate will indirectly oversee the operations of the Streets, Water/Wastewater, and Electric departments.

The village offers an excellent benefit package. Hours and salary commensurate with experience. Requires residency within 30 miles of Monroeville's corporate limits within one year of employment. Interested parties should submit a cover letter, resume, salary history and three professional references to the Village Administrative Offices, PO Box 156, Monroeville, OH 44847 by Oct. 31, 2014. The Village of Monroeville is an E.O.E.

Wapakoneta seeks groundworker

The City of Wapakoneta is accepting resumes for the full-time position of Groundworker.

Please visit <u>www.wapakoneta.net</u> for additional details and application.

Resume and application should be mailed to: Donald Schnarre, Electric Superintendent, City of Wapakoneta, P.O. Box 269, Wapakoneta, OH 45895. Deadline is 3 p.m. on Oct. 31, 2014.

Help wanted for crew employee in City of St. Clairsville

The City of St. Clairsville has an opening for a Water/ Wastewater Crew Employee. Full benefits. The Civil Service Commission will give an eligibility test.

Job Description and Civil Service Test Application details are available at www.stclairsville.com. The city prefers applicants view and print application forms from the website; however, forms can be obtained at the Director of Public Services' office, Municipal Building, 100 N. Market St., St. Clairsville, OH.

City of Columbus seeks power lineworker supervisor II

The City of Columbus Department of Public Utilities is seeking qualified applicants for the Open Competitive Examinations for the classification of Power Line Worker Supervisor II and Plant Maintenance Electrician II.

Power Line Worker Supervisor II: To qualify, candidates must have two years of experience as a Power Line Worker Supervisor I with the City of Columbus or comparable experience elsewhere. Possession of a valid motor vehicle operator's license is also required. Starting salary range of \$57,408.00 - \$86,091.20.

Plant Maintenance Electrician II: To quality, candidates must have completed four years of experience installing and repairing 3-phase electrical equipment in an industrial facility with voltages up to 2,400 volts. Successful completion of a formal classroom or apprenticeship training program in the general principles of electricity may substitute for six months of the required experience. Possession of a valid motor vehicle operator's license is required. Starting salary \$22.29-\$32.37 per hour.

Interested applicants should apply for the Open Competitive Examination by visiting the Columbus Civil Service Commission website at https://csc.columbus.gov and clicking on "current job openings" to follow the instructions for application submissions during the application posting period – both open through Oct. 17, 2014. EOE.

Marshall accepts senior lineworker applications

The City of Marshall is now accepting applications for a fulltime Senior Lineworker position. This position is responsible for the construction and maintenance of all overhead and underground distribution lines and services. Responds for power outage service restoration and repairs street/parking lot lights. Must have or be able to obtain a valid Michigan Driver's License with CDL endorsement and must have Journeyman Lineman Certification. Starting pay \$33.12/hr plus benefits.

If interested please apply online at www.cityofmarshall.com. Application deadline is Oct. 30, 2014.

Front Royal has opening for crew leader position

The Town of Front Royal is currently seeking a qualified lineman who has successfully completed a recognized formal development program, has related experience and looking to apply their skills and further their career as a Crew Leader (\$19.04-\$30.44 depending on qualifications) for the Town of Front Royal.

This position will supervise and participate in the work of the power line crews engaged in the construction, maintenance, and repair of electric transmission and distribution lines.

The successful applicant must submit to and pass a preemployment, post-offer physical examination and drug screen, paid for by the town and a criminal records check. Successful applicant must possess or obtain a Class B CDL

Front Royal offers a full range of benefits including group health insurance, retirement plan, and paid time off.

Employment applications are available and will be accepted through Monday, Oct. 20, 2014 at 4:30 p.m. at the Town Administration Building 102 E. Main St., 2nd Floor, Front Royal, VA 22630. Applications may be printed from the website www.frontroyalva.com. Email to jbush@frontroyalva.com or fax to 540.631.9006. Front Royal is an equal opportunity employer and encourages all qualified persons to apply.

Village of Bradner in need of electrical lineworker candidates

The Village of Bradner is accepting applications for a qualified fulltime electrical lineworker position. Candidates must possess a high school diploma, five years of general electrical utilities experience, distribution lines, and substations, as well as the ability to respond to necessary field work on a daily and emergency basis. Water and waste water experience is preferred, but not necessary. Candidate must be willing to obtain these licenses if not currently held. A valid driver's license is required. A Class A CDL with air brake endorsement is required or must be obtained within six months of hire. This position will report to the Utility Superintendent.

Salary commensurate with experience plus an excellent benefit package. Applications and complete job description can be obtained at the village offices, located at 130 N. Main St., Bradner, OH 43406 or by contacting the fiscal officer at 419.288.2890. The Village of Bradner is an Equal Opportunity Employer.

AMP seeks candidates for open positions

American Municipal Power, Inc. (AMP) is seeking applicants for the following positions. For complete job descriptions, please visit the "careers" section of the AMP website or email to Teri Tucker at ttucker@amppartners.org.

Administrative Assistant: Duties in this position include administrative support for the senior vice president of risk control/chief risk officer; assisting the contract manager with document preparation, filing and tracking; and drafting letters, narrative, statistical and/or other reports. High school diploma is required. Additional business, administrative, legal or technical training is preferred. A minimum of three years of experience in a fast-paced corporate environment is required.

Treasury Professional: Reporting to the assistant vice president of treasury and cash management, this position provides high level of subject matter expertise and internal consultation on the best practices to obtain, evaluate, interpret, record and analyze financial data utilized in the

preparation of financial statements. Works with internal and external sources to assure proper understanding and reporting of financial data. Understands and participates in the development of controls. Identifies, prioritizes, assesses measures, manages, monitors and reports on risk. Identifies and remediates internal control deficiencies. Provides expertise regarding complex cross functional projects and other activities that support strategic initiatives.

Bachelor's degree and a minimum of three years of relevant experience are required. Certified Treasury Professional (CTP) or equivalent professional accreditation, and proficiency with Treasury Workstation and Oracle Cash Management applications are preferred.

Apprentice Trimmer: Reporting to a crew supervisor, apprentice trimmer will climb trees using ladders, climbing equipment or work from bucket of an aerial lift truck boom to perform tree maintenance tasks, pruning or line clearing.

Candidates must have knowledge of electrical line clearing hazards and ability to maintain OSHA approved Qualified Line Clearance/Tree Trimmer status; must have the ability to climb trees using safety ropes and maintain Certified Tree Worker status (ISA). Working conditions include exposure to adverse weather, noise, hazardous conditions/equipment and precarious or high locations.

Danville Utilities Department has positions available

The City of Danville Utilities Department is seeking candidates for the following positions. For more information and to apply online, please visit www. danville-va.gov. Positions will remain open until filled. Equal Opportunity Employer.

Director of Power & Light: The director manages the overall operations of the city's electric system that serves approximately 43,000 homes and businesses from 17 substations in a 500-square mile service territory covering all of Danville and portions of a tri-county area. Education and experience combined to be equivalent to a bachelor's degree in electrical engineering or business administration and seven to nine years in energy utilities with considerable management experience. Possession of or ability to obtain Certification as a Professional Engineer in the Commonwealth of Virginia is desirable. Salary range: \$79,356 - \$95,227.

Key Accounts Manager: A qualified professional is needed to manage major accounts, administer energy efficiency programs; coordinate customer information and education activities, promote service offerings, and participate in budgetary, accounting, and utility rate computations. Education and experience equivalent to a bachelor's degree in engineering, business marketing, or other related field and extensive experience preferred in marketing, business retention, economic development or utility industry experience with large customers. Compensation pay range: \$51,345.00 - \$61,614.00/ DOQ.