
Memorandum



To: Mayor & Members of Council
From: Monica Irelan, City Manager
Subject: General Information
Date: July 1, 2016

CALENDAR

AGENDA - City Council Tuesday, July 5th @7:00 pm

C. APPROVAL OF MINUTES

June 20, 2016 *Regular Council Meeting Minutes*

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS - None

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS - None

I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 019-16**, an Ordinance to Approve Current April, 2016 Replacement Pages to the Napoleon Codified Ordinances
2. **ORDINANCE NO. 022-16**, an Ordinance Providing for an Election on the Question of an Amendment to the City of Napoleon, Ohio Charter Article II (Council), Article V (Boards and Commissions), and IX (Initiative, Referendum and Recall); and Directing the Board of Elections of Henry County, Ohio, to Conduct such Election on the November 8, 2016 Ballot.
3. **ORDINANCE NO. 024-16**, an Ordinance Vacating a portion of a certain Street located South of the Southerly Right-of-Way of Front Street and Adjacent to the Westerly Line of Loat 137 of Phillips & Staffords Third Addition, and also being Roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio.

J. GOOD OF THE CITY (*Discussion/Action*)

1. Award of Bid for the Park Lane Street Improvements Project (L.T.C.P. Project No. 17C & 11E Partial)
 - a. Recommendation of Award Memo is enclosed.
2. Award of Bid for the 2016 Manhole Lining Project
 - a. A Memorandum with the Recommendation of Award is attached

Enclosed are Memorandums for item nos. 3 - 6:

3. Acceptance of a Fire Grant from the Ohio Department of Commerce
4. Recommendation from Safety and Human Resources Committee Supporting Movement of Code Enforcement from Building and Zoning to the Police Department
5. Recommendation from Safety and Human Resources Committee to Approve Changing EMS Billing Provider and Sole Source to AccuMed
6. Recommendation from Safety and Human Resources Committee to add to the 2017 Budget an Additional Full Time Engineer.

INFORMATIONAL ITEMS

1. **CANCELLATION** – *Technology Committee*
2. Refuse and Recycling Routes during the 4th of July week
3. Memo/Acting Finance Director, July 2–10, 2016
4. AMP Weekly Update/July 1, 2016
5. OML Legislative Bulletin/June 24, 2016

Records Retention - CM-11 - 2 Years

June 2016							July 2016							August 2016						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1	2		1	2	3	4	5	6
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31			
							31													

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27 6:30 PM FINANCE & BUDGET Committee Meeting 7:30 PM SAFETY & HUMAN RESOURCES Committee Meeting	28	29 2:00 PM - 4:00 PM Betty Marhugh Retirement Open House @Municipal Court	30	1	2
3	4 HOLIDAY - Offices Closed 4th of July	5 7:00 PM City Council Meeting	6 6:00 PM River City Rodders Cruise-In Night	7	8	9
10	11 6:30 PM Electric Committee/BOPA Meeting 7:00 PM Water/Sewer Committee Meeting 7:30 PM Municipal Properties/ED Committee Meeting	12 4:30 PM Board of Zoning Appeals Meeting 5:00 PM Planning Commission Meeting	13 8:30 AM Preservation Commission Mtg.	14	15 7:00 PM Rally in the Alley	16
17	18 6:00 PM Tree Commission Meeting 6:15 PM Parks & Recreation Committee Meeting 7:00 PM City Council Meeting	19	20	21	22	23
24	25 6:30 PM FINANCE & BUDGET Committee Meeting 7:30 PM SAFETY & HUMAN RESOURCES Committee Meeting	26	27 6:30 PM Parks & Rec Board Meeting	28	29	30
31	1 6:15 PM Technology & Communication Committee 7:00 PM City Council Meeting	2	3	4	5 7:00 PM Rally in the Alley	6

City of Napoleon, Ohio

City Council

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

Meeting Agenda

Tuesday, July 5, 2016 at 7:00pm

- A. Attendance** *(noted by the Clerk)*
- B. Prayer & Pledge of Allegiance**
- C. Approval of Minutes:** *(in the absence of any objections or corrections, the minutes shall stand approved)*
- D. Citizen Communication**
- E. Reports from Council Committees**
- 1. Technology & Communication Committee** did not meet on Tuesday, July 5, 2016 due to a lack of agenda items.
 - 2. Finance & Budget Committee** met on Monday, June 27, 2016 and recommended:
 - a. Tabled the review of the Income Tax Credits in Lieu of Assessments for Projects
 - 3. Safety & Human Resources Committee** met on Monday, June 27, 2016 and recommended:
 - a. Recommendation to Council to sole source EMS billing to AccuMed
 - b. Recommendation to Council that in the 2017 Budget Season add an additional full time Engineer
- Reports from Other Committees, Commissions and Boards** *(informational only – not read)*
- 1. Parks & Recreation Board** did not meet on Wednesday, June 29, 2016 due to the lack of agenda items...
 - 2. Civil Service Commission** met on Tuesday, June 28, 2016 and administered the Fire Captain promotional exam.
- G. Introduction of New Ordinances and Resolutions**
There are no First Readings of Ordinances and Resolutions
- H. Second Readings of Ordinances and Resolutions**
There are no Second Readings of Ordinances and Resolutions.
- I. Third Readings of Ordinances and Resolutions**
- Ordinance No. 019-16: An Ordinance to Approve Current April, 2016 Replacement Pages to the Napoleon Codified Ordinances
 - Ordinance No. 022-16: An Ordinance providing for an election on the question of an amendment to the City of Napoleon, Ohio Charter Article II (Council), Article V (Boards and Commissions), and IX (Initiative, Referendum and Recall); and Directing the Board of Elections of Henry County, Ohio to Conduct such election on the November 8, 2016 Ballot.
 - Ordinance No. 024-16: An Ordinance vacating a portion of a certain street located South of the Southerly right-of-way of Front Street and adjacent to the Westerly line of Lot 137 of Phillips & Staffords Third Addition, and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio
- J. Good of the City** *Any other business as may properly come before Council, including but not limited to:*
- 1. Discussion/Action:** Awarding of the Bid for the City of Napoleon Park Lane Street Improvements (L.T.C.P. Project No. 17C & 11E Partial)
 - 2. Discussion/Action:** Awarding of the Bid for the City of Napoleon 2016 Manhole Lining Project
 - 3. Discussion/Action:** Acceptance of a Fire Grant from the Ohio Department of Commerce
 - 4. Discussion/Action:** Safety and Human Resources Committee supports the movement of code enforcement from building and zoning over to the Police Department.
 - 5. Discussion/Action:** Recommendation from Safety & HR Committee to approve changing EMS Billing provider and sole source to AccuMed
 - 6. Discussion/Action:** Recommendation from Safety & HR Committee to Council that in the 2017 Budget Season an additional full time Engineer is added
- K. Executive Session:** *(as needed)*
- L. Approve Payment of Bills and Approve Financial Reports** *(in the absence of any objections or corrections, the payment of bills and financial reports shall stand approved)*
- M. Adjournment**

Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Monday, August 1, 2016 @ 6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, July 11, 2016 @ 6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, July 11, 2016 @ 7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, July 11, 2016 @ 7:30 pm)
 - a. Updated information from Staff on Economic Development (as needed)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, July 18, 2016 @ 6:15 pm)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, July 25, 2016 @ 6:30 pm)
 - a. Review of the Income Tax Credits in Lieu of Assessments for Projects
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Meeting: Monday, July 25, 2016 @ 7:30 pm)
2015 Regular Meetings with Townships scheduled for February and November
- 8. Personnel Committee (As needed)**
- 9. Ad Hoc Committee on Strategic Vision (As needed)**
- 10. Charter Review Commission (As needed)**

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

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, July 11, 2016 @ 6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, July 12, 2016 @ 4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, July 12, 2016 @ 5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, July 18, 2016 @ 6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, July 26, 2016 @ 4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, July 27, 2016 @ 6:30 pm)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 8, 2016 @ 10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, December 13, 2016 @ 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** Next meeting July 13, 2016 at 8:30 am.
 - a. Robin Weirauch at Seasons Eating would like the Board to review a proposed Sign idea for the side of her building.
- 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. Volunteer Peace Officers' Dependents Fund Board (As needed)**
- 16. Lodge Tax Advisory & Control Board (As needed)**
- 17. Board of Building Appeals (As needed)**
- 18. ADA Compliance Board (As needed)**
- 19. NCTV Advisory Board (As needed)**

City of Napoleon, Ohio
City Council
Meeting Minutes
Monday, June 20, 2016 at 7:00 pm

PRESENT

Council

Travis Sheaffer – President, Patrick McColley – President Pro Tem, Dan Baer, Joe Bialorucki, Jeff Comadoll, Rita Small
Jason Maassel
Monica S. Ireland
Lisa L. Nagel
Gregory J. Heath

Mayor

City Manager

Law Director

Finance Director/ Clerk

Of Council

Recorder

Anne Taylor

City Staff

Fire Chief Clayton O'Brien
Police Officer Ed Legg
Chad Lulfs, Director of Public Works
Bobby Stites, MIS Assistant
News Media; NCTV; Amanda Griffith, Henry County CIC

Others

ABSENT

Council

Others

Call To Order

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

**Consideration Of
Republican Party
Nomination To Vacant
Council Seat**

Heath distributed a letter of nomination from the Central Committee of the Republican Party nominating Jeff Mires to fill the vacant Council Seat left by the recent resignation of Jon Tassler, with a term expiring December 31, 2019.

**Motion To Accept
Jeff Mires As
Nomination To
Vacant Council
Seat**

Motion: McColley Second: Bialorucki
To accept Jeff Mires as the nomination to fill the vacant Council.

Discussion

Jeff Mires addressed Council and the Audience and gave a brief personal history. Mr. Mires grew up in the area and moved 26 years ago while he worked in Washington D.C. Mires was in the Secret Service for twenty two (22) years returning to the City of Napoleon two (2) years ago. Mr. Mires felt serving on the Napoleon City Council would allow him the opportunity to do whatever he can do to make Napoleon a better place for everyone and thanked his mother and father for their hard work while he was growing up.

Passed

Yea- 6

Nay- 0

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Small, McColley
Nay-

**Swearing In:
Jeff Mires**

Mayor Maassel swore in Jeff Mires to City Council and administered the Oath of Office.

**Mayoral Proclamation
For Sam Meece**

Mayor Maassel read a Proclamation honoring Sam Meece for his recent State Championship in the Discus competition. Meece thanked his coaches, parents and Adrienne Waisner for their part in his success.

Approval Of Minutes

Minutes of the June 6, 2016 Council meetings stand approved as read with no objections or corrections.

Reports From Committees

The Parks & Recreation Committee did not meet on June 20, 2016 due to lack of agenda items.

The Municipal Properties, Buildings, Land Use and Economic Development Committee did not meet on June 20, 2016 at the direction of the Chair.

President Sheaffer read by title Ordinance No. 019-16:
An Ordinance to Approve Current April, 2016 Replacement Pages to the
Napoleon Codified Ordinances

Motion: McColley Second: Comadoll
To approve Second Read of Ordinance No. 019-16

Nagel and Irelan advised there are no changes to Ordinance No. 019-16 from the last reading

Roll call vote to approve Second Read of Ordinance No. 019-16
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

President Sheaffer read by title Ordinance No. 022-16:
An Ordinance providing for an election on the question of an amendment to the City of Napoleon, Ohio Charter Article II (Council), Article V (Boards and Commissions), and IX (Initiative, Referendum and Recall); and Directing the Board of Elections of Henry County, Ohio to Conduct such election on the November 8, 2016 Ballot.

Motion: Comadoll Second: Small
To approve Second Read of Ordinance No. 022-16

Nagel and Irelan advised there are no changes to Ordinance No. 022-16 from the last reading.

Roll call vote to approve Second Read of Ordinance No. 022-16
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

President Sheaffer read by title Ordinance No. 024-16: An Ordinance vacating a portion of a certain street located South of the Southerly right-of-way of Front Street and adjacent to the Westerly line of Lot 137 of Phillips & Staffords Third Addition, and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East, all being in the City of Napoleon, Henry County, Ohio

Motion To Approve Second Read	Motion: Baer To approve Second Read of Ordinance No. 024-16
Discussion	Nagel and Irelan advised there are no changes to Ordinance No. 024-16 from the last reading. Irelan reminded Council that this property is located at the South end of Scott Street at the river adding that this is a stone lot on the southerly side that is a paper street and vacating the street but keeping an easement for the storm sewer that is in that lot.
Passed Yea-7 Nay-0	Roll call vote to approve Second Read of Ordinance No. 024-16 Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley Nay-
GOOD OF THE CITY <u>Discussion/Action</u> Motion To Approve June, 2016 Power Supply Cost Adjustment Factor	Motion: McColley Second: Comadoll To accept the recommendation for approval of the Power Cost Adjustment Factor for June, 2016 as follows: PSCAF three (3) month averaged factor: 0.00324; JV2: 0.017896; JV5: 0.017896
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley Nay-
Acceptance of a \$250.00 donation from George's Furniture and Bedding, LLC for the Safety City Program	Irelan expressed her gratitude to George's for their generous donation to the Safety City Program.
Motion To Accept a \$250.00 donation From George's Furniture and Bedding, LLC for the Safety City Program	Motion: McColley Second: Sheaffer To Accept a \$250.00 donation from George's Furniture and Bedding, LLC for the Safety City Program
Passed Yea-7 Nay-0	Roll call vote on above motion: Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley Nay-
Approval of Change Order No. 3 (Final) for the Oberhaus Interceptor I/I Reduction Project (L.T.C.P. Project No. 21A) to Vernon Nagel, Inc., an Increase of \$4,014.55	Irelan advised that the revised final budget with an increase of \$4,014.55 now totals \$537,988.19 with the original budget of \$555,000. The biggest change is with the addition of a second line stop valve on the sixteen (16) inch line for \$22,000. The final budget is still 3% less than the estimate, but 6.6% over the original bid.

Good Of The City (Cont.)
Heath

**Acceptance of a \$800.00
donation from United
Way of Henry County
for the Safety City
Program**

**Motion of Acceptance
of a \$800.00 donation
from United Way
of Henry County
for the Safety City
Program**

Passed
Yea-6
Nay-0
Abstained-1

Heath advised Council a donation of \$800. 00 was received from the United Way of Henry County for Safety City Expenses.

Motion: Comadoll Second: Bialorucki
To Accept a \$800.00 donation from the United Way of Henry County for the Safety City Program

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small,
Nay-
Abstained- McColley

Small

Small expressed her thanks to City Council for the flowers sent to her husband in the hospital and welcomed Jeff Mires to Council.

McColley

McColley welcomed to Jeff Mires and offered congratulations to Sam Meece.

Sheaffer

Sheaffer thanked the United Way and George's Furniture and welcomed new City Councilman Jeff Mires.
Sheaffer requested an Executive Session for Economic Development.
Sheaffer stated that the streets by Hill's Restaurant, Oakwood Ave, and Lakeview Drive look very nice and are real smooth to travel on and wanted to thank Chad Lulfs and staff.

Mayor Maassel

Mayor Maassel congratulated the local residents at the Relay for Life event recently held at the Henry County Fairgrounds with proceeds of over \$238,000.00 adding that this is remarkable. The Mayor also expressed his gratitude to George's Furniture and the United Way for their support of safety city adding that these donations show the generosity of the people of our area. The Mayor welcomed Mr. Mires to Council. Mayor Maassel asked all Council Persons to sign a jar of Prego from the Napoleon Campbell Soup Plant to be sent to Congressman Latta to keep on his credenza as a token from the City of Napoleon.

Comadoll

Comadoll offered his congratulations to Mr. Mires and advised him he is only a phone call away if needed.

Baer

Baer welcomed Jeff Mires to Council. On behalf of Baer's neighbors and himself, Mr. Baer expressed his thanks for the good job of patching his street with the new dura patching machine adding that the machine was worth the purchase by the City.

Mires

Mires expressed his appreciation of the new street in his neighborhood and is looking forward to working with everyone on Council and for their support.

Bialorucki

Congratulations to Councilman Jeff Mires

Nagel

Nagel welcomed Jeff Mires and stated she is happy to have him on Council. Nagel advised some reassignments to Committees need to be made replacing prior Councilman Tassler.

Appointment of Jeff Mires to the Municipal Properties, Buildings, Land Use & Economic Development Committee; Parks & Recreation Committee; Finance & Budget Committee; Audit Committee and Board of Review Committee

Motion to accept the Appointment of Jeff Mires to the Municipal Properties, Buildings, Land Use & Economic Development Committee; Parks & Recreation Committee; Finance & Budget Committee; Audit Review Committee

**Passed
Yea-7
Nay-0**

Irelan

Motion To Go Into Executive Session

**Passed
Yea-7
Nay-0**

Into Executive Session

Motion To Come Out Of Executive Session

**Passed
Yea-6
Nay-0
Abstained-1**

Out Of Executive Session

Approval Of Bills

Mires was appointed to the Municipal Properties, Buildings, Land Use & Economic Development Committee; Parks & Recreation Committee; Finance & Budget Committee; Audit Committee and Board of Review Committee.

Motion: Bialorucki Second: McColley
To accept the Appointment of Jeff Mires to the Municipal Properties, Buildings, Land Use & Economic Development Committee; Parks & Recreation Committee; Finance & Budget Committee; Audit Committee and Board of Review Committee.

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

Irelan welcomed Mr. Mires to Council. Irelan advised that the citizen's surveys are coming in adding that the higher the return, the more accurate the information will be. Irelan stated that the pool had to be closed today and shock treatment applied due to a bodily fluid incident with a patron in the pool, but the pool will reopen tomorrow for the aquatic club. Anyone that had paid an entry admission for the day received a rain check to come back another day.

Motion: McColley Second: Small
To go into Executive Session to discuss economic development

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

Council went into Executive Session at 7:27 pm to discuss economic development

Motion: Small Second: McColley
To come out of Executive Session.

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Bialorucki, Mires, Small, McColley
Nay-
Abstained- Baer

Council came out of Executive Session at 7:54 pm. President Sheaffer reported that the discussion was regarding economic development with no action taken.

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

**Motion To Go Into
Executive Session**

Passed
Yea-7
Nay-0

Motion: Bialorucki Second: McColley
To go into Executive Session to discuss the dismissal of an employee

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

Into Executive Session

Council went into Executive Session at 7:55 pm to discuss the dismissal of an employee

**Motion To Come Out
Of Executive Session**

Passed
Yea-7
Nay-0

Motion: Small Second: Comadoll
To come out of Executive Session

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

**Out Of Executive
Session**

Council came out of Executive Session at 9:55 pm. President Sheaffer reported that the discussion was regarding the dismissal of personnel with no action taken

**Motion To Dismiss the
City Manager**

Discussion

Motion: McColley Second: Bialorucki
To Dismiss the City Manager

Baer advised he has concerns on both sides and is very torn on the whole situation and may be due to his lack of understanding on certain things and has concerns on both sides of the issue.

Failed
Yea-3
Nay-4

Roll call vote on above motion:
Yea- Bialorucki, Mires, McColley
Nay- Sheaffer, Comadoll, Baer, Small

Motion To Adjourn

Passed
Yea -7
Nay -0

Motion: McColley Second: Bialorucki
To adjourn the meeting

Roll call vote on above motion:
Yea- Sheaffer, Comadoll, Baer, Bialorucki, Mires, Small, McColley
Nay-

Adjournment

Meeting adjourned at 10:00 pm.

Approved:

Travis B. Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

ORDINANCE NO. 019-16

**AN ORDINANCE TO APPROVE CURRENT APRIL, 2016
REPLACEMENT PAGES TO THE NAPOLEON CODIFIED
ORDINANCES**

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; Therefore,

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

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the April 2016 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

Section 2. That, among others, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

None

General Offenses Code

None

Fire Prevention Code

None

Section 3. That, the complete text of all current Codified changes are set forth in the current replacement pages to the City of Napoleon's Codified Ordinances, said pages which are attached to this Ordinance as Exhibit "A." Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. 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 5. 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 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 019-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 022-16

AN ORDINANCE PROVIDING FOR AN ELECTION ON THE QUESTION OF AN AMENDMENT TO THE CITY OF NAPOLEON, OHIO CHARTER ARTICLE II (COUNCIL), ARTICLE V (BOARDS AND COMMISSIONS), AND IX (INITIATIVE, REFERENDUM AND RECALL); AND DIRECTING THE BOARD OF ELECTIONS OF HENRY COUNTY, OHIO TO CONDUCT SUCH ELECTION ON THE NOVEMBER 8, 2016 BALLOT

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO WITH TWO THIRDS (2/3) OR MORE OF ITS CURRENT MEMBERS CONCURRING THERETO:

Section 1. That, the question of the amendments to the Charter of the City of Napoleon, Ohio (hereinafter called "the City") shall be submitted to a vote of the qualified electors of the City at a special election held on the day of the general election to be held on Tuesday, November 8, 2016 at the regular places of voting in the City. The Charter amendments, to wit: Article II (Council); Article V (Boards and Commissions); and Article IX (Initiative, Referendum and Recall), shall read as set forth in the attached Exhibit A: "City of Napoleon, Ohio Charter Review Commission's Recommendation of Proposed Charter Amendments Year 2016" submitted by the Charter Review Commission to City Council on or before June 6, 2016, a true and complete copy of which is on file in the office of the City Finance Director.

Section 2. That, the Board of Elections of Henry County, Ohio is directed to conduct such election at a special election held on the day of the general election to be held on November 8, 2016.

Section 3. That, the City Finance Director shall file a true and complete copy of this Ordinance with the Board of Elections of Henry County, Ohio at least seventy-five (75) days before the date of said election.

Section 4. That, the City Finance Director is directed to publish the full text of the proposed charter amendments once a week for not less than two (2) consecutive weeks in the Northwest Signal, with the first publication being at least fifteen (15) days prior to the election, in accordance with Section 9 of Article XVIII of the Ohio Constitution and Section 731.211 of the Ohio Revised Code.

Section 5. That, the City Finance Director is directed to make the necessary arrangements with the appropriate election authorities for giving notice, conducting the election and placing the question on the ballot, including the preparation of proper ballot language, to include all amendments as found in Section 1 of this Ordinance as three (3) separate questions for the voters.

Section 6. That, to pay the cost of any printing, mailing copies of the proposed amendments and of any publishing notice cost, there is appropriated from the General Fund the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be needed.

Section 7. 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 8. 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 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 022-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

**City of Napoleon, Ohio Charter Review Commission's
Recommendation of Proposed Charter Amendments Year 2016
Exhibit A: Ord. 022-16**

Section 2.08 Vacancies

If a vacancy occurs on Council and within thirty (30) days thereafter, those Central Committee members living in the City, from the same political party as the vacated member at the time of his or her election or appointment to Council, may recommend to Council a person to fill the vacancy for the unexpired term. If a person is so recommended, he or she shall not become a Council member unless approved by Council. If no person is so recommended by such Central Committee members or if a person so recommended is not approved by Council, Council may select another replacement within fifteen (15) days. If Council fails to select another replacement within fifteen (15) days, the Mayor shall select a replacement. If the person to be replaced ~~was~~ ran as an independent or third-party candidate at the time of his or her election or appointment, the replacement shall be selected by Council; but, if Council fails to select a replacement within thirty (30) days after the vacancy occurs, the Mayor shall select a replacement. If a vacancy date cannot be determined with a reasonable degree of certainty, then the vacancy date shall be as concluded by approved motion of Council.

Section 5.07 Charter Review Commission

(A) **Establishment of Commission.** No later than the year 2008, and at least every eight (8) years thereafter, there shall be a Charter Review Commission consisting of seven (7) members, each of whom shall be a resident and qualified elector of the City: five (5) of whom shall be appointed by Council and two (2) of whom shall be appointed by the Mayor. Two (2), but not more than two (2) of the Council appointments may be Council members.

(B) **Duties.** The Charter Review Commission shall review the City's Charter to determine whether any amendments, additions, deletions or other changes are necessary or would be advisable or beneficial, and, within the time designated by Council and as otherwise provided by Council, shall bring any and all proposed amendments, additions, deletions or other changes to the attention of Council. ~~in the form of a recommendation to amend the City's Charter. The Council may accept, reject or modify the Charter Review Commission's recommendations.~~

Section 9.03 Removal From Office and Recall

(A) **Power to Recall.** The electors of the City shall have the right and power to remove from office by a recall election any officer of the City holding an elective office, but only after that officer has served six (6) months of his or her term. A petition demanding the removal of an elected officer may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver a receipt to that person.

The separate parts of the petition shall be bound together and filed as one (1) document. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than two hundred (200) words of the grounds for removal. The petition shall be signed by at least that number of electors which equals twenty-five percent (25%) of the number of electors voting at the last general municipal election. Within ten (10) days after filing the petition, the Clerk of Council shall determine whether or not it meets the requirements

hereof. If the Clerk of Council finds the petition insufficient, he or she promptly shall certify the particulars in which the petition is insufficient, deliver a copy of his or her certificate to the person who filed the petition, and make a record of such delivery. The person who filed the petition shall be allowed a one (1) time period of twenty (20) days after the day on which the delivery of the certificate was made to him or her to make the petition sufficient. If the Clerk of Council finds the petition sufficient, he or she promptly shall certify it to Council, deliver a copy of the petition and his or her certificate to the officer whose removal is sought, and make a record of such delivery if the officer does not resign.

(B) **Failure to Resign.** If the officer does not resign within five (5) days after the day on which such delivery is made, Council, by ordinance or resolution, shall fix a day for holding a recall election, not less than sixty (60) days nor more than seventy-five (75) days after the date of such delivery. The Clerk of Council shall certify the ordinance or resolution providing for such election to the appropriate election authorities upon receipt from the person filing the petition of a bond, cash, certified check or cashier's check in an amount equal to the cost of such election as reasonably estimated by the Clerk of Council, such security to be retained and used by the City to pay the costs of the recall election if a majority of the votes cast are against the recall of the officer, otherwise to be returned to the person filing the petition upon certification of the results of the election.

(C) **Ballot Wording and Eligibility of Appointment.** At the recall election, this question shall be placed upon the ballot substantially in the following form or as otherwise permitted by the board of elections: "Shall (naming the officer) be allowed to continue as (naming the office)?", with provisions on the ballot for voting affirmatively or negatively. In the event a majority of the vote is negative, the officer shall be considered as removed, his or her office shall be considered vacant, and the vacancy shall be filled as provided by this Charter, or if this Charter is silent, as Council may decide. The person removed at the recall election shall not be eligible for appointment to the vacancy thereby created.

(D) **No Additional Recall.** If an officer against whom a recall petition is filed is continued in office by the vote at the recall election, no other recall petition shall be filed against him or her for a period of two (2) years.

(E) **Removal by Council.** Council may remove the Mayor or a Council member for gross misconduct, malfeasance, misfeasance, or nonfeasance in office; or for conviction while in office of a crime involving moral turpitude or for any felony conviction; or if adjudicated legally incompetent; or for a violation of his or her oath of office; or for persistent failure to abide by the Rules of Council. However, such removal shall not take place without the concurrence (affirmative vote) of five (5) members of Council, and also not until the accused Mayor or Council member has been notified in writing of the charge against him or her at least ten (10) days in advance of a public hearing upon such charge, and at which time he or she (or his or her counsel should the Mayor or Council member choose to retain counsel) shall be given an opportunity to be heard and present evidence at a public hearing called by Council. An accused member of Council shall not vote on the question of his or her removal. Upon the removal of such officer, the vacancy thereby created in such office shall be filled in the manner provided by this Charter, and the officer so removed shall not be eligible for appointment to fill such vacancy.

ORDINANCE NO. 024-16

AN ORDINANCE VACATING A PORTION OF A CERTAIN STREET LOCATED SOUTH OF THE SOUTHERLY RIGHT-OF-WAY OF FRONT STREET AND ADJACENT TO THE WESTERLY LINE OF LOT 137 OF PHILLIPS & STAFFORDS THIRD ADDITION, AND ALSO BEING ROADWAYS WITHIN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 13, TOWN 5 NORTH, RANGE 6 EAST, ALL BEING IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO

WHEREAS, an application for a public hearing was filed by GM Carnahan, LLC, owners of 207 W. Front Street and Lot 137 of Phillips & Staffords Third Addition in the City of Napoleon and requesting the City vacate the street between the two properties pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission held a Public Hearing (PC-16-02) on May 25, 2016 at 5:00p.m., after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution No. PC-16-02 recommending that said property be vacated by Napoleon City Council; Now Therefore,

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

Section 1. That, this Council finds there has been compliance with all applicable provisions of Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, and Chapter 723 of the Ohio Revised Code, in regard to the vacation of a certain street as more particularly described in Section 2 of this Ordinance, including but not limited to the notice requirement.

Section 2. That, this Council finds there exists a petition signed by an authorized person on behalf of GM Carnahan, LLC owner of both sides of an area described as being the entire portion of existing Scott Street right-of-way which is 66.00 feet wide and located South of the southerly right-of-way of W. Front Street and adjacent to the westerly line of Lot 137 of Phillips & Staffords Third Addition, and also being roadways within the Southwest Quarter of Fractional Section 13, Town 5 North, Range 6 East of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator, and as shown on Exhibit "A" which is attached and incorporated herein.

Section 3. That, this Council finds there is good cause for such street vacation as stated herein; that such vacation of the street will not be detrimental to the public's general interest; that there is good cause for such street vacation as requested for; that such vacation shall be made subject to the City reserving an easement therein on the entire vacated property for the maintenance of the existing utilities, and for the purpose of accessing the property pursuant to Section 723.041 of the Ohio Revised Code; and that all vacated property is required to revert to Lot 137 of Phillips & Staffords Third Addition.

Section 4. That, the City Engineer is hereby instructed to present the vacation plat of said vacated street to the Clerk of Council, and the Clerk is instructed to endorse upon such plat, the action of this Council in vacating such street and to cause this Ordinance and said plat to be recorded in the office of the Recorder of Henry County, Ohio.

Section 5. That, the Clerk of Council is directed to notify the Auditor of Henry County, Ohio of the vacation, by sending a copy of this Ordinance.

Section 6. That, the directives as stated in Sections 4 & 5 shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio, including, but not limited to a non-refundable petition processing fee of \$25.00, plus publication costs, to be paid at the time the petition is filed. If actual publication costs cannot be determined, then an estimated cost as determined by the City shall be paid by the petitioner.

Section 7. 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 8. 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 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

Travis B. Sheaffer, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

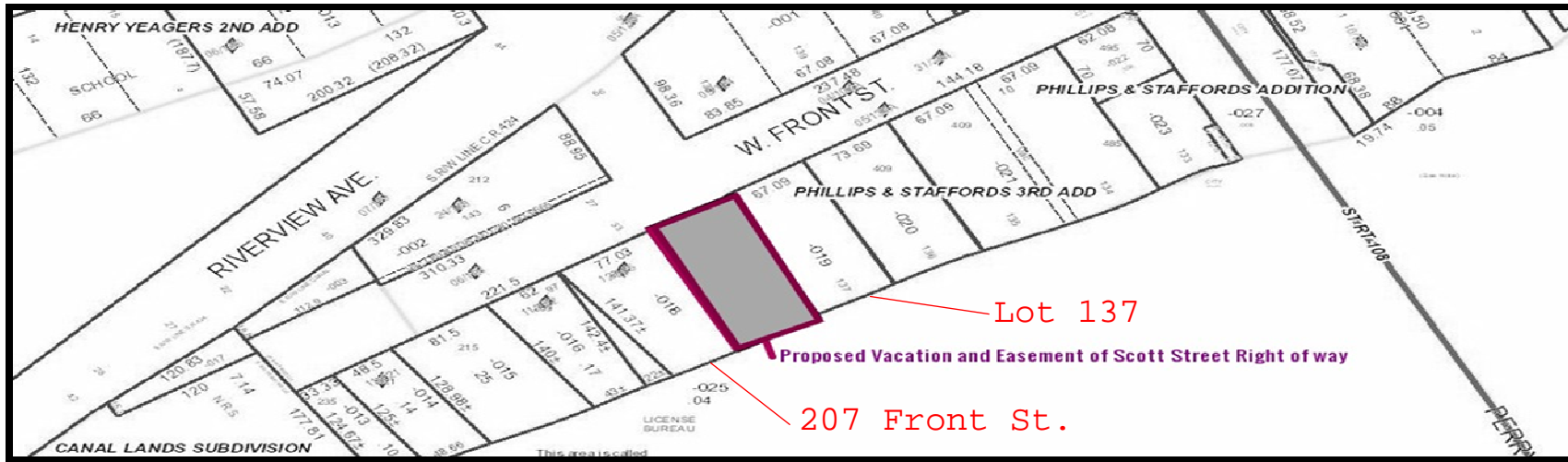
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 024-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

Legal Description For Vacation of Scott Street Right of way

Being the entire portion of existing Scott Street Right-of-way which is 66.00 feet wide and located South of the southerly Right-of-way line of Front Street and adjacent to the westerly line of Lot 137 of Phillips & Staffords Third Addition and also being roadways within the southwest Quarter of Fractional Section 13, Town 5, Range 6 East, all being within the City of Napoleon, Henry County, Ohio. Said parcel contains 9570 square feet, more or less. The City of Napoleon shall maintain a utility easement to maintenance existing sewers only.



Planning Commission Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the Planning Commission of the City of Napoleon.

Date Chairman

Clerk of Council

County Auditors Certificate

I, The Henry County Auditor, do hereby certify that there are no unpaid taxes on the property herein described and certify the same for transfer.

Transferred this _____ day of _____, 2016.

Henry County Auditor

City Council Certificate

Under authority provided by Ohio Revised Code Chapter 711 and Chapter 1105 Of the Napoleon Codified Ordinances, the plat is hereby approved by the City Council of the City of Napoleon.

Date Chairman

Clerk of Council

Exhibit "A"



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

Memorandum

To: Monica Irelan, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, Finance Director
Date: July 5, 2016
Subject: Park Lane Street Improvements (L.T.C.P. Project No. 17C & 11E ~ Partial) – Recommendation of Award

On Wednesday, June 22, 2016, bids were opened and read aloud for the above referenced project. Two (2) bids were submitted and read as follows:

Vernon Nagel, Inc.	\$545,311.25
Crestline Paving & Excavating Co., Inc.	\$592,588.00

The construction budget for this project is \$650,000.00. This project consists of: reconstructing Park Lane; replacing the sanitary sewer main and services; installing storm taps; installing additional water valve. The completion date for this project is November 19, 2016.

Having reviewed the submitted bids, it is my recommendation that Council award Vernon Nagel, Inc. the contract for the Park Lane Street Improvements (L.T.C.P. Project No. 17C & 11E ~ Partial) in the amount of \$545,311.25. If you have any questions or require additional information, please contact me at your convenience.

CEL



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

Telephone: (419) 592-4010 Fax: (419) 599-8393

www.napoleonohio.com

Memorandum

To: Monica Irelan, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, Finance Director
Jeff Rathge, Operations Superintendent
Date: July 5, 2016
Subject: 2016 Manhole Lining Project – Recommendation of Award

On Wednesday, June 29, 2016, bids were opened and read aloud for the above referenced project. One (1) bid was submitted and read as follows:

Advanced Rehabilitation Technology	\$37,657.00
------------------------------------	-------------

The Engineer's Estimate for this project is \$38,000.00. This project consists of lining sanitary manholes on the sanitary sewer collection system. The completion date for this project is October 29, 2016.

Having reviewed the submitted bid, it is my recommendation that Council award Advanced Rehabilitation Technology the contract for the 2016 Manhole Lining Project in the amount of \$37,657.00. If you have any questions or require additional information, please contact me at your convenience.

CEL



City of Napoleon, Ohio

DEPARTMENT OF MANAGEMENT

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Mr. Mayor, Mr. President, and Councilmembers
From: Monica Irelan, City Manager
RE: Fire Grant

Background:

In early 2016, the Fire Department applied for a grant that would help expand the fire training facility currently located on Oakwood Avenue. In May, we received an approval letter for \$239,021 from the Ohio Department of Commerce Safety grant. The information on how we plan to spend the money is attached.

Recommendation:

Staff recommends City Council accepts the grant for \$239,021 from the Ohio Department of Commerce.



City of Napoleon
FIRE DEPARTMENT
265 West Riverview Avenue
Napoleon, Ohio 43545
(419) 592-0441



June 8th 2016

Miss Monica Ireland,

On May 19th 2016 Napoleon Fire & Rescue was awarded \$239,021 from the Ohio Department of Commerce Safety grant. This grant will fund a training facility, grounds and many fire training simulators.

The training facility will be located on Oakwood Avenue and will be constructed out of 8' x 40' shipping containers. A total of five containers will make up the structure of the facility. These containers are being used in many fire training applications because there is very little work that needs to be done prior to being able to burn in them. Another reason the shipping containers are popular in the fire training application is because of the cost to maintain and replace them in the future. When these containers wear out replacing the container is simple and very cost effective.

The training simulators are both propane fired and digital. The propane fired simulators make for a clean and easy way to burn all while giving the firefighter the training they need. The propane fire simulators include a Car, BBQ Grill, Dumpster, and gas meters.

The fire attack simulator is digital and will give us the ability to put firefighters in any building and give them the experience of a real fire. We will be using this simulator in our confidence maze also located on Oakwood Avenue and in large structures.

The fire attack simulator also doubles as a fire extinguisher simulator. It will give us the ability to train local businesses the proper way to use a fire extinguisher and never have to burn diesel fuel again. We will be able to provide fire extinguisher classes in a business office, warehouse, inside or outside and our classes will no longer be at the mercy of Mother Nature.

This grant not only benefits the fire department, but benefits all the citizens the department protects. This training facility and simulators are tools for Napoleon Fire & Rescue personnel to use to work towards its mission.

Thank you,
Clayton O'Brien
Napoleon Fire Chief



City of Napoleon, Ohio

DEPARTMENT OF MANAGEMENT

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Mr. Mayor, Mr. President, and Councilmembers

From: Monica Irelan, City Manager

RE: *Review of the Agreement between the City of Napoleon and the City of Defiance regarding electrical inspections*

Background:

Safety & Human Resources Committee discussed an organizational change in order to make sure the Building Inspector/ Zoning Administrator has free time to manage the duties in Defiance. The City of Defiance was using our Building Inspector/ Zoning Administrator to do electrical inspections for the City under a mutual aid agreement. When it became apparent we were no longer doing it as mutual aid but on a more consistent basis, I suggested we do a full contract for service. The City has negotiated a contract with the City of Defiance. They are taking that contract to the appropriate board for discussion.

If the agreement goes through, Defiance will pay the City \$10,000 guaranteed, flat fee at the beginning of 2017. This equates to approximately 133 hours (per year) of the Electrical Inspector's time at the rate of \$75.00 per hour. If they go over 133 hours of work, Napoleon will receive \$75.00 per hour. If they use less than 133 hours, Napoleon keeps all \$10,000. The rate of \$75.00 is to cover pay, benefits, and travel.

In order to be a building inspector, you have to have specific state certifications. Employees in possession of the appropriate certifications are hard to find in Northwest Ohio. We hope to take advantage of that and continue to bring in more work/ revenue by marketing our inspector to surrounding communities.

In the meantime, staff recommends moving the duties of Property Code Enforcement from the Building Inspector/ Zoning Administrator's plate and moved to the Police Department. The Police Officers are better equipped to interpret and implement City Code. This should provide a higher level of service to the community without additional cost.

Recommendation:

Safety & Human Resources Committee review the facts and recommends Council support the movement of Code Enforcement to the Police Department. Staff supports this recommendation and feels it will be able to provide a higher level of service without additional cost.



City of Napoleon, Ohio

DEPARTMENT OF MANAGEMENT

255 West Riverview Avenue, P.O. Box 151
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www.napoleonohio.com

Memorandum

To: Mr. Mayor, Mr. President, and Councilmembers
From: Monica Irelan, City Manager
RE: Review of the current EMS Billing Contractor

Background:

Due to some concerns we have with our current ambulance billing company we began to look for other options. Our current billing company is McKesson. When we first contracted with them in 1998 they were Healthserve, then Med3000 and now McKesson. Our contracted fee is 6.5%. We identified issues such as runs being missed and not billed and very poor communication from them. We made attempts to try and improve this relationship by doing a site visit as well as having them come here and meet with us. This seemed to help in the short term, but did that did not last long. The amount of work on our end is tremendous in comparison to what work would be required of us for a different billing company at a cheaper price.

This information was provided to Safety & Human Resources for review on June 27, 2016.

Research:

The Fire Chief, Law Director, and Finance Director looked into a couple of alternatives. The second company they spoke with was AccuMed Group. They are located in Brownstown Michigan. They are a small company with 75 employees and have an office in Ann Arbor as well. AccuMed came highly recommended from peers.

What separated AccuMed was their vision on compliance billing. There are many rules and regulations when it comes to ambulance billing, and protected health information and I am confident AccuMed will not leave us in the dark when changes come along.

AccuMed is audited and by the law firm Paige, Wolberg and Wirth. They are the leaders in ambulance billing and HIPPA laws. All AccuMed customers have access to P.W.W if need be for no additional charge. Chief O'Brien reached out to a few of AccuMed clients located in Ohio and Michigan and they had great reviews. One Chief supplied us with a detailed report that AccuMed supplies monthly to let us know how we are doing and suggestions of what we can improve on. AccuMed will provide our staff with documentation training. AccuMed will ensure our department is complaint by reviewing our policies and procedures we have in place.

AccuMed quoted us 6.0%.

Recommendation

Safety & Human Resources Committee recommends to Council to move forward with sole sourcing EMS Billing with AccuMed. Staff supports this recommendation in hopes to provide a better service at a cheaper price.



City of Napoleon, Ohio

DEPARTMENT OF MANAGEMENT

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: Mr. Mayor, Mr. President, and Councilmembers
From: Monica Irelan, City Manager
RE: Discussion on bringing Engineering Services in house

Background:

During the 2016 budget season, Councilman McColley asked that we look into the costs associated with bringing more Engineering design work in-house. Since the City is a very active infrastructure community, there will be significant work for many years to come.

Research:

A review of outside design costs associated with outsourced design work was reviewed by the Safety & Human Resources Committee on June 27, 2016. Just a note: there will still be a need to outsource some projects if there is ODOT grant money due to ODOT standards. Those projects are not in this listing.

The research showed that the 11 year average annual cost for outsourced work was \$136,353.73. With current rate structure and benefit package, a new full-time engineer who is certified to design the projects described in the list would cost less than \$100,000 per year.

Recommendation:

The Safety & Human Resources Committee reviewed the information. The Committee is recommending to Council an approval of one additional full-time engineer in the 2017 City Budget. Staff supports this recommendation in order to capitalize in on the overall savings potential.

Memorandum

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

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

Date: 6/2/2016

Re: Technology and Communication Committee Meeting Cancellation

The Technology and Communication Committee meeting regularly scheduled for Tuesday, July 5, 2016 at 6:15pm has been CANCELED at the direction of the Chair.

City of NAPOLEON, Ohio

Operations Department

1775 Industrial Dr., P.O. Box 151, Napoleon, OH 43545

Phone: 419/599-1891 Fax: 419/592-4379



Operations Superintendent
Jeffrey H. Rathge

Water Distribution Foreman
Brian Okuley

Streets/Sewer Foreman
Roger Eis






Refuse Foreman
Perry Hunter

Head Mechanic
Tony Kuhlman

Press Release

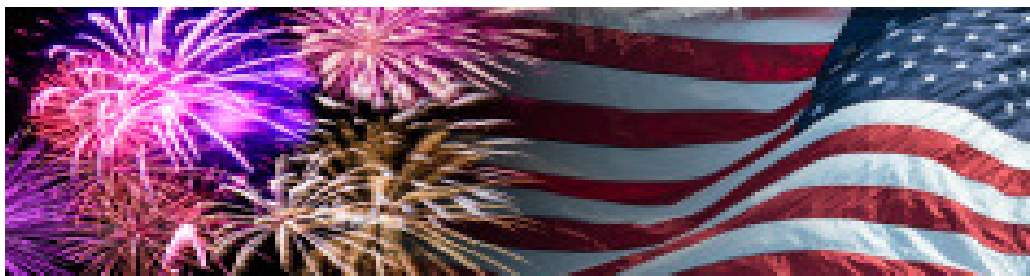
4TH OF JULY REFUSE & RECYCLING ROUTES

Napoleon, Ohio, -- Due to the upcoming Fourth of July holiday, the refuse and recycling pickup routes for the City of Napoleon will be as follows **for the week of July 4 – July 8, 2016 ONLY:**

-  **Monday, July 4 – HOLIDAY – NO PICK UP**
-  **Tuesday, July 5 – Monday's Route**
-  **Wednesday, July 6 – Tuesday's Route**
-  **Thursday, July 7 – as usual; Wednesday's route will also be run on Thursday, (there is a possibility of later than usual pickup time for Thursday's route).**
-  **Friday, July 8 – as usual**

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

Please contact the Operations Department at 419/599-1891 if there are any questions regarding this matter.





CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151

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

phone (419) 599-1235 fax (419)-599-8393

Web Page: www.napoleonohio.com

E-mail: gheath@napoleonohio.com

DATE: July 1, 2016

ACTING FINANCE DIRECTOR

TO: Christine Peddicord, Assistant Finance Director
Members of City Council
Jason P. Maassel, Mayor
Monica Irelan, City Manager
Lisa Nagel, City Law Director
All Department / Division Heads

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

SUBJECT: **Acting Finance Director/Clerk of Council –
Assigned to Christine Peddicord, Assistant Finance Director**

Please be informed I will be out of the office from Saturday, July 2, 2016, through Sunday, July 10, 2016. I will return to my office on Monday, July 11, 2016

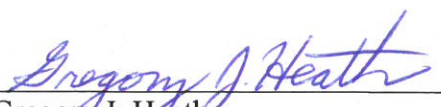
During this period I am out, I appoint the following person as Acting Finance Director/Clerk of Council:

Christine Peddicord, Assistant Finance Director

This person is hereby delegated all such power and authority of the Office of the Finance Director/Clerk of Council for the periods so listed as authorized by City Charter and Code.

Please direct all requests through Ms. Peddicord during this period. We will be in direct communication as needed.

Thank you.



Gregory J. Heath,
Finance Director/Clerk of Council



UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

July 1, 2016

Ohio auditor of state lauds joint ventures, Municipal Electric Generation Agency

By Marcy Steckman – senior vice president of finance & chief financial officer

Based on a recently completed financial audit, AMP's Ohio Municipal Electric Generation Agency (OMEGA) Joint Ventures (JVs) 1, 2, 4, 5, 6 and MESA have received the Auditor of State Award from Ohio's Auditor of State David Yost.

The award is given to those entities that file timely financial reports in accordance with Generally Accepted Accounting Principles (GAAP), as well as receive a "clean" audit report. A "clean" report means that the JVs and MESA financial audits did not contain findings for recovery, material citations, material weaknesses, significant deficiencies, Single Audit findings or any questioned costs.

The OMEGA JVs and MESA received the award for 2015 financial audits, and also received this award in 2013 and 2014. Receiving the Ohio Auditor of State Award highlights the hard work and efforts of AMP's finance and accounting teams. Our members benefit significantly from the effective and accountable financial practices of AMP.



Paperless invoicing system begins Aug. 1

By Tom Sillasen – director of energy accounting & reporting

In order to increase efficiency and sustainability, and reduce administrative costs, AMP is transitioning to a paperless invoicing system. Beginning Aug. 1, AMP members will no longer receive a paper invoice and will instead receive all AMP invoices via email.

A letter with additional details will be enclosed with members' regular July invoices.

Going paperless means communities will receive their monthly statements faster, minimize the effect on the environment and incur less paper, postage and labor costs by eliminating printed invoices.

Please contact me with questions or for more information at 614.540.0948 or tsillasen@amppartners.org.

Lineworker Intermediate class provides training for AMP members

By Bob Rumbaugh – manager of technical training

AMP hosted a Lineworker Training Intermediate course this week and 13 participants from nine members in Ohio and Pennsylvania were in attendance. The third class in AMP's Lineworker series, the program incorporates book work and hands-on training to help provide additional installation skills, troubleshooting and simulated energized work. During the course, participants have the opportunity to gain a better knowledge of metering, transformers, system protection and national standards.

Class participants pictured below are (from left): row one-Jim Eberly, instructor; Jason Durkee, St. Marys; Casey Luedeke, St. Marys; Kevin Jackson, Zelienople; Whit Longcore, Bryan; Colt Snyder, Schuylkill Haven; Javan Starkey, Grafton; Jonah Mertz, Grove City; Eric Schaaf, St. Marys; Gary Shultz, instructor; Cody Crose, instructor; row two-Bob Rumbaugh, instructor; Nathan Hensley, Jackson Center; Alex Miller, Shelby; Nick Sopko, Schuylkill Haven; Tom Peterson, St. Marys; and Kyle Wuebker, Minster.





Ohio Congressman tours Meldahl Hydroelectric Plant

By Charles Willoughby – director of government affairs

U.S. Rep. Brad Wenstrup (OH-2) toured the Meldahl Hydroelectric Plant earlier this week to learn more about the short- and long-term benefits of the facility, which achieved full commercial operation in April 2016. AMP/ OMEA staff explained our issues in context of the development of projects.

Elected in 2012, Wenstrup's district covers all of Pike, Adams, Brown, Highland and Clermont counties, as well as significant portions of Scioto, Ross and Hamilton counties.

Pictured above at the Meldahl plant are (from left): Andrew McAfee, field representative; Jeff Groenke, district director; and U.S. Rep. Wenstrup.

Energy markets update

By Jerry Willman – assistant vice president of energy marketing

The August 2016 natural gas contract rose \$0.061/MMBtu to close at \$2.924 on its second day of the new prompt month contract yesterday. The EIA reported an inventory injection of 42 Bcf for the week ending June 23, slightly below median market expectation of 45 Bcf.

On-peak power prices for 2017 at AD Hub closed yesterday at \$38.14/MWh, which was \$0.13/MWh higher for the week.

Spots still available for Hotline Training course

By Jennifer Flockerzie – technical services program coordinator

Training is a key component for a safe and reliable utility staff. There are still spots available for AMP's Hotline Training course, to be offered July 12-14 at AMP headquarters. The course is designed for third-year apprentices through experienced lineworkers.

The Hotline Training provides an in-depth understanding of proper work techniques for line construction from the bucket, and will focus on the skills and knowledge required for bucket truck work. A harness is required as the course is entirely hands-on and performed in the bucket.

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

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

Week ending July 1

MON	TUE	WED	THU	FRI
\$36.03	\$29.78	\$30.59	\$32.31	\$29.67

Week ending June 24

MON	TUE	WED	THU	FRI
\$39.75	\$32.17	\$30.87	\$27.61	\$30.99

AEP/Dayton 2017 5x16 price as of June 30 — \$38.14

AEP/Dayton 2017 5x16 price as of June 23 — \$38.01

Scott to serve as new manager of publications

By Krista Selva – director of media relations & communications

Kerin Scott is the newest member of the AMP team, joining the organization this week as manager of publications. Her responsibilities will include taking over the weekly Update newsletter. She comes to AMP from Holland Advertising: Interactive, where she served as a copywriter. She holds a bachelor's degree in journalism from the University of Cincinnati. Please join me in welcoming Kerin to AMP.



Kerin Scott

AFEC update

By Jerry Willman

Fremont remained in 2x1 configuration for the week. Due to the warm temperatures, PJM loads and prices were higher earlier in the week, requiring duct firing for 34 hours. The plant generated at a 72 percent capacity factor (based on 675 MW rating).



APPA Academy Webinar Series

An internet connection and a computer are all you need to educate your entire staff for just \$99. Register today at APPAAcademy.org. Non-APPA members enter coupon code **AMP** to receive the member rate.

- Governance Series: Rate Making for Utility Boards and City Councils **July 7**
- Workforce Series: Success in Succession Planning **July 12**
- Accounting & Finance Series: Industry Rate Trends and Future Rate Structures **July 27**
- Workforce Series: Benchmark Your Compensation and Counter the Competition **Aug. 9**
- Governance Series: Strategic Planning for Utility Boards and City Councils **Aug. 11**
- Account & Finance Series: Line Extension Policies (Contributions in Aid of Construction) **Aug. 18**



Classifieds

DEMEC member seeks applicants

The City of Newark seeks a self-motivated, skilled and dynamic individual to join the Electric Department team. The ideal candidate will have five to 10 years of working experience in the electric service industry, along with three to five years of progressive supervisory responsibility. Candidates will have a passion to serve the public sector.

A bachelor's degree in electric engineering required; a Delaware registered PE license preferred. Candidates must be available to potentially work nights or weekends and during extreme weather events. Good communication skills, computer competency and ability to multi-task required. Annual salary range is \$92,703 - \$117,299 plus excellent fringe benefits.

Interested individuals can review a full job description online and need to complete an application [here](#) by 4 p.m. July 29, 2016. EOE.

Manager needed in Wellington

Under the direction and supervision of the Mayor, the Village Manager manages and directs the operations of the village's electric, water and sewer facilities, as well as municipal parks, streets and public buildings. The position actively supervises a staff of approximately 30 employees, and attends meetings of the village council regularly and other boards and commissions as necessary. The manager regularly meets to resolve issues with both village residents and governmental officials. Appointment is by Mayor, with the approval of village council.

Applicants need not currently be residents, but must establish residency in the village within six months after appointment. Salary will be negotiable based on qualifications and experience.

A degree or formalized training and certification in public administration, management or a specialized field relevant to the position duties is preferred. A minimum of three years of supervisory or management experience, preferably in the public sector, is required for an applicant to be considered. Knowledge/experience concerning governmental contracting and construction, and concerning municipal budget and expenditure procedures are a plus.

Interested individuals are invited to submit letters of interest and/or resumes for consideration (subject to the requirements of Revised Code Section 149.43). Detailed job duties are available upon request. Apply by email: hschneider@villageofwellington.com or mail: Mayor Hans Schneider, Village of Wellington, 115 Willard Memorial Square, Wellington, OH 44090.

Columbus has open positions

The City of Columbus Department of Public Utilities is seeking qualified candidates for the following positions. Applications must be submitted to the Civil Service Com-

mission by applying [online](#). Contact the Civil Service Commission (77 N. Front St., 3rd Floor, Columbus, OH 43215) at 614.645.8300 with questions. EOE.

Power Line Worker I and Cable Worker I – This position is responsible for assisting in the installation, repair and replacement of components in the overhead power line distribution system. To qualify to take either exam you must have one year of experience as a Power Line Cable Worker Trainee or Lamp Servicer with the City of Columbus or comparable experience and possess a valid Class A commercial motor vehicle operator's license allowing operation of vehicles with air brakes. Substitution(s): Successful completion of a formal training program in power distribution may substitute for six months of the required experience. Salary \$45,385.60 - \$71,427.20. Apply by July 5, 2016.

Power Line Worker Supervisor I and Cable Worker Supervisor I – The Power Line Worker Supervisor I position is responsible for supervising and participating in the installation, repair and replacement of components in the overhead power line distribution system. Qualifications include two years of experience as a Power Line Worker II with the City of Columbus or comparable experience and possess a valid Class A commercial motor vehicle operator's license allowing operation of vehicles with air brakes. The Cable Worker Supervisor I position is responsible for supervising and participating in the installation, repair and replacement of components of the underground electricity distribution system. Qualifications include two years of experience as a Cable Worker II with the City of Columbus or comparable experience and possess a valid Class A commercial motor vehicle operator's license allowing operation of vehicles with air brakes. Salary \$51,937.60 - \$84,572.80. Apply by July 5, 2016.

Electric Meter Technician – This position is responsible for repairing and installing electric meters and devices used to record current consumption. Qualifications include two years of experience as a residential or commercial electrician. One year of technical training in electronics or a closely related field could be substituted for one year of the required experience. A valid driver's license is required for this position. Salary: \$45,385.60 - \$74,427.20. Apply by July 5, 2016.

Cable Worker Supervisor II – The Cable Worker Supervisor II position is responsible for supervising crews involved in the installation, repair and replacement of components of the underground electricity distribution system. To qualify you must have two years of experience as a Cable Worker Supervisor I with the City of Columbus or comparable experience. A valid driver's license is required for this position. Salary: \$64,563 - \$96,824. Apply by July 5, 2016.

Engineer-In-Training I – Responsibilities include learning to prepare and review designs for electrical dis-

see CLASSIFIEDS Page 4

tribution circuits and power substation equipment, and learning to prepare and review reports and studies recommending engineering solutions. Additionally, this position will also learn to estimate cost and quantities of materials and equipment for project construction, will learn to program and test electronic relays, and learn to use power system analysis software such as EasyPower and SKM for electrical distribution system studies. Bachelor's degree of science in engineering and possess a valid driver's license are required. A degree with electrical engineering emphasis is preferred. Starting salary \$22.08 - \$33.10 per hour. Apply by July 8, 2016.

Painesville seeks lineworker

The City of Painesville is seeking an experienced First Class Journeyman Lineworker to work second shift, 3 to 11 p.m. weekdays. The position will supervise another person in a two-person crew setting. The details and application procedure are available on the [city website](#) or by calling the city's human resources department at 440.392.5787. For more information, contact the Electric Distribution office at 440.392.6158.

City of Hamilton in need of candidates for open positions

The City of Hamilton seeks applicants for the following positions. Current detailed resumes must be submitted in Word or PDF to: Civil Service Dept., One Renaissance Ctr., 345 High St.-1st Fl., Hamilton, OH 45011 by email: cspersonnel@hamilton-oh.gov or fax: 513.785.7037. If necessary, application may be made in person or via USPS. Specify interest in MAINT PLNR/CMMS COORD, ASSOC CIVIL ENG or ASST PUBL UTILS DIR. The [City of Hamilton](#) is an EEO & AAE. Minorities and women are encouraged to apply.

Maintenance Planner/CMMS Coordinator classification. Salary: \$60,798 - \$77,251 (plus benefits). This position is responsible for professional work in the planning, organizing, direction, coordination, and effective execution of Municipal Electric and Utilities maintenance work. Desire graduation from a college or university of recognized standing with a bachelor's degree in civil or mechanical engineering and considerable experience in the operation and repair of power plant generating equipment and auxiliaries. Experience with Computerized Maintenance Management Systems (CMMS such as Maximo), preventive maintenance, and safety systems is desired. Ability to plan and schedule major and minor maintenance shutdowns and outage work is crucial. Deadline to apply is 5 p.m. July 7, 2016.

Associate Civil Engineer (Utilities Engineering) classification. Salary: \$55,099 - \$69,992 (plus benefits). This position is responsible professional work requiring experience in wastewater collection system plan-

ning, design, construction, operation, maintenance, asset management and environmental regulatory compliance. Other duties may require assignments in gas and water distribution. Candidates should possess a bachelor's degree in civil engineering. Engineer Intern (EI) Registration is preferred. Current, valid driver's license also required and will be verified for finalist(s). Deadline to apply is 5 p.m. July 7, 2016.

Assistant Public Utilities Director classification. \$108,971 - \$139,589 (plus benefits). This is position is responsible for difficult professional, administrative and supervisory work in the planning, organization, direction and coordination of the operations, maintenance, capital improvements and activities of the Power Supply and Generation, Electric Transmission and Distribution, Natural Gas Transportation and Distribution, Water Supply and Treatment, Water Transmission and Distribution, Wastewater Collection and Water Reclamation Facility Systems, Utility Engineering, Utility Business and Customer Service functions (Utility Systems). Qualifications include: bachelor's degree in business administration, engineering, public administration or closely related field with a professional certification such as a CPA or PE and/or graduate experience is preferred; Class IV Ohio Environmental Protection Agency Wastewater Treatment Operator's certification and Class III Ohio Environmental Protection Agency Water Supply Operator's certification preferred; extensive (five to seven) professional experience in public utility management, including supervisory experience; or any equivalent combination of experience and training which provides the knowledge, skills and abilities to effectively perform the essential job functions; possession of a valid registration as a professional engineer in the State of Ohio, or other equivalent certification from another state is desirable but not required. Extensive, progressively responsible management experience in a public utility, with experience in a multi-service utility; and in electric power supply and generation, transmission and distribution systems preferred. Deadline to apply is 5 p.m. July 28, 2016.

American Municipal Power, Inc.

1111 Schrock Road • Suite 100

Columbus, Ohio 43229

614.540.1111 • FAX 614.540.1113

www.amppartners.org



Fw: Ohio Municipal League Legislative Bulletin

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

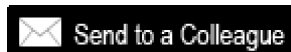
06/27/16 08:32 AM

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

From: "Ohio Municipal League" <kscarrett@omlohio.org>
To: gheath@napoleonohio.com
Date: 06/24/2016 12:30 PM
Subject: Ohio Municipal League Legislative Bulletin

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June 24, 2016

CENTRALIZED COLLECTION OF MUNICIPAL TAX REVENUE AND OTHER DETRIMENTAL PROPOSALS CHAMPIONED BY BUSINESS WITNESSES BEFORE LEGISLATIVE TAX STUDY COMMITTEE

On Monday, the Ohio 2020 Tax Policy Study Committee held a hearing at the Ohio Statehouse to continue their review of state tax policy issues for consideration as the Ohio legislature continues to consider reforms to both state and local tax practices. The hearing agenda for Monday's meeting only listed the Ohio Historic Preservation Tax Credit program as the single issue to be discussed but additional testimony was provided by Dan Navin, VP of tax policy for the Ohio Chamber of Commerce and Tom Zaino, past state Tax Commissioner and current President of Zaino, Hall & Farrin law firm in addition to serving as the acting Chairman of the Ohio Chamber of Commerce Board of Directors.

We have attached the testimony presented [Here](#) & [Here](#) for those that would like to read the information presented to the committee members.

During the presentation, the witnesses touched on a wide range of state tax policy issues including areas related to the municipal income tax, which the two organizations continue to encourage legislators to alter. First and foremost, Mr. Zaino implored the committee to seriously consider adopting a system to centrally collect Ohio's municipal income tax revenues and espoused the virtues such a system would have to ease compliance issues businesses face and how such a centralization scheme would benefit municipalities.

Secondly, to eliminate concerns regarding "double taxation", the witnesses support the idea of requiring each resident's municipality to provide a 100% credit for taxes paid to the resident's work

municipality.

Finally, the recommendation was made that the "throwback" provision be eliminated, as part of the three factor formula for determining sales. The removal of the "throwback" provision was an item sought after by the proponents of HB5, the municipal income tax reform bill, but was removed from consideration by legislators in light of the severe revenue loss such a change would have to city and village budgets across the state.

The league looks forward to an opportunity to discuss with the committee members of the 2020 Tax Policy Study Committee the importance of the municipal income tax and the critical need that the integrity of the tax be preserved so Ohio municipalities will continue to provide the opportunities for Ohio's residents and future economic development success.

LEGISLATION EXEMPTING BULLION AND COINS FROM SALES TAX PICKS-UP MUNICIPAL INCOME TAX CHANGES

On June 14, Governor Kasich signed SB 172, legislation introduced by Sen. Kris Jordan exempting from sales and use taxes the sale or use of investment metal bullion and coins, among other things, into law. During the committee process in the House, the bill was amended to include three municipal tax changes that we want to make our members aware of.

The first muni tax amendment to SB 172 changed the quarterly withholding deadline back to the last day of the month instead on the 15th, which was prescribed by HB5 from the 130th session. Specifically, the amendment reads: "(b) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(a) of this section of taxes required to be deducted and withheld shall make quarterly payments to the tax administrator not later than the fifteenth last day of the month following the end last day of each calendar quarter.

So, quarterly withholding payments are now due by the last day of the month following the last day of the calendar quarter. This will be effective with THIRD QUARTER PAYMENTS in 2016. Second quarter withholding will still follow the due date of the fifteenth day of the month following the end of the calendar quarter.

The second amendment added to SB 172 effecting the municipal income tax relates to the issue of **when a payment made by electronic funds transfer is considered to be "made" to the tax administrator and the definition of "time stamp."** . At the urging of representatives of the CPA community, legislators adopted language that states: If a payment under this chapter is made by electronic funds transfer, the payment shall be considered to be made on the date of the time stamp assigned by the first electronic system receiving that payment."

The way the language is drafted creates opportunities for misinterpretations and lends itself to "unintended consequences" on the actual administration of the new definition and procedure. During the committee process the league and with the testimony presented by Mindy Frank, Columbus Tax Administrator, shared concerns with the language presented which was ultimately adopted to the bill.

Because of time constraints on the legislative calendar for the Ohio General Assembly and because the changes were made right before the legislature recessed for the summer break, House Ways and Means Chairman Schaffer and Rep. Scherer who offered the amendments pledged to work with the league to come up with alternative language on the timestamp issue. We appreciate the efforts of the representatives to continue to work with us on a final solution to the concerns raised.

The final alteration changes when a withholding payment is considered to be timely filed. The amendment incorporated to SB 172 changes the monthly and semi-monthly to postmark date as timely paid, rather than by the "received" date.

All of these new changes and a complete overview of HB5 will be part of the items addressed at the upcoming OML Income Tax Seminar, July 6-8th at the Columbus Marriott NW. The program agenda is available on our website at www.omloho.org.

The changes included in SB 172 will become effective 90 days after the Governor's signature.

MAYORS ASSOCIATION OF OHIO HOLDS ANNUAL CONFERENCE, DOUBLING ATTENDANCE FROM LAST YEAR

Last week, the Mayors Association of Ohio held their annual conference in Dublin. The conference was attended by over 120 mayors from across the state and offered the displays and opportunities to engage with nearly a dozen municipal vendors. The program workshops and general session topics ranged from economic development opportunities, funding structures and programs, legislative updates on topics related to taxation and land use policies. The mayors were honored to host Secretary of State Jon Husted who shared remarks during Thursdays luncheon and to have the perspective from the Ohio Attorney General's Office from Mr. Steven Shumaker, Deputy Attorney General. Attorney General DeWine was scheduled to share remarks with our mayors but was called to Cleveland to deliver a eulogy for the unfortunate and untimely passing of the late Governor George V. Voinovich. The mayors were also honored to be joined by House Majority Whip Rep. Dorothy Pelanda, who shared her perspective on activity around the Ohio Statehouse. Lastly, as part of Thursday night banquet, the mayors presented past OML Executive Director Sue Cave with a Resolution honoring her 22 years as leader of the municipal league.

We appreciate and thank all of the mayors, their spouses for their attendance and support of the mayor's association and to all of our great speakers who did such a wonderful job informing, educating and updating our new and experienced mayors on the duties of their job and the perspectives surrounding their leadership role.

WATER CONTAMINATION BILL

The OML would like to draw our members' attention to the signing on House Bill 512 in particular. This bill is one that members with water service should pay close attention to because much of the testimony involving this bill focused on the difficulties expected in implementing several parts of the bill-especially new notice requirements when contamination is found. On June 9th, the Governor signed House Bill 512, introduced by Representative Tim Ginter (R-Salem) which will establish requirements governing lead and copper testing for community and non-transient non-community water systems, to revise the law governing lead contamination from plumbing fixtures, to make appropriations to the Facilities Construction Commission for purposes of providing grants for lead fixture replacement in eligible schools, and to revise the laws governing the Water Pollution Control Loan and Drinking Water Assistance Funds. The bills goes into effect 90 days after it was signed. A copy of the analysis can be found at: www.legislature.ohio.gov/legislation/legislation-documents?id=GA131-HB-152

GOVERNOR SIGNS BILLS AFFECTING PUBLIC SAFETY DEPARTMENTS

At the end of this session, the Governor signed four bills that are of interest to public safety departments. First, Senate Bill 123, introduced by Senator Jim Hughes (R-Columbus) will allow emergency personnel in public safety vehicles to report traffic law violations under certain circumstances. This addresses a major complaint from public safety forces that their lives have been put in danger by drivers who do not respect their need to clear the roads as they are driving to a scene with their sirens on.

Secondly, HB 171, introduced by Representative Lou Blessing , III (R-Cincinnati) and Jonathan Dever (R-Cincinnati), will decrease the minimum amount of heroin involved in a violation of trafficking in heroin or possession of heroin that makes the violation a felony of the first degree and that is necessary to classify an offender as a major drug offender. Many of our members have expressed their frustration with the heroine epidemic and this is part of the state's effort to address this problem.

Third, Senate Bill 215, introduced by Senator Jim Hughes (R-Columbus) and Frank LaRose (R-

Copley), will grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm.

Lastly, House Bill 187, introduced by Representative Tim Ginter (R-Salem) will authorize a first responder, emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, or volunteer firefighter to stabilize an injured animal in an emergency.

GOVERNOR SIGNS BILLS AFFECTING MUNICIPALITIES

At the end of this session, the Governor also signed House Bill 523, introduced by Representative Steve Huffman (R-Tipp City), which will authorize the use of marijuana for medical purposes and to establish the Medical Marijuana Control Program. The League urged the General Assembly to protect employers' rights and local control of dispensaries in this legislation and we were successful at achieving that. We spoke of this in detail in previous bulletins.

Next, the Governor signed House Bill 5, introduced by Representative Stephanie Kunze (R-Hilliard) which will allow the Auditor of State to conduct business case studies regarding the efficiency of local public offices and state agencies, to authorize the Auditor of State to establish a shared equipment service agreement program among political subdivisions, and to specify that a political subdivision that uses the loaned equipment has potential liability for its use under the Political Subdivision Tort Liability Law. The League supported passage of this bill.

A copy of the analysis can be found at: www.legislature.ohio.gov/legislation/legislation-documents?id=GA131-HB-5

Next, the Governor signed House Bill 182, introduced by Representative Kirk Schuring (R-Canton) which will revise the law governing the creation and operation of joint economic development districts (JEDDs) and enterprise zones, to exempt from property taxation real property owned by a nonprofit organization selected by the Federal Small Business Administration as an intermediary lender in the Federal Microloan Program, to lower the contribution threshold necessary to maintain an income tax refund contribution "check-off" option, to extend the deadline for municipal corporations to report information to enable a computation of fiscal effects of recent changes to net operating loss deductions for municipal income tax purposes, and to modify eligible investment criteria for the state New Markets Tax Credit.

Next, the Governor signed House Bill 207, introduced by Representative Michael Henne (R-Clayton) and Robert McColley (R-Napoleon), which will allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience.

Finally, the Governor signed House Bill 180, introduced by Representative Ron Maag (R-Lebanon) which will allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience.

GRANTS GUIDANCE IN CINCINNATI, OH - TWO CLASSES AVAILABLE

Cincinnati Police Academy and Grant Writing USA will present two workshops this summer in Cincinnati, OH. Learn where to find the grants and how to get them. Join us July 11-12, 2016 when Cincinnati Police Academy hosts Grant Writing USA's two-day grant writing workshop in Cincinnati. Attend this proven class and you'll learn how to find grants and write winning grant proposals. Beginning and experienced government and nonprofit personnel are welcome to attend. You do not need to work in the same profession as the host agency. Tuition is \$455 and includes all materials.

Click here for full event details: [Here](#)

Learn to stay in compliance and keep the money. Attend this grant management training, August 4-

5, 2016 in Cincinnati, and you'll learn what to do after your government grants arrive. We will help you hone your grant administration skills and arm you with extensive knowledge of the compliance requirements that all grantees must meet when managing federal funds. This training is recommended for grant recipient organizations across all disciplines and is again locally hosted by Cincinnati Police Academy. Tuition is \$595 and includes all materials.

Click [Here](#) for full event details:

Attend both classes and receive \$100 off your combined tuition. Checks, cards, and purchase orders are welcome. Multi-enrollment discounts are also available.

Contacts:

Janet Darling
at Grant Writing USA
888.290.6237 toll free
janet@grantwritingusa.com

Jim Hendricks
Cincinnati Police Academy
513.357.7552
jim.hendricks@cincinnati-oh.gov

There will not be a bulletin released next week so from the staff of the Ohio Municipal League, we hope everyone has a safe and enjoyable weekend and a festive upcoming Fourth of July celebration.

Meetings & Conferences

Ohio Municipal League Income Tax Seminar	July 6th - 8th, 2016 Marriott Columbus Northwest	<u>Registration</u>
Ohio Municipal Clerks Association Annual Institute	July 18th - 21st, 2016 Embassy Suites, Dublin	<u>Registration</u>
Ohio Municipal Attorneys Association Municipal Law Institute	July 28th & 29th, 2016	<u>Registration</u>

[Ohio Municipal League](#)

Legislative Inquires:



Napoleon Parks and Recreation Fourth of July Celebration 2016

Saturday, July 2:

9:00 a.m. - 9:00 p.m.

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

9:00 am – 1:00 p.m.

3 on 3 Basketball Tournament – Glenwood Park

Age groups – 13- 15 (boys and girls) 9:00 a.m. start
Open Division 10:30 a.m. start

Teams shall consist of a maximum of four (4) players.
Double elimination format. \$20.00 entry fee per team.
Trophies and shirts awarded to winners. Registration deadline is Friday, July 1.



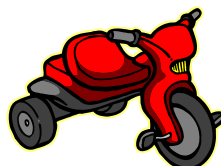
Sunday, July 3:

12:00 p.m. - 9:00 p.m.

Hole In One Contest - sponsored by the Napoleon American Legion. Located near wooden shelter house at Glenwood Park.

6:00 - 7:30 p.m.

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



Monday, July 4:

8:00 a.m.

Red, White, and Blue Golf Scramble – Golf Course

This is a unique 4 person scramble where teams play from the red, white, and blue tees. Prizes will be awarded to winning teams as well as individual awards for closest to the pin, long drive, and longest putt. Entry fee will be \$100.00 per team (10 team minimum). Contact the clubhouse at 592-5526 to enter your team or for more information.



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

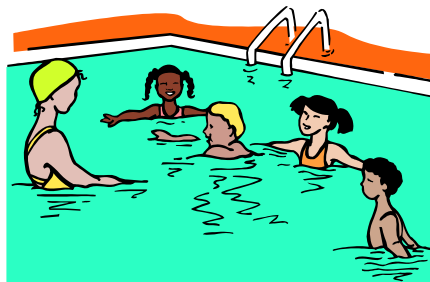
Hole-In-One Contest - Glenwood Park

9:00 a.m. - 1:00 p.m.

Basketball Hotshot Contest - Glenwood Park Basketball Court. Boys and Girls age groups are 9-12, 13-15, and 16-18. Registration at 9:00 a.m. with competition to begin at 9:30 a.m. Trophies to winners in each age group

10:00 a.m. - 6:00 p.m.

Free Open Swim at the Napoleon Municipal Pool



BE SURE TO VISIT OUR FOOD VENDORS



11:00 a.m. **Girls Softball All-Star Game** - All Stars from the Girls Softball program to compete – Glenwood Park

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

1:00 p.m. **Junior Little League All-Star Game** – Glenwood Park.

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

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



7:00 – 8:00 p.m. **Live Music – featuring Dave Grahn Live.** Acoustic guitar performance playing hits of the 60s, 70s, & 80s. Glenwood Park

8:00 p.m. **Napoleon Community Band** - Glenwood Park
Local instrumental band playing all of the traditional Independence Day music leading up to the fireworks display.

10:00 p.m. **Fireworks Display** - Glenwood Park
(There will be no parking on Bales Road from Briarheath Dr. to Chelsea Ave. and on Briarheath Dr. from Kenilworth to Bales Road)

