
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 25	Sep 26	Sep 27	Sep 28	Sep 29	Sep 30	 1
			6:30 PM Parks & Rec Board Meeting		1:00 PM Healthcare Cost Comm	
2	3	4	5	6	7	8
	6:15 pm Technology Committee 7:00 pm City COUNCIL Meeting	2:30 pm Preservation Commission Mtg		7:30 pm Personnel Committee Mtg		
9	10	11	12	13	14	15
	6:30 pm ELECTRIC Committee Mtg 6:30 pm BOPA Meeting 7:00 pm WATER/SEWER Committee 7:30 pm Muni Properties/ED Committe	4:30 pm Board of Zoning Appeals 5:00 pm Planning Commission	11:00 am - 1:00 pm Employee Appreciation Picnic at Oberhaus Park			
16	17	18	19	20	21	22
	6:00 pm TREE Commission Mtg 6:15 pm Parks & Rec Committee Mtg 7:00 pm City COUNCIL Meeting					
23	24	25	26	27	28	29
	6:30 pm Finance & Budget Committee 7:30 pm Safety & Human Resources C	4:30 pm Civil Service Commission	6:30 pm Parks & Rec Board Mtg			
30	31	Nov 1	Nov 2	Nov 3	Nov 4	Nov 5
	5th Monday					

Memorandum

TO: Finance and Budget Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors

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

DATE: September 23, 2016

RE: Finance and Budget Committee Meeting CANCELLATION

The Finance and Budget Committee, regularly scheduled to meet on Monday, September 26, 2016 at 6:30 pm, has been CANCELED due to lack of agenda items.

MEMORANDUM

To: Safety and Human Resources Committee, City Council, Mayor,
City Manager, City Law Director, City Finance Director,
Department Supervisors, Newsmedia

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

Date: September 23, 2016

Re: Safety and Human Resources Committee Meeting Cancellation

The SAFETY AND HUMAN RESOURCES COMMITTEE meeting regularly scheduled to meet on Monday, September 26, 2016 at 7:30 pm has been CANCELED due to lack of Agenda Items.



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • P. O. Box 151 • Napoleon, Ohio 43545-0151
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MEMORANDUM

TO: Civil Service Commission, City Council, Mayor, City Manager,
City Law Director, City Finance Director, Department Supervisors, Newsmedia

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

DATE: September 23, 2016

RE: Civil Service Commission September Regular Meeting Cancellation

The Civil Service Commission meeting regularly scheduled for Tuesday, September 27, 2016 at 4:30 pm has been CANCELED at the direction of the Chair due to lack of agenda items.

CITY OF NAPOLEON, OHIO

PARKS & RECREATION BOARD

Meeting Agenda

Wednesday, September 28, 2016 at 6:30 pm

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

1. Call to Order
2. Approval of Minutes of August 31, 2016 *(in the absence of any objections or corrections, the Minutes shall stand approved)*
3. Review of Parks and Recreation Rates and Fees
4. Discussion and/or Action on Capital Improvement Items
5. Discussion and/or Action on Trick or Treat Night Recommendation
6. Miscellaneous
7. Any Other Matters to come before the Board

Gregory J. Heath
Finance Director/Clerk of Council

City of Napoleon, Ohio

HEALTHCARE COST COMMITTEE

Meeting Agenda

Friday, September 30, 2016 at 1:00 pm

LOCATION: Council Chambers, 255 W. Riverview Avenue, Napoleon, Ohio 43545

- I. Approval of Minutes of September 25, 2015 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
- II. Review of Health Care Costs and potential Premium Increases for 2017.
- III. Any other matters currently assigned to the Committee
- IV. Adjournment

Gregory J. Heath, Finance Director/Clerk

City of Napoleon, Ohio
Healthcare Cost Committee

Meeting Minutes

Friday, September 25, 2015 at 8:00am

PRESENT

Commission Members

Mike Foreman (PD) – Chair, Chad Lulfs (NB), Mary Thomas, (NB), Roger Eis (AFSCME), Gregory Heath (AD), Monica Ireland (AD), Eric Rohrs (FD)

Recorder

Tammy Fein

City Staff

Morgan Druhot, Human Resources Director

Others

ABSENT Members

Joel Frey (FD), Jamie Mendez (PD), Jeremy Okuley (AFSCME)

Call To Order

Chairman Foreman called the meeting to order at 8:06am with roll call, noting that a quorum was present.

Approval Of Minutes

Minutes from the September 18 meeting stand approved as presented with no objections or corrections.

**Review Of Health Care
Premium Cost Increases**

Ireland reported that the PPO had a slight administrative error, adding that it will still be a zero percent (0%) increase on the overall plan, however next year there will be slight increase on the single and family plans and a significant decrease on the employee/spouse and the employee/child plans.

Druhot distributed a memo regarding the HSA options; see attached.

Ireland believes that the HSA plans are not a cost benefit for the City, even though an HSA plan does skew the usage and the monthly rate is still less than the PPO cost wise. Ireland added that the costs of the HSA plans are increasing in the same way as all other plans. Ireland reported that staying with the current HSA would have a nine percent (9%) increase. Heath stated there are only three (3) employees that currently have an HSA plan and are all enrolled in the single plan; adding that the Committee should decide which HSA plan to offer, allowing the employee to choose between the HSA and standard plan options. Heath stated that the Administration will recommend to Council to continue to contribute to the HSA plan, however Council has not committed to this yet: Heath does believe that Council will agree with this recommendation.

**Motion To Adopt The
Rates and Plans As
Presented; Plan 2 In
The Four (4) Tier Level
And Plan 8 For the HSA
With The Four (4) Tier
Rates**

Motion: Heath

Second: Ireland

To adopt the rates and plans as presented; Plan 2 in the four (4) tier level and Plan 8 for the HSA with the four (4) tier rates

**Passed
Yea- 7**

Roll call vote on above motion:

Yea- Eis, Heath, Ireland, Foreman, Lulfs, Thomas, Rohrs

Nay- 0

Any Other Matters

Motion To Adjourn

Date Approved:

Nay-

None

Motion: Rohrs

Second: Eis

To adjourn the meeting at 8:15am.

Meeting adjourned by unanimous voice vote.

Mike Foreman, Chair

DRAFT



Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

September 16, 2016

Delta, Ohio, joins AMP, expands membership to 135 communities

By Pam Sullivan – executive vice president of power supply & generation

The Village of Delta, Ohio, has become the newest member of AMP, bringing the organization's total membership to 135 municipal utilities. The AMP Board of Trustees recently approved Delta's application following an extensive financial review based on established criteria for acceptance of new members.

"The strength of AMP is based on the strength of our members and we're pleased to add Delta to our membership," said AMP President and CEO Marc Gerken. "We look forward to working with Delta and providing services to meet their specific needs – as we do for all of our members in nine states."

Located in northwest Ohio in Fulton County, Delta has a population of approximately 3,100. The village represents AMP's 84th member community in Ohio.

"In our infancy as a municipal electric system and now in a partnership with American Municipal Power, the Village of Delta is excited about the opportunities of fostering economic growth while securing the viability and stability of our community," said Village of Delta Administrator Brad Peebles.

Please join us in welcoming Delta to the AMP membership.

Gov. Kasich recognizes Oct. 2-8 as Public Power Week in Ohio

By Charles Willoughby – director of government affairs

Ohio Gov. John Kasich and Lt. Gov. Mary Taylor have officially recognized Oct. 2-8, 2016, as Public Power Week.

The resolution states: "This Observance is an opportunity for all Ohioans to learn more about public power and its importance to the state of Ohio. With over 81 municipal electric systems, a large portion of Ohioans rely on these utilities to live, work, and raise families in our great state. We commend American Municipal Power and the Ohio Municipal Electric Association for the important work you do to make Ohio stronger and safer, and we extend our best wishes for a memorable Public Power Week!"



AMP hydro celebration to take place Oct. 18

By Kent Carson – senior director of media relations & communications

As a reminder, AMP's hydroelectric celebration for combined hydro projects Cannelton, Willow Island and Smithland will take place Oct. 18 at the Willow Island hydro facility in St. Marys, West Virginia. Invitations were mailed in August to project participants, consultants and local officials.

There are 79 member communities in five states participating in the combined hydro projects, also known as Phase 1. These, along with the Meldahl project, represent the largest deployment of run-of-the-river generation in the country.

Willow Island became fully operational in February 2016, followed by Meldahl in April 2016 and Cannelton in June 2016. The Smithland plant is anticipated to be in commercial operation in first quarter 2017.

The formal program is scheduled to begin at 11 a.m., with lunch and tours to follow. Attendees are asked to wear closed-toe shoes and long pants.

Please RSVP by Sept. 30 to Jodi Allalen at jallalen@amppartners.org or 614.540.0916.

AFEC update

By Jerry Willman – assistant vice president of energy marketing

The Fremont plant remained in 2x1 configuration for the week. Generally the plant was dispatched to its Low Operating Limit (LOL) during the off-peak hours due to lower PJM prices with the onset of cooler night time temperatures. The plant ramped

continued on Page 2

PUBLIC POWER *continued from Page 1*

In previous years, AMP member communities have celebrated Public Power Week by holding open houses, coloring/poster contests, presenting to local schools, hosting luncheons and speakers, and distributing compact fluorescent light bulbs. Next week, AMP will distribute a sample editorial/letter to the editor and sample social media posts to supplement members' Public Power Week campaigns.

AMP would like to hear how members are celebrating Public Power Week. Please send information, including photos, to Kerin Scott at kscott@amppartners.org or 1111 Schrock Road, Suite 100, Columbus, Ohio 43229. For more information on Public Power Week, visit the American Public Power Association [website](http://www.amp.org).

Energy markets update

By Jerry Willman

The October 2016 natural gas contract closed up \$0.038/MMBtu to settle at \$2.927. The EIA reported an injection of 62 Bcf for the week ending Sept. 9, which was about 3 Bcf above market expectations. National injections are expected to build for the next three weeks until the second week of October when historically injections begin to decline week-on-week with the pickup in heating degree days.

AMP distributes LED survey

By Randy Corbin – assistant vice president of energy policy & sustainability

AMP is considering how best to develop a program for members that would enable municipalities interested in replacing existing street lighting portfolios with LED versions to do so in a timely and efficient manner.

The first phase of the program's development is to select an initial set of interested municipalities for a pilot project to refine the entire contracting, purchasing and implementation process. Based on the level of interest and demonstrated success in this pilot, the program would be expanded to additional member municipalities.

The survey, which seeks information regarding the current status of street lighting inventory, any current replacement plans and overall interest in converting to LED streetlight fixtures, was sent to all AMP principal contacts on Sept. 12.

AMP encourages members to complete the brief survey by Sept. 23. Member feedback, even if there is no interest in the program, will better inform our efforts and improve the overall design of the program.

For additional information about the survey or the anticipated pilot project, please contact me at 614.540.0844 or rcorbin@amppartners.org.



News or Ads?

Call Kerin Scott at 614.540.6406 or email to kscott@amppartners.org if you would like to pass along news or ads.

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

Week ending Sept. 16

MON	TUE	WED	THU	FRI
\$31.78	\$37.03	\$39.15	\$33.30	\$34.00

Week ending Sept. 9

MON	TUE	WED	THU	FRI
\$28.84	\$39.55	\$41.44	\$49.31	\$39.23

AEP/Dayton 2017 5x16 price as of Sept. 15 — \$37.45

AEP/Dayton 2017 5x16 price as of Sept. 8 — \$37.13

AFEC update

continued from Page 1

up to maximum base during the on-peak hours and was supplemented with duct firing across the super peak hours.

Duct firing operated for 62 hours this week. The plant generated at a 75 percent capacity factor (based on 675 MW rating).

2016 AMP/OMEA Conference – there's an app for that

By Bethany Kiser – manager of electronic communications

To enhance the experience for attendees, AMP is providing a free mobile app for the 2016 AMP/OMEA Conference.

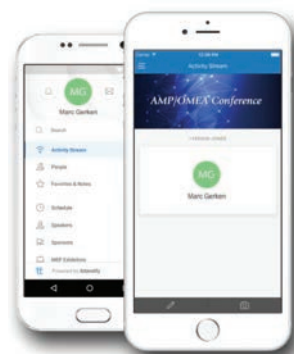
The "AMP/OMEA Conference" app, available on Apple and Android devices, includes a detailed schedule of event sessions with quick links to speaker biographies, as well as an interactive floor plan. Attendees can build their own customized schedules by tapping stars next to the sessions they plan to attend to create a "favorites" list in chronological order.

The app also features a social activity stream similar to Facebook where attendees can share comments and photos of the event, as well as "like" or comment on other people's posts. It also displays the latest articles from Public Power Daily, an electronic publication by the American Public Power Association.

The app enables attendees to connect with each other through direct messages and gives AMP the ability to send instant notifications in case of last-minute updates such as changes to session locations. All features are detailed in the app instructions tab.

Those registered for conference will receive an email with the required event code and links to download the app on Apple and Android devices.

The event code will also be posted at the conference registration desk. For questions or additional information about the app, please contact me at 614.540.0945 or bkiser@amppartners.org.





Lineworker course provides training for apprentices

By Bob Rumbaugh – manager of technical training

AMP hosted a Lineworker Basic 2 course Sept. 12-16, with 14 lineworkers representing 10 members in Ohio, Pennsylvania and the Delaware Municipal Electric Corporation (DMEC) in attendance.

Designed for second-year apprentices, the weeklong course is a combination of classroom learning and hands-on training. Participants in the course have the opportunity to advance their knowledge while learning about enhanced climbing skills, equipment installation, underground and overhead conductors, substations, live line equipment and transformer basics.

Class participants pictured above are (from left): row one-Cody Crose, instructor; Brett Carlin, Montpelier; Garrett Smith, Lodi; Taylor Budke, Seaford; Bob Rumbaugh, instructor; row two-Marc Ruper, Cuyahoga Falls; Derek Backs, St. Marys; John Foxhoven, St. Marys; Tony Romig, Mifflinburg; Joe McCabe, Seaford; row three-Bart Leininger, Celina; Max Mansour, Hubbard; Derick Wyrick, Montpelier; Jacob Scheer, New Bremen; Carl Kratzer, Mifflinburg; and Kyle Nulk, Galion.

Hydro open houses to take place Sept. 20-21

As a reminder, the City of Hamilton's Greenup and Meldahl open houses will take place Sept. 20-21 from 10 a.m. to 3 p.m. Please RSVP to Debbie Bennett or Peggy Bange using the event's email address.

Sept. 20: Greenup Open House – RSVP to greenup-openhouse@hamilton-oh.gov. Event is invitation only.

Sept. 21: Meldahl Open House – RSVP to meldahl-openhouse@hamilton-oh.gov. Event is open to the public.

Technical, sustainability track planned for Annual Conference

The 2016 AMP/OMEA Conference, to take place Sept. 26-29, will once again feature concurrent sessions in three tracks: Power Supply/Risk, Finance/IT and Technical/Sustainability. Information regarding the three sessions for the Technical/Sustainability track is listed below. For more information or to register for the conference, please visit the AMP [website](#).

Lightning Talks – 2 to 3 p.m. Sept. 27: A lightning talk is a brief (five minutes or less) presentation covering a topic in a quick, insightful and clear manner. These concise and efficient talks are intended to grab the attention of the audience, convey key information and allow for several presenters to share their ideas in a short period of time. All topics during this session will be relative to engineering and operations.

Efficiency Smart 3.0 – 3 to 4 p.m. Sept. 27: Efficiency Smart 3.0 is the new multi-product energy efficiency offering from AMP and its partner VEIC. This three-part session will focus on national trends in energy efficiency, including program development and administration, as well as new technology. Representatives from AMP member communities will share their experiences as program participants.

Wage Hour Law: What's New and What Stays the Same? – 4 to 5 p.m. Sept. 27: This session will cover the new Department of Labor Wage/Hour Regulations on which employees are exempt from overtime pay. The new salary requirements and the existing "duties test" to be exempt will be covered, as will compensation of non-exempt employees. This session has been approved for Ohio and Pennsylvania Continuing Legal Education (CLE) credit.

DEED webinars to cover projects supported by APPA

By Michelle Palmer, PE – vice president of technical services

The American Public Power Association's (APPA) Demonstration of Energy Efficiency & Developments (DEED) program is offering three webinars this fall covering projects the APPA has supported through collaborative research. The webinars, each scheduled to take place from 2 to 3 p.m., will include:

- **Nov. 14** – Analysis of Solar PV Impacts on Feeder Voltage and Hosting Capacity
- **Nov. 29** – LED Street Lighting Analysis
- **Dec. 8** – Survey and Summary of Best Practices for Distribution Reliability Improvement

Webinars are free for DEED members. Registration and additional details are available on the APPA [website](#).

AMP pays for its members to be DEED participants. For more information on the program, please contact me at mpalmer@amppartners.org or 614.540.0924.

Efficiency Smart launches new energy efficiency services

By Steven Nyeste – communications project manager, Efficiency Smart

AMP member communities now have more options for energy efficiency with the introduction of new Efficiency Smart services.

Efficiency Smart and AMP have designed new service options that provide more flexibility for AMP communities to select the program or combination of programs that can best meet their desired energy saving goals and budgets. There are many options available, from comprehensive services with performance guarantees to a la carte choices that focus on delivering savings or other value in specific market sectors.

More than 50 AMP member communities in Ohio, Pennsylvania and Michigan have subscribed to energy efficiency services from Efficiency Smart. Going forward, communities can still elect to receive the same comprehensive services that are currently available, but will have additional options with different price points depending on the sales reduction selected. These programs include:

- **The Enhanced program:** 1.0 percent annual electric sales reduction at \$2.60 per MWh of annual retail sales
- **The High program:** 0.50 percent annual electric sales reduction at \$1.40 per MWh of annual retail sales (i.e., same as the current program offering)
- **The Basic program:** 0.25 percent annual electric sales reduction at \$0.90 per MWh of annual retail sales

Additionally, the Custom Commercial and Industrial (C&I) program offers a 0.50 percent annual C&I sales

reduction for communities that are primarily interested in business services at \$1 per MWh of annual C&I retail sales. All of these performance-based options come with a savings guarantee and third-party savings verification, and will have the potential to bid any applicable capacity savings into the PJM capacity market.

Communities will also be able to select from stand-alone a la carte options including the Business Energy Rebates program for small-to-mid-sized businesses, a discounted online lighting store for residential customers, residential efficient appliances, home energy audits, commercial and industrial energy audits, and other customized services.

All participating communities will receive periodic performance reports and have the ability to add additional services once underway. In addition, communities will receive expert technical assistance, customer service and turnkey services provided by an experienced staff.

Efficiency Smart will begin its formal subscription process for the new services shortly. Communities can visit the Efficiency Smart [website](#) or schedule a meeting to learn more about Efficiency Smart's capabilities, view the menu of available programs, and compare the available options.

For more information about Efficiency Smart or to discuss the service options that can best meet community needs, please contact Randy Corbin, AMP's assistant vice president of energy efficiency, at rcorbin@amppartners.org or 614.540.0844.

Classifieds

Positions are open in Montpelier

The Village of Montpelier is accepting applications until Sept. 30 for the following positions.

Applications and resumes may be dropped off at the village offices at 211 N. Jonesville St., Montpelier, OH; or mailed to Village Manager, (specify Mechanic Job Opening or Waste Water Plant Operator Job Opening), PO Box 148, Montpelier, OH 43543. Both positions offer a good benefits package. Complete job descriptions are available on the village [website](#). EOE.

Mechanic – Applicants must have a high school diploma or GED, a valid driver's license and the ability to obtain a Class A CDL endorsement. A combination of maintenance experience and/or training in the field of machinery, equipment and automotive repair or equivalent to perform maintenance on gasoline and diesel engines, and the ability to perform general design and fabrication for maintenance and installation for vehicles and equipment is required.

Waste Water Plant Operator – Applicants must have a high school diploma or GED, have a valid driver's license and the ability to obtain a Class B CDL endorsement, and hold a minimum of an Ohio EPA Class I Waste Water Operator's Certificate.

Register now for Webinars



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 Webinar Series: Achieving Excellence in Public Power Governance **Oct. 5**
- Distributed Energy Resources/Public Power Forward Webinar Series: New Business Models for Public Power Utilities in a Changing Industry **Oct. 6**
- Distributed Energy Resources/Public Power Forward Webinar Series: Distributed Energy Resources and Stabilizing Cost **Oct. 19**
- Accounting & Finance Webinar Series: Sustainability Accounting and Reporting **Oct. 20**
- Navigating the FAA's Regulatory Framework for Unmanned Aircraft Systems: Drones, Utilities, and the Law **Oct. 25**



Fw: Ohio Municipal League Legislative Bulletin

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

09/23/16 01:33 PM

To: "Adm.Ast.CM-Dietrich, Roxanne" <rdietrich@napoleonohio.com>

Council Packets


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

From: "Ohio Municipal League" <kscarrett@omlOhio.org>

To: gheath@napoleonohio.com

Date: 09/23/2016 01:22 PM

Subject: Ohio Municipal League Legislative Bulletin

Having trouble viewing this email? [Click here](#)[Join Our Mailing List](#) Send to a Colleague

Legislative Bulletin

September 23, 2016

The Ohio General Assembly continues to focus on campaigns while the OML continues to meet with our members and the General Assembly's members during this period. The Ohio Senate will be back at the Statehouse for a quick session day with the real legislative action resuming after the General Election when the Lame Duck session begins. Executive Director Kent Scarrett was on the road again this week meeting with the members of the Lake County Mayors and Managers Association and later with the Northwest Ohio Mayors and Managers Association. We appreciate the hospitality and opportunity to be around the state to talk with league members about issues they are confronting, the new direction of our organization and initiatives being put into place.

NOL IMPACT REVIEW COMMITTEE ADOPTS NEW DATA COLLECTION METHOD

On Thursday, September 22, the Municipal Income Tax Net Operating Loss Review Committee met to vote on the adoption of a method of collecting data that will aid the understanding the impact that the newly instituted 5-year carryforward will have on municipalities. The committee had originally proposed a method that required a full review of each business and individual filing (or a "full pull") from 2012-2018 in order to project what kind of loss the municipality would have incurred had net operating losses in 2011-2013 been carried forward for five years.

Due to the incredible financial and administrative burden this would place on municipalities, coupled with the fact that much of the needed data simply does not exist (those who would have incurred an NOL did not file as such since there was no carry forward), the Ohio Municipal League proposed the Representative Illustration Method as an alternative. This method only applied to participating municipalities and relied on samples rather than a full pull.

After deliberation, the Department of Taxation proposed two alternative methods. Option #1 still required a full pull from 2011 and onwards and would have left only approximately a 90-day window for compliance. Option #2 still required a full pull, but only for taxable years going forward until 2020. As this would somewhat ease the burden on local tax administrators and ensure the data submitted was substantially more accurate, it was agreed that Option #2 was the preferred method.

Included in our most recent Legislative Bulletin dated September 16th, we provided a link to a copy of the correspondence from Tax Commissioner Testa which includes the detailed explanation of each of the options proposed and the specifics of Option #2. One of the most important aspects of Option #2 is that the data collection will be accumulated on a prospective basis by those communities most impacted by the unfunded mandate included in HB5, requiring a 5 year NOL carry forward to be part of all municipal tax ordinances.

OML Executive Director Kent Scarrett testified before the committee reiterating the fact that accumulating the information through a sampling system would be more beneficial for cities and villages but from the alternatives being advanced by the committee, the preference would be for Option #2, but with an extended deadline. A copy of his testimony can be found [HERE](#). After brief questioning from the committee, the decision was made to extend the submission deadline from August 31, 2020 to August 31, 2021, and the method prescribed in Option #2 was adopted by the committee as the new guidelines for the data collection exercise.

Each municipality that administers an income tax will receive a letter from Commissioner Testa explaining the action taken by the committee yesterday and the details of the new data collection methodology.

We appreciate Chairman Testa's consideration of the concerns expressed by the league to the original methodology proposed and adopted for this important legislative review of the impact of the NOL mandate and the willingness to change course and work with the challenges expressed. The League is also

grateful to the committee members and especially Rep. Kirk Schuring for his leadership in working with League staff and the Department of Taxation, on an ongoing basis, to facilitate a better collection procedure for all parties involved.

LEAGUE STAFF GROWS WITH NEW HIRE

The Ohio Municipal League is proud to announce the hiring of Kari Straub to the position of Administrative Assistant. Members can expect to get to know Kari as she will be assisting with multiple tasks at the OML including administrative assistant work and assistance with planning our events. Kari graduated from the Ohio State University with a degree in hospitality management and a minor in Business. She has experience as an administrative assistant and office manager for a prominent CPA firm in Columbus, Ohio. She also has three years' experience as an event planner at The Ohio State University.

Also, Chrissy Blake, the league's former administrative assistant, will now be acting as the league's Member Services Director. Chrissy will be tasked with introducing new opportunities for league members and exploring service programs new to the league.

2020 TAX POLICY STUDY COMMISSION MEETING

Co-Chairmen Senator Bob Peterson (R-Washington Court House) and Representative Tim Schafer (R-Lancaster) have announced that the Ohio 2020 Tax Policy Study Commission will be meeting on Monday September 26 at 2:30 p.m. in the Ohio Senate South Hearing Room. The Committee's purpose is to review the state's tax structure and policies and make recommendations to the General Assembly on how to maximize Ohio's competitiveness by the year 2020.

OHIO SENATE SCHEDULES SESSION FOR NEXT WEEK

Last week we informed you that the Senate had scheduled several sessions over the coming months. The Ohio Senate cancelled all sessions except the one scheduled for 1:30 p.m. Wednesday September 28, 2016. No legislation has been scheduled for that session at this time.

REPRESENTATIVE McCLAIN RESIGNS AND BEGINS NEW CHAPTER

Representative Jeff McClain (R-Upper Sandusky) has resigned from his position as the Representative of the 87th Ohio House District and has accepted position with the Ohio Chamber of Commerce as the Director of Tax and Economic Policy. Jeff has held Chairmanships and Vice-Chairmanships of several important committees such as Finance and Ways and Means. Representative McClain has been a friend of the League and we look forward to working with him in his new position.

LEAGUE LAUNCHING GRANTFINDER PROGRAM

The OML is pleased to introduce our partnership with EfficientGov, an information service that tracks innovative solutions to fiscal and operational challenges facing cities and villages across the country.

EfficientGov provides local government leaders with unlimited access to information and tools that help reduce the cost and improve the efficiency of government. One of those tools is GrantFinder, which is a real-time, online searchable database of almost every federal, state, foundation and corporate grant available to your community. For more information about EfficientGov and GrantFinder, visit: efficientgov.com

Through our new partnership, the OML is able to offer 50 of our members a one-year trial membership of the GrantFinder tool at no charge to the municipality. This opportunity is available on a first come, first serve basis to the first 50 municipalities that contact us.

If you are interested in having access to the largest searchable database of private,

state and federal grants available to municipalities and local non-profits, please send an email with your name, title, email address and phone number to: Chrissy Blake, Director of OML Member Services, at email address cblake@omloho.org.

A LETTER FROM THE STATE AND LOCAL LEGAL CENTER ABOUT NEW OVERTIME RULE/FAIR LABOR STANDARDS ACT (FLSA)

Twenty-one states are suing the Department of Labor over new overtime rules which make it more likely states will have to pay more employees overtime. They are seeking an injunction which will prevent the new rules from going into effect on December 1, 2016.

Per the Fair Labor Standards Act (FLSA), "white collar" employees do not have to be paid overtime if they work more than 40 hours a week. Per Department of Labor regulations, adopted shortly after the FLSA was adopted in 1938, employees must perform specific duties and earn a certain salary to be exempt from overtime as white collar employees.

On May 23, 2016, the Department of Labor (DOL) issued final rules nearly doubling the previous salary level test for white collar employees from \$455 per week, or \$23,660 per year to \$913 per week, or \$47,476 per year.

DOL also raised the salary threshold for highly compensated employees (who aren't eligible for overtime no matter their job duties) from \$100,000 per year to \$134,004 per year. The rules automatically update the salary level every three years for white collar and highly compensated employees.

As a practical matter the states object to these rules because they will cost more money and states "cannot reasonably rely upon a corresponding increase

in revenue, [so] they will have to reduce or eliminate some essential government services and functions."

In its complaint the states make five arguments for why the Texas federal district court should grant their injunction. Its first and most ambitious argument is that the Court overturn *Garcia v. San Antonio Metropolitan Transit Authority* (1985), where the Court held that the FLSA applies to the states.

The states also argue that DOL has exceed its authority under the FLSA in issuing these rules by ignoring the duties an employee performs and making salary a litmus test.

By automatically increasing the salary basis test DOL is violating the FLSA's requirement to "define and delimit from time to time" the white collar exception, the states claim.

As in almost any lawsuit objecting to federal rules, the states argue the rules are "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law."

Finally, the states claim that Congress improperly delegated congressional legislative power by conferring "unlimited legislative authority on DOL" in the FLSA.

Lisa Soronen
Executive Director
State & Local Legal Center
444 North Capitol Street, N.W., Suite 515
Washington, D.C. 20001
Phone: (202) 434-4845
Fax: (202) 737-1069
Email: lsoronen@sso.org
Website: <http://www.statelocalc.org/>
Twitter: www.twitter.com/sllcscotus

COMMITTEE SCHEDULE FOR NEXT WEEK

Since the Ohio Senate will be back in Columbus next week, there is one hearing that has been added to the committee schedule, in addition to the 2020 Tax Policy Study Commission.

Have a pleasant first weekend of Autumn.~

-
Monday, September 26

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2020 TAX POLICY STUDY COMMISSION
2:30pm, South Senate Hearing Room

State Tax Policy Issues

Wednesday, September 28

SENATE WAYS AND MEANS

Sen. Peterson: 614-466-8156

Wed., Sep. 28, 2016, 9:30 AM, South Hearing Room

HOTEL INTERMEDIARY TAX (HUGHES J, PATTON T) To require hotel SB160 intermediaries to collect and remit applicable sales and use tax on the full amount paid for hotel lodging.

First Hearing, Sponsor Testimony

INCOME TAX-PASS THROUGH ENTITIES (EKLUND J) To revise the law SB288 governing how taxes on income from pass-through entities is to be reported and paid by the entities and their investors.

Third Hearing, All Testimony

Meetings & Conferences

Ohio Municipal League Annual Conference	October 26th ~ 28th, 2016	<u>Registration</u>
Municipal Finance Officers Annual Conference	October 27th ~ 28th, 2016	<u>Registration</u>
3 Hr Mayors Court Refresher Course	October 28th, 2016	<u>Registration</u>

[Ohio Municipal League](#)

Legislative Inquires:

[Kent Scarrett, Executive Director](#)

[Edward Albright, Deputy Director](#)

[Josh Brown, Director of Communications](#)

Ohio Municipal League, 175 S. Third Street, Suite 510, Columbus, OH 43215