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# Memorandum

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**To:** Mayor, City Council, City Manager, Finance Director, City Law Director  
**From:** Roxanne  
**Subject:** General Information  
**Date:** September 30, 2016

## CALENDAR

**AGENDA:** *City Council* - Monday, October 3<sup>rd</sup> at 7:00 pm

### C. APPROVAL OF MINUTES

1. September 17, 2016 Special Joint Meeting with Commissioners
2. September 19, 2016 Regular City Council Meeting

### E. REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee
2. Finance and Budget Committee
3. Safety and Human Resources Committee
4. Technology Committee

### G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 039-16** an Ordinance Authorizing the City Manager to Enter into a Professional Services Agreement by and between the City of Napoleon, Ohio and Trevor M. Hayberger, Esq., to Provide Services to the City of Napoleon, Ohio as Interim Law Director; and Declaring an Emergency.
2. **Ordinance No. 040-16**, an Ordinance Amending the Provision of the Income Tax Code of the City of Napoleon, Ohio to provide for a Temporary Increase of Three Tenths Percent (0.3%) to the Permanent 1.3% Income Tax; said 0.3% Temporary Income Tax Increase to Commence on July 1, 2017 and End on June 30, 2022; and Temporarily Repealing Ordinance No. 103-08 and Amending Section 193.02 of the Codified Ordinances, all subject to Approval by the Electors of the City of Napoleon, Ohio on the May 2, 2017 Ballot.

### H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 037-16**, an Ordinance amending the City of Napoleon Traffic Schedules, specifically Schedule II, "Parking Time Limits" on certain City streets as listed in the attached Exhibit A; and repealing Ordinance No. 032-11.

### I. THIRD READINGS OF ORDINANCES AND RESOLUTIONS - NONE

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

1. **Discussion/Action:** Recommendation from the Parks and Recreation Board to set Trick-or-Treat night for Monday, October 31, 2016 from 6:00 pm – 7:30 pm.
  - a. The Parks and Rec Board, at their September 28, 2016 meeting, recommended October 31, 2016 from 6:00 pm – 7:30 pm for trick-or-treat night.

2. **Discussion/Action:** Approval of Change Order No. 1 (Final) on the Woodlawn Avenue Microsurfacing Project; American Pavements, LLC, Contractor a deduct of \$31.50.
  - a. Enclosed is a Memorandum from Chad along with a copy of the Change Order.
3. **Discussion/Action:** Accepting the Donation of a Flag Pole from the Napoleon VFW for Forest Hill Cemetery.
  - a. Please see the enclosed Memorandum from Tony Cotter.

#### INFORMATIONAL ITEMS

1. **CANCELLATION** – *Technology Committee*
2. **AGENDAS**
  - a. *Tuesday, October 4<sup>th</sup> at 2:30 pm – Preservation Commission*
  - b. *Thursday, October 6<sup>th</sup> at 7:30 pm – Personnel Committee*
3. **Miscellaneous Information**
  - a. Fall Cleanup Week (October 3<sup>rd</sup> – 7<sup>th</sup>)
  - b. From TMACOG: Railroad
  - c. AMP Update/September 21, 2016

## October 2016

Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday	
													1
	2		3		4		5		6		7		8
		7:00 pm - City Council		2:30 pm - Preservation Commission				7:30 pm - Personnel Committee					
	9		10		11		12		13		14		15
		6:30 pm - Electric Committee Board of Public Affairs 7:00 pm-Water/Sewer Committee  7:30 pm Municipal Properties /ED Committee		4:30 pm-Board of Zoning Appeals 5:00 pm-Planning Comm		Employee Appreciation Luncheon at Oberhaus Shelterhouse							
	16		17		18		19		20		21		22
		6:00 pm - Tree Comm. 6:15 pm - Parks & Rec Committee 7:00 pm - City Council											
	23		24		25		26		27		28		29
		6:30 pm-Finance & Budget Committee 7:30 pm-Safety&Human Resources Comm		4:30 pm - Civil Service Commission		6:30 pm - Parks & Rec Board							
	30		31										
		5th Monday											

## **CITY COUNCIL**

### **Meeting Agenda**

**Monday, October 3, 2016 at 7:00 pm**

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

**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)*

1. **September 17, 2016** (Special Joint Meeting with Commissioners)
2. **September 19, 2016** (Regular Council Meeting)

**D. Citizen Communication**

**E. Reports from Council Committees**

1. **Personnel Committee** met on September 21, 2016 and recommended:
  - a. The position of Law Director be posted.
2. **Finance and Budget Committee** did not meet on September 26, 2016 due to lack of agenda items.
3. **Safety and Human Resources Committee** did not meet on September 26, 2016 due to lack of agenda items.
4. **Technology Committee** did not meet on October 3, 2016 due to lack of agenda items.

**F. Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*

1. **Parks and Recreation Board** met on September 28, 2016 with the following agenda items:
  - a. Review of Parks and Recreation Rates and Fees
  - b. Discussion and/or Action on Capital Improvement Items
  - c. Discussion and/or Action on Trick or Treat Night Recommendation
2. **Healthcare Cost Committee** met on September 30, 2016 with the following agenda item:
  - a. Review of Health Care Costs and potential Premium Increases for 2017

**G. Introduction of New Ordinances and Resolutions**

1. **Ordinance No. 039-16**, an Ordinance Authorizing the City Manager to Enter into a Professional Services Agreement by and between the City of Napoleon, Ohio and Trevor M. Hayberger, Esq., to Provide Services to the City of Napoleon, Ohio as Interim Law Director; and Declaring an Emergency.
2. **Ordinance No. 040-16**, an Ordinance Amending the Provision of the Income Tax Code of the City of Napoleon, Ohio to provide for a Temporary Increase of Three Tenths Percent (0.3%) to the Permanent 1.3% Income Tax; said 0.3% Temporary Income Tax Increase to Commence on July 1, 2017 and End on June 30, 2022; and Temporarily Repealing Ordinance No. 103-08 and Amending Section 193.02 of the Codified Ordinances, all subject to Approval by the Electors of the City of Napoleon, Ohio on the May 2, 2017 Ballot.

**H. Second Readings of Ordinances and Resolutions**

1. **Ordinance No. 037-16**, an Ordinance amending the City of Napoleon Traffic Schedules, specifically Schedule II, "Parking Time Limits" on certain City streets as listed in the attached Exhibit A; and repealing Ordinance No. 032-11.

**I. Third Readings of Ordinances and Resolutions**



**J. Good of the City** *(Any other business as may properly come before Council, including but not limited to)*

1. **Discussion/Action:** Recommendation from the Parks and Recreation Board to set Trick or Treat Night for Monday, October 31, 2016 from 6:00 pm – 7:30 pm.
2. **Discussion/Action:** Approval Change Order No. 1 (Final) on the Woodlawn Avenue Microsurfacing Project; American Pavements, LLC, Contractor a Deduct of \$31.50.
3. **Discussion/Action:** Accepting the Donation of a Flag Pole from the Napoleon VFW for Forrest Hill Cemetery.

**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**

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

**A. Items Referred or Pending in Committees of Council**

**1. Technology & Communication Committee (1<sup>st</sup> Monday)**

*(Next Regular Meeting: Monday, October 3, 2016 @6:15 pm)*

**2. Electric Committee (2<sup>nd</sup> Monday)**

*(Next Regular Meeting: Monday, October 10, 2016 @6:30 pm)*

- a. Review of Power Supply Cost Adjustment Factor for October, 2016
- b. Electric Department Report
- c. Review of the Net Metering Policy (Remained Tabled)

**3. Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)**

*(Next Regular Meeting: Monday, October 10, 2016 @7:00 pm)*

- a. Review of Water Plant Upgrade Project and Estimated Cost.
- b. Review of Water Rates Related to Water Plant Upgrade Project.

**4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)**

*(Next Regular Meeting: Monday, October 10, 2016 @7:30 pm)*

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

**5. Parks & Recreation Committee (3<sup>rd</sup> Monday)**

*(Next Regular Meeting: Monday, October 17, 2016 @6:15 pm)*

**6. Finance & Budget Committee (4<sup>th</sup> Monday)**

*(Next Regular Meeting: Monday, October 24, 2016 @6:30 pm)*

**7. Safety & Human Resources Committee (4<sup>th</sup> Monday)**

*(Next Meeting: Monday, October 24, 2016 @7:30 pm)*

2016 Regular Meetings with Townships scheduled for February and November

**8. Personnel Committee (as needed)**

**(Next Meeting: Thursday, October 6, 2016 at 7:30 pm)**

- a. Review Law Director Applications

**9. Ad Hoc Committee on Strategic Vision (as needed)**

**10. Ad Hoc Committee on Organizational Health (as needed)**

*(Next Meeting: October , 2016 @ pm)*

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

**1. Board of Public Affairs (2<sup>nd</sup> Monday)**

*(Next Regular Meeting: Monday, October 10, 2016 @6:30 pm)*

- a. Review of Power Supply Cost Adjustment Factor for October, 2016
- b. Electric Department Report
- c. Review of Water Plant Upgrade Project and Estimated Cost.
- d. Review of Water Rates Related to Water Plant Upgrade Project.

**2. Board of Zoning Appeals (2<sup>nd</sup> Tuesday)**

*(Next Regular Meeting: Tuesday, October 11, 2016 @4:30 pm)*

**3. Planning Commission (2<sup>nd</sup> Tuesday)**

*(Next Regular Meeting: Tuesday, October 11, 2016 @5:00 pm)*

**4. Tree Commission (3<sup>rd</sup> Monday)**

*(Next Regular Meeting: Monday, October 17, 2016 @6:00 pm)*

**5. Civil Service Commission (4<sup>th</sup> Tuesday)**

*(Next Regular Meeting: Tuesday, October 25, 2016 @4:30 pm)*

**6. Parks & Recreation Board (Last Wednesday)**

*(Next Regular Meeting: Wednesday, October 26, 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 (2<sup>nd</sup> Tuesday in June & December)**  
*(Next Regular Meeting: Tuesday, December 13, 2016 @4:00 pm)*
- 9. Housing Council (1<sup>st</sup> Monday of the month after the TIRC meeting)**
- 10. Health Care Cost Committee (As needed)**
- 11. Preservation Commission (As needed)**  
*(Next meeting: Tuesday, October 4, 2016 at 2:30 pm)*
- 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**  
in Joint Session with  
**County Commissioners**

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**Special Meeting Minutes**

**Saturday, September 17, 2016 at 9:00am**

**PRESENT**

**Council**  
**City Staff**

**Commissioners**  
**Recorder**  
**Others**  
**Absent**

Travis Sheaffer – President, Jeff Comadoll, Dan Baer, Jeff Mires  
Monica Irelan, City Manager  
Jason Maassel, Mayor  
Tom VonDeylen, Glenn Miller, Robert Hastedt  
Monica Irelan  
News media  
Rita Small, Pat McColley, Joe Bialorucki

**Call To Order**

President Sheaffer called the meeting to order at 9:02am.

**CCNO Trustees**

Commissioner Hastedt stated that Henry County pays between \$800,000 and \$900,000 per year for CCNO adding that he believes that the current status of CCNO may make the Trustees less available. Hastedt stated that Henry County currently does not participate in the Trustee program due to feeling the need of ‘babysitting them too much’, adding his concern of the possibility of the Trustees ‘sneaking off’ or ‘stealing cigarettes for people’. Hastedt added that the County has recently purchased a building that requires items to be moved out and the Trustee service may be considered. Commissioner Miller stated that the criteria for the use of Trustees has changed; in the last few months the background search of the Trustee has been changed from researching only a few months back to researching the history back to the age of eighteen (18) with the results possibly taking away the Trustee’s eligibility for the program. Hastedt stated that if the County requires Trustees for the work at the new building, some of the City Trustees may be pulled for that purpose; Miller added that the County may have other need for the Trustees with work that will allow them to remain supervised as well. Miller stated that, ‘it is my opinion that we (*the County*) should have at least one (1) every day’; Hastedt agreed stating that was his opinion as well; Miller added that job duties could be assigned to make that necessary.

President Sheaffer reported that the City is aware of the concerns regarding the current Trustee program and will do the necessary research to keep the rates to residents as low as possible; Irelan agreed, stating that City Staff is aware of the potential issues as well.

**CIC Goals**

Irelan stated that CIC Director Denise Dahl was recently invited to the City Municipal Properties, Buildings & Land Use Committee meeting to present the current CIC goals which involved the strategic vision of the City, encouraging the City to voice any areas believed to need augmentation. Irelan stated that this should be a discussion between the County and City as well to work together in directing the CIC to meet mutual goals. Sheaffer stated that the Committee believes that in the past the CIC has been focused on industrial areas, adding that the Committee would like to see the Scott

## CIC Goals Continued

Street corridor and the commercial areas become a focus as well; Sheaffer added that this is listed in the strategic goals of the City; Maassel agreed. Miller asked if there were no interest or marketing regarding the downtown area; Ireland replied that, at the direction of Council, the CIC is to handle the economic development of the City, adding that the CIC, the Chamber of Commerce, the Mayor and Ireland have been working well together as a team to build better relationships for marketing and networking and to highlight the downtown and commercial areas. Ireland added that Napoleon Alive is also starting to meet again, discussing marketing issues with Mayor Maassel; Maassel added that the historic district is also being discussed.

Miller stated that when he was first elected he asked different businesses their opinion on the hindrances to working in Napoleon and a former City employee and the Zoning restrictions were both cited; Miller added that Ireland has been reviewing the current Zoning Laws. Miller stated that if Napoleon remains a 'Breakfast Community' then more money should not be given to the CIC. Sheaffer suggested having a work session with contractors to discuss specific issues and receive their input; Miller believes this to be a good idea but does not believe it is his place to hold the meetings. Miller stated that previous conversations reiterated that building and zoning regulations were believed to be too restrictive.

Ireland reported that she, Mayor Maassel, Denise Dahl, and the Chamber of Commerce have recently been showing commercial spaces to potential purchasers with a positive response. Ireland added that the recently added Revitalization District has increased an interest in businesses that require liquor licenses however the biggest response currently has been from retail businesses.

Mayor Maassel asked if there were any additional goals that the Commissioners would like to discuss; Hastedt added job development; Mayor Maassel stated this is included in the strategic vision plan. Ireland reiterated that workforce development has been a priority in recent years, adding that trying to reach students at an earlier age is the goal. Miller restated that he believes workforce development to be one of the more critical goals; Ireland reminded the Commissioners and Council that Northwest State Community College has been invaluable in creating curriculums around workforce issues brought forward to them.

Comadoll asked what image the State officials have of Henry County; Miller replied that he believes 'they don't even know we're here', other than the State Auditor or at campaign time. Sheaffer believes this may be based on population. Ireland added that Napoleon is known due to numerous visits to Columbus regarding the City electric system as well as a few visits from the Governor's Office. Sheaffer, Miller and Ireland agreed that Bob Latta is accessible and willing to listen.

## Senior Center Building Update

Ireland reported that the City has not yet hired a separate appraiser although the timeframe previously chosen was not until the end of the year; adding that it was agreed that the City and County would hire separate appraisers, and one (1) would be hired by the City and County together for a total of three (3) with different options listed in the Contract that will be discussed

after the appraisal is complete; Miller agreed that this could be discussed at the December or January meeting. Miller stated that the project has not started as of yet, and the timeline will be set when the preconstruction meeting occurs.

**Motion To Adjourn**

Motion: Baer Second: Comadoll  
To adjourn the meeting at 10:10am

**Passed**  
**Yea- 4**  
**Nay- 0**

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

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**Date Approved**

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Travis Sheaffer, President

City of Napoleon, Ohio  
**CITY COUNCIL**  
Meeting Minutes  
Monday, September 19, 2016 at 7:00pm

<b>PRESENT</b>	
Council	Travis Sheaffer, President; Patrick McColley, President Pro Tem; Jeff Comadoll; Rita Small; Dan Baer; Joe Bialorucki; Jeff Mires
Mayor	Jason Maassel
City Manager	Monica Irelan
Law Director	Lisa L. Nagel
Finance Director/ Clerk Of Council	Gregory J. Heath
Recorder	Roxanne Dietrich
City Staff	Clayton O'Brien, Fire Chief Robert Weitzel, Police Chief Bobby Stites, MIS
Others	News Media; NCTV
<b>ABSENT</b>	
<b>Call to Order</b>	President Sheaffer called the meeting to order at 7:00 pm with the Lord's Prayer followed by the Pledge of Allegiance.
<b>Approval of Minutes</b>	Minutes of the September 6, 2016 Council meeting stand approved as read with no objections or corrections.
<b>Citizen Communication</b>	None
<b>Reports from Committees</b>	<p>The Technology and Communications Committee did not meet on September 6, 2016 due to lack of agenda items.</p> <p>Chairman Sheaffer reported that the Electric Committee met on September 12, 2016 and recommended:</p> <ol style="list-style-type: none"><li>1. Approval of Power Supply Cost Adjustment Factor for September 2016;</li><li>2. Review of the Net Metering Policy remain tabled; and</li><li>3. Approval of Automatic Renewal of the Efficiency Smart Contract.</li></ol> <p>The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on September 12, 2016 due to lack of agenda items.</p> <p>The Municipal Properties, Buildings, Land Use and Economic Development Committee met on September 12, 2016 and:</p>

1. Removed Review of the CIC Agreement from the agenda;
2. Reviewed and discussed the goals of the CIC; and
3. Recommended that the City put in a sidewalk as part of the Industrial Drive Project with a City match at 5%.

The Parks and Recreation Committee did not meet tonight due to lack of agenda items.

The Ad-Hoc Committee on Organizational Health met tonight and discussed governance based on survey results and will continue that discussion.

**Introduction of Ordinance  
No. 036-16**

President Sheaffer read by title Ordinance No. 036-16, an Ordinance Amending Ordinance No. 053-15, Passed November 15, 2015, an Ordinance to Adopt Chapter 194 of the Codified Ordinances of the City of Napoleon Regarding Income Tax for the Purpose of Adhering to the Changes Outlined in Senate Bill 172; and Declaring an Emergency. (Suspension Requested)

**Motion To Approve  
First Read of 036-16**

Motion: Comadoll                      Second: Small  
To approve First Read of Ordinance No. 036-16

**Discussion**

Nagel said we passed an income tax ordinance last November based upon mandated changes that came out of Columbus and after being implemented there were changes that had to be made. Senate Bill 172 made those changes on September 14, 2016, my Memo in your packet had four pages attached showing the actual changes in red (a copy is attached). We need to incorporate the changes into our rules. I am requesting suspension to get the changes implemented that have already been passed by the Ohio Senate.

**Motion To Suspend  
The Rules for 036-16**

Motion: Comadoll                      Second: Bialorucki  
To suspend the Rules requiring three Readings

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

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

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

Roll call vote to pass Ordinance No. 036-16 Passed under Suspension of the Rules with Emergency  
Yea-McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Introduction of Ordinance  
No. 037-16**

President Sheaffer read by title Ordinance No. 037-16, an Ordinance amending the City of Napoleon Traffic Schedules, specifically Schedule



**Motion to Approve  
First Read of 037-16**

**Discussion**

II, "Parking Time Limits" on certain City streets as listed in the attached Exhibit A; and repealing Ordinance No. 032-11

Motion: McColley                      Second: Comadoll  
To approve First Read of Ordinance No. 037-16,

Irelan said when traffic control changes are made, we have to journalize them. All the changes that have been made over the last several years are in this Ordinance. McColley asked when the changes are effective and Irelan said once they are journalized. Comadoll said he did not see Meekison on there, I have received numerous complaints since we changed the policy over there. Irelan asked how long ago did we change the policy? Maassel said we changed it when Appian Avenue was repaved. Meekison had parking on one side and was to be no parking on both sides. Comadoll said now that Dodd Street is done have we looked at it? Irelan said yes, the alley; Comadoll said no I'm talking the road itself it is still congested. Irelan responded she would have to have Chad look at it. Comadoll said we should do the same to Dodd as Meekison don't think fire trucks could get down there any better than they can on Meekison. Irelan said there is a whole team that looks at it before make any decision is made.

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

Roll call vote to approve First Read of Ordinance No. 037-16  
Yea-McColley, Sheaffer, Comadoll, Baer, Mires, Bialirocku, Small  
Nay-

**Introduction of Resolution  
No. 038-16**

President Sheaffer read by title Resolution No. 038-16, a Resolution Authorizing the City Manager to Opt-In to the Bridge Inspection Program Services with the Ohio Department of Transportation ("ODOT") PID No. 102554; and Declaring an Emergency. (Suspension Requested)

**Motion to Approve  
First Read of 038-16**

**Discussion**

Motion: McColley                      Second: Small  
To approve First Read of Resolution No. 038-16

Irelan said as noted in the Memo in your packet (attached) about 2-3 years ago ODOT approached us while they were in town doing other inspections and offered to do our bridge inspection at no charge, at the time we were paying a contractor \$5,000 - \$8,000/year to do our bridge inspections. This Resolution is to renew the contract with ODOT and suspension is requested. Maassel asked if this is the same program that found the bridge that was in really bad repair and the State came in and fixed it. Irelan said there are a lot of bridge and culvert updates ODOT is in charge of. Maassel said it was in town but their bridge. Bialorucki asked if we have a contract with ODOT, Irelan

**Motion to Suspend  
the Rules for 038-16**

**Passed**

**Yea-7**

**Nay-0**

said Yes.

Motion: Bialorucki

Second: Small

To suspend the rule requiring three readings for Resolution No. 038-16

Roll call vote on above motion:

Yea-McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small

Nay-

**Passed**

**Yea-7**

**Nay-0**

Roll call vote to pass Resolution No. 038-16 under Suspension of the Rules and Emergency.

Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small

Nay-

**Introduction of  
Resolution No. 039-16**

President Sheaffer read by title Resolution No. 039-16, a Resolution Authorizing the City Manager to Execute the Local Government Innovation Fund ("LGIF") between the State of Ohio Development Services Agency and the City of Napoleon; and Declaring an Emergency. (Suspension Requested)

**Motion To Approve  
First Read of 039-16**

Motion: Comadoll

Second: Small

To approve First Read of Resolution No. 039-16

**Discussion**

Ireland said we are trying to find ways to make our operations more effective and efficient. This grant will pay for a contractor to do a study that looks at our work order process to see how we can automate our system and possibly get tablets in the vehicles. The study will cost approximately \$24,500, we are applying for a \$14,000 grant and \$10,000 will be our local match. McColley asked if you can justify the \$10,000 cost plus hardware, is there is a piece of software out there already that will work. Comadoll said are using same system when I was working there. Ireland said there are plenty of options out there, basically the idea of the study is for them to put together a plan telling us what hardware and software would be best for us and would be able to integrate with our GIS system and zoning files. The application is due this Friday so I am asking for suspension. Sheaffer said we could save on time and efficiency, vehicle usage, gas, plus can move quicker on jobs. McColley said like do you spend \$10,000 to tell you what you already know.

**Motion to Suspend  
The Rules of 039-16**

**Passed**

**Yea-7**

**Nay-0**

Motion: Comadoll

Second: Mires

To suspend the rule requiring three readings for Resolution No. 039-16.

Roll call vote on above motion:

Yea-McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small

Nay-

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

Roll call vote to pass Resolution No. 039-16 under Suspension of the Rules and Emergency.  
Yea-McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Second Read of  
Resolution No. 034-16**

President Sheaffer read by title Resolution No. 034-16, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2016 Tax Duplicates Payable in Year 2017; and Declaring an Emergency.

**Motion to Approve  
Second Read of 034-16**

Motion: McColley                      Second: Rita  
To approve Second Read of Resolution No. 034-16

**Discussion**

Heath said there are no changes since first read, we are requesting suspension to file with the County prior to October 1<sup>st</sup>.

**Motion to Suspend  
the Rule for 034-16**

Motion: Mires                      Second: Comadoll  
To suspend the rule requiring three Readings of Resolution No. 034-16.

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

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

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

Roll call vote to pass Resolution No. 034-16 under Suspension of the Rules and Emergency.  
Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Second Read of Resolution  
No. 035-16**

President Sheaffer read by title Resolution No. 035-16, a Resolution Authorizing and Directing the Finance Director/Clerk to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2016 Tax Duplicates Payable in the Year 2017; and Declaring an Emergency.

**Motion to Approve  
Second Read of 035-16**

Motion: Bialorucki                      Second: Comadoll  
To approve Second Read of Resolution No. 035-16

**Discussion**

Heath said there are no changes from first read and again we are requesting suspension so this can also be filed with the County prior to October 1<sup>st</sup>.

**Motion to Suspend**

Motion: Small                      Second: Comadoll

**the Rule for 035-16**  
**Passed**  
**Yea-7**  
**Nay-0**

To suspend the rule requiring three readings for Resolution No. 035-16.  
Roll call vote on above motion:  
Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

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

Roll call vote to pass Resolution No. 035-16 under Suspension of the Rules and Emergency  
Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Third Read of**  
**Ordinance No. 029-16**

President Sheaffer read by title Ordinance No. 029-16, an Ordinance Repealing Resolution No. 051-13 which Authorizes the City Manager to Terminate or Assign the City of Napoleon's Water Purchase Agreement with the Village of Malinta, Ohio; and Declaring an Emergency.

**Motion to Pass**  
**on Third Read of 029-16**

Motion: Comadoll                      Second: Small  
To pass Ordinance No. 029-16 on Third Read

**Discussion**

Irelan said there are no updates on this information, the four villages are aware of what we are doing and are perfectly okay with it.

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

Roll call vote to pass Ordinance No. 029-16 on Third Read under Emergency.  
Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**GOOD OF THE CITY**  
**Discussion/Action**

**Motion To Approve Power**  
**Supply Cost Adjustment**  
**Factor**

Motion: McColley                      Second: Comadoll  
To accept the recommendation for approval of the Power Cost Adjustment Factor for September, 2016 as follows:  
PSCAF three (3) month averaged factor: \$0.01329  
JV2: \$0.010999  
JV5: \$0.010999

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

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

**Motion to**  
**Approve Automatic**  
**Renewal of the Current**  
**Efficiency Smart Contract**

Motion: Baer                      Second: Comadoll  
To approve the automatic renewal of the current Efficiency Smart contract.

**Discussion**

Irelan said our Efficiency Smart program is a program that allows

efficiency programs in the city. The contract has an automatic renewal clause that renews every three years for a three year contract, the renewal is due October 1<sup>st</sup>. This was taken to committee they said as long as people are using the program and it is helping with our capacity to continue with the program. People are still using this program and it is helping with our capacity, we have cut a couple megawatts off our load. We pay \$1.40/megawatt. Sheaffer said if I remember right, to date our customers have saved over \$3 million dollars. Ireland said yes so far over the life of the program.

**Passed**

**Yea-7**

**Nay-0**

Roll call vote on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Motion to put in a  
Sidewalk as part of the  
Industrial Drive Project,  
with City Match at 5%**

To put in a sidewalk as part of the Industrial Drive Project, with City match at 5%

**Discussion**

Ireland said in February 2015 we received an ODOT small cities program grant tied to the Industrial Drive rebuild that is currently being designed and will be finished in 2017 with the rebuild in 2018. ODOT is forcing us to put in a sidewalk as part of the project due to the amount of low income housing on the corner. Maassel said just to clarify the sidewalk policy that we currently have and have talked about a lot lately does not cover industrial zoned area. Ireland said correct. Comadoll asked where the sidewalk is going. Ireland said it will be on the west side of the road that is the side of the housing and where people will most likely be walking. Comadoll asked if the sidewalk will go to American Road and Ireland said it will not go over the overpass. Bialorucki asked who would be responsible for clearing snow and maintaining the sidewalk. Ireland said one-third will be in front of the Operations Building so that would be ours to maintain, I would say it would be the property owners responsibility but we can look into that.

**Passed**

**Yea-7**

**Nay-0**

Motion: Small

Second: Comadoll

Roll call vote on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small  
Nay-

**Motion to Approve \$100  
Donation from the  
Ridgeville Township  
Volunteer Fire  
Department**

Motion: Bialorucki

Second: Mires

To accept the \$100 donation to the Fire Department for the Fire Safety House from the Ridgeville Township Volunteer Fire Department.

**Discussion**

Chief O'Brien said we do not charge for the use of our safety house. Chief Freytag gave us a check for \$100 for the safety house as he thought there was an actual cost, we will buy smoke for the smoke machine in the safety house.

**Passed**

**Yea-7**

**Nay-0**

Roll call vote on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small

Nay-

**Good Of The City** (continued)

**Heath**

Bids were opened for the \$1.4 million note and we received three bids. The net interest on the low bid was 1.42% that will mature at the same time as the \$2.5 million does on March 2, 2017.

In the council packet were duplicates from the prior meeting, these were the attachments referred to in the meeting minutes, we can exclude or if you want the attachment shown we will continue with what she was doing. Maassel said more detail better leave them in, Sheaffer said he thought they were helpful.

**Bialorucki**

Nothing

**Small**

Nothing

**McColley**

Nothing

**Sheaffer**

We currently have two ad hoc committees, one on Organizational Health and another for Strategic Vision. The members on the Organizational Health Committee are Joe, myself and Dan and on the Strategic Vision Committee it is Dan, myself and the Mayor. I would like to combine the two committees and keep the same three members plus the Mayor. Some of the stuff we are doing is tied together so just makes sense to combine the two ad-hoc committees.

**Motion to Combine Ad-Hoc Committees on Organizational Health and Strategic Vision into One Committee**

Motion: McColley                      Second: Bialorucki

To combine the Ad-hoc Committees on Organizational Health and Strategic Vision with the current members that are on both committees. Baer asked what will we call this committee? Sheaffer said it will be the "Ad-Hoc Committee on Organizational Health and Strategic Vision".

**Passed**

**Yea-7**

**Nay-0**

Roll call on above motion:

Yea- McColley, Sheaffer, Comadoll, Baer, Mires, Bialorucki, Small

Nay-

The agenda items of “governance from survey” as well as “discussion on mission and strategic vision”, will be for the October meeting, we will set an exact date at a later time.

Sheaffer said I need three executive sessions; one on negotiations; one on compensation of personnel and the other on imminent litigation.

**Maassel**

I received a call today from Congressman Latta’s office in Bowling Green. Congressman Latta has been asked to write a letter in support of the second river bridge for the City of Napoleon and he wanted to make sure we were in favor. I said “yes”.

If you see Rodger Hefflinger or anybody else involved in the River City Rodders, give them a big “Thank You” for their Fall Fest. It was a little wet and little less attended because of imminent rain. This was the 20<sup>th</sup> year they do a great job with that program year in and year out.

You have seen ribbons on posts around town those are for ovarian cancer. In October, there will be a wreath in the vestibule for breast cancer awareness.

Thursday, typically is a day myself, Monica, Joel and Denise go and visit industrial customers, this Thursday I will be at a meeting at Alex Products.

**Comadoll**

Last year we gave reprieve to a homeowner to paint his house because it got too late in the year, I went by tonight and it is still not done. 700 block of Strong Street, the neighbors have asked me “what is going on?” If you can get Mr. Zimmerman on that please.

**Baer**

Nothing

**Mires**

Mires said Monica will be getting an award this week or next. Monica said Travis actually nominated me for an early career leadership award thru ICMA and the award will be given next week in Kansas City.

Mires said last Monday he took a tour of the WTP and WWTP and was impressed with: 1) that the equipment is still running, you walk through and it is like you are in a twilight zone they have 50’s and 60’s equipment in there. It says a lot for our people, the maintenance they are doing on the equipment that is in there, they are doing a heck of a job. My hat is off to Dave and Scott and their employees.

**Nagel**  
**Irelan**

Lisa nothing

Irelan said she met with St. Paul Methodist Church about their parking lot. She talked to Jeff Rathge, Operations Superintendent, and he said if we are going to salt need to do snow removal too. We came up with a general contract and they are going to take it back to their board and I will bring it back to you guys. It is basically the same contract but we are removing patching and sweeping and they will maintain more of their parking lot, they are actually paying to get it paved and sealed right now, they really appreciate you guys willing to move forward with snow and salt and striping. Maassel asked if the post office is paying anything. Irelan said if they pay something it will go towards sweeping and patching. Our agreement is just between us and the church; the post office is managed through the church.

**Motion To Go Into  
Executive Session**

Motion: McColley                      Second: Mires  
To go into Executive Session to discuss negotiations

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

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

**Motion To Go Into  
Executive Session**

Motion: McColley                      Second: Small  
To go into Executive Session to discuss compensation of personnel.

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

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

**Motion To Go Into  
Executive Session**

Motion: McColley                      Second: Small  
To go into Executive Session to discuss Imminent Litigation.

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

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

**Into Executive Session**

Council went into Executive Session at 7:44 pm.

**Motion To Come Out  
Of Executive Session  
Negotiations**

Motion: McColley                      Second: Comadoll  
To come out of Executive Session at 8:08 pm. President Sheaffer reported that the discussion was on negotiations. No action was taken.

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

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



**Motion To Come Out  
Of Executive Session  
Compensation of  
Personnel**

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

Motion: McColley                      Second: Comadoll  
To come out of Executive Session. President Sheaffer reported that compensation of personnel was discussed. No action was taken

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

**Motion To Come Out  
Of Executive Session  
Imminent Litigation**

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

Motion: Small                      Second: McColley  
To come out of Executive Session. President Sheaffer reported that the discussion was regarding imminent litigation. No action was taken.

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

**Lisa Nagel Letter of  
Resignation Read**

Sheaffer read a letter of resignation from Law Director Lisa Nagel dated September 19, 2016 (a copy is attached).

**Motion to Accept  
Letter of Resignation**

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

Motion: Small                      Second: Comadoll  
To accept the Letter of Resignation from Law Director, Lisa L. Nagel.

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

Sheaffer told Nagel "Thank you for the time you have been here, we have been through a lot of tough and interesting things in the last year and you handled it like a champ, we certainly do appreciate your time here".

President Sheaffer said he would like to schedule a meeting of the Personnel Committee for this Wednesday night (September 21, 2016) at 7:00 pm with the agenda item of "Filling the Law Director Position". The Committee members are the Mayor, President of Council and President Pro-Tem.

**Motion to Schedule a  
Personnel Committee  
Meeting**

Motion: Comadoll                      Second: Bialorucki  
To Schedule a Personnel Committee meeting for Wednesday, September 21, 2016 at 7:00 pm with the agenda item "Filling the Law Director Position".

## Agenda Items Referred to Water Sewer Committee

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

President Sheaffer referred the following agenda items to the Water/Sewer Committee in conjunction with the Board of Public Affairs for the October 10, 2016 meeting:

- 1) Review of Water Plant Upgrade Project and Estimated Cost
- 2) Review of Water Rates Related to Water Plant Upgrade Project.

Comadoll asked if the Water District Board would be invited. Sheaffer said they have been.

**Finance and Budget  
September 26, 2016  
Committee Meeting  
Canceled**

Chairman Mires canceled the regularly scheduled Finance and Budget Committee meeting for September 26, 2016 due to lack of agenda items.

**Safety and Human  
Resources September 26,  
2016 Committee Meeting  
Canceled**

Chairman Baer canceled the regularly scheduled Safety and Human Resources Committee meeting for September 26, 2016 due to lack of agenda items.

## Approval of Bills

The bills and financial reports stand approved as presented with no objections.

## Motion to Adjourn

Motion: Small  
To adjourn the meeting.

**Passed  
Yea-7  
Nay-0**

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

## Adjournment

The meeting was adjourned at 8:17 pm

**Approved:**  
**October 3, 2016**

Travis B. Sheaffer, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

**Attachments  
to the  
September 19, 2016  
Council Meeting  
Minutes**



# CITY OF NAPOLEON, OHIO

## LAW DEPARTMENT MEMORANDUM

255 W. RIVERVIEW AVENUE, PO Box 151

NAPOLEON, OH 43545

PHONE: 419.592.4010 - FAX: 419.592.4723

TO: Mr. Mayor, Mr. President, and Council Members  
FROM: Lisa L. Nagel, City Law Director  
DATE: September 16, 2016

### Re: New Legislation for 9/19/16 Council Meeting,

For Monday's Council Meeting (9/19/16), you will have four new pieces of Legislation to consider. The legislation is found in your Council packet.

I wanted to briefly mention **Ordinance 036-16**: "An Ordinance Amending Ordinance No. 053-15, Passed November 15, 2015, an Ordinance to Adopt Chapter 194 of the Codified Ordinances of the City of Napoleon Regarding Income Tax, for the Purpose of Adhering to the Changes Outlined in Senate Bill 172; and Declaring an Emergency."

As some of you may recall, the City passed an extensive Income Tax Ordinance in November, 2015 based upon mandated changes from the Ohio legislature. (The Exhibit attached to Ordinance No. 053-15 was over 60 pages in length). As the new income tax regulations began to be implemented in 2016, some necessary changes became apparent. As such, Ohio Senate Bill 172 was recently passed and became effective on September 14, 2016.

Ohio municipalities are required to enact additional legislation in order to incorporate the changes mandated in Senate Bill 172. **Ordinance 036-16** and the accompanying "Exhibit A" provides those changes. The entire "Exhibit A" is included in your Council packet (60+pages) for this week; however, for ease of reading purposes, attached to this memo are the 4 pages that contain the actual changes (noted in color) that will be implemented when **Ordinance 036-16** is voted upon and presumably passed at the September 19, 2016 meeting. The remaining portions of "Exhibit A" remain the same as previously passed in November, 2015.

You'll see the changes are relatively minor – essentially clarifying due dates and receipt of payment dates for income tax payments.

The other three pieces of new legislation will be discussed in Monica's FYI email and/or discussed at Monday's meeting. As always, if you have any questions, please contact me. Thank you. Lisa



ORDINANCE NO. 036-16

**AN ORDINANCE AMENDING ORDINANCE NO. 053-15, PASSED NOVEMBER 15, 2015, AN ORDINANCE TO ADOPT CHAPTER 194 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON REGARDING INCOME TAX, FOR THE PURPOSE OF ADHERING TO THE CHANGES OUTLINED IN SENATE BILL 172; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Home Rule Amendment of the Ohio Constitution, Article XVII, Section 3, provides that "Municipalities shall have authority to exercise all powers of local self-government," and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities; and

**WHEREAS**, Article XIII, Section 6 of the Ohio Constitution provides that the General Assembly may restrict a municipality's power of taxation to the extent necessary to prevent abuse of such power, and Article XVIII, Section 13 of the Ohio Constitution states that "laws may be passed to limit the powers of municipalities to levy taxes and incur debts for local purposes;" and

**WHEREAS**, the General Assembly has determined it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio; and

**WHEREAS**, more specifically, the General Assembly enacted H. B. 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is "levied in accordance with the provisions and limitations specified in Ohio Revised Code Chapter 718; and whereas the Senate enacted S. B. 172 in June 2016 which amended various provisions of H.B. 5;" and

**WHEREAS**, upon a detailed review of H. B. 5, S. B. 172, and the Codified Ordinances of the City of Napoleon, this Ordinance is found and determined by this Council to enact the amendments required to be in accord with the provisions and limitations specified in Chapter 718 of the Revised Code; and

~~**WHEREAS**, Council also finds and determines that the constitutionality of certain provisions of the state mandated code may have been put in question by recent decisions of the Ohio Supreme Court regarding, among other things, taxation of professional athletes, but these provisions must be included if the municipal income tax code is to be "levied in accordance with the provisions and limitations specified in Ohio Revised Code Chapter 718" and thus reluctantly are adopted by this Council but are disclaimed to the extent they are unlawful or unconstitutional;~~

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, STATE OF OHIO:**

**Section 1.** That Chapter 194 of the Codified Ordinances of Napoleon, Ohio was adopted as set forth in the document entitled "Chapter 194, Municipal Income Tax, Effective January 1, 2016" attached to Ord. No. 053-15 as Exhibit A and incorporated therein by reference.

**Section 2.** That Chapter 193 of the Codified Ordinances of Napoleon, Ohio remains in full force and effect for all taxable years prior to 2016.

**Section 3.** That Ordinance No. 053-15 took effect on January 1, 2016, and remains in effect and in force to date.

**Section 4.** This this Ordinance No. 036-16 amends Ord. No. 053-15 so as to incorporate and adopt all identified changes noted herein, including the changes as noted in the attached Exhibit A entitled "Chapter 194, Municipal Income Tax, Effective January 1, 2016 and Amended September 19, 2016". The remaining, unchanged portions of Ord. No. 053-15 remain in full force and effect.

**Section 5.** 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 the City of Napoleon, Ohio.

**Section 6.** That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time in order to allow the City to timely implement the changes expounded in Senate Bill 172 which became effective on September 12, 2016; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
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. 036-16 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

**CHAPTER 194**  
**Municipal Income Tax**  
Effective January 1, 2016 and Amended September 19, 2016  
For taxable years beginning with taxable year 2016  
Exhibit A to Ordinance 036-16~~053-15~~

194.01	<b>AUTHORITY TO LEVY TAX; PURPOSES OF TAX; RATE</b>
194.011	<b>AUTHORITY TO LEVY TAX</b>
194.012	<b>PURPOSES OF TAX; RATE</b>
194.013	<b>ALLOCATION OF FUNDS</b>
194.014	<b>STATEMENT OF PROCEDURAL HISTORY; STATE MANDATED CHANGES TO MUNICIPAL INCOME TAX</b>
194.02	<b>EFFECTIVE DATE; FISCAL YEAR</b>
194.03	<b>DEFINITIONS</b>
194.04	<b>INCOME SUBJECT TO TAX FOR INDIVIDUALS</b>
194.041	<b>DETERMINING MUNICIPAL TAXABLE INCOME FOR INDIVIDUALS; LOSSES</b>
194.042	<b>DOMICILE</b>
194.043	<b>EXEMPTION FOR MEMBER OR EMPLOYEE OF GENERAL ASSEMBLY AND CERTAIN JUDGES</b>
194.05	<b>COLLECTION AT SOURCE</b>
194.051	<b>COLLECTION AT SOURCE; WITHHOLDING FROM WAGES</b>
194.052	<b>COLLECTION AT SOURCE; OCCASIONAL ENTRANT</b>
194.053	<b>COLLECTION AT SOURCE; CASINO AND VLT</b>
194.06	<b>INCOME SUBJECT TO NET PROFIT TAX</b>
194.061	<b>DETERMINING MUNICIPAL TAXABLE INCOME FOR TAXPAYERS WHO ARE NOT INDIVIDUALS; LOSSES</b>
194.062	<b>NET PROFIT; INCOME SUBJECT TO NET PROFIT TAX; ALTERNATIVE APPORTIONMENT</b>
194.063	<b>CONSOLIDATED FEDERAL INCOME TAX RETURN</b>
194.064	<b>TAX CREDIT FOR BUSINESSES THAT FOSTER NEW JOBS IN OHIO</b>
194.065	<b>TAX CREDITS TO FOSTER JOB RETENTION</b>
194.07	<b>DECLARATION OF ESTIMATED TAX</b>
194.08	<b>CREDIT FOR TAX PAID</b>
194.081	<b>CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY</b>
194.082	<b>REFUNDABLE CREDIT FOR QUALIFYING LOSS</b>



other payer, along with any report required by the Tax Administrator to accompany such payment, according to the following schedule:

(a) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(b) 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.

(b) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the municipal corporation in the preceding calendar year exceeded two thousand three hundred ninety-nine dollars, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded two hundred dollars. ~~Payment~~ Payments under division (B)(1)(b) of this section shall be made ~~so that the payment is received by~~ to the Tax Administrator not later than fifteen (15) days after the last day of each month.

(C) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator. A return filed by an employer, agent, or other payer under this division shall be accepted by the Municipality as the return required of an employee whose sole income subject to the tax under this chapter is the qualifying wages reported by the employee's employer, agent of an employer, or other payer, unless the Municipality requires all resident individual taxpayers to file a tax return under section 194.091 of this Chapter,

(D) An employer, agent of an employer, or other payer is not required to withhold municipal income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(E) (1) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(2) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(F) Compensation deferred before June 26, 2003, is not subject to any municipal corporation income tax or municipal income tax withholding requirement to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(G) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(H) On or before the last day of February of each year, an employer shall file a Withholding Reconciliation Return with the Tax Administrator listing the names, addresses, and social security numbers of all employees from whose qualifying wages tax was withheld or should have been withheld for the Municipality during the preceding calendar year, the amount of tax withheld, if any, from each such employee's qualifying wage, the total amount of qualifying wages paid to such employee during the preceding calendar year, the name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year, any other information required for federal income



Municipality to determine and verify the taxpayer's municipal income tax liability. The requirements imposed under division (F) of this section apply regardless of whether the taxpayer files on a generic form or on a form prescribed by the Tax Administrator.

(6) Any other documentation, including schedules, other municipal income tax returns, or other supporting documentation necessary to verify credits, income, losses, or other pertinent factors on the return shall also be included to avoid delay in processing, or disallowance by the Tax Administrator of undocumented credits or losses.

(G) (1) (a) Except as otherwise provided in this chapter, each individual income tax return required to be filed under this section shall be completed and filed as required by the Tax Administrator on or before the date prescribed for the filing of state individual income tax returns under division (G) of section 5747.08 of the Ohio Revised Code. The taxpayer shall complete and file the return or notice on forms prescribed by the Tax Administrator or on generic forms, together with remittance made payable to the Municipality or Tax Administrator.

(b) Except as otherwise provided in this chapter, each annual net profit income tax return required to be filed under this section by a taxpayer that is not an individual shall be completed and filed as required by the tax administrator on or before the fifteenth day of the fourth month following the end of the taxpayer's taxable year or period. The taxpayer shall complete and file the return or notice on forms prescribed by the tax administrator or on generic forms, together with remittance made payable to the Municipality or Tax Administrator.

(c) In the case of individual income tax return required to be filed by an individual, and net profit income tax return required to be filed by a taxpayer who is not an individual, no remittance is required if the amount shown to be due is ten dollars or less.

(2) If the Tax Administrator considers it necessary in order to ensure the payment of the tax imposed by the Municipality in accordance with this chapter, the Tax Administrator may require taxpayers to file returns and make payments otherwise than as provided in this section, including taxpayers not otherwise required to file annual returns.

(3) With respect to taxpayers to whom Section 194.092 of this Chapter applies, to the extent that any provision in this division conflicts with any provision in Section 194.092 of this Chapter, the provision in Section 194.092 of this Chapter prevails.

(H) (1) For taxable years beginning after 2015, the Municipality shall not require a taxpayer to remit tax with respect to net profits if the amount due is ten dollars or less.

(2) Any taxpayer not required to remit tax to the Municipality for a taxable year pursuant to division (H)(1) of this section shall file with the Municipality an annual net profit return under division (F)(3) and (4) of this section.

~~(I) This division shall not apply to payments required to be made under division (B)(1)(b) of Section 194.051 of this Chapter.~~

(1) If any report, claim, statement, or other document required to be filed, or any payment required to be made, within a prescribed period or on or before a prescribed date under this chapter is delivered after that period or that to the Tax Administrator or other municipal official with which the report, claim, statement, or other document is required to be filed, or to which the payment is required to be made, the date of the postmark stamped on the cover in which the report, claim, statement, or other document, or payment is mailed shall be deemed to be the date of delivery or the date of payment. "The date of postmark" means, in the event there is more than one date on the cover, the earliest date imprinted on the cover by the postal service.

(2) If a payment under this chapter is ~~required to be~~ made by electronic funds transfer, the payment is shall be considered to be made ~~when the payment is credited to an account designated by the Tax Administrator for the receipt of tax payments, except that, when a payment made by electronic funds transfer is delayed due to circumstances not under the control of the taxpayer, the payment is considered to be made when the~~



~~taxpayer submitted the payment on the date of the timestamp assigned by the first electronic system receiving that payment. For purposes of this section, "receiving that payment" refers to the transfer of funds from the account of the taxpayer. Such funds are no longer under control of the taxpayer once the timestamp has occurred. For purposes of this section, "submitted the payment" means the date which the taxpayer has designated for the delivery of payment, which may or may not be the same date as the date the payment was initiated by the taxpayer.~~

(J) The amounts withheld for the Municipality by an employer, the agent of an employer, or other payer as described in section 194.051 of this Chapter shall be allowed to the recipient of the compensation as credits against payment of the tax imposed on the recipient unless the amounts withheld were not remitted to the Municipality and the recipient colluded with the employer, agent, or other payer in connection with the failure to remit the amounts withheld.

(K) Each return required by the Municipality to be filed in accordance with this section shall include a box that the taxpayer may check to authorize another person, including a tax return preparer who prepared the return, to communicate with the Tax Administrator about matters pertaining to the return. The return or instructions accompanying the return shall indicate that by checking the box the taxpayer authorizes the Tax Administrator to contact the preparer or other person concerning questions that arise during the examination or other review of the return and authorizes the preparer or other person only to provide the Tax Administrator with information that is missing from the return, to contact the Tax Administrator for information about the examination or other review of the return or the status of the taxpayer's refund or payments, and to respond to notices about mathematical errors, offsets, or return preparation that the taxpayer has received from the Tax Administrator and has shown to the preparer or other person. Authorization by the taxpayer of another person to communicate with the Tax Administrator about matters pertaining to the return does not preclude the Tax Administrator from contacting the taxpayer regarding such matters.

(L) The Tax Administrator of the Municipality shall accept for filing a generic form of any income tax return, report, or document required by the Municipality in accordance with this Chapter, provided that the generic form, once completed and filed, contains all of the information required by ordinances, resolutions, or rules adopted by the Municipality or Tax Administrator, and provided that the taxpayer or tax return preparer filing the generic form otherwise complies with the provisions of this Chapter and of the Municipality's ordinance or resolution governing the filing of returns, reports, or documents.

(M) When income tax returns, reports, or other documents require the signature of a tax return preparer, the Tax Administrator shall accept a facsimile of such a signature in lieu of a manual signature.

(N) (1) As used in this division, "worksite location" has the same meaning as in section 194.052 of this chapter.

(2) A person may notify a tax administrator that the person does not expect to be a taxpayer with respect to the municipal corporation for a taxable year if both of the following conditions apply:

(a) The person was required to file a tax return with the municipal corporation for the immediately preceding taxable year because the person performed services at a worksite location within the municipal corporation, and the person has filed all appropriate and required returns and remitted all applicable income tax and withholding payments as provided by this chapter. The tax administrator is not required to accept an affidavit from a taxpayer who has not complied with the provisions of this chapter.

(b) The person no longer provides services in the municipal corporation, and does not expect to be subject to the municipal corporation's income tax for the taxable year.

The person shall provide the notice in a signed affidavit that briefly explains the person's circumstances, including the location of the previous worksite location and the last date on which the person performed services or made any sales



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

## *Memorandum*

To: Mr. Mayor, Mr. President, and City Councilmembers  
From: Monica Irelan, City Manager  
RE: Ordinance No. 037-16 Traffic Schedule

### History:

Traffic control is a responsibility of the City Manager. In January of 2016, Committee reviewed the process of traffic control changes and Council approved a procedure of email notifications tied to traffic changes.

Traffic changes are then documented and journalized. Every once in a while, those journalized changes are added or subtracted from the Traffic Schedule. That is what this legislation is doing. We compiled all the changes that have occurred over the past several years. This amendment will bring the Ordinance up to speed with the Traffic Journal.

### Recommendation:

Approve the changes as shown.

We would recommend a full three reads and thirty days.



# *City of Napoleon, Ohio*

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

## *Memorandum*

To: Mr. Mayor, Mr. President, and City Councilmembers  
From: Monica Irelan, City Manager  
*RE: Ordinance No. 038-16 ODOT Bridge Inspections*

### History:

For many years, we paid a consultant to come into the City and inspect the bridges. This inspection cost the City \$5-8,000 annually. A couple of years ago, ODOT offered to take over the inspection of the bridges at no cost to the City.

This resolution allows ODOT to continue to handle that inspection for us. If you chose not to renew this, we will need to outsource the work and pay a consultant to inspect.

### Recommendation:

Approve the resolution as presented.

We would approval under emergency, suspension.



# *City of Napoleon, Ohio*

## **DEPARTMENT OF MANAGEMENT**

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Telephone: (419) 592-4010 Fax: (419) 599-8393  
[www.napoleonohio.com](http://www.napoleonohio.com)

## *Memorandum*

To: Mr. Mayor, Mr. President, and City Councilmembers  
From: Monica Irelan, City Manager  
RE: *Ordinance No. 039-16 Local Government Innovation Fund*

### History:

The Local Government Innovation Fund (LGIF) is a matching grant to allow local governments to explore new, innovative ways to providing services. The City of Napoleon would like to apply for the grant in order to find a more effective and efficient work order system.

The study will look into procedures, hardware, and software recommendations. The goal is to allow our electric and operations department to be contacted on a tablet instead of coming into the shop for paper work orders. The grant would cover the process investigation and recommendation to allow our departments to become more efficient.

### Financial Impact:

The cost of the study is estimated at \$24,500. The grant would be for \$14,500 and the local match would be \$10,000.

### Recommendation:

Approve the resolution as presented.

We would approval under emergency, suspension.





# *City of Napoleon, Ohio*

## **DEPARTMENT OF MANAGEMENT**

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Telephone: (419) 592-4010 Fax: (419) 599-8393  
[www.napoleonohio.com](http://www.napoleonohio.com)

## *Memorandum*

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

From: Monica Irelan, City Manager

*RE: Automatic Renewal of Efficiency Smart*

### History:

Efficiency Smart is a nationally recognized efficiency program. We are currently enrolled in the High Performance service with guaranteed benchmarks for savings. The contract is a 3-year contract with an evergreen clause meaning it automatically renews.

Efficiency programs are important because it helps lower peak load contribution, customers' bills, and capacity charges.

On September 12, the BOPA and Electric Committee reviewed three options including the renewal of the program, the discontinuation of the program, and adding more options under the Efficiency Smart 3.0 program.

The both committees recommendation was to continue providing the service and allow the automatic renewal to take place.

### Recommendation:

Committees and staff would recommend we continue with the automatic renewal.



# City of Napoleon, Ohio

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

## Memorandum

To: Mr. Mayor, Mr. President, and Councilmembers  
From: Monica Irelan, City Manager  
RE: *Industrial Drive Sidewalks*

### History:

In February 2015, the City applied for a grant through ODOT's Small City program. This program will fund a portion of the construction of roads and drainage structures. The City is responsible for waterlines, sanitary sewers, and all design costs.

The City was awarded a grant with 95% reimbursement for all eligible items. We do not have a total estimated cost yet; we are very early in the design, but we are estimating the grant will total \$1,956,050.

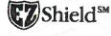
Safety is a large concern for ODOT. Because it is their money, they require us to include certain enhancements, one of which was sidewalks on both sides of the road. We were able to convince them to just require sidewalks on one side of the road. We will be putting them on the west side. This will affect 3 properties: the apartments on E. Riverview, Old Castle, and the Operations building. If not for ODOT's involvement, we would not install sidewalks in industrial areas.

The Municipal Properties, Building, Land Use, and Economic Development Committee discussed the sidewalk installation and made a recommendation to pay for the construction of the sidewalks since the grant will cover 95% of the cost.


### Recommendation:

Committee and Staff recommend that the City pay for these sidewalks. 95% of the cost will be covered by the grant.

**RIDGEVILLE TOWNSHIP VOLUNTEER** 10-05 56-1388/412 3266  
**FIRE DEPARTMENT**  
P.O. BOX 244 PH. 419-267-3344  
RIDGEVILLE CORNERS, OH 43555

DATE 9/12/16  Shield™

PAY TO THE ORDER OF NAPOLZON FD \$ 100.00  
One Hundred and 00/100 DOLLARS ← Heat Reactive Ink

**SHERWOOD STATE BANK**  
 A COMMUNITY BANK

MEMO SAFETY HOUSE  
USE

A. Ward MP  
3266  
UNITY SQUARE AND HEAT-REACTIVE INK: DETAILS ON BACK

Fire Donation for Safety House

100-2200-44350 Fire Donations  
\$100.00





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

E-mail: [gheath@napoleonohio.com](mailto:gheath@napoleonohio.com)

DATE: September 16, 2016

TO: Members of City Council  
Jason P. Maassel, Mayor  
Monica Irelan, City Manager  
Lisa Nagel, City Law Director

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

SUBJECT: 2016 Capital Facilities Notes, Series 2016B - \$1,400,000

On Thursday, September 16, 2016, at 11:00 AM the City received Bids on the 2016 Capital Facilities Notes, Series 2016B for \$1,400,000. The City received three (3) valid bids (Please See Attached Bid Summary Spreadsheet) with the low bidder being:

Bidder: KeyBanc Capital Markets, Inc.  
Bid Date: 09/15/2016  
Bid Rate: 1.50%  
Bid Premium: \$476  
Net Rate: 1.42%  
Close Date: 09/29/2016  
Maturity Date: 03/02/2017

The Maturity Date of 03/02/2017 corresponds with the original 2016 Capital Facilities Notes, Series 2016 for \$2,500,000. It is my understanding at this time the City may Roll both Notes into one total of \$3,900,000 and reissue one (1) year notes in March, 2017.

This is dependent on final funding that may impact the Net Amount of these Notes actually needed at that time. The City is still in the process of working through the final funding and possible sources at this time.

## City of Napoleon, Ohio

Sale of - Capital Facilities Notes, Series 2016-B -- NEW Water Plant Facilities Notes in 2016  
 Project - Rebuild Water Plant Facilities - Equipment and Installation of UV Process on Raw Water  
**\$1,400,000.00**

Date Quotes Received : September 18, 2016  
 Dated Closing Date : September 29, 2016  
 Maturity Date : March 2, 2017  
 Days: 153

## Bidding Information :

<u>Bidders</u>	<u>Coupon Interest Rate</u>	<u>Gross Interest</u>	<u>Less: Premium</u>	<u>Net Interest Cost</u>	<u>Net Interest Rate</u>	<u>Net \$ Var. to Low Bid</u>
<b><u>KeyBanc Capital Markets - Lori Capron (216) 689-0382</u></b>	<b><u>1.5000%</u></b>	<b><u>\$8,925.00</u></b>	<b><u>\$476.00</u></b>	<b><u>\$8,449.00</u></b>	<b><u>1.420000%</u></b>	<b><u>\$0.00</u></b>
Huntington Bank - Tim Mackin (216) 515-5612	2.2500%	\$13,387.50	\$2,408.00	\$10,979.50	1.845294%	\$2,530.50
Oppenheimer & Co. - Darren L. Smith (216) 656-2893	2.0000%	\$11,900.00	\$522.00	\$11,378.00	1.912269%	\$2,929.00

**Bold** = Low Note Bid

**RECEIPT ACCOUNTS for NOTE PROCEEDS (Upon Closing):****RECEIPT OF FUNDS BY WIRE TRANSFER IN FROM**

<u>Project Funded</u>	<u>Principal</u>	<u>Receipt Accounts</u>
519 New Water Plnt.Imp.& Ren.Fd.	\$1,400,000.00	- 519.0000.48000 Note Proceeds
	\$1,400,000.00	<- Total 2016 - Series-B - Original Note Issuance
	\$476.00	- 300.0000.48550 Notes - Premium
	\$1,400,476.00	< - TOTAL - GROSS RECEIPTS
	=====	



# CITY OF NAPOLEON, OHIO

## LAW DEPARTMENT

255 W. RIVERVIEW AVENUE, PO Box 151

NAPOLEON, OH 43545

PHONE: 419.592.4010 - FAX: 419.592.4723

September 19, 2016

### VIA HAND DELIVERY

Travis Sheaffer  
Council President, City of Napoleon

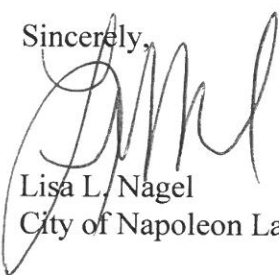
Dear Mr. President:

I am writing to formally notify you of my resignation from my position as Law Director for the City of Napoleon. I was recently offered a new opportunity, and I accepted the position at the end of last week. Therefore, I humbly, and with gratitude to the City of Napoleon, its employees and its citizens, submit my letter of resignation. If Council is inclined, I can remain in my position here at the City until Friday, October 7, 2016. After that date, I'm certainly willing to be available to help answer questions and assist with the transition process.

I will miss the incredible people I've had the pleasure of working with on a daily basis. I wish to thank Council for all the opportunities and experiences I've been provided during my tenure with the City.

I appreciate your support and understanding, and I wish you all the very best.

Sincerely,

  
Lisa L. Nagel  
City of Napoleon Law Director

**ORDINANCE NO. 039-16**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A PROFESSIONAL SERVICES AGREEMENT BY  
AND BETWEEN THE CITY OF NAPOLEON, OHIO AND  
TREVOR M. HAYBERGER, ESQ., TO PROVIDE SERVICES TO  
THE CITY OF NAPOLEON, OHIO AS INTERIM LAW  
DIRECTOR; AND DECLARING AN EMERGENCY**

**WHEREAS**, the current Law Director for the City of Napoleon, Lisa L. Nagel, will resign her position as Law Director effective at midnight on October 7, 2016;

**WHEREAS**, the City of Napoleon is currently in the process of hiring a full-time Law Director to replace Ms. Nagel, but has not yet completed the hiring process;

**WHEREAS**, Section 4.01 of the Charter of the City of Napoleon requires a Department of Law to be in place for the City of Napoleon;

**Now Therefore,**

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

Section 1. That the City Manager of the City of Napoleon, Ohio is hereby authorized to enter into a professional services agreement by and between the City of Napoleon and Trevor M. Hayberger to provide services to the City as Interim Law Director beginning at 12:01a.m. on October 8, 2016, and continuing pursuant to the terms of said personal services agreement.

Section 2. 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 3. 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 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that the City of Napoleon must have a Law Director in place pursuant to Section 4.01 of the Charter of the City of Napoleon; therefore, provided the Ordinance receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
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. 039-16 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. 040-16**

**AN ORDINANCE AMENDING THE PROVISION OF THE INCOME TAX CODE OF THE CITY OF NAPOLEON, OHIO TO PROVIDE FOR A TEMPORARY INCREASE OF THREE TENTHS PERCENT (0.3%) TO THE PERMANENT 1.3% INCOME TAX; SAID 0.3% TEMPORARY INCOME TAX INCREASE TO COMMENCE ON JULY 1, 2017 AND END ON JUNE 30, 2022; AND TEMPORARILY REPEALING ORDINANCE NO. 103-08, AND AMENDING SECTION 193.02 OF THE CODIFIED ORDINANCES, ALL SUBJECT TO APPROVAL BY THE ELECTORS OF THE CITY OF NAPOLEON, OHIO ON THE MAY 2, 2017 BALLOT**

**WHEREAS**, after review by the Finance and Budget Committee of Council, as well as Council as a whole, it has been determined that a moderate, temporary increase in income tax (0.3% beginning on July 1, 2017 and ending on June 30, 2022) is required in order to provide adequate funds in future years for the purpose of design, engineering, and construction for capital maintenance of City streets and roads; **Now Therefore,**

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

Section 1. Subject to approval of the electors of the City of Napoleon, Ohio, as provided for in Section 718.01 of the Ohio Revised Code ("Municipal Income Taxes"), Section 193.02 of the Codified Ordinances of the Napoleon, Ohio, as currently written, shall be amended to provide a temporary three tenths percent (0.3%) increase in the tax levied on income from one and three tenths percent (1.3%) to one and six tenths percent (1.6%) beginning on July 1, 2017 and ending on June 30, 2022, unless otherwise amended or abolished in accordance with the law. After expiration of the 0.3% temporary increase income tax period of July 1, 2017 through June 30, 2022, the former 1.3% income tax will remain in full force and effect unless otherwise amended or abolished in accordance with the law.

Section 2. That, Ordinance No. 103-08 is temporarily repealed until June 30, 2022 or unless otherwise amended in accordance with the law.

Section 3. That, Ordinance No. 080-09 which levies a permanent two tenths percent (0.2%) income tax for purposes of the City's Recreation Fund remains in full force and effect and is not otherwise altered in any manner by the passage of this Ordinance No. 040-16.

Section 4. That, Section 193.02 of the codified code of Napoleon, Ohio, is amended and enacted as follows:

**"193.02 IMPOSITION OF TAX.**

(a) Effective July 1, 2009, and on and after said date, there is hereby levied a tax at the rate of one and three-tenths percent (1.3%) to provide funds for the purposes of: (1) General municipal operations, (2) Acquisition and maintenance of both personal and real property for the use or benefit of the City, (3) Extension, enlargement and improvement of municipal services and facilities, (4) Capital improvements in and of the City, and (5) For the promotion of economic development in and for the City. In addition, and effective July 1, 2017, and ending on June 30, 2022, there is hereby levied a



temporary tax at the rate of three tenths percent (0.3%) to provide funds for the purpose of design, engineering and construction for capital maintenance of City streets and roads. All aforementioned taxes noted in this paragraph (a) shall be levied upon all the following:

(1) All salaries, wages, and other compensation and net profits earned or received by resident individuals;

(2) All salaries, wages, and other compensation and net profits earned or received by non-resident individuals for, or derived from, or as a result of, work done, services rendered and business conducted in the City;

(3) All net profits attributable to the City earned by all resident and nonresident unincorporated businesses, professions and other activities for, or derived from, work done, rentals or services performed, and business or other activities conducted in the City;

(4) The entire portion of the distributive share of all net profits, not otherwise attributable to the City, earned by a resident, individual, resident owner of an unincorporated business entity, or resident partner for, or derived from, work done, rentals or services performed, and business or other activities conducted outside the City, and not otherwise lawfully levied against by another municipality;

(5) The entire portion of the distributive share of all net profits, not otherwise attributable to the City, earned by a non-resident individual, non-resident owner of an unincorporated business activity, or non-resident partner for, or derived from, work done, rentals or services performed, and business or other activities conducted in the City and not levied against the unincorporated business entity itself;

(6) All net profits attributable to the City earned by corporations for, or derived from, work done, rentals or services performed, and business or other activities conducted in the City;

(7) All net profits earned by fiduciaries of resident individuals for, or derived from, business conducted;

(8) All net profits attributable to the City earned by fiduciaries of non-resident individuals for, or derived from, business conducted in the City; and

(9) The gross proceeds earned or derived from gaming, wagering, lotteries, including but not limited to the Ohio State Lottery, or lotteries where the State of Ohio is a part thereof, or games or schemes of chance, by residents of the City; and/or, the gross proceeds earned or derived from gaming, wagering, lotteries, or games or schemes of chance, when any part of the activity is engaged into or conducted in the City, by nonresidents, are all subject to the City tax to the same extent includable on the recipient's federal tax return, whether or not the recipient is required to file a federal tax return and whether or not the recipient pays federal income tax on the gross proceeds, except that it shall not be taxed as a business income unless the person subject to this tax has a federal gamblers' permit effective during the tax year in which income from gaming, wagering, lotteries or schemes or games of chance is received.

(b) The portion of the net profits attributable to the City of a taxpayer doing work, rendering services or conducting business both within and outside the City shall be determined in the same proportion as the average ratio of the following:

(1) The average original cost of the real and tangible personal property owned or used by the taxpayer in the business in the City during the taxable period to the

average original cost of all real and tangible personal property owned or used by the taxpayer in the business during the same period, wherever situated. As used in this paragraph, real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight (8);

(2) Salaries, wages and other compensation paid during the taxable period to persons employed in the business and salespeople for work done or services rendered in the City to compensation paid during the same period to persons employed in the business and salespeople, wherever their work is done or their services are rendered;

(3) Gross receipts of the business during the taxable period from sales made and services rendered in the City to gross receipts of the business during the same period from sales and services, wherever made or rendered.

If the foregoing allocation formula does not produce an equitable result, another basis may, under uniform regulations, be substituted so as to produce such result.

(c) As used in subsection (b) hereof, "sales made in the City" means:

(1) All sales of tangible personal property which is delivered within the City regardless of where title passes if shipped or delivered from stock of goods within the City;

(2) All sales of tangible personal property which is delivered within the City regardless of where title passes even though transported from a point outside the City if the taxpayer is regularly engaged through its own employees and salespeople in the solicitation or promotion of sales within the City and the sales result from such solicitation or promotion;

(3) All sales of tangible personal property which is shipped from a place within the City to purchasers outside the City regardless of where title passes if the taxpayer is not, through its own employees and salespeople regularly engaged in the solicitation or promotion of sales at the place where delivery is made."

Section 5. That, if the electors of the City of Napoleon, Ohio approve the aforesaid temporary increase in income tax (0.3%) as provided for in Section 1 of this Ordinance, then Section 193.02 of the Codified Code, as existed prior to the enactment of this Ordinance, shall be thereby amended to allow for the temporary increase in income tax (0.3%) effective July 1, 2017, and ending June 30, 202; however, should the electors of the City of Napoleon Ohio, not approve said 0.3% temporary increase in the rate of income tax, then Section 193.02 of the Codified Code shall not be amended and shall remain in full force and effect.

Section 6. That, the question of approval of the increase in the percentage of income tax shall be submitted to the electors of the City of Napoleon, Ohio at an election (special or primary) to be held May 2<sup>nd</sup>, 2017. The form of the ballot will be substantially as follows:

Proposed temporary three tenths percent (0.3%) increase in the City of Napoleon, Ohio, income tax from one and three tenths percent (1.3%) to one and sixth tenths percent (1.6%). The permanent 1.3% income tax to continue to be used for the purposes of: (1) General municipal operations, (2) Acquisition and maintenance of both personal and real property for the use or benefit of the City, (3) Extension, enlargement and improvement of municipal services and facilities, (4) Capital improvements in and of the City, and (5) For the promotion of economic development in and for the City. The temporary 0.3%

income tax to be used for the design, engineering and construction for capital maintenance of City streets and roads.

**A MAJORITY VOTE NECESSARY FOR PASSAGE**

Shall the Ordinance to provide for a temporary (from July 1, 2017 through June 30, 2022) three tenths percent (0.3%) income tax increase on income earned or received on and after July 1, 2017 for the design, engineering and construction for capital maintenance of City streets and roads be passed?

\_\_\_\_\_ For the Income Tax

\_\_\_\_\_ Against the Income Tax

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.

Section 10.

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. 040-16 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.*

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*Gregory J. Heath, Clerk/Finance Director*

**ORDINANCE NO. 037-16**

**AN ORDINANCE AMENDING THE CITY OF NAPOLEON  
TRAFFIC SCHEDULES, SPECIFICALLY SCHEDULE II,  
“PARKING TIME LIMITS” ON CERTAIN CITY STREETS AS  
LISTED IN THE ATTACHED EXHIBIT A; AND REPEALING  
ORDINANCE NO. 032-11**

**WHEREAS**, the City Manager, pursuant to authority granted in the Charter of the City of Napoleon, establishes traffic control in the City of Napoleon;

**WHEREAS**, the current parking time limits and parking restrictions need updated on certain City streets as provided in the attached Exhibit A;

**Now Therefore,**

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

Section 1. That, the City of Napoleon Ohio hereby amends Schedule II of the City of Napoleon Traffic Schedules to reflect parking time limits and restrictions on certain City streets as provided in the attached Exhibit A.

Section 2. That any changes needed to pages, page numbers, or appendixes are hereby approved to accommodate for the above amendment.

Section 3. That, Ordinance No. 032-11 as existed prior to the enactment of this Ordinance, is repealed in its entirety.

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, this Ordinance shall be in full force and 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. 037-16 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*



## Exhibit A – Ord. No. 037-16

Street	Between	Side	Restriction	Spaces
Clinton St., E.	Perry St./Monroe St.	S	30 Min. (2A-5A) 2 Hour (5A - 6P) Handicapped Parking Only	1
Clinton St., E.	Perry St./Monroe St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-17
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking Only	1
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6 P)	2
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking Only	3
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6 P)	4-18
Clinton St., W.	Scott St./Perry St.	N	No parking except <del>(7A—11A)</del> <del>on Sundays</del> during Church service; and at times of special events approved by Chief of Police.	1 (166 Feet)
Clinton St., W.	Webster St./Scott St.	S	None	1- <del>6-7</del>
Clinton St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-9
Main St. Parking Lot	Main St./Alley	W	30 Min. (2A - 5A) <del>2</del> 10 Hour ( <del>5A—6P</del> )5A-2A	1-8
Main St. Parking Lot	Main St./Alley	W. Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-11
Main St. Parking Lot	Main St./Alley	W		9-12
<del>Main St. Parking Lot</del>	<del>Main St./Alley</del>	<del>E. Center</del>	<del>No parking, except Red Cross use</del>	<del>1</del>
Main St. Parking Lot	Main St./Alley	E. Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	<del>2-10</del> 1-10
Main St. Parking Lot	Main St./Alley	E	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-10

Main St. W.	Perry St./Scott St.	S	No parking all day	5-21
Main St. W.	Perry St./Scott St.	N	No parking all day	<del>5-6-1-2</del>
Main St. W.	Webster St./Scott St.	S	No Parking (7:30A - 8:30A) No Parking (2:30 P - 3:30P) on school days	17-27
Main St., W.	Scott St./Webster St.	N		1-8
Main St., W.	Scott St./Webster St.	S		1-2
Main St., W.	Webster St./Avon Pl.	N		1-15
Main St., W.	Webster St./Avon Pl.	S	4 Hour (7:30A - 3:30P) on school days	1-2
Main St., W.	Avon Pl./Webster St.	S		3-7
Main St., W.	Avon Pl./Webster St.	S	No Parking (7:30A - 8:30A) No Parking (2:30P - 3:30P) on school days	8-14
Main St., W.	Avon Pl./Webster St.	S	Handicapped Parking Only	15-16
Main St., W.	Webster St./Scott St.	S		28-29
Main St., W.	Perry St./Scott St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
<del>Main St., W.</del>	<del>Perry St./Scott St.</del>	<del>N</del>	<del>Handicapped Parking only</del>	<del>4</del>
<del>Main St., W.</del>	<del>Perry St./Scott St.</del>	<del>N</del>	<del>30 Min. (2A - 5A) 2 Hour (5A - 6P)</del>	<del>2-7</del>
<del>Meekison St.</del>	<del>Perry St./Appian Ave.</del>	<del>Both</del>	<del>No Parking at all times</del>	
Monroe St. Parking Lot	Shelby St./Clinton St., E.	E	County Government use only	1-6
Monroe St. Parking Lot	Shelby St./Clinton St., E.	E	30 Min (2A - 5P)	7-18
Monroe St. Parking Lot	Shelby St./Clinton St., E.	W	30 Min (2A - 5A)	1-16
Monroe St.	Alley/to sign	E	No Parking 8A - 3:30P on school days	1 (50 Feet)
Monroe St.	Sign/Clinton St.	E	No Parking 8A - 9A and 3P - 3:30P school days only	1 (110 Feet)
Monroe St.	Shelby St./Clinton St., E.	W		1-11
Monroe St.	Shelby St./Clinton St.	W	Handicapped Parking only	12
Monroe St.	Washington St., E./Riverview Ave.	W	<del>30 Min. (2A - 5A) Handicapped Parking only No Parking</del>	<del>4-0</del>

Monroe St.	Clinton St./Washington St.	W	30 Min. (2A - 5A) Handicapped Parking only	1
Monroe St.	Clinton St./Washington St.	W	30 Min. (2A - 5A) <del>2 Hour (5A - 6P)</del>	<del>2-15-16</del>
<del>Monroe St.</del>	<del>Clinton St./Washington St.</del>	<del>W</del>	<del>30 Min. (2A - 5A) Handicapped Parking only</del>	<del>16</del>
Monroe St.	Washington St./Alley	E	30 Min. (2A - 5A)	1-5
Monroe St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A)	1-14
Oakwood Ave.	Railroad St./Perry St.	W		1-25
Oakwood Ave.	Perry St./Monroe St.	E		1-11
Perry St.	Riverview Ave./Front St.	W	5 Min. - (loading zone)	1 (40 Feet)
<del>Perry St.</del>	<del>Riverview Ave./Front St.</del>	<del>E</del>	<del>30 Min. (2A - 5A) 2 Hour (5A - 6P)</del>	<del>1-3</del>
Perry St.	Riverview Ave./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-8
Perry St.	Riverview Ave./Washington St.	E	Handicapped Parking only	9
Perry St.	Riverview Ave./Washington St.	E	Police use only	10
Perry St.	Shelby St./Railroad St.	E	<del>18 Hour</del> 30 Min. (2A-5P) All Day	9-11
Perry St.	Shelby St./Railroad St.	W	2 Hour	1-6
Perry St.	Clinton St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	1
Perry St.	Clinton St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-11
Perry St.	Clinton St./Washington St.	<del>E-W</del>	2 Hour (5A - 6P) 30 Min. (2A - 5A) Handicapped Parking only	1
Perry St.	Clinton St./Washington St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-11
Perry St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
Perry St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	5

Perry St.	Shelby St./Railroad St.	E	30 Min. (2A - 5A) <del>2 Hour (5A - 6P)</del> All Day	1-8, 10-12
Perry St.	Shelby St./Clinton St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-5
Perry St.	Washington St./Main St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-9
Scott St.	Clinton St./Washington St.	W	2 Hour (5A - 6P) 30 Min. (2A - 5A)	1-6
Scott St.	Washington St./Main St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1- <del>9</del> 10
Scott St.	Main St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-7
Scott St.	Washington St./Clinton St.	E	2 Hour (5A - 6P) 30 Min. (2A - 5A) Handicapped Parking only	1
Scott St.	Washington St./Clinton St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2- <del>4</del> 5
Scott St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Special Event parking within block only with Chief of Police approval	1 (80 Feet)
Shelby St. Parking Lot	Alley/Perry St.	N	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-13
Shelby St. Parking Lot	Alley/Perry St.	Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-13
Shelby St. Parking Lot	Alley/Perry St.	S	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-11
St. Paul Methodist Church Parking Lot	Washington St./Alley	E	30 Min. (2A - 5A)	1- <del>16</del> 14
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A)	1- <del>13</del> 5
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A) Handicap Parking Only	<del>14</del> 6-7
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A)	<del>15</del> 16 8-13
Washington St., E.	Hobson St./Monroe St.	S	30 Min.	1-5

Washington St., E.	Hobson St./Monroe St.	S	5 Min. (loading zone only)	6
Washington St., E.	Hobson St./Monroe St.	S		7-9
Washington St., E.	Hobson St./Monroe St.	N		1-11
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
Washington St., E.	Monroe St./Perry St.	S	Sheriff use only	11-13
Washington St., W.	Webster St./Avon Pl.	S		1-5
Washington St., W.	Webster St./Avon Pl.	S	Handicap Parking Only	6
Washington St., W.	Webster St./Avon Pl.	S		7
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A-5A) 2 Hour (5A-6P) Handicap Parking Only	1-5
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	6-10
Washington St., E.	Monroe St./Perry St.	S	30 Min.	5
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	14-18
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	<del>1-15</del> -2-4, 6-15
Washington St., E.	Monroe St./Perry St.	N	30 Min.	16
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	17-19
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-10
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	11-12
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	<del>12</del> -22 13-22
Washington St., <del>E.</del> W.	Scott St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-6
Washington St., <del>E.</del> W.	Scott St./Perry St. needs restriction sign	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	7
Washington St., <del>E.</del> W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	8-21

Washington St., W.	Scott St./Webster St.	N	Handicapped Parking only 30 Min.	1
Washington St., W.	Scott St./Webster St.	N	30 Min.	2-4
Washington St., W.	Scott St./Webster St.	N		5- <del>9</del> -7
<del>Washington St., W.</del>	<del>Scott St./Webster St.</del>	<del>N</del>	<del>Handicapped Parking only</del>	<del>4</del> 0
Washington St., W.	Scott St./Webster St.	S	Special event parking within block only with Chief of Police approval	1 (180 Feet)
Washington St., W.	Scott St./Webster St.	N	No Parking except during Church services and at times of special events approved by Chief of Police	8-10
Webster St.	Washington St./Clinton St.	E	Handicap Parking Only	1
Webster St.	Washington St./Clinton St.	E	4 Hour (7A - 5P) 30 Min. (2A - 5A)	<del>4</del> -7-2-5
Webster St.	Washington St./Clinton St.	E	Handicapped Parking only	<del>8</del> -9-6-7
Webster St.	Washington St./Clinton St.	E	4 Hour (7A - 5P) 30 Min. (2A - 5A)	<del>4</del> 0- <del>11</del> -8-9
Webster St.	Washington St./Main St.	W	4 Hour (7A - 5P) 30 Min. (2A - 5A)	1- <del>9</del> -8
Webster St.	Washington St./Main St.	W	Handicapped Parking only	<del>4</del> 0-9
Webster St.	Washington St./Main St.	W	18 Hour	<del>11</del> -19-10-18
Webster St.	Main St./Washington St.	E	18 Hour	1-17
Webster St.	Washington St./Clinton St.	E	18 Hour	<del>42</del> -23-10-22
Webster St.	Clinton St./Washington St.	W	18 Hour	1- <del>23</del> -22
Briarheath Ave.	Clairmont Ave./Westmont Ave.	W		1-3
Briarheath Ave.	Westmont Ave./Westchester Ave.	W		1-3



Main St. Concrete Parking Lot	Main St./Alley	E (side)		1-5
Main St. Concrete Parking Lot	Main St./Alley	E (side center)		1-3
Main St. Concrete Parking Lot	Main St./Alley	W (side center)		1-3
Main St. Concrete Parking Lot	Main St./Alley	E (side West)		1-4
Main St. Concrete Parking Lot	Main St./Alley	W (side West)		1-4
Main St. Concrete Parking Lot	Main St./Alley	W (side West)	Motorcycle Only	5



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

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

# Memorandum

**To:** Monica Irelan, City Manager  
**From:** Chad E. Lulfs, P.E., P.S., Director of Public Works  
**cc:**  
**Date:** September 23, 2016  
**Subject:** 2016 Microsurfacing Project – Change Order No. 1  
- Final

The above referenced project has been completed and final quantities have been tabulated:

Original Contract Amount:	\$56,669.00
Final Project Cost:	\$56,337.50
Change Order No. 1 – Final:	\$-31.50

**I request that Council approve Change Order No. 1 – Final to allow us to close out this project.**

*CEL*

# CHANGE ORDER

No. 1 (FINAL)

**PROJECT**

2016 Microsurfacing Project

**DATE OF ISSUANCE**

September 6, 2016

**OWNER**

City of Napoleon  
255 W. Riverview Ave., P.O. Box 151  
Napoleon, OH 43545

**CONTRACTOR**

American Pavements, LLC  
7475 Montgomery Dr.  
Plain City, OH 43064

**ENGINEER**

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

**CONTRACT FOR:** 2016 Microsurfacing Project

You are hereby directed to proceed promptly with the following change(s):

**DESCRIPTION:****ATTACHMENTS** - (List Documents Supporting Change)

If a claim is made that the above change(s) have affected Contract Price or Contract Time, any claim for a Change Order based thereon will involve one of the following methods of determining the effect of the change(s).

Method of Determining Change In

Method of Determining Change In

**CONTRACT PRICE**

- ☐ Time and Materials
- ☐ Unit Prices
- ☐ Cost Plus Fixed Fee
- ☐ Other

**CONTRACT TIME**

- ☐ Contractor's Records
- ☐ Engineer's Records
- ☐ Other

Estimated Increase/Decrease in

**CONTRACT PRICE** (\$31.50)

If the Change involves an Increase, the estimated amount is not to be exceeded without further authorization.

Estimated Increase/Decrease in

**CONTRACT TIME** days

If the Change involves an Increase, the estimated time is not to be exceeded without further authorization.

*Recommended*

CITY of NAPOLEON

*Accepted*

AMERICAN PAVEMENTS, LLC.

*Contractor*

by:

\_\_\_\_\_  
Chad E. Lulfs, P.E., P.S.; City Engineer

*Authorized*

\_\_\_\_\_  
Monica Irelan, City Manager

**Original Contract Prior to this Change Order**

\$56,669.00

**Increase / Decrease Resulting from this Change Order**

-\$31.50

**Current Contract Price, Including this Change Order**

\$56,637.50

## FINAL CHANGE ORDER

September 6, 2016

NAME of PROJECT - 2016 Microsurfacing Project

CONTRACTOR - American Pavements, LLC

ITEM	DESCRIPTION	ESTIMATED QUANTITY	ACTUAL QUANTITY	QUANTITY DIFF.	UNIT	UNIT PRICE	AMOUNT DECREASE	AMOUNT INCREASE
1	Microsurfacing (ODOT Item 421, Microsurfacing, Surface Course)	11,500.00	11,500.00	0.00	SY	\$3.65		
2	Centerline Stripe, Double Yellow, Type 1	0.70	0.76	0.06	MI	\$2,500.00		\$150.00
3	24" Stop Bar	48.00	25.50	-22.50	LF	\$3.00	-\$67.50	
4	Railroad Crossing Symbol	2.00	2.00	0.00	EA	\$200.00		
5	Crosswalk - Block Style	450.00	393.00	-57.00	SF	\$2.00	-\$114.00	
6	Maintenance of Traffic	1.00	1.00	0.00	LS	\$7,000.00		
7	Mobilization	1.00	1.00	0.00	LS	\$4,500.00		
						<b>Subtotals:</b>	-\$181.50	\$150.00
						<b>TOTAL DIFFERENCE:</b>		<b>-\$31.50</b>

# City of Napoleon Parks and Recreation Department

255 West Riverview Avenue Napoleon, Ohio 43545  
(419) 592-4010 (419) 592-8955 (fax)  
tcotter@napoleonohio.com

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## ***Memorandum***

To: *Monica Irelan, City Manager*  
From: *Tony Cotter, Director of Parks and Recreation*  
Date: *September 27, 2016*  
Subject: *Flag Pole Donation from the Napoleon VFW – Forest Hill Cemetery*

Attached, please find a letter from the Napoleon VFW Post 8218 stating their interest in donating a flag pole to be placed in Forest Hill Cemetery. The flag pole and related equipment will be donated by the VFW with the City handling its installation. The pole will be located in front of the mausoleum.

I am requesting that this donation be formally accepted by City Council. If you have any questions or need additional information, please let me know.

VETERANS OF FOREIGN WARS  
Luther R. Kolbe Post 8218  
1008 North Perry St.  
Napoleon, Ohio 43545  
Phone 419.599.1456  
E-Mail vfw8218@midohio.twcbc.com

Scott Walter  
1008 N. Perry St.  
Napoleon, Ohio  
Phone: 419-599-1456

September 15, 2016

City of Napoleon  
255 Riverview  
Napoleon, Ohio 43545

To whom it may concern,  
VFW Post 8218 would like to donate a flag pole to be placed in Forest Hill Cemetery. The cemetery has no flag pole as of now.  
The post will take care of any expenses to erect the flag pole, such as concrete, sand etc.  
The flag pole was donated in honor of Richard E. Storch and Dennis W. Spieth, past commanders.

Sincerely,

A handwritten signature in cursive script that reads "Scott T. Walter".

Scott T. Walter, Quartermaster  
Veterans of Foreign Wars



# MEMORANDUM

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

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

**Date:** September 30, 2016

**Re:** Technology and Communication Committee Meeting  
Cancellation

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The TECHNOLOGY AND COMMUNICATION COMMITTEE meeting regularly scheduled for Monday, October 3, 2016 at 6:15 pm has been CANCELED due to lack of Agenda Items.

*City of Napoleon, Ohio*

**PRESERVATION COMMISSION**

Meeting Agenda

**Tuesday, October 4, 2016 at 2:30 pm**

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

1. Approval of Minutes from July 13, 2016 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
2. To Review an Application filed by The Napoleon Area City School Board of Education requesting a Certificate of Appropriateness regarding the Demolition of the Middle School/JLJ/CES Facility at 303 West Main Street, Napoleon, Ohio. The property is within the City's Preservation District.
3. Any other matters to come before the Commission
4. Adjournment

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Gregory J. Heath, Finance Director/Clerk of Council

*City of Napoleon, Ohio*

**PERSONNEL COMMITTEE**

**Meeting Agenda**

**Thursday, October 6, 2016 at 7:30 pm**

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

1. Approval of Minutes from September 21, 2016 (*In the absence of any objections or corrections, the Minutes shall stand approved*)
2. Filling the Law Director Position
3. Adjournment

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Gregory J. Heath, Finance Director/Clerk of Council

# 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/Recycling Foreman  
Perry Hunter

Head Mechanic  
Tony Kuhlman

# PRESS RELEASE

## 2016 FALL SEASONAL CLEAN UP

The annual fall seasonal clean up, for those who receive regular City refuse service, will be the week of October 3<sup>rd</sup> – October 7<sup>th</sup> 2016.

A list of guidelines and acceptable materials, along with exact streets and dates, will be released to all local media the week of September 26<sup>th</sup>, 2016. The information is also available on the City of Napoleon's website at [www.napoleonohio.com](http://www.napoleonohio.com)

Per Ordinance # 088-08 the City of Napoleon has amended the Seasonal Clean Up Guidelines as follows:

***"Material or other items placed for pick up shall be at the curb no more than five (5) days in advance of the subscriber's scheduled seasonal pick up day. Items placed at the curb earlier than five (5) days in advance of the scheduled pick up day will be treated by the city as a 'special pick up' with charges being assessed to the subscriber or person responsible for placement"***

Any questions regarding this matter should be directed to the Operations Department at 419/599-1891.

## **SCHEDULE FOR FALL SEASONAL PICK UP**

***October 3 through October 7, 2016***

The following General Rules and Regulations shall be effective for the October 3 – October 7, 2016 Fall Seasonal Clean Up:

1. MATERIALS MUST BE IN CONTAINERS AND KEPT DRY.
2. NO CONTAINERS LARGER THAN THIRTY (30) GALLONS, OR WEIGHING MORE THAN 50 LBS.
3. ALL UNMARKED CONTAINERS WILL BE CONSIDERED AS LEFT FOR DISPOSAL.
4. ALL MATERIAL MUST BE COVERED DURING RAIN OR STRONG WIND TO AVOID WETNESS AND BLOWING.
5. ALL BUILDING MATERIAL SHALL NOT BE LARGER THAN FOUR FEET (4') IN LENGTH AND THREE FEET (3') WIDE. ALL LOOSE ITEMS MUST BE BOXED OR BAGGED. THE WEIGHT OF SUCH CONTAINERS SHALL NOT EXCEED 50 LBS. CARPETING OR PADDING SHALL BE IN ROLLS NO WIDER THAN FOUR FEET (4') AND TIED WITH A CORD.
6. **DO NOT BLOCK OR BURY FIRE HYDRANTS.**
7. NO MATERIAL SHALL CONTAIN NAILS THAT HAVE NOT BEEN BENT OVER.
8. IT IS PROHIBITED TO HAVE ROCKS, BRICKS, CONCRETE BLOCKS OR PLASTER WEIGHING IN EXCESS OF 50 LBS.
9. IT IS PROHIBITED TO MIX REGULARLY SCHEDULED REFUSE WITH MATERIAL SCHEDULED FOR THIS PICK UP
10. IT IS PROHIBITED TO PLACE FOR PICKUP BRUSH, LIMBS, OR OTHER YARD WASTE MATERIAL.
11. IT IS PROHIBITED TO PLACE FOR PICK UP LIQUID WASTE, INCLUDING BUT NOT LIMITED TO: PAINT, HOUSEHOLD CHEMICALS, USED MOTOR OIL, ANTIFREEZE, AND TAR. HOUSEHOLD CHEMICAL CONTAINERS AND PESTICIDES MUST BE RINSED PRIOR TO PLACEMENT FOR PICKUP AND WHEN APPLICABLE, IN ACCORDANCE WITH PRODUCT LABELING INSTRUCTIONS (TRIPLE RINSE FOR PESTICIDES).
12. PAINT CANS OR TAR BUCKETS MUST HAVE THE LIDS REMOVED AND REMAINING PAINT OR TAR COMPLETELY DRY. PAINT WILL BE ACCEPTED IN THE FOLLOWING WAYS: (i) WOOD OR CARDBOARD MAY BE PAINTED TO USE UP THE REMAINING PAINT; OR, (ii) CAT LITTER OR FLOOR DRY MAY BE USED TO MAKE THE PAINT A THICK PASTE; THEREAFTER, SO LONG AS THE CONTAINER IS DRY, THE MATERIAL MAY BE INCLUDED FOR PICKUP.
13. ALL REFRIGERATORS AND/OR FREEZERS MUST HAVE THE DOORS REMOVED AND THE CONTENTS EMPTIED PRIOR TO PLACEMENT FOR PICKUP.
14. WHITEWARE SHALL BE TAGGED IN ACCORDANCE WITH APPROVED TAGS AND AMOUNTS AS ESTABLISHED BY THE CITY. TAGS FOR REFRIGERATORS AND/OR FREEZERS MUST BE ON THE UNIT AND NOT ON THE REMOVED DOOR.
15. ANY ITEMS NOT PROPERLY TAGGED OR PLACED FOR PICKUP, IN A MANNER THAT APPEARS TO BE INTENDED FOR PICKUP, SHALL BE DEEMED AUTHORIZED BY PICKUP AND WILL BE TREATED BY THE CITY AS A "SPECIAL PICKUP" WITH CHARGES BEING ACCORDINGLY ASSESSED.
16. ***MATERIAL OR OTHER ITEMS PLACED FOR PICK UP SHALL BE AT THE CURB NO MORE THAN FIVE (5) DAYS IN ADVANCE OF THE SUBSCRIBER'S SCHEDULED SEASONAL PICK UP DAY. ITEMS PLACED AT THE CURB EARLIER THAN FIVE (5) DAYS IN ADVANCE OF THE SCHEDULED PICK UP DAY WILL BE TREATED BY THE CITY AS A "SPECIAL PICKUP" WITH CHARGES BEING ASSESSED TO THE SUBSCRIBER OR PERSON RESPONSIBLE FOR PLACEMENT.***

The City shall require the use of City *Refuse Tags* to cover the disposal cost of the following items:

- |                         |        |
|-------------------------|--------|
| 1. Whiteware with Freon | 5 tags |
| 2. Air Conditioner      | 5 tags |
| 3. Passenger Car Tire   | 1 tag  |
| 4. Semi-Truck Tire      | 4 tags |
| 5. Tractor Tire         | 6 tags |

*The City of Napoleon, in cooperation with Zack's Recycling, will again accept used **computers, printers, and keyboards** as part of this year's "spring seasonal clean up". Please set the equipment out apart from your regular material. A separate truck, which picks up recyclable materials, will stop and collect the electronics for proper recycling. **Monitors are to be placed with regular pick up items.***

**ALL RULES AND REGULATIONS, ALONG WITH ANY ACCESSED CHARGES, WILL BE ENFORCED.** All materials are to be at the curb by 7:00 a.m. the morning of your pick up. Return trips will not be made for items set out late.

Any questions regarding the guidelines should be directed to the City of Napoleon Operations Department at 419/599-1891.

**Monday, October 3, 2016**

Arden Court  
Avon Place  
Becca Lane  
Bordeaux Drive  
Briarcliff Drive  
Buckeye Lane  
Capri Drive  
Chesterfield Drive  
Cripple Creek Court  
Duquesne Drive  
Erie Street  
Garden Street  
Glenwood Avenue (from Riverview to Washington)  
Haley Avenue (from Riverview to Washington)  
Hilltop Lane  
Hurst Drive  
Jahns Road  
Joliette Drive  
Lafayette Drive  
Lemans Drive  
Martha Lane  
Neward Drive  
Norton Avenue (from Washington to Park)  
Orchard Lane  
Orwig Lane  
Park Court  
Park Lane  
Park Place  
Park Street  
Robinwood Avenue  
Rohm Drive  
Sedward Drive  
Sheffield Avenue (from Riverview to Washington)  
Strong Street  
Sycamore Lane  
Thershan Drive  
Vincennes Drive  
Vine Street  
Wayne Park Drive  
Webster Street (from Washington to Main)  
Welsted Street  
West Main Street  
West Front Street  
West Riverview Avenue  
West Washington Street  
Williamsburg Avenue

**Tuesday, October 4, 2016**

Bauman Place  
Becklee Drive  
Carey Street  
Collingwood Drive  
Depot Street  
Derome Drive  
Detroit Avenue  
Dodd Street  
East Riverview Avenue (from Scott to Enterprise)  
East Clinton (from Perry to Riverview)  
East Washington Street (from Monroe to Hobson)  
Enterprise Avenue  
Fair Street  
Fillmore Street  
Freedom Drive  
Hobson Street (from Riverview to Oakwood)  
Hudson Street  
Independence Court  
Independence Drive  
Industrial Drive  
Ken James Court  
Kolbe Street  
Lagrange Street (from Willard to Dodd)  
Lakeview Drive  
Lamar Lane  
Maple Street  
Monroe Street (from Fillmore to Riverview)  
North Street  
North Perry Street  
Northcrest Circle  
Northcrest Drive  
Norwood Drive  
Oakwood Avenue  
Ohio Street (from Willard to Scott)  
Old Creek Drive  
Railroad Street  
Reynolds Street  
Rye Street  
Scott Street  
Shelby Street  
Stevenson Street  
Trail Drive  
Union Street  
Valleybrook Estates  
Vocke Street  
W. Clinton Street (from Scott to Perry)  
Willard Street  
Yeager Street



**Wednesday, October 5, 2016**

Bales Road  
Briarheath Avenue  
Broadmoor Avenue  
Chelsea Avenue  
Clairmont Avenue  
Glenbrook Court  
Glenwood Estates  
Glenwood Avenue (from Washington to Harmony)  
Haley Avenue (from Washington to Woodlawn)  
Harmony Drive  
High Street  
Highland Avenue  
Indiana Avenue  
Kenilworth Avenue  
Lagrange Street (from Indiana to Willard)  
Leonard Street  
Lumbard Street  
Lynne Avenue  
Melody Lane  
Michigan Avenue  
North Sheffield Avenue (from Washington to Clinton)  
North Harmony Drive  
Norton Avenue (from Washington to railroad tracks)  
Oakdale Avenue  
Ohio Street (from Glenwood to Willard)  
Richmar Lane  
Romain Avenue  
Taylor Drive  
Tyler Street  
Webster Street (from Clinton to Washington)  
West Clinton Street (from Scott to Sheffield)  
Westchester Avenue  
Westmont Avenue  
Westmoreland Avenue  
Westwood Avenue  
Woodlawn Avenue  
Woodlawn Court



**Thursday, October 6, 2016**

Appian Avenue  
Bavarian Village  
Beckham Street  
Brownell Street  
Cambridge Street  
Cliff Street  
Daggett Drive  
East Washington Street (from Hobson to Waste Water Plant)  
East Barnes Avenue  
East Front Street  
East Graceway Drive  
East Main Street  
East Maumee Avenue  
Euclid Avenue  
Fairview Drive  
Fifth Street  
First Street  
Fourth Street  
Hobson Street (from Riverview to Front)  
Huddle Road  
Jefferson Street  
Last Street  
Maumee Valley Mobile Home Park  
Maumee Lane  
Meekison Street  
Monroe Street (from Riverview to Front)  
Moorings Drive  
Moser Drive  
Oak Street  
Oxford Street  
Pontious Place  
Raymond Street  
Rohrs Street  
Second Street  
Short Street  
South Perry Street  
Spruce Street  
Stout Street  
Third Street  
Walnut Street  
Wayne Street  
West Maumee Avenue  
West Graceway Drive  
West Barnes Avenue

Friday, October 7, 2016

**Catch-up Day!!!**



# Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

September 23, 2016

## AMP/OMEA Conference sessions to cover industry trends, issues

By Karen Ritchey – director of member events & programs

The 2016 AMP/OMEA Conference is the premier opportunity for members to connect with industry colleagues and municipal electric partners to learn more about industry trends, AMP projects and programs.

Energy markets, and solar and battery storage will be the focus of two morning general sessions during the conference, to take place next week at the Hilton Columbus at Easton.

During the Morning General Session II, scheduled from 10 to 11 a.m. Sept. 27, speakers from NextEra Energy Resources will address issues within the energy markets. Topics to be addressed include the impact of low but recovering fuel prices, environmental rules and another round of renewable capacity.

Immediately following will be Morning General Session III, to be held from 11 a.m. to 12:15 p.m. During this session, speakers from Smart Electric Power Alliance (SEPA) and RES Americas will discuss how solar and battery storage is reshaping the traditional power generation and supply landscape in certain communities.

In addition to general sessions, conference attendees will have the opportunity to once again tailor their schedules with three session tracks: Power Supply/Risk, Financial/IT and Technical/Sustainability. The popular member “lightning talks” session will also be returning, as are the annual general membership and participant meetings for AMP, MESA, OMEA, the joint ventures and generation projects.

For questions or additional information relating to the 2016 AMP/OMEA Conference, please contact me at [kritchey@amppartners.org](mailto:kritchey@amppartners.org) or 614.540.0933. We look forward to seeing everyone at the event next week.



## Energy markets update

By Jerry Willman – assistant vice president of energy marketing

The October 2016 natural gas contract moved down \$0.067/MMBtu to settle at \$2.99. The EIA reported an injection of 52 Bcf for the week ending Sept. 16, which was in line with average market expectations.

see ENERGY MARKETS Page 2

## Trends show steady shift toward DER future

By David Deal – director of sustainability

According to a recent American Public Power Association (APPA) Public Power Weekly exclusive, “In the last year, states have started hitting self-imposed caps on net metering capacity, triggering reviews of their programs that in some cases are sparking major changes.”

Many states, including California, Hawaii, Maine, Massachusetts, Nevada and New York, have reached net metering limits, and several other states’ net metering programs are undergoing revisions and adjustments based on new market information.

State regulatory activity around net metering has been intense, with 37 of the 44 states that offer net metering engaging in some type of policy action on the issue in the second quarter this year, as noted in the North Carolina Clean Energy Technology Center’s 50 States of Solar: Q2 2016 Quarterly Report. These reviews and action include a number of AMP member states, including West Virginia, Virginia and Kentucky.

The most significant trends in net metering are efforts to more accurately credit value for electricity exported to the grid. Value of solar (VOS) attempts to set a quantifiable benefit for distributed solar exported to the grid and represents a departure from net metering, which often compensated customers at retail rates. VOS methodologies attempt to reduce concerns that traditional net metering programs can lead to non-net metering customers paying for utility fixed costs that net metering customers avoid; many state commissions

continued on Page 2

Prompt month cash prices have remained supportive. With the weather forecasts still showing above-normal temperatures through the next 15 days, natural gas production has continued to weaken, and nuclear outages continue to support natural gas burns in the power sector.

On-peak power prices for 2017 at AD Hub closed yesterday at \$37.72/MWh, which was \$0.27/MWh higher for the week.

## AMP leadership present before regional, national audiences

Members of the AMP executive management team presented before regional and national audiences at two conferences earlier this week.

Jolene Thompson, executive vice president of member services and external affairs/OMEA executive director, was a panelist at the Governor's Conference on Energy and the Environment in Kentucky. She spoke on AMP's Kentucky hydro projects, and the challenges and opportunities confronting electric utilities. AMP was invited to participate by Energy and Environment Cabinet Secretary Charles Snively.

Pam Sullivan and Brannndon Kelley were both speakers at the American Public Power Association's (APPA) Business and Financial Conference, held Sept. 18-21 in Texas. Sullivan, executive vice president of power supply and generation operations, was a panelist in the Shaping Your Solar Destiny: Utility-led Options session, and spoke about AMP's community solar program. Kelley, chief information officer, joined by Jared Price, chief technology officer, spoke during the Opportunities to Enhance Services, Reduce Costs, and Create Efficiencies Through Managed Services session. The session focused on how utilities can leverage aggregated and managed services for greater efficiencies and economies of scale.

## APPA webinar to cover wireless pole attachment

The American Public Power Association (APPA) will host a webinar Sept. 29 to address the increasingly complex issues surrounding wireless pole attachments, which are creating significant operational, administrative and rate design challenges for utility pole owners. The webinar, offered from 2 to 3:30 p.m., will provide insights into key issues confronting utilities in managing wireless attachments, including:

- What small cell facilities, distributed antenna systems (DAS) and fifth generation (5G) wireless are today and where they are heading in the next few years.
- Key engineering, safety and legal issues.
- Options public power utilities can use to manage this process.

For additional information or to register for the Wireless Pole Attachment Issues and Challenges webinar, please visit the APPA [website](http://www.appapartners.org).

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

### Week ending Sept. 23

MON	TUE	WED	THU	FRI
\$41.33	\$51.38	\$42.52	\$43.35	\$41.07

### Week ending Sept. 16

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

AEP/Dayton 2017 5x16 price as of Sept. 22 — \$37.72

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

## Trends show steady shift

*continued from Page 1*

are trying to more accurately identify and represent the value of distributed energy resources (DER) in their rate design guidance.

The reviews of net metering programs follow a period of continued declines in solar prices. According to a recent report on solar pricing from the Lawrence Berkeley National Laboratory, the median installed price for residential systems in 2015 dropped 5 percent to \$4.10/W; the cost for non-residential systems under 500 kW dropped 7 percent to \$3.50/W; and systems larger than 500 kW fell 9 percent to \$2.50/W.

At the end of June 2016, there was approximately 9,691 MW of distributed (customer sited behind-the-meter) solar in the United States, up 36 percent from 7,106 MW in June 2015, according to the latest data from the U.S. Energy Information Administration.

AMP staff continues to monitor member state net metering policy developments and any potential impacts to members as DER markets continue to evolve. The Focus Forward Member Toolkit session, to take place at 2:30 p.m. Sept. 28 at the 2016 AMP/OMEA Conference, will highlight resources and information to assist AMP members during this continued shift toward a DER future.

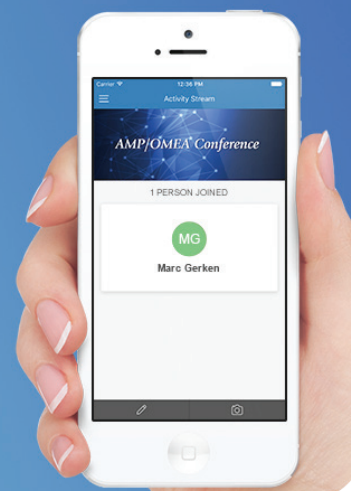
## AMP/OMEA Conference Attendees Download the Mobile App

Available for  
iPhone & Android



Search Keyword:  
"AMP/OMEA Conference"

**Event Code**  
will be available  
at the conference  
registration desk





## PUCO issues annual winter reconnect order to utilities

By Charles Willoughby – director of government affairs

The Public Utilities Commission of Ohio (PUCO) has issued its annual order to Ohio investor-owned electric and natural gas utilities to reconnect or maintain service to customers who have been disconnected or are facing disconnection. While this order doesn't apply to locally regulated municipal electric utilities and rural electric co-operatives, it is important to call this issue to the attention of AMP members. Member utilities are encouraged to take this order and the forthcoming colder weather into consideration, and implement or update local policies accordingly. The full PUCO order can be found [here](#).

Under the PUCO program, customers who are disconnected or facing disconnection can have their service restored or maintained if they pay the amount owed or \$175, whichever is less, plus a service reconnection fee of no more than \$36. Participants may use the program once during the upcoming winter heating season between Oct. 17, 2016, and April 14, 2017. There is no income eligibility requirement, but participants must sign up for a payment plan to cover any remaining past due balance on their utility bill.

Other payment assistance programs with distinct eligibility requirements are available for municipal utilities. The national Home Energy Assistance Program (HEAP) is available to all customers, including those of municipal utilities. The Ohio Percentage of Income Payment Plan (PIPP) Plus program is available to participating municipal electric utilities. For additional information about these programs, please contact me at 614.540.1036 or [cwilloughby@amppartners.org](mailto:cwilloughby@amppartners.org).



## Hudson hosts fifth annual Green on Green event

Residents pose with public power mascot Ernie Enery during the City of Hudson's annual Green on Green event on Sept. 17. In its fifth year, the annual event showcases local organizations that offer information about environmental protection, sustainability and electrical safety.

## AMP's finance team welcomes Moore to organization

By Marcy Steckman – senior vice president of finance & CFO

Linda Moore joined AMP this week as vice president of finance and accounting. She will be responsible for AMP's internal and external financial reporting.

Moore has more than 20 years of experience in the finance field. Prior to AMP, she was the assistant controller for NiSource Inc., and previously worked for Wind Energy Transmission Texas, American Electric Power Corp. (spending six years at Appalachian Power), and Deloitte & Touch.

Moore holds bachelor's degrees from the Ohio State University, completed the AEP/OSU Executive Leadership Program and is a certified public accountant.

Please join me in welcoming Linda to AMP.



Linda Moore

## APPA is accepting RP3 applications for 2017

As a reminder, the American Public Power Association (APPA) is still accepting applications for Reliable Public Power Provider (RP3) designation. RP3 designation can help utilities that demonstrate high proficiency in reliability, safety, workforce development and system improvement, differentiate themselves within the industry. AMP will continue to offer assistance to members throughout the RP3 application process. Applications are available [online](#) and are due by the Sept. 30 deadline. For more information, please contact Jennifer Flockerzie at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853.

## AMP to offer APPA Overhead Pole Design Workshop

By Jennifer Flockerzie – technical services program coordinator

Overhead transmission and distribution continues to be the primary method electric utilities use to move and deliver electricity to end-use customers. In response, AMP is offering a two-day Overhead Pole Design Workshop presented by the American Public Power Association (APPA), which will take place from 12:30 to 4 p.m. Oct. 20 and 8:30 a.m. to 12:30 p.m. Oct. 21 at AMP headquarters in Columbus. Designed for electric utility engineers, designers, technicians and field personnel, the course is a combination of classroom-style instruction of structural design principles and hands-on design exercises.

This course is being offered to AMP members at a discounted rate compared to the typical APPA rate. For additional information or to register for the APPA Pole Design Workshop, please contact me at 614.540.0853 or [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org).



## Classifieds

### Napoleon seeks law director

The City of Napoleon has an immediate opening for a full-time law director. Candidates must be admitted and licensed to practice law in the state of Ohio and have a minimum of three years of experience, including criminal and traffic trial experience. A valid driver's license is required. This is a full-time position with a starting annual salary of \$70,000 - \$105,000 depending on experience.

Applications and job description may be obtained beginning Sept. 23 from 7:30 a.m. to 4 p.m. from the City of Napoleon's Administration Building, 255 W. Riverview Ave., PO Box 151, Napoleon, Ohio 43545, or downloaded from the city's [website](#). A properly completed notarized application must be returned to the above address, Attn: Human Resources, with a resume and cover letter by 4 p.m. Oct. 4. Applications submitted without following the above requirements will not be considered. EOE.

### Billing clerk needed in Hudson

The City of Hudson is seeking applicants for the position of utility billing account clerk in the finance department. This position is responsible for billing, receipts, work order processing and customer service within the utility billing office. This position requires a high school diploma or GED, with three to five years of related experience preferred. Pay range is \$39,312 - \$55,452.

A detailed job description and application form is available on the city [website](#). Applications may also be obtained at the City of Hudson Municipal Services Center, 115 Executive Parkway, Suite 400, Hudson, Ohio; 8 a.m. to 4 p.m. weekdays. Submit completed applications with resume attached to City of Hudson/HR Attn: Utility Billing Account Clerk, 115 Executive Parkway, Suite 400, Hudson, Ohio 44236. Applications must be received no later than 4 p.m. Oct. 10. EOE.

### Bowling Green seeks firefighter

The City of Bowling Green is accepting applications until Oct. 5 for the position of firefighter/paramedic. This position is responsible for fire suppression, prevention, and emergency medical service for the protection of life and property. Applicants must be certified by the state of Ohio as a paramedic at the time of application and appointment. Copies of paramedic certification must be provided at the time of application. Within 12 months of appointment, those persons hired must become certified as an Ohio Firefighter II. Each candidate will be scheduled to take the physical agility test at 7:30 a.m. on Oct. 13 or Oct. 14. Candidates who successfully pass the physical agility exam will be invited to sit for the written exam at 8 a.m. on Nov. 5.

Ohio law (ORC 124.42) and city regulations provide that no person shall be eligible to receive an original appoint-

ment in the fire service unless the person has reached the age of 18 and has not reached his/her 41st birthday. Credit for military service will be granted in accordance with the requirements established in ORC Section 124.23(C). Firefighter/paramedics must serve a one-year probationary period. The pay rate at hire will be \$16.95, based on 2,704 hours per year. Candidates must complete an application packet that is available in the personnel department of the City of Bowling Green, 304 N. Church St., Bowling Green, Ohio 43402.

A copy of the job description will be provided to candidates. Resumes alone are unacceptable. For more information, contact the personnel department at 419.354.6200 or [BGPersonnel@bgohio.org](mailto:BGPersonnel@bgohio.org). The online application is available on the city's [website](#). AA/EEO.

### 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, Ohio; or mailed to Village Manager, (specify Mechanic Job Opening or Waste Water Plant Operator Job Opening), PO Box 148, Montpelier, Ohio 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.

**American Municipal Power, Inc.**

1111 Schrock Road • Suite 100

Columbus, Ohio 43229

614.540.1111 • FAX 614.540.1113

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







# UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

September 30, 2016



## Burns receives AMP Seven Hats Award

By Marc Gerken, PE – president/CEO

Johnnie Burns, electric and water superintendent for the Village of Yellow Springs, is the 2016 recipient of the Seven Hats Award.

Burns has occupied his current position as electric and water superintendent for three years, handling the needs of both the electric and water distribution systems for the village's 2,200 utility accounts. He works daily in the field with his crew, while also planning and helping design improvements for the utility's multiple systems, including a one-megawatt solar array and a new water plant.

Described by colleagues as "the very definition of a working superintendent," Burns personally responds to citizen concerns and provides positive leadership to his staff. He performs field duties ranging from flagging traffic to climbing utility poles, all while managing the village's \$4.5 million electric budget.

The AMP Seven Hats Award was initiated in 1984 to recognize utility managers who serve smaller communities of less than 2,500 meters, and whose management duties extend well beyond the scope of a manager in a larger system. Award winners show skill in seven areas: planning and design, administration, public relations, field supervision, accounting, personnel or employee direction, and community leadership.

Please join us in congratulating Johnnie.

## AMP adds Service Group, re-elects leadership

By Marc Gerken, PE

The AMP general membership held its annual meeting during the 2016 AMP/OMEA Conference on Sept. 28.

There were expiring AMP Board of Trustees seats from 12 AMP Service Groups this year, as well as an open seat from the new Kentucky Service Group, which will represent AMP's growing Kentucky membership. Each Service Group met and elected its representative community to the Board. Members elected were Bowling Green, Carey, Cleveland, Coldwater, Danville, DEMEC, Ephrata, Hamilton, Paducah, Philippi, Piqua, Wadsworth and Westerville. The two changes from last year are Philippi, West Virginia, will now represent the Other Service Group and Paducah will represent the new Kentucky Service Group. The total number of AMP Service Groups is now 13 and the Board now includes 21 Trustees.



Steve Dupee



Jeff Brediger



Kevin Maynard



Pat McCullar

Following the general membership meeting, the Board held its reorganizational meeting and re-elected Steve Dupee, Oberlin Municipal Light & Power System director, as chair; Jeff Brediger, City of Orrville director of utilities, as vice chair; Kevin Maynard, City of Hamilton director of electric, as secretary; and Pat McCullar, DEMEC president/CEO, as treasurer.



## Bentine is named 2016 AMP Wall of Fame recipient

By Marc Gerken, PE

John Bentine, AMP/OMEA general counsel of 35 years, was named the 2016 AMP Wall of Fame recipient during the Awards Banquet on Sept. 28 at the AMP/OMEA Conference.

Bentine has served as general counsel for AMP and the OMEA since 1981, joining AMP in 2012 as senior vice president/general counsel. An ex-officio member of the AMP Board of Trustees, he has been an instrumental part of the organization. He is widely respected in the legal field and considered one of the foremost municipal and utility attorneys in Ohio.

The Wall of Fame program was launched in 2010 to honor individuals who have made significant contributions to AMP, the OMEA and to public power in member communities. Bentine joins 21 other Wall of Fame inductees. A formal ceremony will take place this spring.

Congratulations, John, and thank you for your contributions to AMP, the OMEA and public power.

## 2016 AMP/OMEA Conference provides opportunities to enhance industry knowledge

By Marc Gerken, PE

More than 400 representatives from member communities, AMP staff and municipal electric partners attended the 2016 AMP/OMEA Conference held in Columbus last week. Featured speakers included Sue Kelly, president/CEO of the American Public Power Association, and Mike Zenker, senior director of NextEra Energy Resources. Conference sessions provided attendees the opportunity to learn about current and future AMP projects, as well as industry trends and technologies, energy markets, and state and federal legislation.

In addition to the events and sessions, AMP, OMEA, MESA, the OMEA JVs and the AMP project participants held membership meetings throughout the four-day conference. I would like to thank all who participated in the 2016 event. I look forward to seeing everyone at the 2017 conference, which is scheduled for Sept. 25-28 at the Hilton Columbus at Easton.

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

#### Week ending Sept. 30

MON	TUE	WED	THU	FRI
\$32.34	\$29.12	\$29.00	\$28.42	\$27.45

#### Week ending Sept. 23

MON	TUE	WED	THU	FRI
\$41.33	\$51.38	\$42.52	\$43.35	\$41.07

AEP/Dayton 2017 5x16 price as of Sept. 29 — \$37.24

AEP/Dayton 2017 5x16 price as of Sept. 22 — \$37.72

## AMP awards recognize member utilities, officials

By Marc Gerken, PE

Member utilities and officials were recognized at the 2016 AMP/OMEA Conference through the AMP awards program.

Board members who were recognized for service and completion of the current term are:

- AMP Board of Trustees – Brian O'Connell, City of Bowling Green; Roy Johnson, Village of Carey; Ivan Henderson, City of Cleveland; Paul Beckhusen, City of Coldwater; Jason Grey, City of Danville; Patrick McCullar, DEMEC; Tom Natarian, Borough of Ephrata; Kevin Maynard, City of Hamilton; Chuck Stora, City of New Martinsville; Nick Berger, City of Piqua; Robert Patrick, City of Wadsworth; and Chris Monacelli, City of Westerville.
- OMEA Board of Directors – Vice Mayor Carla Fiehrer, City of Hamilton; Mayor Jeff Pape, Village of New Bremen; Council President Scott Broadwell, City of Oberlin; and Mayor Patrick McGowan, City of St. Marys.

Communities that were honored with AMP awards included:

### Finance Awards

- Highest Credit Score Population more than 5,000 – tie between Lebanon and Oberlin, both with a score of 97 percent.
- Highest Credit score population less than 5,000 – Clinton with a score of 95 percent.
- Most improved credit score – Cuyahoga Falls with a 31 percent improvement.
- Financing of the Year – Dover for the emissions control system upgrades at the power; and Holiday City for the installation of the Selwyn Drive Substation.

### Innovation Awards

- Cuyahoga Falls Electric System for the new Feeder Automation System.
- Hudson Public Power for the Solar Regional Training Facility.
- Minster Electric Department for the Solar and Energy Storage Facility.

*continued on Page 4*



## FERC is challenged in court on PJM capacity performance plan

By Lisa McAlister – deputy general counsel FERC/RTO affairs

AMP, joined by the American Public Power Association (APPA), the Public Power Association of New Jersey, the National Rural Electric Cooperative Association and five other groups, asked the U.S. Court of Appeals for the District of Columbia Circuit to overturn two Federal Energy Regulatory Commission (FERC) orders issued in June 2015 and May 2016 approving the PJM capacity performance plan. The case before the D.C. Circuit court is Advanced Energy Management Alliance, et al., v. FERC.

Under the Federal Power Act, FERC is responsible for ensuring that such rules are “just and reasonable” and do not subject anyone “to any undue prejudice or disadvantage.” AMP, along with the other petitioners are challenging FERC’s approval of broad changes to PJM’s capacity auction and energy market rules that determine the compensation paid to the region’s electricity suppliers. The changes approved by FERC directly affect the rates paid by 61 million electricity customers, including AMP members in PJM.

In the Sept. 23 brief, AMP and the other challengers argued that FERC’s orders failed to evaluate the claimed benefits or estimate costs and, consequently, were arbitrary and capricious. AMP also argued that the capacity performance rules to aggregate renewable or intermittent resources to form one resource capable of qualifying as a capacity performance resource are unduly discriminatory. AMP also joined in arguing that the commission violated the Federal Power Act “by approving PJM’s proposal even as the proposal rendered other portions of PJM’s tariff unlawful.”

We will continue to update AMP members on this matter as information becomes available. Please contact me with questions at [lmcalister@ampppartners.org](mailto:lmcalister@ampppartners.org) or 614.540.6400.

## Energy markets update

By Jerry Willman – assistant vice president of energy marketing

November is now trading as the new prompt month and natural gas prices fell \$0.043/MMBtu to settle at \$2.959. The EIA reported an injection of 49 Bcf for the week ending Sept. 23, which was below market expectations. Gas in storage now stands at 3,600 Bcf. This is 7 percent more than the five-year average of 3,380 Bcf. Gas in storage for this week one year ago was 3,510 Bcf.

On-peak power prices for 2017 at AD Hub closed yesterday at \$37.24/MWh, which was \$0.48/MWh lower for the week.



## News or Ads?

Call Kerin Scott at 614.540.6406 or email to [kscott@ampppartners.org](mailto:kscott@ampppartners.org) if you would like to pass along news or ads.

## OMEA re-elects Board, names nine honorary members

By Jolene Thompson – executive vice president/OMEA executive director

The Ohio Municipal Electric Association (OMEA) held its general membership meeting Sept. 28 during the 2016 AMP/OMEA Conference and re-elected the executive committee: Mayor Richard Homrighausen, City of Dover, president; Mayor Robin Laubaugh, City of Wadsworth; and Mayor Steve Yagelski, Village of Montpelier.

The communities of Hamilton, Oberlin and St. Marys were also re-elected to serve four-year terms on the OMEA Board of Directors. Hamilton is represented by Carla Fiehrer, vice mayor; Oberlin is represented by Scott Broadwell, council president; and St. Marys is represented by Mayor Pat McGowan. Celina was also elected to the Board, and will be represented by Mayor Jeffrey Hazel.

This year, the OMEA general membership selected nine new honorary members:

- John Bentine, AMP general counsel
- Keith Brooks, Capitol Advocates/AMP state legislative consultant
- Tom Johnson, former field superintendent of Dover Light & Power
- Mark Brandenburger, former city manager of Hamilton
- Pam Lucas, former village manager of Montpelier
- Wayne York, former village manager of New Bremen
- Bill Rains, former city manager of Wapakoneta
- Mayor Barbara O’Keefe, former mayor of Wellington
- Andrew Boatright, former electric superintendent of Westerville

The general membership adopted resolutions recognizing the contributions to the organization from OMEA Honorary Members Keith Brooks and John Bentine, each of whom has served the organization for more than 30 years. Brooks will be retiring in late 2016, and Bentine will retire in January 2017.

The establishment of the George V. Voinovich Award was also announced and awarded to retiring state Rep. Ron Amstutz (R-Wooster).



Richard Homrighausen



Robin Laubaugh



Steve Yagelski

## AFEC update

By Jerry Willman

Fremont remained offline for its planned fall outage.

## Awards recognize members

continued from Page 2

### System Improvement Awards

- Bryan Municipal Utilities for the East Village Primary and Secondary Upgrade Phase A project.
- Cuyahoga Falls Electric System for the Portage Crossing Area Conversion project.
- *Honorable Mention:* Dover Light & Power for the Ash Conveying System at the Generating Station.
- *Honorable Mention:* St. Clairsville Light and Power Underground Primary Upgrades project.
- *Honorable Mention:* City of Wadsworth Electric and Communications Department for the Substation Security Systems project.

### Public Power Promotion Awards

- City of Columbus Division of Power Street Lighting Program video.
- *Honorable Mention:* Hamilton Utilities for its website update.

### Electric System Sustainability Awards

- City of Columbiana Electric Department LED Streetlight Upgrade project.
- Cuyahoga Falls Electric System for the 2016 Arbor Day Community Celebration.
- Hamilton Utilities for the LED Streetlight Conversion project.

## Scam targets members

AMP advises its members to be on the lookout for a scam that is targeting utilities.

An AMP member has received reports that customers are getting fraudulent calls stating that their electric utility bills have not been paid. The member is advising its customers to tell the caller, "I understand that utility customers are receiving scam telephone calls and I am going to hang up and alert my utility company immediately," and then hang up the call.

Utilities may want to alert their residents to this type of scam and remind them to not reveal any personal or payment information over the phone.

## Calendar

**Oct. 3-7—Advanced Lineworker Training**  
AMP Headquarters, Columbus

**Oct. 20-21—Overhead Pole Design Workshop**  
AMP Headquarters, Columbus

**Feb. 27-March 1—APPA Legislative Rally**  
Mayflower Hotel, Washington, D.C.

## AMP projects, JVs hold leadership elections

Leadership elections were held for AMP projects and joint ventures at the 2016 AMP/ OMEA Conference on Sept. 27-29. The election results are listed below.

**Solar Phase 1:** Fred Rowe, Waynesfield, chair; and Monica Irelan, Napoleon, vice chair.

**JV6:** Brian O'Connell, Bowling Green, chair; Michael Dougherty, Cuyahoga Falls, vice chair; Steve Dupee, Oberlin, secretary; and Robert Patrick, Wadsworth, treasurer.

**JV5:** Michael Dougherty, Cuyahoga Falls, chair; Brian O'Connell, Bowling Green, vice chair; Steve Dupee, Oberlin, secretary; and Robert Patrick, Wadsworth, treasurer.

**JV2:** Kevin Maynard, Hamilton, chair; Michael Dougherty, Cuyahoga Falls, vice chair; Jeff McHugh, Painesville, secretary; and Brian O'Connell, Bowling Green, treasurer.

**JV1:** Michael Dougherty, Cuyahoga Falls, chair; Harold Kasten-Krause, Lodi, vice chair; Steve Dupee, Oberlin, secretary; and Robert Patrick, Wadsworth, treasurer.

**JV4:** Kevin Brooks, Montpelier, chair; Dawn Fitzcharles, Edgerton, vice chair; and Al Fiser, Pioneer, secretary/treasurer.

**AFEC:** Paul Beckhusen, Coldwater, chair; and Ivan Henderson, Cleveland, vice chair.

**MESA:** Robert Patrick, Wadsworth, chair; Jeff McHugh, Painesville, vice chair; Steve Dupee, Oberlin, secretary; and Dawn Fitzcharles, Edgerton, treasurer.

**Hydro Phase I:** Jeff Brediger, Orrville, chair; and Steve Dupee, Oberlin, vice chair.

**Hydro Phase II – Meldahl:** Kevin Maynard, Hamilton, chair; and Brian O'Connell, Bowling Green, vice chair.

**Hydro Phase II – Greenup:** Jason Grey, Danville, chair; and Brian O'Connell, Bowling Green, vice chair.

**AMPGS:** Ivan Henderson, Cleveland, chair; and Jason Grey, Danville, vice chair.

**Prairie State:** Ed Krieger, Piqua, chair; and Jeff Brediger, Orrville, vice chair.

## AMP members receive safety awards, commendations

By Michelle Palmer, PE – vice president of technical services

AMP presented awards and commendations to 16 member communities during the 2016 AMP/OMEA Conference Safety Awards on Sept. 28. Safety awards are given to communities who had no time loss due to reportable accidents or injuries.

In the **generation category**, awards were presented to Bryan Municipal Utilities, Dover Light & Power, Orrville Utilities Power Plant Operations and Power Plant Maintenance departments, and Shelby Division of Electric and Telecommunications.

In the **transmission and distribution category**, awards were presented to Bryan Municipal Utilities, Cuyahoga Falls Electric System, Hudson Public Power, Village of Minster Electric Department, Montpelier Municipal Utilities, Orrville Utilities, St. Clairsville Light & Power, Shelby Division of Electric and Telecommunications, City of Wadsworth Electric and Communications, and Wapakoneta Electric Department.

A **safety commendation for generation** was given to Hamilton Department of Electric.

A **safety commendation for transmission and distribution** was given to the City of Westerville Electric Division.

**Mutual Aid Commendations** were given to: Ellwood City Power and Light for providing assistance to the Borough of Zelienople, Piqua Power System for providing assistance to Dayton Power & Light, Westerville Electric Division for providing assistance to the Village of Prospect, and Bowling Green Municipal Utilities for providing assistance the City of Oberlin.



Mayor Doug Johnson (right), of Bryan, accepts safety awards on behalf of Bryan Municipal Utilities from Kyle Weygandt, director of member safety.

**AMP Hard Hat Safety Award** winners will be announced in their community and presented with an award at a later date.

Member utilities with 2016 Hard Hat Award winners are: City of Columbus Division of Power, Cuyahoga Falls Electric System, Dover Light & Power, Borough of Ephrata Electric Division, City of Hamilton Greenup Hydroelectric Plant, Hudson Public Power, Minster Electric Department, Montpelier Municipal Utility, Orrville Utilities, St. Clairsville Light and Power, and City of Wadsworth Electric Division.

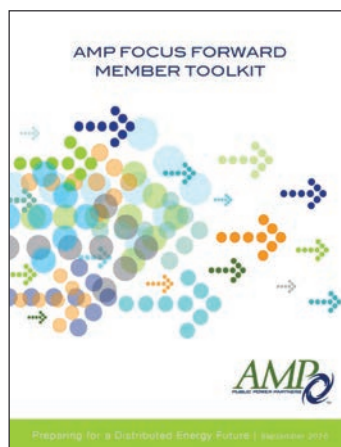
## Focus Forward Toolkit is now available on the Member Extranet

By David Deal – director of energy policy & sustainability

AMP presented the Focus Forward Toolkit results during a general session at the 2016 AMP/OMEA Conference earlier this week. The report and related resources are now available under the Member Extranet section of the [AMP website](#).

The Focus Forward Member Toolkit represents AMP's initial effort to educate and inform AMP member utilities about Distributed Energy Resources (DER). The report is broken into two main components, a Rate Design Guide and an Interconnection Checklist, and also includes four case studies of AMP members who have taken action on DER matters and the lessons they learned in the process.

"With the publication of its Focus Forward Member Toolkit, American Municipal Power takes a leadership role in the transformation of the U.S. energy sector being driven by the growth of distributed energy resources on the grid," said Julia Hamm, president and CEO of the



Smart Electric Power Alliance (SEPA). "AMP is ensuring its members have the visions, options and practical tools to create their own roadmaps to foster stakeholder engagement and energy system change, based on their local markets and customer interests."

For those who were unable to attend the conference session, we plan to offer at least one webinar on the contents of the guide in early fall. Hardcopies of the toolkit will also be mailed to principal contacts in the next week.

AMP offers special appreciation to the following contributors: GDS Associates Inc., SSOE Group, Courtney and Associates, and Sawvel and Associates, members of the Focus Forward Advisory Council, and AMP members Ephrata, Hudson, Minster and Wadsworth.

Please contact me with questions or for additional information at [ddeal@amppartners.org](mailto:ddeal@amppartners.org) or 614.540.0840.





## Classifieds

### Napoleon seeks law director

The City of Napoleon has an immediate opening for a full-time law director. Candidates must be admitted and licensed to practice law in the state of Ohio and have a minimum of three years of experience, including criminal and traffic trial experience. A valid driver's license is required. This is a full-time position with a starting annual salary of \$70,000 - \$105,000 depending on experience.

Applications and job description may be obtained from 7:30 a.m. to 4 p.m. at the City of Napoleon's Administration Building, 255 W. Riverview Ave., PO Box 151, Napoleon, Ohio 43545, or downloaded from the city's [website](#). A properly completed notarized application must be returned to the above address, Attn: Human Resources, with a resume and cover letter by 4 p.m. Oct. 4. Applications submitted without following the above requirements will not be considered. EOE.

### Billing clerk needed in Hudson

The City of Hudson is seeking applicants for the position of utility billing account clerk in the finance department. This position is responsible for billing, receipts, work order processing and customer service within the utility billing office. This position requires a high school diploma or GED, with three to five years of related experience preferred. Pay range is \$39,312 - \$55,452.

A detailed job description and application form is available on the city [website](#). Applications may also be obtained at the City of Hudson Municipal Services Center, 115 Executive Parkway, Suite 400, Hudson, Ohio; 8 a.m. to 4 p.m. weekdays. Submit completed applications with resume attached to City of Hudson/HR Attn: Utility Billing Account Clerk, 115 Executive Parkway, Suite 400, Hudson, Ohio 44236. Applications must be received no later than 4 p.m. Oct. 10. EOE.

### Bowling Green seeks firefighter

The City of Bowling Green is accepting applications until Oct. 5 for the position of firefighter/paramedic. This position is responsible for fire suppression, prevention, and emergency medical service for the protection of life and property. Applicants must be certified by the state of Ohio as a paramedic at the time of application and appointment. Copies of paramedic certification must be provided at the time of application. Within 12 months of appointment, those persons hired must become certified as an Ohio Firefighter II. Each candidate will be scheduled to take the physical agility test at 7:30 a.m. on Oct. 13 or Oct. 14. Candidates who successfully pass the physical agility exam will be invited to sit for the written exam at 8 a.m. on Nov. 5.

Ohio law (ORC 124.42) and city regulations provide that no person shall be eligible to receive an original appoint-

ment in the fire service unless the person has reached the age of 18 and has not reached his/her 41st birthday. Credit for military service will be granted in accordance with the requirements established in ORC Section 124.23(C). Firefighter/paramedics must serve a one-year probationary period. The pay rate at hire will be \$16.95, based on 2,704 hours per year. Candidates must complete an application packet that is available in the personnel department of the City of Bowling Green, 304 N. Church St., Bowling Green, Ohio 43402.

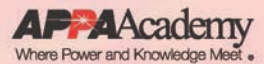
A copy of the job description will be provided to candidates. Resumes alone are unacceptable. For more information, contact the personnel department at 419.354.6200 or [BGPersonnel@bgohio.org](mailto:BGPersonnel@bgohio.org). The online application is available on the city's [website](#). AA/EEO.

### 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](http://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**



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## Fw: Ohio Municipal League Legislative Bulletin

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09/30/16 01:44 PM


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# Legislative Bulletin

**September 30, 2016**

The Ohio Senate returned briefly to the Ohio Statehouse this week, holding a voting session on Wednesday. During the session, Senators approved SB 329, legislation introduced by Senate President Keith Faber (R-Celina) and Sen. Kris Jordan (R-Delaware) that would require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet. The bill, which was introduced at the end of May and received two hearings in the Senate Government Oversight & Reform committee, has been sent to the Ohio House for their review. The legislature is not expected to return to the Statehouse until after the General elections, when the "Lame Duck" session will commence.

### **2020 TAX POLICY STUDY COMMISSION RECONVENES AND RECEIVES TESTIMONY ON MUNICIPAL INCOME TAX**

On Monday, September 26, the 2020 Tax Policy Study Commission held a hearing during which two very different proposals on municipal income tax policy were heard. First, the commission heard the testimony from Fred Nicely, the Council on State Taxation (COST) senior tax council. Mr. Nicely advocated for the institution of a centrally administered municipal income tax system, as well as the elimination of the

"throwback" provision, the provision of a 100% municipal income tax credit, and a 20-year NOL carry forward period for Net Operating Losses.

OML's executive director Kent Scarrett was able to testify after Mr. Nicely and refuted the claims made by COST. [HERE](#) is a link to the testimony that was presented. Director Scarrett argued that centralized collection would cut off the over 600 municipalities with municipal income tax from collecting or accessing their "life blood" revenue. As for the elimination of the "throwback" provision, Dir. Scarrett cited just two instances in which the elimination would have devastating consequences: one city outside Columbus would lose 25% of its general revenue, while a study by the city of Athens concluded its top five employers would lose more than \$76,000 per year.

Regarding the proposed municipal income tax credit, Dir. Scarrett rejoined, "When Ohio's workforce comes home, they enjoy such basic services as a trained police force, dependable fire and rescue services, safe roads, clean water, controlled zoning practices and other services that make a civilized community a safe place to live and prosper. The revenue consequences [ . . . ] would be untold. But understand, it would not take long for Ohio's workforce to flee the Buckeye state, making economic development success a thing of the past."

Budget Director Tim Keen asked Dir. Scarrett at the conclusion of the testimony a couple of questions clarifying whether municipal income tax is the sole source of revenue for municipalities since they are not mandated to impose one. Dir. Scarrett clarified that for the over 600 municipalities that have instituted a municipal income tax, it is far and away their largest and most reliable source of revenue.

The commission concluded the hearing without setting a date for the next one.

### **65<sup>th</sup> OML ANNUAL CONFERENCE AROUND THE CORNER**

The OML annual conference is quickly approaching and we want to remind our members that if you have not already done so please complete your registration information and return it to us so we can secure your attendance at this year's event.

We are excited to confirm that the Ohio State University Alumni Marching Band will be joining us Wednesday evening at our reception in the Exhibitors Hall to entertain and get everyone fired-up! Make sure you join us in Columbus October 26-28<sup>th</sup> at the Renaissance hotel to learn all about timely issues related to municipal government, hear insights from the campaign trail by national policy & political analyst Bob Cusack, Editor in Chief of *The Hill* news service and most importantly, interact with other municipal officials from around the state.

We look forward to seeing you at the conference.

## **Meetings & Conferences**

<b>Ohio Municipal League Annual Conference</b>	<b>October 26th ~ 28th, 2016</b>	<a href="#"><u>Registration</u></a>
	<b>October 27th ~ 28th, 2016</b>	<a href="#"><u>Registration</u></a>

<b>Municipal Finance Officers Annual Conference</b>		
<b>3 Hr Mayors Court Refresher Course</b>	<b>October 28th, 2016</b>	<b><a href="#">Registration</a></b>

[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

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**Advocates for improved rail travel, elected officials, economic development professionals, and urban planners are invited to hear news about exciting developments in passenger rail.**

## Passenger Rail Forum

**Monday, October 24, 11 a.m. – 1 p.m.**

**The Toledo Club, 235 14th St., in downtown Toledo**

This event is sponsored by TMACOG and the Northwest Ohio Passenger Rail Association (NOPRA)

This year's featured speaker is Eugene "Gene" Skoropowski, senior vice president of railroad operations for Brightline. All Aboard Florida's Brightline service is the first new, privately financed intercity passenger rail service in a hundred years. Learn what the service is, who is building it, where it goes and the additional travel options it brings to Florida. Skoropowski will also discuss how his business concepts can be applied to other rail corridors.



**With more than 40 years of railroad industry experience in both the private and public sectors, Gene Skoropowski brings to Brightline an extensive background of building**