
Memorandum

To: Mayor, City Council, City Manager, Finance Director, City Law Director
From: Roxanne
Subject: General Information
Date: February 17, 2017

CALENDAR

FEBRUARY 20, 2017 AGENDAS

6:00 pm – *Ad-hoc Committee on Organizational Health and Strategic Vision*

- Discussion on Mission and Strategic Vision

7:00 pm - *City Council*

C. Approval of Minutes

1. February 06, 2017 Special Council Meeting Minutes
2. February 06, 2017 Regular Council Meeting Minutes

E. Reports from Council Committees

1. **Electric Committee** met on February 13, 2017 and:
 - a. heard a presentation on the Credit Scoring Process by AMP; and
 - b. recommended to accept the BOPA recommendation to approve the Power Supply Cost Adjustment Factor for February 2017;
2. **Water and Sewer Committee** did not meet on February 13, 2017 due to the lack of agenda items.
3. **Municipal Properties, Building, Land Use and Economic Development Committee** did not meet on February 13, 2017 due to the lack of agenda items.
4. **Ad-hoc Committee on Organizational Health and Strategic Vision** met tonight with the following agenda item:
 - a. Discussion on Mission and Strategic Vision.
5. **Parks & Rec Committee** did not meet tonight due to the lack of agenda items

G. Introduction of New Ordinances and Resolutions

1. **Resolution No. 005-17**, a Resolution Authorizing the Expenditure of Funds over Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of a Year 2017 or Newer Pickup Truck for the Parks and Recreation Department, Utilizing the State Cooperative Purchasing Program, which was not included in the 2017 Master Bid Resolution; and Declaring an Emergency. *(Suspension Requested)*
2. **Resolution No. 006-17**, a Resolution Strongly Opposing the State of Ohio Governor's Proposed 2017-2018 Budget, which proposes Centralized Collection of Net Profit Tax Returns and other provisions related to the Municipal Income Tax which will cause a Substantial Loss of Revenue needed to Support the Health, Safety, Welfare and Economic Development Efforts of Ohio Municipalities; and Declaring an Emergency. *(Suspension Requested)*
3. **Ordinance No. 007-17**, an Ordinance Authorizing an Economic Development Agreement between the City of Napoleon, Ohio, the Community Improvement Corporation of Henry County, Ohio, and Ventures In Space, Ltd., regarding the construction of an Industrial Building within the City Of Napoleon, Ohio; and Declaring an Emergency. *(Suspension Requested)*

H. Second Readings of Ordinances and Resolutions - *None*

I. Third Readings of Ordinances and Resolutions - *None*

J. Good of the City (*Discussion/Action*)

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for February 2017 as: PSCAF three month averaged factor \$0.01330; JV2 \$0.067454 and JV5 \$0.067454.
2. **Discussion/Action:** to Approve the Purchase of one (1) Small Dump Truck with Salt Spreader and Plow Attachments.
 - A Memorandum from Chad regarding this purchase is enclosed.
3. **Discussion/Action:** to Approve the Purchase of one (1) Utility Vehicle for the WWTP.

K. Executive Session

L. Approve Payments of Bills and Approve Financial Reports

INFORMATIONAL ITEMS

1. **AGENDA**
 - a. *Tree Commission*; Monday, February 20th at 6:00 pm
2. **CANCELLATIONS**
 - a. Parks & Rec Committee Meeting
 - b. Parks & Rec Board Meeting
3. **MISCELLANEOUS INFORMATION**
 - a. AMP Update/February 10, 2017
 - b. OML Legislative Bulletin/February 17, 2017
 - c. Regional Growth Partnership 2017 Annual Meeting/Monday, February 27th
 - d. NORED Annual Meeting, March 9th

Records Retention - CM-11 - 2 Years

FEBRUARY 2017

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6 6:00 pm – Joint SPECIAL Mtg. - Municipal Properties/ ED Comm. & City Council 7:00 pm - City COUNCIL	7	8	9	10	11
12 7:00am – 1:00pm Pancake/Sausage Breakfast at the Fire Station	13 6:30 pm -Electric Committee BOPA	14	15	16	17	18
19	20 6:00 pm- City Tree Commission 6:00 pm - Ad-hoc Committee on Organizational Health & Strategic Vision Committee 7:00 pm - City Council	21	22	23	24	25
26	27 6:30 pm - Finance and Budget Committee 7:30 pm - Safety and Human Resources Committee Joint Meeting w/Townships and HCSJAD	28 4:30 pm - Civil Service				

City of Napoleon, Ohio

AD-HOC COMMITTEE ON ORGANIZATIONAL HEALTH AND STRATEGIC VISION

MEETING AGENDA

Monday, February 20, 2017 at 6:00 pm

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

1. Approval of Minutes from January 09, 2017 *(In the absence of any objections or corrections, the Minutes shall stand approved)*
2. Discussion on Mission and Strategic Vision.
3. Any other matters currently assigned to the Committee.
4. Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

AD-HOC COMMITTEE ON ORGANIZATIONAL HEALTH AND STRATEGIC VISION

Monday, January 09, 2017 at 7:00 pm

Meeting Minutes

PRESENT

Committee
City Staff

Travis Sheaffer—Chair; Joe Bialorucki; Dan Baer; Jason Maassel
Greg Heath, Finance Director
Joel Mazur, City Manager
Roxanne Dietrich
Newsmedia

Recorder

ABSENT

Call To Order

Chairman Sheaffer called the meeting to order at 7:08 pm.

Minutes Approved

Minutes of the August 15, 2016 and September 19, 2016 Ad-hoc Committee on Organizational Health stand approved as read with no objections or corrections.

Mission and Strategic Vision

Chairman Sheaffer said the Strategic Vision Committee was formed to set the direction on how we would like to see the City to go, to put together a five-year plan and address the mission statement. We had a citizen survey done in 2016 and with the results we received, the one thing we talked about doing sometime in 2017 was a citizens academy to help educate the citizens. On the Organizational Health side, the committee was formed to take a look at the health of the organization. With all the things that have happened, I think we are moving on the good side, the Charter changes take effect on July 1, 2017 and training sessions are being implemented for this year. Patrick Lencioni wrote a book on organizational health and the first step towards organizational health is trust, that is the kind of stuff we need to work on. There was the thought that once the committee comes up with ideas on strategic vision and organizational health and we have an idea where we want to go to take and do some sort of meeting or retreat where we all get together and to bring in a consultant to work with us through the process. I am currently going through several documents we have, our current vision statement, the Henry County Economic Development Plan and the Reveille Plan, and will put together a share point. The survey results will be in there also.

Maassel said the Reveille Plan is 3-4 years old, may as well use that one, no sense in buying another. This plan has step-by-step action points to measure progress on a yearly goal.

Sheaffer said the purpose of the plan is: 1) to know where we want to go; and 2) it gives the appointed authorities direction on the way we want to proceed along. Once we start talking where we want to go, we would want to invite Denise Dahl and Joel Miller and a couple industrial business to get input from.

Maassel suggested inviting a County Commissioner. If we are going to have that many people, we would want to have a retreat kind of event that would be led by somebody else, 2017 should be the homework year, 2018 may be better for the meeting. Do a lot of research and set the foundation this year. Sheaffer commented as long as he has been here we have never had a plan. Mazur replied this is a good step in the right direction I was thinking maybe a recreational group too.

Maassel said we could build a day with have different groups split out throughout the day.

Sheaffer said when new council people come on board they would receive a copy of the plan so they know the general direction and vision where we are going would be part of the introduction package.

Maassel replied we would want to do an annual review of the plan.

Sheaffer said he would like to set a regular meeting on the 3rd Monday of each month at 6:00 pm.

Mazur asked about the 2015 economic focus for Napoleon.

Sheaffer said it was done by Grisdale and talks about streets.

Maassel commented it is a tool to figure out where we are going. Glenn Grisdale at Reveille did the County Economic Development plan.

Baer said he would really like to see the citizens academy go.

Maassel replied he agreed, you have to start someplace. Stuff we think may interest citizens may not be real interesting to the citizens.

Sheaffer set the next meeting for Monday, February 20th at 6:00 pm.

Other Matters

Bialorucki asked about the government class at the high school.

Sheaffer said he went and spoke to the government class and there were 3 or 4 interested.

Bialorucki suggested we should approach the school and encourage the kids to come and participate.

Maassel responded there is your practice day for the citizens academy you take the kids first and see what they are interested in.

Sheaffer replied he was looking at the fall.

Baer said you have kids interested now need to expand on that with the few that are interested.

Sheaffer said we could do one in the fall and one in the spring on a first come signup.

Motion To Adjourn

Motion: Bialorucki Second: Maassel
To adjourn the meeting at 7:52 pm.

Passed

Yea-4

Nay-0

Roll call vote on above motion:

Yea- Sheaffer, Baer, Maassel, Bialorucki

Nay-

Approval Date

February 20, 2017

Travis Sheaffer, Chair

DRAFT

CITY COUNCIL

Meeting Agenda

Monday, February 20, 2017 at 7:00 pm

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

A. Attendance *(Noted by the Clerk)*

B. Prayer and Pledge of Allegiance

C. Approval of Minutes: *(in the absence of any objections or corrections, the minutes shall stand approved)*

1. February 6, 2017 (Special Council Meeting)
2. February 6, 2017 (Regular Council Meeting)

D. Citizen Communication

E. Reports from Council Committees

- 1) **Electric Committee** met on February 13, 2017 and:
 - a. heard a presentation on the Credit Scoring Process by AMP; and
 - b. recommended to accept the BOPA recommendation to approve the Power Supply Cost Adjustment Factor for February 2017;
- 2) **Water and Sewer Committee** did not meet on February 13, 2017 due to the lack of agenda items.
- 3) **Municipal Properties, Building, Land Use and Economic Development Committee** did not meet on February 13, 2017 due to the lack of agenda items.
- 4) **Ad-hoc Committee on Strategic Vision and Organizational Health** met tonight with the following agenda item:
 - a. Discussion on Mission and Strategic Vision.
- 5) **Parks & Rec Committee** did not meet tonight due to the lack of agenda items

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

- 1) **Board of Public Affairs** met on February 13, 2017 and
 - a. heard a presentation on the Credit Scoring Process by AMP; and
 - b. approved the Power Supply Cost Adjustment Factor for February 2017.
- 2) **Board of Zoning Appeals** did not meet on February 14, 2017 due to the lack of agenda items.
- 3) **Planning Commission** did not meet on February 14, 2017 due to the lack of agenda items.
- 4) **City Tree Commission** met on February 20, 2017 with the following agenda items:
 - a. Review Tree Call Reports;
 - b. Plan Arbor Day Observation;
 - c. Finalize Spring Topsoil List;
 - d. Award Spring Removals Contract; and
 - e. Award Spring Planting Contract.
- 5) **Parks and Rec Board** did not meet on February 22, 2017 due to the lack of agenda items.

G. Introduction of New Ordinances and Resolutions

1. **Resolution No. 005-17**, a Resolution Authorizing the Expenditure of Funds over Twenty-five Thousand Dollars (\$25,000.00) for the Purchase of a Year 2017 or Newer Pickup Truck for the Parks and Recreation Department, Utilizing the State Cooperative Purchasing Program, which was not included in the 2017 Master Bid Resolution; and Declaring an Emergency. *(Suspension Requested)*
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H. Second Readings of Ordinances and Resolutions - None

I. Third Readings of Ordinances and Resolutions - None

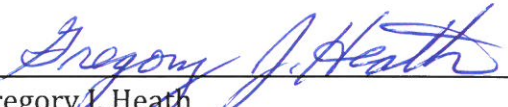
J. Good of the City *(Any other business as may properly come before Council, including but not limited to):*

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for February 2017 as: PSCAF three month averaged factor \$0.01330; JV2 \$0.067454 and JV5 \$0.067454.
2. **Discussion/Action:** to Approve the Purchase of one (1) Small Dump Truck with Salt Spreader and Plow Attachments.
3. **Discussion/Action:** to Approve the Purchase of one (1) Utility Vehicle for the WWTP.

K. Executive Session: *(As May Be Needed)*

L. Approve Payment of Bills and Approve Financial Reports *(In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.)*

M. Adjournment



Gregory J. Heath
Finance Director/Clerk of Council

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Monday, March 06, 2017 @6:15 pm)
 - a. City Email Server (tabled)
 - b. Standards/Government Pricing on Computer Purchases (tabled)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, March 13, 2017 @6:30 pm)
 - a. Review of Power Supply Cost Adjustment Factor for March, 2017
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, March 13, 2017 @7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, March 13, 2017 @7:30 pm)
 - a. Updated Information from Staff on Economic Development (as needed)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, February 20, 2017 @6:15 pm- Canceled)
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, February 27, 2017 @6:30 pm)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Meeting: Monday, February 27, 2017 @7:30 pm)
 - a. Review of Personnel Code
 - b. 2017 Regular Meeting with Townships
- 8. Personnel Committee (as needed)**
- 9. Ad Hoc Committee on Organizational Health and Strategic Vision (Next Meeting: Mon., February 20, 2017 at 6:00 pm)**
- 10. Ad Hoc Committee on Council Rules (as needed)**

B. ITEMS REFERRED OR PENDING IN OTHER CITY COMMITTEES, COMMISSIONS & BOARDS

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, March 13, 2017 @6:30 pm)
 - a. Discussion on Credit Review Scoring
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, March 14, 2017 @4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, March 14, 2017 @5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, February 20, 2017 @6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, February 28, 2017 @4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, February 22, 2017 @6:30 pm-Canceled)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, May 9, 2017 @10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 13, 2017 @4:00 pm)
- 9. Housing Council (1st Monday of the month after the TIRC meeting)**
- 10. Health Care Cost Committee (As needed)**
- 11. Preservation Commission (As needed)**
- 12. Infrastructure/Economic Development Fund Review Committee (as needed)**
- 13. Tax Incentive Review Council (March 16, 2017 at 9:00 am)**
- 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 COUNCIL

Special Meeting Minutes

Monday, February 06, 2017 at 6:00 PM

PRESENT

Council

Mayor

Finance Director

City Manager

Law Director

Recorder

City Staff

Others

Travis Sheaffer-Council President (arrived at 6:12 pm); Patrick McColley, Council President Pro-Tem; Jeff Comadoll, Rita Small, Dan Baer, Jeff Mires, Joe Bialorucki Jason P. Maassel

Gregory J. Heath

Joel L. Mazur

Billy D. Harmon

Roxanne Dietrich

Chad Lulfs-Director of Public Works, Clayton O'Brien-Fire Chief, Jeff Rathge-Operations Superintendent, Dustin Tewksbury, MIS

Joel Miller-Director Napoleon/Henry County Chamber, Newsmedia, Doug Herman-Eddie J's, Robin Weirauch-Season's Eatery, Derek Weideman-Spengler's

ABSENT

Call to Order

Council President Pro-Tem McColley called the meeting to order at 6:00 pm.

Downtown Resurfacing Project

Mazur said we would like to discuss the results from last Tuesday's meeting, give you an overview of what was discussed and go over some of the comments so we can move forward with the planning and design of the road project.

Approximately 40-45 people showed up and overwhelmingly everyone picked what was referred to as Alternate B that has the 10' sidewalk on Perry Street and eliminates a turn lane, the business owners are very supportive and appreciated being included in the project. Some of the main concerns are to move the truck traffic off Perry Street and designate an open container area. There is \$825,000 in the budget for the original plan with an additional \$20,000 for alley resurfacing. Alternative B eliminates the turn lanes and adds angle parking on one end. After looking at it further, we believe the 10' bump out might be too aggressive and an 8' would be better. The 10' eliminates turn lanes, if you reduce it to 8' you have more flexibility to manage traffic, you can always restripe if there are traffic issues. Not one person at the meeting wanted to go with the original plan, everyone said we need to make changes with the downtown streets and agreed starting with Perry Street. By changing direction the estimated cost would be \$550,000. We made the commitment to spend \$845,000 on the downtown and believe carrying over that \$300,000 allows us to plan for changes down the road. The preliminary schedule would be to have the plans completed late March or early April, award the contract in May and to have the construction start in June, with completion hopefully by September. We will work around any downtown events.

All the business owners, including those on Scott Street, agreed we need to move truck traffic off of Perry Street. The angle parking was previously eliminated on Perry Street because of too many traffic accidents. There is the issue of how to keep delivery truck traffic from disturbing the traffic flow on Perry Street. By adding sidewalks, there will be more snow removal, how will that affect our city crews that do snow removal? By adding space for sidewalk cafes or outdoor seating especially with drinks outside, there will need to be rules and standards

that are uniform. Two major issues were St. Rt. 108 and the turn lanes. Maassel asked if the State is okay with us potentially changing the traffic pattern. Mazur responded the State would have to review and approve. Maassel said if we move St. Rt. 108 truck traffic to Scott Street, is Scott Street built to handle truck traffic? Lulfs replied if we re-route truck traffic the State would have to sign off and one of their requirements is they would do borings to test the pavement. Maassel asked if a street light would have to be installed at Riverview and Scott. Lulfs said yes. Maassel said if the sidewalks are expanded does the State have to approve? Lulfs responded if the sidewalk is extended out and the turn lanes are left in, it would be a rubber stamp. McColley said it could be changed down the road with line striping . If we keep the turn lanes and 2-3 years down the road we do not need the turn lanes anymore, we can restripe. Maassel responded basically if you keep the turn lane you lose parking out front. Mazur replied with turn lanes you will lose five parking spaces. Robin Weirauch a business owner at 719 North Perry Street stated if the 8' option is chosen it would stop just before my business down to the Vocke Building. I would hate to be left out. Right now, I have a license from the City to have tables out in front of my store the extra 4' would make a difference. Now I have to keep the tables close to the building so people can get out of their cars, the extra 4' would allow me to put out a few more small cafés. The agreement states if the tables are not permanent I have to take them in and out each day. It would be a disadvantage if you did not expand in front of my business. Another concern I have with the loss of a turn lane is people will be idling at the stoplight spewing out more pollution, do you have an idea how it will affect traffic backup. McColley stated you are thinking more 4-4-8-0. Weirauch responded I am okay with 4' just do not want to be left out other businesses are not restaurants but may want to have sidewalks sales. Doug Herman from Eddie J's stated his concern is with turn lanes, large trucks park out there, if the alley is blocked off too, would have to figure out where the trucks will go, are large trucks allowed in the parking lot. UPS pulls up and goes inside businesses with deliveries, without the turn lanes no one can get around him, that could be an issue. Parking in the 700 block is a much bigger issue as you have more retail and offices. Bialorucki asked what is the plan for sidewalks, are we going to redo all so they look the same or are you going to keep some old and add some new. Mazur replied if we have to replace sidewalks we will, if don't have to we will not. Lulfs said that would raise the cost up, it will depend on the survey we do not want sidewalks changing grade every 6', it would be great if we could afford to replace all, but cost wise we are looking at replacing half. Bialorucki said if a business owner was interested in pitching in for sidewalks in front of their business so it looks better, would they have that option? Lulfs answered if someone is interested, they would have to get in contact with the contractor. We will be doing real construction, not a rebuild where you just mill and grind out, everything will be dug up. Sheaffer asked will there be time to do all that this year? Lulfs answered, I believe so. McColley stated, we are talking about 4-4-8-0 or 4-8-8-0.

**City Council Approves
Municipal Properties
Recommendation of
4-4-8-0**

**Passed
Yea-7
Nay-0**

Comments

Motion to Adjourn

**Passed
Yea-7
Nay-0**

Adjournment

Approved:

February 20, 2017

Sheaffer asked what is Spangler's preference?

Weideman said we are for more parking, with a 4' sidewalk would that allow for a patio?

Lulfs told him you may want to consider some type of fencing if you put it out closer to the street.

Weideman replied Mom would rather see parking, if we have the 4-4-8-0 we could do something out front. Our concern with the loss of the turn lane is backed up traffic no one would want to sit out front, it would be nice to have a patio.

Lulfs said with 4' on the north side should be able to maintain most of the parking.

McColley asked if we do 4-4-8-0 any reason why doing 0 instead of 4?

Sheaffer asked if it was done like Adams Street in Toledo, would they still need a fence?

Mazur said it is better off to have a fence if will be serving food and drinks outside.

Weideman stated Spanglers is okay with 4-4-8-0 if we do have the 11-1/2' space to work with, we could still have a patio that would definitely suite us best.

Motion: Baer

Second: Bialorucki

To approve the Municipal Properties, Building, Land Use and Economic Development Committee's recommendation of sidewalk alignment to be 4-4-8-0.

Roll call vote on the above motion:

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

Nay-

Joel Miller said there has been talk through the ages of a 2nd bridge, our main concern is truck traffic, you would have car traffic that is what you want to be able to get through the downtown. It is important to note the need to move truck traffic even if the 2nd bridge does come through.

Motion: McColley

Second: Mires

To adjourn the Special City Council meeting.

Roll call vote on the above motion:

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

Nay-

The Special City Council Meeting was adjourned at 7:04 pm.

Patrick McColley, Council President Pro-Tem

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

CITY COUNCIL

Meeting Minutes

Monday, February 6, 2017 at 7:00 PM

PRESENT

Council

Travis Sheaffer, Council President, Patrick McColley, Council President Pro-Tem;
Jeff Comadoll, Joe Bialorucki, Rita Small, Dan Baer, Jeff Mires

Mayor

Jason P. Maassel

Finance Director/Clerk

Gregory J. Heath

City Manager

Joel L. Mazur

Law Director

Billy D. Harmon

Recorder

Roxanne Dietrich

City Staff

Chad Lulfs-Public Works Director, Clayton O'Brien-Fire Chief, Bob Weitzel-Chief of
Police, Jeff Rathge-Operations Superintendent, Dennis Clapp-Electric Distribution
Superintendent, Tony Cotter-Parks and Rec Director, Dustin Tewksbury-MIS

Others

News Media, NCTV

ABSENT

Prayer

Council President Sheaffer called the meeting to order at 7:08 pm with the Lord's
Prayer followed by the Pledge of Allegiance.

State of the City

Mayor Maassel gave the State of the City (a copy is attached).

Approval of Minutes

Minutes from the January 16, 2017 Regular City Council meeting and January 23,
2017 Special Council Meeting stand approved as read with no objections or
corrections.

Citizens Communication

Laura Hibbard of Hadrway Farms who bought the former Mahnke Property was
present to ask Council to allow her to de-annex part of the property. She stated
they want to raise cows, chicken, goats and grow organic produce the concept is
farm/city. The property is zoned commercial with agricultural is why they would
like to de-annex into the township. Hibbard said they want to put up a barn to
have educational seminars on storing local produce, raising organic produce and
other things. The barn would also be a workshop for beekeeping and have a small
farm market in the summer. Hibbard said her husband is beekeeper and the honey
would bring an opportunity that is not here right now, they need Council's help to
make the concept doable. She stated the ORC says after five years after a property
is annexed you can request to be moved out, she said we don't have to do this
business.

Sheaffer said you can accomplish all that by doing a special variance to the
property. The problem I see, I don't believe we can serve sewer service if you are
not annexed.

McColley told them the biggest issue is zoning needs to be solved, you do not need to
de-annex.

Hibbard said I do not have time it is easier to get things done in the country than
city.

Council Committee
Reports

GOOD OF THE CITY

**Approval of Plans and
Specifications for the
Hobson Street Waterline
Improvements Project-
Phase 2 (CDBG Project)**

Discussion

Harmon told her there are three ways you can request de-annexation: (1) by petition to the county commissioners; (2) by election; or (3) by petition to the Common Pleas Court.

Sheaffer stated I am not in favor of de-annexing, it would be a negative step backwards, everything can be accomplished through zoning issues.

Hibbard replied the short way is an agreement with the township that will cost less for me.

McColley responded the short way would be to work through the zoning issues with us, we would be more than willing to accommodate most of the issues. I am not in favor of de-annexing. Work through the process and let us try to accommodate what you want to do.

Bialorucki commented I am not real clear on what you are asking of Council.

Hibbard said the ORC allows ag portion outside of the city, I will protest if we go the long route. I want to put in a building, a lot of people want organic produce, you tell me you are going to oppose, I will go through the process to move out.

McColley replied we would like to accommodate your business but still do not know what the issue is, maybe an agricultural variance?

Hibbard said you cannot open burn we will be burning trees and rubbish, we do not want to have a nuisance law, we will have manure and do not want people complaining, in the township we will not have that issue.

McColley said we would be doing a dis-service to our other businesses in the City if you are making the whole area stink.

Bialorucki said we appreciate what you are doing and bringing it to our attention; but, there is a lot for all of us to process, you are putting us on the spot by saying "I don't have time to wait for you guys to do your job" that is unfair asking us to do that.

Hibbard said I don't have time to wait two months.

McColley told her in the meantime file for a variance.

Sheaffer told her we would rather work with you. We could have our staff research what is or is not allowed and present you with what we can do.

Chairman McColley reported the Municipal Properties, Building, Land Use and Economic Development Committee met earlier tonight and recommend to Council the 4-4-8-0 sidewalk alignment for downtown. The committee also met on Tuesday, January 31st at Eddie J's that went extremely well, we had a lot of people there.

The Technology Committee meeting was canceled.

Finance and Budget Committee did not meet due to lack of agenda items.

Safety and Human Resources Committee did not meet due to lack of agenda items.

Motion: Comadoll

Second: McColley

To approve the Hobson Street Waterline Improvements Project ~ Phase 2 plans and specifications and to go out for bid.

Mazur informed Council this project has been in the works for a while.

Lulfs said we would like to go out to bid now, the Engineer's Estimate is \$300,000

**Passed
Yea-7
Nay-0**

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

Motion: Comadoll Second: McColley
To approve the purchase of a brush chipper off of the state contract for the Electric Department.

Clapp, Electric Distribution Superintendent said the current chipper is now over ten years old, we have put a lot of money into it and it is not big enough for what we do. The new one is one size larger and will accommodate what we do and be more efficient. We budgeted \$67,000.00 for a chipper with a winch, we do not need a winch which saves us \$10,000 the cost to purchase the chipper off state contract will be \$55,312.62.

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

Motion: Bialorucki Second: Comadoll
To approve the purchase of two patrol vehicles from Statewide Ford of VanWert at
a cost of \$68,884.00.

Weitzel said Statewide Ford of VanWert is the dealership who has had the state contract bid for many years and who does the up-fitting for our patrol vehicles. Their quote meets all the state bid conditions and each vehicle will cost \$150.00 less than the state contract price.

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

Motion: Comadoll Second: Bialorucki
To accept the donation of \$161.88 from the United Way of Henry County to the
Rec Department.

Mazur said this is donation from the United Way to the Rec Department to be used for the Safety City Program.

Cotter said some donations to the United Way were given specifically for the Rec Department to be used to help pay for the Safety City Program.

Yea- Baer, Mires, Bialorucki, Small, Sheaffer, Comadoll
Nay-
Abstain-McCollev

**Acceptance of Donation
From United Way to Fire
Department for Safety
City**

Motion: Comadoll

Second: Bialorucki

To accept the donation of \$200.72 from the United Way of Henry County to the Fire Department.

Discussion

Mazur said this is the same as the Parks and Rec donation, it ties into the Safety City Program.

Passed

Yea-6

Nay-0

Abstain-1

Roll call vote on the above motion:

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

Nay-

Abstain-McColley

**Acceptance of Henry
County Community
Foundation Donation to
Parks and Rec**

Motion: Comadoll

Second: Small

To accept the donation of bike racks from the Henry County Community Foundation to the Parks and Recreation Department.

Discussion

Cotter said the Henry County Community Foundation would like to donate four possibly five new bike racks. The bike racks are a unique, modernized design and would be placed at Ritter Park, Glenwood Park, the Swimming Pool and the Pocket Park Downtown. The funding is from money raised from the Napoleon Triathlon, Henry County Community Foundation, Limbird Rec Fund, and also the Optimist Club.

Passed

Yea-7

Nay-0

Roll call vote on the above motion:

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

Nay-

AROUND the TABLE

Heath

OML Income Tax Issue - the budget presented by the Governor has back in it centralized tax collection it is a battle we are fighting again. I would recommend Council direct the Law Director to draft an Ordinance opposing it and to contact our State Representative.

Maassel asked before we contact State Representative McColley do you have any kind of numbers that states how much was taken from us, give us more information for conversation.

**Motion to Direct Law
Director to Draft
Legislation Opposing
Centralized Tax
Collection**

Motion: Comadoll

Second: Baer

Motion to direct the Law Director to draft legislation opposing centralized tax collection.

Passed

Yea-7

Nay-0

Roll call vote on the above motion:

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

Nay-

Heath – continued

Another issue from AMP is information on tax exempt financing this a huge issue for us it can be very costly to the citizens of the City if it were to happen. Please contact our representatives in Washington, I do not know if legislation is required. Sheaffer responded this is a big issue that we hit on year after year at the APPA D.C. Rally. AMP has a large group there to meet with them. Mazur replied he will talk to Jolene at AMP and see what she recommends.

I should have the 2017 final budget book out in a week.

Bialorucki

I would like to thank and show our appreciation to all the downtown business owners for the time they spent on coming out to Eddie J's last Tuesday. Since then I walked into a business and an owner had the paperwork spread out looking at the project. The businesses were involved and gave really good feedback, that is a step in the right direction with business owners, residents, Council, City Manager, and to everyone working together. Thank-you to Chad, Marty and anyone else who worked behind the scenes to help us.

Small

I don't have anything.

McColley

I will go with what Joe said. Thanks Joel and Chad, businesses are much happier how the City is operating because of that. Winterfest last Saturday was a good event.

Sheaffer

Everyone is coming together as a group, I think back to where we were a year ago there are a lot of new faces that have come in over the year and I think we are at a position right now that with the group we have, Council and staff, we are poised to move positively in the future and I look forward to that. I encourage everyone to vote to keep the existing people, the continuity is appreciated, this group is working very well together Thank You to all and I look forward to 2017.

Maassel

Thank you to staff for all the information, I appreciate that. A lot of us are going to Washington, D.C. at the end of February, if you need a Finance and Budget Committee meeting will need to tweak the schedule. What Joe said about the downtown businesses, it was a great event, well done all the way. Winterfest - Engineering helped put together a sign. Winterfest could be an Annual event, Napoleon Alive has a lot of dedicated people. I would request an Executive Session for Economic Development.

Comadoll

Pancake and Sausage Breakfast this Sunday from 7:00 am – 1:00 pm at the Fire Department, make sure you have plenty of sausage, please.

Baer

Nothing.

Mires

Nothing.

Harmon

I would request an Executive Session for Pending Litigation.

Mazur

Motion to Go Into
Executive Session for
Economic Development

Passed
Yea-7
Nay-0

Motion to Go Into
Executive Session for
Pending Litigation

Passed
Yea-7
Nay-0

**Motion Come Out of
Executive Session for
Economic Development**

**Passed
Yea-7
Nay-0**

**Motion Come Out of
Executive Session on
Pending Litigation**

**Passed
Yea-7
Nay-0**

Approval of Bills

**Municipal Properties
Committee Meeting
Canceled**

A reminder the Fire Department will receive an award tomorrow.

Thank-You to Council for being so supportive of the downtown resurfacing project, there were positive good changes, good discussions and input, now we are settled in the right direction where we definitely want to go.

Motion: McColley Second: Mires
To go into Executive Session for Economic Development

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

Motion: Bialorucki Second: Small
To go into Executive Session for Pending Litigation.

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

Into Executive Session at 8:26 pm.

Motion: Small Second: Bialorucki
To come out of Executive Session for economic development.

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

Council President Sheaffer reported no action was taken for economic development

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

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

Council President Sheaffer reported no action was taken on pending litigation.

Out of Executive Session at 9:28 pm.

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

McColley, Chairman of the Municipal Properties, Building, Land Use and Economic Development Committee canceled the February 13, 2017 meeting due to lack of agenda items.

Water, Sewer Committee Meeting Canceled	Comadoll, Chairman of the Water, Sewer, Refuse, Recycling and Litter Committee canceled the February 13, 2017 meeting due to lack of agenda items.
--	--

Motion: Comadoll Second: Small
To adjourn the meeting.

Roll call vote on the above motion:

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

Nay-

Meeting was adjourned at 9:30 pm.

Patrick McColley, Council President Pro-Tem

Patrick McColley, Council President Pro-Tem

Jason P. Maassel, Mayor

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

RESOLUTION NO. 005-17

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURCHASE OF A YEAR 2017 OR NEWER PICKUP TRUCK FOR THE CITY PARKS & RECREATION DEPARTMENT, UTILIZING THE STATE COOPERATIVE PURCHASING PROGRAM, WHICH WAS NOT INCLUDED IN THE 2017 MASTER BID RESOLUTION; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon Parks & Recreation Department desires to purchase a year 2017 or newer pickup truck; and,

WHEREAS, the pickup truck can be purchased utilizing the State Cooperative Purchasing Program, and,

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

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 for the purchase of a year 2017 or newer pickup truck utilizing the State Cooperative Purchasing Program. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City Manager is authorized to enter into a contract for said purchase.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants; 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 Resolution No. 005-17 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

RESOLUTION NO. 006-17

A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2017-2018 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO THE MUNICIPAL INCOME TAX WHICH WILL CAUSE A SUBSTANTIAL LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO MUNICIPALITIES; AND DECLARING AN EMERGENCY

WHEREAS, the Mayor and Council have been advised of a proposal by Ohio Governor Kasich and his administration to institute a state-operated program for the centralized collection of Ohio Municipal Income Tax; and

WHEREAS, the proposal for a state takeover of collection of the municipal income taxes of municipal corporations such as the City of Napoleon, Ohio is a clear attack on the home rule powers granted to municipal corporations by the Ohio Constitution; and

WHEREAS, this proposed language also includes a provision that would eliminate a portion or portions of the sales factor, known as "throwback", substantially reducing reportable tax revenue to municipalities with warehouses, distribution centers, and any business providing online sales; and

WHEREAS, the City of Napoleon, Ohio strenuously objects to this latest attack on municipal home rule under consideration by the State of Ohio and urges all municipal corporations to make it clear to the Governor and General Assembly that this proposed usurpation of constitutionally granted local municipal power shall not take place without a vigorous legal challenge by affected municipal corporations; and

WHEREAS, the recent reduction in the Local Government Fund, elimination of Estate Tax, and accelerated phase-out of promised reimbursement for loss of revenues due to the repeal of the Tangible Personal Property Tax have all resulted in an annual loss of revenue of \$470,000; and

WHEREAS, municipalities can and will provide the personal service and assistance to its taxpayers in the preparation and filing of their tax reports and returns; and

WHEREAS, only municipalities can ensure the prompt and proper auditing of local tax returns to ensure all applicable deductions and declarations are reported, thus also ensuring that all taxpayers pay their fair share without causing higher costs of compliance for all, and must be able to do so without burdensome and costly restrictions included in the Governor's budget proposal created with the only purpose of restricting municipalities from correcting and/or auditing business return filings or making assessments; and

WHEREAS, provisions in this proposal will hamper municipalities' ability to audit and correct municipal income tax business returns, to equitably enforce the municipal income tax laws and has been crafted as a vehicle to control the administrative process of municipal income tax to the benefit of specific taxpayer interests; and

WHEREAS, the municipal income tax is the single largest revenue source, which provides essential municipal services, promoting a positive quality of life that residents and businesses alike rely upon, and any forced reduction in this revenue will have a negative impact on residents and businesses, creating an environment detrimental to retaining and attracting business in Ohio. **Now Therefore**,

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

Section 1. That, the Ohio General Assembly should request the immediate removal of all language pertaining to municipal income tax collection and administration, and should promote upcoming changes to the Ohio Business Gateway as a solution for businesses to file municipal income tax returns in a more simple and efficient manner, with the Ohio Business Gateway continuing to act only as a portal to remit payments and filing information directly to municipalities, and not to the Ohio Department of Taxation for processing.

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

Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that the City must maintain revenue levels without threat of assault via legislation proposed by the Ohio General Assembly; therefore, this Resolution shall be in full force and effect immediately upon its adoption by Council.

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 Resolution No. 006-17 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

<u>=ACCOUNT NUM.#=</u>	<u>FUND SOURCE,</u>	<u>2008</u>	<u>2016</u>	<u>2008 to</u>
<u>FUND-DEPT-ACCNT</u>	<u>REVENUE / RECEIPT ACCOUNTS</u>	<u>ACTUAL</u>	<u>ACTUAL</u>	<u>2016 Loss</u>
	<u>ACCOUNT DESCRIPTION</u>	<u>RECEIPTS</u>	<u>RECEIPTS</u>	<u>in Revenues</u>
COMPARISON OF REVENUES RECEIVED IN 2008 TO 2016 -NET LOSS DUE TO STATE CHANGES				
<u>100 GENERAL FUND</u>				
100.0000.41400	Real Estate Tax	255,836	246,939	-8,897
100.0000.41410	Trailer Tax	3,416	1,594	-1,822
100.0000.41420	Rollback Tax-State	21,755	20,859	-896
100.0000.41430	Homestead Tax-State	10,630	11,875	1,245
100.0000.41440	2.5% Tax-State	4,190	3,799	-391
100.0000.41450	Personal Property Tax (1)	42,040	0	-42,040
100.0000.41451	Commerical Activity Tax - CAT	0	2,161	2,161
100.0000.42010	Local Government Fund-State (2)	46,503	17,941	-28,562
100.0000.42020	Local Government Fund-County (2)	340,221	172,211	-168,010
100.0000.42030	Local Govt. Fund-St.Rev. Assit. (2)	0	0	0
100.0000.42100	Estate Tax (3)	200,664	241	-200,423
*** TOTAL - 100 GENERAL FUND		925,255	477,620	-447,635
		=====	=====	=====
<u>290 POLICE PENSION FUND</u>				
290.0000.41400	Real Estate Tax	72,280	74,085	1,805
290.0000.41410	Trailer Tax	1,025	478	-547
290.0000.41420	Rollback Tax-State	6,479	6,258	-221
290.0000.41430	Homestead Tax-State	3,189	3,563	374
290.0000.41440	2.5% Tax-State	1,257	1,140	-117
290.0000.41450	Personal Property Tax	16,267	0	-16,267
290.0000.41451	Commerical Activity Tax - Cat Tax	0	648	648
*** TOTAL - 290 POLICE PENSION FUND		100,497	86,172	-14,325
		=====	=====	=====
<u>291 FIRE PENSION FUND</u>				
291.0000.41400	Real Estate Tax	36,140	37,037	897
291.0000.41410	Trailer Tax	512	239	-273
291.0000.41420	Rollback Tax-State	3,311	3,129	-182
291.0000.41430	Homestead Tax-State	1,594	1,781	187
291.0000.41440	2.5% Tax-State	629	570	-59
291.0000.41450	Personal Property Tax	9,357	0	-9,357
291.0000.41451	CommericalActivity Tax - CAT	0	324	324
*** TOTAL - 291 FIRE PENSION FUND		51,543	43,080	-8,463
		=====	=====	=====
**** TOTAL ALL		1,077,295	606,872	-470,423
		=====	=====	=====

ORDINANCE NO. 007-17

AN ORDINANCE AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NAPOLEON, OHIO, THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO, AND VENTURES IN SPACE, LTD., REGARDING THE CONSTRUCTION OF AN INDUSTRIAL BUILDING WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the City desires to encourage commercial and industrial development and create and preserve jobs and employment opportunities within the City; and

WHEREAS, based on the results of an examination of office and industrial space needs within the City, and induced by and in reliance on the economic development incentives provided in the Economic Development Agreement, Ventures In Space, Ltd. expects to build an approximate one hundred thousand (100,000) square foot industrial building in the City ; and

WHEREAS, to facilitate the construction of the industrial building, which the City reasonably expects will result in the creation of new jobs and employment opportunities within the City, the City has agreed to provide certain incentives to the Ventures In Space, Ltd., said incentives listed in the Economic Development Agreement, and sell a parcel of real property, which parcel is depicted on EXHIBIT A and referred to as the "Property" in the Economic Development Agreement, to Ventures In Space, Ltd. for a purchase price of Thirty Thousand Three Hundred and 00/100 Dollars (\$30,300.00) and other valuable consideration provided therein, including construction of the industrial building by October 1, 2018; and

WHEREAS, the City has determined to offer the economic development incentives described therein to induce Ventures In Space, Ltd. to construct a facility within the City which the City expects will result in the creation of new jobs and employment opportunities within the City and will improve the economic welfare of the people of the State and the City, all as authorized in Article VIII, Section 13 of the Ohio Constitution.

Now Therefore,

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

Section 1. That, the Economic Development Agreement between the City of Napoleon, Ohio, the Community Improvement Corporation of Henry County, Ohio, and Ventures In Space, Ltd., substantially in the form as currently on file in the office of the City Finance Director, is hereby approved and accepted; moreover, the City Manager is both authorized and directed to execute said 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; 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. 007-17 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, Finance Director
Jeff Rathge, Operations Superintendent
Date: February 10, 2017
Subject: Purchase of Small Dump Truck w/ Appurtenances

Included in the budget is the purchase of a Small Dump Truck with Salt Spreader and Plow attachments. I request approval of the purchase of one Small Dump Truck, Model F550 4x2 Chassis & Cab (Regular) from Reineke Ford in Findlay, Ohio. The quote received is below (\$5.00) the State of Ohio Term Schedule Contract. The purchase price is \$40,900.00.

We also request to have the unit outfitted from Kalida Truck. The price to outfit this unit is \$43,000.00, \$1,614.88 below the State of Ohio Term Schedule Contract.

The total budget amount for this unit is \$90,000.00. The total proposed cost for the truck and outfitting is \$83,900.00. If you have any questions or require additional information, please contact Jeff Rathge, Operations Superintendent.

CEL

City of Napoleon, Ohio

TREE COMMISSION

MEETING AGENDA

Monday, February 20, 2017 at 6:00 pm

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

1. Approval of Minutes from January 16, 2017 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
2. Review Tree Call Reports
3. Plan Arbor Day Observation
4. Finalize Spring Topsoil List
5. Award Spring Removals Contract
6. Award Spring Planting Contract
7. Any other matters to come before the Commission
8. Adjournment

Gregory J. Heath
Finance Director/Clerk of Council



City of Napoleon, Ohio

255 West Riverview Avenue • P. O. Box 151
Napoleon, Ohio 43545-0151
Phone (419) 599-1235 Fax (419)-599-8393
www.napoleonohio.com

MEMORANDUM

TO: Parks and Recreation Committee, City Council, Mayor, City Finance Director,
City Law Director, City Manager, Department Supervisors, Newsmedia

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

DATE: February 17, 2017

RE: Parks and Recreation Committee February Meeting Cancellation

The regular Parks and Recreation Committee meeting scheduled for Monday, February 20, 2017 at 6:15 pm has been CANCELED due to lack of agenda items.



City of Napoleon, Ohio

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

MEMORANDUM

TO: Parks and Recreation Board, City Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Newsmedia
FROM: Gregory J. Heath, Finance Director/Clerk of Council *G.J.H.*
DATE: February 17, 2017
RE: Parks and Recreation Board Meeting Cancellation

The Parks and Recreation Board meeting regularly scheduled for Wednesday, February 22, 2017 at 6:30 pm has been CANCELED due to the lack of agenda items.



UPdate

A weekly newsletter presented by AMP President/CEO Marc Gerken

February 10, 2017

January 2017: Mild weather, low prices

By Mike Migliore – vice president of power supply planning & marketing

For the second straight year, January ended with above normal temperatures. January 2017 was the eighth warmest January in the past 120 years in the eastern U.S. Forward prices still reflect the memories of the 2014 polar vortex, so the difference between winter prices going into the year and actual daily prices has been wide the past two years.

On June 1, 2016, January and February 2017 on-peak power was selling for \$45.00/MWh, while on-peak prices during the month only averaged \$32.00/MWh.

With the lack of cold weather, congestion costs throughout PJM and MISO remained low for this time of year.

AVERAGE DAILY RATE COMPARISONS

	January 2017 \$/MWh	December 2016 \$/MWh	January 2016 \$/MWh
A/D Hub 7x24 Price	\$29.48	\$31.96	\$27.40
PJM West 7x24 Price	\$31.24	\$32.13	\$30.99
A/D to AMP-ATSI Congestion/Losses	\$0.97	-\$0.18	\$0.25
A/D to Blue Ridge Congestion/Losses	\$1.68	\$0.78	\$2.28
A/D to PJM West Congestion/Losses	\$1.76	\$0.17	\$3.60
PJM West to PP&L Congestion/Losses	-\$0.62	-\$1.20	-\$3.67
IND Hub to A/D Hub Congestion/Losses	-\$1.81	-\$1.80	\$3.43

Energy markets update

By Jerry Willman – assistant vice president of energy marketing

March 2016 natural gas increased \$0.015/MMBtu to close at \$3.141. The EIA reported a withdrawal of 152 Bcf for the week ending Feb. 3, which was close to market expectations. Weather forecasts show warmer than normal temperatures across the U.S. through Feb. 19.

On-peak power prices for 2018 at AD Hub closed yesterday at \$37.22/MWh, which was \$0.22/MWh higher for the week.

Gerrick, McAlister named co-general counsels

By Marc Gerken – president/CEO

Rachel Gerrick and Lisa McAlister have been named senior vice presidents and co-general counsels following the recent retirement of John Bentine, who served as AMP general counsel since 1981. Gerrick was named general counsel for corporate affairs and McAlister was named general counsel for regulatory affairs.



Rachel Gerrick



Lisa McAlister

Gerrick and McAlister have worked closely with Bentine and the organization's outside law firms over the last few years, providing them the opportunity to better understand AMP's legal complexities, the organization as a whole and its members. Their work has had a positive impact on AMP and its membership and their transitions into the role of general counsel will benefit the organization greatly.

Gerrick joined AMP in 2012 as deputy general counsel. Since then, she has overseen a variety of AMP legal matters, including project and corporate finance, construction, procurement, employment, real estate and corporate governance. Prior to AMP, she served as associate assistant attorney general at the Ohio Attorney General's Office in the Business Counsel Section, where she handled transactional and compliance matters for the state. She also served as an associate in the Commercial Real Estate groups at both Squire, Sanders & Dempsey LLP (now Squire Patton Boggs) in Columbus and Winston & Strawn LLP in Chicago. She holds

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AFEC update

By Jerry Willman

The Fremont plant was available for full 2x1 dispatch for the week, but was dispatched offline by PJM Sunday through Tuesday based on economic conditions.

There was no duct firing for the week. The plant generated at a 32 percent capacity factor (based on 675 MW rating).

Deadline for 2016 APPA Safety Awards applications extended

By Michelle Palmer, PE – vice president of technical services

The deadline to submit applications for the American Public Power Association's (APPA) 2016 Safety Awards of Excellence has been extended to Feb. 20. Applications are available on the APPA [website](#).

The safety awards are presented annually to member utilities who demonstrate a commitment to employee safety through low recordable injury and illness cases. Award recipients will be recognized at APPA's Engineering and Operations Technical Conference, to take place May 8 in San Antonio, Texas.

For additional information about the 2016 Safety Awards of Excellence, please visit the "safety" section of the APPA [website](#) or contact APPA's Ethan Epstein at 202.467.2924 or ee Epstein@publicpower.org.



Powering Strong Communities

JANUARY OPERATIONS DATA

	January 2017	January 2016
AFEC Capacity Factor	48%	67%
Prairie State Capacity Factor	87%	70%
Meldahl Capacity Factor	29%	N/A
Cannelton Capacity Factor	24%	N/A
Greenup Capacity Factor	13%	N/A
Willow Island Capacity Factor	35%	N/A
Belleville Capacity Factor	50%	99%
Blue Creek Wind Capacity Factor	39%	48%
JV6 Wind Capacity Factor	24%	28%
Napoleon Solar Capacity Factor	6%	10%
Avg. A/D Hub On-Peak Rate	\$32/MWh	\$31/MWh

*Fremont capacity factor based on 675 MW rating.

*PS capacity factor based on 1,582 MW rating.

*Meldahl capacity factor based on 105 MW rating.

*Cannelton capacity factor based on 87.6 MW rating.

*Greenup capacity factor based on 70 MW rating.

*Willow Island capacity factor based on 44.2 MW rating.

*Belleville capacity factor based on 42 MW rating.

*Solar capacity factor based on 3.54 MW rating.

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

Week ending Feb. 10

MON	TUE	WED	THU	FRI
\$28.14	\$24.77	\$26.82	\$34.98	\$30.69

Week ending Feb. 3

MON	TUE	WED	THU	FRI
\$31.69	\$26.80	\$25.70	\$29.39	\$30.15

AEP/Dayton 2018 5x16 price as of Feb. 9 — \$37.22

AEP/Dayton 2018 5x16 price as of Feb. 2 — \$37.00

General counsel succession

continued from Page 1

a bachelor's degree, summa cum laude, in economics and history from Emory University, and a law degree from the University of Virginia.

McAlister joined AMP in 2012 as deputy general counsel for FERC/RTO affairs. She has coordinated AMP's regulatory efforts in terms of transmission and market access through the Federal Energy Regulatory Commission (FERC) and RTO affairs with both the Mid Continental ISO and PJM Interconnection. McAlister also works with AMP's power supply and planning groups to negotiate power supply agreements, and monitors actions at the North American Reliability Corporation (NERC) and state public utilities commissions in the nine-state AMP footprint. McAlister currently serves as the chair of APPA's Legal Section, having previously served as vice chair, and is an active participant on multiple PJM committees. Prior to AMP, she served as Of Counsel at Columbus based Bricker & Eckler, LLC and held the position of partner-elect with the firm of McNees Wallace & Nurick. She hold a bachelor's degree, magna cum laude, in political science and philosophy from Elon University and a law degree from the Ohio State University.

I want to personally thank John for all his passion, public power and municipal legal expertise, but more importantly for his transition efforts over the last few years. He will remain available to the organization on a consultative basis.

Legislative newsletter emailed to members

The February 2017 edition of the OMEA Legislative Newsletter was emailed to members earlier this week. The newsletter contains valuable information regarding state legislative issues of interest, including the budget, energy policy and state dissolution. The newsletter also highlights key legislators and provides a preview of the 2017 American Public Power Association (APPA) Legislative Rally. For more information or to request a copy, please contact Charles Willoughby at cwilloughby@amppartners.org or 614.205.2087, or Michael Beirne at 614.540.0835 or mbeirne@amppartners.org.



Classifieds

Lineworker needed in Orrville

The City of Orrville Department of Public Utilities is seeking applicants for the position of lineworker 1. Individuals in this classification serve as a ground person and duties include preparing material for higher level lineworkers, observing work activities around energized circuits for hazards, operating assigned equipment, working on dead or low voltage circuits, stocking line trucks with necessary supplies and equipment, trimming trees, attending training sessions to prepare for advancement, and performing other duties related to the construction, maintenance and extension of electric lines.

Applicants must have a high school diploma or equivalent, must be a U.S. citizen or have legally declared their intention to become one, plus have specialized training and/or experience in line work that includes verifiable training and experience in climbing. Applicant must have a valid Ohio driver's license and be eligible to obtain a CDL during the probationary period.

The application period will end at 5 p.m. Feb. 20. Applications are available at www.orrville.com. For more information, please contact Phil McFarren, HR manager, at 330.684.5005 or pmcfarren@orrutilities.com.

Village of Pemberville seeks electric distribution lineworker

The Village of Pemberville is seeking applicants for the position of electric distribution lineworker. The lineman and/or apprentice will be responsible for delivering reliable electric service to customers by performing inspections, maintenance, operations and construction work on substations, transmission, distribution and streetlight systems within the village to the level that their training dictates.

Having or obtaining a CDL is required, as is mechanical knowledge and knowing how to operate equipment including, but not limited to: bucket truck, digger derrick, backhoe, wood chipper, chain saws and dump truck; with a willingness to follow all current and future safety practices; and maintaining equipment.

Wage is based on experience. Applications are available on the village [website](http://www.pemberville.com). Please submit a resume and application to the Village of Pemberville, 155 Main St., P.O. Box 109, Pemberville, OH 43450.

Bryan is accepting applications for engineering assistant

Bryan Municipal Utilities is a customer-owned, non-profit municipal utility providing the water, electric and communications services to the residents of Bryan, Ohio. Bryan Municipal Utilities is currently accepting resumes or applications for the position of engineering assistant.

Responsibilities of the engineering assistant include

project management of engineering work in the design, costs and inspection of municipal utilities projects to ensure conformity to rules and regulations. The preferred candidate will have experience in CAD. A job description can be downloaded from www.cityofbryan.net.

Please submit resumes to Bryan Municipal Utilities, 841 E. Edgerton St., Bryan, OH 43506, or email resume to humanresources@cityofbryan.com. EOE.

Multiple career opportunities are available at AMP

American Municipal Power, Inc. (AMP) is seeking applicants for the following positions. For additional information or complete job descriptions, please visit the "careers" section of the AMP [website](http://www.amp.com).

Accountant – This position is responsible for the preparation, analysis and review of financial statements for projects on behalf of AMP's members, research and follow-up on variances to budget, month-end close processes and accruals, account reconciliations and manual journal entries. The accountant will partner with the accounting team to remediate control deficiencies, ensure workflows are documented, best practices are implemented and policies and procedures are in place to ensure internal controls are in compliance with Sarbanes-Oxley standards. A bachelor's degree from an accredited university and a minimum of two to five years of relevant work experience, previous experience with Oracle E-Business Suite and Microsoft Excel, and general knowledge of the industry is preferred.

Facilities Manager – This position is responsible for managing all tasks related to providing for the safe and efficient operation and maintenance of multiple facilities and fleet vehicle operations. This includes the coordination, scheduling and supervision of all maintenance and repairs of the facilities and related equipment; responding to all building maintenance emergencies and ensuring responsible back-up is available to take corrective action; and managing custodial care. Qualifications include experience developing maintenance and asset management programs; knowledge of relevant local, state and federal laws, regulations and standards; and in-depth knowledge of general facilities, building and equipment maintenance. A bachelor's degree and five or more years of relevant experience in multiple site building or property management is preferred.

Finance Manager – This position is responsible for the management and oversight of the credit programs and evaluating finance options for member communities. The finance manager will regularly communicate with third-party consultants, community representatives and rating agencies. Qualifications include a bachelor's degree (master's preferred); two to five years of relevant financial lead-

see CLASSIFIEDS Page 4



CLASSIFIEDS continued from Page 3

ership management expertise; excellent oral and written communication skills; and a strong commitment to public service. Strong analytical skill and knowledge of municipal capital markets is preferred.

Smithland Plant Operator – This position functions as control room operator, assisting with the responsibilities associated with starting and stopping units, coordinating unit discharge rates, and monitoring and maintaining upstream pool in cooperation with the Army Corps of Engineers. A two or four-year degree in mechanical or electrical engineering; an engineering technology degree and two years of experience in plant operations; or three to five years of experience in power plant operations/maintenance is required. Welding certification and experience with programmable logic controllers is a plus.

St. Clairsville has opening for assistant superintendent

The City of St. Clairsville has an immediate opening for an assistant superintendent in its electric department. A complete position description is available on the city's [website](#). Send a letter of interest with salary requirements and a resume to DOPS, City of St. Clairsville, P.O. Box 537, St. Clairsville, OH 43950, by March 3.

The assistant superintendent is responsible for assisting the electric superintendent in the day-to-day operation and management of the electric department in a municipal government setting. The position is also responsible for conducting maintenance on and installation of high voltage and secondary electric lines.

Qualifications include the completion of high school (or equivalent) and a minimum of five years of experience working with high voltage electrical. Applicant must be a certified journeyman lineman and must possess: a valid class A CDL; CPR and first aid certifications; a valid state driver's license; and the ability to maintain insurability under the city's vehicle insurance policy.

City of Amherst in search of journeyman lineworker

The City of Amherst is in search of a journeyman lineman to help in the construction, maintenance and repair of overhead electrical distribution and transmission systems serving the municipality.

The lineman will be responsible for constructing, maintaining and repairing the city's electrical distribution and transmission systems, while adhering to standard trade practices. The lineman will also perform troubleshooting work, and repair and restore electrical service where necessary; supervise and instruct apprentice linemen and groundmen regarding duties and safety measures; respond to fire alarms to disconnect wires and remove meters when in danger of fire; and operate special purpose line trucks and attached equipment as required.

Qualifications include a high school diploma or GED

and the completion of lineman apprenticeship training; some experience in difficult journeyman work in the construction and maintenance of overhead electrical systems and related equipment; and experience and training in handling of high tension wires. Lineman must also have knowledge of methods, materials, tools and equipment used in electrical line construction and maintenance work; working knowledge and understanding of the principles of electricity as applied to power circuits, wiring diagrams and department operations; and the ability to apply this knowledge to work problems as assigned.

For additional information or to request an application, please contact the mayor's office at 440.988.4380 or mayor@amherstohio.org. Completed applications should be returned to City of Amherst, 206 S. Main St., Amherst, OH 44001.

City of Columbiana seeks electric lineworker candidates

The Columbiana Civil Service Commission is seeking candidates for the position of electric lineman III. Applications and a complete job description are available at the city manager's office, City of Columbiana, 28 W. Friend St., Columbiana, OH 44408, and are also available on the city's [website](#). All applications must be received at the city manager's office no later than 4:30 p.m. Feb. 24. Wages are set by AFSCME contract. Health, eye and dental insurance benefits will be available after 30 days of employment. The City of Columbiana is a drug-free workplace.

Electric line maintenance worker needed in Celina

The City of Celina has an opening for a full-time electric line maintenance worker I.

Qualifications include the completion of secondary education (high school or GED) and technical education in electrical distribution, or any equivalent combination of education, experience and training which provides the required knowledge, skills and abilities; demonstrable ability to travel to and gain access to field work sites and operate department trucks, electrical tools and testing devices; and the possession of valid State of Ohio commercial driver's license. Starting pay is \$19.95 per hour.


Interested applicants may apply by submitting an application along with a resume citing qualifications in care of the Electric Distribution Superintendent, 225 N. Main St., Celina, OH 45822. Applications are available at the Celina Utilities Office, also located at 225 N. Main St., or at www.celinaohio.org. The deadline for submission is 4 p.m. Feb. 15.



News or Ads?

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

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Legislative Bulletin

February 17, 2017

This week the General Assembly held hearings on multiple budget areas as it continued to plow through the budget bill. So far, House committees have not taken out the language creating state centralized collection of municipal business filings and revenue, the elimination of the "throwback" rule or the means testing proposal for the LGF, but we have been in talks with members about specific proposals to do just that. We are optimistic at this point that we are making good progress. Throughout this week's bulletin, you'll see examples of our interactions with the members and how we have gotten our members' message across.

We still need members to contact their legislators to discuss these proposals that will affect municipal revenues and Home rule authorities. We have provided a template for letters [HERE](#) and Resolutions [HERE](#) that can serve as a basis for these communications. These documents are also available on our website.

OBM RELEASES "CAPACITY-BASED" DISTRIBUTION FORMULA

On Monday, the Ohio Office of Budget and Management (OBM) announced the release of their simulations for proposed redistribution of a portion of the Local Government Fund (LGF). We included an overview of this proposal in previous bulletins. Generally, the administration is proposing to means-test a portion of the LGF based on a local jurisdiction's capacity to raise tax revenue locally. The simulated tables can be found here:

Explanation of Proposed LGF Reforms:

http://www.obm.ohio.gov/Budget/operating/doc/fy-18-19/lgf/Steps_used_to_derive_LGF_capacity-driven_distributions_13-Feb-2017.pdf

Distributions for Cities: http://www.obm.ohio.gov/Budget/operating/doc/fy-18-19/lgf/City_LGF_simulation_table_10-Feb-2017.pdf

Distributions for Villages with Income Taxes:

http://www.obm.ohio.gov/Budget/operating/doc/fy-18-19/lgf/Villages_with_income_tax_LGF_simulation_table_13-Feb-2017.pdf

Distributions for Villages with NO Income Taxes:

http://www.obm.ohio.gov/Budget/operating/doc/fy-18-19/lgf/Villages_without_income_tax_LGF_simulation_table_13-Feb-2017.pdf.

OML staff has been having extensive conversations with members of the Ohio House and Senate concerning challenges the Governor's LGF proposal would place upon those communities that will have state aid redirected away from their budgets, based on the factors that determine the capacity based measurements. We continue to talk about alternative approaches to support municipalities that have been adversely affected by the cuts to the LGF, the repeal of Ohio's Estate Tax and the accelerated phase-out of the Tangible Personal Property Tax in 2011, that does not include a scheme that creates financial "winners and losers."

SANDUSKY TO HOST 2017 STATE-OF-THE-STATE ADDRESS

On Monday, Governor Kasich requested that the General Assembly authorize him to hold the annual State of the State Address in Sandusky, Ohio this year. This continues his trend of holding these addresses around the state. He requested to hold the speech at the Erie County community at the State Theatre, at 7pm on April 4th, 2017. The speech will be available at www.ohiochannel.org. As part of the events related to the Governor's bi-annual address, members of the legislature will accompany the Governor and members of his cabinet to Sandusky where committee hearings will be held and other legislative activity will move out of Columbus and to the Roller Coaster Capital of the World.

LEAGUE HOSTS FIRST MUNICIPAL POLICY STUDY GROUP BREAKFAST

On Wednesday morning the League hosted over two dozen legislators, lobbyists, and other capital square parties for the first Municipal Policy Study Group breakfast. The inaugural meeting was held at the Sheraton Hotel across the street from the Ohio Statehouse. Our goal in forming this roundtable opportunity is to give interested parties an opportunity to openly discuss issues that are related to municipal law and policy in Ohio and especially create a forum where legislators with municipal experience can come together to share ideas and other legislative initiatives. We wanted this to be a true participatory study group, and not just an opportunity for the League to reiterate our own talking points.

At the meeting, Dr. Greg Browning reviewed the issues included in the recently completed Strategic Framework report followed by a discussion of the Governor's proposed budget, especially the municipal income tax centralized collection, the throwback tax provisions, and the new LGF formula. The discussion was largely driven by the attendees and we are very happy with the results. We also received multiple requests for follow-up information from multiple members of the General Assembly. Due to the success of this first breakfast, we plan on doing this on a roughly quarterly basis going forward and greatly appreciate the attendance and participation of those that were able to join us. We have posted a picture of the meeting on our Facebook page.

LEAGUE EXECUTIVE DIRECTOR SCARRETT TESTIFIES AT HOUSE STATE AND LOCAL GOVERNMENT COMMITTEE

On February 14, League Executive Director Kent Scarrett testified before the Ohio House State and Local Government Committee, Chaired by Representative Marlene Anielski, a former Mayor of Walton Hills, Ohio. The Director's testimony focused on

introducing new members to the League and providing updates and important information for experienced members. The Director discussed the role and mission of the League, many basic facts about municipalities, and our new Legislative Policy Statement and the Strategic Framework report. A copy of his testimony is available [HERE](#).

BUDGET HEARINGS CONTINUE

Budget hearings continued this week, as members from various committees heard testimony from multiple agencies and organizations. Below, we provide an overview of some of the testimony that affected municipalities.

The County Engineers Association offered testimony on the Transportation Budget. Testimony was given by Delaware County Engineer and Association President Chris Bauserman. Bauserman testified that County Engineers are unable to keep up with the costs of maintaining roads and bridges throughout the state. He discussed multiple options for raising revenue, some of which the League has been part of. He suggested the vehicle registration permissive tax/license plate fee could be increased. Additionally, he suggested the state could reduce the percentage of the Ohio Public Works Commission State Capital Improvement Program set aside from 15 to 10%, or one of three possible "efficiency" plans: bridge inspection modifications; assignment of all civil forfeitures from county weight enforcements to road and bridge maintenance; or moving motor fuel tax collection to the 'rack.'

Also, on the Transportation Budget, the Committee heard testimony about the proposal to tax Compressed Natural Gas (CNG) at \$.28 per gallon. Industry experts made multiple arguments, testifying that: the industry is already taxed twice, once at the wholesale level and another at the retail level; CNG is less than 1% of the market so little revenue will be raised; the state and industry have not had time to adequately study the impact of imposing this tax; that Ohio is rich in natural gas and would benefit from developing a robust CNG industry; current contracts (including contracts maintained by some cities and villages) could be undermined by the tax because they are based on current rates; and that other states are taxing CNG at a lower level.

Finally, the Committee heard testimony about public transit. The League has advocated for increased investment in public transit, especially considering the tremendous loss of dollars the industry will experience from the Medicaid sales tax loss. The Committee heard testimony first from Jason Warner Manager of Government Affairs at the Greater Ohio Policy Center. He testified that the state needs to do more to support public transit. He suggested that the state could offer an additional \$17 million annually for transit-related capital investments. The Committee also heard testimony on this same subject from Akshai Singh of the Brookings Institution. Nathan Alley of the Ohio Chapter of the Sierra Club testified that the state should "reallocate no less than 10% of transportation budget away from new roadway construction and toward public transportation and complete streets that are accessible for people regardless of age or ability and regardless of whether they are walking, riding a bike, bus or train, or are driving."

On Corrections, Director Gary Mohr spoke at length about the Department's desire to see a "paradigm shift" in financing of this area, where funds would be reallocated to community settings for low-level, non-violent offenders. He said the funds should largely focus on increasing GED attainment. He believes that educational attainment is the single biggest predictor for successful reentry to lower recidivism. Ohio's prison population has not lowered as much as other states, despite efforts by the administration

to modernize and reform Ohio's criminal justice system. In this budget the administration will continue the increase in community corrections funding to 71% over 2011 levels. Also, community treatment pilot projects will be substantially expanded into eight counties: Clinton, Ross, Medina, Lucas, Williams, Defiance, Henry, and Fulton.

In addition, various committees heard testimony from the Liquor Control Commission, the Ohio State Racing Commission, the Ohio Sea Grant Program, the Embalmers and Funeral Directors Board, Sanitarian Registration Board, and the Commission on Hispanic and Latino Affairs.

EPA LEAD AND COPPER MAPPING

Last month, many of our members received letters from the Ohio Environmental Protection Agency (EPA) regarding requirements in HB 512 (effective Sept. 9, 2016) mandating community and nontransient, noncommunity public water systems identify and map areas of their distribution system that are known or are likely to contain lead services likes, piping, solder or fixtures. (A copy of the guidelines can be found [HERE](#)) The deadline for the mapping submissions is March 9, 2017.

Several of our members contacted OML citing that the unreasonableness of such a close deadline, as well as the cost-prohibitive nature of such a mandate. OML reached out to EPA and received a detailed concern-and-response outline, answering multiple specific questions from specific municipalities in one document. OML encourages are members to read through the document, provided [HERE](#) If you have further questions or concerns, we encourage you to reach out to either us or the EPA directly for answers.

CALL FOR 2017 TWO DAYS IN MAY AWARD NOMINATIONS

The Ohio Attorney General's TWO DAYS IN MAY Awards recognize the outstanding services of individuals and/or organizations empowering victims of crime in Ohio. Individuals and/or programs of any public or private nonprofit organization, whose mission is to assist, protect, or empower victims of crime, are eligible for consideration. Awards will be presented at the Attorney General's Awards Luncheon at the 2017 Two Days in May Conference on Victim Assistance on May 16, 2017.

A new award debuts at this year's conference: the Special Courage Award. This award will be presented to an individual who has demonstrated strength, resiliency and perseverance in serving crime victims. Nominations are also being accepted for the Promising Practice Award and the Robert Denton Special Achievement Award.

Nominations and Deadlines

Please complete the nomination form in its entirety. All entries must be received by the Attorney General's Office by March 10, 2017. Each nomination must be signed and dated by the nominator. You may submit more than one nomination, but each nomination must be submitted using a separate nomination form. The nomination form may be duplicated.

This year's conference will be held May 15 -16 at the Greater Columbus Convention Center. Registration begins March 6 through May 5, 2017. This year's fee is \$85 and payable by credit card or check.

For more information on the 2017 TWO DAYS IN MAY Awards, visit www.OhioAttorneyGeneral.gov/TDIM, or contact: Venica Miller, Conference Director

Phone 614-644-1234
venica.miller@ohioattorneygeneral.gov

**STATE TRANSPORTATION INNOVATION COUNCIL (STIC) INCENTIVE
PROGRAM WEBINAR, FEBRUARY 28TH, 2017 - 1:00 PM**

Are you a local public agency (LPA) or ODOT Office/District? Interested in applying for up to a \$100,000 grant to try out your innovative idea? We have a webinar for you!

Ohio's State Transportation Innovation Council (STIC) is accepting applications through March 15th for incentive funding (up to \$100,00 with an 80/20 split) to try out new, innovative ideas for local and state transportation projects. Learn what types of innovations can be approved for funding and what won't or doesn't qualify for funding. Also learn how innovations will be reviewed based on the type of agency submitting it - innovations for local agencies can and definitely are different than innovations for ODOT!

The webinar will be delivered by Adam Johnson, PE, Federal Highway Ohio Division Office and co-chair of Ohio's STIC.

How to Register: Please complete the registration information on the form at the link below. You will receive an email confirming your registration upon submission of the form. Also, please include any questions you would like to submit ahead of time for the presenter to answer during the webinar.

https://ODOT.formstack.com/forms/stic_incentive_webinar_enrollment_form

**NON-BUDGET MUNICIPAL-RELATED BILLS
RECEIVING HEARINGS THIS WEEK**

There were hearings on three bills that we identified as being important to municipalities this week. First, is HB 34, introduced by Representatives Hambley (R-Brunswick) and Scott Ryan (R-Newark) which would authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. The pair gave sponsor testimony on the bill. They testified that the bill would create an efficiency for local governments by allowing them to serve official notices electronically.

Second, is SB 33, introduced by Sen. John Eklund (R-Munson Township) which would allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case. Senator Eklund said the bill "makes it clear that a defendant has a right to see and have a copy of his or her traffic and criminal record [from the law enforcement automated data system (LEADS)] during a traffic or criminal case . . . Criminal Rule 16(B)(2) ... requires the prosecution provide the defendant 'a copy of the defendant's prior criminal record.' However, I have been made aware that a number of prosecutors feel that if they provide of such records to defendants they may be violating statutes related to the LEADS. In order to properly represent a defendant it is necessary for defense counsel to have all the information so that a defense or plea can be appropriately pursued. Otherwise ludicrous situations occur ... such as a person ... being told he is not allowed to see the 'secret' records which purportedly establish (culpability) ... In addition, it is not unheard of for such records to contain errors." The League would appreciate feedback on this bill, as we have had inquiries from municipal prosecutors who are concerned about the effect the bill will have.

Third is SB 37, introduced by Sen. Cliff Hite (R-Findlay) which would require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for newly appointed village, city, and township chiefs of police. Senator Hite gave proponent testimony, saying that the bill is necessary because many police chiefs are unprepared for the task.

BILLS INTRODUCED THIS WEEK OF MUNICIPAL CONCERN

HB51

Faber (R-Celina)

DEPARTMENT REVIEW SCHEDULE - To 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, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.

Referred to State and Local Government Committee

HB53

Becker (R-Union Township)

PUBLIC EMPLOYEES-MEMBER DUES - To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation.

Referred to Finance Committee

HB54

Blessing III, L (R-Colerain Township)

STATE REVENUE OBLIGATIONS - To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities.

Introduced

HB56

Dever (R-Maderia) Gavarone (R-Bowling Green)

EXPUNGEMENT-HUMAN TRAFFICKING - To permit a person who is found not guilty or is the defendant in a dismissed case to apply for an expungement of the person's records in the case if the complaint, indictment, or finding of not guilty resulted from the applicant having been a victim of human trafficking, to permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense, with certain exceptions, if the person's participation in the offense was a result of having been a victim of human trafficking, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

Introduced

HB62

Patterson, J (D-Jefferson) Sheehy (D-Toledo)

WATER QUALITY IMPROVEMENT - To require the Director of Agriculture to adopt rules establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption.

Introduced

HB70

Merrin (R-Waterville)

FUEL TAX TRANSPARENCY - To enact the "Fuel Tax Transparency Act" requiring stickers to be placed on retail service station pumps displaying the rates of federal and state taxes applicable to gasoline and diesel fuel.

Introduced

COMMITTEE SCHEDULE

Tuesday, February 21, 2017

SENATE JUDICIARY

Tue., Feb. 21, 2017, 9:30 AM, North Hearing Room

Sen. Bacon: 614-466-8064

SB20 PERMANENTLY DISABLING CRIME SPECIFICATION (HACKETT R) To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm.

Third Hearing, All Testimony, POSSIBLE VOTE

SB40 DEATH PENALTY SENTENCING (EKLUND J, WILLIAMS S) To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense.

First Hearing, Sponsor Testimony

SB42 DRUG OFFENSE PENALTIES (EKLUND J) To expressly provide that drug offense penalties that refer to a particular type of drug also apply to a compound, mixture, preparation, or substance containing a detectable amount of that drug and to declare an emergency.

First Hearing, Sponsor Testimony

SB32 CRIMINAL TRIAL PROCESS (EKLUND J) To provide a prosecutor an additional fourteen days to commence a trial after a person charged with a felony has been discharged because the person has not been brought to trial within the required amount of time and to authorize the court to release the person from detention in connection with those charges pending trial.

Second Hearing, Proponent Testimony

SB33** LEADS DISCLOSURE (EKLUND J) To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

Second Hearing, Proponent Testimony

Wednesday, February 22, 2017

HOUSE FINANCE PRIMARY AND SECONDARY EDUCATION SUBCOMMITTEE

Wed., Feb. 22, 2017, 9:00 AM, Hearing Room 116

Rep. Cupp: 614-466-9624

Testimony from the following:

- Legislative Service Commission presentation on school funding

- Casino Control Commission
- Commission on Service and Volunteerism
- Lottery Commission
- Joint Education Oversight Committee

HB49** OPERATING BUDGET (SMITH R) Creates FY 2018-2019 main operating budget.

First Hearing, Invited Testimony

SENATE TRANSPORTATION, COMMERCE AND WORKFORCE

Wed., Feb. 22, 2017, 10:15 AM, South Hearing Room

Sen. LaRose: 614-466-4823

Governor's Appointments:

- Capri Cafaro to the Ohio Turnpike and Infrastructure Commission.
- Joseph Denk Jr. to the Board of Building Standards.
- Earl Dohner to the Ohio Board of Motor Vehicle Repair.
- Eric Richter to the Ohio Rail Development Commission.
- Frederick Treuhaft to the Bureau of Workers' Compensation Board of Directors.

SB6** OHIO BRIDGE PARTNERSHIP PROGRAM (HOAGLAND F) To extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program.

First Hearing, Sponsor Testimony

Meeting/ Training

OML/OMAA Webinar: Telecommunications	February 23, March 16 & March 22	<u>Registration Information</u>
OCMA Annual Conference	February 23 & 24	<u>Registration Information</u>
OMAA Spring Law Seminars	March 9 & 10	<u>Registration Information</u>

[Ohio Municipal League](#)

Legislative Inquires:

[Kent Scarrett, Executive Director](#)

[Edward Albright, Deputy Director](#)

[Josh Brown, Director of Communications](#)



THE REGIONAL GROWTH PARTNERSHIP INVITES YOU TO ITS

2017 ANNUAL MEETING

Monday, Feb 27

7:30 a.m. - 9 a.m.

The Pinnacle

1772 Indian Wood Circle
Maumee, OH 43537

Please join the Regional Growth Partnership as it shares major achievements from 2016, provides updates on the latest initiatives in business development, and highlights opportunities for greater success in our region. Registration is required for this free event, which begins promptly at 7:30 a.m.

*Register
Here!*



The Regional Growth Partnership (RGP) is a privately led economic development group focused on meeting the site selection needs of corporate clients in a confidential, innovative, time-sensitive manner. We offer a full range of traditional business development services, working in conjunction with our partners at the regional and state levels, to most effectively manage the site selection process.

Regional Growth Partnership | 300 Madison Avenue, Suite 270 Toledo, Ohio 43604 | rgp.org



Regional Growth Partnership



NORED

northwest ohio regional economic development

ANNUAL MEETING

DATE: Thursday, March 9, 2017




TIME: Registration & Networking
at 11:30 am with lunch
served at Noon

WHERE: Holiday Inn French Quarter in
Perrysburg, Ohio

TO REGISTER OR TO BE A SPONSOR, CONTACT...

Will Burns, NORED Administrator, at wburns@bgsu.edu by March 1st.

SPONSORSHIP OPPORTUNITIES AVAILABLE:

-  **GOLD SPONSOR \$1,000 - 8 Tickets - Reserved Table & Signage**
-  **SILVER SPONSOR \$500 - 4 Tickets - Signage**
-  **BRONZE SPONSOR \$100 - 1 Ticket - Recognition at Event**

Tables (8): \$240 each and Individual Tickets: \$30 each

KEYNOTE SPEAKER:



MATTHEW OUMET

CEO, Cedar Fair
Entertainment
Company

