
Memorandum

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To: Mayor and Members of City Council
cc: City Manager, Finance Director, City Law Director
From: Roxanne
Regarding: General Information
Date: April 13, 2018

CALENDAR

AGENDA--Housing Council Meeting @6:45 pm
Housing Council Minutes from the April 3, 2017 Meeting
2018 Tax Incentive Review Council (TIRC) Meeting Minutes

AGENDA--City Council Meeting @7:00 pm

C. APPROVAL OF MINUTES: April 02, 2018

E. REPORTS FROM COUNCIL COMMITTEES

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 018-18**, an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 1) for the Year 2018; and Declaring an Emergency.
2. **Resolution No. 019-18**, a Resolution Authorizing Enrollment in the Ohio Rural Water Association 2019 Workers' Compensation Pool, and Authorizing the Expenditure of Funds and Directing the City Manager to Enter into a Professional Service Contract with Comp Management Health Systems, Inc., a Workers' Compensation Administrator, and Declaring an Emergency.
3. **Resolution No. 020-18**, a Resolution Authorizing the Expenditure of Funds over Twenty-five Thousand Dollars (\$25,000.00) for the Implementation of an Upgrade of the Supervisory Control and Data Acquisition (SCADA) Software and Hardware, which was included in the 2018 Master Bid Resolution, for the City of Napoleon, Ohio Wastewater Treatment Plant, and to Sole Source said Implementation to Koester Corp.; and Declaring an Emergency.
4. **Ordinance No. 021-18**, an Ordinance Imposing a Temporary Reduction and/or Temporary Elimination of Certain Residential Building Permit Fees; and Updating and Amending Certain Sections of the Codified Ordinances of the City of Napoleon, Ohio Regarding Enforcement of the Residential Code of Ohio.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS - NONE

I. THIRD READING OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 009-18**, an Ordinance Amending the City of Napoleon Traffic Schedules, specifically Schedule II, "Parking Time Limits" on Certain Streets as Listed in the Attached Exhibit A and Repealing Ordinance No. 037-16; and Declaring an Emergency. (*Suspension Requested*)
2. **Resolution No. 010-18**, a Resolution Authorizing the Expenditure of Funds Over Twenty-Five Thousand Dollars (\$25,000.00) for the Purpose of Preparing the City of Napoleon's Comprehensive Master Plan with Thoroughfare Plan Provisions in and for the City of Napoleon, Ohio, and to Sole Source said Comprehensive Master Plan to Reveille, LTD.; and Declaring an Emergency. (*Suspension Requested*)
 - a. *Included in the packet, is Chad's Memorandum on the request for sole sourcing this project.*
3. **Ordinance No. 011-18**, an Ordinance Amending a Certain Section of the Personnel Code Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio; and Declaring an Emergency. (*Suspension Requested*)

4. **Resolution No. 012-18**, a Resolution Approving a Fifty Dollar (\$50.00) Surcharge to City of Napoleon, Ohio Health Insurance Premiums; and Declaring an Emergency.

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

1. Approval of PSCAF Factor for April 2018: PSCAF three-month averaged factor \$0.01550, JV2 \$0.024770 and JV5 \$0.024770.
2. Approval of TIRC Recommendation by the Housing Council.
3. Approval of Donation in the amount of \$600.00 from United Way of Henry County to the Parks and Recreation Safety City Program.

INFORMATIONAL ITEMS

1. Agenda – Tree Commission/Monday, April 16th at 6:00 pm
2. Cancellation – Parks and Recreation Committee.
3. AMP Update/April 6, 2018
4. 4/8/2018 OML Legislative Bulletin

Records Retention - CM-11 - 2 Years

April 2018

April							May						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
4/1	2 7p City Council	3	4	5	6	7
8	9 6:15p Electric Commit	10	11	12	13	14
15	16 6p Tree Commission 6:45p Housing Council 7p City Council	17	18	19	20	21
22	23 6:30p Finance & Budg 7:30p Safety & Humar	24 4:30p Civil Service Col	25 11a BID OPENING - S 6:30p Parks & Rec Boz	26	27	28
29	30	5/1	2	3	4	5

City of Napoleon, Ohio

HOUSING COUNCIL

Monday, April 16, 2018 at 6:45 pm

Meeting Agenda

LOCATION: City Building, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes from April 03, 2017 (*In the absence of any objections or corrections, the Minutes shall stand approved.*)
- 2) Review and Approval of TIRC Recommendations.
- 3) Any other matters currently assigned to the Housing Council.
- 4) Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

MEETING MINUTES

McColley added RiteAid was bought by Walgreens that could be some of the conflict. The business is still there and operating the same, hopefully they can get more accurate numbers by next year.

**Motion to Approve
TIRC
Recommendations**

Motion: Hershberger Second: Bialorucki
to approve the TIRC recommendations as attached.

Passed

Yea-5

Nay-0

Other Matters

Roll call vote on the motion:

Yea-Hershberger, Bialorucki, McColley, Siclair, Tonjes

Nay-

None.

Adjournment

Motion: Bialorucki Second: Siclair
To adjourn the Housing Council meeting at 7:13 pm.

Passed

Yea-5

Nay-0

Roll call vote on the above motion:

Yea- Hershberger, Bialorucki, McColley, Siclair, Tonjes

Nay-

Date Approved

April 16, 2018

Chair



THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

104 E. Washington Street, Suite 301
Napoleon, Ohio 43545

Phone: (419)592-4637
www.henrycountyed.com

March 20, 2017

Napoleon City Council
255 West Riverview Ave.
PO Box 151
Napoleon, Ohio 43545

Re: 2017 Tax Incentive Review Council

Dear Council Members:

Ohio Revised Code Section 5709.85 provides for establishment of a Tax Incentive Review Council ("TIRC") to review the compliance of each community reinvestment area agreement—at least annually. The TIRC then makes a recommendation to you to continue, modify, or cancel each agreement.

The TIRC met on March 16, 2017. As the County Auditor's designee, Denise Dahl chaired the 2017 TIRC. After reviewing each agreement in-depth and at length, the TIRC has recommended that you **CONTINUE** the following community reinvestment area agreements in Napoleon:

MWA Enterprises

Koester Corporation

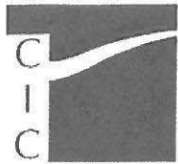
After reviewing the following agreement in-depth and at length, the TIRC has recommended that you **CONTINUE** the below Community Reinvestment Agreement in Napoleon contingent that City Housing Officer Tom Zimmerman provide validation of information stated in the Project Status Report submitted by the entity to Napoleon City Council;

Napoleon I, LLC

The TIRC found that almost all applicant businesses were in complete compliance with all terms of the applicable agreements. In response to the same, the TIRC took into consideration fluctuations in the business cycle unique to that owner's business when agreeing to recommend to you to continue each of those specific agreements. See R.C. §5709.85(C) (1).

Ohio Revised Code Section 5709.85(E) states as follows:

R.C. § 5709.85 (E) A legislative authority that receives from a tax incentive review council written recommendations under division (C)(1) or (D) of this section shall, within sixty days after receipt, hold a meeting and vote to accept, reject, or modify all or any portion of the recommendations.



THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

104 E. Washington Street, Suite 301
Napoleon, Ohio 43545

Phone: (419)592-4637
www.henrycountyed.com

Consistent therewith, I hereby submit this written recommendation and respectfully request that you ACCEPT the recommendation of the TIRC to CONTINUE each of the aforementioned agreements, except the Napoleon I, LLC (CRA) Agreement, which is contingent upon further review as stated above per the Housing Council and City Council.

Should you have any questions please contact the office at (419) 592-4637.
Thank you.

Respectfully submitted,

Denise Dahl
Executive Director

Enclosure

cc: Joel Mazur; City of Napoleon Manager
Greg Heath; Clerk of City of Napoleon Council
Billy Harmon; Law Director for City of Napoleon, Ohio
Kevin Garringer; Henry County Auditor
Tom Zimmerman; City of Napoleon Zoning Administrator
Ohio Department of Development
Ohio Department of Taxation

COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

2017 Tax Incentive Review Council Meeting Minutes March 16, 2017

The Henry County Auditor's Designee, Denise Dahl, Executive Director of Henry County CIC, called the Thursday, March 16, 2017, meeting of the Tax Incentive Review Council (TIRC) to order at 9:01 a.m., and the TIRC reviewed the following agreements:

TJ Automation
Miller Brothers Construction
Railtech Boutet
MWA Enterprises (CRA)
Koester Corp. (CRA)
Napoleon I, LLC (CRA)
Keller Packaging '06
Keller Packaging '13
Campbell Soup '06
Campbell Soup '12

**Campbell Soup '04 – expired at the 2015 TIRC

**Dawn Dickman/Robotic Tool – Terminated at the 2014 TIRC

TJ Automation:

Attendance: Christine Ziegler, Bruce Hesterman, Tim Meister, Connie Nicely, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl reviewed the Project Status Report (Section C form). Ms. Dahl asked the committee if there were any questions or concerns. No issues were discussed. Christine Ziegler moved to recommend continuing the agreement. Cal Speiss seconded. Motion to continue the agreement carried.

Miller Brothers Construction:

Attendance: Christine Ziegler, Bruce Hesterman, Tim Meister, Connie Nicely, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl stated that this project just started construction. Christine Zielger made a motion to continue the agreement. Brian Yarnell seconded. Motion to continue the agreement carried.

Railtech Boutet:

Attendance: Tod Hug, John Overmeier, Tim Meister, Connie Nicely, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl reviewed the project status report (Section C form). Dahl asked the committee if there were any questions or concerns at which there were none. Ted Guelde moved to

recommend continuing the agreement. Cal Speiss seconded. Motion to continue the agreement carried.

MWA Enterprises:

Attendance: Tod Hug, Joe Bialorucki, Jeff Mires, John Overmeier, Tim Meister, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor), Tom Zimmerman (City of Napoleon)

Executive Director Denise Dahl reviewed the Project Status Report (Section C form). MWA initially was having a hard time finding employees however in 2016 they have meet their commitment to create 25. Tod Hug moved to continue the agreement. Joe Bialorucki seconded. Motion to continue the agreement carried.

Koester Corporation:

Attendance: Mike Bostelman, Joe Bialorucki, Jeff Mires, Tim Meister, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor), Tom Zimmerman (City of Napoleon)

Executive Director Denise Dahl reviewed the Project Status Report (Section C form). Mike Bostelman made a motion to continue the agreement. Joe Bialorucki seconded. Motion to continue the agreement carried.

Napoleon I, LLC (CRA):

Attendance: Mike Bostelman, Joe Bialorucki, Jeff Mires, Tim Meister, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor), Tom Zimmerman (City of Napoleon)

City Housing Officer Tom Zimmerman stated that the abatement is on the property, not Rite Aide. So the property owner; Napoleon I (Ray Cox) fills out the project status report. Zimmerman and the committee began a discussion regarding if the information regarding jobs created and payroll are accurate that Napoleon I submits on the Project Status Report year after year. The numbers do not seem to change over the years. This could be an issue if there is inaccurate information being submitted. Zimmerman stated he will reach out to Mr. Cox of Napoleon I to confirm his information. City Councilman Joe Bialorucki made a motion to continue the agreement contingent on City of Napoleon Housing Officer Tom Zimmerman follow-up with Ray Cox; Napoleon I, LLC to determine the accuracy of the submitted information prior to the City Council meeting which will be held on Monday, March 20th. City Councilman Jeff Mires seconded the motion. Motion approved.

Keller Packaging '06:

Attendance: Mike Bostelman, Rosalie Ashenfelter, Vernon Oberhaus, Tim Meister, Calvin Spiess, Ted Guelde, Brian Yarnell, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

The committee reviewed the Project Status Report and noted that this agreement has expired noting that their last PILOT payment invoice will be sent in September 2017. Rosalie Ashenfelter made a motion to expire the agreement. Vernon Oberhaus seconded. Motion to expire the agreement carried.

COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

2018 Tax Incentive Review Council Meeting Minutes March 15, 2018

The Henry County Auditor's Designee, Denise Dahl, Executive Director of Henry County CIC, called the Thursday, March 15, 2018, meeting of the Tax Incentive Review Council (TIRC) to order at 9:03 a.m., and the TIRC reviewed the following agreements:

TJ Automation
Miller Brothers Construction, Inc.
Railtech Boutet
MWA Enterprises (CRA)
Koester Corp. (CRA)
Napoleon I, LLC (CRA)
Ventures in Space (CRA)
Custom Agri Systems
Keller Packaging '06
Keller Packaging '13
Campbell Soup '12
Campbell Soup '06

TJ Automation:

Attendees: Christine Ziegler, Peg Yoder, Carlos Grieser, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by TJ Automation. The company stated the expansion (project) was completed on August 15, 2017. The project will create 5 new positions by December 31, 2018. They reported 2 new jobs have been created as of December 31, 2017. Their project investment level reached by December 31, 2017 is also within the stated expected amount. Christine Ziegler made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Miller Brothers Construction:

Attendees: Christine Ziegler, Peg Yoder, Carlos Grieser, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Miller Brothers Construction. Miller Brothers completed and moved into their new building (project) on October 12, 2017. The agreement states the project will create 6 new positions by December 31, 2019. Miller Brothers has created 5 new jobs as of December 31, 2017. The investment, jobs created, and payroll attained by December 31, 2017 are on track to meet all the enterprise zone agreement projections. Christine Ziegler made a motion to recommend continuing the agreement. Peg Yoder seconded. Motion carried.

Railtech Boutet:

Attendees: Tod Hug, David Mohler, John Overmeier, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Railtech Boutet. The company is to create 33 full-time jobs per their agreement. Railtech reported creating 33 new jobs and retaining 24, as well as exceeding their payroll expectations as of December 31, 2017. Cal Spiess made a motion to recommend continuing the agreement. Tod Hug seconded. Motion carried.

MWA Enterprises (CRA):

Attendees: Tod Hug, Joel Mazur, Jeff Mires, David Mohler, John Overmeier, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by MWA. The company is to create 25 full-time new jobs, MWA reported creating 19 new jobs and retaining 29, as well as exceeding their payroll expectations as of December 31, 2017. City Manager Joel Mazur stated that the City recommends continuing the agreement. Jeff Mires made a motion to recommend continuing the agreement. Kevin Sonnenberg seconded. Motion carried.

Koester Corporation (CRA):

Attendees: Michael Bostelman, Joel Mazur, Jeff Mires, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Koester Corporation. The CRA agreement states they are to create 5 full-time jobs. The company reported creating 15 new jobs, as well as exceeding their payroll expectations as of December 31, 2017. Kevin Sonnenberg made a motion to recommend continuing the agreement. Jeff Mires seconded. Motion carried.

Napoleon I, LLC (CRA):

Attendees: Michael Bostelman, Joel Mazur, Jeff Mires, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Napoleon I, LLC. Napoleon I is to create 4 full-time and 3 part-time jobs. The company reported creating 6 new jobs, as well as exceeding their payroll expectations as of December 31, 2017. Jeff Mires made a motion to recommend continuing the agreement. Kevin Sonnenberg seconded. Motion carried.

Ventures in Space (CRA):

Attendees: Michael Bostelman, Joel Mazur, Jeff Mires, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Ventures in Space. This project is still under construction due to weather delays, expected to finish by April 2018. Cal Spiess made a motion to recommend continuing the agreement. Bill Morey seconded. Motion carried.

Custom Agri Systems:

Attendees: Michael Bostelman, Kevin Sonnenberg, Kyle Borstelman, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl

Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Custom Ag. This project is still under construction, expected to finish by August 2018. Mike Bostelman made a motion to recommend continuing the agreement. Kyle Borstelman seconded. Motion carried.

Keller Packaging '06:

Attendees: Michael Bostelman, Rosalie Ashenfelter, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Keller Packaging. The company reported creating 20 new jobs, as well as exceeding their payroll expectations as of December 31, 2017. This abatement is set to come off for tax year 2017. Rosalie Ashenfelter made a motion to recommend expiring the agreement. Tim Meister seconded. Motion carried.

Keller Packaging '13:

Attendees: Michael Bostelman, Rosalie Ashenfelter, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Keller Packaging. The company reported creating 15 new jobs, which is the amount required per their agreement. Keller also reported exceeding their payroll expectations as of December 31, 2017. Rosalie Ashenfelter made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Campbell Soup Supply Company '06:

Attendees: Michael Bostelman, Rosalie Ashenfelter, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Campbell Soup Company. The company reported retaining 1,171 new jobs, as well as exceeding their investment levels as of December 31, 2017. This abatement is set to come off for tax year 2017. Tim Meister made a motion to recommend expiring the agreement. Mike Bostelman seconded. Motion carried.

Campbell Soup Supply Company '12

Attendees: Michael Bostelman, Rosalie Ashenfelter, Tim Meister, Calvin Spiess, Bill Morey, Denise Dahl
Others: Kevin Garringer (Henry County Auditor)

Executive Director Denise Dahl and the attendees reviewed the project status report submitted by Campbell Soup. The company reported retaining 1,007 jobs, as well as meeting their investment level as of December 31, 2017. Tim Meister made a motion to recommend continuing the agreement. Bill Morey seconded. Motion carried.

Adjournment:

Meeting adjourned at 9:50 a.m.



Denise Dahl
Executive Director of Henry County CIC and
Henry County Auditor's TIRC Representative

City of Napoleon, Ohio

CITY COUNCIL

AGENDA ... AMENDED

Monday, April 16, 2018 at 7:00 pm

LOCATION: Council Chambers, 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. April 02, 2018 Council Meeting Minutes

D. Citizen Communication

E. Reports from Council Committees

1. **Electric Committee** met on April 9, 2018; and
 - a. Accepted the BOPA Recommendation to Approve the PSCAF for April, 2018, and
 - b. Heard an update on the status of transmission ownership for the Northside Substation.
2. **Water, Sewer, Refuse, Recycling and Litter Committee** did not meet on April 9, 2018 due to lack of agenda items.
3. The **Municipal Properties, Building, Land Use and Economic Development Committee** meeting for April 9, 2018 was canceled.
4. **Parks and Rec Committee** did not meet earlier tonight due to a lack of agenda items.

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

1. **Tree Commission** met on April 16, 2018 with the agenda items:
 - a) Review Tree Call Reports.
 - b) Finalize Arbor Day Celebration.
 - c) Spring Plantings Update.
 - d) Spring Removals Update.
2. **Housing Council** met before the Council meeting to:
 - a. review the 2018 TIRC Recommendations.

G. Introduction of New Ordinances and Resolutions

1. **Ordinance No. 018-18**, an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 1) for the Year 2018; and Declaring an Emergency. *(Suspension Requested)*
2. **Resolution No. 019-18**, a Resolution Authorizing Enrollment in the Ohio Rural Water Association 2019 Workers' Compensation Pool, and Authorizing the Expenditure of Funds and Directing the City Manager to Enter into a Professional Service Contract with CompManagement Health Systems, Inc., a Workers' Compensation Administrator; and Declaring an Emergency. *(Suspension Requested)*
3. **Resolution No. 020-18**, a Resolution Authorizing the Expenditure of Funds over Twenty-Five Thousand Dollars (\$25,000.00) for the Implementation of an Upgrade of the Supervisory Control and Data Acquisition (SCADA) Software and Hardware, which was included in the 2018 Master Bid Resolution, for the City of Napoleon, Ohio Wastewater Treatment Plant, and to Sole Source said Implementation to Koester Corp.; and Declaring an Emergency. *(Suspension Requested)*
4. **Ordinance No. 021-18**, an Ordinance Imposing a Temporary Reduction and/or Temporary Elimination of Certain Residential Building Permit Fees; and Updating and Amending Certain Sections of the Codified Ordinances of the City of Napoleon Regarding the Enforcement of the Residential Code of Ohio.

H. Second Readings of Ordinances and Resolutions - None

I. Third Readings of Ordinances and Resolutions

1. **Ordinance No. 009-18**, an Ordinance Amending the City of Napoleon Traffic Schedules, specifically Schedule II, "Parking Time Limits" on Certain Streets as Listed in the Attached Exhibit A and Repealing Ordinance No. 037-16; and Declaring an Emergency.

2. **Resolution No. 010-18**, a Resolution Authorizing the Expenditure of Funds Over Twenty-Five Thousand Dollars (\$25,000.00) for the Purpose of Preparing the City of Napoleon's Comprehensive Master Plan with Thoroughfare Plan Provisions in and for the City of Napoleon, Ohio, and to Sole Source said Comprehensive Master Plan to Reveille, LTD.; and Declaring an Emergency.
 3. **Ordinance No. 011-18**, an Ordinance Amending a Certain Section of the Personnel Code Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio; and Declaring an Emergency.
 4. **Resolution No. 012-18**, a Resolution Approving a Fifty Dollar (\$50.00) Surcharge to City of Napoleon, Ohio Health Insurance Premiums; and Declaring an Emergency.
- J. Good of the City** *(Any other business as may properly come before Council, including but not limited to):*
1. **Discussion/Action:** Approval of PSCAF Factor for April 2018: PSCAF three-month averaged factor \$0.01550, JV2 \$0.024770 and JV5 \$0.024770.
 2. **Discussion/Action:** Approval of TIRC Recommendations by the Housing Council.
 3. **Discussion/Action:** Approval of Donation in the amount of \$600.00 from United Way of Henry County to the Parks and Recreation Safety City Program.
- 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: May 7, 2018 @6:15 pm)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 14, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for May 2018
 - b. Status of Transmission Ownership.
 - c. Electric Department Report.
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 14, 2018 @7:00 pm)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 14, 2018 @7:30 pm)
 - a. Discussion on Disposal of Excess Property in the City.
 - b. Updated Information from Staff on Economic Development (as needed)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, May 21, 2018 @6:00 pm)
- 7. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, April 23, 2018 @6:30 pm)
 - a. Municipal Tax Code (Tabled).
- 8. Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, April 23, 2018 @7:30 pm)
- 9. Personnel Committee (as needed)**

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

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, May 14, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for May 2018
 - b. Status of Transmission Ownership.
 - c. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 15, 2018 @4:30 pm)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 15, 2018 @5:00 pm)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, May 21, 2018 @6:00 pm)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, April 24, 2018 @4:30 pm)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wed., April 25, 2018 @6:30 pm)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, May 8, 2018 @10:30 am)
- 8. Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 12, 2018 @4:00 pm)
- 9. Housing Council.**
- 10. Health Care Cost Committee (as needed)**
- 11. Preservation Commission (as needed)**
- 12. Napoleon Infrastructure/Economic Development Fund Review Committee [NIEDF] (as needed)**
- 13. Tax Incentive Review Council (as needed)**
- 14. Volunteer Firefighters' Dependents Fund Board (as needed)**
- 15. Volunteer Peace Officers' Dependents Fund Board (as needed)**
- 16. Lodge Tax Advisory & Control Board (as needed)**
- 17. Board of Building Appeals (as needed)**
- 18. ADA Compliance Board (as needed)**

City of Napoleon, Ohio

CITY COUNCIL

MEETING MINUTES

Monday, April 02, 2018 at 7:00 pm

PRESENT

Councilmembers

Mayor

City Manager

Law Director

Finance Director/Clerk

Recorder

City Staff

Others

ABSENT

Councilmember

Call to Order

Approval of Minutes

Citizen Communication

**Reports from Council
Committees**

**Introduction of
Resolution No. 016-18
Napoleon Nonmotorized
Facilities Network Gaps
Project**

Joseph D. Bialorucki-Council President, Dan Baer-Council President Pro-Tem, Jeff Comadoll, Jeff Mires, Lori Siclair, Ken Haase

Jason P. Maassel

Joel L. Mazur

Billy D. Harmon

Gregory J. Heath

Roxanne Dietrich

David J. Mack, Chief of Police

Clayton O'Brien, Fire Chief

Chad Lulfs, Public Works Director

Dave Pike, WWTP Superintendent

NCTV, Newsmedia, Civil Service Commission Members (Bill Finnegan, Megan Lytle-Steele)

Travis Sheaffer

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

Hearing no objections or corrections, the minutes from the March 19, 2018 meeting stand approved as presented.

None.

Finance and Budget Committee met on March 26, 2018 and heard a presentation from AccuMed on EMS billings and write-offs, Tabled discussion on Municipal Tax Code until there is more information, and Approved the First Quarter Budget Adjustments.

Safety and Human Resources Committee did not meet on March 26, 2018 due to lack of agenda items.

Due to a lack of agenda items, the **Technology and Communications Committee** did not meet earlier tonight.

Council President Bialorucki read by title, **Resolution No. 016-18**, a Resolution Authorizing the City Manager to Execute any and all Documents necessary to Prepare, Apply for and Accept Funding through the Ohio Department of Transportation's (ODOT) Transportation Alternative Program (TAP) for the project known as the Napoleon Nonmotorized Facilities Network Gaps Project; and Declaring an Emergency.

Motion: Siclair Second: Comadoll
to approve First Read of Resolution No. 016-18.

Mazur stated legislation specifying the grant application is required by ODOT for the City to apply for TAP funds. The grant is due May 18th, Mannik & Smith would like to submit the application by mid-April; therefore, we are requesting suspension. To date we have eleven letters of support and are hopeful we can get four more letters this week. Comadall asked about the sidewalk on Jahns Road. Mazur explained the sidewalk will go on the west side of Jahns Road, it is grant funded, the sidewalk will be 7' wide. Comadoll asked who will pick up the fire hydrant? Mazur replied there is a 5% matching grant where the City will be taking care of other utility and electrical work that needs to be done. There is \$50,000 set aside in the State Capital Project fund thanks to Representative Hoops to be used towards engineering work. Bialorucki asked if the sidewalk will meet up with county on the other side. Mazur said our property line stops at the tracks. We are waiting on a letter of support from the county commissioners. Comadoll said, just to pre-warn you, there is a curb stop right there for one of the houses in the road.

Motion: Comadoll Second: Siclair
to suspend the rule requiring three readings for Resolution No. 016-18.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Roll call vote to pass Resolution No. 016-18 under suspension and emergency.
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Council President Bialorucki read by title, **Ordinance No. 017-18**, an Ordinance; Amending Section 195.04 (Rule 4.1, Place of Examination and Administration, Rule 4.2, Notice of Examination for Original Appointment, Rule 4.4, Human Resource Department Assistance, 4.5.1, Examination for Original appointment, Rule 4.5.3, Method of Examination, and Rule 4.16, Examination Grading Methods), of the Civil Service Code of the City of Napoleon, Ohio; and Declaring an Emergency.

Motion: Mires Second: Haase
to approve First Read of Ordinance No. 017-18.

Mazur informed Council, the Civil Service Commission has been discussing using the National Testing Network (NTN) for hiring Patrolman and Firefighter/Paramedics. The Civil Service Commission has the ability to waive and set rules for the hiring process, the legislation before you tonight would change the Civil Service Rules to set the National Testing Network as the default for hiring. Harmon explained the phrase *absent written legislation or motion* would mean unless other action is taken, the NTN would be the default method, the other process can be used by a motion. Mazur said at the last Civil Service Commission meeting we had a representative from the National Testing Network come in and talk about the testing program. We were told a lot of communities in Northwest

Motion to Suspend the Rule on 017-18

(\$25,000.00) for the Purpose of Preparing the City of Napoleon's Comprehensive Master Plan with Thoroughfare Plan Provisions in and for the City of Napoleon, Ohio, and to Sole Source said Comprehensive Master Plan to Reveille, LTD.; and Declaring an Emergency.

Motion: Siclair Second: Baer
To approve second Read of Resolution No. 010-18.

Mazur stated this was discussed at the Finance & Budget Committee meeting and was added to the first quarter budget adjustments. In looking back through the minutes, the Master Plan was to be brought back to Council once we figured out what direction we wanted to go.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Council President Bialorucki read by title, **Ordinance No. 011-18**, an Ordinance Amending a Certain Section of the Personnel Code Chapter 197 of the Codified Ordinances of the City of Napoleon, Ohio; and Declaring an Emergency.

Motion: Comadoll Second: Mires
to approve Second Read of Ordinance No. 011-18.

Mazur said the Healthcare Cost Committee added a preventive care wellness program which needs to be included in the Personnel Code. Chapman & Chapman works with the BORMA group and they used Napoleon as an example for wellness programs at the March meeting, BORMA's intent is to incorporate a global wellness program.

Roll call vote to approve Second Read of Ordinance No. 011-18:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Council President Bialorucki read by title, **Resolution No. 012-18**, a Resolution Approving a Fifty Dollar (\$50.00) Surcharge to City of Napoleon, Ohio Health Insurance Premiums; and Declaring an Emergency.

Motion: Mires Second: Baer
to approve Second Read of Resolution No. 012-18.

Mazur stated this is part of the wellness program. Chapman & Chapman recommended for the wellness program to succeed there has to be some financial impact, it was the recommendation of the Healthcare Cost Committee to add the \$50.00 surcharge to employees' health insurance premiums if the employee does not complete a wellness check by a licensed physician prior to November 30, 2018.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Council President Bialorucki read by title, **Ordinance No. 014-18**, an Ordinance Authorizing the City Manager to enter into a Contract or Contracts for the Sale of City Owned Bulk Electric System (BES) 138KV Assets to American Municipal Power, Inc.; and Declaring an Emergency.

Motion: Comadoll Second: Siclair
to approve Second Read of Ordinance No. 014-18

Mazur reported the agreement is substantially complete, changes were made with the biggest change being the agreement will be with American Municipal Transmission, LLC, that is a subsidiary of AMP. Exhibits A and B were taken out, we will be draft them into one with the same details, it is hard to separate out who owns what, that will have to be done by percentage. Exhibit E will be drafted after the fact, Exhibit C and D go hand-in-hand (easement and lease for a 35-year period). A lot of items were completely removed from the agreement as they related to larger scale purchases. The closing is whenever we decide, the right of first refusal is in there that way they cannot turn around and sell it, we could buy it back for what we paid for it less depreciation and any inflationary costs, the same will go for any large capital items. We are requesting suspension as we are meeting with Reliability Force next Monday, they want to know what progress we are making, they have set some pretty strict guidelines for us to comply with, we will hammer out the rest of the agreement and get it signed. Grid Force will start putting the monitoring and control system in the substation, we will continue to maintain until we get the other agreement in place and close on the asset sale.

Motion: Baer Second: Haase
to the amend Ordinance No. 014-18 to reflect the new purchaser, American
Municipal Transmission, LLC.

Passed
Yea-6
Nay-0

**Motion to Suspend Rules
for Number of Votes
Required for Passage**

Roll call vote to the amend Ordinance No. 014-18 to reflect the new purchaser, American Municipal Transmission, LLC.
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Passed
Yea-6
Nay-0

**Motion to Suspend Rules
for Additional Readings
That May Be Required
After Amendment**

Motion: Comadoll Second: Baer
to suspend the rules on Ordinance No. 014-18 for number of votes required for
passage.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Passed
Yea-6
Nay-0

Passed
Yea-6
Nay-0

**Third Read of
Resolution No. 006-18
Amend Ohio Municipal Tax
Code Section 194.134**

Motion: Comadoll Second: Siclair
to suspend the rules for any additional readings that may be required after
amendment of Ordinance No. 014-18.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Roll call vote to pass Ordinance No. 014-18 under suspension and emergency.
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

**Motion to Approve
Third Read of 006-18**

Discussion

Passed
Yea-6
Nay-0

GOOD OF THE CITY

First Quarter Budget Adjustments

Council President Bialorucki read by title, **Resolution No. 006-18**, a Resolution to Amend the City of Napoleon, Ohio Municipal Tax Code Section 194.134R and to Correct a Scrivener's Error, Amending the Referenced Language.

Motion: Haase Second: Mires
to approve Third Read of Resolution No. 006-18.

Harmon reported there are no changes from second read. This is required for landlords for tax filing purposes. The original ordinance had a scrivener's error, as it stands now, we have a requirement with no enforcement.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Heath said the first quarter budget adjustments were presented to and approved by the Finance and Budget Committee.

Motion: Comadoll Second: Siclair
to direct the Law Director to draft legislation for the First Quarter Budget Adjustments.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Mazur said there is money budgeted for WWTP to update their SCADA system. The reason for the sole source request is we feel it is best to use the same company and software program that is installed at the new Water Treatment Plant. It is our recommendation that the Law Director be directed to prepare legislation with emergency and suspension so the work can be completed before the water tower painting begins.

Motion: Comadoll Second: Siclair
to direct the Law Director to draft legislation to Sole Source Upgrade of SCADA
Software Program at the Wastewater Treatment Plant to Koester Corporation.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Lulfs reported it has been discovered that a couple of chemicals being housed in the lower level chemical room are very corrosive. We are proposing to build walls around the tanks that house these chemicals at a cost of \$41,297.00, since the cost is over \$25,000, Council approval is needed to move forward.

Motion: Comadall
to approve Change Order No. 12 for the Water Rehabilitation Plant in the amount
of \$41,297.00.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Lulfs said four years ago we were instructed by the EPA to come up with a plan for annual cleaning of our sanitary sewer system. A 10-year plan was put together and we have been bidding it out as a 3-year project, this is the second phase. We are requesting approval to bid out years 4, 5, and 6. Since we started this project, there has been less overflow activity in certain areas of town, we are getting debris out of the pipes and it is helping us find any problems that may be in the main.

Motion: Haase Second: Baer
to approve the plans and specs for the Sanitary Sewer Cleaning Project (Phase 2)
and going out to bid.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

We advertised, through MVPO, public meetings for the Senior Center area CDBG grant application that is due in June. The scheduled dates are: April 5 at 7:00 pm, April 12 at 12:30 pm, May 3 at 12:30 pm and May 17 at 7:00 pm. All meetings will be at the Senior Center.

I would like to request an Executive Session on Economic Development and one on Pending Litigation.

I have nothing.

I have nothing.

I received a Thank You card from the Don Fetter family for the flowers we sent. A citizen complained about the railroad crossings being rough, I passed the message onto Joel who passed it onto Chad who called the railroad, the railroad said they will work on it in late April, need warmer weather. When it warms up, we need to get the dura patch machine out.

I gave everyone the annual notice from the Department of Commerce on liquor permits. If anyone wants to make an objection there is a sheet that will need to be done by May 2nd. Chief Mack stated he has reviewed the list and has no major issues.

OML is doing a regional summer conference series, you can look at the handout.

I have nothing.

I have nothing.

I have nothing.

I would ask for an Executive Session on Personnel.

Motion: Siclair
Second: Mires
to go into Executive Session for Economic Development.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Motion: Haase Second: Comadoll
To go into Executive Session for Pending Litigation.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Motion: Mires Second: Baer
to go into Executive Session regarding Personnel.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Council went into Executive Session at 8:25 pm.

Motion: Comadoll Second: Haase
to come out of Executive Session on Economic Development.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Motion: Comadoll Second: Siclair
to come out of Executive Session on Pending Litigation.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Motion: Comadoll Second: Haase
to come out of Executive Session on Personnel.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

Out of Executive Session

City Council came out of Executive Session at 9:03 pm.

Approve Payment of Bills and Financial Reports	The bills and financial reports were approved as presented with no objections.
	Comadoll asked Heath how are the taxes coming in? Heath replied he does not have the figures for March, the last time he checked, we were running a little below last year at the same time.
Motion to Adjourn	Motion: Baer Second: Comadoll to adjourn the City Council meeting.
Passed	Roll call vote on the above motion:
Yea-6	Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-0	Nay-
Adjournment	The City Council meeting was adjourned at 9:04 pm.

Comadoll asked Heath how are the taxes coming in? Heath replied he does not have the figures for March, the last time he checked, we were running a little below last year at the same time.

Motion: Baer
to adjourn the City Council meeting.

Roll call vote on the above motion:
Yea-Haase, Siclair, Comadoll, Baer, Bialorucki, Mires
Nay-

The City Council meeting was adjourned at 9:04 pm.

April 16, 2018

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk

ORDINANCE NO. 018-18

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION
MEASURE (SUPPLEMENT NO. 1) FOR THE YEAR 2018; AND DECLARING
AN EMERGENCY**

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 080-17 for the fiscal year ending December 31, 2018 shall be supplemented (Supplement No. 1) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

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 the City of Napoleon, Ohio.

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

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; 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: _____

Joseph D. Bialorucki, 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. 018-18 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

2018 APPROPRIATION BUDGET - SUPPLEMENTAL BUDGET ADJUSTMENT BUDGET SUMMARY BY FUND, DEPARTMENT AND CATEGORY

ORDINANCE No. ____-18, Passed __/__/2018 FUND/DEPARTMENT-1ST QUARTER ADJUSTMENT	2018 SUPPLEMENTAL BUDGET ADJUSTMENT			2018 FUND TOTAL
	PERSONAL SERVICES	OTHER	TOTAL	
100 GENERAL FUND				
1300 City Manager/Administrative	\$0	\$35,000	\$35,000	
- 1300 City Man./Admin. - City's Comprehensive (Master) Plan, not in Original 2018 Budget - \$35,000:				
Accounts - 100.1300.53350 Service Fees-Consulting		\$35,000		
1800 Municipal Court/Judicial	\$0	\$2,900	\$2,900	
- 1800 Mun.Court/Judicial - Additional for Professional Services and Computer Equipment - \$2,900:				
Accounts - 100.1800.53300 Service Fees-Professional		\$2,500		
Accounts - 100.1800.57000 Machinery and Equipment		\$400		
5130 Service/Buildings, Properties, Equipment	\$12,700	\$0	\$12,700	
- 5130 Service/Bldg.&Prop. - Additional Hospitalization for Coverage Change after budget reviews - \$12,700:				
Accounts - 100.5130.51710 Hospitalization Insurance	\$12,700			
Total - 100 General Fund	\$12,700	\$37,900	\$50,600	\$50,600
243 REFUND-FIRE LOSS FUND				
1900 General Government/Miscellaneous	\$0	\$26,666.50	\$26,666.50	\$26,666.50
- 1900 Gen.Gov./Misc. - Additional for Fire Loss Claim recieved in 2018, not in Original 2018 Budget - \$26,666.50:				
Accounts - 243.1900.59030 Refunds-Fire Loss Claims		\$26,666.50		
287 PRBTN.IMP.&INCENTIVE GRANT FUND				
1810 Municipal Court/Probation Department	\$0	\$2	\$2	\$2
- 1810 Mun.Court/Prob.Dept. - Additional for Service Fees-Professional, Grant to be Closed - \$2:				
Accounts - 287.1810.53300 Service Fees-Professional		\$2		
288 JUSTICE REINVESTMENT INCENTIVE GRANT				
1810 Municipal Court/Probation Department	\$0	\$370	\$370	\$370
- 1810 Mun.Court/Prob.Dept. - Additional for Supplies-Operating Materials - \$370:				
Accounts - 288.1810.54200 Supplies-Operating Materials		\$370		
* GRAND TOTAL - ALL FUNDS	\$12,700.00	\$64,938.50	\$77,638.50	\$77,638.50

RESOLUTION NO. 019-18

A RESOLUTION AUTHORIZING ENROLLMENT IN THE OHIO RURAL WATER ASSOCIATION 2019 WORKERS' COMPENSATION POOL, AND AUTHORIZING THE EXPENDITURE OF FUNDS AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH COMPMANAGEMENT HEALTH SYSTEMS, INC., A WORKERS' COMPENSATION ADMINISTRATOR; AND DECLARING AN EMERGENCY

WHEREAS, the City in 2018 belonged to the Ohio Rural Water Association Workers' Compensation Pool; and,

WHEREAS, the City in 2018 desires to remain for the remainder of the year 2018 and for the entire year of 2019 in the Ohio Rural Water Association Pool; and,

WHEREAS, the State of Ohio allows for "pooling" with other entities to obtain savings in workers' compensation; and,

WHEREAS, the City desires to contract for Workers' Compensation Administration of its claims; **Now Therefore**,

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

Section 1. That, the City's Finance Director is authorized and directed to enroll the City in the 2019 Ohio Rural Water Association Workers' Compensation Pool and continue in the Pool for the remainder of the year 2018.

Section 2. That, the City finds it necessary and therefore authorizes the expenditure of funds in an amount of three thousand, six hundred five dollars (\$3,605.00) for a professional service contract with CompManagement Health Systems, Inc., a Sedgwick Company, Cleveland, Ohio, referred to as a Workers' Compensation Administration Service. If additional amounts are required to cover the remainder of the year 2018, the same is hereby authorized.

Section 3. That, the City Manager is authorized and directed to enter into a Contract for professional services for Workers' Compensation Administration services with CompManagement Health Systems, Inc., substantially in the form as found in a City Contract No. 2018-11, subject to amendments as the City Manager deems necessary, or in the alternative, utilize the automatic renewal provision as found in the Contract.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its

inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time so that the signed contract can be submitted and the City can become a member of the aforementioned workers' compensation pool on or before the May 31, 2018 deadline; 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. Further, the Emergency Clause is necessary to enter into the stated contract in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, 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. 019-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2018.

Gregory J. Heath, Clerk/Finance Director

RESOLUTION NO. 020-18

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE IMPLEMENTATION OF AN UPGRADE OF THE SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SOFTWARE AND HARDWARE, WHICH WAS INCLUDED IN THE 2018 MASTER BID RESOLUTION, FOR THE CITY OF NAPOLEON, OHIO WASTEWATER TREATMENT PLANT, AND TO SOLE SOURCE SAID IMPLEMENTATION TO KOESTER CORP.; AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon, Ohio Wastewater Treatment Plant's current Supervisory Control and Data Acquisition (SCADA) software and hardware are in need of upgrading; and,

WHEREAS, the SCADA software and hardware are very specialized and there are very few providers of such a system; and,

WHEREAS, a review of the limited providers revealed that Koester Corp. could provide the needed upgrades and support to the software and hardware that could integrate with the City of Napoleon's other systems and functions; and

WHEREAS, Koester Corp. was included in the 2018 Master Bid Resolution (Resolution No. 083-17) for Engineering Services; and,

WHEREAS, the cost to implement the SCADA software and hardware updates exceeds twenty-five thousand dollars (\$25,000.00); and,

WHEREAS, the City of Napoleon desires to sole source this project to Koester Corp. due to Koester's intimate knowledge of the City's SCADA, (Koester has been involved in the City's SCADA implementation in the Water Treatment Plant and Wastewater Treatment Plant for the existing program), as well as Koester Corp. being the only local company having the necessary, specialized support for equipment and software, which may expedite the project; therefore, it is the opinion of this Council that 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 twenty-five thousand dollars (\$25,000.00) for the update of the SCADA software and hardware at the Wastewater Treatment Plant. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City Manager is authorized to enter into a contract with Koester Corp. to conduct the update.

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further,

if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time so that the update can be timely made which affect the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to implement the stated upgrade in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, 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. 020-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 021-18

AN ORDINANCE IMPOSING A TEMPORARY REDUCTION AND/OR TEMPORARY ELIMINATION OF CERTAIN RESIDENTIAL BUILDING PERMIT FEES; AND UPDATING AND AMENDING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON REGARDING THE ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO

WHEREAS, the City of Napoleon Municipal Properties, Buildings, Land Use and Economic Development Committee met on March 12, 2018 and, in order to increase economic development within the City, determined it appropriate to temporarily waive and/or reduce certain City fees for new construction of residences commencing July 1, 2018 and continuing through December 31, 2019; and,

WHEREAS, upon recommendation of the City Municipal Properties, Buildings, Land Use and Economic Development Committee, this Council deems it prudent to temporarily waive and/or reduce certain City fees for new construction of residences commencing July 1, 2018 and ending December 31, 2019; and,

WHEREAS, Ordinance No. 071-17, passed by City Council on November 6, 2017, authorized a request by the Ohio Board of Building Standards to certify the City of Napoleon, Ohio for enforcement of the Residential Code of Ohio with the condition that the Wood County, Ohio Residential Building Department exercise enforcement authority and accept and approve plans and specifications, and make inspections;

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

Section 1. That, this Ordinance does hereby amend Section 1325 of Part 13 of the City of Napoleon, Ohio Codified Ordinances as listed below does temporarily impose a moratorium and waive or reduce the City fees for new construction of residences as listed in Rule 3.2.7 of the City of Napoleon, Ohio Engineering Department Rules and Regulations; as listed in Section 1105.02 of Part 11 of the City of Napoleon, Ohio Codified Ordinances; and, as listed in Section 931.10 of Part 9 of the City of Napoleon, Ohio Codified Ordinances, commencing July 1, 2018 and ending December 31, 2019.

Section 2. That, the amendments to be made to Section 1325 of Part 13 of the City of Napoleon, Ohio Codified Ordinances, as set forth by this Ordinance include the following:

“1325.01 BOARD OF BUILDING APPEALS.

The administration of this chapter shall be the responsibility of the Board of Building Appeals and the Zoning Administrator or the Building Inspector, and when the chapter so provides, the Board of Zoning Appeals. Moreover, the Board of Building Appeals shall have those powers and duties as provided for in Chapter 177 of the Administrative Code and all other ordinances or resolutions of the City.

(Ord. 54-01. Passed 6-4-01.)

1325.02 REGISTRATION FOR BUILDING CONTRACTORS.

(a) It shall be unlawful for any person, firm, or corporation to act or engage in the business of building construction, repair, removal, alteration, or demolition for others

within the City unless they have registered as a contractor, or specialty contractor as defined in §715.27(F) the Ohio Revised Code, with the City Building Engineering Department; however, the owner of a building may carry on any of the work governed by the Building Code without such certificate of registration, provided that the owner shall obtain a permit for any such work and shall call for inspection as provided herein.

(b) There shall be an annual fee of twenty-five dollars (\$25.00) for the certificate of registration and the contractor or specialty contractor shall post such bond and certificate of commercial liability insurance as the City Building Engineering Department may require; moreover, such contractor or specialty contractor shall provide proof of Workers' Compensation insurance, proof of registration with the City's Income Tax Department, and when the work to be performed is for commercial establishments, evidence of holding a valid and unexpired license under Chapter 4740 of the Ohio Revised Code. No bonding, proof of liability insurance or local testing shall be required of contractors, including specialty contractors, that hold a valid and unexpired license with the State of Ohio under Chapter 4740 of the Ohio Revised Code.

(Ord. 06-02. Passed 1-7-02.)

1325.03 DEMOLITION; PERMIT REQUIRED.

(a) Any demolition or removal of buildings or structures within the City shall require a permit.

(b) Permits to remove or demolish a building or structure shall be granted by the Building Inspector of the City. No permit shall be granted until the following requirements are met, unless a requirement is otherwise deemed unnecessary by the Building Inspector and waived in writing by the Building Inspector:

(1) A notice of application shall have been given to the owners of lots adjoining the lot from which the building or structure is to be removed or demolished.

(2) The owner or agent of the building or structure shall notify all utilities having service connections within the building or structure for the purpose of obtaining written releases stating that their respective service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.

(3) A certificate shall be obtained from the Henry County Department of Health, stating that the building or structure either has no rats, pigeons, or vermin, or that the building or structure shall be exterminated by a commercial exterminator prior to demolition or removal work.

(4) Every contractor for the removal of asbestos, toxic chemicals, and/or hazardous materials from the demolition or removal site shall produce for inspection by the Building Inspector of the City true and complete certified copies of:

A. Any and all licenses issued therefor by the Ohio Department of Health;

B. Any and all licenses issued for the disposal site thereof by the Ohio Environmental Protection Agency;

C. Any and all tests for or of asbestos, toxic chemicals, and/or hazardous materials at the demolition or removal site; and

D. Any and all compliances required by the Federal Occupational Safety and Health Administration.

E. Prior to the removal of any asbestos, toxic chemicals, and/or hazardous materials from the demolition or removal site, every such contractor shall certify in writing that he has made an inspection of the demolition or removal site and a listing of

any and all asbestos, toxic chemicals, and/or hazardous materials found at such site. Every such contractor shall remove and dispose of all such asbestos, toxic chemicals, and/or hazardous materials from the demolition or removal site in the manner required by the Ohio Environmental Protection Agency. To assure compliance with these provisions, the Building Inspector of the City may require of every such contractor such additional information and documentation as he may reasonably request from time to time.

(c) A certificate of insurance shall be filed with the Building Inspector which shall provide for bodily injury liability for not less than \$500,000 per person and \$1,000,000 per incident, and property damage liability in the sum of \$2,000,000. Liability insurance shall not be required under the following conditions:

(1) Demolition is being done by the owner as the prime contractor; provided, the owner must hold title to the land and building or structure.

(2) Demolition is being done by a governmental agency.

(d) Demolition or removal of any building or structure shall be completed within 90 days from the time the permit is issued. Additional time may be granted if a written letter is submitted to the Building Inspector explaining circumstances.

(e) For purposes of this section, "**completion of demolition or removal**" means that the vacant lot shall be filled, graded, and maintained in conformity to the existing lot grade. The lot shall be maintained free from the accumulation of rubbish and all other unsafe or hazardous conditions which endanger the life or health of the public; and provisions shall be made to prevent the accumulation of water or damage to any foundations on the premises or the adjoining property.

(f) Additional requirements, unless otherwise deemed unnecessary by the Building Inspector and waived in writing by the Building Inspector:

(1) During demolition, portable fire extinguishers shall be readily available.

(2) Fences. Every operation located 5 feet or less from the street lot line shall be enclosed with a fence not less than 8 feet high to prevent entry of unauthorized persons. When located more than 5 feet from the street lot line, a fence or other approved barrier shall be erected when required by the Building Inspector. All fences shall be of adequate strength to resist wind pressure.

(3) Material shall not be dropped by gravity or thrown outside the exterior walls of a building during demolition or removal. Wood or metal chutes shall be provided for this purpose and any material which in its removal will cause an excessive amount of dust shall be wet down to prevent the creation of a nuisance.

(g) Any building or structure demolished or removed shall have the sanitary and storm sewers capped in an approved method and shall be inspected by the Building Inspector prior to backfilling.

(h) The cost of permits shall be as follows:

(1) Demolition permit.

A. One hundred dollars (\$100.00).

(2) Moving of building. The fee for a building permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be as follows:

A. One hundred dollars (\$100.00)

(3) Small buildings. There shall be no permit fee imposed for demolition or moving of buildings of 200 square feet or less. This does not constitute a waiver of any of the

provisions of this section, such as a waiver of the requirement to obtain a permit or the right to inspect the site.

(i) In the event that work is being performed without proper permits when required, the fees contained in this schedule shall triple. If it is necessary for the Building Inspector to make more than two inspections of a particular phase demolition or removal, an additional reinspection fee of twenty-five dollars (\$25.00) shall be charged.

(Ord. 007-09. Passed 2-16-09.)

1325.04 PERMIT FEES.

Fees for all building construction, when a permit is required, shall be paid to the Wood County, Ohio Building Inspection Department as required. ~~as herein provided. In the event that work is being performed without proper permits when required, the fees contained in this schedule shall triple. In regard to residential construction or repair, if through negligence or poor workmanship on the part of the installer or contractor it is necessary for the Building Inspector to make more than two inspections of a particular phase of installation or construction, an additional reinspection fee of twenty-five dollars (\$25.00) shall be charged. A one percent (1%) surcharge shall be added to all fees established herein as required by Ohio law on all permits issued as it related to the City's adopted Residential Building Code.~~

~~(a) Building Permits. New construction, additions and alterations:
Residential fees based on gross floor area including garage and basement, but not including crawl areas.~~

— New Dwellings:	
— Base fee	_____ \$50.00
— Fee per sq. ft.	_____ .10
— Additions and Alterations:	
(Attached or part of the dwelling)	
— Base fee	_____ 25.00
— Fee per sq. ft.	_____ .05
— Exterior Coverings and Appurtenances:	
— Siding or roofing	_____ 25.00
— Windows or doors	_____ 25.00
(Regardless of number)	
— Decks	_____ 25.00
— Sheds or garages over 200 sq. ft.	_____ 25.00
— Electrical Permits:	
— Rough and/or final inspection	_____ 25.00
— Add for each circuit	_____ 3.00
— Service and/or service change only	_____ 25.00
— Plumbing Permits:	
— Rough and/or final inspection	_____ 25.00
— Add for each fixture	_____ 3.00
— Replace water heater	_____ 25.00
— Heating Permits:	
— Rough and/or final inspection	_____ 25.00
— Replace furnace or boiler	_____ 25.00

~~—(b) Manufactured Home Fees (other than industrial units)~~

— Building permits	50.00
— Electrical permits	25.00
— Plumbing permits	25.00

~~—(c) Commercial Permit Fees (a three percent (3%) surcharge will be added to the fees listed herein pursuant to Ohio law):~~

— Commercial base fee	100.00
— Each additional review	150.00
— Fee per sq. ft.	.065
— Fee per sq. ft. (R-4 only)	.02
— Certificate of Occupancy/per unit	
— (For all but R-1 and R-2)	50.00
— Plumbing Permits:	
— Rough and final inspection	70.00
— Each fixture	10.00

~~Exception: Use Group R residential occupancies shall be the fee listed below multiplied by the number of dwelling units to be served.~~

— Rough and final inspection	\$20.00
— Each fixture	3.00
— Replace hot water heater	30.00

~~(d) To the extent permitted by law, in the event that fees established by another governmental entity that has been contracted by the City to perform commercial inspection services are greater than those contained in this section, then the fees of the other governmental entity shall control over what is stated in this Code. (Ord. 007-09- Passed 2-16-09.)~~

1325.05 UNSAFE BUILDINGS TO BE REMOVED OR REPAIRED.

No insurance company doing business in the State shall pay a claim of a named insured for fire damage to a structure located within the City where the amount recoverable for the fire loss to the structure under all insurance policies exceeds \$5,000 and is greater than or equal to 60% of all fire insurance policy monetary limitations unless there is compliance with the following procedures:

(a) When the loss agreed to between the named insured or insureds and the insurance company or insurance companies equals or exceeds 60% of the aggregate limits of liability on all fire policies covering the building or structure, the insurance company or companies in accordance with Ohio R.C. 715.26(F) shall transfer from the insurance proceeds to the Finance Director in the aggregate amount of \$2,000 for each \$15,000, and each fraction of that amount, of a claim; or, if at the time of a proof of loss agreed to between the named insured or insureds and the insurance company or companies, the named insured or insureds have submitted a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure, shall transfer from the insurance proceeds the amount specified in the estimate.

(1) Such transfer of proceeds shall be on a pro rata basis by all companies insuring the building or structure. Policy proceeds remaining after the transfer to the City may be disbursed in accordance with the policy terms.

(2) The named insured or insureds may submit a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure after the transfer, and the Finance Director shall return the amount of the fund in excess of the estimate to the named insured or insureds, provided that the City has not commenced to remove, repair, or secure the building or other structure.

(b) Upon receipt of proceeds by the City as authorized by this section the Finance Director shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing, or securing incurred by the City pursuant to Ohio R.C. 715.261.

(1) When transferring the fund as required in this section, an insurance company shall provide the City with the name and address of the named insured or insureds, whereupon the City shall contact the named insured or insureds, certify that the proceeds have been received by the City, and notify them that the following procedures will be followed:

A. The fund shall be returned by the Finance Director to the named insured or insureds when repairs, removal or securing of the building or other structure have been completed no later than 60 days after the required proof is received by the Finance Director, provided that the City has not incurred any costs for those repairs, removal, or securing.

B. If the City has incurred any costs for repairs, removal or securing of the building or other structure, the costs shall be paid from the fund, and if excess funds remain, the City shall transfer, no later than 60 days after all such costs have been paid, the remaining funds to the named insured or insureds after repair, rebuilding, or removal has been completed.

(2) Nothing in this section shall be construed to limit the ability of the City to recover any deficiency under Ohio R.C. 715.261.

(3) Nothing in Ohio R.C. 3929.86(C) and (D), shall be construed to prohibit the City and the named insured or insureds from entering into an agreement that permits the transfer of funds to the named insured or insureds if some other reasonable disposition of the damaged property has been negotiated.

(Ord. 052-07. Passed 7-2-07.)

1325.06 STREET NUMBERS FOR STRUCTURES.

(a) The ~~Building Inspector~~ Public Works Director or assignee is authorized to assign, change, and reassign, if necessary, street numbers to all structures, residential, commercial, and industrial, located within the boundaries of the City.

(b) Street numbers shall be assigned, changed, and reassigned in accordance with the system prepared and adopted by the ~~Building Inspector~~ Public Works Director or assignee on file in the ~~Building Engineering~~ Department. The ~~Building Inspector~~ Public Works Director or assignee may consult with the local U.S. Postmaster as necessary in preparing the street number system. (1978 Code 150.31)

1325.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed upon each day during or upon which a violation occurs or continues.

(1978 Code 150.99)."

Section 3. That, Part 13 of the City of Napoleon, Ohio Codified Ordinances shall be amended as listed above pursuant to the passage of this legislation and pursuant to the passage of Ordinance No. 071-17 on November 6, 2017, authorizing the enforcement authority of the Ohio Residential Building Code of Ohio as well as acceptance and approval of plans and specifications, and authority to make inspections to the Wood County, Ohio Residential Building Department, thus the fees shall be paid to the Wood County, Ohio Building Inspection Department as required by said Department.

Section 4. That, the fees to be waived or reduced as listed in Rule 3.2.7 of the City of Napoleon, Engineering Department Rules and Regulations, as set forth by this Ordinance, include the following:

“Rule 3.2.7 Fees

The City Engineering Department shall not charge a fee to the owner or developer to cover the cost of reviewing the Preliminary and Final Construction Plans, the Preliminary and Final Plat and Construction Inspection and Testing.

Construction Plans

~~Before the Preliminary Construction Plan review is begun, the owner, developer, or their agent must pay a fee of two hundred dollars (\$200.00) plus ten dollars (\$10.00) per acre for every acre, of part thereof, within the proposed development up to a maximum of one thousand dollars (\$1,000.00) by check or money order payable to “City of Napoleon,” noting “Engineering Plan Review.” This fee is intended to cover the cost of reviewing the Preliminary and Final Construction Plans. (Amended – August 7, 2006 – Ordinance No. 062-06)~~

City Inspection

City employed or City contracted inspectors shall be utilized during construction unless private inspectors are expressly authorized by the City Engineer. (Amended – August 7, 2006 – Ordinance No. 062-06)

Inspection Fees Due and Payable

Before construction has begun, the owner, developer, or their agent shall: Advance the cost of inspection fees as it relates to City owned or contracted inspector(s) prior to any construction in an amount stated in Rule 3.3.5. (Amended – August 7, 2006 – Ordinance No. 062-06).”

Section 5. That, the amendments to be made and the fees to be waived or reduced as listed in Section 1105.02 of the City of Napoleon, Engineering Department Rules and Regulations, as set forth by this Ordinance, include the following:

“1105.02 ESTABLISHMENT OF CONTROL; FEES.

(a) Administration - General. In addition to Council's administrative powers as it relates to this Planning and Zoning Code, this Planning and Zoning Code shall be administered by:

- (1) The Zoning Administrator;
- (2) The Board of Zoning Appeals;
- (3) Preservation Commission; and,
- (4) The Planning Commission.

(b) Zoning Administrator. This Planning and Zoning Code shall be administered and enforced by the Zoning Administrator who shall be subject to provisions of the City's Administrative Code establishing his or her powers and duties.

(c) Public Hearing Fee Schedule.

(1) Forms and fees. Applications and petitions filed pursuant to the provisions of this Planning and Zoning Code shall be filed on the forms provided by the Zoning Administrator, with any necessary exhibits or documents, and shall be accompanied by the filing fees herein specified, which shall be paid to the City and no part of which shall be returnable to the petitioner, applicant, or appellant.

(2) Fee payments. Until all applicable fees have been paid in full, no action shall be taken on any application or petition.

(3) Fee schedule for new developments or renovations, not including new residential developments. The table below shall reflect the City's fee schedule:

PETITION, APPLICATION, PERMIT OR APPEAL

FILING FEE FOR NEW DEVELOPMENTS OR RENOVATIONS, NOT INCLUDING NEW RESIDENTIAL DEVELOPMENTS

Certificate of Zoning	\$ 25.00
Certificate of Completion	\$ 25.00
Amendment/rezoning	\$125.00
Variance	\$125.00
Conditional use	\$125.00
Administrative appeal	\$ 50.00
Board of Zoning Appeals hearing	\$125.00
Approval of an outline development plan	\$125.00
Approval of the preliminary plan for development plan	\$125.00
Approval of final plan for development plan	\$125.00
Approval of any changes in or amendments to changes in preliminary plan	\$125.00
Fence permit	\$ 25.00
Shed or garage permit (under 200' sq. ft. detached)	\$ 25.00
Pool permit	\$ 25.00
Minor subdivision exception review	\$ 25.00
Letter of zoning	\$ 25.00
Application for Preservation Commission	\$ 25.00
Satellite antenna/microwave receiving antenna or microwave relay equipment permit	\$125.00

(4) Fee schedule for new residential development. The table below shall reflect the City's fee schedule:

PETITION, APPLICATION, PERMIT OR APPEAL

FILING FEE FOR NEW RESIDENTIAL DEVELOPMENT ONLY

Certificate of Zoning ————— \$ 25.00
 Certificate of Completion ————— \$ 25.00
 Amendment/rezoning \$125.00
 Variance \$125.00
 Conditional use \$125.00
 Administrative appeal \$ 50.00
 Board of Zoning Appeals hearing ————— \$125.00
 Approval of an outline development plan ————— \$125.00
 Approval of the preliminary plan for development plan — \$125.00
 Approval of final plan for development plan ————— \$125.00
 Approval of any changes in or amendments to
 —changes in preliminary plan ————— \$125.00
 Fence permit \$ 25.00
 Shed or garage permit (under 200' sq. ft. detached) \$ 25.00
 Pool permit \$ 25.00
 Minor subdivision exception review ————— \$ 25.00
 Letter of zoning ————— \$ 25.00
 Application for Preservation Commission ————— \$ 25.00
 Satellite antenna/microwave receiving antenna
 or microwave relay equipment permit \$125.00

(45) Subdivision fee schedule.

- A. ~~The base fee for processing, plat examination charge, and publication notice for a two lot subdivision shall be \$75.00.~~
- B. ~~The fee for subdivisions of more than two lots shall be \$75.00 plus \$5.00 per lot.~~
- C. ~~The fee for making reproducible plats shall be \$12.00 per sheet.~~
- D. The fee for making a reproducible file copy of the plat and recording the approved subdivision plat with the County Recorder shall be \$12.00 per page, plus applicable recording fees or as otherwise established by the Henry County Recorder, whichever is greater.
- E. ~~The fee for an exception review shall be \$25.00.~~ (See Section 1105.06)

(d) Plat Recording.

- (1) No plat or replat of a subdivision of land located within the City shall be recorded by the County Recorder, until it has been approved by the Council in accordance with the regulations of this Planning and Zoning Code.
- (2) Construction of streets, sewers, water lines, or other public utilities shall not be permitted until the procedures set forth in Section 1105.08 have been accomplished.
- (3) Building permits shall not be issued nor shall any construction work be started until the subdivision has been finally approved by the Council and the plat has been recorded in the office of the County Recorder.

(e) Certificate of Zoning.

- (1) Certificate required. No land shall be occupied or used, and no building hereafter erected, reconstructed, or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of zoning has been issued

by the Zoning Administrator, stating that the use is in compliance with all provisions of this Planning and Zoning Code.

(2) Change in use. No change shall be made in the use of land or the use of any building or part thereof now or hereafter erected, reconstructed, or structurally altered without a certificate of zoning having been issued by the Zoning Administrator. Certificate for change in a use shall not be issued unless the premises is in conformity with the provisions of this Planning and Zoning Code.

(3) Applied for coincidentally. A certificate of zoning shall be applied for coincidentally with the application for a building permit and shall be issued after notification by the applicant thereof that the lawful erection, reconstruction, or structural alteration of such building or other improvement of the land has been completed, and an inspection of the premises has been made and approved by the Zoning Administrator.

(4) Record of certificates. A record of all certificates of zoning and occupancy shall be kept on file in the office of the Zoning Administrator and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

(5) Excavation. No building permit shall be issued for excavation or for the erection, reconstruction, or structural alteration of any building before application has been made for a certificate of zoning.”

Section 6. That, the amendments to be made and the fees to be waived or reduced as listed in Section 931 of Part 9 of the City of Napoleon, Ohio Codified Ordinances, as set forth by this Ordinance, include the following:

“931.10 SANITARY SEWER TAP FEES.

(a) A sanitary sewer tap fee (service connection fee) shall be charged for each connection to the City's sanitary sewer system as follows: (This fee does not cover any labor and material required. Any such labor or materials is a separate charge based on actual cost.)

(b) Charges as contained in this section are applicable and shall be charged for all tributary parcels now in the City to which a sanitary sewer has not been assessed and also for all parcels hereafter annexed to the City. This charge is also applicable and shall be made for all new buildings, major additions, or alterations; to buildings causing increased sewage discharge; any land use causing the discharge of sewage into the sewage system; and any change in sewage flow distribution ordered by the City Manager when the redistribution of sewage flow requires the construction of a new trunk line sewer and a new service connection thereto.

(1) For Lots with single-family dwellings, two family dwellings, or three family dwellings, the sanitary sewer tap charge shall be based upon a minimum of ~~eighty-seven dollars (\$870.00)~~ ~~per 7,200 square feet of land exclusive of dedicated streets, or a charge of eighty-seven dollars (\$87.00) per additional dwelling unit location, whichever is greater.~~ Anything over the first 7,200 square feet of land shall be ~~on a pro-rata basis.~~ charged twelve dollars (\$12.00) per one thousand (1,000) square feet. However, there shall be a cap to the sewer tap charge as follows:

- A. Single-family dwellings maximum charge is ~~\$150~~60.00;
- B. Two family dwellings maximum charge is ~~\$300~~200.00;
- C. Three family dwellings maximum charge is ~~\$450~~350.00.

(2) For manufactured homes courts, the sanitary sewer tap charge shall be based upon a minimum of ~~eighty-seven dollars (\$87.00)~~ per 7,200 square feet of land exclusive of dedicated streets, ~~and or a charge of eighty-seven dollars (\$87.00) per additional dwelling unit location. whichever is greater. Anything over the first 7,200 square feet of land shall be on a pro rata basis.~~

(3) For all other developments of any kind, excluding commercial or industrial, the sanitary sewer tap charge shall be based upon a minimum of eighty-seven dollars (\$87.00) per 7,200 square feet of land, exclusive of dedicated streets, or a charge of eighty-seven dollars (\$87.00) per dwelling unit location, whichever is greater. Anything over the first 7,200 square feet of land shall be on a pro rata basis.

(4) All commercial or industrial uses: the sanitary sewer tap charge shall be six hundred (\$600.00) dollars.

(5) All sanitary sewer tap fees outside the corporation limits shall be ~~increased fifty percent (50%) from what is stated in the provision~~ one hundred and fifty dollars (\$150.00).

(c) Inspection fees for sanitary sewer taps shall be as follows:

- | | |
|--|--|
| (1) Single-family and duplex residential: | \$60.00 |
| (2) Multifamily residential, commercial, and industrial fifty feet in length or less: | \$100.00 |
| (3) Multifamily residential, commercial, and industrial fifty-one feet in length or more: | \$100.00, plus an additional \$10.00 for each fifty foot increment over and above the initial fifty foot length. |
| (4) Inspection fees outside the corporation limits shall be increased by fifty percent (50%) of the rates established in this inspection fee section.” | |

Section 7. That, this these amendments and this moratorium shall become effective at 12:01 a.m. on July 1, 2018, following the passage of this Ordinance by City Council, and shall remain in effect until 11:59 p.m. on December 31, 2019 and, thereafter, upon a majority vote of City Council, may be continued in effect, if City Council finds such continuance is necessary to allow sufficient time for the Municipal Properties, Buildings, Land Use and Economic Development Committee or other City departments, committees, or commissions to complete the research and recommendation of what action, if any, the City of Napoleon should take to safeguard the public health, safety and welfare through the provision of waiving said building fees to increase economic development within the City.

Section 8. That, this Council considered the following criteria in making its decision to amend as set forth above:

a. Upon the passage of Ordinance No. 071-17, the City if Napoleon, Ohio obtained the authority of enforcement of the provisions of the Residential Code of Ohio through certification by the Ohio Board of Building Standards pursuant to Section 3781.10(E) of the Ohio Revised Code; and,

b. The Community Improvement Corporation (CIC) acting as an agent for and on behalf of the City of Napoleon, Ohio has suggested construction of residential homes as an avenue to increase economic development for the City.

Section 9. 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 10. 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 11. That, this Ordinance shall be in full force and effect on the dates and times as given above.

Passed: _____

Joseph D. Bialorucki, 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. 021-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 009-18

**AN ORDINANCE AMENDING THE CITY OF NAPOLEON
TRAFFIC SCHEDULES, SPECIFICALLY SCHEDULE II,
“PARKING TIME LIMITS” ON CERTAIN CITY STREETS AS
LISTED IN THE ATTACHED EXHIBIT A; AND REPEALING
ORDINANCE NO. 037-16; AND DECLARING AN EMERGENCY**

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

WHEREAS, the current parking time limits and parking restrictions need to be updated on certain City streets as provided in the attached Exhibit A due to the recent Downtown Improvement Project; **Now Therefore**,

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

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

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

Section 3. That, Ordinance No. 037-16 as existed prior to the enactment of this Ordinance, is repealed in its entirety.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, this Ordinance 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. Further, the Emergency Clause is necessary to enforce the stated changes in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, 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. 009-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the ____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

Exhibit A – Ord. No. 009-18

Street	Between	Side	Restriction	Spaces
Clinton St., E.	Perry St./Monroe St.	S	30 Min. (2A-5A) 2 Hour (5A - 6P) Handicapped Parking Only	1
Clinton St., E.	Perry St./Monroe St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-17
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking Only	1
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6 P)	2
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking Only	3
Clinton St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6 P)	4-18
Clinton St., W.	Scott St./Perry St.	N	No parking except during Church service; and at times of special events approved by Chief of Police.	1 (166 Feet)
Clinton St., W.	Webster St./Scott St.	S	None	1-7
Clinton St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-9
Main St. Parking Lot	Main St./Alley	W	30 Min. (2A - 5A) 2 10 Hour 5A-2A	1-8
Main St. Parking Lot	Main St./Alley	W. Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-11
Main St. Parking Lot	Main St./Alley	W		9-12
Main St. Parking Lot	Main St./Alley	E. Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-10
Main St. Parking Lot	Main St./Alley	E	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-10
Main St. W.	Perry St./Scott St.	S	No parking all day	5-21
Main St. W.	Perry St./Scott St.	N	No parking all day	1-2
Main St. W.	Webster St./Scott St.	S	No Parking (7:30A - 8:30A) No Parking (2:30 P - 3:30P) on	17-27

			school days	
Main St., W.	Scott St./Webster St.	N		1-8
Main St., W.	Scott St./Webster St.	S		1-2
Main St., W.	Webster St./Avon Pl.	N		1-15
Main St., W.	Webster St./Avon Pl.	S	4 Hour (7:30A - 3:30P) on school days	1-2
Main St., W.	Avon Pl./Webster St.	S		3-7
Main St., W.	Avon Pl./Webster St.	S	No Parking (7:30A - 8:30A) No Parking (2:30P - 3:30P) on school days	8-14
Main St., W.	Avon Pl./Webster St.	S	Handicapped Parking Only	15-16
Main St., W.	Webster St./Scott St.	S		28-29
Main St., W.	Perry St./Scott St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
Main St., W.	Perry St./Scott St.	N	Handicapped Parking only	1
Main St., W.	Perry St./Scott St.	N	None	2-3
Meekison St.	Perry St./Appian Ave.	Both	No Parking at all times	
Monroe St. Parking Lot	Shelby St./Clinton St., E.	E	County Government use only	1-6
Monroe St. Parking Lot	Shelby St./Clinton St., E.	E	30 Min (2A - 5P)	7-18
Monroe St. Parking Lot	Shelby St./Clinton St., E.	W	30 Min (2A - 5A)	1-16
Monroe St.	Alley/to sign	E	No Parking 8A - 3:30P on school days	1 (50 Feet)
Monroe St.	Sign/Clinton St.	E	No Parking 8A - 9A and 3P - 3:30P school days only	1 (110 Feet)
Monroe St.	Shelby St./Clinton St., E.	W		1-11
Monroe St.	Shelby St./Clinton St.	W	Handicapped Parking only	12
Monroe St.	Washington St., E./Riverview Ave.	W	No Parking	0
Monroe St.	Clinton St./Washington St.	W	30 Min. (2A - 5A) Handicapped Parking only	1
Monroe St.	Clinton St./Washington St.	W	30 Min. (2A - 5A)	2-16
Monroe St.	Washington St./Alley	E	30 Min. (2A - 5A)	1-5
Monroe St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A)	1-14

Oakwood Ave.	Railroad St./Perry St.	W		1-25
Oakwood Ave.	Perry St./Monroe St.	E		1-11
Perry St.	Riverview Ave./Front St.	W	5 Min. - (loading zone)	1 (40 Feet)
Perry St.	Riverview Ave./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-8 2-6, 9
Perry St.	Riverview Ave./Washington St.	E	Handicapped Parking only	9 1, 7-8
Perry St.	Riverview Ave./Washington St.	E	Police use only	10
Perry St.	Shelby St./Railroad St.	E	30 Min. (2A-5P) All Day	9-11
Perry St.	Shelby St./Railroad St.	W	2 Hour	1-6
Perry St.	Clinton St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	1
Perry St.	Clinton St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-11
Perry St.	Clinton St./Washington St.	W	2 Hour (5A - 6P) 30 Min. (2A - 5A) Handicapped Parking only	1, 7
Perry St.	Clinton St./Washington St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-11 2-6, 8-11
Perry St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
Perry St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	5
Perry St.	Shelby St./Railroad St.	E	30 Min. (2A - 5A) All Day	10-12
Perry St.	Shelby St./Clinton St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-5
Perry St.	Washington St./Main St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-9 4
Scott St.	Clinton St./Washington St.	W	2 Hour (5A - 6P) 30 Min. (2A - 5A)	1-6
Scott St.	Washington St./Main St.	W	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-10
Scott St.	Main St./Washington St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-7

Scott St.	Washington St./Clinton St.	E	2 Hour (5A - 6P) 30 Min. (2A - 5A) Handicapped Parking only	1
Scott St.	Washington St./Clinton St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-5
Scott St.	Clinton St./Shelby St.	E	30 Min. (2A - 5A) 2 Hour (5A - 6P) Special Event parking within block only with Chief of Police approval	1 (80 Feet)
Shelby St. Parking Lot	Alley/Perry St.	N	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-13
Shelby St. Parking Lot	Alley/Perry St.	Center	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-13
Shelby St. Parking Lot	Alley/Perry St.	S	30 Min. (2A - 5A) 10 Hour (5A - 2A)	1-11
St. Paul Methodist Church Parking Lot	Washington St./Alley	E	30 Min. (2A - 5A)	1-14
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A)	1-5
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A) Handicap Parking Only	6-7
St. Paul Methodist Church Parking Lot	Washington St./Alley	W	30 Min. (2A - 5A)	8-13
Washington St., E.	Hobson St./Monroe St.	S	30 Min.	1-5
Washington St., E.	Hobson St./Monroe St.	S	5 Min. (loading zone only)	6
Washington St., E.	Hobson St./Monroe St.	S		7-9
Washington St., E.	Hobson St./Monroe St.	N		1-11
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-4
Washington St., E.	Monroe St./Perry St.	S	Sheriff use only	11-13
Washington St., W.	Webster St./Avon Pl.	S		1-5
Washington St., W.	Webster St./Avon Pl.	S	Handicap Parking Only	6
Washington St., W.	Webster St./Avon Pl.	S		7
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A-5A) 2 Hour (5A-6P)	1-5 1, 5

			Handicap Parking Only	
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	6-10 6-7, 9-10
Washington St., E.	Monroe St./Perry St.	S	30 Min.	5
Washington St., E.	Monroe St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	14-18
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	2-4, 6-15
Washington St., E.	Monroe St./Perry St.	N	30 Min.	16
Washington St., E.	Monroe St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	17-19
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-10
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	11-12
Washington St., W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	13-22
Washington St., E. W.	Scott St./Perry St.	N	30 Min. (2A - 5A) 2 Hour (5A - 6P)	1-6
Washington St., E. W.	Scott St./Perry St. needs restriction sign	N	30 Min. (2A - 5A) 2 Hour (5A - 6P) Handicapped Parking only	7
Washington St., E. W.	Scott St./Perry St.	S	30 Min. (2A - 5A) 2 Hour (5A - 6P)	8-21
Washington St., W.	Scott St./Webster St.	N	Handicapped Parking only 30 Min.	1
Washington St., W.	Scott St./Webster St.	N	30 Min.	2-4
Washington St., W.	Scott St./Webster St.	N		5-7
Washington St., W.	Scott St./Webster St.	S	Special event parking within block only with Chief of Police approval	1 (180 Feet)
Washington St., W.	Scott St./Webster St.	N	No Parking except during Church services and at times of special events approved by Chief of Police	8-10
Webster St.	Washington St./Clinton St.	E	Handicap Parking Only	1
Webster St.	Washington St./Clinton St.	E	4 Hour (7A - 5P) 30 Min. (2A - 5A)	2-5

Webster St.	Washington St./Clinton St.	E	Handicapped Parking only	6-7
Webster St.	Washington St./Clinton St.	E	4 Hour (7A - 5P) 30 Min. (2A - 5A)	8-9
Webster St.	Washington St./Main St.	W	4 Hour (7A - 5P) 30 Min. (2A - 5A)	1-8
Webster St.	Washington St./Main St.	W	Handicapped Parking only	9
Webster St.	Washington St./Main St.	W	18 Hour	10-18
Webster St.	Main St./Washington St.	E	18 Hour	1-17
Webster St.	Washington St./Clinton St.	E	18 Hour	10-22
Webster St.	Clinton St./Washington St.	W	18 Hour	1-22
Briarheath Ave.	Clairmont Ave./Westmont Ave.	W		1-3
Briarheath Ave.	Westmont Ave./Westchester Ave.	W		1-3
Main St. Concrete Parking Lot	Main St./Alley	E (side)		1-5
Main St. Concrete Parking Lot	Main St./Alley	E (side center)		1-3
Main St. Concrete Parking Lot	Main St./Alley	W (side center)		1-3
Main St. Concrete Parking Lot	Main St./Alley	E (side West)		1-4
Main St. Concrete Parking Lot	Main St./Alley	W (side West)		1-4
Main St. Concrete Parking Lot	Main St./Alley	W (side West)	Motorcycle Only	5

RESOLUTION NO. 010-18

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF PREPARING THE CITY OF NAPOLEON'S COMPREHENSIVE MASTER PLAN WITH THOROUGHFARE PLAN PROVISIONS IN AND FOR THE CITY OF NAPOLEON, OHIO, AND TO SOLE SOURCE SAID COMPREHENSIVE MASTER PLAN TO REVEILLE, LTD.; AND DECLARING AN EMERGENCY

WHEREAS, the City originally adopted a Master Plan in the year 1957; and,
WHEREAS, over the years, changes in the City required revisions to the Master Plan which includes "Thoroughfare Plan" [referred to as "Comprehensive Plan"] and were adopted pursuant to Ordinance No.(s) 017-03 and 008-09; and,

WHEREAS, the preparation of the City of Napoleon's Comprehensive Master Plan was previously approved by City Council in the City of Napoleon 2018 Budget; and,

WHEREAS, the cost to prepare said Master Plan and asset management exceeds twenty-five thousand dollars (\$25,000.00); and,

WHEREAS, the City of Napoleon desires to sole source this project to Reveille, LTD. because of Reveille's intimate knowledge of the City's infrastructure (the staff of Reveille has prepared the previous Comprehensive Master Plan and Zoning Code updates for the City of Napoleon, as well as the most recent Comprehensive Plan for Henry County) will expedite the project; therefore, it is the opinion of this Council that it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding and/or quality based selection; **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 twenty-five thousand dollars (\$25,000.00) to prepare the City of Napoleon's Comprehensive Master Plan with thoroughfare plan provisions in and for the City of Napoleon, Ohio.

Section 2. That, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding and/or quality based selection.

Section 3. That, the City Manager is authorized to enter into a Contract with Reveille, LTD. to prepare said Comprehensive Master Plan.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to begin the preparation in a timely manner, which is related to the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Joseph D. Bialorucki, 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. 010-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 011-18

AN ORDINANCE AMENDING A CERTAIN SECTION OF THE PERSONNEL CODE CHAPTER 197 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

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

WHEREAS, City Council now desires to amend the Personnel Code of the City of Napoleon, Ohio; **Now Therefore**,

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

Section 1. That, the City of Napoleon, Ohio does hereby amend and enact Chapter 197.15(a)(3) of the Codified Ordinances of the City of Napoleon, Ohio as follows:

“197.15 MAJOR PAID BENEFITS

(a) Hospital and Medical Benefits

(1) Applicability

This section (Major Paid Benefits) applies to all members or officers of the appointing authority and other full-time regular employees, both classified and unclassified; specifically exempt from this section are members of city council, the mayor, and, except as herein provided, the judge of the municipal court. Section 197.15(d) (Pensions) applies to members of council and the mayor. The judge of the municipal court shall receive City shared contributions towards benefits as contained in this Section 197.15 to the extent permitted by law. Unless specifically authorized for part-time, permanent part-time or temporary employees by this Code or other controlling law, such part-time, permanent part-time or temporary employees are not eligible for major benefits, paid leave, or any other benefits described in this Code.

(2) Scope of Health Benefits

Subject to reasonable cost containment measures, the City provides group hospitalization, surgical, and extended medical benefits for each full-time regular employee in accordance with the benefit schedule provided in the City’s plan as on file in the office of the City Finance Director marked “City of Napoleon Health Benefit Plan (#HBP-1)” and as may be amended from time to time by resolution of Council. The Health Benefit Plan shall include covered services, co-pays and premium contribution.

(3) Preventative Care Wellness Program

The City of Napoleon cares about the health and safety of employees. The goal of a Preventative Care Wellness program is to educate employees on how to use their benefits wisely and to promote participation in health and wellness programs. As determined by the Healthcare Cost Committee, employee premiums may be adjusted for employees that choose to participate or not. In addition, employee incentives may be provided to employees who choose to participate in the wellness

program. Should funding be made available by the healthcare provider, all incentives must be pre-approved by said healthcare provider.

Examples of incentives may include Wellness Fairs, wellness magazine subscriptions, registration fees for walkathons (5k, etc.), athletic shoes, water bottles, fitness trackers, discounted diet programs, discounted gym memberships on-site chair massages, healthy eating cookbooks, etc.

Wellness events and challenges may take place throughout the year to earn incentives. If an employee has an idea for a program or event they are encouraged to submit them to a member on the Healthcare Cost Committee or Human Resources.”

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

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

Section 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that this Ordinance is required to be immediately effective in order to effectuate the changes prior to personnel issues that may arise due to the conflict in past practices versus the actual Code; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed: _____

Joseph D. Bialorucki, 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. 011-17 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. 012-18

A RESOLUTION APPROVING A FIFTY DOLLAR (\$50.00) SURCHARGE TO CITY OF NAPOLEON, OHIO HEALTH INSURANCE PREMIUMS; AND DECLARING AN EMERGENCY

WHEREAS, Section 197.15 (a) (2) of the Codified Ordinances (Personnel Code) provides that: Subject to reasonable cost containment measures, the City provides group hospitalization, surgical, and extended medical benefits for each full-time regular employee in accordance with the benefit schedule provided in the City's plan as on file in the office of the City Finance Director marked "BORMA Benefit Plan" and as may be amended from time to time by Resolution of Council. The BORMA Benefit Plan shall include covered services, co-pays, and premium contribution; and,

WHEREAS, the Health Care Cost Committee has recommended to City Council to approve a surcharge to City of Napoleon employees' health insurance premiums as follows: to add a fifty dollar (\$50.00) monthly surcharge to employees' health insurance premiums starting December 7, 2018 to employees that do not complete a wellness check by a licensed physician prior to November 30, 2018. Further, employees that complete the wellness check during the dates of December 1, 2017 through November 30, 2018 and turn in the Preventative Care Physician form by November 30, 2018, will not be assessed a surcharge. New employees will be afforded an opportunity to get a wellness check in their first year prior to being assessed a surcharge; and,

WHEREAS, there was no recommendation to change the health plan in the year 2018 regarding the out-of-pocket in network deductible currently; **Now Therefore**,

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

Section 1. That, upon recommendation of the Health Care Committee, in and for the year 2018, this Council approves a fifty dollar (\$50.00) monthly surcharge to employees' health insurance premiums starting December 7, 2018 to employees that do not complete a wellness check by a licensed physician prior to November 30, 2018. Further, employees that complete the wellness check during the dates of December 1, 2017 through November 30, 2018 and turn in the Preventative Care Physician form by November 30, 2018, will not be assessed a surcharge. New employees will be afforded an opportunity to get a wellness check in their first year prior to getting assessed a surcharge.

Section 2. That, all provisions of the BORMA Benefit Plan shall remain in full force and effect.

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 1. 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. Further, the Emergency Clause is necessary to enter into the stated surcharge in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____
Joseph D. Bialorucki, 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. 012-18 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

UNITED WAY OF HENRY COUNTY
611 N. PERRY ST.
NAPOLEON, OH 43545-1701

08-83

PNC Bank, N.A. 070

11849

6-12/410

403

CHECK
TRADE PROTECTION

4/9/2018

PAY TO THE
ORDER OF City of Napoleon

\$ **600.00

Six Hundred and 00/100*****

DOLLARS

City of Napoleon

MEMO

Parks & Recreation - Safety City

Thomas W. Mock

AUTHORIZED SIGNATURE

City of Napoleon, Ohio

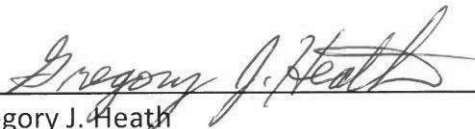
TREE COMMISSION

MEETING AGENDA

Monday, April 16, 2018 at 6:00 pm

LOCATION: City Building, 255 West Riverview Avenue, Napoleon, Ohio

1. Call to Order.
2. Approval of Minutes: March 19, 2018 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
3. Review Tree Call Reports.
4. Finalize Arbor Day Celebration.
5. Spring Plantings Update.
6. Spring Removals Update.
7. Any Other Matters to Come Before the Commission.
8. Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

TREE COMMISSION

Meeting Minutes

Monday, March 19, 2018 at 6:00 pm

PRESENT

Commission Members

Jim Fitzenreiter-Chair, Dave Volkman, Ed Clausing, Larr Etzler, Kyle Moore, Jeff Mires (Council Representative)

City Staff

Marty Crossland

Recorder

Roxanne Dietrich

ABSENT

Call to Order

Chairman Fitzenreiter called the meeting to order at 6:00 pm.

Approval of Minutes

Clausing questioned the spelling of a couple words in the February 19, 2018 meeting minutes, on page 1 under *Review Tree Call Reports* in the first paragraph the word areal (Crossland advised this is the word to be used here) and on page 2 under *Any Other Matters* Byrde was spelled incorrectly twice. The corrections were made and the minutes were approved.

Review Tree Call Reports

Crossland reported a lady at 650 Cripple Creek called in to report a tree in the power lines and referred that out to the Electric Department.

Nancy Bressler at 721 South Perry called in about the 4 or 5 crab apple trees at 707 Pontious, this lady called in last year too about the bird droppings, the trees are on Pontious (between the intersection and the driveway), some may have been planted by the former home owner, the trees are 6-8" in diameter they have been there a while. If there was a sight problem or they could not be trimmed back that would be a reason to remove, a note was made to table until next year.

It was noted the bushes at 1150 Michigan have been trimmed. The guiding rule is three feet (the rule is if they are higher than the eye level of car it is a sight obstruction).

Fitzenreiter asked Crossland if Hurst and Sycamore, the North and South corners are on his to do list. Crossland said he can have them trimmed in-house for the sight issues and in the Fall it needs to be looked at removing the trees on both sides.

Fitzenreiter said he has on his list to look at 855 Maple and 527 Sheffield in May.

I sent out an email about the Linden tree at 1085 Becca, there is a lot of damage on it may want put to it on a future removal list, there is sewer manhole right beside it is and the tree is sinking; will add to May list to look at.

Plan Arbor Day Observation

Crossland said Arbor Day is April 27. At the last meeting we talked about having the Arbor Day Ceremony on Saturday, April 28th if the Boy Scouts could help. I talked to Amanda Griffith and the troops are interested in helping.

The Arbor Day Observation was set for 10:00 am on Saturday, April 28th at Oakwood Park, it will be the very first tree on the left-hand side when you go into the park.

The tree will be delivered on the Thursday or Friday before.

Spring Contracts Update

All the plantings are done except for the four trees at Wayne Park and the Arbor Day tree, the four trees at Wayne Park will be planted when they deliver the Arbor Day tree.

The tree trimmings have been completed, there were 350-360 trees trimmed this year. A Cut Above the Rest will start the tree removals tomorrow, there was only person that called in wanting to keep the wood, that was the resident at the end of Rohrs Street.

Award Spring Topsoil Contract

Crossland said this has been tabled until Fall.

Any Other Matters

Crossland reported he received a quote of \$503.76 from Ace Hardware for 24 gator bags, which comes to \$20.99/bag.

Clausing said Stephanie sent an email about the Asian Longhorn Beetle that is going around and signs to watch for. Volkman thought the beetle was in the W. Virginia and SE Ohio areas.

Fitzenreiter talked about upgrades to the city web site for the Tree Commission.

Crossland thought nothing will happen until we have hired a new IT Director.

Fitzenreiter said in the meantime we need to think through what we want on the website; it needs to be a user-friendly website.

Motion to Adjourn

Motion: Volkman Second: Clausings
to adjourn the Tree Commission meeting at 6:26 pm.

Passed

Roll call vote on the above motion:

Yea-6

Yea-Etzler, Moore, Clausing, Mires, Volkman, Fitzenreiter

Nay-0

Nay-

Date Approved:

April 16, 2018

Jim Fitzenreiter, Chairman



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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Memorandum

To: City Council, Mayor, City Law Director, City
Manager, Department Supervisors, Newsmedia
From: Gregory J. Heath, Finance Director/Clerk of
Council
Date: April 12, 2018
Subject: Parks & Recreation Committee – Cancellation

GF

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, April 16, 2018 at 6:00 pm has been CANCELED due to lack of agenda items.



AMP hosts Moody's for an informational discussion about credit rating methodologies

By Marcy Steckman - senior vice president of finance, chief financial officer

Credit quality is a critical focus for AMP and our membership as we embrace the new norm of not only the utilities industry, but also the financial industry, being largely driven by new and rapidly advancing ratings methodologies and analytical tools.

Recently, Moody's Investor Service (Moody's) accepted an invitation from AMP to provide some in-depth discussion of the factors that drive credit rating decisions and the trends AMP and its members should be aware of. Moody's transparency



Group tour of the Meldahl Hydro Plant following informational discussion

review process is focused on facilitating discussions with investors and issuers, and is intended to increase the clarity around methodologies used in the surveillance and rating review processes.

Some informative takeaways from that discussion are:

- Rating reviews are formal evaluations of an issuer's credit rating.
- Moody's process is methodology-driven and, in a simplified explanation, is three-fold. It is important to know that Moody's ratings consist of probabilistic opinions about future credit worthiness of projects and the project participants. Rating actions are determined by committee and not by individual analysts. The committee is diverse with members of various expertise, perspectives and geography. The committee's rating decisions are made by majority vote and are based upon published methodologies.
- Factors like participant credit quality and the cost recovery framework account for 45 percent of the scorecard for take-or-pay projects.
- Ratings are opinions regarding the creditworthiness or the credit quality of the issuer and the obligors.
- Published rating methodologies are not exhaustive treatments of all factors reflected in issued ratings. Scorecard notching considers the contractual structure, participant diversity, construction risk, debt structure and exposure to wholesale power markets.

Following the discussion, Moody's Investor Services Senior Vice President Dan Aschenbach and Joint Action Agency Analyst Eriq Alexander joined representatives from AMP and the City of Hamilton for a tour of the Meldahl Hydro Plant.

As AMP continues our strategy to partner with the financial sector and enhance our internal expertise, we will continue to seek out opportunities for such open dialogue and educational insight to share with the membership.

FirstEnergy Solutions files Chapter 11

By Lisa McAlister - senior vice president and general counsel for regulatory affairs

On March 31, Akron's FirstEnergy Corp. (FE), filed to place their fleet of competitive generation businesses into Chapter 11 bankruptcy. The filing covers FirstEnergy Solutions (FES) and its affiliates, which includes four coal facilities and the Perry, Davis Besse and Beaver Valley nuclear power plants. This protection comes just days before the company was due to make a significant debt payment. FES said the affected plants would continue to be operated normally while state and federal regulators consider its recent requests for a bailout.



The Davis-Besse Nuclear Power Station, one of the seven FE plants set to close in 2020

On March 29, FES also sent a letter to the U.S. Department of Energy (DOE) warning that the closure of its coal and nuclear plants would create a risk to PJM's resilience. FES's DOE request also asked DOE to issue an emergency order that would require PJM to compensate all at-risk nuclear and coal generators for their fuel security and diversity benefits by paying them full recovery of cost-based rates, including recovery of costs owners had already written off, all operating expenses, costs of capital and debt and a fair return on equity and investment. On April 5, AMP joined a group of consumer representatives to protest the FES request. The Joint Consumer Representatives argued that the FES request is an unlawful bailout of uneconomic generation assets that would shift significant costs to consumers for an FES self-perceived crisis of compensation. You can find a copy of the Joint Consumer Representatives protest [here](#).

Earlier this year, the FERC rejected a similar request from the Department of Energy. FES's fleet of coal and nuclear plants in Ohio and Pennsylvania have been flirting with bankruptcy, hit like many of its peers nationwide by aggressive competition from natural gas-fired and renewable power generators that have become cheaper to run in the past decade.

AMP, Utility Services, Inc., to host annual NERC member workshop

By Art Iler - director of reliability standards compliance

AMP, in coordination with Utility Services, Inc., will host its annual, onsite North American Electric Reliability Corporation (NERC) member workshop from 9 a.m. to 3 p.m. on April 12 at AMP headquarters in Columbus.

Topics to be discussed during the workshop include an update on recent proposed changes to NERC's Cyber Security Standards, as well as a discussion of other cyber security issues; a review of important operations and planning standards impacting AMP and its members; and a timely examination of NERC compliance projects and updates.

There will be plenty of opportunity for member interaction with AMP staff and NERC experts. As in the past, a light breakfast, lunch and snacks will be provided.

Please let me know if you plan to attend or if you have any questions at ailer@amppartners.or or 614.540.0857.

AMP to hold additional Lineworker Training Basic 1 course

By Jennifer Flockerzie - technical services program coordinator

Due to increased interest from members, AMP will be providing an additional Lineworker Training Basic 1 course. The course will be held Aug. 6-10 at AMP headquarters in Columbus.

This week-long basic training course was created for first-year apprentices and provides an introduction to and practice in climbing skills, as well as basic electrical theory, applied mathematics, first aid, safety, transformer basics and other introductory skills.

This course is designed to serve as a supplement to in-house training. It includes the book work and hands-on training needed for entry-level line work.



A copy of the 2018 AMP Training Catalog is available on the [member extranet page](#) (login required) of the [AMP website](#). For additional information on this course and other training opportunities, please contact me at jflockerzie@amppartners.org or 614.540.0853.

March 2018: Lower temperatures and higher prices than February

By Mike Migliore - vice president of power supply planning

After this February came in as one of the five warmest Februaries ever recorded, March started and ended cold, and finished with an average temperature that was colder than February. The higher power prices for the month reflected the cold weather. Although March on-peak LMPs were just above the expected values, off-peak prices averaged at the second highest rate since February 2015 (the highest was January 2018). Congestion in the middle of PJM was small, but low prices were seen at the western and eastern edges of the system. Congestion costs for the MISO interconnect to A/D Hub was \$7/MWh, while congestion from A/D Hub to the PPL Zone was -\$7/MWh.

AVERAGE DAILY RATE COMPARISONS			
	March 2018 \$/MWh	February 2018 \$/MWh	March 2017 \$/MWh
A/D Hub 7x24 Price	\$32.43	\$25.88	\$30.77
PJM West 7x24 Price	\$33.67	\$27.61	\$31.65
A/D to AMP-ATSI Congestion/Losses	\$1.20	\$2.18	\$1.34
A/D to Blue Ridge Congestion/Losses	\$0.85	\$1.00	\$0.83
A/D to PJM West Congestion/Losses	\$1.24	\$1.73	\$0.88
PJM West to PP&L Congestion/Losses	-\$8.66	-\$3.10	-\$0.01
IND Hub to A/D Hub Congestion/Losses	\$4.12	-\$1.89	\$2.40

MARCH OPERATIONS DATA

	March 2018	March 2017
Fremont Capacity Factor	48%	72%
Prairie State Capacity Factor	98%	51%
Meldahl Capacity Factor	43%	39%
Cannelton Capacity Factor	33%	51%
Smithland Capacity Factor	12%	N/A
Greenup Capacity Factor	31%	13%
Willow Island Capacity Factor	58%	70%
Belleville Capacity Factor	44%	82%
Blue Creek Wind Capacity Factor	38%	40%
JV6 Wind Capacity Factor	26%	27%
Napoleon Solar Capacity Factor	16%	16%
Bowling Green Solar Capacity Factor	24%	22%
Avg. A/D Hub On-Peak Rate	\$36/MWh	\$34/MWh
<p>* Fremont capacity factor based on 675 MW rating and was on a two week planned outage in March 2018. * PS capacity factor based on 1,582 MW rating and was on a planned outage in March 2017. * Meldahl capacity factor based on 105 MW rating. * Cannelton capacity factor based on 87.6 MW rating. * Smithland capacity factor based on 76.2 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.</p>		

Energy markets update

By Jerry Willman - assistant vice president of energy marketing

The May 2018 natural gas contract decreased \$0.043/MMBtu to close at \$2.675 yesterday. The EIA reported an implied withdrawal of 20 Bcf for the week ending March 30, however, there was a reclassification that reduced the working gas by an additional 9 Bcf, making the effective withdrawal 29

Bcf. Market consensus for this week was a withdrawal of 26 Bcf. Gas in storage now stands at 1,354 Bcf. This is 20 percent under the five-year average of 1,701 Bcf.

On-peak power prices for 2018 at AD Hub closed yesterday at \$35.23/MWh, which was \$.53/MWh higher for the week.

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

Week ending April 6

MON	TUE	WED	THU	FRI
\$32.69	\$28.84	\$36.27	\$42.45	\$39.12

Week ending March 30

MON	TUE	WED	THU	FRI
\$34.21	\$34.30	\$33.30	\$30.90	\$26.99

AEP/Dayton 2019 5x16 price as of April 5 — \$35.23

AEP/Dayton 2019 5x16 price as of March 29 — \$34.70

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center returned to service from its planned maintenance outage last Saturday evening and remained online for the balance of the week. Unseasonably colder temperatures supported plant production during the overnight and peak periods. Duct firing operated for 53 hours this week. The plant generated at a 62 percent capacity factor (based on 675 MW rating).

Jared Price promoted to vice president of information technology, CTO

By Brannndon Kelley - chief information officer

AMP is pleased to announce that Jared Price has been promoted to vice president of information technology, chief technology officer. Price joined AMP in 2011 as IT director. In this role, he assisted with updating AMP's aging technology infrastructure. He was later promoted to senior director of technology operations in 2013 with responsibility for SCADA and plant system. In 2015, he was again promoted to assistant vice president, chief technology officer.

Since 2011, Price has taken on roles with increasing responsibility and has proven to be a valuable asset to AMP in both IT and Operations Technology strategy. Recently, he has been critical in helping to directly benefit AMP's members through the Advanced Metering Infrastructure (AMI) offering. In his new role, Price will continue to focus his time between oversight of SCADA and Plant Systems, assisting with AMI and in helping to refine the overall IT strategy of the organization.



Price has over 15 years of experience in infrastructure deployment, directing IT staff, managing projects and providing support and guidance for both enterprise and mid-sized IT departments. He holds a

bachelor's degree from DeVry University and a master's degree in business administration from the Keller Graduate School of Management. He was also named a Global Industrial Cyber Security Professional by Global Information Assurance Certification.

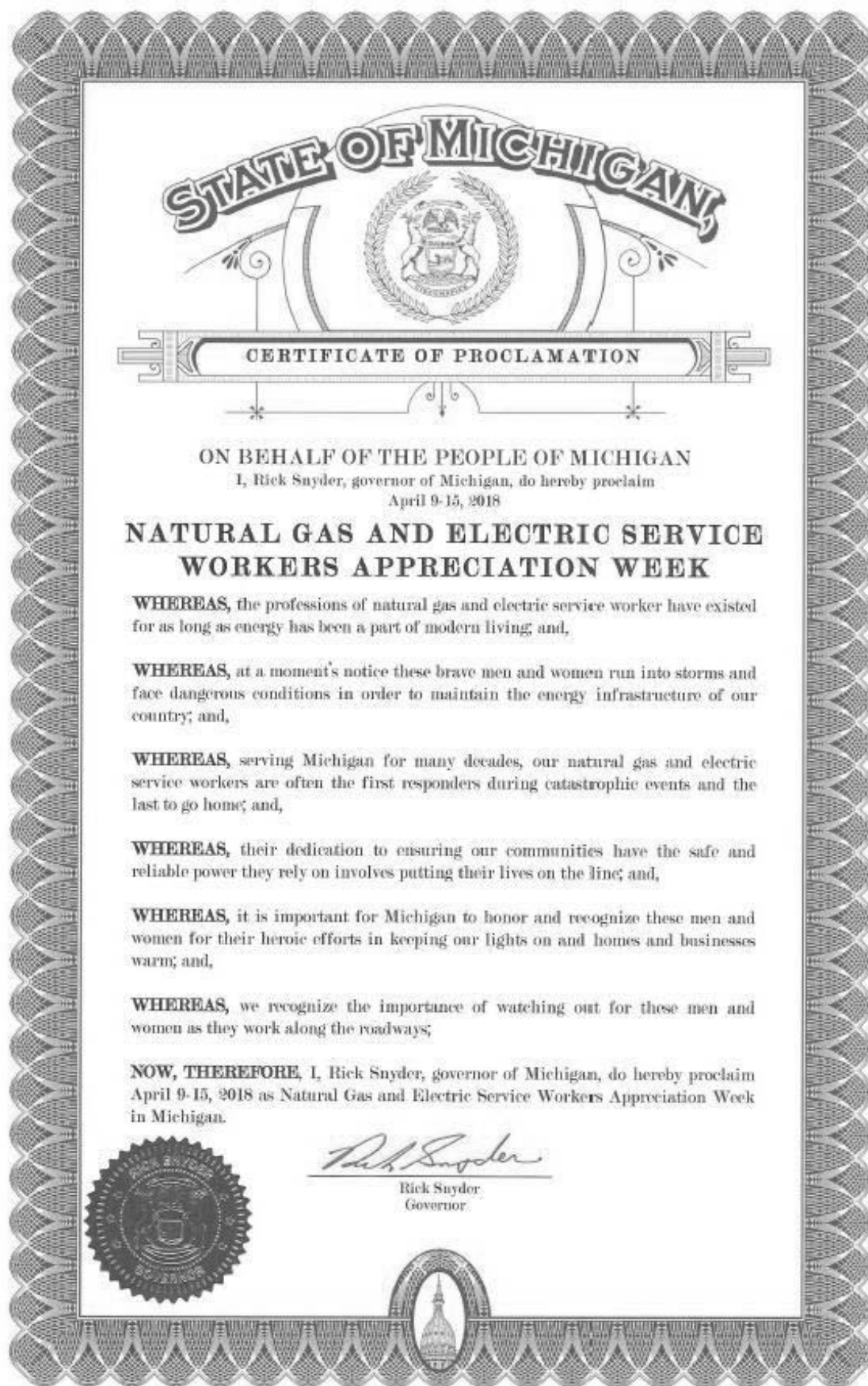
Please join me in congratulating Jared on his new role.

Bryan Municipal Utilities recognized with APPA Certificate of Reliability

Bryan Municipal Utilities (BMU) recently received its Certificate of Excellence in Reliability from the APPA. The APPA helps public power utilities to track their outage and restoration data, which is then compared to numbers nationally.

With the addition of BMU, 16 AMP member communities have now received the APPA recognition for their electric reliability.

Governor Rick Snyder proclaims April 9-15 as Natural Gas and Electric Service Workers Appreciation Week in Michigan



Register now for Webinars

An internet connection and a computer are all you need to educate your staff. Individual webinars are \$99 or sign up for a series at a discounted rate. Register today at www.PublicPower.org under Education & Events. Non-members can enter coupon code **AMP** to receive the member rate.

- Public Power Governance Series:
Support Long-term Fiscal Fitness **April 4**
- Electric Utility 101 Series:
Operating a Local Public Power System **April 5**
- Electric Utility 101 Series:
Managing a Public Power Utility Enterprise **April 19**
- Public Power Governance Series:
Measure and Improve Performance **April 25**



Classifieds

Members interested in posting classifieds in Update may send a job description with start and end advertisement dates to zhoffman@amppartners.org.

City of Hamilton seeks applicants for five positions

Director of utility operations

The City of Hamilton is seeking applicants for the position of director of utility operations. This position is responsible for professional and administrative work in the planning, organization, direction, supervision and coordination of the operations and activities of the City's Department of Utility Operations. The Department of Utility Operations consists of electric power transmission and distribution, hydroelectric

plant operations, fossil power plant operations, water production and wastewater reclamation facilities. This position reports directly to the executive director of infrastructure, but extensive leeway is granted for the exercise of independent judgement in directing the Department of Utility Operations. Direct and indirect supervision is exercised over professional, managerial/supervisory, technical and clerical personnel.

Applicants must possess a bachelor's degree in business administration or engineering, with five years of professional experience in public electric utility management, including supervisory experience. A master's degree in business administration or engineering, as well as a valid registration as a professional engineer in the state of Ohio or other equivalent certification from another state is preferred.

Applications must be completed by May 18 at 11:59 p.m., EST. To view the job description or to apply, click [here](#).

Business analyst

The City of Hamilton is seeking applicants for the position of business analyst. This position is responsible for professional, administrative work in the business division of the Infrastructure Department. The nature of the work performed requires that an employee in this class establish and maintain cooperative working relationships with directors and supervisory personnel in other city departments and divisions. This position is also responsible for assisting the utility business manager with various tasks with the business division (assisting in the preparation of infrastructure budgets, assisting with complex financial and utility rate analyses). This position is notified by the supervisor the objectives for and methodologies to use to enforce standards and orders, develop new policies or to propose improvements to existing policies and standards.

Applicants must possess a bachelor's degree in business administration, finance, accounting, math, engineering or other closely related fields, as well as one year of experience in one or more of the following fields: accounting, utility/code enforcement, finance, business administration, public administration, economics, mathematics or engineering. Three years of experience in one or more of these fields is preferred.

Applications must be completed by May 17 at 11:59 p.m., EST. To view the job description or to apply, click [here](#).

Mechanical engineer

The City of Hamilton is seeking applicants for the position of mechanical engineer. This position is responsible for work involving capital project management and the application of basic and specialized engineering knowledge in both field and office duties, including design, construction, inspection and maintenance in a variety of public utility facilities and service utilities, including hydroelectric facilities, water plants, water reclamation facilities and other city facilities. Work is performed under direction and supervision of the supervising mechanical engineer and/or plant superintendents. However, considerable leeway is granted for the exercise of independent judgement. Supervision will be exercised over other technical personnel as assigned and over certain maintenance activities.

Applicants must possess a bachelor's degree in mechanical engineering or mechanical engineering technology from an ABET accredited college or university. Must have four years of experience in mechanical engineering, design and drafting work, though seven years of work experience is preferred. Must possess a valid State of Ohio driver's license.

Applications must be completed by April 26 at 11:59 p.m., EST. To view the job description or to apply, click [here](#).

Line worker II

The City of Hamilton is seeking applicants for the position of line worker II. This position is responsible for journeyman level work in construction, installation and maintenance of the municipally owned electric distribution system in accordance with standard trade practices. Employees frequently work with high-tension wires under unfavorable weather conditions, requiring skill and care to protect the lives of employees and others. Work is normally performed under the supervision of a line foreman. Work is subject to inspection by supervisors while in process or upon completion for quality and operating results.

Applicants must possess a high school diploma or G.E.D. equivalent. Must have four years of on-the-job experience in the construction and maintenance of electric distribution lines. Must possess a certificate of completion in an apprentice lineman course, as issued by American Line Builders Apprenticeship Training or a Journeyman Lineman Certificate, as issued by appropriate training or licensing company or governmental agency. Must possess a valid Class A driver's license.

Applications must be completed by April 22 at 11:59 p.m., EST. To view the job description or to apply, click [here](#).

Utilities service agent I

The City of Hamilton is seeking applicants for the position of utilities service agent I. To establish an eligibility list for utilities service agent I classification, a written competitive Civil Service Examination will be held on **April 28** in the cafeteria of **Hamilton High School, 1165 Eaton Ave., Hamilton Ohio**. As multiple exams will be held, the actual test time will depend upon the total number of applicants. The exam admittance email issued to applicants will provide the specific time to appear.

This position is responsible for clerical and technical work involving the collection of payments, answering citizen inquiries and processing, reviewing and maintaining customer and financial accounts and records. The work is performed under the direction and supervision of the customer service administrator, but some leeway is granted for independent judgment. The nature of the work performed requires that an employee in this class establish and maintain close working relationships with supervisors, fellow employees and the general public. Employees in this class have frequent public contact and/or high volume production requirements, and the work may be performed under considerable stress.

Applicants must possess six months of experience in computerized data entry, general office procedures and call center or customer service work. Advanced low proficiency in Spanish and over six months of experience as a customer service representative for a utility is preferred.

Applications must be completed by April 18 at 11:59 p.m., EST. To view the job description or to apply, click [here](#).

The Borough of New Wilmington seeks applicants for lineman

The Borough of New Wilmington is seeking qualified, experienced applicants for the position of lineman in its Electric Utility Department. Applicants should have knowledge of 2400/4160 voltage distribution system.

Applicants must have a minimum of five years of experience and the ability to perform skilled/semi-skilled line work in the operation, maintenance and repair of over-head and underground high-voltage electrical distribution system and other related duties.

Applications may be obtained at the municipal office located at 134 High St., New Wilmington, Pa. Applications must be returned to Sharonn Edmiston, council administrator by April 23.

City of Wadsworth seeks applicants for three positions

Assistant director of public service/economic director

The City of Wadsworth is seeking applicants for the position of assistant director/economic development director. The assistant director will work in a team environment to provide leadership and oversight to multiple service departments. The assistant will also act as the economic development director and be the lead promoter of business development activity within the community. This unclassified position is a key component of our executive management team. Our administration strives to provide exceptional services and offerings that enhance the quality of life for our residents. This should be sustained and delivered through thoughtful planning, coordination and execution. Qualified individuals should be eager to assist in moving the city along the path of innovation and continued success.

Candidates must possess a bachelor's degree from an accredited university in public administration, management, business administration, finance, engineering, communications or related field. Candidates should have at least five years of progressively responsible public service experience including a minimum of three years of division/department level supervisory experience in a complex public agency.

Read more about this position and how to apply under the job opportunities section at www.wadsworthcity.com.

IT systems administrator

The systems administrator is an advanced-level position responsible for citywide IT and SCADA systems, working with networks, servers, databases, workstations and applications. The system administrator

designs, plans, implements and updates the systems and servers responsible for the city's next generation utility meter reading. The position must also interact, interface and work with other IT disciplines, such as networks, database applications, servers, web design, diagnostics, etc. This position requires an understanding of advanced security protocols and standards, as well as skill and expertise in a variety of IT technologies. The position will play a key role in providing technical expertise and support of SCADA controls, remote terminal units and monitoring systems for the electric substations and water treatment and wastewater treatment facilities during periods of construction, operation and maintenance.

Candidates must possess a bachelor's degree in computer science, technology or a related field. Candidates must have a minimum of three years of direct experience in implementing or administering IT systems and/or networking technologies; prior work experience and/or training working on systems involving backend databases; and prior work experience and/or training working with computer protocols (DNS, DHCP, TCP/IP, SSH, FTP, etc.).

Read more about this position at www.wadsworthcity.com.

Maintenance electrician

The maintenance electrician is responsible for the design, installation, maintenance and repair of electrical facilities in all city buildings and grounds, including but not limited to City Hall, the service complex, water/wastewater plants, lift stations, parks and other buildings. This position will ensure that performed work is within strict compliance with applicable national, state and local codes, and is completed following all required safety practices. This position may assist substation and traffic signal technicians with substation work or the installation and maintenance of traffic signals and associated equipment. This position may also assist the meter technician with connections and installations of meters and associated equipment, and fill in during his/her absence.

Read more about this position at www.wadsworthcity.com.

City of Coldwater seeks applicants for service electrician

The City of Coldwater is seeking applicants for the position of service electrician. This position is subject to frequent after-hours duty; performing outside work at any time in any weather conditions; may be required to be on standby status; required to perform customer-related tasks involving all utility functions. This is a skilled labor position requiring the knowledge to perform assigned duties in a safe, professional manner.

This position reports to the service superintendent of the Coldwater Board of Public Utilities, but must work closely and professionally with the controller/office manager and related personnel. Performs electric service sets, meter disconnections, meter removals and meter replacements. Performs repairs (scheduled or emergency) to electric service on and off customer's premises; installs new metering set-ups, repairs meters and tests meters. Installs and repairs overhead and underground URD secondary service; performs testing and troubleshooting for customers and CBPU facilities as needed. Repairs and maintains street lighting, traffic signals and dusk-to-dawn lighting. Installs, troubleshoots and repairs CBPU electrical equipment and facilities as needed. Performs Miss Dig measuring, locating and tracing of utility services. Assists any other CBPU department as needed. May be involved in all phases of customer service including, but not limited to, energy audits, customer complaints, etc. Responsible for day-to-day monitoring and ordering of related inventory; responsible for special projects and duties from time to time; perform water meter sets, disconnects, removals, replacements, and turn on/off; and complete required orders and other paperwork.

The qualified candidate will have a thorough knowledge of electrical principals and utility operations; basic knowledge of metering principals; good people skills; neat in appearance; good verbal and written communication skills; work closely and effectively with CBPU co-workers; be self motivated. Journeyman electrical license is desirable. Candidates must have a minimum of two years related experience and a high-school diploma or equivalent. Additional education with an emphasis on electrical principals is preferred.

Please submit resumes and cover letter to resume@coldwater.org. For a full description, visit the City of Coldwater website. For questions, please call 517.279.9531.

Village of Versailles seeks applicants for electric lineman

The Village of Versailles is seeking qualified, professional candidates for the position of electric lineman. The person appointed will report to the electric foreman and will perform electrical department duties and functions. A complete job description is available by contacting the Village of Versailles Administrative Office at 937.526.3294 or by visiting the village's website at www.versaillesohio.cc.

The candidate will have a high school diploma or GED, a valid Ohio driver's license and will be able to obtain a Class A and B CDL endorsement within six months of employment. The current hourly range for the position is \$18.84 to \$25.79, with the rate of compensation to be determined by qualifications and experience. The Village of Versailles maintains a grade/step hourly compensation program and offers an excellent benefits and retirement program.

Please submit resume and cover letter to Rodd Hale, village administrator, Village of Versailles, 177 N. Center St., P.O. Box 288, Versailles, OH 45380, by 4 p.m. on April 10. The Village of Versailles is an Equal Opportunity Employer.

City of Columbus seeks applicants for two positions

Substation maintenance technician

The City of Columbus Department of Public Utilities is seeking qualified candidates for the position of substation maintenance technician. To apply, you **must** first take the open competitive examination. Applications **must** be submitted to the Civil Service Commission by applying online at www.csc.columbus.gov by April 10. Applicant tracking is now managed by NEOGOV. If you do not already have a profile in NEOGOV, you will have to set up a new one before you can submit an application.

This position is responsible for testing, maintaining and repairing transformers and installing and maintaining switches, regulators and related electrical power distribution equipment; performs related duties as required. Operates pump to drain, filter and fill transformers with oil. Inspects, repairs and installs controls, circuit breakers, DC batteries and meters in the power distribution system. To qualify for this position, you must have one year of experience as a power line/cable worker trainee or lamp servicer with the City of Columbus or comparable experience. Successful completion of a formal classroom or apprenticeship training program in power distribution may substitute for six months of the required experience. Possession of a valid Class A commercial motor vehicle operator's license is required, allowing operation of vehicles with air brakes. Salary \$46,737-\$80,849.

Contact the Civil Service Commission at 614.645.8300 with questions. EOE. Applicants may inspect and acquire a copy of the City of Columbus, Department of Public Utilities EEO Plan by visiting the DPU website at www.columbus.gov/utilities.

Contact the Civil Service Commission
77 N. Front St., Suite 330
Columbus, OH 43215

Power Line Worker II - exam

The City of Columbus Department of Public Utilities is seeking qualified candidates for the position of power line worker II. To apply, you **must** first take the open competitive examination. Applications **must** be submitted to the Civil Service Commission by applying online at www.csc.columbus.gov by April 10. Applicant tracking is now managed by NEOGOV. If you do not already have a profile in NEOGOV, you will have to set up a new one before you can submit an application.

This position is responsible for installing, repairing and replacing components of the overhead power line distribution system; performs related duties as required. Climbs poles or operates and works in bucket attached to truck-mounted boom to perform work. Secures new wires to cross arm insulators and splices wire to adjoining sections of line to complete circuit. Requisitions electrical components from storeroom; maintains records in computerized work order tracking system. To qualify for this classification, you must have two years of experience as a power line worker I with the City of Columbus or comparable experience. Successful completion of a formal training program in power distribution may substitute for six months of the required experience. Possession of a valid Class A commercial motor vehicle operator's license is required, allowing operation of vehicles with air brakes. Salary \$50,668-\$80,849.

Contact the Civil Service Commission at 614.645.8300 with questions. EOE. Applicants may inspect and acquire a copy of the City of Columbus, Department of Public Utilities EEO Plan by visiting the DPU website at www.columbus.gov/utilities.

Contact the Civil Service Commission
77 N. Front St., Suite 330
Columbus, OH 43215

Village of Minster seeks applicants for three positions

Wastewater superintendent

The Village of Minster is seeking a qualified candidate for the position of wastewater superintendent. The potential candidate will be responsible for the continuous operation and maintenance of a Class III wastewater treatment facility. Successful candidate should have a minimum of a high school degree supplemented by specialized academic training in the areas of chemistry and biology and specialized training in the operation of a wastewater treatment facility. A degree in science or engineering preferred; experience in a superintendent position preferred; with a minimum of five years of experience operating a biological treatment process facility; a valid Ohio Class III Wastewater Treatment certificate; knowledge of the Ohio EPA's rules and regulations regarding wastewater treatment; a valid driver's license.

For information about the position and to download an application, visit, www.minsteroh.com. To apply, send resume, application with at least three references to: Village Administrator, Village of Minster, P.O. Box 1, Minster, OH 45865. Applications will be accepted until the position is filled.

Water superintendent

The Village of Minster is seeking a qualified candidate for the position of water treatment superintendent. The potential candidate is responsible for the continuous operation and maintenance of a Class I water supply works and the delivery of safe, clear and sufficient water to the community. Successful candidate should have a minimum of a high school degree supplemented by specialized academic training in the areas of chemistry and biology and specialized training in the operation of a water treatment facility. A degree in science or engineering preferred; experience in a superintendent position preferred; a valid Ohio Class I Water Supply certificate. A minimum of five years of experience in a Class I facility; a valid driver's license; knowledge of the Ohio EPA's rules and regulations regarding water treatment.

For information about the position and to download an application, visit, www.minsteroh.com. To apply, send resume, application with at least three references to: Village Administrator, Village of Minster, P.O. Box 1, Minster, OH 45865. Applications will be accepted until the position is filled.

Wastewater/water superintendent

The Village of Minster is seeking a qualified candidate for the position of wastewater superintendent/water superintendent. The potential candidate will be responsible for the continuous operation and maintenance of a Class III wastewater treatment facility and a Class I water treatment facility. Successful candidate should have a minimum of a high school degree supplemented by specialized academic training in the areas of chemistry, science and biology and specialized training in the operation of a water treatment facility and a wastewater treatment facility. A degree in science or engineering preferred; experience in a superintendent position preferred; with a minimum of five years of experience in a Class I water facility and a Class III wastewater facility; valid Ohio Class I Water Supply certificate and an Ohio Class III Wastewater Treatment certificate; a valid driver's license; knowledge of the Ohio EPA's rules and regulations regarding water and wastewater treatment.

For information about the position and to download an application, visit, www.minsteroh.com. To apply, send resume, application with at least three references to: Village Administrator, Village of Minster, P.O. Box 1, Minster, OH 45865. Applications will be accepted until the position is filled.

Village of Edgerton seeks applicants for village administrator

The Village of Edgerton, Ohio, population 2000, is seeking resumes for the position of village administrator. The person appointed will report to the mayor and will provide general administrative direction; supervise personnel; advise employees on proper procedures; direct the operation for all utility, street, park, zoning activities; and perform economic development and grant writing activities. A complete job description is available by contacting the Village of Edgerton, fiscal officer, at denisek@edgerton-ohio.com.

The candidate should have a high school diploma or GED, with college level course work in public or business administration. A bachelor's degree, management experience and some experience with

municipal government and/or public utility operations is preferred. A valid driver's license required. Salary commensurate with qualifications and experience. Please submit resume, cover letter and salary requirements via email to denisek@edgerton-ohio.com or mail to Mayor, Village of Edgerton, P.O. Box 609, Edgerton, Ohio 43517. The Village of Edgerton is an Equal Opportunity Employer.

Opportunities available at AMP

AMP is seeking applicants for the following positions:

Director of energy settlement operations

Operator - Smithland Hydro Plant

Operator I or II - Willow Island Hydro Plant

Director of key accounts & economic development

Operations & maintenance supervisor - Smithland Hydro Plant

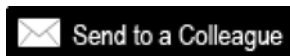
For complete job descriptions, please visit the "careers" section of the [AMP website](#).

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Cities & Villages Magazines**OML Classified Ads****Join Our Mailing List****Legislative Bulletin****April 13, 2018****OML UPDATE AT-A-GLANCE**

Here are the top three things you need to know from this past week:

- House Speaker Cliff Rosenberger (R - Clarksville) announced this week he will be resigning effective immediately. His resignation comes in the wake of the revelation of an FBI inquiry into travel and expenses.
- "The American Society of Civil Engineers estimates that Ohio will require more than \$12 billion to be invested in water systems and more than \$14 billion in waste water infrastructure over the next 20 years." Rep. Tim Ginter (R - Salem) shared this information through his sponsor testimony to a senate committee studying HB 422, legislation he co-sponsored with Rep. John Rogers (D - Mentor-on-the-Lake) providing for the acquisitions of municipal waterworks and sewage systems.
- The Ohio Department of Transportation announced it will spend \$2.5 billion on approximately 1,000 construction projects, mainly preserving existing roads and bridges, in 2018. The department plans to replace or repair 5,645 miles of road and work on 1,040 bridges throughout the state.

OML REGIONAL CONFERENCES COMING SOON

In the next few months, the OML will be holding regional conferences throughout the state to bring important elements of our Annual Conference right to the doorstep of the local leaders who serve Ohio's cities and villages.

The goal of these Regional Conferences is to provide an opportunity for League members prevented from attending our three-day Annual Conference held in downtown Columbus by either distance or time constraints but know it is important to receive the timely information and access to resources that the conference provides. In an attempt to reach our members unable to attend the Annual Conference, we have put together a single day program of general session topics with presentations by featured speakers

who are experts in their municipal sectors.

The regional conferences are an invaluable opportunity for municipal officials statewide to have the ability to be presented with critical information directly related to the success of their own communities, as well as connect and network with other local leaders in their area. This opportunity is not limited to League members who cannot come to Columbus but is a great opportunity for all municipal and local government officials to refresh their skill sets and get the most recent information on critical topics. Registration information including the conference agenda can be accessed [HERE](#).

The dates and locations for the four Regional Conferences are as follows:

- Southeast: Friday, May 18th at the Ohio University Conference Center in Athens.
- Southwest: Friday, June 8th at the Manor House Banquet Center in Mason.
- Northeast: Friday, June 29th at the Pro Football Hall of Fame in Canton.
- Northwest: Friday, August 17th at the Hancock Hotel in Findlay.

We encourage you to sign up as soon as possible, as space will be limited, and we look forward to seeing you there!

SMALL CELL INFRASTRUCTURE BILL HEADS TO GOVERNOR'S DESK FOR SIGNATURE

This week marked the end of a months-long collaboration between municipal leaders and the telecommunications industry to create legislation governing the deployment of small cell wireless infrastructure within a municipality's right-of-way. HB 478, sponsored by Rep. Smith (R - Bidwell) and Rep. LaTourette (R - Chesterland), passed out of Senate committee this week and headed before the full chamber, where it was voted out 26-7. The bill then went back to the House that same day, where it was concurred upon 72-17. HB 478 now heads to the desk of Governor Kasich for his signature. A copy of the most recent legislative analysis for the bill can be found [HERE](#).

While the bill was in the Senate Public Utilities Committee, several amendments were added, including clarifying the definition of a small cell facility operator; ensuring that an organization who doesn't meet that definition is still allowed to request municipal consent to either build a wireless support structure, collocate on or alter an existing one; and requiring that a municipality include a line disclosing who owns a facility or structure on both the license and the application. The League is neutral regarding these changes.

Although the legislation is not perfect, the predictable and orderly deployment and implementation of new technologies is crucial to promoting economic development in cities and villages and enhances the quality of life for municipal residents. The municipal representatives who worked long hours to craft the legislation remained focused on respecting the operational processes, capabilities and capacities of cities and villages as the new technologies are being deployed. Great attention was given to make sure that the billions of municipal taxpayer dollars that has been invested in local infrastructure was protected, preserving the local character of neighborhoods and historic districts.

The League wants to thank all who were involved in the creation and passage of this legislation, from the Representatives and Senators whose involvement and votes were crucial, to the municipal coalitions and telecommunication industry representatives who spent many long hours these past several months working towards a viable compromise.

"STAND-YOUR-GROUND" GUN BILL ADDS LOCAL PREEMPTION

This week, HB 228, legislation sponsored by Rep. Johnson (R - McDermott) and Rep. LaTourette (R - Chesterland), which would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, change the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and amend laws regarding the posting of warning signs regarding the possession of weapons on specified premises was amended to include the preemption of local firearm regulations. During the fourth hearing Tuesday, the amendment was added which states that if any local firearm regulation interferes with an individual's right to bear arms; inhibits their ability to protect themselves, their families or others from intruders and attackers; or inhibits the legitimate use of firearms, then that regulation is preempted by the state.

Additionally, the substitute bill states any person or group or entity that claims to be adversely affected by a local ordinance or rule that a local government exacts or enforces in violation of this preemption, may sue that local government and be awarded actual damages and declaratory or injunctive relief. Those damages would be paid by that local government.

The amendment, which was part of a larger substitute bill offered by Rep. Merrin (R - Monclova Township), was adopted in this week's House Federalism and Interstate Relations Committee. No testimony was heard on either the bill or the substitute bill.

At this moment, the League is working to get a better understanding of how expansive the language is and will provide greater detail on the liabilities the new language would present to Ohio municipalities in future legislative bulletins.

TAX EXPENDITURE REVIEW COMMITTEE MEETS TO DISCUSS SALES TAX EXEMPTIONS

Members of the Tax Expenditure Review Committee met this week to discuss tax credits and exemptions in the Ohio Revised Code, which totals roughly \$9 billion annually. Of the 5 tax breaks up for discussion and testimony during committee, the ones that received proponent testimony were the exemptions for manufacturing and packaging tangible personal property, which is the single largest tax expenditure listed in the report. The Legislative Service Commission (LSC) compiled a memo and chart [HERE](#) of the five first exemptions of the report and the amount of tax revenue deferred by exemptions extended to churches, the state, political subdivisions and manufacturing.

According to the Ohio Department of Taxation's Tax Expenditure Report, manufacturers did not pay \$2.2 billion in taxes last year due to a sale tax exemption dealing with equipment and machinery. An additional \$255.2 million in sales tax on packaging and packaging equipment was exempted. In testimony, representatives from the Ohio Manufacturers' Association, the Ohio Chamber of Commerce and the Manufacturers Policy Alliance testified that these tax breaks in turn generate revenue for the state

because they keep manufacturing companies in Ohio instead of neighboring states.

The League will continue to report on the discussions and findings of the Tax Expenditure Review Committee as they continue to meet.

MUNICIPAL BILLS ON THE MOVE THROUGH THE OHIO GENERAL ASSEMBLY

It was another busy week in the legislature for municipal issues. The Ohio House will not be in session next week so there will be no committee meetings and is not scheduled to have another session date until May 16th. The schedule may change as the situation warrants due to the appointment of a new Speaker of the House. The House is scheduled to be in session May 16th, 23rd and 24th and on an "if needed" basis May 30th, 31st, June 6th, 7th, 13th and 14th. The Senate will hold committee meetings next week but will not hold a voting session. Before the senate takes their legislative recess for the summer, Senators are scheduled to be in session April 25th, May 16th & 23rd. Session dates are scheduled on an "if needed" basis for May 9th, 22nd, June 6th, 13th and 27th.

The following are the bills that were passed out of either the full House or Senate chambers this week.

- **SB 208 - WEAPON POSSESSION.** Sponsored by Sen. Terhar (R - Cincinnati), this bill would allow a law enforcement officer or investigator, whether on or off duty, to carry a weapon on certain premises open to the public. During its fourth hearing before the Senate Judiciary Committee, it was amended to include measures like allowing law enforcement to carry weapons when consuming alcohol if it is part of their duties - for example, when an officer is undercover. It was then voted out and sent before the entire Senate chamber where it was voted out 30-3. The bill will now head to the House. The League is neutral on this legislation.
- **SB 239 - REGIONAL COUNCILS OF GOVERNMENT.** This bill, sponsored by Rep. Dolan (R - Chagrin Falls), would modify the law concerning regional councils of governments. During its sixth hearing before the Senate Government Oversight and Reform Committee, no testimony was given on this bill. The bill moved out of committee and sent to the Senate chamber, where it was voted out unanimously. The bill will now head to the House. The League is supportive of this legislation.
- **HB 251 - SUBDIVISION INVESTMENTS.** Sponsored by Rep Greenspan (R - Westlake), this bill would increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. It was voted unanimously out of the full Senate Chamber and will head to the desk of the Governor. The League is supportive of this legislation.
- **HB 122 - ECONOMIC STUDY COMMITTEE.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. During its fourth hearing before the Senate Government Oversight and Reform Committee, four amendments were added: changing the length of the committee from 5 to 10 years; adding 5 non-voting members; allowing municipalities to put in joint police and fire levies on the ballot and allows three municipalities to create certified entertainment districts by modifying the definition a historic

district. It then went before the full Senate Chamber, where it was voted out 89-2. The League is supportive of this legislation.

- **HB 378 - OHIO BROADBAND DEVELOPMENT.** Sponsored by Rep. Smith (R - Bidwell) and Rep. Cera (D - Bellaire), this bill would create the Ohio Broadband Development Grant Program, to encourage the Department of Transportation to work with telecommunications providers to lay fiber optic cable and make an appropriation. It was passed out of the full House chamber 85-11 and will now head before the Senate. The League is supportive of this legislation.
- **HB 263 - DOGS ON PATIOS.** This bill, sponsored by Rep. Lanese (R - Grove City), this bill would generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. This bill was voted out of the full House chamber 86-10 and will now head to the Senate. The League is neutral on this legislation.

COMMITTEE RECAP: HEARINGS FOR BILLS OF MUNICIPAL INTEREST

Here are the bills that impact municipalities that received committee hearings this week:

- **HB 38 - CRIMINAL OFFENSES.** This bill, sponsored by Rep. Greenspan (R - Westlake), would provide that purposely causing the death of a first responder or military member is aggravated murder and to require an offender to serve the prison term imposed for felonious assault on a peace officer, investigator, first responder, or military member consecutively to the prison term imposed for any related offense. During its fourth hearing before the Senate Judiciary Committee, a representative from the Fraternal Order of Police testified saying retired police officers deserved to have these same protections extended to them as well. The North Ohio Fire Fighters and the Ohio Association of Fire Chiefs spoke to firefighters targeted for violence when responding to the call of duty. The League is supportive of this bill.
- **SB 180 - FIREARM LAWS.** This bill, sponsored by Sen. Uecker (R - Loveland) and Sen. Hottinger (R - Newark), this bill would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. During its fourth hearing before the Senate Judiciary Committee, opponents testified against the bill, including the State Highway Patrol, the League of Woman Voters, the Ohio Coalition Against Gun Violence and other. The League is neutral on this bill.
- **HB 422 - MUNICIPAL WATER-WORKS.** Sponsored by Rep. Ginter (R - Salem) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would govern the acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. During its first hearing before the Senate Public Utilities Committee,

the sponsors spoke to the bill's alternative solution to the lack of funding facing much of Ohio's municipal infrastructure. The League is supportive of this legislation.

- **HB 553 - THEFT IN OFFICE.** Sponsored by Rep. Cupp (R - Lima), this bill would expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. During its first hearing before the House Criminal Justice Committee, the bill's sponsor spoke to the bill's goal of holding those who steal taxpayer dollars accountable. The League is neutral on this legislation.
- **HB 171 - EMS WORK HOURS.** Sponsored by Rep. Patmon (D - Cleveland), this bill would limit the hours worked in a work shift and to require work breaks for emergency medical service providers. During its first hearing before the House Economic Development Committee, the bill's sponsor explained that the measure seeks to protect EMTs and paramedics as well as private ambulance drivers. A substitute bill was adopted which would also require a CPR-certified additional driver in an ambulance as well as anti-retaliatory provisions for drivers during their shift's last hour. The League is neutral on this legislation.
- **HB 522 - LIQUOR PERMITS.** Sponsored by Rep. Lanese (R - Grove City), this bill would allow an outdoor refreshment area to include F liquor permit holders. During its third hearing before the House Government Accountability and Oversight Committee, the bill was voted unanimously out of committee. The League is supportive of this legislation.
- **HB 342 - LOCAL BALLOTS.** This bill, sponsored by Rep. Merrin (R - Monclova Township), this bill would permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. During its fifth hearing before the House Government Accountability and Oversight Committee, the bill was not brought up and no testimony was given so the interested parties on the bill could continue to discuss proposed changes. The League is opposed to this bill.
- **HB 469 - MIXED-USE TAX CREDITS.** Sponsored by Rep. Schuring (R - Canton), this bill would authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed-use development projects. During its sixth hearing before the House Government Accountability and Oversight Committee, a substitute bill was adopted which expands the criteria of what qualifies as a "transformational mixed-use development" so more cities across the state would be able to have local development projects that qualify. The League is supportive of this bill and it grateful to Rep. Schuring and the committee for ensuring more local downtowns have the opportunity to encourage

development and placemaking within their communities.

- **HB 484 - HEALTH DISTRICTS.** This bill, sponsored by Rep. Brenner (R - Powell), would authorize city and general health districts to use credit cards in accordance with prescribed requirements. During its fourth hearing before the House State and Local Government Committee, a substitute bill was adopted which aligned large portions of the bill with HB 312, a bill that passed the House last year regulating the use of credit and debit cards by local governments. The League is supportive of this bill.
- **HB 530 - LOCAL OFFICIALS.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Arndt (R - Port Clinton), this bill would authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices. During its fourth hearing before the House State and Local Government Committee, the bill received proponent testimony. The League is neutral on this legislation.
 - **HB 543 - PROSECUTING ATTORNEYS.** This bill, sponsored by Rep. Perales (R - Beavercreek) and Rep. Hambley (R - Brunswick), would allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser. During its second hearing before the House State and Local Government Committee, proponents from the Ohio Aviation Association, the Ohio Association of Regional Councils, and representatives from international and regional airports testified in support of the bill. The League is neutral on this legislation.
- **SB 182 - DOGS ON DINING PATIOS.** Sponsored by Sen. Coley (R - Liberty Township), this bill would generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. During its third hearing before the Senate Health, Human Services and Medicaid Committee, a substitute bill was adopted which, among other changes, clarified that dogs may only exit and enter a patio via a patio gate, not through the restaurant. The League is neutral on this bill.
- **HB 253 - CONCEALED WEAPONS.** This bill, sponsored by Rep. Householder (R - Glenford) and Rep. Lanese (R - Grove City), would permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. During its fourth hearing before the House Federalism and Interstate Relations Committee, a substitute bill was adopted which prohibits establishments from restricting a peace officer from carrying their gun on the premises, allows them to carry guns in courthouses and allows them to carry guns into liquor establishments if doing so is within the scope of their job. The League is neutral on this legislation.

- **HB 133 - DISASTER WORK.** Sponsored by Rep. Ryan (R - Newark), this bill would create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. During its second hearing before the Senate Ways and Means Committee, proponent testimony was given by the Buckeye Institute and the former director of the Emergency Management Agency. The League is neutral on this legislation.
- **SB 268 - THEFT IN OFFICE.** Sponsored by Sen. Wilson (R - Maineville), this bill would expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. During its first hearing before the Senate Government Oversight and Reform Committee, the bill's sponsor said increased penalties would serve to hold thieves of taxpayer dollars appropriately accountable. The League is neutral on this legislation.
- **HB 419 - SOVEREIGN IMMUNITY.** Sponsored by Rep. Henne (R - Clayton), this bill would modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. During its third hearing before the House Civil Justice Committee, no testimony was given on this bill. The League is neutral on this legislation.
- **HB 585 - FIREARM LAWS.** Sponsored by Rep. Henne (R - Clayton), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual may apply for relief from a weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order. During its first hearing pending referral to the House State and Local Government Committee, the sponsor explained the rationale for the legislation, explained the ongoing process of changing the legislation and fielding questions from several skeptical committee members. The League is currently neutral on this legislation.

NEW LEGISLATION OF MUNICIPAL INTEREST INTRODUCED

- **SB 288 - FIREARM LAWS.** Sponsored by Rep. Eklund (R - Chardon) and Rep. Kunze (R - Hilliard), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual may apply

for relief from a weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order.

- **HB 583 - OCCUPATIONAL LICENSING.** Sponsored by Rep. Henne (R - Clayton), this bill would limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. This bill is another significant preemption of municipal Home Rule rights and local control authorities.
- **HB 594 - LOCAL GOVERNMENT PAYMENTS.** Sponsored by Rep. Ramos (D - Lorain), this bill would provide for payments to municipalities or school districts for their lost income tax revenue after a business lays off 50 or more employees within their jurisdiction.

COMMITTEE SCHEDULE FOR THE WEEK OF APRIL 15, 2018

Tuesday, April 17, 2018

SENATE AGRICULTURE

Tue., Apr. 17, 2018, 4:00 PM, South Hearing Room
Sen. Hackett: 614-466-3780

HB392** BEE KEEPERS-IMMUNITY (STEIN D) To grant specified apiary owners immunity in personal injury or property damage cases involving bee stings.

First Hearing, Sponsor Testimony

Wednesday, April 18, 2018

SENATE WAYS AND MEANS

Wed., Apr. 18, 2018, 9:00 AM, South Hearing Room
Sen. Eklund: 614-644-7718

HB133** DISASTER RELIEF ACT (RYAN S) To create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster.

Third Hearing, All Testimony

SB252** LOCAL OFFICES-OTHER POSITIONS (PETERSON B) To authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices.

Third Hearing, All Testimony

PLEASE CHECK OUR WEBSITE MONDAY FOR ANY CHANGES TO THE COMMITTEE SCHEDULE

Up Coming Meetings & Events

OML/OMAA Webinar Top 10 TIF Misconceptions	April 18, 2018 10:00 am ~ 11:00 am	<u>Registration Information</u>
OAPSD Annual Conference Hilliard Police Dept.	May 4, 2018	<u>Registration Information</u>
Regional Summer Conference Series	May 18, June 8, June 29, August 17	<u>Registration Information</u>
OML/OMAA Webinar Updates on ADA,FMLA, Title VII Accommodation...	May 17, 2018 10:00 am ~ 11:00 am	<u>Registration Information</u>
Mayors Association Annual Conference	June 13 ~ 15, 2018 Akron, Ohio	Registration Information Available Monday 4/16

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director

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