

GENERAL INFORMATION

October 07, 2019

CALENDAR

CITY COUNCIL MEETING AGENDA

Monday, October 07, 2019 @7:00 pm

APPROVAL OF MINUTES

September 16, 2019 Regular Council Meeting Minutes.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

No First Readings for October 7th

SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 060-19**, an Ordinance Adopting a Revised Comprehensive Plan with Thoroughfare Plan Provisions in and for the City of Napoleon, Ohio.
2. **Ordinance No. 061-19**, an Ordinance Amending Chapter 301 – Definitions, and Enacting Chapter 343 – Operation of Low Speed Vehicles, Under-Speed Vehicles, Utility Vehicles, or Mini-Trucks, relative to the Traffic Code; and Declaring an Emergency.
3. **Resolution No. 063-19**, a Resolution Authorizing the Expenditure of Funds over Twenty-Five Thousand Dollars (\$25,000.00) for the Purpose of Purchasing a 2019 Terex Vehicle for the City of Napoleon Electric Department, and to Sole Source said Purchase to Terex Utilities, Inc.; and Declaring an Emergency.

THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 056-19**, a Resolution Amending Certain City Finance Department Ordinances, as they Pertain to Financial Transaction Language; and Declaring an Emergency.

GOOD OF THE CITY (Any other business as may properly come before Council, including but not limited to):

1. **Discussion/Action:** Third Quarter Budget Adjustments. (direct Law Director to Draft Legislation)
 - a. a copy of the requested third quarter budget adjustments are attached.
2. **Discussion/Action:** 2020 Budget Timeline
 - a. the proposed timeline for the 2020 budget is enclosed.
3. **Discussion/Action:** Proposed Change to Budget Presentation - Department/Divisions Budget Meetings with Council - present only Major Requested Changes for their Budget (Department Head to determine “major” items with guidance from City Manager and Finance Director)
4. **Discussion/Action:** Proposed Change to Budget Presentation- for the Presentation of Debt Information, Show the Current Year Debt Payments, Remaining Principal, and Amount of Debt by Fund in a Summary Chart or Graph. This will provide a Summary of the Whole Picture for Debt the City holds
5. **Discussion/Action:** Proposed Changes to Budget Process- Establish a Goal of the Departments/Divisions to not Utilize their Unencumbered Cash Balances for on-going Operations; if need to utilize, then it should be Utilized for One-Time Items
6. **Discussion/Action:** Proposed Changes to Budget Process -Items Appropriated to the Capital Fund 400
7. **Discussion/Action:** Approval of Transfer of Appropriation between Departments within the Same Fund

8. **Discussion/Action:** Supplemental Executive Retirement Plan (SERP) Exemption (Direct Law Director to Draft Legislation).
9. **Discussion/Action:** on recommendation to leave the Healthcare Plan for 2020 as it is, Employees paying 12.5% and the City paying 87.5%, to continue the Wellness Program and to have a \$50 Monthly Surcharge Added to the Health Insurance Premium for Employees and Spouses that Do Not Complete Their Annual Wellness Check by November 30, 2019, and to offer Vision and Dental Plans through BORMA at the Employee's Expense
10. **Discussion/Action:** Recommendation to Set Trick-or-Treat Night for Thursday, October 31, 2019 from 6:00 pm - 7:30 pm
 - a. the Parks and Rec Board's recommendation for Trick-or-Treat Night was Thursday, October 31st from 6:00 pm to 7:30 pm
11. **Discussion/Action:** to Approve Recommendation of NIEDF Committee to Grant JAC Products' Request for \$50,000 Infrastructure Reimbursement.
12. **Discussion/Action:** Award Professional Design Services Agreement for Ritter Park Area TAP Project to The Mannik & Smith Group, Inc.
 - a. Please see the attached Memorandum from Chad regarding the award of this agreement.
13. **Discussion/Action:** Accept Donation of \$4,500 from Napoleon Church of the Nazarene to the Parks and Recreation Department
 - a. Pastor Chip Bullock was at the September 25th Parks and Rec Board meeting, a copy of his dialogue from that meeting is attached.
14. **Discussion/Action:** Accept Donation of \$3,500 from Herron's Amish Furniture for K9 Unit
 - a. See attached email from Chief Mack (there was a scrivener's error on the agenda, the donation total is \$3,500).
15. **Discussion/Action:** Accept Award of \$1,790.22 from Bureau of Justice Assistance's Bulletproof Vest Partnership 2019
 - a. this award is as noted on the attached email from Chief Mack.

INFORMATIONAL ITEMS

1. CANCELED – Technology and Communications Committee meeting
2. Agenda – Board of Zoning Appeals Tuesday, October 8th at 4:30 pm
3. Canceled – Planning Commission Meeting
4. OML Legislative Bulletin/October 4, 2019
5. OML Legislative Bulletin/September 27, 2019
6. AMP Weekly Newsletter/September 27, 2019

October 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 7:00 pm City Council	8 4:30 pm BZA	9	10 10:00 am Park St. Bid Opening at Commissioners	11	12
13	14 6:15 pm Electric Comm. 6:15 pm BOPA 7:00 pm Water/Sewer Comm 7:30 pm Muni Prop. Comm.	15	16	17	18	19
20	21 6:00 pm Park & Rec Comm 6:00 pm Tree Commission 7:00 pm City Council	22 4:30 pm Civil Service	23	24	25	26
27	28 6:30 pm Finance & Budget 7:30 pm Safety & HR Comm	29	30 11:00 am Bid Opening WWTP Phase I 6:30 pm Park & Rec Bd.	31 Halloween	Notes:	

CITY COUNCIL

MEETING AGENDA

Monday, October 07, 2019 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. September 16, 2019 Regular Council Meeting Minutes.

D. Citizen Communication

E. Reports from Council Committees

1. Finance and Budget Committee met on September 23, 2019; and recommended
 - a) Council approve the Third Quarter Budget Adjustments as presented;
 - b) to Refer the 2020 Budget Timeline to the Full Body of Council for further Discussion;
 - c) a Tiered Breakdown of Proposed Budget Process Changes Be Presented to the Full Body of Council for further Discussion;
 - d) Council Approve Transfer of Appropriations between Departments within the Same Fund; and
 - e) Council direct the Law Director to Draft Legislation on Supplemental Executive Retirement Plan (SERP) Exemption
2. Safety and Human Resources Committee met on September 23, 2019; and recommended
 - a. Council approve the Healthcare Cost Committee's recommendation: to leave the Healthcare Plan for 2020 as it is, Employees paying 12.5% and the City paying 87.5%, to continue the Wellness Program and to have a \$50 Monthly Surcharge Added to the Health Insurance Premium for Employees and Spouses that Do Not Complete Their Annual Wellness Check by November 30, 2019, and to offer Vision and Dental plans through BORMA at the Employee's Expense.
3. Technology Committee was canceled due to lack of agenda items

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

1. Civil Service Commission was canceled due to lack of agenda items
2. Parks and Rec Board met on September 25, 2019; and recommended
 - a. to Raise Shelter House Rates 10% Across the Board with Money going into Escrow Account for Shelter House Repairs and Maintenance
 - b. Trick-or-Treat Night for Thursday, October 31, 2019 from 6:00 pm – 7:30 pm
3. NIEDF Committee met on Thursday, October 3, 2019 with the agenda items:
 - a. JAC Products Infrastructure Reimbursement Request
 - b. Review Brick 'n Brew Request

G. Introduction of New Ordinances and Resolutions (None)

H. Second Readings of Ordinances and Resolutions

1. **Ordinance No. 060-19**, an Ordinance Adopting a Revised Comprehensive Plan with Thoroughfare Plan Provisions in and for the City of Napoleon, Ohio
2. **Ordinance No. 061-19**, an Ordinance Amending Chapter 301 – Definitions, and Enacting Chapter 343 – Operation of Low Speed Vehicles, Under-Speed Vehicles, Utility Vehicles, or Mini-Trucks, relative to the Traffic Code; and Declaring an Emergency
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I. Third Readings of Ordinances and Resolutions

1. **Resolution No. 056-19**, a Resolution Amending Certain City Finance Department Ordinances, as they Pertain to Financial Transaction Language; and Declaring an Emergency

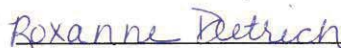
J. Good of the City (any other business as may properly come before Council, including but not limited to):

1. **Discussion/Action:** Third Quarter Budget Adjustments. (direct Law Director to Draft Legislation)
2. **Discussion/Action:** 2020 Budget Timeline
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15. **Discussion/Action:** Accept Award of \$1,790.22 from Bureau of Justice Assistance's Bulletproof Vest Partnership 2019

K. Executive Session. (as needed)

L. Approve Payment of Bills. (In the absence of any objections or corrections, the payment of bills shall stand approved.)

M. Adjournment.



Roxanne Dietrich
Interim Clerk of Council

City Council MEETING MINUTES

Monday, September 16, 2019 at 7:00 pm

PRESENT

Councilmembers

Joseph D. Bialorucki-Council President, Daniel L. Baer-Council President Pro-Tem, Jeff Comadoll, Jeff Mires, Lori Sicclair, Ken Haase

Mayor

Jason P. Maassel

City Manager

Joel L. Mazur

City Law Director

Billy D. Harmon

Asst. Finance Director

Chris Peddicord

City Staff

David J. Mack, Chief of Police, Clayton O'Brien, Fire Chief

Dave Pike-WWTP Supt., Dennie Clapp-Electric Dist. Supt.

Recording Secretary

Roxanne Dietrich

Others

News Media, Doug Martin, Bert G. Taylor Post #300-Andrew Young and Larry Adams.

ABSENT

Councilmember

Travis Sheaffer

City Finance Director

Kelly O'Boyle

Call to Order

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

Swearing-in of New Patrolman

Mayor Maassel swore in Daniel Silette, the newest patrolman to join the City of Napoleon Police Department.

Proclamation

Mayor Maassel read a proclamation naming September 16, 2019 as American Legion Centennial Day and presented it to Andrew Young and Larry Adams representing the Bert G. Taylor Post #300 Napoleon American Legion.

Approval of Minutes

Hearing no objections or corrections, the minutes from the September 03, 2019 Regular Council Meeting stand approved as presented.

Citizen Communication

None.

Committee Reports

The **Electric Committee** met on September 9, 2019 and Approved the PSCAF for September 2019 and recommended that Council Approve Entering into a Pole Attachment Agreement with Okolona Telephone Co. dba bright.net.

Chairman Comadoll reported the **Water, Sewer, Refuse, Recycling and Litter Committee** met on September 9, 2019 and was updated on the WWTP Phase I Improvements Project and were also updated on the Long Term Control Plan from the EPA. The **Municipal Properties, Building, Land Use and Economic Development Committee** met on September 9, 2019 and Chairperson Sicclair reported the committee recommends Council approve the 20% match of \$11,938 and be part of the 5311 ODOT Grant to acquire a 14-passenger bus

Introduction of Ordinance No. 060-19 City Master Plan

Motion to Approve First Read of 060-19

Discussion

Passed
Yea-6
Nay-0

Introduction of Ordinance No. 061-19 Golf Carts on Streets

**Motion to Approve
First Read of 061-19**

Discussion

Motion to Throw Out Golf Carts on Streets Policy

Motion Failed Due to Lack of a Second

Passed
Yea-5
Nay-1

Introduction of Ordinance No. 062-19 Feeding Stray Cats/Dogs

**Motion to Approve
First Read of 062-19**

Discussion

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Failed
Yea-2
Nay-4

Introduction of Resolution No. 063-19

Motion to Approve First Read of 063-19

Discussion

Passed
Yea-6
Nay-0

**Introduction of
Resolution No. 064-19
CRA Agreement American
Road Holdings dba Paul
Martin & Sons**

**Motion to Approve First
Read of 064-19**

Discussion

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Doug Martin of American Road Holdings said we are looking forward to moving to Napoleon. The CRA will allow us to do more financially and will give us the opportunity to reinvest money back into the community. Maassel asked how much bigger will this be? Martin replied right now we are on two acres that is chopped up between three lots, the lot we are looking at is a little over eleven acres and will be a \$1.1 million investment. There will not be a lot of new jobs created; but, this is a good solid business and the jobs we do create will stay here. Dad started the farm machinery dealership business 30 years ago, we currently have seven full-time and two part-time employees. We have expanded beyond farm equipment, we sell trailers and have gotten into manufacturing for smaller companies that make very specific things. Once we get into the new facility some of these areas will expand other than sales. Mazur noted the CIC asked that suspension of the rules be considered as commercial and industrial CRA Agreements are not allowed to start work prior to approval. Martin said the building is ordered and will be delivered in 12-14 weeks, site work can start anytime. This has to come first we cannot make any improvements until this is passed, the later in the year the more expensive the building becomes, this is overdue for five years now, the sooner the better.

Motion to Suspend the Rules for 064-19

Motion: Baer Second: Comadoll
to suspend the rules requiring three readings of Resolution No. 064-19.

Passed
Yea-6
Nay-0

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

Passed
Yea-6
Nay-0

Roll call vote to pass Resolution No. 064-19 under Suspension and Emergency:
Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-

Introduction of Ordinance No. 065-19 Transfer of Appropriations

Council President Bialorucki read by title **Ordinance No. 065-19**, an Ordinance Allowing the Transfer of Appropriations from the Personal Line Items to the Other Line Items, and from the Other Line Items to the Personal Line Items in Any Fund Up to \$25,000. between the Quarterly Budget Adjustments, by the City Finance Director pursuant to O.R.C. Section 5705.40 for the Fiscal Year ending December 31, 2019 on an as Needed Basis; and Declaring an Emergency

Motion to Approve First Read of 065-19

Motion: Comadoll Second: Siclair
to approve First Read of Ordinance No. 065-19.

Discussion

Mazur said there is concern when certain transfers are made that sometimes put the account code in the negative. This would allow the Finance Director and City Manager to make transfers and give notification to Council and then have them approved during the quarterly budget adjustments, this is more of a cleanup item.

Motion to Suspend the Rules for 065-19	Motion: Comadoll to Suspend the Rule Requiring Three Readings of Ordinance No. 065-19.	Second: Haase
Passed	Roll call vote on the above motion:	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Passed	Roll call vote to pass Ordinance No. 065-19 under Suspension and Emergency:	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Introduction of Ordinance No. 066-19 Supplementals to Annual Appropriation Measure Up to \$25,000	Council President Bialorucki read by title Ordinance No. 066-19 , an Ordinance allowing Supplementals to the Annual Appropriation Measure Up to \$25,000. between the Quarterly Budget Adjustments, by the City Finance Director pursuant to O.R.C. Section 5705.40 for the Fiscal Year Ending December 31, 2019 on an as Needed Basis; and Declaring an Emergency	
Motion to Approve First Read of 066-19	Motion: Comadoll to approve First Read of Ordinance No. 066-19.	Second: Mires
Discussion	Mazur reported this is the same as the previous legislation except it covers supplementals. Harmon requested an amendment to have the same language in Section 3 as there is in Ordinance 065-19 where both the Finance Director and City Manager have to sign off.	
Motion to Amend Section 3 on 066-19	Motion: Comadoll to amend Section 3 on Ordinance No. 066-19	Second: Siclair
Passed	Roll call vote on the above motion:	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Motion to Suspend the Rules for 066-19	Motion: Comadoll to suspend the rules requiring three readings of Ordinance No. 066-19.	Second: Mires
Passed	Roll call vote on the above motion:	
Yea-6	Yea- Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay	
Passed	Roll call vote to pass Ordinance No. 066-19 under Suspension and Emergency.	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Introduction of Resolution No. 067-19 Certify Tax Levies to County Auditor	Council President Bialorucki read by title Resolution No. 067-19 , a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2019 Tax Duplicates Payable in Year 2020; and Declaring an Emergency	

Motion to Approve First Read of 067-19	Motion: Comadoll to approve First Read of Resolution No. 067-19.	Second: Haase
Discussion	Peddicord said annually we have to certify the tax levy. We are asking for suspension as this is due October 1 st .	
Motion to Suspend the Rules on 067-19	Motion: Comadoll to suspend the rules requiring three readings of Resolution No. 067-19.	Second: Mires
Passed	Roll call vote on the above motion:	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Passed	Roll call vote to pass Resolution No. 067-19 under Suspension and Emergency.	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Introduction of Resolution No. 068-19 Certify and File Annual Special Assessments	Council President Bialorucki read by title Resolution No. 068-19 , a Resolution Authorizing and Directing the Finance Director of the City of Napoleon to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2019 Tax Duplicates Payable in the Year 2020; and Declaring an Emergency	
Motion to Approve First Read of 068-19	Motion: Comadoll to approve First Read of Resolution No. 068-19.	Second: Mires
Discussion	Peddicord said the special assessment are to be filed annually. Suspension is requested as this needs to be filed by October 1 st .	
Motion to Suspend the Rules for 068-19	Motion: Comadoll to suspend the rules requiring three readings for Resolution No. 068-19.	Second: Mires
Passed	Roll call vote on the above motion:	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Passed	Roll call vote to pass Resolution No. 068-19 under Suspension and Emergency.	
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer	
Nay-0	Nay-	
Second Reading Resolution No. 056-19 Amending Certain Finance Dept. Ordinances	Council President Bialorucki read by title Resolution No. 056-19, a Resolution Amending Certain City Finance Department Ordinances, as they Pertain to Financial Transaction Language; and Declaring an Emergency	
Motion to Approve Second Read of 056-19	Motion: Siclair to approve Second Read of Resolution No. 056-19	Second: Haase

Discussion	Mazur stated as disc previously, this makes corrections to previous ordinances.
Passed	Roll call vote to approve Resolution No. 068-19 on Second Read:
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-0	Nay-
Third Reading	Council President Bialorucki read by title, Ordinance No. 052-19 , an Ordinance
Ordinance No. 052-19	Approving the ODOT Bridge Inspection Program Renewal; and Declaring an
ODOT Bridge Inspection	Emergency.
Motion to Approve	Motion: Comadoll
Third Read of 052-19	Second: Mires to approve Third Read of Ordinance No. 052-19.
Discussion	Mazur had nothing new to report.
Passed	Roll call vote to pass Ordinance No. 052-19 on Third Read:
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-0	Nay-
Third Read of Ordinance	Council President Bialorucki read by title Ordinance No. 055-19 , an Ordinance
No. 055-19	Supplementing the Annual Appropriation Measure (Supplement No. 5) for the
Supplement No. 5	Year 2019; and Declaring an Emergency.
Motion to Approve	Motion: Comadoll
Second Read of 055-19	Second: Baer to approve Third Read of Ordinance No. 055-19.
Discussion	Mazur reported this is for us to payback the Ohio Rotary Commission for land sold that had assessments.
Passed	Roll call vote to pass Ordinance No. 055-19 on Third Read.
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-0	Nay-
Power Supply Cost	Mazur pointed out the correlation, usage for July was up costs were down.
Adjustment Factor	
September 2019	
Motion to Approve	Motion: Comadoll
PSCAF for Sept. 2019	Second: Siclair to approve the Power Supply Cost Adjustment Factor for September 2019 as PSCA 3-month Averaged Factor \$0.01255; JV2 \$0.023321.
Passed	Roll call vote on the above motion:
Yea-6	Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-0	Nay-

Mazur stated on the Henry County Water Sewer District bills the question was can we show the debt, that was not separated out on the bills. There are only five customers affected, four are residential and the fifth is the Filling Home.

Motion: Comadoll Second: Baer
to separate the debt out from the water bill on the Henry County Water Sewer
District bills for the five customers that are affected.

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

Mazur reported we are seeking a motion to enter into a pole attachment agreement with Okolona Telephone Co. dba bright.net. The terms and conditions will be the same as the pole attachment agreement we have with Ridgeville. The annual charge is \$9.64 per attachment plus any work we have to do has a time and materials rate.

Motion: Comadoll Second: Baer
to enter into a Pole Attachment Agreement with Okolona Telephone Co. dba
bright.net.

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

Mazur reported Mike Saneholtz from the Henry County Transportation Network gave a presentation at the Municipal Properties Committee meeting. The proposal is to purchase, through a grant, a 12-2 passenger bus that has 12 passenger seats and two ADA accessibility seats. HCTN is requesting the City put a 20% grant match which is just under \$12,000 as the bus will be exclusive to the City of Napoleon. The bus would provide transportation to anyone that need a ride at a cost of \$2.00 per trip. There will be a deviated route; but, they would still have to call and schedule and there would be some regular stops. Siclair pointed out to employers especially. Maassel said this is a way of helping people that have to walk to work get to work at \$2.00 a way and it will get people off 108 in the middle of January in the snow at night, I'm all for it. You are helping employers and employees for \$12,000. Mazur said no action is needed now, I'm proposing to put this in the 2020 budget.

Motion: Siclair Second: Comadoll
to approve including in the 2020 budget a 12/2 passenger bus to be used by the
Henry County Transportation Network.

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

Oakwood Ave. Improvements Grant

Mazur reviewed we had talked about a Small Cities Grant for Scott Street and it was decided to wait until after the Second River Bridge is built. It was then suggested to apply for Oakwood Avenue. We applied for the grant and have been awarded \$2 million, the project is estimated at \$4 million. A motion is needed to accept the \$2 million grant. We will need to discuss further in the Municipal Properties Committee how we can finance the rest of this project. Baer asked if this will be a 2020 project. Mazur said design in 2020, construction may be in 2022, these types of grants have a longer setup time. Baer asked if this will be the entire section of Oakwood and Mazur replied it will be Oakwood from Perry up to the Commissioner's office, where the new pavement starts.

Motion to Accept Grant for Oakwood Ave. Improv

Motion: Siclair
to accept the Small Cities Grant for the Oakwood Ave. Improvements Project.

Second: Mires

Passed
Yea-6
Nay-0

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

Park St. Improvements

Mazur said plans are prepared and are ready to go out to bid.

Motion to Approve Plans, Specs and Go Out to Bid

Motion: Comadoll Second: Siclair
to approve the Park Street Improvements-Phase III (L.T.C.P. Project No.
17C~Partial) Plans and Specs and to go out to bid.

Passed
Yea-6
Nay-0

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

WWTP Phase I Digester Cleaning and Sludge Rem.

Mazur reported improvements are needed at the Wastewater Treatment Plant, the plans and spec are prepared for the digester cleaning that is long overdue.

Motion to Approve Plans, Specs and Go Out to Bid

Motion: Comadoll Second: Siclair
to approve the Phase 1 Digester Covers and Sludge Removal Improvements plans and specs and to go out to bid.

Passed
Yea-6
Nay-0

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

Trick-or-Treat

Mazur noted typically Trick-or-Treat night is set by the Park and Rec Board at their September meeting. A lot of people plan for the parade and other events and in the future this will be on their August meeting agenda. October 31st is on a Thursday the recommendation will be to set October 31st for trick-or-treat night. No action is needed tonight.

**Healthcare Costs for 2020
Referred to S&HR Comm.**

Around the Table

Peddicord

No items.

Sicclair

No items.

Comadoll

No items.

Baer

Renewed Minds is having a luncheon and ribbon cutting at 12:30 pm a week from today out at their extra location at the old Crisis facility, I can adjust my schedule to go out there.

Maassel

Mayor tomorrow begins Daughters of the American Revolution Constitution Week so, if you have any US Constitutions at home good week to review that historic document. Chiefs good luck tomorrow with the drill, the chaos that will ensue from the drill may we never have to do that in real life.

Mires

No items.

Haase

No items.

Harmon

No items.

Mazur

I will be absent at the committee meetings next week I will be at the AMP annual conference I can call in though.

Baer-as long as you get the material to us we will be fine.

Mazur-I did want to point out one item on the fence out in front of the building here. The plan originally was to stain it so that is why we did not have that committee meeting. Someone mentioned hanging baskets on it, that was a great idea, we will take a look at that.

Mayor

On Perry Street the road sign was knocked off by Remax Realty.

Sicclair

I've had a conversation with business owners in the Eddie J's vicinity and this morning on my way to work I was in that parking lot back there and there is a lot of garbage just sitting in the parking lot, cans, cups, bowls. Is there any type of surveillance back there? Chief Mack said there is no real canvassing back there. Mazur asked you mean from weekends? Sicclair replied yea.

Bialorucki

Read a letter he received from Councilman Sheaffer today addressed to the City of Napoleon regarding resignation from Council effective October 31, 2019.

Harmon read from Section 2.08 of the Charter *if the person to be replaced ran as an independent or third-party candidate at the time of his or her election or appointment, the replacement shall be selected by Council; but, if Council fails*

**Motion to go Into
Executive Session for
Personnel**

Passed
Yea-6
Nay-0

Motion to Come Out of Executive Session

Passed
Yea-6
Nay-0

Approve Payment of Bills

Motion to Adjourn

Passed
Yea-6
Nay-0

Adjournment

Approved:

October 07, 2019

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

ORDINANCE NO. 060-19

AN ORDINANCE ADOPTING A REVISED COMPREHENSIVE PLAN WITH THOROUGHFARE PLAN PROVISIONS IN AND FOR THE CITY OF NAPOLEON, OHIO

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 said revisions were adopted pursuant to Ordinance No.(s) 017-03 and 008-09; and,

WHEREAS, revisions are again required to the Master Plan [now referred to as "Comprehensive Plan"] that have been studied with the assistance of a consultant looking at both present and future development of the City, and,

WHEREAS, this revised Plan in its final form was reviewed and recommended for approval by the Planning Commission at its meeting on August 27, 2019; **Now Therefore,**

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

Section 1. That, the revised "Comprehensive Plan," currently on file with the City Finance Director, being the Master Plan with Thoroughfare Plan provisions, consisting of maps of the City, charts and diagrams showing proposed additions to and improvements of the City streets, parks, public buildings, sewage disposal systems, water system and other systems; and, referencing rules and regulations related to street construction and paving; the planning and zoning code; the subdivision regulations; the flood plain regulations, as well as other referenced codes and programs, is hereby adopted.

Section 2. That, any reference to the official plan as described in Section 1 of this Ordinance shall be taken to mean and include all of the items listed or referenced in Section 1 of this Ordinance as now enacted or later amended.

Section 3. That, no plat of subdivision, plan for the construction or layout of streets, or work involving laying sewer or water mains shall be approved unless the same complies with the requirements of the City's "Comprehensive Plan."

Section 4. That, the revised "Comprehensive Plan," shall be the official plan of the City. The prior plans adopted by the passage of Ordinance No. 296, passed December 16, 1957 and Ordinance No. 296 as well as Ordinance No.(s) 17-03 and 008-09, are hereby repealed.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 6. 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 7. That, upon passage, this Ordinance shall take 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:

Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 060-19 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.

Roxanne Dietrich, interim Clerk of Council

ORDINANCE NO. 061-19

AN ORDINANCE AMENDING CHAPTER 301 – DEFINITIONS AND ENACTING CHAPTER 343– OPERATION OF LOW-SPEED VEHICLES, UNDER-SPEED VEHICLES, UTILITY VEHICLES, OR MINI-TRUCKS, RELATIVE TO THE TRAFFIC CODE AND DECLARING AN EMERGENCY

WHEREAS, in recognition of the increased trend of personal use of golf carts and other similar low or under-speed vehicles on City streets, Council seeks to clarify the legality of golf carts and other low or under-speed vehicles on City streets; and,

WHEREAS, in 2017, R.C. 4511.215 took effect providing that a local authority may authorize the operation of certain low or under-speed vehicles, including golf carts, on streets within its jurisdiction; and,

WHEREAS, the City of Napoleon seeks to allow the operation of low or under- speed vehicles, including golf carts, within its jurisdiction. **Now Therefore**,

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

Section 1. That, the following definitions be added to Chapter 301 - DEFINITIONS:

"Under-speed vehicle" means a three- or four-wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour and with a gross vehicle weight rating less than three thousand pounds

"Low-speed vehicle" means a three- or four-wheeled motor vehicle with an attainable speed in one mile on a paved level surface of more than twenty miles per hour but not more than twenty-five miles per hour and with a gross vehicle weight rating less than three thousand pounds.

"Mini-truck" means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.

"Utility vehicle" means a self-propelled vehicle designed with a bed, principally for the purpose of transporting material or cargo in connection with construction, agricultural, forestry, grounds maintenance, lawn and garden, materials handling, or similar activities.

Section 2. That, Chapter 343 – Operation of Low-Speed Vehicles, Under-Speed Vehicles, Utility Vehicles, or Mini-Trucks, is hereby enacted as follows:

343.01 – OPERATION RESTRICTED FOR LOW-SPEED VEHICLES, UNDER-SPEED VEHICLES, UTILITY VEHICLES, AND MINI-TRUCKS

- (A) No person shall operate a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck upon any street or highway within the City except upon a street or highway having an established speed limit of thirty-five (35) miles per hour or below. A low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck will be permitted to cross intersections with higher speeds, so long as they remain on a street that has a posted speed limit of thirty-five (35) mph or below.
- (B) Notwithstanding Napoleon Ordinance §343.01(A), no person shall operate a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck within the City upon Scott Street north of Lagrange Street.
- (C) The owner of a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck who wishes to operate on a public street or highway must first submit the vehicle to an inspection that complies with the requirements established by the Ohio Department of Public Safety under Section 4513.02 of the Revised Code.
- (D) Every low-speed vehicle, under-speed vehicle, utility vehicle, and mini-truck operated upon any street or highway within the City must have a seat safety belt installed at each designated seating position.
- (E) Low-speed vehicles, under-speed vehicles, utility vehicles, and mini-trucks operated on public streets or highways must successfully pass the required vehicle inspection, be registered in accordance with Chapter 4503 of the Revised Code, and be titled in accordance with Chapter 4505 of the Revised Code.
- (F) Occupants of a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck shall be seated at all times on the seat of the vehicle and buckled by the seat belt when the vehicle is on and in motion. Standing on any portion of the vehicle while it is in motion is prohibited.
- (G) Any child who falls under the child restraint criteria set by Ohio R.C. 4511.81 is prohibited from being a passenger in a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck operated on any street, highway, right of way, public area, or private property used for vehicular travel within the City.
- (H) No person shall operate a low-speed vehicle, under-speed vehicle, utility vehicle, or a mini-truck upon any sidewalks within the City.
- (I) Except as otherwise provided, all sections of the Napoleon Traffic Code and State of Ohio Traffic Laws, or substantially similar offenses, shall apply to low-speed

vehicles, under-speed vehicles, utility vehicles, and mini-trucks operated upon any street, highway, right of way, public area, or private property used for vehicular travel within the City.

343.99 – PENALTY

Whoever violates any provision contained in Chapter 343 is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense. Nothing in this section shall limit the City from filing other violations of law including but not limited to license violations.

Section 3. That, the City Clerk is directed to notify the director of public safety of this local authorization as required by R.C. 4511.215.

Section 4. That, this Ordinance is enacted pursuant to the home rule powers of the City of Napoleon as set forth at Article XVIII, Section 3, of the Ohio Constitution.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 6. 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 7. That, this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health or safety of the City and its inhabitants, such necessity arising from the City's need to effectively manage and control the use of golf carts and other low speed vehicles upon the City's roads, and therefore this Ordinance shall be effective upon passage.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 061-19 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.

Roxanne Dietrich, interim Clerk of Council

RESOLUTION NO. 063-19

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF PURCHASING A 2019 TEREX VEHICLE FOR THE CITY OF NAPOLEON ELECTRIC DEPARTMENT, AND TO SOLE SOURCE SAID PURCHASE TO TEREX UTILITIES, INC.; AND DECLARING AN EMERGENCY

WHEREAS, the purchase of a replacement City Electric Department vehicle was included in the 2019 Master Bid Resolution passed by Council on December 21, 2018, Resolution No. 079-18; and,

WHEREAS, the cost to purchase said vehicle and install the required systems exceeds \$25,000.00; and,

WHEREAS, Terex Utilities, Inc. is the only company offering the required specifications of the requested vehicle; and,

WHEREAS, the current quoted cost from Terex Utilities, Inc. is valid for the purchase of the requested replacement vehicle with required equipment; and,

WHEREAS, the City of Napoleon desires to sole source the purchase of the outfitted vehicle to Terex Utilities, Inc. based on the limited availability of the vehicle outfitted with the required systems, and this being the best and lowest price; and,

WHEREAS, based on all the foregoing, 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, as permitted in Article VI, Section 6.05 of the Charter of the City of Napoleon; **Now Therefore**,

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

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 to purchase a replacement City Electric Department vehicle outfitted with the required systems, as included in the 2019 Master Bid Resolution.

Section 2. That, due to limited availability and the lowest and best price, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 3. That, the City Manager is authorized to enter into a contract with Terex Utilities, Inc. for the purchase of said vehicle.

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 meet the time requirements necessary for the legislation to take effect before the October 1, 2016 purchase 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 begin the purchasing process in a timely manner, 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:

Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Resolution No. 063-19 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.

Roxanne Dietrich, interim Clerk of Council



CITY OF NAPOLEON, OHIO

ELECTRIC DEPARTMENT

PO Box 151, 1775 INDUSTRIAL DR.

NAPOLEON, OH 43545

PHONE: (419) 599-1891 FAX: (419) 592-4379

INTEROFFICE MEMORANDUM

(Amended to include justification for elimination of competitive bidding)

TO: Joel Mazur, City Manager
FROM: Dennis P. Clapp, Superintendent
SUBJECT: Purchase of New Terex Commander
DATE: September 10, 2019
CC: Mayor, City Council, Finance Director

Please find in this packet to be presented to Council, the required documentation for the purchase of a new Terex Commander 5050 model hydraulic rotating digger derrick with a turntable winch. Sourcewell (formally NJPA National Joint Powers Alliance) Contract Number: 042815-TER (Reference QU10364 C5050), Quote Number: QU3048, Unit: C5050. The cost details for this purchase are as follows:

- Purchased under approved 2019 Budget
- Account # 503-6110-5700 – Machinery & Equipment
- Budgeted Amount: \$300,000 to replace Line Truck #56 (2005 International Lift All)
- Quoted Amount: \$260,195
 - Includes: \$21,000 – Trade in Allowance
 - Add Option: \$1,636 – Terex Texoma 18" TXD (dirt tooth auger) x 104" long – 60" of 5/16" flighting, 2 5/8" hex bushing. Rollup dish and cable pin welded in place and auger painted Terex Red.
- Vendor: Terex Utilities Inc.
500 Oakwood Road
Watertown, South Dakota 57201
- Sales Representative: Brian ODell, cell number (330) 461-7943

The justifications for the elimination of competitive bidding are outlined as follows:

1. The lifting capacity required by the City Electric dept. is 17,300 lbs., however the other vendors researched could only offer a lifting capacity of 15,100 lbs. The Terex truck will meet the future needs for lifting capacity which are increasing with growth of Industrial customers needing larger transformers, and existing customers are aging and may need transformers changed in non-business hours when a crane is not readily available. Also, the existing truck is 15 yrs. old and is no longer able to lift our heavier transformers.
2. There will be a cost savings to the City by purchasing the Terex, as Terex is allowing us to trade in our old truck with pre-determined price of \$21,000; in researching the other vendors, there was no trade in option available.

3. The City Electric dept. requires a 24" auger for transmission poles, which the Terex truck can handle, however in researching the other vendors, the augers were only 18" which is not sufficient for City projects.
4. The steel boom on Terex is heavier duty for added long term stability.
5. The City Electric dept. prefers the hydraulic controls, which are offered by Terex; in researching the other vendors, the controls are electronic.

It is my recommendation to trade in our existing line truck #56 due to condition of truck and liability of resale by the City of Napoleon. I feel the \$21,000 offered for our trade in is a very fair price.

Electric Superintendent
Dennis P. Clapp
DCLAPP@NAPOLEONOHIO.COM

RESOLUTION NO. 056-19

A RESOLUTION AMENDING CERTAIN CITY FINANCE DEPARTMENT ORDINANCES, AS THEY PERTAIN TO FINANCIAL TRANSACTION LANGUAGE; AND DECLARING AN EMERGENCY

WHEREAS, certain Finance Department Ordinances require amendments pertaining to the type of financial transaction language therein. **Now Therefore**,

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

Section 1. That, the following amendments to Ordinance No. 028-19 are hereby made:

The Title of Ordinance No. 028-19 shall now read as follows: AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 21) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

Section 1 of Ordinance No. 28-19 shall now read as follows: That, the annual appropriation measure passed in Ordinance No. 072-18 for the fiscal year ending December 31, 2019 shall be supplemented (Supplement No. 21) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

The information contained in Ordinance No. 028-19, as sent to the Henry County Auditor as Amended Certificate Number 1 for the first quarter budget adjustment shall be amended to Amended Certificate Number 2 and resent upon the passage of this Resolution.

Section 2. That, Ordinance No. 039-19 shall be repealed in its entirety, and be replaced with the following language:

“ORDINANCE NO. 039-19
AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 2) FROM RESPECTIVE FUNDS, DEPARTMENTS AND CATEGORIES TO OTHER FUNDS, DEPARTMENTS AND CATEGORIES PURSUANT TO O.R.C. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019 AS LISTED IN EXHIBIT "A"; AND DECLARING AN EMERGENCY

WHEREAS, the City appropriates funds by fund, department, and category of personal services and other; and,

WHEREAS, transfer from one appropriation item to another is necessary to provide appropriations for current expenses of the City; **Now Therefore**,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, pursuant to Section 5705.40 of the Ohio Revised Code, and this Ordinance, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2019, as listed in Exhibit "A," 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 City's Revised Code of General Ordinances.

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 to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; 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."

Section 3. That, Ordinance No. 040-19 is repealed in its entirety.

Section 4. That, the following amendments to Ordinance No. 047-19 are hereby made:

The Title of Ordinance No. 047-19 shall now read as follows:

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES (TRANSFER NO. ~~3~~ 2) FROM RESPECTIVE FUNDS TO OTHER FUNDS PER SECTION 5705.14 ORC ON AN AS NEEDED BASIS IN FISCAL YEAR 2019, LISTED IN EXHIBIT "A"; AND DECLARING AN EMERGENCY

Section 1 of Ordinance No. 047-19 shall now read as follows: That, pursuant to Section 5705.14 of the ORC and this Resolution, the Finance Director is hereby authorized and directed to transfer monies, transfer number ~~3~~ 2, among the various funds on an as needed basis in Fiscal Year 2019 as listed in Exhibit "A" attached hereto and made a part of this Resolution.

Section 5. That, the following amendments to Ordinance No. 048-19 are hereby made:

The Title of Ordinance No. 048-19 shall now read as follows: AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. ~~4~~ 2) FOR THE YEAR 2019; AND DECLARING AN EMERGENCY

Section 1 of Ordinance No. 048-19 shall now read as follows: That, the annual appropriation measure passed in Ordinance No. 072-18 for the fiscal year ending December 31, 2019 shall be supplemented (Supplement No. 4 2) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

Section 6. That, the following amendments to Ordinance No. 049-19 are hereby made:

The Title of Ordinance No. 049-19 shall now read as follows: an Ordinance authorizing the expenditure of funds over twenty-five thousand dollars (\$25,000.00) and authorizing the City Manager to enter into a contract with Jones & Henry Engineers, Ltd. for the purpose of professional design services for the project known as the Wastewater Treatment Plant Phase I Improvement Project, which was not included in the 2019 appropriation budget, also authorizing supplementing the annual appropriation measure (Supplement No. 5 3) for the year 2019; and declaring an Emergency

Section 3 of Ordinance No. 049-19 shall now read as follows: That, the annual appropriation measure passed in Ordinance No. 072-18 and supplemented by Ordinance No.(s) 028-19, ~~039-19~~, and 048-19, for the fiscal year ending December 31, 2019 shall be supplemented (Supplement No. 5 3) as provided in Exhibit A (one (1) page), attached hereto and made a part hereof.

Section 7. 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 8. 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 9. 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 file the appropriate certificates with the Henry County Auditor in a timely manner, 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:

Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 056-19 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.

Roxanne Dietrich, interim Clerk of Council

2019 APPROPRIATION BUDGET - SUPPLEMENTAL BUDGET ADJUSTMENT				
BUDGET SUMMARY BY FUND, DEPARTMENT AND CATEGORY				
	2019 SUPPLEMENTAL BUDGET ADJUSTMENT			2019 FUND
ORDINANCE No. 028-19, Passed 04/15/2019	PERSONAL			
AMENDED: ORDINANCE No. 056-19, Passed 09/03/2019				
FUND/DEPARTMENT-1ST QUARTER ADJUSTMENTS	SERVICES	OTHER	TOTAL	TOTAL
100 GENERAL FUND				
2200 Fire/Safety Services	\$0	\$1,064.77	\$1,064.77	
- 2200 Fire/Safety Services - Brick & Brew 2019 Fire Reimbursement to replace six (6) buckets of F-500 used - 2018 Fire - \$1,064.77:				
Accounts - 100.2200.54240 Service Fees-Consultation Fees		\$1,064.77		
Total - 100 General Fund	\$0	\$1,064.77	\$1,064.77	\$1,064.77
	=====	=====	=====	
275 MUNICIPAL PROBATION SERVICE FUND				
1810 Municipal Court/Probation Department	\$0	\$53.35	\$53.35	\$53.35
	=====	=====	=====	
- 1810 Mun.Court/Prob.Dept. - Additional for Grant - did not get carried over into 2019, Grant to be Closed - \$53.35:				
Accounts - 275.1810.53390 Serv. Fee-Professional-Grant Bonus		\$53.35		
288 JUSTICE REINVESTMENT INCENTIVE GRANT FUND				
1810 Municipal Court/Probation Department	\$65.08	\$0	\$65.08	\$65.08
	=====	=====	=====	
- 1810 Mun.Court/Prob.Dept. - Additional for Grant - did not get carried over into 2019, Grant to be Closed - \$65.08:				
Accounts - 288.1810.51100 Salaries Non Bargaining		\$65.08		
503 ELECTRIC DEVELOPMENT FUND				
6110 Electric/Operation, Dist. System	\$0.00	\$95,260	\$95,260.00	\$95,260.00
	=====	=====	=====	
- 6110 Electri/Oper Dist Sys. - Additional amount needed for Solar Field Debt Pay Off - Building and Improvements - \$95,260:				
Accounts - 503.6110.57200 Building and Improvements		\$95,260.00		
* GRAND TOTAL - ALL FUNDS	\$65.08	\$96,378.12	\$96,443.20	\$96,443.20
	=====	=====	=====	=====

FISCAL YEAR ENDING 2019- TRANSFER OF APPROPRIATION (No. 2)

Ordinance Number: Original number 039-19; amended number 056-19
Passed: September 3, 2019

	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>Account Description</u>
<u>288 Justice Reinvestment Incentive Grant Fund</u>			
FROM : 288.1810.53300		(1,500.00)	Professional Services
TO : 288.1810.51100	1,285.00		Salary-Non-bargaining
288.1810.51500	190.00		PERS
288.1810.51700	25.00		Medicare-City Share
Total Transfer of Appropriation	1,500.00	(1,500.00)	

2019 TRANSFER OF FUNDS - No. 2

Resolution No. 047-19
Passed August 5, 2019

Amended by Resolution No. 056-19
Passed September 3, 2019

FROM:

204.5100.54260

*County MV Lic. Perm. Tax Fund -Supplies Ice & Snow Control***TO:**

201.0000.49900

*State Highway Imp Fund -Transfers In***AMOUNT****\$11,070**

Purpose: *To cover total cost of 2019 mowing charges*

2019 APPROPRIATION BUDGET - SUPPLEMENTAL #2

ORDINANCE No. 048-19, Passed August 5, 2019

Amended by Ordinance 056-19 Passed September 3, 2019

<u>2nd QUARTER BUDGET ADJUSTMENTS</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	<u>2019 FUND TOTAL</u>
<u>100 GENERAL FUND</u>				
100.1500.53810 Legal Advertising	\$0	\$8,000	\$8,000	
Total - 100 General Fund	\$0	\$8,000	\$8,000	\$8,000
	=====	=====	=====	
<u>201 STATE HIGHWAY IMP FUND</u>				
201.5100.53300 Service Fees-Professional -mowing costs	\$0	\$11,070	\$11,070	\$11,070
<u>220 RECREATION FUND</u>				
220.4400.59000 Shelter House Refund	\$0	\$5,250	\$5,250	\$5,250
<u>510 WATER REVENUE FUND</u>				
510.6200.53111 Utilities -Natural Gas-additional amount needed	\$0	\$10,500	\$10,500	\$10,500
TOTAL - ALL FUNDS	\$0.00	\$34,820.00	\$34,820.00	\$34,820.00
	=====	=====	=====	=====

City of Napoleon

FINANCE AND BUDGET COMMITTEE

MAJORITY REPORT

Monday, September 23, 2019

The Finance and Budget Committee met on Monday, September 23, 2019; and recommended:

1. Council approve the Third Quarter Budget Adjustments as presented;
2. to refer the 2020 Budget Timeline to the Full Body of Council for further discussion;
3. that a Tiered Breakdown of the Proposed Budget Process Changes Be Presented to the Full Body of Council for further discussion;
4. Council Approve Transfer of Appropriations between Departments within the Same Fund; and
5. Council Direct the Law Director to Draft Legislation on Supplemental Executive Retirement Plan (SERP) Exemption.

Joseph D. Bialorucki, Chair

Jeff Comadoll, Committee

Ken Haase, Committee

Jason Maassel, Committee

2019 APPROPRIATION BUDGET - SUPPLEMENTAL #6

ORDINANCE No. 0-19, Passed , 2019

<u>3rd QUARTER BUDGET ADJUSTMENTS</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	<u>2019 FUND TOTAL</u>
123 Special Events Fund				
123.1900.53400 Contract Services	\$0	\$399	\$399	\$399
<i>Reason: Fall Festival contribution</i>				
130 Economic Development Fund				
130.3500.56300 Taxes and Assessments	\$0	\$20	\$20	\$20
<i>Reason: CAUV on properties we sold - Napoleon agreed to pay Need to transfer \$20 from General Fund to Fund 130</i>				
201 State Highway Improvement Fund				
201.5100.53300 Serv. Fees -Professional	\$0	\$4,500	\$4,500	\$4,500
<i>Reason: More roadside mowing costs due to weather - one final mow</i>				
242 Fire Equipment Fund				
242.2200.57000 Machinery & Equipment	\$0	\$136,080	\$136,080	\$136,080
<i>Reason: Turnout gear was not included in 2019 Budget process -tried to get grant but grant cannot fund gear</i>				
288 Justice Reinv. Incentive Grant (JRIG)				
288.1810.51100 Salary-Non Bargaining	\$2,957.64			
288.1810.51500 PERS	\$373.60			
288.1810.51700 Medicare -City Share	\$42.57			
288.1810.53300 Serv. Fees -Professional		\$5,000.00		
288.1810.54200 Supplies -Operating Materials		\$800.00		
288.1810.59000 Refunds-Miscellaneous		\$401.04		
TOTAL Fund 288	\$3,373.81	\$6,201.04	\$9,574.85	\$9,574.85
<i>Reason: For end of grant true-up; had to send to State by 7/18/19 Relayed to Council prior to sending - follow-up paperwork & 2nd Half Grant appropriation (new allocation) until 12/31/19</i>				
295 IRS 125 & HEALTH DEDUCTIBLE EMP. BENEFITS FUND				
295.1900.53300 Serv. Fees -Professional Services	\$0	\$3,100	\$3,100	\$3,100
<i>Reason: Budget only had \$1,800, need more appropriation to pay Wage Works-6 months of 2018 and 12 months of 2019</i>				
400 Capital Improvements				
400.1500.57000 Machinery & Equipment	\$0	\$6,000	\$6,000	\$6,000
<i>Reason: Finance Director Computer and Desk</i>				
400.2100.57000 Machinery & Equipment	\$0	\$23,500	\$23,500	\$23,500
<i>Reason: Appropriate for K9 donations & replace appropriation for project:</i>				
500 Electric Revenue Fund				
500.6100.59000 Refunds-Miscellaneous	\$0	\$21,000	\$21,000	\$21,000
<i>Reason: Koester Corp Refund from 2016 through 1/1/19 - electric multiplier incorrect on metering</i>				
TOTAL FUNDS	\$3,373.81	\$200,800.04	\$204,173.85	\$204,173.85

Working Draft 9/23/19

FISCAL YEAR ENDING 2019- TRANSFER OF APPROPRIATION (No. 3)**Ordinance Number:****Passed:**

	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>Account Description</u>
<u>288 Justice Reinvestment Incentive Grant Fund</u>			
FROM : 288.1810.53300		(399.21)	Professional Services
TO : 288.1810.51100	255.90		Salary-Non-bargaining
288.1810.51500	139.44		PERS
288.1810.51700	3.87		Medicare-City Share
	-----	-----	
Total Transfer of Appropriation	399.21	(399.21)	
<u>510 Water Revenue Fund</u>			
FROM : 510.6200.57200		(60,000.00)	Buildings & Improvements
TO : 510.6200.53110	60,000.00		Utilities -Electric
	-----	-----	
Total Transfer of Appropriation	60,000.00	(60,000.00)	

Working Draft 9/12/19

2019 TRANSFER OF FUNDS - No. 3**Resolution No. 0-19****Passed****FROM:**

100.9900.59550

*Transfer to 130 Econ. Dev. Fund***TO:**

130.0000.49900

*Economic Development Fund-Transfer In***AMOUNT****\$20*****Purpose: CAUV on properties we sold - Napoleon agreed to pay***

Working Draft 9/23/19

3rd Quarter Amended Certificate

Additions from Ordinances Approved Outside the 3rd Quarter Budget Adjustment Ordinances

- Supplemental No. 3 for the WWTP Expansion Project (Ordinance 049-19) – Fund 520- \$469,100
- Supplemental No. 4 dated August 19, 2019 (Ordinance 054-19) for the new Pool -Fund 221 in the amount up to \$500K
- Supplemental No. 5 for the Ohio Water & Sewer Rotary reimbursement (Ordinance 055-19) – Fund 310 in the amount of \$41,686.24
- Supplemental for WWTP Land Acquisition (Ordinances 057-19, 058-19 and 059-19)-\$34K plus estimated closing costs = \$40,600

Revised Revenue

- \$500,000 for Pool Note into Fund 221

Working Draft 9/23/19-revised 10/4/19

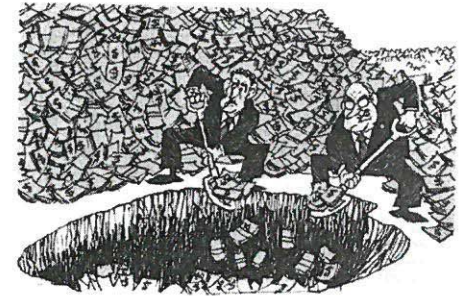
CITY OF NAPOLEON
2020 BUDGET TIMELINE

September 12	Send Appropriation Request letter to Departments/Divisions
September 27	Budget Requests due from Departments/Divisions
October 1 – 11	Departments/Divisions meet with City Manager regarding their requests (Finance Director to sit in when available)
October 14-24	Finance Director and City Manager review requests – provide recommendations
October 28	Finance and Budget Committee Meeting -review Revenue Estimates, Review Debt Payments, beginning discussion of possible salary increase
November 8 & 9 (a.m.)	Department Budget Hearings with Council -9 th only if needed
November 18	First Reading of Budget
December 2	Second Reading of Budget
December 16	Pass Budget

Working draft 10/1/19-Revised from 9/9/19

SUPPLEMENTAL EXECUTIVE RETIREMENT PLAN (SERP) EXEMPTION ORC 718.01(XX) AND (YY)

Passed into Law



- ▶ SERP reported on an employee's W-2 (box 5) on and after the retirement of said employee / individual is exempt for municipal tax purposes.
- ▶ This exemption results from two definitions added to ORC 718.01.

Budget bill passed 07/17/2019

SERP (CONT'D)

Passed into Law

- ▶ (XX) "Pension" means a retirement benefit plan, regardless of whether the plan satisfies the qualifications described under section 401(a) of the Internal Revenue Code, including amounts that are taxable under the "Federal Insurance Contributions Act," Chapter 21 of the Internal Revenue Code, excluding employee contributions and elective deferrals, and regardless of whether such amounts are paid in the same taxable year in which the amounts are included in the employee's wages, as defined by section 3121(a) of the Internal Revenue Code.
- ▶ (YY) "Retirement benefit plan" means an arrangement whereby an entity provides benefits to individuals either on or after their termination of service because of **retirement or disability**. "Retirement benefit plan" does not include wage continuation payments, severance payments, or payments made for accrued personal or vacation time.

Budget bill passed 07/17/2019

SERP (CONT'D)

Passed into Law

- ▶ Previously, ORC 718.01 did not contain a definition of “pension.” The sample Ordinance provided to municipalities defined “pension.” Because the budget bill now contains a definition for “pension”, these changes to ORC 718.01 will require an Ordinance change for your municipal corporation.
- ▶ Provide this information to your Solicitor / Law Director.
- ▶ Section 757.220 of the Budget Bill, line 88504 of the amended Budget Bill, indicates that this change applies to municipal taxable years beginning on or after January 1, 2020.

Budget bill passed 07/17/2019

City of Napoleon

SAFETY AND HUMAN RESOURCES COMMITTEE

MAJORITY REPORT

Monday, September 23, 2019

The Safety and Human Resources Committee met on Monday, September 23, 2019 and recommended to Council:

to accept the Healthcare Cost Committee's recommendation to leave the Healthcare Plan for 2020 as it is, Employees paying 12.5% and the City paying 87.5%, to continue the Wellness Program and to have a \$50 Monthly Surcharge Added to the Health Insurance Premium for Employees and Spouses that Do Not Complete Their Annual Wellness Check by November 30, 2019, and to offer Vision and Dental plans through BORMA at the Employee's Expense.

Dan Baer, Chair

Jeff Comadoll, Committee

Jeff Mires, Committee

BUCKEYE OHIO RISK MANAGEMENT ASSOCIATION - Plan Sponsor ID 0000000094192427

Self Insured Aetna Choice POS II with Pharmacy

Current Data For Claims Processed/Paid January 01, 2019 - July 31, 2019

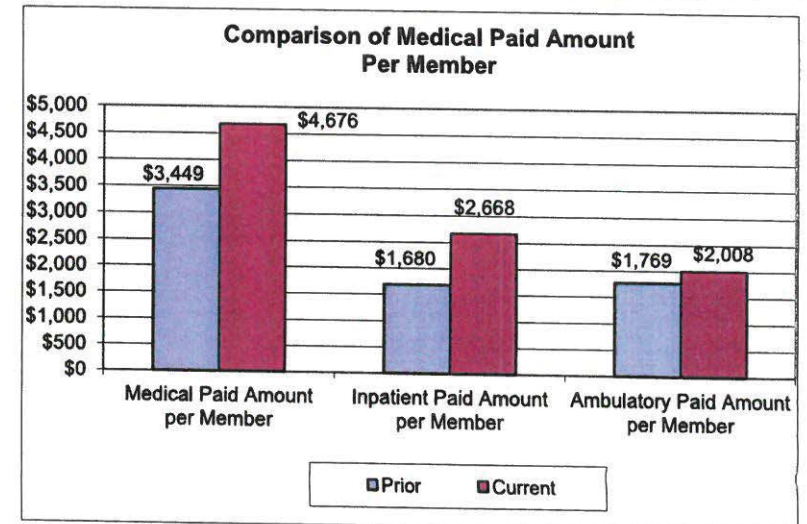
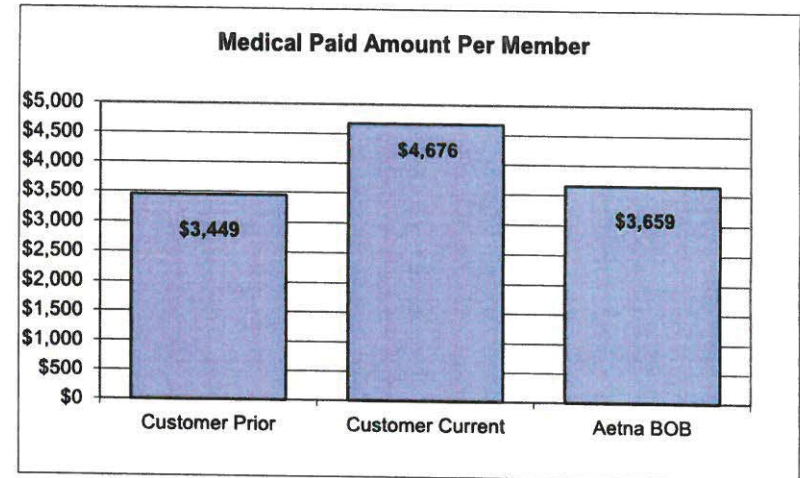
Prior Data For Claims Processed/Paid January 01, 2018 - July 31, 2018

Key Statistics

Demographics Summary for Medical	Customer Prior	Customer Current	% Change from Prior	Aetna BOB¹
Number of Employees	103	99	-3.2%	N/A
Number of Members	286	287	0.4%	N/A
Ratio of Members to Employees	2.8	2.9	3.7%	2.0
Percent Male Members	54.1%	52.3%	-1.8%	48.6%
Percent Female Members	45.9%	47.7%	1.8%	51.4%
Average Age of Membership	29.2	28.4	-2.8%	34.9

Key Statistics

Total Medical and Pharmacy Paid Amount	\$1,242,023	\$1,524,853	22.8%	N/A
Total Pharmacy Paid Amount	\$255,992	\$182,960	-28.5%	N/A
Pharmacy Paid Amount per Member ²	\$896	\$637	-28.8%	\$1,048
Total Medical Paid Amount	\$986,032	\$1,341,893	36.1%	N/A
Medical Paid Amount per Employee	\$9,600	\$13,496	40.6%	N/A
Medical Paid Amount per Member	\$3,449	\$4,676	35.5%	\$3,659
Total Medical Capitation Payments	N/A	N/A	N/A	N/A
Medical Capitation Paid per Member	N/A	N/A	N/A	N/A
Total Medical Paid (Claims and Capitation)	N/A	N/A	N/A	N/A
Medical Paid per Member (Claims and Capitation)	N/A	N/A	N/A	N/A
Inpatient Paid Amount per Member	\$1,680	\$2,668	58.8%	\$1,117
Ambulatory Paid Amount per Member	\$1,769	\$2,008	13.5%	\$2,541
Admissions/1,000 Members	59	59	-0.4%	55
Days of Care/1,000 Members	234	502	114.1%	241
Average Length of Stay	3.9	8.5	114.9%	4.4
Total Surgeries/1,000 Members	308	380	23.4%	490
Inpatient Surgeries/1,000 Members	24	38	56.5%	37
Ambulatory Surgeries/1,000 Members	283	341	20.5%	453
Office Visits/1,000 Members	2,403	2,617	8.9%	3,237
ER Visits/1,000 Members	108	115	6.0%	216



¹Aetna BOB demographic metrics are specific to the overall broad product categories of HMO, QPOS, Indemnity, PPO, Managed Choice and Elect Choice and to the plan sponsor's region(s). Aetna BOB financial and utilization metrics are further adjusted for the plan sponsor's age and gender mix. All BOB metrics are based on a 12 month incurred time period with a two month lag.

² Membership for Pharmacy is found on the Key Statistics - Pharmacy Report

2020 EMPLOYEE HEALTH CARE COSTS THROUGH BORMA

PPO 2

	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -12.5%	2020 City Share -87.5%
Single	\$ 644.21	\$ 695.42	\$ 51.21	7.95%	\$ 86.93	\$ 608.49
EE/Spouse	\$ 1,288.41	\$ 1,390.84	\$ 102.43	7.95%	\$ 173.86	\$ 1,216.99
EE/Child	\$ 1,159.57	\$ 1,251.76	\$ 92.19	7.95%	\$ 156.47	\$ 1,095.29
Family	\$ 1,932.62	\$ 2,086.26	\$ 153.64	7.95%	\$ 260.78	\$ 1,825.48

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost PPO 2	Total Increase Employee per Year	Total Increase Employer per Year
Single	17	\$ 124,132.47	\$ 17,733.21	\$ 141,865.68	\$ 1,305.86	\$ 9,140.98
EE/Spouse	11	\$ 160,642.02	\$ 22,948.86	\$ 183,590.88	\$ 1,690.10	\$ 11,830.67
EE/Child	24	\$ 315,443.52	\$ 45,063.36	\$ 360,506.88	\$ 3,318.84	\$ 23,231.88
Family	39	\$ 854,323.47	\$ 122,046.21	\$ 976,369.68	\$ 8,987.94	\$ 62,915.58
TOTAL	91	\$ 1,454,541.48	\$ 207,791.64	\$ 1,662,333.12	\$ 15,302.73	\$ 107,119.11

Note: No plan or deductible changes from BORMA

Deductible is \$250 for single and \$500 for all other plans

Total PPO2 Increase 2019-2020 \$ 122,421.84

PPO 3

	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -12.5%	2020 City Share -87.5%
Single	\$ 623.43	\$ 672.99	\$ 49.56	7.95%	\$ 84.12	\$ 588.87
EE/Spouse	\$ 1,246.85	\$ 1,345.97	\$ 99.12	7.95%	\$ 168.25	\$ 1,177.72
EE/Child	\$ 1,122.17	\$ 1,211.38	\$ 89.21	7.95%	\$ 151.42	\$ 1,059.96
Family	\$ 1,870.28	\$ 2,018.97	\$ 148.69	7.95%	\$ 252.37	\$ 1,766.60

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost PPO 3	Total Increase Employee per Year	Total Increase Employer per Year
Single	3	\$ 21,199.19	\$ 3,028.46	\$ 24,227.64	\$ 223.02	\$ 1,561.14
EE/Spouse	1	\$ 14,132.69	\$ 2,018.96	\$ 16,151.64	\$ 148.68	\$ 1,040.76
EE/Child	3	\$ 38,158.47	\$ 5,451.21	\$ 43,609.68	\$ 401.45	\$ 2,810.12
Family	1	\$ 21,199.19	\$ 3,028.46	\$ 24,227.64	\$ 223.04	\$ 1,561.25
TOTAL	8	\$ 94,689.53	\$ 13,527.08	\$ 108,216.60	\$ 996.18	\$ 6,973.26

Note: Employees hired after January 1, 2019 automatically go into this plan.

No plan or deductible changes from BORMA

Deductible is \$500 for single and \$1,000 for all other plans

Total PPO3 Increase 2019-2020 \$ 7,969.44

Updated DRAFT 9/9/19

Plan 8 HSA	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -12.5%	2020 City Share -87.5%
Single	\$ 561.08	\$ 605.69	\$ 44.61	7.95%	\$ 75.71	\$ 529.98
EE/Spouse	\$ 1,122.17	\$ 1,211.38	\$ 89.21	7.95%	\$ 151.42	\$ 1,059.96
EE/Child	\$ 1,009.95	\$ 1,090.24	\$ 80.29	7.95%	\$ 136.28	\$ 953.96
Family	\$ 1,683.25	\$ 1,817.07	\$ 133.82	7.95%	\$ 227.13	\$ 1,589.94

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost HSA	Total Increase Employee per Year	Total Increase Employer per Year
Single	0	\$ -	\$ -	\$ -		
EE/Spouse	0	\$ -	\$ -	\$ -		
EE/Child	0	\$ -	\$ -	\$ -		
Family	1	\$ 19,079.24	\$ 2,725.61	\$ 21,804.84	\$ 200.73	\$ 1,405.11
SUBTOTAL	1	\$ 19,079.24	\$ 2,725.61	\$ 21,804.84	\$ 200.73	\$ 1,405.11
Employer Funding		\$ 2,000.00	\$ -	\$ 2,000.00		
TOTAL		\$ 21,079.24	\$ 2,725.61	\$ 23,804.84		

Note: No plan or deductible changes from BORMA

Deductible is \$3,000 for single and \$6,000 for all other plans; employer pays \$1,200 for single and \$2,000 for all other plans

Total HSA Increase 2019-2020	\$	1,605.84
TOTAL All Plan Increase 2019-2020	\$	131,997.12
2020 Total Cost for All Plans	\$	1,794,354.56

Updated DRAFT 9/9/19

2020 EMPLOYEE HEALTH CARE COSTS THROUGH BORMA-OPTION WITH 85%/15%

PPO 2

	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -15%	2020 City Share -85%
Single	\$ 644.21	\$ 695.42	\$ 51.21	7.95%	\$ 104.31	\$ 591.11
EE/Spouse	\$ 1,288.41	\$ 1,390.84	\$ 102.43	7.95%	\$ 208.63	\$ 1,182.21
EE/Child	\$ 1,159.57	\$ 1,251.76	\$ 92.19	7.95%	\$ 187.76	\$ 1,064.00
Family	\$ 1,932.62	\$ 2,086.26	\$ 153.64	7.95%	\$ 312.94	\$ 1,773.32

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost PPO 2	Total Increase Employee per Year	Total Increase Employer per Year
Single	17	\$ 120,585.83	\$ 21,279.85	\$ 141,865.68	\$ 1,567.03	\$ 8,879.81
EE/Spouse	11	\$ 156,052.25	\$ 27,538.63	\$ 183,590.88	\$ 2,028.11	\$ 11,492.65
EE/Child	24	\$ 306,430.85	\$ 54,076.03	\$ 360,506.88	\$ 3,982.61	\$ 22,568.11
Family	39	\$ 829,914.23	\$ 146,455.45	\$ 976,369.68	\$ 10,785.53	\$ 61,117.99
TOTAL	91	\$ 1,412,983.15	\$ 249,349.97	\$ 1,662,333.12	\$ 18,363.28	\$ 104,058.56

Note: No plan or deductible changes from BORMA

Deductible is \$250 for single and \$500 for all other plans

City savings from 87.5%	\$ 41,558.33
Total PPO2 Increase 2019-2020	\$ 122,421.84

PPO 3

	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -15%	2020 City Share -85%
Single	\$ 623.43	\$ 672.99	\$ 49.56	7.95%	\$ 100.95	\$ 572.04
EE/Spouse	\$ 1,246.85	\$ 1,345.97	\$ 99.12	7.95%	\$ 201.90	\$ 1,144.07
EE/Child	\$ 1,122.17	\$ 1,211.38	\$ 89.21	7.95%	\$ 181.71	\$ 1,029.67
Family	\$ 1,870.28	\$ 2,018.97	\$ 148.69	7.95%	\$ 302.85	\$ 1,716.12

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost PPO 3	Total Increase Employee per Year	Total Increase Employer per Year
Single	3	\$ 20,593.49	\$ 3,634.15	\$ 24,227.64	\$ 267.62	\$ 1,516.54
EE/Spouse	1	\$ 13,728.89	\$ 2,422.75	\$ 16,151.64	\$ 178.42	\$ 1,011.02
EE/Child	3	\$ 37,068.23	\$ 6,541.45	\$ 43,609.68	\$ 481.73	\$ 2,729.83
Family	1	\$ 20,593.49	\$ 3,634.15	\$ 24,227.64	\$ 267.64	\$ 1,516.64
TOTAL	8	\$ 91,984.11	\$ 16,232.49	\$ 108,216.60	\$ 1,195.42	\$ 6,774.02

Note: Employees hired after January 1, 2019 automatically go into this plan.

No plan or deductible changes from BORMA

Deductible is \$500 for single and \$1,000 for all other plans

City savings from 87.5%	\$ 2,705.41
Total PPO3 Increase 2019-2020	\$ 7,969.44

2020 EMPLOYEE HEALTH CARE COSTS THROUGH BORMA-OPTION WITH 85%/15%

Plan 8 HSA

	2019 Per month	2020 Per month	Increase/(Decrease)	Percent Increase/(Decrease)	2020 Employee Payroll Deduction -15%	2020 City Share -85%
Single	\$ 561.08	\$ 605.69	\$ 44.61	7.95%	\$ 90.85	\$ 514.84
EE/Spouse	\$ 1,122.17	\$ 1,211.38	\$ 89.21	7.95%	\$ 181.71	\$ 1,029.67
EE/Child	\$ 1,009.95	\$ 1,090.24	\$ 80.29	7.95%	\$ 163.54	\$ 926.70
Family	\$ 1,683.25	\$ 1,817.07	\$ 133.82	7.95%	\$ 272.56	\$ 1,544.51

	Number of EEs	2020 Employer Cost	2020 Employee Cost	Total Cost PPO 3	Total Increase Employee per Year	Total Increase Employer per Year
Single	0	\$ -	\$ -	\$ -		
EE/Spouse	0	\$ -	\$ -	\$ -		
EE/Child	0	\$ -	\$ -	\$ -		
Family	1	\$ 18,534.11	\$ 3,270.73	\$ 21,804.84	\$ 240.88	\$ 1,364.96
SUBTOTAL	1	\$ 18,534.11	\$ 3,270.73	\$ 21,804.84	\$ 240.88	\$ 1,364.96
Employer Funding		\$ 2,000.00	\$ -	\$ 2,000.00		
TOTAL		\$ 20,534.11	\$ 3,270.73	\$ 23,804.84		

City savings from 87.5%	\$ 545.12
Total HSA Increase 2019-2020	\$ 1,605.84

Note: No plan or deductible changes from BORMA

Deductible is \$3,000 for single and \$6,000 for all other plans; employer pays \$1,200 for single and \$2,000 for all other plans

Total Savings for All Plans	\$ 44,808.86
2020 Total Cost for All Plans	\$ 1,794,354.56

UPDATED DRAFT 9/9/19

Differences	PPO 2	In Network PPO 3	Difference PPO 3 vs. PPO 2
Deductible (Ind/Family)	\$250/\$500	\$500/\$1,000	\$ 250/\$500
Out of Packet Maximum	\$600/\$1,200	\$1,750/\$3,500	\$1,150/2,300
OOPM Includes RX	\$6,250/\$12,500	\$5,100/\$10,200	(\$1,150)/(\$2,300)

Type of Plan	Number of EEs	2020 Employer Cost-PPO 2	2020 Employer Cost-PPO 3
Single	3	\$ 21,905.73	\$ 21,199.19
EE/Spouse	1	\$ 14,603.82	\$ 14,132.69
EE/Child	3	\$ 39,430.44	\$ 38,158.47
Family	1	\$ 21,905.73	\$ 21,199.19
TOTAL	8	\$ 97,845.72	\$ 94,689.53

Savings from Switching from PPO 2 to PPO 3	\$ 3,156.20
---	-------------

DRAFT 9/11/19

If all employees were in the PPO3 Plan:

2020 Employer Cost-PPO 2	2020 Employer Cost-PPO 3	Difference per year Over/(Under)	Total Savings
\$ 7,301.91	\$ 7,066.40	\$ (235.51)	\$ (4,710.30)
\$ 14,603.82	\$ 14,132.69	\$ (471.13)	\$ (5,653.62)
\$ 13,143.48	\$ 12,719.49	\$ (423.99)	\$ (11,447.73)
\$ 21,905.73	\$ 21,199.19	\$ (706.55)	\$ (28,968.35)
		SAVINGS:	\$ (50,780.00)

Type of Plan	Number of EEs
Single	20
EE/Spouse	12
EE/Child	27
Family	41
TOTAL	100

	Total All Plans
General Fund	50
Fund 170	2
Fund 200	1
Fund 220	8
Fund 275	1
Fund 500	14
Fund 510	11
Fund 520	8
Fund 560	3
Fund 600	2
TOTAL	100
General Fund	50% of total cost

Buckeye Ohio Risk Management Association (BORMA)

Dental Benefit & Cost Comparison



Effective Date: January 1, 2020

Carrier Benefit	High Plan Aetna Dental - Self Insured		Mid Plan Aetna Dental - Self Insured		Value Plan Aetna Dental - Self Insured	
	In-Network	Out-of-Network (80th UCR)	In-Network	Out-of-Network (80th UCR)	In-Network	Out-of-Network (80th UCR)
Deductible (Individual/Family)	\$25/\$50	\$25/\$50	\$25/\$50	\$25/\$50	\$50/\$150	\$50/\$150
Preventative & Diagnostic	100%	100% of UCR Exams, cleanings, fluoride treatment, sealants, x-rays, and space maintainers	100%	100% of UCR Exams, cleanings, fluoride treatment, sealants, x-rays, and space maintainers	100%	100% of UCR Exams, cleanings, fluoride treatment, sealants, x-rays, and space maintainers
Basic Services	100% after deductible	100% of UCR after deductible oral surgery, periodontics, endodontics, fillings, and emergency palliative treatment	80% after deductible	80% of UCR after deductible simple extractions, periodontics, endodontics, fillings, and emergency palliative treatment	80% after deductible	80% of UCR after deductible simple extractions, fillings, and emergency palliative treatment
Major Services	90% after deductible	90% of UCR after deductible Inlays/onlays, crowns, dentures, bridges, and implants	80% after deductible	80% of UCR after deductible Oral surgery, inlays/onlays, crowns, dentures, bridges, and implants	50% after deductible	50% of UCR after deductible Oral surgery, periodontics, endodontics, inlays/onlays, crowns, dentures, bridges, and implants
Calendar Year Maximum	\$2,500		\$1,250		\$1,000	
Orthodontia Benefit	Included; Adult & Child; pays 80% to a \$1,500 Lifetime Maximum		Included; Adult & Child; pays 60% to a \$1,000		Included; Child Only; pays 50% to a \$1,000 Lifetime Maximum	
UCR Percentile	If an employee goes to an In-Network Provider, they are not balance billed and their benefits are based on the contracted rates that the carrier has with that provider.		If an employee goes to an In-Network Provider, they are not balance billed and their benefits are based on the contracted rates that the carrier has with that provider.		If an employee goes to an In-Network Provider, they are not balance billed and their benefits are based on the contracted rates that the carrier has with that provider.	
	If an employee goes to a provider that is Out-of-Network, they can be balance billed and their benefits are based on the 80th percentile of UCR.		If an employee goes to a provider that is Out-of-Network, they can be balance billed and their benefits are based on the 80th percentile of UCR.		If an employee goes to a provider that is Out-of-Network, they can be balance billed and their benefits are based on the 80th percentile of UCR.	
Network	Aetna Dental Network		Aetna Dental Network		Aetna Dental Network	
Waiting Periods for services	None		None		None	
Rate Guarantee	12 months (1/1/2020-12/31/2020)		12 months (1/1/2020-12/31/2020)		12 months (1/1/2020-12/31/2020)	
	(High Plan Rates)		(Mid Plan Rates)		(Value Plan Rates)	
Funding Rates per Tier						
Single Rates:	\$49.01		\$36.76		\$29.41	
Employee + Spouse Rates:	\$98.02		\$73.52		\$58.81	
Employee + Child(ren) Rates:	\$88.21		\$66.16		\$52.93	
Family Rates:	\$147.01		\$110.26		\$88.21	

These benefit descriptions have been prepared from material furnished by the insurance carrier. In the event of a discrepancy, the insurance carrier contract will govern. As part of the dental solicitation process, Chapman and Chapman requested the carriers to provide a quote comparable to the group's current dental plan. Although we make every effort to assure that the most common dental provisions are matched exactly, it is not always possible to match every carrier specific provision, frequency limitation, and/or exclusion.

Buckeye Ohio Risk Management Association (BORMA)

Vision Benefit & Cost Comparison



Effective Date: January 1, 2020

Benefit Provision	High Plan Aetna - Fully Insured		Mid Plan Aetna - Fully Insured		Value Plan Aetna - Fully Insured	
	In-Network	Non-Network	In-Network	Non-Network	In-Network	Non-Network
Frequency of Service						
Exam	Every 12 months		Every 12 months		Every 12 months	
Materials						
Lenses (must choose glasses or contacts; not Frames (one pair))	Every 12 months		Every 12 months		Every 12 months	
	Every 12 months		Every 24 months		Every 24 months	
Copayment/Deductible						
Exam	\$0 copay	n/a	\$10 copay	n/a	\$10 copay	n/a
Materials	\$0 copay	n/a	\$10 copay	n/a	\$25 copay	n/a
Benefits (after Copayment)						
Eye Exams	Covered in Full	\$30 reimbursement	Covered in Full	\$30 reimbursement	Covered in Full	\$30 reimbursement
Single Vision Lenses	Covered in Full	\$35 reimbursement	Covered in Full	\$35 reimbursement	Covered in Full	\$35 reimbursement
Lined Bifocal Lenses	Covered in Full	\$55 reimbursement	Covered in Full	\$55 reimbursement	Covered in Full	\$55 reimbursement
Lined Trifocal Lenses	Covered in Full	\$90 reimbursement	Covered in Full	\$90 reimbursement	Covered in Full	\$90 reimbursement
Frames	\$150 Allowance, then 20% off balance	\$85 reimbursement	\$130 Allowance, then 20% off balance	\$85 reimbursement	\$130 Allowance, then 20% off balance	\$85 reimbursement
Contact Lenses - Medically Necessary	Covered in Full	\$210 reimbursement	Covered in Full	\$210 reimbursement	Covered in Full	\$210 reimbursement
Contact Lenses - Cosmetic/Elective	\$150 allowance, then 15% off balance	\$120 reimbursement	\$130 allowance, then 15% off balance	\$120 reimbursement	\$130 allowance, then 15% off balance	\$120 reimbursement
Standard Progressive Lenses	\$65 Copay	\$55 reimbursement	\$75 Copay	\$55 reimbursement	\$90 Copay	\$55 reimbursement
Network	Aetna utilizes the EyeMed Vision network which includes many independent providers as well as retail chains such as LensCrafters, Pearle Vision, JC Penney, America's Best, Meijer Optical, and Target Optical.		Aetna utilizes the EyeMed Vision network which includes many independent providers as well as retail chains such as LensCrafters, Pearle Vision, JC Penney, America's Best, Meijer Optical, and Target Optical.		Aetna utilizes the EyeMed Vision network which includes many independent providers as well as retail chains such as LensCrafters, Pearle Vision, JC Penney, America's Best, Meijer Optical, and Target Optical.	
Contribution/Participation	Quoted as Voluntary; 100% Employee Paid; 25% overall participation is required but will not be enforced until the 2nd Open Enrollment in 2021.		Quoted as Voluntary; 100% Employee Paid; 25% overall participation is required but will not be enforced until the 2nd Open Enrollment in 2021.		Quoted as Voluntary; 100% Employee Paid; 25% overall participation is required but will not be enforced until the 2nd Open Enrollment in 2021.	
Rate Guarantee	48 months (1/1/2020 - 12/31/2023)		48 months (1/1/2020 - 12/31/2023)		48 months (1/1/2020 - 12/31/2023)	
Monthly Vision Rates:	(High Plan Rates)		(Mid Plan Rates)		(Value Plan Rates)	
Single	\$12.32		\$7.76		\$6.84	
Employee+Spouse	\$23.41		\$14.76		\$13.00	
Employee+Child(ren)	\$24.64		\$15.54		\$13.69	
Family	\$36.21		\$22.83		\$19.36	

These benefit descriptions have been prepared from material furnished by the insurance carrier. In the event of a discrepancy, the insurance carrier contract will govern.



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kelly O'Boyle, Finance Director
Tony Cotter, Parks & Recreation Director
Roxanne Dietrich, Clerk of Council
Date: October 2, 2019
Subject: Ritter Park Area TAP Project ~ Contract Approval

Quality Based Selection (QBS) was utilized to select a consulting firm for the above referenced project. The Mannik & Smith Group, Inc. was the only firm to submit qualifications for the project. After review of the submittal, they were determined to be qualified to perform the work. Following several months of negotiations, a price was agreed upon. **The proposed contract price is Not to Exceed \$205,954.00. The approved budget for this project is \$200,000.00. I propose the additional funds required for this contract be taken from the original fund, 400.5100.57500.** If you have any questions or require additional information, please contact me at your convenience.

CEL

**Accept Donation from
Napoleon Church of the
Nazarene**

Pastor Chip Bullock from the Napoleon Church of Nazarene was at the meeting to present a donation of \$4,500 to the Parks and Recreation Department from the proceeds from their 5k held in June. Pastor Bullock stated we feel the 5k is a positive health based family event. This year we had 160 runners. This is not about notoriety for us, this is truly motivated by a tangible way to be an active caring partner especially as a faith based organization whose core value is loving and serving your neighbor, we feel the heart of the city is Parks and Recreation. Use the money to your discretion, we would like some going to recreation programs and some to the parks. Last year we initiated a Serve Sunday in the spring, both services came together at 9:30 am and scattered throughout the City to do stuff. We do mulch, fix and repair things, we went to the nursing homes and Filling Home and did things for them, we had too many people and not enough projects. This will be a spring event so next year if you have things we can do on the parks side, please keep us in mind.

Funchion thanked Pastor Bullock, your group should be commended this is how grass roots things get started and we will keep you in mind, we appreciate it very much.

Cotter said he talked to Pastor Bullock and his thoughts are to use some of the money to enhance our flag football program we will figure something out for parks, maybe plant a tree or something like that.

FW: Herron's Letterhead-new-logo

David J. Mack

Tue 10/1/2019 8:35 AM

To: Joel L. Mazur <jlmazur@napoleonohio.com>; Amanda Griffith <agriffith@napoleonohio.com>; Roxanne Dietrich <rdietrich@napoleonohio.com>; Tonya S. Walker <TSWalker@napoleonohio.com>

FYI – For Council Mtg – Donation purposes.



David Mack

Chief of Police

Napoleon Police Department

Dedicated to "Honesty, Honor, Loyalty, Benevolence, Respect, Justice & Courage"

310 Glenwood Ave, PO Box 151

Napoleon, Ohio 43545

<http://www.napoleonohio.com>

Main - 419-599-2810

Fax - 419-599-7969

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From: Justin Ruffer <jruffer@napoleonohio.com>

Sent: Monday, September 30, 2019 4:19 PM

To: David J. Mack <dmack@napoleonohio.com>

Subject: Fw: Herron's Letterhead-new-logo

Sgt. Justin Ruffer

Napoleon Police Department

310 Glenwood Ave. Napoleon, OH 43545

(419)-599-2810

City of Napoleon Police Dept.

310 Glenwood Ave.

Napoleon, OH 43545

Quote for K-9 Kennel for Officer Luke

10 x 6 Hartford Shed

SmartFloor (inside)

SmartSide Painted Soft White

Roof Med Gray with White drip edge

6'6" Sidewalls with 6 x 6 open Area 4' x 6' enclosed area

Porch area with treated decking for flooring (2) 6 x 6 posts, Smartside Ceiling

33" wide by 72" high Pushbar single door -No windows

2-2' wide x 3' high SH alum Windows, with screen

Aluminum Threshold for 33" door

Large Dog Door

Chain link Panels on sides and front with gate and side panel

Total with tax exemption included \$3,500.00

Donation from Herron's Amish Furniture

Rob and Lauralee Herron Owners

Kathy Wilson Sales Associate

	1,500.00
Balance due	\$2,000.00

FW: Bulletproof Vest Partnership 2019 Award Announcement

David J. Mack

Tue 9/24/2019 2:11 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>



David Mack

Chief of Police

Napoleon Police Department

Dedicated to "*Honesty, Honor, Loyalty, Benevolence, Respect, Justice & Courage*"

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From: BVP Email Account <ojp@public.govdelivery.com>

Sent: Tuesday, September 24, 2019 10:52 AM

To: David J. Mack <dmack@napoleonohio.com>

Subject: Bulletproof Vest Partnership 2019 Award Announcement

Dear BVP applicant,

The Bureau of Justice Assistance (BJA) is pleased to inform you that your agency will receive an award under the Fiscal Year (FY) 2019 Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the BVP System. A complete list of FY 2019 BVP awards is available at:

<https://ojp.gov/bvpbasi/>.

The FY 2019 award may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2019. The deadline to request payments from the FY 2019 award is August 31, 2021, or until all available funds have been requested. Awards will not be extended past that date, and any unused funds will be forfeited.

FY 2019 BVP Awards

OH	MONTVILLE TOWNSHIP	\$1,770.69
OH	MORAINES CITY	\$4,418.09
OH	MORROW VILLAGE	\$2,200.35
OH	MOUNT HEALTHY CITY	\$1,054.61
OH	MOUNT VERNON CITY	\$3,642.50
OH	MUSKINGUM COUNTY	\$2,992.82
OH	NAPOLEON CITY	\$1,790.22
OH	NEWARK CITY	\$3,152.53
OH	NEWTON FALLS VILLAGE	\$7,844.89
OH	NEWTOWN VILLAGE	\$775.06
OH	NORTH COLLEGE HILL CITY	\$4,513.53
OH	NORTH OLMSTED CITY	\$4,713.16
OH	NORTH RIDGEVILLE CITY	\$6,201.76
OH	NORTH ROYALTON CITY	\$2,430.36
OH	NORTHFIELD VILLAGE	\$2,603.96
OH	NORTHWOOD CITY	\$2,382.49
OH	NORTON CITY	\$1,176.56
OH	NORWALK CITY	\$8,679.86
OH	NORWOOD CITY	\$5,370.66
OH	OAKWOOD CITY	\$2,430.36
OH	OAKWOOD VILLAGE	\$2,083.17
OH	OBERLIN CITY	\$1,952.97
OH	ORANGE VILLAGE	\$3,924.17
OH	OREGON CITY	\$4,426.73
OH	OTTAWA COUNTY	\$3,124.71
OH	OTTAWA HILLS VILLAGE	\$802.89
OH	OWENSVILLE VILLAGE	\$2,812.28
OH	OLMSTED TOWNSHIP	\$650.99
OH	PAINESVILLE CITY	\$4,210.70
OH	PANDORA VILLAGE	\$1,236.88
OH	PARMA CITY	\$3,994.47
OH	PARMA HEIGHTS CITY	\$1,419.16
OH	PEPPER PIKE CITY	\$2,770.61
OH	PERKINS TOWNSHIP	\$347.19
OH	PERRYSBURG CITY	\$6,249.50
OH	PICKAWAY COUNTY	\$3,610.09
OH	PIQUA CITY	\$4,283.51
OH	PLAIN CITY VILLAGE	\$225.68
OH	POLAND TOWNSHIP	\$2,430.36
OH	PORTSMOUTH CITY	\$2,083.17
OH	POWELL VILLAGE	\$1,984.22
OH	PERRY TOWNSHIP	\$4,911.50
OH	RAVENNA CITY	\$2,896.08
OH	READING CITY	\$3,710.60
OH	REMINDERVILLE VILLAGE	\$2,920.99
OH	REYNOLDSBURG CITY	\$7,612.24
OH	RICHFIELD VILLAGE	\$595.31



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Telephone: (419) 599-1235 Fax: (419) 599-8393

www.napoleonohio.com

Memorandum

To: City Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, News media

From: Roxanne Dietrich, *interim* Clerk of Council *rd*

Date: October 03, 2019

Subject: Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, October 07, 2019 at 6:15 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

BOARD OF ZONING APPEALS

Meeting Agenda

Tuesday, October 08, 2019 at 4:30 pm

BZA 19-09 – 120 Wayne Park Drive - Variance to Property Setback

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

1. Call to Order.
2. Approval of Minutes – August 13, 2019. *(In the absence of any corrections or objections, the Minutes shall stand approved.)*
3. New Business
 - i. BZA 19-09 – Variance to the Property Setback – 120 Wayne Park Drive
An Application for Public Hearing has been filed by Frank S. Cashman. The Applicant is requesting a Variance to Section 1147 regarding the Building Setbacks in an R-1 Zone, Suburban Residential. The applicant is requesting the Variance to the Side Yard Setback from 10' to 6' to build a 24'x40' building.
4. Closing Remarks.
5. Adjournment.


Roxanne Dietrich
Interim Clerk of Council

City of Napoleon, Ohio
BOARD OF ZONING APPEALS
MEETING MINUTES

Tuesday, August 13, 2019 at 4:30 PM

BZA 19-07 ~ Variance to the Side Yard Setback – 221 East Barnes Avenue

<p>PRESENT</p> <p>Board Members Recording Secretary Zoning Administrator City Staff Others</p> <p>ABSENT</p> <p>Committee Member</p>	<p>Tom Mack-Chairman, Steve Small, David Dill, Lynn Rausch Roxanne Dietrich Mark Spiess Mayor Maassel John Safian, Mary Eickoff, Brad Westhoven</p>
Call to Order	Chairman Mack called the meeting to order at 4:30 pm, roll call was taken with the record reflecting a quorum was present.
Approval of Minutes	Hearing no objections or corrections, the minutes from the July 09, 2019 meeting stand approved as presented.
BZA 19-07 Variance to the Side Yard Setback 221 East Barnes Avenue Background	<p>Mack read the background on BZA 19-07: An application for public hearing has been filed by Grant Adkins. The applicant is requesting a variance to Section 1147 regarding the building setbacks in an R-2 Zone, Low Density Residential. The applicant is requesting the variance to rebuild an existing building on the same location with zero side yard setback.</p>
Research and Findings	<p>Spiess read the research and findings for BZA 19-07: Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy.</p>
Discussion	<p>Spiess stated the applicant wants to redo his garage in the same spot going 2’ higher. He would like to use the same foundation Wood County will make that call. Basically, he wants to tear everything down and put up a new garage using the same foundation and pad. The rule states you can repair 50%, after that it is considered a new building and everything has to be up to code. Mack asked if any comments were received from the neighbors. Spiess said he received none. No one was present to address the Board.</p>
Motion to Approve BZA 19-07	<p>Motion: Small Second: Dill to approve BZA 19-07 Variance to the Side Yard Setback at 221 East Barnes Avenue.</p>
Passed Yea-4 Nay-0	<p>Roll call vote on the above motion: Yea-Rausch, Dill, Mack, Small Nay-</p>
Meeting Continued	The meeting was continued with BZA 19-08.

Approved:

October 08, 2019

Tom Mack, Chairman

DRAFT

BOARD OF ZONING APPEALS

MEETING MINUTES

Tuesday, August 13, 2019 at 4:30 PM

BZA 19-08 Variance to the Building Setbacks ~ 165 Wayne Park Drive

(Meeting continued after consideration of BZA 19-07)

PRESENT

Board Members
Recording Secretary
Zoning Administrator
City Staff
Others

Tom Mack-Chairman, Steve Small, David Dill, Lynn Rausch
Roxanne Dietrich
Mark Spiess
Mayor Maassel
John Safian, Mary Eickhoff, Brad Westhoven

ABSENT

Board Member

Laurie Sans

BZA 19-08

Variance to the Building Setback 165 Wayne Park Drive Background

Mack read the background on BZA 19-08:

An application for public hearing has been filed by John Safian and Mary Eickhoff. The applicants are requesting a variance to Section 1147 regarding the building setbacks in an R-1 Zone, Suburban Residential. The applicant is requesting the variance to the setbacks to build a 12' x 20' building.

Research and Findings

Spiess read the research and findings for BZA 19-08:

Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy.

Discussion

Spiess explained the applicant would like to put up a storage unit for a car he would like to park in there. The ground starts to drop off back there and to build it up the expense would skyrocket. We looked at adding onto the garage but, that would be a huge expense and felt it would be best to ask for a variance and slide the unit forward coming no farther than the house. Rausch commented there is no back yard there and adding onto the garage is not an answer either. Mack asked Spiess if he had any responses from the neighbors. Spiess responded he heard nothing back. One neighbor told John he was worried. There is a deck on the backside of the house and if you were to slide it back the unit will be right beside the deck. This way keeps it out of the neighbor's back yard and will have the least amount of impact on the whole neighborhood.

Brad Westhoven

Said he lives next door to John Safian and he approached John, we are opposed to this because we are on a small lot and this will be encroaching on our side of the house. We feel if he could redo, though we do not know answer, then we would not object if it could be done so it is not encroaching the side of our property, it kinda blocks our view. We are opposed to how its drawn now.

Spiess said the landscaping around the side leaves a 5' strip. Safian said he could move in closer to the garage. Spiess then explained the drawing saying the unit is only sliding forward no farther than the house. Westhoven asked is the variance where my property line is? Small commented the issue is with side line it's the front.

**Motion to Approve
BZA 19-08**

Passed
Yea-4
Nay-0

Adjournment

Passed
Yea-4
Nay-0

Approved:

October 08, 2019

Tom Mack, Chairman

BZA-19-09

Variance To The Property Setback

Located At 120 Wayne Park Dr.

MEMORANDUM

TO: Members of The Board of Zoning Appeals
FROM: Mark B. Spiess, Sr. Eng. Tech. / Zoning Admin.
SUBJECT: Variance To The Property Setbacks
MEETING DATE: October 8, 2019 @ 4:30 PM
HEARING #: BZA-19-09

BACKGROUND:

An application for public hearing has been filed by Frank S. Cashman, 120 Wayne Park Dr. Napoleon, Ohio 43545. The applicant is requesting a variance to Section 1147 regarding the building setbacks in an R-1 Zone, Suburban Residential. The applicant is requesting a variance to the side yard setback, from 10' to 6', to build a 24x40' building.

RESEARCH AND FINDING

1. These lots were originally platted before the zoning determination was set for this area.
2. The natural contours of this area limit the buildable space
3. Upon approval of this variance and issuance of a zoning permit, a building permit from Wood County Building Inspection shall be required followed by a Certificate of Occupancy.

STANDARDS FOR A VARIANCE :

The Board, after a hearing, may grant a variation from the regulations of the City's Planning and Zoning Code, but only when such variation is in harmony with the general purpose and intent of the Planning and Zoning Code, and the Board finds all of the following:

- (a) That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to the other property or use in the same vicinity or district;
- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or district but which is denied to the property in question;
- (c) That granting such variance will not be materially detrimental to the public welfare or injurious to the property of improvements in the vicinity or district in which the property is located;
- (d) That granting such variance will not alter the land use characteristics of the vicinity or district, diminish the value of adjacent land and improvements, or increase the congestion in the public streets. (Ord. 69-01. Passed 7-2-01.)

Application for Public Hearing

City of Napoleon, Ohio

I/We herby request a public hearing to consider the following:

Planning Commission

(MZON 100.1700.46690)

___ Conditional Use

\$125.00

___ Amendment

\$125.00

___ Subdivision in City

\$75.00 + \$5.00 each, after two

___ Preliminary Plat of Development

\$125.00

Preservation Commission

(MZON 100.1700.46690)

___ Certificate of Appropriateness

\$25.00

Board of Zoning Appeals

(MZON 100.1700.46690)

___ Certificate of Zoning

\$25.00

___ Re-Zoning

\$125.00

☒ Variance

\$125.00

___ Administrative Appeal

\$50.00

Address of property: 120 Wayne Park Drive, Napoleon, OH

Description of request:

Construct 24' x 40' detached garage made of high quality material to match design & look of existing house. Requesting a Variance to build structure closer to neighbors property than the 10 foot requirement. This will allow the structure to maintain symmetry with existing driveway

Frank cashman

OWNER(S) NAME (PRINT)

120 Wayne Park Drive, Napoleon, OH 43545

ADDRESS- CITY, STATE, ZIP

419-789-9733

PHONE NUMBER

[Signature]

SIGNATURE

*****Public hearings are held on the second Tuesday of each month; this petition must be filed with the Zoning Administrator thirty (30) days before the public hearing date. All plans, plats, deeds and other requested information must accompany this application before the hearing will be scheduled. *****

APPLICANT MUST BE AN OWNER OR AN AUTHORIZED REPRESENTATIVE EVIDENCED BY LETTER OF APPOINTMENT.

Frank cashman

APPLICANT NAME (PRINT)

120 Wayne Park Drive

ADDRESS

Napoleon, OH 43545

CITY, STATE, ZIP

419-789-9733

PHONE

Hearing #: _____

Hearing Date: _____

Zoning District: _____

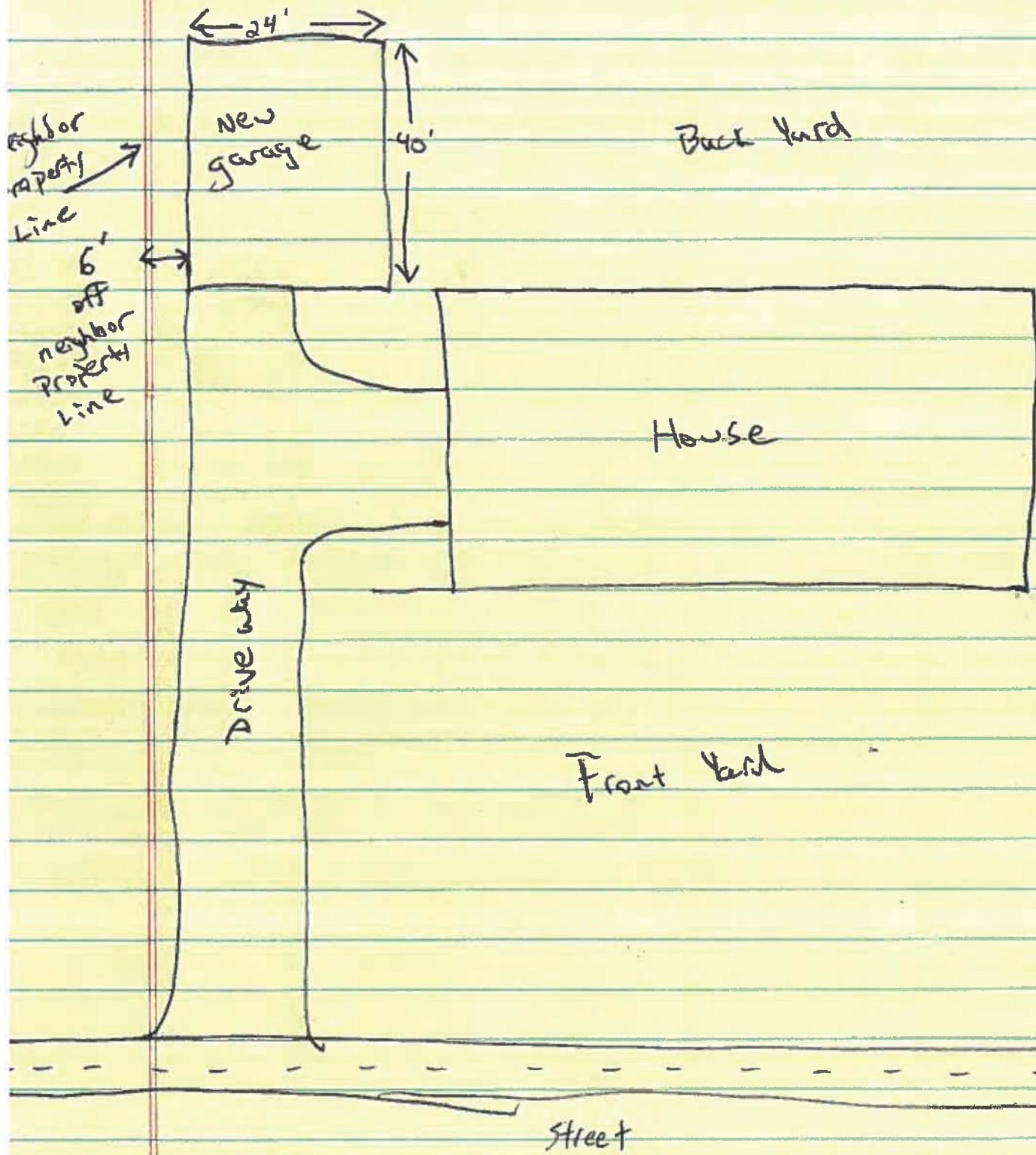
Office Use Only

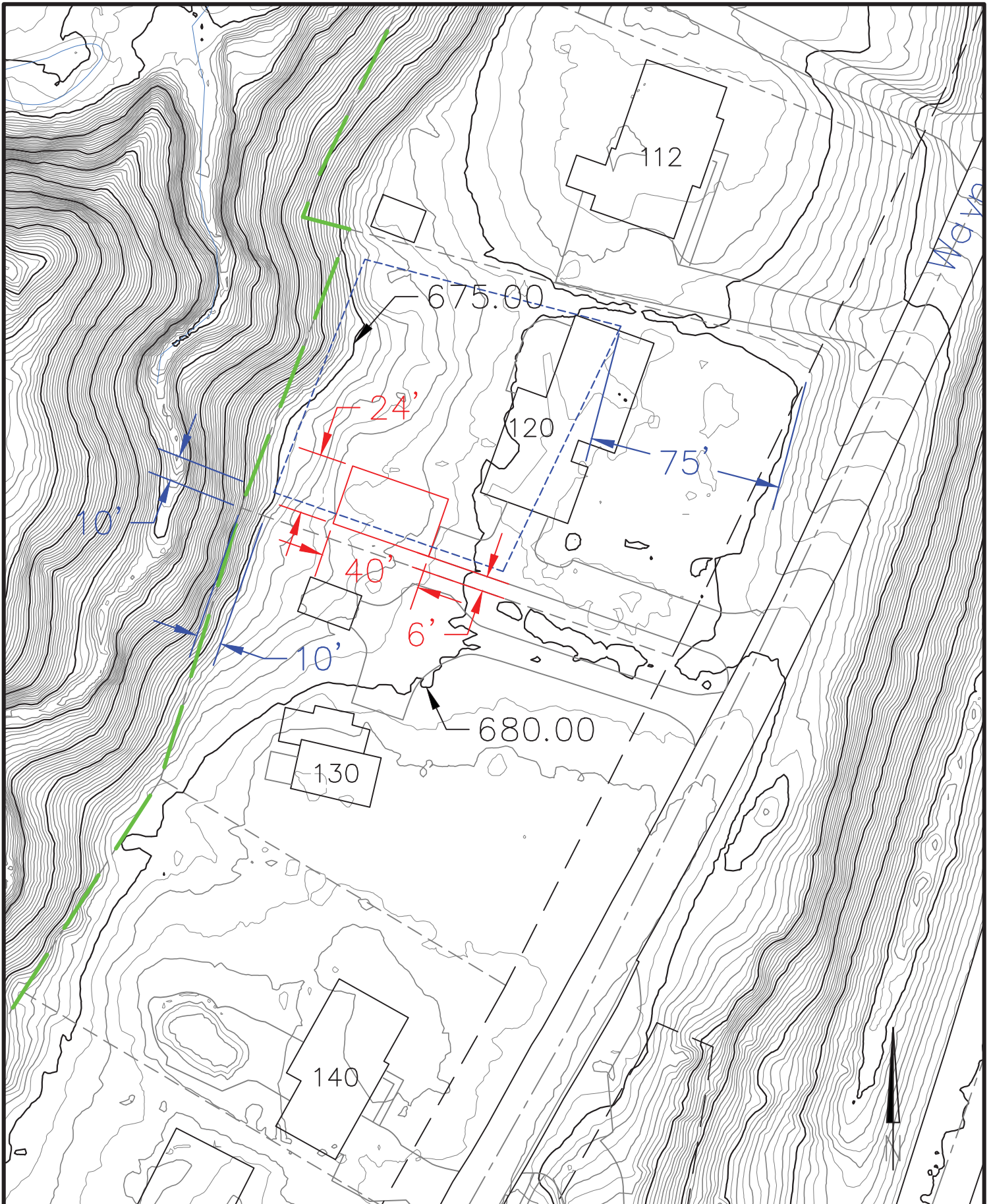
Batch # 41883

Check # 1160

Date 9-9-19

Wooded Ravine





BZA-19-09
120 Wayne Park Dr
Front Yard Setback Variance

Created: 9/24/19
Plotted: 9/24/19
Scale: 1"=50'
Sheet 00 Of 00



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Telephone: (419) 599-1235 Fax: (419) 599-8393

www.napoleonohio.com

Memorandum

To: City Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, News media

From: Roxanne Dietrich, *Interim* Clerk of Council 

Date: October 3, 2019

Subject: Planning Commission – Cancellation

The regularly scheduled meeting of the **PLANNING COMMISSION** for Tuesday, October 8, 2019 at 5:00 pm has been *canceled* due to a lack of agenda items.

Ohio Municipal League Legislative Bulletin

Ohio Municipal League

Fri 10/4/2019 12:15 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>



Legislative Bulletin

OML UPDATE AT-A-GLANCE

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

- Rep. Louis Blessing (R - Cincinnati) has been selected to fill the 8th Senate District seat left vacant by Sen. Terhar. The 8th Senate District is comprised of the western portion of Hamilton County.
- The U.S. Department of Housing and Urban Development has awarded Ohio local governments approximately \$44 million in grants to help residential areas identify and eliminate lead paint. The municipal recipients of the grant money were Akron, Canton, Cleveland and Columbus.
- The Ohio Office of Budget and Management has begun the process of developing the next capital budget, which is expected to be introduced early next year and passed by April 1. Local governments will have the opportunity to submit local capital improvement projects through their state legislators as potential recipients of the bill's capital appropriations. We will alert our members when that opportunity is announced.

LEAGUE TESTIFIES ON BILLS AFFECTING MUNICIPALITIES

This week, the League testified on three bills that would have an impact on Ohio's cities and villages.

One of the bills, HB 219, is sponsored by Rep. Becker (R - Union Township) and Rep. Hoops (R - Napoleon) and would alter the law relative to Sunday sales of beer and intoxicating liquor and name the act the "Sunday Alcohol, Liquor and Especially Spirits Act" or "SALES Act". (Link: <https://bit.ly/2WJcn9K>). Opponents, including the League, testified against the bill during its third hearing before the House Commerce and Labor Committee. The League's testimony explained that its opposition was due to the bill's elimination of local option sections on the matter of alcohol sales on Sunday, preempting local control and eliminating the local community's ability to voice their opinion. You can read the League's testimony in full [HERE](#).

The League submitted written testimony to the Senate General Government and Agency Review Committee in support of HB 10, which is sponsored by Rep. Brown (D - Canal Winchester) and Rep. Stoltzfus (R - Minerva) and would establish the Governor's Office of Drug Policy and make an appropriation. (Link: <https://bit.ly/2YzTtP7>). The League's testimony stated that the office, if established, would help ensure that the resources deployed by both local first responders and state agencies are being used efficiently and effectively. You can read the League's testimony in full [HERE](#).

Finally, the League wrote in support for HB 202 during its fourth hearing before the House Transportation and Public Safety Committee. The bill is sponsored by Rep. Smith (D - Euclid) and Rep. Weinstein (D - Hudson) and would establish the Electric Vehicle Infrastructure Committee. (Link: <https://bit.ly/2ZtnX5T>). The League's testimony explained that establishing the committee would help ensure Ohio stays competitive in "attracting and maintaining a strong workforce and a growing economy". You can read our testimony in full [HERE](#).

The League will continue to alert our members when these bills receive further hearings.

NATIONAL LEAGUE OF CITIES 2019 CITY SUMMIT REGISTRATION OPEN

From November 20th - 23rd, the National League of Cities (NLC) will host its annual City Summit in San Antonio, TX. We urge all local officials, both elected and staff, to register and join over 3,500 other cities officials for workshops, networking and exclusive presentations from special guests.

Attendees will have access to over 100 educational workshops, training seminars and networking opportunities, plus more than ten mobile workshops that give those

attending the opportunity to explore San Antonio and learn about the various successful initiatives developed by the city.

Oscar and Grammy Award-winning hip-hop artist and author Common will be presenting as one of the keynote speakers. Peter Kageyama, author of "For the Love of Cities: The Love Affair Between People and Their Places" and "Love Where You Live: Creating Emotionally Engaging Places", will be featured as a keynote speaker as well.

As an additional incentive, The Ohio Municipal League will be hosting a reception on the evening of Friday, Nov, 22nd at the Grand Hyatt hotel where the conference is being held, and we'd like as many of Ohio's local leaders as possible to attend and take advantage of the opportunity to network with other city officials from Ohio and across the country.

To register for the NLC 2019 City Summit, click [HERE](#). We look forward to seeing you there!

BILLS IMPACTING MUNICIPALITIES PASSED BY HOUSE

Here is a bill that affects municipalities that was passed by the House this week:

- SB 52 - CYBER SECURITY. Sponsored by Sen. Gavarone (R - Bowling Green), would create the civilian cyber security reserve forces, make the Secretary of State a member of the Homeland Security Advisory Council, require the Secretary of State to appoint a chief information security officer, require the boards of elections to audit election results, and make an appropriation. The bill was amended on the House floor to require the Secretary of State to reimburse county boards for post-election costs resulting from the bill and was then passed unanimously. It now heads back to the Senate for concurrence before it is sent to the Governor's desk for his signature. The League is supportive of this legislation. (Link: <https://bit.ly/2GS59FJ>)

COMMITTEE UPDATE: BILLS OF MUNICIPAL INTEREST

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

- HB 288 - EMINENT DOMAIN. Sponsored by Rep. Manning (R - New Middletown), would amend the law regarding eminent domain and declare an emergency. During its fourth hearing before the House Civil Justice Committee, the committee discussed but did not introduce or pass a potential amendment that would allow a park district to use eminent domain with the approval of the local government. The League is opposed to this legislation. (Link: <https://bit.ly/2ofhqia>)

- **HB 295 - ELECTRIC SCOOTERS.** Sponsored by Rep. Hoops (R - Napoleon), would establish requirements governing low-speed electric scooters. During its second hearing before the House Transportation and Public Safety Committee, a representative from Bird, the electric scooter company, testified in support of the bill, saying it was a compromise between many interested parties. The League is neutral on this legislation.(Link: <https://bit.ly/30I0H4t>)
- **HB 17 - HOMESTEAD EXEMPTION.** Sponsored by Rep. Ginter (R - Salem), would allow an enhanced homestead exemption for surviving spouses of public safety personnel killed in the line of duty. During its second hearing before the House Ways and Means Committee, the Ohio Fire Chiefs Association and the Ohio Association of Professional Firefighters testified in support of the bill. The League is neutral on this legislation.(Link: <https://bit.ly/30MWA6Z>)
- **SJR 1 - WATER BONDS.** Sponsored by Sen. Gavarone (R - Bowling Green) and Sen. O'Brien (D - Bazetta), would propose to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund clean water improvements. During its first hearing before the Senate Finance Committee, the sponsors said the joint resolution was the only piece of legislation introduced thus far that ensures long-term funding for water-quality projects throughout Ohio. The joint resolution calls for \$1 billion in bonds over 10 years for water quality improvement projects. The League is supportive of this legislation.(Link: <https://bit.ly/2Jsuytw>)
- **SB 180 - DEVELOPMENT BONDS.** Sponsored by Sen. Schaffer (R - Lancaster), would authorize the issuance of industrial development bonds by a township and to authorize counties, townships and municipal corporations to issue industrial development bonds without requiring the county, township or municipal corporation to designate a community improvement corporation as its agency for industrial, commercial, distribution and research development. During its first hearing before the Senate Finance Committee, the bill's sponsor explained that allows townships, like cities and counties, to issue bonds for economic development projects. The League is neutral on this legislation.(Link: <https://bit.ly/30Gyj2r>)

COMMITTEE SCHEDULE FOR THE WEEK OF OCTOBER 8, 2019

Tuesday, October 8, 2019

HOUSE INSURANCE

Tue., Oct. 8, 2019, 10:00 AM, Hearing Room 113

Ohio Municipal League Legislative Bulletin

Ohio Municipal League

Fri 9/27/2019 12:16 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>



Legislative Bulletin

September 27, 2019

While some legislative committees have been meeting the past couple of weeks, the legislature is still not fully back to their normal legislative schedule. There have been a series of resignations and appointments to fill legislative seats, slowing down the legislative process and causing the cancellation of several committee hearings and full legislative sessions. We will continue to keep our members apprised as the legislature eases back into their normal legislative calendar.

OML UPDATE AT-A-GLANCE

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

- The City of Sidney has set a new Guinness World Record when 2,344 people gathered in Sidney Memorial Stadium on Wednesday, Sept. 25th and opened a drink can simultaneously.
- Former Speaker of the House Rep. Ryan Smith (R - Bidwell) will resign from the Ohio House of Representatives on Oct. 3rd to accept a position leading Rio Grande Community College as well as the private Rio Grande University. Rep. Smith represents the 93rd Ohio House District, which encompasses Vinton, Jackson, Gallia and Lawrence counties.

- The Ohio Supreme Court dismissed an appeal from the City of Alliance in a case that would decide if municipalities have an exclusive right over settlements and the distribution of funds when companies break tax exemption agreements. The appeal was dismissed because the city missed the deadline to file its merit brief and has filed a motion for reconsideration.

LEAGUE LEGISLATIVE ADVOCATE THOMAS WETMORE WELCOMES BABY BOY

The League's Legislative Advocate Thomas Wetmore and his family have welcomed a new addition, Thomas Wetmore III. Baby Thomas was born at 9:50 p.m. on Thursday, Sept. 26 at 9 pounds, 20 inches. Everyone at the League wants to congratulate the Wetmore family on the arrival of their baby boy.

LOCAL GOVERNMENTS TESTIFY IN OPPOSITION TO EMINENT DOMAIN PREEMPTION BILL

The League would like to thank all of the local leaders who came to the Statehouse this Wednesday to testify before the House Civil Justice Committee in opposition to HB 288, which would preempt municipal authority to use eminent domain to acquire land for the purpose of a recreational trail. (Link: <https://bit.ly/2MjkCEY>)

The voices of municipal leaders are influential at the Ohio Statehouse and are an important part of the legislative process in Columbus. We also appreciate our members' additional efforts to speak directly with their member of the House on this important matter.

The League submitted written opponent testimony, which you can read [HERE](#). "We believe HB 288 is a violation of municipal Home Rule authority," Dir. Scarrett shared with the committee, "continuing the disturbing trend of Ohio state government growing in scope and influence and eclipsing the constitutional powers granted to Ohio's cities and villages through the principles of local control."

The cities of Upper Arlington, Cincinnati, Akron and Dublin, as well as the Ohio Mayors Alliance and the Ohio Parks and Recreation Association, among others, submitted written testimony opposing the bill. Leaders from the Cleveland Metroparks and the Cleveland Zoo, the Columbus and Franklin County Metropolitan Park District, Lucas County and others testified in person, explaining that eminent domain is only rarely used by local governments and only as a last-case scenario.

During his testimony, Village of Yellow Springs Council President Brian Housh explained to the committee that a mechanism already exists in Ohio law that allows a landowner who challenges the application of eminent domain on a parcel of their land to

appeal to the locally-elected body where the parcel of land is located. That body of elected officials has the authority to veto the action to acquire the land.

Additionally, those testifying told the committee that the matter in Mahoning County, which prompted the introduction of the bill, is a local matter and should be dealt with at the local level. They also explained that the bill could jeopardize current and future trail construction projects to the detriment of those local communities.

The League will alert our members when the bill is scheduled for another hearing.

BILL PREEMPTING MUNICIPAL CONTROL OF WATER SYSTEMS RECEIVES HEARING, AMENDMENTS

HB 163, sponsored by Rep. Brinkman (R - Cincinnati), would create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service. (Link: <https://bit.ly/2MjkCEY>).

The bill would generally deem a municipality as "noncompliant" if it charges higher rates for water and sewer infrastructure built out to neighboring political subdivisions. In addition to being a violation of Home Rule authority, the bill does not take into consideration the extra cost a municipality can incur when building out and maintaining water and sewer infrastructure to a neighboring local government.

During its fourth hearing before the House Public Utilities Committee, the committee accepted three amendments to the bill:

- The first mandates a declaratory judgment, rather than a civil action, be certified to the Tax Commissioner to designate a municipal corporation as noncompliant before financial consequences are triggered.
- The second allows a municipality in an existing contract that charges higher extraterritorial water and sewer rates by the bill's effective date to continue charging those rates for the duration of the contract.
- The third creates a "safe harbor" for a municipality charging higher extraterritorial water and sewer rates so long those rates do not exceed 25% of the rates charged to similar property in the municipality.

The amendments were supported by the Ohio Township Association, which has also previously testified in support of the bill. The League continues to oppose this legislation. While the amendments provide municipalities some additional defenses as

well as clarify the bill language, municipalities still have the right under Home Rule authority to freely negotiate extraterritorial water and sewer rates.

We will alert our members if the bill receives another hearing, and we ask that local leaders contact their legislative delegation and express their opposition to this bill.

OHIO SUPREME COURT RULING DELIVERS ANOTHER BLOW TO HOME RULE

This week, the Ohio Supreme Court ruled in favor of the Ohio state legislature, which passed a bill in 2016 invalidating the City of Cleveland's Fannie Lewis law.

The Fannie M. Lewis Cleveland Employment Law mandated that if a company had a contract with the city that exceeded \$100,000, it had to provide at least 20 percent of the total construction hours to city residents.

In response the 132nd General Assembly passed HB 180, usurped local control and prevented Cleveland from requiring a small percentage of local workers be used on certain local projects. The city challenged the ability of the state to preempt their powers of local control and sued the state on the grounds that it violated Home Rule authority.

In a 4-3 decision, the court ruled that Article II of the Ohio Constitution grants the General Assembly the power to "protect all employees engaged in construction trades," according to Justice Sharon L. Kennedy's lead opinion. You can read a copy of the court's majority decision [HERE](#).

LEAGUE DIRECTOR IN COLUMBUS DISPATCH OP-ED ON LEGISLATURE'S ONGOING ASSAULT ON HOME RULE

This past weekend, a column from the League's Executive Director Kent Scarrett ran in the Columbus Dispatch. The op-ed discussed the importance of Home Rule and the challenges to local control the legislature has posed in recent years. As an example, Dir. Scarrett cited HB 242, which would preempt local governments from taxing plastic bags and other containers. The op-ed discusses how this bill is another in a long line of preemptions introduced by the Ohio General Assembly and state legislatures across the country. You can read the column in full [HERE](#).

LEAGUE FILES AMICUS BRIEF FOR CENTRALIZED COLLECTION LAWSUIT

The League has filed an amicus brief in support of the coalition challenging the centralized collection provision in HB 49 and the prescriptive income tax code in HB 5 on the grounds of constitutionality. Approximately 160 municipalities have collectively

filed suit challenging the authority of the Ohio Department of Taxation to centrally collect municipal net profit income tax returns.

On August 6, the Ohio Supreme Court ruled in favor of the state, then accepted an appeal from the municipal coalition. The League, along with several other municipalities, has filed an amicus brief supporting the municipal coalition in their appeal. You can read the brief [HERE](#).

We will continue to update our members when the high court begins hearings on the appeal this winter.

MEMBERS INVITED TO LEAGUE-SPONSORED RURAL DEVELOPMENT EVENT

Rural communities face unique challenges and present incredible opportunities for growth and economic development. The League's members are invited to join economic development, business and public policy leaders at the Montrose Group, LLC's Rural Development Forum. The League is a sponsor of this event.

Ohio Lt. Governor Jon Husted will provide a keynote address on Ohio's aggressive efforts to develop rural communities. Attendees will learn about these challenges and opportunities with panel discussions on developing residential, industrial, Downtown and entrepreneurial based economic development in a rural setting.

The event will take place on October 31, from 8 a.m. to 1 p.m. at the campus of Ohio Christian University, 1476 Lancaster Pike, Circleville, OH, 43113. You can register for this free event [HERE](#).

OHIO DEVELOPMENT SERVICES AGENCY RELEASES SURVEYS ON HOUSING NEEDS

The Ohio Development Services Agency (DSA) is conducting surveys to determine the housing, homeless and community development needs as the state begins the planning process for the 5 Year Consolidated Plan covering the period of PY 2020 - 2024. The following are the links to the surveys:

- Community Development/Economic Development Needs Survey ([HERE](#))
- Supportive Housing/Homelessness Needs Survey ([HERE](#))
- Housing Needs Survey ([HERE](#))

The surveys are open to the public and will remain anonymous. Members are permitted to complete all three surveys even if you do not administer a program in one subject. As the information received from the surveys will be used to help develop the Consolidated

Plan, the DSA plans to keep the surveys open until at least the start of the Program Advisory Committee meetings in late October.

DIVISION OF INDUSTRIAL COMPLIANCE OPENS COMMENTS FOR RULE CHANGE REGARDING THE EMPLOYMENT OF DISABLED WORKERS

As a result of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the Division of Industrial Compliance - Wage and Hour, to draft rules in collaboration with stakeholders, assess and justify any adverse impact on the business community, and provide opportunity for the affected public to provide input on the rules.

Pursuant to Ohio Revised Code sections 4111.05 and 4111.06, the rules set forth in Chapter 4101:9-1 et. seq. of the Ohio Administrative Code establishes the process for the employment of disabled individuals for less than the Ohio minimum wage rate. The rules permit employment in any occupation, at wages lower than the minimum wage rate under sections R.C. 4111.01 through R.C. 4111.17, of individuals whose earning capacity is impaired by physical or mental deficiencies or injuries.

The proposed no change rules and the Business Impact Analysis Report can be found [HERE](http://www.com.ohio.gov/ProposedRules.aspx): <http://www.com.ohio.gov/ProposedRules.aspx>.

Comments regarding these proposed no change rules should be submitted by October 1, 2019. Comments may be submitted via email or U.S. Mail to the Division of Industrial Compliance, 6606 Tussing Road, Reynoldsburg, Ohio 43068, ATTN: Dawn Evanson.

To receive future notification of the Division of Industrial Compliance - Wage and Hour, Employment of Handicapped proposed rules, please visit <http://business.ohio.gov/reform/>.

NEW BILLS OF MUNICIPAL INTEREST INTRODUCED

Here are the bills impacting municipalities that were introduced this week:

- SB 202 - LOCAL AUTHORITY. Sponsored by Rep. Thomas (D - Cincinnati) and Rep. Craig (D - Columbus), would restore local authority to generally regulate firearms-related conduct. Am. 9.68 of the Revised Code and to repeal on December 28, 2019, the version of section 9.68.

(Link: <https://bit.ly/2ngt8IQ>)

- HB 343 - WATER AND SEWER FUNDING. Sponsored by Rep. Patterson (D - Jefferson) and Rep. Manning (R - New Middletown), would make an appropriation related to emergency water and sewer system funding.

(Link: <https://bit.ly/2ndZCmP>)

COMMITTEE RECAP: BILLS OF MUNICIPAL INTEREST

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

- **HB 10 - DRUG POLICY OFFICE.** Sponsored by Rep. Brown (D - Canal Winchester) and Rep. Stoltzfus (D - Minerva), would establish the Governor's Office of Drug Policy and make an appropriation. During its first hearing before the Senate General Government and Agency Review Committee, the bill's sponsors cited other states that had created similar offices to ensure coordination throughout all levels of government in the fight against the opioid epidemic. The League is supportive of this legislation.

(Link: <https://bit.ly/2YzTtP7>)

- **SB 33 - CRITICAL INFRASTRUCTURE.** Sponsored by Sen. Hoagland (R - Adena), would modify certain criminal offenses with respect to critical infrastructure facilities and to impose fines and civil liability for damage to a critical infrastructure facility. During its third hearing before the House Public Utilities Committee, opponents to the bill argued that it infringed upon their free-speech rights. The League is supportive of this legislation.

(Link: <https://bit.ly/2GSjRN8>)

COMMITTEE SCHEDULE FOR THE WEEK OF SEPTEMBER 29, 2019

Tuesday, October 1, 2019

SENATE FINANCE

Tue., Oct. 1, 2019, 2:30 PM, Senate Finance Hearing Room

Sen. Dolan: 614-466-8056

CLEAN WATER IMPROVEMENTS (GAVARONE T, O'BRIEN S) Proposing to enact Section 2t of Article VIII of the Constitution of the State of Ohio to permit the issuance of general obligation bonds to fund clean water improvements.

SJR1**

First Hearing, Sponsor Testimony

INDUSTRIAL DEVELOPMENT BONDS (SCHAFFER T) To authorize the issuance of industrial development bonds by a township and to authorize counties, townships, and municipal

SB180** corporations to issue industrial development bonds without requiring the county, township, or municipal corporation to designate a community improvement corporation as its agency for industrial, commercial, distribution, and research development.

First Hearing, Sponsor Testimony

HOUSE CIVIL JUSTICE

Tue., Oct. 1, 2019, 3:00 PM, Hearing Room 018

Rep. Hambley: 614-466-8140

OR AFTER SESSION

HB288** EMINENT DOMAIN (MANNING D) To amend the law regarding eminent domain and to declare an emergency.

Fourth Hearing, All Testimony, AMENDMENTS

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

Ohio Municipal League Meetings & Trainings

<u>OMAA Fall Law Seminar</u> Friday, October 4, 2019 Cleveland Metro Bar Association	<u>Registration Information</u>
<u>OML Annual Conference</u> October 23 ~ 25, 2019 Renaissance Hotel, Downtown Columbus	<u>Registration Information</u>
<u>MFOAO Annual Fall Conference</u> October 23 & 24, 2019 Renaissance Hotel, Downtown Columbus	<u>Registration Information</u>
<u>Mayors Court Refresher Trainings</u> October 25 & November 15	<u>Registration Information</u>

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director

Edward Albright, Deputy Director

Ashley Brewster, Director of Communications

Thomas Wetmore, Legislative Advocate

Website/Bulletin Issues:

Zoë Wade, Office Manager

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

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Sent by kscarrett@omloho.org in collaboration with

AMP Update for Sept. 27, 2019

American Municipal Power, Inc.

Fri 9/27/2019 2:12 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

Having trouble viewing this email? [Click here to view web page version](#)



DeFinis receives Seven Hats Award

By Marc Gerken, P.E. - president/CEO

Mike DeFinis is the 2019 recipient of the AMP Seven Hats Award.

DeFinis serves as borough manager for the Borough of Hatfield, a small community in Montgomery County, Pa. He has served as borough manager since April 2009, and served on the Borough Council for 14 years prior.

"Mike DeFinis exemplifies what this prestigious award signifies - a strong work ethic, dedication to community and public power, and passionate leadership," said Marc Gerken, President/CEO of American Municipal Power, Inc. "I am pleased to present this honor to Mike and thank him for his service to public power."



DeFinis has been instrumental in the planning and design process of Hatfield's new Borough Municipal Complex, a project that the Borough has been planning for a number of years. Additionally, DeFinis oversaw the Borough's R.I.C.E. Program for behind the meter generation, advanced metering system installation and a backup generation project for the Borough's largest customer.

Hatfield Council President John Weierman noted that, "Mike has always had the Borough's best interest in mind whenever making a decision, and he always goes the extra mile in all his duties."

DeFinis is an active member of the Pennsylvania Municipal Electric Association, working to ensure that public power is well represented before state and federal policymakers.

The award was presented to DeFinis during the 2019 AMP/OMEA Annual Conference held in Columbus Sept. 23 - 25.

The AMP Seven Hats Award - modeled after the American Public Power Association's national Seven Hats Award - was initiated in 1984 to recognize utility managers who serve smaller communities of less

than 2,500 meters, and whose management duties extend well beyond the scope of a manager in a larger system. Award winners show skill in seven areas: planning and design, administration, public relations, field supervision, accounting, personnel or employee direction, and community leadership.

AMP/OMEA Annual Conference continues to be a success

By Holly Karg - director of media relations and communications



More than 375 participants took part in the 2019 American Municipal Power, Inc. (AMP)/Ohio Municipal Electric Association (OMEA) Annual Conference, held in Columbus, Sept. 23-25.

Following AMP President/CEO Marc Gerken's opening remarks regarding major disruptors within the industry, AMP and OMEA welcomed Sue Kelly, President/CEO of the American Public Power Association to join Gerken for an unplugged discussion, moderated by Steve Dupee, AMP Board of Trustees Chair, as

both Gerken and Kelly prepare for their impending retirements and reflect upon what's to come for public power.

Conference participants also heard from Judy Chang of the Brattle Group discussing trends and drivers in the power industry and how these changes are driving value for different types of resources.

The conference included sessions covering a number of topics and trends in the power industry - including updates on efforts to control transmission costs, incentives available to assist customers with peak shaving and separate power supply agreements, the impact of electric vehicles on residential distribution systems, programs to support AMP members with technology needs and the annual federal legislative update. AMP and the OMEA would like to thank all of the outstanding speakers for participating in this year's conference.

In addition to the many sessions and events, AMP, OMEA and the various project participants held membership meetings throughout the three-day annual conference.

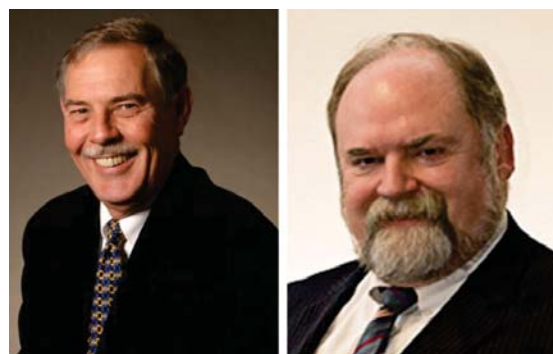
Weadock, Coyle named to the AMP Wall of Fame

By Marc Gerken, P.E.

Mike Weadock and John Coyle were announced as honorees for the AMP Wall of Fame during the Awards Banquet, Sept. 24.

Weadock served as the safety service director for the City of St. Marys and as Chair of the AMP Board of Trustees from 2000 to 2005. He is an OMEA Honorary Member, a member of the APPA Honor Roll and is a strong advocate of public power.

Coyle is a partner at the law firm of Duncan and Allen and has provided a great deal of important legal work to AMP and our member communities over the years. He played a key role in AMP's negotiations for NYPA preference power and has been a strong advocate of public power.



Mike Weadock (left) and John Coyle (right)

The AMP Wall of Fame was launched in 2010 to honor individuals who have made significant contributions to AMP, the OMEA and to public power in our member communities. The AMP Wall of Fame currently includes the names of 22 individuals who have left an indelible mark.

A formal induction ceremony will be held during an AMP Board of Trustees meeting in spring of 2020.

AMP awards recognize member utilities and officials

By Marc Gerken, P.E.

Member utilities and officials were recognized at the 2019 AMP/OMEA Annual Conference through the AMP awards program.

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

- Robert Patrick - Wadsworth
- Patrick McCullar - DEMEC
- Bryan O'Connell - Bowling Green
- Roy Johnson - Carey
- Ivan Henderson - Cleveland
- Paul Beckhusen - Coldwater
- Jason Grey - Danville
- Bob Thompson - Ephrata
- Jim Logan - Hamilton
- Dave Carroll - Paducah
- Jeremy Drennen - Philippi
- Bob Bowman - Piqua
- Chris Monacelli - Westerville

Communities that were honored with AMP awards include:

Innovation Awards

- Winner: Dover Light and Power for the Natural Gas Compressor Project
- Winner: City of Westerville Electric Division for the Nest Rush Hour Reward Programs
- Honorable Mention: Borough of Ephrata for the Electrical Division GIS: Development, Utilization and Optimization Project
- Honorable Mention: Hudson Public Power for the Aerial Inspections/Photography Project

System Improvement Awards

- Winner: City of Hamilton, Department of Infrastructure for the Ring Bus Installation, Phase 1 and Greenup Plant Modernization Projects
- Winner: Village of Minister Electric Department for the Electrical GIS Mapping Project
- Winner: City of Wapakoneta for the Pratt Substation Project
- Honorable Mention: Cleveland Public Power for the 138 kV High Pressure Oil-Filled Feeder Truncation Project
- Honorable Mention: Dover Light and Power for the AMI Pilot Program for Demand Response
- Honorable Mention: Borough of Ephrata, Electric Division for the Ephrata Borough Solar Photovoltaic Project
- Honorable Mention: Hudson Public Power for the Prospect Substation Rebuild Project
- Honorable Mention: City of Jackson for the Grandview Conversion/Rebuild Project
- Honorable Mention: Montpelier Municipal Utilities for the OH to URD Project
- Honorable Mention: Napoleon Light and Power for the SCADA Console Upgrade Project
- Honorable Mention: Orrville Utilities for the Transmission Line Relocation Project
- Honorable Mention: Village of Versailles for the N. West St./Circuit Number 8 Relocation Project
- Honorable Mention: Westerville Electric Division for the Circuit 41 System Improvement Project
- Honorable Mention: Village of Yellow Springs for the Orton Road Project

Public Power Promotion Awards

- Winner: Cuyahoga Falls Electric System for the "Celebrating 130 Years of Public Power" Events
- Winner: City of Westerville Electric Division for the "The People Behind the Power" Video
- Honorable Mention: Cleveland Public Power for the Solar Sprint Event
- Honorable Mention: Dover Light and Power for the Public Power Week Event
- Honorable Mention: City of Hamilton, Department of Infrastructure for the Empower Hamilton Golf Outing
- Honorable Mention: Hudson Public Power for the Grade School Education Program

- Honorable Mention: Painesville Municipal Electric for the Painesville Behind the Scenes: Painesville Electric Video
- Honorable Mention: The City of Wadsworth for the Light Up Navajo Initiative Promotion Campaign
- Honorable Mention: The Village of Yellow Springs for the Whitehall Farms Catalpa Tree Preservation Project

Electric System Sustainability Awards

- Winner: Cleveland Public Power for the Brooklyn Solar Project
- Winner: City of Westerville Electric Division for the PowerUp Commercial EVSE Rebate Program
- Honorable Mention: Montpelier Municipal Utilities for the Fluorescent to LED Conversion Project
- Honorable Mention: City of Niles, Light Department for the LED Street and Traffic Light Project
- Honorable Mention: City of Shelby, Division of Electricity and Communications for the LED Street Light Conversion Project

Congratulations to all of our 2019 award recipients.

Members receive safety awards and commendations

By Michelle Palmer, P.E. - vice president of technical services

AMP presented awards and commendations to a number of member communities during the 2019 AMP/OMEA Annual Conference Sept. 23-25 in Columbus. Safety awards are given to communities with no time loss due to reportable accidents or injuries.

Safety awards were given to communities in the following categories:

Generation	Transmission and Distribution
<ul style="list-style-type: none"> • Bryan Municipal Utilities • Dover Light and Power • City of Hamilton Hydroelectric Plant 	<ul style="list-style-type: none"> • Bryan Municipal Utilities • Borough of Ephrata Electric Division • Haskins Electric • Borough of Kutztown • Village of Minster • Montpelier Municipal Utilities • Napoleon Power & Light • Oak Harbor Public Power • Orrville Utilities • City of Shelby Division of Electricity and Communications • St. Clairsville Light and Power • City of St. Marys Municipal Electric System • Village of Versailles Utilities • Wellington Municipal Utilities • Village of Yellow Springs

Safety commendations were given to communities in the following categories:

Transmission and Distribution	Generation
<ul style="list-style-type: none"> • Berlin Electric Utility Department • City of Columbus Division of Power • Cuyahoga Falls Electric System • Dover Light and Power • Hudson Public Power • City of Wadsworth • City of Westerville Electric Division 	<ul style="list-style-type: none"> • Orrville Utilities

Mutual Aid commendations were given to the following communities:

<ul style="list-style-type: none"> • Bowling Green Municipal Utilities 	<ul style="list-style-type: none"> • Village of New Bremen
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| <ul style="list-style-type: none"> • Village of Bradner • Bryan Municipal Utilities • Coldwater Board of Public Utilities • Cuyahoga Falls Electric System • Galion Electric Division • City of Hamilton • Hillsdale Board of Public Utilities • Hudson Public Power • Jackson Center Municipal Electric System • Lebanon Municipal Electric • City of Marshall Electric Department • Village of Minster • Village of Monroeville Electric Department • Montpelier Municipal Utilities • Napoleon Light and Power | <ul style="list-style-type: none"> • Oberlin Municipal Light and Power System • Orrville Utilities • Paducah Power System • Painesville Municipal Electric Division • Pioneer Light Department • Piqua Power System • Plymouth Municipal Power • St. Clairsville Light and Power • Shelby Division of Electricity and Communications • City of St. Marys Municipal Electric System • Tipp City Municipal Utilities • City of Wadsworth • Westerville Electric Division • Wapakoneta Electric Department |
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Additionally, communities with individual Hard Hat Safety Award winners were announced. These individuals will be presented with an award at a later date.

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| <ul style="list-style-type: none"> • Village of Bradner • Bryan Municipal Utilities • Cleveland Public Power • Clyde Light and Power • Cuyahoga Falls Electric System • Dover Light and Power • Borough of Ephrata Electric Division • City of Hamilton • Haskins Electric • Hudson Public Power • Village of Lucas | <ul style="list-style-type: none"> • Montpelier Municipal Utilities • City of Niles Light Department • Oak Harbor Public Power • Orrville Utilities • Painesville Municipal Electric Division • Village of Shiloh • St. Clairsville Light and Power • City of Tipp City • Village of Versailles • City of Wadsworth • City of Westerville |
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Congratulations to all award winners and thank you for your dedication and service.

OMEA holds elections, names four honorary members

By Jolene Thompson - executive vice president of member services and external affairs/OMEA executive director

The Ohio Municipal Electric Association (OMEA) recently held elections for the organization's Board of Directors and Board leadership. The elections took place during the American Municipal Power, Inc./OMEA Annual Conference, held Sept. 23-25 in Columbus. The OMEA is guided by a 16-member Board of Directors, elected by their peers to staggered four-year terms. Board seats are held by OMEA member communities.



Re-elected to four-year terms on the OMEA Board of Directors are the Village of Edgerton, Village of Montpelier, City of Napoleon and the City of Orrville.

Additionally, the City of Painesville was elected as ex-officio member of the OMEA Board.

Following the election, the OMEA Board of Directors held its annual reorganization meeting and re-elected Mayor Richard Homrighausen, City of Dover, as president of the Board. Mayor Steve Yagelski, Village of Montpelier, and Mayor Robin Laubaugh, City of Wadsworth, were re-elected to the Board's three-member Executive Committee.

During the Annual Conference, the OMEA general membership selected four new honorary members:

- Sue Kelly - retiring president and CEO of the American Public Power Association
- Pat Parish - retired village administrator of the Village of Lakeview
- Kraig Noble - retiring law director of the City of St. Marys
- Travis Sheaffer - retiring Napoleon City Council member and Chair of the Council Electric Committee.

AMP holds Service Group elections for Board of Trustees

By Marc Gerken, P.E.

During the AMP general membership meeting, elections were held for expiring AMP Board of Trustees seats from 13 AMP Service Groups. The AMP member communities of Bowling Green, Cleveland, Clyde, Coldwater, Danville, DEMEC, Ephrata, Hamilton, Paducah, Philippi, Piqua, Wadsworth and Westerville were elected to three-year terms.

Following the general membership meeting, the AMP Board of Trustees met to elect officers for the coming year. The following individuals were elected to leadership positions:

- Chair - Jeff Brediger, City of Orrville
- Vice Chair - Robert Patrick, City of Wadsworth
- Secretary - Kevin Maynard, City of Bryan
- Treasurer - Patrick McCullar, Delaware Municipal Electric Corporation



AMP projects, JVs hold leadership elections

Leadership elections were held for AMP projects and joint ventures at the 2019 AMP/OMEA Annual Conference on Sept. 23-25 in Columbus. The election results are as follows:

JV6: Brian O'Connell, Bowling Green, chair; Michael Dougherty, Cuyahoga Falls, vice chair; Robert Patrick, Wadsworth, treasurer; Joel Mazur, Napoleon, secretary

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

JV2: Joel Mazur, Napoleon, chair; Michael Dougherty, Cuyahoga Falls, vice chair; Jeff McHugh, Painesville, treasurer; Brian O'Connell, Bowling Green, secretary

JV4: Did not meet at Conference

AFEC: Ivan Henderson, Cleveland, chair; Dave Filippi, Dover, vice chair

MESA: Robert Patrick, Wadsworth, chair; Jeff McHugh, Painesville, vice chair; Dawn Fitzcharles, Bryan, treasurer; Steve Dupee, Wellington, secretary

Hydro Phase I: Jeff Brediger, Orrville, chair; Steve Dupee, Wellington, vice chair

Hydro Phase II - Meldahl: Jim Logan, Hamilton, chair; Brian O'Connell, Bowling Green, vice chair

Hydro Phase II - Greenup: Jason Grey, Danville, chair; Brian O'Connell, Bowling Green, vice chair

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

Solar Phase I: Did not meet at Conference

Solar Phase II: Brian O'Connell, Bowling Green, chair; Kimberly Schlichting, DEMEC, vice chair

Following a supplemental election on Sept. 25, project participant committees are as follows:

AFEC Participants Committee: Bedford, Bryan, CVEC, Cleveland, Coldwater, Cuyahoga Falls, Danville, DEMEC, Dover, Ephrata, Hamilton, Jackson, Martinsville, Montpelier, Napoleon, Oak Harbor, Orrville, Philippi, Piqua, Richlands and Wadsworth

Meldahl Participants Committee: Bowling Green, Bryan, Cleveland, Danville, Dover, Hamilton, Jackson, Orrville, Paducah, Piqua and Wadsworth

Greenup Participants Committee: Bowling Green, Bryan, Cleveland, Danville, Dover, Jackson, Oberlin, Orrville, Paducah, Piqua and Wadsworth

Solar Phase II Participants Committee: Bowling Green, DEMEC, Haskins, Hudson, Orrville, Piqua and Wadsworth

It's time to get ready for Public Power Week

By Holly Karg

Public Power Week is Oct. 6-12, and it is time to start preparing promotion for your utility and any events you plan to hold. To help member communities spread the word on the many benefits of public power, AMP has created content for your use, which can be accessed via the Public Power Connections Page of the [Member Extranet](#) (login required).

Within the Public Power Connections page is a toolkit specifically prepared to help member communities highlight and celebrate Public Power Week. Members are encouraged to download and prepare the Sample News Release available within the Public Power Week toolkit so that they may send it to their local news sources before Public Power Week begins.



Along with the Public Power Week toolkit, the Public Power Connections page houses a number of other toolkits for member use that include graphics, op-eds, infographics and more. These items can be used during public power week and throughout the year to help promote your utility and public power. We also have videos available on our [YouTube page](#).

In addition to AMP's content, the American Public Power Association (APPA) has a great deal of content available to members through their [Community Powered site](#).

Members are encouraged to remain active on social media throughout Public Power Week, and we ask that you tag us on [Facebook](#), [Twitter](#), [LinkedIn](#) and [Instagram](#) so that we might help promote your efforts, and don't forget to use #WeArePublicPower, #PublicPower and #CommunityPowered in all of your posts.

If you have questions about these resources or wish to see other topics included on the Public Power Connections page, please contact me at hkarg@amppartners.org or 614.540.6407.

Senate Committee passes energy storage legislation

By Jolene Thompson

On Sept. 25, the U.S. Senate Energy and Natural Resources Committee passed S. 1602, the Better Energy Storage Technology (BEST) Act, a comprehensive, bipartisan energy storage package that incorporated language from four other energy storage measures considered by the committee.

The BEST Act provides \$280 million to the Department of Energy (DOE) over the next five years for the purpose of research and development. The legislation also creates a DOE technical assistance program to assist electric utilities in procuring energy storage systems and requires the Federal Energy Regulatory Commission to develop a standard process for utilities, including public power, to recover energy storage system costs.

It is unknown whether Senate Majority Leader McConnell will bring the bill to the floor or whether Senate Minority Leader Schumer would support it without a Democratic FERC nominee being paired with a Republican nominee. There are currently similar bills under consideration in the House of Representatives, but they would likely agree to the Senate package if it were adopted.

AMP will continue to monitor the advancement of this legislation and will update members as needed. If you have questions, please feel free to contact me at jthompson@amppartners.org or 614.540.0992.

Energy market update

By Jerry Willman - assistant vice president of energy marketing

The October 2019 natural gas contract decreased \$0.074/MMBtu to close at \$2.428 yesterday. The EIA reported an injection of 102 Bcf for the week ending Sept. 20, which was above market expectations of 92 Bcf. The storage injection doubled the year-ago build for the same week. The deficit to the five-year average declined by 28 Bcf to 47 Bcf (-1.4 percent).

On-peak power prices for 2020 at AD Hub closed yesterday at \$33.58/MWh, which increased \$0.13/MWh for the week.

On Peak (16 hour) prices into AEP/Dayton hub				
Week ending Sept. 27				
MON	TUE	WED	THU	FRI
\$33.15	\$28.63	\$30.19	\$32.47	\$30.13
Week ending Sept. 20				
MON	TUE	WED	THU	FRI
\$38.79	\$31.93	\$30.62	\$29.85	\$29.91
AEP/Dayton 2020 5x16 price as of Sept. 26 — \$33.58				
AEP/Dayton 2020 5x16 price as of Sept. 19 — \$33.45				

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center (AFEC) was available for 2x1 operation for the week. PJM cleared the plant offline overnight Sunday due to economics. Duct firing operated for 104 hours this week. For the week, the plant generated at an 80 percent capacity factor (based on 675 MW rating).

Security tip - Amazon phishing scam in progress

By Jared Price - vice president of information technology and CTO

The bad guys are targeting Amazon customers and tricking them into giving up their account login details, personal information, and even their financial information. They're sending phishing emails that tell you to update your account information within twenty-four hours or your account will be permanently disabled. Don't fall for this warning! Cybercriminals are counting on your impulsive reaction.



Once you click the "Update Now" button in the phishing email, you're taken to a realistic-looking Amazon login page. After you've entered your credentials, another form is displayed for you to "update" your name, phone number, date of birth, and address. Then, you have to provide your credit card and bank account details.

After you've given up all of this sensitive data, the phishing site tells you your account has been recovered and that you'll be logged out automatically. You're then redirected to the real Amazon website without having any idea of what actually happened.

Always remember: If you receive a suspicious email from an online service that you use, log in to your account through your browser (not through links in the email) to check the validity of the information presented. Also, be careful with emails that are seemingly urgent. The bad guys often use a 'sense of urgency' to pressure you into clicking as an impulsive response.

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2019

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Learn from your office! Individual webinars are \$109 (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.

- The Rural Utilities Service: A Strategic and Financial Partner for Municipal Electric Systems: **September 26**
- Deploying Mobile Workforce Technologies for Optimized Field Operations: **October 16**

Check the schedule and register at www.PublicPower.org under the Education & Events tab. Webinars are recorded, in case you can't attend the live version.



Classifieds

Members interested in posting classifieds in Update may send a job description with start and end advertisement dates to zhoffman@amppartners.org. There is no charge for this service.

Borough of Wampum seeks applicants for public works employee

The Borough of Wampum is seeking applicants for the full time position of public works employee. Applications must be received by Oct. 10. The job requires knowledge in water and wastewater, as well as the electric line field. The applicant should have experience with machinery used in the day-to-day operation of the borough, i.e. backhoe, dump truck, bucket truck, etc., along with knowledge of road maintenance. A high school diploma or equivalent, valid driver's license and background check are required. The job will pay an hourly salary plus benefits. The work week will be 40 hours plus possible overtime.

The employment application can be found [here](#) and should be submitted to the borough along with a resume. If applying in person, the borough office is located at 355 Main St. Ext., Wampum and the office hours are Monday-Friday 8:00 a.m-3:00 p.m. The mailing address is P.O. Box 65, Wampum, PA 16157. Wampum Borough is an equal opportunity employer.

City of Marshall seeks applicants for director of public services

The City of Marshall is seeking applicants for the position of director of public services (\$70,000-\$80,000). Position incumbent is responsible for the overall administration, coordination and management of water, wastewater, street, cemetery and park operations including infrastructure maintenance and development. Ensures that the public receives safe and desirable use of the city infrastructure and basic services. Supervises all department personnel.

The successful candidate will have eight to 10 years of experience in public works management and a four-year college degree; high degree of computer literacy; strong communication, analytical and supervisory skills. A full job description is available at www.cityofmarshall.com.

Submit letter of interest and resume to HumanResources@cityofmarshall.com. Application deadline Oct. 6. EOE M/F/H/V

Central Virginia Electric Cooperative (CVEC) seeks applicants for two positions

Power supply specialist

The [Central Virginia Electric Cooperative](#) (CVEC) is seeking an experienced power supply specialist (\$75,000-\$92,000) to provide oversight and leadership to optimize the CVEC power supply portfolio in alignment with CVEC power supply strategic plan. Assure adequate, reliable, competitively priced electricity is available to all members. Manage ancillary power costs to minimize impact on retail rates. Assist COO with overall data analysis and cost analysis of projects and processes.

This position is responsible for: accuracy of monthly power invoices from suppliers, generation resources and the PJM Regional Transmission Operator (RTO). Analyzing data from PJM RTO reporting system and generating monthly power supply purchase reports. Participating in power supply related meetings with agencies supporting the development of CVEC's power supply portfolio. (AMP, Blue Ridge Power Agency, PJM, SEPA). Representing CVEC as voting delegate in generation resource participant meetings and other agency meetings. Monitoring and reporting PJM Regional Transmission Operator regulation changes and filings with the Federal Energy Regulatory Commission (FERC). Working with power supply consultants on power purchase arrangements and planning the power supply portfolio. Working with legal counsel to coordinate the execution, amendment and tracking of power purchase contracts. Scheduling energy purchase live pricing with consultants. Working with engineering and operations regarding the development of behind the meter generation and load control capabilities. Leading the operation of demand management and transmission/capacity cost control programs. Monitoring, recording and reporting the results. Monitoring system loads during transmission and capacity peak hours and working with agencies providing peak hour notification. Utilizing PJM market data to develop monthly billing for

large power market rate customers. Monitoring and evaluating the various PJM markets, reporting requirements, and settlement practices. Serving as PJM Certified Account Manager (CAM) to manage employee and supplier access to CVEC's PJM account information. Managing CVEC's Generation Asset Tracking System (GATS) account to monitor, retire, and sell Renewable Energy Credits (REC's) generated by solar resource contracts. Reviewing energy scheduling reports and manage contract of power supply scheduling services. Working with consultant to determine bids in the Financial Transmission Right (FTR) auctions. Supporting other departments in performing data analysis of customer load data, electric system reliability data, metering data, construction and maintenance cost data.

Interested applicants can click [here](#) for more information and to submit application and resume.

Electrical engineer

CVEC is seeking an experienced electrical engineer (\$74,000-\$118,000) to research, develop, support, operate, and test power delivery and monitoring equipment and systems; and support the development of system planning documents.

Key job responsibilities include: Provide technical support for the installation and operation of SCADA, AMI and other utility monitoring and control systems. Assist in the development and evaluation of technical specifications and bid documents necessary for the procurement of equipment and services to support system operations. Provide engineering and technical support in the troubleshooting, calibrating, programming, and testing of recloser controls, regulator controls, and protective relays. Investigate residential, commercial, and industrial power quality issues. Assist operations personnel with the installation of power quality monitoring equipment. Review power quality data as needed and recommend corrective actions to resolve problems. Provide engineering and technical field support for SCADA system operation, software applications, and sectionalizing projects. Develop and maintain SCADA diagrams, displays, databases, command sequences, and alarm and messaging services. Work with System Operators to continuously improve the SCADA user interface for safer and more efficient operation. Perform the data gathering and analysis necessary in the development of planning documents such as construction work plans, long range plans, load forecasts, sectionalizing studies, and various other engineering studies necessary for long- and short-range system planning and construction. Assist with the data gathering, evaluation, and development of solar, battery storage, and other specialized projects. Assist with the development and implementation of voltage reduction/optimization studies, and system feeder optimization studies. Develop sectionalizing schemes to minimize protection zones and optimize device coordination for improved reliability. Review net-metering interconnection requests, perform field inspections of new systems, and maintain records of net metering accounts. Respond to member requests for information and assistance on distributed generation. Interface with equipment vendors as needed for material procurement, technical assistance, and support. On call for outage restoration and supervision. Assist outage response personnel to determine courses of action and make decisions regarding priorities. Assist with developing training programs and materials.

Interested applicants can click [here](#) for more information and to submit application and resume.

Village of Woodsfield seeks applicants for two positions

The Village of Woodsfield is seeking applicants for the following positions. Resumes may be returned to Village of Woodsfield, 221 S. Main St. Woodsfield OH 43793, deadline Sept. 30, 2019, or until positions are satisfactorily filled.

Electrical distribution superintendent

The Village of Woodsfield is seeking applicants for the position of electrical distribution superintendent. This position:

- Plans, schedules, assigns, directs and assists with work of supervisory and operational personnel engaged in electric maintenance of power lines, substations, lighting systems, traffic signals, etc.; ensures compliance, inspects work, evaluates performance of subordinates.
- Prepares short and long range operating and capital budgets along with justifications; controls expenditures according to actual cost estimates.
- Meets with electrical manufacturers to discuss purchase of products, maintains electrical inventory and supervises ordering of supplies and materials.
- Conducts staff meetings and programs, participates in resolving departmental problems pertaining to area of responsibility.
- Directs the preparation of reports and maintenance of records of work performed.

- Maintains required licenses and certifications, attends professional education and training sessions, and performs other duties as assigned.

Minimum Qualifications include a high school diploma or equivalent, supplemented with electrical related courses and five or more years' relevant work experience, or an equivalent combination of education and years of experience which provides the skills and abilities necessary to perform the job. Journeyman lineman certification and supervisory experience preferred. The position requires a valid state of Ohio driver's license. Salary commensurate with experience.

Journeyman or apprentice electric lineworker

The Village of Woodsfield is seeking applicants for the position of journeyman electric lineman position. Minimum qualifications include: graduation from high school, successful completion of an approved apprenticeship program of at least four years in duration, journeyman accreditation and Ohio driver's license. The Village is also accepting applications for apprentice electric lineworker. Salary commensurate with experience.

City of Marshall seeks applicant for assistant director of electric utilities

The City of Marshall is a quaint Norman Rockwell style community with a population of 7,068 in lower, central Michigan. Located less than one hour from the campuses of the University of Michigan and Michigan State University, two hours from Detroit and beautiful Lake Michigan, and three hours from Chicago. The City has installed a fiber to the premise system to every property in the city with symmetrical speeds up to 10 mbps.

The community is seeing unusual growth with over \$1 billion of industrial growth. Click [here](#) to view the Choose Marshall video. Located at the intersection of I-94 and I-69, the crossroads of international highways, the city is preparing for large industrial and residential growth with a 1,000-acre mega industrial site. The downtown district is 97 percent commercially occupied. The city has the largest National Historic Landmark District in Michigan with many neighborhoods of historic homes.

In the next three years, it is anticipated a peak-demand growth from 23 MW to 123 MW. The city will be constructing infrastructure to meet this demand. A privately developed dual unit 500 MW gas fired power plant is proposed in the city. A complete job description can be found at www.cityofmarshall.com

Qualifications for the Assistant Director of Electric Utilities position include a degree in electrical engineering or a closely-related field, and a minimum of three to five years of experience working for an electric utility with supervisory or executive leadership responsibilities. A State of Michigan licensed professional engineer desired. Annual salary of \$80,000 with excellent benefits.

To apply for this position, submit a cover letter, resume and professional references to HumanResources@cityofmarshall.com.

The City of Marshall is an Equal Opportunity Employer. Position open until filled.

Opportunities available at AMP

AMP is seeking applicants for the following positions:

IT business manager

American Municipal Power, Inc.

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