



City of Napoleon, Ohio

P.O. Box 151 ~ 255 West Riverview Avenue
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393

Memorandum

To: Mayor and Members of City Council
From: *Roxanne Dietrich, Executive Assistant to
Appointing Authority/Clerk of Council*
cc: Joel L. Mazur-City Manager,
Billy D. Harmon-City Law Director,
Kelly O'Boyle-City Finance Director
Date: May 18, 2020
Subject: General Information

CALENDAR

CITY COUNCIL MEETING AGENDA

APPROVAL OF MINUTES

May 04, 2020 Regular Council Meeting Minutes

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Resolution No. 022-20**, a Resolution Adopting the 2021 Tax Budget for the City of Napoleon, Ohio, as required in Sections 5705.28 and 5705.281 of the Ohio Revised Code and Directing the Finance Director to file the same with the County Auditor; and Declaring an Emergency
 - Please see the attached Memo from Kelly

SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 021-20**, a Resolution Authorizing the City of Napoleon to Remain in the Maumee Valley East CHIP Consortium in Order to Submit an Application for the Fiscal Year 2020 Community Housing Improvement Program (CHIP) Funds to the Ohio Development Services Agency; and Declaring an Emergency

THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 018-20**, an Ordinance Amending Section 143.01 of the City of Napoleon's Codified Ordinances, "Composition and Control of the City Fire/Rescue Department," Increasing the Composition of the Fire Department, and Repealing Ordinance No. 034-19
2. **Ordinance No. 019-20**, an Ordinance to Adopt the Solid Waste Management Plan for the Henry County Solid Waste Management District

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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for May, 2020 as 3-month Averaged Factor \$0.02137; JV2 - \$0.017993

2. **Discussion/Action:** on Recommended Revisions to Water and Sewer Service Rules 10.1(E) and 11(E). *(Direct Law Director to Draft Legislation)*
 - This is the recommendation from the Water and Sewer Committee at their May 11, 2020 meeting
3. **Discussion/Action:** Review of PC 20-07 Replat of Lot A in Hogrefe Plat 11
4. **Discussion/Action:** Review of PC 20-08 Street Dedication, South Side of 700 Block of Clairmont Avenue
5. **Discussion/Action:** Establish the Downtown Revitalization District *(direct the Law Director to Draft Legislation)*
6. **Discussion/Action:** Fourth of July Celebration Plans
 - This item is on the agenda for the Special Joint Meeting of the Parks and Rec Committee and Parks and Rec Board that will be held prior to the Council Meeting at 6:00 pm
7. **Discussion/Action:** Recommendation of Award of a Mini-Excavator for the Electric Department (Tabled)
 - Enclosed is a Memorandum from Dennie Clapp.
8. **Discussion/Action:** Investment Update from Meeder Investment
 - Attached is a copy of the presentation provided by Eileen Stanic of Meeder Investment
9. **Discussion/Action:** Approval of Plans and Specifications for the City of Napoleon 2020 Concrete Crushing Project
 - Enclosed is a Memorandum from Chad Lulfs on this project.
10. **Discussion/Action:** Approval to Enter into a Contract for Banking Services
 - Kelly has provided information on their recommendation for award
11. **Discussion/Action:** Review of Change Order No. 1 to the WWTP Phase I Improvements Project, an Increase of \$670,983.00
 - Chad's Memorandum explaining the need for this Change Order is included in the packet
12. **Discussion/Action:** Regarding the FEMA Public Assistance Grant Program *(Direct Law Director to Draft Legislation)*
13. **Discussion/Action:** Request to Apply for Wal-Mart Grant (Fire Department)
14. **Discussion/Action:** Acceptance of Wal-Mart Grant in the Amount of \$5,000 for Two Mobile Repeaters for Police Department Radios
15. **Discussion/Action:** to Accept Donations Related to COVID-19

INFORMATIONAL ITEMS

1. Committee Meeting
 - a. Monday, May 18, 2020 at 6:00 pm - Joint Meeting of the Parks and Rec Committee with the Park and Rec Board
2. Committee Meeting Canceled
 - i. Tree Commission
3. OML Legislative Bulletin/May 13, 2020

May 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			29 6:30 pm Park & Rec Board	30	1	2
3	4 7:00 pm CITY COUNCIL	5	6	7	8	9
10	11 6:15 pm Electric Committee/BOPA 7:00 pm - Water & Sewer Committee 7:30 pm - Muni Prop/ED Committee	12 8:00 am Privacy Comm. 5:00 pm Planning Commission	13	14	15	16
17	18 6:00 pm-Special Joint Meeting Parks & Rec Committee and Park and Rec Board 7:00 pm – CITY COUNCIL	19	20	21	22	23
24	25 Closed MEMORIAL DAY	26 4:30 pm Civil Service 6:30 pm Finance & Budget 7:30 pm Safety & Human Resources Comm. Mtg.	27 6:30 pm Park & Rec Board	28	29	30
31						

June 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 6:15 pm – Technology & Communications Committee 6:30 pm – Housing Council 7:00 pm – CITY COUNCIL	2	3 11:00 am – Bid Opening - Pool	4	5	6
7	8 6:15 pm – Electric Committee 6:15 pm – BOPA 7:00 pm – Water/Sewer Comm. 7:30 pm – Municipal Properties Bldg/Land Use/ED Committee	9 4:30 pm Board of Zoning 5:00 pm Planning Commission	10	11	12	13
14	15 6:00 pm – Parks & Rec Comm. 6:00 pm – Tree Commission 7:00 pm – CITY COUNCIL	16	17	18	19	20
21	22 6:30 pm – Finance & Budget Committee 7:30 pm – Safety and Human Resources Committee	23 4:30 pm – Civil Service	24 6:30 pm – Parks and Rec Board	25	26	27
28	29 Fifth Monday No Scheduled Meetings	30				

City of Napoleon, Ohio

CITY COUNCIL

Monday, May 18, 2020 at 7:00 pm

MEETING AGENDA

LOCATION

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

The WebEx link to the meeting will be posted on the main page of the City's website www.napoleonohio.com

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)
May 04, 2020 Council Meeting Minutes.

D. Citizen Communication

E. Reports from Council Committees

1. Electric Committee met on May 11, 2020; and
 - a. approved the May 2020 Power Supply Cost Adjustment Factor; and
 - b. was updated on the status of the substations
2. Water, Sewer, Refuse, Recycling and Litter Committee met on May 11, 2020; and
 - a. heard on update on the WWTP Phase I Improvements Project; and
 - b. recommend Council approve recommended revisions to Water and Sewer Service Rules 10.1(E) and 11(E)
3. Municipal Properties, Building, Land Use and Economic Development Committee met on May 11, 2020; and
 - a. was informed of the plan for replacement of the current downtown flower pots
4. Parks and Recreation Committee met earlier tonight with the agenda items
 - a. Discussion on Fourth of July Celebration Plans
 - b. Parks and Recreation Operations and Policies Update Related to COVID-19

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

1. Board of Zoning Appeals did not meet on May 12, 2020 due to lack of agenda items
2. Planning Commission met on May 12, 2020; and
 - a. Approved PC 20-07 Replat of Lot A in Hogrefe Plat 11
 - b. Approved PC 20-08 Street Dedication-Southside of the 700 Block of Clairmont Avenue
3. Tree Commission meeting was canceled.

G. Introduction of New Ordinances and Resolutions

1. **Resolution No. 022-20**, a Resolution Adopting the 2021 Tax Budget for the City of Napoleon, Ohio, as required in Sections 5705.28 and 5705.281 of the Ohio Revised Code and Directing the Finance Director to file the same with the County Auditor; and Declaring an Emergency

H. Second Readings of Ordinances and Resolutions

1. **Resolution No. 021-20**, a Resolution Authorizing the City of Napoleon to Remain in the Maumee Valley East CHIP Consortium in Order to Submit an Application for the Fiscal Year 2020 Community Housing Improvement Program (CHIP) Funds to the Ohio Development Services Agency; and Declaring an Emergency

I. Third Readings of Ordinances and Resolutions

1. **Ordinance No. 018-20**, an Ordinance Amending Section 143.01 of the City of Napoleon's Codified Ordinances, "Composition and Control of the City Fire/Rescue Department," Increasing the Composition of the Fire Department, and Repealing Ordinance No. 034-19

2. **Ordinance No. 019-20**, an Ordinance to Adopt the Solid Waste Management Plan for the Henry County Solid Waste Management District

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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for May, 2020 as 3-month Averaged Factor \$0.02137; JV2 - \$0.017993
2. **Discussion/Action:** on Recommended Revisions to Water and Sewer Service Rules 10.1(E) and 11(E). *(Direct Law Director to Draft Legislation)*
3. **Discussion/Action:** Review of PC 20-07 Replat of Lot A in Hogrefe Plat 11
4. **Discussion/Action:** Review of PC 20-08 Street Dedication, South Side of 700 Block of Clairmont Avenue
5. **Discussion/Action:** Establish the Downtown Revitalization District *(direct the Law Director to Draft Legislation)*
6. **Discussion/Action:** Fourth of July Celebration Plans
7. **Discussion/Action:** Recommendation of Award of a Mini-Excavator for the Electric Department (Tabled)
8. **Discussion/Action:** Investment Update from Meeder Investment
9. **Discussion/Action:** Approval of Plans and Specifications for the City of Napoleon 2020 Concrete Crushing Project
10. **Discussion/Action:** Approval to Enter into a Contract for Banking Services
11. **Discussion/Action:** Review of Change Order No. 1 to the WWTP Phase I Improvements Project, an Increase of \$670,983.00
12. **Discussion/Action:** Regarding the FEMA Public Assistance Grant Program *(Direct Law Director to Draft Legislation)*
13. **Discussion/Action:** Request to Apply for Wal-Mart Grant (Fire Department)
14. **Discussion/Action:** Acceptance of WalMart Grant in the Amount of \$5,000 for Two Mobile Repeaters for Police Department Radios
15. **Discussion/Action:** to Accept Donations Related to COVID-19

K. Executive Session (as may be needed)

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

M. Adjournment



Roxanne Dietrich

Executive Assistant to Appointing Authority/CLERK OF COUNCIL

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

1. **Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Monday, June 1, 2020 @6:15 pm)
2. **Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 8, 2020 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for June 2020
 - b. Update on Substations
 - c. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 8, 2020 @7:00 pm)
 1. Update on Wastewater Treatment Plant Phase 1 Project
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, June 8, 2020 @7:30 pm)
 - i. American Road Tax Increment Financing District and State Infrastructure Bank Loans
5. **Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, May 18, 2020 @6:00 pm)
6. **Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Tuesday, May 26, 2020 @6:30 pm)
2. **Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Tuesday, May 26, 2020 @7:30 pm)
3. **Personnel Committee (as needed)**

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

1. **Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, June 8, 2020 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for June 2020
 - b. Update on Substations
 - c. Electric Department Report
 - d. Update on Wastewater Treatment Plant Phase 1 Project
2. **Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, June 9, 2020 @4:30 pm)
3. **Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, June 9, 2020 @5:00 pm)
4. **Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, June 15, 2020 at 6:00 pm)
5. **Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, May 26, 2020 @4:30 pm)
6. **Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, May 27, 2020 @6:30 pm)
7. **Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 10, 2020 @10:30 am)
8. **Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 09, 2020 @4:00 pm)
9. **Housing Council - Meets First Monday in April (meeting to be scheduled after the TIRC meeting)**
(Next Meeting: Monday, June 1, 2020 at 6:30 pm)
10. **Health Care Cost Committee (as needed)**
11. **Preservation Commission (as needed)**
12. **Napoleon Infrastructure/Economic Development Fund Review Committee [NIEDF] (as needed)**
13. **Tax Incentive Review Council (as needed)**
14. **Volunteer Firefighters' Dependents Fund Board (as needed)**
15. **Volunteer Peace Officers' Dependents Fund Board (as needed)**
16. **Lodge Tax Advisory & Control Board (as needed)**
17. **Board of Building Appeals (as needed)**
18. **ADA Compliance Board (as needed)**

City of Napoleon, Ohio
CITY COUNCIL MEETING MINUTES
Monday, May 04, 2020 at 7:00 pm

PRESENT

Councilmembers on WebEx:	Joseph D. Bialorucki-Council President, Ken Haase Daniel L. Baer-Council President Pro-Tem, Lori Sicclair, Jeff Comadoll, Ross Durham, Molly Knepley
Mayor	Jason P. Maassel
City Manager	Joel L. Mazur
City Law Director	Billy D. Harmon via WebEx
City Finance Director	Kelly O'Boyle via WebEx
City Staff	Police Lt. Greg Smith
City Staff on WebEx	David Mack- Chief of Police; Clayton O'Brien-Fire Chief, Tony Cotter-Parks and Recreation Director, Chad E. Lulfs, P.E., P.S.-Public Works Director
Admin. to Appointing Authority/Clerk of Council	Roxanne Dietrich
Others	News Media

ABSENT

CALL TO ORDER

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

PRESENTATION OF PROCLAMATION

Mayor Maassel proclaimed it is drinking water week across this great country of ours and read a Proclamation wherein he recognized the Week of May 3 – 9, 2020 as Drinking Water Week in Napoleon, Ohio. We appreciate all the work that Jeff Weiss and his crew do at the water plant each and every day. They do a great job turning that muddy Maumee water into the stuff we drink and make coffee with and take a bath with. What they do is crucial. Well done fellas.

APPROVAL OF MINUTES

Hearing no objections or corrections, the minutes from the April 20, 2020 City Council meeting were approved as presented.

CITIZEN COMMUNICATION

None.

REPORTS FROM COUNCIL COMMITTEES

Due to lack of agenda items, the **Finance and Budget Committee** and the **Safety and Human Resources Committee** did not meet on April 27, 2020. The **Technology and Communications Committee** did not meet tonight due to lack of agenda items.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Resolution No. 020-20 – OBWC 2020 Safety Intervention Grant

Council President Bialorucki read by title, Resolution No. 020-20, a Resolution Authorizing the City Manager to Execute any and all Documents Necessary to Accept a Fiscal Year 2020 Safety Intervention Grant from the Ohio Bureau of Workers Compensation, further Authorizing the Expenditure of Funds for the Purpose of Purchasing and Installing a Power Cot System and Power Load System for an Ambulance, and Purchasing said Equipment and Installation from Stryker EMS Equipment; and Declaring an Emergency

Motion: Haase
to approve First Read of Resolution No. 020-20

Second: Comadoll

Mazur stated we would request suspension due to the fact that the grant funding guidelines has a 30-day turnaround where they would like us to spend the money. Suspension of the legislation will allow us to move forward with making the purchase.

Motion: Comadoll
to suspend the rules requiring three readings of Resolution No. 020-20

Second: Haase

Roll call vote for suspension of the Rules on Resolution No. 020-20:
Yea-Baer, Bialorucki, Sicclair, Comadoll, Knepley, Durham, Haase
Nay-
Yea-7, Nay-0. Motion PASSED

Roll call vote to pass Resolution No. 020-20 Under Suspension and Emergency:
Yea-Baer, Bialorucki, Sicclair, Comadoll, Knepley, Durham, Haase
Nay-
Yea-7, Nay-0. Motion PASSED

Resolution No. 021-20 – MVPO CHIP Consortium

Council President Bialorucki read by title, Resolution No. 021-20, a Resolution Authorizing the City of Napoleon to Remain in the Maumee Valley East CHIP Consortium in Order to Submit an Application for the Fiscal Year 2020 Community Housing Improvement Program (CHIP) Funds to the Ohio Development Services Agency; and Declaring an Emergency

Motion: Comadoll
to approve First Read of Resolution No. 021-20

Second: Sicclair

Mazur reported this is a program that the City of Napoleon has utilized for many years. The program is to assist low and moderate income homeowners in owner occupied homes by providing financial assistance to them for renovations and improvements to their home. The contract is renewed after three years.

Roll call vote to approve First Read of Resolution No. 021-20
Yea-Baer, Bialorucki, Sicclair, Comadoll, Knepley, Durham, Haase
Nay-
Yea-7, Nay-0. Motion PASSED

SECOND READING OF ORDINANCES AND RESOLUTIONS

Ordinance No. 018-20 – Composition of the Fire Department

Council President Bialorucki read by title, Ordinance No. 018-20, an Ordinance Amending Section 143.01 of the City of Napoleon's Codified Ordinances, "Composition and Control of the City Fire/Rescue Department," Increasing the Composition of the Fire Department, and Repealing Ordinance No. 034-19

Motion: Comadoll
to approve Second Read of Ordinance No. 018-20

Second: Siclair

Mazur stated during contract negotiations this is an item that came up. It is a cleanup item as we have a Captain on the "A" shift and a Captain on the "C" shift but, we do not have a full-time captain on the "B" shift. As of now, whoever is on the "B" shift we are paying alternate pay for that person to be the Acting Captain. To stay at the current levels, we are subtracting one of the Firefighter/Paramedic positions and we are adding the Captain position. Siclair asked, just to be clear because there was some confusion from someone that I spoke with, this has nothing to do with the proposed reciprocity tax that we were talking about earlier. Mazur replied no. This strictly has to do with what we talked about during contract negotiations, to balance the number of people on each shift at the Fire Department. We have a captain on the "A" and "C" shifts but not on the "B" shift. We are still paying somebody to be Acting Captain so, in a way it's a title change. Chief O'Brien said this doesn't have anything to do with the reciprocity, it's just a cleanup for the full-time supervisory grade. Mazur added that's why we reduced the one position down from six to five. If the reciprocity item does come up again and something was to happen with that where we were able to hire another firefighter, to make sure there are three full timers on each shift, we would bring this back to increase the Firefighter/Paramedic number back up to six. Comadoll asked how are your staffing levels? Mazur responded the same as they were before except right now we are utilizing part-timers more around-the-clock to keep separation of employees. That way when they respond to EMS calls, they are not around each other as much. Bialorucki asked with making this change, does that affect the number of Firefighters/Paramedics or will the Captain be able to perform the same duties as a Firefighter? Mazur said this is a working captain, like a crew leader/supervisor and he will be performing all the duties that anybody on the line would do.

Roll call vote to approve Second Read of Ordinance No. 018-20
Yea-Baer, Bialorucki, Siclair, Comadoll, Knepley, Durham, Haase
Nay-

Yea-7, Nay-0. Motion PASSED

Ordinance No. 019-20 – Solid Waste Management Plan Update

Council President Bialorucki read by title, Ordinance No. 019-20, an Ordinance to Adopt the Solid Waste Management Plan for the Henry County Solid Waste Management District

Motion: Siclair
to approve Ordinance No. 019-20 on Second Read

Second: Haase

Mazur reported the updated plan is on the county's website. The County has to renew the plan every five years per the OhioEPA.

Roll call vote to approve Second Read of Ordinance No. 019-20
Yea-Baer, Bialorucki, Sicclair, Comadoll, Knepley, Durham, Haase
Nay-
Yea-7, Nay-0. Motion PASSED

THIRD READING OF ORDINANCES AND RESOLUTIONS

Resolution No. 014-20 – NPPGov Cooperative Purchasing Program Napoleon Aquatic Center

Council President Bialorucki read by title Resolution No. 014-20, a Resolution Authorizing City of Napoleon Participation in the NPPGov Cooperative Purchasing Program and Further Authorizing the Expenditure of Funds in Excess of \$25,000.00; and Declaring an Emergency

Motion: Sicclair
to pass Resolution No. 014-20 on Third Read

Second: Durham

Cotter stated this will allow us to purchase directly from Vortex International the large slides and the main play feature. It's a cooperative purchasing agreement and we are able to have a 5% discount if we buy direct using this program.

Roll call vote to pass Resolution No. 014-20 on Third Read:
Yea-Baer, Bialorucki, Sicclair, Comadoll, Knepley, Durham, Haase
Nay-
Yea-7, Nay-0. Motion PASSED

GOOD OF THE CITY

Recommendation of Award of the Mini-Excavator for the Electric Department (Tabled)

Mazur recommended that we keep this tabled and make a decision at the next council meeting and/or see if we have reached out to the successful bidder and see if they would be willing to extend their bid price. We are still within the window and can reevaluate in two weeks.

Approval of Plans and Specifications for the City of Napoleon Aquatic Center and Golf Club House

Mazur reported these are the plans and specs for the Napoleon Aquatic Center and the Golf Course Clubhouse. Lulfs and Cotter put a lot of work into the details. The Engineer's Estimate is \$2,850,000. We are optimistic due to the timing of this project going out. There are a lot of projects that have been slowed down and a lot of projects that are not moving forward. We are hoping that plays to our advantage. There are a lot of alternates in the bid and we are hoping that we will be able to feather in as many of the alternates as we can into the total project. Cotter noted if you spent a lot of time looking through everything, you could tell there is considerable detail, a lot of documents, a lot of plans and a lot of contract language. It was really a team effort starting from the Pool Commission putting in a lot of thought and ideas to help us in working with Peterman and Associates to assemble all these different specifications and how it would all fit together. We are pleased that we are finally at the point where we can ask for Council's approval. Bialorucki asked what does the timeline look like for when people drive by and can see some resemblance of a pool? Cotter replied if this gets approved tonight and we get a successful bid in a month, we can start breaking ground sometime in July. I would say by the end of the summer to the early part of fall you will start to see a lot of activity. You will start to see buildings go up, you may not see a lot with regard to the swimming pool because most of that will be

underground. Some of the features will probably come in later towards the end of the summer into fall. It will be a gradual process, slowly over time it will start to look like something.

Motion: Comadoll

Second: Knepley

to approve the plans and specifications and go out to bid on the City of Napoleon Aquatic Center and Golf Club House

Roll call vote to on the above motion:

Yea-Baer, Bialorucki, Siclair, Comadoll, Knepley, Durham, Haase

Nay-

Yea-7, Nay-0. Motion PASSED

Approval of a Renewal Contract with Advanced Rehabilitation Technologies Ltd for the 2020 Sewer Cleaning Program Phase 2 – Year 3

Mazur reported this is a Long-Term Control Plan Project. This is something that we have to follow through with on the findings and orders from the OhioEPA. Haase asked if the project has been worthwhile? Mazur replied it has actually. In talking with the wastewater plant operators, they are seeing more flow coming in a lot faster, so they are seeing the difference. Lulfs added every year we do this project we find a couple of problems in the system and allows us to fix those problems. Since we started maintaining the system with video and regular cleaning, we have had fewer overflow events. We have had some CSO events that were caused by debris in the lines. This is one of the ten state standards to have your lines on a regular cleaning schedule. Since we have implemented this program, it has helped quite a bit and has been a good program.

Motion: Haase

Second: Durham

to Approve the Renewal Contract with Advanced Rehabilitation Technologies for the 2020 Sewer Cleaning Program Phase 2 – Year 3

Roll call vote to on the above motion:

Yea-Baer, Bialorucki, Siclair, Comadoll, Knepley, Durham, Haase

Nay-

Yea-7, Nay-0. Motion PASSED

Special Council Meeting/Public Forum

Mazur stated about a month ago we postponed the public hearing that was scheduled due to everything that is going on. Council decided to put this back on the agenda for May 4, 2020 to discuss where we wanted to go. If you don't have an answer yet, then I would suggest if you want to, to put this back on the agenda for discussion on June 1, 2020 to evaluate if things are going to start opening back up or if there is still a limit on how many people can be in a particular room. Right now it doesn't look like anything is going to happen on the assembly piece until the end of May. Bialorucki agreed with that and commented, I think it's important to keep this on and keep it as a plan. This is an important item and we want to hear the citizens' thoughts. June first we will see where we are and try to come up with a plan. We will put this on the agenda for June 1, 2020.

O'Boyle recommended appointing Shannon Fielder to replace Chris Peddicord on the Privacy Committee due to Peddicord retiring. Bialorucki asked what the Privacy Committee does and what are their duties? O'Boyle answered it has to do with protection of accounts. I believe they meet once a year to make sure everything is in line with what we have in place and to make sure that everyone's information is protected.

Yea-7, Nay-0. Motion PASSED

Yea-7, Nay-0. Motion PASSED

Mazur reported since we are out of a certain type of liquor permit in the City of Napoleon, the owners of the former Brick 'N Brew have submitted an application to add to our number of liquor permits in the Revitalization District. We have not had this before, at least an addition of a new liquor permit in the Revitalization District. What we will do at this point is take the application, the Mayor has his endorsement on here in the memo, then we have two consecutive weeks to put a Public Notice in the local paper and then Council will need to pass a resolution to officially establish the Revitalization District. Then, we would need approval from the State Liquor Control. This information is being passed on for review. The Mayor has been in contact with Brian Topp as well as I have been. We are trying to work through the process. I believe there is a 75-day window that we have to work in to have two consecutive weeks of publishing this in the newspaper and then for Council to consider and passing an Ordinance. If you want to go three reads, it can go three reads. Harmon commented at this point it might be best to get the advertising in and put this on as a discussion/action item for the next Council meeting where Council can direct the Law Director to draft the legislation. That way the advertising is done. Mazur confirmed, unless there are any issues, we will advertise for two consecutive weeks, put this on the May 18, 2020 agenda to draft legislation and then do three reads and send everything down to the State Liquor Control. Comadoll stated, there's a gentleman by the name of Solomon Aguilar that lives at 900 Strong Street. He has been trying to get a liquor permit for the last four years and the state has told him no because there's nothing available. I'm thinking this will make Mr. Aguilar a little upset if we go ahead with this without telling him before we go ahead. Mazur said my understanding is that he purchased the liquor permit from Al Blackwood, the former owner of Brick 'N Brew, for his building at

Accept Donations Related to COVID 19

Motion: Comadoll
to accept the donations received related to COVID 19

AROUND THE TABLE

Knepley – No Items.

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Baer – No items

Durham – No items

Comadoll - I want to tell everybody through this election that we just had, I switched to the Republican Party.

Maassel - We received an invitation for Memorial Day. The letter is dated April 24, 2020, the envelope is dated May 2, 2020. I'm not sure we can do large outside gatherings yet can we? Mazur asked Chief Mack if he received any determinations on that yet? Chief Mack replied, right now we can't have more than ten for outdoor gatherings. Maassel-the Governor's order for that is supposed to potentially have a shelf life of May 29, 2020 which is the Friday after. So, my response is going to be if we can I'll be there, if we can't then I won't be. What I'm hearing is we can't so I probably won't. We will know more by the next meeting for sure one way or the other. I'll talk to the VFW. I will echo what Siclair said about the RP3 for the Electric Department. Since we are talking about large gatherings is there a day we need to decide the Fourth of July stuff? With the social distancing I suppose we could do fireworks I'm not sure how. A lot more backyard watching I guess. I know that seems like far off but, it's about sixty days away. Is there a day when money is due to the Fourth of July fireworks people? Cotter said I actually had some discussions with our fireworks vendor. They are running into some issues when they are dealing with other communities and other cities. Obviously, they would like to be able to be under contract with us by now, but do understand that we are not sure what we are able to do. There was some talk about maybe adding language to the contract where if we were to sign but when we get closer to the date we are still under orders of social distancing and just not able to gather and it doesn't make sense to have the display, rather than paying a penalty for cancellation, they would potentially credit us for the following year. We discussed this a little at the Parks and Rec Board meeting, but staff hasn't really talked about it and decided what we want to do. A thought that could be at least considered is, if we still wanted to move forward with the display and not open Glenwood Park that could alleviate a lot of the mass gathering that we typically have for the display. That's something we can talk about. We will have to make a decision within the next couple of weeks because the company does have to get the show ready and build it. That decision will need to be made relatively soon. Mazur added I think just the terms and conditions of a contract are going to make all the difference in the world, if we can get a credit.

Harmon - requested an Executive Session for Pending Litigation

Mazur –I'm still seeing golf carts on the road, unlicensed. We will put out a notice on our website and on our Facebook page reminding everybody that they have to be licensed. Maybe we will put the step-by-step instructions, a checklist of the things that they need to have in order to be licensed. So they know it's not a free-for-all for golf carts to be on the roads. The other item is, I have had a lot of questions and I don't have an answer on this yet, we are waiting to hear back from Mark Adams and the County Prosecutor's Office on how to handle garage and yard sales with everything going on. We are trying to get some kind of an answer amid the Governor's orders. How do you handle that when you're dealing with private property? It's just one of those little things that go a long way. Chief Mack reported he spoke to the Health Commissioner on that and they are speaking down in Columbus tomorrow at 11:00 am. The guide for ten people is obviously out there but they are specifically talking about garage sales tomorrow and will see if they get specific guidance on that topic.

Roll call vote to on the above motion:

Yea-Baer, Bialorucki, Siclair, Comadoll, Knepley, Durham, Haase

Nay-

Yea-7, Nay-0. Motion PASSED

Approved:

May 18, 2020

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Submitted by:

Roxanne Dietrich
Executive Assistant to Appointing Authority/CLERK OF COUNCIL

DRAFT

RESOLUTION NO. 022-20

A RESOLUTION ADOPTING THE 2021 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTIONS 5705.28 AND 5705.281 OF THE OHIO REVISED CODE AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

WHEREAS, the Finance and Budget Committee of Council, by and through the Finance Director, has prepared a Tax Budget pursuant to Article II, Sec. 2.13 of the City of Napoleon, Ohio's Charter, and Sections 5705.28 and 5705.281 of the Ohio Revised Code; and,

WHEREAS, in previous years at least two (2) copies of the Tax Budget have been on file with the Finance Director for public inspection not less than ten (10) days before its adoption, however pursuant to Ohio Revised Code Sections 5705.281 and 5705.30, said inspection is hereby waived in and for this year and subsequent years, unless amended as Council may decide; and,

WHEREAS, the requirement for a Public Hearing concerning this 2021 Tax Budget is also waived pursuant to Ohio Revised Code Sections 5705.281 and 5705.30; and,

WHEREAS, the 2021 Tax Budget must be adopted on or before July 15, 2020;
Now Therefore,

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

Section 1. That, the City Council of Napoleon, Ohio adopts the 2021 Tax Budget, as required by ORC Sections 5705.28 and 5705.281, in the form presented to Council and currently on file in the Office of the Finance Director and marked as the 2021 Tax Budget.

Section 2. That, the Finance Director is hereby directed to file the 2021 Tax Budget with the County Auditor on or before July 20, 2020.

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

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

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to meet the July 15 and July 20, 2020 deadlines as noted above;

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 adopt and file the Tax Budget in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 022-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2020; & 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, Clerk of Council



City of Napoleon, Ohio

FINANCE DEPARTMENT

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545-0151

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

www.napoleonohio.com

Memorandum

To: Members of City Council
Jason P. Maassel, Mayor
Joel L. Mazur, City Manager
Billy D. Harmon, City Law Director

From: Kelly O'Boyle, Finance Director

Date: May 15, 2020

Subject: 2021 Tax Budget

Please see attached the proposed 2021 Tax Budget in its tentative form for consideration by City Council. The 2021 Tax Budget includes only the information related to the City's Tax Levies.

2021 TAX BUDGET

Henry County, Ohio

Office of **NAPOLEON CORP**, _____, 20____

To the County Auditor:

The Council of ~~Said Village~~ ^{City} hereby submits its annual Budget for the year commencing January 1st, 20 ~~21~~ for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

*~~Village~~ Fiscal Officer

City

County Auditor

Kelly O'Boyle
Finance Director
City of Napoleon, Ohio

County Treasurer_____
County Prosecuting Attorney

Schedule A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND
COUNTY AUDITOR'S ESTIMATED TAX RATES

City of Napoleon, Ohio		Amount approved by Budget commission Inside 10 M Limitation	Amount to be derived from: Levies Outside 10 M Limitation	County Auditor's	
City Tax Valuation: \$150,765,380 FUND				Inside 10 M Limit	Outside 10 M Limit
	Mills				
1. General Fund	2.0	\$ 301,531			
4. Road and Bridge Fund					
5. Cemetery Fund					
9. Police District Fund	0.6	\$ 90,459			
10. Fire District Fund	0.3	\$ 45,230			
11. Road District Fund					
12. Park Levy Fund	1.9		286,454		
14. Miscellaneous Funds					
15. General Bond Retirement Fund					
20. Special Levy Funds					
21. Capital Equipment Fund					
28. Ambulance and Emergency Medical Services Fund					
TOTAL		\$ 437,220	286,454		

SCHEDULE B**LEVIES OUTSIDE 10 MILL. LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Max. Rate Authorized to be Levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Collumn II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20			
not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20 <u>19</u>	1.9	\$286,454	
not to exceed 20 years.			
Levy authorized by voters on 20 _____			
not to exceed _____ years			
Levy authorized by voters on 20 _____			
not to exceed _____ years			
Levy authorized by voters on 20 _____			
not to exceed _____ years			

RESOLUTION NO. 021-20

A RESOLUTION AUTHORIZING THE CITY OF NAPOLEON TO REMAIN IN THE MAUMEE VALLEY EAST CHIP CONSORTIUM IN ORDER TO SUBMIT AN APPLICATION FOR THE FISCAL YEAR 2020 COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) FUNDS TO THE OHIO DEVELOPMENT SERVICES AGENCY; AND DECLARING AN EMERGENCY

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended to date, the Ohio Development Services Agency (ODSA), Office of Community Development, is authorized to provide financial assistance to units of general local government for undertaking and carrying out Community Development activities; and,

WHEREAS, it is provided in such Act that the unit of general local government shall provide a satisfactory assurance prior to submission of its application, that has: (a) provided citizens with adequate information concerning the amount of funds available for proposed community development and housing activities, the range of activities that may be undertaken, and other important program requirements; (b) held two (2) public hearings to obtain the views of citizens on community development and housing needs; and (c) provided citizens with an adequate opportunity to participate in the development of the application; and,

WHEREAS, it is desirable and in the public interest that the City of Napoleon, Ohio (hereinafter referred to as the "City"), undertake and carry out community development activities and make available funds for said undertakings; and,

WHEREAS, the members of the City Council have general knowledge of the proposed uses of such funds and are cognizant of the conditions that are imposed in the undertaking and carrying out community development activities and undertaken with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, sex or national origin; and,

WHEREAS, the members of the City Council desire for the City of Napoleon to remain in the Maumee Valley East CHIP Consortium, as previously approved by the unanimous passage of Resolution No. 035-14 on May 19, 2014, and Res. No. 022-18 on April 16, 2018 and agree that the Henry County Board of Commissioners are the Lead Entity or Grantee representative of the Maumee Valley East CHIP Consortium; **Now Therefore**,

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

Section 1. That, the Council of the City of Napoleon hereby approves filing an application for financial assistance under the Small Cities Community Development Block Grant Community Housing Improvement Program in the year 2020.

Section 2. That, this Council authorizes the City Manager, as official representative of the City of Napoleon, to participate in the State of Ohio, Development Services Agency, Small Cities Community Development Block Grant Community Housing Improvement Program; moreover, upon approval of the City's application, to provide all information and documentation required in said application for submission and to execute all documents related thereto.

Section 3. That, this Council authorizes the City of Napoleon through the authorized representative to enter into the Maumee Valley East CHIP Consortium.

Section 4. That, the Council of the City of Napoleon hereby understands and agrees that participation in the program will require compliance with program guidelines and assurances.

Section 5. 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 6. 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 7. 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 further reason that this legislation must be in effect at the earliest possible time to be eligible to receive funds related to housing, the application is due May 4, 2018; such essential to public peace, health, and safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to submit the application in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 021-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2020; & 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, Clerk of Council

ORDINANCE NO. 018-20

**AN ORDINANCE AMENDING SECTION 143.01 OF THE CITY OF
NAPOLEON'S CODIFIED ORDINANCES, "COMPOSITION AND
CONTROL OF THE CITY FIRE/RESCUE DEPARTMENT,"
INCREASING THE COMPOSITION OF THE FIRE
DEPARTMENT, AND REPEALING ORDINANCE NO. 034-19**

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

Section 1. That, Section 143.01 of the Codified Ordinances of the City of Napoleon, Ohio shall be hereby amended and enacted as follows:

**"143.01 COMPOSITION AND CONTROL OF THE CITY FIRE/RESCUE
DEPARTMENT.**

(a) The regular Fire/Rescue Department of the City shall be composed of a department head known as the "Fire Chief," and such other officers, fire fighters, fire rescue personnel, drivers, emergency medical personnel, fire safety inspectors, paramedics, secretaries, clerks and other employees as provided by legislation of the City, the Organizational Chart of the City, and/or the Administrative Code of the City.

(b) Definitions. For purposes of this Chapter, the following words and phrases shall have the following meanings ascribed to them respectively.

(1) "Fire Chief" means the Chief of the regular Fire/Rescue Department.

(2) "Regular Fire/Rescue Department" means the Fire/Rescue Department of the City composed of the full-time and part-time paid personnel and its auxiliary.

(c) Notwithstanding any prior Ordinance or Resolution to the contrary, the regular Fire/Rescue Department shall be composed of the following:

- 1 Fire Chief (full-time)
- ~~3~~ 4 Officer of the supervisory grade (full-time)
- ~~6~~ 5 Fire Fighter/Paramedics or
Fire Fighter/Emergency Medical technicians, or
combination thereof (full-time)
- 5 Officers of supervisory grade (part-time)

1 (not to exceed 70) Staff of any combination of the following:

Fire fighters, paramedics, emergency medical technicians (any level), fire fighter/paramedics, firefighter/emergency medical technicians, secretary, communication officers, instructors (all of part-time status as approved by the City Manager)

1 (not to exceed 20) Auxiliary members.

(d) The making of an assignment by the Chief of one or more officers to any job or division such as fire fighters, drivers, fire safety inspectors, paramedics, arson investigators, and other similar positions shall not be construed as disturbing the composition of the regular Fire/Rescue Department or violating subsection (c) hereof; moreover, temporary vacancies in the regular Fire/Rescue Department shall not be construed as a departure from this section; finally, adding or eliminating secretaries,

clerks, communication and the like positions shall not be construed as disturbing the composition of the regular Fire/Rescue Department.

(e) Nothing in this chapter shall be construed as limiting the number of additional officers that may be required in case of an emergency.”

Section 2. That, Section 143.01 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed upon the effective date of this Ordinance.

Section 3. 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 4. 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 5. That, this Ordinance shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 018-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2020; & 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, Clerk of Council

ORDINANCE NO. 019-20

**AN ORDINANCE TO ADOPT THE SOLID WASTE
MANAGEMENT PLAN FOR THE HENRY COUNTY SOLID
WASTE MANAGEMENT DISTRICT**

WHEREAS, the City of Napoleon is located within the Henry County Solid Waste Management District; and,

WHEREAS, the Henry County Solid Waste Management District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54, and 3734.55; and,

WHEREAS, the Henry County Solid Waste Management District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the Henry County Solid Waste Management District, including the City of Napoleon; and,

WHEREAS, Council now desires to approve the Henry County Solid Waste Management Plan as prepared in the form of the Draft Final Plan. **Now Therefore**,

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

Section 1. That, Council approves the Draft Final Henry County Solid Waste Management Plan as prepared and provided to the City of Napoleon.

Section 2. That, if the Draft Final Henry County Solid Waste Management Plan is ratified, the parties agree to pass any and all lawful and appropriate resolutions and ordinances, and to do all things necessary and proper to authorize and allow for the lawful implementation of the contingent funding and the supplemental funding portions of the plan when the contingencies manifest.

Section 3. That, the Clerk of Council is hereby directed to send the Henry County Solid Waste Management District a copy of this Ordinance to the attention of Mr. Michael Imbrock, District Coordinator, Henry County Solid Waste Management District, PO Box 96, Malinta, OH 43535.

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

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

Section 6. That, 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, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 019-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 2020; & 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, Clerk of Council

Henry County Solid Waste Management District



Introduction

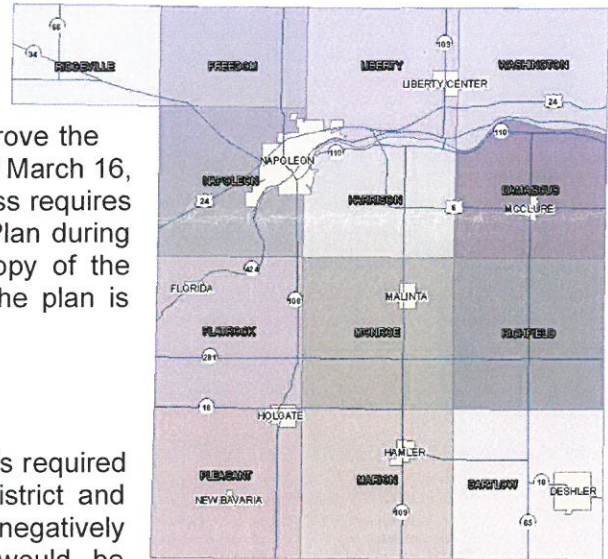
The Henry County Waste Management District (District) will submit its updated Solid Waste Management Plan to all cities, villages, and townships in Henry County for approval. This approval process, also known as ratification, is the final step before the District seeks final approval from Ohio EPA to implement this new Plan.

Your Community's Responsibility – Plan Ratification

Each community within Henry County will be asked to approve the District's Solid Waste Management Plan during the period of March 16, 2020 through June 13, 2020 (ratification period). The process requires each community to review a copy of the Plan, act on the Plan during the ratification period (90 days) and submit a certified copy of the resolution or legislation to the District. Failure to act on the plan is considered by the State of Ohio to be a negative vote.

What if the Plan is Not Ratified?

If local ratification does not occur, the Director of Ohio EPA is required by state statute to prepare a Solid Waste Plan for the District and order the District to implement the state's plan. This could negatively affect the District because local control of our Plan would be relinquished to Ohio EPA. The Plan you will vote on was developed through a local planning process and contains the recommendations, programs, and initiatives from the District's Policy Committee. These programs and initiatives will provide for a cost effective and environmentally sound solid waste management system for Henry County and are designed to enhance and expand recycling opportunities and recycling participation. The District urges communities to learn more about the Solid Waste Management Plan in order to make an informed decision.



Executive Summary of Solid Waste Management Plan

The following executive summary of the Solid Waste Plan has been created for elected officials in Henry County to demonstrate how the District's Solid Waste Plan benefits each community. The District offers a wide variety of programs and initiatives that offer real value to its communities. The District provides programs in solid waste management programming for hard to manage materials such as household hazardous waste, batteries, scrap tires, and electronics. The District also operates a highly successful education and awareness program and other effective solid waste management programs.

Solid Waste Disposal Capacity

This demonstration is one of the fundamental requirements of the Solid Waste Plan. The District conducted a regional capacity analysis and has demonstrated that there is sufficient disposal capacity for all solid waste generated by District residents, businesses, and industry for the planning period (2020-2034).

Goals

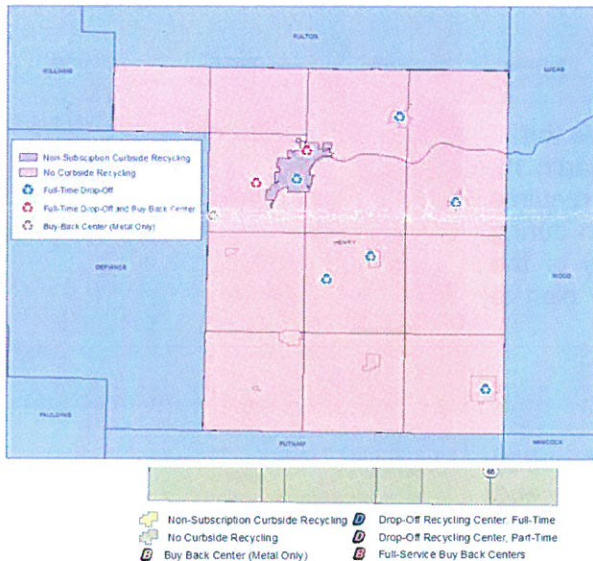
The District meets or exceeds all of the State Solid Waste Management Plan goals as required by Ohio EPA. The District has demonstrated that 36% of the residential/commercial sector waste stream and 80% of the industrial sector waste stream has been recycled. The goal is 25% for the residential/commercial sector and 50% for the industrial sector.

Financing the Plan

The District will finance the updated Solid Waste Plan through the continued reliance on a contract fee, which is \$5.00 per ton for all in-District solid waste disposed at 17 designated facilities. The District is not projecting any increase in the contract fee throughout the planning period (2020-2034).

Residential Recycling Programs

The District promotes and supports numerous residential recycling programs and offers special collection services to maximize diversion of solid waste from landfills. The following programs were offered:



- Curbside Recycling Program – **732 tons recycled**
- Recycling Drop Off Programs – **652 tons recycled**
- Lead-Acid Battery Mgmt. – **62 tons recycled**
- Electronics Management – **30 tons recycled**
- Scrap Tire Management – **129 tons recycled**
- Yard Waste Management – **2,289 tons**



Commercial / Industrial Recycling Programs

- Commercial Recycling – **6,274 tons recycled**
- Industrial Recycling – **37,339 tons recycled**

Residential/Commercial Recycling, Education and Awareness Programs

- Curbside Recycling
- Drop-Off Recycling
- Yard Waste Management
- Household Hazardous Waste Management
- Lead-Acid Battery Management
- Electronics Recycling
- Scrap Tire Management
- Market Development Support
- Education and Awareness
- Industrial Sector Data Collection
- Litter Collection
- Volume Based Rate Support
- District Facilities



For more information, contact the District at 419-256-7343

CITY OF NAPOLEON, OHIO - PSCAF

POWER SUPPLY COST ADJUSTMENT FACTOR (PSCAF) - COMPUTATION OF MONTHLY PSCAF

COMPUTATIONS WITH CORRECTED DATA FROM JULY, 2015, THROUGH MARCH, 2017

AMP Billed Usage Month	PSCAF City Billing Month	AMP - kWh Delivered As Listed on AMP Invoices	Purchased Power Supply Costs (*=Net of Known) (+ OR - Other Cr's)	Rolling 3-Month Totals Current + Prior 2 Months		Rolling 3 Month Average Cost	Less: Fixed Base Power Supply Cost	PSCA Dollar Difference + or (-)	PSCA-Corrted. 3 MONTH AVG.FACTOR + Line Loss
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
		Actual Billed	Actual Billed w/Cr's	c + prior 2 Mo	d + prior 2 Mo	f / e	\$0.07194 Fixed	g + h	i X 1.075
Mar'18	May'18	12,894,285	*\$ 1,115,898.14	39,065,670	\$ 3,367,125.90	\$ 0.08619	\$ (0.07194)	\$ 0.01425	\$ 0.01532
Apr'18	June'18	11,995,837	\$ 1,154,645.74	37,103,974	\$ 3,185,441.68	\$ 0.08585	\$ (0.07194)	\$ 0.01391	\$ 0.01495
May'18	July'18	12,812,421	\$ 1,184,249.00	37,702,543	\$ 3,454,792.88	\$ 0.09163	\$ (0.07194)	\$ 0.01969	\$ 0.02117
June'18	Aug'18	13,813,277	\$ 1,230,516.92	38,621,535	\$ 3,569,411.66	\$ 0.09242	\$ (0.07194)	\$ 0.02048	\$ 0.02202
July'18	Sep'18	15,234,049	\$ 1,312,135.13	41,859,747	\$ 3,726,901.05	\$ 0.08903	\$ (0.07194)	\$ 0.01709	\$ 0.01837
Aug'18	Oct'18	15,634,242	\$ 1,275,023.19	44,681,568	\$ 3,817,675.24	\$ 0.08544	\$ (0.07194)	\$ 0.01350	\$ 0.01451
Sep'18	Nov'18	13,195,770	\$ 1,197,316.71	44,064,061	\$ 3,784,475.03	\$ 0.08589	\$ (0.07194)	\$ 0.01395	\$ 0.01500
Oct'18	Dec'18	12,827,093	\$ 1,201,860.98	41,657,105	\$ 3,674,200.88	\$ 0.08820	\$ (0.07194)	\$ 0.01626	\$ 0.01748
Nov'18	Jan'19	12,694,035	\$ 1,177,330.24	38,716,898	\$ 3,576,507.93	\$ 0.09238	\$ (0.07194)	\$ 0.02044	\$ 0.02197
Dec'18	Feb'19	12,936,598	\$ 1,175,315.11	38,457,726	\$ 3,554,506.33	\$ 0.09243	\$ (0.07194)	\$ 0.02049	\$ 0.02203
Jan'19	Mar'19	13,516,644	\$ 1,157,412.90	39,147,277	\$ 3,510,058.25	\$ 0.08966	\$ (0.07194)	\$ 0.01772	\$ 0.01905
Feb'19	Apr'19	12,112,198	\$ 1,076,627.71	38,565,440	\$ 3,409,355.72	\$ 0.08840	\$ (0.07194)	\$ 0.01646	\$ 0.01769
Mar'19	May'19	12,476,648	\$ 1,111,471.41	38,105,490	\$ 3,345,512.02	\$ 0.08780	\$ (0.07194)	\$ 0.01586	\$ 0.01705
Apr'19	June'19	10,913,916	\$ 1,043,515.66	35,502,762	\$ 3,231,614.78	\$ 0.09102	\$ (0.07194)	\$ 0.01908	\$ 0.02051
May'19	July'19	11,554,553	\$ 1,074,988.04	34,945,117	\$ 3,229,975.11	\$ 0.09243	\$ (0.07194)	\$ 0.02049	\$ 0.02203
June'19	Aug'19	12,448,976	\$ 1,059,406.09	34,917,445	\$ 3,177,909.79	\$ 0.09101	\$ (0.07194)	\$ 0.01907	\$ 0.02050
July'19	Sep'19	15,467,755	\$ 1,165,669.13	39,471,284	\$ 3,300,063.26	\$ 0.08361	\$ (0.07194)	\$ 0.01167	\$ 0.01255
Aug'19	Oct'19	14,297,705	\$ 1,123,690.94	42,214,436	\$ 3,348,766.16	\$ 0.07933	\$ (0.07194)	\$ 0.00739	\$ 0.00794
Sep'19	Nov'19	12,810,364	\$ 1,102,711.16	42,575,824	\$ 3,392,071.23	\$ 0.07967	\$ (0.07194)	\$ 0.00773	\$ 0.00831
Oct'19	Dec'19	12,026,480	\$ 1,080,410.22	39,134,549	\$ 3,306,812.32	\$ 0.08450	\$ (0.07194)	\$ 0.01256	\$ 0.01350
Nov'19	Jan'20	12,466,183	\$ 1,088,822.82	37,303,027	\$ 3,271,944.20	\$ 0.08771	\$ (0.07194)	\$ 0.01577	\$ 0.01695
Dec'19	Feb'20	12,809,184	\$ 1,098,513.89	37,301,847	\$ 3,267,746.93	\$ 0.08760	\$ (0.07194)	\$ 0.01566	\$ 0.01683
Jan' 20	Mar' 20	12,907,445	\$ 1,152,024.27	38,182,812	\$ 3,339,360.98	\$ 0.08746	\$ (0.07194)	\$ 0.01552	\$ 0.01668
Feb' 20	Apr' 20	12,179,274	\$ 1,114,393.10	37,895,903	\$ 3,364,931.26	\$ 0.08879	\$ (0.07194)	\$ 0.01685	\$ 0.01811
Mar 20	May 20	11,565,546	\$ 1,098,886.88	36,652,265	\$ 3,365,304.25	\$ 0.09182	\$ (0.07194)	\$ 0.01988	\$ 0.02137

* Total Includes Other (-) Credits / (+) Debits in Purchased Power Costs, Not Listed on AMP Billings:

PSCAF - Preparers Signature:

Name - Kelly O'Boyle, Finance Director

4/16/2020

Signature

Date

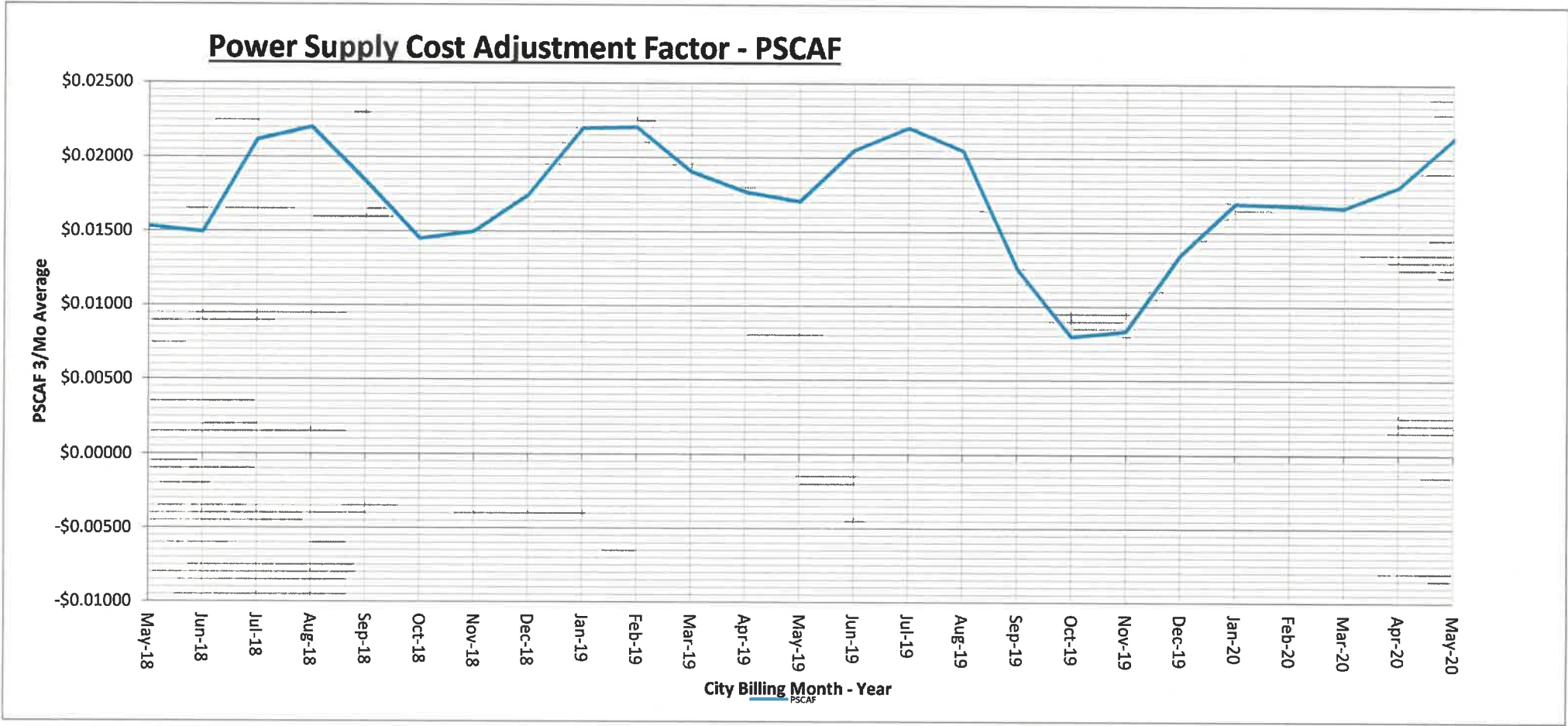
PSCAF - Reviewers Signature:

Name - Lori A. Rausch, Utility Billing Administrator

4/16/2020

Signature

Date



BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE - MAY, 2020

2020 - MAY BILLING WITH MARCH 2020 AMP BILLING PERIOD AND APRIL 2020 CITY CONSUMPTION AND BILLING DATA

PREVIOUS MONTH'S POWER BILLS - PURCHASED POWER KWH AND COST ALLOCATIONS BY DEMAND & ENERGY:

DATA PERIOD	MONTH / YR	DAYS IN MONTH	MUNICIPAL PEAK						
AMP-Ohio Bill Month	MARCH, 2020	31	19,835.000						
City-System Data Month	APRIL, 2020	30							
City-Monthly Billing Cycle	MAY, 2020	31							
=====CONTRACTED AND OPEN MARKET POWER=====									
==PEAKING==									
=====HYDRO POWER=====									
PURCHASED POWER-RESOURCES ->	AMP CT	FREEMONT ENERGY	PRAIRIE STATE SCHED. @ PJMC	MORGAN STNLY REPLMT @ PJMC	NORTHERN POWER POOL	JV-2 PEAKING	AMP-HYDRO CSW	MELDAHL-HYDRO SCHED. @ PJMC	GREENUP HYDRO SCHED. @ PJMC
Delivered kWh (On Peak) ->	0	4,408,311	3,214,673	2,827,200	56,472	29	465,314	97,783	36,080
Delivered kWh (Off Peak) ->					53,285				
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->					-2,727,065				
Net Total Delivered kWh as Billed ->	0	4,408,311	3,214,673	2,827,200	-2,617,308	29	465,314	97,783	36,080
Percent % of Total Power Purchased->	0.0000%	38.1161%	27.7953%	24.4450%	-22.6302%	0.0003%	4.0233%	0.8455%	0.3120%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$32,983.53	\$41,115.56	\$64,140.68			\$691.68	\$174,116.47	\$13,422.51	\$8,639.40
Debt Services (Principal & Interest)		\$43,487.87	\$114,388.92						
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)	-\$47,332.03					-\$596.51			
Capacity Credit	-\$32,957.19	-\$21,095.27	-\$11,258.02			-\$818.35	-\$2,516.32	-\$1,249.92	-\$657.53
Sub-Total Demand Charges	-\$47,305.69	\$63,508.16	\$167,271.58	\$0.00	\$0.00	-\$723.18	\$171,600.15	\$12,172.59	\$7,981.87
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$0.00	\$89,172.20	\$23,320.14	\$177,972.24	\$1,568.77		\$16,751.31	\$3,520.19	\$324.72
Energy Charges - (Replacement/Off Peak)					\$779.87				
Net Congestion, Losses, FTR		\$1,856.93	\$5,287.03	\$858.29			\$902.95	\$55.57	\$6.03
Transmission Charges (Energy-Debits)			\$16,909.84						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)						\$3.95			
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)					-\$49,442.27				
Net Congestion, Losses, FTR					\$2,760.58				
Bill Adjustments (General & Rate Levelization)							-\$2,791.89	-\$586.70	-\$216.48
Sub-Total Energy Charges	\$0.00	\$91,029.13	\$45,517.01	\$178,830.53	-\$44,333.05	\$3.95	\$14,862.37	\$2,989.06	\$114.27
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									
Service Fees AMP-Part A - (+Debit/-Credit)									
Service Fees AMP-Part B - (+Debit/-Credit)									
Other Charges & Bill Adjustments - (+Debit/-Credit)									
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL NET COST OF PURCHASED POWER	-\$47,305.69	\$154,537.29	\$212,788.59	\$178,830.53	-\$44,333.05	-\$719.23	\$186,462.52	\$15,161.65	\$8,096.14
Percent % of Total Power Cost->	-4.3049%	14.0631%	19.3640%	16.2738%	-4.0344%	-0.0655%	16.9683%	1.3797%	0.7368%
Purchased Power Resources - Cost per kWh->	\$0.000000	\$0.035056	\$0.066193	\$0.063254	-\$0.016938	-\$24.801034	\$0.400724	\$0.155054	\$0.224394

BILLING SUMMARY AND CONS

2020 - MAY BILLING WITH MARCH 2020 AMP B

PREVIOUS MONTH'S POWER BILLS - PU**DATA PERIOD**

AMP-Ohio Bill Month
 City-System Data Month
 City-Monthly Billing Cycle

	=====		====WIND=====	===SOLAR===	===TRANSMISSION, SERVICE FEES & MISC. CONTRACTS===				
	NYPH	JV-5	JV-6	AMP SOLAR	EFFNCY.SMART	TRANSMISSION	SERVICE FEES	MISCELLANEOUS	TOTAL -
PURCHASED POWER-RESOURCES -> (HYDRO	HYDRO	WIND	PHASE 1	POWER PLANT	CHARGES	DISPATCH, A & B	CHARGES &	ALL
(SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	LEVELIZATION	RESOURCES
Delivered kWh (On Peak) ->	702,865	2,297,472	49,877	49,644	0	0	0	0	14,205,720
Delivered kWh (Off Peak) ->									53,285
Delivered kWh (Replacement/Losses/Offset) ->		33,605							33,605
Delivered kWh/Sale (Credits) ->									-2,727,065
Net Total Delivered kWh as Billed ->	702,865	2,331,077	49,877	49,644	0	0	0	0	11,565,545
Percent % of Total Power Purchased->	6.0772%	20.1554%	0.4313%	0.4292%	0.0000%	0.0000%	0.0000%	0.0000%	100.0004%
								Verification Total - >	100.0000%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$5,930.95	\$22,942.25	\$1,025.10			\$191,346.48			\$556,354.61
Debt Services (Principal & Interest)		\$55,381.81							\$213,258.60
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)		-\$19,471.36	-\$814.77	-\$3,506.49					-\$71,721.16
Capacity Credit	-\$2,851.75	-\$9,237.08	-\$234.83	-\$1,689.27					-\$84,565.53
Sub-Total Demand Charges	\$3,079.20	\$49,615.62	-\$24.50	-\$5,195.76	\$0.00	\$191,346.48	\$0.00	\$0.00	\$613,326.52
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$6,134.58	\$41,776.70		\$1,803.57		\$3,969.00			\$366,313.42
Energy Charges - (Replacement/Off Peak)									\$779.87
Net Congestion, Losses, FTR	\$1,534.62								\$10,501.42
Transmission Charges (Energy-Debits)									\$16,909.84
ESPP Charges					\$20,659.88				\$20,659.88
Bill Adjustments (General & Rate Levelization)									\$3.95
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)									-\$49,442.27
Net Congestion, Losses, FTR									\$2,760.58
Bill Adjustments (General & Rate Levelization)	-\$309.83								-\$3,904.90
Sub-Total Energy Charges	\$7,359.37	\$41,776.70	\$0.00	\$1,803.57	\$20,659.88	\$3,969.00	\$0.00	\$0.00	\$364,581.79
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)						\$112,214.17			\$112,214.17
RPM / PJM Charges Capacity - (-Credit)									\$0.00
Service Fees AMP-Dispatch Center - (+Debit/-Credit)							\$0.00		\$0.00
Service Fees AMP-Part A - (+Debit/-Credit)							\$2,867.34		\$2,867.34
Service Fees AMP-Part B - (+Debit/-Credit)							\$6,715.37		\$6,715.37
Other Charges & Bill Adjustments - (+Debit/-Credit)								-\$818.31	-\$818.31
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$112,214.17	\$9,582.71	-\$818.31	\$120,978.57
TOTAL NET COST OF PURCHASED POWER	\$10,438.57	\$91,392.32	-\$24.50	-\$3,392.19	\$20,659.88	\$307,529.65	\$9,582.71	-\$818.31	\$1,098,886.88
Percent % of Total Power Cost->	0.9499%	8.3168%	-0.0022%	-0.3087%	1.8801%	27.9856%	0.8720%	-0.0745%	100.000%
								Verification Total - >	\$1,098,886.88
Purchased Power Resources - Cost per kWh->	\$0.014851	\$0.039206	-\$0.000491	-\$0.068330	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.095014
									(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV2 Electric Service Rate - >
									\$0.017993
									(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV5 Electric Service Rate - >
									\$0.017993



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: Jeff Rathge, Operations Department Superintendent
Roxanne Dietrich, Clerk of Council
Date: May 7, 2020
Subject: Water & Sewer Rules ~ Request for Revision

In 2014 Ordinance 026-14 was passed by City Council which revised the rule regarding sewer lateral responsibility. Prior to passage of this legislation, the property owner had ownership of the sewer lateral from the house to the sanitary sewer main. This legislation took ownership from the property owner and gave it to the City from the right-of-way line to the sewer main.

At some point in the development of the Water & Sewer Rules, rules were included which addressed the issue related to the number of properties that could be included in a sewer lateral. Per Rule 10.1(E):

“A separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as one (1) building sewer, but the City shall not be liable for damage caused by or resulting from any such single connection aforementioned.”

Rule 11(E) states:

“Except as otherwise provided, the City requires that all future dwelling units established after the effective date of these Rules, be individually tapped, metered, and plumbed before water/sewer service is established.”

Because the rule causes a potential increased cost for the City, I am requesting that these rules be revised as follows:

Rule 10.1(E)

Unless approved by the City Engineer, a~~A~~ separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building

and the whole considered as one (1) building sewer, but the City shall not be liable for damage caused by or resulting from any such single connection aforementioned.

Rule 11(E)

Except as otherwise provided **or approved by the City Engineer**, the City requires that all future dwelling units established after the effective date of these Rules, be individually tapped, metered, and plumbed before water/sewer service is established.

If modified, these rules would provide the City of Napoleon's Engineering Department some discretion related to sewer laterals. This could in turn limit the number of laterals that the City is financially responsible for maintaining.

CEL

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

RULE 10 BUILDING SEWERS

Rule 10.1 Building Sewers And Construction

- (A) Every person desiring a permit to make a connection with, open, or tap any public sewer or drain shall first make application to the City Engineer, who shall consult his/her records with regard to the sewer or drain desired to be connected with, opened, or tapped. If such connection, opening, or tap can be made, the City Engineer shall give such applicant the exact location with which the connection, opening, or tap is to be made, or if necessary shall cause a stake to be set on the premises at which the connection, opening, or tap is to be made. The City Manager shall issue to the applicant a permit stating that permission is granted to connect with, open, or tap such sewer or drain and also state in such permit the name of the street and the abutting lot number. All permits shall be issued by the City Manager; however, permits will not be issued unless the City Engineer determines that there is or will be capacity available in all downstream sewers, lift stations, force mains, and the sewage treatment plant including capacity for BOD and suspended solids.
- (B) For each permit issued by the City Manager, a charge shall be made as established by the City and as may be amended from time to time. A connection charge shall be made for all new buildings, major additions, or alterations; to buildings causing increased sewage discharge; any land use causing the discharge of sewage into the sewage system; and any change in sewage flow distribution ordered by the City Manager when the redistribution of sewage flow requires the construction of a new trunk line sewer and a new service connection thereto. The connection charge shall be an amount as established for each connection inside the corporation and an amount as established for each connection outside the corporation. The connection charge provided herein shall also be made where any dwelling or building is connected to the sewage disposal system. Before the permit can be used, evidence that the connection charge has been paid shall be filed with the City Manager.
- (C) The City Manager shall devise and procure the permit forms. The City Finance Director shall collect all funds as a result of connection charges which will be credited to the sewer fund of the City.
- (D) All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner.
- (E) **Unless approved by the City Engineer, a** separate and independent building sewer shall be provided for every building; except where one (1) building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building may be extended to the rear building and the whole considered as

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

one (1) building sewer, but the City shall not be liable for damage caused by or resulting from any such single connection aforementioned.

- (F) Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the City's Engineering Department, to meet all requirements of these Rules.
- (G) The building sewer shall be of the best quality PVC sewer pipe and having a standard dimension ration (SDR) of not greater than thirty-five (35). The pipe shall have an integral bell, and joints shall be gasketed. The pipe shall be colored green for in-ground identification as sanitary drainage pipe. Connections to unlike types and sizes of pipe shall be accomplished using the proper adapter and/or connector as manufactured by Fernco, Inc., or an approved equal.
- (H) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (I) Residential sanitary service connections shall be six (6") inches in diameter, or greater, as required to serve the structure and shall be laid at no less than 1.00% slope.
- (J) Connections or lateral extending to private property from a public sewer or drain shall be in accordance with specifications issued by the City Engineer (see *VIOLATION* section).
- (K) All connections, tappings, or openings shall be only in the presence and upon the approval of the City Engineering Department. The applicant for the building sewer permit shall notify the City Engineering Department when the building sewer is ready for inspection and connection to the public sewer (see *VIOLATION* section).
- (L) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City. All refilling of the excavation made for such connection shall be in the presence and upon the approval of the City's Engineering Department. Any excavation done within the right-of-way shall not commence until a bond or its equivalent in an amount equal to the total cost of the work performed is posted with the City (see *VIOLATION* section).
- (M) An applicant shall be given a hearing in front of the City Manager related to the non-issuance of a permit as found in this Rule. Any decision of the City Manager in regard to this permit may be appealed, after hearing, to the water, sewer, refuse, recycling and litter committee of Council in the

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

same manner as other appeals are taken under these Rules. No application for a building sewer permit which has been denied by the City Manager shall be resubmitted to the City for a period of sixty (60) days from the date of such denial, except upon the grounds of new and material evidence or proof of changed conditions. The committee's order shall be a final order.

Rule 10.2 Digging And/Or Marking Excavation Site For Sewers

When any sewer service locating is desired, persons desiring the same shall physically mark the proposed excavation site with white paint, flags, or other acceptable marking methods utilized by the industry and approved by the City. Excavation, the applicant, or property owner must call the utility department forty-eight (48) hours prior to commencement of digging. Damages resulting from failure to contact the utility forty-eight (48) hours prior to digging will be at the expense of the person digging or causing the same to be done. When the City locates service at the excavation site, all cost associated therewith, including time and material, shall be at the expense of the person proposing the excavation if they fail to properly mark the excavation site.

CITY OF NAPOLEON RULES FOR WATER AND SEWER SERVICE

RULE 11 CONTRACT FOR WATER/SEWER SERVICE

- (A) Contract for water/sewer service shall be made in writing at the office of the City Utility Department on its standard form. Customer/designee should be present at the site at any time service is activated.
- (B) All contracts involving an original or new service line installation shall be made by and only in the name of the property owner. By such contract the "property owner" shall agree and commit him/herself to all rules and charges relating to the furnishing and utilization of water/sewer service, except to charges related to daily usage in cases when the utility is removed from the owner's name. Subsequent contract for service may be made by the tenant occupying the premises to be served with water/sewer; however, once a tenant becomes the customer the owner restricts his/her authority to order disconnection of service. An owner may enter into a separate contract with the City to assure non-disconnect when tenant(s) vacate the premises under terms and conditions determined by the City Manager and when approved as to form and correctness by the Law Director.
- (C) Where the customer's installation requirements for water/sewer service are unusual, the utility requires a suitable contract and deposit from the customer so as to protect the City's investment required to render the service involved.
- (D) There shall be set forth in the contract, the class of service to be furnished i.e., residential, commercial or industrial as defined herein. Except as otherwise may be provided, any contract for water and/or sewer service shall be construed as being for an initial term of one (1) month with an automatic renewal for the same duration of time after the initial term and any subsequent term, unless otherwise agreed to in writing by the parties, or unless otherwise terminated by the parties in accordance with the terms of a written contract; however, if no termination terms are contained in a written contract, then in accordance with these rules.
- (E) Except as otherwise provided **or approved by the City Engineer**, the City requires that all future dwelling units established after the effective date of these Rules, be individually tapped, metered, and plumbed before water/sewer service is established.
- (F) The customer shall advise the Utility Department of the purpose for which the water/sewer will be used and the probable quantity required in order that the Utility Department can properly determine the necessary size of the service line and meter required to adequately serve the customer. The size of service line and meter required for any customer will be determined by the City.



CITY OF NAPOLEON, OHIO

OPERATIONS DEPARTMENT

PO Box 151, 1775 INDUSTRIAL DR.

NAPOLEON, OH 43545

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

INTEROFFICE MEMORANDUM

TO: Joel Mazur, City Manager
FROM: Dennis P. Clapp, Superintendent
SUBJECT: Mini Excavator Purchase
DATE: May 14, 2020
CC: Amanda Griffith

Joel,

The Mini Excavator purchase has been tabled since the winning bid was submitted by Meyer Equipment/Ridgeville Corners on March 25th 2020. The Electric Department is requesting that Napoleon City Council bring the purchase back on the table and proceed with approval of the purchase. I have contacted Dave Meyer and he is willing to extend his offer beyond the 60 days noted in Article 2.16 of the Bid Specifications in contract No. 2020-04, if Council decides to go forward with the purchase. I have enclosed some pictures of the welds on the trencher that was purchased in 1998. Our other Ditch Witch trencher which is a smaller version was purchased in 1978. Both trenchers have reliability issues at this time and need a backup plan. If it is financially feasible to purchase at this time it would be of great value for the future of Electric Department's work efficiency. This will allow us to access tight digging areas in finished back yards. It will also cut down on return visits to add top soil and seed to satisfy the homeowners because the tracks on the excavator will not tear up the yards as much as the trencher. I feel this is a prudent purchase that has very tangible and real pay back over time and less landscape grooming hours and expense for many years into the future of our great City.

Sincerely,
Dennis P. Clapp
Electric Distribution Superintendent

Electric Superintendent
Dennis P. Clapp
DCLAPP@NAPOLEONOHIO.COM



3210
DIESEL

Ditch Witch

DANGER

Kalida
Truck
Equip.

Ditch Witch T12A







3210
DIESEL

Ditch Witch

DANGER

Kalida
Truck
Equip.

Ditch Witch

T12A





MEEDER **PUBLIC FUNDS ADVISORY**

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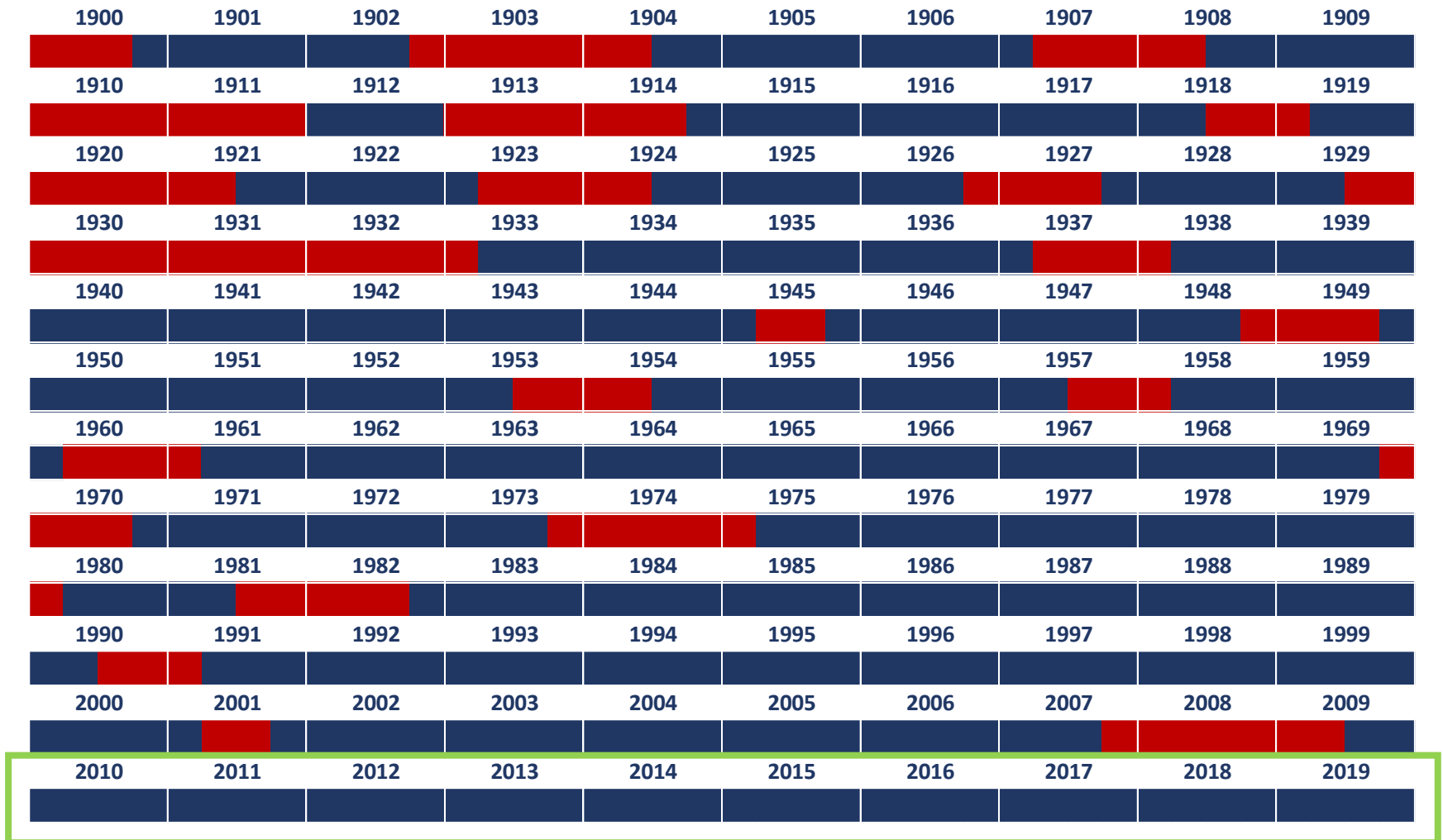
City of Napoleon

May 18, 2020



A DECADE OF NO RECESSIONS

■ - MONTHS IN RECESSION





U.S. EQUITIES - S&P 500



Source: Bloomberg as of 5/4/2020



CRUDE OIL PRICES - 20 YEAR LOW





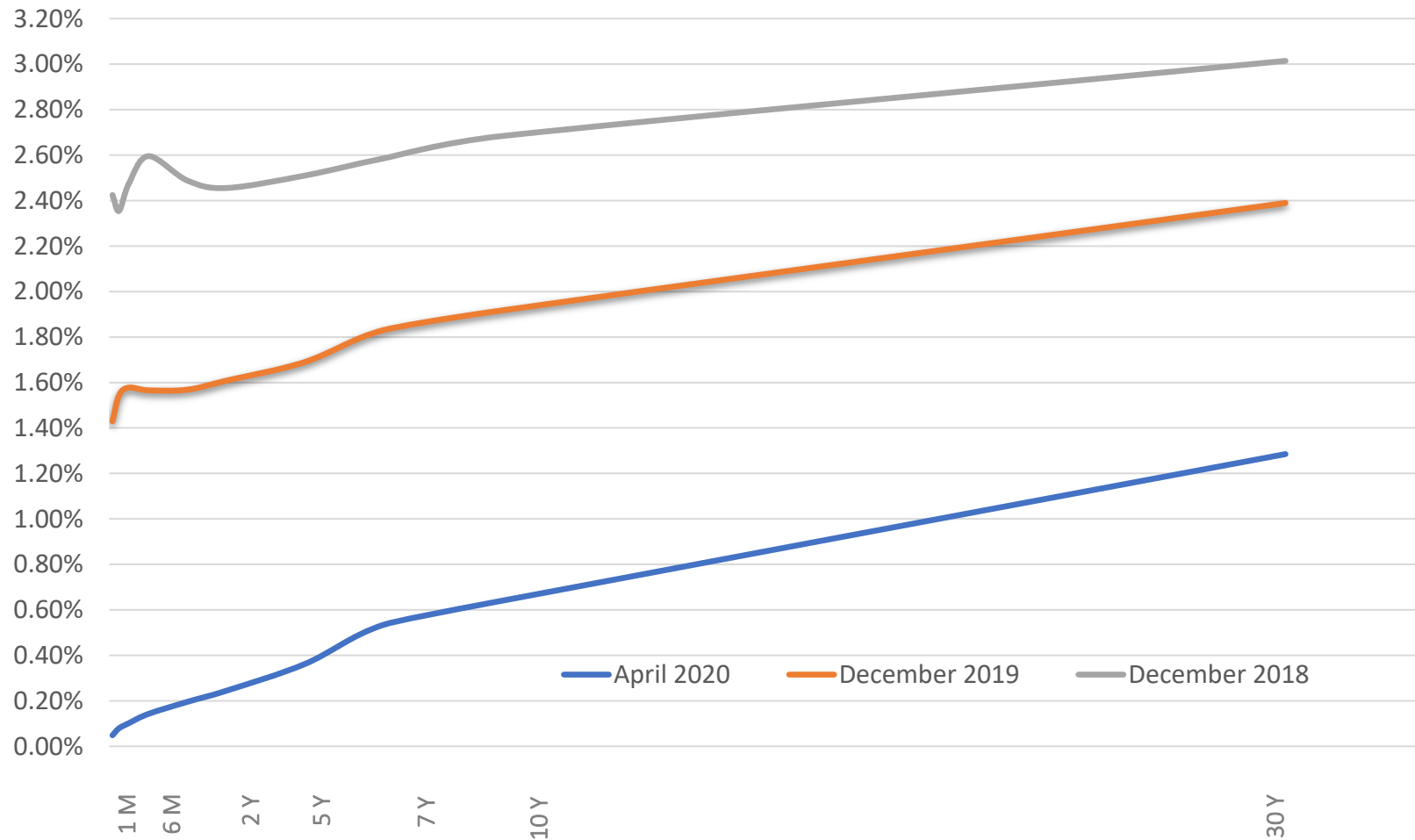
FEDERAL RESERVE ANNOUNCEMENTS

Announced Date	Rate	Action	Who's Impacted	Rationale
March 15 th	0-0.25%	Cut Fed Funds Rate by 100bps (after a 50bp cut on 3/03)	The overall economy	Rates near zero will help recovery and increase inflation. Rates will remain at zero until they are confident that the economy has weathered the effects of the virus and is on track to reach maximum employment and price stability goals
March 15 th	N/A	Fed announces Quantitative Easing and pledges \$700 billion to Treasury and Agency MBS Purchases	Treasury and MBS market	Fed will provide further liquidity in the fixed income market by committing \$500 billion in Treasuries and \$200 billion in MBS Securities
March 15 th	0.25%	Depository institutions may borrow from the discount window for periods as long as 90 days	Depository Institutions	Narrowing the spread of the primary credit rate should help encourage more active use of the window by depository institutions to meet unexpected funding needs.
March 15 th	OIS+0.25%	Fed Swap Lines with Foreign Central Banks	Foreign banks	Lowest the cost USD funding for foreign banks via local central banks
March 15 th	N/A	Fed provides overnight and term repo against Treasuries, MBS, and GSE debt	Primary Dealers	This helps ensure that the supply of reserves remains ample and to support the smooth functioning of short-term U.S. dollar funding markets.
March 23 rd	N/A	Fed pledges asset purchases with no limit	The overall securities market	Previous commitments of fixed dollar amounts, like the \$700 billion worth of Treasuries and MBS securities, are now unlimited. This was done to help markets function more efficiently

***Programs may be extended if approved by the Board of Governors of the Federal Reserve.



U.S. TREASURY YIELD CURVES





PORTFOLIO REVIEW

PORTFOLIO REVIEW



City of Napoleon portfolio as of 4/30/2020

Account Number 56 00 0069 0 00

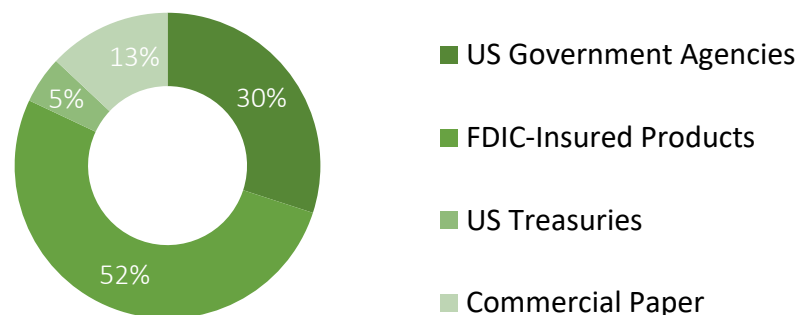
Your Portfolio

Cash	\$10,298,879
Securities	\$14,260,000
Total Portfolio	\$24,558,879

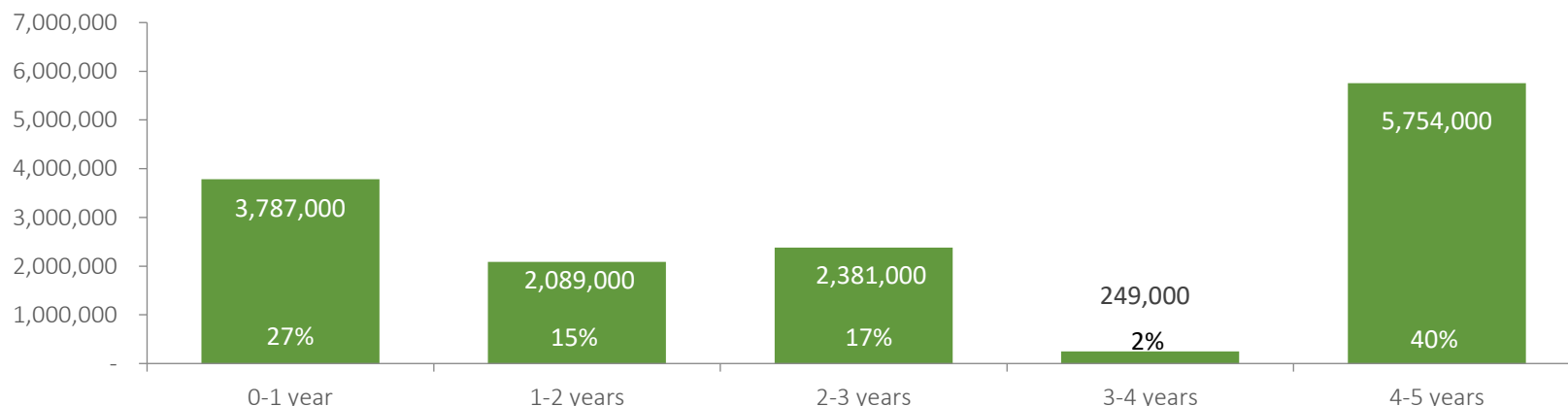
Your Securities

Weighted Average Maturity	2.63 years
Weighted Average Yield	1.96%

Your Asset Allocation



Your Maturity Distribution

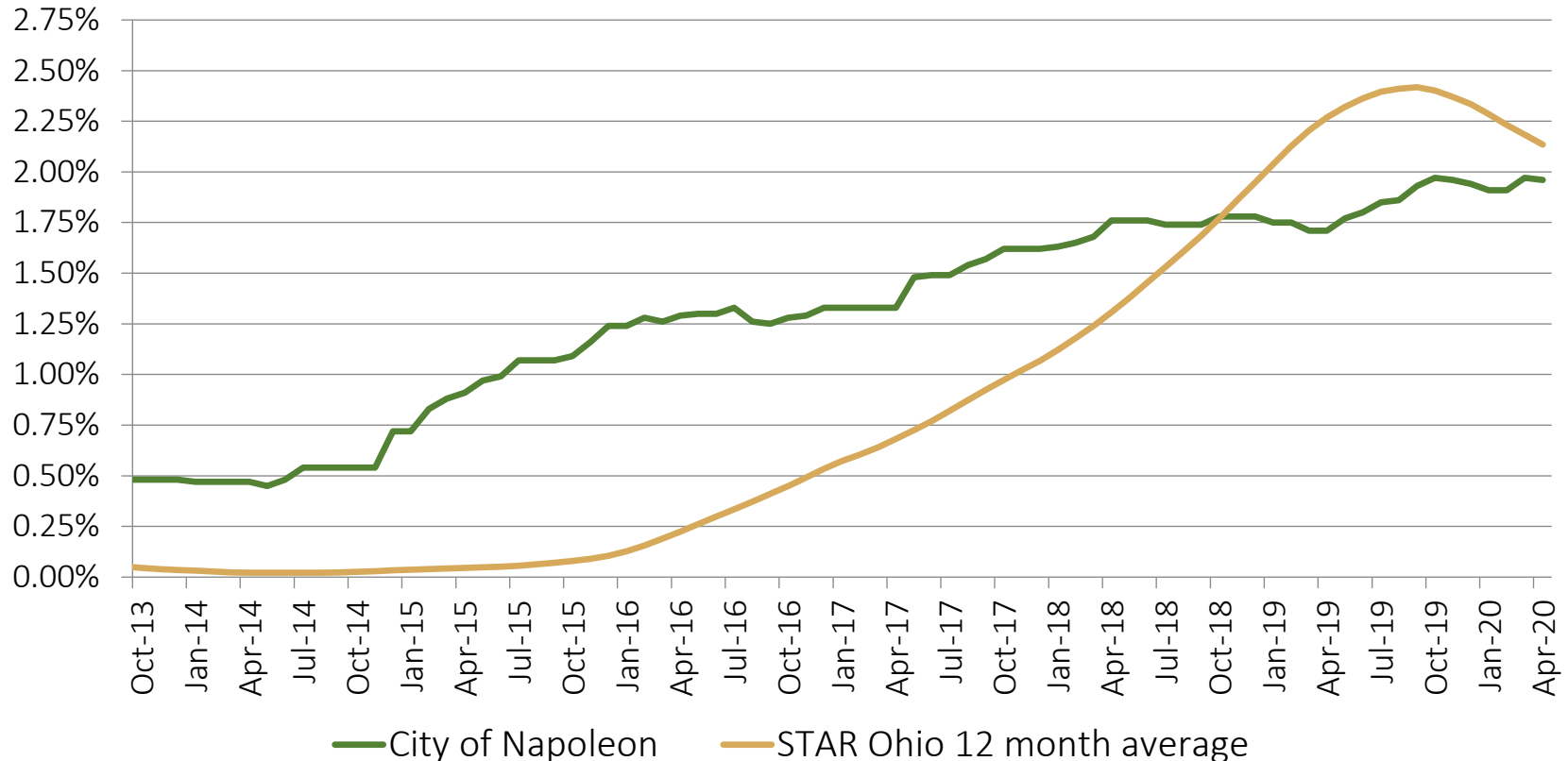


Yield and Interest Income information is annualized. All yield information is shown gross of any advisory and custody fees and is based on yield to maturity at cost. Past performance is not a guarantee of future results.



PORTFOLIO PERFORMANCE

Comparison of yield on City's portfolio to STAR Ohio



The yield on the City's portfolio has exceeded STAR Ohio by 0.43% on average

◦ ◦ ◦ ◦ ◦

HOLDINGS

April 30, 2020

CITY OF NAPOLEON HOLDINGS AS OF 04/30/2020

Par	Type	Security Name	Coupon	Maturity Date	Date Acquired	Cost	Yield to Maturity	Safekeeping	CUSIP	Days to Maturity
Cash and Cash Equivalents										
5,981,861		STAR OHIO				5,981,861.38	0.84%			1
4,317,017		TOIXX - FEDERATED TREASURY OBLIGATIONS FUND				4,317,017.40	0.10%		60934N500	1
10,298,879		TOTAL CASH AND CASH EQUIVALENTS				10,298,878.78	0.53%			1
Fixed Income Securities										
247,000	CD - Brokered	BMW BANK 1.90% 08/18/20	1.90%	8/18/2020	8/15/2017	246,506.00	1.97%	PNC	05580AKA1	110
247,000	CD - Brokered	COMMTY TRUST 1.85% 08/18/20	1.85%	8/18/2020	8/9/2017	246,570.22	1.91%	PNC	20416LAC3	110
249,000	CD - Brokered	COMENITY CAP 1.90% 08/28/20	1.90%	8/28/2020	8/16/2017	248,626.50	1.95%	PNC	20033AWD4	120
1,000,000	Commercial Paper	TOYOTA MOTOR CP 9/8/20	0.00%	9/8/2020	12/13/2019	986,275.00	1.86%	PNC	89233GJ80	131
850,000	Commercial Paper	BANK OF MONTREAL CP 9/21/20	0.00%	9/21/2020	12/27/2019	838,726.28	1.80%	PNC	06366GJM2	144
700,000	US Treasury	T 1.375% 09/30/20	1.38%	9/30/2020	10/30/2019	698,277.34	1.65%	PNC	912828L65	153
247,000	CD - Brokered	CIT BANK NA 1.85% 3/29/21	1.85%	3/29/2021	9/25/2019	246,938.25	1.87%	PNC	12556LBH8	333
247,000	CD - Brokered	BMO HARRIS 1.80% 3/30/21	1.80%	3/30/2021	9/25/2019	246,708.54	1.88%	PNC	05581W2J3	334
247,000	CD - Brokered	CAP ONE USA 2.25% 05/17/21	2.25%	5/17/2021	5/12/2017	247,000.00	2.25%	PNC	1404202U3	382
247,000	CD - Brokered	BARCLAYS 2.15% 10/25/21	2.15%	10/25/2021	10/17/2017	246,135.50	2.24%	PNC	06740KLH8	543
600,000	US Government Agencies	FHLB 1.65% 02/18/22	1.65%	2/18/2022	2/24/2020	600,137.50	1.65%	PNC	3130AJ6U8	659
248,000	CD - Brokered	ALLY BANK 0.85% 3/14/22	0.85%	3/14/2022	3/20/2020	245,387.64	1.40%	PNC	02007GMX8	683
150,000	CD - Brokered	LAKELAND BANK 1.10% 3/30/22	1.10%	3/30/2022	3/30/2020	149,850.00	1.15%	PNC	511640BB9	699
100,000	CD - Brokered	CELTIC BANK 1.05% 03/31/22	1.05%	3/31/2022	3/31/2020	99,900.00	1.10%	PNC	15118RUP0	700
248,000	CD - Brokered	INVESTORS BANK/SHORT HILLS 1.25% 04/01/22	1.25%	4/1/2022	3/31/2020	247,690.00	1.31%	PNC	46176PMY8	701
249,000	CD - Brokered	ENCORE BANK 0.85% 4/29/22	0.85%	4/29/2022	4/30/2020	249,000.00	0.85%	PNC	29260MBC8	729
247,000	CD - Brokered	AMEX BANK FSB 2.40% 05/17/22	2.40%	5/17/2022	5/12/2017	247,000.00	2.40%	PNC	02587CEZ9	747
247,000	CD - Brokered	AMEX CENT BK 2.40% 05/17/22	2.40%	5/17/2022	5/12/2017	247,000.00	2.40%	PNC	02587DT32	747
247,000	CD - Brokered	SYNCHRONY 2.40% 05/19/22	2.40%	5/19/2022	5/12/2017	247,000.00	2.40%	PNC	87165EL96	749
247,000	CD - Brokered	TIAA FSB 2.20% 09/14/22	2.20%	9/14/2022	9/5/2017	245,765.00	2.31%	PNC	87270LAT0	867
155,000	US Government Agencies	FFCB 1.78% 12/19/22	1.78%	12/19/2022	12/26/2019	154,883.15	1.82%	PNC	3133ELET7	963
249,000	CD - Brokered	AMERANT BANK 1.85% 12/20/22	1.85%	12/20/2022	12/24/2019	248,626.50	1.90%	PNC	02357QAF4	964
77,000	CD - Brokered	GOLDMAN SACHS 1.85% 12/27/22	1.85%	12/27/2022	12/26/2019	76,846.00	1.92%	PNC	38149MLY7	971
170,000	CD - Brokered	GOLDMAN SACHS 1.90% 12/27/22	1.90%	12/27/2022	12/26/2019	169,660.00	1.97%	PNC	38149MLU5	971
247,000	CD - Brokered	JP MORGAN 1.90% 12/30/22	1.90%	12/30/2022	12/30/2019	246,506.00	1.97%	PNC	48128LVN6	974
249,000	CD - Brokered	WELLS FARGO 1.85% 12/30/22	1.85%	12/30/2022	12/30/2019	248,626.50	1.90%	PNC	949495AF2	974

Yield and interest income information is annualized. All yield information is shown gross of any advisory and custody fees and is based on yield to maturity at cost. Days to maturity is calculated based on the difference between maturity date and report date. Total days to maturity is calculated based on weighting each security's days to maturity to the total securities or assets. Past performance is not a guarantee of future results.

CITY OF NAPOLEON HOLDINGS AS OF 04/30/2020

Par	Type	Security Name	Coupon	Maturity Date	Date Acquired	Cost	Yield to Maturity	Safekeeping	CUSIP	Days to Maturity
246,000	CD - Brokered	MGRN STANLEY 2.65% 01/11/23	2.65%	1/11/2023	1/9/2018	245,754.00	2.67%	PNC	61747MF63	986
249,000	CD - Brokered	MARLIN BUSINESS 1.70% 12/4/23	1.70%	12/4/2023	12/2/2019	248,128.50	1.79%	PNC	57116ATG3	1313
246,000	CD - Brokered	CAPITAL ONE 2.65% 05/22/24	2.65%	5/22/2024	5/14/2019	244,770.00	2.76%	PNC	14042RLP4	1483
249,000	CD - Brokered	WELLS FARGO 2.65% 05/24/24	2.65%	5/24/2024	5/14/2019	248,004.00	2.74%	PNC	949763B96	1485
246,000	CD - Brokered	MEDALLION BK 2.50% 6/10/24	2.50%	6/10/2024	5/29/2019	244,966.80	2.59%	PNC	58404DEG2	1502
505,000	US Government Agencies	FHLB 2.40% 06/12/24	2.40%	6/12/2024	6/5/2019	505,000.00	2.40%	PNC	3130AGLE3	1504
249,000	CD - Brokered	VERUS BANK 2.40% 6/14/24	2.40%	6/14/2024	5/30/2019	247,941.75	2.49%	PNC	92535LCF9	1506
250,000	US Government Agencies	FHLMC 2.00% 07/30/24	2.00%	7/30/2024	10/22/2019	250,000.00	2.00%	PNC	3134GULJ7	1552
625,000	US Government Agencies	FFCB 2.00% 09/03/24	2.00%	9/3/2024	8/29/2019	625,000.00	2.00%	PNC	3133EKH41	1587
300,000	US Government Agencies	FFCB 1.60% 09/17/24	1.60%	9/17/2024	9/26/2019	299,496.00	1.65%	PNC	3133EKP75	1601
249,000	CD - Brokered	FLATWATER BK 1.95% 9/30/24	1.95%	9/30/2024	9/24/2019	247,879.50	2.04%	PNC	33885WAB6	1614
420,000	US Government Agencies	FNMA 1.625% 10/15/24	1.63%	10/15/2024	10/22/2019	418,119.30	1.72%	PNC	3135G0W66	1629
247,000	CD - Brokered	HSBC BANK 2.125% 11/04/24	2.13%	11/4/2024	11/4/2019	245,765.00	2.23%	PNC	44329MBF9	1649
325,000	US Government Agencies	FFCB 1.625% 11/08/24	1.63%	11/8/2024	11/25/2019	324,212.64	1.69%	PNC	3133EK6J0	1653
325,000	US Government Agencies	FHLB 2.00% 12/05/24	2.00%	12/5/2024	12/5/2019	325,000.00	2.00%	PNC	3130AHM34	1680
125,000	US Government Agencies	FHLMC 2.05% 12/30/24	2.05%	12/30/2024	12/30/2019	124,918.75	2.06%	PNC	3134GUG61	1705
500,000	US Government Agencies	FHLMC 2.00% 01/21/25	2.00%	1/21/2025	1/24/2020	500,083.33	2.00%	PNC	3134GU4M9	1727
247,000	CD - Brokered	STATE BANK OF INDIA 2.00% 1/22/25	2.00%	1/22/2025	1/24/2020	246,533.07	2.04%	PNC	856285SK8	1728
249,000	CD - Brokered	ENERBANK USA 1.80% 01/29/25	1.80%	1/29/2025	1/29/2020	248,502.00	1.84%	PNC	29278TMR8	1735
247,000	CD - Brokered	MORGAN STANLEY PVT BANK 1.90% 1/30/25	1.90%	1/30/2025	1/30/2020	246,012.00	1.98%	PNC	61760A6T1	1736
150,000	US Government Agencies	FNMA 1.90% 02/18/25	1.90%	2/18/2025	2/20/2020	150,015.83	1.90%	PNC	3135G0Y23	1755
14,260,000		TOTAL FIXED INCOME SECURITIES				14,211,744.39	1.96%			960
24,558,879		TOTAL ASSETS				24,510,623.17	1.36%			558

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DISCLOSURE

Meeder Public Funds, Inc. is a registered investment adviser with the Securities and Exchange Commission (SEC) under the Investment Advisers Act of 1940. Registration with the SEC does not imply a certain level of skill or training. The opinions expressed in this presentation are those of Meeder Public Funds, Inc. The material presented has been derived from sources considered to be reliable, but the accuracy and completeness cannot be guaranteed.

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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: Kelly O'Boyle, Finance Director
Jeff Rathge, Operations Superintendent
Roxanne Dietrich, Clerk Of Council
Date: May 13, 2020
Subject: 2020 Concrete Crushing ~ Approval of Specifications & Bid Documents

As part of the 2020 Budget, the 2020 Concrete Crushing was scheduled to take place. However, with the multitude of projects in the last couple of years, the pile that needs to be crushed has grown considerably. Also, we have exhausted all of our crushed concrete reserves.

The approved budget for the project was \$40,000.00. We are requesting approval of the Specifications & Bid Documents which includes an Engineer's Estimate of \$100,000.00. The additional funds can be transferred from other accounts and supplemented back at the next quarterly budget adjustment. The required funding would ultimately be coming from the sanitation fund which is one of our healthiest funds.

I am requesting a motion from Council to approve the Specifications and Bid Documents to allow us to advertise for bids for the 2020 Concrete Crushing project.

CEL



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151

KELLY O'BOYLE, FINANCE DIRECTOR

phone (419) 599-1235

fax (419)-599-8393

Web Page: www.napoleonohio.com

Email: koboyle@napoleonohio.com

DATE: May 18, 2020
TO: Members of City Council, Jason P. Maassel, Mayor,
Joel L. Mazur, City Manager, Billy D. Harmon, City Law Director
FROM: Kelly O'Boyle, Finance Director *KOB*
SUBJECT: Award of Banking Services Request for Proposal

On March 19, 2020, a Request for Proposal (RFP) was issued with courtesy notifications to five (5) local financial institutions. Due to the COVID-19, the due date was extended until May 1, 2020 at 10:00 a.m. As we discussed, the City would be selecting only one financial institution for efficiency purposes. The only reason there were two financial institutions in the past was that F&M did not offer the required Positive Pay during the last RFP process.

We received three (3) proposals from the following financial institutions: Huntington Bank, First Federal and Farmers & Merchants (F&M). Shannon, Lori, Tracy, and I opened the sealed RFPs on May 1st. It was discovered at this time that Huntington Bank did not include all the pages listed in the Table of Contents (only 22 of the 97+ pages), thus leaving their presentation incomplete.

Those same staff performed independent reviews of the three proposals (even the Huntington Bank proposal). As stated above the Huntington Bank proposal was incomplete and the First Federal proposal did not include all the requested information.

Therefore, the consensus from the independent reviews of my team was that F & M met all the needs for the City. I also reviewed the proposals and agree with my team.

I request permission to enter into a contract with F&M for the banking services of the City of Napoleon for the period of five (5) years. There will be some costs and time associated with the switch to one bank, mainly with the cost of checks and setting up the Positive Pay process.

Thank you for your consideration, please let me know if you have any questions.



City of Napoleon, Ohio

Department of Public Works

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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
Dave Pike, WWTP Superintendent
Roxanne Dietrich, Clerk of Council
Date: May 12, 2020
Subject: WWTP Phase I Improvements ~ Contract Amendment

In June 2019 the Engineering Design Contract was issued to Jones & Henry Engineers, Ltd. for the WWTP Phase I Improvements. At that time city staff was considering some alternative styles of design/bidding, primarily the Construction Manager At Risk (CMAR) style of design/bidding. Because of this consideration, the design contract for J&H was only for the plans to be brought to 30% complete.

Now that we have progressed through a portion of the design, staff has determined that the best project format would be the traditional method of design and bidding. With that decision being made, we are requesting to adjust the contract with J&H to include the remainder of the design.

Original Contract Amount:	\$469,100.00
Additional Design Cost:	\$670,983.00
Total Design Cost:	\$1,140,083.00

I request that Council please pass a motion to revise the contract with Jones & Henry Engineers, Ltd. to allow us to move forward with the project design. If you have any questions or require additional information, please contact me at your convenience.

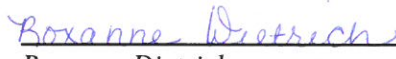
CEL

City of Napoleon, Ohio
SPECIAL JOINT MEETING
of the
PARKS AND RECREATION COMMITTEE
with the
PARKS AND RECREATION BOARD
MONDAY, MAY 18, 2020 AT 6:00 PM

LOCATION:
Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio
The WebEx link to the meeting will be posted on the main page of the City's website at www.napoleonohio.com

AGENDA

- 1) Approval of Minutes/October 21, 2019 (in the absence of any objections or corrections, the minutes shall stand approved)
- 2) Discussion on Fourth of July Celebration Plans
- 3) Parks and Recreation Operations and Policies Update Related to COVID-19
- 4) Adjournment



Roxanne Dietrich
Executive Assistant to Appointing Authority/Clerk of Council

PARKS AND RECREATION COMMITTEE

Meeting Minutes

Monday, October 21, 2019 at 6:00 pm

PRESENT	
Committee Members	Jeff Mires-Chair, Dan Baer, Ken Haase
City Staff	Joel Mazur-City Manager Tony Cotter-Parks and Recreation Director Roxanne Dietrich-Recording Secretary
Absent	
Call to Order	Chairman Mires called the Parks and Recreation Committee meeting to order at 6:00 pm.
Approval of Minutes	Hearing no corrections, the Minutes of the December 17, 2018 meeting stand approved as presented.
Shelter House Rate Increase	Cotter stated the Parks and Rec Board's recommendation made at their meeting in November of 2018 was brought to the committee and at that time the committee did not want to do anything with rates due to the pool levy. Last month the Rec Board met and the question and the shelter house rate increase was brought back up with the Board's recommendation of 10% across the board for all time blocks for all three of the shelter houses. Mires asked if this would be effective the first of the year. Cotter replied if this is something the Committee would want to do then it will go to Council. Legislation would need to be drafted and rates normally go through three readings. The increase would not hit the December rush when residents can start to make reservations for 2020. Haase mentioned the prior Finance Director did not want a maintenance fund. Mazur said only because that would just have been another fund for him to track. Mires commented the Rec Board's first recommendation was to raise rates \$10 across the board with no money going into a maintenance fund and Council felt the percentage would have been too high. Cotter stated the whole discussion began with what are the plans for any perpetual maintenance of the facility at Oberhaus Park, is there any money set aside. Baer asked when Oberhaus Park was put together was that paid for by the Rotary and Lions Club. Cotter responded a lot of funding came from both clubs, that shelter house was built in 1998. We have put some money into that building we had to do things to the wiring and the heat pump was undersized it was very well built. Haase noted it was well taken care of and in good shape. Cotter said it is a good idea to have a fund established for maintenance instead of pulling money out of capital or the rec fund operating. Baer said the windows at Ritter weren't in the greatest shape five years ago, that building is older. Cotter noted we do have a proposal to replace the windows at Ritter, we put a patio on the back this summer. Eventually we'd like to replace the two larger windows in the front, we've had requests to put A/C in there eventually, we do want to insulate it a little better. Wayne Park it is what it is, there is not much we can do there.

Motion to Raise Shelter House Rates 10% Across Board Rounding Up to Nearest \$5.00

Passed
Yea-3
Nay-0

Motion to Have Amount from Rate Increase go Into a Maintenance Fund

Passed
Yea-3
Nay-0

Other Matters

Motion to Adjourn

Passed
Yea-3
Nay-0

Adjournment

The Parks and Rec Committee was adjourned at 6:22 pm.

Approved:

May 18, 2020

Chairman

City of Napoleon, Ohio
SPECIAL JOINT MEETING
of the
PARKS AND RECREATION BOARD
with the
PARKS AND RECREATION COMMITTEE
MONDAY, MAY 18, 2020 AT 6:00 PM

LOCATION:

Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

The WebEx link to the meeting will be posted on the main page of the City's website at www.napoleonohio.com

AGENDA

- 1) Approval of Minutes/April 29, 2020 (*in the absence of any objections or corrections, the minutes shall stand approved*)
- 2) Discussion on Fourth of July Celebration Plans
- 3) Parks and Recreation Operations and Policies Update Related to COVID-19
- 4) Adjournment



Roxanne Dietrich

Executive Assistant to Appointing Authority/Clerk of Council



City of Napoleon, Ohio

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Napoleon, OH 43545

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Memorandum

To: Tree Commission, Mayor and City Council, City Manager, City Law Director, City Finance Director, Department Supervisors, News Media
From: Roxanne Dietrich, Executive Assistant to Appointing Authority/Clerk of Council
Date: May 15, 2020
Subject: Tree Commission – Cancellation

The regularly scheduled meeting of the City Tree Commission for Monday, May 18, 2020 at 6:00 pm has been CANCELED.

Ohio Municipal League Legislative Bulletin

Ohio Municipal League <kscarrett@omlohio.org>

Wed 5/13/2020 8:02 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

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Legislative Bulletin

May 13, 2020

OML UPDATE AT-A-GLANCE

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

- This morning, the Ohio Supreme Court heard oral arguments virtually on the lawsuit challenging the centralized collection of municipal net profit income taxes and provisions in HB 5, the Municipal Income Tax Uniformity bill passed in 2014. You can read more in the article below.
- The Ohio House and Senate were busy this week with committee hearings and sessions, holding hearings on several bills impacting municipalities, which you can read about in the committee recap below. The House will recess for the summer on June 11; the Senate is currently scheduled to recess on June 24. The legislature will not reconvene for lame duck in the fall until after the November election unless one or two session days are needed during summer recess. We will keep our members updated on any changes to the schedule.
- House Speaker Nancy Pelosi has introduced the Heroes Act (HR 6800), which would enact measures such as increasing aid for state and local governments, extending unemployment insurance benefits and providing more direct payments to citizens. The bill creates a local relief fund of \$375 billion to assist local governments. You can read more in the article below.

SPONSOR TESTIMONY HEARD FOR LEGISLATION TO DISTRIBUTE FEDERAL AID TO LOCAL GOVERNMENTS

Today the House Finance Committee heard sponsor testimony on SB 310, sponsored by Sen. Dolan (R - Chagrin Falls), which would distribute \$350 million from the CARES Act through the Local Government Fund (LGF) formula. Here you can find the [bill language](#) and [analysis](#).

Sen. Dolan emphasized the urgent needs local governments are facing and the need to get these federal funds out quickly. "We believe this is an integral part of reopening our economy," he said.

The Senator explained in his testimony the money would be disbursed in a separate fund using the existing LGF formula with some modifications, including the exclusion of the five counties and one municipality in Ohio with populations over 500,000 that received direct distributions from the CARES Act. He also explained that local governments would have to pass a resolution and send it to the political subdivision's county auditor and Ohio Office of Budget and Management (OBM) stating they will follow the guidelines established by the U.S. Dept. of Treasury on how the federal aid can be spent. OBM will be releasing a template that local governments can use for this resolution, and Sen. Dolan confirmed in his testimony that this language is coming soon.

Ohio received \$4.5 billion from the CARES Act, up to \$2 billion of which can be distributed to local governments. The \$350 million disbursed by the bill leaves up to \$850 million for distribution to Ohio's political subdivisions. According to the bill, the remaining funds would be held in reserve by the state for a second round of funding. In his testimony, Sen. Dolan said he believed the second round of funding should be held until there is further guidance from the federal government on how those funds can be used.

The League has joined with the Ohio Mayors Alliance, the County Commissioners Association of Ohio and the Ohio Township Association in support of SB 310. This coalition submitted joint proponent testimony when the bill was in the Senate, which you can read [HERE](#).

We encourage our members to call their members in the Ohio House and urge them to support and quickly pass this legislation. Our cities and villages need federal aid immediately in order to continue delivering the quality services Ohioans deserve. It is imperative that the House act quickly on SB 310. We will continue to keep our members apprised of this bill as it moves through the legislative process.

ORAL ARGUMENTS HEARD BY OHIO SUPREME COURT ON MUNICIPAL INCOME TAX CENTRALIZED COLLECTION LAWSUIT

The Ohio Supreme Court heard oral arguments virtually this morning on the lawsuit challenging the constitutionality of the centralized collection of municipal net profit income taxes as well as provisions in HB 5, the 2014 Municipal Income Tax Uniformity bill.

The three-year history of this lawsuit began when the challenge was filed in November of 2017 by approximately 200 municipalities. The lawsuit challenged the constitutionality of provisions HB 49, which mandates that businesses be able to centrally file their net profit income taxes through the state via the Ohio Business Gateway (OBG) with the state then distributing the money to the municipalities after removing a .5% administrative fee. The lawsuit also challenged the constitutionality of provisions in HB 5, the 2014 Municipal Income Tax Uniformity bill, which mandated that municipalities conform their municipal tax laws with state law to continue to collect income taxes.

After the two initial lawsuits filed by the municipalities were combined into Franklin County, the Franklin County Common Pleas Court and the Tenth District Court of Appeals ruled in favor of the state. Our members appealed the ruling to the Ohio Supreme Court. The appeal was filed in May of last year and was accepted 5-2 that August. The League filed an amicus brief with the Ohio Supreme Court in support of our members.

It is the League's position along with our members that the Supreme Court ruling in *Cincinnati Bell v. Cincinnati* (1998) stated that taxation falls under the Ohio Constitution's Home Rule provision protecting "all powers of local self-government." Our members have also argued that centralized collection does not give municipalities the right to audit the taxpayers that file their net profits through the OBG, as well as

denying them the ability to review those tax records, make decisions regarding alternative apportionment, enforce filings or participate in appeals filed by a taxpayer.

Court documents filed by our members state that, "The home rule power of local self-government is ultimately hollow if municipalities cannot control the collection and administration of their primary remaining revenue source, the municipal income tax." Ohio Attorney General Dave Yost, on behalf of the state, has argued that the Ohio Constitution allows the state to both limit and restrict municipal levies, including "the mode and measure of the restriction to be imposed." He argued that the ruling in *Maloy v. City of Marietta* (1860) encompasses the state's authority over both tax rates and all forms of tax administration.

During today's oral arguments, the state repeated these arguments and stated that the cost of compliance for businesses to file net profits in multiple municipalities makes centralized collection necessary. The Supreme Court Justices questioned why the state felt they could levy the .5% administration fee and whether the amount could be raised to any percentage the state deemed necessary. Counsel representing our members made a strong case that the ability of a municipality to levy and collect municipal income tax is protected by Home Rule. They also argued that state's claim that it costs Ohio businesses \$800 million each year to comply with filing net profit taxes in multiple municipalities is baseless.

A decision from the court is expected within the next three to five months and at most, before the end of the year. The League will continue to keep our members updated on the lawsuit as the court hearings proceed.

PHASE FOUR FEDERAL FUNDING BILL INTRODUCED

House Speaker Nancy Pelosi has introduced the Heroes Act (HR 6800), which would allocate phase four of federal aid in response to the COVID-19 pandemic." You can read the bill language and the full summary [HERE](#).

Most notably for Ohio's municipalities, the bill creates a local relief fund of \$375 billion to assist local governments. This money would be more flexible than the funds currently provided by the CARES Act and could be used to help stabilize local budgets.

The bill contains many other allocations that would impact local governments, including \$15 billion in Community Development Block Grants, \$5.5 billion for broadband and \$1 billion to Community Development Financial Institutions (CDFI) for economic support and recovery in distressed communities. Additionally, the bill removes the exclusion disallowing the paid sick and family leave credits enacted in the Families First Coronavirus Response Act for local governments.

The bill provides federal funding to a wide range of areas, including agriculture, rural development, education and transportation. It would allocate funding for family care for essential workers, extend unemployment insurance benefits and send more direct payments to Americans. Other allocations in the bill include \$500 billion for state governments to assist with the fiscal impacts from the public and \$10 billion for grants to small businesses.

The League supports a much-needed phase four in federal funding for Ohio's cities and villages. Our members are encouraged to contact their members of Congress and ask that they support this bill in order to provide financial aid that can help stabilize Ohio's local budgets.

UPDATE ON OHIO CORONAVIRUS RESPONSE

- As of Wednesday afternoon, Ohio is reporting 25,721 cases of coronavirus, 1,483 deaths, 4,618 hospitalizations and 1,248 ICU admissions.
- Sectors licensed by the State Medical Board of Ohio, including massage therapy, acupuncture and cosmetic therapy will be permitted to reopen on May 15 with the implementation of proper safety measures. You can find the full list of mandatory and recommended best practices [HERE](#).
- The Ohio Department of Job and Family Services (ODJFS) has received approval from the United States Department of Agriculture for its Pandemic EBT plan. The approval will allow ODJFS to distribute SNAP benefits to 850,000 students across Ohio who relied on free or reduced-price meal programs when school was in session to have access to a hot, nutritious meal. Families will receive approximately \$300 to purchase healthy and nutritious foods to feed their children. These benefits amount to more than \$250 million that will go to our grocery stores and other eligible retailers.
- Ohio Dept. of Aging Dir. Ursel McElroy announced the Stay Connected program which will provide a daily check-in by phone for Ohioans ages 60 or older. Eligible Ohioans can sign up at aging.ohio.gov or by calling 1-800-266-4346.
- The Ohio Department of Job and Family Services reported the following unemployment claims processing numbers: 1,067,500 filed in total; 89.4% resolved (either approved, denied or withdrawn); and 10.5% pending.
- The Small Business Administration (SBA) is announcing that 126,159 small businesses in Ohio have been lent a total of \$19 billion through the federal Payroll Protection Program. The loans will be forgiven if employees are kept employed for eight weeks and the money is only used for payroll, rent or mortgage interest, and utilities.
- JobsOhio and the Ohio Department of Commerce's Division of Liquor Control announced they will offer a one-time rebate to bars and restaurants to defray the cost of restocking high-proof spirituous liquor. Beginning in mid-May, JobsOhio will provide a \$500 rebate in high-proof spirituous liquor to eligible permits for purchases made through Ohio Liquor Contract Liquor Agencies. Permit holders must register to be eligible for rebate. There are more than 13,600 eligible permits in Ohio, totaling \$6.8 million in potential rebates available to bars and restaurants. To view qualifying permits and to register for the liquor rebate program, visit Wholesale.OHLQ.com.

COMMITTEE RECAP: BILLS OF MUNICIPAL INTEREST

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

- **HB 308 - PTSD COVERAGE.** Sponsored by Rep. Patton (R - Strongsville), concerns workers' compensation and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury. During its first hearing before the Senate General Government and Agency Review Committee, the bill's sponsor explained that the bill would make a first responder diagnosed with post-traumatic stress disorder arising from employment eligible for workers' compensation and benefits without the current requirement for an accompanying physical injury. The League was supportive of a one-year cap on coverage; however, the bill was amended to remove that cap when the bill was in the House. The League is now opposed to this legislation. (Link: <https://bit.ly/2Z3MIOz>)

- HB 242 - AUXILIARY CONTAINERS. Sponsored by Rep. Lang (R - West Chester Tsp.) and Rep. Jones (R - Freeport), would authorize the use of an auxiliary container for any purpose, prohibit the imposition of a tax or fee on those containers, and apply existing anti-littering law to those containers. During its first hearing before the Senate Local Government, Public Safety and Veterans Affairs Committee, the bill's sponsors claimed the legislation is intended to "better ensure a healthy economy in Ohio". The League is opposed to this legislation. (Link: <https://bit.ly/2yI9cEN>)
- HB 163 - WATER/SEWER SERVICE. 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. During its seventh hearing before the House Public Utilities Committee, the bill was voted out of committee. The League is opposed to this legislation. (Link: <https://bit.ly/2Wr7q3G>)
- SB 10 - THEFT IN OFFICE. Sponsored by Sen. Wilson (R - Maineville), would expand the penalties for theft in office based on the amount stolen and to include as restitution audit costs of the entity that suffered the loss. During its fourth hearing before the House Criminal Justice Committee, four amendments to the bill were adopted. The first adds to the list of debts toward the satisfaction of which the Tax Commissioner may apply a tax refund due to a taxpayer; the second requires county auditor to issue warrants for payment of county obligations in certain instances; the third amends the criminal conviction records sealing law; and the fourth caps the reimbursement amount for an audit. The League is supportive of this legislation. (Link: <https://bit.ly/3dGIQCT>)

Ohio Municipal League Meetings & Trainings

Due to COVID-19 OML Meetings & Trainings are currently postponed.

OML/OMAA Webinar

May 21, 2020 11:00 am ~ 12:00 pm
"AN EMPLOYMENT LAW UPDATE - from Discrimination to COVID-19 to the First Amendment"
Registration Information

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director
Edward Albright, Deputy Director
Ashley Ringle, Director of Communications
Thomas Wetmore, Legislative Advocate
Garry Hunter, General Counsel

Website, Bulletin or Membership Issues:

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