



City of Napoleon, Ohio

P.O. Box 151 ~ 255 West Riverview Avenue
Napoleon, OH 43545
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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: June 1, 2020
Subject: General Information

CALENDAR

CITY COUNCIL MEETING AGENDA

APPROVAL OF MINUTES

May 18, 2020 Regular Council Meeting Minutes

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 023-20**, an Ordinance Amending Certain Sections of the City of Napoleon, Ohio Water and Sewer Rules, Specifically Rules 10.1(E) and 11(E); and Declaring an Emergency
2. **Ordinance No. 024-20**, an Ordinance Repealing Ordinance No. 047-15, and Creating a Downtown Revitalization District; and Declaring an Emergency (*Suspension Requested*)
 - Please see the attached Memorandum and also the Property Prepers LLC Application submitted for Establishment of the Downtown Revitalization District
3. **Resolution No. 025-20**, a Resolution Authorizing the City Manager to Execute any and all Documents Necessary to Enter into a Department of Homeland Security Public Assistance Grant Agreement, through the Ohio Emergency Management Agency, on behalf of the City of Napoleon, Ohio; and Declaring an Emergency

SECOND READINGS OF 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

THIRD 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

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

1. **Discussion/Action:** Review Recommendations on CRA Agreements from the Housing Council and TIRC
 - * Attached is the information provided by the CIC on the review of the CRA Agreements by the Tax Incentive Review Council (TIRC)
2. **Discussion/Action:** on Fourth of July Activities
3. **Discussion/Action:** Change Order No. 1 (Final) to Merrell Bros., Inc. for the Phase 1 – Digester Covers and Sludge Removal Improvements, an Increase of \$79,453.10
 - * Enclosed is a Memorandum from Chad explaining the Change Order
4. **Discussion/Action:** Approval of Plans and Specifications for the Glenwood Avenue Waterline Improvements
 - * Chad's Memorandum is attached. The plans and specs are on file.
5. **Discussion/Action:** on Supplementals Issued Under \$25K
 - * Attached is information on the supplemental that Joel and Kelly signed off on.
6. **Discussion/Action:** Special Council Meeting/Public Forum
7. **Discussion/Action:** Accept Donations Related to COVID-19

INFORMATIONAL ITEMS

1. Attached is a Memorandum from our IT Department updating you on some projects they are working on.
2. Committee Meeting Canceled
 - i. Technology and Communications Committee

June 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 6:30 pm – Housing Council 7:00 pm – CITY COUNCIL	2	3	4 11:00 am – Bid Opening - Pool	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 5:00 pm Preservation 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 11:00 am – Bid Opening – Concrete Crushing 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, June 01, 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 City's website www.napoleonohio.com

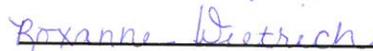
- A. Attendance** (Noted by the Clerk)
- B. Prayer and Pledge of Allegiance**
- C. Approval of Minutes** (in the absence of any objections or corrections, the minutes shall stand approved)
May 18, 2020 Council Meeting Minutes.
- D. Citizen Communication**
- E. Reports from Council Committees**
1. Finance and Budget Committee did not meet on May 26, 2020 due to lack of agenda items
 2. Safety and Human Resources Committee did not meet on May 26, 2020 due to lack of agenda items
 3. Technology and Communications Committee did not meet tonight due to lack of agenda items
- F. Reports from Other Committees, Commissions and Boards** (*Informational Only-Not Read*)
1. Civil Service Commission did not meet on May 26, 2020 due to lack of agenda items
 2. Parks and Recreation Board met on Tuesday, May 26, 2020, and
 - a. canceled the summer baseball and softball rec programs for this year based on feedback received; and
 - b. discussed Fourth of July Activities
- G. Introduction of New Ordinances and Resolutions**
1. **Ordinance No. 023-20**, an Ordinance Amending Certain Sections of the City of Napoleon, Ohio Water and Sewer Rules, Specifically Rules 10.1(E) and 11(E); and Declaring an Emergency
 2. **Ordinance No. 024-20**, an Ordinance Repealing Ordinance No. 047-15, and Creating a Downtown Revitalization District; and Declaring an Emergency (*Suspension Requested*)
 3. **Resolution No. 025-20**, a Resolution Authorizing the City Manager to Execute any and all Documents Necessary to Enter into a Department of Homeland Security Public Assistance Grant Agreement, through the Ohio Emergency Management Agency, on behalf of the City of Napoleon, Ohio; and Declaring an Emergency
- H. Second Readings of 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
- I. Third 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
- J. Good of the City** (Any other business as may properly come before Council, including but not limited to):
1. **Discussion/Action:** Review Recommendations on CRA Agreements from the Housing Council and TIRC

2. **Discussion/Action:** on Fourth of July Activities
3. **Discussion/Action:** Change Order No. 1 (Final) to Merrell Bros., Inc. for the Phase 1 – Digester Covers and Sludge Removal Improvements, an Increase of \$79,453.10
4. **Discussion/Action:** Approval of Plans and Specifications for the Glenwood Avenue Waterline Improvements
5. **Discussion/Action:** on Supplementals Issued Under \$25K
6. **Discussion/Action:** Special Council Meeting/Public Forum
7. **Discussion/Action:** Accept Donations Related to COVID-19

K. Executive Session (as may be needed)

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

M. Adjournment



Roxanne Dietrich

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 June 15, 2020 @6:00 pm)
6. **Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, June 22, 2020 @6:30 pm)
2. **Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, June 22, 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, June 23, 2020 @4:30 pm)
6. **Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, June 24, 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)**
Monday, June 1, 2020 at 6:30 pm
10. **Health Care Cost Committee (as needed)**
11. **Preservation Commission (as needed)**
 - a. Tuesday, June 9, 2020 at 5:00 pm
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 18, 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	David Mack-Chief of Police
City Staff on WebEx	Clayton O'Brien-Fire Chief, Tony Cotter-Parks and Recreation Director, Chad E. Lulfs, P.E., P.S.-Public Works Director, Jeff Rathge-Operation Supt.
Admin. to Appointing Authority/Clerk of Council	Roxanne Dietrich
Others on WebEx	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.

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

Chair Sicclair reported the **Electric Committee** met on May 11, 2020 and approved the May 2020 Power Supply Cost Factor and also received an update on the status of the substations. Comadoll, Chair of the **Water, Sewer, Refuse, Recycling and Litter Committee** reported they met on May 11, 2020 and was updated on the Wastewater Treatment Plant Phase One Improvement Project and recommend Council approve the revisions to the Water and Sewer Rules. The **Municipal Properties, Building, Land Use and Economic Development Committee** met on May 11, 2020 with Committee Chair Knepley reporting Joel Miller said last year and the year before the flower pots were not moved during Ribfest. **Parks and Rec Committee** met earlier tonight and Chair Haase reported the Committee met in combination with the Parks and Rec Board. The Board recommended and the Committee approved the recommendation to go ahead and sign a contract for fireworks this year. The committee forwarded that recommendation to Council.

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed

Review of PC 20-08 Street Dedication South Side of 700 Block of Clairmont Avenue

Maassel stated JanMar bought the old West School property from the school and then started West View Villas. There is a little cul-de-sac in there they have named Old School Drive. There are houses there and people living on Old School Drive, but it's not recorded as Old School Drive. They would like to have that named and signs put up, then they will dedicate that to the City. As far as I know, this was built to City specifications. The street dedication would allow people that live on Old School Drive to be on Old School Drive and once Google updates their maps, the City of Napoleon will have Old School Drive. This passed unanimously in Planning Commission. Bialorucki said I spoke to a resident that lives on Old School Drive and she had a very difficult time getting her mail switched over to a road that didn't exist. I'm sure the Police and Fire Departments would like to know where that street is too.

Motion: Haase
to approve PC 20-08

Second: Knepley

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed

Establish Downtown Revitalization District

Mazur stated back in 2013 there was a grant application for a downtown revitalization grant. As part of that, the Revitalization District had to be established. The Revitalization District Boundary was set and that was supposed to allow for additional liquor permits. However, that could not be sent down to the State Liquor Control Office until we ran out of a certain type of liquor permit and we had an application for that type of liquor permit. In this case, it is a D5 liquor permit which allows you to stay open until 2:00 am. We did get an application from Brian Topp who is with Brick 'N Brew. There was confusion about what was available. When he first contacted us last year, a D5 permit was available according to the State Liquor Control. Their rule is on a first come-first serve basis. There was a D5 available but, there was already somebody in line for that permit. It is based on the address which is the Old Town Tap doing business as Gracie's Taqueria. The former owner of the Brick 'N Brew sold or lost his D5 permit and it was transferred to Lucas County. For whatever reason, the paperwork shuffle never got restored in Henry County. After phone calls to figure out why don't we have that other permit available, they corrected that. Gracie's Taqueria was then allowed to apply for and pay for their permit. I don't know if they have done that yet or not. Brian Topp with Brick 'N Brew turned in his application. In order for him to be able to get his application in sooner from the State Liquor Control and especially with everything that is going on, he has asked if Council could approve this with a request for suspension at the next council meeting so he can apply for his permit sooner. This would shave off about four weeks of time for him so he can open. The kitchen side of the brick oven side has been totally renovated and he is ready to open up and would like to serve alcohol. He would like to open up as quickly as he can to start generating some revenue. Today's request is to direct the Law Director to draft legislation. The other request is if Council would pass the legislation under suspension at the next meeting. Siclair asked is this something that people will have an issue with? I understand his hurry but, I'm saying is there

of social distancing, such as the three-on-three basketball tournament. If we can have one thing that looks like 2019 here in 2020, if we can have some kind of fireworks, I would like to have fireworks. It seems to me like we are easing restrictions. More and more places of worship are opening up. Not necessarily all the way open but, they are opening up more for people. I think we are on the swing back towards normal and I think that as we get closer to Fourth of July we will get less and less restrictive. Can we do it at Glenwood, I don't know. Should we do it at Glenwood, I don't know. I would rather put ourselves in position to have it rather than not to have it. The way 2020 has been so far it's probably going to rain like it is today on July 4th, that's the way this year has been. We will take that in stride as it comes. Siclair agrees, I like the hopeful outlook. I think people need it. Bialorucki noted the thought I have is, and it was brought up a couple times back when I was on the Parks and Rec Board, it would be nice if we can have a company or a couple of businesses in the Napoleon area to sponsor, obviously not for this year. Maassel added Defiance does that and that is one of the reasons they are not having it this year. I think a lot of years you are right, but this year if you are counting on those extra dollars, that may not be good either. I agree with what Siclair said, it is just nice to be hopeful and have something. I know what you mean. Durham asked if for some reason the fireworks were cancelled, does only the \$12,000 roll over until next year and we are out the \$13,000. Mazur replied, we would pay them 50%, or \$12,250 this year and that would go towards next year's display. Bialorucki said so there's really no reason not to sign the contract this year. Harmon added that is with thirty days' notice. Just so everybody's aware, if we can give them thirty days' notice or more when we cancel, then that 50% rollover provision applies. If we do not give them thirty days' notice, then I think in previous contracts and I think this one is the same, we pay them 40%. Siclair asked 40% does not rollover? Harmon answered *that is correct*. Siclair added that is kind of important to know we are almost at thirty days. Harmon noted it would have to be early June when we would be thinking about having to try to cancel before we would lose out on a significant amount of money. Mazur said the next Council meeting is on June 1st unless there is a special meeting. Harmon said at the very next meeting we have to actually decide are we doing this or are we not? Maassel asked what is the chance of having a different contract this year? Harmon said we could certainly attempt to negotiate terms with them. These are not normal terms. This came in my inbox a little different last week at some point and I modified the terms that I had been asked to modify so that it so that it read like this but, these are the terms that were presented to me. Haase said the Parks and Rec Board will be meeting again next week and that can be discussed there. Mazur reported the Board had five yes votes and one no vote and the Committee had three yes votes. Comadoll asked if the General Fund can handle this? Mazur said I'll just say proceed with caution. Right now we are expecting to see a decrease in the amount of revenues for the General Fund and all of the Utility Funds except for the Sanitation Fund. Can it handle it? We have it budgeted but, you cannot predict the future on what we are going to bring in. Proceed with caution, we are anticipating to have shortfalls. Bialorucki said his question was if the General Fund could Mazur interjected it's \$13,500 out of what we have in our reserve balance right now is okay but, it's going into the future. Maassel asked how much is the overall General Fund Budget for 2020? Mazur asked O'Boyle \$4.215 million? O'Boyle said that's the estimate for the total income tax not the General Fund Budget. She then stated she could look it up if they wanted. Maassel said so we are talking about \$13,000 of the \$4.2 million-dollar budget. Mazur answered *yes*. Do you want this back on the agenda for the next meeting to talk about the terms or anything? Bialorucki stated if something happens between now and the next meeting where the Governor is making some recommendations or something like that. Haase said at the board meeting they could come up with something different too. Bialorucki said if they vote the same way, there's no reason to put it on. Now if they made a recommendation to make a change then we put it on the agenda.

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

Motion: Siclair

Second: Haase

to untable Recommendation of Award of a Mini-Excavator for the Electric Department

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed

Mazur reported we went to bid for the mini-excavator and received a good price. This is to help us do work in people's backyards. The thought process was to table this and see where we are financially. In the Electric Fund the unencumbered balance is at about \$4.355 million. The Electric Development Fund is at about \$3.3 million. I think financially, at least for the Electric Fund and with the price that we got for this mini-excavator which is below what we thought it was going to be, I'm being very cautious but with these numbers it is less than a \$40 000 purchase on a piece of equipment that they need. Clapp put together information that was in your packet. One of the trenchers that we have is from 1978 and the other is from 1998 so, we do have some aging equipment. One of them recently did break within the last year. Siclair asked how often would you say it gets used? Clapp thought probably every other week. We have two of them. If it is a small job the older smaller one goes out and that's where we're having problems in trying to get them turned around in small yards and through gates and fences. The mini-excavator will be useful for us in the future.

Motion: Comadoll

Second: Knepley

to award the Mini-Excavator bid to Meyer Equipment of Ridgeville, Ohio for \$39,850.00

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed

Investment Update from Meeder Investment

O'Boyle said Eileen Stanic from Meeder Investment is on the line to give a presentation.

Meeder – Thank-you, I certainly appreciate the opportunity to update you in what are clearly some uncertain times. We had a very long run here with over a decade of no recessions. That came to a halt with the advent of the COVID virus and the lockdown that has been enforced not only in the United States but, also globally as well. The first quarter GDP number come out for 2020 and reflected a negative growth of 4.8%. Forecasts for the second quarter are upwards of 25% to set reduction in GDP growth. This is very serious what the U.S. economy is experiencing as well as globally. The question that is in everyone's mind is, will we have a quick recovery or will we have a strong recovery? A lot will depend on the path of the virus and the prospect for a vaccine and containment measures that have been taken and whether they need to be taken again. The US equity markets have reacted very strongly to the virus and to the lockdown. We had a significant drop in the S&P 500 levels to what we saw in 2016 before this period of much better growth. We view the stock market as an indicator of fear and hope. The stock market is very hopeful that a vaccine will be developed and will be readily available to the U.S. and that the economic recovery will be able to continue. Another factor that we are seeing in global activity has been the impact of crude oil. The global demand for oil is down and as a result crude

oil has dropped. The spat between Russia and Saudi Arabia related to production is another factor that has resulted in oil dropping. Why is that important to us here in the United States? The U.S. has gone through a period of building up its domestic oil and gas industry to the point where we are independent for oil. With the price being so low that certainly has a negative impact on the oil and gas industry. Additionally, looking at the oil and gas industry over the past five plus years has truly contributed to the employment situation in the United States. This will result in some fallout from the employment perspective as well.

The Federal Reserve has been very swift in addressing the impact of the virus. It started on March 3, 2020 where they dropped the overnight federal fund rate by 0.50% that was a surprise announcement. They followed that up on March 15, 2020 with an additional full 1% reduction in the overnight rate. That takes the overnight rate down to 0% to 0.25% range which is reminiscent of where we were during the housing crisis. In this case, we are having a health care crisis which is translating into economic distress. They have been very swift in introducing programs federally to make certain that doesn't translate into a financial crisis as well. Interest rates have had a steep drop. Back in October of 2019 what I presented to the Finance Committee was projected that the level of interest rates would fall somewhat and that the Feds would need to cut rates a bit. We will be the first to admit, we did not anticipate a reaction to this effect that has resulted in interest rates at historic lows. What does this mean for the City? In looking at the City's portfolio, at the end of April securities invested were \$4.3 million. There was included cash monies where funds were invested that wasn't settled. Once they settled, we posted in May. The weighted average maturity is 2.63 years and a weighted average level is 1.96 years. Comparing that to the end of October 2019, the weighted average yield was 1.97. Even though interest rates have dropped significantly over this six-month period, it has not translated as quickly into the City's Investment Portfolio. The reason that has not occurred is, the City has \$5.7 million that's invested in maturity distribution to mature out in four to five years. As we saw the prospect for interest rates start to drop in late 2019 and even into early 2020, the strategy was to extend the City's portfolio to lock in interest rates to protect the interest income to the extent we have monies to reinvest. The individual securities are all in accordance with state law and in accordance with the City's investment policy as well. The policy does require that we track performance of the investment portfolio relative to a benchmark. The 12-month average on the benchmark exceeded a return on the City's portfolio but now that rates have dropped the 12-month average has taken a very sharp turn downward. From a performance standpoint as it relates to the strategy for the City, our objective is to make sure all investments meet the objectives of safety liquidity. Bialorucki asked when the \$3.7 million matures next year are we required to reinvest all of that? If some of our revenues are going down like we are projecting, would that be a time that we could use some of the \$3.7 million to make up for those losses that we're going to have instead of just putting it somewhere else where it may not be earning as much interest? Stanic said, if I understand what you are asking and that's a very big question, when we think in terms of the cash position of the City that is included in the financial reports, that already includes this money. Certainly as we look at that with O'Boyle as it relates to making sure that there is no need for moving money out of the investment portfolio into the checking account, we would have that discussion to know whether those funds would be available to be reinvested or if they needed to be pulled back into the City's checking accounts for cash flow.

APPROVAL OF PLANS AND SPECIFICATIONS FOR THE CITY OF NAPOLEON 2020 CONCRETE CRUSHING PROJECT

Mazur stated in the budget we had concrete crushing however, when we got into projects like the pool, our concrete pile that needed to be crushed grew considerably. At this point, we have exhausted all of crushed concrete for various projects. Lulfs explained ordinarily we do not have to bid this project we just get quotes. Because of the quantities we started to get, a few quotes were much higher than we

realized. Once we went out and measured the piles, we understood they are much larger than they have been in the past. We budgeted \$40,000 and we would like to increase that amount to \$100,000. We have the funds available in our budget that we could move but, they would need to be supplemented at the next quarterly budget adjustment. All of the funds would come from the Sanitation Fund that is the healthiest fund the City has. We are all out of crushed concrete and we have a very large pile that needs crushed. We are requesting approval of this project and when the budget adjustments come through that the funds are supplemented so we are not shorted on other projects. Bialorucki asked to have explained what jobs the crushed concrete is used for. Lulfs said we used much of it to stabilize the pool. We had to stabilize the banks after we removed the pool. If we wouldn't have, we would have had to buy stone for that and that would have increased the cost of that project. We use the crushed concrete on alleys when we are requested to go out and dress up the alleys that need stone. Rathge added I want to explain that it was used to build the yard waste site, it's also used for any alley rebuilds that we do. We usually put that down first and then top it with something smaller. We also get some rock out of it that we use for stabilization that helps with the storm runoff situations we have. Mazur asked if we used this stone for the golf cart coral? Rathge replied no we didn't have any for that. It all went to the pool. We use it almost everywhere except for in the street, it's not ODOT specified to use in the street but we use it anywhere in the right-of-way behind the curb. Maassel asked are we going to need more than \$40,000 in the next twelve months? Meaning, we budgeted \$40,000 and we are going to crush \$40,000 worth, is that enough to get us through or are we just going to do \$100,00 and crush it all? Mazur said there is a mobilization charge for a concrete crusher, you have to get an EPA permit and it is a pretty extensive move. Maassel asked how often do we do it? Do we do it once a year? Mazur replied every other year. Maassel said so, does \$40,000 worth of crushed concrete get us through the rest of this year and the next year? Lulfs said depending on what we have come up, \$40,000 worth of crushed concrete considering our stockpiles are completely gone, probably would not get us through the next two years. We expect to see a better price with the greater quantity and the sanitation fund has a significant balance. Rathge concurred. Siclair asked the concrete that was used in the pool since that was not part of the pool project, should the cost come from that? Lulfs explained we have used crushed concrete on a few projects here and there and we have never charged those projects or funds for that concrete. We chose not to charge the pool because we have not charged any other projects for use of our crushed concrete. Comadoll said let's do it and get it out of the way. Mazur added the other thing is you are either going to crush it now or you are going to crush it later. We will probably get a better price now crushing it all at once. Bialorucki asked if this goes through, how soon will it get crushed? Lulfs said I believe the completion date is either the middle or end of September. Bialorucki asked if we are out now, are we going to have to purchase any between now and the end of September? Rathge replied we have a decent pile at the shop right now, we should be fine as long as there is not project coming up that we will need it for. Lulfs said what we have in this shop is actually crushed aggregate from the quarry that is more expensive than crushed concrete. That is one of the reasons we stockpile the crushed concrete. We can get by using the crushed aggregate but we'd rather use the crushed concrete. If it is something that needs to be done immediately we'll use just regular stone. Siclair said she is concerned because it seems like this Sanitation Fund keeps coming up how healthy it is. They know better than I do on how much is in there but, just as Mazur said earlier about being cautious where we are taking money and how much we are spending. I would like to be sure that it is necessary, that it needs to be done right now. If \$12,000 for fireworks is too much and another \$60,000 for crushed concrete, I would like to be sure. Mazur said that is a really good point. I am very cautious with the General Fund because there are too many unknowns. With the Electric Fund and especially with the Sanitation Fund, that is probably the healthiest fund that we have. Now, it is not as much as what is in the Electric Fund. In terms of what we use it for, it is the healthiest by percentage.

An approval was made to purchase a mini-excavator earlier of \$40,000. We talked a little bit being cautious with the General Fund money for the fireworks. Like I said before, you are going to wind up crushing it one way or another and the best price that you are going to get is right now. You don't want to spend more money but, we are definitely going to have enough rock there for a long time. The last time we checked I think that fund was at about \$1.6 million. We will see what the Unlimited Pickup numbers come in at and we will also be trending to see how much the extra bag costing us as well. Bialorucki said I would like to see going forward some sort of charge for the departments that are using it, it may be over a certain amount. Obviously if you are just filling a little area in, you are not using very much that's fine but, when you have a major project and the Sanitation Department is always paying for it, that's kind of why we have everything split up. Is that something you guys can work on and maybe present that at a later time for us? Lulfs asked are you requesting that information for past projects or do you want us just to do that as standard for projects going forward? Bialorucki said just projects going forward maybe taking a look at how much you are going to use and leave it up to your judgment if we use over whatever the number may be, then charge that department. If it is a really small job, there's no sense in wasting the time to nickel and dime each department. Lulfs said Rathge and I can get together and discuss that and come up with a plan. That wouldn't be too difficult to estimate the tonnage and what the price might be. We will get together and try to come up with a standard practice. Bialorucki said I appreciate the way you handled it this time with the pool. If you have never charged prior projects that probably wouldn't make much sense to do that. Going forward, I think you should put something in place.

Motion: Comadoll

Second: Haase

to approve the plans and specifications and go out to bid for the City of Napoleon 2020 Concrete Crushing Project

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

Note: Baer dropped off the WebEx momentarily.

APPROVAL TO ENTER INTO A CONTRACT FOR BANKING SERVICES

O'Boyle stated a Request for Proposal for banking services was issued on March 19, 2020. Due to COVID-19, we extended the due date to May 1, 2020. Five courtesy notifications were sent to the local financial institutions. We received three proposals back. As discussed earlier, we want to use just one bank for efficiency purposes. We received a proposal from Huntington Bank, First Federal and Farmers and Merchants. Huntington Bank only included 22 pages of the 97 plus pages that was listed in their table of contents so, they didn't have all the information. First Federal did not submit all the requested information either. I had my staff individually review the proposals and then I reviewed the proposals. Farmers and Merchants met all of our needs. I am asking to enter into a five-year contract with them. There will be a slight cost for conversion of the checks from Huntington to Farmers and Merchants and then setting up the positive pay process. Comadoll asked a while back we had a screw-up with Farmers and Merchants where they double dipped us on finances for paying employees, do they remember that? O'Boyle responded that was their third party processor, there was miscommunication on the third party processor part. They guaranteed us after that happened it would never happen again and they apologized for it. Comadoll asked you are happy with that? O'Boyle said I reviewed the proposals and agree with my staff.

Maassel - Do we have an idea when recycling will restart? Mazur replied June 1st.

Last week was Law Enforcement Week, I was thinking about you a lot Chief and yours. This week is EMS Week will think about yours Chief O'Brien this week for the EMS runs and all the stuff that they do. We ask them and we ask the police to do something dangerous on a day in and day out basis. During COVID it is even that much more dangerous. We appreciate all that they do. The CIC is scheduled to meet tomorrow, this will be our second virtual meeting. The focus is changing for the CIC. We are trying to continue doing our projects but, it's always changing. This spring we were going to have like a signing day for those high schools kids that were going right to the workforce like you see in the paper for kids are assigned to go to this school to play sports doing the same kind of thing obviously that got cancelled. We are trying to figure out what we can do for them job-wise and retention-wise. I know spring cleanup is done, right? Mazur said I was going to say something about that, and asked Rathge did clean up get finished today or are we still going to be out tomorrow? Rathge replied we will have some cleanup, there is some small stuff at the shop that got stacked up that needs to be moved yet. The pickup I believe we're done. Maassel continued when you go to the Yard Waste Site, the sign that says Napoleon Solar Field has a bunch of small lights that sit in and around it, half of them are down, if we could just have somebody please police that up. Like Ross said, next Monday is Memorial Day. We are not doing the traditional Memorial Day Ceremony here in Napoleon. Myself and some members of the American Legion and the VFW and some of the other combined veteran organizations are trying to put something together to put on social media wise on Monday. COVID is not going to stop Memorial Day, it will modify it in the traditional sense but it's not going to stop it.

Harmon – No items

Mazur - the Parks and Rec Board met along with the committee earlier and we didn't talk about this but, one of the discussions was about restarting baseball and softball leagues. We are going to send out a message tomorrow via Facebook and our website to encourage people to register. To try to get some information out there to see if there's still any interest in getting coaches and umpires for the leagues. The governor has put out new guidelines for baseball and softball leagues and they are pretty restrictive. It will definitely be a challenge to even have leagues. If people really want to do this, it is going take an effort. We are calling for people to step up if they really want to have this. We will know more by the end of the week. Hopefully we get our answer one way or another. Siclair asked are you planning to put that information out along with the request for registrations. I think a lot of people would probably like to know that ahead of time. Mazur said we have the other messages that we have sent out about extending the registrations through the end of this week but, our numbers are way down in registrations. There are a lot of people that register at the last minute hence the need for the last minute push too. We still need the volunteers and it's not just going to be one or two coaches, it is going to take more of an effort to get help from some of the parents and spectators to help keep the kids organized and social distancing and wearing masks when they need to and everything else that is mandatory.

Bialorucki – No Items

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.

ORDINANCE NO. 023-20

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE
CITY OF NAPOLEON, OHIO WATER AND SEWER RULES,
SPECIFICALLY RULES 10.1(E) AND 11(E); AND DECLARING
AN EMERGENCY**

WHEREAS, the Board of Public Affairs and the Water and Sewer Committee met in a regular meeting held on May 11, 2020, and reviewed proposed changes to Water and Sewer Rules regarding the approval of building sewers as well as the requirements for the establishment of water/sewer services; and,

WHEREAS, the Board of Public Affairs and The Water and Sewer Committee recommended that the City Engineer have the authority to approve exceptions as deemed necessary regarding building sewers as well as the authority to approve exceptions to all future dwelling units established after the effective date of the current rules.

NOW THEREFORE,

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

Section 1. That, Rule 10.1(E) of the City of Napoleon, Ohio Water and Sewer Rules shall be hereby amended and enacted as follows:

"Rule 10.1 Building Sewers and Construction

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

That, Rule 10.1(E) of the City of Napoleon, Ohio Water and Sewer Rules, as existed prior to the enactment of this Ordinance is repealed upon the effective date of this Ordinance.

Section 2. That, Rule 11(E) of the City of Napoleon, Ohio Water and Sewer Rules shall by hereby amended and enacted as follows:

"Rule 11 Contract for Water/Sewer Service

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

That, Rule 11(E) of the City of Napoleon, Ohio Water and Sewer Rules, 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 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 allow the amendments to be in place in a timely manner, which are related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper enforcement of the City Water and Sewer Rules, being essential to the public peace, health or safety, 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 Ordinance No. 023-20 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

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, aA 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.

ORDINANCE NO. 024-20

AN ORDINANCE REPEALING ORDINANCE NO. 047-15, AND CREATING A DOWNTOWN REVITALIZATION DISTRICT; AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Section 4301.81 of the Ohio Revised Code, the process for creating a revitalization district shall commence after an application for such has been submitted by an owner of property located in a municipal corporation seeking to have that property, or that property and surrounding property designated as a revitalization district; and,

WHEREAS, on April 30, 2020 the City of Napoleon received an application for the establishment of a Napoleon Downtown Revitalization District pursuant to Section 4301.81 of the Ohio Revised Code; and,

WHEREAS, a Revitalization District is one that may include a combination of entertainment, retail, educational, sporting, social, cultural, and arts establishments within close proximity to hotels, restaurants, retail sales establishments, and arts and entertainment venues; and,

WHEREAS, the City of Napoleon, in Ordinance No. 047-15, had previously attempted to create a revitalization district, however, that legislation explicitly stated that “no individual citizen or property owner had submitted an application for revitalization district designation pursuant to Section 4301.81 of the Ohio Revised Code;” and,

WHEREAS, Council now desires to rectify the deficiencies resulting from Ordinance No. 047-15 by repealing Ordinance No. 047-15 in its entirety and thereafter properly establishing a Napoleon Downtown Revitalization District pursuant to Section 4301.81 of the Ohio Revised Code.

NOW THEREFORE,

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

Section 1. That, Ordinance No. 047-15 as it existed prior to the enactment of this Ordinance, is repealed in its entirety.

Section 2. That, the City of Napoleon received on April 30, 2020 an application for the establishment of a Napoleon Downtown Revitalization District, pursuant to Section 4301.81 of the Ohio Revised Code.

Section 3. That, the Mayor and this Council, having followed all requirements contained in Section 4301.81 of the Ohio Revised Code, now desires to create a Downtown Revitalization District pursuant to Section 4301.81 of the Ohio Revised Code.

Section 4. That, a Downtown Revitalization District, and all the associated amenities with such a District, is established in the City of Napoleon and is located primarily in the Historic Preservation District boundaries. A map attached as “Exhibit A” and incorporated herein provides an overview of the Downtown Revitalization District.

Section 5. That, a zoning map of the proposed Downtown Revitalization District and supporting establishments is attached as “Exhibit B” and incorporated herein.

Section 6. 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 7. 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 8. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and must be in effect at the earliest possible time to allow the district to be in place in a timely manner; 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 allow for proper creation and implementation of the Downtown Revitalization District, 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 Ordinance No. 024-20 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

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Web Page: www.napoleonohio.com

MEMORANDUM

Mayor
Jason Maassel

Members of Council

PRESIDENT:
Joseph Bialorucki

PRESIDENT PRO-TEM:
Daniel Baer

John Ross Durham
Jeff Comadoll
Kenneth Haase
Lori Siclair
Molly Knepley

City Manager
Joel L. Mazur

Finance Director
Kelly O'Boyle

Law Director
Billy D. Harmon

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

DATE: June 1, 2020
TO: Members of City Council
From: Jason Maassel, Mayor
CC: Joel L. Mazur, City Manager
SUBJECT: Downtown Revitalization District
Application

Attached is an application to designate a Downtown Revitalization District by Property Preppers on behalf of Brick N' Brew. A Downtown Revitalization District is eligible to have D-5L liquor permits within that designated area, with the same allowances as a D5 liquor permit, if a municipality or township have issued its allotted D5 permits.

According to Ohio Revised Code 4303.181(L)(4), not more than one D-5L permit shall be issued within each revitalization district for each five acres of land located within the district. Not more than fifteen D-5L permits may be issued within a single revitalization district. Except as otherwise provided in division (L)(4) of this section, no quota restrictions shall be placed upon the number of D-5L permits that may be issued.

The proposed area for this application is 148+ acres which, if approved by the Ohio Division of Liquor Control, could open up as many as fifteen D-5L liquor permits; however, that is up to the discretion of Liquor Control.

Should Council approve establishing the proposed district, the application will be forwarded to the Ohio Division of Liquor Control for final review and approval. It will be the responsibility of the entities to submit a separate application to the Ohio Division of Liquor

Control for the D-5L permits within this established area after the area has gone through the approval process.

Property Preppers are in the final stages of completing the renovations to the building; therefore, I am respectfully recommending to Council to approve this application to establish a Downtown Revitalization District and pass it under emergency and suspension.

Application to the Napoleon City Council
for the establishment of
Napoleon Downtown Revitalization District



Property Prepers LLC, on behalf of Brick N' Brew Pub, LLC located at 631 N. Perry Street, Napoleon, Ohio 43545, respectfully submits the following application to Jason Maassel, Mayor of Napoleon, and to the Napoleon City Council to approve and enact the Napoleon Downtown Revitalization District in accordance with ORC 4301.81

Submitted April 30, 2020

Contents:

- 1.0 Overview
- 2.0 Specific Boundaries of the NDRD:
- 3.0 Land Use and Zoning

1.0 Overview

Property Prepers LLC is submitting this application to the Napoleon City Council to approve and enact the Napoleon Downtown Revitalization District (NDRD), in accordance with Section 4301.81 of the Ohio Revised Code. This allows municipalities with a population under 125,000 residents or less to create a designated Downtown Revitalization District as outlined in Ohio Revised Code 4303.181(L)(d)(i-vi). Napoleon City Council approval would create a designated Napoleon Downtown Revitalization District within most of Napoleon's downtown, meeting or exceeding all of the requirements of ORC 4301.81, for the cultural and economic betterment of the businesses, residents, and property owners within the NDRD as well as the whole of Napoleon by further establishing Napoleon's Downtown as a destination for entertainment, culture, and activity.

Within 30 days of the application filing, the filing must be advertised once a week for two consecutive weeks in a newspaper of general circulation. Napoleon City Council may approve of the establishment of the Napoleon Downtown Revitalization District within 75 days after the application is filed with the mayor of a municipal corporation.

2.0 Specific Boundaries of the NDRD:

- 2.1 See Exhibit A: Map of Boundaries
- 2.2 Addresses of the Parcels Included within the Boundary of the NDRD:

Henry County, Ohio
City of Napoleon
Napoleon Downtown Revitalization District
March 26, 2020

Street Name	Range	Even/Odd
Appian Avenue	299 & 303	Odd
Avon Place	508 & 608 & 624	Even & Odd

Clinton Street	113-118	Even & Odd
Clinton Street	125-127	Odd
Clinton Street	218 & 218 ½	Even
Clinton Street	204 & 2010	Even
Clinton Street	219-221	Even & Odd
Clinton Street	330 & 330 ½	Odd
Clinton Street	322	Even
Depot Street	207 & 211	Odd
Filmore Street	204	Even
Front Street	118 – 119 & 123	Even & Odd
Front Street	133	Odd
Front Street	209 & 211	Odd
Front Street	215	Odd
Front Street	232	Even
Front Street	235	Odd
Hobson Street	911	Odd
Lumbard Street	912 & 916	Even
Lumbard Street	920	Even
Main & Webster Street	622 & 624	Even
Main Street	103, 105 & 107	Odd
Main Street	112	Even
Main Street	124 – 125	Even & Odd
Main Street	203 & 210-211	Even & Odd
Main Street	218	Even
Main Street	304	Even
Main Street	310	Even
Main Street	316-318 & 324	Even & Odd
Main Street	333	Odd
Main Street	345	Odd
W. Main Street	224 & 224 ½	Even
East Maumee	111	Odd
East Maumee	120	Even
East Maumee	125	Odd
East Maumee	135	Odd
East Maumee	153	Odd
East Maumee	158	Even
East Maumee	161-162	Even & Odd
East Maumee	160	Even
East Maumee	179 – 180	Even & Odd

East Maumee	184 – 185	Even & Odd
East Maumee	210	Even
East Maumee	347	Odd
East Maumee	337	Odd
East Maumee	367	Odd
West Maumee	112	Even
West Maumee	119	Odd
West Maumee	122	Even
Maumee Lane	210	Even
Maumee Lane	222	Even
Meekison Street	116	Even
Meekison Street	210	Even
Meekison Street	214	Even
Meekison Street	220	Even
Monroe Street	555	Even
Monroe Street	620 & 630	Even
Monroe Street	714	Even
Monroe Street	718	Even
Monroe Street	825	Odd
Monroe Street	830 & 830 ½	Even
Monroe Street	831	Odd
Monroe Street	835	Odd
Monroe Street	839	Odd
Monroe Street	848 & 848 ½	Even
Oakwood Ave.	822	Even
Oakwood Ave.	828	Even
Oakwood Ave.	832	Even
Oakwood Ave.	907	Odd
Oakwood Ave.	970	Even
North Perry Street	485	Odd
North Perry Street	495	Odd
North Perry Street	501	Odd
North Perry Street	524 – 525	Even & Odd
North Perry Street	535 & 539 - 540	Odd & Even
North Perry Street	602 - 603	Even & Odd
North Perry Street	605 & 605 1/2	Odd
North Perry Street	606 -607	Even & Odd
North Perry Street	609 – 610	Even & Odd
North Perry Street	611 - 613	Even & Odd

North Perry Street	614 - 615	Even & Odd
North Perry Street	617 & 619	Odd
North Perry Street	621 & 625 & 631	Odd
North Perry Street	660	Even
North Perry Street	701 & 705	Odd
North Perry Street	709 & 711 - 712	Even & Odd
North Perry Street	713 - 716	Even & Odd
North Perry Street	719 & 721-726	Even & Odd
North Perry Street	730 & 734	Even
North Perry Street	801	Odd
North Perry Street	808 - 810	Even & Odd
North Perry Street	811 - 814	Even & Odd
North Perry Street	816 & 818	Even
North Perry Street	824	Even
North Perry Street	829 & 831	Odd
North Perry Street	833	Odd
North Perry Street	905 & 909	Odd
North Perry Street	916 917	Even & Odd
North Perry Street	922-923	Even & Odd
North Perry Street	928 - 929	Even & Odd
North Perry Street	933 – 934	Even & Odd
North Perry Street	1005 & 1008	Even & Odd
North Perry Street	1011	Odd
North Perry Street	Corner of W. Clinton Street	Even & Odd
South Perry Street	311 1/2	Odd
South Perry Street	319	Even
South Perry Street	330	Odd
South Perry Street	402 – 403	Even & Odd
South Perry Street	416	Even
South Perry Street	419	Odd
South Perry Street	424	Even
South Perry Street	428 – 429	Even & Odd
Reiser Street	125	Odd
West Riverview Ave.	255	Odd
West Riverview Ave.	505	Odd
Scott Street	Corner of Washington	
Scott Street	Corner of W. Clinton St.	

Scott Street	606	Even
Scott Street	612	Even
Scott Street	616	Even
Scott Street	620	Even
Scott Street	624 – 625	Even & Odd
Scott Street	712	Even
Scott Street	777	Odd
Scott Street	810	Even
Scott Street	813 & 813 !/2	Odd
Scott Street	817	Odd
Scott Street	824	Even
Scott Street	827	Odd
Scott Street	830 - 831	Even & Odd
Scott Street	837	Odd
Scott Street	844 - 845	Even & Odd
Scott Street	848	Even
Scott Street	852	Even
Shelby Street	211	Odd
E. Washington Street	102 – 104	Even & Odd
E. Washington Street	108 & 110 & 112	Even
E. Washington Street	122	Even
E. Washington Street	126	Even
E. Washington Street	214 & 216 & 219	Even & Odd
E Washington Street	221 & 222	Even & Odd
E. Washington Street	226 & 227	Even & Odd
E. Washington Street	231 – 232	Even & Odd
W. Washington Street	107 & 109	Odd
W. Washington Street	111	Odd
W. Washington Street	114 – 116	Even & Odd
W. Washington Street	117 - 121	Even & Odd
W. Washington Street	123	Odd
W. Washington Street	125 & 127 & 129	Odd
W. Washington Street	130 – 136	Even & Odd
W. Washington Street	211	Odd
W. Washington Street	217 & 217 ½	Odd
W Washington Street	223	Odd
W. Washington Street	231	Odd
Washington Street	321	Odd
Webster Street	229	Odd

Webster Street	616	Even
Woodlawn Avenue	814	Even
Woodlawn Avenue	822	Even
Woodlawn Avenue	830	Even
Woodlawn Avenue	833	Odd
Woodlawn Avenue	832	Even
Woodlawn Avenue	838	Even
Woodlawn Avenue	844	Even
Woodlawn Avenue	849 - 850	Even & Odd
Woodlawn Avenue	853 & 853 1/2	Odd
Woodlawn Avenue	859	Odd
Woodlawn Avenue	866	Even

2.3 Acreage:

Said description of land contains approximately 148 acres (See Exhibit A: Map of Boundaries)

3.0 Land Use and Zoning See Exhibit B

3.1 Land Use

Generally, the land use of all parcels within the NDRD consists of all commercial establishments, except for a few residential or mixed use structures. The majority are retail businesses, dining establishments or service oriented businesses.

3.2 Zoning

All of the land within the NDRD is zoned as a mixture of C-1, C-2, C-3, R-4, I-2 General Commercial. The definition is as follows:

1133.03 DENSITY AND DIMENSIONAL REGULATIONS FOR C-1 GENERAL COMMERCIAL DISTRICT.

The following applies to a C-1 General Commercial District:

- (a) Permissible Uses. Permissible uses shall be in accordance with Chapter 1145.
- (b) General Provisions. Except as provided, the conduct of permitted uses herein shall be within completely enclosed buildings. Outside storage is prohibited, except when determined by the Zoning Administrator that the storage is

minimal and subordinate to the permitted use. In general, accessory uses which clearly demonstrate subordination to the permitted use are permitted.

- (c) Minimum Lot Size. The minimum lot size shall be in accordance with Chapter 1147.
 - (d) Minimum Setback Lines. The minimum permissible setback lines shall be in accordance with Chapter 1147 and this section. Nonconforming rebuild(s) shall have setbacks as determined by the Planning Commission.
 - (e) Maximum Height of Buildings. The maximum permissible height of buildings shall be in accordance with Chapter 1147.
 - (f) Maximum Lot Coverage. The maximum lot coverage shall be in accordance with Chapter 1147.
 - (g) Off-Street Parking and Loading (see Chapter 1139).
 - (h) Signs (see Chapter 1335).
- (Ord. 074-10. Passed 12-20-10.)

1133.04 DENSITY AND DIMENSIONAL REGULATIONS FOR C-2 COMMUNITY COMMERCIAL DISTRICT.

The following applies to a C-2 Community Commercial District:

- (a) Permissible Uses. Permissible uses shall be in accordance with Chapter [1145](#).
- (b) General Provisions. Except as provided, the conduct of permitted uses herein shall be within completely enclosed buildings. Outside storage is prohibited, except when determined by the Zoning Administrator that the storage is minimal and subordinate to the permitted use. In general, accessory uses which clearly demonstrate subordination to the permitted use are permitted.
- (c) Minimum Lot Size. The minimum permissible lot size shall be in accordance with Chapter [1147](#).
- (d) Minimum Setback Lines. The minimum permissible setback lines shall be in accordance with Chapter [1147](#) and this section. Nonconforming rebuild(s) shall have setbacks as determined by the Planning Commission.
- (e) Maximum Height of Buildings. The maximum permissible height of buildings shall be in accordance with Chapter [1147](#).

- (f) Maximum Lot Coverage. The maximum lot coverage shall be in accordance with Chapter [1147](#).
- (g) Off-Street Parking Space (see Chapter 1139). Off-street parking facilities screened by dense planting or by a decorative fence may be constructed within the front yard but not closer than 20 feet to the front lot line.
- (h) Signs (See Chapter 1335).

(Ord. 074-10. Passed 12-20-10.)

1133.05 DENSITY AND DIMENSIONAL REGULATIONS FOR C-3 LOCAL COMMERCIAL DISTRICT.

The following applies to a C-3 Local Commercial District:

- (a) Permissible Uses. Permissible uses shall be in accordance with Chapter [1145](#).
- (b) General Provisions. The conduct of permitted uses herein shall be within completely enclosed buildings, except for accessory off-street parking and loading facilities.

Establishments where the principal use is the drive-in type of business are not permitted.

All goods produced on the premises as incidental or essential to the principal uses shall be sold at retail on the premises.
- (c) Minimum Lot Size. The minimum permissible lot size shall be in accordance with Chapter [1147](#).
- (d) Minimum Setback Lines. The minimum permissible setback lines shall be in accordance with Chapter [1147](#) and this section. Nonconforming build(s) shall have setbacks as determined by the Planning Commission.
- (e) Maximum Height of Buildings. The maximum permissible height of buildings shall be in accordance with Chapter [1147](#).
- (f) Maximum Lot Coverage. The maximum lot coverage shall be in accordance with Chapter [1147](#).
- (g) Off-Street Parking Space (see Chapter 1139). Off-street parking facilities screened by dense planting or by a decorative fence may be constructed within the front yard but not closer than 20 feet to the front lot line.

(h) Signs (see Chapter 1335).

(Ord. 074-10. Passed 12-20-10.)

1131.06 DENSITY AND DIMENSIONAL REGULATIONS FOR R-4 HIGH-DENSITY RESIDENTIAL DISTRICT.

The following applies to a R-4 High Density Residential District:

- (a) Permissible Uses. Permissible uses shall be in accordance with Chapter [1145](#).
- (b) Number of Buildings on a Zoning Lot. Not more than one principal detached building or structure shall be located on a zoning lot.
- (c) Minimum Lot Size. The minimum lot size shall be in accordance with Chapter [1147](#).
- (d) Minimum Setback Lines. The minimum setback lines shall be in accordance with Chapter [1147](#) and this section.
- (e) Maximum Height of Buildings. The maximum height of buildings shall be in accordance with Chapter [1147](#).
- (f) Maximum Lot Coverage. The maximum lot coverage shall be in accordance with Chapter [1147](#).
- (g) Off-Street Parking Space (see Chapter 1139).
- (h) Signs (see Chapter 1335).
- (i) Floor Area, Minimum. The minimum permissible floor area shall be in accordance with Chapter [1147](#).
- (j) Any other requirements applicable to a R-4 Zoning District as found in Chapter [1147](#) shall apply.

(Ord. 074-10. Passed 12-20-10.)

1135.03 DENSITY AND DIMENSIONAL REGULATIONS FOR I-2 OPEN INDUSTRIAL DISTRICT.

The following applies to an I-2 Open Industrial District.

- (a) Permissible Uses. The permissible uses shall be in accordance with Chapter [1145](#).

- (b) Minimum Lot Size. The minimum lot size shall be in accordance with Chapter [1147](#).
- (c) Minimum Setback Lines. The minimum permissible setback lines shall be in accordance with Chapter [1147](#) and this section.
- (d) Maximum Height of Buildings. The maximum permissible height of all buildings shall be in accordance with Chapter [1147](#).
- (e) Maximum Lot Coverage. The maximum permissible lot coverage shall be in accordance with Chapter [1147](#).
- (f) Off-Street Parking Space (see Chapter 1139). Off-street parking facilities screened by dense planting or by a decorative fence may be constructed within the front yard but not closer than 20 feet to the front lot line.
- (g) Signs. (see Chapter [1335](#)).
- (h) Any other requirements applicable to a I-2 Zoning District as found in Chapter [1147](#) shall apply.

(Ord. 074-10. Passed 12-20-10.)

The property located at 631 N. Perry St., Napoleon, Ohio is currently under remodeling and light construction. The project is proposed to be completed by March 30, 2020.

City of Napoleon Downtown Revitalization Application

Submit applications to:

City of Napoleon, Ohio
Attn: Jason Maassel, Mayor and Joel Mazur, City Manager
255 W. Riverview Ave.
P.O. Box 151
Napoleon, OH 43545

Business/Organization and Property Owner Information

The following pages contain the application material necessary to qualify. Please fill out the application in its entirety.

Business/Organization Name: Brick N' Brew Pub LLC

Business/Organization Address: 631 N. Perry St. Napoleon OH 43545

Phone Number: 419-966-9331 Email: Napbrew@gmail.com

What does the business/organization do? Food & Pub Service

Is this business/organization new or existing? New Number of Years in business _____

Number of current employees: 0 Number of employees anticipated at project completion 20

Is the business/organization a for-profit? Yes

Does the business provide goods and services directly to consumers? Yes

Business Owner/Organization Representative Name* Brian Topp / Property Prepers LLC

Ashley Kruse Clay Klausling

Address: 1060 Glenwood Ave., Napoleon

Property Owner Name * Brian Topp - Property Prepers

Property Owner Address: 1060 Glenwood Ave. Napoleon OH 43545

Property Owner Phone Number: 419-966-9331 Email: Napbrew@gmail.com

**For applications in which the business owner and property owner are not the same, a signed letter from the property owner granting permission for the project must be submitted with this application.*

Site and Building Information:

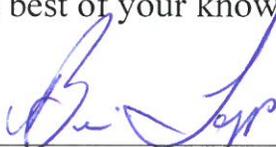
Property Address: 631 N. Perry St., Napoleon OH 43545

Nature and type of establishment: Restaurant & Pub

If property is currently being developed or under construction, please list the proposed time-frame for completion of the project:

5/30/20

By signing this application, you certify that all information contained in this application is true and complete to the best of your knowledge.

Applicant Signature: 

Printed Applicant Name: Brian Topp

Date: 4/30/2020

FOR OFFICE USE ONLY

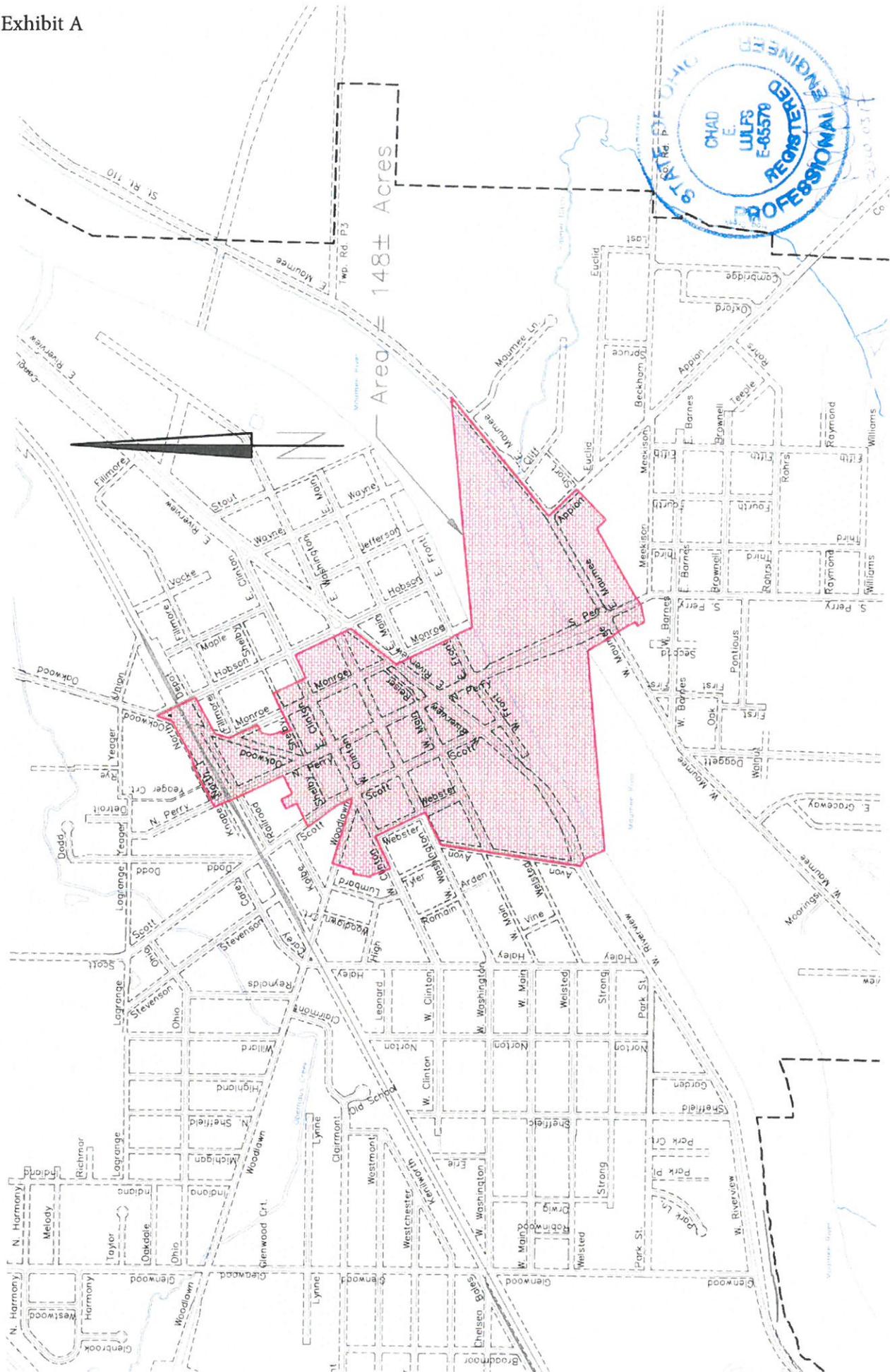
Date of Application Submittal: 4/30/2020

Please attach the following to the application:

Map or Survey of the proposed Revitalization district in sufficient detail to identify the boundaries of the district and the property owned by the applicant;

Evidence that the uses of land within the proposed revitalization district are in accord with the City of Napoleon's Master Plan or Map.

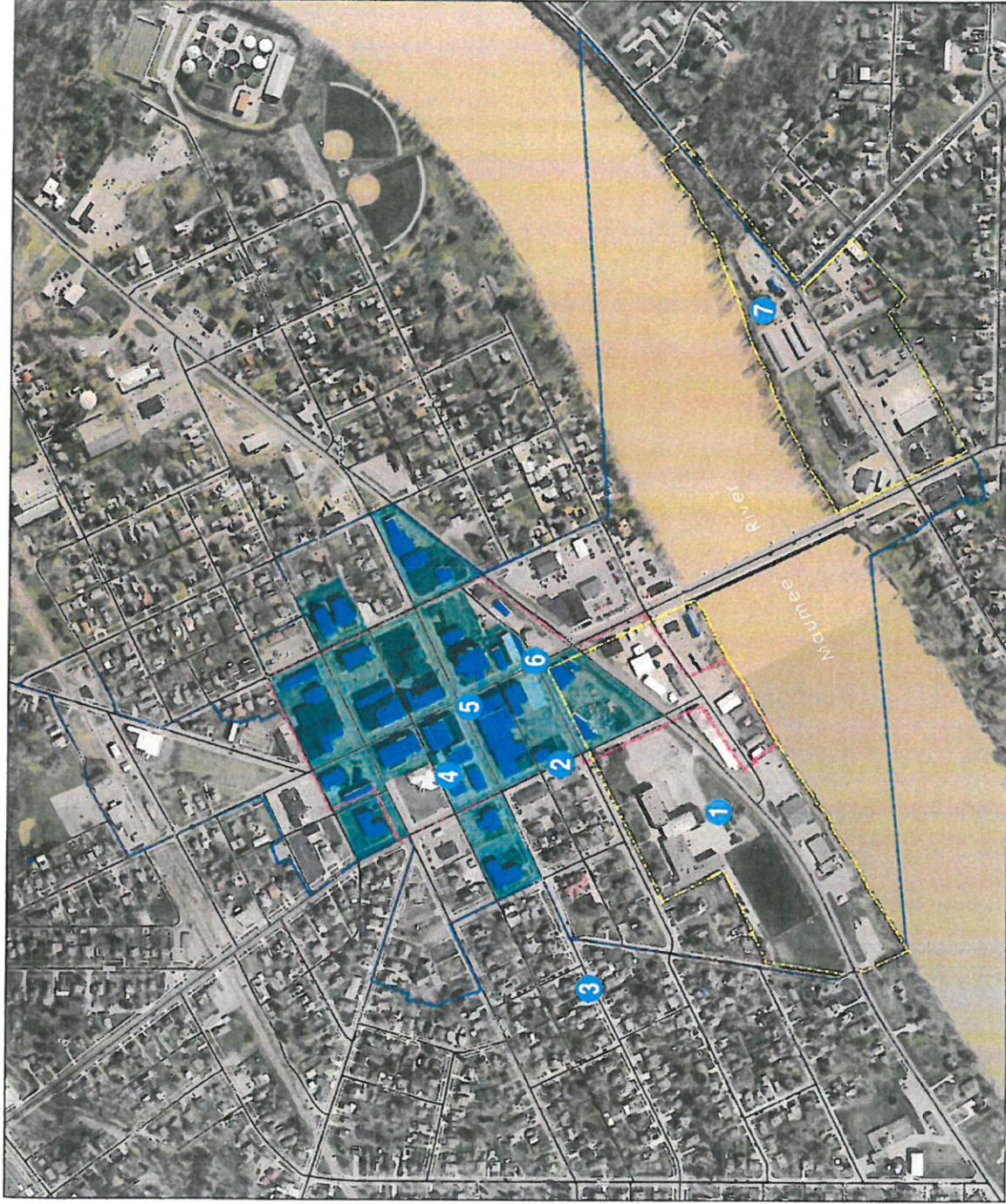
Exhibit A



Evidence that the uses of land within the proposed revitalization district are in accord with the City of Napoleon's Master Plan or Map.

City of Napoleon Master Plan

Downtown Planning Area



- 1** **Redevelopment Area:** Encourage coordinated efforts that promote dense mixed use that maximize river access. Extend CRA #2 to this area to incentivize private sector efforts and update the zoning code to guide efforts. See the Land Use Diagram for ideas for this redevelopment area.
- 2** Pursue the feasibility of shifting truck route to Scott Street to remove it from the downtown along Perry Street. Consider a roundabout at Scott and W. Riverview Avenue to promote traffic flow. Seek grant funding for improvements.
- 3** Ensure the vitality of historic neighborhoods through increased property maintenance / code enforcement and public infrastructure investment.
- 4** Improve aesthetics, connectivity, and wayfinding, especially in areas behind downtown buildings. Consider developing a Special Improvement District to fund these improvements.
- 5** Continue to work with Napoleon Ave and Chamber to promote improvements on building renovations and zoning code adjustments to encourage upper floor residential opportunities and offices.
- 6** Improve the Downtown "experience" by improving wayfinding signage and adding misreplicative signage that highlights Napoleon's past.
- 7** **Redevelopment Area:** With some of the best sightlines in the city with the river, a coordinated effort should be pursued to remove incompatible uses that impede the riverfront access through mixed uses that include restaurants, bars, and decks. Design elements from the downtown waterfront should be expanded here. This area is part of CRA # 8 which can be used to stimulate private sector investment through property tax incentives.

Legend

- Streets
- Historic Building
- Riverfront Revitalization Area
- Napoleon Outdoor Refreshment Area
- Existing Preservation District Overlay
- Proposed Preservation District Overlay



0 0.2 0.4 Miles

Source: Henry County Auditor, Engineer, Napoleon, Revelle

RESOLUTION NO. 025-20

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ENTER INTO A DEPARTMENT OF HOMELAND SECURITY PUBLIC ASSISTANCE GRANT AGREEMENT, THROUGH THE OHIO EMERGENCY MANAGEMENT AGENCY, ON BEHALF OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, the Department of Homeland Security, through the Ohio Emergency Management Agency, is providing opportunities for financial assistance to entities, including municipalities, by offering grants which must be applied for and accepted via an authorized representative or agent; and,

WHEREAS, the City of Napoleon, Ohio intends to apply for Public Assistance Grant Program funds through the Ohio Emergency Management Division; and,

WHEREAS, the City of Napoleon, Ohio is eligible to apply for said Public Assistance Grant Program funding. **NOW THEREFORE**,

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

Section 1. That, the City Manager is hereby appointed as the City of Napoleon's authorized agent, and as such is hereby authorized and directed to execute any and all documents necessary to apply for, accept, and enter into a Department of Homeland Security Public Assistance Grant agreement, through the Ohio Emergency Management Agency, on behalf of the City of Napoleon, Ohio.

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health 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 grant deadline; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the application process in a timely manner, and for further reasons as stated in the

Preamble hereof.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 025-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Dietrich, Clerk of Council

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				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> not to exceed 20 years.	1.9	\$286,454	
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

City of Napoleon, Ohio

HOUSING COUNCIL

Monday, June 1, 2020 at 6:30 pm

MEETING AGENDA

LOCATION:

City Building, 255 West Riverview Avenue, Napoleon, Ohio

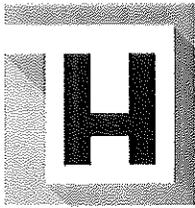
The WebEx link to the meeting will be posted on the main page of the City's website at www.napoleonohio.com

- 1) Call to Order
- 2) Approval of Minutes: April 1, 2019 (In the absence of any objections or corrections, the Minutes shall stand approved.)
- 3) Annual Review of TIRC Recommendations on CRA Agreements
- 4) Any other matters currently assigned to the Housing Council.
- 5) Adjournment.

Roxanne Dietrich

Roxanne Dietrich

Executive Assistant to Appointing Authority/Clerk of Council



**COMMUNITY
IMPROVEMENT
CORPORATION**
OF HENRY COUNTY

May 14, 2020

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

Re: 2020 Tax Incentive Review Council

Dear Mark,

Per Ohio Revised Code, the Housing Council must review the recommendations of the Tax Incentive Review Council (TIRC) before the City of Napoleon Council can act upon the recommendations. We respectfully request that the Housing Council meets to review the 2020 TIRC recommendations prior to the City Council meeting. Please inform the CIC office on the date that the Housing Council will meet and review.

Should you have any questions, please feel free to contact me at the office or email me at jarps@henrycountyed.com. Thank you.

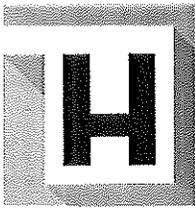
Sincerely,


Jennifer Arps

Economic Development Coordinator

Enclosure

cc: Mr. Joel Mazur, City Manager; City of Napoleon



**COMMUNITY
IMPROVEMENT
CORPORATION**
OF HENRY COUNTY

May 14, 2020

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

Re: 2020 Tax Incentive Review Council (for tax year 2019)

Dear Council Members:

Ohio Revised Code Section 5709.85 provides for establishment of a Tax Incentive Review Council ("TIRC") to review the compliance of each community reinvestment area agreement—at least annually. The TIRC then makes a recommendation to you to continue, modify, terminate, or expire each agreement. The TIRC met on May 14, 2020. As the County Auditor's designee, the CIC chaired the 2020 TIRC. After reviewing each agreement, the TIRC has recommended that you CONTINUE the following community reinvestment area agreements in Napoleon:

- American Road Holdings
- MWA Enterprises
- Jan Mar Properties
- Just Busch Investments
- Koester Corporation
- MSG Investments
- Napoleon I, LLC
- Ridi Reio
- Shank Properties
- Ventures in Space

The TIRC also recommends that in the continuation of the Ridi Reio agreement, it be amended to reflect a revised project completion date as the original completion date in the signed agreement has since past and the project has not yet started. The TIRC also recommend that the abatement term begin as if the project was completed in 2020.

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

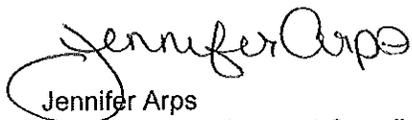
Ohio Revised Code Section 5709.85(E) states as follows:

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

Consistent therewith, I hereby submit this written recommendation and respectfully request that Napoleon City Council ACCEPT the recommendation of the TIRC to CONTINUE the above mentioned agreements and CONTINUE with the modification to Ridi Reio.

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

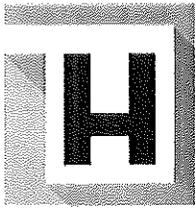
Respectfully submitted,



Jennifer Arps
Economic Development Coordinator

Enclosure

cc: Joel Mazur; City of Napoleon Manager
Billy Harmon; Law Director for City of Napoleon, Ohio
Kevin Garringer; Henry County Auditor
Mark Spiess; City of Napoleon Zoning Administrator
Ohio Department of Development
Ohio Department of Taxation



**COMMUNITY
IMPROVEMENT
CORPORATION**
OF HENRY COUNTY

May 14, 2020

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

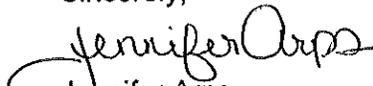
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Should you have any questions, please feel free to contact me at the office or email me at jarps@henrycountyed.com. Thank you.

Sincerely,


Jennifer Arps

Economic Development Coordinator

Enclosure

cc: Mr. Joel Mazur, City Manager; City of Napoleon

COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

2020 Tax Incentive Review Council Meeting Minutes May 14, 2020 via Zoom

Attendees: April Welch, Jennifer Arps, Kevin Garringer, Joel Mazur, Christine Ziegler, Tim Meister, Robin Klein, John Babcock, Joe Bialorucki, Michael Bostelman, Lisa Spiess, DonL Parsons

Absent: Richie Peters, John Overmier, David Mohler, Jeff Comadoll, Kyle Borstelman, Lisa Wagner, Peg Yoder, Charles Haines, Bill Morey

Henry County CIC Economic Development Coordinator Jennifer Arps began the meeting at 9:08am, on Thursday, May 14, 2020 via zoom and the TIRC reviewed the following agreements:

TJ Automation
Miller Brothers Construction, Inc.
Railtech Boutet/Pandrol
Custom Agri Systems
Campbell Soup '12
Keller Packaging '13
American Road Holdings dba Paul Martin & Sons (CRA)
MWA Enterprises dba Petro Truck Stop (CRA)
Jan Mar Properties dba West View Villas (CRA)
Just Busch Investments dba The Emporium at One Thirty (CRA)
Koester Corp. (CRA)
MSG Investments (CRA)
Napoleon I, LLC dba Rite Aid (CRA)
Ridi Reio dba Stop n' Go (CRA)
Shank Properties (CRA)
Ventures in Space (CRA)

TJ Automation:

The committee reviewed the project status report submitted by TJ Automation. The project is to create 5 new positions by December 31, 2018. They reported 5 new jobs have been created as of December 31, 2019, with additional payroll of \$155,000 which exceeds their \$140,000 per the agreement. Their project investment level reached by December 31, 2019 also met the goal of \$1,176,000 per the agreement.

Christine Ziegler made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Miller Brothers Construction:

The committee reviewed the project status report submitted by Miller Brothers Construction. The agreement states the project will create 6 new positions by December 31, 2019. Miller Brothers has created 13 new jobs as of December 31, 2019. The investment, jobs created, and payroll attained by December 31, 2019 have met all the enterprise zone agreement projections.

Christine Zielger made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Railtech Boutet/Pandrol:

The committee reviewed the project status report submitted by (Pandrol) Railtech Boutet. The company has reporting meeting their 33 F/T new jobs and retaining 28, exceeding their payroll amount and exceeding their investment level as of 2019.

Tim Meister made a motion to recommend continuing the agreement. Lisa Spiess seconded. Motion carried.

Custom Agri Systems:

The committee reviewed the project status report that was submitted for year-end 2019. Investment per the agreement was to be \$4,150,000 and they exceeded with a reported \$4,725,750. Per their agreement Custom Ag was to create 10 FT employees by year-end 2020 and they have reported having 12 as of December 31, 2019. Payroll was to be at \$500,000 and they have also exceeded with a report of \$899,510 by year-end 2019.

Lisa Spiess made a motion to recommend continuing the agreement. Mike Bostelman seconded. Motion carried.

Campbell Soup Supply Company '12

The committee reviewed the project status report submitted by Campbell Soup. The company reported retaining 1,007 F/T jobs (met per the agreement), as well as meeting their investment level as of December 31, 2019 of \$7,373,254. No new job creation is required for this abatement.

Mike Bostelman made a motion to recommend continuing the agreement. John Babcock seconded. Motion carried.

Keller Packaging '13:

The committee reviewed the project status report submitted by Keller Packaging for year-end 2019. The company reported having 0 new jobs as of December 31, 2019, which is a repeat of the reported 2018 report and again their response is due to the loss of the Campbell Soup warehousing contract. The committee discussed that the loss of the contract was not in Keller's control and the TIRC committee is satisfied with Keller's continuing to make their abated compensation payments.

Tim Meister made a motion to recommend continuing the agreement. Robin Klein seconded. Motion carried.

American Road Holdings dba Paul Martin & Sons (CRA) – Still in Construction:

The committee discussed the project and understood this is still under construction, due for completion in April 2020 per their agreement.

Tim Meister made a motion to recommend continuing the agreement. Lisa Spiess seconded. Motion carried.

MWA Enterprises dba Petro Truck Stop (CRA):

The committee reviewed the project status report submitted by MWA. The company is to create 25 full-time new jobs, MWA reported having 7 new and retaining 41, as well as exceeding their payroll expectations as of December 31, 2019.

Tim Meister made a motion to recommend continuing the agreement. Joe Bialorucki seconded. Motion carried.

Jan Mar Properties dba West View Villas (CRA) – Still in Construction:

The committee discussed the project and understood this is still under construction and the abatement is for the build only. Each original owner will receive the abatement and receive an annual \$50 fee for the ten years of the abatement. Units will have a rolling expiration as construction is complete.

Joe Bialorucki made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Just Busch Investments dba The Emporium at One Thirty (CRA):

The committee discussed the project and reviewed the project status report. The company was to invest \$310,000 and reported a total investment of \$397,000 as of December 31, 2019. Per the agreement they were to create two full time positions, which was reported as of year-end 2019 and they also exceeded their required payroll of \$12,000 by reporting \$25,000.

Joe Bialorucki made a motion to recommend continuing the agreement. Lisa Spiess seconded. Motion carried.

Koester Corporation (CRA):

The project status report submitted by Koester Corporation was reviewed. The CRA agreement states they are to create 5 full-time jobs. The company reported creating 16 new jobs (up 1 from 2018), as well as exceeding their payroll expectations by reporting \$711,069 as of December 31, 2019.

Michael Bostelman made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

MSG Investments (CRA):

The committee reviewed the submitted project status report. The company was to invest \$1,650,000 and reported a total investment of \$2,000,000 as of December 31, 2019. Per the agreement they were to create one full-time positions, which was reported as of year-end 2019 and they are to have a payroll of \$35,000, which payroll was not reported but was being checked by the City.

Joe Bialorucki made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

Napoleon I, LLC (CRA):

The project status report information was reviewed by the committee. Discussion ensued regarding last year's committee recommendation to terminate the agreement due to questionable project numbers regarding employment and payroll, which seems to be copied from year-to-year and not thorough. The recommendations from TIRC were over-turned by City Council after it was discovered the owner was dealing with medical issues and the reports were not being handled properly. After review of the current project status report it was determined to seem more accurate. Per the agreement Napoleon I was to create 4 F/T and 3 P/T positions, and they have reported 7 new and retained 16 as of December 31, 2019. Payroll was also exceeded and reported at \$290,080 as of year-end 2019.

Mike Bostelman made a motion to recommend continuing the agreement. Joe Bialorucki seconded. Motion carried.

Ridi Reio dba Stop n' Go (CRA) – Still in Construction:

The committee discussed the project and City Manager Joel Mazur explained that the project has not started construction however per the agreement the project was to be completed by April 1, 2020. The committee discussed holding the owner accountable to the project completion date, as with any other agreement terms regardless of project. Napoleon City Area School District Treasurer Mike Bostelman stated his views would be that the project be amended with an actual completion date. Four County Career Center Superintendent Tim Meister agreement with Bostelman, stating that the abated years should also be amended to reflect any loss of timing in construction. County Auditor Kevin Garringer stated his concern on the value of the land per the agreement terms in the eyes of his department. The committee agreed that the purpose of these reports and review are to hold the agreement and terms accountable. City Councilman Joe Bialorucki also agreed to amend the agreement with the term being that the time of the abatement has already began.

Joe Bialorucki made a motion to recommend continuing the agreement with the exception that it be amended with an updated completion date but with the abatement beginning in 2020 as per original expectations. Lisa Spiess seconded. Motion carried.

Shank Properties (CRA) still in construction in 2019:

The committee reviewed the project status report information submitted by Shank Properties. While the project was reported still in construction as of December 31, 2019, per the agreement it was due to be complete by October 2019. They reported exceeding their investment level with \$2,352,752. Per the agreement they are to create 10 F/T position by December 31, 2019. It was reported zero were created by year-end 2019 and payroll was reported at \$0. City Manager Joel Mazur informed the committee that they may have been in transition from operating in a former space and moving into the new build at year-end 2019. There were also some drainage issues that needed addressed and were resolved.

Tim Meister made a motion to recommend continuing the agreement. Mike Bostelman seconded. Motion carried.

Ventures in Space (CRA):

The committee reviewed the project status report submitted by Ventures in Space, which is for the spec building. It was reported that the project has met the investment level and they were not to create jobs as this was for the construction of the speculative building only.

Tim Meister made a motion to recommend continuing the agreement. Joe Bialorucki seconded. Motion carried.

Jennifer Arps
Henry County CIC Economic Development Coordinator



HENRY COUNTY

**TAX INCENTIVE
REVIEW COUNCIL**

May 14, 2020



AGREEMENTS FOR REVIEW

Enterprise Zone Agreements

- TJ Automation
- Miller Brothers Construction
- Railtech / Pandrol
- Custom Agri Systems
- Campbell Soup '12
- Keller Packaging '13

CRA Agreements

- American Road Holdings
- MWA Enterprises
- Jan Mar Properties
- Just Busch
- Koester Corporations
- MSG Investments
- Napoleon I, LLC
- Ridi Reio
- Shank Properties
- Ventures in Space

COMMITTEE MEMBERS

School Districts:

- Archbold - Treasurer Christine Zielger
- Four County Career Center - Superintendent Tim Meister
- Liberty Center - Superintendent Richie Peters
- Napoleon - Treasurer Michael Bostelman

Townships:

- Harrison - Robin Klein
- Harrison - John Babcock
- Liberty - John Overmier
- Liberty - David Mohler
- Napoleon - Kyle Borstelman
- Napoleon - Lisa Wagner
- Ridgeville - Peg Yoder
- Ridgeville - Charles Haines

City of Napoleon:

- Councilman Joe Bialorucki
- Councilman Jeff Comadoll

Henry County:

- Lisa Spiess
- DonL Parsons
- Bill Morey

Other Attendees:

- CIC - April Welch
- CIC - Jennifer Arps
- Henry County Auditor - Kevin Garringer
- City of Napoleon - Joel Mazur
- City of Napoleon - Amanda Griffith



TJ Automation

(EZ)

- Archbold School District
 - Ridgeville Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 10/06/15

Project was completed 8/15/17

Granted a 100% exemption for 10 years

Will Expire in 2026 for tax year 2025

PROJECT INVESTMENT:

Per Agreement: \$1,176,000 ± 25%

Per Report: \$1,176,000

JOBS/PAYROLL:

Per Agreement: Create 5 F/T employees by 12/31/18

Per Report: 5 as of 12/31/19

Per Agreement: \$140,000 ± 25% in payroll

Per Report: \$155,000 as of 12/31/19



Miller Brothers Construction

(EZ)

- Archbold School District
 - Ridgeville Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 11/08/16

Project was completed 10/17

Granted a 60% exemption for 10 years
no compensation payments

Will expire in 2028 for tax year 2027

PROJECT INVESTMENT:

Per Agreement: \$5,620,000 ± 25%

Per Report: \$5,964,134

JOBS/PAYROLL:

Per Agreement: Create 6 F/T employees by 12/31/19

Per Report: 13 as of 12/31/19

Per Agreement: \$420,000 ± 25% in payroll

Per Report: \$717,068 as of 12/31/19

Railtech / Pandrol

(EZ)

- Liberty Center School District
- Liberty Township
- Four County Career Center
- Henry County

EXECUTED 03/04/10

Granted a 100% exemption for 10 years

Will expire in 2021 for tax year 2020

PROJECT INVESTMENT:

Per Agreement: \$1,487,736 ± 25%

Per Report: \$1,627,700

JOBS/PAYROLL:

Per Agreement: Create 33 F/T & retain 28 employees
by 12/31/13

Per Report: 33 FT & retained 28 as of 12/31/19

Per Agreement: \$1,352,000 ± 25% in payroll

Per Report: \$1,420,000 as of 12/31/19

Custom Agri Systems

(EZ)

- Napoleon Area City School District
- Napoleon Township
- Four County Career Center
- Henry County

EXECUTED 03/23/17

Granted a 60% exemption for 10 years
no compensation payments

Expires 2029 for tax year 2028

PROJECT INVESTMENT:

Per Agreement: \$4,150,000 ± 25%

Per Report: \$4,725,750

JOBS/PAYROLL:

Per Agreement: Create 10 F/T employees by 12/31/20

Per Report: 12 F/T as of 12/31/19

Per Agreement: \$500,000 ± 25% in payroll

Per Report: \$899,510 as of 12/31/19

Campbell Soup '12

(EZ)

- Napoleon Area City School District
- Harrison Township
- Four County Career Center
- Henry County

EXECUTED 11/03/11

Granted a 100% exemption for 10 years

Expires tax year 2022 for tax year 2021

PROJECT INVESTMENT:

Per Agreement: \$7,373,254 ± 25%

Per Report: \$7,373,254

JOBS/PAYROLL:

Per Agreement: Create no new employment/payroll

- retain at least 1,007 F/T employees

Per Report: retained 1,007 as of 12/31/19

Keller Packaging '13

(EZ)

- Napoleon Area City School District
- Harrison Township
- Four County Career Center
- Henry County

EXECUTED 10/03/13

Granted a 100% exemption for 10 years

Expires 2024 for tax year 2023

PROJECT INVESTMENT:

Per Agreement: \$4,500,000 ± 25%

Per Report: \$4,500,000

JOBS/PAYROLL:

Per Agreement: Create 15 F/T employees by 12/31/17

Per Report: 15 as of 12/31/17, 0 reported in 2018, 0

reported as of 12/31/19

Per Agreement: \$350,000 in payroll

Per Report: \$0

**** When asked about jobs, Keller Controller stated it is still due to Campbell's pulling contract.**



American Road Holdings

dba Paul Martin & Sons

(CRA)

- Liberty Center School District
 - City of Napoleon
 - Liberty Township
 - Four County Career Center
 - Henry County
- 

**EXECUTED 09/27/19 - STILL IN
CONSTRUCTION**

Granted a 100% exemption for 10 years

Project to be complete April 2020

Expires 2030 for tax year 2029

PROJECT INVESTMENT:

Per Agreement: \$1,100,000 ± 10%

Per Report: \$0

JOBS/PAYROLL:

Per Agreement: Create 3 F/T employees by 03/31/22

Per Report: 0 as of 12/31/19

Per Agreement: \$180,000 in payroll

Per Report: \$0



MWA

Enterprise

dba Petro Truck Stop

(CRA)

- Liberty Center School District
 - City of Napoleon
 - Liberty Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 06/18/13

Granted a 100% exemption for 10 years

Expires 2025 for tax year 2024

PROJECT INVESTMENT:

Per Agreement: \$1,463,300 ± 10%

Per Report: \$1,439,490 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 25 F/T employees by 10/15/14

Per Report: 7 new, 41 retained as of 12/31/19

Per Agreement: \$1,139,000 in payroll

Per Report: \$1,143,080 as of 12/31/19

Jan Mar Properties

(West Villas)

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

**EXECUTED 03/05/19 - STILL
CONSTRUCTING**

Granted a 50% exemption for 10 years

Exemption on build only

No compensation payments

PROJECT INVESTMENT:

Per Agreement: \$7,000,000 ± 10%

Per Report: \$284,075.56 as of 12/31/19 (Construction wages)

JOBS/PAYROLL:

Per Agreement: No jobs/payroll, building investment only

Just Busch Investments

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 02/06/19

Granted a 100% exemption for 10 years

Expires 2029 for tax year 2028

No compensation payments

PROJECT INVESTMENT:

Per Agreement: \$310,000 ± 10%

Per Report: \$397,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 2 F/T employees by 04/30/19

Per Report: 2 as of 12/31/19

Per Agreement: \$12,000 ± 25% in payroll

Per Report: \$25,000 as of 12/31/19

Koester Corp.

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 04/18/11

Granted a 100% exemption for 10 years

Expires 2023 for tax year 2022

PROJECT INVESTMENT:

Per Agreement: \$1,500,000 ± 25%

Per Report: \$1,500,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 5 F/T employees by 5/31/12

Per Report: 16 F/T as of 12/31/19

Per Agreement: \$235,000 in payroll

Per Report: \$711,069 as of 12/31/19



MSG Investments

(Trail Dr. Apts.)

(CRA)

- Napoleon Area City School District
 - City of Napoleon
 - Four County Career Center
 - Henry County
- 

EXECUTED 03/07/19

Granted a 50% exemption for 10 years

No compensation payments

Expires 2029 for tax year 2028

PROJECT INVESTMENT:

Per Agreement: \$1,650,000 ± 10%

Per Report: \$2,000,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 1 F/T position

Per Report: 1 F/T as of 12/31/19

Per Agreement: \$35,000 in payroll

Per Report: \$? as of 12/31/19

Napoleon I, LLC

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 02/10/10

Granted a 100% exemption for 10 years

Expires 2021 for tax year 2020

PROJECT INVESTMENT:

Per Agreement: \$4,847,300 ± 25%

Per Report: \$4,347,300 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 4 F/T & 3 P/T positions by 12/31/10

Per Report: 7 new & 16 retained as of 12/31/19

Per Agreement: \$170,000 in payroll

Per Report: \$290,080 as of 12/31/19

Ridi Reio

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 04/03/19 - STILL IN CONSTRUCTION

Granted a 50% exemption for 15 years

No compensation payments

Project completion date - April 1, 2020 per Agreement

PROJECT INVESTMENT:

Per Agreement: \$1,000,000 ± 10%

Per Report: \$0 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 10 F/T & 12 P/T positions by 04/30/20

Per Report: 0 as of 12/31/19

Per Agreement: \$400,000 ± 25% in payroll

Per Report: \$0 as of 12/31/19

Shank Properties

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

**EXECUTED 04/23/19 - STILL IN
CONSTRUCTION**

Granted a 100% exemption for 10 years

Project completion date - October 2019 per
Agreement

Expires 2030 for tax year 2029

PROJECT INVESTMENT:

Per Agreement: \$2,335,000 ± 10%

Per Report: \$2,352,752 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 10 F/T positions by 12/31/19

Per Report: 0 created, 19 retained as of 12/31/19

Per Agreement: \$790,400 ± 25% in payroll

Per Report: \$0 as of 12/31/19



Ventures in Space

(CRA)

- Napoleon Area City School District
 - City of Napoleon
 - Four County Career Center
 - Henry County
- 

EXECUTED 04/03/17, AMENDED 08/20/18

Granted a 100% exemption for 15 years

No compensation payments

Expires 2034 for tax year 2033

PROJECT INVESTMENT:

Per Agreement: \$6,000,000 ± 10%

Per Report: \$5,700,000 as of 12/31/19

JOBS/PAYROLL:

No jobs/payroll required as this was for the spec building.

NEXT STEPS

Enterprise Zone Agreements

- TIRC recommendations will be sent to the Henry County Commissioners for their approval.

CRA Agreements

- TIRC recommendations will be sent to Napoleon City Council for their approval.

THANK YOU





HENRY COUNTY

**TAX INCENTIVE
REVIEW COUNCIL**

May 14, 2020



AGREEMENTS FOR REVIEW

Enterprise Zone Agreements

- TJ Automation
- Miller Brothers Construction
- Railtech / Pandrol
- Custom Agri Systems
- Campbell Soup '12
- Keller Packaging '13

CRA Agreements

- American Road Holdings
- MWA Enterprises
- Jan Mar Properties
- Just Busch
- Koester Corporations
- MSG Investments
- Napoleon I, LLC
- Ridi Reio
- Shank Properties
- Ventures in Space

COMMITTEE MEMBERS

School Districts:

- Archbold - Treasurer Christine Zielger
- Four County Career Center - Superintendent Tim Meister
- Liberty Center - Superintendent Richie Peters
- Napoleon - Treasurer Michael Bostelman

Townships:

- Harrison - Robin Klein
- Harrison - John Babcock
- Liberty - John Overmier
- Liberty - David Mohler
- Napoleon - Kyle Borstelman
- Napoleon - Lisa Wagner
- Ridgeville - Peg Yoder
- Ridgeville - Charles Haines

City of Napoleon:

- Councilman Joe Bialorucki
- Councilman Jeff Comadoll

Henry County:

- Lisa Spiess
- DonL Parsons
- Bill Morey

Other Attendees:

- CIC - April Welch
- CIC - Jennifer Arps
- Henry County Auditor - Kevin Garringer
- City of Napoleon - Joel Mazur
- City of Napoleon - Amanda Griffith



TJ Automation

(EZ)

- Archbold School District
 - Ridgeville Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 10/06/15

Project was completed 8/15/17

Granted a 100% exemption for 10 years

Will Expire in 2026 for tax year 2025

PROJECT INVESTMENT:

Per Agreement: \$1,176,000 ± 25%

Per Report: \$1,176,000

JOBS/PAYROLL:

Per Agreement: Create 5 F/T employees by 12/31/18

Per Report: 5 as of 12/31/19

Per Agreement: \$140,000 ± 25% in payroll

Per Report: \$155,000 as of 12/31/19



Miller Brothers Construction

(EZ)

- Archbold School District
 - Ridgeville Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 11/08/16

Project was completed 10/17

Granted a 60% exemption for 10 years
no compensation payments

Will expire in 2028 for tax year 2027

PROJECT INVESTMENT:

Per Agreement: \$5,620,000 ± 25%

Per Report: \$5,964,134

JOBS/PAYROLL:

Per Agreement: Create 6 F/T employees by 12/31/19

Per Report: 13 as of 12/31/19

Per Agreement: \$420,000 ± 25% in payroll

Per Report: \$717,068 as of 12/31/19

Railtech / Pandrol

(EZ)

- Liberty Center School District
- Liberty Township
- Four County Career Center
- Henry County

EXECUTED 03/04/10

Granted a 100% exemption for 10 years

Will expire in 2021 for tax year 2020

PROJECT INVESTMENT:

Per Agreement: \$1,487,736 ± 25%

Per Report: \$1,627,700

JOBS/PAYROLL:

Per Agreement: Create 33 F/T & retain 28 employees
by 12/31/13

Per Report: 33 FT & retained 28 as of 12/31/19

Per Agreement: \$1,352,000 ± 25% in payroll

Per Report: \$1,420,000 as of 12/31/19

Custom Agri Systems

(EZ)

- Napoleon Area City School District
- Napoleon Township
- Four County Career Center
- Henry County

EXECUTED 03/23/17

Granted a 60% exemption for 10 years
no compensation payments

Expires 2029 for tax year 2028

PROJECT INVESTMENT:

Per Agreement: \$4,150,000 ± 25%

Per Report: \$4,725,750

JOBS/PAYROLL:

Per Agreement: Create 10 F/T employees by 12/31/20

Per Report: 12 F/T as of 12/31/19

Per Agreement: \$500,000 ± 25% in payroll

Per Report: \$899,510 as of 12/31/19

Campbell Soup '12

(EZ)

- Napoleon Area City School District
- Harrison Township
- Four County Career Center
- Henry County

EXECUTED 11/03/11

Granted a 100% exemption for 10 years

Expires tax year 2022 for tax year 2021

PROJECT INVESTMENT:

Per Agreement: \$7,373,254 ± 25%

Per Report: \$7,373,254

JOBS/PAYROLL:

Per Agreement: Create no new employment/payroll

- retain at least 1,007 F/T employees

Per Report: retained 1,007 as of 12/31/19

Keller Packaging '13

(EZ)

- Napoleon Area City School District
- Harrison Township
- Four County Career Center
- Henry County

EXECUTED 10/03/13

Granted a 100% exemption for 10 years

Expires 2024 for tax year 2023

PROJECT INVESTMENT:

Per Agreement: \$4,500,000 ± 25%

Per Report: \$4,500,000

JOBS/PAYROLL:

Per Agreement: Create 15 F/T employees by 12/31/17

Per Report: 15 as of 12/31/17, 0 reported in 2018, 0

reported as of 12/31/19

Per Agreement: \$350,000 in payroll

Per Report: \$0

**** When asked about jobs, Keller Controller stated it is still due to Campbell's pulling contract.**



American Road Holdings

dba Paul Martin & Sons

(CRA)

- Liberty Center School District
 - City of Napoleon
 - Liberty Township
 - Four County Career Center
 - Henry County
- 

**EXECUTED 09/27/19 - STILL IN
CONSTRUCTION**

Granted a 100% exemption for 10 years

Project to be complete April 2020

Expires 2030 for tax year 2029

PROJECT INVESTMENT:

Per Agreement: \$1,100,000 ± 10%

Per Report: \$0

JOBS/PAYROLL:

Per Agreement: Create 3 F/T employees by 03/31/22

Per Report: 0 as of 12/31/19

Per Agreement: \$180,000 in payroll

Per Report: \$0



MWA

Enterprise

dba Petro Truck Stop

(CRA)

- Liberty Center School District
 - City of Napoleon
 - Liberty Township
 - Four County Career Center
 - Henry County
- 

EXECUTED 06/18/13

Granted a 100% exemption for 10 years

Expires 2025 for tax year 2024

PROJECT INVESTMENT:

Per Agreement: \$1,463,300 ± 10%

Per Report: \$1,439,490 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 25 F/T employees by 10/15/14

Per Report: 7 new, 41 retained as of 12/31/19

Per Agreement: \$1,139,000 in payroll

Per Report: \$1,143,080 as of 12/31/19

Jan Mar Properties

(West Villas)

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

**EXECUTED 03/05/19 - STILL
CONSTRUCTING**

Granted a 50% exemption for 10 years

Exemption on build only

No compensation payments

PROJECT INVESTMENT:

Per Agreement: \$7,000,000 ± 10%

Per Report: \$284,075.56 as of 12/31/19 (Construction wages)

JOBS/PAYROLL:

Per Agreement: No jobs/payroll, building investment only

Just Busch Investments

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 02/06/19

Granted a 100% exemption for 10 years

Expires 2029 for tax year 2028

No compensation payments

PROJECT INVESTMENT:

Per Agreement: \$310,000 ± 10%

Per Report: \$397,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 2 F/T employees by 04/30/19

Per Report: 2 as of 12/31/19

Per Agreement: \$12,000 ± 25% in payroll

Per Report: \$25,000 as of 12/31/19

Koester Corp.

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 04/18/11

Granted a 100% exemption for 10 years

Expires 2023 for tax year 2022

PROJECT INVESTMENT:

Per Agreement: \$1,500,000 ± 25%

Per Report: \$1,500,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 5 F/T employees by 5/31/12

Per Report: 16 F/T as of 12/31/19

Per Agreement: \$235,000 in payroll

Per Report: \$711,069 as of 12/31/19



MSG Investments

(Trail Dr. Apts.)

(CRA)

- Napoleon Area City School District
 - City of Napoleon
 - Four County Career Center
 - Henry County
- 

EXECUTED 03/07/19

Granted a 50% exemption for 10 years

No compensation payments

Expires 2029 for tax year 2028

PROJECT INVESTMENT:

Per Agreement: \$1,650,000 ± 10%

Per Report: \$2,000,000 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 1 F/T position

Per Report: 1 F/T as of 12/31/19

Per Agreement: \$35,000 in payroll

Per Report: \$? as of 12/31/19

Napoleon I, LLC

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 02/10/10

Granted a 100% exemption for 10 years

Expires 2021 for tax year 2020

PROJECT INVESTMENT:

Per Agreement: \$4,847,300 ± 25%

Per Report: \$4,347,300 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 4 F/T & 3 P/T positions by 12/31/10

Per Report: 7 new & 16 retained as of 12/31/19

Per Agreement: \$170,000 in payroll

Per Report: \$290,080 as of 12/31/19

Ridi Reio

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 04/03/19 - STILL IN CONSTRUCTION

Granted a 50% exemption for 15 years

No compensation payments

Project completion date - April 1, 2020 per Agreement

PROJECT INVESTMENT:

Per Agreement: \$1,000,000 ± 10%

Per Report: \$0 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 10 F/T & 12 P/T positions by 04/30/20

Per Report: 0 as of 12/31/19

Per Agreement: \$400,000 ± 25% in payroll

Per Report: \$0 as of 12/31/19

Shank Properties

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

**EXECUTED 04/23/19 - STILL IN
CONSTRUCTION**

Granted a 100% exemption for 10 years

Project completion date - October 2019 per
Agreement

Expires 2030 for tax year 2029

PROJECT INVESTMENT:

Per Agreement: \$2,335,000 ± 10%

Per Report: \$2,352,752 as of 12/31/19

JOBS/PAYROLL:

Per Agreement: Create 10 F/T positions by 12/31/19

Per Report: 0 created, 19 retained as of 12/31/19

Per Agreement: \$790,400 ± 25% in payroll

Per Report: \$0 as of 12/31/19

Ventures in Space

(CRA)

- Napoleon Area City School District
- City of Napoleon
- Four County Career Center
- Henry County

EXECUTED 04/03/17, AMENDED 08/20/18

Granted a 100% exemption for 15 years

No compensation payments

Expires 2034 for tax year 2033

PROJECT INVESTMENT:

Per Agreement: \$6,000,000 ± 10%

Per Report: \$5,700,000 as of 12/31/19

JOBS/PAYROLL:

No jobs/payroll required as this was for the spec building.

NEXT STEPS

Enterprise Zone Agreements

- TIRC recommendations will be sent to the Henry County Commissioners for their approval.

CRA Agreements

- TIRC recommendations will be sent to Napoleon City Council for their approval.

THANK YOU





City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kelly O'Boyle, City Finance Director
Dave Pike, W.W.T.P. Superintendent
Roxanne Dietrich, Clerk of Council
Date: May 27, 2020
Subject: WWTP Improvements Phase I ~ Digester Covers & Sludge Removal Improvements ~ Change Order No.

The above referenced project has been completed and final quantities have been tabulated. Change Order No. 1 – Final is \$79,453.10. The final project cost is \$793,091.10. The original contract amount was \$713,638.00. The final project amount is an increase due to higher solids concentration and we cleaned the third digester. **I recommend Council approve Change Order No. 1 – Final to allow us to close out this project.**

CEL

CHANGE ORDER

No. 1 - FINAL

PROJECT

PHASE 1 - DIGESTER COVERS and
SLUDGE REMOVAL IMPROVEMENTS

DATE OF ISSUANCE

May 19, 2020

OWNER

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

CONTRACTOR

MERRELL BROS. INC.
8811 WEST 500 NORTH
KOKOMO, IN 46901

ENGINEER

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

CONTRACT FOR: PHASE 1 - DIGESTER COVERS AND SLUDGE REMOVAL IMPROVEMENTS

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

DESCRIPTION: Work Completed, Adjustment of Final Quantities.

Attachments (List Documents Supporting Change)

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

Method of Determining Change In Method of Determining Change In

CONTRACT PRICE

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

CONTRACT TIME

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

Estimated Increase/~~Decrease~~ in

CONTRACT PRICE **\$79,453.10**

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

Estimated Increase/Decrease in

CONTRACT TIME N/A

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

Recommended

City of Napoleon

Accepted

MERRELL BROS., INC.

Contractor

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

by _____

Approved

City of Napoleon

Joel Mazur, City Manager

Original Contract Prior to this Change Order	\$713,638.00
Increase / Decrease Resulting from this Change Order	\$79,453.10
Current Contract Price, Including this Change Order	\$793,091.10

PHASE 1 - DIGESTER COVERS and SLUDGE REMOVAL IMPROVEMENTS

FINAL CHANGE ORDER

May 19, 2020

ITEM NO	DESCRIPTION	PLAN QUANTITY	UNITS	UNIT PRICE	QUANTITY TO DATE	QTY DIFFERENCE	AMOUNT DECREASE	AMOUNT INCREASE	
1	Mobilization and Demobilization	1.00	LS	\$48,313.00	1.00	0.00			
2	Sludge Dewatering and Disposal	1,400,000.00	LBS	\$0.4275	1,742,171.00	342,171.00		\$146,278.10	
3	Power Washing	1.00	LS	\$66,825.00	0.00	-1.00	-\$66,825.00		
							Subtotals:	-\$66,825.00	\$146,278.10
							TOTAL DIFFERENCE:	\$79,453.10	



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kelly O'Boyle, City Finance Director
Roxanne Dietrich, Interim Clerk of Council
Date: May 27, 2020
Subject: Glenwood Waterline Improvements – Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans, bid documents, and specifications for the above referenced project. This project consists of replacing the existing waterline on Glenwood Avenue from W. Riverview Avenue to W. Washington Street and resurfacing the roadway. Portion of concrete curbing will be replaced as part of the project. The completion date for this project is October 31, 2020.

Engineer's Estimate of Construction: \$510,000.00.

CEL

2020 APPROPRIATION BUDGET - SUPPLEMENTALS UNDER \$25K

ORDINANCE No. 092-19, Passed January 6, 2020

<u>Supplementals Under \$25K</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	<u>2020 FUND TOTAL</u>
400 Capital Improvement Fund				
400.1800.53400 Contract Services		\$2,477.57	\$2,477.57	\$2,477.57
<i>Reason: Additional Payment for Remote Technology Grant for COVID-19</i>				
560 Sanitation (Refuse) Revenue Fund				
560.6420.53460 Cnt -Recycling & Sorting		\$2,000.00	\$2,000.00	\$2,000.00
<i>Reason: Moved money for Concrete Crushing -replace during 2nd Quarter</i>				
TOTAL FUNDS	\$0.00	\$4,477.57	\$4,477.57	\$4,477.57



 Kelly O'Boyle
 Finance Director



 Joel Mazur
 City Manager

Date: 5.20.20

Warrant Date: 05/12/2020

Vendor Number:

Warrant No: 0042320052

Invoice Number

Voucher ID

Gross Amount

Discount Taken

Late Charge

Paid Amount

134A

00090755

2477.57

0.00

0.00

2477.57

COVID-19 GRANT AWARD (LFH)

NOT NEGOTIABLE

M&MIS

400.1800.43100

State Grant Receipts Municipal/Judicial

NOT NEGOTIABLE

Remote Tech Grant - additional

NOT NEGOTIABLE

REGULR32350004560010G



Warrant Number	Date	Total Gross Amount	Total Discounts	Total Late Charges	Total Paid Amount
0042320052	05/12/2020	\$2,477.57	\$0.00	\$0.00	\$2,477.57

PLEASE TEAR AT PERFORATION BEFORE CASHING CHECK.

THIS IS OHIO WATERMARKED PAPER. DO NOT ACCEPT WITHOUT NOTING OHIO WATERMARK. HOLD TO LIGHT TO VERIFY OHIO WATERMARK.

Judiciary/Supreme Court
Fiscal & Mgmt. Resources Floor 7
65 South Front Street
Columbus
(614) 387-9480

OH 43215-3431 468

Date: 05/12/2020 Fund: 503 Warrant No: 0042320052

Pay Amount \$2,477.57***

Pay ****TWO THOUSAND FOUR HUNDRED SEVENTY-SEVEN AND 57/100 DOLLARS ****

To The Order Of

NAPOLEON MUNICIPAL COURT
ATTN: AMY C. ROSEBROOK
1819 AVENUE
PO BOX 502
NAPOLEON, OH 43545

VOID AFTER 90 DAYS

Kimberly A. Furnieks

Kimberly A. Furnieks, Director
Office of Budget and Management

000 24 775 7 04400 21 74 503 2005 23 2005 21 26 5

Kelly O'Boyle

From: Brandy Gonzalez
Sent: Wednesday, May 6, 2020 11:34 AM
To: Kelly O'Boyle; Tracy Crist
Cc: Jeff Rathge
Subject: RE: Refuse Service Invoice
Attachments: Recycle Weight Tickets.pdf

Kelly,
I've attached a recycling summary for your review. We have had months as high as \$2,125.35 and as low as \$1,415.25 but averaging around \$1,760 since the first of 2019. Jeff and I anticipate it will be on the lower side due to the allowed extra bag and habits have changed. I believe \$2,000 would be more than plenty to cover June's invoice for payment in July.
Thank you,
Brandy

From: Kelly O'Boyle
Sent: Wednesday, May 6, 2020 11:19 AM
To: Brandy Gonzalez <BGonzalez@napoleonohio.com>; Tracy Crist <tcrist@napoleonohio.com>
Cc: Jeff Rathge <jrathge@napoleonohio.com>
Subject: RE: Refuse Service Invoice

Hi Brandy,

How much will the first invoice be so we can have enough to encumber prior to the invoice arriving? Joel and I have the power to Supplement up to \$25K and then let Council now if it cannot wait until the Quarterly Adjustments. Then we will do the rest of the Supplemental on the 2nd Quarter Adjustment which will be approved at Council's July 6th Meeting. Thank you.

Kelly

Kelly O'Boyle
Finance Director
City of Napoleon
(419) 591-2809
(419) 966-1275 (cell)

From: Brandy Gonzalez <BGonzalez@napoleonohio.com>
Sent: Wednesday, May 6, 2020 8:06 AM
To: Tracy Crist <tcrist@napoleonohio.com>
Cc: Kelly O'Boyle <koboyle@napoleonohio.com>; Jeff Rathge <jrathge@napoleonohio.com>
Subject: RE: Refuse Service Invoice

Ok, I'll submit the request for \$1500 to cover the March tickets.

I believe Jeff wants to do a supplemental budget adjustment since he had to transfer money out of this account for concrete crushing. There are two other accounts that will require the supplemental adjustment. We were under the impression that was only allowed quarterly. Can you help me and Jeff through that process?
Thank you!

From: Tracy Crist
Sent: Wednesday, May 6, 2020 7:54 AM
To: Brandy Gonzalez <BGonzalez@napoleonohio.com>
Cc: Kelly O'Boyle <koboyle@napoleonohio.com>
Subject: Re: Refuse Service Invoice

I would add the remaining \$1500 now (via request to Joel) and then you will have to find money somewhere else in the recycling budget or request a supplemental budget adjustment based on average usage for the remainder of the year. If you're going to do the budget adjustment, I would submit the request/memo sooner rather than later, that way the money is available and in place when you need it.

Tracy Crist
Executive Assistant/
Accounts Payable
City of Napoleon
419/591-2810
tcrist@napoleonohio.com
ap@napoleonohio.com

From: Brandy Gonzalez <BGonzalez@napoleonohio.com>
Sent: Wednesday, May 6, 2020 7:46 AM
To: Tracy Crist <tcrist@napoleonohio.com>
Subject: RE: Refuse Service Invoice

I know, so did !!
I will need to add \$1,465.55 to RG200109 to cover this invoice. That will leave the PO with a \$0.00 balance. We won't get back to recycling till June 1st and assume another bill till July. The account only has \$1,500 available. Let me know how you suggest handling this.
Thanks!

From: Tracy Crist
Sent: Wednesday, May 6, 2020 7:42 AM
To: Brandy Gonzalez <BGonzalez@napoleonohio.com>
Subject: Re: Refuse Service Invoice

Whew! I thought I might have lost it in the chaos!!! Thanks!!!!!!!!!!!!!!!

Tracy Crist
Executive Assistant/
Accounts Payable
City of Napoleon
419/591-2810

tcrist@napoleonohio.com
ap@napoleonohio.com

From: Brandy Gonzalez <BGonzalez@napoleonohio.com>
Sent: Wednesday, May 6, 2020 7:40 AM
To: Tracy Crist <tcrist@napoleonohio.com>; Jeff Rathge <jrathge@napoleonohio.com>
Subject: RE: Refuse Service Invoice

Tracy,
I never received an invoice/statement at the beginning of April for all of March tickets. This is the first I've gotten from Werlor too. I will get it processed right away this morning.
Thanks,
Brandy

From: Tracy Crist
Sent: Wednesday, May 6, 2020 7:33 AM
To: Jeff Rathge <jrathge@napoleonohio.com>; Brandy Gonzalez <BGonzalez@napoleonohio.com>
Subject: Fw: Refuse Service Invoice

Jeff/Brandy

This is the first I've seen this invoice.....do you have record of it?

Thanks!

Tracy Crist
Executive Assistant/
Accounts Payable
City of Napoleon
419/591-2810
tcrist@napoleonohio.com
ap@napoleonohio.com

From: Werlor, Inc. <billing@werlor.com>
Sent: Tuesday, May 5, 2020 3:24 PM
To: Tracy Crist <tcrist@napoleonohio.com>; AP <ap@Napoleonohio.com>; Brandy Gonzalez <BGonzalez@napoleonohio.com>
Subject: Refuse Service Invoice



Werlor Waste Control, Inc.

Refuse Service Invoice

For your convenience, your latest refuse service invoice for Account #016038 is attached. We ask that you remit your payment upon receipt to continue reliable, uninterrupted service.

If you are setup for automatic payments, your payment will be automatically drawn from your account 10 days from billing date.

When you spend your money locally, four times more of your dollars stay and support the local community than if you were to spend those dollars at a chain or national company!

Thank you for allowing us to provide your refuse service!

Locally Owned and Operated since 1969

Have any questions?

Contact [Verior, Inc.](#)

[EXTERNAL]



City of *NAPOLEON*, Ohio

255 West Riverview Avenue • P.O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-4010 • Fax: (419) 599-8393
Web Page: www.napoleonohio.com

Memorandum

Mayor
Jason Maassel

Members of Council
Joseph Bialorucki, President
Daniel Baer, President Pro-Tem
Jeff Comadoll
Ken Haase
Molly Knepley
Lori Siclair
J. Ross Durham

City Manager
Joel L. Mazur

Finance Director
Kelly O'Boyle

Law Director
Billy D. Harmon

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

To: Napoleon City Council
From: Dustin Tewksbury, Director of IT Department
cc: Joel Mazur, City Manager

Date: 6/1/2020

Subject: IT Department Server Upgrade Project Update

The City of Napoleon IT Department has accomplished several milestones. The biggest of which would be replacing servers that were overprovisioned from 2008 servers to 2019 servers. With this, we have switched our previous virtual environment to a more sustainable version by moving from Citrix Xencenter to 2019 Hyper-V, which is easier to maintain. This gives us much more flexibility with managing core servers as well as virtual servers. Along with the upgrades of our virtual environments, we have also created a new Unitrends backup system with an encrypted VPN to a backup copy target.

We have also made very major changes in our security infrastructure. With the implementation of Watchguard Authpoint, the way VPN connections are created is protected by another layer with multi-factor authentication. This mitigates the possibility of a secured connection being created by an unauthenticated account. We have also implemented and since upgraded our SentinelOne to the newest version to allow better detection and protection of city computers from any attacks.

The final server to be migrated is the Napoleon Police Department server. The implementation of this server is underway and should be completed by Wednesday, June 3rd. This server is replicated from the Police Station to a local server in the Administration building. This creates an additional layer of redundancy in case the server fails for any reason.

The Napoleon IT department continues to make necessary changes within our server systems and security systems to ensure a steady, safe, and uninterrupted workflow so that we may continue to support our community.



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Memorandum

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

From: Roxanne Dietrich, Executive Assistant to Appointing Authority/Clerk of Council

Date: May 29, 2020

Subject: Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, June 01, 2020 at 6:15 pm has been CANCELED due to lack of agenda items.