



# City of Napoleon, Ohio

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

## Memorandum

**To:** Mayor and Members of City Council  
**From:** Roxanne Dietrich, Clerk of Council  
**cc:** Joel L. Mazur-City Manager,  
Billy D. Harmon-City Law Director,  
Kelly O'Boyle-City Finance Director  
**Date:** August 14, 2020  
**Subject:** General Information

CALENDAR - August and September

### INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Resolution No. 038-20**, a Resolution Amending Resolution No. 081-19, the City's Yearly Reoccurring Cost Legislation; and Declaring an Emergency.

### SECOND READING OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 033-20**, a Resolution Approving the Addition of a Fifty Dollar (\$50.00) Surcharge to City of Napoleon, Ohio Employee Health Insurance Premiums, Amending Resolution No. 073-19; and Declaring an Emergency
2. **Resolution No. 035-20**, a Resolution Authorizing and Directing the Finance Director of the City of Napoleon to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2020 Tax Duplicates Payable in the Year 2021; and Declaring an Emergency
3. **Resolution No. 036-20**, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the necessary Tax Levies and Certifying them to the County Auditor of Henry County for the 2020 Tax Duplicates Payable in Year 2021; and Declaring an Emergency
4. **Resolution No. 037-20**, a Resolution Authorizing the City Manager to Execute all Documents necessary to Apply for and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects deemed necessary by the City Engineer in the Year 2021; and Declaring an Emergency.

### THIRD READING OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 032-20**, an Ordinance Approving Current June 2020 Replacement Pages to the City of Napoleon Codified Ordinances.

### GOOD OF THE CITY - Discussion/Action:

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for August, 2020 as Power Supply Cost Adjustment 3-month Averaged Factor \$0.02777; JV2 \$0.018603
- \* Items 2 and 3 are applications for a new liquor permit. A copy of the *Notice to Legislative Authority* from the Ohio Division of Liquor Control for each application is enclosed.
2. **Discussion/Action:** Application for Liquor Permit-Gracies Taqueria LLC, 814 N. Perry St.
3. **Discussion/Action:** Application for Liquor Permit-Property Prepers LLC, dba Brick N Brew, 631 N. Perry St.
4. **Discussion/Action:** Results from the Reciprocity Survey  
The results from the reciprocity survey are included in your packet.

5. **Discussion/Action:** Acceptance of Donations Received by the Napoleon Police Department
  - a. Attached are copies of donations received.

## **FINANCIAL REPORTS**

### **INFORMATIONAL ITEMS**

1. Agenda/Minutes – Tree Commission
2. Cancellation – Parks and Recreation Committee
3. Enclosed is a copy of a note we received that is addressed to City Council.
4. AMP Weekly Newsletter/August 07, 2020
5. OML Legislative Bulletin/August 14, 2020

# August 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	<b>3</b> 7:00 pm – CITY COUNCIL	4	5	6	7	8
9	<b>10</b> 6:15 pm – Electric Comm 6:15 pm - BOPA 7:00 pm – Municipal Properties, Building, Land Use/ED Comm.	11	12	13	14	15
16	<b>17</b> 6:00 pm – Tree Commission 7:00 pm – CITY COUNCIL	18	19	<b>20</b> 10:00 am American Road Improvements Bid Opening	21	22
23	<b>24</b> 6:30 pm – Finance & Budget Comm. 7:30 pm - Safety and Human Resources Committee	<b>25</b> 4:30 pm – Civil Service	26	27	28	29
30	<b>31</b> 5 <sup>th</sup> Monday					

## September 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>31 August</b>  <i>5<sup>th</sup> Monday</i>	<b>1</b>	<b>2</b>  6:30 pm - Parks & Rec Board	<b>3</b>	<b>4</b>	<b>5</b>
<b>6</b>	<b>7</b>  Closed LABOR DAY	<b>8</b>  4:30 pm Board of Zoning Appeals 5:00 pm – Planning Commission 6:15 pm – Technology and Communications Comm. 7:00 pm – CITY COUNCIL	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>13</b>	<b>14</b>  6:15 pm – Electric Comm 6:15 pm - BOPA  7:00 pm – Water/Sewer Committee  7:30 pm- Municipal Properties, Bldg, Land Use/ED Comm.	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>20</b>	<b>21</b>  6:00 pm – Parks & Rec Committee  6:00 pm – Tree Commission  7:00 pm – CITY COUNCIL	<b>22</b>  4:30 pm – Civil Service	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
<b>27</b>	<b>28</b>  6:30 pm – Finance & Budget Committee  7:30 pm - Safety and Human Resources Committee	<b>29</b>	<b>30</b>  6:30 pm - Parks & Rec Board			

*City of Napoleon, Ohio*

**CITY COUNCIL**

**MEETING AGENDA**

**Monday, August 17, 2020 at 7:00 pm**

City 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](http://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)

1. August 3, 2020 Regular Council Meeting Minutes

**D. Citizen Communication**

**E. Reports from Council Committees**

1. Electric Committee met on August 10, 2020 and;
  - a. Approved the Power Supply Cost Adjustment Factor for August 2020
2. Water, Sewer, Refuse, Recycling and Litter Committee did not meet on August 10, 2020.
3. Municipal Properties, Building, Land Use and Economic Development Committee met on August 10, 2020 in Executive Session for Economic Development; No Action was Taken
4. Parks and Recreation Committee did not meet tonight due to lack of agenda items

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

1. Board of Zoning Appeals did not meet on August 11, 2020 due to lack of agenda items
2. Planning Commission did not meet on August 11, 2020 due to lack of agenda items
3. Tree Commission met at 6:00 pm this evening with the following agenda items:
  - a. Review Tree Call Reports
  - b. Award Fall Removal Contract
  - c. Award Fall Topsoil Contract
  - d. Review Fall Trimming List
  - e. Arbor Day

**G. Introduction of New Ordinances and Resolutions**

1. **Resolution No. 038-20**, a Resolution Amending Resolution No. 081-19, the City's Yearly Reoccurring Cost Legislation; and Declaring an Emergency.

**H. Second Readings of Ordinances and Resolutions**

1. **Resolution No. 033-20**, a Resolution Approving the Addition of a Fifty Dollar (\$50.00) Surcharge to City of Napoleon, Ohio Employee Health Insurance Premiums, Amending Resolution No. 073-19; and Declaring an Emergency
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Transportation Improvement Program (LTIP) Funds for Projects deemed necessary by the City Engineer in the Year 2021; and Declaring an Emergency

**I. Third Readings of Ordinances and Resolutions**

1. **Ordinance No. 032-20**, an Ordinance Approving Current June 2020 Replacement Pages to the City of Napoleon Codified Ordinances.

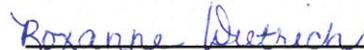
**J. Good of the City** (Any other business that may properly come before Council, including but not limited to):

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for August, 2020 as Power Supply Cost Adjustment 3-month Averaged Factor \$0.02777; JV2 \$0.018603
2. **Discussion/Action:** Application for Liquor Permit-Gracies Taqueria LLC, 814 N. Perry St.
3. **Discussion/Action:** Application for Liquor Permit-Property Prepers LLC, dba Brick N Brew, 631 N. Perry St.
4. **Discussion/Action:** Results from the Reciprocity Survey
5. **Discussion/Action:** Acceptance of Donations Received by the Napoleon Police Department

**K. Executive Session** (as may be needed)

**L. Approve Payment of Bills and Approve Financial Reports** (in the absence of any objections or corrections, the Payment of Bills and Financial Reports shall stand approved.)

**M. Adjournment**



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Roxanne Dietrich  
Clerk of Council

**A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL**

1. **Technology & Communication Committee (1<sup>st</sup> Monday)**  
*(Next Regular Meeting: Tuesday, September 8, 2020 @6:15 pm)*
2. **Electric Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, September 14, 2020 @6:15 pm)*
  - a. Review of Power Supply Cost Adjustment Factor for September 2020
  - b. Update on Substations
  - c. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, September 14, 2020 @7:00 pm)*
  - a. Update on 2021 Wastewater Treatment Plant Improvements Project
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, September 14, 2020 @7:30 pm)*
5. **Parks & Recreation Committee (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday August 17, 2020 @6:00 pm)*
6. **Finance & Budget Committee (4<sup>th</sup> Monday)**  
*(Next Regular Meeting: Monday, August 24, 2020 @6:30 pm)*
7. **Safety & Human Resources Committee (4<sup>th</sup> Monday)**  
*(Next Regular Meeting: Monday, August 24, 2020 @7:30 pm)*
8. **Personnel Committee (as needed)**

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

1. **Board of Public Affairs (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, September 14, 2020 @6:15 pm)*
  - a. Review of Power Supply Cost Adjustment Factor for September 2020
  - b. Update on Substations
  - c. Electric Department Report
  - d. Update on 2021 Wastewater Treatment Plant Improvements Project
2. **Board of Zoning Appeals (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, September 8, 2020 @4:30 pm)*
3. **Planning Commission (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, September 8, 2020 @5:00 pm)*
4. **Tree Commission (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday, August 17, 2020 at 6:00 pm)*
5. **Civil Service Commission (4<sup>th</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, August 25, 2020 @4:30 pm)*
6. **Parks & Recreation Board (Last Wednesday)**  
*(Next Regular Meeting: Wednesday, August 26, 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 (2<sup>nd</sup> Tuesday in June & December)**
9. **Housing Council - Meets First Monday in April (meeting to be scheduled after the TIRC meeting)**
10. **Health Care Cost Committee (as needed)**
11. **Preservation Commission (as needed)**
12. **Napoleon Infrastructure/Economic Development Fund Review Committee [NIEDF] (as needed)**
13. **Tax Incentive Review Council (as needed)**
14. **Volunteer Firefighters' Dependents Fund Board (as needed)**
15. **Volunteer Peace Officers' Dependents Fund Board (as needed)**
16. **Lodge Tax Advisory & Control Board (as needed)**
17. **Board of Building Appeals (as needed)**
18. **ADA Compliance Board (as needed)**







**Resolution No. 037-20 – Ohio Public Works Commission (OPWC) Grant Funds for the Year 2021**

Council President Bialorucki read by title Resolution No. 037-20, a Resolution Authorizing the City Manager to Execute all Documents necessary to Apply for and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects deemed necessary by the City Engineer in the Year 2021; and Declaring an Emergency

Motion: Haase

Second: Knepley

to approve First Read of Resolution No. 037-20

Mazur reported this is legislation that we have annually to allow us to apply for ODOT funds.

Roll call vote to approve First Read of Resolution No. 037-20

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

Nay-

**Yea-7, Nay-0. Motion Passed.**

**SECOND READING OF ORDINANCES AND RESOLUTIONS**

**Ordinance No. 032-20-Codified Ordinances June 2020 Replacement Pages**

Council President Bialorucki read by title Ordinance No. 032-20, an Ordinance Approving the Current June 2020 Replacement Pages to the City of Napoleon Codified Ordinances.

Motion: Haase

Second: Knepley

to approve Second Read of Ordinance No. 032-20

Mazur did not have anything new to report.

Roll call vote to approve Second Read of Ordinance No. 032-20

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

Nay-

**Yea-7, Nay-0. Motion Passed.**

**THIRD READING OF ORDINANCES AND RESOLUTIONS**

None.

**GOOD OF THE CITY**

**Acceptance of EMS 2020-2021 Training and Equipment Grant Award in an Amount of \$5,023.99.**

Chief O'Brien explained this is an annual EMS Grant that is a reimbursable grant. We are given a set amount to buy certain equipment or supplies that we would need for the ambulances. We have to turn the receipts in to show that we used that money for this year. The amount varies every year. They tell us exactly what we are going to get and encourage you to spend all your money. That is how we have been successful in getting the amounts around the \$5,000 mark. Bialorucki asked with these grants are they guaranteed to the City of Napoleon because they like us or do you have to apply for them every year? Chief O'Brien replied we have to apply for these grants each and every year. There is a specific list of things that you can apply for and then there are certain times that you can spend the money between. For this particular grant, we can only spend the money on their fiscal year that is July to June. So, that is why you we put the expenditure in for after July 1<sup>st</sup>. Bialorucki said we think of a Fire Chief as helping to put out fires or training new firefighters and hiring them and doing all that. But, there's a lot more that goes into what your job is. We come across a lot of grants that we receive because you seek those out. We appreciate that very much. Maassel asked is this for consumables on the ambulance or is this more for equipment that's going to stick around for a little while? Chief O'Brien answered, it's for equipment that's





Mazur – No Items.

O’Boyle - the CAFR, audit and annual information statement are all complete.

Harmon – No Items.

Baer- I was wondering if we have the final results on the citizen survey on the reciprocity tax? Mazur said the survey closed on Friday. We are compiling that data and trying to get it in a format. We will have that in everybody's packet hopefully by the end of the week. Maassel asked Baer if he would like included as a discussion item at the next Council meeting? Baer said *yes I would*.

### **Reciprocity Tax Survey Results Assigned to the August 17, 2020 City Council Agenda**

Council President Bialorucki assigned Discussion/Action on Reciprocity Tax Survey Results to the August 17, 2020 Council Agenda.

Durham – No Items.

Haase - this rain the last couple days ought to really make the weeds grow along Park Street. It looked like a pretty good crop this morning when I drove down.

Siclair – No Items.

Knepley – No Items.

Bialorucki - the only thing I have is about the Axis LED Group. I know three or four years ago we were talking about JAC Products coming to town for a spec building. I think originally they were talking around 200 employees and we were so excited were hoping to have 10-15 employees. It was amazing they were talking about 200 and have bumped that it up to 300 to 400 employees. Now, we have a company that is coming into Napoleon and occupying a building that has been an eyesore and vacant for eighteen years. This company is doing something that will benefit the whole country making N95 masks and gloves and everything else they are going to do. Not to mention, they are bringing 400 to 500 jobs here in Napoleon. I’m just surprised that this hasn't been talked about more. It has not been like wow this is awesome! I mean every aspect of it is great and I don't know if it's just because we have all been kind of social distancing and we are not getting together and saying man this is awesome. I just wanted to point that out and thank this company for choosing Napoleon and using their knowledge and expertise to manufacture some things that are greatly needed in this country and to choose Napoleon to do it and create another 400 to 500 jobs. Maassel added it very exciting. Mazur said it puts Napoleon on a global map. These aren't just going to be these American-made products they will be shipped out all over the country, all over the globe. Haase said Brian Koeller did have an article in the Northwest Signal about it, he didn't really come out and greatly praise it. Maassel noted it was a very positive article and Brian had a nice column in Saturday’s paper in his opinion column. Bialorucki said I just think if it was any other time this would be top news with all the Toledo news channels. Since our meeting last Monday, I have really thought about it a lot. Like this is huge for Napoleon, it's awesome and I just want to thank that company and the people that worked hard to get them to come here and to have somebody in that building that's been sitting empty for eighteen years is a great thing.

### **APPROVE PAYMENTS OF BILLS**

In the absence of any objections or corrections, the payment of bills shall stand approved.



**RESOLUTION NO. 038-20**

**A RESOLUTION AMENDING RESOLUTION NO. 081-19, THE CITY'S YEARLY REOCCURRING COSTS LEGISLATION; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City each year has reoccurring costs associated with the conducting of business with groups or associations established for or on behalf of the political subdivisions or instrumentalities of the State, which annually exceed twenty-five thousand dollars (\$25,000); and,

**WHEREAS**, the City each year has reoccurring costs associated with the conducting of business, many which result in mandatory payments or merely occur as a result of the method of accounting utilized by the City's Finance Department; and,

**WHEREAS**, for convenience and efficiency, purchase orders are annually written to vendors by multiple departments of the City with a combined total that exceeds twenty-five thousand dollars (\$25,000); and,

**WHEREAS**, Resolution No. 081-19 was previously passed on December 16, 2019; and,

**WHEREAS**, certain vendors were omitted from Resolution No. 081-19, and Council now desires to add these vendors for proper payment. **Now Therefore**,

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

Section 1. That, the expenditure of funds by the City in excess of twenty-five thousand dollars (\$25,000), in and for the year 2020, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits listed in Exhibit "A" attached hereto and made a part of this Resolution.

Section 2. That, the expenditure of funds by the City in excess of twenty five thousand dollars (\$25,000), in and for the year 2020, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification listed in Exhibit "B" attached hereto and made a part of this Resolution.

Section 3. That, the expenditure of funds in excess of twenty five thousand dollars (\$25,000) is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2020 from the following vendors; however, in no event shall the amount exceed twenty five thousand dollars (\$25,000) for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution listed in Exhibit "C" attached hereto and made a part of this Resolution.

Section 4. That, due to nature or uniqueness of the transactions or vending listed in Sections 1, 2 and 3 of this Resolution, except for the prohibition in Section 3 regarding the one time purchase over twenty-five thousand dollars (\$25,000), any requirement that may exist for competitive bidding is hereby eliminated in the best interest of the City.

Section 5. That, Resolution No. 081-19 is hereby amended to remove Walter Drain Co. on Exhibit "B" for the purpose of codification services.

Section 6. That, Resolution No. 081-19 is hereby amended to include Dell Marketing on Exhibit "C" for the purpose of purchasing computer hardware systems.

Section 7. That, Resolution No. 081-19 is hereby amended to add Spengler Nathanson, PLL on Exhibit "C" for the purpose of outside counsel professional services.

Section 8. That, Resolution No. 081-19 is hereby amended to include Target Specialty Products, (previously Residex, LLC), on Exhibit "C" for the purpose of purchasing golf course chemicals.

Section 9. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.

Section 10. 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 11. 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 12. 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 allow for prompt purchases required to remain operational, being operational essential 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 begin the payment process 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 Ordinance No. 038-20 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*

## EXHIBIT "A"

American Municipal Power, Inc.	For: Contracted Power Purchase and Services
BORMA Benefit Plans	For: Insurance Premiums (Health)
CIC of Henry County, Ohio	For: Economic Development Services
Four County Career Center	For: Training Services
Henry County Auditor	For: Auditor Fees and Assessment Fees
Henry County Chamber of Commerce	For: Chamber Programs
Henry County EMA	For: Emergency Management Agency
Henry County Engineer	For: Engineering Shared Projects and Materials
Henry County Regional Water/Sewer District	For: Payments for Water Collections
Auditor of State of Ohio	For: Annual Auditing Services
John Donovan - Law Librarian	For: Law Library Payments
MAN Unit	For: Police Services and Narcotics Task Force
Maumee Valley Planning	For: CHIS/CHIP Grant Administration
Napoleon/Henry County Chamber of Commerce	For: Tourist Bureau and other
Ohio Bureau of Workers Compensation	For: Employee Worker's Comp. Insurance Coverage
Ohio Police Pension Fund	For: Police Pension Payment
Ohio Fire Pension Fund	For: Fire Pension Payment
Ohio Public Employers' Retirement System	For: Pension Payments
Public Entities Pool (PEP)	For: Insurance Premiums (Property & Casualty)
Treasurer State of Ohio	For: Various Items

## EXHIBIT "B"

BHM CPA Group, Inc.	For: Auditing Services
Bonded Chemical	For: Chemicals at Water Treatment Plant
Calfee, Halter & Griswold, LLP	For: Specialized Legal Services
City of Napoleon, Fuel Rotary	For: Fuel Purchases
City of Napoleon, Garage Rotary	For: Garage Rotary Services
City of Napoleon, Income Tax	For: Refunds of Income Taxes
City of Napoleon, Payroll	For: Payroll Postings
City of Napoleon, Reimbursements	For: Inter-fund Reimbursements
City of Napoleon, Rescue	For: Township Portion of EMS Revenues
City of Napoleon, Utility	For: Meter Deposit Refunds
City of Napoleon, Utility	For: Utility Services
City of Napoleon, Utility	For: Water and Sewer Refunds
City of Napoleon, Utility	For: Electric Refunds
Embarq (Centurylink)	For: Telephone Services
Farmer and Merchant's State Bank	For: Banking and Debt Service Payments
Greenline	For: Telephone Services
Huntington National Bank	For: Banking & Debt Service Payments
KSB Dubric	For: Pump supplies and repairs
Napoleon, Inc.	For: Newspaper Publication Services
National City Bank	For: Debt Service Payment
Ohio CAT	For: Equipment Rental & Parts
Ohio Gas Company	For: Utility Services
Ohio Water Development (OWDA)	For: Debt Service Payment
OMEGA JV5/Amp-Ohio Inc.	For: Purchase of Power
OMEGA JV6/Amp-Ohio Inc.	For: Purchase of Power
PNC Bank, N.A.	For: Debt Service Payments
Rescue-Township Charges (EMS)	For: EMS Revenues to Townships
Schonhardt and Associates	For: CAFR Preparation
Smart Bill, LTD	For: Outsourcing of Utility Bill Printing and Mailing
Squires, Patton, Boggs (US) LLP	For: Bond Counsel (Professional Services)
Telnamix	For: City Phone Services
The Accumed Group	For: EMS Billings and Collections
Treasurer State of Ohio	For: Payments to State
Trojan Technologies	For: Parts for UV system

US Bank N.A.	For: Debt Service Payments
US EPA (Treasurer, State of Ohio)	For: Permits
US Postmaster	For: Postal Services and Supply
Verizon Wireless	For: Wireless Phone Services
<del>Walter Drain Co.</del>	<del>For: Codification Services (Professional Services)</del>
Weltman, Weinberg & Reis	For: Collection Services

## EXHIBIT "C"

Amazon	For: Various City Supplies & Equipment
A & A Custom Crushing	For: Concrete Crushing
A Cut Above The Rest Tree Service	For: Tree Services
Advanced Rehabilitation Technology	For: Sewer Cleaning and Rehabilitation
AECOM	For: Engineering Services (Professional Services)
Aerotek	For: Temporary Staffing (Professional Services)
Altec Industries	For: Digger Truck Services
All Seasons Tree Care	For: Tree Services
Alloway	For: Professional Services – Lab Testing
American Property Analysts	For: Property Appraisals
American Rock Salt Co., LLC	For: Road Salt
Anixter Inc.	For: Electrical Transformers, Parts and Supplies
Aramark	For: Uniform Services
Arcadis	For: Engineering Services (Consulting & Professional Services)
Auglaize Tree Service	For: Tree Services
Baker Gas	For: Water Chemicals
Baker Vehicle Systems	For: Vehicle Parts & Repairs
Baldwin Poles	For: Utility Poles
Bob Wingate, Integrity Solutions	For: Bridge Inspections, Management & Repairs
Boundtree Medical Supply, LLC	For: Medical Supplies
Brown Supply Co.	For: Janitorial Supplies
Brownstown Electric Supply	For: Electrical Supplies
Buck Pavement Restoration	For: Crack Sealing
Buckeye Pumps	For: Pump Repairs and Parts
Burch Hydro	For: Electrical Supplies
Burch Hydro	For: Sludge Removal
Burke Excavating and Mowing	For: Construction and Mowing Services
Bryan Excavating	For: Construction Services
Cahaba Timber	For: Wood Electric Poles
Cargill, Inc.	For: Road Salt

C&W Tank Cleaning	For: Digester Cleaning
CDW Government, Inc.	For: Computers and Supplies
Chemtrade Chemicals US, LLC	For: Chemicals
City Blue, Inc.	For: Survey Supplies
Clarke Mosquito Control Product	For: Mosquito Control Supply
Clemons Nelson	For: Legal Services
CMI (Creative Microsystems, Inc.)	For: Software and Hardware Systems
Compass Minerals America	For: Road Salt
D & R Demolition Corp.	For: Concrete Crushing
Defiance County Landfill	For: Sanitation Dumping Services/Landfill Biosolids
<a href="#">Dell Marketing</a>	<a href="#">For: IT Hardware Systems</a>
Dennis Panning Excavating	For: Yard Waste Hauling and Disposal
Detroit Salt Company	For: Road Salt
Downtown	For: Downtown Renovation Vendors
Enaqua	For: Parts for UV Units
Encompass Engineers	For: Electrical Engineering Services
Estabrook, Corp.	For: Pump Supplies and Repairs
Ferguson Waterworks	For: Operations Parts and Supplies
Finley Fire Equipment	For: Fire Engines and Service Repairs
Fire Safety Services Inc.	For: Fire Services and Supply
Fire Service, Inc.	For: Fire Services and Supply
Fitzenrider, Inc.	For: Heating and Air Conditioning Service Work
Flex-Com	For: Camera Systems
Forrest Auto Supply	For: Automotive Parts & Supplies
Ft. Defiance Service Master	For: Cleaning and Sanitizing Services
Garcia Surveyors, Inc.	For: Surveying Services (Professional Services)
Gerken Asphalt Paving, Inc.	For: Paving Materials & Asphalt Laying
Go Green, Inc.	For: Brush Grinding Services
Henschen and Associates, Inc.	For: Software and Hardware Systems
Hoff Consulting, LLC	For: Consulting Services
Hydro Dyne Engineering, Inc.	For: Wastewater Remanufacturing of Screens
Jack Doheny Supplies Ohio, Inc.	For: Wastewater Supplies
J.A. Hillis Excavating, LLC	For: Excavation Services

Jennings Strauss & Salmon, LLC	For: Transmission Tariff Consultant
Jones & Henry Engineers, LTD	For: Consulting Services
K-Tech	For: Beet Heet
Kalida Truck	For: Vehicle Accessories
Koester Corp.	For: Engineering Services
Kuhlman Corp.	For: Parts and Supply
Kurtz Ace Hardware	For: Supply
The Mannik and Smith Group, Inc.	For: Engineering Services (Professional Services)
Masterpiece Sign Graphics, Inc.	For: Signs
The Accumed Group	For: Ambulance Billing Services
Meeder Investment Management	For: Investment Management Services
Meggar	For: Electrical Testing Equipment
Mel Lanzer Co.	For: Construction Services
Meldrum Mechanical	For: Pump Supplies & Equipment Repairs
Melrose Pyrotechnics, Inc.	For: Fireworks
Midwest Compost	For: Digester Cleaning
Miller Brothers Construction	For: Trucking, Hauling, and Excavating Services
Milsoft	For: Outage Management Software
Mohre Electronics Co.	For: Radio Services, Parts and Supply
Morton Salt	For: Road Salt
Neptune Equipment Co. (NECO)	For: Meter Parts and Supplies
Newegg Business	For: Computers and Supplies
Northwest Landscape Service City Owned	For: Landscaping and Supplies, Roadside & Property Mowing
Northwest Nursery	For: Tree Services
Northwest Pools	For: Pool Chemicals
NRP Midwest	For: Wastewater Treatment Chemicals
Ohio Dpt. of Transportation (ODOT)	For: Road Salt & Other Items
Office Depot	For: Office Supply
One Source Waste Solutions	For: Waste Services
O'Reilly Auto Parts	For: Parts & Supplies
Path Master	For: Traffic Signals Supplies and Services
Paulding County Engineer's Office	For: Cold Patch
Pepco	For: Supplies
Peterson Construction Company	For: Construction Services

Parker Hannfin Corp.	For: Water Meter Analyzer
Perrysburg Pipe and Supply	For: Parts and Supply
Perry Corporation	For: Copier, Scanner and Printer Supplies
Peterman Associates, Inc.	For: Engineering Services (Professional Services)
PNR Communications	For: Radio repair and parts
POET Ethanol Products	For: Chemical for Water Treatment
Poggemeyer Design Group	For: Electrical Engineering Services
Porter's BP, LLC	For: Gas and Diesel Fuel
Powerhouse Supply	For: Electrical Parts and Supplies
Processing Solutions	For: Water Treatment Chemicals
Quality Cleaning (Michael D. Draper)	For: Janitorial Services
Reed City Power Line Supply Co.	For: Electrical Parts and Supply
Reinke Ford	For: Automotive Services
<del>Residex, LLC</del>	<del>For: Golf Course Chemicals</del>
Reveille	For: Engineering Services
Rich Ford	For: Vehicle Repair Services
RTEC Communications, Inc.	For: Communication Supplies & Equipment
S & S Directional Boring	For: Directional Boring
Sauber Manufacturing Co.	For: Reel Trailers
Saylor Tree Service, LLC	For: Tree Services
Schneider	For: Software for Metering
Schweitzer Engineering	For: Electrical Substation Materials
Snyder Chevrolet, Inc.	For: Automotive Services
Solomon Corporation	For: Transformers and Electric Supplies
Southeastern Equipment	For: Operations Parts and Supplies
Spectrum Engineering Corp.	For: Engineering Services (Professional Services)
Spengler Nathanson, PLL	For: Outside Counsel (Professional Services)
Stantec Consulting Services, Inc.	For: Engineering Services (Professional Services)
Statewide Ford	For: Police vehicle
Stoops Freightliner	For: Vehicle parts
Stuart C. Irby Co.	For: Electrical Parts & Supplies
Superior Uniform Sales, Inc.	For: Uniform Services
Survallent Technology	For: SCADA Programming Services

Target Specialty Products

Tawa Tree Service

Tawa Mulch Landscape Supply

Terex Utilities, Inc.

Thomas Spillis

Toledo Edison

Toledo Fence & Supply Co.

T & R Electric

Tri City Industrial Power

Univar

US Utility Contractor Co.

USALCO

Utility Service Group

Utility Services

Utility Truck Equipment

Vermeer

Vernon Nagel, Inc.

Viking Trucking, Inc.

Vince's TV and Appliance

Werlor, Inc.

Wesco Distribution, Inc.

Wigen Water Technologies

Wood County Land Fill

WR Meyers Co., Inc.

Wright Express FSC-WEX, Inc.

Zacks Recycling, LLC

Zimmerman, Jack

For: Golf Course Chemicals

For: Tree Services

For: Landscaping Services

For: Electric Equipment Purchases

For: Janitorial Services

For: Contracted Power Services

For: Fencing Supplies

For: Transformers

For: Batteries & Other Power Supplies

For: Chemicals for Water Treatment

For: Traffic and Electrical Services

For: Chemicals for Water Treatment

For: Chemicals for Water Treatment

For: NERC Compliance Services

For: Bucket Truck

For: Wood Chipper/Parts

For: Trucking, Hauling, and Excavating  
Services

For: Trucking and Hauling Services

For: Networking and Computer Supplies

For: Brush Grinding Services/Recycling  
Services

For: Electrical Supplies

For: Membrane Services, Cleaning &  
Chemicals

For: Sanitation Dumping Services

For: Construction and Excavating Services

For: Fuel Purchases

For: Recycling Services

For: Road Striping Services

**RESOLUTION NO. 033-20**

**A RESOLUTION APPROVING THE ADDITION OF A FIFTY DOLLAR (\$50.00) SURCHARGE TO CITY OF NAPOLEON, OHIO EMPLOYEE HEALTH INSURANCE PREMIUMS, AMENDING RESOLUTION NO. 073-19; AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 197.15 (a) (2) of the Codified Ordinances (Personnel Code) provides that: Subject to reasonable cost containment measures, the City provides group hospitalization, surgical, and extended medical benefits for each full-time regular employee in accordance with the benefit schedule provided in the City's plan as on file in the office of the City Finance Director marked "City of Napoleon Health Benefit Plan (#HBP-1)" and as may be amended from time to time by Resolution of Council. The City of Napoleon Health Benefit Plan (#HBP-1) shall include covered services, co-pays, and premium contribution; and,

**WHEREAS**, the Health Care Cost Committee has recommended to City Council to approve a surcharge to City of Napoleon employees' health insurance premiums as follows: to add a fifty dollar (\$50.00) monthly surcharge to employees' health insurance premiums starting January 1, 2021 to employees that do not complete a wellness check, and also to employees' health insurance premiums whose spouse does not complete a wellness check as appropriate, by a licensed physician prior to December 31, 2020. Further, employees and spouses that complete the wellness check during the dates of January 1, 2020 through December 31, 2020 and turn in the Preventative Care Physician form by December 31, 2020, will not be assessed a surcharge to the employee's insurance premium. New employees will be afforded an opportunity to get a wellness check in their first year prior to being assessed a surcharge; and,

**WHEREAS**, the Health Care Cost Committee has also recommended to City Council that, beginning January 1, 2021, the City of Napoleon shall follow BORMA's 2021 Wellness Campaign; and,

**WHEREAS**, there was no recommendation to change the health plan in the year 2020 regarding the out-of-pocket in network deductible currently; **Now Therefore**,

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

Section 1. That, upon recommendation of the Health Care Cost Committee, in the year 2020 and for the year 2021, this Council approves amending Resolution No. 073-19, approving a fifty dollar (\$50.00) monthly surcharge to employees' health insurance premiums starting January 1, 2021 to employees that do not complete a wellness check and also to employees' health insurance premiums whose spouse does not complete a wellness check as appropriate, by a licensed physician prior to December 31, 2020. Further, employees and spouses that complete the wellness check during the dates of January 1, 2020 through December 31, 2020 and turn in the Preventative Care Physician form by December 31, 2020, will not be assessed a surcharge to the employee's insurance premium. New employees will be afforded an opportunity to get a wellness check in their first year prior to getting assessed a surcharge.

Section 2. That, also upon recommendation of the Health Care Cost Committee, in the year 2020 and for the year 2021, this Council approves following BORMA's 2021 wellness campaign.

Section 3. That, all provisions of the BORMA Benefit Plan shall remain in full force and effect.

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

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

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

Passed: \_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_ Yea \_\_\_\_ Nay \_\_\_\_ Abstain

Attest:  
\_\_\_\_\_  
Roxanne Dietrich, interim Clerk of Council

*I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 033-20 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, interim Clerk of Council*

**RESOLUTION NO. 035-20**

**A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR OF THE CITY OF NAPOLEON TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2020 TAX DUPLICATES PAYABLE IN THE YEAR 2021; AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council in accordance with all relevant provisions of law and by Ordinance has previously established special assessments for various projects in the City; and,  
**WHEREAS**, these special assessments must be annually certified to the County Auditor by the Clerk of the Municipality; **Now Therefore**,

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

Section 1. That, the City Council of the City of Napoleon, Ohio, directs the Finance Director to certify and file annual special assessments of the City with the County Auditor, as required by Section 727.30 of the Ohio Revised Code, in the form presented to Council and on file in the office of the Finance Director, attached and marked as (Exhibit "A"), for placement and collection on the 2020 tax duplicates, payable in the year 2021.

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 allow timely placement of special assessments on the tax rolls; 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 certify and file said assessments 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:

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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. 035-20 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.*

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*Roxanne Dietrich, Clerk of Council*



# 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](http://www.napoleonohio.com)

August 20, 2020

Kevin Garringer  
Henry County Auditor  
P.O. Box 546  
Napoleon, Ohio 43545

Dear Mr. Garringer:

I hereby certify that the identified Special Assessments have been levied upon the following lots and lands:

<u>CODE</u>	<u>PROJECT</u>	<u>REMAINING YEARS</u>	<u>ASSESSMENT AMOUNT</u>
208	North Pointe Water Main & Dist Sys	4	2,254.00
209	North Pointe Pump Station & Force Main	4	3,793.03
210	North Pointe Collector Sewer	4	3,044.39
211	North Pointe East Interceptor Sewer	4	2,459.84
212	North Pointe West Interceptor Sewer	4	3,652.98
296	South Side Sewer/Storm & Sanitary	11	2,218.53

These Special Assessments are for the 2020 tax duplicates payable in the year 2021. If you have any questions, please call 419-599-1235. Thank you for processing.

Sincerely,

Kelly O'Boyle  
Finance Director



# 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](http://www.napoleonohio.com)

August 20, 2020

Kevin Garringer  
Henry County Auditor  
P.O. Box 546  
Napoleon, Ohio 43545

Dear Mr. Garringer:

I hereby certify that the Special Assessments have been levied up the following lots and lands for nuisance control:

<u>PARCEL NO.</u>	<u>ASSESSMENT</u> <u>AMOUNT</u>	<u>AUDITOR FEE - 3%</u>	<u>TOTAL</u> <u>ASSESSMENT</u>
41.009063.0120	\$165.00	\$4.95	\$169.95
41.009421.1040	\$ 55.00	\$1.65	\$ 56.65
41.009218.1120	\$156.34	\$4.69	\$161.03
		<b>TOTAL</b>	<b>\$387.63</b>

This is to be applied upon the tax listings for the year 2020 and collected in the year 2021.

Sincerely,

Kelly O'Boyle  
Finance Director

**RESOLUTION NO. 036-20**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR OF HENRY COUNTY FOR THE 2020 TAX DUPLICATES PAYABLE IN YEAR 2021; AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council in accordance with all relevant provisions of law has previously adopted a Tax Budget (Ordinance No. 022-20) for the next succeeding fiscal year commencing January 1, 2021; and,

**WHEREAS**, the Budget Commission of Henry County, Ohio, has certified its action thereon to this Council together with an estimate of the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; **Now Therefore**,

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

Section 1. That, the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; further, the necessary tax levies are authorized to be certified to the County Auditor for the 2020 Tax Duplicates, payable in the year 2021.

Section 2. That, there be and is hereby levied on the tax duplicate of the City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

<b>SCHEDULE A</b>				
<b>SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES</b>				
City Tax Valuation <b>\$150,765,380</b>	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
<b>FUND</b>			Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund		\$300,653	2.00	
Police District Fund		\$90,196	0.60	
Fire District Fund		\$45,098	0.30	
Park & Rec Levy Fund	\$285,620			1.9
<b>TOTAL</b>	<b>\$285,620</b>	<b>\$435,947</b>	<b>2.90</b>	<b>1.9</b>

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 allow timely adoption of tax levies for placement on tax rolls; 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 authorize and certify said tax levies 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. 036-20 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

**RESOLUTION NO. 037-20**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY FOR AND ACCEPT OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS FOR PROJECTS DEEMED NECESSARY BY THE CITY ENGINEER IN THE YEAR 2021; AND DECLARING AN EMERGENCY**

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

Section 1. That, the City Manager is directed to execute all documents necessary to apply for and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for the year for projects deemed necessary by the City Engineer in the Year 2021, including but not limited to execution of Grant Agreement(s).

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 assure the prompt and efficient application for project funds related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper and timely application of grant funds, 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. 037-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2020; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

---

*Roxanne Dietrich, Clerk of Council*

**ORDINANCE NO. 032-20**

**AN ORDINANCE APPROVING CURRENT JUNE 2020 REPLACEMENT PAGES TO THE CITY OF NAPOLEON CODIFIED ORDINANCES**

**WHEREAS**, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

**WHEREAS**, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

**WHEREAS**, the City has heretofore entered into a contract with the American Legal Publishing Corporation (formerly known as Walter H. Drane Company) to prepare and publish such revision which is before Council; **Now Therefore**,

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

Section 1. That, the Ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the June 2020 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

Section 2. That, among others, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Administration Code

Department of Finance  
Fire/Rescue Department  
Police Department

Traffic Code

Operation Generally  
Licensing: Accidents  
Bicycles and Motorcycles

Streets, Utilities and Public Services Code

Waste Collection

Section 3. That, the complete text of all current Codified changes is set forth in the current replacement pages to the City of Napoleon's Codified Ordinances, said pages which are attached to this Ordinance as Exhibit "A." Any summary publication of this Ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council

and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

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

Section 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: \_\_\_\_\_  
Joseph D. Bialorucki, Council President

Approved: \_\_\_\_\_  
Jason P. Maassel, Mayor

VOTE ON PASSAGE \_\_\_\_\_ Yea \_\_\_\_\_ Nay \_\_\_\_\_ Abstain

Attest:  
\_\_\_\_\_  
Roxanne Dietrich, Clerk of Council

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 032-20 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*

EDITOR'S NOTE: Material highlighted in yellow indicates it is new or changed material. If there is no highlighted material on a page then material has been moved forward or back to accommodate new text. Also, please note that punctuation and underlining do not appear properly in highlighted material. A yellow block indicates material has been deleted.)

# **CODIFIED ORDINANCES OF THE CITY OF NAPOLEON OHIO**

Local legislation current through June 12, 2020

State legislation current through March 27, 2020

CERTIFICATION

We, Jason Maassel, Mayor and Roxanne Dietrich, Executive Assistant to Appointing Authority - Clerk of Council of Napoleon, Ohio pursuant to Article II Section 2.15 of the Charter and Section 121.03 of the Administrative Code, hereby certify that the general and permanent ordinances of the City of Napoleon, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Napoleon, Ohio, 1996, as amended to June 12, 2020.

/s/ Jason Maassel  
Mayor

/s/ Roxanne Dietrich  
Clerk of Council

Codified, edited and prepared for  
publication by  
THE WALTER H. DRANE COMPANY  
Cleveland, Ohio

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CITY OF NAPOLEON  
ROSTER OF OFFICIALS  
(2020)

CITY OFFICIALS

Mayor  
City Manager  
City Law Director  
City Finance Director

Jason Maassel  
Joel L. Mazur  
Billy D. Harmon  
Kelly O'Boyle

COMPARATIVE SECTION TABLE

<u>Ord. No</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
032-11	6-20-11	TRAF. SCH. II	026-16	9-6-16	1121.03
033-11	6-20-11	Repeals 1525.01	036-16	9-19-16	194.051, 194.091
035-11	7-18-11	197.03	037-16	11-7-16	TRAF. SCH. II
038-11	8-1-11	105.02	050-16	11-21-16	193.11, 194.013
043-11	8-15-11	TRAF. SCH. V, XI, XIII	051-16	12-21-16	931.07
054-11	9-6-11	107.06	010-17	6-5-17	197.18
80-11	12-19-11	931.07	030-17	5-1-17	1145.01
Res.			036-17	6-5-17	1101.01
088-11	11-21-11	193.11	038-17	9-18-17	Repeal Ch. 711
99-11	12-19-11	133.07, 139.01, 139.02, 142.01	057-17	9-18-17	1501.01
12-12	2-6-12	1335.08, 1335.32	058-17	10-16-17	143.06
15-12	3-5-12	197.01, 197.03, 197.11	059-17	11-6-17	747.01, 747.02, 747.99, 1127.22
16-12	3-5-12	195.01, 195.08, 195.14	067-17	11-20-17	193.11, 194.013
48-12	7-2-12	931.10	070-17	11-6-17	1301.01
56-12	9-17-12	939.05	074-17	12-4-17	143.06
60-12	9-17-12	931.08	088-17	12-18-17	931.07
67-12	11-19-12	925.13	003-18	3-5-18	955.09
70-12	12-3-12	121.03	005-18	2-19-18	194.30 to 194.315
Res.			006-18	4-2-18	194.134
73-12	11-19-12	193.11	009-18	4-16-18	TRAF. SCH. II
002-13	2-4-13	955.09, 955.10, 955.16, 955.19	011-18	4-16-18	197.15
015-13	3-18-13	955.09	017-18	4-2-18	195.04
042-13	10-21-13	1101.01, 1145.01	021-18	5-21-18	931.10, 1105.02, 1325.01 to 1325.06, 1325.99
045-13	10-7-13	137.14	029-18	7-2-18	505.14
059-13	11-18-13	197.18	058-18	11-5-18	931.09
067-13	12-16-13	931.07	060-18	11-19-18	339.13
Res.			086-18	1-21-19	955.09
068-13	12-16-13	193.11	007-19	1-21-19	195.04, 195.07
010-14	4-21-14	931.07	030-19	5-20-19	TRAF. SCH. II and IX
027-14	5-19-14	931.13	034-19	6-17-19	143.01
028-14	5-19-14	931.09	061-19	10-21-19	301.183, 301.187, 301.495, 301.505, 343.01, 343.99
042-14	8-4-14	197.01 to 197.19	072-19	11-18-19	194.03
065-14	11-17-14	939.02	076-19	12-2-19	955.10
002-15	1-19-15	197.16, 197.18	078-19	12-16-19	Repeals, 375.03(e), 505.11, 505.15, 549.08, 549.09
004-15	1-19-15	955.09	079-19	12-16-19	193.11, 194.013
015-15	3-16-15	939.02	001-20	2-17-20	137.06
021-15	4-6-15	955.19	006-20	3-16-20	December 2019 Replacement Pages
044-15	8-3-15	955.09	007-20	4-6-20	925.13, 925.16
045-15	8-3-15	955.20	008-20	3-2-20	145.01
053-15	11-16-15	194.01 to 194.20, 194.97, 194.98, 194.99	018-20	5-18-20	143.01
057-15	11-16-15	193.11, 194.013			
060-15	12-21-15	955.21			
013-16	5-16-16	137.06			

**137.04 SEAL.**

A seal shall be provided for the Finance Director, in the center of which shall be the word "Napoleon" and around the margin of which shall be the words "Finance Director." The Finance Director shall cause an impression of this seal to be affixed to all deeds, transcripts, orders, certificates, negotiable instruments, and other documents requiring authentication. (1978 Code 32.62)

**137.05 CASH RESERVE.**

The Finance Director is authorized by this Council to keep at all times in the vaults of his/her office, as a cash reserve, an amount not to exceed two thousand five hundred dollars (\$2,500).

Such reserve, in part or in whole may be administratively distributed to cash drawers or locations under the direction of the Finance Director as deemed appropriate by the Finance Director. (Ord. 39-00. Passed 3-6-00.)

**137.06 INVESTMENT POLICY.**

(a) The City previously adopted as the City's official Investment Policy, Investment Policy No. IP 16-0003 currently on file in the office of the City Finance Director, having been recommended by the Finance Director and the Finance and Budget Committee of Council, having been reviewed, and Ordinance No. 013-16 being unanimously approved by Council on May 16, 2016.

(b) Investment Policy No. IP 16-0003 may be amended from time to time by motion of Council.

(c) Ordinance No. 013-16 and Investment Policy No. 0003, as well as later amendments thereto, are hereby amended by this Ordinance No. 001-20. (Ord. 001-20. Passed 2-17-20.)

**137.07 FINANCE DIRECTOR'S BOND.**

The Finance Director shall give bond in a minimal penal sum of fifty thousand dollars (\$50,000) with a corporate surety authorized to do business in the State of Ohio. This bond shall be contracted by Council and the expense thereof paid by the City. (Ord. 71-96. Passed 7-1-96.)

**137.08 APPLICABILITY OF FINANCE DIRECTOR.**

(a) Every reference to the terms "auditor", "clerk", or "treasurer" in any ordinance, resolution or other act of Council shall hereafter be to the Finance Director of the City and the term "Finance Director" shall be substituted therefor, unless Council later specifically designates another as "clerk of council" at which time any ordinance, resolution or other act of Council passed after such designation that states "clerk" shall mean "Clerk of Council", unless the context in which the term is used clearly indicates otherwise.

(b) Every reference to the terms "auditor", "clerk", or treasurer", " of the City by any law, contract, rule, regulation, instrument, or other document shall hereafter mean the Finance Director and the term "Finance Director" shall be substituted therefor, unless Council later specifically designates another as "Clerk of Council" at which time any law, contract, rule, regulation, instrument, or other document after such designation that states "clerk" shall mean "Clerk of Council" unless the context in which the term is used clearly indicates otherwise. (Ord. 71-96. Passed 7-1-96.)

**CHAPTER 143**  
**Fire/Rescue Department**

<b>143.01</b>	<b>Composition and control of the City Fire/Rescue Department.</b>	<b>143.04</b>	<b>Additional fire personnel in emergency situation.</b>
<b>143.02</b>	<b>Administrative head of Fire/Rescue Department.</b>	<b>143.05</b>	<b>Auxiliary fire/rescue.</b>
<b>143.03</b>	<b>General duties of Fire/Rescue Department.</b>	<b>143.06</b>	<b>Fee schedule.</b>

**CROSS REFERENCES**

Fire protection contracts - see Ohio R.C. 9.60

Schooling, buildings and equipment - see Ohio R.C. 715.03, 732.23

General duties - see Ohio R.C. 737.11

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

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

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

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

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

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

1 Fire Chief (full-time)

4 Officer of the supervisory grade (full-time)

5 Fire Fighter/Paramedics or  
Fire Fighter/Emergency Medical technicians, or  
combination thereof (full-time)

5 Officers of supervisory grade (part-time)

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

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

1 (not to exceed 20) Auxiliary officers.

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

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

(Ord. 018-20. Passed 5-18-20.)

#### **143.02 ADMINISTRATIVE HEAD OF FIRE/RESCUE DEPARTMENT.**

The Fire Chief of the regular Fire/Rescue Department shall have direction and control over all personnel in the City's regular Fire/Rescue Department, including all auxiliary employees and other officers in the auxiliary unit. However, the City Manager maintains his or her power and authority over the Department as found in Article IV, of the City's Charter and Chapter 133 of the Administrative Code.

(Ord. 81-01. Passed 7-2-01.)

#### **143.03 GENERAL DUTIES OF FIRE/RESCUE DEPARTMENT.**

The Fire/Rescue Department shall protect the lives and property of the people in case of fire or other emergency. The Fire/Rescue Department shall perform such other duties as are provided by ordinance, resolution, and/or statute. In case of a conflict between an ordinance or resolution and a statute, the ordinance or resolution shall prevail where permitted.

(Ord. 81-01. Passed 7-2-01.)

#### **143.04 ADDITIONAL FIRE PERSONNEL IN EMERGENCY SITUATION.**

(a) In case of riot or other like emergency, Ohio R.C. 737.10 shall control, the Mayor being the person appointing the additional firemen and officers and being the person who calls upon the agencies or entities for assistance as authorized by Ohio R.C. 737.10; however, once appointed, said additional firemen and officers shall come under the control of the City Manager, Fire Chief or other supervisory officer of the regular Fire/Rescue Department. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to law.

(b) City fire personnel and necessary equipment and apparatus related thereto may be provided to any requesting state agency or instrumentality, county, or political subdivision of this State, or a governmental entity of an adjoining state without a contract to provide fire protection only after having received a request from a person with proper authority and only after approval by the City Manager, Fire Chief or other authorized supervisory officer of the regular Fire/Rescue Department. The provisions of Ohio R.C. 9.60 and 737.10 are applicable to this section insofar as they pertain hereto. Nothing in this section shall be construed as superseding or modifying in any way any provision of a contract entered into pursuant to law.

**CHAPTER 145**  
**Police Department**

<b>145.01</b>	<b>Composition and control of Police Department.</b>	<b>145.04</b>	<b>General duties of Police Department.</b>
<b>145.02</b>	<b>Police Chief.</b>	<b>145.05</b>	<b>Creation of Police Auxiliary.</b>
<b>145.03</b>	<b>Additional police officers in emergency.</b>	<b>145.06</b>	<b>Storage fees for legally impounded vehicles.</b>
		<b>145.07</b>	<b>Fees for legal process.</b>

**CROSS REFERENCES**

Police protection contracts - see Ohio R.C. 737.04  
Recovered property and disposition - see Ohio R.C. 737.29 et seq.  
Auxiliary police - see Ohio R.C. 737.051 737.06  
General duties - see Ohio R.C. 737.11

**145.01 COMPOSITION AND CONTROL OF POLICE DEPARTMENT.**

(a) The Police Department of the City shall be composed of a department head known as the "Police Chief" and such other officers, dispatchers, clerks, secretaries and other employees as provided by legislation of the City, the Organizational Chart of the City, and/or the Administrative Code of the City.

(b) Notwithstanding any prior ordinance or resolution to the contrary, the Napoleon City Police Department shall be composed of the following:

- 1 Police Chief
- 4 Sworn officers of the supervisory grade
- 12** Sworn officers of the patrol grade
- 6 Communication officers
- 1 (not to exceed 20) Auxiliary officers

(c) The making of an assignment by the Chief of one or more officers to an investigative division shall not be construed as disturbing the composition of the Police Department or violating subsection (b) hereof; moreover, temporary vacancies in the Police Department shall not be construed as a departure from this section.

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

**(Ord. 008-20. Passed 3-2-20.)**

(b) No person shall operate a vehicle across public or private property for the purpose of avoiding compliance with a traffic control device.

(c) It shall be prima-facie evidence of a violation of this section for the operator of a vehicle to cross public or private property as provided herein without using the service of such property, stopping the engine or both.

(d) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

### **331.42 LITTERING FROM MOTOR VEHICLE.**

(a) No operator or occupant of a motor vehicle shall, regardless of intent, throw, drop, discard or deposit litter from any motor vehicle in operation upon any street, road or highway, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(b) No operator of a motor vehicle in operation upon any street, road or highway shall allow litter to be thrown, dropped, discarded or deposited from the motor vehicle, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(c) As used in this section, "litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, automobile parts, furniture, glass or anything else of an unsightly or unsanitary nature.

(d) Whoever violates this section is guilty of a minor misdemeanor.  
(ORC 4511.82)

### **331.43 WEARING EARPLUGS OR EARPHONES PROHIBITED.**

(a) As used in this section:

(1) "Earphones" means any device that covers all or a portion of both ears and that does either of the following:

A. Through either a physical connection to another device or a wireless connection, provides the listener with radio programs, music, or other information;

B. Provides hearing protection.

"Earphones" does not include speakers or other listening devices that are built into protective headgear.

(2) "Earplugs" means any device that can be inserted into one or both ears and that does either of the following:

A. Through either a physical connection to another device or a wireless connection, provides the listener with radio programs, music, or other information;

B. Provides hearing protection.

(b) No person shall operate a motor vehicle while wearing earphones over, or earplugs in, both ears.

(c) This section does not apply to:

(1) Any person wearing a hearing aid;

(2) Law enforcement personnel while on duty;

- (3) Fire Department personnel and emergency medical service personnel while on duty;
- (4) Any person engaged in the operation of equipment for use in the maintenance or repair of any highway;
- (5) Any person engaged in the operation of refuse collection equipment;
- (6) Any person wearing earphones or earplugs for hearing protection while operating a motorcycle.

(d) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.84)

### **331.44 VEHICLES LAUNCHING OR RETRIEVING BOATS.**

(a) All vehicles launching or retrieving boats shall have the right-of-way at all boat launches in the City.

(b) All traffic on streets, alleys, or drives and crossings intersecting launching areas in the City shall stop and give the right-of-way to vehicles launching or retrieving boats.

(c) Stop signs shall be erected on all streets, drives, and alleys intersecting and crossing landing areas in the City. (1978 Code 72.33)

(d) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

### **331.45 CENTER TURNING LANE.**

(a) On streets or roadways providing for vehicle traffic in both directions where a center lane is reserved for left turn only, such lane shall not be entered by a vehicle or a motor vehicle, except for making left turns as hereinafter provided. Entry into such lane for left turns shall not be made more than 100 feet from the point of turning, except that no person shall traverse a street or roadway intersection while operating a vehicle or a motor vehicle in whole or in part in the center lane. There shall be no travel or passing of other traffic in such turning lane. This section is not applicable when passing in the event of an emergency or when directed by a police officer or during construction, striping or pavement of the street or roadway.

(b) Signs shall be erected at appropriate points as determined by the City Manager designating the center lane as reserved for left turn purposes only. (Ord. 44-96. Passed 5-6-96.)

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

**CHAPTER 335**  
**Licensing; Accidents**

- |   |   |
|---|---|
| 335.01 Driver's license or commercial driver's license required.  | 335.073 Driving without complying with license reinstatement requirements.      |
| 335.02 Permitting operation without valid license; one license permitted.   | 335.074 Driving under license forfeiture or child support suspension.           |
| 335.021 Ohio driver's license required for in state residents.  | 335.08 Operation or sale without certificate of title.                          |
| 335.03 Driving with temporary instruction permit; curfew.   | 335.09 Display of license plates; expired or unlawful plates.                   |
| 335.031 Driving with probationary license; curfew.  | <b>335.091 Operating without dealer or manufacturer license plates.</b>         |
| 335.032 Use of electronic wireless communication device prohibited while driving.   | 335.10 License plates to be unobstructed. (Repealed)                            |
| 335.04 Certain acts prohibited.   | 335.11 Use of illegal license plates; transfer of registration.                 |
| 335.05 Wrongful entrustment of a motor vehicle.   | 335.111 Registration within thirty days of residency.                           |
| 335.06 Display of license.  | 335.12 Stopping after accident upon streets; collision with unattended vehicle. |
| 335.07 Driving under suspension or license restriction.   | 335.13 Stopping after accident upon property other than street.                 |
| 335.071 Driving under OVI suspension.   | 335.14 Vehicle accident resulting in damage to realty.                          |
| 335.072 Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension. |   |

**CROSS REFERENCES**

See sectional histories for similar State law  
 Deposit of driver's license as bond - see Ohio R.C. 2937.221  
 Motor vehicle licensing law - see Ohio R.C. Ch. 4503  
 Driver's license law - see Ohio R.C. Ch. 4507  
 Power of trial court of record to suspend or revoke license for certain violations - see Ohio R.C. Ch. 4510  
 State point system suspension - see Ohio R.C. 4510.03.6  
 State accident reports - see Ohio R.C. 4509.01(J), 4509.06, 4509.74, 5502.11  
 Motorized bicycle operator's license - see Ohio R.C. 4511.521  
 Glass removal from street after accident - see TRAF. 311.01

**335.091 OPERATING WITHOUT DEALER OR MANUFACTURER LICENSE PLATES.**

(a) No person shall operate or cause to be operated upon a public road or highway a motor vehicle of a manufacturer or dealer unless the vehicle carries and displays a placard, except as provided in Ohio R.C. 4503.21, issued by the Director of Public Safety that displays the registration number of its manufacturer or dealer.

(b) Whoever violates subsection (a) of this section is guilty of illegal operation of a manufacturer's or dealer's motor vehicle, a minor misdemeanor. (ORC 4549.10)

**335.10 LICENSE PLATES TO BE UNOBSTRUCTED.**

(EDITOR'S NOTE: Former Section 335.10 was repealed by Ordinance 112-02, passed August 19, 2002.)

**335.11 USE OF ILLEGAL LICENSE PLATES; TRANSFER OF REGISTRATION.**

(EDITOR'S NOTE: The provisions of former Section 335.11 are now codified in Section 335.09.)

**335.111 REGISTRATION WITHIN THIRTY DAYS OF RESIDENCY.**

(a) Within thirty days of becoming a resident of this State, any person who owns a motor vehicle operated or driven upon the public roads or highways shall register the vehicle in this State. If such a person fails to register a vehicle owned by the person, the person shall not operate any motor vehicle in this Municipality under a license issued by another state.

- (b)
- (1) Whoever violates subsection (a) of this section is guilty of a minor misdemeanor.
  - (2) The offense established under subsection (b)(1) of this section is a strict liability offense and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(c) For purposes of subsection (a) of this section, "resident" means any person to whom any of the following applies:

- (1) The person maintains their principal residence in this State and does not reside in this State as a result of the person's active service in the United States Armed Forces.
- (2) The person is determined by the Registrar of Motor Vehicles to be a resident in accordance with standards adopted by the Registrar under Ohio R.C. 4507.01. (ORC 4503.111)

**335.12 STOPPING AFTER ACCIDENT UPON STREETS; COLLISION WITH UNATTENDED VEHICLE.**

- (a)
- (1) In the case of a motor vehicle accident or collision with persons or property on a public road or highway, the operator of the motor vehicle, having knowledge of the accident or collision, immediately shall stop the operator's motor vehicle at the scene of the accident or collision. The operator shall remain at the scene of the accident or collision until the operator has given the operator's name and address and, if the operator is not the owner, the name and address of the owner of that motor vehicle, together with the registered number of that motor vehicle, to all of the following:

- (h) (1) Except as provided in subsection (h)(2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in subsection (i)(3) of this section, no person who is under the age of eighteen years, or who holds a motorcycle operator's endorsement or license bearing "novice" designation that is currently in effect as provided in Ohio R.C. 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses or other protective eye device shall conform with rules adopted by the Ohio Director of Public Safety. The provisions of this subsection or a violation thereof shall not be used in the trial of any civil action.
- (2) Subsection (h)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.
- (i) (1) No person shall operate a motorcycle with a valid temporary permit and temporary instruction permit identification card issued by the Ohio Registrar of Motor Vehicles pursuant to Ohio R.C. 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.
- (2) No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar pursuant to Ohio R.C. 4507.05 in any of the following circumstances:
- A. At any time when lighted lights are required by Section 337.02(a)(1);
  - B. While carrying a passenger;
  - C. On any limited access highway or heavily congested roadway.
- (3) Subsections (i)(1) and (i)(2)A. of this section do not apply to a person who operates or is a passenger in an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(j) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle or electric bicycle.

(k) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.53)

### **373.03 ATTACHING BICYCLE OR SLED TO VEHICLE.**

(a) No person riding upon any motorcycle, bicycle, electric bicycle, coaster, roller skates, sled, skateboard or toy vehicle shall attach the same or self to any vehicle upon a roadway.

**925.13 RATES.**

(a) The following rates are established as a monthly base fee as it relates to City bag refuse service, and shall be charged to each subscriber utilizing or mandated to utilize the City's bag refuse service. Commercial use of residential type recycling service is permitted in accordance with paragraph (c). Nothing in this provision shall be construed as mandating the City to provide refuse service outside its corporate limits.

**Inside Corporate Limits**  
\$18.00

**Outside Corporate Limits**  
\$24.30

(b) Each subscriber to the City's bag refuse service will be permitted to have two (2) bags of garbage or refuse, per week, at no additional cost (without necessity of a tag), as part of the established monthly fee paid by all City bag refuse subscribers; thereafter, there will be a charge of \$2.00 per tag that shall be affixed to the outside of each bag after the first two (2) bags as provided for in Section 925.07. Tags may be purchased at the office of the City Utilities Department or at other locations as may be designated.

(c) Commercial recycling service when provided by the City, in or outside the corporation limits, shall be at the rate of \$18.00 per month for up to six residential type recycling bins with additional bins, up to ten in total, at the rate of \$1.00 per month for each additional bin over six. Levels of service shall be established on an annual basis.

(d) Low occupancy: The City will allow residential customers to request a partial credit on the monthly refuse charge provided the residential customer demonstrates and/or proves that no garbage was generated during the entire month and/or billing cycle. Proof will be in the form of a sworn affidavit signed and notarized by the residential customer stating the reason for non-generation of garbage and requesting a partial credit for the period of the billing cycle. Refuse charge will remain on the monthly bill and requests must be made after each billing cycle, and no later than sixty (60) days after the utility bill "billing due date" for which the request of is being made. Proof will be subject to verification by the Refuse Collection Department in operations. Additionally, the customer's utility account will be checked for consumption history of electric, water, and sewer. If consumption history is minimal for electric and there is neither water nor sewer consumption during the time period of the billing the request will be approved. However, if there is average or normal consumption history for electricity or there is water or sewer usage the request will not be approved. Approved requests will be credited to the customer account on the next earliest possible billing. However, the customer will not receive any credit for special sanitation services as established in Section 925.17(b). The customer's affidavit is only valid for six (6) months and must be renewed thereafter. Affidavit forms will be provided upon request. (Ord. 007-20. Passed 4-6-20.)

**925.14 RULES AND REGULATIONS.**

(a) The City may promulgate other rules and regulations not inconsistent herewith, pertaining to the collection and disposal of solid waste, garbage, refuse, rubbish, yard waste, hazardous waste, and all other waste herein mentioned or not, as may be deemed advisable.

(b) The City may establish rates for exceptional classifications not herein provided for. Collections may be discontinued whenever it shall appear that a person receiving service has violated any of the provisions of this chapter or any of the rules and regulations provided for herein, or has failed to pay the charges for service billed to him. Sanitation Department collection crews will carry information tags to place on container advising of infractions of the rules and regulations when a violation is found. However, the failure to place an information tag on the container does not bar prosecution of a violation.

(c) The Board of Public Affairs, in and for the City, shall recommend rules and regulations governing the disposal and dumping at a yard waste collection site of the City that may be adopted by resolution or ordinance of Council. Any rules and regulations in effect prior to the adoption of this chapter shall remain valid. Said rules and regulations shall be posted in a conspicuous place at the yard waste site and shall be filed with the office of the City's Finance Director. Said rules and regulations shall be strictly complied with by all persons. It shall be a violation of this chapter for any person to fail to comply with the rules and regulations so established.

(d) The City Manager or his designated agent of the City shall enforce this chapter and make all reasonable effort to discover alleged violators, notify the proper prosecuting authority whenever the City Manager has reasonable grounds to believe that a violation has occurred, act as a complainant in the prosecution thereof, and aid officers to the best of his ability in prosecutions. The City Manager shall direct the employees of the City's Sanitation Department to make the investigations and inspections. (Ord. 28-95. Passed 4-3-95.)

#### **925.15 UNAUTHORIZED REMOVAL OF GARBAGE OR REFUSE.**

Except as provided for in Section 925.06, it shall be unlawful for any person, other than a duly authorized employee of the City Sanitation Department or an authorized licensed collection service, to take, collect, or remove any garbage, refuse, rubbish or other waste, herein mentioned or not, of another which has been placed for collection or disposal. (Ord. 28-95. Passed 4-3-95.)

#### **925.16 PURCHASE OF TAGS AND UTILITY PAYMENTS**

(a) Tags shall be purchased in advance from the Utilities Department of the City or their designated agent and, when required, shall be firmly affixed to the bag containing the garbage or refuse. If no tag is found affixed at time of scheduled collection (except for the two (2) weekly bags of garbage or refuse that is allowed at no additional charge by the City), the garbage or refuse will not be collected.

(b) If a customer makes payment on or before the due date of a bill to an agent designated or authorized by the public utility to accept payment, the payment shall not be considered past due regardless of whether or not it is received in the company offices by the due date. (ORC. 4905.775) (Ord. 007-20. Passed 4-6-20.)

#### **925.17 CHARGE FOR SPECIAL SANITATION SERVICES.**

(a) No additional fee, except as may be otherwise provided in this chapter, shall be charged to subscribers utilizing the City's bag refuse service within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) The City's seasonal pickup program at a time or times as determined by the City;
- (2) Limited leaf collection each year;
- (3) Mosquito control (within the City);
- (4) Specially-announced pickups for storm debris;
- (5) Yard-waste drop-off site operation;
- (6) Equipment and supply costs for a curbside recycling program;
- (7) Operating costs for a curbside recycling program;
- (8) Pickup of public garbage containers (within the City).

(b) The sum of \$5.00 per month shall be charged to all electric utility accounts, other than all subscribers utilizing the City's bag refuse service as provided in division (a) above, within the corporation limits of the City for the purpose of providing the following special sanitation services:

- (1) Mosquito control;
- (2) Specially-announced pickups for storm debris;



**CITY OF NAPOLEON, OHIO - PSCAF**  
**POWER SUPPLY COST ADJUSTMENT FACTOR (PSCAF) - COMPUTATION OF MONTHLY PSCAF**  
 COMPUTATIONS WITH CORRECTED DATA FROM JULY, 2015, THROUGH MARCH, 2017

AMP Billed Usage Month	PSCAF City Billing Month	AMP - kWh Delivered As Listed on AMP Invoices	Purchased Power Supply Costs (*=Net of Known) (+ OR - Other Cr's)	Rolling 3-Month Totals		Rolling 3 Month Average Cost	Less: Fixed Base Power Supply Cost	PSCA Dollar Difference + or (-)	PSCA-Corrtd. 3 MONTH AVG.FACTOR + Line Loss	Total Residential Cost / kWh For Month
				kWh	Cost					
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	
		Actual Billed	Actual Billed w/Cr's	c + prior 2 Mo	d + prior 2 Mo	f / e	\$0.07194 Fixed	g + h	i X 1.075	
June'18	Aug'18	13,813,277	\$ 1,230,516.92	38,621,535	\$ 3,569,411.66	\$ 0.09242	\$ (0.07194)	\$ 0.02048	\$ 0.02202	
July'18	Sep'18	15,234,049	\$ 1,312,135.13	41,859,747	\$ 3,726,901.05	\$ 0.08903	\$ (0.07194)	\$ 0.01709	\$ 0.01837	
Aug'18	Oct'18	15,634,242	\$ 1,275,023.19	44,681,568	\$ 3,817,675.24	\$ 0.08544	\$ (0.07194)	\$ 0.01350	\$ 0.01451	
Sep'18	Nov'18	13,195,770	\$ 1,197,316.71	44,064,061	\$ 3,784,475.03	\$ 0.08589	\$ (0.07194)	\$ 0.01395	\$ 0.01500	
Oct'18	Dec'18	12,827,093	\$ 1,201,860.98	41,657,105	\$ 3,674,200.88	\$ 0.08820	\$ (0.07194)	\$ 0.01626	\$ 0.01748	
Nov'18	Jan'19	12,694,035	\$ 1,177,330.24	38,716,898	\$ 3,576,507.93	\$ 0.09238	\$ (0.07194)	\$ 0.02044	\$ 0.02197	
Dec'18	Feb'19	12,936,598	\$ 1,175,315.11	38,457,726	\$ 3,554,506.33	\$ 0.09243	\$ (0.07194)	\$ 0.02049	\$ 0.02203	
Jan'19	Mar'19	13,516,644	\$ 1,157,412.90	39,147,277	\$ 3,510,058.25	\$ 0.08966	\$ (0.07194)	\$ 0.01772	\$ 0.01905	
Feb'19	Apr'19	12,112,198	\$ 1,076,627.71	38,565,440	\$ 3,409,355.72	\$ 0.08840	\$ (0.07194)	\$ 0.01646	\$ 0.01769	
Mar'19	May'19	12,476,648	\$ 1,111,471.41	38,105,490	\$ 3,345,512.02	\$ 0.08780	\$ (0.07194)	\$ 0.01586	\$ 0.01705	
Apr'19	June'19	10,913,916	\$ 1,043,515.66	35,502,762	\$ 3,231,614.78	\$ 0.09102	\$ (0.07194)	\$ 0.01908	\$ 0.02051	
May'19	July'19	11,554,553	\$ 1,074,988.04	34,945,117	\$ 3,229,975.11	\$ 0.09243	\$ (0.07194)	\$ 0.02049	\$ 0.02203	
June'19	Aug'19	12,448,976	\$ 1,059,406.09	34,917,445	\$ 3,177,909.79	\$ 0.09101	\$ (0.07194)	\$ 0.01907	\$ 0.02050	
July'19	Sep'19	15,467,755	\$ 1,165,669.13	39,471,284	\$ 3,300,063.26	\$ 0.08361	\$ (0.07194)	\$ 0.01167	\$ 0.01255	
Aug'19	Oct'19	14,297,705	\$ 1,123,690.94	42,214,436	\$ 3,348,766.16	\$ 0.07933	\$ (0.07194)	\$ 0.00739	\$ 0.00794	
Sep'19	Nov'19	12,810,364	\$ 1,102,711.16	42,575,824	\$ 3,392,071.23	\$ 0.07967	\$ (0.07194)	\$ 0.00773	\$ 0.00831	0.1230
Oct'19	Dec'19	12,026,480	\$ 1,080,410.22	39,134,549	\$ 3,306,812.32	\$ 0.08450	\$ (0.07194)	\$ 0.01256	\$ 0.01350	0.1245
Nov'19	Jan'20	12,466,183	\$ 1,088,822.82	37,303,027	\$ 3,271,944.20	\$ 0.08771	\$ (0.07194)	\$ 0.01577	\$ 0.01695	0.1239
Dec'19	Feb'20	12,809,184	\$ 1,098,513.89	37,301,847	\$ 3,267,746.93	\$ 0.08760	\$ (0.07194)	\$ 0.01566	\$ 0.01683	0.1239
Jan' 20	Mar' 20	12,907,445	\$ 1,152,024.27	38,182,812	\$ 3,339,360.98	\$ 0.08746	\$ (0.07194)	\$ 0.01552	\$ 0.01668	0.1238
Feb' 20	Apr' 20	12,179,274	\$ 1,114,393.10	37,895,903	\$ 3,364,931.26	\$ 0.08879	\$ (0.07194)	\$ 0.01685	\$ 0.01811	0.1262
Mar 20	May 20	11,565,546	\$ 1,098,886.88	36,652,265	\$ 3,365,304.25	\$ 0.09182	\$ (0.07194)	\$ 0.01988	\$ 0.02137	0.1299
Apr 20	June 20	9,957,773	\$ 1,056,718.07	33,702,593	\$ 3,269,998.05	\$ 0.09703	\$ (0.07194)	\$ 0.02509	\$ 0.02697	0.1371
May 20	July 20	10,376,392	\$ 1,082,279.17	31,899,711	\$ 3,237,884.12	0.10150	(0.07194)	0.02956	0.03178	0.1365
June 20	Aug 20	13,172,159	\$ 1,136,941.54	33,506,324	\$ 3,275,938.78	0.09777	(0.07194)	0.02583	0.02777	

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

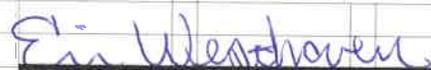
**PSCAF - Preparer's Signature:**

Name - Kelly O'Boyle, Finance Director

  
 Signature \_\_\_\_\_ Date 7/20/2020

**PSCAF - Reviewer's Signature:**

Name - Erin Westhoven, Account Clerk II

  
 Signature \_\_\_\_\_ Date 7/20/2020

**BILLING SUMMARY AND CONS**

2020 - AUGUST BILLING WITH JUNE 2020 AMP

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

DATA PERIOD																					
AMP-Ohio Bill Month																					
City-System Data Month																					
City-Monthly Billing Cycle																					
	NYPA		JV-5		JV-6		AMP SOLAR		EFFNCY.SMART		TRANSMISSION, SERVICE FEES & MISC. CONTRACTS		TOTAL -								
	HYDRO		HYDRO		WIND		PHASE 1		POWER PLANT		CHARGES		DISPATCH, A & B		MISCELLANEOUS		ALL				
	SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges	Other Charges		
Delivered kWh (On Peak) ->	726,410	2,223,360	19,150	188,294	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16,160,856	
Delivered kWh (Off Peak) ->																				26,051	
Delivered kWh (Replacement/Losses/Offset) ->		32,401																		32,401	
Delivered kWh/Sale (Credits) ->																				-3,047,147	
<b>Net Total Delivered kWh as Billed -&gt;</b>	<b>726,410</b>	<b>2,255,761</b>	<b>19,150</b>	<b>188,294</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13,172,161</b>	
Percent % of Total Power Purchased->	5.5147%	17.1252%	0.1454%	1.4295%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	100.0001%	
																				100.0000%	
<b>COST OF PURCHASED POWER:</b>																					
<b>DEMAND CHARGES (+Debits)</b>																					
Demand Charges	\$6,296.13	\$22,942.25	\$1,025.10								\$193,690.78									\$559,064.09	
Debt Services (Principal & Interest)		\$55,381.81																		\$213,258.60	
<b>DEMAND CHARGES (-Credits)</b>																					
Transmission Charges (Demand-Credits)		-\$19,709.92	-\$848.31	-\$3,650.86																-\$74,113.65	
Capacity Credit	-\$2,198.63	-\$7,261.35	-\$152.67	-\$1,242.12																-\$72,943.86	
<b>Sub-Total Demand Charges</b>	<b>\$4,097.50</b>	<b>\$51,352.79</b>	<b>\$24.12</b>	<b>-\$4,892.98</b>	<b>\$0.00</b>	<b>\$193,690.78</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$625,265.18</b>	
<b>ENERGY CHARGES (+Debits):</b>																					
Energy Charges - (On Peak)	\$9,027.53	\$41,724.36		\$6,840.72							\$9,367.55									\$455,427.79	
Energy Charges - (Replacement/Off Peak)																				\$342.98	
Net Congestion, Losses, FTR	\$1,269.81																			\$3,174.84	
Transmission Charges (Energy-Debits)																				\$816.04	
ESPP Charges									\$20,659.88											\$20,659.88	
Bill Adjustments (General & Rate Levelization)																				\$140.23	
<b>ENERGY CHARGES (-Credits or Adjustments):</b>																					
Energy Charges - On Peak (Sale or Rate Stabilization)																				-\$56,592.74	
Net Congestion, Losses, FTR																				\$1,781.90	
Bill Adjustments (General & Rate Levelization)	\$3,198.24																			-\$10,961.56	
<b>Sub-Total Energy Charges</b>	<b>\$13,495.58</b>	<b>\$41,724.36</b>	<b>\$0.00</b>	<b>\$6,840.72</b>	<b>\$20,659.88</b>	<b>\$9,367.55</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$414,789.36</b>	
<b>TRANSMISSION &amp; SERVICE CHARGES, MISC.:</b>																					
RPM / PJM Charges Capacity - (+Debit)											\$86,827.64									\$86,827.64	
RPM / PJM Charges Capacity - (-Credit)																				\$0.00	
Service Fees AMP-Dispatch Center - (+Debit/-Credit)													\$133.49							\$133.49	
Service Fees AMP-Part A - (+Debit/-Credit)													\$2,251.27							\$2,251.27	
Service Fees AMP-Part B - (+Debit/-Credit)													\$7,674.60							\$7,674.60	
Other Charges & Bill Adjustments - (+Debit/-Credit)																				\$0.00	
<b>Sub-Total Service Fees &amp; Other Charges</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$86,827.64</b>	<b>\$10,059.36</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$96,887.00</b>	
<b>TOTAL NET COST OF PURCHASED POWER</b>	<b>\$17,593.08</b>	<b>\$93,077.15</b>	<b>\$24.12</b>	<b>\$1,947.74</b>	<b>\$20,659.88</b>	<b>\$289,885.97</b>	<b>\$10,059.36</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,136,941.54</b>	
Percent % of Total Power Cost->	1.5474%	8.1866%	0.0021%	0.1713%	1.8171%	25.4970%	0.8848%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	100.0000%	
																				\$1,136,941.54	
<b>Purchased Power Resources - Cost per kWh-&gt;</b>	<b>\$0.024219</b>	<b>\$0.041262</b>	<b>\$0.001260</b>	<b>\$0.010344</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.000000</b>	<b>\$0.086314</b>	
																				(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV2 Electric Service Rate ->	\$0.018603
																				(Northern Pool Power - On-Peak + Off-Peak - Energy Charge/kWh) = JV5 Electric Service Rate ->	\$0.018603

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

3308090		NEW		GRACIES TAQUERIA LLC	
PERMIT NUMBER		TYPE		814 N PERRY ST	
ISSUE DATE				NAPOLEON OH 43545	
07 21 2020					
FILING DATE					
D5		PERMIT CLASSES			
35	088	A	C67401		
TAX DISTRICT			RECEIPT NO.		

FROM 07/23/2020

PERMIT NUMBER		TYPE			
ISSUE DATE					
FILING DATE					
PERMIT CLASSES					
TAX DISTRICT			RECEIPT NO.		



MAILED 07/23/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/24/2020

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 3308090**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF NAPOLEON CITY COUNCIL  
PO BOX 151  
NAPOLEON OHIO 43545**



### OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

#### Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

	SEARCH CRITERIA
<b>Permit Number</b>	3308090
<b>Permit Name / DBA</b>	
<b>Member / Officer Name</b>	

[Search](#)      [Reset](#)      [Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 3308090; <b>Name:</b> GRACIES TAQUERIA LLC <b>DBA :</b> ; <b>Address:</b> 814 N PERRY ST NAPOLEON 43545		
JO AMBER AGUILAR	MANAGE MEM	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

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**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

7085720		<b>NEW</b>		PROPERTY PREPERS LLC DBA BRICK N BREW 631 N PERRY ST NAPOLEON OH 43545
PERMIT NUMBER		TYPE		
ISSUE DATE				
06   15   2020				
FILING DATE				
D5L				
PERMIT CLASSES				
35	088	A	C67572	
TAX DISTRICT		RECEIPT NO.		

FROM 08/03/2020

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 08/03/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/03/2020

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

**A NEW 7085720**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

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(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF NAPOLEON CITY COUNCIL**  
PO BOX 151  
NAPOLEON OHIO 43545

Commerce Division of Liquor Control : Web Database Search

**OWNERSHIP DISCLOSURE INFORMATION**

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To do another search, click the "Reset" button.

	SEARCH CRITERIA
<b>Permit Number</b>	<input type="text" value="7085720"/>
<b>Permit Name / DBA</b>	<input type="text"/>
<b>Member / Officer Name</b>	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 7085720; <b>Name:</b> PROPERTY PREPERS LLC; <b>DBA:</b> DBA BRICK N BREW PUB; <b>Address:</b> 631 N PERRY ST NAPOLEON 43545		
ASHLEY KRUSE		PRESIDENT
CLAYTON KLAUSING		VICE PRES.
BRIAN TOPP		CEO

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- [Ohio Department of Commerce](#)

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**received**  
8.10.2020



# 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](http://www.napoleonohio.com)

## MEMORANDUM

*Mayor*  
Jason Maassel

*Members of Council*

**PRESIDENT:**  
Joseph Bialorucki

**PRESIDENT PRO-TEM:**  
Daniel Baer

Jeff Comadoll  
Kenneth Haase  
Lori Siclair  
J. Ross Durham  
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:** August 14, 2020

**TO:** Members of City Council  
Jason P. Maassel, Mayor

**FROM:** Joel Mazur, City Manager

**CC:** Kelly O'Boyle, Finance Director  
Billy Harmon, Law Director  
David Mack, Police Chief  
Clayton O'Brien, Fire & Rescue Chief  
Lanie Lambert, Human Resources Director

**RE: Reciprocity Survey Results**

A proposal to change the City's reciprocity percentage has been discussed since November 2019. A few months ago, a member of Council asked staff to put together a survey to get a sample from our citizens to hopefully aid in your decision.

Attached please find a Reciprocity Information Summary and the Survey Results from the online survey that was posted on Facebook to assist Council in deciding what direction is best for the City.

Please keep in mind the following when reviewing the survey results:

- Small sample of population took the survey of which a smaller sample of those would be affected by this change.
- This was only posted on Facebook, which limits people that do not use social media or online resources.
- Unable to determine if someone took the survey multiple times.
- Due to COVID-19, people may not have been comfortable committing to coming to a future open house meeting.

I want to thank our team that worked together to gather information and figures to provide Council with the tools to make your decision. Thank you for your consideration of this important matter for the City.

## RECAP OF RECIPROCIITY PROPOSED CHANGE

- # **What is it?** The amount of Income Tax credit given to someone who lives in the City of Napoleon but works outside the City limits. Currently the reciprocity amount is 100%.
- # **Proposal?** Recommend adjusting the Reciprocity credit to 50% from 100%
- # **Generate?** Estimated to generate approximately \$392K a year. COVID-19 will likely affect this amount. This would be split between Recreation (.2%) and General Fund and Capital based on Council approved split after Recreation removed. 2020 split is 65% General Fund and 35% Capital.
- # **How many City of Napoleon residents will it effect?** 2,638 maybe around 2,100 actual people
- # **How much will it cost to those effected?** Estimated at \$7.50 per \$1,000 of income
- # **Proposed uses of additional funds?** Pay for 1 full-time firefighter, 1 part-time fire fighter, 1 full-time dispatcher, road construction and assist with balancing the General Fund Budget as available/needed.
- # **Need for additional firefighters and dispatcher?** As demonstrated in prior Safety & Human Resources Committee meetings and to Full Council, the number and type of calls has increased significantly over the years. The staffing issues of the Police and Fire Department are even more pressing with COVID-19. These Departments are very proud of the services they provide the citizens and feel that to continue the level of service, modifications to staffing need to be addressed.
- # **Cost of 1 Full-time Firefighter?** Projected salary and benefits for 1<sup>st</sup> Year is \$72,635 and grows to \$92,630 for the 4<sup>th</sup> Year. Net the 24% Township reimbursement per contract is \$55,203 to \$70,399.
- # **Cost of 1 Part-Time Firefighter?** Projected range for salary and benefits for the 12-hour shift is \$72,917 - \$77,380. Net the 24% Township reimbursement per contract is \$55,417 - \$58,809.
- # **Cost of 1 Full-Time Dispatcher?** Projected salary and benefits for 1<sup>st</sup> Year is \$62,044 and grows to \$81,689 for the 4<sup>th</sup> Year. Net the conservative projection for savings in overtime of \$12K per year with the 6<sup>th</sup> Dispatcher is \$50,044 - \$69,689.
- # **Additional for Roads?** Additional paving per year depending on cost of materials and labor at that time.

- ✚ **2020 Revenue Estimate vs. 2020 Budget?** \$6,384,094 vs. \$7,039,366 difference of \$655,272 from cash balance. Historically underspend budget and receive more revenue. During 2020 Budget process, appropriation was reduced to come closer to revenue estimate so less underspend possible. Revenue may not be more due to COVID-19 in the areas of Income Tax and Interest Income. We are monitoring and providing information to Council as we receive.
- ✚ **Why need Cash Balance?** Healthy cash balance is needed to sustain downturns in the economy and for cash flow purposes. Revenue received at different points throughout the year, but expenses are going out monthly with the largest being payroll, payroll taxes and benefits. This would assist in not “dipping” as far into the cash balance each year.
- ✚ **COVID-19?** When this very important conversation was started in November 2019 our world looked different than it does today. No one would have ever imagined a pandemic would affect the City of Napoleon or our lives as it has these last few months and will continue to for an unknown amount of time. The dollars generated from this change will not only allow the City to address these concerns but may also have to play a role in maintaining the service level for the next year until the economy bounces back.
- ✚ **Do the residents who work outside the City still receive the services?** Yes, they still have all services available to them. The problem is that the residents who live and work in the City are paying for them to have those services.
- ✚ **What happens if vote “No” to adjust Reciprocity?** Funding will not be available for additional Firefighters and a dispatcher, money to cover shortfall in General Fund not available and less money for roads. We will likely continue to lose good, trained staff to other jurisdictions who have more employees to reduce the stress.
- ✚ **Other Solutions?** SAFER Grant was explored, but not feasible for the City at this time. Reductions in service levels to stay with-in anticipated revenue? Revise the General Fund vs. Capital split for the Income Tax? Place an increase for the Income Tax on the ballot to generate the necessary revenue needed to provide all the services? Place a levy on the ballot for operations of the police and fire departments as other jurisdictions do? Reduce staffing in non-emergency service area to offset the shortfalls? Look at a phased approach to the reciprocity or a period of three years? Look at a combination of a levy and reciprocity percentage? Other options?

**Thank you for your consideration of this important issue. We are well aware of the magnitude of this decision for Council. We are confident in the ability of this Council to lead and do what is best for the City and to ensure success of the City for many years to come.**

## **Results from the online Survey**

**City of Napoleon**

**2010 Census population – 8,749**

**Total amount of people affected – 2,638 (30.15% of the total population)**

**Total amount of responses obtained from this survey – 162 (1.85% of the total population)**

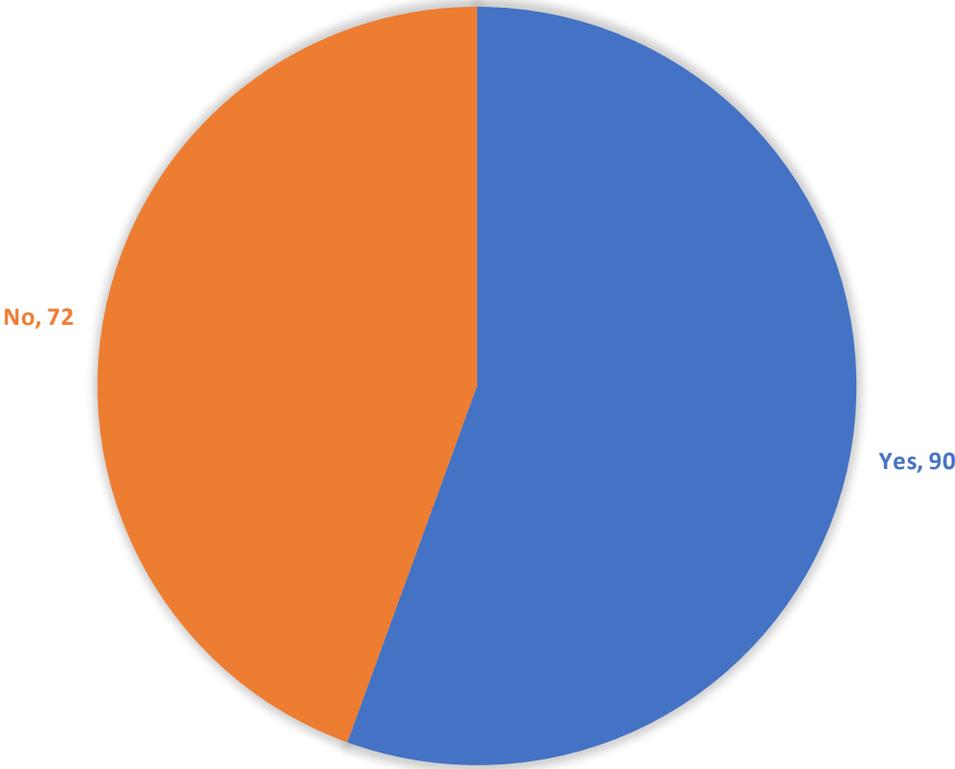
**Total amount of people affected that filled out survey – 90 (3.41% of the total affected)**

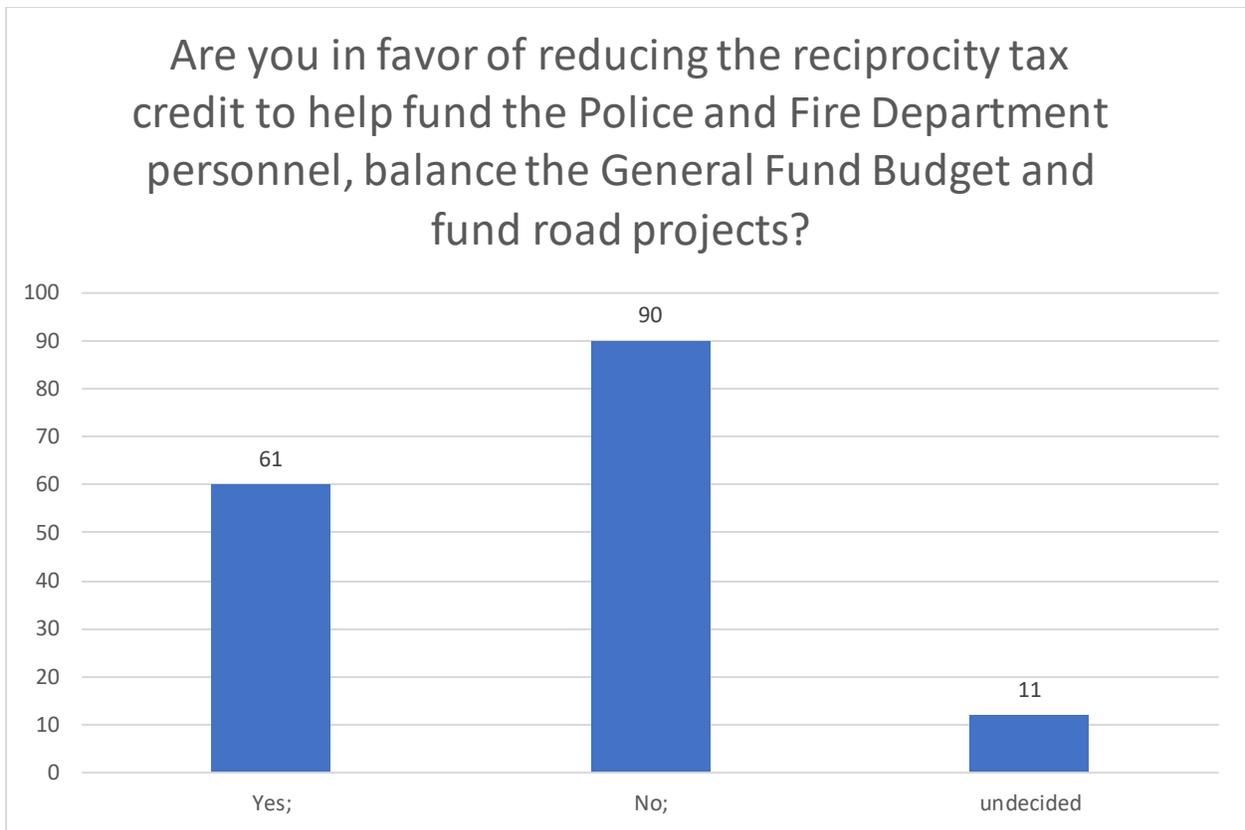
**(1.02% of the total population)**

The information in this document includes results from the reciprocity survey. The results were screened to those who are residents of the City of Napoleon.

This resulted in a total of 162 survey responses from residents of Napoleon. According to the 2010 census this would be 1.85% of the total population based on a population of 8,749 people. Of the 162 responses there were 90 people that responded to the survey that would be directly impacted. This is equal to 3.4% of the total amount of people that live within the city but pay an income tax elsewhere.

**DO YOU LIVE INSIDE THE CITY OF NAPOLEON BUT  
HAVE PRIMARY EMPLOYMENT IN ANOTHER  
CITY/VILLAGE THAT COLLECTS INCOME TAX?**

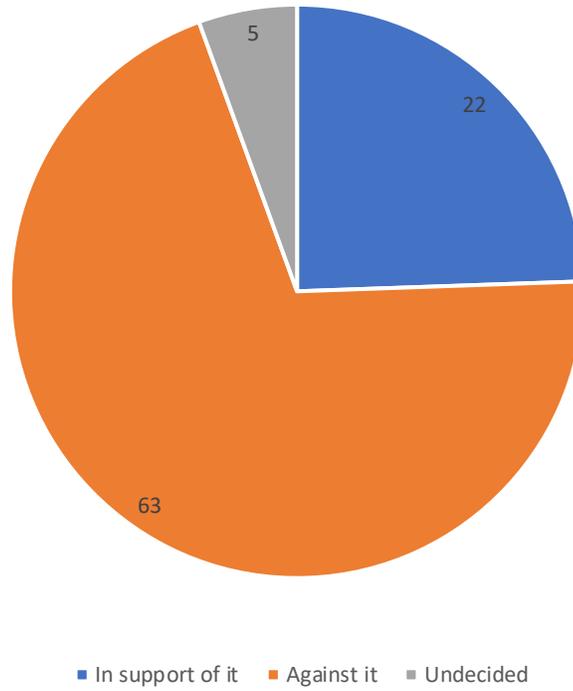




*Note: the category Other contains the following responses. These responses are word for word.*

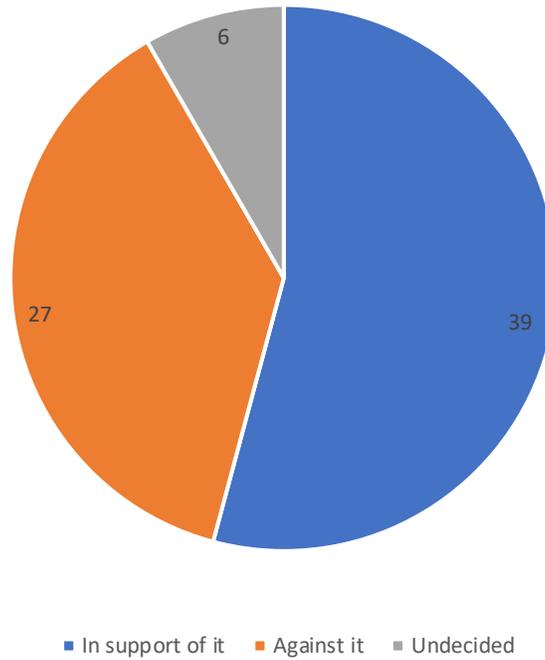
- The use of these new funds should be more specific
- 75% vs 50
- Not sure
- if there is total transparency in where the money is going and if it is not going to sit in the general fund.
- It should be very accountable where this tax credit funding is going. ; Yes
- Not by so much
- I'm not 100% for it but not 100% against it. I feel everyone has been affected financially by COVID and only asking the people that work in other cities isn't entirely fair
- Need more details of the proposal
- t necessarily opposed but would like to see a a couple alternatives discussed too
- Neither apposed or for
- I would like more information before deciding, ldk.

**THOSE WHO REPORTED LIVING IN NAPOLEON AND  
PAYING INCOME TAX TO ANOTHER COMMUNITY.**



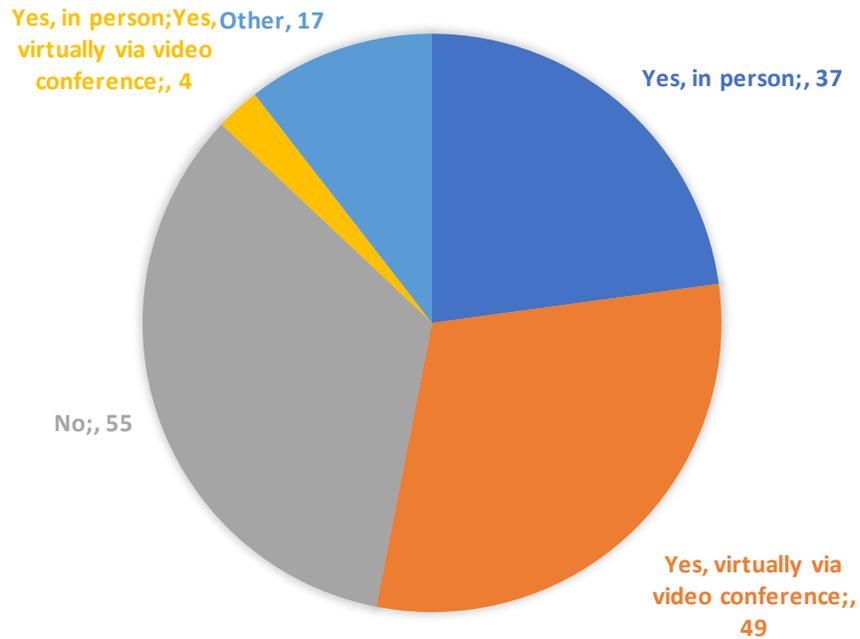
*Note: This chart breaks down the 90 people that would be affected by the reciprocity tax.*

**THOSE WHO REPORTED LIVING IN NAPOLEON  
AND NOT PAYING INCOME TAX TO ANOTHER  
COMMUNITY.**



*Note: This chart represents the people that live in the City of Napoleon but do not pay an income tax elsewhere.*

**IF THE CITY WERE TO HOLD A PUBLIC FORUM TO DISCUSS THIS MATTER IN DETAIL, WOULD YOU ATTEND?**



*Note: The category Other contains the following responses:*

- Depends on what time this would take place
- Depends on work schedule
- Maybe
- Possibly
- Maybe if schedule permits
- Depends on availability
- t sure No
- Been there
- done that
- my words fell on deaf ears.; No
- Depends on what day
- Can't attend
- I work 2nd shift
- depends on my availability
- Maybe, Yes in person



# *Napoleon Police Department*

## *Chief David Mack*

*310 Glenwood Ave O.P.O. Box 151  
Napoleon, Ohio 43545-0151*

*Phone: (419) 599-2810 O Fax: (419) 599-7969*

*Web Page: [www.napoleonohio.com](http://www.napoleonohio.com)*

*Mayor*  
**Jason Maassel**

*August 11, 2020*

*City Manager*  
**Joel L. Mazur**

*To: Mr. Mazur & City Council*

*Police Chief*  
**David J. Mack**

*Re: \$200 Cash Donation*

*Administrative  
Lieutenant & PIO*  
**Edward Legg**

*I have received \$200 Cash donation from Napoleon Auto Service Center. This money, if accepted this money would be used by the School Resource Officer in relation to his activities at the Schools for the purchase of supplies and equipment.*

*Lieutenants*  
**Chad Moll  
Greg Smith**

*Respectfully,  
David Mack, Chief of Police*

*Sergeant*  
**Justin Ruffer**

RONALD D. SANDS  
MARY JO SANDS  
1096 KENILWORTH AVE.  
NAPOLEON, OH 43545

56-0132/0412

5348

DATE 8.10.2020 PMP

PAY TO THE  
ORDER OF

Napoleon Police Dept.

\$ 500.00

Five hundred & 00/100

DOLLARS

Heat  
React  
Ink

THE HENRY COUNTY BANK

MEMO

Mary Jo Sands

**THE QUICK BROWN FOX JEMBO**

© LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK. ©

This is what I think of  
the "Defund the Police"  
movement!

If the government <sup>won't</sup> pay,  
I will!

I lived thru the riots  
in Cleveland back in the  
60's. If it weren't for  
good law enforcement,  
God only knows where I'd  
be or what I'd have left  
to live on!

Please use this for anything  
that makes your jobs easier  
and not in your budget.

THANKS FOR YOUR SERVICE!!!

*City of Napoleon, Ohio*

## **TREE COMMISSION**

Monday, August 17, 2020 at 6:00 pm

### **MEETING AGENDA**

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

The WebEx link to the meeting will be posted on the City's website at [www.napoleonohio.com](http://www.napoleonohio.com)

1. Call to Order
2. Approval of Minutes: July 20, 2020 (In the absence of any objections or corrections, the Minutes shall stand approved.)
3. Review Tree Call Reports
4. Award Fall Removal Contract
5. Award Fall Topsoil Contract
6. Review Fall Trimming List
7. Arbor Day
8. Any Other Matters to Come Before the Commission.
9. Adjournment.



Roxanne Dietrich - Clerk of Council









# City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

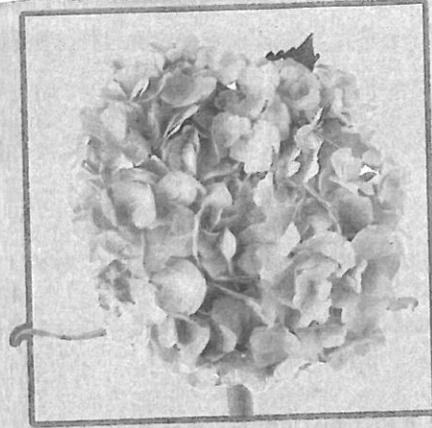
Telephone: (419) 592-4010 Fax: (419) 599-8393

[www.napoleonohio.com](http://www.napoleonohio.com)

## Memorandum

**To:** Mayor & City Council, City Manager, City Law Director, Finance Director, Department Supervisors, News media  
**From:** Roxanne Dietrich, Clerk of Council  
**Date:** August 14, 2020  
**Subject:** Parks & Recreation Committee – Cancellation

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, August 17, 2020 at 6:00 pm has been CANCELED due to lack of agenda items.



Napoleon City Council,  
I want to tell you  
how much I appreciate  
the credit to my account  
this month. It was a  
most welcome surprise!

Thank <sup>you</sup> for doing this  
for all of us.

Take care and  
stay well,  
Thanks again ...  
Ruth Lieser



# UPdate

A weekly newsletter presented by American Municipal Power, Inc.

Aug. 7, 2020

## AMP member communities answer call for mutual aid

By Scott McKenzie - director of member training and safety



Following landfall of Hurricane Isaias along the East Coast, the AMP member communities of Berlin, Md., Dover, Tipp City and Quakertown responded to mutual aid events in the City of Vineland, a public power

community in New Jersey, and the City of Dover, Del., a Delaware Municipal Electric Corporation (DEMEC) member community.

In response to Vineland's call for mutual aid, Dover sent six crew members, three bucket trucks and one digger derrick, Quakertown sent three crew members and one bucket truck, and Tipp City sent three crew members and one bucket truck. Restoration efforts are still ongoing.

In response to Dover, Del.'s call for mutual aid, Berlin, Md. was able to send one crew after completing their own hurricane-related restoration efforts. Restoration efforts are still ongoing.

Thank you to all of the communities for assisting in restorations.

If you have questions about mutual aid or want to learn more, please contact Jennifer Flockerzie at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853.

## Space still available for AMP training courses

*By Jennifer Flockerzie - manager of technical services logistics*

There is still space available for AMP's Lineworker Training Advanced course, scheduled for Sept. 28-Oct. 1, and Hotline Training course, scheduled for Oct. 12-14. Members that are interested in these courses are encouraged to sign up now while spaces remain available.

The Lineworker Training Advanced course provides experienced lineworkers or fourth year apprentices the opportunity to gain more experience and knowledge in installation skills, simulated energized work and simulated hot stick work. The course is designed to provide an advanced knowledge of trouble investigation, crew leadership, communications and automation.

The Hotline Training course provides an in-depth understanding of proper work techniques for line construction from the bucket and focuses on the skills and knowledge required for bucket truck work. Similar to AMP's climbing class, the course is entirely hands-on, performed in the bucket and is geared toward operations staff. A harness is required.

Throughout the year, AMP offers high-quality training designed to improve employee performance and enhance safety. Members are encouraged to browse the updated [AMP Training Catalog](#) and sign up for any courses that might benefit their community. If you have questions about training, please contact me at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853.

## 2020 AMP Annual Conference - registration now open!

*By Jodi Allalen - manager of member events and programs*

The 2020 AMP Annual Conference - Sept. 22-23 - is the premier opportunity for AMP members to learn about industry trends, discuss current challenges and innovation in public power, hear from industry leaders and receive updates on AMP programs.

The 2020 Conference is a virtual event providing educational sessions, member round table discussions and multiple concurrent offerings.

To register for the 2020 Conference, click [here](#).

Additionally, the annual Participants Meetings for MESA, OMEA, the OMEGA joint ventures and generation projects will be held separate from this year's Conference. Each meeting will be held virtually, and invites will be sent to each participant.

To view registration information, Conference agenda and schedule for the Participants Meetings, click here: [2020 AMP Annual Conference Registration Brochure](#).



If you have questions about conference or registration, please contact me at [jallalen@amppartners.org](mailto:jallalen@amppartners.org) or 614.540.0916.

## Members encouraged to apply for RP3 designation

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



AMP is encouraging members to apply for the American Public Power Association's Reliable Public Power Provider (RP3) designation, which is given to municipal electric systems that demonstrate proficiency in reliability, safety, workforce development and system improvement. There are currently 30 AMP member communities and five Delaware Municipal Electric Corporation member communities with RP3 designation.

Utilities that successfully meet the guidelines in each of the four areas will receive tremendous value and recognition for their achievement. Additionally, AMP member communities receiving an RP3 designation are granted additional points toward their AMP credit score. RP3 designations run for a term of three years. Learn more about how to apply [here](#).

The deadline to submit an RP3 application is Sept. 30. If you are in need of AMP's assistance to assemble or review your application before it is submitted, please contact Jennifer Flockerzie at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org) or 614.540.0853

## AMP TECHNICAL AND SAFETY TRAINING WEBINAR SCHEDULE

In an effort to continue providing members with high-quality training opportunities, AMP has temporarily transitioned trainings to a webinar format. Please see the below schedule — we will continue to update the schedule as needed. We are in this together.

**Aug. 18, 9 a.m.**

Trench & Excavation Safety  
Instructor: Kyle Weygandt

**Sept. 15, 9 a.m.**

Truck Grounding & Barricading  
Instructor: Scott McKenzie

**Oct. 13, 9 a.m.**

Backing & Spotting  
Instructor: Jim Eberly

**Nov. 5, 9 a.m.**

Holiday Stress Management  
Instructor: Kyle Weygandt



For more information on the AMP Training Program or to access the virtual training webinars, please contact Jennifer Flockerzie, AMP's manager of technical services logistics, at [jflockerzie@amppartners.org](mailto:jflockerzie@amppartners.org).



## Correction: PJM 5CP

The PJM 5CP that was printed in the *New PJM peaks keep coming* story in *Update* last week was incorrect. The corrected version is provided below.

PJM 1CP	144,565	7/20/2020	17	151,570
PJM 2CP	143,756	7/27/2020	17	143,187
PJM 3CP	143,473	7/9/2020	18	141,150
PJM 4CP	141,453	7/6/2020	15	141,389
PJM 5CP	141,047	7/28/2020	18	139,888

## JULY OPERATIONS DATA

	July 2020	July 2019
Fremont Capacity Factor	76%	80%
Prairie State Capacity Factor	88%	87%
Meldahl Capacity Factor	55%	76%
Cannelton Capacity Factor	63%	89%
Smithland Capacity Factor	89%	39%
Greenup Capacity Factor	57%	58%
Willow Island Capacity Factor	36%	80%
Belleville Capacity Factor	53%	97%
Blue Creek Wind Capacity Factor	12%	15%
JV6 Wind Capacity Factor	4%	9%
Front Royal Solar Capacity Factor	27%	27%
Bowling Green Solar Capacity Factor	37%	36%
Avg. A/D Hub On-Peak Rate	\$32/MWh	\$34/MWh
<small>* Fremont capacity factor based on 675 MW rating.            * PS capacity factor based on 1,582 MW rating.            * Meldahl capacity factor based on 105 MW rating.            * Cannelton capacity factor based on 87.6 MW rating.            * Smithland capacity factor based on 76.2 MW rating.            * Greenup capacity factor based on 70 MW rating.            * Willow Island capacity factor based on 44.2 MW rating.            * Belleville capacity factor based on 42 MW rating.            * Front Royal Solar capacity factor based on 2.5 MW rating.            * BC Solar capacity factor based on 20 MW rating.</small>		

### Energy market update

*By Jerry Willman - assistant vice president of energy marketing*

The September 2020 natural gas contract decreased \$0.026/MMBtu to close at \$2.165 yesterday. The EIA reported an injection of 33 Bcf for the week ending July 31, which was above market expectations of 30 Bcf. The year-ago build was 58 Bcf and the five-year average was 33 Bcf. Storage is now 3,274 Bcf, 22.5 percent above a year ago and 15.1 percent above the five-year average. The natural gas seasonal injection running total is +1,288 Bcf versus the five-year average of +1,151 Bcf.

On-peak power prices for 2021 at AD Hub closed yesterday at \$32.60/MWh, which increased \$0.35/MWh for the week.

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

Week ending Aug. 7

MON	TUE	WED	THU	FRI
\$24.15	\$22.21	\$25.09	\$25.31	\$25.02

Week ending July 31

MON	TUE	WED	THU	FRI
\$36.09	\$29.12	\$32.88	\$28.72	\$24.50

AEP/Dayton 2021 5x16 price as of Aug. 6 — \$32.60

AEP/Dayton 2021 5x16 price as of July 30 — \$32.25

### AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center (AFEC) operated in 2x1 configuration for the week. The plant shut down overnight Saturday, Sunday, Tuesday, Wednesday and Thursday for the off-peak hours based on PJM economics. Duct firing operated for 97 hours this week. For the week, the plant generated at a 72 percent capacity factor (based on 675 MW rating).

### Security tip - FBI reports increase in online shopping scams

By Jared Price - vice president of information technology and CTO



The Federal Bureau of Investigation (FBI) Internet Crime Complaint Center (IC3) has released an alert on a recent increase in online shopping scams. The scams direct victims to fraudulent websites via ads on social media platforms and popular online search engines' shopping pages.

The Cybersecurity and Infrastructure Security Agency (CISA) encourages users and consumers to review the [IC3 Alert](#) for indicators of fraud and tips to avoid being victimized, as well as CISA's tip on [shopping safely online](#).

This product is provided subject to this [notification](#) and this [privacy & use](#) policy.

# Ohio Municipal League Legislative Bulletin

Ohio Municipal League <kscarrett@omlohio.org>

Fri 8/14/2020 12:24 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

Having trouble viewing this email? [Click here](#)

[OML Classified Ads](#)



## Legislative Bulletin

**August 14, 2020**

### OML UPDATE AT-A-GLANCE

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

- The National League of Cities (NLC) released its 35th City Fiscal Conditions report, which provides insight into the fiscal health of local governments across the nation. According to the report, cities are experiencing the fiscal impacts of the COVID-19 pandemic at an unprecedented speed and it will take years for municipal budgets recover from the impact. You can read a one-pager [HERE](#) and the full report [HERE](#).
- Gov. DeWine has decided Ohio will not be kicking in \$100 a week on top of an additional \$300 a week in federal unemployment benefits to COVID-19-impacted unemployed workers. An executive order signed by President Trump that offers states additional federal jobless assistance was initially a \$400 a week unemployment benefits boost, but that required states to kick in \$100 of that amount, which Gov. DeWine says Ohio's budget cannot afford. The figure has been reduced to \$300 per week on top of existing state benefits after Ohio and other states said they could not afford the new payments.
- No progress has been made on a phase 4 coronavirus relief aid bill as Congress recesses for the month of August. Both Republicans and Democrats say they have made no progress toward an agreement. The U.S. Senate will not return for the rest of the month after ending its session this Thursday, while the U.S. House of

Representatives have already left Washington for the entire month. There is currently no word on when negotiations will restart.

## **LEAGUE THANKS PRESENTERS AND ATTENDEES FOR JOINING OML/NLC WEBINAR ON RACIAL EQUITY**

The League wants to thank all those who took the time to participate in our webinar on racial equality on Wednesday, which was hosted jointly by the League and the National League of Cities (NLC). We also want to thank the webinar's presenters for giving participants valuable information on how local leaders can advance racial equity within their own communities.

Attendees had the opportunity to hear from NLC's Race Equity and Leadership (REAL) Director Leon Andrews, who gave a compelling and informative presentation outlining the need for greater racial equity. During his presentation, Andrews explained that the mission of REAL is to help strengthen local leaders' knowledge as well as their capacity to understand their role in eliminating racial disparity, healing racial tension and building more equitable communities.

The webinar also included a panel discussion featuring Athens Mayor Steve Patterson and Akron Councilmember Russel C. Neal, Jr., to highlight examples of local leadership. It was also announced that they will both co-chair the working group being formed by the League as part of our continuing efforts to provide best resources, information and network opportunities to advance racial equity in our local communities.

A recording of the webinar, the slides for the presentation and other great resources on this important topic can be found on our website by clicking [HERE](#). We look forward to continuing to support local leaders as they work to create more equitable communities across Ohio.

## **OHIO COVID-19 RESPONSE UPDATE**

- As of this Thursday, Ohio is reporting 105,426 cases of coronavirus, 3,755 deaths, 12,023 hospitalizations and 2,743 ICU admissions.
- Gov. DeWine released this week's new Ohio Public Health Advisory System map:
  - **Upgraded to Level 3 (Red):** Brown, Clermont, Muskingum
  - **Remaining at Level 3 (Red):** Cuyahoga, Erie, Fairfield, Franklin, Licking, Lucas, Marion, Mercer, and Montgomery
  - **Downgraded to Level 2 (Orange):** Allen and Medina
  - **Downgraded to Level 1 (Yellow):** Adams, Defiance, Fulton, Henry, Knox, Lake, Paulding, and Williams

- o There are no counties on Ohio's Watch List

#### Minority Health Strike Force Update:

- Governor DeWine released the final Minority Health Strike Force report and the state's executive response. The Minority Health Strike Force was formed in April to examine the disproportionate impact of the coronavirus on minority communities, as well as broader health disparities and racial injustices. The COVID-19 Minority Health Strike Force Blueprint lists 34 recommendations on dismantling racism, removing public health obstacles, improving the social/economic and physical environments, and strengthening data collection to better track disparities.
- In response to the Strike Force's report, Gov. DeWine issued Ohio's Executive Response: A Plan of Action to Advance Equity. The action plan outlines efforts to reinforce the DeWine Administration's commitment to advancing health equity and establishing Ohio as a model for justice, equity, opportunity, and resilience.
- As part of his commitment to equity, Gov. DeWine also announced the creation of the new Ohio Governor's Equity Advisory Board. The Board will work to improve Ohio's work to dismantle racism and promote health equity. Board members will draw on the expertise within Ohio's communities of color and will represent diverse viewpoints from sectors like education, healthcare, public and private business, community organizations, and members of the criminal justice community.

#### Job and Employment Updates:

- Ohioans filed 20,969 initial jobless claims last week, according to statistics the Ohio Department of Job and Family Services (ODJFS) reported to the U.S. Dept. of Labor today. This was 253,246 fewer than the peak earlier this year. Ohioans filed 374,751 continued jobless claims last week, which were 401,551 fewer than the peak earlier this year.
- Over the last 21 weeks, ODJFS has distributed more than \$5.9 billion in unemployment compensation payments to more than 778,000 Ohioans. Of the more than 1 million applications the agency has received, about 94% have been processed, with about 6% pending. In addition, ODJFS has issued more than \$5 billion in Pandemic Unemployment Assistance (PUA) payments to more than 514,000 PUA claimants.

### Education Updates:

- Governor DeWine continued to stress the importance of masks, social distancing, and proper hygiene as Ohio's school students approach the start of the upcoming school year. Currently, Ohio has left the decision to individual school districts on how to approach the new school year.
- According to information gathered by the Ohio Department of Education, 325 public school districts in Ohio are planning to return to school full-time which equates to approximately 590,000 students. A total of 55 districts representing approximately 398,000 public school students will begin the school year remotely. Approximately 380,000 students in 154 public school districts will start the school year with a hybrid of online and in-person learning. Information on 78 public school districts was not readily available. Attached is the education model planned for the start of SY21.
- Schools can begin applying for the new BroadbandOhio Connectivity Grant on Monday, August 10. A total of \$50 million will be allocated through the grant program to help provide hotspots and internet-enabled devices to students. The application period will close Friday, August 21st.

### Other Updates:

-

- Governor DeWine shared updated data on the percentage of cases in Ohio by age group. The data shows a significant increase in positive cases among younger adults over the summer, particularly in the age range of 20-29. Attached is a graph with the percentage of cases by age group.

## **THE LEAGUE AND THE OHIO MUNICIPAL ATTORNEYS ASSOCIATION (OMAA) ANNOUNCE UPCOMING WEBINARS**

The League and the Ohio Municipal Attorneys Association (OMAA) are hosting two upcoming webinars that will benefit local leaders. You can learn more about the webinars below, and you can register for them [HERE](#).

- Webinar: "Signed, Sealed, Delivered: Understating Construction Procurement for Municipal Construction"
  - Wednesday, August 19, 2020 - 11:00 a.m. - 12:00 p.m.
  - Program Overview: Learn more about risk factors to consider when selecting a construction delivery model as well as what you need to know to

make sure your City or Village is following Ohio law when hiring a Design Professional, Contractor, Construction Manager at Risk, or Design-Builder. It's not just bidding anymore!

o Presenter: Laura Bowman & Casey Cross, Bricker & Eckler LLP

- Webinar: "The Ohio Ethics Law: Can I Do That?"
  - o Thursday, September 10, 2020 - 11:00 a.m. - 12:00 p.m.
  - o Program Overview: What are the latest trends, investigations, and highlights in governmental ethics? Don't miss this engaging and interactive discussion that analyzes the hot issues under the Ohio Ethics Law. This specialized session will assist those in public service who are subject to the law and those in the private sector who are regulated by or do business with governmental entities.
  - o Objectives: Identify potential conflicts of interest and understand appropriate and legal response
  - o Understand gift restrictions for those in public service or when interacting with public officials or public employees; recognize potential public contract and representation violations when public official has connections with private organizations; grasp post-employment requirements when leaving public service or hiring former public servants; and learn about general assistance available from the Ohio Ethics Commission to understand and comply with the Ethics Law.
  - o Presenter: Susan Willeke, Education & Communications Manager, Ohio Ethics Commission

## **BILL OF MUNICIPAL INTEREST INTRODUCED THIS WEEK**

Here is a bill introduced in the Ohio Senate that would impact municipalities:

- SB 352 - MUNICIPAL INCOME TAX WITHHOLDING. Sponsored by Sen. Roegner (R - Hudson), would modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees.

(Link: <https://bit.ly/3gXP8Pz>)

## **Ohio Municipal League Meetings & Trainings**

**Mayors Court 3 Hour Update Webinars  
August 21, October 2 & November 13**

**[Registration Information](#)**

# OML/OMAA Webinar

## Signed, Sealed & Delivered: Understanding Construction Procurement for Municipal Construction

Thursday August 19, 2020 - 11:00 - 12:00

[Registration Information](#)

### [Ohio Municipal League](#)

#### Legislative Inquires:

[Kent Scarrett, Executive Director](#)

[Edward Albright, Deputy Director](#)

[Ashley Ringle, Director of Communications](#)

[Thomas Wetmore, Legislative Advocate](#)

[Garry Hunter, General Counsel](#)

#### Website, Bulletin or Membership Issues:

[Zoë Wade, Office Manager](#)

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