



# City of Napoleon, Ohio

255 West Riverview Avenue - P.O. Box 151  
Napoleon, OH 43545  
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www.napoleonohio.com

## 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-Finance Director  
**Date:** February 1, 2021  
**Subject:** General Information

### CALENDAR

#### MONDAY, FEBRUARY 1<sup>ST</sup>

City Council Meeting @ 7:00 pm

APPROVAL OF MINUTES – January 18, 2021 City Council Meeting Minutes

#### INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 001-21**, an Ordinance Amending Ordinance No. 067-20 regarding Compensation of the Napoleon Municipal Court Bailiff in and for the Year 2021; and Declaring an Emergency.

#### SECOND READINGS OF ORDINANCES AND RESOLUTIONS - *None*

#### THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 083-20**, an Ordinance Amending a Certain Section of Chapter 925 of the Codified Ordinances of the City of Napoleon, specifically Section 925.08 "Placement of Containers," and Amending Ordinance No. 007-20.
2. **Ordinance No. 084-20**, an Ordinance Approving Current December 2020 Replacement Pages to the City of Napoleon Codified Ordinances.
3. **Ordinance No. 085-20**, an Ordinance Amending Section 931.09 Increasing Sanitary Sewer Rates for the Years 2021, 2022, 2023 and 2024; and Declaring an Emergency.
4. **Ordinance No. 086-20**, an Ordinance Amending Section 931.07 Increasing Water Rates for Residential, Commercial, Industrial and Whole Customers for the Years 2021, 2022, 2023 and 2024; and Declaring an Emergency.

#### GOOD OF THE CITY (Discussion/Action)

1. ***Review of Resolution No. 081-10 with Recommendation from the Finance and Budget Committee to Not Increase Council or the Mayor's Salary at this time.***
2. ***Approval of Payment to AMP for the Remainder of the AMPGS Project.***
  - a. A copy of the AMPGS invoice is enclosed.

3. ***Unaudited 2020 Year-End Review***

- a. Included in your packet, is a power-point presentation Kelly put together for the unaudited 2020 year-end review.

4. ***Annexation of 3.038 Acres of Land Owned by William R. Meyers*** (direct Law Director to draft legislation)

APPROVAL OF BILLS AND FINANCIAL REPORTS

**INFORMATIONAL ITEMS**

1. Technology and Communications Committee Canceled
2. Agenda for Parks and Recreation Board Meeting; Wednesday, February 3, 2021 at 6:30 pm
3. AMP Newsletter/January 22, 2021

*City of Napoleon, Ohio*  
**CITY COUNCIL**  
**MEETING AGENDA (AMENDED)**

**Monday, February 01, 2021 at 7:00 pm**

City Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio  
The WebEx link to the meeting is posted at [www.napoleonohio.com](http://www.napoleonohio.com)

- A. Attendance** (Noted by the Clerk)
- B. Prayer and Pledge of Allegiance**
- C. State of the City Address:** Mayor Jason Maassel
- D. Henry County Transportation Network Update**
- E. Approval of Minutes** (in the absence of any objections or corrections, the minutes shall stand approved)
  - 1. January 18, 2021 Regular Council Meeting Minutes
- F. Citizen Communication**
- G. Reports from Council Committees**
  - 1. Finance and Budget Committee met on January 25, 2021; and
    - a. referred to Council Review of Resolution No. 081-10 with the recommendation to not increase Council and Mayor's salary
  - 2. Safety and Human Resources Committee did not meet in January due to lack of agenda items.
  - 3. Technology and Communications Committee did not meet tonight due to lack of agenda items.
- H. Reports from Other Committees, Commissions and Boards** (*Informational Only-Not Read*)
  - 1. Civil Service Commission did not meet on Tuesday, January 26, 2021 due to lack of agenda items.
  - 2. Park and Recreation Board meeting was rescheduled to Wednesday, February 3, 2021
- I. Introduction of New Ordinances and Resolutions –**
  - 1. **Ordinance No. 001-21**, an Ordinance Amending Ordinance No. 067-20 regarding Compensation of the Napoleon Municipal Court Bailiff in and for the Year 2021; and Declaring an Emergency
- J. Second Readings of Ordinances and Resolutions - None**
- K. Third Readings of Ordinances and Resolutions**
  - 1. **Ordinance No. 083-20**, an Ordinance Amending a Certain Section of Chapter 925 of the Codified Ordinances of the City of Napoleon, specifically Section 925.08 "Placement of Containers," and Amending Ordinance No. 007-20.
  - 2. **Ordinance No. 084-20**, an Ordinance Approving Current December 2020 Replacement Pages to the City of Napoleon Codified Ordinances.
  - 3. **Ordinance No. 085-20**, an Ordinance Amending Section 931.09 Increasing Sanitary Sewer Rates for the Years 2021, 2022, 2023 and 2024; and Declaring an Emergency.
  - 4. **Ordinance No. 086-20**, an Ordinance Amending Section 931.07 Increasing Water Rates for Residential, Commercial, Industrial and Wholesale Customers for the Years 2021, 2022, 2023 and 2024; and Declaring an Emergency.

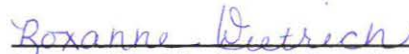
**L. Good of the City** (Any other business that may properly come before Council, including but not limited to):

1. **Discussion/Action:** Review of Resolution No. 081-10 with Recommendation from the Finance and Budget Committee to Not Increase Council or the Mayor's Salary at this time.
2. **Discussion/Action:** Approval of Payment to AMP for the Remainder of the AMPGS Project.
3. **Discussion/Action:** Unaudited 2020 Year-End Review
4. **Discussion/Action:** Annexation of 3.038 Acres of Land Owned by William R. Meyers (direct Law Director to draft legislation)

**M. Executive Session** – (as may be needed)

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

**O. Adjournment**



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: Monday, February 1, 2021 @6:15 pm)
2. **Electric Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, February 8, 2021 @6:15 pm)
  - a. Review of Power Supply Cost Adjustment Factor for February 2021
  - b. Update on Substations
  - c. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, February 8, 2021 @7:00 pm)
  - a. Tags Required for Tires during Spring and Fall Pickup
  - b. Update on 2021 Wastewater Treatment Plant Improvements Project (March 8, 2021 Meeting)
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, February 8, 2021 @7:30 pm)
  - a. Lights on New Welcome to Napoleon Signs
5. **Parks & Recreation Committee (3<sup>rd</sup> Monday)**  
(Next Regular Meeting: Monday, January 18, 2021 @6:00 pm)
6. **Finance & Budget Committee (4<sup>th</sup> Monday)**  
(Next Regular Meeting: Monday, January 25, 2021 @6:30 pm)
7. **Safety & Human Resources Committee (4<sup>th</sup> Monday)**  
(Next Regular Meeting: Monday, January 25, 2021 @7:30 pm  
(February 22, 2021 Joint Meeting with Townships and HSCJAD @7:30 pm)
8. **Personnel Committee (as needed)**
9. **Ad-hoc Committee on Personnel (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, February 8, 2021 @6:15 pm)
  - a. Review of Power Supply Cost Adjustment Factor for February, 2021
  - b. Update on Substations
  - c. Electric Department Report
  - d. Tags Required for Tires during Spring and Fall Pickup
  - e. Update on 2021 Wastewater Treatment Plant Improvements Project (March 8, 2021 meeting)
2. **Board of Zoning Appeals (2<sup>nd</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, February 9, 2021 @4:30 pm)
3. **Planning Commission (2<sup>nd</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, February 9, 2021 @5:00 pm)
4. **Tree Commission (3<sup>rd</sup> Monday)**  
(Next Regular Meeting: Monday, February 15, 2021 at 6:00 pm)
5. **Civil Service Commission (4<sup>th</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, February 23, 2021 @4:30 pm)
6. **Parks & Recreation Board (Last Wednesday)**  
(Special Meeting Wednesday, February 3, 2021; Next Regular Meeting: Wednesday, February 24, 2021 @6:30 pm)
7. **Privacy Committee (2nd Tuesday in May & November)**  
(Next Regular Meeting: Tuesday, May 11, 2021 @10:30 am)
8. **Records Commission (2<sup>nd</sup> Tuesday in June & December)**  
(Next Regular Meeting: Tuesday, June 8, 2021)
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**
15. **Volunteer Peace Officers' Dependents Fund Board**
16. **Lodge Tax Advisory & Control Board (as needed)**
17. **Board of Building Appeals (as needed)**
18. **ADA Compliance Board (as needed)**

## February 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>31 - January</b>	<b>1</b>  7:00 pm – City Council	<b>2</b>	<b>3</b>  6:30 pm–Parks and Rec Board	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b>  6:15 pm –Electric Committee BOPA 7:00 pm –Water/Sewer Committee 7:30 pm –Municipal Properties Committee	<b>9</b>  4:30 pm – Board of Zoning Appeals 5:00 pm-Planning Commission	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b>  6:00 pm – Park Rec Committee 6:00 pm – Tree Commission 7:00 pm – City Council	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b>  6:30 pm–Finance & Budget Comm. 7:30 pm–Safety & Human Resources Committee	<b>23</b>  4:30 pm–Civil Service Commission	<b>24</b>  6:30 pm–Park and Rec Board	<b>25</b>	<b>26</b>	<b>27</b>
<b>28 ~ February</b>	<b>1 - MARCH</b>  6:15 pm – Technology Comm. 7:00 pm – City Council	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

*City of Napoleon, Ohio*  
**CITY COUNCIL MEETING MINUTES**  
 Monday, January 18, 2021 at 7:00 pm

## PRESENT

Councilmembers	Joseph D. Bialorucki-Council President, Daniel Baer-Council President Pro-Tem, Lori Siclair, Ken Haase, Jeff Comadoll, Ross Durham, Molly Knepley
Mayor	Jason P. Maassel
City Manager	Joel L. Mazur
City Law Director	Billy D. Harmon via WebEx
Finance Director	Kelly O'Boyle via WebEx
City Staff	Lt. Ed Legg Clayton O'Brien-Fire Chief Chad E. Lulfs, P.E., P.S.-Director of Public Works
Clerk of Council	Roxanne Dietrich
Others on WebEx	News Media

**ABSENT**

## CALL TO ORDER

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

## APPROVAL OF MINUTES

Hearing no corrections or objections, the minutes from the January 4, 2021 City Council meeting were approved as presented.

## REPORTS FROM COUNCIL COMMITTEES

Chair Siclair reported the **Electric Committee** met on January 11, 2021 and approved the Power Supply Cost Adjustment Factor for January 2021 as recommended by the Board of Public Affairs.

The **Water, Sewer, Refuse, Recycling and Litter Committee** met on January 11, 2021 with Chairman Comadoll reporting the Committee decided to keep the reimbursement for 201 Hurst Drive at \$1200 as the Committee agreed that was sufficient. We do not want to get in a situation where we are doing something down the road.

The **Municipal Properties, Building, Land Use and Economic Development Committee** did not meet on January 11, 2021. The **Park and Rec Committee** did not meet tonight.

## INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

No ordinances or resolutions were presented for first read tonight.

## SECOND READING OF ORDINANCES AND RESOLUTIONS

**Ordinance No. 083-20 – Amending Section 925.08 – Placement of Containers**

Council President Bialorucki read by title Ordinance No. 083-20, an Ordinance Amending a Certain Section of Chapter 925 of the Codified Ordinances of the City of Napoleon, specifically Section 925.08 "Placement of Containers", and Amending Ordinance No. 007-20.

Motion: Comadoll                      Second: Siclair  
to approve Second Read of Ordinance No. 083-20

Mazur reported the language change requires residents to have their garbage and recycling cans picked up the following day after their scheduled pickup. Bialorucki asked if there have been any calls or questions received? Mazur replied not related to the material. Harmon stated at the last meeting I





Roll call vote on the above motion:

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

Nay-

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

GOOD OF THE CITY (Discussion/Action)

Power Supply Cost Adjustment Factor for January 2021 as PSCA three-month average factor \$0.02531 and JV2 \$0.02531

Mazur stated the power supply cost adjustment factor is up a little this month mainly due to low usage. This bill is for the usage months of September, October and November. We have had a mild fall and people did not have their air conditioners or HVAC systems on. With it being so mild consistently and us still being long on power during those months contributes to the higher power supply cost adjustable factor. Hopefully we will be out of this soon, COVID probably did affect us also and we are still coming out of that, we will have to compare as we head into the future where our usage is going. The Morgan Stanley Contract fell off as of January 1, 2021 so we should not be long on power anymore. Bialorucki had a couple of questions. Right now, residents bills are probably a little bit lower due to their usage versus the increase per unit that they use. Mazur said their bills are not lower yet, they probably will not see that until their bill in March when they start to see that three-month rolling average. Bialorucki said even though they are not using as much in the last two months? It seems like my bill personally has been lower because I am not using as much even though the rate is higher. Mazur said that is why it is called the Power Supply Cost Adjustment Factor, it gets adjusted. When everybody's usage is down, the system still has to bring in enough revenues to operate at the levels that we operate at therefore, everybody's bill gets adjusted marginally to a certain degree so their rate is going to be higher. Bialorucki said even though the rates are higher, their usage may be way lower which ultimately gives them a lower monthly amount. Mazur said theoretically it will be lower. Bialorucki said in a couple months if we have warm temperatures early and you need to use your air conditioner earlier than normal, since we do a three month average, it is possible your bills could be higher.

Motion: Haase

Second: Durham

to approve the Power Supply Cost Adjustment Factor for January 2021 as PSCA three-month average factor \$0.02531 and JV2 \$0.02531

Roll call vote on the above motion:

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

Nay-

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

**Sewer Service Locate at 201 Hurst**

Mazur reported this item was discussed by the Water and Sewer Committee. A resident that is constructing a house at 201 Hurst Street came in and described a scenario where city employees, our sewer locate crew, went out and located where they believed the service to be at. It was not marked close enough and the resident dug in that location and discovered that it wasn't there. Another check was made by another employee at a different location and it was not marked appropriately again. At that point another dig was done by the private contractor. A third employee found the right location, they made the mark and they dug and found it. After discussion with the homeowner at the time, we decided that per the rule that says it is the homeowner's responsibility to manage this and handle this at their own expense, I felt it was fair to compensate this individual for that third dig. What we normally would do is we would go out and locate it ourselves on our side but, I didn't want our crews

going out and digging into the street and then having to do a street repair to do the locate so there was that piece of it. I felt it was fair to compensate this person rather than have our crews do damage to the road and have to patch it up and everything else. In the end, the homeowner felt that \$1200 wasn't enough. She felt that she should have been compensated more. At the last meeting, it was explained that there was some responsibility on the contractor's part, where the contractor could have used proper techniques to do the locate. The contractor was explained to do a proper utility locate a certain way could have taken a lot less time. All that time and materials were billed to the homeowner. My recommendation to the committee and still is that there needs to be a conversation between the contractor and the homeowner before the city ever would decide to compensate the homeowner anything further than what has already been offered to them because of those reasons. The reasons being that the contractor could have located this a lot quicker if they used the proper techniques and/or a contractor was hired to do the general contracting work for the home build. I stated this before and still feel that there's responsibility on everyone's part to be able to take ownership of this particular incident. In this instance, we have old records from 1968. A lot of these old records are non-existent or can be inadequate and that is why the rules are written the way they are. It helps protect the city and this is a service we provide. The basic conclusion of the conversation was that there are multiple factors that weigh into this and the committee agreed that the compensation was adequate enough for this property owner and that there is some shared responsibility on the private side. Bialorucki asked going forward, do we have something that the resident can acknowledge that it may not be 100% accurate? Something the resident can sign saying I understand that the City is doing the best they can using older maps and things like that and it may not be 100% but we are saying we think it is correct and give them the option to use the robot that can go into the sewer at a cost to them? Mazur advised against having something to sign because, when you do OUPS markings and utility locates it is a 48-hour service. Crews have to come out as soon as they can and a lot of times somebody is not there. When you call in an OUPS ticket, it could be at any time within that 48-hour block that somebody is going to come out and make a marking. So, a lot of times people are not there and that is the trouble with that. Bialorucki said the city should be able to say to them, we are 99% sure it's here, but we are not positive so if it's not, don't hold us accountable and sign this saying that you are going to go with what we say but if you don't want to do that, there's another option you can pay for using the robot or whatever. Mazur said having them sign something means we have to go track someone down to have a piece of paper signed. These guys are out in the field all the time and are working so, having to track somebody down within 48 hours sometimes is not feasible. Honestly, we don't know of any utility that does that, not that it can't happen. My recommendation is that we don't get into that. There could be some other type of communication. Bialorucki said my point with this is, if somebody told me this is where it is and then they leave and I either dig it up myself or pay somebody to, I expect it to be there. But, if somebody came to me and said we are 99% sure it's there but, we can't be held liable if it's wrong, I'm going to say thank-you for telling me that I appreciate that and I'm not going to hold you liable. Right now it sounds like the city is coming out and saying this is where it is and 99% of the time we are right, but that 1% that we are not, somebody else is paying for a service and the city is saying Sicclair interjected they are not paying for that right? Bialorucki said they are not paying for the service of that, they are paying for them saying the city told us it's there. Most of the time the city's right, I'm not saying the city is at fault at all. If there is a chance that they're not accurate, we should at least tell the customer we are pretty darn sure. Sicclair stated part of the problem was, as we kind of learned as we went, there was not a general contractor on the job. Someone who is more experienced like that would have known all of this. That's what it came down to. Mazur added that is a good point. I like Lulf's suggestion to put the notation right on the permit so when they call in the OUPS ticket they'll get that. A lot of times they won't even see anybody, they will see markings on the ground. Bialorucki said and they are going to assume this is right. All I'm saying is,

we need to let the residents know this is our best. If somebody came out and marked it, why wouldn't the resident think that where that mark is, is right. Then, if it's not right, who do you think they want to blame? The person that marked it. Mazur said it is common knowledge but, if you get somebody that wants to do something themselves, they don't know what the rules are and then you get an instance where someone is upset about it. Maassel noted the reason the rule is there is so you don't have a contractor that just starts digging nillie willie and go "well the City's got to pay for it until we find it". That is why this is here. It not a rule to be mean, there's actually protection there for the city. The City took some liability paying her \$1200, she took some risk being her own general contractor and we can make an adjustment to the permit so it's in accordance with the rules. I completely agree 99% of the time we do a really good job day in and day out. Mazur noted that wasn't the first time and it probably won't be the last time. It's a good policy and we can get more education out for people.

APPROVAL OF PLANS AND SPECIFICATIONS AND GO OUT TO BID FOR THE 2021 WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT

Mazur said this is requesting approval to go out to bid for the Wastewater Treatment Plant. We have been talking about this for a couple of years. Maassel asked when do the bids come back? Mazur replied March 3, 2021. Maassel continued, it gets approved, they start digging when, June or July? Lulfs responded perhaps June because of the funding involved. The bids have to be sent to the Columbus Department of Environmental Financial Assistance (DEFA). Before we send it to DEFA, the contract will be brought to Council for approval of a tentative award to the lowest and best bidder. Then we send the contract to DEFA to approve at their monthly meeting that will probably take close to sixty days. Once DEFA gives their approval, we can sign the contract, I would estimate that to be sometime in late April or May. Maassel asked what changes will happen this year? Lulfs said the presses are sitting in Akron. We pre-ordered those as there's a large lead time on them so they are ready. Those are supposed to be up and running by the end of the year. The storm sewer pump station inside the dike is to get rerouted, they will be working on the digesters and we have the fourth screw pump going in, don't think that's going to be at the early stage. The majority of the plant is getting overhauled. Grit will be a major component of it. Maassel said most of the construction the way it sounds, is going to be behind the dike so unless you're there, chances are you are not going to see much of anything. Lulfs said the only real thing you will probably notice if you're not inside the dike is the head works facility at the screw pump station. We do have a separate project that will re-route two of the lines into the plant because they don't come into the head of the plant now. We will reroute them through the park. The Front Street Interceptor and the Palmer Ditch Force Main will be rerouted around to the new headworks facility. That will be a separate contract, it is our Issue II project for this year. You will be able to see that but other than that, 90% of the work is inside the dike. You will see equipment more than you will builders. The Palmer Ditch reroute will be cut into the outfield of one of the ball diamonds at Riverdowns. Maassel said not permanently? Lulfs - just for a year temporarily. I'm working with Jones and Henry to possibly time that project so it's more of a fall, winter, spring project and not get into the summer months. Bialorucki had a question, not being from Napoleon I moved here 20 or 21 years ago and obviously the Wastewater Treatment Plant was here a lot longer than I have been. People have asked me why do we have to spend all this money right now? I don't have an answer because I wasn't here maybe 40 years ago when some things were maybe starting to deteriorate and we didn't do anything. Can you help explain that a little so the people that are paying for it now can understand why we are in the position that we are now. Mazur started like with the Water Plant, there was so much deferred maintenance at the Water Plant. Bialorucki asked why was it deferred? Mazur-well this happened when I was in Toledo. They are pushing a billion dollars in the rehab of their water plant that does 120 million gallons a day. Deferring the maintenance depends on what leadership there is at the time. Bialorucki - I'm not trying to put



you on the spot. I want real answers of why at the time the people in charge did not want to spend the money and now we have to. Mazur-somebody that wants to keep the rates low won't spend any money. Maassel asked how old is the current plant? Lulfs – I believe 1968 was a major upgrade and then it was upgraded again in the 80's and 90's and then we did the EQ Basin. I don't want people to think we did nothing. All those projects were dictated on changing requirements coming down from the EPA. The plant probably functioned fair and those upgrades came as the plant was starting to deteriorate but also the EPA requirements changed and you have to do upgrades to keep up with those changing requirements. Yes the plant is worn down and the guys have done a great job keeping it together but, we have gotten to the point where you hate to do that much longer. There are some major EPA changes coming and this will allow us to stay ahead of those and hopefully the next time there are major changes at the EPA, we won't see a big hit. We will still have to do some upgrades but it won't be anything too large. Bialorucki-my reason for asking is because obviously we had to upgrade our Water Plant and now our Wastewater Treatment Plant. We did what was right back in the 80's when the EPA said you need to do this and that and there are other cities that didn't do that and we did and our rates are higher because of us doing what's right. Now, we are going back to our people saying we still need to put more money into it and I'm just trying to help people understand we are doing this because we need to. It is demanded of us and people need to understand why we are doing this. Mazur-I focused on the Water Plant side. If you recall, we did eat the UV Project early because it was EPA mandated, the City of Napoleon was in violation. That is why that was completed prior to the main plant rehab project. Lulfs is right, that is the other side of this, the EPA mandates. They are twisting down those requirements more and more. It's not over yet. The requirements are going to get ratcheted down even more. We spent a lot of money fixing issues in the collection system and not focusing on what is going on inside the plant, inside the dike walls. We have a 1958 brick facility. That is how old those machines are. They have to send out a purchase order to have parts manufactured somewhere in the State of Florida. If something breaks in the grit facility, that's where they are getting the parts. You have to get special parts manufactured to keep it operational. In addition, after the Water Plant was done, an unknown item was how much solids were going to come down to the Wastewater Treatment Plant. That was something the design engineer we hired did not account for. They were focusing on their contract which was making the water. Upgrading to the membrane facility with new requirements, the new testing that's coming down, the p5 is the daughter chemical of broken down plastic that gets in the water supply and pharmaceuticals too. Everything that comes down a creek or river where we get our water from some of these remnants are in there so, now the EPA is testing for these. The membrane facility will address those and other future requirements that are going to be put into place. That's the Water Plant. The Wastewater Plant is actually a little easier. For a very long time these older cities, Toledo, Defiance and Napoleon have combined sewer systems. These sewers were overflowing so the sewage was overflowing into the river and the EPA wanted to cut down on that and said enough is enough and started dishing out all these Findings and Orders violations and everything else. Some cities fought this for years and we didn't. Maassel asked when you said they fought it, they fought it or did they ignore paying what they should pay? Mazur- they hired attorneys and went to court. Maassel - but they didn't do what they should have done. Mazur-correct. Bialorucki - since I have been on Council, I have been to Washington, DC three or four times with you and a few other people at the Legislative Rally. We went to our legislators and we talked to them about this saying we did what was expected of us and our rates are higher than our neighbors and we have asked them over and over to do something. After we have been there three or four times has anything happened? Mazur-just when we went to the state. The NPDS program is a federal program that gets pushed down to the states and the states are in charge of enforcement. We went and renegotiated the Long-Term Control Plan. That did not come out of us going to Washington, that came from us going to Columbus. Bialorucki - every time we have gone to Washington and talked to

Motion: Comadoll                      Second: Siclair  
to approve the plans and specifications and go out to bid for the 2021 Wastewater Treatment Plant  
Improvements Project

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

## MUNICIPAL COURT BAILIFF POSITION PAY

City Council January 18, 2021 Meeting  
U:\~ My Files\ - RECORDS CLERK\2021\COUNCIL\01 18 2021\01 18 2021 City Council Mtg Minutes.docx

Motion: Durham                      Second: Knepley but again like you said let's have the  
to direct the Law Director to draft legislation for a pay change in the Bailiff position

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

## AROUND THE TABLE

**Knepley** – nothing tonight.

**Siclair** - Nothing for me.

**Maassel** – the Welcome to Napoleon Sign on Glenwood Avenue on the north side of 6 & 24 is gone. The post is still there, but the sign is not there anymore. I don't know if it was permanently borrowed or where it is. Bialorucki-I have noticed that there are no lights on the new Napoleon signs. I would think we could spend a little bit of money for some solar powered lights that will show the *Welcome to Napoleon* even in the dark. Siclair – I have a couple of ideas. Mazur-if it is beautification type stuff, then it would be in the Municipal Properties Committee. Council President Bialorucki referred Lights for the New Welcome to Napoleon Signs to the Municipal Properties Committee. Maassel – is the street sign at the corner of Ohio and Scott Streets still bent? Haase-it was this morning. Maassel-looks like it got hit by a truck. Bialorucki-it's been like that for a long time. Maassel-I will present the State of the City at the next Council meeting.

**Bialorucki** – can we ask ODOT again to put some kind of signage either on the exit ramp from 24 to Route 6 Woodlawn or right before they would get to the overpass where they have the option to go onto 24. To put a sign there that says *no through trucks*. There is not a sign if you get off of 24 onto Route 6 and this is outside of the city limit so it's not our issue. If you get off of 24 onto Route 6 and you turn left going towards town you are going to get to 24 where you can go eastbound or westbound on 24. The second they go past that, there is a sign saying *no trucks*. They cannot turn around at St. Paul and then you get to Glenwood and there are signs that say *no trucks* to the right, *no trucks* to the left and *no trucks* straight. These people have no chance of turning around. If there was one sign before they got to 24, they may be able to get back on 24 and take the bypass and go the other way. I have already addressed this with someone I know at ODOT and they said drivers don't read signs. I disagree with that because I mow the grass at the corner of Glenwood and Woodlawn and I see these people. They are like what do I do and are trying to turn around. How can we get a sign prior to that? Then, if they ignore the sign, we will deal with them past that. Mazur said that's a really good point. Bialorucki-obviously it's not a good point because I have brought this up like a hundred times. No it's not in the city limits, we have signs in the city limits but it's too late then and there is no way for them to turn around.

Going back to Councilman Comadoll, I'm going to say it's a sad thing seeing you go. I understand and appreciate all of your help here. I have learned a lot from you. I have struggled with if I was going to run again. I have told most people in the last month there's a 90% chance I won't run but, I have changed my mind because I care about the city and I'm afraid that there are not going to be people that will step up and do what I'm doing and care about the city. I challenge anybody out there that cares about the city, I will either step away or if you get elected instead of me, I will be happy for that. But hearing that nobody is even interested, I care about the city that much that I am going to run again. I want to say thank-you Jeff for all I have learned from you being on Council.

**Baer**- I have a question. We have had some talk about an issue being put in the Safety and Human Resources Committee versus a special committee. Has that issue been determined? The Safety and Human Resources Committee is on the agenda for next week. Maassel - I don't think we are ready to go to committee yet. Bialorucki-can we put that on there to at least discuss how that is going to work? Siclair-and to establish the committee. Maassel-is it going to be an Ad-hoc Committee or is it going to be the Safety and Human Resources Committee? Bialorucki-I think we are going to do an ad-hoc Committee. I would make a recommendation that we create an Ad-hoc Committee for Personnel with the HR Director, Lori Siclair, Mayor Maassel and Ross Durham. Harmon interjected Council Rule 3.5-Ad Hoc Committees states "when no committee exists to cover a given topic for consideration, the president of council may, upon approved motion, appoint an "ad-hoc" committee made up of those members of council deemed appropriate by the president. The president shall appoint a chairman thereof." Bialorucki- I appoint Lori Siclair as the Chair.

Motion: Baer

Second: Siclair

Roll call vote on the above motion:

Nay-

Council President Bialorucki appointed an Ad-Hoc Committee for Personnel with Lori Siclair as the Chair with the rest of the committee members being Councilman Ross Durham, Mayor Maassel and the HR Director.

**Haase**-last spring after the spring cleanup we discussed rates and deferred it until after the fall cleanup to see how that went. Mazur-for tires? Haase-to raise the fee for the cleanup itself. Mazur-tags and tires are the only extra costs. It depends on how many tags you put on certain items. We were specifically looking at tires because the cost to dispose of tires through unlimited pickup is cheaper than disposing of them at the county. Essentially somebody pays for tags for us to be able to take the tires to the landfill and pay the landfill their tire fee. When you net it out, the city loses money. Haase-is there consideration of raising the tags because that's going to go up out there again. Mazur – what we recommended before was that we address it but we held off because it wasn't that large of a dollar figure. I think it's a few hundred dollars per cleanup. If you want to address that right now, I would suggest we add that to the Water and Sewer Committee and Board of Public Affairs.

**Durham**-did we skip Item D on the agenda this evening? I want to at least present that option just in case. **Bialorucki**-I did skip that and there's no one out there but, **Durham**-we should at least open the floor to it. **Bialorucki**-asked if there were any questions on chat, **Mazur**-there are none.

**O'Boyle-** we will need to do a mini-check run prior to the February 1<sup>st</sup> council meeting once we close the year. We are getting close to closing the year. We have to pay some bills that are due before the February 2<sup>nd</sup> date. The county does reimburse the bailiff 40%.

Motion: Haase

to go into Executive Session for Economic Development

Nay-

Motion: Siclair

to go into Executive Session for Matters to Remain Confidential Due to Competitive Nature of Utility

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

City Council went into Executive Session at 8:28 pm.

Motion: Haase    Second: Siclair  
to come out of Executive Session for Economic Development

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

Council President Bialorucki reported no action was taken.

Motion: Siclair  
Second: Knepley  
to come out of Executive Session for Matters to Remain Confidential due to the Competitive Nature of  
Utility

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

Council President Bialorucki reported no action was taken.

City Council came out of Executive Session and reconvened the regular meeting at 9:30 pm.

APPROVE PAYMENT OF BILLS  
the payment bills stand approved.

ADJOURNMENT

Motion: Comadoll  
to adjourn the City Council meeting at 9:31 pm

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

**Yea-6, Nay-0. Motion Passed**

**Approved:**

**February 1, 2021**

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Submitted by:

Roxanne Dietrich, Clerk of Council

**ORDINANCE NO. 001-21**

**AN ORDINANCE AMENDING ORDINANCE NO. 067-20  
REGARDING COMPENSATION OF THE NAPOLEON  
MUNICIPAL COURT BAILIFF IN AND FOR THE YEAR 2021;  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Council previously adopted Ordinance No. 067-20, creating a 2021 Classification Pay Plan for its non-bargaining employees; and,

**WHEREAS**, Pursuant to Ohio Revised Code Section 1901.33 the Municipal Court Judge has requested an amendment regarding compensation of the Municipal Court Bailiff; and,

**WHEREAS**, Pursuant to Ohio Revised Code Section 1901.33 the Municipal Court Judge is empowered to appoint a Bailiff without advertising for this position and is further empowered to set the compensation for this position as long as the compensation is reasonable; and,

**WHEREAS**, Council now desires to amend Ordinance No. 067-20 to amend the pay scale for the position of Municipal Court Bailiff; and,

**WHEREAS**, Exhibit B, attached hereto and incorporated herein, reflects the amendment to be made; and

**WHEREAS**, Council desires to make said compensation amendments effective on the pay period starting on or about February 1, 2021; **Now Therefore**,

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

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio, (the "City") had previously established a new 2021 Position Classification Pay Plan ("Pay Plan") for its non-bargaining employees, passed by Council on January 4, 2021.

Section 2. That, effective with the pay period for the Year 2021, that commences on or about February 1, 2021, the amendments as listed in Exhibit "B" shall be in effect.

Section 3. That, this Ordinance allows the terms and conditions of this pay Ordinance to be retroactively applied, the same being hereby approved as it so exists.

Section 4. That, the position of Municipal Court Bailiff as established in and for the City for the Napoleon Municipal Court shall be considered a full time regular employee having a salary, exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, continues to be approved by this Council. The Municipal Court Bailiff shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Municipal Court Bailiff's salary at any time so long as within the limits of Exhibit B.

Section 5. That, no further amendments shall be effectuated by this legislation and all previous provisions in effect prior to this legislation regarding compensation of City employees shall remain in effect.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open

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

Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 8. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: \_\_\_\_\_

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

Approved: \_\_\_\_\_

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 001-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & 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 “B”**  
(Based on an 80 hour pay period)

<u>Title</u>	<u>Bottom</u>	<u>Top</u>
Assistant to the City Engineer	\$2,821.22	\$3,255.26
City Engineer	3,309.51	4,014.81
Public Works Director*	3,936.09	4,712.67
Golf Course & Grounds Superintendent	2,010.12	2,702.02
Parks & Recreation Director/Cemetery	1,821.64	3,166.04
Assistant Finance Director	3,006.15	3,489.63
Electrical Engineer	3,130.73	3,646.10
Electric Distribution Superintendent	3,191.92	3,931.98
IT Administrator	1,969.32	2,925.47
Human Resources Director	2,245.29	3,407.31
Municipal Court Bailiff	1,538.46	<del>1,405.49</del> 1,730.77
Municipal Court Clerk	1,902.91	2,128.43
Assistant Fire Chief	2,224.43	3,255.26
Fire Chief	2,766.96	3,653.04
Operations Superintendent	2,295.37	3,255.26
Water Superintendent	2,513.06	3,386.92
Wastewater Superintendent	2,513.06	3,386.92
Chief of Police	2,917.20	3,761.55

\*Lump sum of \$1,500.00 not in base

**ORDINANCE NO. 083-20**

**AN ORDINANCE AMENDING A CERTAIN SECTION OF  
CHAPTER 925 OF THE CODIFIED ORDINANCES OF THE CITY  
OF NAPOLEON, SPECIFICALLY SECTION 925.08  
“PLACEMENT OF CONTAINERS,” AND AMENDING  
ORDINANCE NO. 007-20**

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

Section 1. That, Section 925.08 of the Codified Ordinances of the City of Napoleon, Ohio shall be hereby amended and enacted as follows:

**“925.08 PLACEMENT OF CONTAINERS.**

1. Bags, tagged bags or containers holding bags or tagged bags shall be placed at the curb located in front of a customer’s residence for residential establishments, and along the alley located off the customer’s premises or other specified location for commercial establishments utilizing residential service who desire to be on the City’s bag refuse service. Sanitation department personnel cannot enter residential or other buildings for the purpose of refuse pickup. Containers if used as bag holders will be returned to the place of pickup, with lids replaced. In the event of a situation not covered by the above, placement of containers may be determined by mutual agreement of the Operations Superintendent and the resident, subject to the approval of the City Manager. [Refuse and Recycling containers placed at the curb in front of a customer’s residence are to be removed from the curb by the end of the next day immediately following the customer’s scheduled pickup day.”](#)

Section 2. That, Section 925.08 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is hereby amended upon the effective date of this Ordinance.

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

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

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

Passed: \_\_\_\_\_

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

Approved: \_\_\_\_\_

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 083-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & 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. 084-20

### AN ORDINANCE APPROVING CURRENT DECEMBER 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 December 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

Traffic Code  
Traffic Schedules

Streets, Utilities and Public Services Code  
Waste Collection  
Electric Rates  
Recreation Facilities

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. 084-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & 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*

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

Local legislation current through **December 9**, 2020

State legislation current through **June 19**, 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 **December 9**, 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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70-12	12-3-12	121.03	006-18	4-2-18	194.134
Res.			009-18	4-16-18	TRAF. SCH. II
73-12	11-19-12	193.11	011-18	4-16-18	197.15
002-13	2-4-13	955.09, 955.10, 955.16, 955.19	017-18	4-2-18	195.04
015-13	3-18-13	955.09	021-18	5-21-18	931.10, 1105.02, 1325.01 to 1325.06, 1325.99
042-13	10-21-13	1101.01, 1145.01	029-18	7-2-18	505.14
045-13	10-7-13	137.14	058-18	11-5-18	931.09
059-13	11-18-13	197.18	060-18	11-19-18	339.13
067-13	12-16-13	931.07	062-18	12-3-18	925.04
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			

Ord. No	Date	C.O. Section
032-20	8-17-20	June 2020 Replacement Pages
034-20	8-3-20	TRAF. SCH. I, III
053-20	11-16-20	194.081
054-20	12-7-20	955.16

TABLE A - Street Dedication and Plat Approval (Cont.)

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
057-07	7-2-07	Accepts Appian Ave. (in Replat of Meyers Replat of Lots 24 & 25 and Part of Lots 23 & 26 of E.T. Barns 1st Addition).
Res. 074-07	9-4-07	Accepts dedicated r-o-ws and utility easements with plat known as "Twin Oaks 6th Addition" (a major subdivision).
075-07	9-4-07	Accepts Williamsburg Ave. in plat of "Twin Oaks 6th Addition" (a major subdivision).
Res. 035-08	5-5-08	Accepts dedicated r-o-w-s and utility easements associated with the plat know as "Picket Fences Phase V" a major subdivision.
036-08	5-5-08	Accepts extension of Oxford Street as found in the plat of "Picket Fences Phase V", a major subdivision.
Res. 041-08	5-19-08	Accepts dedication of the lift station from the Henry County Hospital.
009-09	1-19-09	Accepts dedication of a part of Clarmont Avenue as identified in a plat known as the "Clairmont Avenue Right-of-Way Dedication Plat".
Res. 046-17	8-7-17	Authorizing the City Manager to dedicate a portion of City owned property as right of way for the Industrial Drive Street Improvements Project, P.I.D. Number 102253.
043-20	11-2-20	Accepts dedication of a section of Clairmont Avenue between Briarheath Avenue and Westmoreland Avenue.

TABLE C - Annexation or Detachment (Cont.)

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
081-08	10-6-08	Annexes property owned by the Board of County Commissioners of Henry County, Ohio (Location where the Henry County Garage is sited).
116-08	12-29-08	Consents to an annexation petitioned by David B. Ward at 907 Huddle Road.
004-09	1-19-09	Amends Ord.114-08, Sec. 1, which is a municipal service statement for a certain annexation petitioned by David B. Ward at 907 Huddle Road.
012-09	4-6-09	Locating an annexation of property at the location of 907 Huddle Road as was petitioned for by David B. Ward.
070-09	12-7-09	Annexes 1.83 acres owned by Maurice and Georgie Davis at the location of 2334 Scott St.
034-10	7-6-10	Accepting an annexation of .99 acres of land owned by Jerry Walker at the location of Huddle Road.
065-10	12-6-10	Accepting an annexation of territory as petitioned for by Thomas E. Wagner et. al. at the location of County Road 11C (Appian Avenue).
98-10	2-21-11	Approving the annexation of several parcels of land owned by Thomas C. Norden, et al, at the location of County Road 11C (Appian Ave.)
062-11	11-21-11	Accepting an annexation of territory as petitioned for by Donna M. Leonhardt, et. al. at the location of 815, 833, 855 and 873 Huddle Road.
063-11	11-21-11	Accepting an annexation of territory as petitioned for by John and Lori Paxton consisting of one lot being 2.98 acres of land more or less at the location of 715 Huddle Road, Parcel Number 07-240002.0200.
005-14	1-20-14	Accepting the annexation to the City of Napoleon certain territory that the Napoleon Area School District filed with the Henry County Board of Commissioners. Westmoreland Ave. Parcel Number 41-150040.0000.
047-14	7-7-14	Authorizes annexation agreement with Napoleon Township for the annexation of 5.448 acres of land owned by MDC Holdings, LLC. Westmoreland Ave. Parcel Number 41-150034.0100.
064-14	10-6-14	Accepts annexation to City of 5.448 acres of land owned by MDC Holdings, LLC. Westmoreland Ave. Parcel Number 41-150034.0100.
052-20	11-16-20	Authorizes annexation agreement of 0.038 acres of land currently in Napoleon Township located along County Road 424 (Parcel No. 07270088.0000), which is owned by William R. Meyers.

- (1) The amount of estimated taxes that were paid equals at least ninety per cent of the tax liability for the current taxable year, determined by annualizing the income received during the year up to the end of the month immediately preceding the month in which the payment is due.
- (2) The amount of estimated taxes that were paid equals at least one hundred per cent of the tax liability shown on the return of the taxpayer for the preceding taxable year, provided that the immediately preceding taxable year reflected a period of twelve months and the taxpayer filed a return with the municipal corporation under Section 194.091 of this Chapter for that year.
- (3) The taxpayer is an individual who resides in the Municipality but was not domiciled there on the first day of January of the calendar year that includes the first day of the taxable year.

(F) A Tax Administrator may waive the requirement for filing a declaration of estimated taxes for any class of taxpayers after finding that the waiver is reasonable and proper in view of administrative costs and other factors.  
(Ord. 053-15. Passed 11-16-15.)

#### **194.08 CREDIT FOR TAX PAID.**

##### **194.081 CREDIT FOR TAX PAID - CITY OF NAPOLEON.**

(A) If a resident of Napoleon is subject to and has paid a municipal income tax due to the operation of a business or the receipt of compensation in another taxing municipality, such taxpayer shall be allowed a 70% credit against the Napoleon tax due, but such credit shall not exceed the amount of Napoleon tax levied on such compensation or from the profits of a business.

(B) If a resident of Napoleon operates a business or businesses in another taxing municipality and the business or businesses incur a loss, the amount of the loss is deemed primarily subject to the taxing jurisdiction of the other taxing municipality and may not be used to reduce the taxpayer's Napoleon tax base.  
(Ord. 053-20. Passed 11-16-20.)

##### **194.082 REFUNDABLE CREDIT FOR QUALIFYING LOSS.**

(A) As used in this section:

- (1) "Nonqualified deferred compensation plan" means a compensation plan described in section 3121(v)(2)(C) of the Internal Revenue Code.
- (2) (a) Except as provided in division (A)(2)(b) of this section, "qualifying loss" means the excess, if any, of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan over the total amount of income the taxpayer has recognized for federal income tax purposes for all taxable years on a cumulative basis as compensation with respect to the taxpayer's receipt of money and property attributable to distributions in connection with the nonqualified deferred compensation plan.
- (b) If, for one or more taxable years, the taxpayer has not paid to one or more municipal corporations income tax imposed on the entire amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan, then the "qualifying loss" is the product of the amount resulting from the calculation described in division (A)(2)(a) of this section computed without regard to division (A)(2)(b) of this section and a fraction the numerator of which is the portion of such compensation on which

Street	From	To	Prohibited Side(s)
Melody Ln.	Glenwood Ave.	Indiana Ave.	N.
Michigan Ave.	Woodlawn Ave.	Lagrange St.	W.
Monroe St.	Fillmore St.	Clinton St., E.	W.
Monroe St.	Front St.	Riverview Ave., E.	W.
Monroe St.	Main St., E.	Riverview Ave., E.	E.
Neward Dr.	Riverview Ave., W.	Becca Ln.	W.
North St.	Oakwood Ave.	Perry St., N.	Both
Northcrest Circle	Northcrest Dr.	Cul-de-sac	E.
Northcrest Dr.	Oakwood Ave.	Derome Dr.	S.
Norton St.	Park St.	Leonard St.	W.
Norton St.	Leonard St.	Dead End	Both
Oak St.	First St.	Daggett Dr.	Both
Oakdale Dr.	Glenwood Ave.	Indiana Ave.	N.
Oakwood Ave.	Fillmore St.	Railroad St.	E.
Oakwood Ave.	Railroad St.	Corporation Limits	Both
Ohio St.	Glenwood Ave.	Scott St.	S.
Old Creek Dr.	Oakwood Ave.	Cul-de-sac	S.
Old School Dr.	Clairmont Ave.	Cul-de-sac	both
Orchard Ln.	Riverview Ave., W.	Briarcliff Dr., E.	S.
Orchard Ln.	Briarcliff Dr., E.	Briarcliff Dr., W.	N.
Orwig Ave.	W. Washington St.	Welsted St.	W.
Oxford St.	Appian Ave.	Cambridge St.	E.
Park Ct.	Park St.	Dead End	W.
Park Lane Dr.	Park St.	Cul-de-sac	W.
Park St.	Sheffield Ave.	Glenwood Ave.	North
Park St.	Riverview Ave., W.	Norton Ave.	North
Park St.	Norton Ave.	Sheffield Ave.	North
Perry St., N.	First alley north of Oakwood Ave.	Yeager St.	W.

Street	From	To	Prohibited Side(s)
Wayne Park Dr.	Co.Rd. M1	Westerly intersection of Riverview Ave., W.	S.
Wayne St.	Riverview Ave., E.	Main St., W.	E.
Welsted St.	Glenwood Ave.	Avon Pl.	S.
Westchester Ave.	Briarheath Ave.	Kenilworth Ave.	N.
Westchester Ave.	Kenilworth Ave.	Briarheath Ave.	S. (4 hr. parking)
Westmont Ave.	Briarheath Ave.	Glenwood Ave.	N.
Westmoreland Ave.	Clairmont Ave.	Bales Rd.	E.
Westwood Ave.	Harmony Dr., S.	Harmony Dr., N.	E.
Willard St.	Woodlawn Ave.	Lagrange St.	E.
Williamsburg Ave.	Becca Ln.	Dead End	S.
Wood Dr.	Scott St., N.	Cul-de-sac	Both
Woodlawn Ave.	Clinton St., W.	Corporation Limits	Both
Woodlawn Ct.	Woodlawn Ave.	High St.	E.
Yeager St.	Oakwood Ave.	Dodd St.	Both

(Ord. 034-20. Passed 8-3-20.)



<b><i>STOP STREET</i></b>	<b><i>RIGHT-OF-WAY</i></b>
Norton Ave.	Park St.
Norton Ave.	Strong St.
Norton Ave.	Welsted St.
Oak St.	Daggett Ave.
Oakdale Dr.	Indiana Ave.
Oakdale Dr.	Glenwood Ave.
Oakwood Ave.	Perry St., N.
Oakwood Park	Oakwood Ave.
Oberhaus Park	Maumee Ave., W.
Ohio St.	Glenwood Ave.
Ohio St.	Scott St.
Old Creek Dr.	Oakwood Dr.
Old School Dr.	Clairmont Ave.
Orchard Ln.	Briarcliff Dr.
Orchard Ln.	Riverview Ave., W.
Orwig Ave.	Main St., W.
Orwig Ave.	Washington St., W.
Orwig Ave.	Welsted St.
Oxford St.	Appian Ave.
Park Ln.	Park St.
Park Pl.	Park St.
Park St.	Glenwood Ave.
Park St.	Riverview Ave., W.
Perry St., N.	Yeager St.
Pontious Pl.	First St.
Pontious Pl.	Perry St., S.
Railroad St.	Oakwood Ave.
Railroad St.	Perry St., N.

<b><i>STOP STREET</i></b>	<b><i>RIGHT-OF-WAY</i></b>
Williamsburg Ave.	Becca Ln.
Woodlawn Ct.	Woodlawn Ave.
Yeager St.	Oakwood Ave.

## (b) All-Way Stops:

<b><u>INTERSECTION</u></b>
Bales Rd./Washington St., W. and Glenwood Ave.
Briarheath Ave. at Clairmont Ave.
Clinton St. at Monroe St.
Clinton St., W. at Norton Ave.
Glenwood Ave. at Woodlawn Ave.
Haley Ave. at Washington St., W.
Industrial Dr. at American Rd.
Indiana St. at Ohio St.
Kenilworth Ave. at Westmont Ave.
Main St., W. at Scott St.
Main St., W. at Webster St.
Main St., E. at Hobson St.
Monroe St. at Washington St.
Norton Ave. at Washington St.
Park St. at Sheffield Ave.
Raymond St. at Third St.
Scott St. at Front St.
Sheffield Ave. at Clinton St.
Third St. at Raymond St.

<u>Location</u>	<u>Description</u>
Perry St., N. (St. Rt. 108) at Washington St.	This three (3) phase signal controls a four-way intersection actuated by loop detectors which generally “stands on green” for through traffic on North Perry St.
Perry St., N. (St. Rt. 108) at Clinton St.	This three (3) phase signal controls a four-way intersection which is actuated by timed sequencing.
Clinton St. (St. Rt. 108) at Scott St. and Woodlawn Ave.	This four (4) phase signal controls a five-way intersection actuated by loop detectors.
Scott St. at Washington St.	This two (2) phase signal is actuated by timed sequencing to cycle through the intersection.
Scott St. (St. Rt. 108) at Lagrange St.	This three (3) phase signal controls a four (4) way intersection actuated by loop detectors. Signal generally “stands on green” for North Scott St.
Scott St. (St. Rt. 108) at Southern Entrance to Heritage Plaza	This three (3) phase signal controls a four (4) way intersection actuated by loop detectors. Signal generally “stands on green” for through traffic on North Scott St.
Woodlawn Ave. at Clairmont Ave.	This two (2) phase signal generally “stands on green” for Woodlawn Ave. The Clairmont Ave. signal is actuated by loop detectors.
Industrial Drive at Independence Drive	This two (2) phase signal is actuated by timed sequencing to cycle through the intersection.
Industrial Drive at Ramps “A” and “D”	This three (3) phase signal controls a 3-way intersection at Ramps “A” and “D” of the Industrial Drive Interchange. Loop detectors are provided on Ramp “A” for both left and right-through lanes. The signal generally “stands on green” for through traffic on Industrial Drive.

## (e) Alleys:

All alleys shall be considered the yield street at all crossings with streets.

(Ord. 034-20. Passed 8-3-20.)

### **TITLE THREE - Utilities**

Chap. 925. Waste Collection.  
 Chap. 931. Water and Sewer Service.  
 Chap. 939. Electric Rates.

### **CHAPTER 925 Waste Collection**

<b>925.01</b>	<b>Definitions.</b>	<b>925.16</b>	<b>Purchase of tags and utility payments.</b>
<b>925.02</b>	<b>Public utility.</b>	<b>925.17</b>	<b>Charge for special sanitation services.</b>
<b>925.03</b>	<b>Disposal required.</b>	<b>925.18</b>	<b>Disposal regulations and extraordinary fees during City's seasonal pickup programs.</b>
<b>925.04</b>	<b>Sanitation Department collection service.</b>	<b>925.19</b>	<b>Charges for specially requested pickup services.</b>
<b>925.05</b>	<b>Dumping and burning.</b>	<b>925.20</b>	<b>Establishment of yard waste management program.</b>
<b>925.06</b>	<b>Residential collection service mandatory, exceptions.</b>	<b>925.21</b>	<b>Separation of yard waste.</b>
<b>925.07</b>	<b>Bags and tags.</b>	<b>925.22</b>	<b>Prohibition against placing yard waste for collection.</b>
<b>925.08</b>	<b>Placement of containers.</b>	<b>925.23</b>	<b>Prohibition against placing hazardous or infectious waste for collection.</b>
<b>925.09</b>	<b>Miscellaneous refuse and rubbish.</b>	<b>925.24</b>	<b>Prohibition against unauthorized use of the City Yard Waste Site.</b>
<b>925.10</b>	<b>Licensed commercial collections.</b>	<b>925.99</b>	<b>Penalty.</b>
<b>925.11</b>	<b>Private haulers.</b>		
<b>925.12</b>	<b>Route-schedules.</b>		
<b>925.13</b>	<b>Rates.</b>		
<b>925.14</b>	<b>Rules and regulations.</b>		
<b>925.15</b>	<b>Unauthorized removal of garbage or refuse.</b>		

### **CROSS REFERENCES**

Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01  
 Employment of scavengers - see Ohio R.C. 3707.39  
 Disposal and transportation upon public ways - see Ohio R.C. 3767.20 et seq.  
 Vehicle loads dropping, sifting, leaking - see TRAF. 339.08  
 Littering - see GEN. OFF. 521.08  
 Contracts with county garbage and rubbish disposal districts -  
     see Ohio R.C. 343.08  
 Waste dumped at landfill only - see GEN. OFF. 521.06

**925.23 PROHIBITION AGAINST PLACING HAZARDOUS OR INFECTIOUS WASTE FOR COLLECTION.**

It shall be a violation of this chapter for any person to place hazardous or infectious waste for collection, removal or disposal by the City's Sanitation Department. (Ord. 28-95. Passed 4-3-95.)

**925.24 PROHIBITION AGAINST UNAUTHORIZED USE OF THE CITY YARD WASTE SITE.**

(a) No person or business entity with a physical address, street address, residential address, or business address outside the corporate limits of the City of Napoleon, Ohio, shall utilize or in any way make use of the City of Napoleon Yard Waste Site without prior written approval by the City Manager.

(b) The lack of notice of restricted access, posted or otherwise, is not a defense to this section. (Ord. 062-18. Passed 12-3-18.)

**925.99 PENALTY.**

(a) Whoever violates any provision of this chapter, or any rule or regulation pursuant thereto, where no specific penalty is attached, shall be deemed guilty of a minor misdemeanor and shall be fined not more than \$150.00. Any violation shall constitute a separate offense on each successive day continued. The fact that garbage, refuse, rubbish, yard waste or other waste matter, herein mentioned or not, remains on any residential establishment in the City in violation of this chapter shall be prima facie evidence that the householder of such establishment is responsible for the occurring violation. In addition to the penalties above described for this chapter, the offender may be assessed the cost of any cleanup.

(b) Any person who violates or neglects to comply with any provision of this chapter, or any rule or regulation pursuant thereto, upon commission of the first offense in any twelve-month period, in lieu of filing criminal charges, may be issued a warning by the crew of the City Sanitation Department in the form of an information tag, the form and content of which shall be prepared by the City Manager or his designee, to be issued in person or affixed to the waste, or to its container or to entrance of the dwelling or other structure on the premises upon which the waste or its container is found, and such waste shall not be collected, removed, or disposed of by the City's Sanitation Department. (Ord. 28-95. Passed 4-3-95.)

(c) Any person who violates Section 925.05 is deemed guilty of a misdemeanor of the 4th degree, punishable by a fine not to exceed \$250.00 and/or a period of imprisonment not to exceed 30 days.

(d) The City, its officials, boards or employees failing to carry out any directory function imposed upon the same by this chapter shall not be punishable as a crime under this section. (Ord. 28-95. Passed 4-3-95.)

## CHAPTER 939 Electric Rates

<b>939.01</b>	<b>Authority to establish electric regulations and rates.</b>	<b>939.04</b>	<b>Ecosmart Choice Program.</b>
<b>939.02</b>	<b>Rates.</b>	<b>939.05</b>	<b>Net metering.</b>
<b>939.03</b>	<b>Energy Reduction Program.</b>		

### CROSS REFERENCES

Power to establish electric light and power rates -  
see Ohio R.C. 715.03, 715.06

Power to furnish light power and heat -  
see Ohio R.C. 715.06, 717.01

Power to erect electric works - see Ohio R.C. 743.34

### **939.01 AUTHORITY TO ESTABLISH ELECTRIC REGULATIONS AND RATES.**

(a) The Board of Public Affairs of the City shall advise and recommend electric rates and City of Napoleon rules, terms, and conditions governing the sale of electrical service and use of the electric system of the City, subject to enactment by ordinance or resolution of Council. Nothing in this section shall be construed to limit Council's authority to establish, adjust or amend electric rates and amend City of Napoleon rules, terms and conditions governing the sale of electrical service and use of the electrical system in a manner that may be inconsistent with the advice and recommendation of the Board.

(b) The Board shall review monthly, or at times otherwise directed by Council, the PCF rates as it pertains to the City and report its findings to Council.

(c) Except as otherwise provided by law, the rates and rules, terms and conditions governing the sale of electricity by the City, and use of its electrical system established and approved by legislation of Council, shall regulate the use and sale of electricity when furnished by the City, and use of its electrical system when used in the City, unless a separate contract prevails. (Ord. 88-99. Passed 11-15-99.)

"Kilowatt-hour (kWh)". Means the basic unit of electric energy equal to one (1) kilowatt of Power Supplied to or Taken from an Electric Circuit Steadily for One (1) Hour.

"Power Supply Charges". Means charges that are designed to Recover costs associated with the acquisition and/or Purchase of power and energy required to meet the City's power supply requirements, including costs associated with Delivering that power and energy to the city's electric system.

"Power Supply Costs". Means all costs associated with the acquisition and/or purchase of power and energy required to meet the City's power supply requirements, including costs associated with delivering that power and energy to the City's electric system.

"Transition Costs". Generally defined as the difference between purchased power costs of those sources where construction costs, market price at the time of contractual obligation, and/or other factors that may cause the fixed and/or average cost of that power to be significantly higher than average market prices. In addition, significant additional system cost assumed as a result of the offering of open access service may also be included.

(Ord. 065-14. Passed 11-17-14.)

### **939.03 ENERGY REDUCTION PROGRAM.**

The City Manager may initiate an Energy Reduction Program to users of electricity having an account classification of commercial, large power or industrial customers whereby credits shall be applied to the customer's electrical invoice, up to 1/2% per 100 KW of pre-selected and approved reduction of electricity use during a rolling 12 continuous month period basis, in return for reduction of electrical consumption by the customer at times of approach of a peaking condition, during an electrical peak condition, or when there has been declared by the City Manager an emergency electrical condition. The program shall be as established in the City's rules, terms and conditions governing sale of electrical service.

(Ord. 87-05. Passed 10-3-05.)

### **939.04 ECOSMART CHOICE PROGRAM.**

Any electric customer of the City may choose to enroll in the EcoSmart Choice Program. The EcoSmart Choice Program allows customers to offset a portion of their electricity purchases with renewable energy certificates (RECs). The customer will have an increase in electric rates of \$0.005 per kWh. The customer can have participation levels ("usage breaks") of 50% (fifty percent) and 100% (one hundred percent).

(Ord. 055-12. Passed 9-4-12.)

provision. Playing of golf shall be only during the golf season unless otherwise permitted; further, if permitted at times when the club house is closed, registration is not required. (Ord. 30-97. Passed 5-5-97.)

**955.12 PERSONS EXEMPT FROM GREENS FEES.**

(EDITOR'S NOTE: Former Section 955.12 was repealed by Ordinance 18-2003, passed March 3, 2002.)

**955.13 PLAY UPON COURSE SUBJECT TO APPROVAL OF GREENSKEEPER.**

Any play upon the course shall be subject to the approval of the greenskeeper who will determine playing conditions from the standpoint of damage to the greens and course. (1978 Code 96.19)

**955.14 RULES AND REGULATIONS.**

The following rules and regulations shall be in effect:

- (a) "a.m." is to be considered until 9:30 a.m.
- (b) Military personnel on active duty, while on authorized leave, shall play without charge, upon presentation of a proper military identification card.
- (c) Annual golf privilege cards. Annual golf privilege cards are valid from March 15 to October 31 of each year. Payment of annual golf privilege fees exempt holders from daily greens fees throughout the golf season as well as providing holders with specific golf privileges related to some special golf dates and times as may be established. (Ord. 30-97. Passed 5-5-97.)

**PARKS**

**955.15 CLOSING HOURS.**

(a) Except as herein provided, the municipal parks shall be closed between the hours of 11:00 p.m. and sunrise.

(b) No person, without privilege to do so, shall knowingly enter or remain upon any municipal park at any time a municipal park is closed.

(c) It is an affirmative defense to a charge under division (b) of this section if the person involved is engaged in an activity properly authorized by the City Manager or other City official designated by the City Manager to authorize such activity.

(d) Notwithstanding any other provision of this Code, when declared by the City Manager to be in the interest of public peace, health, or safety, the City Manager may vary the hours established in this Section 955.15 by journalizing the same with the Parks and Recreation Department and having the varied hours posted at the park. (Ord. 040-08. Passed 5-19-08.)

**MUNICIPAL SWIMMING POOL**

**955.16 SWIMMING POOL ADMISSION.**

For the purpose of Section 955.16 of the City of Napoleon Codified Ordinances only, Resident shall be defined as an individual or family residing in the City of Napoleon Corporation limits, not the definition listed in Section 955.02, stating "Resident" means a person living in the corporate limits of the City or a payer of City income tax. (For the purpose of this definition, a payer of City income tax will mean one who currently pays the full established rate of City income



tax or paid the full established rate of City income tax within the preceding twelve-month period (unless the payer was exempted due to an alternate City tax policy of the City); one living within the corporate limits will mean one who has the City as his or her place of domicile; further, when a child is a participant, the consideration of being a resident or non-resident shall be determined by the status of the parent or legal guardian of the participant that pays any applicable participation or activity fee.

(a) The annual swim admission card for the Municipal Swimming Pool shall be as follows:

- (1) Family (up to five (5) members annual swim admission card fee:  
 Resident: \$100.00  
 Nonresident: \$200.00
- (2) Additional family members annual swim admission card fee:  
 Resident: \$10.00  
 Nonresident: \$30.00
- (3) Adult individual annual swim admission card fee:  
 Resident: \$60.00  
 Non-resident: \$100.00
- (4) Child individual annual swim admission card:  
 Resident: \$50.00  
 Non-resident: \$85.00
- (5) Senior citizen annual swim admission card fee:  
 Resident: \$50.00  
 Non-resident: \$75.00
- (6) Chief Care Provider annual swim admission card fee:  
 Resident: \$50.00  
 Nonresident: \$60.00

(b) The daily swim admission fee for the Municipal Swimming Pool shall be as follows:

- (1) Resident - \$3.00  
 Non-resident - \$5.00

Children aged three years old and younger:

Resident - free

Non-resident - free

Ten (10) visit pass for children:

Resident - \$27.00

Non-resident (\$45.00

- (2) Daily admission fee for adults:

Resident - \$4.00

Non-resident - \$6.00

Ten (10) visit pass for adults:

Resident - \$36.00

Non-resident - \$54.00

Daily admission fee for senior citizens (aged 65 and older):

Resident - \$3.00  
Non-resident - \$5.00

Ten (10) visit pass for senior citizens:

Residents - \$27.00  
Non-residents - \$45.00

(c) The Director of Parks, Recreation and Cemeteries is authorized to establish up to six special pool events per season on which a reduced daily recreation admission fee could be offered on a per person or per family basis.

(d) Annual swim admission cards are seasonal and are valid in the summer season of each year during hours as determined by the Parks and Recreation Department.

(e) Pool facility exclusive use rental under terms and conditions and times as authorized by the Parks and Recreation Director (subject to specific approval and terms as set by the Parks and Recreation Director; additionally, Parks and Recreation Director reserves the right to deny rental for any reason):

- (1) Saturday or Sunday evening from 6-9 p.m.  
Resident - \$250.00  
Non-resident - \$400.00
- (2) All day Friday, Saturday, and Sunday:  
Resident - \$750.00  
Non-resident - not available

(f) Nothing in this section shall be construed as to limit City Council's authority to adjust daily, weekly, monthly or annual rates.

(g) In order to provide an opportunity for area employers to offer healthy recreational activities for their employees and families, a Corporate Membership rate shall be created per the following:

- (1) The Corporate Membership will be available for eligible employees, and up to four (4) additional immediate family members. (Immediate family members for this section area defined as spouse and children living in the same household.)
- (2) The Corporate Membership will be available to companies located within the Napoleon Corporation limits, and only to employees that work at locations within the Napoleon Corporation limits.
- (3) The Corporate Membership will be available for eligible employees of a company that has purchased a Corporate Membership; the company shall provide a list of eligible employees prior to the start of the pool season. The Corporate membership must be paid in full before the usage is permitted.
- (4) Employees must display a valid membership badge issued by the City of Napoleon to verify eligibility and admission.

- (5) Family members of employees are not included as part of the corporate membership privileges, unless eligible as defined in subsection (g)(1) of the Ordinance.
- (6) Corporate memberships are valid from Municipal Day (or on the first day of pool opening) through Labor Day for pool closing) of each season.
- (7) The following table establishes the fees for a Corporate Membership to the employer, based on number of employees.

Number of Employees	Annual Fee
25 and under	\$2,000.00
26-50	\$3,500.00
51-100	\$5,000.00
101-150	\$7,500.00
Over 150	\$10,000

(Ord. 054-20. Passed 12-7-20.)

#### **955.17 DAILY RATES.**

(EDITOR'S NOTE: See Section 955.16.)

#### **955.18 OPENING AND CLOSING OF MUNICIPAL SWIMMING POOL.**

(a) Except as provided in divisions (c) and (d) of this section or except in case of an accident, emergency or disaster, the Municipal Swimming Pool, hereinafter called the Swimming Pool, in the City shall be kept open at all times during regular hours in the summer season, normally being Memorial Day weekend through Labor Day, if the air temperature at the Swimming Pool is 73°F or higher, and the Swimming Pool Manager is directed to so keep the Swimming Pool open.

(b) In the event the air temperature at the Swimming Pool at any time during regular hours in the summer season is less than 73°F, the Swimming Pool Manager is authorized to close the Swimming Pool for the duration of that day.

(c) In the event the weather conditions at the Swimming Pool become dangerous or threatening at any time during regular hours in the summer season, the Swimming Pool Manager is authorized to close the Swimming Pool for the duration of that day as he/she determines prudent in the exercise of his/her best judgment.

(d) The City has the right to close the Swimming Pool at anytime during the season for special events or other cause deemed appropriate by the Parks and Recreation Department.  
(Ord. 30-97. Passed 5-5-97.)

**955.19 RECREATION PROGRAM PARTICIPATION FEES.**

(a) Rates (per participant):

	(Rates)	
Activity	Resident	Nonresident
Tee Ball	\$20	\$30
Youth Little League	\$20	\$30
Junior Little League	\$20	\$30
Henry Co. Bank Lge. Softball	\$20	\$30
Rookie League Softball	\$20	\$30
Minor League Softball	\$20	\$30

Major League Softball	\$20	\$30
Little Cats Basketball	\$20	\$30
Wild Kittens Basketball	\$20	\$30
Kiddy Cats Basketball	\$20	\$30
Flag Football	\$20	\$30

	(Rates)	
Activity	Resident	Nonresident
Intramural Basketball	\$20	\$30
Tennis Lessons/League	\$20	\$30
Soccer	\$20	\$30
Safety City	\$10	\$15
Outdoor Education Program (per activity)	\$5	\$5

(Ord. 021-15. Passed 4-6-15.)

(b) Reduced Recreation Program User Fee Policy: The City of Napoleon Parks and Recreation Department, as part of its continued goal of offering recreation programming to all of its residents, has made available the following reduced Recreation Program policy for those families that need financial assistance:

Eligibility: Reduced fees or “grants” are allowable for City operated youth recreation programs only.

- (1) Grants shall be considered based on an individual(s) participation in the Napoleon Area Schools District Free and Reduced Lunch Program.
    - A. Verification of enrollment in the program will be through the assistance of Napoleon Area Schools.
    - B. Authorization must be given by applicant for the Napoleon Area Schools to release free/reduced lunch program information to the City of Napoleon. Consideration for grants will not be given if authorization is not received.
    - C. Application for grants shall be submitted at the City of Napoleon offices at the time of program registration.
    - D. All requests for grants must be submitted on the appropriate application form.
    - E. Each application shall be considered individually. Completion of the application does not automatically ensure approval of fee reduction.
    - F. Applicants shall be notified of their status prior to the start of the program.
  - (2) If application is approved, families (parents or guardians) who have been approved for the grant shall be required to pay 25% of the current Recreation Program rate if they are enrolled in the Free Lunch Program. Families shall be required to pay 50% of the current Recreation Program rate if they are enrolled in the Reduced Lunch Program. The appropriate fee must be paid to the City prior to the start of the program.
    - A. Failure to pay will disqualify the applicant for participation of the Reduced Program Fee Program. Participation in the Recreation Program is still allowed at the regular program rate.
    - B. Only two (2) Reduced Fee grants shall be awarded per person, per year.
    - C. If a grant recipient cancels his/her participation in the Recreation Program without a bona fide reason (injury, illness, etc.) the grant may not be transferred to another program or activity in that year. That individual will not be permitted to any subsequent application requests during that year. This shall be determined solely by the Parks and Recreation Director.
  - (3) Recreation Program registration form must still be completed.
  - (4) Online registration is not available for the Reduced Fee Program.
  - (5) Additional costs not associated with the City’s Recreation Program participation fee may still apply (supplies, equipment, etc.)
- (Ord. 002-13. Passed 2-4-13.)

**955.20 DOG PARK FEES.**

The annual membership fee for the Dog Park is ten dollars (\$10.00) which includes the key fob, on the condition that the person submits a completed application and all pet vaccination documentation as required or listed in the park rules. The City reserves the right to terminate the membership, key fob access, and/or deny any person or animal access for any reason.  
(Ord. 045-15. Passed 8-3-15.)

**955.21 PRIVATE BOAT DOCK STORAGE FEE AT RITTER PARK.**

The annual fee for the storage of private boat docks at the Ritter Park boat ramp area parking lot is \$50.00 per dock. Each stored dock must have a valid permit tag issued annually by the City of Napoleon. Any person utilizing this dock storage space at Ritter Park must abide by all other rules and regulations as issued by the City of Napoleon Parks and Recreation Department, and as may be amended from time to time.  
(Ord. 060-15. Passed 12-21-15.)

**955.99 PENALTY.**

Whoever violates any provision of this chapter where no other penalty is provided is guilty of a minor misdemeanor. (A.O.)

Whoever violates Section 955.15(b) is deemed guilty of a misdemeanor of the 4th degree.  
(Ord. 142-96. Passed 12-16-96.)

## ORDINANCE NO. 085-20

### AN ORDINANCE AMENDING SECTION 931.09 INCREASING SANITARY SEWER RATES FOR THE YEARS 2021, 2022, 2023 AND 2024; AND DECLARING AN EMERGENCY

**WHEREAS**, the Board of Public Affairs and the Water and Sewer Committee met in a regular meeting held on December 14, 2020, reviewed the existing sanitary sewer rates and determined a rate increase over a four (4) year period effective ~~January 1, 2021~~ the first reading in February 2021 for the year 2021, and effective the first reading in January for years 2022, 2023, and 2024, is necessary in order to keep the sanitary sewer fund sound; and,

**WHEREAS**, the City Council of Napoleon in a regular meeting held on December 21, 2021 reviewed the existing water rates and determined a rate increase over a four (4) year period for the years 2021, 2022, 2023, and 2024 is necessary in order to keep the water utility fund sound; and,

**WHEREAS**, the Council for the City of Napoleon now desires to increase sewer rates for the years 2021, 2022, 2023 and 2024; **Now Therefore**,

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

Section 1. That, Section 931.09 of the Codified Ordinances of the City of Napoleon, Ohio, shall be amended and enacted as follows:

#### **“931.09 SANITARY SEWER RATES FOR INSIDE AND OUTSIDE CORPORATION LIMITS.**

The sanitary sewer rates charged by the City shall be as follows, except as may otherwise be permitted by rule:

(a) It is determined and declared to be necessary to the protection of the public health, safety, welfare, and convenience of the City to establish and collect charges upon all lots, lands, and premises which are served by the municipal sanitary sewer system of the City.

(b) The following measures shall be used to determine the sewer charges provided to a premises served by the City sanitary sewer system:

(1) Any premises using water exclusively supplied by the City and having a water meter acceptable to the City shall be measured by said meter for determining the sanitary sewer charge for the premises.

(2) Any owner or other interested party of a premises using water supplied either in whole or in part from sources other than the waterworks system of the City may be required to install water meters satisfactory to the City to the extent necessary to measure all such supplies of water. The quantity of water consumed on said premises shall be deemed to be the aggregate amount disclosed by said meter for the purpose of determining the sanitary sewer charge for the premises.

(3) In the event it can be shown to the satisfaction of the City that a portion of the water from any source consumed on said premises does not and cannot enter the City sanitary sewer system, then in such case the owner or other interested party may, at the owner's or interested party's expense, install and maintain separate metering devices, subject to inspection and testing by the City, to the extent necessary to demonstrate to the

satisfaction of the City that only a portion of the water consumed on the premises is being discharged into the City sanitary sewer system, which portion shall constitute the basis for measuring the sanitary sewer charge for said premises. In the event that such metering devices are impractical, then other reliable evidence produced by the owner or other interested party may be considered by the City Manager, in the City Manager's sole discretion, in adjusting sewer charges.

(4) Effective with the ~~billing cycle~~ readings in ~~January~~ February of the year ~~2019~~ 2021, to be reflected in the first billing in ~~February~~ March of the year ~~2019~~ 2021, the following rate structure related to sanitary sewer charges shall be charged as follows, except as may otherwise be permitted by rule:

Wastewater (Sanitary Sewer) Service Charge:

Capacity Charge (Base Charge):

Charges per Month	Residential	Commercial or Industrial
Inside Corporation Limits	\$35.19	\$35.19
Outside Corporation Limits	\$70.59	\$70.59

Commodity Charge: (To be charged in addition to the Capacity Charge)

Commodity Charge/100cf	Residential	Commercial or Industrial
Inside Corporation Limits	<del>\$6.14</del> \$6.48	<del>\$6.14</del> \$6.48
Outside Corporation Limits	<del>\$12.28</del> \$12.96	<del>\$12.28</del> \$12.96

Industrial metering and monitoring charge: \$25.00 per sample

Excess Strength surcharges:

Charge per pound of CBOD above 200 MG/L	\$0.15
Charge per pound of SS above 250 MG/L	\$0.15
Charge per pound of phosphorus above 7 MG/L	\$0.15

CBOD = Carbonaceous Biological Oxygen Demand  
SS = Suspended Solids  
MG/L = Milligrams per Liter  
CF = Cubic Feet

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)  
Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)



(5) Effective with the reading in January of the year 2022, to be reflected in the first billing in February of the year 2022, the following rate structure related to sanitary sewer charges shall be charged as follows, except as may otherwise be permitted by rule:

Wastewater (Sanitary Sewer) Service Charge:

Capacity Charge (Base Charge):

Charges per Month	Residential	Commercial or Industrial
Inside Corporation Limits	\$35.19	\$35.19
Outside Corporation Limits	\$70.59	\$70.59

Commodity Charge: (To be charged in addition to the Capacity Charge)

Commodity Charge/100cf	Residential	Commercial or Industrial
Inside Corporation Limits	<del>\$6.48</del> \$6.83	<del>\$6.48</del> \$6.83
Outside Corporation Limits	<del>\$12.96</del> \$13.66	<del>\$12.96</del> \$13.66

Industrial metering and monitoring charge: \$25.00 per sample

Excess Strength surcharges:

Charge per pound of CBOD above 200 MG/L	\$0.15
Charge per pound of SS above 250 MG/L	\$0.15
Charge per pound of phosphorus above 7 MG/L	\$0.15

CBOD = Carbonaceous Biological Oxygen Demand

SS = Suspended Solids

MG/L = Milligrams per Liter

CF = Cubic Feet

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

(6) Effective with the reading in January of the year 2023, to be reflected in the first billing in February of the year 2023, the following rate structure related to sanitary sewer charges shall be charged as follows, except as may otherwise be permitted by rule:

Wastewater (Sanitary Sewer) Service Charge:

Capacity Charge (Base Charge):

Charges per Month	Residential	Commercial or Industrial
Inside Corporation Limits	\$35.19	\$35.19
Outside Corporation Limits	\$70.59	\$70.59

Commodity Charge: (To be charged in addition to the Capacity Charge)

Commodity Charge/100cf	Residential	Commercial or Industrial
Inside Corporation Limits	<del>\$6.83</del> \$7.19	<del>\$6.83</del> \$7.19
Outside Corporation Limits	<del>\$13.66</del> \$14.37	<del>\$13.66</del> \$14.37

Industrial metering and monitoring charge: \$25.00 per sample

Excess Strength surcharges:

Charge per pound of CBOD above 200 MG/L	\$0.15
Charge per pound of SS above 250 MG/L	\$0.15
Charge per pound of phosphorus above 7 MG/L	\$0.15

CBOD = Carbonaceous Biological Oxygen Demand

SS = Suspended Solids

MG/L = Milligrams per Liter

CF = Cubic Feet

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

(7) Effective with the reading in January of the year 2024, to be reflected in the first billing in February of the year 2024, the following rate structure related to sanitary sewer charges shall be charged as follows, except as may otherwise be permitted by rule:

Wastewater (Sanitary Sewer) Service Charge:

Capacity Charge (Base Charge):

Charges per Month	Residential	Commercial or Industrial
Inside Corporation Limits	\$35.19	\$35.19
Outside Corporation Limits	\$70.59	\$70.59

Commodity Charge: (To be charged in addition to the Capacity Charge)

Commodity Charge/100cf	Residential	Commercial or Industrial
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Inside Corporation Limits	<del>\$7.19</del> \$7.56	<del>\$7.19</del> \$7.56
Outside Corporation Limits	<del>\$14.37</del> \$15.11	<del>\$14.37</del> \$15.11

Industrial metering and monitoring charge: \$25.00 per sample

Excess Strength surcharges:

Charge per pound of CBOD above 200 MG/L	\$0.15
Charge per pound of SS above 250 MG/L	\$0.15
Charge per pound of phosphorus above 7 MG/L	\$0.15

CBOD = Carbonaceous Biological Oxygen Demand  
SS = Suspended Solids  
MG/L = Milligrams per Liter  
CF = Cubic Feet

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

Overflow Abatement Charge pursuant to Section 931.12 and sewer lateral charge pursuant to Section 931.13: (To be charged in addition to the Capacity and Commodity Charge)

(c) Disposal of Domestic Septage.

(1) Domestic septage accepted. The City accepts hauled domestic septage from approved hauling companies for disposal at the City's Wastewater Treatment Plant or other place as may be designated by the City's Wastewater Superintendent. The City's Wastewater Superintendent shall determine what constitutes an "approved hauling company". As used in this Ordinance, septage is considered waste collected from septic tanks in place for domestic type use. It contains partially treated household waste disposed through a homes plumbing system or other similar type waste commonly disposed in toilets, sinks, and showers.

(2) Company information required. Companies wishing to haul septage to the City's disposal site must apply to the City's Wastewater Superintendent and provide:

- A. Company contact and ownership information;
- B. Information about the types and capacities of the trucks used to haul septage;
- C. Information about the source and characteristics of the septage to be hauled; and,
- D. Approximate daily/weekly/monthly volumes which are planned to be hauled.

(3) Internal Policy Compliance. All hauled septage accepted at the City's dumping site must comply with any internal policies as may be established by the City's Wastewater Superintendent.

(4) Testing. Testing of the septage may be required prior to the disposal to ensure compliance with the internal policies.

(5) Waste manifest. A manifest document as provided by the Henry County, Ohio, Health Department, or other approved manifest as approved by the City's Wastewater Superintendent, is required for each load, prior to disposal. The City

Wastewater Superintendent or designee may request to review this septage manifest document and/or inspect and test the load to confirm that the material being delivered can be accepted.

(6) Prior disposal arrangements. The City's Wastewater Treatment Plant or other designated facility must be contacted prior to each disposal so that arrangements can be made to access the facility.

(7) Rates. The rate for dumping septage shall be six cents (\$0.06) per gallon."

Section 2. That, Section 931.09 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed.

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

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

Section 5. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper processing of rates, 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. 085-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & 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*

**ORDINANCE NO. 086-20**

**AN ORDINANCE AMENDING SECTION 931.07 INCREASING THE WATER RATES FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND WHOLE CUSTOMERS FOR THE YEARS 2021, 2022, 2023 AND 2024; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Board of Public Affairs and the Water, Sewer, Refuse, Recycling and Litter Committee in a regular meeting held on December 14, 2020, reviewed the existing water rates and determined a commodity charge rate increase over a four (4) year period for the years 2021, 2022, 2023, and 2024 is necessary in order to keep the water utility fund sound; and,

**WHEREAS**, the City Council of Napoleon in a regular meeting held on December 21, 2021 reviewed the existing water rates and determined a commodity charge rate increase over a four (4) year period for the years 2021, 2022, 2023, and 2024 is necessary in order to keep the water utility fund sound; and,

**WHEREAS**, the Council for the City of Napoleon now desires to increase commodity charge rates for the years 2021, 2022, 2023 and 2024; **Now Therefore**,

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

Section 1. That, Section 931.07 of the Codified Ordinances of the City of Napoleon, Ohio, shall be amended and enacted as follows:

“931.07 WATER RATES.

The water rates charged by the City shall be as follows except as may otherwise be permitted by rule:

- (a) A City approved water meter shall be utilized for determining use of water.
- (b) The following rates are established and shall be charged to all classes of water users, until otherwise changed.

- (1) Effective with the first ~~billing cycle~~ readings in ~~Feburary~~ in the year ~~2016~~ 2021, to be reflected in the first billing in ~~February~~ March of the year ~~2016~~ 2021, except for direct sales as established in subsection (b)(5)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(6) hereof. The commodity charge shall be computed as follows:

A. Units of water used inside the corporation:

Units: 1 up to 10 = ~~\$7.38~~ \$7.90 each unit, then

Units: 11 up to 250 = ~~\$7.02~~ \$7.51 each unit, then

Units: Over 250 = ~~\$5.32~~ \$5.69 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

B. Units of water used outside the corporation:\*

Units: 1 up to 10 = ~~\$11.07~~ \$11.84 each unit, then

Units: 11 up to 250 = ~~\$10.53~~ \$11.27 each unit, then

Units: Over 250 = ~~\$7.98~~ \$8.54 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

C. Direct sales at the plant: \$8.18 per 1,000 gallons.

(2) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity Of Service (Meter size in Inches)	Capacity Charge (Inside Corporation)	Capacity Charge (Outside Corporation)*
A. 1.00 And Less	<del>\$11.07</del> \$11.84	<del>\$16.60</del> \$17.76
B. 1.25	<del>39.72</del> 42.50	<del>59.58</del> 63.75
C. 1.50	<del>62.93</del> 67.34	<del>94.41</del> 101.02
D. 2.00	<del>128.01</del> 136.97	<del>192.02</del> 205.46
E. 3.00 AND UP	<del>353.14</del> 377.86	<del>529.68</del> 566.76
F. 4.00	<del>600.00</del> 642.00	<del>900.00</del> 963.00
G. 6.00	<del>1,000.00</del> 1,070.00	<del>1,500.00</del> 1,605.00
H. 8.00	<del>1,500.00</del> 1,605.00	<del>2,250.00</del> 2,407.50
I. 10.00 AND UP	<del>2,000.00</del> 2,140.00	<del>3,000.00</del> 3,210.00

(3) Effective with the first ~~billing cycle~~ reading in January of the year ~~2017~~ 2022, to be reflected in the first billing in February of the year ~~2017~~ 2022, except for direct sales as established in subsection (b)(7)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in subsection (b)(8) hereof. The commodity charge shall be computed as follows:

- A. Units of water used inside the corporation:  
Units: 1 up to 10 = ~~\$7.90~~ \$8.45 each unit, then  
Units: 11 up to 250 = ~~\$7.51~~ \$8.04 each unit, then  
Units: Over 250 = ~~\$5.69~~ \$6.09 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- B. Units of water used outside the corporation: \*  
Units: 1 up to 10 = ~~\$11.84~~ \$12.67 each unit, then  
Units: 11 up to 250 = ~~\$11.27~~ \$12.06 each unit, then  
Units: Over 250 = ~~\$8.54~~ \$9.14 each unit.

Note: One Unit of Water is defined as 100 cubic feet.

- C. Direct sales at the plant: \$8.18 per 1,000 gallons.

(4) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	<del>\$11.84</del> \$12.67	<del>\$17.76</del> \$19.01
B. 1.25	<del>42.50</del> 45.48	<del>63.75</del> 68.21
C. 1.50	<del>67.34</del> 72.05	<del>101.02</del> 108.09
D. 2.00	<del>136.97</del> 146.56	<del>205.46</del> 219.84

E. 3.00 AND UP	<del>377.86</del> 404.31	<del>566.76</del> 606.43
F. 4.00	<del>642.00</del> 686.94	<del>963.00</del> 1,030.41
G. 6.00	<del>1,070.00</del> 1,144.90	<del>1,605.00</del> 1,717.35
H. 8.00	<del>1,605.00</del> 1,717.35	<del>2,407.50</del> 2,576.03
I. 10.00 AND UP	<del>2,140.00</del> 2,289.80	<del>3,210.00</del> 3,434.70

- (5) Effective with the first ~~billing cycle~~ reading in January of the year ~~2018~~ 2023 to be reflected in the first billing in February of the year ~~2018~~ 2023, except for the direct sales as established in Subsection (b)(5)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in Subsection (b)(6) hereof. The commodity charge shall be computed as follows:

A. Units of water used inside the Corporation:

Units: 1 up to 10 = ~~\$8.45~~ \$9.04 each unit, then

Units: 11 up to 250 = ~~\$8.04~~ \$8.60 each unit, then

Units: over 250 = ~~\$6.09~~ \$6.52 each unit.

Note: one unit of water is defined as 100 cubic feet.

B. Units of water used outside the Corporation:\*

Units: 1 up to 10 = ~~\$12.67~~ \$13.56 each unit, then

Units: 11 up to 250 = ~~\$12.06~~ \$12.90 each unit, then

Units: over 250 = ~~\$9.14~~ \$9.78 each unit.

Note: one unit of water is defined as 100 cubic feet.

C. Direct sales at the plant: \$8.18 per 1,000 gallons.

- (6) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside Corporation)	Capacity Charge (Outside Corporation)*
A. 1.00 and less	<del>\$12.67</del> \$13.56	<del>\$19.01</del> 20.34
B. 1.25	<del>45.48</del> 48.66	<del>68.21</del> 72.99
C. 1.50	<del>72.05</del> 77.09	<del>108.09</del> 115.66
D. 2.00	<del>146.56</del> 156.82	<del>219.84</del> 235.23
E. 3.00 and up	<del>404.31</del> 432.61	<del>606.43</del> 648.88
F. 4.00	<del>686.94</del> 735.03	<del>1,030.41</del> 1,102.54
G. 6.00	<del>1,144.90</del> 1,225.04	<del>1,717.35</del> 1,837.56
H. 8.00	<del>1,717.35</del> 1,837.56	<del>2,576.03</del> 2,756.35
I. 10.00 and up	<del>2,289.80</del> 2,450.09	<del>3,434.70</del> 3,675.13

- (7) Effective with the first ~~billing cycle~~ reading in January of the year ~~2019~~ 2024 to be reflected in the first billing in February of the year ~~2019~~ 2024, except for the direct sales as established in Subsection (b)(5)C hereof, the net rate per month per service shall be the sum of the commodity charge plus the capacity charge set forth in Subsection (b)(6) hereof. The commodity charge shall be computed as follows:

A. Units of water used inside the Corporation:

Units: 1 up to 10 = ~~\$9.04~~ \$9.67 each unit, then

Units: 11 up to 250 = ~~\$8.60~~ \$9.20 each unit, then



Units: over 250 = ~~\$6.52~~ \$6.97 each unit.

Note: one unit of water is defined as 100 cubic feet.

B. Units of water used outside the Corporation:\*

Units: 1 up to 10 = ~~\$13.56~~ \$14.51 each unit, then

Units: 11 up to 250 = ~~\$12.90~~ \$13.80 each unit, then

Units: over 250 = ~~\$9.78~~ \$10.46 each unit.

Note: one unit of water is defined as 100 cubic feet.

C. Direct sales at the plant: \$8.18 per 1,000 gallons.

(8) In addition, there shall be a capacity charge (base charge) per service as follows:

Capacity of Service (Meter size in inches)	Capacity Charge (Inside corporation)	Capacity Charge (Outside corporation)*
A. 1.00 and less	<del>\$13.56</del> \$14.51	<del>\$20.34</del> \$21.76
B. 1.25	<del>48.66</del> 52.06	<del>72.99</del> 78.10
C. 1.50	<del>77.09</del> 82.49	<del>115.66</del> 123.75
D. 2.00	<del>156.82</del> 167.79	<del>235.23</del> 251.70
E. 3.00 and up	<del>432.61</del> 462.89	<del>648.88</del> 694.30
F. 4.00	<del>735.03</del> 786.48	<del>1,102.54</del> 1,179.72
G. 6.00	<del>1,225.04</del> 1,310.80	<del>1,837.56</del> 1,966.19
H. 8.00	<del>1,837.56</del> 1,966.19	<del>2,756.35</del> 2,949.29
i. 10.00 AND UP	<del>2,450.09</del> 2,621.59	<del>3,675.13</del> 3,932.39

(c) The capacity of service shall be determined by the City and, normally, shall be equal to the size of the consumer's water meter.

\*Except for bulk sales direct from the Water Plant, both capacity and commodity water charges outside the City are charged at approximately fifty percent (50%) higher than in the City, unless otherwise modified by rule or terms of a contract. Nothing in this section shall be construed to prohibit the City from increasing or decreasing the percentage stated in a contract where not otherwise prohibited by law.

(d) No deduction in capacity charge (from the beginning of time) is applicable as it relates to governmental buildings, schools, and charitable institutions.

(e) Water testing fees shall be as follows:

- (1) Testing bacteria mmo/mugg /Smp \$20.00
- (2) Calibrate chlorine meters /Mtr \$30.00
- (3) Testing for special samples /Smp \$40.00
- (4) Weekend testing for any sample /Smp \$100.00

Section 2. That, Section 931.07 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal

requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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

Section 5. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper processing of rates, 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. 086-20 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_ day of \_\_\_\_\_, 2021; & 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. 081-10**

### **A RESOLUTION ESTABLISHING AND/OR ADJUSTING THE COMPENSATION OF FUTURE COUNCIL MEMBERS AND THE MAYOR OF THE CITY OF NAPOLEON, OHIO**

**WHEREAS**, it is the intent of this Council to adjust the salaries of future Council persons and Mayor commencing with the year 2012 term of office; however, to be accomplished in a manner not to be construed as barring future Council's from making further adjustments as it deems necessary relating to increases or decreases in compensation or benefits; and,

**WHEREAS**, it is the intent of this Council to lower the automatic increases for the City's Council Members and Mayor as was previously established pursuant to Ordinance No. 161-96. Now therefore,

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

Section 1. That, commencing January 1, 2012, being the first day of the new term of office for Council Members in and for the City of Napoleon, Ohio, each person so elected for the new term shall receive an annual salary of \$4,663.26, with an automatic one and one-half (1 ½%) percent annual increase, said salary to be paid in equal amounts on a monthly basis. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office for the position of Council Member until lawfully changed by Council.

Section 2. That, elected or appointed Council members of the City of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or Council members later appointed to serve an unexpired term of said elected or appointed Council members, shall continue to receive as compensation, an annual salary of \$4,438.56, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term, to be paid in equal amounts on a monthly or semi annual basis.

Section 3. That, commencing January 1, 2012, being the first day of the new term of office for Mayor of the City of Napoleon, Ohio, the Mayor so elected for the new term shall receive an annual salary of \$13,314.25, with an automatic one and one half (1 ½%) percent annual increase, to be paid in equal amounts on a monthly basis. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office as Mayor until lawfully changed by Council.

Section 4. That, the elected or appointed Mayor of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or persons later appointed to serve an unexpired term of said elected or appointed Mayor, shall continue to receive as compensation, an annual salary of \$12,672.70, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term to be paid in equal amounts on a biweekly basis.

Section 5. That, the compensation as established in this Ordinance of Council members and Mayor shall be paid pro-rata according to time served in the position.

Section 6. Persons elected or appointed to the respective office of Council or Mayor in and for the City of Napoleon, Ohio, effective with the term commencing January 1, 2012, and each term thereafter, shall be entitled, while serving, to unlimited personal use of City provided internet service upon the payment of a flat monthly fee to the City in an amount as determined by the City's Finance Director, to be one-half the average cost of service, so long as such internet service is available. Said amount shall remain consistent through the end of a term of office. The elected or appointed Council Member or Mayor shall be responsible for any tax liability.

Section 7. That, this Council, pursuant to Article X, Section 10.03(C), finds that this Ordinance is in conformance with Article II, Section 2.05; and, Article III, Section 3.03 of the Napoleon City Charter.

Section 8. That, Ordinance No. 161-96 is repealed. Repealing of said Ordinance 161-96 shall not be construed eliminating the compensation amounts for elected City officials as was established in accordance with the City Charter, as said amounts have been restated in this Ordinance.

Section 9. 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 10. 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 11. That, this Resolution shall take effect at the earliest time permitted by law.

Passed: November 15, 2010

  
Glenn A. Miller, Council President

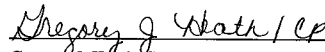
Approved: 15 NOV 10

  
J. Andrew Small, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:   
Gregory J. Heath, Clerk/Finance Director

*I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 081-10 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 20 day of November 2010; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

  
Gregory J. Heath, Clerk/Finance Director

## Section 8.02 Public Records

- (A) **Local Method of Record Retention.** Council may, by ordinance or resolution, establish a method for record retention, disclosure and destruction that may be contrary to the laws of Ohio.
- (B) **Record Exemption.** Notwithstanding any provision of the laws of Ohio, no record received, created, or maintained by the City related to any City owned or operated utility is required to be released as a public record when, disclosing such record would more likely than not provide or create a competitive disadvantage to any of the City's owned or operated utilities or be of economic value to a competitor or a person other than the City.

## ARTICLE IX

### INITIATIVE, REFERENDUM AND RECALL

#### Section 9.01 Initiative

The electors of the City shall have the same right and power to initiate or propose any legislation as is now or hereafter may be provided by the Constitution or laws of Ohio.

#### Section 9.02 Referendum

The electors of the City shall have the same right and power to approve or reject any legislation passed by Council as is now or hereafter may be provided by the Constitution or laws of Ohio.

#### Section 9.03 Removal from Office and Recall

- (A) **Power to Recall.** The electors of the City shall have the right and power to remove from office by a recall election any officer of the City holding an elective office, but only after that officer has served six (6) months of his or her term. A petition demanding the removal of an elected officer may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver a receipt to that person.

The separate parts of the petition shall be bound together and filed as one (1) document. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than two hundred (200) words of the grounds for removal. The petition shall be signed by at least that number of electors which equals twenty-five percent (25%) of the number of electors voting at the last general municipal election. Within ten (10) days after filing the petition, the Clerk of Council shall determine whether or not it meets the requirements hereof. If the Clerk of Council finds the petition insufficient, he or she promptly shall certify the particulars in which the petition is insufficient, deliver a copy of his or her certificate to the person who filed the petition, and make a record of such delivery. The person who filed the petition shall be allowed a one (1) time period of twenty (20) days after the day on which the delivery of the certificate was made to him or her to make the petition sufficient. If the Clerk of Council finds the petition sufficient, he or she promptly shall certify it to Council, deliver a copy of the petition and his or her certificate to the officer whose removal is sought, and make a record of such delivery if the officer does not resign.

all matters coming before Council, but in no case shall he or she, in his or her dual capacity as a Council member and as presiding officer of Council, cast more than one (1) vote on any matter.

- (D) **President as Acting Mayor.** If the Mayor is temporarily absent from the City, or becomes temporarily disabled by sickness, accident or for any other reason, or in case of an emergency and the Mayor is absent, or whenever authorized by the Mayor, the Council President also shall have those powers and perform those duties of the Mayor until the Mayor returns, except he or she shall have no power to veto ordinances or resolutions, to order reconsideration, or to make or remove mayoral appointments, all as provided by this Charter. The Mayor may act to make appointments or removals, in writing, or to veto ordinances or resolutions as provided for in this Charter, while he or she is temporarily disabled or temporarily absent or absent from the City. If the Mayor dies, resigns or is removed from office, or if the office of Mayor becomes vacant for any other reason, the Council President also shall serve as Acting Mayor for the unexpired term or until a successor to the Mayor is elected and qualified as provided by this Charter, but for no longer than his or her term as a Council member, except he or she shall have no power to veto ordinances or resolutions or order reconsideration as provided by this Charter.
- (E) **Temporarily Absent or Disabled Defined.** Notwithstanding any other provision in this Charter for the calculating of days, for the purpose of this Article, "Temporarily absent" or "temporarily disabled" shall not be deemed to occur until the expiration of at minimum fourteen (14) consecutive calendar days from the commencement of the disability or absence.
- (F) **Dual Capacity Compensation.** In the event the Council President serves in the dual capacity of Mayor and Council President due to the death, resignation, recall, removal or forfeiture of office of the Mayor, the Council President shall be entitled to receive the greater of the two (2) salaries established for the positions during the time of the dual service of Acting Mayor and Council President.

#### Section 2.05 Compensation

The salary of Council members shall be established by ordinance or resolution and may be changed by ordinance or resolution; however, except as otherwise provided in this Charter, no such change shall affect any Council member's salary during his or her current term of office. Any change in the salary of Council members shall be effective commencing with the terms of office of Council members elected at the next general municipal election occurring not less than twelve (12) months after the enactment of such change.

#### Section 2.06 Quorum

A majority of the current members of Council shall constitute a quorum for the transaction of business at any Council meeting, but a number less than a quorum may adjourn a meeting and compel the attendance of absent members in such manner and under such penalties as Council may provide. For the purpose of this Charter, "current members of Council" means, "those current elected or appointed members serving in office".



# CITY SALARY SURVEY

## 2019

*\*All information included in this survey is self reporting. This is not a legal document.*

175 S. Third Street, Suite 510  
Columbus, Ohio 43215  
Phone: 614/221-4349  
[www.omlohio.org](http://www.omlohio.org)



# City Salary Survey

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**Please note each section lists participating municipalities in alphabetical order.  
An asterisk(\*) denotes pay per a meeting.**

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
Akron	199110	Charter									
Alliance	22322	Statutory									
Amherst	12021	Statutory	120	69	63	1	20	\$ 56,029.00			\$ 6,887.00
Ashland	20362	Charter	240	240		37	29	\$ 89,284.00		\$ 8,328.00	
Ashtabula	19124	Charter									
Athens	23832	Statutory									
Aurora	15548	Charter	192	122	70	16	25	\$ 97,775.00			\$ 10,400.00
Avon	21193	Charter	175	140	35	35	32	\$ 142,670.00			\$ 12,500.00
Avon Lake	22581	Charter									
Barberton	26550	Charter									
Bay Village	15651	Charter	151	99	52	24	23	\$ 98,000.00			\$ 9,520.00
Beachwood	11953	Charter	509	202	307	41	42	\$ 155,000.00			\$ 15,000.00
Beavercreek	45193	Charter	140	115	25		50		\$ 6,000.00		\$ 6,000.00
Bedford	13074	Charter	365	150	215	27	35				\$ 19,971.00
Bedford Hts	10751	Charter									
Bellbrook	6943	Charter									
Bellefontaine	13370	Statutory									
Bellevue	8202	Statutory									
Belpre	6441	Statutory									
Berea	19093	Charter	308	152	156	23	30	\$ 102,000.00			\$ 11,000.00
Bexley	13057	Charter									
Blue Ash	12114	Charter	405	136	269	21	21		\$ 18,140.00		\$ 14,739.00
Bowling Green	30028	Charter	311	286	25	50	42		\$ 30,000.00		\$ 5,000.00
Brecksville	13656	Charter	312	132	180	16	33	\$ 110,000.00			\$ 16,500.00
Broadview Hts	19400	Charter									
Brook Park	19212	Charter	203	135	51	28	35	\$ 110,905.00			\$ 15,325.00
Brooklyn	11169	Charter		103	178	22	31	\$ 92,000.00			\$ 8,000.00
Brookville	5884	Charter		30	46	1	12		\$ 5,000.00		\$75.00*
Brunswick	34255	Charter									
Bryan	8545	Charter	165	140	25	8	16	\$ 56,375.00			\$250.00*
Bucyrus	12362	Statutory	121	82	39	13	21	\$ 54,636.00			\$ 6,679.00
Cambridge	10635	Statutory	136	136	48	20		\$ 71,565.00			\$ 7,250.00
Campbell	8235	Charter									
Canal Fulton	5479	Charter	92	27	65		11		\$ 9,900.00		\$ 7,200.00
Canal Winchester	7101	Charter	35	33	2			\$ 95,983.00		\$ 6,592.00	
Canfield	7515	Charter	53	28	8	12	17		\$ 6,600.00		\$ 3,000.00



								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM_GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
<b>Canton</b>	73007	Charter									
<b>Celina</b>	10400	Statutory	114	93	21	16	16		\$ 15,999.00		\$ 4,500.00
<b>Centerville 45458</b>	23999	Charter									
<b>Chardon</b>	5148	Charter	135	68	67		12		\$ 7,000.00		\$ 6,000.00
<b>Cheviot</b>	8375	Statutory									
<b>Chillicothe</b>	21901	Statutory	259	245	30	48	47		\$ 55,803.00		\$ 5,305.00
<b>Cincinnati</b>	296943	Charter	6575	5214	1361	454	692	\$ 131,399.00		\$ 65,699.00	
<b>Circleville</b>	13314	Statutory	117	97	20	15	21		\$ 40,625.00		\$ 5,899.00
<b>Clayton</b>	13209	Charter	97	47	50	10	14		\$ 7,200.00		\$ 4,800.00
<b>Cleveland</b>	396815	Charter									
<b>Cleveland Hts</b>	46121	Charter									
<b>Clyde</b>	6325	Charter	185	67	118		20		\$254.00*		\$400.00*
<b>Columbiana</b>	6384	Charter									
<b>Columbus</b>	787033	Charter									
<b>Conneaut</b>	12841	Charter									
<b>Cortland</b>	7104	Charter	6	34	30	10	10		\$ 14,400.00		\$400.00*
<b>Coshocton</b>	11216	Statutory	100	80	20	17		\$ 50,000.00			\$ 7,750.00
<b>Cuyahoga Falls</b>	49652	Charter	635	393	246	63	70	\$ 131,558.00		\$ 19,733.00	
<b>Dayton</b>	141527	Charter									
<b>Deer Park</b>	5736	Charter									
<b>Defiance</b>	16494	Charter	175	1163	25	27	29	\$ 55,630.00			\$ 6,000.00
<b>Delaware</b>	34753	Charter	360	305	55	64	54		\$ 8,760.00		\$ 8,260.00
<b>Delphos</b>	7101	Statutory	151	38	113	4	10		\$ 13,500.00		\$ 3,000.00
<b>Dover</b>	12826	Statutory	152	152	88	24	25	\$ 93,364.00			\$ 7,564.00
<b>Dublin</b>	41751	Charter	622	400	222		69	\$ 15,750.00		\$ 11,250.00	
<b>East Cleveland</b>	17843	Charter									
<b>East Liverpool</b>	11195	Charter									
<b>Eastlake</b>	18577	Statutory									
<b>Eaton</b>	8407	Charter	114	61	53	5	14				\$100.00*
<b>Elyria</b>	54533	Charter									
<b>Englewood</b>	13465	Charter	145	76	69	11	20		\$ 3,000.00		\$ 2,000.00
<b>Euclid</b>	48920	Charter									
<b>Fairborn</b>	32352	Charter									
<b>Fairfield</b>	42510	Charter									
<b>Fairlawn</b>	7437	Charter	130	86	51	16	23		\$ 65,128.00		\$ 7,920.00
<b>Fairview Park</b>	16826	Charter									

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
<b>Findlay</b>	41202	Statutory	343	316	27	64	63	\$ 75,229.00			\$ 7,398.00
<b>Forest Park</b>	18720	Charter									
<b>Fostoria</b>	13441	Charter		82	5	19	25	\$ 43,440.00		\$ 5,500.00	
<b>Franklin</b>	11771	Charter	192	78	114	7	25		\$ 8,500.00		\$ 8,000.00
<b>Fremont</b>	16734	Charter									
<b>Gahanna</b>	33248	Charter									
<b>Galion</b>	10512	Statutory	102	92	10	17	18	\$ 30,000.00			\$ 4,200.00
<b>Garfield Hts</b>	28849	Charter	274	178	96	42	40	\$ 85,000.00			\$ 15,125.00
<b>Geneva</b>	6215	Charter									
<b>Germantown</b>	5547	Charter	134	23	99	1	11		\$ 6,000.00		\$ 5,400.00
<b>Girard</b>	9958	Statutory		76	35	13	18	\$ 49,530.00			\$ 7,600.00
<b>Grandview Hts</b>	6536	Charter	140	76	64	18	19		\$ 40,500.00		\$ 7,200.00
<b>Green</b>	25699	Charter	139	82	13	44		\$ 109,059.00			\$ 8,000.00
<b>Greenville</b>	13227	Statutory	100	95	5	20	25		\$ 47,640.00		\$ 5,400.00
<b>Grove City</b>	35575	Charter	289	163	126		64		\$ 40,000.00		\$ 11,000.00
<b>Groveport</b>	5363	Charter	168	87	81		21				\$ 6,000.00
<b>Hamilton</b>	62477	Charter									
<b>Harrison</b>	9897	Charter									
<b>Heath</b>	10310	Charter									
<b>Highland Hts</b>	8345	Charter	123	71	52	19	23		\$ 24,000.00		\$ 8,000.00
<b>Hilliard</b>	28435	Charter									
<b>Hillsboro</b>	6605	Statutory	63	60	3		19		\$ 25,000.00		\$ 3,600.00
<b>Hubbard</b>	7874	Statutory									
<b>Huber Heights</b>	38101	Statutory									
<b>Hudson</b>	22262	Charter	240	156	84		22		\$ 3,300.00		\$80.00*
<b>Huron</b>	7149	Charter									
<b>Independence</b>	7133	Charter	308	146	162	24	33		\$ 75,000.00		\$ 10,000.00
<b>Indian Hill</b>	5785	Charter	101	60	25		16				
<b>Ironton</b>	11129	Charter									
<b>Jackson</b>	6397	Charter									
<b>Kent</b>	28904	Statutory									
<b>Kenton</b>	8262	Statutory	70	64	6	10	15		\$ 11,500.00		\$ 3,200.00
<b>Kettering</b>	56163	Charter	744	406	338	56	60		\$ 12,000.00		\$ 8,000.00
<b>Kirtland</b>	6866	Charter									
<b>Lakewood</b>	52131	Charter	506	423	83	88	99	\$ 100,300.00			\$ 13,000.00
<b>Lancaster</b>	38780	Charter									

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
<b>Lebanon</b>	20033	Charter	160	140	20	17	27		\$ 9,000.00		\$ 6,000.00
<b>Lima</b>	38771	Charter	422	405	17	74	97	\$ 123,500.00			\$ 12,666.00
<b>Logan</b>	7152	Charter									
<b>London</b>	9904	Statutory	108	77	31	19	19		\$ 30,000.00		\$ 5,000.00
<b>Lorain</b>	64097	Statutory	513	451	54	67	96	\$ 118,749.00		\$ 12,333.00	
<b>Louisville</b>	9186	Charter	75	42	33	1	14		\$ 7,920.00		\$ 3,690.00
<b>Loveland</b>	12081	Charter	48	43	5		16		\$ 6,570.00		\$ 5,700.00
<b>Lyndhurst</b>	14001	Charter									
<b>Macedonia</b>	11188	Charter									
<b>Madeira</b>	8726	Charter	26	26	9		14		\$ 1,400.00		\$ 1,000.00
<b>Mansfield</b>	47821	Charter	457	437	20	90	82	\$ 81,586.00			\$ 7,536.00
<b>Maple Hts</b>	23138	Charter									
<b>Marietta</b>	14085	Charter									
<b>Marion</b>	36837	Statutory	281		24	57	53	\$ 69,900.00			\$ 7,299.00
<b>Martins Ferry</b>	6915	Statutory									
<b>Marysville</b>	22094	Charter	289	189	100	40	37				\$ 7,200.00
<b>Mason</b>	30712	Charter		190	200	44	53		\$ 1,100.00		\$ 700.00
<b>Massillon</b>	32149	Charter									
<b>Maumee</b>	14286	Charter	277	160	117	3	42		\$ 27,951.00		\$ 7,107.00
<b>Mayfield Hts</b>	19155	Charter									
<b>Medina</b>	26678	Charter									
<b>Mentor</b>	47159	Charter	538	327	211	68	74				\$ 12,000.00
<b>Mentor-On-Lake</b>	7443	Charter	74	28	46	4	7		\$ 18,000.00		\$ 6,050.00
<b>Miamisburg</b>	20181	Charter									
<b>Middleburg Hts</b>	15946	Charter	296	163	133	25	31	\$ 168,298.00			\$ 16,265.00
<b>Middletown</b>	48694	Charter	394	371	23	79	69		\$ 9,000.00		\$ 5,000.00
<b>Milford</b>	6709	Charter	53	50	3		19		\$ 6,000.00		\$ 4,000.00
<b>Monroe</b>	12442	Charter									
<b>Montgomery</b>	10251	Charter									
<b>Moraine</b>	6307	Charter	156	104	52	25	27		\$ 2,400.00		\$ 1,200.00
<b>Mt Healthy</b>	6098	Charter									
<b>Mt Vernon</b>	16990	Statutory									
<b>Munroe Falls</b>	5012	Charter	52	19	33	2	7		\$ 24,000.00		\$ 4,400.00
<b>N Canton</b>	17488	Charter	137	93	44	12	24		\$ 17,640.00		\$ 7,920.00
<b>N College Hill</b>	9397	Charter									
<b>N Olmsted</b>	32718	Charter	479	217	262	41	48	\$ 107,015.00			\$ 13,699.00

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM_GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
N Ridgeville	29465	Charter									
N Royalton	30444	Charter	221	146	75	34	37	\$ 91,518.00		\$ 12,317.00	
Napoleon	8749	Charter	184	82	78	9	15		\$ 14,776.00		\$ 5,175.00
Nelsonville	5392	Charter									
New Albany	7724	Charter									
New Carlisle	5785	Charter	101	18	83				\$ 7,800.00		\$ 4,800.00
New Franklin	14227	Charter	84	48	36	13	14	\$ 72,000.00			\$ 6,000.00
New Philadelphia	17288	Charter									
Newark	47573	Statutory									
Niles	19266	Statutory	188	113	7	34	34	\$ 69,000.00			\$ 7,000.00
Northwood	5265	Charter									
Norton	12085	Charter	92	49	43	12	15		\$ 11,250.00		\$ 7,500.00
Norwalk	17012	Charter	153	125	130	18	24	\$ 67,990.00			\$ 3,000.00
Norwood	19207	Statutory	169	139	30	50	42		\$ 32,850.00		\$ 7,650.00
Oakwood 45419	9202	Charter	99	85	14	28	28		\$ 4,000.00		\$ 2,800.00
Oberlin	8286	Charter	185	109	76	5	17				\$ 12,000.00
Olmsted Falls	9024	Charter		32	45	7	10	\$ 81,600.00			\$ 7,920.00
Ontario	6225	Statutory	65	50	15		23	\$ 59,500.00			\$ 6,123.00
Oregon	20291	Charter	304	187	102	10	36	\$ 32,500.00		\$ 11,000.00	
Orrville	8380	Statutory									
Oxford	21371	Charter	204	114	90	9	26		\$ 5,400.00		\$ 4,800.00
Painesville	19563	Charter									
Parma	81601	Charter									
Parma Hts	20718	Charter									
Pataskala	14962	Charter	56	52	4		19		\$ 15,000.00		\$ 5,000.00
Pepper Pike	5979	Charter	73	45	28	6	17	\$ 55,000.00			\$ 8,200.00
Perrysburg	20623	Charter	160	164	63	27	31		\$ 28,000.00		\$ 7,000.00
Pickerington	18291	Charter	93	89	41		31		\$ 12,000.00		\$ 8,000.00
Piqua	20522	Charter	273	200	73	33	38		\$ 6,000.00		\$ 5,000.00
Port Clinton	6056	Statutory	58	53	5		17		\$ 20,000.00		\$ 4,100.00
Portsmouth	20226	Charter	262	251	11	38	42				\$ 5,500.00
Powell	11500	Charter	53	49	4		18		\$ 11,880.00		\$ 7,920.00
Ravenna	11724	Charter	135	101	34	18	22	\$ 76,783.00		\$ 8,148.00	
Reading	10385	Charter	127	27	67	14	19		\$ 26,568.00		\$ 6,356.00
Reynoldsburg	35893	Charter	164	130	34		57	\$ 97,802.00			\$ 7,920.00
Richmond Hts	10546	Charter	114	60	63	19	23		\$ 24,000.00		\$ 10,000.00

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
<b>Rittman</b>	6491	Charter	160	40	120	2	10		\$ 4,800.00		\$ 3,600.00
<b>Riverside</b>	25201	Charter	87	66	21	15	29		\$ 6,000.00		\$ 4,000.00
<b>Rocky River</b>	20213	Charter	200	200	276	28	36	\$ 98,500.00			\$ 12,000.00
<b>Rossford</b>	6293	Charter	78	31	47		14		\$ 7,500.00		\$ 3,000.00
<b>S Euclid</b>	22295	Charter									
<b>Salem</b>	12303	Statutory		83	47	16	23		\$ 50,289.00		\$ 4,553.00
<b>Sandusky</b>	25793	Charter	275	240	35	47	48				\$ 5,200.00
<b>Seven Hills</b>	11804	Statutory									
<b>Shaker Hts</b>	28448	Charter	469	312	157	48	63	\$ 87,000.00		\$ 10,440.00	
<b>Sharonville</b>	13560	Charter									
<b>Sheffield Lake</b>	9137	Charter	59	45	14	12	9		\$ 16,800.00		\$ 7,920.00
<b>Shelby</b>	9317	Charter	111	98	13	13	19	\$ 59,625.00			\$ 7,415.00
<b>Sidney</b>	21229	Charter	226	191	36	36	37		\$ 5,250.00		\$ 4,200.00
<b>Solon</b>	23348	Charter	627	276	359	59	47	\$ 134,580.00			\$ 11,877.00
<b>Springboro</b>	17409	Charter	134	84	50		26		\$ 13,573.00		\$ 12,927.00
<b>Springdale</b>	11223	Charter	155	116	39	29	34		\$ 21,000.00		\$ 7,875.00
<b>Springfield</b>	60608	Charter									
<b>St Clairsville</b>	5184	Charter									
<b>St Marys</b>	8332	Charter	98	92	63	13	16		\$ 15,000.00		\$ 5,000.00
<b>Steubenville</b>	18659	Charter									
<b>Stow</b>	34837	Charter	287	239	48	54	42	\$ 81,194.00			\$ 14,950.00
<b>Streetsboro</b>	16028	Charter	138	97	49	19	29	\$ 85,850.00			\$ 3,600.00
<b>Strongsville</b>	44750	Statutory									
<b>Struthers</b>	10713	Charter									
<b>Sylvania</b>	18965	Charter									
<b>Tallmadge</b>	17537	Charter	294	108	199	13	25	\$ 91,640.00		\$ 10,327.00	
<b>Tiffin</b>	17963	Charter									
<b>Tipp City</b>	9689	Charter	120	73	50	1	19		\$ 5,000.00		\$ 5,000.00
<b>Toledo</b>	287208	Charter									
<b>Toronto</b>	5091	Statutory	58	34	24	6	10		\$ 12,000.00		\$ 4,200.00
<b>Trenton</b>	11869	Charter	106	47	59		17		\$ 6,400.00		\$ 2,400.00
<b>Trotwood</b>	24431	Charter	138	85	53	17	28		\$ 12,000.00		\$ 6,000.00
<b>Troy</b>	25058	Charter	303	192	111	44	42		\$ 23,580.00		\$ 8,382.00
<b>Twinsburg</b>	18795	Statutory									
<b>Uhrichsville</b>	5413	Charter									
<b>Union</b>	6419	Charter		18	60		8		\$ 1,500.00		\$480.00*

								<i>Mayor</i>		<i>Council Member</i>	
<b>MUNICIP</b>	<b>CENSUS</b>	<b>FORM_GOVMT</b>	<b>#Empl</b>	<b>FT Reg</b>	<b>PT/Seas</b>	<b>FT Fire F</b>	<b>FT Police</b>	<b>Full Time</b>	<b>Part Time</b>	<b>Full Time</b>	<b>Part Time</b>
University Hts	13539	Statutory									
Upper Arlington	33771	Charter									
Upper Sandusky	6596	Charter	88	70		3	13	\$ 50,000.00		\$ 5,000.00	
Urbana	11793	Charter	110	97	13	23	20		\$ 13,000.00		\$ 7,200.00
Van Wert	10846	Charter	129	99	30	18	22	\$ 54,180.00			\$ 4,900.00
Vandalia	15246	Charter	413	131	282	9	27		\$ 5,700.00		\$ 5,200.00
Vermilion	10594	Charter	118	63	64		23	\$ 65,000.00			\$ 5,000.00
W Carrollton	13143	Charter									
Wadsworth	21567	Statutory	293	204	89	13	29		\$ 45,821.00		\$ 7,985.00
Wapakoneta	9867	Charter									
Warren	41557	Charter									
Warrensville Hts	13542	Charter									
Washington CH	14192	Statutory	112	120		12	21				\$ 8,404.00
Waterville	5523	Statutory									
Wauseon	7332	Statutory									
Wellston	5663	Charter	68	59	9	3	7	\$ 20,000.00			\$ 1,800.00
Westerville	36120	Charter									
Westlake	32729	Charter	453	241	212	42	53	\$ 155,250.00			\$ 15,680.00
Whitehall	18062	Charter	200	160	40	38	49	\$ 82,500.00			\$ 5,200.00
Wickliffe	12750	Statutory									
Willard	6236	Charter	142	58	84	6	15		\$ 2,000.00		\$ 2,000.00
Willoughby	22268	Charter		210	107	39	42	\$ 112,264.00			\$ 10,000.00
Willoughby Hills	9485	Charter									
Willowick	14171	Charter	148	62	86		22		\$ 24,000.00		\$ 8,000.00
Wilmington	12520	Charter	197	144	53	15	19		\$ 20,900.00		\$ 3,780.00
Wooster	26119	Charter									
Worthington	13575	Charter	360	148	212	34	33				\$ 7,920.00
Wyoming	8428	Charter									
Xenia	25719	Charter	240	220	20	42	41		\$ 4,773.00		\$ 4,273.00
Youngstown	66982	Charter	741	702	39	125	148	\$ 104,935.00		\$ 27,817.00	
Zanesville	25487	Charter									

*City of Napoleon, Ohio*  
**FINANCE AND BUDGET COMMITTEE**  
**MEETING MINUTES**

**Monday, January 25, 2021 at 6:30 pm**

**PRESENT**

Committee Members	Joseph D. Bialorucki-Chair, Jeff Comadoll, Ken Haase, Mayor Jason Maassel
City Staff	Billy Harmon-City Law Director
City Staff via WebEx	Kelly O'Boyle-Finance Director; Shannon Fielder-Income Tax Administrator
Clerk of Council	Roxanne Dietrich
Others	News Media on WebEx

**ABSENT**

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**CALL TO ORDER**

The Finance and Budget Committee meeting was called to order by Chairman Bialorucki at 6:30 pm.

**APPROVAL OF MINUTES**

The minutes from the October 26, 2020, November 6, 2020 and November 7, 2020 Finance and Budget Committee meetings were approved.

**REVIEW OF RESOLUTION NO. 081-10 (COMPENSATION OF FUTURE COUNCILMEMBERS AND MAYOR)**

Maassel stated the way the Resolution No. 081-10 reads, if a pay increase is passed in 2021, the first councilmembers to enjoy it would be elected in November of 2023. Harmon said we have an election this fall, so the people elected to those terms would be starting brand new terms. I can look into it more but, that is my understanding. Maassel said in the packet there was some really good data from 2019 for other communities across the State of Ohio. Some were charter like us and others were statutory. Napoleon's population in the report is 8,749. I looked at the charter communities with population ranging from 6,000 to under 12,000. Napoleon was the 12<sup>th</sup> largest community of the 27. City Council is the 13<sup>th</sup> highest paid and the Mayor is the 11<sup>th</sup> highest paid, so both are right in the middle. The average population was 8,627, the average Council pay was \$5,399 and the Mayor was at \$16,802. There were some really high numbers in those 27, if you take out the highest and lowest numbers, the average for the Mayor came in at \$14,474. In that report, it showed Napoleon Council at \$5,175 and the average is \$5,400. The report showed the Mayor at \$14,776 with the average at \$14,474. Haase said he figured by total numbers of employees and came up with almost identical numbers to what Maassel came up with. With the Police and Fire Department we are on the low end, we have almost the fewest employees in that size range. Harmon referred to Section 2.05 of the Charter that states ... at the next general municipal election occurring not less than twelve months... so, it would not be the 2021 general election it will be the next general election. Maassel noted 2023 will be the next general election for council, do you read general election as in the state general election or in the general election affecting council? Harmon that is a good question, I would have to do a little research on that, I imagine it would be the next general election affecting Council. Haase said I think the general election refers to the November election every year. Harmon replied it may but not every general election affects this council. Maassel it would be cleaner that way otherwise you will have half of council at the higher rate and half at the lower. The way I read 081-10 it looked like there were two different compensations. Harmon noted the people that run for Council this time would stay the same and the people who run at the next general election for Council would be the first councilmembers to receive a higher amount. The people who are

running this time for Council will have to wait four years to get the higher amount. Maassel commented I think it was done like this so people would not come in and give themselves a pay raise. Harmon noted this is pretty much state wide. Maassel said we are fairly close in the middle. Haase said I'm on retirement, it is not going to make any difference to me. I understand you guys with families and with the cost of living going up. Bialorucki said this is good information and appreciate the time that people took to put this together and go through it. Maassel said this has not been looked at since 2010. It is a good idea to look at it and make sure. Harmon added before that the last review was in 1996. Bialorucki said if anyone is interested in making a change we will accept a motion. Comadoll it is time something is done. Most people do not realize I am here every Monday night. Bialorucki added we say we want to be on Council to give back to the city but, it is nice to get some sort of pay. There are some people that are on Council now, some that have been on before and probably there will be some councilmembers in the future who have children and may incur costs for a babysitter when they are coming here. It could cost them more to come here and do this. That is one of my reasons for wanting to review this to see if it is worth adding a little bit. Comadoll asked what does it take for us to go to full time status, do you want to go to full time status? Maassel said if you go to full-time you cannot do charter, you would have to be statutory. You could argue you want a full year of OPERS served. Comadoll said that takes a certain amount of money, I think it is \$6,600. Maassel asked don't you have to have so many years of service before that pays you? That seems high to me, it is a really big jump when we just asked our taxpayers to pay more. Comadoll asked do you want to go to an even \$6,000 for the year? Maassel replied I'm okay with where it is. Bialorucki said I am seeing where we are in the middle.

Motion: Comadoll  
to recommend the full Council review Resolution No. 081-10

Second: Bialorucki

Further Discussion.

Maassel asked, the motion is for full council to review the data we just went over? Bialorucki said to review Resolution No. 081-10 and give the others an opportunity to weigh in. Comadoll said and then we can make a recommendation to leave as is. Bialorucki said or we don't do anything if we are just reviewing it.

Motion: Comadoll  
to amend the Motion by adding, "with the recommendation that we do not increase Council or Mayor pay".

Second: Maassel

Roll call vote on the above motion:

Yea-Comadoll, Haase, Maassel, Bialorucki

Nay-

**Yea-4, Nay-0. Motion Passed.**

#### **RECIPROCITY TAX FUNDS**

O'Boyle reported we have been trying to reach out to CMI, who is our software system provider, to see what they can do to track the reciprocity. We are hopeful they have something in the system that can track the reciprocity and we do not have to do it manually. The goal is for us to be able to track the reciprocity so we know exactly what is coming in. Maassel clarified and once it comes in, it goes for the safety services as the resolution passed. O'Boyle-correct. We won't see the bulk of the reciprocity until 2022 because in April of 2022 is when they will file 2021 taxes. We will get some of it in 2021, like we talked about before from withholdings. Right now the staff are not appropriated in the budget so when we start seeing the money roll in and when it's enough to pay for the staff, we will have to do a



supplemental and we will increase the revenue to offset it. If there is any difference, with the fire and police budgets being larger than the revenue they bring in, it would always go to the fire and police. Bialorucki added that he talked with O'Boyle earlier and what we are looking for and we are asking CMI to do is track the reciprocity and put the reciprocity tax increase in a separate bucket and show it is going for safety services. That way down the road if someone asks how do we know that money is going there, we can show it clearly. We know that is where it is going to go but, we want to be able to show it. Haase added twenty years down the road when people look at it, it is defined. O'Boyle said the same way that the recreation tax is separated and the 1% tax is separate than the .3%. Hopefully CMI will be able to do it. We are waiting for them to see what program changes they would have to do and what the cost will be. As soon as we find out, we will let Council know.

#### **ADJOURNMENT**

Motion: Comadoll  
to adjourn the Finance and Budget Committee meeting at 6:48 pm.

Second: Maassel

Roll call vote on the above motion:

Yea-Comadoll, Haase, Maassel, Bialorucki

Nay-

**Yea-4, Nay-0. Motion Passed.**

**Approved**

---

Joseph D. Bialorucki-Chair  
Finance and Budget Committee

**AMERICAN MUNICIPAL POWER, INC.**

1111 Schrock Rd, Suite 100

COLUMBUS, OHIO 43229

PHONE: (614) 540-1111

FAX: (614) 540-1078

INVOICE NUMBER:

10146

INVOICE DATE:

22-JAN-21

DUE DATE:

02-FEB-21

TOTAL AMOUNT DUE:

\$615,201.00

CUSTOMER NUMBER

5020

CUSTOMER P.O. #:

**City of Napoleon**

255 West Riverview Avenue

P.O. Box 151

Napoleon, OH 43545-0151

MAKE CHECK PAYABLE TO AMP.

DIRECT INVOICE QUESTIONS TO [BILLING@AMPPARTNERS.ORG](mailto:BILLING@AMPPARTNERS.ORG)

<u>Item</u>	<u>Description</u>	<u>Charge</u>
1	AMPGS Project Cost balance at 12/31/2020	\$3,741.00
2	AMPGS PHFU balance at 12/31/2020	\$610,940.00
3	Estimated interest for Jan 2021	\$520.00

**TOTAL CHARGES****\$615,201.00**

## Wire or ACH Transfer Information:

Huntington National Bank  
Columbus, Ohio  
Account No. 0189-2204055  
ABA: #44 000024

## PLEASE MAIL CHECKS TO:

AMP Inc.  
Department L614  
Columbus, OH 43260



# CITY OF NAPOLEON

UNAUDITED 2020 YEAR-END FINANCIAL REVIEW

February 1, 2021

# 2020 Income Tax Receipts

- \$4,589,475.15
- 1.6% or approximately \$73K over 2019 Actuals of \$4,516,394
- Compared to 2019: Resident down 5.4%; Business down 28%; and withholdings up 7.2% for the overall 1.6% increase
- Highest year since 2017 = \$4,616,745
- 2020 Original Estimate was \$4,215,000 (conservative as should be) and revised Scenario was just over \$4.5 million.
- Due date changed to July 15<sup>th</sup> due to COVID-19



## 2020 Income Tax Receipts (continued)

- Fortunate to have a few businesses that were “ramped up” due to COVID-19 to help offset some of the shortfalls in other areas.
- Most other communities were down compared to 2019, based on their community tax-base make-up.

# 2021 Income Tax Projection

- \$4,250,000 projection – keep a close eye on as year progresses
- Conservative due to uncertainty of COVID-19
- 2020 Income Tax returns due April 15, 2021
- Monthly updates to Council provided in Finance Report

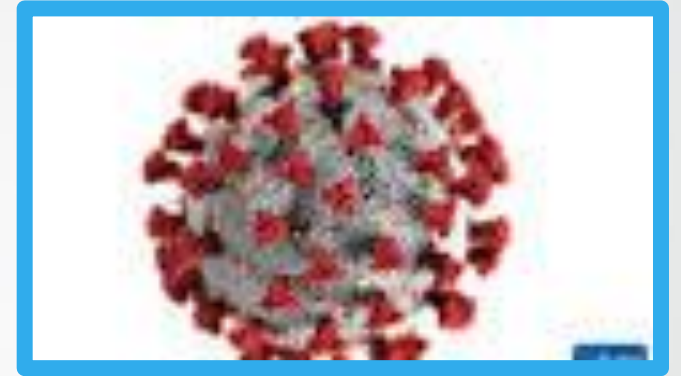
# 2020 Unaudited General Fund Year-end

2020 Encumbered Ending Balance	\$	2,180,844.69	
Outstanding Encumbrances	\$	<u>38,706.56</u>	
<b>2020 Unencumbered Ending Balance</b>	<b>\$</b>	<b>2,142,138.13</b>	
2020 Projected Ending Balance 11.30	\$	1,405,787.01	before November month-end close
Difference	\$	736,351.12	
Worker's Compensation Rebate	\$	308,416.02	Unknown
Additional CARES Act Redistribution	\$	120,369.81	Unknown
Income Tax higher	\$	148,843.80	Had \$100K higher conservatively -it was \$248K
Department's projections higher than actual	\$	158,721.49	
Working DRAFT - unaudited			

# CARES ACT

*Redistribution from other jurisdictions  
unspent funding*

*Unknown amount when projecting  
estimated ending numbers but very  
welcome and much needed allocation!!*



- \$120,369.81
- Used for reimbursement of personnel costs associated with the fight of COVID-19
- 4<sup>th</sup> and final allocation in 2020 – first three direct payments to City based on State formula



## BWC Workers' Compensation Rebate

Balance to General Fund after payment of 2021 Premiums and making Funds whole for  
their 2019 premiums paid = \$308,416.02

*Unknown but very welcome and much needed rebate!!*

# 2021 Summary with **New** Unencumbered Ending Balance

- 2020 unaudited Unencumbered Ending Balance = \$2,142,138.13
- 2021 Estimated Revenue = \$6,090,833
- 2021 Appropriation Budget = \$6,872,906.37
- Difference between revenue and budget = \$782,073.37
- 2021 Estimated Ending Balance = \$1,360,064.76

# Why Important?

- Cash flow during year – revenue comes in at different times, but expenditures are always going out
- Uncertainty of COVID-19 on the 2021 Income Tax receipts
- Debt Rating Agencies like healthy cash carryovers – hold ratings and/or upgrade in better times
- Goal is to have at least \$1.5 million including \$250K in General Fund Reserve – meets goal!
- Currently annual appropriation budgets rely on having cash carryover
- Assists with rebuilding a portion of the initial loss from the large tax refund; portion of loss occurs yearly going forward
- Assists with unforeseen circumstances – a safety net to be able to continue to provide services

# Fund 500 –Electric

- 2020 Revenue = \$17,182,270
- 2020 Expenditure = \$16,764,176
- Over/(Under) Revenue = \$418,094
- Revenue down \$247K from 2019; Expense up \$59K from 2019
- COVID effects on revenue in the Industrial and Commercial sectors

# Fund 510 Water

- 2020 Revenue = \$3,888,141 (without Water Revenue Bond passthrough)
- 2020 Expenditure = \$3,908,000 (without Water Revenue Bond passthrough)
- Over/(Under) Revenue = approximately (\$20K)
- Revenue up \$137K from 2019; Expense up \$823K from 2019 with over \$450K for the Water Plant Renovation Debt as well as the associated operating expenses
- Some COVID effects on revenue in the Industrial and Commercial sectors in the Spring early Summer, but increase in Residential and Commercial Wholesale usage to offset for overall increase usage

# Fund 520 Wastewater

- 2020 Revenue = \$4,642,241
- 2020 Expenditure = \$5,353,804
- Over/(Under) Revenue = (\$711,564) – upfront money for WWTP Project until receive State Loan
- Revenue up \$558K from 2019 (received \$469K from State for money upfronted); Expense likely similar to 2019 without upfronting project
- Some COVID effects on revenue in the Industrial and Commercial sectors in the Spring early Summer, but increase in Residential usage to offset for overall increase usage

# Fund 560 Sanitation

- 2020 Revenue = \$905,295
- 2020 Expenditure = \$854,264
- Over/(Under) Revenue = \$51K
- Revenue down (\$18K) from 2019; Expense up \$57K from 2019
- COVID effect minimal



# *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:** City Council, Mayor, City Manager, City Law  
Director, Department Supervisors, Newsmedia  
**From:** Roxanne Dietrich - Clerk of Council  
**Date:** January 29, 2021  
**Subject:** Technology and Communications Committee –  
Cancellation

The regularly scheduled meeting of the *Technology and Communications Committee* for Monday, February 01, 2021 at 6:15 pm has been CANCELED due to lack of agenda items.



*City of Napoleon, Ohio*

**PARKS AND RECREATION BOARD**

**Special Meeting Agenda**

**Wednesday, February 03, 2021 at 6:30 pm**

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio  
The WebEx link to the meeting is posted at [www.napoleonohio.com](http://www.napoleonohio.com)

1. Organization of Board Members.
2. Approval of Minutes: November 04, 2020. (in the absence of any objections or corrections, the Minutes shall stand approved)
3. Update on the Napoleon Aquatic Center
4. Discussion and/or Action on Golf Cart Trail Fees
5. Discussion and/or Action on 2020 Parks and Recreation Service Award
6. Miscellaneous.



Roxanne Dietrich ~ Clerk of Council

## AMP Update for Jan. 22, 2021

American Municipal Power, Inc. <webmaster@amppartners.org>

Fri 1/22/2021 5:21 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

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



Jan. 22, 2021

### New: Consumer's Guide to Rooftop Solar

By Erin Miller - assistant vice president of energy policy and sustainability

Across the AMP footprint, many of our members' customers are expressing interest in rooftop solar installations. Residential customers, in particular, are being targeted by solar installers with aggressive solar, or solar-plus-storage, social media and marketing campaigns.

In response, the AMP Focus Forward Advisory Council has developed a *Consumer's Guide to Rooftop Solar*. The guide serves as a starting point for public power community customers when considering rooftop solar for their homes. It provides key tips, considerations and questions for the homeowner to ask solar installers.

A consumer's guide to rooftop solar



Members can download the guide from the [Focus Forward](#) member extranet page, under Customer Engagement (login required). Instructions for how to insert your community logo are also provided.

If you have any questions or need additional information, please contact me at [emiller@amppartners.org](mailto:emiller@amppartners.org) or 614.540.1019.

### AMP History Minute: The organization's founding

By Michele Lemmon - manager of public relations and digital media

As AMP continues to mark its 50th anniversary in 2021, today we look back on the founding of the organization.

AMP got its start when five representatives from Bowling Green, Cleveland, Dover, Hamilton and Westerville signed the articles of incorporation, filed by an official from Piqua with the State of Ohio on Sept.

29, 1971. The group's goal was three-fold: to gain economies of scale in power supply, elevate their voice and fight for transmission access in areas previously blocked by investor-owned utilities.

John Engle of Hamilton, J. Robert Hillwig of Bowling Green, Warren D. Hinchee of Cleveland, Paul Kaiser of Westerville and Willard Seibert of Dover all signed the legal documents that formed the organization and appointed R. Powers Luce as the first officer of AMP-Ohio.

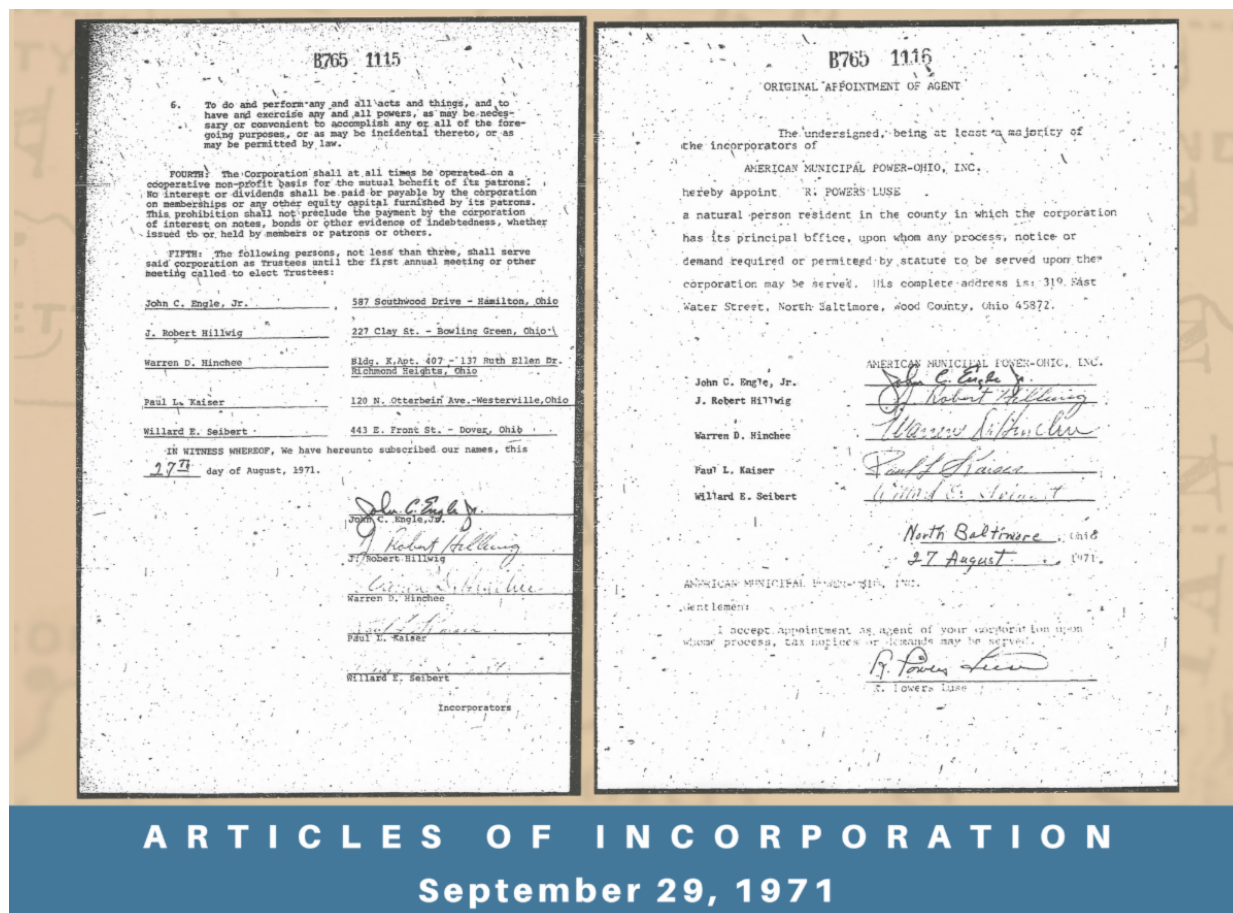


On March 7, 1972, the communities of Bowling Green, Cleveland, Dover, Hamilton, Orrville, Shelby and Westerville became the first official members of the fledgling organization, forming a stalwart for the dwindling number of municipal utilities in Ohio.

AMP's primary focus in its first 25 years was joint ownership of electric facilities, pooled buying power in energy markets and alternative means of generating, transmitting and distributing electric power and energy to benefit its member utilities' customer-owners.

Since those first bold steps 50 years ago, AMP has won many battles and grown to serve 135 member utilities in Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia, and the Delaware Municipal Electric Corporation. The success of the organization has made the benefits of the insight of those founding members clear - that we are *Stronger Together*.

AMP will be sharing an *AMP History Minute* each month to celebrate reaching the 50th anniversary milestone in the organization's timeline. While AMP's current focus is on strategies to move the organization forward, our half-century mark provides the perfect opportunity to reflect on the hard-fought battles and innovative thinking that brought the organization to where it is today. Keep an eye on *Update* and follow us on [Facebook](#), [Twitter](#), [LinkedIn](#), [Instagram](#) and [YouTube](#) for more historical information on the organization.



**Energy education virtual field trip available to teachers and students of AMP member communities**

*By Holly Karg - assistant vice president of communications and public relations*

In conjunction with the Westerville Electric Division, the Ohio Energy Project (OEP) - AMP's partner in providing energy education opportunities within member community schools - will be hosting a virtual field trip for teachers and students on Jan. 26 from 1-1:45 p.m. AMP member officials are encouraged to share this virtual learning opportunity with their local school districts.

AMP is a partner and Board of Trustees member of OEP and recently arranged for the organization's learning opportunities and resources to be made available to all AMP member communities.

The *Careers in Electricity Distribution & Electric Safety* field trip featuring Westerville Electric Utility Manager and AMP Board of Trustees Member Chris Monacelli and Westerville Electric Division Safety Specialist John Friley provides in-depth instruction regarding electric safety and insight into careers in local distribution systems. Participants will be free to interact with site hosts and ask questions through the Zoom Q&A feature and YouTube chat box.

Learn more and register for the event [here](#). Please forward this link to your local school districts.

For questions regarding this virtual event or registration please contact Sue Tenney, OEP Education Director, at [stenney@ohioenergy.org](mailto:stenney@ohioenergy.org). If you have questions about AMP's energy education partnership with OEP, please contact me at [hkarg@amppartners.org](mailto:hkarg@amppartners.org) or 614.309.0064.

## **Hometown Connections - GreatBlue Research member survey**

*By Paul Beckhusen - senior vice president of power supply and energy marketing*

AMP, along with partnering joint action agencies, has sponsored a member survey through Hometown Connections. The survey, conducted by GreatBlue Research, is designed to help identify the organizational needs, challenges and initiatives of our members. The results of the survey will be used to help AMP focus our services to provide the highest value to our members.

The survey was sent digitally via an email from GreatBlue on Jan. 11, and again on Jan. 20. We encourage your participation - each member's input is valued. If you have questions about the survey you can contact Harry Phillips at [hphillips@amppartners.org](mailto:hphillips@amppartners.org), Sam Wolfe at [swolfe@amppartners.org](mailto:swolfe@amppartners.org), or Jay Myers at [jmyers@amppartners.org](mailto:jmyers@amppartners.org).

## **U.S. Department of Treasury releases guidance on ERA program funds**

*By Brian Hickman - director of state government affairs*

The U.S. Department of Treasury has released a guidance document on the \$25 billion in funds available through the Emergency Rental Assistance (ERA) program that was authorized as part of the Consolidated Appropriations Act, 2021 - legislation that passed at the end of 2020 to provide, among other things, federal government funding, stimulus payments and additional COVID-19 relief.

The statute in question provides that ERA funds may be used for utilities and home energy costs, which the guidance document defines as separately-stated electricity, gas, water and sewer, trash removal and energy costs, such as fuel oil. Any of these utilities that are covered by the landlord within rent will be treated as rent.

The guidance document also clarifies that grantees may structure a program to provide less than full coverage of arrears and emphasizes that grantees should structure programs in a way that would minimize incentives for the non-payment of rent or utilities. It should also be noted that a grantee does not need to provide assistance with respect to rent in order to provide assistance with respect to utility or energy costs.

The American Public Power Association is currently working with several other organizations to gain a better understanding on the use of these funds in order to provide a template from which public power utilities may work.

To download the full guidance document, click [here](#). If you have questions about the Consolidated Appropriations Act or ERA program, please contact me at [bhickman@amppartners.org](mailto:bhickman@amppartners.org) or 614.429.7771.

## **SEPA Connect Virtual Roundtable for AMP members Feb. 10**



By Erin Miller

AMP members are invited to an exclusive Smart Electric Power Alliance (SEPA) Connect Virtual Discussion on Feb. 10 from 2-3 p.m. The virtual discussion will consider strategies and concepts relating to effective electric vehicle (EV) program management. Thought leaders from SEPA and the utility industry will lead a roundtable discussion of lessons learned from other municipal utilities with successful EV programs and provide insights on strategies for your utility.



**Smart Electric  
Power Alliance**

At the end of the event, participants should be able to:

- Evaluate metered and unmetered EV charging rate designs at municipal utilities
- Describe and assess EV program design and management
- Identify and access SEPA resources that can assist with the development of EV programs

Speakers include:

- Chris Monacelli, Electric Utility Manager, City of Westerville; AMP Focus Forward Advisory Council Chairman, Member of AMP Board of Trustees
- Bill Bottiggi, General Manager, Braintree Electric Light Department
- Skip Dise, V.P. of Product Management, Clean Power Research
- Garrett Fitzgerald, Principal, Electrification, SEPA

The event is free and available to all AMP members. Register [here](#).

## AMP holds virtual safety training course

By Darren Westenberger - safety/OSHA compliance coordinator

On Jan. 19, AMP held the virtual training course *Slips, Trips, Falls*. The Occupational Safety and Health Administration estimates that, on average, 200,000 serious injuries and hundreds of fatalities occur every year to workers. This session covered safe practices and proper PPE that should be used to avoid common and dangerous situations.

If you were unable to attend, a video recording has been posted to the [Member Extranet](#) (login required) and the AMP YouTube channel (links available to members upon request). If you have any questions, need assistance accessing the Member Extranet or would like the YouTube link, 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.

**Jan. 26, 9 a.m.**  
New Year's Safety Resolutions  
Instructor: Kyle Weygandt

**February dates and topics**  
To be announced



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).



## AMP to host members-only COVID-19 roundtable call Jan. 28

By Corey Bentine - director of key accounts

The next members-only COVID-19 Roundtable Call is scheduled for Jan. 28 at 2 p.m. Dr. Clay Marsh, West Virginia University's (WVU) vice president and executive dean for Health Sciences, will be presenting to the group on the COVID-19 vaccination rollout, challenges faced and expectations moving forward and a status update on the U.S. COVID-19 response. The call will be recorded and posted for those who cannot attend.

Following Dr. Marsh's presentation, there will be time reserved for a member forum to discuss and share experiences and plans moving forward. For those who would like to share their experiences and plans but are uncomfortable doing so in the larger forum, feel free to send me the information and I will share it with the group anonymously.

For the COVID-19 Roundtable Call details, please contact me at [cbentine@ampppartners.org](mailto:cbentine@ampppartners.org) or 614.204.8500.

## Energy market update

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

The February 2021 natural gas contract decreased \$0.048/MMBtu to close at \$2.491 yesterday. The EIA reported a withdraw of 187 Bcf for the week ending Jan. 15, which was above industry estimates of -177 Bcf. Next week should bring a smaller than normal draw due to milder conditions across the U.S. over the past week. The year-ago draw was 97 Bcf and the five-year average was -167 Bcf. Storage is now 3,009 Bcf, 1.2 percent above a year ago and 7 percent above the five-year average.

On-peak power prices for 2022 at AD Hub closed yesterday at \$31.95/MWh, which decreased \$0.35/MWh for the week.

On Peak (16 hour) prices into AEP/Dayton hub				
Week ending Jan. 22				
MON	TUE	WED	THU	FRI
\$27.52	\$25.73	\$23.61	\$21.49	\$25.04
Week ending Jan. 15				
MON	TUE	WED	THU	FRI
\$31.09	\$26.27	\$26.21	\$26.24	\$26.28
AEP/Dayton 2022 5x16 price as of Jan. 21 — \$31.95				
AEP/Dayton 2021 5x16 price as of Jan. 14 — \$32.30				

## AFEC weekly update

*By Jerry Willman*

The AMP Fremont Energy Center (AFEC) plant was in 2x1 configuration for the week. AFEC cycled offline for the off-peak hours each night between Saturday and Tuesday based on PJM economics. Duct firing operated for 54 hours this week. For the week, the plant generated at a 68 percent capacity factor (based on 675 MW rating).

## Security tip - Exploiting COVID-19: Financial assistance scams