



City of Napoleon, Ohio

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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: April 19, 2021
Subject: General Information

CALENDAR

7:00 pm – City Council

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS - None

SECOND READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 013-21**, a Resolution Authorizing a Contract with the Village of Florida for the Purpose of Operating a Water Supply Distribution System; and Declaring an Emergency
 - a. A copy of the proposed Water Purchase Contract is attached

THIRD READINGS OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 008-21**, a Resolution Authorizing the City Manager of the City of Napoleon to Execute any and all Documents necessary to Apply for and Receive Financial Assistance from the Ohio Department of Transportation State Infrastructure Bank Loan Program for the Oakwood Avenue and American Road Project; and Declaring an Emergency.

GOOD OF THE CITY (Discussion/Action)

1. Power Supply Cost Adjustment Factor for April 2021 as PSCA 3-month Averaged Factor \$0.01364 and JV2 \$0.047286
 - The Planning Commission met on Tuesday, April 13, 2021 and approved both PC 21-02 and PC 21-03
2. PC 21-02 Dedication of a Portion of Raymond Street East of the 400 Block of Raymond Street
3. PC 21-03 Subdivision Re-Plat of Lot A-2 of the Replat of Lot A of Hogrefe's Plat II
4. Award of the American Road and Oakwood Avenue Improvements Project
 - Enclosed is a Memorandum from Chad with the bid results and recommendation for award
5. Approval to enter into Agreement for Professional Design Services with Peterman Associates, Inc. for the Oakwood Avenue Improvements Project (PID No. 113036)
 - Enclosed is Chad's Memorandum on this project.
6. Accept Donation from the Napoleon Rotary Club for Improvements at Oberhaus Park Shelter House
7. Accept Donation from the Napoleon Lions Club for Improvements at Oberhaus Park Shelter House.

INFORMATIONAL

- 1) Agenda – Tree Commission Meeting; Monday, April 19th at 6:00 pm
- 2) Meeting Canceled – Parks and Rec Committee
- 3) AMP Update/4.9.2021

APRIL 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 6:00 pm – Housing Council 6:15 pm – Technology Committee 7:00 pm – City Council	6	7	8	9	10
11	12 6:15 pm – Electric Committee 6:15 pm – Board of Public Affairs 7:00 pm – Municipal Properties ED Committee	13 4:30 pm- Board of Zoning Appeals 5:00 pm- Planning Commission	14 12 Noon – Ad-hoc Committee on Personnel	15	16	17
18	19 6:00 pm – Tree Commission 7:00 pm – City Council	20	21	22	23	24
25	26 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	27 4:30 pm – Civil Service Commission	28 6:30 pm – Parks and Rec Board	29	30	

City of Napoleon, Ohio

CITY COUNCIL

MEETING AGENDA

Monday, April 19, 2021 at 7:00 pm

City Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio
The link to join the meeting via WebEx is posted at www.napoleonohio.com

A. Attendance (Noted by the Clerk)

B. Prayer and Pledge of Allegiance

C. Approval of Minutes (in the absence of any objections or corrections, the minutes shall stand approved)

1. April 15, 2021 Regular Council Meeting Minutes

D. Citizen Communication

E. Reports from Council Committees

1. Electric Committee met on April 12, 2021; and
 - a. Accepted the BOPA recommendation to approve the Power Supply Cost Adjustment Factor for April 2021
 - b. was given an update on the status of the substations
2. Water, Sewer, Refuse, Recycling and Litter Committee meeting was canceled due to lack of agenda items.
3. Municipal Properties, Building, Land Use and Economic Development met on April 12, 2021; and
 - a. made the recommendation to have the Henry County Ag Improvement Association give their presentation to the full body of City Council at the May 17, 2021 City Council meeting
4. Parks and Rec Committee did not meet on April 19, 2021 due to lack of agenda items

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

1. Board of Zoning Appeals met on April 13, 2021; and
 - a. approved BZA 21-01-Variance to Property Setback at 12 Bauman Place
2. Planning Commission met on April 13, 2021; and
 - a. approved PC 21-02 Dedication of a Portion of Raymond Street East of the 400 Block of Raymond Street
 - b. approved PC 21-03 Subdivision Re-plat of Lot A-2 of the Re-plat of Lot A of Hogrefe's Plat II
3. Tree Commission met earlier tonight with the following agenda items:

G. Introduction of New Ordinances and Resolutions ~ None

H. Second Readings of Ordinances and Resolutions

1. **Resolution No. 013-21**, a Resolution Authorizing a Contract with the Village of Florida for the Purpose of Operating a Water Supply Distribution System; and Declaring an Emergency

I. Third Readings of Ordinances and Resolutions

1. **Resolution No. 008-21**, a Resolution Authorizing the City Manager of the City of Napoleon to Execute any and all Documents Necessary to Apply for and Receive Financial Assistance from the Ohio Department of Transportation State Infrastructure Bank Loan Program for the Oakwood Avenue and American Road Project; and Declaring an Emergency.

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

1. **Discussion/Action:** Power Supply Cost Adjustment Factor for April 2021 as PSCA 3-month Averaged Factor \$0.01364 and JV2 \$0.047286
2. **Discussion/Action:** PC 21-02 Dedication of a Portion of Raymond Street East of the 400 Block of Raymond Street
3. **Discussion/Action:** PC 21-03 Subdivision Re-Plat of Lot A-2 of the Replat of Lot A of Hogrefe's Plat II
4. **Discussion/Action:** Award of the American Road and Oakwood Avenue Improvements Project

5. **Discussion/Action:** Approval to enter into Agreement for Professional Design Services with Peterman Associates, Inc. for the Oakwood Avenue Improvements Project (PID No. 113036)
6. **Discussion/Action:** Accept Donation from the Napoleon Rotary Club for Improvements at Oberhaus Park Shelter House
7. **Discussion/Action:** Accept Donation from the Napoleon Lions Club for Improvements at Oberhaus Park Shelter House.

K. Executive Session – (as may be needed)

- L. 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.)

M. Adjournment

Roxanne Dietrich
Roxanne Dietrich - Clerk of Council

A. ITEMS REFERRED OR PENDING IN COMMITTEES OF COUNCIL

1. **Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Monday, May 3, 2021 @6:15 pm)
2. **Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 10, 2021 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for May 2021
 - b. Update on Substations
 - c. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 10, 2021 @7:00 pm)
 - a. Update on 2021 Wastewater Treatment Plant Improvements Project
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, May 10, 2021 @7:30 pm)
5. **Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, May 17, 2021 @6:00 pm)
6. **Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, May 24, 2021 @6:30 pm)
7. **Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, May 24, 2021 @7:30 pm)
8. **Personnel Committee (as needed)**
9. **Ad-hoc Committee on Personnel (as needed)**
10. **Charter Review Commission (as needed in 2024)**

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

1. **Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, May 10, 2021 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for May, 2021
 - b. Update on Substations
 - c. Electric Department Report
 - e. Update on 2021 Wastewater Treatment Plant Improvements Project
2. **Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 11, 2021 @4:30 pm)
3. **Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, May 11, 2021 @5:00 pm)
4. **Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, May 17, 2021 at 6:00 pm)
5. **Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, May 26, 2021 @4:30 pm)
6. **Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, May 26, 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 (2nd 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)**

City of Napoleon, Ohio
CITY COUNCIL MEETING MINUTES
Monday, April 5, 2021 at 7:00 pm

PRESENT

Councilmembers	Joseph D. Bialorucki-Council President, Daniel Baer-Council President Pro-Tem, Lori Siclair, Jeff Comadoll, Ken Haase, 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	Clayton O'Brien-Fire Chief Chad E. Lulfs, P.E., P.S.-Director of Public Works Jeff Rathge-Operations Superintendent via WebEx
Clerk of Council	Roxanne Dietrich
Others via WebEx	News Media; Eileen Stanic-Meeder Investment Management

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.

MAYOR'S PRESENTATION OF PROCLAMATION TO THE NAPOLEON LADY BASKETBALL TEAM

Council moved to the Fire Department where Mayor Maassel honored the Napoleon High School Girls Basketball team who are the DII State Champions this year. Mayor Maassel read a proclamation designating April 5, 2021 as Napoleon Lady Cat State Champion Day and presented each team member and coach from the state championship team with their own memorabilia Proclamation. The grand finale was the unveiling of the State Championship sign that will be posted at the corporation limits as you enter the City of Napoleon.

APPROVAL OF MINUTES

In the absence of any objections or corrections, the minutes from the March 15, 2021 regular council meeting and March 22, 2021 special council meeting were approved as presented.

CITIZEN COMMUNICATION

None.

INVESTMENT UPDATE BY MEEDER INVESTMENTS

Eileen Stanic with Meeder Investment Management presented an update stating 2020 was a year for the record books on the stock market where we saw the fastest decline. Then, the stock market turned around and followed up very quickly with the largest increase in the stock market. This volatility in the stock market has carried over to the economic data where the unemployment picture became very dire with the largest drop in jobs followed up by a large increase in jobs in April. The most expensive stimulus package served to provide relief to many people during these unprecedented times as we ended the longest economic expansion. Technically we are still in a recession but, we are rebounding. Things have started to look better in 2021; however, when we compare 2020 to 2021, the one change in conservative behavior may be affecting the inflation numbers that we will start to see. Looking at the weight in the Consumer Price Index (CPI) the changes that have occurred in consumer spending will clearly have an impact on some of the inflation numbers that we see. As people are able to return to work and we no longer have everyone working from home and businesses are able to reopen, we would expect to see consumer behavior start to approach what it was prior to the pandemic. As we see some

of these changes in inflation we think some of this will be transitory as we go through this adjustment period over the next six months. The Fed's have another mandate which is full employment and that is the number of persons that are employed through non-funded payrolls. Looking at the trend when the continent shut down, the drop in jobs was very significant. The rebound experienced with businesses being able to reopen and the positive news on the employment front, we now have an unemployment rate at 6%. When we look at these numbers we can see that there are still a significant number of people who are still without a job who previously had a job. In essence we are looking at around six to seven million people who still are unemployed. This is a big gap that will continue to take some time to fill. Granted, a high proportion of those jobs are in the service sector and unfortunately due to the pandemic, the small businesses have really taken a large hit as the small businesses tend to employ a fair amount of service sector people. Again, we expect that this trend will take some time to get us back to what we would refer to as full employment. We want to keep in mind that the Fed's have tweaked their view on employment to what they are referring to as maximum employment. Maximum employment means basically anyone who wants a job has a job. We are currently in an environment where folks earning in excess of \$60,000 per year are back to pre-COVID levels but, when we look at the low wage earners, the folks earning less than \$25,000, they are still down about 25%. So, the Fed's would like to see not only the high wage earners being fully employed but also the low wage earners. We believe this will contribute to the Fed's being very slow to move interest rates off the current range of 0% to 0.25%. When we look at what has happened with interest rates and this is looking at the U.S. treasury yield curve, the short-term interest rates are very anchored to what the Fed's are doing which is keeping interest rates low and locked into that 0.25% range. The longer-term interest rates are much higher than what they were even at the end of last year. The level of the longer term interest rates is pretty close to where we were at the end of 2019. Meaning, the market pricing and economic growth will be strong going forward in the likelihood that inflation will start to rise recognizing that the Fed's are controlling the short-term section of the yield group. This steepness in the level of interest rates has presented these opportunities to continue to add investments out for a longer term as we have maturities or new funds coming into the investment portfolio. The federal reserve does issue what they refer to as forward guidance which forecasts as it relates to key economic indicators as well as where they project the overnight fed funds rate will be. They forecast on a quarterly basis so we will not see an update until June but we can see that the Fed's are forecasting that Gross Domestic Product (GDP) for 2021 will be in excess of 6% but then it will start to trail off throughout the next two years and slowly return back to what they feel is the capacity of the U.S economy which is to grow at a 1.8% rate. The forecast is that unemployment will continue to improve through 2022 and 2023. The forecast for inflation is to remain relatively stable. Their projections for inflation are a little over 2% and their inflation target on the average is at 2%. Inflation has been well below 2% for about a decade and even once inflation does hit 2% on average, it will take some time to hit that average at the 2% level. This is contributing to the Fed's forecast of keeping interest rates locked in at the 0% to 0.25% range which works out to an effective rate of around 0.1%. Their projection is through 2023. What that means for us from an investment perspective is that we anticipate short-term interest rates will remain low. As we are seeing and as we have seen, the longer-term interest rates are ahead of the Fed's so they are already reflecting a much improved environment than what we have experienced over the past year. Looking at the city's portfolio as of February 28, 2021, there was some cash that has been subsequently reduced. When we say cash that means monies that are invested in short-term overnight type investment options. In March there was 1.5 million that was moved out of cash into the investment portfolio. At the end of February we were just shy of 18 million dollars invested in securities, the asset allocation is very heavily weighted into the FDIC insured products at 85% plus 15% in U.S government agencies. The high concentration in FDIC insured products was a function of prior activity. As interest rates started to fall particularly last year, CD rates were a little slow to follow market rates and that presented some

opportunity to take advantage of the CD. The median average maturity of the portfolio is less than two years. When I presented an update last October, we were closer to around 2½ years so the portfolio has gotten a little bit shorter which is good in view of what we are seeing now with longer term interest rates having moved up. The average yield on the portfolio remains above one percent at 1.09%. Comparing that to StarOhio, at the end of the month StarOhio was yielding 0.09% so the portfolio currently is yielding a full 1% above the overnight option of StarOhio. We were relatively light out of the longer term holdings and we strategically would like to have about 40% of the investment portfolio maturing beyond three years. We were at 28% and as I had mentioned, there was 1.5 million added into the portfolio in March, those funds were invested primarily in that four to five year bucket. We now have about 35% of the portfolio maturing beyond three years. As we have maturities within this year, we will have opportunities to fill in some of the relatively longer maturities primarily to three-years to take advantage of this rising interest rate. Comparing the performance of the city's portfolio to StarOhio, this is the dutch mark that is stated in the investment policy. Looking at the 12 month average yield of StarOhio, it has continued to drop but the portfolio has plateaued. As interest rates are moving up we would expect this trend to continue and would expect the StarOhio yield on average to start to plateau and the yield on the city's portfolio would start to pick up as we have maturities and reinvest those in the current environment. We did take advantage of some opportunities that the local bank was offering with the certificate of deposits that are FDIC insured deposits making certain that we are bringing into the mix the local bank as well as continuation of the city's investment holdings. Maassel asked with low rates being projected in 2023 am I understanding this right, the Fed is buying a bunch of U.S treasuries and in order to raise rates they have to stop buying those and start selling them and then raise rates? Stanic said when we look at what we anticipate to be the catalyst for the Fed's to stop this easy monetary policy, the first is going to be meeting their mandates maximum employment and stable prices. Once they have accomplished that, then we would envision their next step would be to scale back the quantitative easing where they are buying treasury securities in the marketplace with the objective of tempering the rise in longer term interest rates. Looking at the playbook they used coming out of the financial crisis, those were the steps they chose and felt comfortable that the recovery was sustainable. The next step is to stop the quantitative easing, what that means is they will be attached to treasury securities in the marketplace. They would start to let those holdings mature and not reinvest them. We had seen them start to do this in 2018-19 before the pandemic hit, they were starting to unwind the balance sheet and everything had to switch gears. Assuming the recovery would be sustainable, then yes we would anticipate them to follow that same path, stop the quantitative easing and to start to increase interest rates. Their latest projection is that we won't start to see anything until 2023. Granted that's a forecast, so we always want to keep that in mind too. Maassel commented the numbers I am hearing are, that's a great idea of 2023 but in order to stop quantitative easing, it's going to be beyond that it's going to be closer to 2024. I listened to somebody recently who made a pretty logical argument about that and was curious what Meeder and Associates thinks, thank-you.

REPORTS FROM COUNCIL COMMITTEES

Finance and Budget Committee met on March 22, 2021 and accepted the first quarter budget adjustments.

The Safety and Human Resource Committee did not meet on March 22, 2021 due to lack of agenda items. Durham, chair of the Technology and Communications Committee, reported they met earlier this evening and reviewed the new city website page.

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Resolution No. 009-21 – Service Contract with Aerotek, Inc./Engineering Department

Council President Bialorucki read by title Resolution No. 009-21, a Resolution Authorizing the Expenditure of Funds over Twenty-Five Thousand Dollars (\$25,000) and Authorizing Entering into a Professional

Motion: Siclair Second: Haase
to approve First Read of Resolution No. 009-21

Motion: Haase Second: Knepley
to suspend the rule requiring three readings of Resolution No. 009-21

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

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

Council President Bialorucki read by title, Resolution No. 010-21, a Resolution Authorizing the Expenditure of Funds over Twenty-Five Thousand Dollars (\$25,000) for the Purpose of Implementation

Motion: Durham Second: Knepley
to approve First Read of Resolution No. 010-21

Motion: Comadoll Second: Knepley
to suspend the rule requiring three readings of Resolution No. 010-21

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

Roll call vote to pass Resolution No. 010-21 under Suspension and Emergency

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

Resolution No. 011-21 – Yearly Reoccurring Costs Amending Resolution No. 063-20

Motion: Comadoll Second: Haase
to approve First Read of Resolution No. 011-21

Motion: Comadoll Second: Knepley
to suspend the rule requiring three readings of Resolution No. 011-21

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 011-21 under Suspension and Emergency

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

Nay-

Yea-7, Nay-0. Motion Passed.

Resolution No. 012-21 – ODOT Road Salt Contract

Council President Bialorucki read by title Resolution No. 012-21, a Resolution Authorizing the City Manager to Enter into a Contract for the Purchase of Sodium Chloride in Cooperation with ODOT; and Declaring an Emergency

Motion: Haase Second: Durham

to approve First Read of Resolution No. 012-21

Maassel stated this is the annual salt contract. We have to tell the state yes we want some road salt in 2022 and how many tons. Haase asked do we have an idea what the cost is? Lulfs replied we haven't heard. It will probably be around \$75/ton. Maassel asked how much room do we have in the shed? Lulfs stated I believe Rathge said there is about 1300 ton. Mazur added we usually keep 1700 ton on hand. Rathge reported we used about 500 ton this year. We do have room in the bin so I am hoping to order a little more this year. We probably have 900 tons in the bin right now. Again, I cannot stress enough my thanks to Council for that bin. It definitely takes pressure off me having to guess. The prices for the last three years were: \$53.77/ton in 2021, \$80.25/ton in 2020 and in 2019 it was \$71.47/ton. I would look towards a higher cost as everyone used a little more this year. I would say Lulfs probably hit it close at \$75 to \$80/ton.

Motion: Durham

Second: Knepley

to suspend the rule requiring three readings of Resolution No. 012-21

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 012-21 under Suspension and Emergency

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

Nay-

Yea-7, Nay-0. Motion Passed.

Resolution No. 013-21 – Village of Florida Water Contract

Council President Bialorucki read by title Resolution No. 013-21, a Resolution Authorizing a Contract with the Village of Florida for the Purpose of Operating a Water Supply Distribution System; and Declaring an Emergency

Motion: Durham

Second: Sicclair

to approve First Read of Resolution No. 013-21

Mazur reported we have been working on this contract with staff and Jeff Nulton who is the Mayor of the Village of Florida. They are reviewing the contract and we have not received any comments back from their legal counsel yet. There may be some tweaks but, I do believe the contract captures

Roll call vote to pass Resolution No. 013-21 on First Read
Yea-Siclair, Comadoll, Knepley, Durham, Haase, Baer, Bialorucki
Nay-

Ordinance No. 014-21 – Supplement No. 2

Motion: Siclair
to approve First Read of Ordinance No. 014-21

- 7 -

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

Roll call vote to pass Resolution No. 016-21 under Suspension and Emergency

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

Nay-

Yea-7, Nay-0. Motion Passed.

SECOND READING OF ORDINANCES RESOLUTIONS

Resolution No. 008-21 – State Infrastructure Bank (SIB) Loan Program

Council President Bialorucki read by title Resolution No. 008-21, a Resolution Authorizing the City Manager of the City of Napoleon to Execute any and all Documents Necessary to Apply for and Receive Financial Assistance from the Ohio Department of Transportation State Infrastructure Bank Loan Program for the Oakwood Avenue and American Road Project; and Declaring an Emergency.

Motion: Comadoll

Second: Knepley

to approve Second Read of Resolution No. 008-21

Mazur reported the bids open on Wednesday, April 14, 2021. Once we receive the bids and make sure that our pricing is right, then we will go to the State Infrastructure Bank to seek a loan. I believe we can use this if we need to or we can seek other opportunities to finance or refinance but the advantage of the State Infrastructure Bank (SIB) is that we can defer payments for 30 months before the first payment is due.

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

THIRD READING OF ORDINANCES AND RESOLUTIONS

Ordinance No. 004-21 – Otermat Ag District Renewal

Council President Bialorucki read by title Ordinance No. 004-21, an Ordinance Approving the Renewal of a Certain Agricultural District located in the City of Napoleon, Ohio at the Location of County Road P as Applied for by Linda Otermat; and Declaring an Emergency

Motion: Knepley

Second: Haase

to pass Ordinance No. 004-21 on Third Read

Roll call vote to pass Ordinance No. 004-21 on Third Reading

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

Nay-

Yea-7, Nay-0. Motion Passed.

GOOD OF THE CITY (DISCUSSION/ACTION)

Review Recommendations on CRA Agreements from the Housing Council and the Tax Incentive Review Committee (TIRC)

Mazur reported the Tax Incentive Review Council (TIRC) met on March 25, 2021 and the Housing Council met earlier tonight. The TIRC made the recommendation to continue forward with all the active CRA's and to terminate two CRA's due to property transfers. Both Petro Facility and Stop & Go did not get developed and both have now been terminated. Napoleon I, LLC (Rite Aid) is in its last year so, that CRA

Motion: Siclair Second: Baer
to approve the TIRC and Housing Council recommendations as noted on the attachment

Yea-7, Nay-0. Motion Passed.

Motion: Comadoll Second: Knepley
to approve the plans and specifications for the Lynne Avenue Improvements Project and go out to bid

Yea-7, Nay-0. Motion Passed.

Motion: Durham Second: Knepley
to approve the specifications and go out to bid for the 2021 Sanitary Sewer Cleaning Program

Yea-7, Nay-0. Motion Passed.

O-Boyle - No items.

Knepley - Mayor Maassel you did a nice job tonight, thank-you! Congratulations to the girls, it's fun to see the community come together again for those girls!

Comadoll – I have a complaint with garbage already actually recycling bins. My original people decided they don't have to follow the rules in Napoleon. They now have three bins out. Last week was one, they didn't put it away and now there are three bins out there. They probably need to have a little talking to. Mazur asked on Sheffield? Comadoll at Sheffield and Park.

Sicclair - what Knepley said Good Job Mayor! Congratulations to the team again, it was a really special event. I have a small question about street repair. I know we have talked in the past about Meekison and it's not on the agenda for a few years. Lulfs pointed out we don't have it programmed into a five-year program. It is one that needs the sewer replaced before we do the street. We have the sewer designed but, we have never had the street designed. To do the engineering on it wouldn't be an excessive cost but that is a concrete based street so removal of the old street would be a little more than in a normal case. I can put numbers together and provide it for this fall's budget if you'd like.

Sicclair-I don't know what is best but, it is in bad shape. What would it take to just pave over that to get by? Lulfs – that would probably cost \$40,000 to \$50,000 to pave from Appian to Perry. The sewer that's under there is part of the system that goes down Third Street which is probably one of the worst sewers in the city. It does need replaced. That sewer currently goes down Third and then goes straight north under the old grocery store. It was under the store that's to be abandoned and goes down Meekison to Appian. When we did Appian we planned for that, we just have not done that phase of it yet. Sicclair-what do you predict for the street to hold up until? Lulfs-it comes down to how bad does it get before it's too bad. You can still drive it, we can patch it, it is rough. That is one I would be in favor of doing next year but if the funds aren't available. It is still drivable. We can take a look at it with the spray patch machine when we get fully staffed out there and add it to our list.

Maassel - thanks Chief for letting us use the Firehouse. I thought that worked really well. Whoever put that sign together that was excellent. Chad, tell your guys who did the sign that we appreciate it. Thanks to Amanda for putting all the proclamations together and getting them into the folders. Nice team effort all around. It was nice to have the team here and to be able to give them give a nice award.

Bialorucki - I will repeat what everyone said, excellent job as usual with your public speaking. I was watching the crowd and their appreciation of the things you were saying. I'm sure it really hit home with them and with the girls' team, great job! I have a question, on Michigan Avenue I see all the pretty colors out there when is that going to start and what are they doing there? Lulfs- that is one of this year's streets for the annual street resurfacing projects. Remember last year when Graceway took a bad turn, the other street we are planning is Sheffield. I went out and tested all the streets and Sheffield was going to be another Graceway but we caught it so we are able to take a different direction so we do not run into that issue since we caught it before we start construction. We are going to have to raise the street two inches. That way we don't have to go out there and put six inches of asphalt down after we have already started. It will probably save us about \$100,000 to \$150,000. This year's annual street resurfacing project will be North Sheffield from Woodlawn to Lagrange and Michigan from Woodlawn to Lagrange. I will meet with the firm designing the project on Thursday and will have a better idea of our design schedule after that meeting. Whenever the plans are ready, we will put it out to bid and have a completion date of mid-October. We will work with Jeff Nicely at the school. Bialorucki asked do you know there's an issue at the corner of Michigan and Woodlawn? That first house on Michigan has had a couple of water main breaks and had some issues, will that be part of the project? Lulfs - it's not part of the project. When we were out there before we were hopeful we had it stabilized. The water fund is not in good shape, so we were concentrating our efforts in that neighborhood to get some of the streets fixed up. We believe it will be fine. There is not a good way to test all of that but we believe we'll be okay. The streets are pretty bad so we are going to replace the curbs and repave the street out

City Council went into Executive Session at 8:34 pm.

Motion: Siclair Second: Knepley
to adjourn from Executive Session at 9:29 pm

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

Council President Bialorucki reported no action was taken.

APPROVE PAYMENT OF BILLS

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

ADJOURNMENT

Motion: Siclair Second: Durham
to adjourn the City Council meeting at 9:30 pm Roll call vote on the above motion:

Roll call vote on the above motion:

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

Nay-

Yea-7, Nay-0. Motion Passed.

Approved:

April 19, 2021

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Attest:

Roxanne Dietrich, Clerk of Council

RESOLUTION NO. 013-21

A RESOLUTION AUTHORIZING A CONTRACT WITH THE VILLAGE OF FLORIDA FOR THE PURPOSE OF OPERATING A WATER SUPPLY DISTRIBUTION SYSTEM; AND DECLARING AN EMERGENCY

WHEREAS, the Village of Florida of Henry County, Ohio, desires to enter into a contract with the City for water distribution services; and,

WHEREAS, the City, a municipal corporation duly organized and existing under the laws of the State of Ohio, now owns and operates a water system, including water mains, water intake facilities, and a water treatment plant, together with related appurtenances; and,

WHEREAS, the Village of Florida can be served by the current water system; and,

WHEREAS, the City has determined to provide the service of water supply distribution to the Village of Florida as identified in an Agreement and upon the terms and conditions contained in said Agreement; **Now Therefore**,

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

Section 1. That, the City Manager is authorized to enter a contract with the Village of Florida, Henry County, Ohio, for water distribution services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2021.

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for emergency services to be rendered in a timely manner, emergency services also utilized by the City inhabitants when needed outside the City's jurisdictional boundaries; 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, it is necessary that this contract with the Village of Florida be in force in a timely manner, and for further reasons as stated in the Preamble hereof.

Passed: _____
Joseph D. Bialorucki, Council President

Approved: _____
Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 013-21 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

WATER PURCHASE CONTRACT

This contract for the sale and purchase of water is entered into as of the _____ day of _____, 2021, "Effective Date" between the CITY OF NAPOLEON, OHIO, 255 W. Riverview Avenue, Napoleon, Ohio 43545, hereinafter referred to as the "Seller" and the VILLAGE OF FLORIDA, OHIO, 206 E. High St., Napoleon, Ohio 43545, hereinafter referred to as the "Purchaser". When referencing both the Seller and the Purchaser together, they shall be referred to as the "Parties".

WITNESSETH:

Whereas, the Purchaser is organized and established under the provisions of the Ohio Revised Code, for the purpose of constructing and operating a water supply distribution system serving water users within the area described in plans now on file in the Office of the Purchaser and to accomplish this purpose, the Purchaser will require a supply of treated water; and,

Whereas, the Seller owns and operates a water supply distribution system with a capacity currently capable of serving the present customers of the Seller's system and the estimated number of water users to be served by the said Purchaser as shown in the plans of the system now on file in the Office of the Purchaser; and,

Whereas, Ordinance No. _____ was enacted on the ____ day of _____, 2021, by the Seller for the sale of water to the Purchaser in accordance with the provisions of this Agreement; and,

Whereas, Ordinance No. _____ was enacted on the ____ day of _____, 2021, by the Purchaser for the purchase of water from the Seller in accordance with the provisions of this Agreement.

NOW THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth,

A. Representations of the Seller:

1. Quality and Quantity: To furnish the Purchaser at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable quality standards of the Ohio Department of Health and The Ohio Environmental Protection Agency in such quantity as may be required by the Purchaser not to exceed 300,000 cubic feet per month.

2. Pressure: That water will be furnished at a reasonably constant pressure calculated at no less than 35 lbs./sq. inch from an existing six- inch main supply at a point located at the west corporate limit of the City of Napoleon on County Road 424. If a greater pressure than that normally available at the point of delivery is required by the Purchaser, the cost of providing such greater pressure shall be borne

by the Purchaser. Emergency failures of pressure of supply due to main supply line breaks, power failure, flood, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the Seller from this provision for such reasonable period of time as may be necessary to restore service. Initially the Purchaser will use the available pressure from the Seller's water system to supply their distribution system; however, the Purchaser has the right to install a booster pump station whenever the Seller's water system is unable to supply sufficient pressure.

3. Point of Delivery: Seller shall furnish, install, operate and maintain the necessary metering equipment at the point of delivery for properly measuring the quantity of water delivered to the Purchaser and to calibrate such metering equipment as needed, but not including the meter pit. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the six months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read monthly. An appropriate official of the Purchaser at all reasonable times shall have access to the meter for the purpose of verifying its readings.

4. Billing Procedure: Seller to furnish the Purchaser at the above address not later than the 10th day of each month, with an itemized statement of the water furnished the Purchaser during the preceding month, unless unforeseen circumstances occur that would prohibit the ability to provide a timely statement.

B. Representations of the Purchaser:

1. Water Purchasing: To purchase water solely from the Seller so long as there is sufficient amount available for its needs.

2. Water Payment: (a) To pay the rate of \$7.77/1,000 gallons of water, subject to increases reviewed by the Water Rate Review Commission and City of Napoleon Council approval and subject to increases already approved by the Napoleon City Council.

(b) There shall be a monthly minimal charge which shall be computed by using as a base a minimum usage of 30,000 cubic feet and multiplying this base by the charges as shown in 2 (a).

(c) Prior to any use of water line(s) constructed and installed by it, Purchaser will pass a resolution to adopt or approve rules and regulations governing the use and control of such line(s) which shall be substantially identical in substance, form, intent, and purpose to those passed by or amended by the Seller.

(d) The Purchaser shall not add any one user as a customer who will use over 20,000 cu. ft. per month, without prior approval of the Seller. The Purchaser and Seller agree that this provision is intended to provide a review process solely for the purpose of determining whether the Seller's water system can physically support the additional demand without adversely affecting pressures or flows in the Seller's system.

The Seller reserves the right to refuse the additional request or service only in the event that:

- i) There would be an adverse impact on the Seller's water system, including, but not limited to, pressure, flow, quality, necessity for reconfiguration of water delivery point, increased meter size and testing.
- ii) The Purchaser cannot or will not provide additional measures or compensation to fully mitigate the adverse impact.

3. Point of Delivery: To furnish, install, operate and maintain at its own expense at point of delivery, the necessary materials and equipment, including a meter house or pit, valves and required devices of standard type for properly operating metering equipment. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous reading of any meter disclosed by test to be inaccurate shall be corrected for the six months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller and Purchaser shall agree upon a different amount. The metering equipment shall be read on the 1st day of each month. An appropriate official of the Seller at all reasonable times shall have access to the meter for the purpose of verifying its readings.

C. Representations of the Parties:

1. **Term of Contract:** That this contract shall end on July 1st of the year 2049, which is when the debt for the rehabilitation of the Water Treatment Plant is scheduled to be paid in full.
2. **Water Rate Review Commission:** Within one hundred eighty (180) days from the execution of this contract, the Seller agrees to establish a Water Rate Review Commission as a standing body that will review water rates on an as needed basis and make recommendations to City Council related to the review and establishment of water rates. The Commission shall meet with the Napoleon Board of Public Affairs and the City Council Water, Sewer, Refuse, Recycling and Litter Committee at the designated times to review items that could impact water rates. The Commission will consist of at least two (2) members from Napoleon, appointed by City Council and one (1) member of any community that is party to a contract with the City of Napoleon for purchasing water. The Commission shall also review contracts for any communities that would enter into

contracts with the City of Napoleon Water System and would have a seat on the Commission to ensure that the terms and conditions of the contracts are congruent with this contract.

3. **Failure to Deliver Water:** That the Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Purchaser with quantities of water required by the Purchaser. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the Seller is otherwise diminished over an extended period of the time, the supply of water to Purchaser's consumers shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished.
4. **Modification of Contract:** That the provision of this contract pertaining to the schedule of rates to be paid by the Purchaser for water delivered are subject to Section B of this agreement. Other provisions to this contract may be modified or altered by written mutual agreement.
5. **Regulatory Agencies:** That this contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in this State and the Seller and purchaser will collaborate in obtaining such permits, certificates, or the like as may be required to comply therewith.
6. **Miscellaneous:** That the construction of the water supply distribution system by the Purchaser may be financed by a loan made or insured by, and/or a grant from the United States of America, acting through the Farmers Home Administration of the United State Department of Agriculture, and the provisions hereof a Home Administration of the United States, and the provisions hereof pertaining to the undertakings of the Purchaser are conditioned upon the approval, in writing of the State Director of the Financing. If the Purchaser obtains alternate financing, the Purchaser certifies that it will do all necessary undertakings required by alternate lender.
7. **Successor to the Purchaser:** That in the event any occurrence rendering the Purchaser incapable of performing under this contract, any successor of the Purchaser, whether the result of legal process, rights of assignment, or otherwise, shall succeed to the rights of the purchaser hereunder.
8. **Operations and Maintenance Agreement:** The Parties may agree in a separate Operations and Maintenance Agreement for the Seller to take responsibility for the Operations and Maintenance of the Purchaser's water system, which may include, but is not limited to, billing, leak detection, hydrant flushing, operating a backflow program, providing a certified Operator of Record, valve exercising, asset management, Meter reading, tower inspections and maintenance, hydrant maintenance, capital improvement planning, adopting an asset management plan and contingency plans, maintaining parts inventory for inevitable repairs and maintenance, and incorporating the water system into

a GIS program. The Operations and Maintenance Agreement will detail the costs associated with operating and maintaining the Purchaser's water system.

- 9. Purchaser Termination:** The Purchaser may opt out at its discretion prior to construction of the new water line. Purchaser shall promptly notify the Seller of this decision. Purchaser shall pay a fee in the amount equal to the previous 24 months of water purchases if the Purchaser decides to terminate the contract prior to the contract expiration date. The fee is justified to maintain the long-term financial stability of the water system. If Purchaser does not commence construction within two years of execution of this contract, Seller may, by Ordinance, declare this contract null and void. Seller would promptly notify Purchaser of this action. In either eventuality listed above, the Purchaser agrees to pay the full cost of all engineering work done by the Purchasers engineer for the project.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in four counterparts, each of which shall constitute an original.

SELLER:

PURCHASER:

THE CITY OF NAPOLEON, OHIO

THE VILLAGE OF FLORIDA,
OHIO

By: _____
Joel L. Mazur, City Manager

By: _____
Jeff Nulton, Mayor

Attest:

Attest:

Roxanne Dietrich, Clerk of Council

Clerk

Approved as to Form:

Approved as to Form:

Billy Harmon, Law Director

Village Solicitor

RESOLUTION NO. 008-21

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF NAPOLEON TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF TRANSPORTATION STATE INFRASTRUCTURE BANK LOAN PROGRAM FOR THE OAKWOOD AVENUE AND AMERICAN ROAD PROJECT; AND DECLARING AN EMERGENCY

WHEREAS, on December 7, 2020, the Council of the City of Napoleon, Ohio (“City Council”) approved Ordinance No. 056-20 (the “TIF Ordinance”), declaring, *inter alia*, (a) that one hundred percent (100%) of the increase in the assessed value of certain identified property (which increase in assessed value is an “Improvement” as defined in Ohio Revised Code (“R.C.”) Section 5709.40) shall be a public purpose and shall be exempt from real property taxation commencing on a parcel-by-parcel basis, (b) that as provided in R.C. Section 5709.42, the owner of any Parcel (as defined in the TIF Ordinance) with an Improvement is required to make annual payments in lieu of taxes to the Henry County Treasurer (the “County Treasurer”) on or before the final dates for payment of real property taxes, (c) that each such payment (including interest and penalties) shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation (the payments in lieu of tax, including any penalties and interest, the “Service Payments”), (d) that the County Treasurer shall remit all Service Payments to the City for deposit in the Oakwood/American Napoleon Municipal Public Improvement Tax Increment Equivalent Fund (the “TIF Fund”) established in Section 5 of the TIF Ordinance that are not required to be distributed to the School Districts (as defined in the TIF Ordinance) and the Four County Career Center; and,

WHEREAS, the State Infrastructure Bank, operated by the Ohio Department of Transportation (“ODOT”), is a loan funding program that provides financial assistance to political subdivisions of the State of Ohio; and,

WHEREAS, the City of Napoleon, Ohio is currently in the process of making infrastructure improvements *via* the project known as the Oakwood Avenue and American Road Project; and,

WHEREAS, the City of Napoleon, Ohio is qualified to apply for and obtain finance assistance from the State Infrastructure Bank for the purpose of this project; and,

WHEREAS, this City Council deems it proper and in the best interest of the City of Napoleon to apply for a loan from the State Infrastructure Bank in the current estimated amount of approximately \$1,550,000 (with the final amount determined upon receipt of actual construction bids) to be used for the Oakwood Avenue and American Road Project; and,

WHEREAS, the City of Napoleon's TIF Fund, pursuant to the TIF Ordinance, and if necessary City of Napoleon capital funds, until money is received from the TIF, then reimbursed to the Capital Fund, will provide an adequate resource for repayment on the State Infrastructure Bank Loan; and,

WHEREAS, the City of Napoleon authorizes the City Manager, as well as other City officials such as the City Engineer or City Finance Director to enter into and/or execute any agreements or other documents as may be required by the State Infrastructure Bank Program necessary and appropriate for obtaining this financial assistance. **Now Therefore**,

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

Section 1. That, this City Council deems it proper and in the best interest of the City of Napoleon to apply for a loan from the State Infrastructure Bank Program in the current estimated amount of approximately \$1,550,000 (with the final amount determined upon receipt of actual construction bids) to finance the City of Napoleon's Oakwood Avenue and American Road Project.

Section 2. That, this City Council does hereby authorize the City Manager and/or other City of Napoleon officials as necessary to submit a State Infrastructure Bank loan application, together with all required documentation, and authorizes entering into any agreements and/or executing any documents that may be necessary on behalf of the City of Napoleon to successfully obtain financial assistance from the ODOT State Infrastructure Bank Loan Program for the Oakwood Avenue and American Road Project as set forth in this Resolution.

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution with respect to the State Infrastructure Bank Loan Program financing for the Oakwood Avenue and American Road Project, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to be eligible for receiving funding for a program that is essential to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 008-21 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

PLANNING COMMISSION RESOLUTION NO. PC 21-02

**A RESOLUTION RECOMMENDING THE APPROVAL OF A PLAT-
KNOWN AS EAST RAYOND ST. RIGHT-OF-WAY BEING PART OF
THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 19, TOWN 5
NORTH, RANGE 7 EAST, IN THE CITY OF NAPOLEON, OHIO**

Whereas, this Owner, Stock Development company, LLC, John Stock, Senior Housing, LP., and Keith Fruchey has legal ownership of certain real property being Raymond St. being part of the West ½ of the Northwest ¼ of section 19, town 5 North, range 7 East, in the City of Napoleon, Henry County, Ohio; and,

Whereas, a certain street exists known as the 500 Block of Raymond St. East of the Germann and Baden Subdivision that has been used and maintained By the owner, John Stock, Stock Development Company, LLC, Keith Fruchey and, Senior Housing, LP, and has requested this section to be dedicated and accepted as a public street; and,

Whereas, the City's Engineering department is unable to locate a record evidencing the dedication and acceptance of the said street, at least in the entirety as now used as a public street; Therefore,

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

Section 1. That, it is the recommendation of this Planning Commission that the Plat known as the Raymond St. Right of Way Dedication Plat" situated in the City of Napoleon, County of Henry, State of Ohio, be approved, and the Right of Way (Street) be hereby accepted by the City as a public street.

That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission 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 2. That, if any other prior 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 3. That, this Resolution shall take effect at the earliest time permitted by law.

Passed: yes

[Signature]
Chairperson

VOTE ON PASSAGE 3 Yea - Nay - Abstain

Attest: Roxanne Dietrich Roxanne Dietrich, Clerk of Council

Dedication Certificate

The undersigned, John Stock owner(s) of the real estate described herein do hereby dedicate to the City of Napoleon all rights of way, streets, alleys, easements or other areas described or indicated as dedicated on the plat.

[Signature]
Owner

[Signature]
Witness

Owner

Witness

STATE OF Ohio :

COUNTY OF Henry :

Be it remembered, that on this 13 day of April, 2021, before me a notary Public in and for the State of OH, personally appeared the owner(s) John Stock, the grantor(s) in the foregoing instrument, who acknowledge that He/she/they/it did sign the same, and that the same is grantor's free act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal of Henry County, Ohio on the day and year aforesaid.



ROXANNE DIETRICH
NOTARY PUBLIC
FOR THE
STATE OF OHIO
My Commission Expires
June 23, 2022

Roxanne Dietrich
NOTARY PUBLIC, STATE OF Ohio
MY COMMISSION EXPIRES: 6-23-2022

City Engineer Certification

In accordance with Ohio Revised Code 711.08, the undersigned, being the Engineer for the City of Napoleon, Ohio hereby certifies that the streets as laid out on the plat of such addition correspond with those laid out on the recorded plats of the Planning Commission.

2021.04.14
Date


Engineer

City Engineer Certification

I Hereby Certify, this plat illustrates the location and description of the street and alley as vacated.

2021.04.14
Date


Engineer

Application for Public Hearing

City of Napoleon, Ohio

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

Planning Commission

(MZON 100.1700.46690)

Conditional Use
\$125.00
Amendment
\$125.00
Subdivision in City
\$75.00 + \$5.00 each, after two
Preliminary Plat of Development
\$125.00
Alley Vacation
\$25.00 + publication cost

Preservation Commission

MZON 100.1700.46690)

Certificate of Appropriateness
\$25.00

Board of Zoning Appeals

(MZON 100.1700.46690)

Certificate of Zoning
\$25.00
Re-Zoning
\$125.00
Variance
\$125.00
Administrative Appeal
\$50.00

Address of property: Raymond Street Extension – 501 to 545 Raymond Street

Description of request:

Street Dedication per attached plan.

Street Dedication of Raymond St / Sen. Living Area

Napoleon Senior Housing, LP and Keith Fruchey
OWNER(S) NAME (PRINT)

4260 Tuller Road, Suite 100, Dublin Ohio 43017
ADDRESS- CITY, STATE, ZIP

614-309-3182
PHONE NUMBER

SIGNATURE

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

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

John Stock
APPLICANT NAME (PRINT)

ADDRESS

APPLICANT SIGNATURE

CITY, STATE, ZIP

Hearing #: _____ Hearing Date: 4/13/2021 PHONE _____ Zoning District: _____

Office Use Only

Batch #

Check #

Date

PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 19, TOWN 5 NORTH, RANGE 7 EAST, IN THE CITY OF NAPOLEON, HENRY COUNTY, OHIO



P.O. Box 2628 Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140
E-Mail: dkaiser@garciasurveyors.com
Job Number: 214S04443



Legal Description

A parcel of land being part of the West Half (1/2) of the Northwest Quarter (1/4) of Section nineteen (19), Town five (5) North, Range seven (7) East, in the City of Napoleon, Henry County, Ohio, said parcel of land being bounded and described as follows:

Commencing at the intersection of the West line of said Northwest Quarter (1/4) of Section nineteen (19) with the South line of said Northwest Quarter (1/4) of Section nineteen (19), said West line of the Northwest Quarter of Section nineteen also being the easterly line of Germann and Baden Sub-Division, Slide 123, Henry County Plat Records, said point of intersection being marked with a found capped iron rebar stamped "PS 7432";

Thence in a northerly direction along said West line of the Northwest Quarter (1/4) of Section nineteen (19), having an assumed bearing of North one (01) degree, fourteen (14) minutes, one (01) second East, passing through a found capped iron rebar stamped "PS 7432" at a distance of eight hundred forty-three and thirty hundredths (843.30') feet, a total distance of one thousand one hundred thirty-nine and fifty-two hundredths (1,139.52') feet to the intersection of a line drawn thirty and zero hundredths (30.00') feet southerly of and parallel with the centerline of Raymond Street, as it now exists, said point of intersection being marked with a set concrete monument, said point of intersection being the True Point of Beginning;

Thence continuing North one (01) degree, fourteen (14) minutes, one (01) second East along said West line of the Northwest Quarter (1/4) of Section nineteen (19) passing through a set capped iron rebar at a distance of ten and zero hundredths (10.00') feet, also passing through a set concrete monument at a distance of thirty and zero hundredths (30.00') feet, also passing through a set capped iron rebar at a distance of fifty and zero hundredths (50.00') feet, a total distance of sixty and zero hundredths (60.00') feet to the intersection of a line drawn thirty and zero hundredths (30.00') feet northerly of and parallel with the centerline of Raymond Street, as it now exists, said point of intersection being marked with a set concrete monument;

Thence South eighty-nine (89) degrees, twenty-three (23) minutes, fifty-nine (59) seconds East along said line drawn thirty and zero hundredths (30.00') feet northerly of and parallel with the centerline of Raymond Street, as it now exists, a distance of five hundred seventeen and sixty-nine hundredths (517.69') feet to the intersection of the easterly line of a parcel of land described in Official Record Book 316, Page 2130, Henry County Deed Records, currently deeded to Napoleon Senior Housing, L.P., said point being marked with a set x-cut in concrete curb;

Thence North zero (00) degrees, thirty-six (36) minutes, one (01) second East along said easterly line of a parcel of land described in Official Record Book 316, Page 2130, Henry County Deed Records, currently deeded to Napoleon Senior Housing, L.P., a distance of thirty and zero hundredths (30.00') feet to the intersection of a line drawn sixty and zero hundredths (60.00') feet northerly of and parallel with the centerline of Raymond Street, as it now exists, said point of intersection being marked with a set concrete monument;

Thence South eighty-nine (89) degrees, twenty-three (23) minutes, fifty-nine (59) seconds East along said line drawn sixty and zero hundredths (60.00') feet northerly of and parallel with the centerline of Raymond Street, as it now exists, line, a distance of eighty and zero hundredths (80.00') feet to the intersection of a line drawn eighty and zero hundredths (80.00') feet easterly of and parallel with the easterly line of a parcel of land described in Official Record Book 316, Page 2130, Henry County Deed Records, currently deeded to Napoleon Senior Housing, L.P., said point of intersection being marked with a set concrete monument;

Thence South zero (00) degrees, thirty-six (36) minutes, one (01) second West along said line drawn eighty and zero hundredths (80.00') feet easterly of and parallel with the easterly line of a parcel of land described in Official Record Book 316, Page 2130, Henry County Deed Records, currently deeded to Napoleon Senior Housing, L.P., a distance of ninety and zero hundredths (90.00') feet to the intersection of said line drawn thirty and zero hundredths (30.00') feet southerly of and parallel with the centerline of Raymond Street, as it now exists, said point being marked with a set concrete monument;

Thence North eighty-nine (89) degrees, twenty-three (23) minutes, fifty-nine (59) seconds West along said line drawn thirty and zero hundredths (30.00') feet southerly of and parallel with the centerline of Raymond Street, as it now exists, a distance of five hundred ninety-eight and thirty-five hundredths (598.35') feet to the True Point of Beginning.

Said parcel of land containing an area of 38,279 square feet or 0.879 acres of land, more or less.

The above described parcel of land is subject to any and all leases, easements and restrictions of record.

The bearings used hereon are based on an assumed meridian and are solely for the purpose of calculating angular measurement.

Prior Deed Reference is Official Record Book 316, Page 2130, Henry County Deed Records. Currently deeded to Napoleon Senior Housing, L.P.

Said set concrete monument being a set Type "A" Monument.

Said set and capped iron rebars being a 5/8" diameter by 30" long iron rebar with a plastic cap stamped "PS 7973".


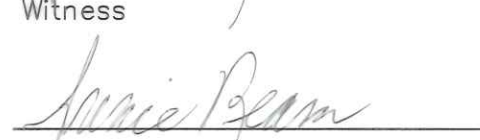
The above description is based on a survey preformed under my supervision during January, 2021.

Owner's Certificate

The Undersigned owners Keith Fruchey, and Napoleon Senior Housing, Lp An Ohio Limited Partnership of the estate described hereon, do hereby dedicate to the City of Napoleon all rights of way, streets, alleys, easements or other areas described or indicated as dedicated on the plat.


Keith Fruchey (Owner)

Napoleon Senior Housing, LP
An Ohio Limited Partnership (Owner)


Witness

Witness

STATE OF OHIO
COUNTY OF Henry

Before me, a Notary Public in and for said County and State, personally appeared the above owners of the lands shown hereon, and that the signing of the above certificate is their own free act and deed for the uses and purposes therein expressed, in witness thereof, this 3rd day of March, 2021.



Notary Public



SHEILA K. CELANI
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 7-15-22

STATE OF OHIO
COUNTY OF Henry

Before me, a Notary Public in and for said County and State, personally appeared the above owners of the lands shown hereon, and that the signing of the above certificate is their own free act and deed for the uses and purposes therein expressed, in witness thereof, this 3rd day of March, 2021.


Notary Public



SHEILA K. CELANI
NOTARY PUBLIC - OHIO
MY COMMISSION EXPIRES 7-15-22

Henry County Auditor

I, the Henry County Auditor, do hereby certify that there are no unpaid taxes on the property herein and certify the same for transfer. Transferred this _____ day of _____, 2021.

Henry County Auditor

Henry County Recorder

Filed for record this _____ day of _____, 2021, at _____ o'clock ____M. and recorded in Plat Cabinet _____, Slide _____.

Henry County Recorder

City of Napoleon Planning Commission

Under authority provided by Ohio R.C. Chapter 711 and Chapter 1105 of the Napoleon Codified Ordinances, the plat is hereby approved by the Planning Commission of the City of Napoleon.

Date: _____

Chairman

Clerk of Council

City of Napoleon Council

Under authority provided by Ohio R.C. Chapter 711 and Chapter 1105 of the Napoleon Codified Ordinances, the plat is hereby approved by the City Council of the City of Napoleon.

Date: _____

Mayor

Attest: Clerk of Council

City of Napoleon Engineer

In accordance with Ohio R.C. 711.08, the undersigned, being the Engineer for the City of Napoleon, Ohio hereby certifies that the streets as laid out on this plat of such addition corresponds with those laid out on the recorded plats of the Commission.

City of Napoleon Engineer

Surveyor's Certificate

I hereby certify that this plat represents a survey made by me, and that the specified monumentation shown hereon actually exists, and its location is correctly shown.


Daniel C. Kaiser Reg. Surveyor #7973
Garcia Surveyors, Inc.



Garcia Surveyors, Inc.

P.O. Box 2628 Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140
E-Mail: dkaiser@garciasurveyors.com
Job Number: 214S04443



Application for Public Hearing

City of Napoleon, Ohio

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

Planning Commission

(MZON 100.1700.46690)

___ Conditional Use

\$125.00

___ Amendment

\$125.00

X Subdivision in City

\$75.00 + \$5.00 each, after two

___ Preliminary Plat of Development

\$125.00

___ Alley Vacation

\$25.00 + publication cost

Preservation Commission

(MZON 100.1700.46690)

___ Certificate of Appropriateness

\$25.00

Board of Zoning Appeals

(MZON 100.1700.46690)

___ Certificate of Zoning

\$25.00

___ Re-Zoning

\$125.00

___ Variance

\$125.00

___ Administrative Appeal

\$50.00

Address of property: _____

Description of request: _____

Re-Plot of Parcel 41-129221.0040

C. Richard Luzny

OWNER(S) NAME (PRINT)

450 BRIMCLIFF DRIVE, NAPOLEON, OHIO

ADDRESS- CITY, STATE, ZIP

419-966-8381

PHONE NUMBER

C. Richard Luzny

SIGNATURE

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

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

C. Richard Luzny

APPLICANT NAME (PRINT)

C. Richard Luzny

APPLICANT SIGNATURE

450 BRIMCLIFF DRIVE

ADDRESS

NAPOLEON, OHIO

CITY, STATE, ZIP

419-966-8381

PHONE

Hearing #: _____ Hearing Date: _____ Zoning District: _____

Office Use Only

Batch # _____

Check # _____

Date _____



City of Napoleon, Ohio

Kevin Schultheis, Zoning Administrator

Code Enforcement

*255 West Riverview
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com*

PC-21-03
Subdivision in City
For a Recommended Re-Plat Approval
Location: Parcel Number: 41-129221.0040

Memorandum

To: Members of the City Planning Commission
From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer
Subject: Subdivision of plat in the City
Meeting Date: April 13, 2021
Hearing #: PC-21-03

Background:

An application for a public hearing has been filed by Richard Luzny. The applicant is requesting the approval of a subdivision of a Re-Plat of lot A-2 of the re-plat of lot A of the Hogrefe's Plat II within the city. The request is pursuant to Chapter 1141 of the Codified ordinance of Napoleon, Ohio. The property is located in an R-3 Moderate-Density Residential Zoning District.

Research and Findings:

1. A Subdivision in City Permit is for any planned development to be located in the R-3 Moderate –Density Residential Zoning District as per 1145.01(a) table of permissible uses.
2. Scope of the project: Proposed Re-Plat of lot A-2 of the Re-Plat of Lot A of Hogrefe's 0.331 Acres. (see attached)

Recommended Conditions:

1. All revisions made to plans by the surveyor of the project must be reviewed by the City Engineer, Chad Lulfs prior to approval by the Board of Planning Commission.

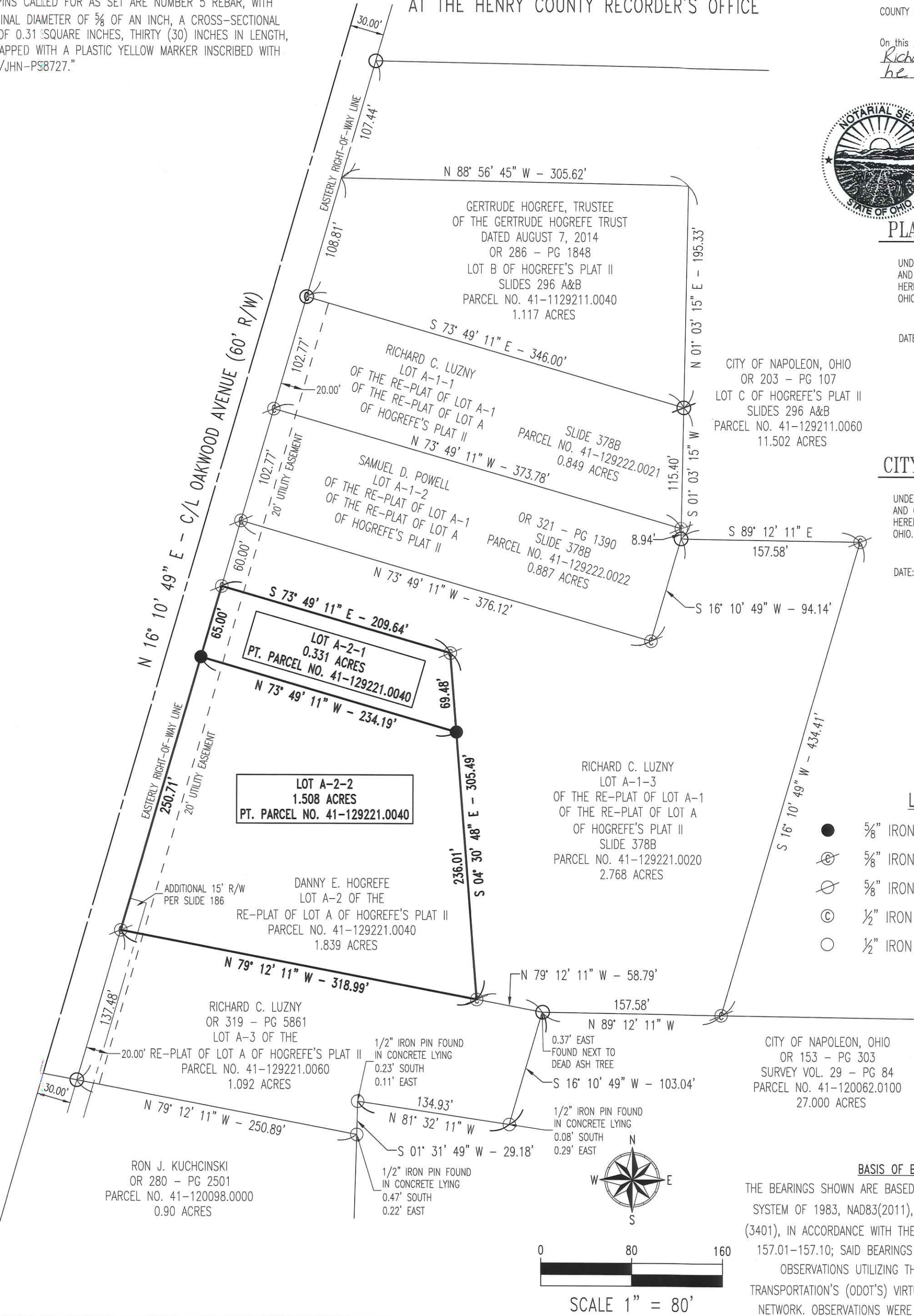
NOTES:
SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE
ATION AND DOES NOT REPRESENT A TITLE REPORT OR A
NTEE OF TITLE. THERE MAY BE APPARENT, RECORDED, OR
ORDED EASEMENTS NOT SHOWN ON THIS DRAWING.

SURVEY USED THE LATEST RECORDED DEEDS AT THE DATE
S SURVEY.

ES SHOWN HEREON, ARE GROUND DISTANCES. TO
XIMATE OHIO CO-ORDINATE 1983, NORTH ZONE (3401)
DISTANCES MULTIPLY THE DISTANCES BY THE COMBINATION
R OF 0.9999298918.

INS CALLED FOR AS SET ARE NUMBER 5 REBAR, WITH
INAL DIAMETER OF 3/8 OF AN INCH, A CROSS-SECTIONAL
OF 0.31 SQUARE INCHES, THIRTY (30) INCHES IN LENGTH,
APPED WITH A PLASTIC YELLOW MARKER INSCRIBED WITH
/JHN-PS8727."

RE-PLAT OF LOT A-2 OF THE
RE-PLAT OF LOT A OF HOGREFE'S PLAT II
STATE OF OHIO, COUNTY OF HENRY, CITY OF NAPOLEON,
A PORTION OF THE E 1/2 OF SECTION 12,
TOWNSHIP 5 NORTH, RANGE 6 EAST, FIRST PRINCIPAL MERIDIAN
RE-PLAT OF LOT A IS RECORDED ON SLIDE 377 B
HOGREFE'S PLAT II IS RECORDED ON SLIDES 296 A&B
AT THE HENRY COUNTY RECORDER'S OFFICE



OWNERS ACKNOWLEDGMENT:

Know All Men By These Presents:

That I/We Richard Luzny the undersigned owner/s of the aforesaid described
lands do hereby approve of the accompanying map as shown hereon, and do desire the same to be
placed on public record on this 29th day of March, 2021

OWNER/S:

C. R. Luzny

STATE OF OHIO,
COUNTY OF Henry, ss:

On this 29th day of March, 2021, before me personally appeared
Richard Luzny, who executed the foregoing instrument and acknowledged that
he executed the same as his free act and deed.



SHELBY C RUPRIGHT
Notary Public
In and for the State of Ohio
My Commission Expires
December 27, 2022

Shelby C. Rupright
NOTARY PUBLIC
My Commission Expires: 12/27/22

PLANNING COMMISSION CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 711 OF THE OHIO REVISED CODE
AND CHAPTER 1105 OF THE NAPOLEON CODE OF ORDINANCES, THIS PLAT IS
HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON,
OHIO.

DATE: _____

CHAIRMAN

CLERK OF COUNCIL

CITY COUNCIL CERTIFICATE

UNDER AUTHORITY PROVIDED BY CHAPTER 711 OF THE OHIO REVISED CODE
AND CHAPTER 1105 OF THE NAPOLEON CODE OF ORDINANCES, THIS PLAT IS
HEREBY APPROVED BY THE CITY COUNCIL OF THE CITY OF NAPOLEON,
OHIO.

DATE: _____

MAYOR

CLERK OF COUNCIL

HENRY COUNTY AUDITOR

I, THE HENRY COUNTY AUDITOR DO HEREBY CERTIFY THAT THERE ARE NO
UNPAID TAXES ON THE PROPERTY HEREIN DESCRIBED AND CERTIFY THE
SAME FOR TRANSFER.

TRANSFERRED THIS _____ DAY OF _____

HENRY COUNTY AUDITOR

CITY ENGINEER CERTIFICATE

IN ACCORDANCE WITH OHIO R. C. 711.08, THE UNDERSIGNED BEING THE
ENGINEER FOR THE CITY OF NAPOLEON, OHIO HEREBY APPROVES THIS
PLAT AS SHOWN.

DATE: _____

CITY ENGINEER

Lot A-2 - 1.839 Acres

Situated in the State of Ohio, County of Henry, City of Napoleon, being that portion
of the East Half of Section 12, Napoleon Township, Township 5 North, Range 6 East, of
the First Principal Meridian, being all of Lot A-2 of the Re-Plat of Lot A of Hogrefe's
Plat II, recorded on slide 377 B and as described in a deed to Danny E. Hogrefe,
recorded in Official Record Volume 321, Page 743 (references recorded in the Recorder's
Office, Henry County, Ohio), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron pin capped with a plastic survey marker found at the
northwest corner of said Lot A-2, also being found in the easterly right-of-way line of
Oakwood Avenue, and also said 5/8 inch iron pin also being found at the TRUE POINT
OF BEGINNING;

THENCE easterly with the north line of said Lot A-2, South 73° 49' 11" East, 209.6
feet to a 5/8 inch iron pin capped with a plastic survey marker found at the northeast
corner of said Lot A-2;

THENCE southerly with the east line of said Lot A-2, South 04° 30' 48" East, 305.1
feet to a 5/8 inch iron pin capped with a plastic survey marker found at the southeast
corner of said Lot A-2;

THENCE westerly with the southerly line of said Lot A-2, North 79° 12' 11" West,
318.99 feet to a 5/8 inch iron pin capped with a plastic survey marker found at the
southwest corner of said Lot A-2, also being found in the easterly right-of-way line of
Oakwood Avenue;

THENCE northerly with the easterly right-of-way line of Oakwood Avenue, North 16°
10' 49" East, 315.71 feet to the TRUE POINT OF BEGINNING, containing 1.839 acres of
land, more or less, as surveyed and described in March of 2021, by Ohio Registered
Professional Surveyor Justin H. Niese, Ohio Surveyor No. 8727.

Subject to any and all legal right-of-ways, easements, exceptions, and/or
restrictions whether apparent, recorded, and/or unrecorded.

Basis of Bearings: The bearings in the foregoing description are based upon the Ohio
co-ordinate system of 1983, NAD83(2011), 2010.0 EPOCH, North zone (3401), in
accordance with the Ohio Revised Code Sections 157.01-157.10; said bearings are based
on local field observations utilizing the Ohio Department of Transportation's (ODOT's)
Virtual Reference Station (VRS) Network.

Iron pins called for as set are number 5 rebar, with a nominal diameter of 5/8 of
an inch, a cross-sectional area of 0.31 square inches, thirty (30) inches in length, and
capped with a plastic yellow survey marker inscribed with "NIESE/JHN-PS8727."

HENRY COUNTY RECORDER

I, THE HENRY COUNTY RECORDER DO HEREBY CERTIFY THAT THIS PLAT
HAS BEEN RECEIVED FOR RECORD AT _____ O'CLOCK ____ M AND RECORDED ON
SLIDE _____ THIS _____ DAY OF _____, 20 ____

FEE: _____

HENRY COUNTY RECORDER



I HEREBY DECLARE THAT THE FOREGOING PLAT
WAS PREPARED FROM AN ACTUAL SURVEY OF THE
PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION,
AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES.

Justin H. Niese 03-27-2021

JUSTIN H. NIESE, P.E., P.S.
OHIO REGISTERED SURVEYOR NO. 8727



NIESE
SURVEYING &
ENGINEERING, LLC

SURVEY PLAT FOR:

RICHARD C. LUZNY

JUSTIN H. NIESE, P.E., P.S.
211 E. MAIN CROSS STREET
P.O. BOX 112
MILLER CITY, OHIO 45864
567-825-1523

JOB NUMBER:
2021-03

PAGE 1/1



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: City Council & Mayor
Kelly O'Boyle, City Finance Director
Roxanne Dietrich, Clerk of Council
Date: April 14, 2021
Subject: American Road & Oakwood Avenue Improvements ~
Recommendation of Award

On Wednesday, April 14, 2021, bids were opened and read aloud for the above referenced project. Nine bids were submitted and read as follows:

Salenbien Trucking & Excavating	\$1,354,911.09
Vernon Nagel, Inc.	\$1,381,457.50
Bryan Excavating, L.L.C.	\$1,394,313.35
Hillabrand & Sons Construction	\$1,441,818.11
Miller Brothers Construction	\$1,442,732.50
Gerken Asphalt Paving, Inc.	\$1,460,510.00
Miller Contracting Group	\$1,474,572.50
Geddis Paving & Excavating, Inc.	\$1,483,456.25
Rupp Rosebrock, Inc.	\$1,577,021.85

The Engineer's Estimate for this project is \$1,850,000.00. This project consists of reconstructing the roadway with concrete curbing on American Road from Oakwood Avenue to the terminus of the work done in 2020 and on Oakwood Avenue from the U.S. Route 6/24 Overpass to American Road, including the intersection of Freedom Drive and the intersection with American Road; installing drainage; adjusting sanitary sewer manholes and fire hydrants. The completion date for this project is November 13, 2021.

Having reviewed the submitted bids, it is my recommendation that Council award Salenbien Trucking & Excavating the contract for the American Road & Oakwood Avenue Improvements in the amount of \$1,354,911.09. If you have any questions or require additional information, please contact me at your convenience.

CEL



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Kelly O'Boyle, Finance Director
Roxanne Dietrich, Clerk of Council
Date: April 15, 2021
Subject: PID 113036 – Oakwood Avenue Improvements ~
Design Contract Approval

Quality Based Selection (QBS) was utilized to select a consulting firm for the above referenced project. The firms that submitted Qualification Statements were ranked as follows:

1. Peterman Associates, Inc.
2. Bockrath & Associates, L.L.C.
3. The Mannik & Smith Group
4. Feller Finch & Associates, Inc.
5. Stantec Consulting Services, Inc.

This project begins at N. Perry Street and extends to Independence Drive and includes design of new concrete curb; replacement of drive approaches and portions of the existing concrete walks; resurfacing Oakwood Avenue; replacement of portions of the existing waterline; replacement of major portions of the existing drainage system.

Negotiations were entered into with Peterman Associates, Inc. and a contract price was agreed upon. The budget for the above referenced project is \$375,000.00; the negotiated price is \$375,000.00. The contract includes executable extras such as environmental investigations that may be required by O.D.O.T. that would be on top of the negotiated price. **Having reviewed the submitted Qualification Statements and after extensive negotiations, it is my recommendation that Council award the design contract for PID 113036 – Oakwood Avenue Improvements to Peterman Associates, Inc. in the amount of \$375,000.00.** If you have any questions or require additional information, please contact me at your convenience.

CEL

City of Napoleon, Ohio

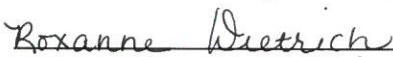
TREE COMMISSION

MEETING AGENDA

Monday, April 19, 2021 at 6:00 pm

City Building, 255 West Riverview Avenue, Napoleon, Ohio
to join the meeting via WebEx, see the link at www.napoleonohio.com

1. Call to Order
2. Approval of Minutes from the February 15, 2021 meeting - (in the absence of any objections or corrections, the minutes shall stand approved)
3. Review Tree Call Reports
4. Arbor Day Observation
5. Spring Programs Update
6. Adjournment.



Roxanne Dietrich ~ Clerk of Council



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

www.napoleonohio.com

Memorandum

To: Mayor & City Council, City Manager, City Law
Director, Finance Director, Department
Supervisors, News media
From: Roxanne Dietrich, Clerk of Council
Date: April 16, 2021
Subject: *Parks & Recreation Committee – Cancellation*

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, April 19, 2021 at 6:00 pm has been CANCELED due to lack of agenda items.

AMP Update for April 9, 2021

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

Fri 4/9/2021 5:12 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

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



April 9, 2021

Kyle Schimley named 2021 AMP DNA Award winner

By Jolene Thompson - President/CEO

We're pleased to announce Kyle Schimley, PE, as the 2021 AMP DNA Award recipient. Schimley is the director of generation optimization and reporting and has been with AMP since 2009.

The annual award was initiated in 2008 to recognize an employee who advances AMP's vision and mission - "to be public power's trusted leader in providing members and their customers the highest-quality, forward-looking services and solutions," and "to serve members through public power joint action, innovative solutions, robust advocacy and cost-effective management of power supply and energy services," respectively.



Kyle regularly goes above and beyond in his work. His willingness to step up and take ownership of team projects is well-known and affords him the respect of his colleagues. He truly exemplifies AMP's core values, and we are proud to have him as a member of the AMP team.

Nominations for the award are submitted by staff in recognition of their fellow employees and include, not just the name of their peer, but the reasons why their nominee should receive the award.

During the awards presentation, it was noted that the nominations from Schimley's colleagues show that he exemplifies the organization's core values on a daily basis. His peers emphasized that he is incredibly dependable and steps up to ensure the success of projects with a focus on our service to members.

Schimley joined AMP in 2009 and was named to his current position in 2018. Schimley previously served as the AMP Fremont Energy Center facility manager. He holds a bachelor's degree in mechanical engineering from the University of Dayton. He is a registered professional engineer in the state of Ohio.

To accomplish its vision and mission, AMP employees must believe in, and demonstrate, the core values of the organization: integrity, member focus, partnership, employee engagement, stewardship, innovation and accountability. These values serve as the organization's "DNA" and are a critical foundation to our ability to succeed and serve member communities.

AMP scholarship winners announced

By Jodi Allalen - manager of member events and programs

AMP has announced the 2021 recipients of the Lyle B. Wright Scholarship and Richard H. Gorsuch Scholarship. There are nine recipients for this year's awards.

Lyle B. Wright Scholarship	Richard H. Gorsuch Scholarship
Gavin Carr, Cuyahoga Falls Lyndsi Engels, Montpelier Lauren Menke, Versailles Joshua Tuite, Schuylkill Haven	Dylan Aron, Danville Matthew Belcher, Marietta (AMP) Jillian Drinnon, Bryan Diana Johnson, Tipp City Kyra Oldiges, Minster

"Congratulations to these students on their outstanding achievements," said Jolene Thompson, AMP President and CEO. "While we are helping support this impressive group of seniors in their educational endeavors, we are also honoring the memory of two great public power leaders and raising awareness of the benefits of public power."

Please join us in congratulating these students on their achievement! AMP staff is working with the respective member community to present each student with their scholarship in a safe, responsible manner.

The AMP Board of Trustees established the scholarship programs in memory of public power leaders who contributed significantly to the organization and municipal electric systems in the region. Lyle B. Wright was a strong public power advocate who served on the AMP Board of Trustees from 1979 until his death in 1986. Richard H. Gorsuch was AMP's president from 1983 until his death in 1987.

Since 1988, more than \$400,000 has been awarded to deserving high school seniors through the AMP scholarship programs.

For more information about these awards, visit the [scholarship programs page](#) of the [AMP website](#).

Pamala Sullivan named 2020 Outstanding Alumna for University of Toledo, College of Engineering

By Jolene Thompson



Pam Sullivan, AMP chief operating officer and president of AMP Transmission, LLC, was named the 2020 Outstanding Alumna for the University of Toledo's College of Engineering, Engineering and Computer Science Engineering Department. Each year, the University of Toledo honors graduates who have made an outstanding contribution or had an exemplary career in their field.

Sullivan joined AMP in 2003 and was named to her current position in 2020, where she works to implement business operations and strategic goals and represents AMP on various boards and committees, including the National Hydropower Association Board of Directors. Sullivan provides leadership to power supply and marketing services, generation operations and transmission. She previously served as director of marketing and development, vice president of marketing, senior vice president of marketing and operations and executive vice president of power supply and generation. She holds a bachelor's degree in electrical engineering from the University of Toledo.

The University's recognition ceremony was canceled as a result of the pandemic; we'll be recognizing Pam for this distinction at an upcoming AMP Board of Trustees meeting.

Please join us in congratulating Pam on this well-deserved recognition!

Brannndon Kelley earns Leader in Innovation in the Electric Power Industry designation

By Jolene Thompson



Brannndon Kelley, senior vice president of technology and chief information officer, has been designated as one of six Leaders in Innovation in the Electric Power Industry by Energy Central. The designation recognizes and celebrates leaders who are moving the utility industry into a new era of business. Winners will be featured in Energy Central's newsletter on April 28.

Kelley joined AMP in 2009 and has led the organization through a complete IT transformation. Kelley oversees information technology, SCADA/plant systems and cybersecurity functions, projects and people. He is responsible for setting, facilitating and leading technology strategy and tactical execution. He has more than 20 years of experience providing leadership for technology programs, projects and departments, in a variety of business environments, including technology, education, government, financial services, energy, healthcare and manufacturing. He holds a bachelor's degree in computer information systems from DeVry University and an MBA in finance from the Keller Graduate School of Management.

Please join us in congratulating Brannndon on this well-deserved recognition!

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 April 28 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 OEP board of trustees member and arranged for the organization's learning opportunities and resources to be made available to all AMP member communities.

The *Careers in Energy: Utility Tree Trimming* Virtual Field Trip featuring the Westerville Electric Division and arborists and foresters from Asplundh Tree Expert Co., will discuss opportunities in line clearance, tree trimming and emergency storm response. Learn about the hiring process and training/certification programs. See a live demonstration and interview with a utility arborist.

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. If you have questions about AMP's energy education partnership with OEP, please contact me at hkarg@amppartners.org or 614.309.0064.



AMP to host members-only COVID-19 roundtable call on April 16

By Corey Bentine - director of key accounts

The next members-only COVID-19 Roundtable Call is scheduled for April 16 at 11 a.m. [Dr. Ted Kury](#), director of energy studies for the Warrington College of Business, will present on cost recovery mechanisms for public power utilities following the aftermath of the COVID-19 pandemic. Additionally, Dr. Kury will provide an update on AMP Member state moratoriums, utility debt amounts and The American Rescue Plan.

Following the presentation, there will be time for a Q&A session. If you have questions that you would like to ask, please send them to me ahead of time and I will add them to the list of questions.

For the COVID-19 Roundtable Call details, please contact me at cbentine@amppartners.org or 614.204.8500.

Join us for the 2021 AMP Virtual Technical Services Conference

By Jennifer Flockerzie - manager of technical services logistics

AMP is pleased to invite member officials to attend the 2021 AMP Virtual Technical Services Conference, which will be held April 13-14, 8:30 a.m. to 12:30 p.m. each day. Electric utility managers, superintendents and technical staff are encouraged to attend.



Topics will include:

- *Customer Installed Solar*
- *Cyber Security - Member Roundtable*
- *DEED & Drones Member Project*
- *Battery Storage*
- *LED Member Project*
- *Penta Preservative and Preservative Pole Options for the Future*
- *Leading Indicators in Safety*
- *Ohio Energy Project* (educational program relevant to all members)

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

Registered attendees will be emailed an invite and conference agenda before the conference begins. If you have questions or require assistance, please contact me at jflockerzie@amppartners.org.

FOCUS FORWARD 2021 WEBINAR SERIES

To register, contact Erin Miller, assistant vice president of energy policy and sustainability at 614.540.1019 or by email at emiller@amppartners.org.

May 13, 10–11 a.m.

Data Analytics and Rate Design

July 15, 2–3 p.m.

Electric Vehicles: Incentives and Managed Charging

September, TBD

What do Customers Want? Using Design Thinking for Program Development

November 9, 2–3 p.m.

Community Solar 101 and Models



The Focus Forward Advisory Council has identified these topics to help educate and inform AMP's members about emerging industry trends and to prepare for further integration of distributed energy resources.

AMP holds virtual safety training course

By Scott McKenzie - director of member training and safety

On April 6, AMP conducted the virtual training course *Protecting Groundworkers in the Zone*. In this session, participants reviewed safe work practices for groundworkers including step and touch potential, work zone awareness, grounding and barricading trucks and bucket rescue.

If you were unable to attend, a video recording will soon be 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 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.

April 20, 9 a.m.

Dealing with Conflict
Instructor: Kyle Weygandt

June 15, 9 a.m.

Behavior Based Application and Safety Culture
Instructor: Steven Mutchler

May 18, 9 a.m.

Responding to Heat Emergencies
Instructor: Kyle Weygandt

July 20, 9 a.m.

Are Monsters Real?
Instructor: Kyle Weygandt



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



Energy market update

By Jerry Willman - assistant vice president of energy marketing

The May 2021 natural gas contract increased \$0.002/MMBTU to close at \$2.522 yesterday. The EIA reported an injection of 20 Bcf for the week ending April 2, which was below industry estimates of +22 Bcf. Last year was an injection of 30 Bcf and the five-year average was +8 Bcf. Storage is now 1,784 Bcf, 11.6 percent below a year ago and 1.3 percent below the five-year average.

On-peak power prices for 2022 at AD Hub closed yesterday at \$32.45/MWh, which was \$0.10/MWh higher for the week.

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

Week ending April 9

MON
\$27.08

TUE
\$28.92

WED
\$32.10

THU
\$26.85

FRI
\$25.68

Week ending April 2

MON
\$26.19

TUE
\$23.11

WED
\$23.76

THU
\$29.09

FRI
\$28.31

AEP/Dayton 2022 5x16 price as of April 8 — \$32.45

AEP/Dayton 2021 5x16 price as of April 1 — \$32.35

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center (AFEC) plant was in 2x1 configuration for the week. The plant cleared offline Saturday from 1-6 p.m., all day Sunday, and the off-peak hours Monday through Thursday based on PJM day-ahead economics. Duct firing operated for 72 hours this week. For the week, the plant generated at a 67-percent capacity factor (based on a 675-MW rating).

Security tip - The "S" in HTTPS is for secure

By Jared Price - vice president of information technology and CTO



When signing into a website such as Facebook or Amazon, have you ever seen the beginning of the URL change from HTTP to HTTPS? The "s" in HTTPS stands for secure and indicates that your web browser is accessing the website through a secure connection that no one else can access.

Think of it this way: If you needed to share the combination to a lock with someone else, you would not shout "HERE IS MY COMBINATION" for everyone to hear. You would find a safe and secure way to share the information with the trusted individual. Typing sensitive information into a browser works the same way. If the URL does not have HTTPS at the beginning, it would be like you were shouting out that information for anyone to hear.

Remember to look for that important little "s" when entering any sensitive information into a web browser.

City of Milford seeks applicants for electric superintendent

The City of Milford Public Works Department is seeking applicants for the position of electric superintendent. The electric superintendent oversees the overall operations of the city's electric system that serves approximately 7,500 homes and businesses from two substations in approximately a 12-square-mile service territory, covering all of Milford and portions of unincorporated areas of Kent and Sussex Counties. The system peaks at just over 46,000 MW and delivers over 225 million kWh annually.

The electric superintendent supervises approximately 11 employees, including those covered under the International Brotherhood of Electrical Workers, Local Union 126 Collective Bargaining Agreement. The electric superintendent is responsible for construction, maintenance and design of the distribution system, including substation operations and maintenance. Electricity is purchased in bulk from the Delaware Municipal Electric Corporation. Work is performed under the general supervision of the public works director.

The city is seeking applicants with a bachelor's degree in electrical engineering (preferred) or a related field with at least five years' experience; or 10 years' experience in the electric utility industry with considerable supervisory and management experience may be substituted for a degree; or any combination of education and experience equivalent to the requirements. Possession of a valid Delaware vehicle operator's license and Class B CDL (minimum - within one year of date of hire) is preferred.

The city offers a comprehensive, competitive benefits package. Please apply online at www.cityofmilford.com.

City of Bowling Green seeks applicants for finance director

The City of Bowling Green is seeking applicants for the position of finance director. The successful candidate will join the city's executive team executive team to direct and coordinate the activities of the Finance Department, which includes the Income Tax Office. The finance director, which is an unclassified, exempt/salaried position, serves as the city's chief financial officer and has the responsibility of overseeing the collection, disbursement, accounting and reporting of city revenue and expenditures, assisting the municipal administrator with the development of the annual budget, administering the processing of payroll and managing the city's debt and investment portfolios. The 2021 annual appropriation for the City of Bowling Green is \$172,494,014 (including transfers).

The Finance Director reports on financial matters including public presentations; certifies availability of funds; monitors budgets, payroll and investments; represents the city on the Property and Liability Insurance Public Entity Pool and serves as one of the city's representatives on the health insurance pool; countersigns all debt issuances; and negotiates financial and union contracts. The ideal candidate should possess proven leadership ability, sound fiscal judgement and a demonstrable track record of building teams and trust in the development and delivery of organizational goals and finance-related objectives. Education beyond an undergraduate degree required; CPA certification desirable; seven to 10 years of relevant executive management/leadership experience required. Previous government accounting, payroll management and financial/payroll software experience is highly valued in this position.

Candidates must complete an application packet that is available either by visiting the Personnel Department of the City of Bowling Green at 304 N. Church St, Bowling Green, OH 43402-2399 or [online](#). Additionally, applicants must complete a written statement of their experience describing the following:

1. Working with, understanding, preparing, administering public budgets;
2. Working with the public, customers, contractors and consultants;
3. Experience investing public funds (what investment strategy is used);
4. Working with boards/commissions/city councils/elected bodies;
5. Managing and/or supervising personnel;
6. Involvement with administering/selection of financial and payroll software programs;
7. Involvement in union negotiations;
8. Experience/knowledge of municipal tax law;
9. Managing a public payroll system;
10. Short-term and long-term financial planning, and;
11. Involvement with community based economic development programs.

Resumes may be included but will not substitute for a completed application. Application materials must be returned to the Personnel Department by one of the following methods: by email to BGPersonnel@bgohio.org, by fax to 419.352.1262 or by U.S. Mail or hand-delivery to the address above. Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m. You may reach the Personnel Department by phone at 419.354.6200. Deadline for making application is 4:30 p.m. on April 20. AA/EEO

City of Marshall seeks applicants for finance director

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

The community is seeing unusual growth, with over \$1 billion of industrial growth. Click [here](#) to view a "Choose Marshall" 2018 wrap-up video. Located at the intersection of I-94 and I-69, the crossroads of international highways, the city is preparing for large industrial and residential growth with a 1,000-acre mega industrial site. The downtown district is 97 percent commercially occupied. The city has the largest National Historic Landmark District in Michigan, with many neighborhoods of historic homes.

Qualification for the Finance Director position include a degree in accounting, finance or a related field and a minimum of five years' experience in municipal finance. Annual salary of \$75,000-\$85,000, depending on qualifications, with excellent benefits. A complete job description and application instructions can be found at www.cityofmarshall.com.

The City of Marshall is an Equal Opportunity Employer.

Opportunities available at AMP

AMP is seeking applicants for the following positions:

- Assistant vice president of information systems
- System administrator - enterprise content
- Manager of electrical engineering

For complete job descriptions, please visit the [AMP careers page](#).



Mission:

To serve Members through public power joint action, innovative solutions, robust advocacy and cost-effective management of power supply and energy services.

Vision:

To be public power's trusted leader in providing Members and their customers the highest-quality, forward-looking services and solutions.

Values:

Integrity, Member Focus, Partnership, Employee Engagement, Stewardship, Innovation and Accountability.