



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: May 17, 2021
Subject: General Information

CALENDAR

7:00 pm – City Council

APPROVAL OF MINUTES

May 3, 2021 Special and Regular Council Meeting Minutes

HENRY COUNTY AG IMPROVEMENT ASSOCIATION

INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Ordinance No. 017-21, an Ordinance Establishing a Fund to be named American Rescue Allocation Fund as required pursuant to the American Rescue Plan Act of 2021; and Declaring an Emergency

Ordinance No. 018-21, an Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$1,100,000, for the Purpose of Paying the Costs of Improving the City's Public Roadways, including American Road and Oakwood Avenue between certain termini, by Reconstructing, Curbing and Paving, Installing Storm Water Improvements, Adjusting Waterlines and Sanitary Sewer Components, and Acquiring any Interests in Real Property, together with all related appurtenances thereto, Authorizing related Supplemental Appropriations and Transfers, and Declaring an Emergency. (Suspension Requested)
The Engagement Letter has been reviewed and approved by Kelly is included in your packet.

SECOND READINGS OF ORDINANCES AND RESOLUTIONS - None

THIRD READINGS OF ORDINANCES AND RESOLUTIONS - None

GOOD OF THE CITY (Discussion/Action)

1. Approval of Power Supply Cost Adjustment Factor for May, 2021 as 3-month averaged Factor \$0.01338 and JV2 \$0.023968
 - The PSCAF for May 2021 is enclosed

For Items 2, 3 and 4 the Zoning Administrator's Memo and the plat is enclosed for each item.

2. PC 21-04 Subdivision Re-plat Majestic Heights Addition
3. PC 21-05 Final Plat Approval Lynnefield Estates Subdivision
4. PC 21-06 Re-Plat of Lot 2 Morrow, Hinderer, and Patton Addition
5. 2022 Tax Budget (direct Law Director to draft Legislation)
 - The proposed 2022 tax budget is enclosed.

Chad has included a Memorandum in the packet for agenda items 6 and 7

6. Wastewater Treatment Plant Phase I Improvements ~ Contract Amendment for Construction Phase Services ~ Change Order No. 3 in the Amount of \$175,000
7. Expenditure of Funds for Construction of Thoroughfare on Sedward Avenue by Beck's Construction

INFORMATIONAL

- 1) Attached is a letter from Larry Adams of the American Legion with details for the Memorial Day Service on May 31, 2021.
- 2) Agenda – Tree Commission meeting; Monday, May 17th at 6:00 pm
- 3) Cancellation – Park and Rec Committee
- 4) Agenda – Healthcare Cost Committee meeting; Friday, May 21st at 8:00 am
- 5) AMP Update/May 7, 2021

May 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 6:00 pm – Special City Council Mtg. w/Commissioners 7:00 pm – City Council	4	5	6	7	8
9	10 6:15 pm – Electric Committee 6:15 pm – Board of Public Affairs	11 8:15 am - Privacy Committee 4:30 pm – Board of Zoning Appeals 5:00 pm – Planning Commission	12	13	14	15
16	17 6:00 pm – Tree Commission 7:00 pm - City Council	18	19	20	21 8:00 am – Healthcare Cost Committee	22
23	24 6:30 pm – Finance and Budget Committee 7:30 pm – Safety and Human Resources Committee	25 12:00 pm –Ad-hoc Personnel Committee 4:30 pm – Civil Service Commission	26 6:30 pm – Parks and Rec Board	27	28	29
30	31 10:00 am Memorial Day Services (starting at Boat Ramp)	1 - JUNE	2 - JUNE 4:30 pm – Special Planning Commission Meeting	3 - JUNE	4 - JUNE	5 - JUNE

City of Napoleon, Ohio

CITY COUNCIL

MEETING AGENDA

Monday, May 17, 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. May 3, 2021 Special Council Meeting Minutes
2. May 3, 2021 Regular Council Meeting Minutes

D. Henry County Ag Improvement Association

E. Citizen Communication

F. Reports from Council Committees

1. Electric Committee met on May 10, 2021; and
 - a. Approved the BOPA Recommendation to Approve the Power Supply Cost Adjustment Factor for May 2021 as 3-month averaged factor \$0.01338 and JV2 \$0.023968
 - b. Discussed the Efficiency Smart Program
2. Water, Sewer, Refuse, Recycling and Litter Committee was canceled due to lack of agenda items.
3. Municipal Properties, Building, Land Use and Economic Development Committee did not meet on May 10, 2021 due to lack of agenda items.
4. Parks and Recreation Committee meeting earlier tonight was canceled due to lack of agenda items.

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

1. Board of Public Affairs met on May 10, 2021; and
 - a. Approved the Power Supply Cost Adjustment Factor for May 2021 as 3-month averaged factor \$0.01338 and JV2 \$0.023968
 - b. Discussed the Efficiency Smart Program
2. Board of Zoning Appeals met on May 11, 2021; and
 - a. Approved BZA 21-02 Variance to Property Setback, 143 West Maumee Avenue
3. Planning Commission met on May 11, 2021; and
 - a. Approved PC 21-04 Subdivision Re-plat of Lot Numbers 121, 120, 119, 118, 117, 116 and part of 115
 - b. Approved PC 21-05 Final Plat for Lynnewood Addition
 - c. Approved PC 21-06 Subdivision Re-plat of Lot Numbers 2-A, 2-B, 2-C with an amendment to add and approve Lot 2-D
4. City Tree Commission met earlier this evening and reviewed the following:
 - a. Tree Call Reports
 - b. Fall Removal List
 - c. Fall Topsoil List

H. Introduction of New Ordinances and Resolutions

1. **Ordinance No. 017-21**, an Ordinance Establishing a Fund to be named American Rescue Allocation Fund as required pursuant to the American Rescue Plan Act of 2021; and Declaring an Emergency
2. **Ordinance No. 018-21**, an Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$1,100,000, for the Purpose of Paying the Costs of Improving the City's Public Roadways, including American Road and Oakwood Avenue between certain termini, by Reconstructing, Curbing and Paving, Installing Storm Water Improvements, Adjusting Waterlines and Sanitary Sewer Components, and Acquiring any Interests in Real Property, together with all related appurtenances

thereto, Authorizing related Supplemental Appropriations and Transfers, and Declaring an Emergency.
(Suspension Requested)

I. Second Readings of Ordinances and Resolutions – None.

J. Third Readings of Ordinances and Resolutions – None.


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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for May, 2021 as 3-month averaged Factor \$0.01338 and JV2 \$0.023968
2. **Discussion/Action:** PC 21-04 Subdivision Re-plat Majestic Heights Addition
3. **Discussion/Action:** PC 21-05 Final Plat Approval Lynnefield Estates Subdivision
4. **Discussion/Action:** PC 21-06 Re-Plat of Lot 2 Morrow, Hinderer, and Patton Addition
5. **Discussion/Action:** 2022 Tax Budget (direct Law Director to draft Legislation)
6. **Discussion/Action:** Wastewater Treatment Plant Phase I Improvements ~ Contract Amendment for Construction Phase Services ~ Change Order No. 3 in the Amount of \$175,000
7. **Discussion/Action:** Expenditure of Funds for Construction of Thoroughfare on Sedward Avenue by Beck's Construction

L. Executive Session – (as may be needed)

M. 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.)

N. Adjournment



Roxanne Dietrich - Clerk of Council

City of Napoleon, Ohio
CITY COUNCIL SPECIAL MEETING MINUTES
in Joint Session with the
Henry County Commissioners
MONDAY, MAY 3, 2021 AT 6:00 PM

PRESENT

Councilmembers	Daniel Baer-Council President Pro-Tem, Lori Siclair, Jeff Comadoll, Ken Haase, Ross Durham, Molly Knepley
Mayor	Jason P. Maassel
Henry County Commissioners	Glenn Miller-President, Bob Hastedt, Jeff Mires
City Manager	Joel L. Mazur
City Law Director	Billy D. Harmon via WebEx
Finance Director	Kelly O'Boyle via WebEx
City Staff	Chad E. Lulfs, P.E., P.S.-Director of Public Works Police Lt. Greg Smith
Clerk of Council	Roxanne Dietrich
Others	Steve Kloos, News Media via WebEx

ABSENT

Councilmember	Joseph D. Bialorucki
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CALL TO ORDER

Council President Pro-tem Baer called the special meeting of the Napoleon City Council in joint session with the Henry County Commissioners to order at 6:00 pm.

COUNTY PLANS FOR NEXT ROUND OF AMERICAN RESCUE PLAN

Maassel referred to what Commissioner Miller calls the "Biden Bucks" and asked if the county knows how much they are going to receive? What we can use the money on is always changing and we did not know what the Commissioners' plans are and wanted to make sure we do not overlap on items. Miller responded the last we knew what was passed by the Senate and concurred with the House in Washington, we are looking at about \$5.2 million dollars for Henry County. That is just for Henry County and is coming directly to the county from the U.S. Treasury. The National Association of Counties lobbied heavily in Congress, apparently there were issues throughout the country under the CARES Act with some money taking longer to filter through the State. For example, Clermont County had most of their money spent in May of 2020 when Henry County had yet to receive anything. Then, we received a part of it and then a little more and finally it was coming down to crunch time at the end of the year for the money to be spent. We had the remodel project that could not be done until we had all the money and fortunately our contractor was able to get the work done. That project has been an asset to the county. Maassel commented I got my shots there and it went so smooth. Hats off to Joy and her whole team, they did a great job. Miller noted it took a few weeks to get the routine down on how to handle people. We started vaccinating the senior citizens first as it was important to get them into a facility that was at ground level. We also had vehicles that would go out and pick people up, bring them in to receive their shot and then take them back home. Henry County Transportation was involved too in giving rides to get your shot and then taking them back home. There were a number of individuals throughout the county that used this service. Thank-you to President Trump. It was money well spent that also gives the county an asset that can be used for something else such as training. The building would give social distancing throughout the facility and can be opened up for a good sized group. Onto the Biden Bucks. We are waiting on guidance, as is most everyone else. Last week we were on a call with the State of Ohio Office of Budget and Management. What that just did for our team was to confirm what we read in the legislation and understood. Under the CARES Act, Tracy Busch headed up our team. Busch is well versed on just about any kind of grant that you can think of. What he really understands is compliance with the federal grants that falls under CFR200 and has a lot of regulations. That is how we approached the CARES Act, everything went according to CFR200 simply because the money was

originally federal money. I do not know if this is public yet but, we had a spot audit done on one of the purchases we made last year. We purchased mobile vaccination equipment for the Health Department that included a 7' x 16' trailer and other assorted miscellaneous items to help keep the vaccine cold and have room if they chose to put a tent in or that type of thing. We were questioned why we purchased this instead of leasing it. Typically grants don't want you to lease as you can only lease the item for as long as the grant. We were looking at the late December date when all this money had to be spent and it was before Congress acted so, we went ahead and purchased it. They were questioning the reason why and Tracy Busch probably understood the grant guidelines better than this auditor did and explained why it was done that way. This auditor was looking at the original guidelines that came out instead of the last version. Maassel stated what we are hearing is it's going to be for broadband stuff and infrastructure that is buried. Basically you can't drive on it. Water and sewer lines are okay, streets are not. Miller said all we know is what we will be able to spend the money on is water, sewer and broadband. I believe it's pretty obvious water and sewer is going to be what can be buried in the ground but, broadband I'm not sure. More interpretation and guidance from the treasury is needed. The State of Ohio has all kinds of broadband money and we will have this money for over two and a half years. I have had conversations with a couple of commissioners from bordering counties and we were talking about pooling a little of our resources and hit the areas that are lacking in broadband. There is a lot of speculation out there. We do have a list of proposed projects we would like to see done but, we don't know if they will fit the guidelines. Maassel commented it's interesting with them coming back at some point with an infrastructure bill. If this gets spent the way it is supposed to, there's only so much work your construction companies can do in a year. Miller noted fortunately we will have until the end of December 2024 to spend this money. We will have time once we get guidance from the Treasury and be able to sit down and take our time to go through Mazur interjected there's no rush on this, like there was the last time. The city had the same issues spending it. Miller added we had access to some money through EMA and FEMA. Mazur stated the FEMA grant we were going to apply for, but we had nothing to fit it. We did receive \$600,000 plus the additional \$120,000 that came in after. Miller said we are waiting for guidance and the okay and then we will be prepared to move. Maassel stated that is basically where the city is too. Miller said according to the legislation, after the legislation was signed, the treasury has sixty days to get the money into the treasuries of the counties. I don't know what the state's requirement is to get the money out to the City of Napoleon and the other villages. Recently, I was on a call with forty other commissioners and Senator Brown. Senator Brown talked about Biden Bucks and a couple of other things. He wanted input for the infrastructure saying it's up to you to talk to me. Senator Brown did say he asked about the guidance and feels that when the money comes out, which is due May 10, 2021, that guidance will come out then also. I would really be surprised if it comes out sooner given all that the current president is throwing at the treasury who has to try to figure out how do we fund everything? Mazur commented it's always easy to say but takes a little more to get it all done.

HENRY COUNTY FAIRGROUNDS ECONOMIC DEVELOPMENT PROJECT

Maassel stated the project group came to the Municipal Properties and Economic Development Committee meeting to talk about their plans. The group will speak to the full body of Council at the May 17th City Council meeting. Basically, they are going to tear down the large animal building, the cattle palace where they keep the sheep, hogs and goats and the show arena. Then, a new 125' x 325' building would be built that will have a concrete floor in it where you can have a cattle show one week, a hog show the next week and the week after that you could have a classic car show. It's very flexible. I did not know if the Commissioners are in support of the project or not. Hastedt replied we are totally in favor of the project. All three of us have talked about this and we are really in favor of it. How can we help them, we are not sure yet. The problem is if we just give them a check, then it goes to a prevailing wage job. When I was first a commissioner, I went to the courthouse one day and one of the fair board members was in there said *we need new bathrooms over there*. I told him maybe we can get you some CDBG or block grant money. That day it was brought up while we were in session and it was said they can apply. The did apply and received the grant. Bottom line, it cost them more money to build the restrooms than it would have if they did not get the grant because they had to go with prevailing wage. I get reminded of that by the fair board members every once in a while. Miller added about two weeks ago, I went on a tour with the group and heard that a number of times, three or four

times during lunch and on the way there and on the way back. It is important to this group that they do it as a 501c3 so they can save money. Hastedt commented it is an important project. I really think it's going to be good for economic development. We just have to figure out how to help them in another way. Maassel said those families are traveling two and a half hours on a weekend for a show, there is nowhere in the area that has these shows and it would be nice for us to have. We are just learning about what we can put in there on a weekend, let your imagination take off. Hastedt said it will be fixed and can be used for different options. Mires stated we are all on the same page and in favor of it. We will give something for sure but it will depend on what the rules are on the Biden Bucks. So, until we get those guidelines, we don't have an amount that we can give. Miller added and if it fits within their plan. Maassel noted you don't want to upset them. Mires said when they came and did their presentation they talked about fundraising. They will be doing fundraising about the same time that the Cultural Center is too. Though they are two different groups of people, it is going to be tough for both of them to come up with that kind of money. Baer asked if the facility is heated to be used year-round? Hastedt replied that was the plan. It will also serve as a storm shelter for the fair because there is not a lot of good places to go if there was a storm there right now. Granted it might be full of cattle or animals but, it's some place to go. Maassel stated Joel Miller and I attended a meeting about a month ago with this group. They brought in a guy they were thinking about hiring to do fundraising. Miller noted he has been on the job for two weeks now. This gentleman is from Cincinnati and specializes in fairgrounds. For thirty days he will go to prospects and his job is to figure out if the money is there and how much can be raised. He is not looking for checks, he is just seeing what level of interest is out there. He will then go back to the committee and report to them what they can raise, it be two million, a million or whatever. This will allow the group to determine what they can realistically do. Hastedt shared we did the same thing with the Senior Center. We had a professional fundraiser go around and find out how much money was available in the community. That turned out pretty well. Maassel said we want to bring the proposal to the full body of council and get their input is where we are at. Obviously there are positives in having more people in town on a weekend attending these kind of shows and using the fairgrounds. Miller said it will be a real benefit to the city. Maassel added and to the county too. Sicclair stated Bailey did an excellent job on the presentation she presented to committee and is doing great getting the word around town. Mazur said the good part is they have actually have a pro-forma to see this project stand on its own two feet along with examples from other communities that have assets like this. That goes a long way with selling the concept.

POTENTIAL STRUCTURING FOR FUTURE ECONOMIC DEVELOPMENT DEALS

Maassel started looking at the Economic Development CIC directors in the area, Jerry Hayes is just leaving after a long career in Defiance County, Matt Gilroy has been in Fulton County for a long time as has the director at Williams County. One of the issues we have had for a long time is the revolving door with our CIC Director. How do we make sure that we are all on the same sheet of music to keep Jennifer here for a long time, what can we do to make sure that we support her? Miller commented I've been around this economic development stuff for a while and you are exactly right. It's wearing me out finding a new director every two years. Maassel pointed out I have no issues with Rob McColley who went on to do something much bigger. I'm not sure that's the way it has been with the last two or three. So, what can we do to? Miller noted the person that stayed the longest previously was Jon Bisher. When I was on City Council, Terri Williams, Mike DeWit and Mayor Andy Small talked about what to do because we were seeing a revolving door in the city. One of the things that I have observed is, if someone is local and has grown up here in the county, they have a tendency to stay. Not in every case, but as a general rule. My feeling is as long as she doesn't get herself into an area of frustration, she will be here much longer. Maassel asked how do we keep her out of frustration? Miller replied she can talk to her executive committee. But, there's also a lot of help and very experienced people within the city and the county. It's up to her to reach out and take advantage of it. Baer said I'm personally impressed on what she is trying to do with her learning certifications and the video she put out to promote the county is pretty cool. I have sat on that board now for six years as a council representative and this is the first time I have seen anything like that. I'm thinking that is a good sign. Miller said to kind of piggyback onto that, the other directors we had came in with experience and had already taken some of those courses that were available. I was impressed that Jennifer stepped out on her own.

ADJOURNMENT

Yea-6, Nay-0. Motion Passed

that has happened to the City of Napoleon and the Village of Florida in years. I just wish Liberty Center would have done the same thing but, that's water underneath the dam. This is a good move on both our parts. Baer agreed, anytime you have two entities within the same county working together, that is a positive not only for the City of Napoleon and the Village of Florida but, for Henry County also. This is a good move.

Roll call vote to pass Resolution No. 013-21 on Third Reading

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

Nay-

Yea-6, Nay-0. Motion Passed

GOOD OF THE CITY

AWARD OF THE LYNNE STREET IMPROVEMENT PROJECT

Lulfs explained this project is for the replacement of the waterline on Lynne Avenue from Glenwood Avenue heading to the westerly dead-end. The project involves replacing the existing waterline on that street and includes replacement of the curbing and resurfacing the roadway. We received six bids with the low bid coming from Rupp/Rosebrock Inc. at \$174,161.78. The completion date for this project is August 14, 2021 to allow us to have construction in that area finished before school starts. With that in mind and in an effort to expedite the project, we request Council award the project to Rupp/Rosebrock, Inc. in the amount of \$174,161.78. Mazur pointed out the engineer's estimate was \$205,000, we had budgeted \$200,000 and the bid came in well under that amount. This isn't something Rupp/Rosebrock typically does but, they are a qualified contractor that is capable of doing this job and they are local. Comadoll said I never knew Rupp/Rosebrock did waterlines. That surprised me when I saw this in the council packet. When did they get into this type of work? Lulfs replied this is a new area for them. They have hired personnel that formerly worked for other area contractors who have experience in roadway and waterline construction. Although the company itself doesn't have much experience in this area, their staff that will be doing the work does have the experience. So, our recommendation is to move forward with Rupp/Rosebrock. We will have full-time inspection on the project. Comadoll expressed I'm glad there's other people out there doing this now.

Motion: Haase

Second: Knepley

to award the Lynne Avenue Improvements Project to Rupp/Rosebrock, Inc. in the amount of \$174,161.78

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

AWARD OF THE 2021 SANITARY SEWER PROGRAM

Lulfs stated as part of our requirements by the EPA for our permit, we are required to clean all the sewers in the city clean and televise them on a 10-year cycle. This would be year seven of the ten-year cycle. \$80,000 was budgeted for this project. We received four valid bids with the low bid coming from Advanced Rehabilitation Technology at \$59,344. We have worked with this company multiple times in the past. With our experience with this firm and with them having the lowest bid, my recommendation is to award the contract to Advanced Rehabilitation Technology for \$59,344.

Motion: Comadoll

Second: Durham

to award the 2021 Sanitary Sewer Program to Advanced Rehabilitation Technology for \$59,344.00

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

FINAL AWARD ON THE 2021 WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT

Lulfs stated a few weeks back, Council made a tentative award on the 2021 Wastewater Treatment Plant Improvements project to Kirk Bros. Co., Inc. That tentative award was pending the approval by DEFA for our funding. Late last week, DEFA approved that funding for approximately \$15 million dollars that will cover the

desired in this area, the land is zoned industrial and it is in the City's Master Plan, we have to rebuild the road to industrial standards to accommodate all the industrial truck traffic.

RECOMMENDATION. The recommendation would be to move forward with borrowing internally. If you do a 30-year term there is no penalty for early payoff. I do want to point out, in the TIF District there are compensation agreements with two school districts, Liberty Center and Napoleon. Both school districts have approved the agreement and it was in the agreements all money coming in would pay this project off first. Any money coming in after that will be used towards whatever infrastructure needs there are in the area. With no penalty for early payoff we can continue to pay down the principal as more money starts coming in and we can make our payments. It would be at the market interest rates right now and we would be looking at a 1½% to 2½%, depending on what the interest rates are at when we do this deal. I would also suggest to defer the payments until at least January 1, 2024 similar to how the SIB loan was going to be set up and then back-load the payments to match the TIF revenue estimates. Wil Burns from MVPO is working on the TIF revenue estimates. There is a learning curve for a lot of people that have not dealt with TIF Districts. I know MVPO has not dealt with the TIF District especially a 40B TIF District. We have not done one either so, we are learning some new things as well as the process. I do not believe that the best option is to do nothing alternative because of the need and the favorable bids we have right now. We are working with our bond counsel to get this set up, they will not work with us until we have legislation in place. If Council decides you want the Law Director to draft legislation for this, I would request that it be passed under suspension and emergency for the timing purposes to keep this project moving and everything on track. Durham asked what would be the amount that we would actually borrow from the Electric Fund? Mazur estimated 1.1 million dollars. I say estimated because at this point we have about \$320,000 in grant funds that we may still be able to use for the project. The bid came in at just under \$1.4 million. There is always a change order not anticipated is why we are estimating \$1.1 million. Durham asked those funds would primarily be coming from the AMP purchase? Mazur replied it would be the Electric Development Fund. The Electric Reserve Balance right now is \$4.3 million, maybe higher. I believe the Electric Development Fund is at about \$3.4 million right now. The deal with AMP, if Council approves going with the AMP Transmission (AMPT) deal that we have been discussing in the Electric Committee for over a year now, would yield an estimated \$3.2 million on top of what is in the Electric Development Fund. For the record, that would be for the asset transfer of the remainder of the Northside Substation, the 69kv line that connects to Industrial Substation and the Industrial Substation. Durham noted you noted the pros, can you touch on the potential cons for this option. Mazur said the cons of borrowing internally are that the funds are not available for spending for other purposes. Though with a balance of \$3.3 or \$3.4 million dollars and potentially an additional \$3.2 million dollars is substantial. There isn't anything that needs that influx of funds outside of paying for the substations ourselves which we have discussed at length. That would be money out at roughly \$10 million dollars for all three substations. It is a cost avoidance and a cost influx for us to do the deal with AMP Transmission. Maassel asked if the current \$3.4 million dollars is in the Economic Development Fund? Mazur replied in the Electric Development Fund. Maassel asked when somebody pays their bill does some of the bill automatically go into that fund? How does that fund get more money into it? Mazur explained that happens over time and usually at the end of the year when we roll the year. We figure how much we are actually going to be able to spend and then whatever gets carried over is put back into the reserve balances. We have an Electric Development Fund and Electric Operating Reserve Fund. Maassel confirmed the development has \$3.4 million and the reserve has Sicclair interjected \$4.3 million. Mazur noted overall between the two funds it's about \$7.8 million. Maassel asked those dollars are invested with Meeder and Associates? Mazur-yes. Maassel asked if the rest of the infrastructure is in place around this development so we don't have to tear up the road and put in sewer and water lines, those are all industrial and ready to go? Mazur- yes. That was done correctly. Lulfs stated those were done about twenty years ago when they did the North Pointe Development with 12" water and 12" to 15" sanitary sewer. Maassel confirmed much like we have on Independence where JAC Products is. Lulfs noted we have more capacity on American than we do on Independence. Maassel noted there will not be a pre-payment penalty so if we needed to, we could do another kind of funding for it? Mazur-correct. Maassel confirmed it gets paid back into the Development Fund 100% not the Reserve Fund. Mazur – correct. Sicclair said it seems most flexible. Maassel asked if the 30 years will start in 2024 or? Mazur responded it would start upon execution of the agreement, so 2021.

Siclair commented it seems like the interest rates would make doing the project in our best interest right now and not waiting for any reason. Mazur stated in his opinion, the fund can handle it. That fund is one of the healthier enterprise funds that we have and we take good care in managing that fund.

Motion: Comadoll Second: Knepley
to direct the Law Director to draft legislation for funding the American Road and Oakwood Avenue Project through the Electric Development Fund

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

RENEWAL OF LIQUOR PERMITS FOR THE CITY IN THE CITY OF NAPOLEON

Mazur reported he discussed this with Chief Mack and there are not any issues with any of the permits. Lt. Smith stated Chief Mack did not address any concerns to me before he left today. No action is required.

2022 TAX BUDGET PROPOSED SCHEDULE IS THAT OUR FINANCE DIRECTOR

O'Boyle said in your packet was a memo for the tax budget process. Today, I had to certify if there were any final judgements and we do not have any for 2022 at this point. At the May 17, 2021 Council meeting I will present the tax budget for 2022 that is mainly the tax levies that we have. The Law Director will be directed to draft the legislation, with first read at the June 7, 2021 Council meeting, second reading on June 21, 2021 and the third and final reading on July 6, 2021. The legislation has to be adopted on or before July 15, 2021 and submitted to the County Auditor before July 20, 2021. No action is required tonight.

CREATION OF A NEW FUND FOR AMERICAN RESCUE ALLOCATIONS

Motion: Haase Second: Comadoll
to direct the Law Director to draft legislation creating a New Fund for American Rescue Allocations

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

ACCEPT PEP GRANT IN THE AMOUNT OF \$1,000 TO THE NAPOLEON POLICE DEPARTMENT

Motion: Siclair Second: Mack
to accept the \$1,000 grant from PEP to the Police Department

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

ACCEPT DONATION OF \$500 FROM THE AMERICAN LEGION BERT G. TAYLOR POST 300 TO THE POLICE DEPARTMENT FOR THE SUMMER YOUTH PROGRAM

Motion: Knepley Second: Haase
to accept the donation of \$500 from the American Legion to the Police Department for the Summer Youth Programs

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

Maassel commented so many dollars get donated by the Legion. We really appreciate everything they do for for Napoleon. Thank-you. Haase added the veteran organizations, the Legion and VFW, are always the first to step up.

ACCEPT DONATION FROM THE HENRY COUNTY COMMUNITY FOUNDATION AND CORPORATION FOR THE CLIMBING WALL AT THE NAPOLEON AQUATIC CENTER

Mazur reported the Henry County Community Foundation of the Limbird Recreation Fund donated the climbing wall for the new aquatic center. The climbing wall has been ordered and should arrive and be installed prior to the grand opening.

Motion: Durham Second: Knepley
to accept the donation of the climbing wall for the Aquatic Center from the Henry County Community Foundation

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

ACCEPT DONATION OF \$1,000 FROM THE NAPOLEON VFW POST 8218 TO THE FIRE DEPARTMENT FOR THE PURCHASE OF WATER RESCUE EQUIPMENT

Chief O'Brien reported the VFW donated \$1,000 for water rescue equipment. We will be purchasing some additional throw rings and rope to put inside the airboat to be used. We really appreciate this donation. Baer said like the Mayor alluded to, this is another veteran organization supporting the City of Napoleon.

Motion: Knepley Second: Siclair
to accept the donation of \$1,000 from the Napoleon VFW Post 8218 to the Fire Department

Roll call vote on the above motion:

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

Nay-

Yea-6, Nay-0. Motion Passed

ACCEPT DONATION OF GRAIN SAFETY TRAINING EQUIPMENT TO THE FIRE AND RESCUE DEPARTMENT FROM EIGHT MEMBERS OF THE AGRICULTURAL COMMUNITY

Chief O'Brien stated this is a huge donation from the agricultural community that has come together for grain rescue at our training facility. This has been a vision that has been in place for the last four or five years. Steering this was the Gerald Grain Center through their safety individual. Years ago our members would go to Sydney, Ohio for grain rescue training that also involved doing high angle rope rescue. It was a four day class the grain companies sponsored and was an excellent class. Unfortunately that class has not taken place these last years and we wanted to be able to try to recreate that class in Northwest Ohio. This class draws individuals from not only the fire and rescue divisions but, also from all the different grains companies because these individuals need to get trained too as they are working around those bins. The class incorporates a 27 foot round grain bin that will be put at the training facility site. In talking to the main instructors for this class, instead of having the grain leg, Metal X will be donating an I-beam for the project. The I-beam will be fixed at the grain training center. The last piece of this donation is the mobile trailer that is your grain engulfment. You have two grain bins that are on the trailer that are accompanied by two augers and as you're engulfing one person on the one side to show how to use our equipment to do the rescue and the grain is being augered into the other bin. That way we can move over and do that training as well. The mobile trailer will also be used to put displays on at the fairgrounds or at Ag Day to try to express how much work it takes to actually perform a rescue and to hopefully provide more education to farmers in Henry County and in Northwest, Ohio. The four-day class consists of a classroom portion and then training at the facility. We have also talked with Campbell Soup and Gerald Grain and others because we will have those hundred foot bins where the ladder truck can't reach. That means we have to do it all by hand, the class will incorporate all that. The idea would be to do one class and a refresher class each year for the area. This is a huge thing for us in Northwest, Ohio. This is a \$52,000 donation that was put together in just a couple of months. We had done a presentation and talked about it and they all committed to wanting to build it as they work in their own partnerships. We are really excited about it. Maassel cited this is the largest number

Motion: Comadoll Second: Durham
to accept the donation of \$52,000 from the agricultural community for grain bin rescue training equipment

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

ACCEPT DONATION OF PAINT FROM GERKEN PAVING FOR REPAINTING THE WILDCAT IN DOWNTOWN NAPOLEON IN PARTNERSHIP WITH THE NAPOLEON AREA SCHOOL

Motion: Haase Second: Knepley
to accept the donation of paint from Gerken Paving for Repainting of the Wildcat

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

Maassel. I talked with Mr. Adams from the Legion. They are going to have Memorial Day open to the public on Memorial Day starting at 10 o'clock at the boat ramp to do our Loss at Sea. We will then make our way to the Veterans Monument there by the Sheriff station and that portion will start at about 10:30 am. At some point he will ask you and he will ask me who can make it so, please let me know by the next council meeting who can make it so I can let them know how many chairs they will need set up.

I would request an Executive Session for Personnel.

Comadoll. Nothing for me.

Harmon. Nothing from me, thank-you.

EXECUTIVE SESSION

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

City Council went into Executive Session at 8:00 pm.

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

(Note - Councilman Comadoll did not sign back on after Executive Session)

Mazur had a mulligan. The PEP grant was for a snow blower for the Police Department. The \$500 for the youth program is for Safety City.

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

Approved:

May 17, 2021

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Attest:

Roxanne Dietrich, Clerk of Council

DRAFT

ORDINANCE NO. 017-21

**AN ORDINANCE ESTABLISHING A FUND TO BE NAMED
AMERICAN RESCUE ALLOCATION FUND AS REQUIRED
PURSUANT TO THE AMERICAN RESCUE PLAN ACT OF 2021;
AND DECLARING AN EMERGENCY**

WHEREAS, the American Rescue Plan Act of 2021 was signed into law by the President of the United States on March 11, 2021; and,

WHEREAS, the Federal Funding Accountability and Transparency Act (FFATA) requires separate accountability for direct recipients as well as subrecipients of federal awards greater than twenty-five thousand dollars (\$25,000); and,

WHEREAS, Ohio Revised Code Section 5705.09 requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax which the law requires to be utilized for a particular purpose; and,

WHEREAS, the City of Napoleon, Ohio is requesting its share of funds from the American Rescue Allocation Fund; and,

WHEREAS, the American Rescue Plan Act of 2021 requires municipalities to establish a new fund to be named American Rescue Allocation Fund before receiving said funds; **Now Therefore**,

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

Section 1. That, the City of Napoleon, Ohio, (hereinafter referred to as "the City") hereby establishes a new fund titled American Rescue Allocation Fund pursuant to the regulations set forth in the American Rescue Plan Act of 2021.

Section 2. That, the City affirms that all funds received from the American Rescue Allocation Fund pursuant to the American Rescue Plan Act of 2021, be expended only to cover costs of the subdivision consistent with the requirements of the American Rescue Plan Act 2021 and any applicable regulations and guidance only to cover expenses that:

1. include replacement of lost revenue (limited to revenue loss due to pandemic relative to fiscal year prior to the emergency), respond to the public health emergency or its negative economic impacts including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality, premium pay for essential workers (i.e., an additional amount up to thirteen dollars (\$13) per hour that is paid to an eligible worker as defined by the local CEO for work during the COVID-19 pandemic, capped at twenty-five thousand (\$25,000) per worker), and make investments in water, sewer, or broadband infrastructure); or,

2. transfer funds to a private nonprofit organization, a public benefit corporation involved in the transportation of passengers or cargo or a special-purpose unit of State or local government; and,

3. were incurred during the period that ends on December 31, 2024; and,

4. will be described in the forthcoming detailed guidance from the U.S. Treasury.

Further, the City affirms that all funds received from the American Rescue Plan Act of 2021 will be receipted into and dispersed from the newly created American Rescue Allocation Fund.

Section 3. That, the Finance Director is hereby authorized and directed to execute any and all documents necessary to create the American Rescue Allocation Fund.

Section 4. That, in compliance with the American Rescue Plan Act of 2021, the Finance Director of the City of Napoleon shall take all necessary action to:

1. Place the Local Fiscal Recovery Award into a special revenue fund called the American Rescue Allocation Fund; and,
2. Pay appropriate expenses directly from the American Rescue Allocation Fund; and,
3. Provide any information related to any payments received under the American Rescue Plan Act of 2021, to the Office of the Ohio Auditor of State as requested.

Section 5. That, all amounts collected as a result of this Ordinance shall be placed into the newly created American Rescue Allocation Fund as established by the Finance Director to be used for the expenditures incurred as listed in Section 2 of this Ordinance, and further defined by the U.S. Treasury, once detailed guidance is released.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

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

Section 8. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the process in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 017-21 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

ORDINANCE NO. 018-21

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,100,000, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S PUBLIC ROADWAYS, INCLUDING AMERICAN ROAD AND OAKWOOD AVENUE BETWEEN CERTAIN TERMINI, BY RECONSTRUCTING, CURBING AND PAVING, INSTALLING STORM WATER IMPROVEMENTS, ADJUSTING WATERLINES AND SANITARY SEWER COMPONENTS, AND ACQUIRING ANY INTERESTS IN REAL PROPERTY, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AUTHORIZING RELATED SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS, AND DECLARING AN EMERGENCY

WHEREAS, this City Council has heretofore determined to reconstruct American Road and Oakwood Avenue between certain termini to provide for the safe flow of traffic in connection with a commercial development within the City and otherwise promote the public purpose of creating or preserving jobs and employment opportunities within the City and generally improve the economic welfare of the people of the City; and,

WHEREAS, this City Council has also heretofore determined that the reconstruction of American Road and Oakwood Drive will encourage commercial development and promote the public purpose of encouraging the safe and productive development and use of urban land; and,

WHEREAS, consistent with those determinations and acting pursuant to Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43, this City Council passed the TIF Ordinance (as hereinafter defined) which generally (a) declared improvements to certain parcels of real property located in the City to be a public purpose, thereby exempting those improvements from real property taxation for a period of time, (b) specified certain public infrastructure improvements, including the improvements identified in Section 2, to be made that would directly benefit those parcels, (c) provided for the making of service payments in lieu of taxes by the owners of those parcels, and (d) established the TIF Fund (as hereinafter defined) into which a portion of the TIF Revenues (as hereinafter defined) would be deposited; and,

WHEREAS, this City Council has further determined that the construction and installation of the improvements described in Section 2 will facilitate additional commercial development within the City and foster and promote the public purposes described above and that the City should issue special obligations payable from the TIF Revenues to finance the costs of those improvements; **Now Therefore**,

BE IT ORDAINED by the Council of the City of Napoleon, Henry County, Ohio, that:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“*Act*” means, collectively, the Constitution of the State of Ohio, the Ohio Revised Code, the Charter of the City and this Ordinance.

“*Additional Bonds*” means any additional bond anticipation notes or bonds of the City which may be subsequently issued and payable solely from the TIF Revenues on parity with the Bonds.

“*Authorized Denominations*” means the minimum denominations or any integral multiple in excess thereof as set forth in the Certificate of Award.

“*Bond Proceedings*” means, collectively, this Ordinance, the Certificate of Award and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders of the Bonds.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“*Bond Registrar*” means the Finance Director as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until a successor Bond Registrar shall have been designated by the City and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bonds*” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“*Certificate of Award*” means the certificate authorized by Section 6, to be executed by the Finance Director, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“*City*” means the City of Napoleon, Ohio.

“*City Law Director*” means the City Law Director of the City or any person serving in an interim or acting capacity with respect to that office.

“*City Manager*” means the City Manager of the City or any person serving in an interim or acting capacity with respect to that office.

“*Clerk of Council*” means the Clerk of Council of the City Council or any person serving in an interim or acting capacity with respect to that office.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Finance Director” means the Finance Director of the City or any person serving in an interim or acting capacity with respect to that office.

“Financing Costs” shall have the meaning given in Section 133.01 of the Ohio Revised Code.

“Interest Payment Dates” means, unless otherwise specified in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“JVSD” means the Four County Career Center.

“Mandatory Redemption Date” shall have the meaning set forth in Section 3(b).

“Mandatory Sinking Fund Redemption Requirements” shall have the meaning set forth in Section 3(e)(i).

“Principal Payment Dates” means, unless otherwise specified in the Certificate of Award, December 1 in each of the years as determined in the Certificate of Award; *provided* that in no case shall the final Principal Payment Date of the Bonds exceed December 31 of the thirtieth year following the year of issuance of the Bonds, all of which determinations shall be made by the Finance Director in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

“School Districts” means, collectively, the Napoleon Area City School District and the Liberty Center Local School District.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“State” means the State of Ohio.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

“TIF Fund” means the Oakwood/American Napoleon Municipal Public Improvement Tax Increment Equivalent Fund as created by the TIF Ordinance.

“TIF Ordinance” means Ordinance No. 056-20 passed by the City on December 7, 2020.

“TIF Revenues” means (a) the service payments in lieu of taxes and property tax rollback payments to be distributed to the City pursuant to the TIF Ordinance for deposit into the TIF Fund less (b) the payments (if any, and only to the extent not otherwise paid by the Henry County Treasurer in accordance with the TIF Ordinance) required to be paid to the School Districts and the JVSD.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This City Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum principal amount of \$1,100,000 (the “*Bonds*”) for the purpose of paying the costs of improving the City’s public roadways, including American Road and Oakwood Avenue between certain termini, by reconstructing, curbing and paving, installing storm water improvements, adjusting waterlines and sanitary sewer components, and acquiring any interests in real property, together with all related appurtenances thereto (the “*Improvement*”). The Bonds shall be issued pursuant to the Act and the Certificate of Award.

The principal amount of Bonds to be issued shall not exceed the maximum principal amount specified in this Section 2 and shall be an amount determined by the Finance Director in the Certificate of Award to be the principal amount of Bonds that is required to be issued at this time for the purpose stated in this Section 2, taking into account the costs of the Improvement, the estimates of the Financing Costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the City shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor and paying agent and all other Financing Costs and costs incurred incidental to those purposes. Any portion of those proceeds received by the City representing premium or accrued interest shall be paid into the TIF Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date. The Finance Director is hereby authorized to prepare one bond representing the aggregate principal amount of Bonds maturing on all of the Principal Payment Dates, all as set forth in the Certificate of Award. The Bonds may be issued as (i) a single fully registered Serial Bond with principal installments payable in amounts equal to the principal amounts of the Bonds stated to mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the respective Principal Payment Dates or (ii) one or more fully registered Term Bonds with Mandatory Sinking Fund Redemption Requirements in amounts equal to the principal amount of the Bonds stated to mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the respective Principal Payment Dates.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Finance Director, subject to subsection (c) of this Section 3, in the

Certificate of Award as a fair market rate or rates for such Bonds at the time of the sale. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Finance Director, subject to subsection (c) of this Section 3, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the Finance Director's determination of the best interest of and financial advantages to the City, the Finance Director shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The net interest cost for the Bonds determined by taking into account the respective principal amounts of the Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 5.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the main office of the Bond Registrar; *provided, however*, to the extent that the Bonds are represented by a single Term Bond as permitted by this Section 3, principal of the Bonds which is redeemed pursuant to a Mandatory Sinking Fund Redemption Requirement shall be payable when due without prior presentation or surrender of the Bond but redemption of such principal shall be duly endorsed on the Bond Register, and in the case of the final principal payment due hereunder, surrender of the Bond at the main office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the “*Mandatory Sinking Fund Redemption Requirements*”).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Finance Director, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Finance Director, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Finance Director, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Finance Director, for Term Bonds stated to mature on the same Principal Payment Date

and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in Authorized Denominations, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Finance Director in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Finance Director to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in Authorized Denominations, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than the Authorized Denominations are then outstanding, each Authorized Denomination unit of principal thereof shall be treated as if it were a separate Bond of the Authorized Denomination. If it is determined that one or more, but not all, of the Authorized Denomination units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of an Authorized Denomination unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the Authorized Denomination unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Section 3(d), upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Finance Director, in the name of the City and in their official capacities, *provided* that either or both of those signatures may be a facsimile. The Bonds shall also be countersigned by the Mayor, *provided* that the signature of the Mayor may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as determined by the Finance Director, shall be numbered as determined by the Finance Director in order to distinguish each Bond from any other Bond, and shall express upon their faces the

purpose, in summary terms, for which they are issued and that they are issued pursuant to the Act and the Certificate of Award.

The Finance Director is hereby authorized to designate in the Certificate of Award the Finance Director or a bank or trust company authorized to do business in the State to act as the initial Bond Registrar. The Finance Director shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Certificate of Award from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Finance Director on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange.

(a) Bond Register. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its main office. Subject to the provisions of Section 3(d), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section 5. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the main office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall

sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

Section 6. Sale of the Bonds to the Original Purchaser. The Bonds are hereby offered at par plus accrued interest, if any, to the Treasury Investment Board of the City for investment under Section 731.56 of the Ohio Revised Code and with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law, the provisions of this Ordinance.

The Finance Director shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

The Mayor, the City Manager, the Finance Director, the City Law Director, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The actions of the Mayor, the City Manager, the Finance Director, the City Law Director, the Clerk of Council or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

Section 7. Security for and Covenants Relating to Bonds.

(a) The Bonds, together with any Additional Bonds that may be issued hereafter on a parity therewith, are special obligations of the City, and the principal and interest on the Bonds are payable solely from, and such payment is secured by a pledge of and lien on, those TIF Revenues established by and as provided in this Ordinance which are on deposit in the TIF Fund, as described below.

The TIF Fund was heretofore created by the City a separate fund and the TIF Revenues shall be deposited therein in accordance with the following provisions. The City hereby covenants and agrees that it will deposit all TIF Revenues into TIF Fund. Moneys in the TIF Fund shall be used solely and exclusively (i) to pay principal of and interest on the Bonds and any hereafter designated Additional Bonds, all when due and (ii) for any other purposes permitted by law.

The City hereby covenants and agrees that so long as Bonds are outstanding, it will *first* appropriate TIF Revenues sufficient in amount to pay principal and interest when due and *second* appropriate TIF Revenues for any other lawful purpose; *provided, however*, the payments due hereunder and under the Bonds are payable solely from TIF Revenues. The Bonds are not secured by an obligation or pledge of any moneys raised by taxation. The Bonds do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the City, and the owners of the Bonds have no right to have taxes levied by the City for the payment of principal and interest on the Bonds.

Nothing herein shall be construed as requiring the City to use or apply to the payment of principal and interest on the Bonds any funds or revenues from any source other than TIF Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Bonds.

(b) The City will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Ordinance and the Bonds and under all proceedings of this City Council pertaining thereto. The City represents that (i) it is, and upon delivery of the Bonds covenants that it will be, duly authorized by the Constitution and laws of the State including particularly and without limitation the Act, to issue the Bonds and to provide the security for payment of the debt service charges in the manner and to the extent set forth herein and in the Bonds; (ii) all actions on its part for the issuance of the Bonds have been or will be taken duly and effectively; and (iii) the Bonds will be valid and enforceable special obligations of the City according to their terms. Each obligation of the City required to be undertaken pursuant to this Ordinance and the Bonds is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employee resulting from an office, trust or station within the meaning of Section 2731.01 of the Ohio Revised Code, providing for enforcement by writ of mandamus.

Section 8. Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds is authorized and approved, and the Finance Director is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 9. Additional Bonds. The City shall have the right from time to time to issue Additional Bonds on a parity with the Bonds, which Additional Bonds shall be payable solely from the TIF Revenues, and such payment shall be secured by a pledge of and a lien on the TIF Revenues as provided by the Act and by an ordinance passed by this City Council authorizing the issuance of those Additional Bonds. Before any Additional Bonds are issued, the City shall be required to furnish a certificate of the Director of Finance showing that the aggregate amount of TIF Revenues received during the fiscal year immediately preceding the issuance of those Additional Bonds is at least equal to 150% of the largest amount required to be paid in any succeeding calendar year to meet estimated interest and principal maturities of the Bonds, any parity obligations delivered after the Bonds, and those Additional Bonds, or in the event that the

Additional Bonds are to be issued as bond anticipation notes, the largest amount required to be paid in any succeeding calendar year to meet the estimated interest and principal maturities of the bonds anticipated by those bond anticipation notes (the “*Coverage Test*”).

Junior lien or other subordinate bonds payable from the TIF Revenues may be issued without limitation.

The Additional Bonds shall bear such designation as may be necessary to distinguish them from the Bonds or other Additional Bonds having different provisions and shall have maturities, interest rates, interest payment dates, redemption provisions, denominations and other provisions as provided in the ordinances hereafter adopted providing for the issuance of the Additional Bonds; *provided, however*, that those terms and provisions shall not be inconsistent with this Ordinance to the extent it governs the issuance and terms of Additional Bonds.

Section 10. Supplemental Appropriations and Transfers. The annual appropriation measure passed in Ordinance No. 064-20 for the fiscal year ending December 31, 2021 shall be supplemented (Supplement No. 3). Further, pursuant to Section 5705.14 of the ORC and this Ordinance, the Finance Director is hereby authorized and directed to transfer monies, (Transfer No. 3), among the various funds on an as needed basis in Fiscal Year 2021.

Section 11. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the Clerk of Council. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services, that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Finance Director is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Municipal Advisor. The services of Sudsina & Associates, LLC., as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State of Ohio, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those municipal advisory services. The Finance Director is authorized and directed to make appropriate certification as to the

availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 13. Satisfaction of Conditions for Bond Issuance. This City Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to the Act and the Certificate of Award and other authorizing provisions of law.

Section 14. Compliance with Open Meeting Requirements. This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this City Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 15. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety in the City and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely execute one or more contracts to facilitate the construction of the Improvement; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Passed: May _____, 2021

Joseph D. Bialorucki, Council President

Approved: May _____, 2021

Jason P. Maassel, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ Abstain

Attest:

Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 018-21 was duly published in the Northwest Signal, a newspaper of general circulation in

said City on the _____ day of May, 2021; and 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

CERTIFICATION OF RECORDS

I, Roxanne Dietrich, Clerk of Council, of the City of Napoleon, Ohio, do hereby certify and attest that this document to be a **True and Correct** copy of Ordinance Number 018-21, passed May ____, 2021.

Roxanne Dietrich, Clerk of Council

Date

FW: City of Napoleon, Ohio – (Not to Exceed) \$1,100,000 Tax Increment Financing Revenue Bonds, Series 2021

Kelly O'Boyle <koboyle@napoleonohio.com>

Thu 5/13/2021 7:50 AM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

Cc: Billy Harmon <bharmon@napoleonohio.com>

 2 attachments (30 KB)

Engagement Letter.pdf; mg_info.txt;

Hi Roxanne,

I reviewed the letter and it is in good form, please consider this on file with you. Thank you.

Kelly

From: Modlich, Carol L. <carol.modlich@squirepb.com> **On Behalf Of** Franzmann, Christopher J.

Sent: Wednesday, May 12, 2021 3:18 PM

To: Kelly O'Boyle <koboyle@napoleonohio.com>

Cc: Billy Harmon <bharmon@napoleonohio.com>; Roxanne Dietrich <rdietrich@napoleonohio.com>

Subject: City of Napoleon, Ohio – (Not to Exceed) \$1,100,000 Tax Increment Financing Revenue Bonds, Series 2021

Hi Kelly,

I have attached a form of **Engagement Letter** retaining Squire Patton Boggs (US) LLP as bond counsel for the referenced financing. If you find the engagement letter to be in good form, it should be placed on file with Roxanne Dietrich (as Clerk of Council) prior to City Council's consideration of the Bond Ordinance.

Following passage of the Bond Ordinance, kindly execute the letter and return a signed copy (color PDF e-mail is fine) to my attention.

Please give me a call with any questions. Thanks much.



Christopher J. Franzmann

Partner

Squire Patton Boggs (US) LLP

2000 Huntington Center

41 South High Street

Columbus, Ohio 43215

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O +1 614 365 2700

F +1 614 365 2499

chris.franzmann@squirepb.com | squirepattonboggs.com



COVID-19 Pandemic: How We Can Support You

May 12, 2021

VIA E-MAIL

Kelly C. O'Boyle
Finance Director
City of Napoleon, Ohio
255 W. Riverview Avenue
Napoleon, Ohio 43545

**Re: City of Napoleon, Ohio
(Not to Exceed) \$1,100,000 Tax Increment Financing Revenue Bonds, Series 2021**

Dear Kelly:

We are pleased that the City of Napoleon, Ohio (the "*City*") has requested Squire Patton Boggs (US) LLP (the "*Firm*") to serve as the City's bond counsel in connection with its issuance of the above-captioned bonds (the "*Bonds*").

The Firm's services will include those customarily provided by bond counsel in connection with issues such as the Bonds, including the rendering of our legal opinion (the "*Bond Opinion*"), provided that the proceedings for the issuance of the Bonds have been completed to our satisfaction. The Bond Opinion will address the validity and legality of the Bonds, the source of payment and security for the Bonds, and certain other tax aspects of the Bonds under the laws of the State of Ohio. The Firm will address the Bond Opinion to the City as the original purchaser and will deliver it on the date that the City delivers the Bonds to the City's Treasury Investment Board in exchange for their purchase price. The Firm's services will also include those customarily provided by bond counsel in connection with the issuance of the Bonds. For those legal services, the Firm shall be paid just and reasonable compensation in an amount not expected to exceed \$12,000, and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services.

As the City's bond counsel, the Firm will represent the City. The City will be the Firm's client, and an attorney-client relationship will exist between the Firm and the City. We assume that all other parties (if any) to the transaction described above will retain such counsel as they deem necessary and appropriate to represent their interests in this transaction. We further assume that all other parties understand that, in this transaction, we represent only the City, that we are not counsel to any other party, and that we are not acting as an intermediary among the parties.

Kelly C. O'Boyle
May 12, 2021
Page 2

The Firm appreciates the opportunity to represent the City in this matter. Please confirm that the City desires for the Firm to proceed with this engagement as described in this letter by signing a copy of this letter and returning it to us. Please retain the original for the City's files.

Very truly yours,

Christopher J. Franzmann

Christopher J. Franzmann, Partner

CJF/pf

Engagement Letter Accepted:

CITY OF NAPOLEON, OHIO

By: _____

Printed: Kelly C. O'Boyle

Title: Finance Director

Dated: _____

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

AMP Billed Usage Month	PSCAF City Billing Month	AMP - kWh Delivered As Listed on AMP Invoices	Purchased Power Supply Costs (*=Net of Known) (+ OR - Other Cr's)	Rolling 3-Month Totals Current + Prior 2 Months		Rolling 3 Month Average Cost	Less: Fixed Base Power Supply Cost	PSCA Dollar Difference + or (-)	PSCA-Corrted. 3 MONTH AVG.FACTOR + Line Loss	Total Residential Cost / kWh For Month
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	
		Actual Billed	Actual Billed w/Cr's	c + prior 2 Mo	d + prior 2 Mo	f / e	\$0.07194 Fixed	g + h	i X 1.075	
Mar'19	May'19	12,476,648	\$ 1,111,471.41	38,105,490	\$ 3,345,512.02	\$ 0.08780	\$ (0.07194)	\$ 0.01586	\$ 0.01705	
Apr'19	June'19	10,913,916	\$ 1,043,515.66	35,502,762	\$ 3,231,614.78	\$ 0.09102	\$ (0.07194)	\$ 0.01908	\$ 0.02051	
May'19	July'19	11,554,553	\$ 1,074,988.04	34,945,117	\$ 3,229,975.11	\$ 0.09243	\$ (0.07194)	\$ 0.02049	\$ 0.02203	
June'19	Aug'19	12,448,976	\$ 1,059,406.09	34,917,445	\$ 3,177,909.79	\$ 0.09101	\$ (0.07194)	\$ 0.01907	\$ 0.02050	
July'19	Sep'19	15,467,755	\$ 1,165,669.13	39,471,284	\$ 3,300,063.26	\$ 0.08361	\$ (0.07194)	\$ 0.01167	\$ 0.01255	
Aug'19	Oct'19	14,297,705	\$ 1,123,690.94	42,214,436	\$ 3,348,766.16	\$ 0.07933	\$ (0.07194)	\$ 0.00739	\$ 0.00794	
Sep'19	Nov'19	12,810,364	\$ 1,102,711.16	42,575,824	\$ 3,392,071.23	\$ 0.07967	\$ (0.07194)	\$ 0.00773	\$ 0.00831	
Oct'19	Dec'19	12,026,480	\$ 1,080,410.22	39,134,549	\$ 3,306,812.32	\$ 0.08450	\$ (0.07194)	\$ 0.01256	\$ 0.01350	0.1230
Nov'19	Jan'20	12,466,183	\$ 1,088,822.82	37,303,027	\$ 3,271,944.20	\$ 0.08771	\$ (0.07194)	\$ 0.01577	\$ 0.01695	0.1245
Dec'19	Feb'20	12,809,184	\$ 1,098,513.89	37,301,847	\$ 3,267,746.93	\$ 0.08760	\$ (0.07194)	\$ 0.01566	\$ 0.01683	0.1239
Jan' 20	Mar' 20	12,907,445	\$ 1,152,024.27	38,182,812	\$ 3,339,360.98	\$ 0.08746	\$ (0.07194)	\$ 0.01552	\$ 0.01668	0.1238
Feb' 20	Apr' 20	12,179,274	\$ 1,114,393.10	37,895,903	\$ 3,364,931.26	\$ 0.08879	\$ (0.07194)	\$ 0.01685	\$ 0.01811	0.1262
Mar 20	May 20	11,565,546	\$ 1,098,886.88	36,652,265	\$ 3,365,304.25	\$ 0.09182	\$ (0.07194)	\$ 0.01988	\$ 0.02137	0.1299
Apr 20	June 20	9,957,773	\$ 1,056,718.07	33,702,593	\$ 3,269,998.05	\$ 0.09703	\$ (0.07194)	\$ 0.02509	\$ 0.02697	0.1371
May 20**	July 20	10,376,392	\$ 982,279.17	31,899,711	\$ 3,137,884.12	\$ 0.09837	\$ (0.07194)	\$ 0.02643	\$ 0.02841	0.1365
Jun 20	Aug 20	13,172,159	\$ 1,136,941.54	33,506,324	\$ 3,175,938.78	\$ 0.09479	\$ (0.07194)	\$ 0.02285	\$ 0.02456	0.1330
Jul 20***	Sept 20	15,755,589	\$ 1,211,781.98	39,304,140	\$ 3,331,002.69	\$ 0.08475	\$ (0.07194)	\$ 0.01281	\$ 0.01056	0.1154
Aug 20	Oct 20	14,271,168	\$ 1,182,034.49	43,198,916	\$ 3,530,758.01	\$ 0.08173	\$ (0.07194)	\$ 0.00979	\$ 0.00731	0.1135
Sept 20†	Nov 20	11,744,934	\$ 1,103,481.59	41,771,691	\$ 3,497,298.06	\$ 0.08372	\$ (0.07194)	\$ 0.01178	\$ 0.01266	0.1229
Oct 20	Dec 20	11,645,057	\$ 1,128,722.92	37,661,159	\$ 3,414,239.00	\$ 0.09066	\$ (0.07194)	\$ 0.01872	\$ 0.02012	0.1299
Nov 20	Jan 21	11,652,657	\$ 1,113,624.87	35,042,648	\$ 3,345,829.38	\$ 0.09548	\$ (0.07194)	\$ 0.02354	\$ 0.02531	0.1340
Dec 20	Feb 21	12,648,166	\$ 1,124,907.42	35,945,880	\$ 3,367,255.21	\$ 0.09368	\$ (0.07194)	\$ 0.02174	\$ 0.02337	0.1299
Jan 21	Mar 21	12,962,585	\$ 1,034,448.66	37,263,408	\$ 3,272,980.95	\$ 0.08783	\$ (0.07194)	\$ 0.01589	\$ 0.01708	0.1236
Feb 21	Apr 21	12,300,987	\$ 1,049,227.94	37,911,738	\$ 3,208,584.02	\$ 0.08463	\$ (0.07194)	\$ 0.01269	\$ 0.01364	0.1265
Mar 21	May 21	11,917,978	\$ 1,053,961.87	37,181,550	\$ 3,137,638.47	\$ 0.08439	\$ (0.07194)	\$ 0.01245	\$ 0.01338	

** Reduction of \$100,000 from actual invoice from AMP to be taken from reserve as approved by Council to lessen PSCA for month due to COVID-19 Pandemic.

*** reduced PSCAF for Sept 20 from \$.01377 to \$.01056 to reflect corrected PSCAF with adjustment for Aug 20 by -\$.003210 to incorporate the \$100,000 with the three month rolling average

†November 2020 PSCAF is up because the approved credits/adjustments are now off of the three month rolling average

PSCAF - Preparers Signature:

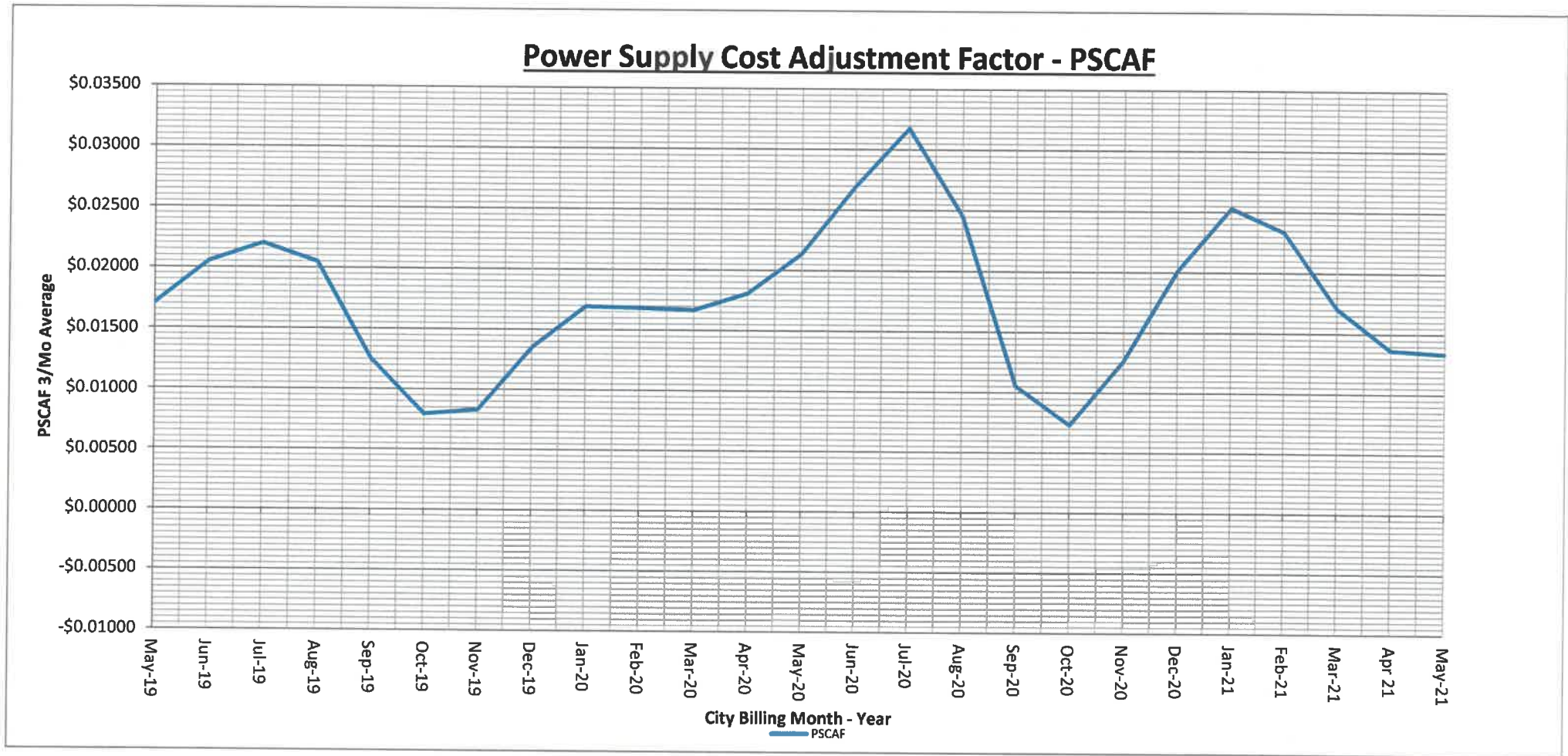
Name - Lori A. Rausch, Utility Billing Administrator

 4/16/2021
 Signature Date

PSCAF - Reviewers Signature:

Name - Kelly O'Boyle, Finance Director

 4/16/2021
 Signature Date



BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE -May, 2021

2021 - MAY BILLING WITH MARCH 2021 AMP BILLING PERIOD AND APRIL 2021 CITY CONSUMPTION AND BILLING DATA

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

DATA PERIOD	MONTH / YR	DAYS IN MONTH	MUNICIPAL PEAK						
AMP-Ohio Bill Month	MARCH, 2021	31	20.566						
City-System Data Month	APRIL, 2021	30							
City-Monthly Billing Cycle	MAY, 2021	31							
=====CONTRACTED AND OPEN MARKET POWER=====									
=====PEAKING=====									
=====HYDRO POWER=====									
PURCHASED POWER-RESOURCES ->	AMP CT	FREEMONT ENERGY	PRAIRIE STATE SCHED. @ PJMC	MORGAN STNLY REPLMNT.2015-20	NORTHERN POWER	JV-2 PEAKING	AMP-HYDRO CSW	MELDAHL-HYDRO SCHED. @	GREENUP HYDRO SCHED. @
	SCHED. @ ATSI	SCHEDULED	REPLMT @ PJMC	7x24 @ AD	POOL	SCHED. @ ATSI	SCHED. @ PJMC	MELDAHL BUS	GREENUP BUS
Delivered kWh (On Peak) ->	0	4,810,977	1,767,183		646,794	32	772,695	171,423	75,657
Delivered kWh (Off Peak) ->					863,800				
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->					-344,715				
Net Total Delivered kWh as Billed ->	0	4,810,977	1,767,183	0	1,165,879	32	772,695	171,423	75,657
Percent % of Total Power Purchased->	0.0000%	40.3676%	14.8279%	0.0000%	9.7825%	0.0003%	6.4834%	1.4384%	0.6348%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$32,562.17	\$33,863.38	\$59,783.49			\$720.72	\$193,628.29	\$15,898.62	\$8,613.00
Debt Services (Principal & Interest)		\$43,492.02	\$114,388.92						
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)	-\$50,688.99					-\$1,262.28			
Capacity Credit	-\$26,750.58	-\$19,882.68	-\$10,660.35			-\$628.02	-\$2,819.68	-\$1,969.07	-\$498.39
Sub-Total Demand Charges	-\$44,877.40	\$57,472.72	\$163,512.06	\$0.00	\$0.00	-\$1,169.58	\$190,808.61	\$13,929.55	\$8,114.61
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)		\$126,359.73	\$10,007.73		\$17,737.91		\$20,862.77	\$4,628.42	\$680.91
Energy Charges - (Replacement/Off Peak)					\$18,780.66				
Net Congestion, Losses, FTR		\$2,181.97	\$4,607.58				\$2,361.33		
Transmission Charges (Energy-Debits)			\$10,760.25						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)		\$45.30			\$2,074.69				
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)					-\$8,575.12				
Net Congestion, Losses, FTR								-\$68.45	-\$1.18
Bill Adjustments (General & Rate Levelization)						\$3.17	-\$6,761.08	-\$1,499.95	-\$661.99
Sub-Total Energy Charges	\$0.00	\$128,587.00	\$25,375.56	\$0.00	\$30,018.14	\$3.17	\$16,463.02	\$3,060.02	\$17.74
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									
Service Fees AMP-Part A - (+Debit/-Credit)									
Service Fees AMP-Part B - (+Debit/-Credit)									
Other Charges & Bill Adjustments - (+Debit/-Credit)									
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL NET COST OF PURCHASED POWER	-\$44,877.40	\$186,059.72	\$188,887.62	\$0.00	\$30,018.14	-\$1,166.41	\$207,271.63	\$16,989.57	\$8,132.35
Percent % of Total Power Cost->	-4.2580%	17.6534%	17.9217%	0.0000%	2.8481%	-0.1107%	19.6660%	1.6120%	0.7716%
Purchased Power Resources - Cost per kWh->	\$0.000000	\$0.038674	\$0.106886	\$0.000000	\$0.025747	-\$36.450313	\$0.268245	\$0.099109	\$0.107490

BILLING SUMMARY AND CONS

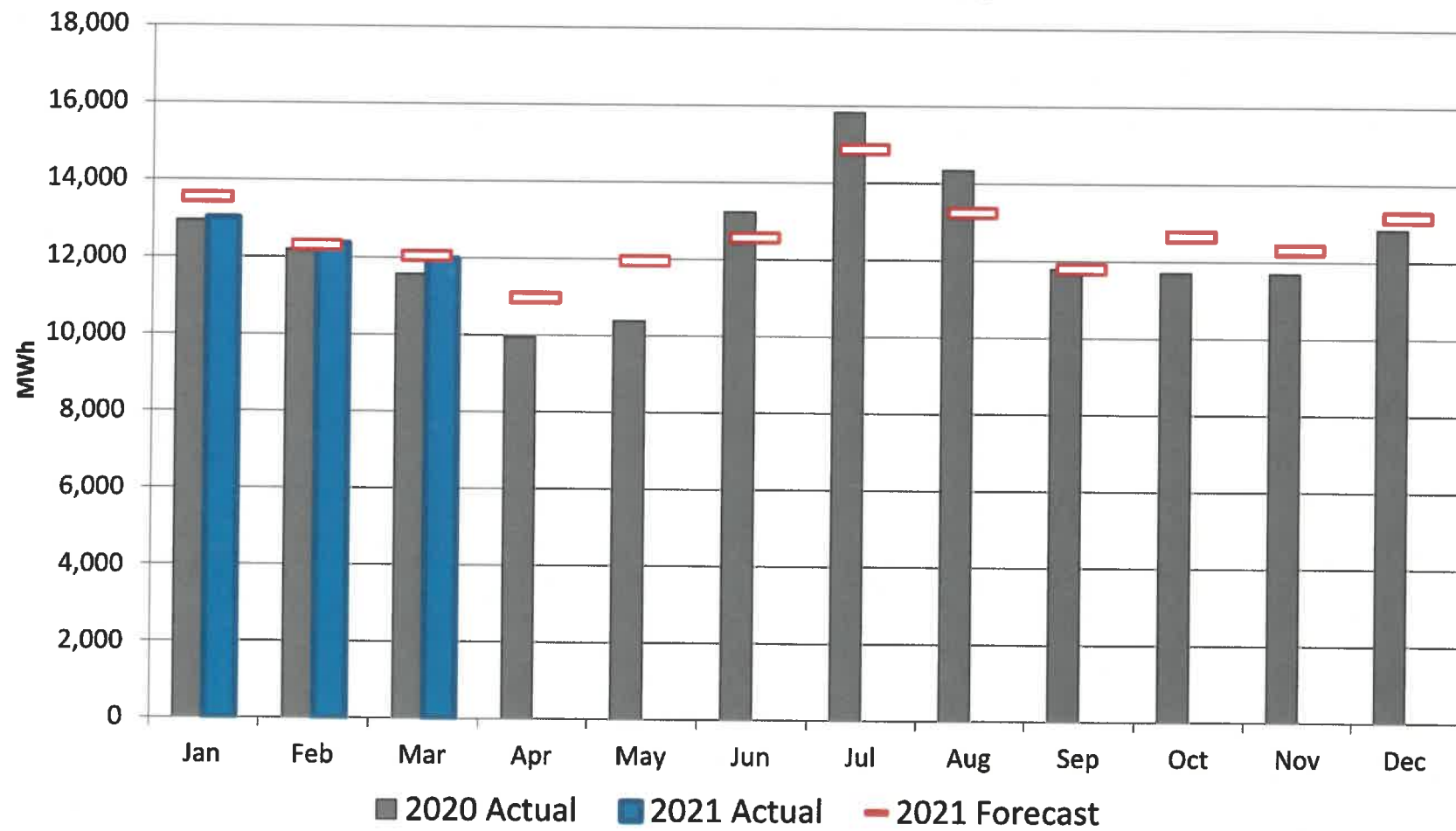
2021 - MAY BILLING WITH MARCH 2021 AMP B/

PREVIOUS MONTH'S POWER BILLS - PU

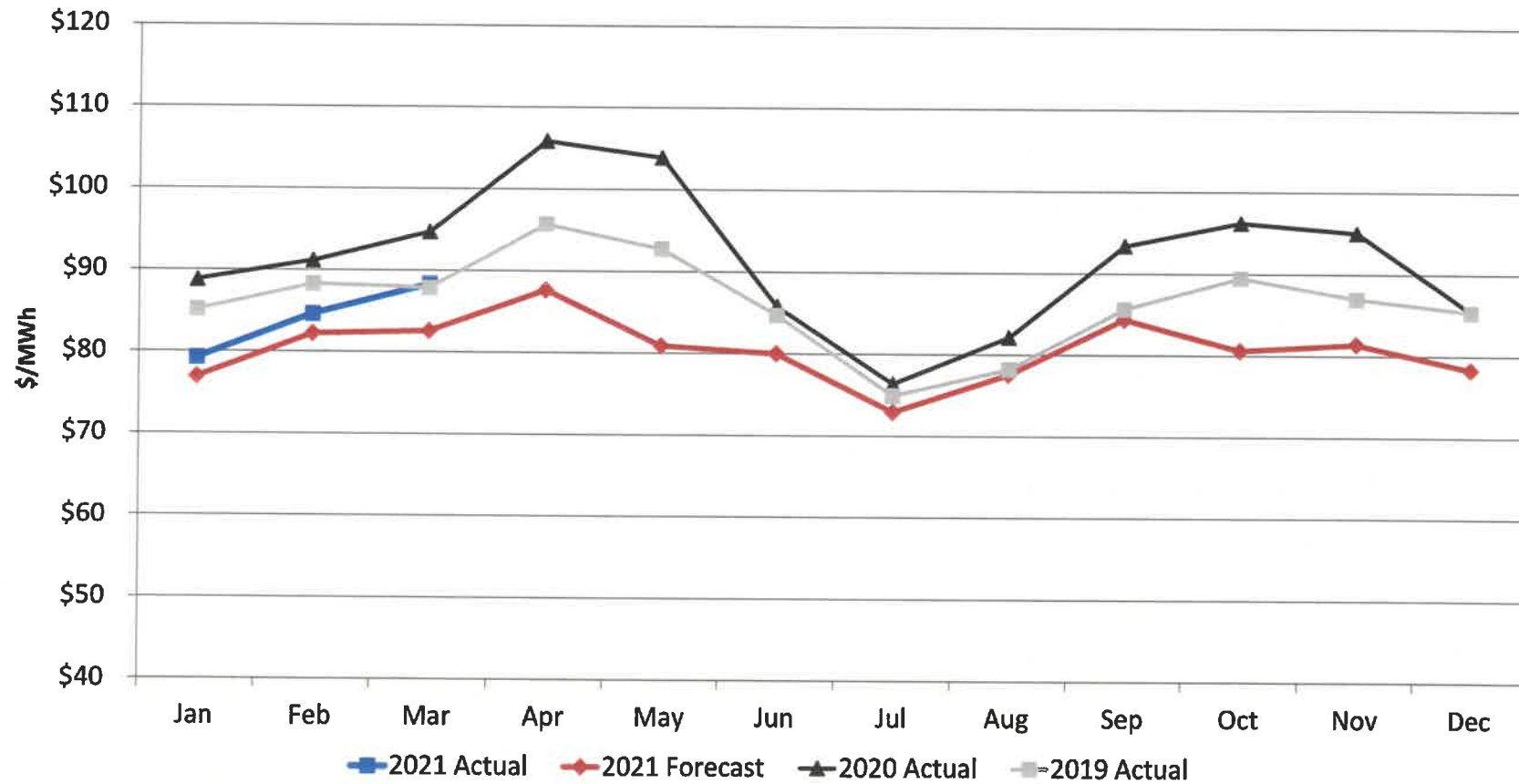
DATA PERIOD									
AMP-Ohio Bill Month									
City-System Data Month									
City-Monthly Billing Cycle									
	NYPA HYDRO	JV-5 HYDRO	JV-6 WIND	AMP SOLAR PHASE 1	EFFNCY.SMART POWER PLANT	TRANSMISSION CHARGES	SERVICE FEES DISPATCH, A & B	MISCELLANEOUS CHARGES & LEVELIZATION	TOTAL - ALL RESOURCES
PURCHASED POWER-RESOURCES ->	SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	Other Charges	
Delivered kWh (On Peak) ->	640,791	2,297,472	31,196	151,206	0	0	0	0	11,365,426
Delivered kWh (Off Peak) ->									863,800
Delivered kWh (Replacement/Losses/Offset) ->		33,463							33,463
Delivered kWh/Sale (Credits) ->									-344,715
Net Total Delivered kWh as Billed ->	640,791	2,330,935	31,196	151,206	0	0	0	0	11,917,974
Percent % of Total Power Purchased->	5.3767%	19.5581%	0.2618%	1.2687%	0.0000%	0.0000%	0.0000%	0.0000%	100.0002%
COST OF PURCHASED POWER:									
DEMAND CHARGES (+Debits)									
Demand Charges	\$6,214.21	\$19,352.04	\$1,122.30						\$599,269.42
Debt Services (Principal & Interest)		\$55,381.81				\$227,511.20			\$213,262.75
DEMAND CHARGES (-Credits)									
Transmission Charges (Demand-Credits)		-\$23,252.62	-\$0.26						
Capacity Credit	-\$2,198.63	-\$7,261.35	-\$152.67						-\$75,204.15
Sub-Total Demand Charges	\$4,015.58	\$44,219.88	\$969.37	\$0.00	\$0.00	\$227,511.20	\$0.00	\$0.00	\$664,506.60
ENERGY CHARGES (+Debits):									
Energy Charges - (On Peak)	\$12,843.31	\$43,146.41		\$5,493.31		\$9,313.13			\$251,073.63
Energy Charges - (Replacement/Off Peak)									\$18,780.66
Net Congestion, Losses, FTR									\$9,150.88
Transmission Charges (Energy-Debits)									\$10,760.25
ESPP Charges									\$19,920.07
Bill Adjustments (General & Rate Levelization)					\$19,920.07				\$2,119.99
ENERGY CHARGES (-Credits or Adjustments):									
Energy Charges - On Peak (Sale or Rate Stabilization)									
Net Congestion, Losses, FTR	\$1,602.19								-\$8,575.12
Bill Adjustments (General & Rate Levelization)	\$4.95				-\$1,242.12				\$290.44
Sub-Total Energy Charges	\$14,450.45	\$43,146.41	\$0.00	\$4,251.19	\$19,920.07	\$9,313.13	\$0.00	\$0.00	\$294,605.90
TRANSMISSION & SERVICE CHARGES, MISC.:									
RPM / PJM Charges Capacity - (+Debit)									
RPM / PJM Charges Capacity - (-Credit)									
Service Fees AMP-Dispatch Center - (+Debit/-Credit)									\$88,528.39
Service Fees AMP-Part A - (+Debit/-Credit)									-\$3,391.75
Service Fees AMP-Part B - (+Debit/-Credit)									\$0.00
Other Charges & Bill Adjustments - (+Debit/-Credit)							\$2,764.66		\$2,764.66
							\$6,948.07		\$6,948.07
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	-\$3,391.75	\$0.00	\$88,528.39	\$9,712.73	\$0.00	\$94,849.37
TOTAL NET COST OF PURCHASED POWER	\$18,466.03	\$87,366.29	\$969.37	\$859.44	\$19,920.07	\$325,352.72	\$9,712.73	\$0.00	\$1,053,961.87
Percent % of Total Power Cost->	1.7521%	8.2893%	0.0920%	0.0815%	1.8900%	30.8695%	0.9215%	0.0000%	100.000%
Purchased Power Resources - Cost per kWh->	\$0.028818	\$0.037481	\$0.031074	\$0.005684	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$1,053,961.87
									\$0.088435
									\$0.023968
									\$0.023968

Napoleon		Capacity Plan - Actual													
Mar	2021	ACTUAL DEMAND =				20.57	MW								
Days	31	ACTUAL ENERGY =				11,979	MWH								
	SOURCE	DEMAND	DEMAND	ENERGY	LOAD	DEMAND	ENERGY	CONGESTION/L	CAPACITY	TRANSMISSION		EFFECTIVE	%		
	(1)	MW	MW-MO	MWH	FACTOR	RATE	RATE	OSSES	CREDIT RATE	CREDIT RATE	TOTAL	RATE	OF		
		(2)	(3)	(4)	(5)	\$/KW	\$/MWH	\$/MWH	\$/KW	\$/KW	CHARGES	\$/MWH	DOLLARS		
1	NYPA - Ohio	0.94	0.94	641	92%	\$6.81	\$20.05	\$2.50	-\$2.34		\$18,466	\$28.82	1.7%		
2	JV5	3.09	3.09	2,297	100%	\$24.20	\$18.78		-\$2.35	-\$7.53	\$87,366	\$38.03	8.3%		
3	JV5 Losses	0.00	0.00	33	0%						\$0		0.0%		
4	JV6	0.30	0.30	31	14%	\$3.74			\$0.00	-\$0.51	\$969	\$31.07	0.1%		
5	AMP-Hydro	3.50	3.50	773	30%	\$55.35	\$18.25	\$3.06	-\$0.81		\$207,272	\$268.25	19.6%		
6	Meldahl	0.50	0.50	171	46%	\$31.54	\$18.25	-\$0.40	-\$3.91		\$16,990	\$99.11	1.6%		
7	Greenup	0.33	0.33	76	31%	\$26.10	\$0.25	-\$0.02	-\$1.51		\$8,132	\$107.49	0.8%		
8	AFEC	8.77	8.77	4,811	74%	\$8.82	\$28.27	\$0.45	-\$2.27		\$186,080	\$38.67	17.6%		
9	Prairie State	4.98	4.98	1,767	48%	\$35.00	\$11.75	\$2.61	-\$2.14		\$188,888	\$106.89	17.9%		
10	AMP Solar Phase I	1.04	1.04	151	20%		\$36.33		-\$1.19	-\$3.26	\$859	\$5.68	0.1%		
11	AMPCT	12.40	12.40	0	0%	\$2.63			-\$2.16	-\$4.09	-\$44,877		-4.2%		
12	JV2	0.26	0.26	0	0%	\$2.73			-\$2.38	-\$4.78	-\$1,166		-0.1%		
	Jan/Feb OffPeak Call	0.00	0.00	0	0%						\$0		0.0%		
13	NPP Pool Purchases	0.00	0.00	1,511	0%		\$29.93				\$45,214	\$29.93	4.3%		
14	NPP Pool Sales	0.00		-345	0%		\$24.88				-\$8,575	\$24.88	-0.8%		
	POWER TOTAL	36.11	36.11	11,918	44%	\$585,022	\$262,552	\$0.90	-\$73,911	-\$78,748	\$705,597	\$59.20	66.7%		
15	Energy Efficiency			0							\$19,920		1.9%		
16	Installed Capacity	27.04	27.04			\$3.27					\$88,528	\$7.39	8.4%		
17	Transmission	30.21	30.21	9,621		\$7.53	\$0.97				\$236,824	\$19.77	22.4%		
18	Service Fee B			11,979			\$0.58				\$6,948	\$0.58	0.7%		
19	Dispatch Charge			11,979							\$0		0.0%		
	OTHER TOTAL					\$316,040	\$36,181				\$352,221	\$29.40	33.3%		
GRAND TOTAL PURCHASED				11,918							\$352,221	\$29.40			
Delivered to members		20.566	20.566	11,979	78%						\$1,057,818				
	2021 Forecast	DEMAND		ENERGY	L.F.						TOTAL \$	\$/MWh	Avg Temp		
	2020 Actual	22.24		12,040	73%						\$994,078	\$82.56	37.6		
	2019 Actual	19.84		11,578	78%						\$1,096,020	\$94.66	42.5		
		23.17		12,544	73%						\$1,101,931	\$87.85	35.4		
											Actual Temp		44.9		

Napoleon 2021 Monthly Energy Usage



Napoleon 2021 Monthly Rates





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-21-04

Subdivision in City

For a Recommended Re-Plat Approval

Location: Parcel Number: 41-230018.0000 / Lot Numbers 121,120,119,118,117,116& part of Lot 115 of the Majestic heights Addition. A portion of the NW ¼ of section 23, Township 5 North, Range 6 East, First Principal Meridian Majestic Heights Addition.

Memorandum

To: Members if the City Planning Commission

From: Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

Subject: Subdivision of plat in the City

Meeting Date: May 11, 2021

Hearing #: PC-21-04

Background:

An application for a public hearing has been filed by Craig Staton of 1126 Hurst Dr. The applicant is requesting the approval of a subdivision of a Re-Plat of lot Numbers 121,120,119,118,117,116, & part of 115 within the city. The request is pursuant to Chapter 1141 of the Codified ordinance of Napoleon, Ohio. The property is located in an R-2 Low-Density Residential Zoning District.

Research and Findings:

1. A Subdivision in City Permit is for any planned development to be located in the R-2 Low-Density Residential Zoning District as per 1145.01(a) table of permissible uses.
2. Scope of the project: Proposed Re-Plat of lots 121, 120,119,118,117,116, & part of 115 of the Majestic Heights Addition. Partial No. 41-230018.0000 (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.

RE-PLAT OF LOT NUMBERS
121,120,119,118,117,116 &
PART OF LOT 115 OF THE
MAJESTIC HEIGHTS ADDITION

STATE OF OHIO, COUNTY OF HENRY, CITY OF NAPOLEON,
A PORTION OF THE NW 1/4 OF SECTION 23,
TOWNSHIP 5 NORTH, RANGE 6 EAST, FIRST PRINCIPAL MERIDIAN
MAJESTIC HEIGHTS ADDITION IS RECORDED ON SLIDE 101
AT THE HENRY COUNTY RECORDER'S OFFICE

- NOTES:
- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND DOES NOT REPRESENT A TITLE REPORT OR A GUARANTEE OF TITLE. THERE MAY BE APPARENT, RECORDED, OR UNRECORDED EASEMENTS NOT SHOWN ON THIS DRAWING.
 - 2) THIS SURVEY USED THE LATEST RECORDED DEEDS AT THE DATE OF THIS SURVEY.
 - 3) DISTANCES SHOWN HEREON ARE GROUND DISTANCES. TO APPROXIMATE OHIO CO-ORDINATE 1983, NORTH ZONE (3401) GRID DISTANCES MULTIPLY THE DISTANCES BY THE COMBINATION FACTOR OF 0.9999272547.
 - 4) 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 MARKER INSCRIBED WITH "NIESE/JHN-PS8727."
 - 5) FOUND MONUMENTATION IN GOOD CONDITION UNLESS OTHERWISE

OWNERS ACKNOWLEDGMENT:

Know All Men By These Presents:

That I/We _____ 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 _____ day of _____, 20____.

OWNER/S: _____

STATE OF OHIO,
COUNTY OF _____, ss:

On this _____ day of _____, 20____, before me personally appeared _____, who executed the foregoing instrument and acknowledged that _____ executed the same as _____ free act and deed.

NOTARY PUBLIC
My Commission Expires: _____

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

RE-PLAT OF LOT NUMBERS 121,120,119,118,117,116, & PART OF LOT 115

Situated in the State of Ohio, County of Henry, City of Napoleon, being that portion of the Northwest Quarter of Section 23, Napoleon Township, Township 5 North, Range 6 East, of the First Principal Meridian, being all of Lot Numbers 121, 120, 119, 118, 117, 116, & and 5 feet off the southwesterly side of Lot Number 115, recorded on Slide 101 at the Henry County Recorder's Office, and being more particularly described as follows:

BEGINNING at a 5/8" iron pin found at the southwesterly corner of said Lot Number 121, also being found in the northerly right of way line of Hurst Drive, and also said 5/8" iron pin also being found at the **TRUE POINT OF BEGINNING**;

THENCE northwesterly with the westerly line of said Lot Number 121, North 51° 24' 23" West, (passing a 5/8" iron pin set at 135.16 feet), a distance of 297.16 feet to a iron pipe found at the northwesterly corner of said Lot Number 121;

THENCE northeasterly with the northerly lines of said Lot Numbers 121, 120, & 119, North 33° 31' 59" East, 71.98 feet to an iron pipe found at the northerly corner of said Lot Number 119;

THENCE easterly with the northerly line of said Lot Numbers 119, 118, 117, 116, & 115, North 69° 11' 38" East, 96.26 feet to a 5/8" iron pin set;

THENCE southeasterly through said Lot Number 115, South 51° 26' 44" East, (passing a 5/8" iron pin set at 72.00 feet), a distance of 253.31 feet to a 5/8" iron pin set in the southerly line of Lot Number 115, also 5/8" iron pin being set the northerly right of way line of Hurst Drive;

THENCE southwesterly with the southerly lines of said Lot Numbers 115, 116, 117, 118, 119, 120, 121, also being the northerly right of way of Hurst Drive, South 38° 08' 59" West, 154.73 feet to the **TRUE POINT OF BEGINNING**, containing 1.023 acres of land, more or less, as surveyed and described in January 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."

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

BASIS OF BEARINGS:

THE BEARINGS SHOWN 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. OBSERVATIONS WERE TAKEN ON JANUARY OF 2021.



0 30 60
SCALE 1" = 30'

LEGEND

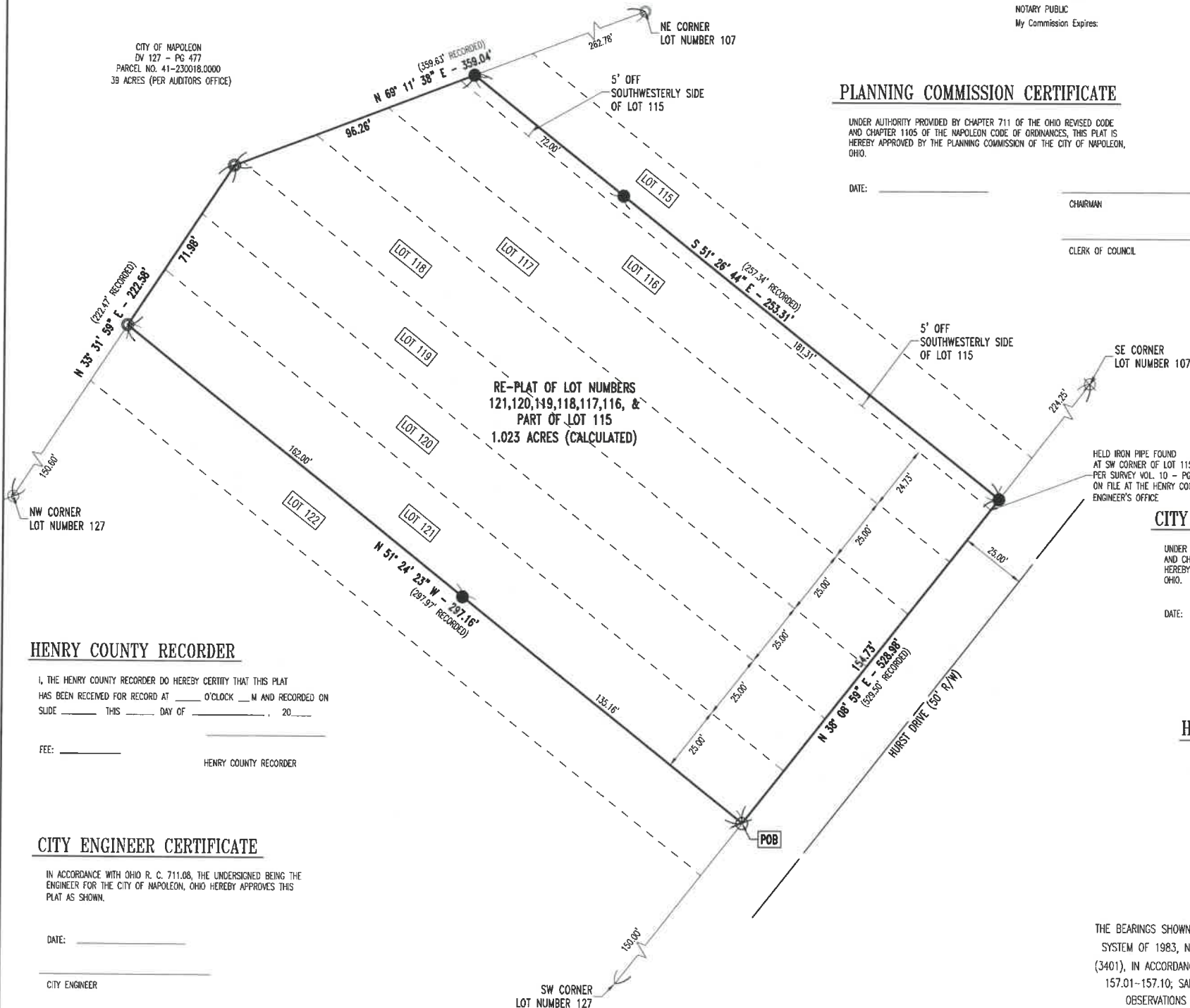
- 5/8" IRON PIN WITH CAP SET
- IRON PIPE FOUND
- ⊙ 5/8" IRON PIN WITH CAP FOUND
- ⊖ 5/8" IRON PIN FOUND
- ⊗ 1" IRON PIN FOUND

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, P.E., P.S.
OHIO REGISTERED SURVEYOR NO. 8727

NIESE SURVEYING & ENGINEERING, LLC	
SURVEY PLAT FOR: CRAIG & MELISSA STATON	
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: 2020-163 PAGE 1/1

CITY OF NAPOLEON
DV 127 - PG 477
PARCEL NO. 41-230018.0000
39 ACRES (PER AUDITORS OFFICE)



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

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



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 Final Plat Approval

Location: Parcel Number: 411491870040 German Mutual Insurance

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: May 11, 2021

Hearing #: PC-21-05

Background:

An application for a public hearing has been filed by The Goodville Insurance Company, The applicant is requesting the approval of a subdivision as being part of lot A&B of the subdivision of Lot 3, German Mutual Subdivision, Part of the Lynnewood Addition to the Napoleon Township, Part of the W ½ of Section 14, Napoleon Township, T5n, R6E, Henry County, City of Napoleon, State of Ohio. 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 and C-4 Planned Commercial District. A rezoning of C-4 will be applied for and a hearing set for a later date.

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 and C-4 Planned Commercial District as per 1145.01(a) table of permissible uses.
2. Scope of the project: Proposed Final Plat of lot, being a part of Lot A&B of the subdivision of Lot 3, German mutual Subdivision, Part of the Lynnewood addition to Napoleon Township. (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.

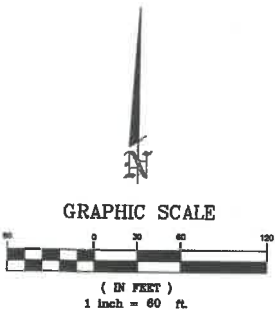
Legal Descriptions:

1. 1.180 Acres Situated in the City of Napoleon, Napoleon Township, Henry County, State of Ohio and being lots 1 and 2 and part of Lots 3-7, Lynnewood Addition to Napoleon Township, in part of the SW1/4 of Section 14, T5N, R6E, a tract of land bounded and described.
2. 1.624 Acres Situated in the City of Napoleon, Napoleon Township, Henry County, State of Ohio and being a part of Lot B of the Subdivision of Lot 3 German Mutual Subdivision in a part of the NW ¼ of Section 14, T5N, R6E, a tract of land bounded and described.
3. 0.548 Acres Situated in the City of Napoleon, Napoleon Township, Henry County, State of Ohio, and being lots 15 and 16 a part of lots 13 and 14, Lynnewood Addition to Napoleon Township in part of the SW ¼ of section 14, T5N, R6E, a tract of land bounded and described.
4. 1.123 Acres Situated in the City of Napoleon, Napoleon Township, Henry County, State of Ohio and being a part of Lot A and part of Lot B of the Subdivision of Lot 3, German Mutual Subdivision in a part of the NW ¼ of section 14, T5N, R6E, a tract of land bounded and described.

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

FINAL PLAT
LYNNEFIELD ESTATES SUBDIVISION

BEING A PART OF LOT A&B OF THE SUBDIVISION OF LOT 3, GERMAN MUTUAL SUBDIVISION (Cabinet 2, Slide 269A&B)
PART OF THE LYNNEWOOD ADDITION TO NAPOLEON TOWNSHIP (Cabinet 1, Slide 116)
PART OF THE W $\frac{1}{2}$ OF SECTION 14, NAPOLEON TOWNSHIP, T5N, R6E,
HENRY COUNTY, CITY OF NAPOLEON, STATE OF OHIO



Legend

●	Iron Pin Set
▲	Mag Nail Set
■	Monument Set
□	($\frac{3}{4}$ " Iron Pin in 6" Concrete)
□	Monument Found
□	($\frac{3}{4}$ " Iron Pin in 6" Concrete)
▲	Mag Nail Found
○	Iron Pin Found

Boundary Curve Table

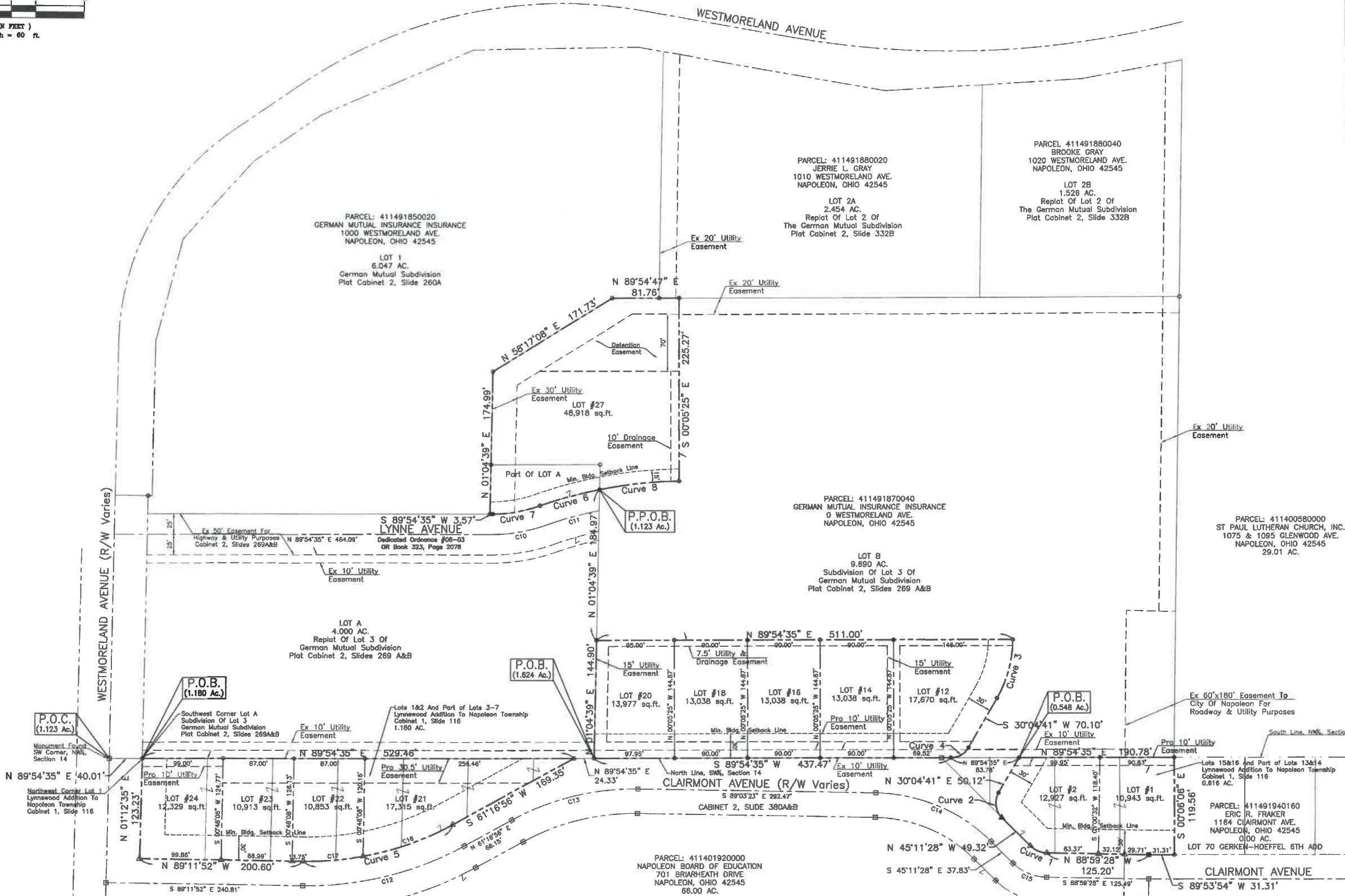
Curve #	Length	Radius	Delta	Chord
Curve 1	22.93'	30.00'	43°48'00"	N 67°05'28" W 22.38'
Curve 2	32.84'	25.00'	75°16'09"	N 7°33'24" W 30.53'
Curve 3	75.31'	145.00'	29°45'29"	S 15°11'56" W 74.47'
Curve 4	26.11'	25.00'	59°49'34"	S 59°59'38" W 24.94'
Curve 5	190.63'	370.00'	29°31'12"	S 76°02'32" W 188.53'
Curve 6	75.43'	525.00'	8°13'55"	S 74°37'31" W 75.36'
Curve 7	59.26'	175.00'	19°24'01"	S 80°12'34" W 58.97'
Curve 8	97.81'	525.00'	10°40'28"	S 84°04'42" W 97.67'

Curve Table

Curve #	Length	Radius	Delta
C10	67.72'	200.00'	19°24'01"
C11	66.36'	500.00'	7°36'17"
C12	206.09'	400.00'	29°31'12"
C13	160.48'	310.00'	29°39'41"
C14	156.95'	205.00'	43°51'55"
C15	45.87'	60.00'	43°48'00"
C16	116.90'	370.00'	18°06'07"
C17	73.74'	370.00'	11°25'05"

AREA CALCULATIONS

Existing Acreage
Lot 3 German Mutual Subdivision
13.690 Acres Existing
10.943 Acres Remaining
Lynnewood Addition to Napoleon Township
1.796 Acres Existing
Proposed Acreage
Area Lots 1&2 0.548 Acre
Area Lots 12,14,16,18&20 1.524 Acres
Area Lots 21-24 1.180 Acres
Area Lot 27 1.123 Acres
Total Proposed 4.475 Acres



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.

4-08-2021 Date

Eric R. Fraker, P.E., P.S., P.L.S. 7384
Peterman Associates, Inc.

PETERMAN ASSOCIATES, INC.

ARCHITECTS - ENGINEERS - INSPECTORS - SURVEYORS

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Findlay, Ohio 45840
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FINAL PLAT
LYNNEFIELD ESTATES SUBDIVISION

BEING A PART OF LOT A&B OF THE SUBDIVISION OF LOT 3, GERMAN MUTUAL SUBDIVISION (Cabinet 2, Slide 269A&B)
PART OF THE LYNNEWOOD ADDITION TO NAPOLEON TOWNSHIP (Cabinet 1, Slide 116)
PART OF THE W½ OF SECTION 14, NAPOLEON TOWNSHIP, T5N, R6E,
HENRY COUNTY, CITY OF NAPOLEON, STATE OF OHIO

OWNER CERTIFICATE

The undersigned _____ owners of the real 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.

OWNER WITNESS

1 _____

2 _____

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 _____ day of _____, 20____.

Notary Public

CITY OF NAPOLEON PLANNING COMMISSION

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

Date _____

Mayor

Attest: Clerk of Council

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 _____, 20____.

Henry County Auditor

HENRY COUNTY RECORDER

Filed for record this _____ day of _____, 20____, at _____ o'clock, ____M.
and recorded in plat Cabinet _____, Slide _____.

Henry County Recorder

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 plot represents a survey made by me, and that the specified monumentation shown hereon actually exists, and its location is correctly shown.


Nick E. Nigh, P.S. #7384
Peterman Associates, Inc.

Date



LEGAL DESCRIPTION

1.180 Acres

Situated In the City of Napoleon, Napoleon Township, County of Henry, State of Ohio and being Lots 1 and 2 and a part of Lots 3-7, Lynnewood Addition to Napoleon Township (Cabinet 1, Slide 116), in part of the SW1/4 of Section 14, T5N, R6E, a tract of land bounded and described as follows:

Beginning at an iron pin found on the east right of way line of Westmoreland Avenue (R/W Varies), and described as lying N89°54'35"E a distance of 40.01 feet from a monument found marking the southwest corner of the NW1/4 of said Section 14, said beginning point also being the southwest corner of Lot A in the Subdivision of Lot 3, German Mutual Subdivision recorded in Cabinet 2, Slides 269 A & B of the Henry County Plat Records, and the northeast corner of Lot 1 Lynnewood Addition to Napoleon Township recorded in Cabinet 1, Slide 116 of the Henry County Plat Records;

thence from the above described point of beginning and along the north line of the SW1/4 of said Section 14, also being the north line of said Lynnewood Addition N89°54'35"E a distance of 529.48 feet to an iron pin found on a northwesterly right of way corner of Clairmont Avenue dedicated in Cabinet 2, Slides 380 A & B of the Henry County Plat Records;

thence along the northerly right of way line of said Clairmont Avenue (R/W Varies) the following courses:

thence S61°16'56"W a distance of 169.35 feet to a mag nail found marking the PC of a curve to the right;

thence along said curve to the right, in a southwesterly direction, with a central angle of 29°31'12" a radius of 370.00 feet and a length of curve of 190.83 feet, the chord of said curve bearing S76°02'32"W a distance of 198.53 feet to a mag nail found marking the PT of said curve;

thence N89°11'52"W a distance of 200.60 feet to a mag nail found marking the intersection of the north right of way line of said Clairmont Avenue with the east right of way line of Westmoreland Avenue;

thence leaving the north right of way line of said Clairmont Avenue, and along the east right of way line of said Westmoreland Avenue N01°12'35"E a distance of 123.23 feet to the Point of Beginning and containing 1.180 acres of land, more or less, subject however to all prior easements of record.

1.624 Acres

Situated In the City of Napoleon, Napoleon Township, County of Henry, State of Ohio and being a part of Lot B of the Subdivision of Lot 3 German Mutual Subdivision (Cabinet 2, Slide 269 A & B), in a part of the NW1/4 of Section 14, T5N, R6E, a tract of land bounded and described as follows: .

Beginning at an iron pin found marking the southwest corner of said Lot B, and lying on the south line of the NW1/4 of said Section 14 and described as lying N89°54'35"E a distance of 553.80 feet from a monument found marking the southwest corner of the NW1/4 of said Section 14;

thence from the above described point of beginning and along the west line of said Lot B N01°04'39"E a distance of 144.90 feet to an iron pin set;

thence parallel with the south line of said Lot B and the south line of the NW1/4 of said Section 14 N89°54'35"E a distance of 511.00 feet to an iron pin set marking the PC of a curve to the right;

thence along said curve to the right, in a southwesterly direction, with a central angle of 29°45'29" a radius of 145.00 feet and a length of curve of 75.31 feet the chord of said curve bearing S15°11'56"W a distance of 74.47 feet to an iron pin set marking the PT of said curve;

thence S30°04'41"W a distance of 70.10 feet to an iron pin set marking the PC of a curve to the right;

thence along said curve to the right in a southwesterly direction with a central angle of 59°49'54" a radius of 25.00 feet and a length of curve of 26.11 feet, the chord of said curve bearing S59°59'38"W a distance of 24.94 feet to an iron pin set on the south line of said Lot B and the south line of the NW1/4 of said Section 14;

thence along the south line of said Lot B, and the south line of the NW1/4 of said Section 14, and along the north right of way line of Clairmont Avenue dedicated in Cabinet 2, Slides 380 A & B of the Henry County Plat Records and as extended east S89°54'35"W a distance of 437.47 feet to the Point of Beginning and containing 1.624 acres of land, more or less, subject however to all prior easements of record.

0.548 Acres

Situated In the City of Napoleon, Napoleon Township, County of Henry, State of Ohio and being Lots 15 and 16 and a part of Lots 13 and 14, Lynnewood Addition to Napoleon Township (Cabinet 1, Slide 116), in part of the SW1/4 of Section 14, T5N, R6E, a tract of land bounded and described as follows:

Beginning at an iron pin set on the north line of said Lynnewood Addition to Napoleon Township recorded in Cabinet 1, Slide 116 of the Henry County Plat Records, and the north line of the SW1/4 of said Section 14 described as lying N89°54'35"E a distance of 1115.08 feet from a monument found marking the southwest corner of the NW1/4 of said Section 14;

thence from the above described point of beginning and along the north line of the SW1/4 of said Section 14, also being the north line of said Lynnewood Addition N89°54'35"E a distance of 190.78 feet to an iron pin set marking the northeast corner of said Lot 16;

thence along the east line of said Lot 16 S00°06'06"E a distance of 119.56 feet to an iron pin found on the north right of way line of Clairmont Avenue;

thence along the northerly right of way line of said Clairmont Avenue (R/W Varies) the following courses:

thence S89°53'54"W a distance of 31.31 feet to a monument set marking an angle point;

thence N88°59'28"W a distance of 29.71 feet to a mag nail found marking the northeast corner of Clairmont Avenue as dedicated in Cabinet 2, Slides 380 A & B of the Henry County Plat Records;

thence continuing along the north right of way line of said Clairmont Avenue the following courses:

thence N88°59'28"W a distance of 95.49 feet to a mag nail found marking the PC of a curve to the right;

thence along said curve to the right, in a northwesterly direction, with a central angle of 43°48'00" a radius of 30.00 feet and a length of curve of 22.93 feet, the chord of said curve bearing N67°05'28"W a distance of 22.38 feet to a mag nail found marking the PT of said curve;

thence N45°11'28"W a distance of 49.32 feet to a mag nail set marking the PC of a curve to the right;

thence leaving the north right of way line of said Clairmont Avenue and along said curve to the right, in a northwesterly direction, with a central angle of 75°16'09" a radius of 25.00 feet and a length of curve of 32.84 feet, the chord of said curve bearing N07°33'24"W a distance of 30.53 feet to an iron pin set marking the PT of said curve;

thence N30°04'41"E a distance of 50.12 feet to the Point of Beginning and containing 0.548 acre of land, more or less, subject however to all prior easements of record.

1.123 Acres

Situated in the City of Napoleon, Napoleon Township, County of Henry, State of Ohio and being a part of Lot A and a part of Lot B of the Subdivision of Lot 3 German Mutual Subdivision (Cabinet 2, Slide 269 A & B), in a part of the NW1/4 of Section 14, T5N, R6E, a tract of land bounded and described as follows:

Commencing at a monument found marking the southwest corner of the NW1/4 of said Section 14;

thence along the south line of said Lot A and as extended west, also being the south line of the NW1/4 of said Section 14 N89°54'35"E a distance of 593.80 feet to an iron pin found marking the southwest corner of said Lot B

thence along the west line of said Lot B N01°04'39"E a distance of 328.87 feet to an iron pin set marking the northeast corner of Lynne Avenue, dedicated by Ordinance No. 06-03 recorded in OR Book 323, Page 2078 of the Henry County Official Records and being the Principal Point of Beginning of the tract of land to be herein described;

thence from the above described Principal Point of Beginning and along the north right of way line of Lynne Avenue (50' R/W) in a southwesterly direction, and along a curve segment to the left with a central angle of 08°13'55" a radius of 525.00 feet and a length of curve of 75.43 feet the chord of said curve segment bearing S74°37'31"W a distance of 75.36 feet to an iron pin set marking a point of reverse curvature;

thence continuing along the north right of way line of said Lynne Avenue in a southwesterly direction and along a curve to the right, with a central angle of 19°24'01" a radius of 175.00 feet and a length of curve of 58.26 feet, the chord of said curve bearing S80°12'34"W a distance of 56.87 feet to an iron pin set marking the PT of said curve;

thence continuing along the north right of way line of said Lynne Avenue S89°54'35"W a distance of 3.57 feet to an iron pin found marking a southwest corner of said Lot A;

thence leaving the north right of way line of Lynne Avenue and along the west line of said Lot A and along the west line of said Lot B N01°04'39"E a distance of 174.99 feet to an iron pin found marking a corner of said Lot B;

thence along a northwesterly line of said Lot B N58°17'08"E a distance of 171.73 feet to an iron pin found marking a corner of said Lot B;

thence along the north line of said Lot B N89°54'47"E a distance of 81.78 feet to an iron pin set;

thence S00°05'25"E a distance of 225.27 feet to an iron pin set marking the PC of a curve segment to the left;

thence along said curve segment to the left, in a southwesterly direction, with a central angle of 10°40'28" a radius of 525.00 feet and a length of curve of 97.81 feet the chord of said curve segment bearing S84°04'42"W a distance of 97.67 feet to the Principal Point of Beginning and containing 1.123 acres of land, more or less, subject however to all prior easements of record.

NOTE: The above Plat was prepared from a field survey performed by Peterman Associates, Inc. on January 13, 2020 under the direct supervision of Nick E. Nigh, PS #7354.

I.P. set =5/8" x 30" Rebar with Peterman Associates' Cap.

PETERMAN
ASSOCIATES, INC.

- ARCHITECTS - ENGINEERS - INSPECTORS - SURVEYORS -

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City of Napoleon, Ohio

Kevin Schultheis, Zoning Administrator

Code Enforcement

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PC-21-06

Subdivision in City

For a Recommended Re-Plat Approval

Location: Parcel Number: 41-009369.0040, Morrow, Hinderer, and Patton Addition, Lot 2-A, 2-B, and 2-C.

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: May 11, 2021

Hearing #: PC-21-06

Background:

An application for a public hearing has been filed by Crystal Thompson-Simpkins of 559 Sand Ridge Rd. Bowling Green, Ohio 43402. The applicant is requesting the approval of a subdivision of a Plat of lot Numbers 2-A, 2-B, 2-C within the city. The request is pursuant to Chapter 1141 of the Codified ordinance of Napoleon, Ohio. The property is located in a C-4 Planned Commercial District.

Research and Findings:

1. A Subdivision in City Permit is for any planned development to be located in the C-4 Planned Commercial District as per 1145.01(a) table of permissible uses.
2. Scope of the project: Proposed Re-Plat of lots 2-A, 2-B, 2-C of Morrow, Hinderer, and Patton Addition. Plat number 41-009369.0040 (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.

Legal Description:

1. Lot 2-A 1.083 Acre Situated as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South East quarter of section 11, Napoleon Township, Henry County Ohio.
2. Lot 2-B 1.253 Acre Situated as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South East quarter of section 11, Napoleon Township, Henry County Ohio.
3. Lot 2-C 1.130 Acre Situated as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of napoleon, also part of the South East quarter of Section 11, Napoleon Township, Henry County Ohio.

Kevin Schultheis, Zoning Administrator / Code Enforcement Officer

LOT 2-A 1.083 ACRE
Situating as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South east Quarter of Section 11, Napoleon Township, Henry County, Ohio, as recorded in Official Record Volume 316, Page 3734 and Subdivision Book M-P, Slide 135 of the Henry County Record of Plats and more particularly described as follows:

Commencing at a monument box found marking the Southeast corner of the Southeast Quarter of Section 11;

Thence North 01°17'38" East along the East line of said Southeast Quarter (N. Scott Street) a distance of 246.80 feet to a point marking the Northeast corner of a 0.776 acre tract of land as recorded in Official Record Volume 210, Page 2250 and the POINT OF BEGINNING;

Thence North 89°31'12" West along the North line of said 0.776 acre tract and extended a distance of 262.03 feet to a 5/8 inch rebar with ID cap set, passing a 5/8 inch rebar with ID cap set at 30.00 feet and a 5/8 inch rebar found at 230.37 feet;

Thence North 01°17'38" East along a new division a distance of 180.00 feet to a mag nail set on the South line of Lot 1 in said Morrow, Hinderer, and Patton Addition and as recorded in Official Record Volume 197, Page 1800;

Thence South 89°31'12" East along the South line of said Lot 1 a distance of 262.03 feet to a point on the East line of the Southeast Quarter (N. Scott Street), passing a railroad spike found at 232.03 feet;

Thence South 01°17'38" West along said East line (N. Scott Street) a distance of 180.00 feet to the POINT OF BEGINNING, said tract containing 1.083 acre, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in April, 2021, under the supervision of Ohio Professional Surveyor Seth D. Schroeder, Ohio Surveyor No. 8784.

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (N. Scott Street) to be South 01°17'38" West and are for the purpose of angle determination only.

LOT 2-C 1.130 ACRE
Situating as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South east Quarter of Section 11, Napoleon Township, Henry County, Ohio, as recorded in Official Record Volume 316, Page 3734 and Subdivision Book M-P, Slide 135 of the Henry County Record of Plats and more particularly described as follows:

Commencing at a monument box found marking the Southeast corner of the Southeast Quarter of Section 11;

Thence North 01°17'38" East along the East line of said Southeast Quarter (N. Scott Street) a distance of 246.80 feet to a point marking the Northeast corner of a 0.776 acre tract of land as recorded in Official Record Volume 210, Page 2250;

Thence North 89°31'12" West along the North line of said 0.776 acre tract and extended a distance of 230.37 feet to a 5/8 inch rebar found marking the Northwest corner of said 0.776 acre tract and the POINT OF BEGINNING, passing a 5/8 inch rebar with ID cap set at 30.00 feet;

Thence South 01°21'48" West along the West line of said 0.776 acre tract a distance of 147.00 feet to a point marking the Southwest corner of said 0.776 acre tract and the Northeast corner of a 1.000 acre tract of land as recorded in Official Record Volume 288, Page 1812, referenced by a 5/8 inch rebar found lying 0.39 feet East of said point;

Thence North 89°31'12" West along the North line of said 1.000 acre tract a distance of 335.00 feet to a 5/8 inch rebar with ID cap set;

Thence along a new division the following two (2) courses:

North 01°21'48" East a distance of 147.00 feet to a 5/8 inch rebar with ID cap set;

South 89°31'12" East a distance of 335.00 feet to the POINT OF BEGINNING, said tract containing 1.130 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in April, 2021, under the supervision of Ohio Professional Surveyor Seth D. Schroeder, Ohio Surveyor No. 8784.

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (N. Scott Street) to be South 01°17'38" West and are for the purpose of angle determination only.

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

LOT 2-B 1.253 ACRE
Situating as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South east Quarter of Section 11, Napoleon Township, Henry County, Ohio, as recorded in Official Record Volume 316, Page 3734 and Subdivision Book M-P, Slide 135 of the Henry County Record of Plats and more particularly described as follows:

Commencing at a monument box found marking the Southeast corner of the Southeast Quarter of Section 11;

Thence North 01°17'38" East along the East line of said Southeast Quarter (N. Scott Street) a distance of 246.80 feet to a point marking the Northeast corner of a 0.776 acre tract of land as recorded in Official Record Volume 210, Page 2250;

Thence North 89°31'12" West along the North line of said 0.776 acre tract and extended a distance of 262.03 feet to a 5/8 inch rebar with ID cap set, passing a 5/8 inch rebar with ID cap set at 30.00 feet and marking the POINT OF BEGINNING;

Thence continuing North 89°31'12" West along a new division a distance of 303.34 feet to a 5/8 inch rebar with ID cap set;

Thence North 01°21'48" East along a new division a distance of 180.00 feet to a 5/8 inch rebar found marking the Southwest corner of Lot 1 in said Morrow, Hinderer, and Patton Addition and as recorded in Official Record Volume 197, Page 1800;

Thence South 89°31'12" East along the South line of said Lot 1 a distance of 303.12 feet to a mag nail set;

Thence South 01°17'38" West along a new division a distance of 180.00 feet to the POINT OF BEGINNING, said tract containing 1.253 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in April, 2021, under the supervision of Ohio Professional Surveyor Seth D. Schroeder, Ohio Surveyor No. 8784.

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (N. Scott Street) to be South 01°17'38" West and are for the purpose of angle determination only.

OWNERS ACKNOWLEDGEMENT / DEDICATION CERTIFICATE

the undersigned owner of the lands indicated on the accompanying map do hereby manifest my/our approval of the subdivision as shown thereon and hereby dedicate any streets and alleys shown to public use and desire the same be placed upon public record.

Before me, a notary public in and for the State of OHIO, personally appeared _____ who known to me and who acknowledged that _____ are the owners of the lands shown on the accompanying map and that the signing of the above certificate is _____ own free act and deed. As witness whereof and have hereunto set my hand and affixed my official seal this _____ day of _____, 20____.

NOTARY PUBLIC

CITY ENGINEER CERTIFICATE

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

CITY ENGINEER

DATE

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.

AUDITOR

DATE

CITY COUNCIL CERTIFICATE

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

MAYOR

DATE

CLERK OF COUNCIL

DATE

PLANNING COMMISSION CERTIFICATE

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

CHAIRMAN

DATE

CLERK OF COUNCIL

DATE

Date

Seth D. Schroeder, P.S.
Registered Surveyor No. 8784.
115 S. Fair Avenue, Suite A
Ottawa, Ohio 45875
419-523-5789

60 FOOT INGRESS/EGRESS EASEMENT 0.779 ACRES
Situating as being part of Lot 2 in Morrow, Hinderer, and Patton Addition to the City of Napoleon, also part of the South east Quarter of Section 11, Napoleon Township, Henry County, Ohio, as recorded in Official Record Volume 316, Page 3734 and Subdivision Book M-P, Slide 135 of the Henry County Record of Plats and more particularly described as follows:

Commencing at a monument box found marking the Southeast corner of the Southeast Quarter of Section 11;

Thence North 01°17'38" East along the East line of said Southeast Quarter (N. Scott Street) a distance of 246.80 feet to a point marking the Northeast corner of a 0.776 acre tract of land as recorded in Official Record Volume 210, Page 2250 and the POINT OF BEGINNING;

Thence North 89°31'12" West along the North line of said 0.776 acre tract and extended a distance of 565.37 feet to a 5/8 inch rebar with ID cap set, passing a 5/8 inch rebar with ID cap set at 30.00 feet and 242.03 feet;

Thence North 01°21'48" East along a new division a distance of 60.01 feet to a mag nail set;

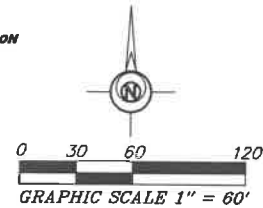
Thence South 89°31'12" East a distance of 565.30 feet to a point on the East line of the Southeast Quarter (N. Scott Street), passing a 5/8 inch rebar with ID cap set at 535.30 feet;

Thence South 01°17'38" West along said East line (N. Scott Street) a distance of 60.01 feet to the POINT OF BEGINNING, said easement containing 1.000 acre, more or less.

Subject to all legal highways, easements, and restrictions of use whether apparent and/or of record and is from an actual survey performed in April, 2021, under the supervision of Ohio Professional Surveyor Seth D. Schroeder, Ohio Surveyor No. 8784.

Note: The bearings used in this description are on an assumed meridian assuming the East line of the Southeast Quarter of Section 11 (N. Scott Street) to be South 01°17'38" West and are for the purpose of angle determination only.

NOTE: SURVEY BEARINGS BASED ON OHIO NORTH ZONE STATE PLANE COORDINATES OBTAINED FROM THE OHIO DOT VRS NETWORK



SURVEY PLAT FOR: CRYSTAL THOMPSON

PART OF LOT 2 IN MORROW, HINDER, AND PATTON ADDITION TO THE CITY OF NAPOLEON, HENRY COUNTY, OHIO

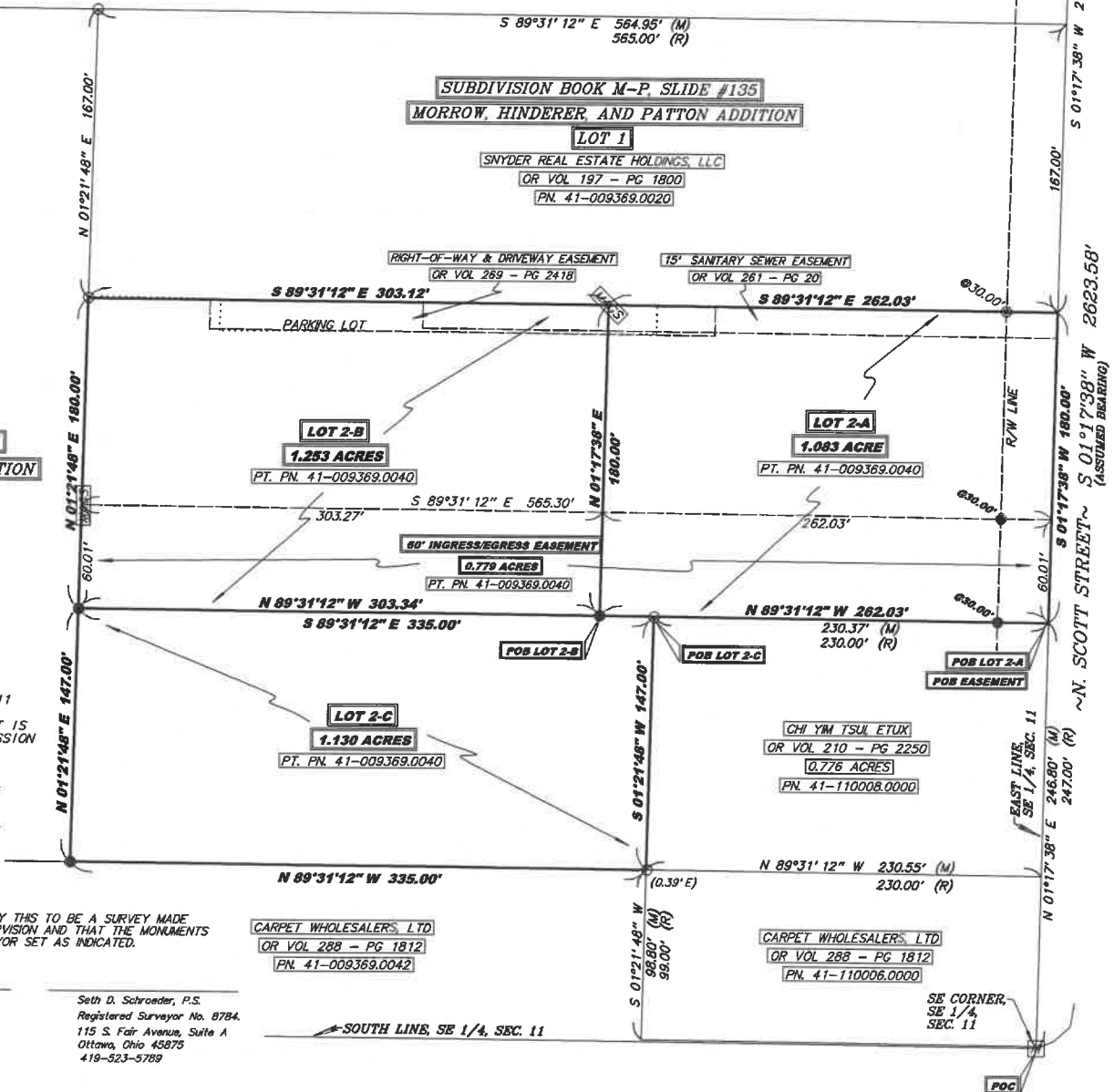
Bockrath & Associates
Engineering and Surveying, LLC
115 S. Fair Avenue, Suite A - Ottawa - Ohio
Phone: 419.523.5789

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION. BEYOND THE DEED DOCUMENTS CITED ON THE SURVEY DRAWING THERE MAY BE RECORDED OR UNRECORDED EASEMENTS AND/OR ENCUMBRANCES BENEFITING OR ENCUMBERING THE SURVEYED PROPERTY WHICH ARE NOT SHOWN ON THIS DRAWING.

RE-PLAT OF LOT 2

MORROW, HINDERER, AND PATTON ADDITION

SUBDIVISION BOOK M-P, SLIDE #135





City of Napoleon, Ohio

FINANCE DEPARTMENT

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545-0151

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

www.napoleonohio.com

Memorandum

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

From: Kelly O'Boyle, Finance Director *KCO*

Date: May 18, 2021

Subject: 2022 Tax Budget

Please see attached the proposed 2022 Tax Budget in its tentative form for consideration by City Council. The 2022 Tax Budget includes only the information related to the City's Tax Levies.

2022 TAX BUDGET

Henry County, Ohio

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

To the County Auditor

 The Council of Said Village hereby submits its annual Budget for the year commencing January 1st, 2022 for consideration of the county budget Commission pursuant to Section 5705.30 of the Revised Code.

 Village Fiscal Officer
 City

County Auditor

Kelly O'Boyle
Finance Director
City of Napoleon, Ohio

County Treasurer

County Prosecuting Attorney

Schedule A

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

City of Napoleon, Ohio

City Tax Valuation: \$170,686,730
FUND

	Mills	Amount approved by Budget commission Inside 10 M Limitation	Amount to be derived from Levies Outside 10 M Limitation	County Auditor's	
				Inside 10 M Limit	Outside 10 M Limit
1. General Fund	2.0	\$ 341,373			
4. Road and Bridge Fund					
5. Cemetery Fund					
9. Police District Fund	0.6	\$ 102,412			
10. Fire District Fund	0.3	\$ 51,206			
11. Road District Fund					
12. Park Levy Fund	1.9		288,842		
14. Miscellaneous Funds					
15. General Bond Retirement Fund					
20. Special Levy Funds					
21. Capital Equipment Fund					
28. Ambulance and Emergency Medical Services Fund					

TOTAL**\$ 494,991 288,842**

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

FUND	Max. Rate Authorized to be Levied	County Auditor's Est. of Yield of Levy (Carry to Schedule A, Collumn II)	
GENERAL FUND:			
Current Expense Levy authorized by voters on 20			
not to exceed 5 years.			
SPECIAL LEVY FUNDS:			
Levy authorized by voters on 20 <u>19</u> Parks & Rec			
not to exceed <u>20</u> years expires 2038TY	1.9	288,842.00	
Levy authorized by voters on 20			
not to exceed 5 years			
Levy authorized by voters on 20 ____			
not to exceed ____ years			
Levy authorized by voters on 20 ____			
not to exceed ____ years			
Levy authorized by voters on 20 ____			
not to exceed ____ years			
Levy authorized by voters on 20 ____			
not to exceed ____ years			



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

The 2021 WWTP Improvement project has moved to design completion and will shortly be starting the construction phase. The project has moved in many directions right from the start including the need to review the handling of water plant solids, an outside or inside the dike headworks facility, a possible design build option, addition of the third primary clarifier, a completely new recirculation pumping facility, separate proposals for screening, grit, and dewatering equipment. The initial projected construction budget for the project was approximately \$13.45 million.

Once a course was set to use the traditional design-bid-build approach, the design and construction fee budget was set at \$1,140,083. (Approximately 8.5% of the initial construction project budget.)

During the design additional tasks were included and design elements were added that we did not anticipate and a budget increase of \$82,000 was requested and approved. The revised project design total is \$1,222,083, or about 9% of the initial estimate.

By working with City staff, Jones & Henry was able to use our input during the monthly meetings, the design phase review meetings, and additional project meetings which helped bring together a successful design within a budget which dropped from the initial budget stage to bidding by over two million dollars while including all the desired alternates. Recently, working in conjunction with the project team, Jones & Henry added or revised design items and conducted several meetings prior to and during bidding which ultimately resulted in successfully bringing the project within the engineer's estimated construction cost. Since the bid opening, we have discussed with the team additions to the project control philosophy and a new plant numbering system for tankage and equipment which will be reflected in the conformed set of drawings for the project. Work by Jones & Henry has included:

1. Review the rental of a volute press to replace the existing belt presses during the first half of the construction project.
2. Added coating of the existing EQ basin walls in addition to the crack filling previously desired.

3. Rerouted the catch basin at the UV parking area to the regulator chamber to keep all runoff contained on the plant site.
4. To help expedite submitting the building permit, Jones & Henry paid the building permit fee of \$3,430.44 to Wood County.
5. Raised the headworks building to improve site drainage
6. Additional meetings to review the bidding alternatives and base bid items to obtain the best possible bids.
7. Called potential bidders and reviewed extending the bid date to attract more bidders.
8. Worked with staff to modify the plant tankage and equipment numbering system
9. Worked with staff to modify the control algorithms for the plant processes to improve plant monitoring and operations

These additional efforts are estimated to have cost an additional \$47,000.00. Unfortunately, it appears Jones & Henry will fall short during construction with the current remaining fees following the addition of the above items.

Experience indicates that an approximate fee of 3% of the bid amount (\$11,317,000) is necessary to maintain a high level of involvement by a consultant; however, since we have spent significant time on the screening, grit and dewatering proposals and the confidence we have working together, this fee can be reduced to 2.25% of the bid amount. 2.25% of the bid value is approximately \$250,000.

The current remaining budget is approximately \$75,000. I am requesting a contract modification of an additional \$175,000 to cover the cost of construction phase support. My basis for this number is as follows:

Shop Drawing Review	1,000 hours
Respond to RFI's	300 hours
Organize & attend monthly progress meetings	150 hours
Miscellaneous Support Services During Construction	100 hours
Prepare Record Drawings	200 hours
Total Time:	1,750 hours

For the purpose of this calculation, an estimated billing rate of \$100 was used. This totals an additional \$175,000.

Current Contract Amount:	\$1,222,083.00
Construction Phase Services Request:	\$175,000.00
Total Design Cost:	\$1,397,083.00

I request that Council please pass a motion to revise the contract with Jones & Henry Engineers, Ltd. for Construction Phase Services for the 2021 WWTP Improvements Project. If you have any questions or require additional information, please contact me at your convenience.

CEL

CHANGE ORDER

No. 3

PROJECT

2021 WWTP Improvements Project

DATE OF ISSUANCE

May 18, 2021

OWNER

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

CONTRACTOR

Jones & Henry Engineers. Ltd.
3103 Executive Parkway, Suite 300
Toledo, Ohio 43606-1373

ENGINEER

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

CONTRACT FOR: Construction Phase Services for 2021 WWTP Improvements Project

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

DESCRIPTION: Additional Design Costs

ATTACHMENTS - (List Documents Supporting Change)

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

Method of Determining Change In

CONTRACT PRICE

☒ Time and Materials
☐ Unit Prices
☐ Not to Exceed
☐ Other

Estimated Increase/~~Decrease~~ in

CONTRACT PRICE \$175,000.00

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

Method of Determining Change In

CONTRACT TIME

☐ Contractor's Records
☐ Engineer's Records
☐ Other

Estimated Increase/Decrease in

CONTRACT TIME days

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

Recommended

CITY of NAPOLEON

Accepted

JONES & HENRY ENGINEERS, LTD.
Contractor

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

by: _____

Approved

Joel Mazur, City Manager

Original Contract Prior to this Change Order	\$1,222,083.00
Increase / Decrease Resulting from this Change Order	\$175,000.00
Current Contract Price, Including this Change Order	\$1,397,083.00



City of Napoleon, Ohio

Department of Public Works

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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: May 11, 2021
Subject: Twin Oaks Phase 7 ~ City Financial Responsibility –
Request for Purchase Requisition Approval

The construction of Twin Oaks Phase 7 is nearing completion. Because of the requirement in the City of Napoleon's Master Plan, Seward Avenue is required to be built to thoroughfare standards. This includes widening of the street to 33' (29' standard) and over-sizing the sanitary sewer with a 10" PVC sanitary sewer (8" PVC standard). This was discussed during the preparation and presentation of the 2021 Budget and is included in the approved 2021 Budget. The budgeted amounts for these items are:

Roadway Construction (City Portion)	\$21,100.00
Sanitary Sewer Construction (City Portion)	\$6,050.00

We do not yet have the final cost. However, in order to not delay the reimbursement to the developer at the completion of the project, I am requesting approval to write the Purchase Requisition for \$27,150.00. This amount exceeds the City of Napoleon's \$25,000.00 threshold and requires a motion for approval.

CEL

AMERICAN LEGION
Bert G. Taylor Post 300

500 GLENWOOD AVE.
NAPOLEON, OHIO 43545
Phone 419-592-5561



Larry Adams
1402 Oakdale Dr.
Napoleon, Ohio 43545
Phone # 419-279-6061

Napoleon City Council
255 Riverview Ave.
Napoleon, Ohio 43545

Dear City Council,

On Monday May 31, 2021 we will be observing Memorial Day here in Napoleon. The Veteran groups here in Napoleon would like to have you participate in the Memorial Day service.

We will have a Lost at Sea service at the boat ramp in Napoleon at 10:00 am. From there we will proceed to the Henry County War Memorial for the main service. I would appreciate a response as soon as possible. Thank You.

Sincerely,

Larry Adams
American Legion
Memorial Day Representative

We ask that you wear a mask and social distance.

received
5-12-2021

City of Napoleon, Ohio

TREE COMMISSION

MEETING AGENDA

Monday, May 17, 2021 at 6:00 pm

City Building, 255 West Riverview Avenue, Napoleon, Ohio
the WebEx link for the meeting is at www.napoleonohio.com under EVENTS

1. Call to Order
2. Approval of April 19, 2021 Meeting Minutes - (in the absence of any objections or corrections, the minutes shall stand approved)
3. Review Tree Call Reports
4. Review Fall Removal List
5. Review Fall Topsoil List
6. Adjournment.

Roxanne Dietrich
Roxanne Dietrich ~ Clerk of Council

City of Napoleon, Ohio
TREE COMMISSION MEETING MINUTES
Monday, April 19, 2021 at 6:00 pm

PRESENT

Committee Members	Larr Etzler- Chair, Ed Clausing, Kyle Moore, Gary Haase Dave Volkman arrived at 6:10 pm
Council Representative	Molly Knepley
City Staff	Aron Deblin-Construction Inspector
Clerk of Council	Roxanne Dietrich

ABSENT

CALL TO ORDER

The Tree Commission meeting was called to order by Chairman Etzler at 6:00 pm.

APPROVAL OF MINUTES

HEARING NO CORRECTIONS OR OBJECTIONS, THE MINUTES FROM THE FEBRUARY 15, 2021 TREE COMMISSION MEETING WERE APPROVED AS PRESENTED.

REVIEW TREE CALL REPORTS

Deblin reported the homeowner at 1003 Michigan wants to know who is responsible for the maple tree north of Woodlawn. If it is a city tree, she would like to have the tree removed. The tree looks healthy and it's on the line of whose tree it is. Etzler asked why does she want it removed? Deblin said he received the message from Operations and it did not say why.

743 West Main, the homeowner had inquired back about a year ago when we weren't having meetings due to COVID. I left it go as it does not sound like the homeowner wants to replace the sidewalk. In the past what we have done is if we remove a tree for a sidewalk issue, we request the homeowner to replace the sidewalk within a year after the tree has been removed. Etzler said Clausing was out there and took pictures. I also went out there. The sidewalk will need to be replaced whether we take the tree down or not, it is a mix of sandstone and concrete slab. One slab has a 4"-6" gap that raises above and if you have difficulty walking, it is not something you would be able to navigate. Clausing asked if there is a municipal law on who pays for it. Lulfs explained if there is a complaint filed and we determine it is a tripping hazard we require it to be fixed by the homeowner. The financial responsibility for the maintenance and replacement of sidewalks is on the homeowner and that is in the codified ordinances. Moore added that sidewalk has been an issue in that area for a while. That tree comes in at a 90° angle into the sidewalk has been there for years too. Lulfs said if you are concerned about someone getting hurt on that sidewalk, it is in the City's interest to have those sidewalks replaced but it will be the homeowner's responsibility. They will get a letter from me telling them they have one year to replace that sidewalk. The City does have some potential liability if someone would happen to fall there because it is city right-of-way. Etzler asked we do not have any complaints on record that you know of someone complaining of it being a trip hazard? Lulfs replied none that have got to my department. Etzler suggested the response to the homeowner could be if we decide to take that tree out in order to get down to the roots and rip them out, we would have to take the sidewalk out. Lulfs pointed out a couple of years ago on Lagrange we took the sidewalk and the tree out and ground it out. Then, I sent a letter to that homeowner telling them they had a year to replace the sidewalk. Lulfs said since the homeowner contacted the city and started the conversation they could be eligible for the reimbursement program for sidewalks. That only pays \$1.50/sf, that is what has been on the books since 1995. It is not available if we tell you to replace your sidewalk. If you come to us and he did come to us about the trees, you are eligible for that program. Etzler said at this point I do not see any reason

to replace the trees unless he says he is going to replace the sidewalk then we will be forced to remove the tree.

1073 Stevenson the homeowner is concerned about a tree because it is splitting. I went out and looked at the tree and did not see anywhere it is splitting. I tried to call her and did not get an answer. Unless someone else sees something I am missing, I do not see it splitting. Etzler stated we will look into it. Etzler went to 717 Clinton where the complaint was received about the large branch over the road and it looked like it had been trimmed. The large branch looks in good shape, it is not something we can remove without endangering the health of the tree. Deblin explained the homeowner complained about the way Tawa trimmed the tree. They said the limb out over the road is not aesthetically correct and do not like the way it looked and want it removed. Etzler agreed with the aesthetics. There would be two others that would have to be removed too; however, that is a lot of wood and is not in the tree's best interest. Deblin reiterated there is nothing unhealthy about that tree nor is there a height clearance issue.

6:10 pm – Dave Volkman Arrived

ARBOR DAY

Deblin noted will wait until Fall to do an Arbor Day celebration. Hopefully by then more things will be opened up to the public. Etzler asked about getting a group to help. Moore suggested contacting Henry County Park/Trail Organization they may be willing to do something. Dr. Krueger is the contact person.

Deblin announced we do have an award we would like to present as part of the Arbor Day celebration this year to Dave Volkman for his years of service on the Tree Commission. Mayor Maassel presented Volkman a plaque stating on January 1, 1994 when the Tree Commission started in Napoleon and since then, one person has been on the board ever since. The City appreciates all your time and dedication and all the Mondays you have spent sitting up here. I know you care a lot about the city. The plaque reads "presented to Dave Volkman in appreciation and dedication of thirty years of service on the Napoleon City Tree Commission" we appreciate everything you have done for us. You can tell us what kind of tree you would like planted this year for Arbor Day. Volkman stated the Tree Commission has come a long way since we started. We got together as a group in September and came up with an Ordinance based on what other cities were doing. Dave Dietrich was real instrumental in that. The first couple of years we were putting out fires. The downside of doing the tree survey is now you know where all the bad trees are and you have to take care of them. The upside was it helped up a lot. I love doing this kind of stuff, trees have been my thing ever since college. Lulfs asked Volkman if he knows what kind of tree he would like? Volkman replied I'm partial to American Sycamore. Deblin noted there is a large area down by Ritter Park and that should be big enough to put any tree there that you want.

SPRING CONTRACTS.

Deblin reported all the contracts have been completed except the tree removal contract. He has one tree to remove yet and a couple of tree trunks. He thought he would be back the beginning of this week.

Etzler asked about oak wilt. Deblin said he received the message from Tawa Tree Service. Oak wilt has been identified in Lima, Ohio. Tawa sent us the flier to gives us a heads up on what to look for. Volkman said it was real prevalent in Sylvania thirty years ago. They were trenching between trees before they took them down. It is a devastating disease. It was to the point when they removed a tree they had to clean the equipment before they could take the next tree down. Deblin noted we talked about Tawa last time and I want to point out they are working in our town and trimming our trees and observing things. Even when they are not here, they are looking out for us. This is impressive. Volkman pointed out that is an advantage of having a certified arborist on their crew. Deblin said they have three



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: May 14, 2021
Subject: *Parks & Recreation Committee – Cancellation*

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, May 17, 2021 at 6:00 pm has been CANCELED due to lack of agenda items.

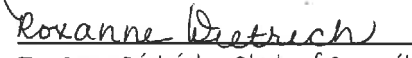
City of Napoleon, Ohio
HEALTHCARE COST COMMITTEE

Meeting Agenda

Friday, May 21, 2021 at 8:00 am

LOCATION: Council Chambers, 255 W. Riverview Avenue, Napoleon, Ohio 43545
the WebEx link will be posted at www.napoleonohio.com

- 1) Approval of Minutes: October 2, 2020. *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
- 2) Review Healthcare Options
- 3) Adjournment.


Roxanne Dietrich - Clerk of Council

City of Napoleon, Ohio
HEALTHCARE COST COMMITTEE
MEETING MINUTES

Friday, October 02, 2020 at 8:00 am

PRESENT

Committee	Administration: Joel Mazur-City Manager; Kelly O'Boyle-Finance Director
	Police Department: Rogelio Rubio
	Non-Bargaining: Chad Lulfs-Chairman; David Mack-Chief of Police
	Fire Department: Tyler Reiser
	AFSCME: Kent Bacon
Clerk of Council	Roxanne Dietrich
City Staff	Lanie Lambert-Human Resources

ABSENT

Committee Member	Roger Eis-AFSCME
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CALL TO ORDER	the Healthcare Cost Committee meeting was called to order by Chairman Lulfs at 8:20 am.
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APPROVAL OF MINUTES	Hearing no objections or corrections, the minutes from the July 10, 2020 Healthcare Cost Committee were approved as presented.
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HEALTHCARE COSTS FOR 2021	<p>Lambert said Napoleon's claims in 2018 were about \$2.1 million with the renewal rate at 6.6%. In 2019 our claims were at \$2.2 million with the renewal rate increase being 8.33%. For the first seven months of 2020, our claims are just under \$1 million and the renewal rate for 2021 will be 3.49%. It would have been 4.49% but with the wellness exams, we received a 1% discount for a total of 3.49%. Lambert stated nothing has changed in any of the plans offered. The City currently offers PPO Plan 2, PPO Plan 3 and HAS Plan 8. No one is on Plan 8 this year and there was only one person on Plan 8 in 2019. O'Boyle reviewed the health costs stating the format is the same except Plan 8 is not included as no one is on that plan. The PPO Plan 2 is for anyone hired before 2019. For 2021, we are showing what the employee payroll deduction would be at 12.5% with the City paying 87.5%. The total increase from 2020 to 2021 is \$56,559.96 for PPO Plan 2. There are not any changes in the deductibles or the plan. The next section is PPO Plan 3 with the same scenario, showing what the employees would pay at 12.5% and what the City would pay at 87.5%, that cost increase is \$7,553.76. The total increase with the 3.49% is \$64,113.72. The total cost for all plans in 2021 is \$1,901,154.84. The next scenario shows 85% for the City's share and 15% for the employee's share. As you can see, PPO Plan 2 would save approximately \$42,000 and if the switch was made by all to PPO Plan 3 that would be a savings of about \$5,600. There is a potential savings of about \$48,000 if the percentage share was switched from 12.5% to 15% for the employee and the employer's share went from 87.5% to 85%. Next we are showing the difference between PPO Plan 2 and PPO Plan 3 for the deductibles and out-of-pocket and the out-of-pocket for prescriptions. Then it shows the type of plans and the savings switching from PPO Plan 2 to PPO Plan 3. For the people hired after January 1, 2019 the savings at this point is about \$5,500. As we go along, the savings will continue to grow but at this point there isn't significant savings. The next block shows if everyone</p>
----------------------------------	---

were to switch to the PPO Plan 3 that has the higher deductible, there would be a savings of about \$54,000 based on the 103 people enrolled at this point. You can see the numbers enrolled in the different plans. Of the 103 enrolled, 55 are from the General Fund or 53.4%. Last year it was 50% and was split half and half between the funds. You can see the other funds where people are, with water and electric being the most out of that fund. Mazur asked on the first page is the \$56,000 and \$7,500 reflective of the 3.49% increase? O'Boyle-correct. Mazur stated the 3.49% equates to a total increase of \$64,000 and of that 53% is General Fund. Lulfs asked is that \$64,000 total or the City's share? O'Boyle—that is the total cost. Lulfs—so, 87.5% of that and then 53% of that. Mazur asked everybody's plan increased from what to what. Do you have the before and after costs? Lambert said we do not have those costs. Mazur for all the bargaining unit members I wanted them to be able to take it back to their members. Lambert noted at the bottom is a per year increase, it not broke down to per month. O'Boyle said the increase per month is "x" amount and you split that by 12.5%. Lulfs 53.4% of 87.5% rounding it takes it to \$30,000 for the increase. Lambert said out of the General Fund? Lulfs-yes. Lambert stated decisions the committee needs to make today are: do we offer the same plans, a recommendation is needed for the payment split, do we want to eliminate Plan 8 because there is no one on that plan so, do we want to continue to offer Plan 8? For Plan 8, the City contributes \$2,000 or more. Lulfs noted it costs the City more to provide Plan 8 than it does PPO Plan 2 or PPO Plan 3, because of that \$2,000 contribution. Lambert said no one is on that plan so if we want to eliminate that plan now is the time. Lulfs commented that makes sense since we would not be affecting anyone and can save future expenses.

Motion: Bacon Second: Mack
to eliminate HSA Plan 8 from the current offered health care plans

**Further
Discussion**

Rubio asked will this change hurt new hires with less options? Lambert said most people do not want a high deductible plan when they see PPO 3 at \$500 to \$1,000 and the out-of-pocket maximum for Plan 8 is \$3,000 and \$6,000. Lulfs said I have not gone around and asked people but in general conversation with friends, everyone that has a high deductible HSA does not like it. It appears to me that it is not the plan of choice. Rubio-by eliminating the HSA will that have a cost savings to the City? Lulfs stated there is the potential for future cost savings. If someone used Plan 8 it would increase the cost to the City but, not to the individual. Rubio said whether you have it or not if zero are enrolled there is zero cost to the City. Lulfs explained by eliminating that plan eliminates the possibility of increased costs to the City. I see where you are coming from on this. My only thought is, what are we going to tell Council we did to try to save them money? It would be an option to save them potential additional costs. Mazur said if an employee does enroll in Plan 8, at the end of the day if they actually use it that will hurt us. Lambert said it is cheaper per month but then you are paying more. Mazur stated it is always good to give people a choice but at the same time you are protecting them from themselves. Rubio said we could limit our plans and still be stuck with an increase. Lulfs explained we would have the option a year from now to put that plan back in if we wanted to. Mack pointed out this is the plan I never want to be forced into. Lulfs said 4 or 5 years ago they tried to push us to go to that route and we had to fight not to. I would like to get it off the list of available options because I do not want to be pushed

onto that plan. Mazur noted even AMP switched over to HSA. More and more employers are switching over to HSAs.

Roll call vote to eliminate Plan 8 from the current offered Healthcare Plans

Yea-Police, Non-Bargaining, Fire, AFSCME, Administration

No-

Yea-5, Nay-0. Motion Passed.

Lambert stated we still offer PPO Plan 2 and PPO Plan 3. Lulfs said I do not want to reduce our offerings any further than that. Rubio asked what stops us from offering Plan 1? Lambert responded because that plan is expensive. Lulfs noted if we wanted to consider making that feasible you would have to come up with a different percentage so there is no additional cost to the City. A couple years ago we looked at different percentages, was that based on per plan or per employee? Mack pointed out that was for penalties. Lulfs stated we would not have information to know what the percentage would be. Lambert said in the long run if we were going to offer that, we would have to figure out the percentage so it is not an increase to the City. It would probably be more expensive for the employee to pay it per month than the \$250 or \$500 deductible in PPO Plan 2. Rubio said people are more about coverage stuff. Lambert clarified the only difference in coverage is the deductible, everything else is the same. The percentages are all the same, the prescriptions are the same, the coverage is the same, the only difference is there is \$0 deductible for single and a \$50 deductible for family and the out-of-pocket is less. You would have to figure in claims because that will add to the overall claim structure at the end of the year for renewal if an employee is not paying the \$250 or \$500 deductible. Rubio asked if that can be an option to get some figures? Lambert stated to me that is going backwards in saving money to the City. Lulfs said it could save the employee money if they had serious health issues but it would cost the City more money. That would be a hard sell. Rubio said I'm asking the question to have it addressed in committee, the question has been asked. Lambert noted everyone wants a better plan but that does not mean it is fiscal responsibility to the City. Lulfs said it is something we could look into, whether we could make that offer this year would be very tough. Rubio agreed with Lulfs. Mazur noted our BORMA contract is up this next year. I think the best plan would be to take a look at this. We are not going to offer Plan 1 this year. In going through the contract renewal process, there is a possibility we might not be with BORMA. We are looking into our options. Lulfs said you can report back to your union that we will look at what those potential costs could be and, we will have to look not only at the employee costs but, we will have to also look at what the costs for the City would be too. That is part of this committee's job. Mack re-affirmed that is part of what we are here for. Lambert said if you offered that good of a plan, then spouses cannot be on that plan, only employees. If you want that good of a plan for you, that is fine. We are doing that for our employees but we have to look at those costs and say this is a really good plan but only employees can be on it. If you want your spouse covered, you can choose PPO Plan 2. I know we have had those conversations do we allow spouses, do we not allow spouses, do we allow spouses if they have other insurance, if you are looking at that you have to look at all options.

**PERCENTAGE
SPLITS**

Lulfs asked do you want to keep the splits the same or do you want to modify the splits? Currently the employee's share is at 12.5% and the City pays 87.5%. Once you open that door, where does it stop? Mack added once we change the splits, we will never go back. Lulfs noted everyone is concerned about the General Fund but, that is the smallest increase we have ever had and changing the percentage would not save that much more. Mack stated our goal has been to reduce claims to save money and we were successful with that this year. How will that go over if we penalize employees with a higher percentage? Mazur said when we started the Wellness Plan, they said it would take two to three years before we saw any results and we are seeing results. Lulfs said for first time that I can remember, we are not at the high end. Our efforts were able to keep the increase low, that is what the employee body had committed to in lieu of offsetting costs to the City and us.

Motion: Rubio Second: Bacon
to keep percentage split the same, 12.5% for the employee with City paying 87.5%

Roll call vote on the above motion:
Yea-Police, Non-Bargaining, Fire, AFSCME, Administration
No-

Yea-5, Nay-0. Motion Passed.

**DENTAL
AND VISION**

Lambert reported the dental and visions rates stayed the same for 2021. There are three options for dental and three options for vision with the employee picking up the whole cost. We have a lot of people that participate in these plans. I have not heard anything bad about either of them. Out of 103 people, there are 60 some on the vision. The number of participants for dental is lower but the dental plans are not that great anywhere you go.

Motion: Rubio Second: Mack
to continue to offer three options for the Dental Plan and three options for the Vision plan with the Employee Picking up the Entire Cost

Roll call vote on the above motion:
Yea-Police, Non-Bargaining, Fire, AFSCME, Administration
No-

Yea-5, Nay-0. Motion Passed.

**OTHER
UPDATES
FROM BORMA**

Impact of COVID-19. For the BORMA group, there were 224 tests done with eight confirmed. The costs in related claims was \$35,962 that represents 0.5% of total year to date costs.

Aetna will have a dedicated customer service phone number. When the new cards are issued at the beginning of the year, the new phone number will be included. This is for all BORMA members.

As of January 1, 2021 we will be switching EAP services to Aetna instead of Lighthouse Telehealth (Harbor). It will be a full service EAP that we pay directly. We will see a savings of \$1200-\$1500/year by switching. Six sessions per year will be offered, if after those six sessions additional are needed, Aetna will try to help you find someone. This is just for one year and is offered to all full time employees.

This past Wednesday, we were informed by BORMA as of January 1, 2021 any BORMA member cannot use the Napoleon or Archbold Activate clinics. The entities that created

AMP Update for May 7, 2021

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

Fri 5/7/2021 5:19 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>

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



May 7, 2021

AMP 50 Years: Stronger Together interview series - AMP's Footprint Grows Beyond Ohio

By Michele Lemmon - manager of public relations and digital media

As American Municipal Power, Inc. (AMP) marks its 50th anniversary in 2021, we are interviewing former and current leaders to share their insights on how AMP's founders achieved key victories that strengthened public power and how they knew that they were Stronger Together.

In the late 1990s, AMP, then known as AMP-Ohio, began to experience a different type of growth when communities from outside of Ohio expressed interest in joining the organization - beginning in March 1997, when Philippi became a member. After communities in West Virginia and Pennsylvania joined AMP, other members came on board from Virginia, Michigan, Kentucky, Delaware, Indiana and Maryland. In 2009, the AMP Board of Trustees - in recognition of the growing member footprint - voted to rename the organization and drop the word Ohio from the name.



AMP recently interviewed members from Michigan, Pennsylvania and West Virginia to share their insights on why their communities chose to join AMP and how they benefit from AMP programs and services:

- Kevin Cornish, village manager of Clinton, discussed the economies of scale through joint action that AMP provides its members.
- Jeremy Drennen, city manager of Philippi and a member of the AMP Board of Trustees, talked about the importance of AMP power supply projects to member communities such as his.
- Andrew D. Krauss, electric superintendent of the Borough of Lansdale and the vice president of the Pennsylvania Municipal Electric Association, stressed the importance of AMP programs, such as safety and lineworker training, as well as advocacy in various policy arenas.
- Robert Thompson, borough manager of the Borough of Ephrata and a member of the AMP Board of Trustees, discussed the importance of AMP's diverse power supply portfolio to members.

In addition, Pamala Sullivan, AMP Chief Operating Officer and AMP Transmission LLC President, shared some history as well as her thoughts on how AMP members benefit from being part of a larger organization.

Read the full Q&A [here](#) and watch a video of their interviews below.

Continue to learn more about AMP's 50 years of history on the [AMP 50 Years - Stronger Together webpage](#), where you can view videos with current and former leaders, read Q&A's of interviews and learn more about AMP's history and accomplishments. Also, keep an eye on future editions of *Update* and follow us on [Facebook](#), [Twitter](#), [LinkedIn](#), [Instagram](#) and [YouTube](#).



Members encouraged to apply for DEED grant funds

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



AMP member communities are encouraged to apply for grant funds through the American Public Power Association's (APPA) Demonstration of Energy and Efficiency Developments (DEED) program. The grants are typically \$25,000-\$50,000 but could be up to \$125,000.

DEED grants encourage and promote energy innovation, support the development and demonstration of new, innovative technologies and techniques, and promote the creation of useful products and tools for the betterment of public power utilities and their customers. For example, in 2020, AMP was awarded a grant of \$85,460 for the [Public Power Grid Interactive Heat Pump Water Heater Guidebook and Calculator](#). This funding supports the study of grid-interactive heat pump water heaters (HPWH) in AMP member communities, and development of a guidebook and interactive calculator.

For further inspiration, check out these four recently completed DEED projects:

- [CDE Lightband digs into pros and cons of solar penetration with DEED grant](#)
- [Belmont Light uses DEED grant to model the effects of new programs](#)
- [DEED grant enables Burlington Electric to expand C&I energy efficiency program](#)
- [NCPA is exploring a hydrogen production facility with help from a DEED grant](#)

Deliverables from grantees' projects are shared with all DEED members in the [DEED Project Library](#) or the [APPA Product Store](#).

To learn more about the DEED program, click [here](#). For information on submitting a strong grant application, watch this [webinar](#).

If you have questions about applying or would like to discuss potential grant proposals, please contact Erin Miller at emiller@amppartners.org or me at mpalmer@amppartners.org. You may also direct any questions about the program to DEED@PublicPower.org or 202.467.2942.

April 2021: Prices jump from March during generation outage season

By Mike Migliore - vice president of power supply and marketing

The mix of cold and hot weather in April kept loads above average, while many power plants were offline for their planned maintenance outages. April 2021 prices were higher than all the months of 2020, especially April 2020, which saw the impacts of quarantines, mild weather and cancelled generator maintenance. The maximum hourly day-ahead rate at the A/D Hub was \$70/MWh at 7 a.m. on April 22. Real-time locational marginal pricing (LMP) averages were \$1.50/MWh lower than day-ahead LMPs.

AVERAGE DAILY RATE COMPARISONS			
	April 2021 \$/MWh	March 2021 \$/MWh	April 2020 \$/MWh
A/D Hub 7x24 Price	\$28.46	\$24.25	\$17.23
PJM West 7x24 Price	\$26.96	\$24.84	\$17.38
A/D to AMP-ATSI Congestion/Losses	-\$1.35	\$1.18	\$0.61
A/D to Blue Ridge Congestion/Losses	\$1.62	\$1.06	\$0.98
A/D to PJM West Congestion/Losses	-\$1.50	\$0.59	\$0.15
PJM West to PP&L Congestion/Losses	-\$4.55	-\$3.73	-\$1.62
MISO to A/D Hub Congestion/Losses	\$3.94	\$2.38	\$1.42

Sustainability awards granted to EcoSmart Choice participating members

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

In April, 10 AMP member communities received Sustainability Grants totaling \$121,559 for their participation in the EcoSmart Choice Program last year. Awarded communities include:

- City of Bowling Green
- City of Coldwater
- City of Columbus
- City of Cuyahoga Falls
- Borough of Ephrata
- City of Hudson
- Village of Jackson Center
- City of Lebanon
- City of Napoleon
- City of Westerville



The EcoSmart Choice Sustainability Grant Program was instituted, with approval of the AMP Board of Trustees, to return unused program funds to participating members. Sustainability grants are intended to reward EcoSmart Choice participating communities who demonstrate their commitment to sustainability through local projects focused on environmental, economic and community benefits.

To learn more, visit the [EcoSmart Choice page](#) of the [AMP website](#). If you are interested in participating or have questions, please contact me at emiller@amppartners.org or 614.540.1019.

Focus Forward webinar scheduled for May 13

By Erin Miller

Join us on May 13 from 10-11 a.m. for the Focus Forward Webinar - *Electric Vehicles: Incentives and Managed Charging*.

Electric vehicles (EVs) represent a load growth opportunity of approximately 3,500 kWh per year, per vehicle. However, if left unmanaged, EVs can add to a utility's peak demand and/or stress its distribution system.

David McCreadie, manager EV data and energy services for grid, with Ford Motor Company, will share how original equipment manufacturers like Ford, are enrolling EV drivers into managed vehicle charging programs in partnership with local utilities.

Participants will also receive updates from:


- Chris Monacelli, electric utility manager, City of Westerville and chair of Focus Forward, on Westerville's new residential EV incentive/managed charging program
- Emily Lewis O'Brien, project manager for VEIC, on the DEED funded *Public Power Grid-Interactive Heat Pump Water Heater Guidebook and Calculator* project and demonstration of the draft calculator tool

The webinar is free and open to all AMP members. To register, please contact me at 614.540.1019 or emiller@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. 
Electric Vehicles: Incentives and Managed Charging

July 15, 2–3 p.m. 
Data Analytics and Rate Design

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.



Take part in National Electrical Safety Month with the Public Power Connections page

By Zachary Hoffman - manager of communications and publications

May is National Electrical Safety Month (NESM) and AMP staff has created a number of social media graphics for member use. Members are encouraged to participate in NESM by using the materials we have made available in the May and Safety sections of the [Public Power Connections page](#) of the [Member Extranet](#) (login required). In addition to the content created for NESM, a number of other communications tools have been created for member use.

In recognition of NESM, AMP has published a fact sheet detailing a number of electrical safety tips, which can be found [here](#). Members are welcome to share the fact sheet or to utilize the tips in other materials.

If your community has yet to launch a presence on social media, there is no better time than now. If you have questions or need advice, please feel free to contact me at zhoffman@amppartners.org. If you need help downloading content or accessing the Public Power Connections page, please contact Bethany Kiser at bkiser@amppartners.org or 614.540.0945.



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.

May 18, 9 a.m.
Responding to Heat Emergencies
Instructor: Kyle Weygandt

July 20, 9 a.m.
Are Monsters Real?
Instructor: Kyle Weygandt

June 15, 9 a.m.
Behavior Based Application and Safety Culture
Instructor: Steven Mutchler



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



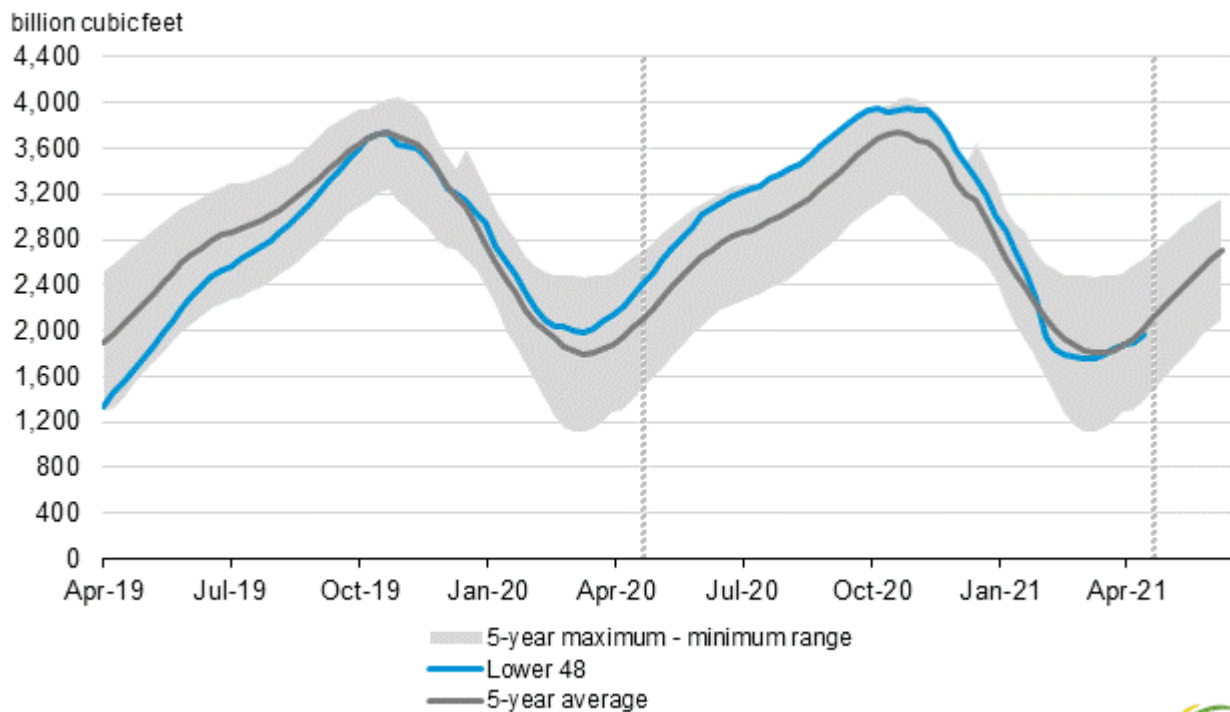
Energy market update

By Jerry Willman - assistant vice president of energy marketing

The June 2021 natural gas contract decreased \$0.010/MMBTU to close at \$2.928 yesterday. The EIA reported an injection of 60 Bcf for the week ending April 30, which was below industry estimates of +65 Bcf.

Last year was an injection of 103 Bcf and the five-year average was +81 Bcf. Storage is now 1,958 Bcf, 15 percent below a year ago and 3 percent below the five-year average.

Working gas in underground storage compared with the 5-year maximum and minimum



Source: U.S. Energy Information Administration



On-peak power prices for 2022 at AD Hub closed yesterday at \$33.35/MWh which was \$0.40/MWh higher for the week.

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

Week ending May 7

MON	TUE	WED	THU	FRI
\$36.30	\$45.84	\$35.32	\$31.37	\$32.17

Week ending April 30

MON	TUE	WED	THU	FRI
\$32.76	\$37.19	\$44.39	\$39.31	\$28.94

AEP/Dayton 2022 5x16 price as of May 6 — \$33.35

AEP/Dayton 2021 5x16 price as of April 29 — \$32.95

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center (AFEC) plant was in 2x1 configuration for the week. The plant cleared offline for the off-peak hours on Sunday, Tuesday and Wednesday based on PJM day-ahead economics. Duct firing operated for 19 hours this week. For the week, the plant generated at a 63 percent capacity factor (based on 675-MW rating).

Security tip - company size doesn't matter

By Jared Price - vice president of information technology and chief technology officer

Do you think hackers only target large corporations for their cyberattacks? Think again! If you are an employee of a small- to medium-sized organization, you may be even more at risk of being targeted for cyberattacks.



Cybercriminals target smaller organizations because they assume that these organizations have fewer defenses in place to prevent cyberattacks. According to the National Cyber Security Alliance, one in five small organizations falls victim to cybercrime each year, and 60 percent of these small organizations go out of business within six months of the attack.

Remember these tips to stay safe:

- Never share your password with anyone. Additionally, use complex passwords, and use different passwords for each of your online accounts or services.
- Look for red flags in emails such as a sense of urgency or a request for sensitive information. Carefully check the domain of the sender's email address and remember that any domain can be spoofed.
- Do not click on links or open email attachments if you do not know who sent them, why you received them or what they contain.
- When you are in doubt, follow your organization's process for reporting suspicious emails. If you are not sure how to report the email, ask a supervisor.

Remember, you are the last line of defense to prevent a cyberattack. You are the key to keeping your organization's firewall strong, whether your organization is big or small.

City of Columbus seeks applicants for engineer-in-training

The City of Columbus Department of Public Utilities is seeking qualified candidates for the position of engineer-in-training in the Division of Power. This position is responsible for performing intermediate-level practical engineering work with substations, protection and control, and DOP SCADA. Other duties include: coordinating, preparing and reviewing plans for modifications to distribution, transmission, substation and SCADA equipment; system planning including determining equipment capacities and protection coordination; performing field investigations; programming and testing protective relays; troubleshooting equipment misoperations; assisting with testing and fault locating on underground cables; and calculating available fault currents for customers. This role is multifaceted and consists of approximately 20 percent field work and 80 percent office work. Applicants for this role should be highly motivated self-starters that are looking to quickly learn all aspects of electric utility system planning, substation engineering, control and protection, distribution automation and SCADA. Individuals appointed to this classification serve for a limited period of time not to exceed four years and during this time are expected to obtain valid State of Ohio certification as a registered Professional Engineer. Salary \$59,301-\$88,962.

The desired candidates will have knowledge or background with AutoCAD, geographic information systems (GIS), and power system modeling software as well as work experience with the design, project management, operation and maintenance of utility systems. Electrical engineering majors preferred but not required. To qualify you must have two years of experience as an engineer-in-training with the City of Columbus or equivalent experience. Must possess a valid Engineer Intern certificate (FE) and valid driver's license. Interested candidates should submit an application to the [Civil Service Commission](#) by May 26. Applicant submittals are now managed by [governmentjobs.com](#). If you do not already have a profile on governmentjobs.com, you will have to set up a new one before you can submit an application. Pre-employment drug screening and BCI&I background check are required if selected. The City of Columbus is an Equal Opportunity Employer

NAES seeks applicants for AFEC instrumentation controls and electrical technician

NAES is seeking applicants for the position of instrumentation controls and electrical (IC&E) technician at the AMP Fremont Energy Center. IC&E technician is responsible for the maintenance and repair of all instruments, control systems and electrical equipment in the power plant and the associated facilities. The IC&E technician performs work of high skill in the inspection repair, testing, adjustment, installation and removal of all electronic and electrical power plant equipment and systems. Physical requirements include standing on feet for extended periods of time, stair and ladder climbing and routinely lifting up to 50 pounds. Protective equipment must be worn in the performance of some duties. Work with hazardous materials may be required. Position requires extended working hours and varied shifts with the possibility of weekend and holiday work, as required by schedules, workload and plant conditions. On-call status will periodically be required.

Successful candidate must have the ability to understand procedures and instructions specific to the area of assignment as would be acquired in four years of high school; graduation from an accredited instrument technician program and two years of work experience as a technician in a related industry desirable; and four years of work experience as a technician with increasing responsibility in a related industry may be substituted for the above requirement; experience in working with voltages up to 4160 volts highly desirable. Must have excellent oral and written communication skills; ability to work well with others and be self-directed, as well as apply creative solutions to unique IC&E problems is desirable; be able to work from blueprints; be skilled in the use of hand and power-driven tools; have excellent organizational skills; and have strong personal computer skills. An associate degree or better in electronics engineering technology or related field, and four years of work experience as a technician with increasing responsibility in a related industry is preferred. A valid driver's license is required.

See the full job description and apply [here](#).

City of Bowling Green seeks applicants for civil engineer

Civil engineer

The City of Bowling Green is seeking applicants for the position of civil engineer. This salaried exempt position assists city engineer with supervision of activities of the Engineering Division; plan, design, review plans; project management of infrastructure improvements including transportation, drainage, waterline and