

## December 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 6:45 pm – Records Commission 7:00 pm – City Council	7	8	9	10	11
12	13 6:15 pm – Electric Committee Board of Public Affairs 6:35 pm – Water/Sewer Comm. 7:00 pm – Muni Prop. ED Comm	14 5:00 pm – Planning Commission	15	16	17	18
19	20 7:00 pm – City Council	21	22	23 <i>City Floating Holiday Offices Closed</i>	24 <i>Christmas Holiday Offices Closed</i>	25 Christmas
26	27 6:30 pm – Finance & Budget 7:30 pm – Safety HR Comm	28 4:30 pm – Civil Service	29 6:30 pm – Park Rec Board	30	31 <i>New Year's Day "Observed" Holiday Offices Closed</i>	

**CITY OF NAPOLEON CITY COUNCIL**  
**MEETING AGENDA**

**Monday, December 20, 2021 at 7:00 pm**

Location ~ City Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

**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)  
December 6, 2021 Council Meeting Minutes

**D. Citizen Communication**

**E. Reports from Council Committees**

1. Electric Committee met on December 13, 2021 and;
  - a. approved the December 2021 Power Supply Cost Adjustment Factor as recommended by the BOPA
2. Water, Sewer, Refuse, Recycling & Litter Committee met on December 13, 2021 and;
  - a. heard an update on the progress of the Wastewater Treatment Plant Improvements Project
3. Municipal Properties, Building, Land Use and ED Committee met on December 13, 2021 and;
  - a. tabled appeal of City Engineering Rule 4.1.3

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

1. Planning Commission met on Tuesday, December 14, 2021; and
  - a. approved PC 21-11 – Replat of Lot A and Lot B of Replat of Mahnke Orchards – 2950 Enterprise
  - b. PC 21-12 – Change to Special Use Permit/Conditional Use Permit – 2950 Enterprise;  
recommendation was to approve with the full recommended conditions (Nos. 1-9) being applied and reviewed in one year at the end of 2022, there will be no new structures that would normally require input from the building inspector, Wood County per se, and the commission's recommendation to City Council is that they receive feedback from the Law Director during the presentation of this to them.
2. Board of Zoning Appeals meeting was canceled due to lack of agenda items.
3. Tree Commission does not meet in December.

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

1. **Resolution No. 061-21**; a Resolution Authorizing the City Manager to execute any and all documents necessary to acquire approximately three and three tenths (3.3) acres of land, commonly referred to as Loose Field, located within the City of Napoleon, Ohio; and declaring an Emergency
2. **Ordinance No. 062-21**; an Ordinance amending Section 143.01 of the City of Napoleon's Codified Ordinances, "Composition and Control of the City Fire/Rescue Department," increasing the composition of the Fire Department, and repealing Ordinance No. 018-20

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

1. **Resolution No. 060-21**, a Resolution Authorizing the Finance Director to enter an Agreement with the Regional Income Tax Agency (RITA) to participate in the Regional Council of Governments for the purpose of Administration and Collection of Municipal Income Tax in the City of Napoleon, Ohio, also Authorizing the Expenditure of Funds for the Administration and Collection of Municipal Income Tax in the City of Napoleon, Ohio; and declaring an Emergency

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

1. **Resolution No. 048-21**, a Resolution Amending Resolution No. 063-20, the City's Yearly Reoccurring Costs Legislation; and Declaring an Emergency
2. **Ordinance No. 049-21**, an Ordinance Authorizing the Council of the City of Napoleon, Ohio to Establish a Water Rate Review Commission, and Amending Title Five of the Codified Ordinances of the City of Napoleon, Ohio, specifically adding Chapter 183, "Water Rate Review Commission;" and Declaring an Emergency

3. **Resolution No. 051-21**, a Resolution Authorizing Expenditure of Funds in Excess of Twenty five Thousand dollars (\$25,000) in and for the Year 2022 as it relates to Reoccurring Costs Associated with the Operation of the City, for Payment of Expenses, and for Purchases Associated with Vendors Utilized by Multiple Departments within the City; Elimination of Necessity of Competitive Bidding in and for the Year 2022 as it relates to Certain Transactions; and Declaring an Emergency
4. **Resolution No. 052-21**, a Resolution Authorizing the Expenditure of Funds and Authorizing a Department Director to take Bids on Certain Projects, Services, Equipment, Materials, or Supplies without the Requirement for Additional Legislation to do so in the Year 2022; and Declaring an Emergency
5. **Ordinance No. 053-21**, an Ordinance Establishing a New Position Classification Pay Plan for Employees of the City of Napoleon, Ohio for the Year 2022; Repealing Ordinance No. 067-20; and Declaring an Emergency
6. **Ordinance No. 055-21**, an Ordinance Establishing the Appropriation Measure (Budget) of the City of Napoleon, Ohio for the Fiscal Year Ending December 31, 2022, listed in Exhibit "A;" and Declaring an Emergency
7. **Resolution No. 056-21**, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances from Respective Funds to other Funds per Section 5705.14 ORC on an as needed basis in Fiscal Year 2022, listed in Exhibit "A;" and Declaring an Emergency
8. **Ordinance No. 057-21**, an Ordinance Amending the Allocation of Funds as found in Sections 193.11 and 194.013 of the Codified Ordinances of the City of Napoleon, Ohio; and Declaring an Emergency
9. **Resolution No. 058-21**, a Resolution Authorizing a Contribution to the Community Improvement Corporation of Henry County, Ohio, in and for the Year 2022; and Declaring an Emergency
10. **Ordinance No. 059-21**, an Ordinance Apportioning the Expenses Incurred including Wages, Salaries and Fringe Benefits of the Mayor, Council, and various other Departments of the City of Napoleon which are not otherwise directly charged to Special and/or Capital Projects among Various Accounts Effective January 1, 2022; Amending Ordinance No.(s) 104-09, 087-19, and 069-20; and Declaring an Emergency

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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for December, 2021
2. **Discussion/Action:** PC 21-11 Subdivision Re-plat, 2950 Enterprise Avenue
3. **Discussion/Action:** PC 21-12 Change Special Use/Conditional Use Permit, 2950 Enterprise Avenue
4. **Discussion/Action:** Proposed 2021 Write-offs of Uncollectable Accounts
5. **Discussion/Action:** Front Street Repaving Project/Ritter Park Path Project
6. **Discussion/Action:** Fourth Quarter Budget Adjustments (refer to Committee)
7. **Discussion/Action:** Acceptance of Donation from the Church of the Nazarene to Napoleon Parks and Recreation Department (tabled).
8. **Discussion/Action:** Acceptance of \$482.00 Donation to the Fire Department in Memory of Clara M. Meyer
9. **Discussion/Action:** Recognition of Councilman Comadoll for his Years of Service

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

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

**M. Adjournment**

  
Roxanne Detrich - Clerk

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

1. **Technology & Communication Committee (1<sup>st</sup> Monday)**  
(Next Regular Meeting: Monday, January 3, 2022 @6:15 pm)
2. **Electric Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, January 10, 2022 @6:15 pm)
  - a. Review of Power Supply Cost Adjustment Factor for January, 2022
  - b. Electric Department Report
3. **Water, Sewer, Refuse, Recycling & Litter Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, January 10, 2022 @7:00 pm)
  - a. Update on 2021 Wastewater Treatment Plant Improvements Project
  - b. Water Rate Review Commission
4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, January 10, 2022 @7:30 pm)
5. **Parks & Recreation Committee (3<sup>rd</sup> Monday)**  
(Next Regular Meeting: Monday, January 17, 2022 @6:00 pm)
6. **Finance & Budget Committee (4<sup>th</sup> Monday)**  
(Next Regular Meeting: Monday, December 27, 2021 @6:30 pm)
7. **Safety & Human Resources Committee (4<sup>th</sup> Monday)**  
(Next Regular Meeting: Monday, December 27, 2021 @7:30 pm)  
Agenda Item for May 23, 2022 – Review Traffic Pattern at Westmoreland and Bales Road
8. **Personnel Committee (as needed)**
9. **Ad-hoc Committee on Personnel**
10. **Charter Review Commission (as needed in 2024)**

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

1. **Board of Public Affairs (2<sup>nd</sup> Monday)**  
(Next Regular Meeting: Monday, January 10, 2022 @6:15 pm)
  - a. Review of Power Supply Cost Adjustment Factor for January, 2022
  - b. Electric Department Report
  - c. Update on 2021 Wastewater Treatment Plant Improvements Project
2. **Board of Zoning Appeals (2<sup>nd</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, January 10, 2022 @4:30 pm)
3. **Planning Commission (2<sup>nd</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, January 10, 2022 @5:00 pm)
4. **Tree Commission (3<sup>rd</sup> Monday)**  
(Next Regular Meeting: Monday, January 17, 2022 at 6:00 pm)
5. **Civil Service Commission (4<sup>th</sup> Tuesday)**  
(Next Regular Meeting: Tuesday, January 25, 2022 @4:30 pm)
6. **Parks & Recreation Board (Last Wednesday)**  
(Next Regular Meeting: Wednesday, January 26, 2022)
7. **Privacy Committee (2nd Tuesday in May & November)**  
(Next Meeting: Tuesday, May 10, 2022 @8:15 am)
8. **Records Commission (2<sup>nd</sup> Tuesday in June & December)**  
(Next Regular Meeting: Monday, June 6, 2022 @6:45 pm)
9. **Housing Council - Meets First Monday in April (meeting to be scheduled after the TIRC meeting)**
10. **Health Care Cost Committee (as needed)**
11. **Preservation Commission (as needed)**
12. **Napoleon Infrastructure/Economic Development Fund Review Committee [NIEDF] (as needed)**
13. **Tax Incentive Review Council (as needed)**
14. **Volunteer Firefighters' Dependents Fund Board**
15. **Volunteer Peace Officers' Dependents Fund Board**
16. **Lodge Tax Advisory & Control Board (as needed)**
17. **Board of Building Appeals (as needed)**
18. **ADA Compliance Board (as needed)**



*City of Napoleon, Ohio*  
**CITY COUNCIL MEETING MINUTES**  
MONDAY, DECEMBER 06, 2021 at 7:00 PM

**PRESENT**

Councilmembers	Joseph D. Bialorucki-President, Daniel Baer-Council President Pro-Tem, Lori Siclair, Jeff Comadoll, Molly Knepley, Ken Haase, Ross Durham
Mayor	Jason Maassel
City Manager	Joel Mazur
Finance Director	Kevin Garringer
Law Director	Billy Harmon
City Staff	Dave Mack-Chief of Police Clayton O'Brien-Fire Chief Joel Frey-Asst. Fire Chief Chad E. Lulfs, P.E., P.S.-Director of Public Works
Others	News-media, Ben Hartford-Worship Pastor Napoleon Church of the Nazarene, Jeff Tonjes, Gary Westhoven (CCHC)
Clerk of Council	Roxanne Dietrich

**ABSENT**

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**APPROVAL OF MINUTES**

The minutes from the November 11, 2021 Special Council meeting, November 13, 2021 Special Council meeting, November 15, 2021 regular Council meeting, and November 22, 2021 Special Council meeting were approved as presented.

**CITIZEN COMMUNICATION**

None.

**UPDATE ON LIFEWISE ACADEMY**

Pastor Ben Hartford shared what LifeWise Academy is and its impact on the community. As a pastor, we are faced with the reality 8 out of 10 Americans nationwide do not attend church but, 9 out of 10 attend public school. LifeWise is known as Released Time Religious Instruction (RTRI). With the Ohio Revised Code allowing RTRI, LifeWise Academy can offer students up to one hour a week to be released during the school day to attend LifeWise Academy off premises where we teach them the Bible and what we call LifeWise quality. The program has to be held off school property, is privately funded and must have parental consent. About a year ago a group of us in Napoleon saw this happening in different school districts in Ohio and wanted to know what it took for LifeWise to come to Napoleon. We started the effort by praying, talking to other community members and other churches. We were excited about the feedback received, the excitement and support. The LifeWise pledge is six fold. 1) it is Gospel Centered unashamedly, a byproduct of learning scripture and knowing scripture changes you from the inside out; 2) it becomes Character Focused and begins to adapt who you are, becoming a better person overall and who God made you to be; 3) it is Local Church/Faith Community Driven; 4) LifeWise provides a Plug 'n Play model for us to go by but, is really community driven; 5) the vision is For the Nation; and 6) is done with Excellence, we believe we are to do things with excellence. The partnership with the school has been favorable and appreciate what they have done to accommodate us to meet with kids. We have 252 students in Napoleon Area Schools enrolled in this program. The LifeWise bus shuttles students to the First Baptist Church here in Napoleon. There is about 30 minutes of quality classroom time. We hired two teachers to best accommodate the ratio. They do a review of the previous lesson, engage in scripture memory and learn a bible story for that day. The whole point of this is to be Gospel Centered. We believe everything in scripture points towards Christ or back to Christ later in the New Testament. LifeWise quality is what scripture teaches us and how can we apply it to our everyday life. The church partnerships have been a blessing and it is really neat to work with the churches. The question was asked what grades are involved with this program? Pastor Hartford replied grades Kindergarten through fifth grade.

**REPORTS FROM COUNCIL COMMITTEES**

The Finance and Budget Committee met in special session with City Council on November 22, 2021 for the Mayor's Presentation of the 2022 Budget.

## INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

Council President Bialorucki read by title Resolution No. 047-21, a Resolution Authorizing the City of Napoleon, Ohio to enter into an Economic Development and Real Estate Purchase Agreement with the Cultural Center of Henry County, the Board of Education of the Napoleon Area City School District, and Carol Morley Beck; and Declaring an Emergency (Tabled)

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

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

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

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Garringer replied there would not be an additional charge for anyone to do that. It would actually be more convenient for our citizens to be able to go online as currently you can do the tax form online but, you have to bring the form in. Whereas, if we move to RITA then it can all be done electronically not only for private citizens but, businesses can do that also. I do anticipate once we make this move that our doors will still be open for customer service so people are able to still come in, have questions answered and we can help them out, if necessary. Bialorucki asked if we pass this it will not take effect until July 1<sup>st</sup>? Garringer explained the timeline we have in place is to take three readings with the third read at the first meeting in January, 2022. At that point, we would sign the agreement for the Regional Council of Governance. Their committee would approve us and then they will start extracting some of our data and running tests. We would officially roll over July 1, 2022. That would get us through this income tax collection barring any pushback from the federal government. At this point we still anticipate the tax date of April 18, 2022. Maassel said a couple of years ago the State of Ohio tried to do this and we pushed back pretty hard. They were going to charge 1% or possibly more, do you have any idea of approximately how much RITA is going to charge us? Garringer stated the rough estimate is around \$100,000 a year. Two things to remember: 1) currently in the Finance Department there are two positions that are not filled. One I certainly would not fill if we go this direction and for a full-time position with benefits that would pretty well offset that cost; and 2) any city that I talked to that has joined RITA has told me they gained income tax collections because RITA was more successful in getting that done and that would be an added bonus. I anticipate that we would collect more. Maassel asked are you okay with your staff not filling that position, I do not want to cut you too short. We want to make sure we are providing quality service for our residents. Garringer responded we will certainly keep the current Income Tax Administrator. My discussion with her was, this is not to eliminate her job. Her job will change and we may slide her into different duties but, we certainly will not be letting anyone go. She is a department of one and at one point that was a department of about four people. Through the years as things went a little more efficiently we have had, and we all have had positions that were not filled and we have no plans of filling it. I would anticipate she would remain a department of one or one and a half. Maassel asked assuming we pass this, is there a pathway to get out if Council changes their mind down the road? Garringer replied there is a pathway, you have to give notice by July 1<sup>st</sup> of the year and once you give that notice, you are out December 31<sup>st</sup>. There is no cost for getting out. Maassel said an issue I had with State doing this for us is they would take and do this without us having any say and things can change with the stroke of a pen and people voting at the state level on what they can charge us. I like that if we are getting bad service or being charged too much, we have a way out. Garringer stated we have a way of getting out and would say the difference between having the state do it is, the Regional Council of Governance we are going to join is run by a board that is elected upon its members. If it goes in a direction some years from now we are not comfortable with, we can get out but it is also something that will affect all members evenly. Harmon stated a crucial big difference is the state was not planning on enforcing anything for us, they were not going to chase anybody. They would accept filings and money but, they were not going to file anything on our behalf or institute any collections whatsoever. RITA offers a service that is a pretty big difference. If they are successful in collections it could be a big deal. Maassel asked is that in the current deal or is that an add-on? Garringer said there are some things we can add on depending on how much we want them to do. What they have is the ability to cross-reference a lot of records, investigate and go after people. Where it could stop is how much we want the prosecutor to go after and we would have a say in that. Maassel asked Harmon if he is okay with that? Harmon stated it will take a little bit of weight off of me as we have been filing a lot of criminal charge cases on taxes in an attempt to convince people to file and pay their taxes. This may be just as effective and maybe more so and will take a little bit of work away. Bialorucki asked Garringer if he has found any type of concern in his research on this. Garringer replied he has not heard any negative. Everything I have heard is this is a very strong organization. This was one of the things that was on our list on the State Audit that was done and for whatever reason, it was not moved to that. Bialorucki asked if we can help people walk through the process if someone came in here and asked for help. Garringer responded certainly, that is part of not closing our doors. There are some entities that you do not talk to anybody, you talk to RITA and at this point, I do not anticipate that at all.

Roll call vote on the above motion:

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

Nay-

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

**Resolution No. 048-21 – City Yearly Reoccurring Cost**

Motion: Durham                      Second: Haase  
to approve second reading of Resolution No. 048-21

Roll call vote on the above motion:

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

Council President Bialorucki read by title Ordinance No. 049-21, an Ordinance Establishing a Water Rate Review Commission and Amending Title Five of the Codified Ordinances of the City of Napoleon, Ohio, specifically adding Chapter 183, "Water Rate Review Commission;" and Declaring an Emergency

Mazur stated this is part of the contract with the Village of Florida when we renewed their contract. The Water Rate Review Commission would meet periodically to review matters that affect water rates. They will meet with the Board of Public Affairs and the Water and Sewer Committee of City Council.

Roll call vote on the above motion:

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

Council President Bialorucki read by title Resolution No. 051-21, a Resolution Authorizing Expenditure of Funds in Excess of Twenty-five Thousand dollars (\$25,000) in and for the Year 2022 as it relates to Reoccurring Costs Associated with the Operation of the City, for Payment of Expenses, and for Purchases Associated with Vendors Utilized by Multiple Departments within the City; Elimination of Necessity of Competitive Bidding in and for the Year 2022 as it relates to Certain Transactions; and Declaring an Emergency

Motion: Haase                      Second: Knepley  
to approve second reading of Resolution No. 051-21

Roll call vote on the above motion:

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

Council President Bialorucki read by title Resolution No. 052-21, a Resolution Authorizing the Expenditure of Funds and Authorizing a Department Director to take Bids on Certain Projects, Services, Equipment, Materials, or Supplies without the Requirement for Additional Legislation to do so in the Year 2022; and Declaring an Emergency

Motion: Durham                      Second: Knepley  
to approve second reading of Resolution No. 052-21

Roll call vote on the above motion:

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

Council President Bialorucki read by title Ordinance No. 053-21, an Ordinance Establishing a New Position Classification Pay Plan for Employees of the City of Napoleon, Ohio for the Year 2022; Repealing Ordinance No. 067-20; and Declaring an Emergency

Durham asked about the exhibits to the ordinance. It appears we have noted the 2.25% increase on the positions with an asterisk, are those the only positions being impacted with this legislation? I thought it was all non-bargaining. Mazur said it should be all non-bargaining positions. I cannot tell you what that was noted on there. Garringer said all non-bargaining should be a 2.25% increase, not sure why that is there and will find out for you. Durham said I did not know if that needed to be updated on the exhibit or not is why I pointed that out. Mazur – thanks, it will either be corrected or explained at the next meeting.

**Ordinance No. 055-21 – Establishing Appropriation Measure (Budget) for Fiscal Year Ending December 31, 2022**  
Council President Bialorucki read by title Ordinance No. 055-21, an Ordinance Establishing the Appropriation Measure (Budget) of the City of Napoleon, Ohio for the Fiscal Year Ending December 31, 2022, listed in Exhibit “A;” and Declaring an Emergency

Council President Bialorucki read by title Resolution No. 056-21, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances from Respective Funds to other Funds per Section 5705.14 ORC on an as needed basis in Fiscal Year 2022, listed in Exhibit "A;" and Declaring an Emergency

Council President Bialorucki read by title Ordinance No. 057-21, an Ordinance Amending the Allocation of Funds as found in Sections 193.11 and 194.013 of the Codified Ordinances of the City of Napoleon, Ohio; and Declaring an Emergency

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**Resolution No. 058-21 – Contribution to the CIC**

Council President Bialorucki read by title Resolution No. 058-21, a Resolution Authorizing a Contribution to the Community Improvement Corporation of Henry County, Ohio, in and for the Year 2022; and Declaring an Emergency

Motion: Durham Second: Siclair  
to approve second reading of Resolution No. 058-21

Roll call vote on the above motion:

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

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

**Ordinance No. 059-21 – Apportioning Expenses**

Council President Bialorucki read by title Ordinance No. 059-21, an Ordinance Apportioning the Expenses Incurred including Wages, Salaries and Fringe Benefits of the Mayor, Council, and various other Departments of the City of Napoleon which are not otherwise directly charged to Special and/or Capital Projects among Various Accounts Effective January 1, 2022; Amending Ordinance No.(s) 104-09, 087-19, and 069-20; and Declaring an Emergency

Motion: Durham Second: Knepley  
to approve second reading of Ordinance No. 59-21

Roll call vote on the above motion:

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

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

**THIRD READINGS OF ORDINANCES AND RESOLUTIONS****Resolution No. 046-21 – Moratorium on Certain Residential Building Permit Fees**

Council President Bialorucki read by title Resolution No. 046-21, a Resolution Extending the Provisions Contained in Ordinance No. 021-18 and Resolution No.(s) 086-19 and 072-20, wherein Council Imposed a Temporary Reduction and/or Temporary Elimination of Certain Residential Building Permit Fees; and Declaring an Emergency

Motion: Haase Second: Knepley  
to pass Resolution No. 046-21 on Third Read

Mazur did not have anything to add.

Roll call vote on the above motion:

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

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

**GOOD OF THE CITY****Honey Blossom Orchard**

Mazur reported the owners were unable to make it tonight. A few of you and others outside of the organization as well as city staff have been contacted by the owners of Honey Blossom Orchard about a few items. How this came about as an issue is it was discovered that the business has a Certificate of Occupancy as a Commercial Mercantile Establishment (retail) and also for putting on small seminars. It was discovered there were advertisements for the business to operate as a banquet hall and that puts it into a different usage category with certain other requirements. The Certificate of Occupancy is for 49 people, not 250 or 350 people and that prompted a fire inspection. The owners had come in a year prior and talked about agritourism and going through the process of getting an approval or designation for agritourism. At that time we did not have a process for that and Schultheis told them, rightfully, to go through the county first and check if there were any requirements on their end and there were none. Then, they were going to come back to Schultheis and take it to the Planning Commission which were the right steps. They did not take it back to the Planning Commission and that was fine because what they are doing really is not affected by this. Having an agritourism designation does get them out of some building code requirements however; that does not exempt them from anything in the fire code. That is what the issue at hand is and a fire inspection ensued. We had a follow-up from Asst. Chief Frey that does fire prevention and all the

inspections in the city. A letter was sent to the owners of Honey Blossom Orchard letting them know what all needed to be corrected. A couple of clarifications. The Hibbards contacted the Liberty Township Fire Chief, Brian Baker, to come out and do an inspection. We did get some clarification from him but, just so everyone is aware, the primary fire district for that property is the Napoleon Fire Department. They can have courtesy fire inspections from whomever they want but, we officially do the fire inspections for them and provide any other documentation that is needed by them. The designation of an A-2 is basically an assembly hall or banquet hall. In this case, they have to have in their building a sprinkler system or some other type of fire protection means. This has been happening around the state so much that the State's Department of Commerce put out a flier on agritourism and what you can and cannot do because they are seeing this a lot more. People want to have barn weddings and receptions and things like that. This is not uncommon nor strictly a Napoleon issue at all, it is state wide. The flier was put out to hopefully help provide some clarification to some of these places. There was one in Wood County that went through. The Fire Code is pretty black and white. You have to have a sprinkler fire suppression system in place and that can be costly. What this other barn type establishment banquet hall wanted to do was take it through Ohio State Board of Building Appeals. They are in the process now and put together a plan to help alleviate putting in the suppression system which may or may not work. That is a route they can go into also to address their fire code issues, to go through the Board of Building Appeals at the state level. Bialorucki asked when you say "fire code" you are not saying Napoleon's fire code. Harmon said it is all based on the State Fire Code. Mazur stated those were a couple of things I wanted to point out. They have their letter and have two items on the December 14<sup>th</sup> Planning Commission meeting. These were the things that they wanted to discuss but, we have been having some email conversations back and forth and hopefully are able to answer all their questions to this point in case it comes up again. They did request the Council President have this on the agenda for discussion and they were unable to make it. At the December 14<sup>th</sup> Planning Commission meeting, they will have an item on there for agritourism designation and a property split because they are planning on auctioning the easterly portion of their property. Harmon asked if they will be submitting something to the Planning Commission, I have not seen anything that they have submitted at this point. Mazur replied I feel like we have been very accommodating to them or any business that walks through the door. In this particular case, they were two weeks behind getting their application in for the December Planning Commission meeting for the property split. Even though they have the auction scheduled, they do not have the property split approved and that has to go through the Planning Commission with final approval from Council. That has yet to happen. They submitted that very recently maybe even just last week. All we have is the application for the property split and agritourism designation and nothing else. Fire code wise is not a part of that. Bialorucki asked is the whole property, everything that they own in the city limits? Mazur – yes.

#### **Approval of Specifications and go out to Bid for VanHying Pumping Station Replacement Project**

Lulfs stated the estimate has been increased to 2.5 million dollars. The plans and specs are done and we would like to put this out to bid. The project will be funded through DEFA who is allowing a contingency on this project. We hope to stay within the engineer's estimate. With approval, this project will be put out to bid next week with the bids being opened January 26, 2022. Substantial completion is December 1, 2023 with the final completion date of May 31, 2024. Maassel said the old estimates were low is what our contractors told us. Is that because the pipe prices have went up, the electronic prices have went up, the work prices have went up, all of the above or none of these. Lulfs replied all of the above with the most substantial being the pipe, the electronics and the casing pipe. Bialorucki asked if we get someone to do this job and eight months from now some of the prices change, will we get that rate? Lulfs said we have in the city's bid documents that allows for price adjustments. It is set up to go both ways, I have only seen an increase, I have never seen a decrease. We will monitor that but, in talking to others in the industry, I don't think prices will be going down for at least another year and a half. Bialorucki said I know there is a deadline to get this done and let's say we don't have the money to get this done, what would happen if we cannot meet that deadline? Lulfs replied the EPA has the ability to impose fines and I have only seen that done once in my career. Mazur added we have enough documentation bidding two times already and not receiving any bids with reasonable cost estimates for what was at the time today's standards and is now yesterday's standards. Bialorucki said say in a year and half from now prices come down and we just spent \$800,000 more than if we would have waited and the fine would have been \$20,000. Lulfs – I do know fuel prices are continuing to climb. The issue with pipe is about the only place you can make it is Texas and there is a shortage. The pipe was estimated at \$300-\$400 a foot and we are hearing it is closer to \$1,200 a foot.

Motion: Haase                                      Second: Knepley  
to approve the specifications and go out to bid on the VanHying Pumping Station Replacement Project

Roll call vote on the above motion:  
Yea-Knepley, Durham, Haase, Baer, Bialorucki, Siclair, Comadoll  
Nay-

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

**Amending ORC Section 143.01 “Composition and Control of City Fire/Rescue Department”**

Mazur stated this is a cleanup item. With the vote in of the reciprocity credit we are looking at adding a full-time firefighter that will change the composition of the Fire Department. Harmon clarified he will not be drafting legislation to revise the revised code, it will be a Napoleon ordinance that will be drafted.

Motion: Knepley                                      Second: Baer  
to direct the Law Director to draft legislation

Roll call vote on the above motion:  
Yea-Knepley, Durham, Haase, Baer, Bialorucki, Siclair, Comadoll  
Nay-

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

**Acceptance of Donation from the Church of the Nazarene to Napoleon Parks and Recreation Department**  
(Tabled until 12/20/2021).

**AROUND THE TABLE**

GARRINGER - No items.

DURHAM – I’m thankful there is still an opportunity with the CCHC and that those discussions have continued after hitting an abrupt wall previously.

HAASE - No items.

BAER - How are we progressing with Bales Road emergency situation? Lulfs – late last week the casing pipe was delivered. The subcontractor that is installing the casing pipe under the railroad started this morning and expect to have the casing pipe installed no later than Wednesday. They will continue placing the PVC pipe inside the casing pipe, putting the manholes in and connecting everything. It is setup for a potential two week closure, if we can get that work finished quicker we will. Everything is now moving forward. Baer – weather related I’m assuming. Lulfs noted the weather is not pleasant but, unless it is a downpour, they will be able to work. The problem is if it rains hard 1) we are working in a storm sewer and 2) the storm sewer is about 20’ deep and is a big hole that will hold water.

MAASSEL - The Christmas lights downtown look really good.  
I received a Christmas postcard from Congressman Latta and his family vacationing in Alaska.

Maassel recommended the following re-appointments to the respective boards, commissions and committees:

<u>Board/Committee/Commission</u>	<u>Name</u>
Board of Zoning Appeals	Larry Vocke
City Tree Commission	Larr Etzler
City Tree Commission	Kyle Moore
Civil Service Commission	Bill Finnegan
Parks and Rec Board	Matt Hardy
Parks and Rec Board	Peg Funchion

Motion: Durham                                      Second: Knepley  
to approve the board, commission and committee re-appointments as recommended

Roll call vote on the above motion:  
Yea-Knepley, Durham, Haase, Baer, Bialorucki, Siclair, Comadoll  
Nay-

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



SICLAIR - Bales Road closure, could there be no parking on the street? Lulfs – that was brought up last week and we are watching the situation. We would like to work with the Chief Police so if there is an issue we can work quickly. Siclair asked about grant money to put more lighting at Kidz Kingdom. Mazur – lighting and camera coverage is in the works. It's the physical items in the restrooms that have really been vandalized.

Knepley - No items.

MAZUR – a letter was received from Judge Amy Rosebrook expressing how much she appreciated working at the city over the past ten years.

**BIALORUCKI** – requested an Executive Session for matters to remain confidential due to the nature of a public utility

Roll call vote on the above motion:

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

Roll call vote on the above motion:

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

Motion: Siclair                      Second: Knepley  
to come out of Executive Session for matters to remain confidential due to the competitive nature of a public utility

Roll call vote on the above motion:

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

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

Council President Bialorucki reported no action was taken.

Motion: Siclair                      Second: Haase  
to come out of Executive Session for pending or imminent litigation

Roll call vote on the above motion:

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

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

Council President Bialorucki reported no action was taken

City Council adjourned from Executive Session at 8:39 pm.

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

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

Roxanne Dietrich, Clerk of Council

## **RESOLUTION NO. 061-21**

### **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACQUIRE APPROXIMATELY THREE AND THREE TENTHS (3.3) ACRES OF LAND, COMMONLY REFERRED TO AS LOOSE FIELD, LOCATED WITHIN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to City of Napoleon Charter Section 6.01, Council may provide, by ordinance or resolution, a method for the City to purchase, construct, lease, sell, or to otherwise dispose of real property and, tangible or intangible personal property, including the contracting therefor, that may be contrary to any provision of the laws of Ohio.

**WHEREAS**, the City of Napoleon desires to acquire approximately three and three tenths (3.3) acres of land, located within the City of Napoleon, Ohio; and,

**WHEREAS**, the City of Napoleon desires to acquire said land for further economic development of the City. **Now Therefore;**

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

Section 1. That, the City of Napoleon authorizes and directs the City Manager to execute any and all documents necessary for the acquisition of certain real property which is located within the City of Napoleon.

Section 2. That, the property listed shall include approximately three and three tenths (3.3) acres of land located on Riverview Avenue, Napoleon, Ohio, commonly referred to as Loose Field.

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

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

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

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 061-21 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*

## REAL ESTATE PURCHASE AGREEMENT

This REAL ESTATE PURCHASE AGREEMENT (this “*Agreement*”) is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (the “*Effective Date*”), by and between the CITY OF NAPOLEON (the “*City*”), an Ohio municipal corporation duly organized and validly existing under the Constitution and the laws of the State of Ohio (the “*State*”) and its Charter and THE CULTURAL CENTER OF HENRY COUNTY, OHIO (the “*CCHC*”), an Ohio nonprofit corporation duly organized and validly existing under the laws of the State. The City and the CCHC may hereinafter be referred to individually as a “*Party*”, or collectively as the “*Parties*.”

### Recitals

WHEREAS, the City desires to encourage commercial and residential development and create and preserve jobs and employment opportunities within the City; and

WHEREAS, the CCHC desires to make every effort to preserve the former Central School Building, specifically the John L. Johnson Auditorium and convert the space for a public performing arts center for Henry County; and

WHEREAS, the CCHC is a signatory to the Real Estate Purchase and Sale Agreement between the CCHC, the Napoleon Area School District, Carol Morley Beck, the Toledo Community Foundation and the Henry County Community Foundation that was executed on June 14<sup>th</sup> of 2017 (the “*Former Agreement*”), which is provided in “Appendix A” and, by reference, is fully incorporated herein; and

WHEREAS, the City acknowledges and agrees to be bound by all of the covenants and conditions contained in the Former Agreement, as they apply to Loose Field, the portion of the Property purchased by the City pursuant to this Agreement; and

WHEREAS, based on the City-wide Master Plan created in 2019 by the City, it has been deemed that the highest and best use of the property owned by the CCHC located generally at 211-315 W. Main St. in Napoleon, Ohio 43545 and listed as Parcel Nos. 410097220080, 410095520120, and 411302780000 and generally comprised of approximately 9.235 acres (The “Property”), which is described in “Appendix B”, is a mixed-use development consisting of commercial and residential uses; and

WHEREAS, the Parties acknowledge that the certain portions of the Property can be sold for the betterment of the redevelopment of the Property; and

WHEREAS, pursuant to Ordinance No. \_\_\_\_\_ passed on \_\_\_\_\_, 2022 (the “*Ordinance*”), the City has agreed to purchase a portion or portions of the Property in order to help facilitate new mixed-use development, which will improve the economic welfare of the people of the State and the City, all as authorized in Article VIII, Section 13 of the Ohio Constitution.

WHEREAS, the CCHC Board of Trustees has passed a motion on December 13, 2021 (the “*Motion*”) accepting the terms and conditions of this Agreement in its entirety.

### End of Recitals

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the CCHC covenant, agree and obligate themselves to the foregoing Recitals and as follows:

## **ARTICLE I GENERAL AGREEMENT AND TERM**

**Section 1. General Agreement Among Parties.** For the reasons set forth in the Recitals hereto, which Recitals are incorporated herein by reference as a statement of the public purposes of this Agreement and the intended arrangements between the Parties, the Parties intend to and shall cooperate in the manner described herein to facilitate a property transaction or transactions.

**Section 2. Term of Agreement.** This Agreement shall become effective as of the Effective Date and will continue until the Parties' respective obligations set forth herein have been fulfilled, unless earlier terminated in accordance with this Agreement.

**Section 3. No Implied Obligations for Future Development.** Except as otherwise expressly provided herein, the rights and obligations of the Parties under this Agreement pertain only to the provision of certain property transactions described herein and facilitating the construction or reconstruction of facilities. This Agreement creates no obligation by any Party to cooperate in the design, financing, or construction of any development other than the project described herein.

**Section 4. No Partnership or Joint Venture.** This Agreement does not and may not be construed to create a partnership or joint venture between or among any of the Parties.

## **ARTICLE II REPRESENTATIONS OF THE PARTIES**

### **Section 1. Representations by the City.**

(a) The City is a municipal corporation duly organized and validly existing under the Constitution and the applicable laws of the State and its Charter.

(b) The City has the power and authority to enter into and perform this Agreement.

(c) This Agreement has been duly authorized, executed and delivered by the City and constitutes the legal, valid and binding obligation of the City enforceable in accordance with its terms.

(d) Neither the entry into nor the performance of and compliance with this Agreement has resulted or will result in any violation of, or a conflict with or a default under, any judgment, decree, order, contract, or agreement by which the City is bound or any legal requirement applicable to the City.

(e) There is no action, proceeding or investigation pending or, to the City's actual knowledge, threatened, which questions, directly or indirectly, the validity or enforceability of this Agreement or any action taken or to be taken pursuant to this Agreement.

(f) No representation or warranty of the City in this Agreement contains any untrue statement of material fact or omits a statement of a material fact necessary in order to make such representation or warranty misleading in light of the circumstances under which it is made.

(g) Ordinance No. \_\_\_\_\_ passed by City Council on \_\_\_\_\_, 2022, authorizing the execution and delivery of this Agreement, has been duly passed and is in full force and effect as of the Effective Date.

## **Section 2. Representations by the CCHC.**

(a) The CCHC is an Ohio nonprofit corporation duly organized and validly existing under the laws of the State.

(b) The CCHC has the power and authority to enter into and perform this Agreement.

(c) This Agreement has been duly authorized, executed and delivered by the CCHC and constitutes the legal, valid, and binding obligation of the CCHC enforceable in accordance with its terms.

(d) Neither the entry into nor the performance of and compliance with this Agreement has resulted or will result in any violation of, or a conflict with or a default under, any judgment, decree, order, contract, or agreement by which the CCHC is bound or any legal requirement applicable to the CCHC.

(e) There is no action, proceeding or investigation pending or, to the CCHC's actual knowledge, threatened, which questions, directly or indirectly, the validity or enforceability of this Agreement or any action taken or to be taken pursuant to this Agreement.

(f) No representation or warranty of the CCHC in this Agreement contains any untrue statement of material fact or omits a statement of a material fact necessary in order to make such representation or warranty misleading in light of the circumstances under which it is made.

(g) A motion was passed by the CCHC Board of Trustees on December 13, 2021, authorizing the execution and delivery of this Agreement, has been duly passed and is in full force and effect as of the Effective Date.

## **ARTICLE III REAL ESTATE CONVEYANCE**

**Section 1. Sale of Real Property.** The CCHC hereby agrees to sell a portion of the Property, generally referred to as "*Loose Field*" and described in detail in "Appendix C" to the City, and the City hereby agrees to purchase Loose Field from the CCHC, upon the terms and conditions of this Agreement for the fair market value of One Hundred Thousand and 00/100 Dollars (\$100,000.00) (the "*Purchase Price*").

**Section 2. Due Diligence.** To the extent the CCHC has not already done so, within ten (10) days following the Effective Date, the CCHC shall deliver to the City all of the following documentation, to the extent that such documentation and information is within the possession or reasonable control of the CCHC or any officer or agent of the CCHC or can be secured through ordinary means by the CCHC or any officer or agent of the CCHC: (a) copies of any tenant leases with respect to the Property; (b) copies of all material agreements with respect to the use or operation of the Property; (c) copies of all title policies, title commitments and surveys of the Property; and (d) copies of all hazardous waste or environmental audits, soil tests, utility studies, water retention (storm sewer) and civil engineering drawings, studies, tests, examinations, reports and other material documentation with respect to the physical and environmental condition of the Property including but not limited to any orders, correspondence, consents, permits or approvals from any governmental entities or authorities.

**Section 3. Contingencies.**

(a) Environmental Inspection. For a period of sixty (60) days from the Effective Date (the "*Inspection Period*"), the CCHC agrees to permit the City, the City's lender and any qualified, professional environmental consultant or consultants retained by the City or its prospective lender(s) to conduct, at the expense of the City, environmental site assessments of the Property as the City may deem necessary. If such assessment is obtained and the consultant recommends further inspection to determine the extent of suspected contamination or recommends remedial action, the City, at its option, may notify the CCHC in writing prior to the expiration of the Inspection Period that this Agreement is null and void. Failure of the City to deliver written notice and a copy of the environmental report(s) within such time period shall constitute a waiver of the City's right to terminate this Agreement pursuant to this provision.

(b) Property Inspection. The City, at its own expense, may during the Inspection Period inspect the Property, including any and all improvements, fixtures and equipment contained thereon (if any). The City may undertake any non-invasive inspection of the Property with prior notice to, but without the consent of, the CCHC but before performing any invasive testing shall obtain the prior written consent of the CCHC. The City agrees to restore the Property to its original condition, to the extent practical, following such entry. The CCHC shall cooperate in making the Property reasonably available for such inspection(s). If the City is not, in good faith, satisfied with the condition of the Property as disclosed by such inspection(s), the City may terminate this Agreement by delivering written notice of such termination to the CCHC, along with a written copy of such inspection report(s), prior to the expiration of the Inspection Period, which notice, and report(s) shall specify the unsatisfactory conditions. Failure of the City to deliver written notice and copy of the inspection report(s) prior to the expiration of the Inspection Period shall constitute a waiver of the City's right to terminate this Agreement pursuant to this provision. The indemnification herein shall survive the termination of this Agreement.

(c) Liability Insurance. Prior to first entering the Property to undertake an inspection as permitted in this Agreement, the City shall provide to the CCHC evidence that the City maintains general liability insurance in an amount of at least \$1,000,000 and naming the CCHC as an additional insured and shall maintain such insurance thereafter for so long as this Agreement is in effect.



(d) Survey Approval. The City shall, at its own expense, hire a surveyor registered in the State to perform an ALTA survey (the “*Survey*”) and legal description of the Property.

(e) Property Plat. The Parties shall cooperate in the process to receive approval and recording of a replat of the Property from the appropriate boards, commissions and any other governmental bodies or agencies, which is necessary for the property transaction to occur. The City shall be responsible for all costs associated with the process to replat the Property.

#### **Section 4. Title Examination.**

(a) The City may obtain, at its own expense and through a title company and/or agency of its choosing in the City’s sole discretion (the “*Title Insurance Company*”), a letter report (“*Letter Report*”) or an ALTA Commitment for Title Insurance (2006) (the “*Title Commitment*”), which Letter Report or Title Commitment shall show all recorded liens and encumbrances affecting the Property, as the case may be, and shall include copies of all documents referenced in the Letter Report or Title Commitment. The Letter Report or Title Commitment obtained by the City shall show in the CCHC good and marketable title to the Property, free and clear of all liens, charges, encumbrances, and clouds of title, whatsoever, except the following (“*Permitted Encumbrances*”):

- (i) Those created or assumed by the City;
- (ii) Zoning ordinances;
- (iii) Legal highways and public rights-of-way;
- (iv) Real estate taxes which are liens on the Property, but which are not yet due and payable; and
- (v) Covenants, restrictions, conditions, and easements of record which do not unreasonably interfere with the City’s proposed use of the Property.

(b) Title Insurance. At the Closing, the City shall have the right to purchase, at its own expense, title insurance coverage for the Property.

(c) Title Defects. In the event that an examination of either the Title Commitment/Letter Report or the Survey discloses any matter adversely affecting title to the Property, or if title to the Property is not marketable, as determined by Ohio law with reference to the Ohio State Bar Association’s Standards of Title Examination, or in the event of any encroachment or other defect shown by the Survey (the foregoing collectively referred to as, “*Property Defects*”), the City may, at least ten (10) days prior to the expiration of the Inspection Period, provide the CCHC with written notice of any such Defects to which the City is objecting. The CCHC may, but shall have no obligation to, within five (5) days following receipt of such written notice to cure or remove any such Property Defects to the reasonable satisfaction of the City or for the City to complete its due diligence review of the Property. If the CCHC is unable or unwilling to cure or remove such Property Defects, then the City, at its option, may notify the CCHC in writing prior to the expiration of the Inspection Period that this Agreement is null and void. Failure of the City to deliver written notice within such time period shall constitute a waiver of the City’s right to terminate this Agreement pursuant to this provision.

**Section 5. Possession and Closing.**

(a) Closing Date. The Property shall be closed through the \_\_\_\_\_ Title Agency, (the “Closing”) on a date mutually agreeable to the parties but in any event no later than thirty (30) days following expiration of the Inspection Period and the recording of the new property plat, which Closing date may be extended in writing by mutual agreement of the City and CCHC and shall be extended by such time, if any, as is necessary to cure any Property Defects as set forth in Section 4 hereof.

(b) Limited Warranty Deed. At the Closing, the CCHC shall convey to the City fee simple title to the Property, by validly executed, recordable limited warranty deed, free and clear of all liens and encumbrances, except the Permitted Encumbrances applicable to the Property and as stated in the instrument.

(c) Adjustments at Closing. At the Closing, the CCHC and the City shall apportion, adjust, prorate, and pay the following items in the manner hereinafter set forth:

(i) Real Estate Taxes, CAUV and Assessments. The CCHC shall pay to the Henry County Treasurer all delinquent real estate taxes, if any, together with penalties and interest thereon, and assessments which are a lien against the Property as of the date of Closing (both current and reassessed, whether due or to become due and not yet payable). At the Closing the CCHC shall credit against the Purchase Price a portion of all real estate taxes, if any, for the year in which the Closing occurs, prorated through the date of Closing. Any such proration of taxes shall be based upon a 365-day year. Said calculation at the Closing shall be final.

(ii) The CCHC’s Expenses. The CCHC shall, at the Closing (unless previously paid), pay the following expenses:

1. The cost of all municipal services and public utility charges (if any) applicable to the Property due through the date of Closing;
2. One-half (1/2) the fee, if any, charged by the Title Insurance Company for closing the transaction contemplated herein.
3. Any transfer taxes or deed stamps to the extent not exempt.

(iii) The City’s Expenses. The City shall, at the Closing (unless previously paid), pay the following expenses:

1. The cost of furnishing the Title Commitment/Letter Report for the Property, and the premium for any owner’s policy of title insurance for the Property desired by the City;
2. The cost of recording the limited warranty deed transferring title in the Property to The City;

3. The cost of all “due diligence” items conducted pursuant to Section IV.4 herein;

4. One-half (1/2) the fee, if any, charged by the Title Insurance Company for closing the transaction contemplated herein.

(iv) Other Closing Costs. All other closing costs and expenses not herein referenced and not specifically attributable to either the CCHC or the City shall be shared equally by the CCHC and the City.

(v) Brokers. The CCHC and the City represent and warrant that no realtor’s or finder’s fees, brokerage commissions, or other forms of compensation are due to any realtor or broker in connection with this transaction.

(vi) Other Documents. The CCHC and the City agree that such other documents as may be legally necessary or appropriate to carry out the terms of this Agreement shall be executed and delivered by the appropriate party to the Title Insurance Company at the Closing. Such documents shall include, but not be limited to, a settlement statement, affidavits regarding liens, unrecorded matters and possession as may be reasonably requested by the Title Insurance Company.

**Section 6. Warranties And Representations of the CCHC Relating to the Property.**

The CCHC hereby represents and warrants as follows:

(a) The CCHC has not received any written notice or notices from any municipal, county, state or any other governmental agency or body, of any zoning, fire, health, environmental or building violation, or violation of any laws, ordinances, statutes or regulations relating to pollution or environmental standards, which have not heretofore been corrected;

(b) The execution, delivery and performance of this Agreement, and the consummation of the transaction contemplated hereby, will not result in any breach of, or constitute any default under, or result in the imposition of any lien or encumbrance against, the Property, under any agreement or other instrument to which the CCHC is a party or by which the CCHC or the Property might be bound;

(c) The CCHC has no knowledge of any fact or condition which would result in the termination or material limitation of the existing pedestrian and/or vehicular access to the Property from abutting public roads;

(d) From the Effective Date through and until the Closing, the CCHC shall not enter into any easement, lease or other contract pertaining to the Property that is not terminable without cost on no more than thirty (30) days’ notice and shall not modify or change the condition of the Property, unless the City has approved of such modification or change, which approval shall not be unreasonably withheld, conditioned or delayed; and

(e) The CCHC is not a "Foreign Person" as that term is defined in the Foreign Investment in Real Property Tax Act.

**Section 7. Breach of Warranties Prior to Closing.** If, during the pendency of this Agreement, any warranty or representation under this Agreement shall be untrue, incorrect, or misleading, in whole or in part, the same shall constitute a default hereunder.

**Section 8. As-Is. THE CITY ACKNOWLEDGES AND AGREES THAT THE CITY SHALL CONDUCT ALL INSPECTIONS THAT THE CITY DEEMS NECESSARY OR APPROPRIATE TO EVALUATE THE PROPERTY, AND THAT, EXCEPT FOR CCHC'S REPRESENTATIONS AND WARRANTIES SET FORTH IN ARTICLE III SECTION 6, THE CONVEYANCE OF THE PROPERTY TO THE CITY SHALL BE "AS IS, WHERE IS AND WITH ALL FAULTS," AND THAT SELLER IS RELYING ON THE FACT THAT THE CITY HAS CONDUCTED SUCH INSPECTIONS AS BUYER DEEMS NECESSARY OR APPROPRIATE TO DETERMINE OR ASCERTAIN THE CONDITION OF THE PROPERTY. THE CITY ACKNOWLEDGES THAT CCHC'S REPRESENTATIONS AND WARRANTIES SET FORTH IN ARTICLE III SECTION 6 AND THE PROVISIONS IN THIS AGREEMENT FOR INSPECTION AND INVESTIGATION OF THE PROPERTY ARE ADEQUATE TO ENABLE THE CITY TO MAKE THE CITY'S DETERMINATION WITH RESPECT TO THE PHYSICAL CONDITION AND SUITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, ITS COMPLIANCE WITH APPLICABLE HEALTH, SAFETY AND ENVIRONMENTAL LAWS.**

#### **ARTICLE IV MISCELLANEOUS PROVISIONS**

**Section 1. Assignment.** This Agreement may not be assigned without the prior written consent of all non-assigning Parties.

**Section 2. Binding Effect.** The provisions of this Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns.

**Section 3. Captions.** The captions and headings in this Agreement are for convenience only and in no way define, limit, or describe the scope or intent of any provisions or sections of this Agreement.

**Section 4. Day for Performance.** Wherever herein there is a day or time period established for performance and such day or the expiration of such time period is a Saturday, Sunday or legal holiday, then such time for performance shall be automatically extended to the next business day.

**Section 5. Entire Agreement.** This Agreement constitutes the entire Agreement between the Parties on the subject matter hereof and supersedes all prior negotiations, agreements, and understandings, both written and oral, between the Parties with respect to such subject matter. This Agreement may not be amended, waived, or discharged except in an instrument in writing executed by the Parties.

**Section 6. Events of Default.** In the event of any default in or breach of this Agreement, or any of its terms or conditions, by any Party hereto, the non-defaulting Party shall provide written notice to the defaulting Party of such default or breach. The defaulting Party shall have thirty (30) days following receipt of such written notice to cure or remedy such default or breach. If such default or breach is not timely cured, then the non-defaulting Party shall have such remedies as provided in Section 15 below.

**Section 7. Executed Counterparts.** This Agreement may be executed in several counterparts, each of which shall be deemed to constitute an original, but all of which together shall constitute but one and the same instrument. It shall not be necessary in proving this Agreement to produce or account for more than one of those counterparts.

**Section 8. Extent of Covenants; No Personal Liability.** All covenants, obligations and agreements of the Parties contained in this Agreement shall be effective to the extent authorized and permitted by applicable law. No such covenant, obligation or agreement shall be deemed to be a covenant, obligation or agreement of any present or future member, officer, agent or employee of the City and the CCHC other than in his or her official capacity, and neither the members of the legislative body of the City nor any City or CCHC official executing this Agreement shall be liable personally under this Agreement or be subject to any personal liability or accountability by reason of the execution thereof or by reason of the covenants, obligations or agreements of the City and the CCHC contained in this Agreement.

**Section 9. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio without regard to its principles of conflicts of laws. All claims, counterclaims, disputes and other matters in question between the City, its agents and employees, and the CCHC, its agents and employees, arising out of or relating to this Agreement or its breach will be decided in a court of competent jurisdiction within Henry County, Ohio.

**Section 10. Limitation on Liability.** Notwithstanding any clause or provision of this Agreement to the contrary, in no event shall the City or the CCHC be liable to each other for punitive, special, consequential, or indirect damages of any type and regardless of whether such damages are claimed under contract, tort (including negligence and strict liability) or any other theory of law.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**Section 11. Notices.** Notice from one Party to another relating to this Agreement shall be deemed effective if made in writing and delivered to the recipient's address set forth below by any of the following means: (a) hand delivery, (b) registered or certified U.S. mail, postage prepaid, with return receipt requested, or (c) Federal Express, UPS, or like overnight courier service. Notice made in accordance with this Section shall be deemed delivered when delivered by hand, upon receipt or refusal of receipt if mailed by registered or certified U.S. mail, or the next business day after deposit with an overnight courier service if delivered for next day delivery. The Parties agree that electronic mail shall not constitute a permitted form of notice under this Section. All notices shall be addressed as follows:

If intended for the City, to:

City of Napoleon, Ohio  
255 W. Riverview Avenue  
Napoleon, Ohio 43545  
Attention: City Manager

With a copy to:

City of Napoleon, Ohio  
255 W. Riverview Avenue  
Napoleon, Ohio 43545  
Attention: Law Director

If intended for the CCHC, to:

The Cultural Center of Henry County, Ohio  
P.O. Box 585  
Napoleon, Ohio 43545  
Attention: CCHC Board President

With a copy to:

Marshall & Melhorn, LLC  
Attention: Abby N. Wilson  
1995 Tiffin Ave., Suite 101  
Findlay, OH 45840  
wilson@marshall-melhorn.com

The Parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices; certificates, requests or other communications shall be sent.

**Section 12. No Recordation of Agreement.** Neither this Agreement nor any memorandum of this Agreement may be recorded in the real property records.



**Section 13. No Waiver.** The failure of any Party to insist at any time upon the strict observance or performance of any of the provisions of this Agreement or to exercise any right or remedy as provided in this Agreement shall not impair any such right or remedy or be construed as a waiver or relinquishment thereof. Every right and remedy given by this Agreement to the Parties hereto may be exercised from time to time and as often as may be deemed expedient by the parties hereto, as the case may be.

**Section 14. Recitals.** The Parties acknowledge and agree that the facts and circumstances as described in the Recitals hereto are an integral part of this Agreement and as such are incorporated herein by reference.

**Section 15. Remedies.** If a Party defaults or breaches this Agreement and such default or breach continues beyond any applicable cure period, then another Party's sole and exclusive remedy shall be to sue for specific performance of this Agreement, including damages and/or equitable relief.

**Section 16. Severability.** If any provision of this Agreement, or any covenant, obligation or agreement contained herein is determined by a court to be invalid or unenforceable, that determination shall not affect any other provision, covenant, obligation, or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, covenant, obligation, or agreement shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.

**Section 17. Survival of Representations and Warranties.** The warranties, representations, covenants and agreements set forth in this Agreement shall not be cancelled by performance under this Agreement but shall survive the Closing and the delivery of the deed of conveyance hereunder.

**Section 18. Third Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to or shall confer upon any other person any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

**Section 19. Time of Essence.** Time is of the essence of this Agreement in all respects.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, the City and the CCHC have caused this Agreement to be executed in their respective names by their duly authorized representatives, all as of the date first written above.

**CITY:**

**CITY OF NAPOLEON, OHIO**  
an Ohio municipal corporation

By: \_\_\_\_\_

Printed: Joel L. Mazur

Title: City Manager

Approved as to Form:

By: \_\_\_\_\_

Printed: Billy D. Harmon

Title: Law Director

**CCHC:**

**CULTURAL CENTER OF HENRY COUNTY**  
an Ohio nonprofit corporation

By:  \_\_\_\_\_

Printed: Jeffrey Tonjes

Title: President



### **FISCAL OFFICER'S CERTIFICATE**

The undersigned, Director of Finance of the City under the foregoing Agreement, certifies hereby that the moneys required to meet the obligations of the City under the foregoing Agreement during Fiscal Year 2021 have been appropriated lawfully for that purpose, and are in the Treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Director of Finance  
City of Napoleon, Ohio

## **Appendix A**

### **FORMER AGREEMENT**

The Former Agreement is attached hereto:

### REAL ESTATE PURCHASE AND SALE AGREEMENT

(former Central Elementary/ John L. Johnson Auditorium /Napoleon Middle School  
303-315 W. Main Street, Napoleon, Ohio)

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT ("Agreement") is made and entered into this 14<sup>th</sup> day of June, 2017 ("Effective Date") by and between The Board of Education of the Napoleon Area City School District, a political subdivision of the State of Ohio ("Seller") and Napoleon Civic Center Foundation, a civic group ("Purchaser"). Mrs. Carol Beck ("Mrs. Beck"), the Henry County Community Foundation ("HCCF"), and the Toledo Community Foundation ("TCF") also join in this Agreement for the limited purposes specifically described herein. (Seller, Purchaser, Mrs. Beck, HCCF, and TCF are each sometimes referred to herein as a "party" to this Agreement and any combination of two or more of each party are sometimes referred to herein as "parties" to this Agreement.)

### PRELIMINARY STATEMENT

Seller is the owner of certain real property and certain improvements thereon situated in the County of Henry, State of Ohio, and is willing to sell such real property to Purchaser, and Purchaser is willing to purchase such real property from Seller, upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. Property. As used herein, the "Property" refers to that certain real property owned by the Seller comprised of an approximately 9.235 acre parcel of real property located at 303-315 W. Main Street in the City of Napoleon, Henry County, Ohio, and commonly known as the site of the former Central Elementary School, John L. Johnson Auditorium and Napoleon Middle School, as generally depicted on Exhibit "A" attached hereto and as legally described in Exhibit "B" attached hereto and incorporated herein by reference, including the building and all other improvements and fixtures presently located thereon.

2. Purchase Price. Subject to the terms, provisions and conditions set forth herein, Seller hereby agrees to sell the Property to Purchaser, and Purchaser hereby agrees to purchase the Property from Seller for the sum of One Dollar (\$1.00) (the "Purchase Price") and other good and valuable consideration set forth herein.

3. Survey of Property. Purchaser was provided the Boundary Survey prepared by Garcia Surveyors, Inc. dated May 7, 2015, last updated February 20, 2017 (attached hereto as Exhibit "A"). Purchaser, at its option and expense, may order and procure a new ALTA survey of the Property completed to standards as Purchaser chooses.

4. Title to Property. Seller makes no representations as to title. If Purchaser desires a title search and title commitment for the Property, Purchaser shall be responsible for obtaining it, at its own expense, from a title agency selected by Purchaser (the "Title Agency").

Purchaser also shall be responsible for paying the premium for any owner's policy or lender's policy of title insurance obtained by the Purchaser, along with any endorsements to the title policies and any escrow fees or other charges imposed by the Title Agency for its services in connection with the Closing (defined below) and conveyance of the Property.

5. As-Is Sale. Seller is making no representations or warranties whatsoever regarding the Property or any part thereof, including, without limitation, the zoning applicable thereto, the propriety of any proposed uses or the continuation of uses thereof, former or present, or the state of title or physical condition of the Property. The Property is being sold "AS IS, WHERE IS." Upon the Closing, Purchaser shall assume all obligations and liabilities with respect to the Property and its condition, and Seller shall have no further obligations whatsoever with respect to the Property, except as expressly provided in this Agreement.

6. Inspection Period. Purchaser has had access to the Property and has already conducted tests, studies, inspections, investigations and other examinations (the "Examinations"), and with Seller's prior, express and written consent or approval, Purchaser can continue to access the Property prior to Closing to conduct additional Examinations.

7. Closing, Conveyance and Possession. At Closing, Seller shall convey title to the Property in fee simple by transferable and recordable quit-claim deed. The Closing of the sale and conveyance of the Property shall occur at Seller's administrative offices or at the office of the Title Agency within ten (10) days after the Effective Date (the "Closing"). At closing, the Purchase Price (subject to any credits or other adjustments provided for herein), shall be delivered by Purchaser in cash or by cashier's check to Seller's Treasurer simultaneously with Purchaser's receipt of the deed described herein. Purchaser shall pay the cost of recording the deed at Closing. The transaction is not anticipated to require payment of any conveyance fee based on Seller's status as a political subdivision. The conveyance under the deed shall be subject to: (a) public alleys, rights-of-way, and legal highways; (b) conditions, easements, and restrictions of record; (c) zoning ordinances and regulations; (d) any Property taxes and assessments not yet due and payable; (e) any encroachments onto or from the Property into adjacent rights-of-way or other areas; and (f) and the following covenants and conditions, which shall be incorporated into the deed:

Purchaser shall covenant and agree to complete, on or before the date that is five (5) years after the date on which the deed which transfers the Property from Seller to Purchaser is recorded (the "Completion Date"), a renovation of the building(s) on the Property (collectively, the "Renovation Work") such that a certificate of occupancy ("CO") has been issued for each of the building(s) and any portions of the building(s) on the Property by the appropriate governmental authority, agency, entity or department charged with issuing CO's (the "CO Condition"). In the event that Purchaser does not meet the CO Condition, then within thirty (30) days of the Completion Date, Purchaser shall apply to the City of Napoleon Historic Preservation Commission for a Certificate of Appropriateness ("COA") to demolish the building or buildings or portions thereof which have not been issued the required CO (the "Demolition"), with such Demolition to occur within 180 days of the issuance of the COA, in a good and workmanlike manner, consistent with all applicable laws. Purchaser shall be responsible for removing all debris and materials from the Demolition area. Upon such timely satisfaction of the CO Condition or after the Demolition Work, whichever is applicable, the

covenants hereunder shall terminate. The foregoing covenants are intended to: (i) be perpetual, (ii) run with the land, (iii) bind the Purchaser and Purchaser's successors and assigns, inclusive of all successors to whom title to the Property or any portion thereof may be transferred, and (iv) be enforceable personally by Seller, its successors and assigns, and by the general public, including taxpayers of the school district, by specific performance, by injunctive relief, and/or by any other remedy available at law or in equity, including any remedy within the jurisdiction of the City of Napoleon Historic Preservation Commission, with all costs and expenses of enforcement (including attorney fees and costs) to be paid by the Purchaser. Seller shall have no obligation, however, to enforce the covenants set forth herein. The covenants and conditions under this paragraph shall be memorialized of record in the deed conveying the Property to Purchaser at Closing.

8. Indemnification: Seller shall be indemnified by Purchaser and held harmless for any future legal issues related to Seller's enforcement of the covenants and conditions in Section 7 above. Further, Seller shall be indemnified by Purchaser and held harmless from and against all liabilities that may arise from the Purchaser's ownership, possession, occupancy, use, renovation and Demolition of the Property.

9. Prorations. Seller will pay utility charges (if any) with respect to the Property through the date of Closing. Inasmuch as the Property is presently exempt from taxation, there will be no proration of or credit for real estate taxes at Closing. However, installments of special assessments payable with respect to the Property, if any, will be apportioned on a due-and-payable basis, with Seller paying only those assessments imposed on the Property that are payable prior to the date of Closing.

10. Notices. All notices, elections, requests and other communications hereunder shall be in writing and shall be deemed sufficiently given when personally delivered or when deposited in the United States mail, postage prepaid, certified or registered, or when delivered to a nationally recognized overnight courier service with guaranteed next business day delivery and addressed as follows (or to such other person, or to such other address, of which any party hereto shall have given written notice as provided herein):

IF TO SELLER: Napoleon Area City School District  
Attention: Treasurer  
710 Briarheath Drive  
Napoleon, OH 43545  
Telephone: (419) 599-7015  
Facsimile: (419) 599-7035

WITH A COPY TO: Amy S. Bartemes  
c/o Bricker & Eckler, LLP  
100 S. Third St.  
Columbus, OH 43215  
Telephone: (614) 227-2379  
Facsimile: (614) 227-2390  
E-mail: abartemes@bricker.com

IF TO PURCHASER: Napoleon Civic Center  
Attention: President  
P. O. Box 585  
Napoleon, OH 43545

IF TO MRS. BECK: Mrs. Carol Beck  
5230 Cherrington Road  
Toledo , Ohio 43623

WITH A COPY TO: John H. Hanna  
14126 County Road Z  
Napoleon, OH 43545-0605  
Telephone: (419) 599-0201  
Facsimile: (419) 599-0770  
E-mail: [jay@hannafisher.com](mailto:jay@hannafisher.com)

IF TO HCCF: Henry County Community Foundation  
Attention: Director  
611 North Perry Street  
Napoleon, OH 43545  
Telephone: (419)-966-7181

IF TO TCF: Toledo Community Foundation  
Attention: Keith Burwell, President  
300 Madison Avenue, Suite 1300  
Toledo, OH 43604  
Telephone: (419) 241-5049

11. Funding. In order to induce Seller to sell the Property to Purchaser, on or about December 16, 2016, Mrs. Beck caused the sum of \$545,871.78 (the projected cost for Demolition of the Property as prepared by L.J. Irving & Sons, Inc. ("Irving") to be deposited into a separate account bearing her name at Huntington Bank, with such sum to be used for the Demolition Work (the "Demolition Funds"), if necessary. As of Closing, Mrs. Beck agrees to have established a fund with TCF designated as the "Carol Morley Beck Fund," (the "Beck Fund") and Mrs. Beck further agrees that, at Closing, the Demolition Funds shall be wire transferred to the Beck Fund. As of Closing, TCF agrees that pursuant to the terms of the Beck Fund agreement, the Demolition Funds shall (a) be held in the Beck Fund solely for the benefit of HCCF and Purchaser to be used for the purposes set forth in this Agreement, and (b) not released for the general charitable purposes of the Beck Fund unless and until one of the following occurs:

(a) If the CO Condition has been satisfied for the entirety of the Renovation Work, Seller shall authorize, within ten (10) business days after receiving copies of the CO(s), the release of all of the assets of the Beck Fund for its general charitable purposes.

(b) If the CO Condition has not been satisfied for all or any portion of the Property, then:

i. Purchaser, within thirty (30) days of the Completion Date, shall apply to the City of Napoleon Historic Preservation Commission for a COA for the Demolition of the building or buildings or portions thereof which have not met the CO Condition;

ii. Purchaser, within forty-five (45) days of the Completion Date, shall obtain an updated demolition estimate from Irving (or another licensed demolition expert if Irving is no longer in business or if Irving is unwilling to provide such estimate), for the demolition of any building or buildings or portions thereof which have not met the CO Condition and a copy of the updated estimate shall be provided to Seller and HCCF;

iii. Upon the issuance by the City of Napoleon Historic Preservation Commission of a COA, Purchaser shall enter into agreement with Irving (or another licensed demolition expert if Irving is no longer in business or if Irving is unwilling to provide such estimate), to demolish the building or buildings or portions thereof which have not met the CO Condition.

iv. Such Demolition shall occur within 180 days of the issuance of the COA, in a good and workmanlike manner, consistent with all applicable laws.

v. Purchaser shall be responsible for removing all debris and materials from the Demolition area.

vi. Upon completion of the Demolition of any building or buildings or portions thereof which have not met the CO Condition, Seller will authorize TCF to release that portion of the Demolition Funds needed to pay the cost of the Demolition directly to Purchaser, as long as Purchaser qualifies as an organization described under Section 501(c)(3) of the Internal Revenue Code at the time, or otherwise to HCCF to be used for the Demolition. Purchaser or HCCF, as the case may be, shall pay the cost of the Demolition with the Demolition Funds released to it promptly upon its receipt thereof.

vii. Upon receipt by Seller of the paid invoice for Demolition, Seller shall release the remaining assets of the Beck Fund for its general charitable purposes;

viii. In the event that Purchaser is unable to meet the CO Condition for all of the buildings on the Property resulting in the need for Demolition of all of the buildings on the Property, Purchaser, as deed holder of the Property and promptly after completion of the Demolition, will then sell the Property at market price and contribute the net proceeds of the sale to the Beck Fund.

ix. Purchaser's obligations and duties under the terms, conditions and covenants of this Agreement, including Demolition, possible future sale of the

Property and contribution of sale proceeds to the Beck Fund, are enforceable personally by Seller and TCF, as the case may be, their respective successors and assigns, and as it pertains to the rights of Seller, by the general public, including taxpayers of the school district, by specific performance, by injunctive relief, and/or by any other remedy available at law or in equity, including any remedy within the jurisdiction of the City of Napoleon Historic Preservation Commission, with all costs and expenses of enforcement (including attorney fees and costs) to be paid by Purchaser. Neither Seller nor TCF shall have any obligation, however, to enforce the terms, conditions and covenants set forth herein.

12. Miscellaneous.

(a) Agreement Binding. This Agreement shall be binding upon and shall inure to the benefit of each party to this Agreement and their respective successors and assigns.

(b) Reimbursement of Fees and Expenses. As further consideration for the purchase of this Property, Purchaser agrees to reimburse to Seller certain costs and expenses in the negotiation and preparation of this Agreement, including reimbursing to Purchaser one-half of attorney fees and other costs directly related to the preparation of this Agreement. Reimbursement is to be made at the time of Closing and shall appear as a credit to Seller on the settlement statement prepared by the title company.

(c) Survival of Agreement/No Merger. All rights, duties, options, representations, warranties, covenants and conditions of each party contained in this Agreement or contained in any other document executed by one or more parties to this Agreement to effect the transaction herein intended, shall survive the Closing and shall remain in full force and effect after the Closing and shall not be deemed to have merged with the deed of conveyance in this transaction.

(d) Headings and Captions. The several headings and captions of the Sections and Subsections used herein are for convenience or reference only and shall, in no way, be deemed to limit, define or restrict the substantive provisions of this Agreement.

(e) Counterparts. Facsimile or e-mailed signatures appearing hereon shall be deemed an original and this Agreement may be executed simultaneously in counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.

(f) Entire Agreement. This Agreement constitutes the entire agreement with respect to the purchase and sale of the Property, superseding any prior or contemporaneous agreement with respect thereto. No amendment or modification of this Agreement shall be binding upon the parties unless in writing, executed in the same manner as this Agreement.

(g) Governing Law. This Agreement and the rights of the parties hereunder shall be governed by and construed in accordance with the laws of the State of Ohio.

[REMAINDER OF THIS PAGE INTENTIONALLY BLANK]



IN WITNESS WHEREOF, the parties hereto have executed this Real Estate Purchase and Sale Agreement as of the Effective Date.

**PURCHASER:**

THE NAPOLEON CIVIC CENTER  
FOUNDATION, a civic group

By: Kenneth Neuenschwander  
Printed: Kenneth Neuenschwander, President

and

**SELLER:**

BOARD OF EDUCATION OF THE NAPOLEON  
AREA CITY SCHOOL DISTRICT, a political  
subdivision of the State of Ohio

By: \_\_\_\_\_  
Printed: Rob Rettig, Board President

By: \_\_\_\_\_  
Printed: Michael Bostleman, Treasurer

and

**HENRY COUNTY COMMUNITY  
FOUNDATION:**

By: \_\_\_\_\_  
Printed: Dusty Sonnenberg Director

and

**TOLEDO COMMUNITY FOUNDATION:**

By: \_\_\_\_\_  
Keith Burwell, President

and

Carol Morley Beck  
Mrs. Carol Beck

IN WITNESS WHEREOF, the parties hereto have executed this Real Estate Purchase and Sale Agreement as of the Effective Date.

**PURCHASER:**

THE NAPOLEON CIVIC CENTER  
FOUNDATION, a civic group

By: \_\_\_\_\_  
Printed: Kenneth Neuenschwander, President

and

**SELLER:**

BOARD OF EDUCATION OF THE NAPOLEON  
AREA CITY SCHOOL DISTRICT, a political  
subdivision of the State of Ohio

By: \_\_\_\_\_  
Printed: Rob Rettig, Board President

By: \_\_\_\_\_  
Printed: Michael Bostleman, Treasurer

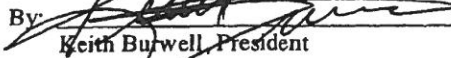
and

**HENRY COUNTY COMMUNITY  
FOUNDATION:**

By: \_\_\_\_\_  
Printed: Dusty Sonnenberg Director

and

**TOLEDO COMMUNITY FOUNDATION:**

By:   
Keith Burwell, President

and

\_\_\_\_\_  
Mrs. Carol Beck

IN WITNESS WHEREOF, the parties hereto have executed this Real Estate Purchase and Sale Agreement as of the Effective Date.

**PURCHASER:**

THE NAPOLEON CIVIC CENTER  
FOUNDATION, a civic group

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Its: \_\_\_\_\_

and

**SELLER:**

BOARD OF EDUCATION OF THE NAPOLEON  
AREA CITY SCHOOL DISTRICT, a political  
subdivision of the State of Ohio

By: Rob Pettig

Printed: Rob Pettig

Its: Board President

By: Michael Bostleman

Printed: Michael Bostleman

Its: Treasurer

and

**ESCROW HOLDER:**

THE HENRY COUNTY COMMUNITY  
FOUNDATION, a civic group

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Its: \_\_\_\_\_

and

\_\_\_\_\_  
Mrs. Carol Beck

IN WITNESS WHEREOF, the parties hereto have executed this Real Estate Purchase and Sale Agreement as of the Effective Date.

**PURCHASER:**

THE NAPOLEON CIVIC CENTER  
FOUNDATION, a civic group

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Its: \_\_\_\_\_

and

**SELLER:**

BOARD OF EDUCATION OF THE NAPOLEON  
AREA CITY SCHOOL DISTRICT, a political  
subdivision of the State of Ohio


By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Its: Board President

By: \_\_\_\_\_  
Printed: Michael Bostleman  
Its: Treasurer

and

**ESCROW HOLDER:**

THE HENRY COUNTY COMMUNITY  
FOUNDATION, a civic group

By:   
Printed: Dustin Sonnenberg  
Its: Executive Director

and

\_\_\_\_\_  
Mrs. Carol Beck

EXHIBIT "A"

DEPICTION OF THE PROPERTY

(See attached)

✓  
CT

201700112806  
Filed for Record in  
HENRY COUNTY OHIO  
BRANDI K. BADEN, RECORDER  
06-28-2017 At 10:57 am.  
AGREEMENT 140.00  
DR Volume 308 Page 1320 - 1335

201700112806  
HANNA & FISHER  
PICK UP

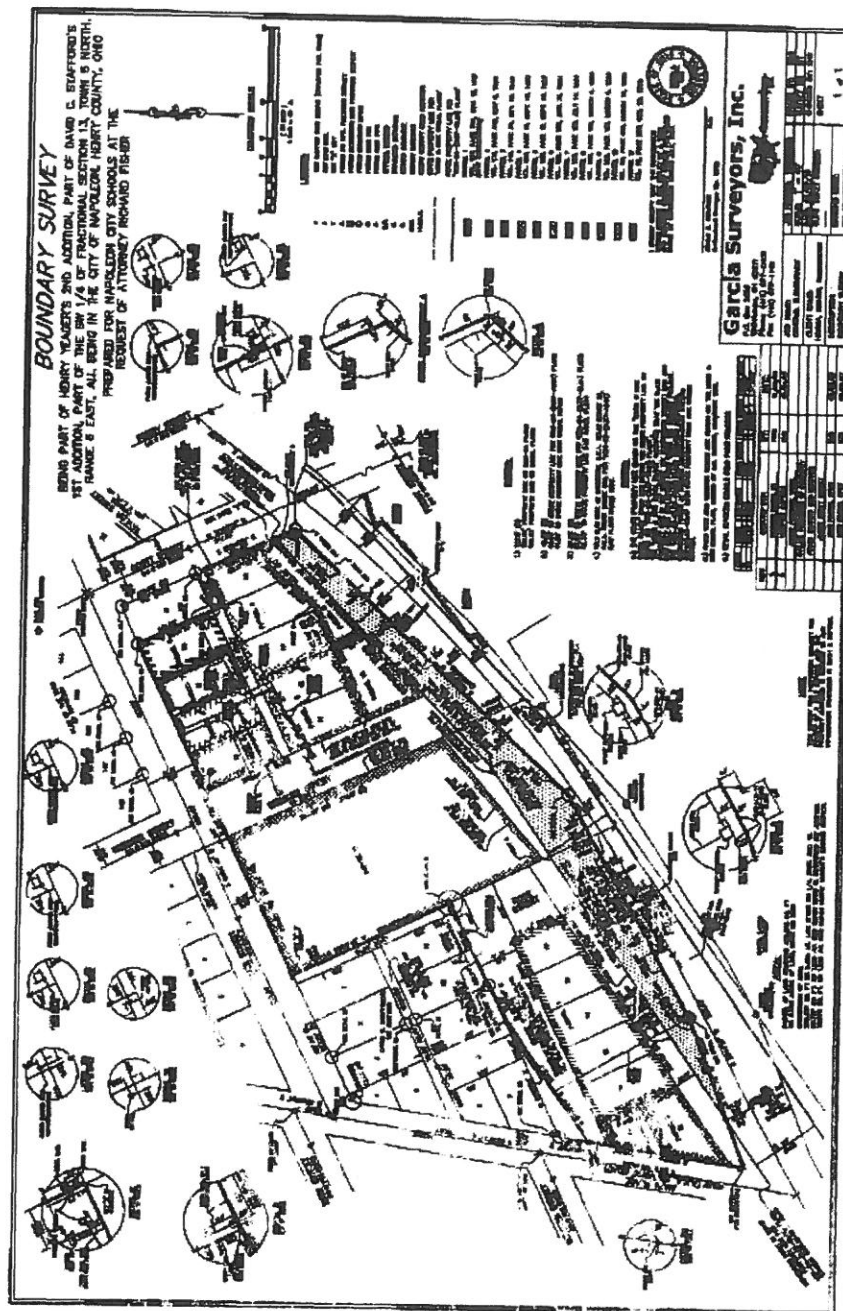


EXHIBIT "B"

## LEGAL DESCRIPTION

A parcel of land being all of Lots 10 thru 18, inclusive, and a portion of the Vacated Alley all being within Henry Yeager's Second Addition; also being all of Lots 12 thru 18, inclusive and part of vacated Rose Street, all being within David C. Stafford's 1<sup>st</sup> Addition; also being the Vacated Roadways within the following described parcel of land; also being a part of the Miami and Erie Canal being within the following described parcel of land; and also a part of the Southwest Quarter (1/4) of Fractional Section thirteen (13), all being in the Southwest Quarter (1/4) of Fractional Section thirteen (13), Town five (5) North, Range six (6) East, in the City of Napoleon, Henry County, Ohio said parcel of land being bounded and described as follows:

Beginning at the intersection of the northerly Right-of-way line of Riverview Avenue, formerly known as State Route 24, formerly known as State Route 424, as it now exists, per "HEN-24-(9.37-10.01)", Right-of-way plans per the Department of Highways for the State of Ohio, dated 1957 with a line drawn forty-one and twenty-five hundredths (41.25) feet southwesterly of and parallel with the centerline of Scott Street, as it now exists, said point of intersection being marked with a set capped iron rebar;

thence in a southwesterly direction along said northerly Right-of-way line of Riverview Avenue, formerly known as State Route 24, formerly known as State Route 424, as it now exists, per "HEN-24-(9.37-10.01)", Right-of-way plans per the Department of Highways for the State of Ohio, dated 1957, having an assumed bearing the South forty-three (43) degrees, five (05) minutes, forty (40) seconds West, a distance of six hundred seventeen and fourteen hundredths (617.14) feet to a deflection point in said northerly Right-of-way line of Riverview Avenue, formerly known as State Route 24, formerly known as State Route 424, as it now exists, per "HEN-24-(9.37-10.01)", Right-of-way plans per the Department of Highways for the State of Ohio, dated 1957, said deflection point being marked with a set capped iron rebar;

the following two (2) courses continue and follow on and along said northerly Right-of-way line of Riverview Avenue, formerly known as State Route 24, formerly known as State Route 424, as it now exists, per "HEN-24-(9.37-10.01)", Right-of-way plans per the Department of Highways for the State of Ohio, dated 1957;

thence South sixty (60) degrees, thirty (30) minutes, thirty-four (34) seconds West, a distance of four hundred eleven and forty-nine hundredths (411.49) feet to a point, said point being marked with a set capped iron rebar;

thence South sixty-nine (69) degrees, ten (10) minutes, twenty-nine (29) seconds West, a distance of two hundred sixty-one and ten hundredths (261.10) feet to the intersection of a line drawn thirty and zero hundredths (30.00) feet easterly of and parallel with the centerline of Avon Place, formerly known as Defiance Road, as it now exists, said point of intersection being marked with a set capped iron rebar;

thence North eight (08) degrees, thirty-nine (39) minutes, twenty-four (24) seconds East along said line drawn thirty and zero hundredths (30.00) feet easterly of and parallel with the centerline of Avon Place, formerly known as Defiance Road, as it now exists, a distance of two hundred fifty-four and twenty-six hundredths (254.26) feet to a point, said point being located fifty and zero hundredths (50.00) feet southwesterly of the intersection of said line drawn thirty and zero hundredths (30.00) feet easterly of and parallel with the centerline of Avon Place, formerly known as Defiance Road, as it now exists, with the northerly line of vacated Rose Street, as recorded in Official Record Volume 230, Page 1672, Henry County Deed Records, as measured along said line drawn thirty and zero hundredths (30.00) feet easterly of and parallel with the centerline of Avon Place, formerly known as Defiance Road, as it now exists, said point being marked with a set capped iron rebar;

thence North fifty-four (54) degrees, fifteen (15) minutes, twenty-three (23) seconds East along a line, a distance of two hundred seventeen and ninety hundredths (217.90) feet to a point, said point being marked with a set capped iron rebar;

thence North sixty-one (61) degrees, thirty-three (33) minutes, forty-six (46) seconds East along a line, a distance of eighty-seven and seventeen hundredths (87.17) feet to the intersection of said northerly line of vacated Rose Street, as recorded in Official Record Volume 230, Page 1672, Henry County Deed Records, said point of intersection also being the point of intersection of said northerly line of vacated Rose Street, as recorded in Official Record Volume 230, Page 1672, Henry County Deed Records with the easterly line of Lot 9 in said David C. Stafford's 1<sup>st</sup> Addition, said point of intersection being marked with a set capped iron rebar;

thence North sixty-four (64) degrees, six (06) minutes, fifty (50) seconds East along said northerly line of vacated Rose Street, as recorded in Official Record Volume 230, Page 1672, Henry County Deed Records, a distance of one hundred forty-seven and ninety-five hundredths (147.95) feet to the intersection of the westerly line of a parcel of land as described in Volume 17, Page 267, Henry County Deed Records, said point of intersection being marked with a set "X" cut in concrete;

thence North twenty-five (25) degrees, fifty-eight (58) minutes, forty-eight (48) seconds West along said westerly line of a parcel of land as described in Volume 17, Page 267, Henry County



Deed Records, a distance of two hundred eighty and fifty hundredths (280.50) feet to the intersection of a line drawn of forty-one and twenty-five hundredths (41.25) feet southeasterly of and parallel with the centerline of Main Street, as it now exists, said point of intersection being marked with a set "X" cut in concrete;

thence North sixty-four (64) degrees, six (06) minutes, fifty (50) seconds East along said line drawn forty-one and twenty-five hundredths (41.25) feet southeasterly of and parallel with the centerline of Main Street, as it now exists, a distance of five hundred ninety-one and seventy-six hundredths (591.76) feet to the intersection of the westerly line of Lot 9 in Henry Yeager's Second Addition;

thence South twenty-five (25) degrees, four (04) minutes, twenty-six (26) seconds East along said westerly line of Lot 9 in Henry Yeager's Second Addition, a distance of one hundred forty-eight and fifty hundredths (148.50) feet to the intersection of the northerly line of Lot 18 in said Henry Yeager's Second Addition, said point of intersection being marked with a set mag spike;

thence North sixty-four (64) degrees, six (06) minutes, fifty (50) seconds East along said northerly line of Lot 18 in Henry Yeager's Second Addition, a distance of sixty-six and zero hundredths (66.00) feet to the intersection of said line drawn forty-one and twenty-five hundredths (41.25) feet southwesterly of and parallel with the centerline of Scott Street, as it now exists, said point of intersection being marked with a set mag nail;

thence South twenty-five (25) degrees, four (04) minutes, twenty-six (26) seconds East along said line drawn forty-one and twenty-five hundredths (41.25) feet southwesterly of and parallel with the centerline of Scott Street, as it now exists, a distance of one hundred fifty-eight and forty-five hundredths (158.45) feet to the Point of Beginning.

Said parcel land containing an area of 402,273 square feet or 9.235 acres of land more or less, of which 236,867 square feet or 5.438 acres lies within the Southwest Quarter (1/4) of Fractional Section 13, 85,727 square feet or 1.968 acres lies within David C. Stafford's 1<sup>st</sup> Addition and 79,679 square feet or 1.829 acres lies within Henry Yeager's Second Addition

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

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

The above description is based on a field survey performed under my supervision during the year of 2015.

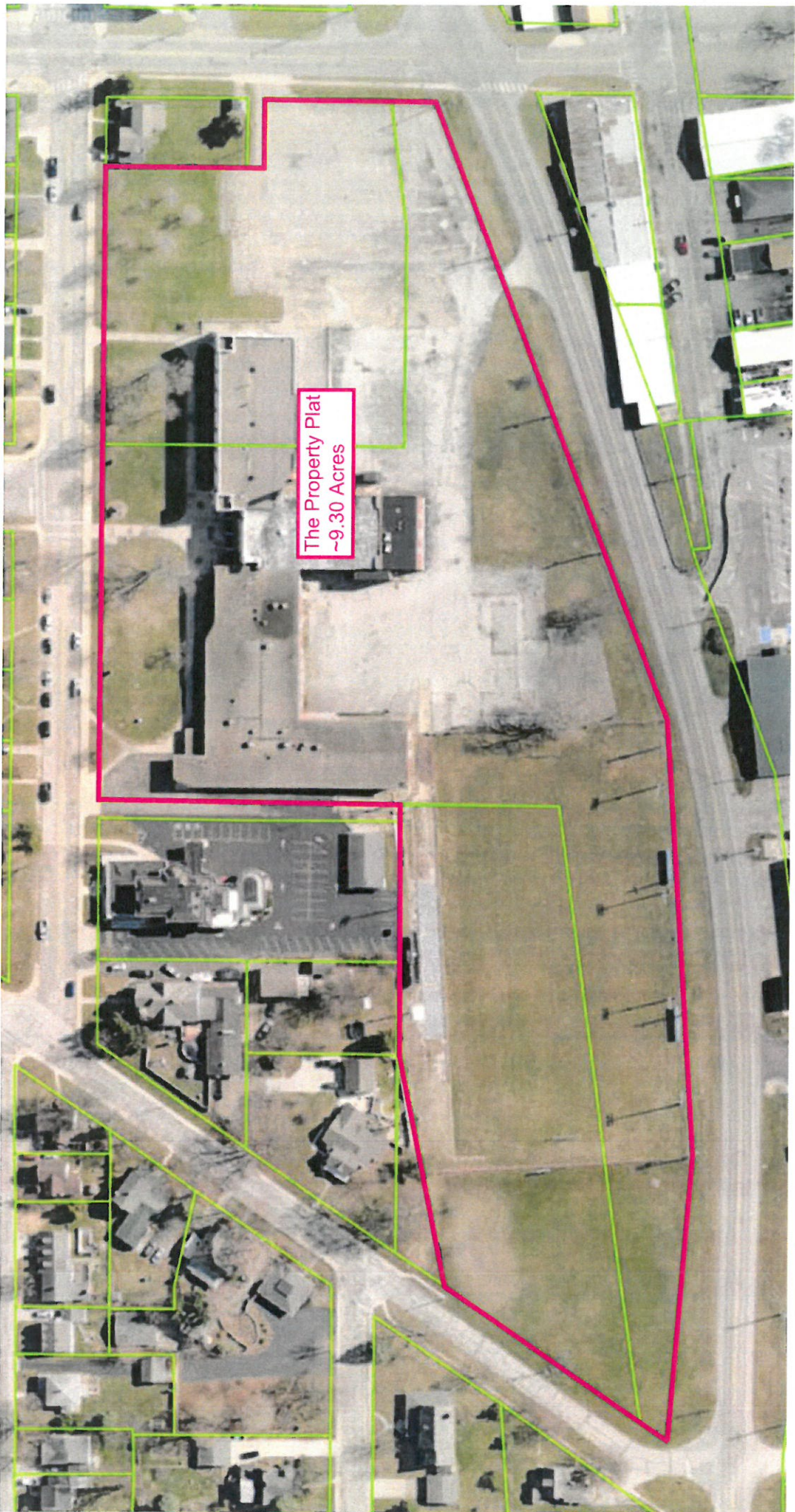
Said capped iron rebar being 5/8" in diameter, 30" in length with plastic cap stamped P.S. 6842.

Prior deed references: Volume 107, Page 334; Volume 176, Page 449; Volume 146, Page 34; Volume 169, Page 12; Volume 181, Page 163; Volume 180, Page 127; Volume 106, page 106, Volume 106, Page 107; Volume 93, Page 615; Volume 17, Page 267; Official Record Volume 295, Page 2254, Official Record Volume 230, Page 1672 and Vacation Ordinance #050-06.

## **Appendix B**

### **PROPERTY**

The Property shall include the approximate 9.235 acres of real property located on W. Main St. in Napoleon, Ohio attached hereto:



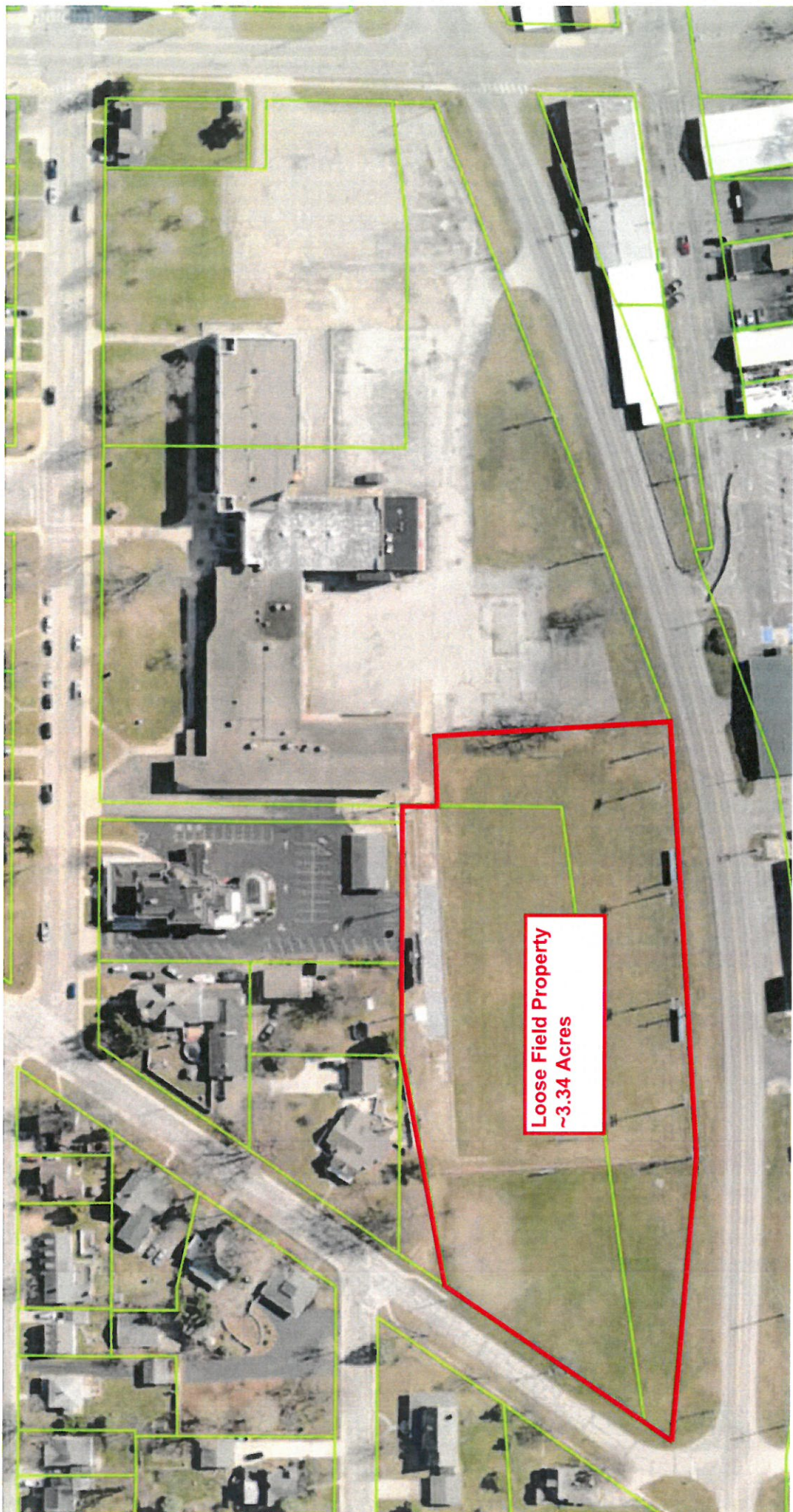
The Property Plat  
~9.30 Acres

## **Appendix C**

### **LOOSE FIELD**

Loose Field shall include the approximate 3.3 acres of real property located on Riverview Ave. in Napoleon, Ohio attached hereto:





Loose Field Property  
~3.34 Acres

**ORDINANCE NO. 062-21**

**AN ORDINANCE AMENDING SECTION 143.01 OF THE CITY OF  
NAPOLEON'S CODIFIED ORDINANCES, "COMPOSITION AND  
CONTROL OF THE CITY FIRE/RESCUE DEPARTMENT,"  
INCREASING THE COMPOSITION OF THE FIRE  
DEPARTMENT, AND REPEALING ORDINANCE NO. 018-20**

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

Section 1. That, Section 143.01 of the Codified Ordinances of the City of Napoleon, Ohio shall be hereby amended and enacted as follows:

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

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

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

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

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

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

- 1 Fire Chief (full-time)
- 4 Officer of the supervisory grade (full-time)
- ~~5~~ 6 Fire Fighter/Paramedics or  
Fire Fighter/Emergency Medical technicians, or  
combination thereof (full-time)
- 5 Officers of supervisory grade (part-time)

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

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

1 (not to exceed 20) Auxiliary members.

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

clerks, communication and the like positions shall not be construed as disturbing the composition of the regular Fire/Rescue Department.

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

Section 2. That, Section 143.01 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed upon the effective date of this Ordinance.

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

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

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

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 062-21 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



**RESOLUTION NO. 060-21**

**A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO ENTER AN AGREEMENT WITH THE REGIONAL INCOME TAX AGENCY (RITA) TO PARTICIPATE IN THE REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF ADMINISTRATION AND COLLECTION OF MUNICIPAL INCOME TAX IN THE CITY OF NAPOLEON, OHIO, ALSO AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE ADMINISTRATION AND COLLECTION OF MUNICIPAL INCOME TAX IN THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY**

**WHEREAS**, a Regional Council of Governments was created pursuant to Ohio Revised Code Chapter 167, to foster cooperation between Ohio's municipalities; and,

**WHEREAS**, the creation of the Regional Council of Governments was primarily to establish a central collection facility, the Regional Income Tax Agency (RITA), for the purpose of administering the income tax laws of the various participating member municipalities; and,

**WHEREAS**, this Council finds it to be in the best interest of the preservation of the public peace, health or safety of the City of Napoleon and its inhabitants to join the Regional Council of Governments for the purpose of having the Regional Income Tax Agency administer the City of Napoleon's Tax Code and enter into an agreement for same, which is more fully described in Exhibit "A" which is attached and incorporated herein; and,

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

Section 1. That, the Finance Director is hereby authorized to execute on behalf of the City of Napoleon, Ohio an agreement with the Regional Council of Governments for the administration and collection of the City's income tax through the Regional Income Tax Agency (RITA) upon such terms as directed in the agreement, subject to any changes deemed appropriate by the Law Director and approved as to form and correctness by the City Law Director; said agreement having been reviewed by this Council.

Section 2. That, this agreement, shall be on file with the City Finance Director, which has been reviewed by this Council, is approved subject to any nonmaterial change deemed appropriate by the Finance Director and as approved to form and legality by the City Law Director; moreover, the Finance Director is authorized to execute the same on behalf of the City.

Section 3. That, the Finance Director is hereby appointed as the City's representative to the Regional Council of Governments and shall have the authority to designate an alternate who may act in place of the representative in his absence, as authorized by Section 3 of the agreement.

Section 4. That, the expenditure of funds in excess of twenty-five thousand dollars (\$25,000) is necessary and therefore authorized for the administration and collection of municipal income tax in the City of Napoleon through an executed agreement with the Regional Income Tax Agency (RITA).

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 7. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper funding for financial operations, a service necessary for public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the process in a timely manner and to ensure the smooth transition to RITA with the continued and necessary daily operations of the City's income tax department, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 060-21 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*

**AGREEMENT FOR PARTICIPATION IN  
A REGIONAL COUNCIL OF GOVERNMENTS**

This Agreement is made and entered into by and between certain municipal corporations in Cuyahoga County, Ohio, and other Ohio counties, who have become parties to this Agreement by causing either this Agreement or an identical copy of it to be signed by an officer duly authorized by the legislative authority of such municipal corporation.

**WITNESSETH**

The parties to this Agreement, wishing to participate in a Regional Council of Governments pursuant to Chapter 167 of the Ohio Revised Code, consisting of the municipal corporations who are parties to this Agreement, agree as follows:

**I. NAME**

The name of the Regional Council is "Regional Council of Governments."

**II. PURPOSE**

The purpose of the Council established is to foster cooperation between municipalities through sharing of facilities for their common benefit. This includes the establishment of a central collection facility for the purpose of administering the income tax laws of the various municipal corporations who are parties hereto and for the purpose of collecting income taxes on behalf of each such municipal corporation, doing all things allowed by law to accomplish such purpose.

**III. ADMINISTRATIVE AUTHORITY**

The Council is established and administered in the following manner:

A. Each municipal corporation which is a party to this Agreement has one (1) representative to a Council of Governments, who shall be appointed by the Chief Executive with the approval of City Council. Each municipal corporation shall similarly designate an alternate who may act in place of the representative in his absence.

B. Each member of the Council shall be entitled to one (1) vote on each item under consideration. Voting shall be done by members or alternates personally present and no proxy or absentia voting shall be allowed.

C. The Council shall elect a President, Secretary and Treasurer and such other officers as the Council may desire. All officers shall hold office for a term of one (1) year or until a successor is elected and qualified. Officers shall serve without compensation. The Council shall have the authority to adopt its own rules and by-laws to govern its proceedings.

#### **IV. MUNICIPAL TAX COLLECTION AGENCY**

The Council has established a "Municipal Tax Collection Agency" for the collection of municipal income tax revenues on behalf of the member municipalities.

A. The Agency hereby established shall be administered by a Board of Trustees composed of nine (9) persons, at least six (6) of whom shall be officers or employees of participating municipalities. Effective July 1, 1973, these nine (9) persons shall be divided into three groups of three persons each who shall serve overlapping terms. Three members shall be elected for a term of one (1) year, three members elected for a term of two (2) years, and three members elected for a term of three (3) years, beginning July 1, 1973. Thereafter as the terms of each group expire, three Trustees shall be elected for succeeding terms of three (3) years each. A majority of the Trustees shall constitute a quorum and affirmative action may be taken only by a majority of all the members elected to the Board of Trustees. The Trustees shall select annually one of its members to serve as Chairman, one to serve as Vice-Chairman, one to serve as Secretary, and one to serve as Treasurer. Trustees shall serve without compensation.

The Board shall establish its own by-laws which shall include the following:

1. Provision for regular and special meetings.
2. Provision for minutes of all Board meetings to be mailed to all Council representatives and to the Advisory Committee.

B. The members of the Board of Trustees shall be elected in the following manner. Each Municipal member of the Council of Governments may nominate an individual to serve on the Board. Such individual need not necessarily be a representative to the Council or an employee of the municipality which nominates him. The nominees will then be voted on by the Council with each representative having one vote for each vacancy on the Board. The number of nominees receiving the highest votes corresponding to the number of vacancies on the Board shall be deemed to have been elected to the Board by the Council, provided, however, that they receive at least thirty percent (30%) of the votes of those present and voting and subject to the provisions of Paragraph A herein above. If any one or more of the members so-elected does not receive thirty percent (30%), this election shall be void and a run-off election shall be held.

C. Any Trustee may be removed from office by the affirmative vote of two-thirds (2/3) of all the members of the Council at any regular or special meeting. In the event of the removal or resignation of any Trustee from office, the Council shall proceed immediately to elect his successor for the balance of his term.

D. The Board of Trustees shall be authorized to administer and enforce the income tax laws of each of the participating municipal corporations, party to this agreement, as its agent as set forth in the various ordinances. Each municipal corporation, however, retains its right to administer and enforce its own income tax laws coincidentally with the Board.

E. Said Board shall employ an Administrator and such assistants as it deems necessary to fulfill these obligations and the Board may delegate such of its duties, responsibilities and authority as it deems advisable to the Administrator. In addition to the duties and responsibilities required by the various Ordinances, the Board of Trustees, through its Administrator, shall be responsible for, but not limited to the following functions as hereinafter defined:

1. Compiling and furnishing taxpayer lists, which shall be revised, corrected, and re-issued annually.
2. Tax Forms shall be designed, provided, distributed and processed.
3. Billing of taxpayers, except accounts which are delinquent for a period of more than one (1) year shall also be forwarded to the participating government, which has jurisdiction of the subject matter for further action. Upon a request from such participating government, any extraordinary costs incurred by it in collecting delinquent accounts may be charged against the distribution of each participating government which benefits from said collection.
4. Examining and auditing income tax returns and records.
5. Notifying taxpayers of payments due and delinquencies.
6. Disbursing income tax collection to the various participants, as hereinafter provided.
7. Assembling a data processing bank of tax information and tax records. In this connection, the Board of Trustees is authorized to acquire the necessary equipment, by lease or purchase, and to engage the necessary personnel to assemble and maintain this data, and to charge the costs thereof in accordance with sound accounting principles and practices. Said costs shall be prorated to the participating governments in the manner hereinafter set forth in the allocation of costs. The Board of Trustees may also prorate to all the participants over a period of years the costs of major expenditures.

#### **V. RESPONSIBILITIES OF THE PARTICIPANTS**

A. Each of the participants in the Regional Council agrees to cooperate insofar as it is practicable to do so with the Board of Trustees or its employees in the following matters:

1. The adoption of compatible income tax provisions and rules and regulations for collection.
2. The granting of full faith and credit to the provisions of the other participants' ordinances and the implementation of such provisions where possible.
3. Furnishing of information or assistance which may be necessary to the successful operation of the Municipal Tax Collection Agency, including the requiring of wage withholding by employers within its jurisdiction for employees living within the jurisdiction of some other participating community.
4. The interchange of tax information and records necessary to the allocation of costs of the Agency or enforcement of its rules and regulations.
5. Sponsoring legal action necessary and desirable for the enforcement of the individual tax ordinances, including legal action necessitated due to audit procedures.

## **VI. ALLOCATION OF COSTS**

A. Each participant to this Agreement agrees to share the costs of establishing this Regional Council of Governments and the Municipal Tax Collection Agency by contributing to the Agency that amount of money which bears the same proportion to the cost of such establishment as the 1970 Income Tax Revenues of the participating community bears to the 1970 Income Tax Revenues of all participating communities. At the initial meeting of the Council of municipal representatives, the Council shall determine the estimated cost of such establishment and each participating municipality agrees to forthwith contribute its share. In the event that such estimate is inadequate, each participating community agrees to take further action to supplement its contribution. Any funds not required shall be returned to the participating community or credited against its future costs of collection.

B. Any municipality which subsequently chooses to join the Council of Governments and to participate in the Municipal Tax Collection Agency shall be required to pay its proportionate share of the costs of establishment computed on the same basis used to compute the shares paid by the original members, as determined by the Board of Trustees, into the general operating fund of the Agency.

C After deduction of direct charges made to municipalities which request special information or extraordinary service, the remaining actual costs of tax collection shall be shared by the participants in the Agency according to the following formula:

1. The total cost of the Tax Collection Agency shall be multiplied by a factor consisting of the number of transactions processed for such participants as the same relates to the total number of transactions processed by said Agency.
2. Total cost of the Agency shall be multiplied by a factor consisting of the participant's percentage share of the total receipts collected by the Agency.
3. Add step 1 and step 2.
4. The sum of steps 1 and 2 (step 3) shall be divided by two and the figure so derived shall represent the participant's total cost.

This formula may be exemplified by the following equations:

Step 1.

$$\text{Total Cost} \times \frac{\text{No. of Participant's Transactions}}{\text{Total Number of Transactions}} = \$\underline{\hspace{2cm}}$$

Step 2.

$$\text{Total Cost} \times \frac{\text{Participant's Total Receipts}}{\text{Total Agency Receipt}} = \$\underline{\hspace{2cm}}$$

Step 3.

$$\text{Add Step 1 and 2.} = \$\underline{\hspace{2cm}}$$

Step 4.

$$\text{Divide Step 3 by 2. Participant's Cost} = \$\underline{\hspace{2cm}}$$

5. The term "Transaction" as used in the above formula includes any activity related to the processing, auditing and handling of forms or communications, the same to be weighted by an experience factor.

## **VII. DISTRIBUTION OF MONEY**

A. The Board of Trustees shall keep all monies collected hereunder in the manner provided by law in a segregated and separate bank account. They shall keep records showing the amount of all income tax monies received by them together with all increments, additions and investment interest thereto. The Board of Trustees shall as far as practicable invest all monies received by them and the interest thereby received shall apply to reduce the total cost of operation of the Agency without regard to any allocation of such interest in participating municipalities.

B. On or before the tenth business day after the end of each month, the Board of Trustees shall settle with the participants for all monies collected by said Board on the participants' behalf, so far as this money can be identified and allocated to the proper participants together with any adjustments thereof. In the event that the monies collected by the Board of Trustees cannot be identified and therefore allocated, said Board shall distribute to the participant said monies with the next immediate monthly payment, after identification and allocation can be made. The Board of Trustees shall retain five percent (5%) of any tax monies to be distributed to the participant to apply toward each participant's respective share of the cost of the operation of the Municipal Tax Collection Agency. The Board of Trustees shall have the authority to amend or adjust the withholding percentage to reflect any changes in the cost of the administration of the Agency as revealed by the annual audit. Disbursements shall be made to all participants at the same time and at the same percentage.

C. At the end of the year, if the cumulative amount withheld from each monthly distribution of any participant shall exceed such participant's share of the annual cost of the operation of the Agency such excess shall be refunded to the respective participant. However, if the cumulative amount held from each distribution for any participant shall be less than such participant's share of the annual cost of the operation of the Agency, such deficiency shall be assessed against the respective participant. The distribution of tax monies to any participant shall be adjusted to reflect any such overpayment or deficiency.

## **VIII. ANNUAL AUDIT**

The Board of Trustees shall cause an annual audit to be made of the operations of the Municipal Tax Collection Agency by an independent Certified Public Accounting firm of their choice for the purposes of verifying the correctness of all accounting procedures employed, all distributions of funds made, allocation of all costs and all reports submitted to the participants. The expenses of such audit shall be part of costs of the administration of the Municipal Tax Collection Agency. Copies of the audit in its entirety shall be furnished to all participants.



#### **IX. BOARD OF REVIEW DECISIONS**

A. It shall be the prerogative of the Board of Review of each of the parties hereto to make rulings and to decide appeals from all questions arising in their respective jurisdictions. Copies of all said rulings and opinions shall be filed with the Board of Trustees of the Agency.

B. The parties agree to the extent practicable to consider any prior decision on file with the Board of Trustees on similar questions rendered by the Board of Review of any party. Furthermore, the Board of Trustees shall have the right to request a re-hearing before any Board of Review that renders a decision which they deem incompatible with the operation of the Municipal Tax Collection Agency.

#### **X. ADVISORY COMMITTEE**

An Advisory Committee shall be established for the purpose of consulting and advising the Board of Trustees on problems of mutual interest to the participants. Such Advisory Committee shall consist of the respective tax administrators of the participants. Said Committee shall meet at least once a month in the office of the Agency or at any such time as a majority of the members of such Committee shall designate.

#### **XI. CANCELLATION OF THE AGREEMENT**

A. Any participant may withdraw from this Agreement for the operation of a Municipal Tax Collection Agency provided, however, that any such withdrawal shall be effective only on December 31st of any given year, and shall be preceded by written notice of withdrawal delivered to the Board of Trustees by registered mail or by personal service not later than July 1, prior to the effective date of such withdrawal. In the event that any participant should repeal its income tax ordinance, the obligations of this Agreement relative to auditing and distribution of funds shall continue in effect until final settlement has been made for all monies collected for the participant, prior to the effective date of such repeal.

B. In the event of the withdrawal for any reason by any participant, such information and records which have been created shall be returned by the Board of Trustees to the respective participant or alternate agency, if so directed, within a reasonable time after settlement has been made. All other rights, titles or interests of the participant to any of the property of the Agency arising out of this Agreement or otherwise, shall be deemed to be forfeited by such withdrawing participant.

C. This Agency may be dissolved by a majority of the parties hereto and in such an event, the Board of Trustees shall liquidate all of the assets of the Agency, pay all outstanding debts and distribute the remaining funds to the participants in the proportion that they share the total cost of the Agency as provided in Article VI.

## **XII. ADDITIONAL MEMBERS OF THE COUNCIL**

In the event any municipality files an application to become a member of this Council of Governments, agreeing to abide by all of the terms and conditions set forth in this Agreement, and such application is approved by members of the Board of Trustees at any regular or special meeting, thereafter, such municipality shall be entitled to representation in the same manner hereinbefore provided for other municipalities.

*(Adopted at the Regional Council of Governments Meeting of June 21, 2006/July 18, 2006 as reported at the Regional Income Tax Agency Board of Trustees Meeting July 20, 2006. Effective immediately).*

## **XIII. ADDITIONAL ACTIVITIES**

In the event that the Regional Council of Governments shall determine at any time to undertake cooperative activities other than the collection of municipal income taxes, no municipal corporation party to this Agreement shall be required to participate in the administration or cost of such activity without its prior consent. This section may be amended only through unanimous consent of the legislative bodies of all member municipal corporations.

## **XIV. AMENDMENTS**

Except as provided in Article XIII above, this Agreement may be amended by majority vote of all members of the Regional Council of Governments at any regular or special meeting, provided copies of such proposed amendments are mailed to all members not less than thirty (30) days prior to such meeting.

## **XV. SEVERABILITY**

In the event any part or portion of this Agreement shall be found to be contrary to law and thereby held to be null and void, all other provisions of the Agreement shall remain in full force and effect, and shall not be otherwise affected by any such ruling, finding or decision.

## **XVI. FACILITIES**

Pursuant to R.C. 167.04, the Regional Council of Governments adopted the following by-law and amendment.

- A. This Regional Council of Governments is authorized, by and through its governing Board, the 9-member Board of Trustees, to purchase, lease, or construct, or otherwise provide for, facilities to house the operation of the Regional Income Tax Agency as authorized by R.C. 167.05. Any such action requires the affirmative vote of not less than 2/3 of the members elected to the Board.
- B. This by-law adopted April 8, 1997 and effective immediately.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the date indicated by signing this Agreement or identical copies of same.

Village/City of \_\_\_\_\_

Authorized by Ordinance No. \_\_\_\_\_

Effective Date of Ordinance \_\_\_\_\_

By \_\_\_\_\_  
Name Title

By \_\_\_\_\_  
Name Title

Date \_\_\_\_\_

Effective Date of Collection  
\_\_\_\_\_

ACCEPTED

\_\_\_\_\_  
R.C.O.G. President

Date \_\_\_\_\_

## **RESOLUTION NO. 048-21**

### **A RESOLUTION AMENDING RESOLUTION NO. 063-20, THE CITY'S YEARLY REOCCURRING COSTS LEGISLATION; AND DECLARING AN EMERGENCY**

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

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

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

**WHEREAS**, Resolution No. 063-20 was previously passed on December 21, 2020; and,

**WHEREAS**, certain vendors were omitted from Resolution No. 063-20, and Council now desires to add these vendors for proper payment. **Now Therefore**,

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

Section 1. That, the expenditure of funds by the City in excess of twenty-five thousand dollars (\$25,000), in and for the year 2021, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits listed in Exhibit "A" attached hereto and made a part of this Resolution.

Section 2. That, the expenditure of funds by the City in excess of twenty five thousand dollars (\$25,000), in and for the year 2021, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification listed in Exhibit "B" attached hereto and made a part of this Resolution.

Section 3. That, the expenditure of funds in excess of twenty five thousand dollars (\$25,000) is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2021 from the following vendors; however, in no event shall the amount exceed twenty five thousand dollars (\$25,000) for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution listed in Exhibit "C" attached hereto and made a part of this Resolution.

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

Section 5. That, Resolution No. 063-20 is hereby amended to include Aerotek, Inc. on Exhibit "C" for the purpose of temporary staffing services.

Section 6. That, Resolution No. 063-20 is hereby amended to include Ekoton USA Corporation on Exhibit "C" for the purpose of sludge press rental.

Section 7. That, Resolution No. 063-20 is hereby amended to include SHI International on Exhibit "C" for the purpose of electric technology services.

Section 8. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.

Section 9. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 10. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 11. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for prompt purchases required to remain operational, being operational essential to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the payment process in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 048-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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

## EXHIBIT "A"

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

## EXHIBIT "B"

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



## EXHIBIT "C"

Amazon	For: Various City Supplies & Equipment
A & A Custom Crushing	For: Concrete Crushing
A Cut Above the Rest Tree Service	For: Tree Services
Advanced Rehabilitation Technology	For: Sewer Cleaning and Rehabilitation
Aerotek, Inc.	For: Temporary Staffing Services
Altec Industries	For: Digger Truck Services
All Seasons Tree Care	For: Tree Services
Alloway	For: Professional Services – Lab Testing
American Pavements, LLC	For: Crack Sealing
American Property Analysts	For: Property Appraisals
American Rock Salt Co., LLC	For: Road Salt
Anixter Inc.	For: Electrical Transformers, Parts and Supplies
B Clean Pro Services	For: Janitorial Services
Baker Vehicle Systems	For: Vehicle Parts & Repairs
Baldwin Poles	For: Utility Poles
Bob Wingate, Integrity Solutions	For: Bridge Inspections, Management & Repairs
Boundtree Medical Supply, LLC	For: Medical Supplies
Brown Supply Co.	For: Janitorial Supplies
Brownstown Electric Supply	For: Electrical Supplies
Buck Pavement Restoration	For: Crack Sealing
Buckeye Pumps	For: Pump Repairs and Parts
Burch Hydro	For: Electrical Supplies & Sludge Removal
Burke Excavating and Mowing	For: Construction and Mowing Services
Bryan Excavating	For: Construction Services
Cahaba Timber	For: Wood Electric Poles
Cargill, Inc.	For: Road Salt
C&W Tank Cleaning	For: Digester Cleaning
CDW Government, Inc.	For: Computers and Supplies
Chemtrade Chemicals US, LLC	For: Chemicals
City Blueprint of Toledo	For: Survey Supplies
Clarke Mosquito Control Product	For: Mosquito Control Supply
Clemons Nelson	For: Legal Services
CMI (Creative Microsystems, Inc.)	For: Software and Hardware Systems
Compass Minerals America	For: Road Salt
D & R Demolition Corp.	For: Concrete Crushing

Defiance County Landfill	For: Sanitation Dumping Services/Landfill Biosolids
Dell Marketing	For: IT Hardware Systems
Dennis Panning Excavating	For: Yard Waste Hauling and Disposal
Detroit Salt Company	For: Road Salt
Ekoton USA Corporation	For: Sludge Press Rental
Encompass Engineers	For: Electrical Engineering Services
Ermco	For: Electric Transformers
Estabrook, Corp.	For: Pump Supplies and Repairs
Ferguson Waterworks	For: Operations Parts and Supplies
Finley Fire Equipment	For: Fire Engines and Service Repairs
Fire Safety Services Inc.	For: Fire Services and Supply
Fire Service, Inc.	For: Fire Services and Supply
Fitzenrider, Inc.	For: Heating and Air Conditioning Service Work
Flex-Com	For: Camera Systems
Forrest Auto Supply	For: Automotive Parts & Supplies
Gerken Asphalt Paving, Inc.	For: Paving Materials & Asphalt Laying
Heartland Disposal	For: Sludge Removal
Henschen and Associates, Inc.	For: Software and Hardware Systems
Hoff Consulting, LLC	For: Consulting Services
Hydro Dyne Engineering, Inc.	For: Wastewater Remanufacturing of Screens
Jack Doheny Supplies Ohio, Inc.	For: Wastewater Supplies
J.A. Hillis Excavating, LLC	For: Excavation Services
Jones & Henry Engineers, LTD	For: Consulting Services
K-Tech	For: Beet Heet
JT's Building Maintenance & Construction	For: Various Property Maintenance and Construction Services
Kalida Truck	For: Vehicle Accessories
Koester Corp.	For: Engineering Services
Kuhlman Corp.	For: Parts and Supply
Kurtz Ace Hardware	For: Supply
The Mannik and Smith Group, Inc.	For: Engineering Services (Professional Services)
Masterpiece Sign Graphics, Inc.	For: Signs
The Accumed Group	For: Ambulance Billing Services
Meeder Investment Management	For: Investment Management Services
Meggar	For: Electrical Testing Equipment
Mel Lanzer Co.	For: Construction Services
Meldrum Mechanical	For: Pump Supplies & Equipment Repairs

Melrose Pyrotechnics, Inc.	For: Fireworks
Midwest Compost	For: Digester Cleaning
Miller Brothers Construction	For: Trucking, Hauling, and Excavating Services
Morton Salt	For: Road Salt
Neptune Equipment Co. (NECO)	For: Meter Parts and Supplies
Newegg Business	For: Computers and Supplies
North Branch Nursery	For: Tree Plantings
Northwest Landscape Service	For: Landscaping and Supplies, Roadside & City Owned Property Mowing
Northwest Pools	For: Pool Chemicals
NRP Midwest	For: Wastewater Treatment Chemicals
Office Depot	For: Office Supply
One Source Waste Solutions	For: Waste Services
O'Reilly Auto Parts	For: Parts & Supplies
Path Master	For: Traffic Signals Supplies and Services
Paulding County Engineer's Office	For: Cold Patch
Parker Hannfin Corp.	For: Water Meter Analyzer
Perrysburg Pipe and Supply	For: Parts and Supply
Perry Corporation	For: Copier, Scanner and Printer Supplies
Peterman Associates, Inc.	For: Engineering Services (Professional Services)
P&R Communications	For: Radio repair and parts
Poggemeyer Design Group	For: Electrical Engineering Services
Porter's BP, LLC	For: Gas and Diesel Fuel
Powerhouse Supply	For: Electrical Parts and Supplies
Powerline Supply Co.	For: Electrical Parts and Supplies
Processing Solutions	For: Water Treatment Chemicals
Reinke Ford	For: Automotive Services
Reveille	For: Engineering Services
RTEC Communications, Inc.	For: Communication Supplies & Equipment
S & S Directional Boring	For: Directional Boring
Sauber Manufacturing Co.	For: Reel Trailers
Saylor Tree Service, LLC	For: Tree Services
Schneider	For: Software for Metering
Schweitzer Engineering	For: Electrical Substation Materials
SHI International	For: Electric Technology Services
Snyder Chevrolet, Inc.	For: Automotive Services
Solomon Corporation	For: Transformers and Electric Supplies
Southeastern Equipment	For: Operations Parts and Supplies
Spectrum Engineering Corp.	For: Engineering Services (Professional Services)

Spengler Nathanson, PLL	Services)
	For: Outside Counsel (Professional Services)
Stantec Consulting Services, Inc.	For: Engineering Services (Professional Services)
Statewide Ford	For: Police vehicle
Stoops Freightliner	For: Vehicle parts
Stuart C. Irby Co.	For: Electrical Parts & Supplies
Superior Uniform Sales, Inc.	For: Uniform Services
Survallent Technology	For: SCADA Programming Services
Target Specialty Products	For: Golf Course Chemicals
Tawa Tree Service	For: Tree Services
Tawa Mulch Landscape Supply	For: Landscaping Services
Terex Utilities, Inc.	For: Electric Equipment Purchases
Toledo Edison	For: Contracted Power Services
Toledo Fence & Supply Co.	For: Fencing Supplies
T & R Electric	For: Transformers
Tri City Industrial Power	For: Batteries & Other Power Supplies
UniFirst Corporation	For: Uniforms & Supplies
URS Corporation	For: Engineering Services (Professional Services)
US Utility Contractor Co.	For: Traffic and Electrical Services
USALCO	For: Chemicals for Water Treatment
Utility Service Group	For: Chemicals for Water Treatment
Utility Services	For: NERC Compliance Services
Utility Truck Equipment	For: Bucket Truck
Vermeer	For: Wood Chipper/Parts
Vernon Nagel, Inc.	For: Trucking, Hauling, and Excavating Services
Viking Trucking, Inc.	For: Trucking and Hauling Services
Werlor, Inc.	For: Brush Grinding Services/Recycling Services
Wesco Distribution, Inc.	For: Electrical Supplies
Wigen Water Technologies	For: Membrane Services, Cleaning & Chemicals
Wood County Land Fill	For: Sanitation Dumping Services
WR Meyers Co., Inc.	For: Construction and Excavating Services
Wright Express FSC-WEX, Inc.	For: Fuel Purchases
Zacks Recycling, LLC	For: Recycling Services
Zimmerman, Jack	For: Road Striping Services

**ORDINANCE NO. 049-21**

**AN ORDINANCE ESTABLISHING A WATER RATE REVIEW COMMISSION AND AMENDING TITLE FIVE OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO, SPECIFICALLY ADDING CHAPTER 183, “WATER RATE REVIEW COMMISSION;” AND DECLARING AN EMERGENCY**

**WHEREAS**, on August 2, 2021, the City of Napoleon, Ohio (referred to as the Seller) entered into a Water Purchase Contract with the Village of Florida, Ohio (referred to as the Purchaser); and,

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

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

**WHEREAS**, Resolution No. 013-21 was enacted on May 3, 2021, by the Seller for the sale of water to the Purchaser in accordance with the provisions of this Agreement; and,

**WHEREAS**, Resolution No. 2021-05 was enacted on April 12, 2021, by the Purchaser for the purchase of water from the Seller in accordance with the provisions of this Agreement; and,

**WHEREAS**, the Water Purchase Contract provides for the creation of a Water Rate Review Commission within one hundred eighty (180) days from the execution of the Contract; and,

**WHEREAS**, Section 5.08 of the Charter of the City of Napoleon, Ohio authorizes that "Council may establish or abolish other boards and commissions as it decides necessary, and may provide them with those powers and duties as it decides necessary. The method and duration of appointment to any other boards and commissions shall be as Council may provide; however, each appointee shall be a resident and qualified elector of the City;” and,

**WHEREAS**, That, Title Five of the Codified Ordinances of the City of Napoleon shall be amended to add Chapter 183, entitled “Water Rate Review Commission;” and,

**WHEREAS**, Council now desires to establish a Water Rate Review Commission.

**Now Therefore,**

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

Section 1. That, the Council of the City of Napoleon, Ohio hereby establishes with this Ordinance the Water Rate Review Commission for the purposes described herein and in accordance with the above-described agreement with Purchaser.

Section 2. That, Title Five of the Codified Ordinances of the City of Napoleon shall hereby be amended to add Chapter 183, “Water Rate Review Commission” and shall read as follows:

“183.01 Establishment of a Water Rate Review Commission; Members; Meetings.

- (a) Establishment and Purpose. There is established a Water Rate Review Commission. This Commission shall review water rates and make recommendations to City Council related to the establishment of water rates. The Water Rate Review Commission shall also review and thereafter advise Council about prospective agreements with communities seeking to purchase water from the City.
- (b) Members. The Commission will consist of at least two (2) members from the City of Napoleon, appointed by City Council, and one (1) member of any community that is party to a contract to purchase water with the City of Napoleon. Each member representing the City of Napoleon shall be a resident and qualified elector of the City.
- (c) Meetings. The Commission shall meet, on an as needed basis, with the Napoleon Board of Public Affairs and the Water, Sewer, Refuse, Recycling and Litter Committee to review items that may affect water rates.
- (d) Chair. City Council shall appoint the Chair of this Commission to be chosen from among the members representing the City.
- (e) Rules. This Commission shall be governed by the established Rules and Procedures Governing Boards and Commissions.”

Section 3. Further, that Title Five, Chapter 183, “Water Rate Review Commission” shall be adopted and effective with the passage of this Ordinance No. 049-21.

Section 4. That, the function of this Commission shall be a standing body that shall review water rates on an as needed basis and make recommendations to this Council related to the review and establishment of water rates. Further, this Commission shall meet with the City of Napoleon Board of Public Affairs and the City Council Water, Sewer, Refuse, Recycling and Litter Committee at the designated times to review items that could impact water rates. This Commission shall also review contracts for any communities that would enter into contracts with the City of Napoleon Water System.

Section 5. That, this Commission shall consist of at least two (2) members from Napoleon, these members being appointed by City Council, and one (1) member of any community that is party to a contract with the City of Napoleon for purchasing water.

Section 6. That, this Commission shall be governed by the established Rules and Procedures Governing Boards and Commissions.

Section 7. That, this Commission shall be established within one hundred eighty (180) days from the execution of the Water Purchase Contract with the Village of Florida, Ohio.

Section 8. 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 9. 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 10. 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, namely, to allow the City of Napoleon to create the Water Rate Review Commission in a timely manner, as directed in the Water Purchase Contract; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 049-21 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

## **RESOLUTION NO. 051-21**

### **A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN EXCESS OF TWENTY FIVE THOUSAND DOLLARS (\$25,000) IN AND FOR THE YEAR 2022 AS IT RELATES TO REOCCURRING COSTS ASSOCIATED WITH THE OPERATION OF THE CITY, FOR PAYMENT OF EXPENSES, AND FOR PURCHASES ASSOCIATED WITH VENDORS UTILIZED BY MULTIPLE DEPARTMENTS WITHIN THE CITY; ELIMINATION OF NECESSITY OF COMPETITIVE BIDDING IN AND FOR THE YEAR 2022 AS IT RELATES TO CERTAIN TRANSACTIONS; AND DECLARING AN EMERGENCY**

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

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

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

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

Section 1. That, the expenditure of funds by the City in excess of twenty-five thousand dollars (\$25,000), in and for the year 2022, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits listed in Exhibit "A" attached hereto and made a part of this Resolution.

Section 2. That, the expenditure of funds by the City in excess of twenty five thousand dollars (\$25,000), in and for the year 2022, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification listed in Exhibit "B" attached hereto and made a part of this Resolution.

Section 3. That, the expenditure of funds in excess of twenty five thousand dollars (\$25,000) is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2022 from the following vendors; however, in no event shall the amount exceed twenty five thousand dollars (\$25,000) for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution listed in Exhibit "C" attached hereto and made a part of this Resolution.

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

Section 5. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would



require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.

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

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

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for prompt purchases required to remain operational, being operational essential to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the 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 Resolution No. 051-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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

## EXHIBIT "A"

American Municipal Power, Inc.	For: Contracted Power Purchase and Services
BORMA Benefit Plans	For: Insurance Premiums (Health)
CIC of Henry County, Ohio	For: Economic Development Services
Henry County Auditor	For: Auditor Fees and Assessment Fees
Henry County Chamber of Commerce	For: Chamber Programs, Tourist Bureau and Other
Henry County Engineer	For: Engineering Shared Projects and Materials
Northwestern Ohio Water & Sewer District	For: Payments for Water Collections
Auditor of State of Ohio	For: Annual Auditing Services
Henry County Auditor	For: Real Estate Tax & Law Library Payments
MAN Unit	For: Police Services and Narcotics Task Force
Maumee Valley Planning	For: CHIS/CHIP Grant Administration
Ohio Bureau of Workers Compensation	For: Employee Worker's Comp. Insurance Coverage
Ohio Police Pension Fund	For: Police Pension Payment
Ohio Fire Pension Fund	For: Fire Pension Payment
Ohio Public Employers' Retirement System	For: Pension Payments
Public Entities Pool (PEP)	For: Insurance Premiums (Property & Casualty)
Treasurer State of Ohio	For: Various Items
Treasurer State of Ohio, ODOT	For: Road Salt & Other Items

## EXHIBIT "B"

BHM CPA Group, Inc.	For: Auditing Services
Bonded Chemical	For: Chemicals at Water Treatment Plant
Bryan Publishing	For: Newspaper Publication Services
City of Napoleon, Fuel Rotary	For: Fuel Purchases
City of Napoleon, Garage Rotary	For: Garage Rotary Services
City of Napoleon, Income Tax	For: Refunds of Income Taxes
City of Napoleon, Payroll	For: Payroll Postings
City of Napoleon, Reimbursements	For: Inter-fund Reimbursements
City of Napoleon, Rescue	For: Township Portion of EMS Revenues
City of Napoleon, Utility	For: Meter Deposit Refunds
City of Napoleon, Utility	For: Utility Services
City of Napoleon, Utility	For: Water and Sewer Refunds
City of Napoleon, Utility	For: Electric Refunds
Farmer and Merchant's State Bank	For: Banking and Debt Service Payments
Greenline	For: Telephone Services
Huntington National Bank	For: Debt Service Payments
KSB Dubric	For: Pump supplies and repairs
Meyer Equipment	For: Excavation Vehicle
National Processing Company (NPC)	For: Credit Card Processing Fees
Ohio CAT	For: Equipment Rental & Parts
Ohio Gas Company	For: Utility Services
Ohio Water Development (OWDA)	For: Debt Service Payment
OMEGA JV5/Amp-Ohio Inc.	For: Purchase of Power
OMEGA JV6/Amp-Ohio Inc.	For: Purchase of Power
PNC Bank, N.A.	For: Debt Service Payments
Postmaster	For: Postal Services and Supply
Rescue-Township Charges (EMS)	For: EMS Revenues to Townships
Schonhardt and Associates	For: CAFR Preparation and Consultation Services
Smart Bill, LTD	For: Outsourcing of Utility Bill Printing and Mailing
Squires, Patton, Boggs (US) LLP	For: Bond Counsel (Professional Services)
Telnamix	For: City Phone Services
The Accumed Group	For: EMS Billings and Collections
Treasurer State of Ohio	For: Payments to State
US EPA (Treasurer, State of Ohio)	For: Permits
Verizon Wireless	For: Wireless Phone Services
Weltman, Weinberg & Reis	For: Collection Services

## EXHIBIT "C"

A & A Custom Crushing	For: Concrete Crushing
A Cut Above the Rest Tree Service	For: Tree Services
Advanced Rehabilitation Technology	For: Sewer Cleaning and Rehabilitation
Aerotek, Inc.	For: Temporary Staffing Services
Altec Industries	For: Digger Truck Services
All Seasons Tree Care	For: Tree Services
Alloway	For: Professional Services – Lab Testing
Amazon	For: Various City Supplies & Equipment
American Pavements, LLC	For: Crack Sealing
American Property Analysts	For: Property Appraisals
American Rock Salt Co., LLC	For: Road Salt
Anixter Inc.	For: Electrical Transformers, Parts and Supplies
Axon	For: Tasers & Body Cameras
Baker Vehicle Systems	For: Vehicle Parts & Repairs
Baldwin Poles	For: Utility Poles
Bob Wingate, Integrity Solutions	For: Bridge Inspections, Management & Repairs
Boundtree Medical Supply, LLC	For: Medical Supplies
Brown Supply Co.	For: Janitorial Supplies
Brownstown Electric Supply	For: Electrical Supplies
Buckeye Pumps	For: Pump Repairs and Parts
Burch Hydro	For: Electrical Supplies & Sludge Removal
Burke Excavating and Mowing	For: Construction and Mowing Services
Bryan Excavating	For: Construction Services
Cahaba Timber	For: Wood Electric Poles
Cargill, Inc.	For: Road Salt
C&W Tank Cleaning	For: Digester Cleaning
CDW Government, Inc.	For: Computers and Supplies
Chemtrade Chemicals US, LLC	For: Chemicals
Civica North America Inc.	For: Software and Hardware Systems
Clarke Mosquito Control Product	For: Mosquito Control Supply
Clemons Nelson	For: Legal Services
Compass Minerals America	For: Road Salt
Craun Liebring	For: Lift Station Upgrades
Defiance County Landfill	For: Sanitation Dumping Services/Landfill Biosolids

Dell Marketing	For: IT Hardware Systems
Ekoton USA Corporation	For: Sludge Press Rental
Encompass Engineers	For: Electrical Engineering Services
Ermco	For: Electric Transformers
Estabrook, Corp.	For: Pump Supplies and Repairs
Ferguson Waterworks	For: Operations Parts and Supplies
Finley Fire Equipment	For: Fire Engines and Service Repairs
Fire Safety Services Inc.	For: Fire Services and Supply
Fire Service, Inc.	For: Fire Services and Supply
Fitzenrider, Inc. /Air Force One	For: Heating and Air Conditioning Service Work
Flex-Com	For: Camera Systems
Forrest Auto Supply	For: Automotive Parts & Supplies
Ganley Chevrolet of Aurora LLC	For: Police Vehicles
Gerken Asphalt Paving, Inc.	For: Paving Materials & Asphalt Laying
Griffin Pavement Striping	For: Road Striping Services
Heartland Disposal	For: Sludge Removal
Henschen and Associates, Inc.	For: Software and Hardware Systems
Hoff Consulting, LLC	For: Consulting Services
Hydro Dyne Engineering, Inc.	For: Wastewater Remanufacturing of Screens
Jack Doheny Supplies Ohio, Inc.	For: Wastewater Supplies
J.A. Hillis Excavating, LLC	For: Excavation Services
Jones & Henry Engineers, LTD	For: Consulting Services
K-Tech	For: Beet Heet
Kalida Truck	For: Vehicle Accessories
Koester Corp.	For: Engineering Services
Kuhlman Corp.	For: Parts and Supply
Kurtz Ace Hardware	For: Supply Services)
Masterpiece Sign Graphics, Inc.	For: Signs
Meeder Investment Management	For: Investment Management Services
Meggar	For: Electrical Testing Equipment
Meldrum Mechanical	For: Pump Supplies & Equipment Repairs
Melrose Pyrotechnics, Inc.	For: Fireworks
Midwest Compost	For: Digester Cleaning
Morton Salt	For: Road Salt
Motorola	For: First Responder Radios
Neptune Equipment Co. (NECO)	For: Meter Parts and Supplies

Newegg Business	For: Computers and Supplies
North Branch Nursery	For: Tree Plantings
Northwest Landscape Service	For: Landscaping and Supplies, Roadside & City Owned Property Mowing
Northwest Pools	For: Pool Chemicals
NRP Midwest	For: Wastewater Treatment Chemicals
Office Depot	For: Office Supply
One Source Waste Solutions	For: Waste Services
O'Reilly Auto Parts	For: Parts & Supplies
Path Master	For: Traffic Signals Supplies and Services
Parker Hannfin Corp.	For: Water Meter Analyzer
Perrysburg Pipe and Supply	For: Parts and Supply
Perry Corporation	For: Copier, Scanner and Printer Supplies
Peterman Associates, Inc.	For: Engineering Services (Professional Services)
P&R Communications	For: Radio repair and parts
Poggemeyer Design Group	For: Electrical Engineering Services
Porter's BP, LLC	For: Gas and Diesel Fuel
Powerhouse Supply	For: Electrical Parts and Supplies
Powerline Supply Co.	For: Electrical Parts and Supplies
Precision Laser	For: Surveying Supplies
Processing Solutions	For: Water Treatment Chemicals
Quality Cleaning Services of NW Ohio	For: Janitorial Services
Reinke Ford	For: Automotive Services
Reveille	For: Engineering Services
RTEC Communications, Inc.	For: Communication Supplies & Equipment
Rupp Rosebrock, Inc.	For: Construction Services
Sauber Manufacturing Co.	For: Reel Trailers
Schneider	For: Software for Metering
Schweitzer Engineering	For: Electrical Substation Materials
Snyder Chevrolet, Inc.	For: Automotive Services
Solomon Corporation	For: Transformers and Electric Supplies
Southeastern Equipment	For: Operations Parts and Supplies
Spectrum Engineering Corp.	For: Engineering Services (Professional Services)
Spengler Nathanson, PLL	For: Outside Counsel (Professional Services)
Stantec Consulting Services, Inc.	For: Engineering Services (Professional Services)

Statewide Ford Lincoln	For: Police vehicles
Stoops Freightliner	For: Vehicle parts
Stuart C. Irby Co.	For: Electrical Parts & Supplies
Superior Uniform Sales, Inc.	For: Uniform Services
Survallent Technology	For: SCADA Programming Services
Target Specialty Products	For: Golf Course Chemicals
Tawa Tree Service	For: Tree Services
Tawa Mulch Landscape Supply	For: Landscaping Services
Terex Utilities, Inc.	For: Electric Equipment Purchases
The Accumed Group	For: Ambulance Billing Services
The Mannik and Smith Group, Inc.	For: Engineering Services (Professional Services)
Toledo Edison	For: Contracted Power Services
Toledo Fence & Supply Co.	For: Fencing Supplies
T & R Electric	For: Transformers
Tri City Industrial Power	For: Batteries & Other Power Supplies
UniFirst Corporation	For: Uniforms & Supplies
URS Corporation	For: Engineering Services (Professional Services)
US Utility Contractor Co.	For: Traffic and Electrical Services
USALCO	For: Chemicals for Water Treatment
Utility Service Group	For: Chemicals for Water Treatment
Utility Services	For: NERC Compliance Services
Utility Truck Equipment	For: Bucket Truck
Vermeer	For: Wood Chipper/Parts
Vermilion Land Clearing Service	For: Tree Clearing
Vernon Nagel, Inc.	For: Trucking, Hauling, and Excavating Services
Viking Trucking, Inc.	For: Trucking and Hauling Services
Werlor, Inc.	For: Brush Grinding Services/Recycling Services
Wesco Distribution, Inc.	For: Electrical Supplies
Wigen Water Technologies	For: Membrane Services, Cleaning & Chemicals
Wood County Land Fill	For: Sanitation Dumping Services
WR Meyers Co., Inc.	For: Construction and Excavating Services
Wright Express FSC-WEX, Inc.	For: Fuel Purchases
Zacks Recycling, LLC	For: Recycling Services
ZTH, LLC	For: Sludge Hauling

## **RESOLUTION NO. 052-21**

### **A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AUTHORIZING A DEPARTMENT DIRECTOR TO TAKE BIDS ON CERTAIN PROJECTS, SERVICES, EQUIPMENT, MATERIALS, OR SUPPLIES WITHOUT THE REQUIREMENT FOR ADDITIONAL LEGISLATION TO DO SO IN THE YEAR 2022; AND DECLARING AN EMERGENCY**

**WHEREAS**, each year from time to time, a Department Director (City Manager, City Finance Director, or City Law Director) is required to come to Council for authority to take bids for certain projects, services, or the purchase or lease of equipment, materials or supplies used in the City operations; and,

**WHEREAS**, in order to provide a more feasible, economical, and expedited method of bidding procedures, it is deemed necessary to give to the above mentioned Department Directors authority to bid such projects, services, equipment, materials, or supplies without the necessity of continued legislation; **Now Therefore**,

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

Section 1. That, the City Manager, City Finance Director, and City Law Director, for their respective departments, subject to Council's approval as to the specifications, plans, agreements, and other related bid documents when applicable, are hereby authorized to advertise and receive bids or take proposals as applicable for the projects, services, equipment, materials, or supplies that are anticipated to be in excess of twenty five thousand dollars (\$25,000) as listed in attached Exhibit "A," (such exhibit being incorporated into this Resolution by attachment and made a part hereof), without the necessity of further legislation in the year 2022; further, Council finds that the expenditure of funds in excess of twenty five thousand dollars (\$25,000) for each project, service, equipment, material, or supply listed in said Exhibit "A," is necessary and authorized, subject to an approved motion of Council permitting the respective Department Director to make award. If a contract for said project, service, equipment, material, or supply is awarded to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awardee subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director. In the case of a non-competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awarded subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director.

Section 2. That, Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City as it relates to the projects identified in Section 1 of this Resolution; moreover, Council may waive any informalities in the bidding process.



Section 3. That, Chapters 105 and 106 of the Codified Ordinances of Napoleon, Ohio, shall continue to be applicable to any projects, services, equipment, materials, or supplies listed in attached Exhibit "A;" moreover, nothing in this Resolution shall be construed as limiting the Department Directors in making purchases or contracting for services in any manner as provided for in said Chapters, statutory law or as otherwise provided by Council. When competitive bidding is required for any project, service, equipment, material or supply as a matter of law, it shall be utilized unless otherwise eliminated by act of Council. When quality based selection is required for any project listed in Exhibit "A" for architectural, engineering, or construction management services as a matter of law, then the quality based selection process shall be utilized unless otherwise eliminated by act of Council. Also, Council hereby finds that the expenditure of funds in excess of twenty five thousand dollars (\$25,000) for each architectural, engineering, or construction management service as found in Exhibit "A" is necessary and approved as a proper public expenditure of funds, subject to approved motion of Council permitting the Department Director to make the award. Finally, the combining of projects, or the contracting or purchase of services, equipment, materials, or supplies is permitted of any project or item listed in Exhibit "A" without necessity of further authorization by Council.

Section 4. That, a Department Director is authorized to use this Resolution for authority for said bids and/or purchases as contained in this Resolution.

Section 5. That, any item listed in attached Exhibit "A" may be leased in lieu of purchasing when deemed appropriate by the respective Department Director.

Section 6. That, all leases, purchases and contracts for projects, services, equipment, materials, or supplies is subject to appropriation and certification of funds.

Section 7. That, any trade-ins shall be controlled by Section 107.05(c) of the Codified Ordinances of Napoleon, Ohio, as may be amended from time to time.

Section 8. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of the City of Napoleon, Ohio.

Section 9. That, if any other prior Resolution or Ordinance is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 10. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow the timely purchase of materials, supplies, equipment or services essential to provide public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to begin the 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 Resolution No. 052-21 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*

DEPARTMENT/CATEGORY/ITEM DESCRIPTION
<b>1300 CITY MANAGER/ADMINISTRATION</b>
- Zoning Code Updates
<b>1600 IT</b>
- Copy machines/printers (various departments)
<b>1700 ENGINEERING</b>
<b>2100 POLICE/SAFETY SERVICES</b>
- Patrol Vehicles- Replacement of two (2) vehicles
- Body Worn Cameras
- Vehicle Cameras
- Equipment (Tasers, Bolo Wrap, Vest, Shotguns)
<b>2200 FIRE</b>
- Pick-up Truck
- EMS Supplies
- EMS Billing Services
<b>4200 GOLF COURSE</b>
- Finish Mower
<b>4400 PARKS &amp; RECREATION</b>
- Boat Ramp Improvements
- Pick-up Truck
<b>5100 SERVICES/STREETS SCM &amp;4</b>
- Oakwood Avenue Improvements
- Front Street Resurfacing
- Ritter Park Path Project
- City Parking Lot at Monroe & E. Clinton
- Lynn Avenue Improvements
- Briarheath Avenue Resurfacing
- Annual Road Program – Milling & Resurfacing Local Streets
- Roadside mowing (contracted)
- Ice and snow removal (salt contracts)
- Tree trimming and stump removal (contracted)
- Safe Routes to Schools (design)
- Annual Crack Sealing
- <b>ROAD &amp; STREET IMPROVEMENT PROGRAMS</b>
- Annual Concrete Grinding
<b>5200- Garage/Fuel Rotary</b>
- Fuel
<b>6110 ELECTRIC/OPERATIONS DIST.</b>
- Wood poles
- Rate review
- Ermco- for transformer purchases
- Engineering study of substations

- Tree Trimming Truck
- Electric Dept. Storage Building
- <b>ELECTRIC FEEDER LINE IMPROVEMENTS</b>
- Electrical underground upgrades and maintenance
- Electrical overhead upgrades and maintenance
- <b>TRANSFORMER REPLACEMENT &amp; DISPOSAL PROGRAMS</b>
- Transformer replacement and disposal (inventory)
- <b>ELECTRICAL IMPROVEMENTS &amp; UPGRADES</b>
- New system growth and updates
<b>6200 WATER TREATMENT PLANT OPERATIONS</b>
- Water Treatment Plant Chemicals
- Asset Management, Risk and Resilience Plan, Emergency Response Plan
- Emergency Repairs
- Membrane Cleaning Chemicals
- Install Perimeter/Security Fence
- Clearwell Inspections
- Purchase Replacement Mower
<b>6210 WATER DISTRIBUTION SYSTEM</b>
- S.R. 110 Waterline
- Orwig Avenue & W. Main Street Waterline Improvements
<b>6300 SEWER/WASTE WATER TREATMENT PLANT</b>
- Various sanitary sewer emergency repairs (contracted)
- Long Term Control Plan updates (contracted)
- Storm sewer improvements
- Chemicals (Wastewater Treatment Plant)
- Sanitary lateral repairs in City ROW
- Bio solids removal and landfill disposal
<b>6310 SEWER/COLLECTION SYSTEM</b>
- Meekison Street Sanitary Sewer
- Sanitary Sewer Emergency Repairs
- Sanitary Sewer Cleaning Program
- Haley SSO Removal
- Sanitary Sewer Lateral Replacements
- VanHying Pump Station Project
<b>6400, 6510, 6411, 6420 SANITATION/COLLECTION &amp; DISPOSAL</b>
- Landfill Disposal Fees
- Concrete Grinding
- Brush Grinding
- Mosquito Spraying- Chemicals
- Recycling Services

## **ORDINANCE NO. 053-21**

### **AN ORDINANCE ESTABLISHING A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, OHIO FOR THE YEAR 2022; REPEALING ORDINANCE NO. 067-20; AND DECLARING AN EMERGENCY**

**WHEREAS**, Council reviewed the proposed Year 2022 annual appropriation measure and finds, in general, as it relates to non-bargaining employees of the City of Napoleon, Ohio, that a compensation increase of two and one quarter percent (2.25%) is generally warranted subject to various considerations as contained herein; and,

**WHEREAS**, Exhibits A, B, and C attached hereto and incorporated herein, reflect pay scales for City of Napoleon non-bargaining employees. The pay scales noted in these Exhibits generally contain a two and one quarter percent (2.25%) pay increase from the 2021 pay scales; and,

**WHEREAS**, Council desires to make said compensation increases effective on the pay period commencing on or about December 27, 2021; and,

**WHEREAS**, Council now desires to adopt a new 2022 Classification Pay Plan for its non-bargaining employees as stated in this Ordinance and Exhibits A, B, and C;  
**Now Therefore,**

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

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

Section 2. That, effective with the first pay period for the Year 2022, that commences on or about December 27, 2021, the pay scale (steps) for the City's non bargaining employees (full time) positions of this city shall be provided, unless modified, as established in Exhibit "A," attached and incorporated herein. Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), and Section 3 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level of compensation the Department Director or Appointing Authority deems appropriate as listed in Exhibit "A."

Section 3. That, effective with the first pay period for the Year 2022, which commences on or about December 27, 2021, each non-bargaining employee (full time regular) (hourly), subject to Employment Policy Manual Policy §8.10 (Compensation Reviews), is eligible on such employee's annual hiring anniversary date of uninterrupted full time service with the City, to be advanced one (1) step in the Pay Plan until the maximum step is reached. The non-bargaining employee's (full time regular) (hourly) step location prior to advancement in the Pay Plan shall be determined by contrasting the base hourly rate said employee received prior to the enactment of this Ordinance with the table found in Exhibit "A" for the respective year. For new hires or current employees, the Department Director or Appointing Authority may place an employee within the scale where the Department Director or Appointing Authority deems appropriate considering

merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay. Step increases for transfer employees shall be in accordance with §197.09(e) of the Personnel Code. A mere reclassification of a current position, where job duties are substantially the same, does not constitute a transfer. Notwithstanding any other provision of this Pay Plan, the Zoning Administrator shall receive a bonus to be pro-rated over the calendar year of *Five Hundred (\$500.00) Dollars* for each certification he or she holds, as follows: an Ohio Residential Building Official; Ohio Residential Plumbing Inspector; and, Ohio Electrical Safety Inspector. The Zoning Administrator must provide written proof of each certification to the City Manager prior to receiving the bonus.

Section 4. That, effective with the first pay period for the Year 2022, that commences on or about December 27, 2021, the pay scale for non-bargaining employee (salaried) (full time) positions of this City which are exempt under the Fair Labor Standards Act (FLSA) as it relates to overtime, shall be provided, unless modified, as established in Exhibit "B," attached and incorporated herein, (expressed in base biweekly salary amounts). Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), and Section 5 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "B."

Section 5. That, effective with the first pay period for the Year 2022, that commences on or about December 27, 2021, each non bargaining employee (salaried) (full time) position of this City as defined in Section 4 of this Ordinance, is eligible to have a minimum salary increase of two and one quarter percent (2.25% ) for Year 2022, subject to Employment Policy Manual "Policy §8.10 (Compensation Reviews)," calculated from what the employee is making at the time just prior to the proposed increase period, and as reflected in the amounts expressed in Exhibit "B." In no event shall any increase place the employee above the top scale as established in Section 4 of this Ordinance. For new hires or current employees, the Department Director or Appointing Authority may place an employee, at any time, within the scale where the Department Director or Appointing Authority deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay.

Section 6. That, effective with the first pay period of the Year 2022, that commences on or about December 27, 2021, the Pay Scale (steps) for part time, permanent part time, and temporary employees of this City shall be provided unless modified, as stated in the table found in Exhibit "C" (attached and incorporated herein), except when Federal or State minimum wage of a higher amount is required, then the higher amount of the Federal or State minimum wage shall apply. Subject to the provisions of the City's Personnel Code and Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "C." Employment Policy Manual 2014-1, Policy Section 8.10, (compensation reviews), is applicable only to permanent part time employees, not part time or temporary employees.

Section 7. That, all paid part time, permanent part time, and temporary employees of the City shall, effective with the first pay period of the Year 2022, that commences on or about December 27, 2021, have a minimum hourly base pay increase of two and one quarter percent (2.25%) for Year 2022 calculated from what the

employee's base rate was just prior to this proposed increase, and as is reflected in the amounts expressed in Exhibit "C" (the amounts include the two and one quarter percent (2.25%) increase). Only permanent part time employees are subject to Employment Policy Manual 2014-1 Policy §8.10 (compensation reviews), when applicable. Part time employees of the Fire/Rescue Department will remain on probationary/trainee status until removed by the City Manager upon recommendation of the Fire Chief. For new hires or current employees of the City, the Appointing Authority or Department Director may place an employee within the scale where the Appointing Authority or Department Director deems appropriate considering merit and fitness. Nothing in this section shall be construed to prohibit a decrease in pay. The non-full time status positions found in Exhibit "C" (i.e. temporary part time or permanent part time) may be modified by the Appointing Authority or Department Director at any time, except that Council shall approve any modification to a full time status. Additionally, the position of Probation Officer PIIG Grant is hereby set as expressed in Exhibit "C."

Section 8. That, compensation for employees' appointments made in order to fill temporarily vacant positions shall be at a rate established by the Department Director or Appointing Authority, except that it shall not exceed the top pay scale established in this Ordinance for the position being filled. Temporary positions being filled by temporary employees for whom no pay scale has been established shall be at a pay scale established by the Department Director or Appointing Authority by comparing the temporary position created to the most similar position established within the same department that is utilizing the temporary employee. In the event no such similar position exists, then it shall be paid in an amount as determined appropriate by the Department Director or Appointing Authority so long as the amount paid may be accomplished without exceeding the department's annual budget.

Section 9. That, notwithstanding any section of this Ordinance to the contrary, compensation of the Clerk of the Napoleon Municipal Court shall be as found in Section 4 of this Ordinance and as stated in Exhibit "B" unless otherwise set by the Municipal Court Judge pursuant to ORC §1901.31 (C).

Section 10. That, compensation for the Chief Deputy Clerk and all other Deputy Clerks of the Napoleon Municipal Court shall be as set by the Clerk of the Napoleon Municipal Court pursuant to ORC §1901.31 and as stated in Exhibits "A, B, and C."

Section 11. That, the compensation for Municipal Court Bailiff and/or Deputy Bailiff shall be established by the Municipal Court pursuant to ORC §1901.32 and as stated in Exhibits "A, B, and C."

Section 12. That, the position of Chief Probation Officer as established in and for the City for the Napoleon Municipal Court shall be considered a full time regular employee having an hourly, non-exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, is continued to be approved by this Council. The Chief Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Chief Probation Officer's wage rate at any time so long as within the limits of the CCA Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Chief Probation Officer's pay and benefits exceed the amount of the CCA Grant or as otherwise may be supplemented by the Municipal



Court. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.

Section 13. That, the position of Part-Time Probation Officer as established in and for the City for the Napoleon Municipal Court shall be considered a part time regular employee having an hourly, non-exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, is hereby approved by this Council. The Part-Time Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Part-Time Probation Officer's wage rate at any time so long as within the limits of the JRIG Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Part-Time Probation Officer's pay and benefits exceed the amount of the JRIG Grant or as otherwise may be supplemented by the Municipal Court through other grants or funds outside the General Fund. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.

Section 14. That, all positions and/or classifications found in this Ordinance shall be deemed created, established, and existing in and for the City of Napoleon, Ohio. The status of part time employees may be further defined by the Department Director or Appointing Authority as permanent part time, temporary, seasonal, or intermittent employees without affecting the compensation status as stated in this Ordinance. Nothing in this Ordinance shall be construed as mandating that each and every position and/or classification be filled by this City.

Section 15. That, this Ordinance allows the terms and conditions of this pay increase to be retroactively applied, the same being hereby approved as it so exists.

Section 16. That, those employees who are covered by collective bargaining agreements shall be paid in accordance with the respective collective bargaining agreement.

Section 17. That, all compensation paid under this Ordinance is subject to appropriation of funds by Council.

Section 18. That, the Finance Director may adjust compensation for all affected employees to meet the intent of this Ordinance.

Section 19. That, all pay scales reflected in this Pay Plan shall be rounded, utilizing the five rule, to the nearest penny.

Section 20. That, no position mentioned in this Ordinance shall receive longevity benefit unless specified in this City's adopted longevity plan unless otherwise specifically provided for herein, or except as may be permitted by the City's longevity policy.

Section 21. That, any employee who is employed by the City in more than one position shall be paid overtime in accordance with State and Federal wage and salary laws (specifically, after forty hours of work within one week the person should receive overtime based on the salary or wage for the position they are working when they surpass forty hours for that work week). However, but for the employee's normal scheduled employment, the department that causes the overtime shall be liable for the payment of overtime regardless of where the hours were worked.



Section 22. That, Ordinance No. 067-20 is repealed in its entirety effective December 27, 2021.

Section 23. 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 24. 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 25. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper processing of wages to employees, this being essential to the harmony of the necessary workforce, 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. 053-21 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

2022 Pay Ordinance

**EXHIBIT "A"**  
(BASE HOURLY RATE)

<u>Title</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Clerk-Typist II	\$12.81	\$14.74	\$15.82	\$16.97
Receptionist	\$14.49	\$16.61	\$17.81	\$19.15
Administrative Assistant	\$17.65	\$20.37	\$21.87	\$23.55
Front Desk Administrator	\$12.81	\$14.46	\$15.16	\$16.03
Service Building Secretary	\$12.81	\$14.46	\$15.16	\$16.03
Senior Service Building Secretary	\$15.92	\$18.26	\$19.63	\$21.20
Executive Assistant to Appointing Authority	\$21.43	\$22.84	\$24.31	\$25.86
Executive Assistant/Paralegal to Law Director	\$25.86	\$28.24	\$30.33	\$32.42
Account Clerk I	\$12.81	\$14.46	\$15.16	\$16.02
Account Clerk II	\$15.92	\$18.26	\$19.64	\$21.20
Utility Billing Administrator	\$18.08	\$20.81	\$22.29	\$26.47
Senior Account Clerk	\$17.65	\$20.37	\$21.88	\$25.87
Records Clerk/Recorder	\$15.92	\$18.26	\$19.63	\$21.19
Accounts Payable Clerk	\$15.92	\$18.26	\$19.63	\$22.29
Tax Administrator	\$18.08	\$20.81	\$22.29	\$26.47
Engineering Technician	\$19.41	\$22.29	\$23.88	\$25.62
Senior Engineering Technician	\$23.05	\$26.54	\$28.41	\$30.47
Staff Engineer	\$21.42	\$24.70	\$26.54	\$28.51
Licensed Staff Engineer	\$29.00	\$31.18	\$33.54	\$37.51
Construction Inspector	\$25.95	\$29.82	\$31.95	\$35.11
Senior Electric Engineering Technician	\$21.42	\$24.70	\$26.54	\$28.50
Electrical Construction/Maintenance Inspector	\$28.77	\$33.11	\$35.50	\$38.06
Zoning Administrator	\$21.42	\$24.70	\$26.54	\$28.50
Assistant Water Superintendent	\$30.94	\$32.10	\$33.86	\$35.63
Chief Water Treatment Operator	\$23.05	\$26.54	\$28.41	\$32.13
Chief Wastewater Treatment Operator	\$23.05	\$26.02	\$28.41	\$32.13
Police Lieutenant	\$0.00	\$33.70	\$35.29	\$37.06
Deputy Court Clerk	\$17.11	\$18.63	\$19.98	\$21.41
Chief Probation Officer	\$20.67	\$0.00	\$0.00	\$22.84
IT Specialist	\$19.02	\$21.04	\$23.08	\$25.11

**EXHIBIT "B"**  
(BASED ON AN 80 HOUR PAY PERIOD)

<u>Title</u>	<u>BOTTOM</u>	<u>TOP</u>
Assistant to the City Engineer	\$2,884.70	\$3,328.50
City Engineer	\$3,383.97	\$4,105.14
Public Works Director	\$4,024.66	\$4,818.71
Golf Course & Grounds Superintendent	\$2,055.35	\$2,762.82
Parks & Recreation Director/Cemetery	\$1,862.63	\$3,237.28
Assistant Finance Director	\$3,073.79	\$3,568.15
Electrical Engineer	\$3,201.17	\$3,728.14
Electric Distribution Superintendent	\$3,263.74	\$4,020.45
IT Administrator	\$2,013.63	\$2,991.30
Human Resources Director	\$2,295.80	\$3,483.97
Municipal Court Bailiff	\$1,573.08	\$1,769.71
Municipal Court Clerk	\$1,945.73	\$3,407.31
Assistant Fire Chief	\$2,274.48	\$3,328.50
Fire Chief	\$2,829.22	\$3,735.23
Operations Superintendent	\$2,347.02	\$3,328.50
Water Superintendent	\$2,569.60	\$3,463.13
Wastewater Superintendent	\$2,569.60	\$3,463.13
Chief of Police	\$2,982.84	\$3,846.18

**EXHIBIT "C"**  
**(BASE HOURLY RATE)**

<b><u>Title</u></b>	<b><u>Bottom</u></b>	<b><u>Top</u></b>
Front Desk Administrator (Part Time)	\$10.31	\$14.08
Legal Clerk (Temporary)	\$14.82	\$23.80
Probationary/Trainee Fire Fighter/EMT	\$9.17	\$13.98
All Fire/Rescue Department (Part Time)	\$13.13	\$18.22
Deputy Court Clerk (Part Time)	\$11.42	\$15.69
Deputy Court Bailiff (Part Time)	\$0.00	\$15.02
Probation Officer Grant	\$0.00	\$16.98
Construction Inspection (Temporary)	\$13.85	\$14.84
Construction Engineer (Temporary) Engineering Dept.	\$42.03	\$45.04
Income Tax/Collection Clerk (Part Time)	\$10.31	\$18.18
Lifeguard (Seasonal)	\$9.17	\$15.40
Seasonal Laborer – Other	\$9.17	\$15.40
Recreation Worker (Seasonal)	\$9.17	\$15.40
Parks Maintenance Worker (Seasonal)	\$9.17	\$15.40
Golf Course Clubhouse Attendant (Seasonal)	\$9.17	\$15.40
Senior Center Fitness Coordinator (Part Time)	\$9.17	\$15.40
Code Enforcement Inspector	\$19.97	\$31.07
Adjunct EMS Instructor for the Fire Department (Part Time)	\$0.00	\$21.33
Adjunct Fire Instructor for the Fire Department (Part Time)	\$0.00	\$21.33

**ORDINANCE NO. 055-21**

**AN ORDINANCE ESTABLISHING THE APPROPRIATION MEASURE (BUDGET) OF THE CITY OF NAPOLEON, OHIO FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, LISTED IN EXHIBIT "A;" AND DECLARING AN EMERGENCY**

**WHEREAS**, Council desires to pass an annual appropriation measure of the City of Napoleon for the fiscal year ending December 31, 2022; **Now Therefore**,

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

Section 1. That this annual appropriation measure be passed, and the sums as contained in Exhibit "A," attached hereto and made a part of this Ordinance, are set aside and appropriated for the fiscal year ending December 31, 2022.

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

Section 3. 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, only that portion shall be held invalid and the remainder shall remain valid.

Section 4. That, pursuant to 121.03(f) of the Codified Ordinances of the City of Napoleon, Ohio, this Ordinance is declared to be an Ordinance providing for appropriations for the current expenses of the City appropriations immediately required for the City to operate; therefore, this Ordinance shall be in full force and effect immediately upon its passage, subject to the approval by the Mayor, otherwise it shall take effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper and timely procedure establishing the appropriation measure, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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Roxanne Dietrich, Clerk of Council

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 055-21 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.*

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*Roxanne Dietrich, Clerk of Council*

**2022 APPROPRIATION BUDGET**

DEPT DESCRIPTION	2021 REVISED PROJECTED BUDGET			2022 REQUESTED BUDGET		
	PERSONAL	OTHER	TOTAL	PERSONAL	OTHER	TOTAL
1100 City Council/Legislative	41,930.78	12,591.80	54,522.58	43,624.56	10,623.00	54,247.56
1200 Mayor/Executive	17,921.45	985.68	18,907.13	18,103.34	3,370.00	21,473.34
1300 City Manager/Administrative	337,347.72	33,822.90	371,170.62	355,920.00	66,690.00	422,610.00
1370 City Manager/Human Resources	96,255.95	12,074.18	108,330.13	93,860.00	32,845.00	126,705.00
1400 Law Director/ Administrative	237,723.23	15,363.72	253,086.95	246,910.00	61,810.00	308,720.00
1500 Finance/Administrative	291,820.88	80,866.92	372,687.80	411,520.00	99,890.00	511,410.00
1520 Finance/Utility Billing	136,350.15	73,800.40	210,150.55	142,600.00	95,250.00	237,850.00
1600 Information Technology/Administration	153,108.95	50,250.49	203,359.44	165,660.00	80,800.00	246,460.00
1700 Engineering/City Engineer	160,348.26	118,197.30	278,545.56	325,400.00	76,660.00	402,060.00
1800 Municipal Court/Judicial	487,767.53	103,115.50	590,883.03	532,710.00	103,580.00	636,290.00
1900 General Gov./Miscellaneous	0.00	146,761.73	146,761.73	0.00	184,455.40	184,455.40
2100 Police/Safety Services	1,606,589.41	227,585.36	1,834,174.77	1,839,274.00	294,615.00	2,133,889.00
2101 Police/Code Enforcement	37,400.06	4,610.00	42,010.06	38,610.00	9,400.00	48,010.00
2102 Police/School Res. Officer	93,967.64	11,731.35	105,698.99	102,050.00	17,689.00	119,739.00
2103 Police/K-9 Unit	94,516.52	5,678.44	100,194.96	102,410.00	11,050.00	113,460.00
2200 Fire/Safety Services	1,028,502.68	146,814.34	1,175,317.02	1,348,105.00	182,532.00	1,530,637.00
3100 Bldg. Insp./Zoning & Plan.	0.00	0.00	0.00	0.00	0.00	0.00
4700 Cemetery/Grounds	86,443.47	16,021.46	102,464.93	106,980.00	26,770.00	133,750.00
5130 Service/Blds.,Properties,Equip.	86,043.18	9,182.96	95,226.14	91,550.00	17,160.00	108,710.00
9800 Reimbursements-Shared Expenses	0.00	65,000.00	65,000.00	0.00	38,460.00	38,460.00
9900 Transfer Accounts	0.00	53,106.00	53,106.00	0.00	53,106.00	53,106.00
<b>100 GENERAL FUND</b>	<b>4,994,037.80</b>	<b>1,187,560.53</b>	<b>6,181,598.33</b>	<b>5,965,286.90</b>	<b>1,466,755.40</b>	<b>7,432,042.30</b>
1900 General Gov./Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00
<b>101 GENERAL RESERVE BALANCE FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2300 #N/A	0.00	0.00	0.00	0.00	0.00	0.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>120 BRIDE REBLD-SS OPERATIONS FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1900 General Gov./Miscellaneous	0.00	10,970.00	10,970.00	0.00	11,000.00	11,000.00
<b>123 SPECIAL EVENTS FUND</b>	<b>0.00</b>	<b>10,970.00</b>	<b>10,970.00</b>	<b>0.00</b>	<b>11,000.00</b>	<b>11,000.00</b>
3500 Economic Development	0.00	39,000.00	39,000.00	0.00	39,000.00	39,000.00
<b>130 ECONOMIC DEVELOPMENT FUND</b>	<b>0.00</b>	<b>39,000.00</b>	<b>39,000.00</b>	<b>0.00</b>	<b>39,000.00</b>	<b>39,000.00</b>
9400 Unclaimed Monies Agency Accounts	0.00	0.00	0.00	0.00	500.00	500.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	2,500.00	2,500.00
<b>147 UNCLAIMED MONIES FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,000.00</b>	<b>3,000.00</b>
1510 Finance/Income Tax Collection	87,453.20	132,395.14	219,848.34	142,540.00	221,744.00	364,284.00
9900 Transfer Accounts	0.00	4,498,435.67	4,498,435.67	0.00	4,117,976.00	4,117,976.00
<b>170 MUNICIPAL INCOME TAX FUND</b>	<b>87,453.20</b>	<b>4,630,830.81</b>	<b>4,718,284.00</b>	<b>142,540.00</b>	<b>4,339,720.00</b>	<b>4,482,260.00</b>
9800 Reimbursements-Shared Expenses	0.00	120,559.20	120,559.20	0.00	123,350.00	123,350.00
9900 Transfer Accounts	0.00	369,440.80	369,440.80	0.00	366,650.00	366,650.00
<b>180 KWH TAX COLLECTION FUND (GF)</b>	<b>0.00</b>	<b>490,000.00</b>	<b>490,000.00</b>	<b>0.00</b>	<b>490,000.00</b>	<b>490,000.00</b>
1800 Municipal Court/Judicial	0.00	3,856.11	3,856.11	0.00	7,500.00	7,500.00
9900 Transfer Accounts	0.00	8,543.89	8,543.89	0.00	7,500.00	7,500.00
<b>195 LAW LIBRARY FUND</b>	<b>0.00</b>	<b>12,400.00</b>	<b>12,400.00</b>	<b>0.00</b>	<b>15,000.00</b>	<b>15,000.00</b>
5100 Service/Streets Maint.&Prop.	248,884.50	121,202.41	370,086.91	254,480.00	212,770.00	467,250.00
5110 Service/Ice And Snow Removal	28,753.82	41,515.42	70,269.24	32,000.00	103,050.00	135,050.00
5120 Service/Storm Drainage	1,837.41	3,700.00	5,537.41	11,000.00	8,500.00	19,500.00
<b>200 STREET CONST.MAINT.&amp;REPAIR FD</b>	<b>279,475.73</b>	<b>166,417.83</b>	<b>445,893.56</b>	<b>297,480.00</b>	<b>324,320.00</b>	<b>621,800.00</b>
5100 Service/Streets Maint.&Prop.	0.00	26,283.88	26,283.88	0.00	34,900.00	34,900.00
<b>201 STATE HIGHWAY IMPROVEMENT FUND</b>	<b>0.00</b>	<b>26,283.88</b>	<b>26,283.88</b>	<b>0.00</b>	<b>34,900.00</b>	<b>34,900.00</b>
5100 Service/Streets Maint.&Prop.	0.00	0.00	0.00	0.00	25,000.00	25,000.00



## 2022 APPROPRIATION BUDGET

DEPT DESCRIPTION	2021 REVISED PROJECTED BUDGET			2022 REQUESTED BUDGET		
	PERSONAL	OTHER	TOTAL	PERSONAL	OTHER	TOTAL
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>202 MUNI.(50%)MOTOR VEH.LIC.TAS FD</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>25,000.00</b>	<b>25,000.00</b>
5100 Service/Streets Maint.&Prop.	0.00	143,300.00	143,300.00	0.00	79,000.00	79,000.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>203 MUNI.(100%)MOTOR VEH.LIC.TASFD</b>	<b>0.00</b>	<b>143,300.00</b>	<b>143,300.00</b>	<b>0.00</b>	<b>79,000.00</b>	<b>79,000.00</b>
5100 Service/Streets Maint.&Prop.	0.00	29,334.09	29,334.09	0.00	32,000.00	32,000.00
<b>204 CO VEH LIC PERMISSIVE TAX FUND</b>	<b>0.00</b>	<b>29,334.09</b>	<b>29,334.09</b>	<b>0.00</b>	<b>32,000.00</b>	<b>32,000.00</b>
2200 Fire/Safety Services	0.00	173,861.51	173,861.51	0.00	201,450.00	201,450.00
9800 Reimbursements-Shared Expenses	0.00	205,000.00	205,000.00	0.00	205,000.00	205,000.00
9900 Transfer Accounts	0.00	31,680.00	31,680.00	0.00	28,800.00	28,800.00
<b>210 EMS TRANSPORT SERVICE FUND</b>	<b>0.00</b>	<b>410,541.51</b>	<b>410,541.51</b>	<b>0.00</b>	<b>435,250.00</b>	<b>435,250.00</b>
4100 Recreation/Administrative	120,426.51	5,760.00	126,186.51	126,390.00	7,770.00	134,160.00
4200 Recreation/Golf Operating	153,817.37	131,732.24	285,549.61	186,750.00	149,100.00	335,850.00
4300 Recreation/Pool Operating	100,050.55	74,821.47	174,872.02	108,080.00	63,530.00	171,610.00
4400 Recreation/Parks & Programs	297,032.08	164,385.21	461,417.29	266,300.00	209,080.00	475,380.00
<b>220 RECREATION FUND</b>	<b>671,326.50</b>	<b>376,698.92</b>	<b>1,048,025.42</b>	<b>687,520.00</b>	<b>429,480.00</b>	<b>1,117,000.00</b>
4300 Recreation/Pool Operating	0.00	4,162,718.45	4,162,718.45	0.00	349,740.00	349,740.00
<b>221 NAPOLEON AQUATIC CENTER</b>	<b>0.00</b>	<b>4,162,718.45</b>	<b>4,162,718.45</b>	<b>0.00</b>	<b>349,740.00</b>	<b>349,740.00</b>
8300 Revenue Funds Debt Services	0.00	0.00	0.00	0.00	0.00	0.00
<b>222 NAP AQUATIC CTR RESERVE FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1900 General Gov./Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00
8300 Revenue Funds Debt Services	0.00	0.00	0.00	0.00	0.00	0.00
9800 Reimbursements-Shared Expenses	0.00	0.00	0.00	0.00	0.00	0.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>223 NAP AQUATIC CTR DEBT RES FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
4400 Recreation/Parks & Programs	0.00	0.00	0.00	0.00	0.00	0.00
<b>224 Shelter House Facility Repair</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
4700 Cemetery/Grounds	0.00	5,873.43	5,873.43	0.00	6,000.00	6,000.00
<b>227 CEMETERY TRUST FUND</b>	<b>0.00</b>	<b>5,873.43</b>	<b>5,873.43</b>	<b>0.00</b>	<b>6,000.00</b>	<b>6,000.00</b>
3800 Travel And Tourism (3%)	0.00	48,643.10	48,643.10	0.00	50,000.00	50,000.00
9900 Transfer Accounts	0.00	48,643.10	48,643.10	0.00	50,000.00	50,000.00
<b>240 HOTEL/MOTEL TAX FUND</b>	<b>0.00</b>	<b>97,286.20</b>	<b>97,286.20</b>	<b>0.00</b>	<b>100,000.00</b>	<b>100,000.00</b>
2200 Fire/Safety Services	0.00	39,093.26	39,093.26	0.00	64,900.00	64,900.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>242 FIRE EQUIPMENT FUND</b>	<b>0.00</b>	<b>39,093.26</b>	<b>39,093.26</b>	<b>0.00</b>	<b>64,900.00</b>	<b>64,900.00</b>
1900 General Gov./Miscellaneous	0.00	45,000.00	45,000.00	0.00	31,000.00	31,000.00
<b>243 FIRE LOSS CLAIMS FUND</b>	<b>0.00</b>	<b>45,000.00</b>	<b>45,000.00</b>	<b>0.00</b>	<b>31,000.00</b>	<b>31,000.00</b>
1300 City Manager/Administrative	0.00	491.51	491.51	0.00	0.00	0.00
<b>250 LOCAL CORONAVIRUS RELIEF FUND</b>	<b>0.00</b>	<b>491.51</b>	<b>491.51</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1300 City Manager/Administrative	0.00	0.00	0.00	0.00	859,000.00	859,000.00
<b>250 LOCAL CORONAVIRUS RELIEF FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>859,000.00</b>	<b>859,000.00</b>
3300 Cdbg, Chis & Chip Dev.Grants	0.00	44,690.00	44,690.00	0.00	34,000.00	34,000.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>261 CDBG PROGRAM INCOME FUND</b>	<b>0.00</b>	<b>44,690.00</b>	<b>44,690.00</b>	<b>0.00</b>	<b>34,000.00</b>	<b>34,000.00</b>
1800 Municipal Court/Judicial	0.00	16,000.00	16,000.00	0.00	25,000.00	25,000.00
<b>270 INDIGENT DRIV. ALCOHOL FUND</b>	<b>0.00</b>	<b>16,000.00</b>	<b>16,000.00</b>	<b>0.00</b>	<b>25,000.00</b>	<b>25,000.00</b>
2100 Police/Safety Services	0.00	1,388.25	1,388.25	0.00	2,900.00	2,900.00
<b>271 LAW ENFORCEMENT &amp; ED. FUND</b>	<b>0.00</b>	<b>1,388.25</b>	<b>1,388.25</b>	<b>0.00</b>	<b>2,900.00</b>	<b>2,900.00</b>
1800 Municipal Court/Judicial	0.00	7,377.08	7,377.08	0.00	35,500.00	35,500.00
9800 Reimbursements-Shared Expenses	0.00	10,000.00	10,000.00	0.00	10,000.00	10,000.00



## 2022 APPROPRIATION BUDGET

DEPT DESCRIPTION	2021 REVISED PROJECTED BUDGET			2022 REQUESTED BUDGET		
	PERSONAL	OTHER	TOTAL	PERSONAL	OTHER	TOTAL
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>272 COURT COMPUTERIZATION FUND</b>	<b>0.00</b>	<b>17,377.08</b>	<b>17,377.08</b>	<b>0.00</b>	<b>45,500.00</b>	<b>45,500.00</b>
2100 Police/Safety Services	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>273 LAW ENFORCEMENT TRUST FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,000.00</b>	<b>1,000.00</b>
2100 Police/Safety Services	0.00	74.80	74.80	3,000.00	3,000.00	6,000.00
<b>274 MANDATORY DRUG FINE FUND</b>	<b>0.00</b>	<b>74.80</b>	<b>74.80</b>	<b>3,000.00</b>	<b>3,000.00</b>	<b>6,000.00</b>
1800 Municipal Court/Judicial	0.00	0.00	0.00	0.00	0.00	0.00
1810 Municipal Court/Probation Department	23,871.32	5,971.96	29,843.28	27,885.00	1,000.00	28,885.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>275 MUNICIPAL PROBATION SERV. FUND</b>	<b>23,871.32</b>	<b>5,971.96</b>	<b>29,843.28</b>	<b>27,885.00</b>	<b>1,000.00</b>	<b>28,885.00</b>
1800 Municipal Court/Judicial	0.00	0.00	0.00	0.00	0.00	0.00
1810 Municipal Court/Probation Department	50,522.76	1,996.00	52,518.76	51,215.00	0.00	51,215.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>277 PROBATION OFFICER GRANT FUND</b>	<b>50,522.76</b>	<b>1,996.00</b>	<b>52,518.76</b>	<b>51,215.00</b>	<b>0.00</b>	<b>51,215.00</b>
1800 Municipal Court/Judicial	0.00	66,800.00	66,800.00	0.00	64,600.00	64,600.00
<b>278 COURT SPECIAL PROJECTS FUND</b>	<b>0.00</b>	<b>66,800.00</b>	<b>66,800.00</b>	<b>0.00</b>	<b>64,600.00</b>	<b>64,600.00</b>
1800 Municipal Court/Judicial	0.00	0.00	0.00	0.00	0.00	0.00
<b>279 HANDICAP PARKING FINES FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2100 Police/Safety Services	0.00	0.00	0.00	5,000.00	500.00	5,500.00
<b>280 CERTIFIED POLICE TRAINING FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>500.00</b>	<b>5,500.00</b>
1800 Municipal Court/Judicial	0.00	2,000.00	2,000.00	0.00	5,000.00	5,000.00
<b>281 INDIGENT DRIVERS INTERLOCK/ALC</b>	<b>0.00</b>	<b>2,000.00</b>	<b>2,000.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>5,000.00</b>
1810 Municipal Court/Probation Department	0.00	0.00	0.00	0.00	0.00	0.00
<b>287 PROBATION IMP. &amp; INCTV.GRT.FD.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1810 Municipal Court/Probation Department	9,366.98	22,677.16	32,044.14	18,730.00	6,910.00	25,640.00
<b>288 JUSTICE REINV.INCENTIVE GRT.FD</b>	<b>9,366.98</b>	<b>22,677.16</b>	<b>32,044.14</b>	<b>18,730.00</b>	<b>6,910.00</b>	<b>25,640.00</b>
2100 Police/Safety Services	106,168.00	0.00	106,168.00	89,736.00	0.00	89,736.00
<b>290 POLICE PENSION FUND</b>	<b>106,168.00</b>	<b>0.00</b>	<b>106,168.00</b>	<b>89,736.00</b>	<b>0.00</b>	<b>89,736.00</b>
2200 Fire/Safety Services	52,584.00	0.00	52,584.00	44,555.00	0.00	44,555.00
<b>291 FIRE PENSION FUND</b>	<b>52,584.00</b>	<b>0.00</b>	<b>52,584.00</b>	<b>44,555.00</b>	<b>0.00</b>	<b>44,555.00</b>
1900 General Gov./Miscellaneous	0.00	3,835.00	3,835.00	0.00	5,000.00	5,000.00
<b>295 IRS 125 EMPLOYEE BENEFITS FUND</b>	<b>0.00</b>	<b>3,835.00</b>	<b>3,835.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>5,000.00</b>
8100 General Obligation Debt Services	0.00	57,340.47	57,340.47	0.00	54,250.00	54,250.00
<b>300 GENERAL BOND RETIREMENT FUND</b>	<b>0.00</b>	<b>57,340.47</b>	<b>57,340.47</b>	<b>0.00</b>	<b>54,250.00</b>	<b>54,250.00</b>
8500 Special Assessment Debt Services	0.00	300.00	300.00	0.00	0.00	0.00
<b>310 S.A. BOND RETIREMENT FUND</b>	<b>0.00</b>	<b>300.00</b>	<b>300.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1100 City Council/Legislative	0.00	0.00	0.00	0.00	0.00	0.00
1300 City Manager/Administrative	0.00	74,999.00	74,999.00	0.00	53,000.00	53,000.00
1370 City Manager/Human Resources	0.00	0.00	0.00	0.00	0.00	0.00
1400 Law Director/ Administrative	0.00	0.00	0.00	0.00	2,000.00	2,000.00
1500 Finance/Administrative	0.00	0.00	0.00	0.00	0.00	0.00
1600 Information Technology/Administration	0.00	4,089.82	4,089.82	0.00	34,758.20	34,758.20
1700 Engineering/City Engineer	0.00	40,000.00	40,000.00	0.00	12,000.00	12,000.00
1800 Municipal Court/Judicial	0.00	716.00	716.00	0.00	82,716.00	82,716.00
1801 Municipal Court/Building	0.00	11,590.00	11,590.00	0.00	0.00	0.00
2100 Police/Safety Services	0.00	206,238.35	206,238.35	0.00	238,914.01	238,914.01
2102 Police/School Res. Officer	0.00	3,000.00	3,000.00	0.00	6,555.00	6,555.00
2103 Police/K-9 Unit	0.00	2,520.60	2,520.60	0.00	63,475.00	63,475.00
2200 Fire/Safety Services	0.00	34,720.88	34,720.88	0.00	14,000.00	14,000.00
3100 Bldg. Insp./Zoning & Plan.	0.00	0.00	0.00	0.00	0.00	0.00



## 2022 APPROPRIATION BUDGET

DEPT DESCRIPTION	2021 REVISED PROJECTED BUDGET			2022 REQUESTED BUDGET		
	PERSONAL	OTHER	TOTAL	PERSONAL	OTHER	TOTAL
3500 Economic Development	0.00	0.00	0.00	0.00	0.00	0.00
4200 Recreation/Golf Operating	0.00	0.00	0.00	0.00	0.00	0.00
4300 Recreation/Pool Operating	0.00	3,500.00	3,500.00	0.00	0.00	0.00
4400 Recreation/Parks & Programs	0.00	2,791.00	2,791.00	0.00	50,000.00	50,000.00
4700 Cemetery/Grounds	0.00	8,000.00	8,000.00	0.00	15,000.00	15,000.00
5100 Service/Streets Maint.&Prop.	0.00	2,303,751.20	2,303,751.20	0.00	1,550,430.00	1,550,430.00
5120 Service/Storm Drainage	0.00	0.00	0.00	0.00	0.00	0.00
5130 Service/Blds.,Properties,Equip.	0.00	0.00	0.00	0.00	0.00	0.00
5200 Service/Central Garage	0.00	0.00	0.00	0.00	0.00	0.00
5500 #N/A	0.00	0.00	0.00	0.00	0.00	0.00
9900 Transfer Accounts	0.00	56,500.00	56,500.00	0.00	107,700.00	107,700.00
<b>400 CAPITAL IMPROVEMENT FUND</b>	<b>0.00</b>	<b>2,752,416.85</b>	<b>2,752,416.85</b>	<b>0.00</b>	<b>2,230,548.21</b>	<b>2,230,548.21</b>
1900 General Gov./Miscellaneous	0.00	0.00	0.00	0.00	0.00	0.00
5100 Service/Streets Maint.&Prop.	0.00	0.00	0.00	0.00	0.00	0.00
<b>401 CIP FUNDING RESERVE FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
2200 Fire/Safety Services	0.00	0.00	0.00	0.00	0.00	0.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>410 FIRE FACILITY TRAINING GRT.FD.</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1520 Finance/Utility Billing	0.00	0.00	0.00	0.00	0.00	0.00
6100 #N/A	0.00	0.00	0.00	0.00	0.00	0.00
6110 Electric/Operations, Dist. System	1,304,051.81	1,418,660.63	2,722,712.44	1,393,930.00	824,370.00	2,218,300.00
6111 Electric/Purchased Power	0.00	13,550,000.00	13,550,000.00	0.00	13,800,000.00	13,800,000.00
9800 Reimbursements-Shared Expenses	0.00	777,404.98	777,404.98	0.00	948,290.96	948,290.96
9900 Transfer Accounts	0.00	491,156.02	491,156.02	0.00	490,000.00	490,000.00
<b>500 ELECTRIC UTILITY REVENUE FUND</b>	<b>1,304,051.81</b>	<b>16,237,221.63</b>	<b>17,541,273.43</b>	<b>1,393,930.00</b>	<b>16,062,660.96</b>	<b>17,456,590.96</b>
6110 Electric/Operations, Dist. System	0.00	31,922.49	31,922.49	0.00	736,000.00	736,000.00
9900 Transfer Accounts	0.00	1,069,412.00	1,069,412.00	0.00	0.00	0.00
<b>503 ELECTRIC DEVELOPMENT FUND</b>	<b>0.00</b>	<b>1,101,334.49</b>	<b>1,101,334.49</b>	<b>0.00</b>	<b>736,000.00</b>	<b>736,000.00</b>
1520 Finance/Utility Billing	0.00	0.00	0.00	0.00	0.00	0.00
6200 Water/Treatment Plant Operations	566,969.42	1,373,114.39	1,940,083.81	630,020.00	1,598,404.00	2,228,424.00
6210 Water/Distribution System	459,187.34	120,207.50	579,394.84	524,300.00	346,630.00	870,930.00
9800 Reimbursements-Shared Expenses	0.00	416,273.51	416,273.51	0.00	522,913.68	522,913.68
9900 Transfer Accounts	0.00	1,107,134.00	1,107,134.00	0.00	1,202,000.00	1,202,000.00
<b>510 WATER REVENUE FUND</b>	<b>1,026,156.75</b>	<b>3,016,729.40</b>	<b>4,042,886.15</b>	<b>1,154,320.00</b>	<b>3,669,947.68</b>	<b>4,824,267.68</b>
6210 Water/Distribution System	0.00	349,600.49	349,600.49	0.00	767,150.00	767,150.00
<b>511 WATER DEPRECIATION RES. FUND</b>	<b>0.00</b>	<b>349,600.49</b>	<b>349,600.49</b>	<b>0.00</b>	<b>767,150.00</b>	<b>767,150.00</b>
8300 Revenue Funds Debt Services	0.00	0.00	0.00	0.00	0.00	0.00
<b>512 WATER DEBT RESERVE FUND</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
8300 Revenue Funds Debt Services	0.00	11,323.38	11,323.38	0.00	0.00	0.00
8600 Special Assess. Debt Services (Owda)	0.00	0.00	0.00	0.00	0.00	0.00
<b>513 WATER OWDA BOND RETIREMENT FD.</b>	<b>0.00</b>	<b>11,323.38</b>	<b>11,323.38</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
6200 Water/Treatment Plant Operations	0.00	3,031,894.00	3,031,894.00	0.00	588,125.00	588,125.00
9800 Reimbursements-Shared Expenses	0.00	0.00	0.00	0.00	0.00	0.00
<b>519 WATER PLANT IMPROV &amp; RENO FUND</b>	<b>0.00</b>	<b>3,031,894.00</b>	<b>3,031,894.00</b>	<b>0.00</b>	<b>588,125.00</b>	<b>588,125.00</b>
1520 Finance/Utility Billing	0.00	0.00	0.00	0.00	0.00	0.00
6300 Sewer (Wwt)/Treatment Plant Oper.	592,636.38	5,139,348.75	5,731,985.13	610,170.00	1,114,000.00	1,724,170.00
6310 Sewer (Wwt)/Collection System	68,931.21	52,968.43	121,899.64	74,800.00	106,770.00	181,570.00
6311 Sewer (Wwt)/Cleaning & Imp.(Sso & Cso)	107,604.30	4,300.00	111,904.30	146,110.00	34,350.00	180,460.00
9800 Reimbursements-Shared Expenses	0.00	457,260.51	457,260.51	0.00	572,463.19	572,463.19
9900 Transfer Accounts	0.00	2,438,020.00	2,438,020.00	0.00	2,283,000.00	2,283,000.00

**2022 APPROPRIATION BUDGET**

DEPT DESCRIPTION	2021 REVISED PROJECTED BUDGET			2022 REQUESTED BUDGET		
	PERSONAL	OTHER	TOTAL	PERSONAL	OTHER	TOTAL
<b>520 SEWER UTILITY REVENUE FUND</b>	<b>769,171.89</b>	<b>8,091,897.69</b>	<b>8,861,069.58</b>	<b>831,080.00</b>	<b>4,110,583.19</b>	<b>4,941,663.19</b>
6310 Sewer (Wwt)/Collection System	0.00	10,915,671.22	10,915,671.22	0.00	9,519,150.00	9,519,150.00
9900 Transfer Accounts	0.00	0.00	0.00	0.00	0.00	0.00
<b>521 SEWER UTILITY REPLACEMENT &amp; IMP. FUND</b>	<b>0.00</b>	<b>10,915,671.22</b>	<b>10,915,671.22</b>	<b>0.00</b>	<b>9,519,150.00</b>	<b>9,519,150.00</b>
8300 Revenue Funds Debt Services	0.00	0.00	0.00	0.00	0.00	0.00
8800 State & Epa Loans Debt Services	0.00	261,347.07	261,347.07	0.00	0.00	0.00
<b>522 SEWER DEBT RESERVE FUND</b>	<b>0.00</b>	<b>261,347.07</b>	<b>261,347.07</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
8600 Special Assess. Debt Services (Owda)	0.00	53,479.52	53,479.52	0.00	0.00	0.00
<b>523 OWDA SA DEBT RETIREMENT FUND</b>	<b>0.00</b>	<b>53,479.52</b>	<b>53,479.52</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
6310 Sewer (Wwt)/Collection System	0.00	0.00	0.00	0.00	0.00	0.00
8800 State & Epa Loans Debt Services	0.00	81,844.64	81,844.64	0.00	0.00	0.00
<b>532 WILLIAMS PUMP STA. IMP. PRJ. FUND</b>	<b>0.00</b>	<b>81,844.64</b>	<b>81,844.64</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
1520 Finance/Utility Billing	0.00	0.00	0.00	0.00	0.00	0.00
6400 Sanitation /Collection & Disposal	190,040.51	121,147.69	311,188.20	196,310.00	141,260.00	337,570.00
6410 Sanitation/Srs-Seasonal Pickup Program	0.00	70,058.36	70,058.36	0.00	76,100.00	76,100.00
6411 Sanitation/Srs-Yard Waste Site Oper.	0.00	35,235.78	35,235.78	0.00	89,950.00	89,950.00
6412 Sanitation/Srs-Mosquito Control	0.00	72,099.15	72,099.15	0.00	83,390.00	83,390.00
6420 Sanitation/Recycling Programs	131,010.30	63,895.95	194,906.25	140,070.00	67,790.00	207,860.00
9800 Reimbursements-Shared Expenses	0.00	152,230.69	152,230.69	0.00	182,467.06	182,467.06
9900 Transfer Accounts	0.00	48,300.00	48,300.00	0.00	48,300.00	48,300.00
<b>560 SANITATION (REFUSE) REVENUE FD</b>	<b>321,050.81</b>	<b>562,967.63</b>	<b>884,018.43</b>	<b>336,380.00</b>	<b>689,257.06</b>	<b>1,025,637.06</b>
6400 Sanitation /Collection & Disposal	0.00	2,892.00	2,892.00	0.00	5,000.00	5,000.00
<b>561 SANIT. (REFUSE) DEPREC. RES. FUND</b>	<b>0.00</b>	<b>2,892.00</b>	<b>2,892.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>5,000.00</b>
6500 Meter Deposit/Unapplied Cash	0.00	11,494.96	11,494.96	0.00	20,000.00	20,000.00
<b>580 METER DEP. (ELECT &amp; WATER) FUND</b>	<b>0.00</b>	<b>11,494.96</b>	<b>11,494.96</b>	<b>0.00</b>	<b>20,000.00</b>	<b>20,000.00</b>
5200 Service/Central Garage	187,826.88	71,411.39	259,238.27	190,790.00	86,400.00	277,190.00
5600 Service/Fuel Purchase Rotary	0.00	51,140.00	51,140.00	0.00	70,000.00	70,000.00
<b>600 CENTRAL GARAGE ROTARY FUND</b>	<b>187,826.88</b>	<b>122,551.39</b>	<b>310,378.27</b>	<b>190,790.00</b>	<b>156,400.00</b>	<b>347,190.00</b>
<b>GRAND TOTAL - ALL FUNDS</b>	<b>9,883,064.40</b>	<b>58,718,917.48</b>	<b>68,601,981.88</b>	<b>11,239,447.90</b>	<b>47,938,547.50</b>	<b>59,177,995.40</b>

**RESOLUTION NO. 056-21**

**A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO  
TRANSFER CERTAIN FUND BALANCES FROM RESPECTIVE FUNDS  
TO OTHER FUNDS PER SECTION 5705.14 ORC ON AN AS NEEDED  
BASIS IN FISCAL YEAR 2022, LISTED IN EXHIBIT "A;" AND  
DECLARING AN EMERGENCY**

**WHEREAS**, the City is a charter municipality having those powers of self government as stated in Article I of its Charter; and,

**WHEREAS**, in order to provide Fund Balances for approved expenditures in certain funds on an as needed basis, it is necessary to transfer funds from respective funds to other funds; **Now Therefore**,

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

Section 1. That, pursuant to Section 5705.14 of the ORC and this Resolution, the Finance Director is hereby authorized and directed to transfer monies among the various funds on an as needed basis in Fiscal Year 2022 as listed in Exhibit "A" attached hereto and made a part of this Resolution.

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

Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, only that portion shall be held invalid and the remainder shall remain valid.

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient 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 immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of expenses, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 056-21 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*



**2022 APPROPRIATION BUDGET - TRANSFER OF FUNDS****RESOLUTION No. 56-21****BUDGET REVIEW - 2022 TRANSFER OF FUNDS****FUND NAME, FROM - TO, PURPOSE**

	<b>TRANSFER AMOUNTS</b>	
	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b>FROM:</b> 100 GENERAL FUND	\$0	
<b>TO:</b> 101 GENERAL RESERVE BALANCE FUND		\$0
<b>Purpose:</b> Move Excess Reserves in 100 General Fund to 101 General Reserve Balance Fund.		
<b>FROM:</b> 100 GENERAL FUND	\$10,970	
<b>TO:</b> 123 SPECIAL EVENTS FUND		\$10,970
<b>Purpose:</b> Subsidize Fall Festival and other events as sponsored through the Chamber of Commerce.		
<b>FROM:</b> 100 GENERAL FUND	\$39,000	
<b>TO:</b> 130 ECONOMIC DEVELOPMENT FUND		\$39,000
<b>Purpose:</b> Subsidize the Economic Development Fund programs due to insufficient funds in the 130 ED Fund.		
<b>FROM:</b> 100 GENERAL FUND	\$0	
<b>TO:</b> 200 SCM&R FUND		\$0
<b>Purpose:</b> Subsidize the 200 SCM&R Fund due to an Original Estimated Shortfall in the 200 SCM&R Fund.		
<b>FROM:</b> 100 GENERAL FUND	\$3,136	
<b>TO:</b> 295 IRS 125 EMPLOYEE FRINGE BENEFITS FUND		\$3,136
<b>Purpose:</b> Subsidize Administrative Expenditures of Employee 125 Flexible Spending Benefits Fund.		
<b>FROM:</b> 100 GENERAL FUND	\$0	
<b>TO:</b> 600 CENTRAL ROTARY CHARGES FUND		\$0
<b>Purpose:</b> Subsidize Operating Expenditures of Central Garage Rotary Charges Fund.		
<b>FROM:</b> 147 UNCLAIMED MONIES FUND	\$2,500	
<b>TO:</b> 100 GENERAL FUND		\$2,500
<b>Purpose:</b> Payment of Unclaimed Funds back to the 100 General Fund.		
<b>FROM:</b> 170 MUNICIPAL INCOME TAX FUND	\$2,500,000	
<b>TO:</b> 100 GENERAL FUND		\$2,500,000
<b>Purpose:</b> Net Transfer (65%) of Income Tax Receipts to 100 General Fund -Estimated		
<b>FROM:</b> 170 MUNICIPAL INCOME TAX FUND	\$590,000	
<b>TO:</b> 220 RECREATION FUND		\$590,000
<b>Purpose:</b> Transfer of Income Tax Levy Receipts to 220 Recreation Fund -Estimated		
<b>FROM:</b> 170 MUNICIPAL INCOME TAX FUND	\$1,250,000	
<b>TO:</b> 400 CAPITAL IMPROVEMENT FUND		\$1,250,000
<b>Purpose:</b> Net Transfer (35%) of Income Tax Receipts to 400 CIP Fund-Estimated		

**2022 APPROPRIATION BUDGET - TRANSFER OF FUNDS****RESOLUTION No. 56-21****BUDGET REVIEW - 2022 TRANSFER OF FUNDS****FUND NAME, FROM - TO, PURPOSE**

	<b>TRANSFER AMOUNTS</b>	
	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b>FROM:</b> 180 KWH TAX COLLECTION (GF) FUND	<b>\$380,000</b>	
<b>TO:</b> 100 GENERAL FUND		<b>\$380,000</b>
<b>Purpose:</b> Transfer of Net Balance of KWH Tax Funds into the General Fund-Estimated		
<b>FROM:</b> 195 LAW LIBRARY FUND	<b>\$7,500</b>	
<b>TO:</b> 100 GENERAL FUND		<b>\$7,500</b>
<b>Purpose:</b> Transfer of City Share for Highway Patrol Fine Monies per ORC.		
<b>FROM:</b> 210 EMS TRANSPORT SERVICE FUND	<b>\$28,800</b>	
<b>TO:</b> 242 FIRE EQUIPMENT FUND		<b>\$28,800</b>
<b>Purpose:</b> City Share of Township Contract (80% ) for a Total of \$105,000, Funded \$30,240 from 210 Fund & \$53,760 from 400 Fund.		
<b>FROM:</b> 240 HOTEL-MOTEL TAX FUND	<b>\$50,000</b>	
<b>TO:</b> 100 GENERAL FUND		<b>\$50,000</b>
<b>Purpose:</b> City's Net Share of Total Collections (50%) on a 6% Rate, per Ordinance to 100 General Fund; balance to Chamber Tourist Bureau.		
<b>FROM:</b> 400 CAPITAL IMPROVEMENT FUND	<b>\$51,200</b>	
<b>TO:</b> 242 FIRE EQUIPMENT FUND		<b>\$51,200</b>
<b>Purpose:</b> City Share of Township Contract (80% ) for a Total of \$105,000, Funded \$30,240 from 210 Fund & \$53,760 from 400 Fund.		
<b>FROM:</b> 400 CAPITAL IMPROVEMENT FUND	<b>\$56,500</b>	
<b>TO:</b> 300 GENERAL BOND RETIREMENT FUND		<b>\$56,500</b>
<b>Purpose:</b> Retirement of General Bond Obligation Debt.		
<b>FROM:</b> 500 ELECTRIC REVENUE FUND	<b>\$490,000</b>	
<b>TO:</b> 180 KWH TAX COLLECTION (GF) FUND		<b>\$490,000</b>
<b>Purpose:</b> Transfer to 180 kWH (GF Equivalent) Tax Fund, 100 General Fund share of kWH Tax.		
<b>FROM:</b> 500 ELECTRIC REVENUE FUND	<b>\$0</b>	
<b>TO:</b> 503 ELECTRIC DEVELOPMENT FUND		<b>\$0</b>
<b>Purpose:</b> Funding Reserves for Current and Future Capital Purchases.		
<b>FROM:</b> 510 WATER REVENUE FUND	<b>\$450,000</b>	
<b>TO:</b> 511 WATER DEPRECIATION FUND		<b>\$450,000</b>
<b>Purpose:</b> Funding for Proposed Projects out of the 511 Water Depreciation Fund.		

**2022 APPROPRIATION BUDGET - TRANSFER OF FUNDS****RESOLUTION No. 56-21****BUDGET REVIEW - 2022 TRANSFER OF FUNDS****FUND NAME, FROM - TO, PURPOSE**

	<b>TRANSFER AMOUNTS</b>	
	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b>FROM:</b> 510 WATER REVENUE FUND	\$80,000	
<b>TO:</b> 512 WATER DEBT RESERVE FUND		\$80,000
<b>Purpose:</b> Funding for Debt Payments on Water Projects.		
<b>FROM:</b> 510 WATER REVENUE FUND	\$22,000	
<b>TO:</b> 513 WATER OWDA BOND RETIREMENT FUND		\$22,000
<b>Purpose:</b> Funding for OWDA Debt Payments on Water Projects.		
<b>FROM:</b> 510 WATER REVENUE FUND	\$650,000	
<b>TO:</b> 519 WATER PLANT RENOVATION & IMPRMNT. FUND		\$650,000
<b>Purpose:</b> Funding for Debt Service on New Water Plant Fund.		
<b>FROM:</b> 520 SEWER (WWT) REVENUE FUND	\$88,000	
<b>TO:</b> 523 OWDA SA BOND RETIREMENT FUND		\$88,000
<b>Purpose:</b> Funding for OWDA Debt Payments on Sewer Projects.		
<b>FROM:</b> 520 SEWER (WWT) REVENUE FUND	\$1,750,000	
<b>TO:</b> 521 SEWER REPLACEMENT & IMP. FUND		\$1,750,000
<b>Purpose:</b> Funding Reserves for Current and Future Capital Purchases.		
<b>FROM:</b> 520 SEWER (WWT) REVENUE FUND	\$445,000	
<b>TO:</b> 522 SEWER UTILITY RESERVE FUND		\$445,000
<b>Purpose:</b> Funding for Capital and Debt Payments.		
<b>FROM:</b> 520 SEWER (WWT) REVENUE FUND	\$0	
<b>TO:</b> 532 WILLIAMS PUMP STATION FUND		\$0
<b>Purpose:</b> Funding Reserves for Current and Future Capital Purchases.		
<b>FROM:</b> 560 SANITATION REVENUE FUND	\$48,300	
<b>TO:</b> 561 SANITATION DEPRECIATION RES. FUND		\$48,300
<b>Purpose:</b> Funding Reserves for Current and Future Capital Purchases.		
<b>TOTALS - FROM</b>	<b>8,992,906</b>	
<b>TOTALS - TO</b>		<b>8,992,906</b>
	=====	=====



**ORDINANCE NO. 057-21**

**AN ORDINANCE AMENDING THE ALLOCATION OF FUNDS AS  
FOUND IN SECTIONS 193.11 AND 194.013 OF THE CODIFIED  
ORDINANCES OF THE CITY OF NAPOLEON, OHIO; AND  
DECLARING AN EMERGENCY**

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

Section 1. That, Section 193.11 of the Codified Ordinances of Napoleon, Ohio, shall be amended and enacted as follows:

**“193.11 ALLOCATION OF FUNDS.**

(a) Effective January 1, 2022, the funds collected under the provisions of this chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than sixty-five percent (65%) of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least thirty-five percent (35%) of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.

(b) Effective January 1, 2023 and thereafter, the funds collected under the provisions of this chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than sixty-five percent (65%) of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least thirty-five percent (35%) of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.”

Section 2. That, Section 193.11 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed effective December 31, 2021 at 11:59 PM.

Section 3. That, Section 194.013 of the Codified Ordinances of Napoleon, Ohio, shall be amended and enacted as follows:

“194.013 ALLOCATION OF FUNDS.

(A) Effective January 1, 2022, the funds collected under the provisions of this Chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this Chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than sixty-five percent (65%) of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least thirty-five percent (35%) of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.

(4) One-hundred percent (100%) of the net available tax receipts received annually pursuant to Napoleon Ordinance 194.081 may be used to defray operating expenses incurred due to the provision of police and fire services.

(B) Effective January 1, 2023 and thereafter, the funds collected under the provisions of this chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than sixty-five percent (65%) of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least thirty-five percent (35%) of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.

(4) One-hundred percent (100%) of the net available tax receipts received annually pursuant to Napoleon Ordinance 194.081 may be used to defray operating expenses incurred due to the provision of police and fire services.”

Section 4. That, Section 194.013 of the Codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Ordinance, is repealed effective December 31, 2021 at 11:59 PM.

Section 5. 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 6. 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 7. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for passage before the deadline; moreover, this must timely take effect to meet the intent of the law; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for timely allocation of funds, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 057-21 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*

## **RESOLUTION NO. 058-21**

### **A RESOLUTION AUTHORIZING A CONTRIBUTION TO THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO, IN AND FOR THE YEAR 2022; AND DECLARING AN EMERGENCY**

**WHEREAS**, the City, by Ordinance in accordance with Section 1724.10 of the Ohio Revised Code, designated The Community Improvement Corporation of Henry County, Ohio ("CIC") as the agency of the City for the industrial, commercial, distribution, and research development of the City; and,

**WHEREAS**, a "Plan" as defined in Section 165.01 of the Revised Code was prepared and confirmed to advance, encourage, and promote the industrial, commercial, distribution, and research development of the City in a manner which among several things, creates and preserves jobs and employment opportunities in the City and the State and improves the economic welfare of the people of the City and of the State; and further, encourages and causes the maintenance, location, relocation, expansion, modernization, and equipment of sites, buildings, structures, and appurtenant facilities for industrial, commercial, distribution, and research activities within the City and thereby preserves, maintains, or creates additional opportunities for employment within the City; and,

**WHEREAS**, this Council desires to further advance the Plan and has determined to financially assist the CIC with operational and the other expenses in the year 2022;  
**Now Therefore,**

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

Section 1. That, in an effort to further advance the "Plan" referenced in the preamble of this Resolution, the City Finance Director is directed and authorized to pay to The Community Improvement Corporation of Henry County, Ohio ("CIC") the amount of thirty-nine thousand dollars (\$39,000) in and for the year 2022 to the CIC for operational expenses and costs for the advancement of economic development projects for both present companies and future companies. The amounts contributed herein are deemed by this Council to be a proper public expenditure of public funds.

Section 2. That, the monies contributed as found in Section 1 of this Resolution shall be used for operational expenses and to advance the "Plan" as referenced in the preamble of this Resolution and shall not be pledged to secure any debt of the CIC.

Section 3. That, all payments stated in this Resolution are subject to appropriation of funds by Council. In the event appropriation of funds by Council is satisfied, payment shall be made by the Finance Director in quarterly installments to the CIC, all in and for the year 2022.

Section 4. That, Resolution Number 068-20 is repealed upon the effective date of this Resolution.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its

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

Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 7. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for economic projects to timely move forward; projects that will create jobs; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 058-21 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. 059-21**

**AN ORDINANCE APPORTIONING THE EXPENSES INCURRED INCLUDING WAGES, SALARIES AND FRINGE BENEFITS OF THE MAYOR, COUNCIL, AND VARIOUS OTHER DEPARTMENTS OF THE CITY OF NAPOLEON WHICH ARE NOT OTHERWISE DIRECTLY CHARGED TO SPECIAL AND/OR CAPITAL PROJECTS AMONG VARIOUS ACCOUNTS EFFECTIVE JANUARY 1, 2022; AMENDING ORDINANCE NO.(S) 104-09, 087-19, AND 069-20; AND DECLARING AN EMERGENCY**

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

Section 1. That, the expenses incurred, including wages, salary and fringe benefits of the Mayor, City Council, and various departments within the City as found in Exhibit "A," that are not otherwise directly charged to special and/or capital projects, shall be apportioned among the funds using the direct reimbursement method as found in attached Exhibit "A" which is made part of this Ordinance.

Section 2. That, the City Finance Director is directed to adjust the affected funds (retroactive if necessary) effective January 1, 2022 to accomplish the intent of this Ordinance.

Section 3. That, Ordinance No.(s) 104-09, 087-19, and 069-20 are hereby amended.

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

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

Section 6. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to commence the amendments 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.059-21 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.*

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*Roxanne Dietrich, Clerk of Council*

2022 ESTIMATED INTERNAL REIMBURSABLE COSTS - ALLOCATION OF SHARED AND DIRECT COSTS

NOTE: Budgeted Allocations (%'s) were changed by City Council, Ord 104-09, Passed 12/21/2009 and Ord. 087-19 Passed 12/16/19 !

100 GF ADMINISTRATIVE SHARED COSTS & DISPATCHING SERVICES TO ENTERPRISE FUNDS:

100 GF DEPARTMENT -->		= 1100 CITY COUNCIL =	*	= 1200 MAYORS OFFC. =	*	= 1300 CITY MANAGER =	*	= 1370 HUMAN RESRCE. =	*
Projected Appropriations -->		54,248	*	21,473	*	422,610	*	126,705	*
		=====	*	=====	*	=====	*	=====	*
100 GENERAL FUND-Net Direct	25%	13,562	*	5,368	*	42,261	*	38,012	*
500 ELECTRIC OPER.FUN	30%	16,274	*	6,442	*	169,044	*	31,676	*
510 WATER REV. FUND	20%	10,850	*	4,295	*	84,522	*	25,341	*
520 SEWER REV. FUND	20%	10,850	*	4,295	*	84,522	*	25,341	*
560 SANTITION FUND	5%	2,712	*	1,074	*	42,261	*	6,335	*
		=====	*	=====	*	=====	*	=====	*
Sub-Total Reimbursement	75%	40,686	*	16,105	*	380,349	*	88,694	*
Verification Total	100%	54,248	*	21,473	*	422,610	*	126,705	*
		=====	*	=====	*	=====	*	=====	*

100 GF DEPARTMENT -->		= 1400 LAW DIRECTOR =	*	= 1500 FIN/ADMINSTR. =	*	= 1520 FIN/UTILITY BILL =	*	= 1600 INF.SYS./ADMIN. =	*
Projected Appropriations -->		272,300	*	511,410	*	237,850	*	236,460	*
		=====	*	=====	*	=====	*	=====	*
100 GENERAL FUND-Net Direct	30%	81,690	*	51,141	*	0	*	47,292	*
500 ELECTRIC OPER.FUN	25%	68,075	*	204,564	*	118,925	*	82,761	*
510 WATER REV. FUND	20%	54,460	*	102,282	*	47,570	*	47,292	*
520 SEWER REV. FUND	20%	54,460	*	102,282	*	47,570	*	47,292	*
560 SANTITION FUND	5%	13,615	*	51,141	*	23,785	*	11,823	*
		=====	*	=====	*	=====	*	=====	*
Sub-Total Reimbursement	70%	190,610	*	460,269	*	237,850	*	189,168	*
Verification Total	100%	272,300	*	511,410	*	237,850	*	236,460	*
	(1)	=====	*	=====	*	=====	*	(2)	=====

100 GF DEPARTMENT -->		= 1700 ENGINEERING =	*	= 1900 GENERAL GOV. =	*	= 2100 POLICE-Dispatch =	*	= 5130 SV/BLDG.&PROP. =	*
Projected Appropriations -->		402,060	*	148,655	*	109,058	*	108,710	*
		=====	*	=====	*	=====	*	=====	*
100 GENERAL FUND-Net Direct	8%	32,165	*	22,298	*	94,881	*	21,742	*
500 ELECTRIC OPER.FUN	33%	132,680	*	74,328	*	10,906	*	32,613	*
510 WATER REV. FUND	25%	100,515	*	22,298	*	2,181	*	16,307	*
520 SEWER REV. FUND	34%	136,700	*	22,298	*	545	*	16,307	*
560 SANTITION FUND	0%	0	*	7,433	*	545	*	21,742	*
		=====	*	=====	*	=====	*	=====	*
Sub-Total Reimbursement	92%	369,895	*	126,357	*	14,178	*	86,968	*
Verification Total	100%	402,060	*	148,655	*	109,058	*	108,710	*
		=====	*	=====	*	=====	*	=====	*

100 GF DEPARTMENT -->		2022					
		= GRAND TOTALS =	*	ACCOUNT	FUND FROM	FUND TO	
Projected Appropriations -->		2,651,540	*				
		=====	*				
100 GENERAL FUND-Net Direct	17%	450,414	*				
500 ELECTRIC OPER.FUN	36%	948,291	*	500.9800.59110	948,291		
510 WATER REV. FUND	20%	517,914	*	510.9800.59110	517,914		
520 SEWER REV. FUND	21%	552,463	*	520.9800.59110	552,463		
560 SANTITION FUND	7%	182,467	*	560.9800.59110	182,467		
		=====	*				
Sub-Total Reimbursement	83%	2,201,135	*	100.0000.49600		2,201,135	
Verification Total	100%	2,651,549	*				
		=====	*				



## 2022 ESTIMATED INTERNAL REIMBURSABLE COSTS - ALLOCATION OF SHARED AND DIRECT COSTS

**NOTE: Budgeted Allocations (%'s) were changed by City Council, Ord 104-09, Passed 12/21/2009 and Ord. 087-19 Passed 12/16/19 !**

NOTE: (1) 1400 Law Director excludes \$36,420 of Direct County Reimbursement for Contracted Prosecutor Services and Administration Fees.

NOTE: (2) 1600 Information Systems excludes \$10,000 of Reimbursed Expense allocated to the 272 Court Computerization Fund.

NOTE: (3) 1900 General Government excludes \$14,000 of Electric, \$1,800 of Water & Sewer and \$20,000 Undefined Contingencies, Total \$35,800.

NOTE: (4) 2100 Police-Dispatch Salary, OT and Fringes, 27% Est for (1 FT Equivalent Dispatcher) allocated for Utility & Operations Calls per Council.

600 CG DEPARTMENT -->	= 5200 CNTRL GARAGE =		ACCOUNT	FUND FROM	FUND TO
Projected Appropriations -->		<b>86,400</b>			
		=====			
100 GENERAL FUND-Net Direct	15%	12,960	100.9800.59110	12,960	
		-----			
500 ELECTRIC OPER.FUN	35%	30,240	500.9800.59110	30,240	
510 WATER REV. FUND	5%	4,320	510.9800.59110	4,320	
520 SEWER REV. FUND	20%	17,280	520.9800.59110	17,280	
560 SANTITION FUND	25%	21,600	560.9800.59110	21,600	
		-----			
<b>Sub-Total Reimbursement</b>	<b>85%</b>	<b>73,440</b>	600.0000.49600		<b>86,400</b>
		-----			
<b>Verification Total</b>	<b>100%</b>	<b>86,400</b>			
	<b>(5)</b>	<b>=====</b>			<b>=====</b>

NOTE: (5) 5200 Garage excludes personnel services.

### OTHER SHARED AND DIRECT EXPENSED INTERNAL REIMBURSABLE AMOUNTS:

	ACCOUNT	FUND FROM	FUND TO
100 GENERAL FUND Reimb.-Shared Labor Expenses-Twp	100.9800.59130	10,000	
100 GENERAL FUND Reimbursements-Internal	100.0000.49600		<b>10,000</b>
NOTE: Record Administrative Salary and Fringes direct funded from 100 General Fund per Township Cnt. for Fire Services.			=====
100 GENERAL FUND Reimb.-Shared Admin.Expenses	100.9800.59110	10,000	
220 RECREATION FUND Reimbursements-Internal	220.0000.49600		<b>10,000</b>
NOTE: Reimburse Dept 4100 Recreation Director administrative Salary and Fringes for Overseeing Cemetery Operations.			=====
100 GENERAL FUND Reimb.-Shared Admin.Expenses	100.9800.59110	5,500	
220 RECREATION FUND Reimbursements-Internal	220.0000.49600		<b>5,500</b>
NOTE: Reimburse Dept 4400 Seasonal Worker Salary and Fringes for Shared Duties.			=====
210 EMS TRANSPORT SERVICE FUND Reimb.-Shared Admin.Expenses	210.9800.59110	205,000	
100 GENERAL FUND Reimbursements-Internal	100.0000.49600		<b>205,000</b>
NOTE: Reimburse Dept 2200 EMS Salary, Fringes and Other Costs to 100 General Fund.			=====
272 COURT COMPUTERIZATION FUND Reimb.-Shared Admin.Expenses	272.9800.59110	10,000	
100 GENERAL FUND Reimbursements-Internal	100.0000.49600		<b>10,000</b>
NOTE: Reimburse Dept 1800 MIS Director Budgeted Expenses that are Court Related.			=====

**2022 ESTIMATED INTERNAL REIMBURSABLE COSTS - ALLOCATION OF SHARED AND DIRECT COSTS**

**NOTE: Budgeted Allocations (%'s) were changed by City Council, Ord 104-09, Passed 12/21/2009 and Ord. 087-19 Passed 12/16/19 !**

**ESTIMATED COST CENTERING OF LABOR SHARING REIMBURSEMENT POSTING:**

	ACCOUNT	FUND FROM	FUND TO
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5100.59130	30,000	
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5110.59130	7,000	
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5120.59130	500	
500 ELECTRIC UTILITY REVENUE FUND Reimb.-Shared Labor Expenses	500.9800.59130	0	
510 WATER REVENUE FUND Reimb.-Shared Labor Expenses	510.9800.59130	5,000	
520 SEWER UTILITY REVENUE FUND Reimb.-Shared Labor Expenses	520.9800.59130	20,000	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6400.59160	6,500	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6410.59160	20,000	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6411.59160	13,500	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6412.59160	8,200	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6420.59160	<u>12,500</u>	
TOTAL FROM - EXPENSE		123,200	

100 GENERAL FUND Reimbursements-Internal	100.0000.49600	3.843%	<b>4,735</b>
200 STREET CONST.MAINT.&REPAIR FD Reimbursements-Internal	200.0000.49600	22.711%	<b>27,980</b>
500 ELECTRIC UTILITY REVENUE FUND Reimbursements-Internal	500.0000.49600	1.115%	<b>1,374</b>
510 WATER REVENUE FUND Reimbursements-Internal	510.0000.49600	18.903%	<b>23,288</b>
520 SEWER UTILITY REVENUE FUND Reimbursements-Internal	520.0000.49600	38.344%	<b>47,240</b>
560 SANITATION (REFUSE)REVENUE FD Reimbursements-Internal	560.0000.49600	7.154%	<b>8,814</b>
600 CENTRAL GARAGE ROTARY FUND Reimbursements-Internal	600.0000.49600	7.930%	<b>9,770</b>
TOTAL TO - REVENUE			<b>123,200</b>

NOTE: Reimburse Direct Labor Salary and Fringes for work performed by Department Personnel in Other Funds, various as needed.

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**ELECTRIC, WATER & SEWER REIMBURSABLE AMOUNTS FROM 180KWH TAX FUND:**

**ESTIMATED FUNDS USED FOR RECEIPT ALLOCATION OF ELECTRIC, WATER & SEWER**

100 GENERAL FUND Utilities-Electric	100.1800.53110	3.243%	4,000
100 GENERAL FUND Utilities-Electric	100.1900.53110	11.350%	14,000
100 GENERAL FUND Utilities-Electric	100.2100.53110	12.566%	15,500
100 GENERAL FUND Utilities-Electric	100.2200.53110	18.606%	22,950
100 GENERAL FUND Utilities-Electric	100.4700.53110	2.513%	3,100
100 GENERAL FUND Utilities-Water And Sewer	100.1800.53113	1.216%	1,500
100 GENERAL FUND Utilities-Water And Sewer	100.1900.53113	1.459%	1,800
100 GENERAL FUND Utilities-Water And Sewer	100.2100.53113	2.067%	2,550
100 GENERAL FUND Utilities-Water And Sewer	100.2200.53113	5.424%	6,690
100 GENERAL FUND Utilities-Water And Sewer	100.4700.53113	0.405%	<u>500</u>
TOTAL - 100 GENERAL FUND			72,590
200 STREET (SCM&R) FUND Utilities-Electric	200.5100.53110	4.637%	5,720
200 STREET (SCM&R) FUND Utilities-Water And Sewer	200.5100.53113	0.276%	<u>340</u>
TOTAL - 200 STREET CONST.MAINT.& REPAIR FD			6,060
220 RECREATION FUND Utilities-Electric	220.4200.53110	5.270%	6,500
220 RECREATION FUND Utilities-Electric	220.4300.53110	6.486%	8,000
220 RECREATION FUND Utilities-Electric	220.4400.53110	16.214%	20,000
220 RECREATION FUND Utilities-Water And Sewer	220.4200.53113	0.973%	1,200
220 RECREATION FUND Utilities-Water And Sewer	220.4300.53113	4.864%	6,000
220 RECREATION FUND Utilities-Water And Sewer	220.4400.53113	2.432%	<u>3,000</u>
TOTAL - 220 RECREATION FUND			<u>44,700</u>
TOTAL ESTIMATED FUNDS			123,350

	ACCOUNT	FUND FROM	FUND TO
FUNDS AVAILABLE - TOTAL FROM EXPENSE	<b>500,000</b>		
FUNDS AVAILABLE - TOTAL FROM UTILITIES	123,350		
NEW BALANCE AVAILABLE (>0) FOR TRANSFER TO 100 GENERAL FUND	376,650		

180 KWH TAX COLLECTION FUND (GF) Reimb.-Shared Admin.Expenses	180.9800.59110	123,350	
100 GENERAL FUND Reimbursements-City Utilities	100.0000.49650		72,590
200 STREET CONST.MAINT.&REPAIR FD Reimbursements-City Utilities	200.0000.49650		6,060
220 RECREATION FUND Reimbursements-City Utilities	220.0000.49650		44,700

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# 2022 ESTIMATED INTERNAL REIMBURSABLE COSTS - ALLOCATION OF SHARED AND DIRECT COSTS

**NOTE: Budgeted Allocations (%'s) were changed by City Council, Ord 104-09, Passed 12/21/2009 and Ord. 087-19 Passed 12/16/19 !**

## REVENUE SUMMARY - ALLOCATION BY FUND:

	ACCOUNT	FUND FROM	FUND TO
100 GENERAL FUND Reimbursements-Internal	100.0000.49600		2,430,869
100 GENERAL FUND Reimbursements-City Utilities	100.0000.49650		72,590
200 STREET CONST.MAINT.&REPAIR FD Reimbursements-Internal	200.0000.49600		27,980
200 STREET CONST.MAINT.&REPAIR FD Reimbursements-City Utilities	200.0000.49650		6,060
220 RECREATION FUND Reimbursements-Internal	220.0000.49600		15,500
220 RECREATION FUND Reimbursements-City Utilities	220.0000.49650		44,700
500 ELECTRIC UTILITY REVENUE FUND Reimbursements-Internal	500.0000.49600		1,374
500 ELECTRIC UTILITY REVENUE FUND Reimbursements-City Utilities	500.0000.49650		0
510 WATER REVENUE FUND Reimbursements-Internal	510.0000.49600		23,288
510 WATER REVENUE FUND Reimbursements-City Utilities	510.0000.49650		0
520 SEWER UTILITY REVENUE FUND Reimbursements-Internal	520.0000.49600		47,240
520 SEWER UTILITY REVENUE FUND Reimbursements-City Utilities	520.0000.49650		0
560 SANITATION (REFUSE)REVENUE FD Reimbursements-Internal	560.0000.49600		8,814
560 SANITATION (REFUSE)REVENUE FD Reimbursements-City Utilities	560.0000.49650		0
600 CENTRAL GARAGE ROTARY FUND Reimbursements-Internal	600.0000.49600		96,170

## REVENUE SUMMARY - GRAND TOTAL

**2,774,585**

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## EXPENDITURE SUMMARY - ALLOCATION BY FUND:

	ACCOUNT	FUND FROM	FUND TO
100 GENERAL FUND Reimb.-Shared Admin.Expenses	100.9800.59110	28,460	
100 GENERAL FUND Reimb.-Shared Labor Expenses-Twp	100.9800.59130	10,000	
180 KWH TAX COLLECTION FUND (GF) Reimb.-Shared Admin.Expenses	180.9800.59110	123,350	
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5100.59130	30,000	
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5110.59130	7,000	
200 STREET CONST.MAINT.&REPAIR FD Reimb.-Shared Labor Expenses	200.5120.59130	500	
210 EMS TRANSPORT SERVICE FUND Reimb.-Shared Admin.Expenses	210.9800.59110	205,000	
272 COURT COMPUTERIZATION FUND Reimb.-Shared Admin.Expenses	272.9800.59110	10,000	
500 ELECTRIC UTILITY REVENUE FUND Reimb.-Shared Admin.Expenses	500.9800.59110	978,531	
500 ELECTRIC UTILITY REVENUE FUND Reimb.-Shared Labor Expenses	500.9800.59130	0	
510 WATER REVENUE FUND Reimb.-Shared Admin.Expenses	510.9800.59110	522,234	
510 WATER REVENUE FUND Reimb.-Shared Labor Expenses	510.9800.59130	5,000	
519 WATER PLANT IMPROV & RENO FUND Reimb.-Shared Labor Expenses	519.9800.59130	0	
520 SEWER UTILITY REVENUE FUND Reimb.-Shared Admin.Expenses	520.9800.59110	569,743	
520 SEWER UTILITY REVENUE FUND Reimb.-Shared Labor Expenses	520.9800.59130	20,000	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6400.59160	6,500	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6410.59160	20,000	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6411.59160	13,500	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6412.59160	8,200	
560 SANITATION (REFUSE)REVENUE FD Reimb-Direct Salary & Fringe	560.6420.59160	12,500	
560 SANITATION (REFUSE)REVENUE FD Reimb.-Shared Admin.Expenses	560.9800.59110	204,067	

## EXPENDITURE SUMMARY - GRAND TOTAL


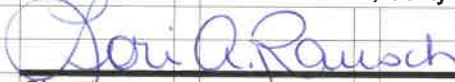
**2,774,585**

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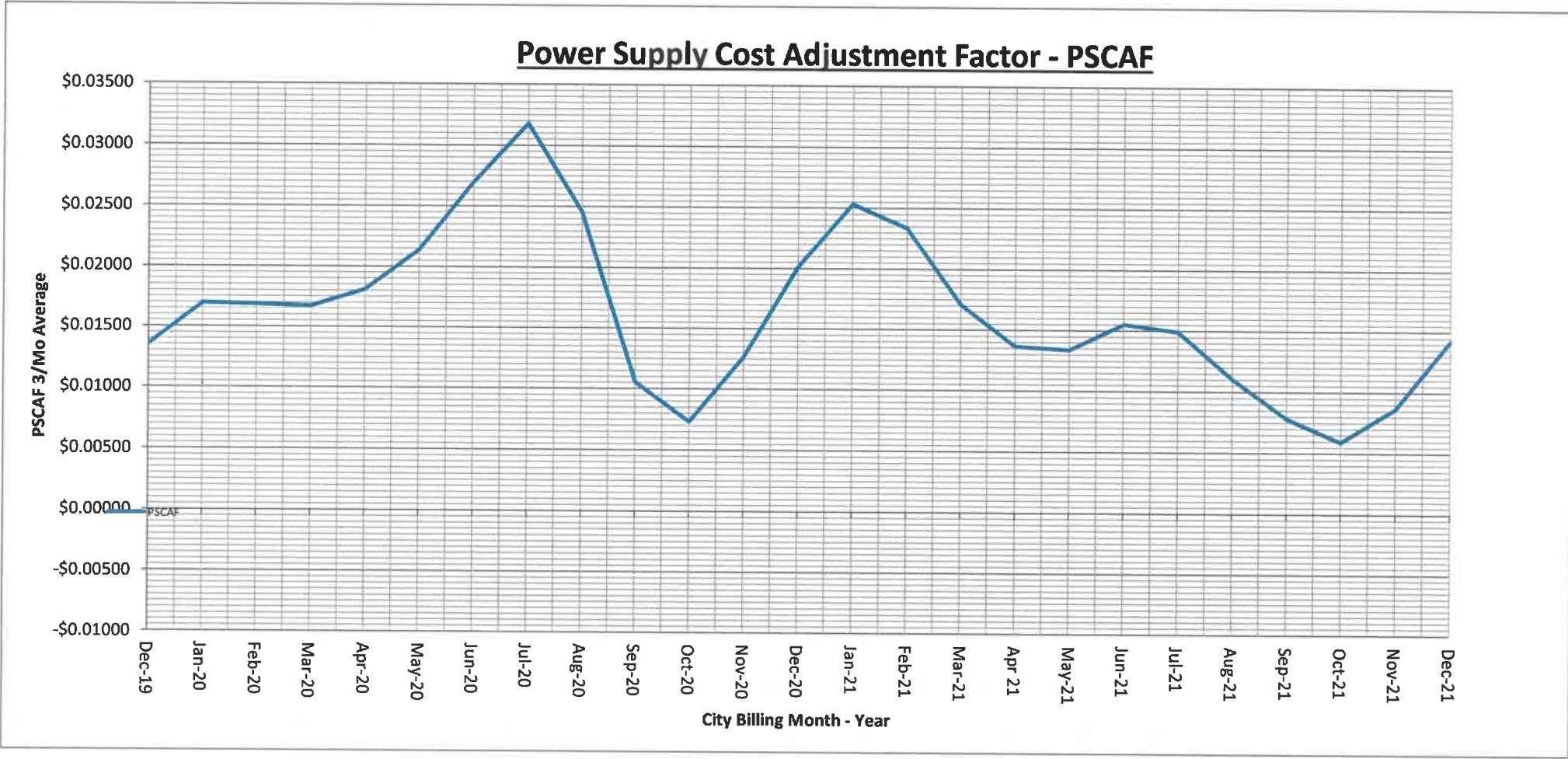
## CITY OF NAPOLEON, OHIO - PSCAF

## 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 kWh Cost		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)		(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	
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	0.1237
Apr 21	June 21	10,765,694	\$ 918,047.72	34,984,659	\$ 3,021,237.53	\$ 0.08636	\$ (0.07194)	\$ 0.01442	\$ 0.01550	0.1261
May 21	July 21	11,537,945	\$ 964,238.17	34,221,617	\$ 2,936,247.76	\$ 0.08580	\$ (0.07194)	\$ 0.01386	\$ 0.01490	0.1232
June 21	Aug 21	13,563,554	\$ 1,066,460.78	35,867,193	\$ 2,948,746.67	\$ 0.08221	\$ (0.07194)	\$ 0.01027	\$ 0.01104	0.1166
July 21	Sept 21	14,499,118	\$ 1,106,204.19	39,600,617	\$ 3,136,903.14	\$ 0.07921	\$ (0.07194)	\$ 0.00727	\$ 0.00782	0.1133
Aug 21	Oct 21	15,646,644	\$ 1,212,305.64	43,709,316	\$ 3,384,970.61	\$ 0.07744	\$ (0.07194)	\$ 0.00550	\$ 0.00591	0.1110
Sept 21	Nov 21	12,554,924	\$ 1,097,036.16	42,700,686	\$ 3,415,545.99	\$ 0.07999	\$ (0.07194)	\$ 0.00805	\$ 0.00865	0.1175
Oct 21	Dec 21	12,131,921	\$ 1,125,088.51	40,333,489	\$ 3,434,430.31	\$ 0.08515	\$ (0.07194)	\$ 0.01321	\$ 0.01420	
** 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 \$0.01377 to \$0.01056 to reflect corrected PSCAF with adjustment for Aug 20 by -\$0.003210 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:						PSCAF - Reviewers Signature:				
Name - Kevin L. Garringer, Finance Director						Name - Lori A. Rausch, Utility Billing Administrator				
										
Signature						Signature				
Date 11/22/2021						Date 11/22/21				





**BILLING SUMMARY AND CONSUMPTION for BILLING CYCLE -December, 2021**

2021 - DECEMBER BILLING WITH OCTOBER 2021 AMP BILLING PERIOD AND NOVEMBER 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	OCTOBER, 2021	31	22.384						
City-System Data Month	NOVEMBER, 2021	30							
City-Monthly Billing Cycle	DECEMBER, 2021	31							
=====CONTRACTED AND OPEN MARKET POWER=====									
						==PEAKING==			=====HYDRO POWER=====
(	AMP CT	FREEMONT	PRAIRIE STATE	MORGAN STNLY	NORTHERN	JV-2	AMP-HYDRO	MELDAHL-HYDRO	GREENUP HYDRO
PURCHASED POWER-RESOURCES ->	SCHED. @ ATSI	SCHEDULED	SCHED. @ PJMC	REPLMT @ PJMC	7x24 @ AD	POWER	PEAKING	CSW	SCHED. @
						POOL	SCHED. @ ATSI	SCHED. @ PJMC	MELDAHL BUS
Delivered kWh (On Peak) ->	4,636	4,553,708	3,814,560			220,212	163	1,790,828	224,146
Delivered kWh (Off Peak) ->						237,450			153,979
Delivered kWh (Replacement/Losses/Offset) ->									
Delivered kWh/Sale (Credits) ->						-1,903,955			
Net Total Delivered kWh as Billed ->	4,636	4,553,708	3,814,560	0		-1,446,293	163	1,790,828	224,146
Percent % of Total Power Purchased->	0.0382%	37.5351%	31.4423%	0.0000%		-11.9214%	0.0013%	14.7613%	1.8476%
									1.2692%
<b>COST OF PURCHASED POWER:</b>									
<b>DEMAND CHARGES (+Debits)</b>									
Demand Charges	\$32,562.17	\$33,863.73	\$59,783.49			\$720.72	\$193,628.29	\$15,898.62	\$8,613.00
Debt Services (Principal & Interest)		\$43,492.47	\$114,388.92						
<b>DEMAND CHARGES (-Credits)</b>									
Transmission Charges (Demand-Credits)	-\$50,504.82					-\$1,267.80			
Capacity Credit	-\$46,617.80	-\$42,924.02	-\$19,764.37			-\$1,297.25	-\$3,643.17	-\$2,209.93	-\$1,181.38
Sub-Total Demand Charges	-\$64,560.45	\$34,432.18	\$154,408.04	\$0.00	\$0.00	-\$1,844.33	\$189,985.12	\$13,688.69	\$7,431.62
<b>ENERGY CHARGES (+Debits):</b>									
Energy Charges - (On Peak)	\$419.82	\$181,899.76	\$25,851.70			\$16,465.72	\$48,352.36	\$6,051.93	\$1,385.81
Energy Charges - (Replacement/Off Peak)						\$10,466.46			
Net Congestion, Losses, FTR		\$8,780.26	\$16,001.77				\$7,788.03	\$209.22	\$17.80
Transmission Charges (Energy-Debits)			\$81,868.39						
ESPP Charges									
Bill Adjustments (General & Rate Levelization)		\$31.94				-\$2,227.18			
<b>ENERGY CHARGES (-Credits or Adjustments):</b>									
Energy Charges - On Peak (Sale or Rate Stabilization)						-\$111,651.71			
Net Congestion, Losses, FTR									
Bill Adjustments (General & Rate Levelization)						\$9.21	-\$15,669.75	-\$1,961.27	-\$1,347.32
Sub-Total Energy Charges	\$419.82	\$190,711.96	\$123,721.86	\$0.00	-\$86,946.71	\$9.21	\$40,470.64	\$4,299.88	\$56.29
<b>TRANSMISSION &amp; SERVICE CHARGES, MISC.:</b>									
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	-\$64,140.63	\$225,144.14	\$278,129.90	\$0.00	-\$86,946.71	-\$1,835.12	\$230,455.76	\$17,988.57	\$7,487.91
Percent % of Total Power Cost->	-5.7009%	20.0112%	24.7207%	0.0000%	-7.7280%	-0.1631%	20.4833%	1.5989%	0.6655%
Purchased Power Resources - Cost per kWh->	-\$13.835339	\$0.049442	\$0.072913	\$0.000000	-\$0.060117	-\$11.258405	\$0.128687	\$0.080254	\$0.048629

**BILLING SUMMARY AND CONS**

2021 - DECEMBER BILLING WITH OCTOBER 20

PREVIOUS MONTH'S POWER BILLS - PU

**DATA PERIOD**

AMP-Ohio Bill Month

City-System Data Month

City-Monthly Billing Cycle

	=====		====WIND=====	====SOLAR=====	===TRANSMISSION, SERVICE FEES & MISC. CONTRACTS===				
	NYPH	JV-5	JV-6	AMP SOLAR	EFFNCY.SMART	TRANSMISSION	SERVICE FEES	MISCELLANEOUS	TOTAL -
PURCHASED POWER-RESOURCES -> (	HYDRO	HYDRO	WIND	PHASE 1	POWER PLANT	CHARGES	DISPATCH, A & B	CHARGES &	ALL
( SCHED. @ NYIS	7x24 @ ATSI	SCHED. @ ATSI	SCHED. @ ATSI	2017 - 2020	Other Charges	Other Charges	LEVELIZATION	RESOURCES	
Delivered kWh (On Peak) ->	585,484	2,297,472	22,492	97,209	0	0	0	0	13,764,889
Delivered kWh (Off Peak) ->									237,450
Delivered kWh (Replacement/Losses/Offset) ->		33,536							33,536
Delivered kWh/Sale (Credits) ->									-1,903,955
Net Total Delivered kWh as Billed ->	585,484	2,331,008	22,492	97,209	0	0	0	0	12,131,920
Percent % of Total Power Purchased->	4.8260%	19.2138%	0.1854%	0.8013%	0.0000%	0.0000%	0.0000%	0.0000%	100.0001%
								Verification Total ->	100.0000%
<b>COST OF PURCHASED POWER:</b>									
<b>DEMAND CHARGES (+Debits)</b>									
Demand Charges	\$3,839.83	\$19,352.04	\$1,122.30			\$188,816.19			\$558,200.38
Debt Services (Principal & Interest)		\$55,381.81							\$213,263.20
<b>DEMAND CHARGES (-Credits)</b>									
Transmission Charges (Demand-Credits)		-\$19,297.82							-\$71,070.44
Capacity Credit	-\$4,890.05	-\$16,142.51	-\$189.54						-\$138,860.02
Sub-Total Demand Charges	-\$1,050.22	\$39,293.52	\$932.76	\$0.00	\$0.00	\$188,816.19	\$0.00	\$0.00	\$561,533.12
<b>ENERGY CHARGES (+Debits):</b>									
Energy Charges - (On Peak)	\$11,424.35	\$43,092.15		\$3,986.54		\$9,440.66			\$348,370.80
Energy Charges - (Replacement/Off Peak)									\$10,466.46
Net Congestion, Losses, FTR	\$6,082.38								\$38,879.46
Transmission Charges (Energy-Debits)				-\$3,379.41					\$78,488.98
ESPP Charges					\$19,920.07				\$19,920.07
Bill Adjustments (General & Rate Levelization)									-\$2,195.24
<b>ENERGY CHARGES (-Credits or Adjustments):</b>									
Energy Charges - On Peak (Sale or Rate Stabilization)									-\$111,651.71
Net Congestion, Losses, FTR				-\$2,944.32					-\$2,944.32
Bill Adjustments (General & Rate Levelization)	\$218.66								-\$18,750.47
Sub-Total Energy Charges	\$17,725.39	\$43,092.15	\$0.00	-\$2,337.19	\$19,920.07	\$9,440.66	\$0.00	\$0.00	\$360,584.03
<b>TRANSMISSION &amp; SERVICE CHARGES, MISC.:</b>									
RPM / PJM Charges Capacity - (+Debit)						\$193,257.92		\$0.00	\$193,257.92
RPM / PJM Charges Capacity - (-Credit)								\$0.00	\$0.00
Service Fees AMP-Dispatch Center - (+Debit/-Credit)							\$0.00		\$0.00
Service Fees AMP-Part A - (+Debit/-Credit)							\$2,654.81		\$2,654.81
Service Fees AMP-Part B - (+Debit/-Credit)							\$7,058.63		\$7,058.63
Other Charges & Bill Adjustments - (+Debit/-Credit)									\$0.00
Sub-Total Service Fees & Other Charges	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$193,257.92	\$9,713.44	\$0.00	\$202,971.36
TOTAL NET COST OF PURCHASED POWER	\$16,675.17	\$82,385.67	\$932.76	-\$2,337.19	\$19,920.07	\$391,514.77	\$9,713.44	\$0.00	\$1,125,088.51
Percent % of Total Power Cost->	1.4821%	7.3226%	0.0829%	-0.2077%	1.7705%	34.7986%	0.8633%	0.0000%	100.000%
Purchased Power Resources - Cost per kWh->	\$0.028481	\$0.035343	\$0.041471	-\$0.024043	\$0.000000	\$0.000000	\$0.000000	\$0.000000	\$0.092738
								Verification Total ->	\$1,125,088.51
									\$0.058577
									\$0.058577

*City of Napoleon, Ohio*  
**PLANNING COMMISSION MEETING MINUTES**

Tuesday, December 14, 2021 at 5:00 pm

**PC 21-11 – Subdivision Replat, 2950 Enterprise Avenue**

**PRESENT:**

Commission Members	Tim Barry-Chair, Suzette Gerken, Larry Vocke, Marvin Barlow, Jason Maassel
City Staff	Kevin Schultheis-Zoning Administrator/Code Enforcement Officer Joel Mazur-City Manager Clayton O'Brien-Fire Chief Joel Frey-Assistant Fire Chief Kevin Garringer-Finance Director
Others	Brian Koeller-Northwest Signal Brad and Laura Hibbard, Attorney Kristin Wacha
Clerk of Council	Roxanne Dietrich

**ABSENT**

Barry, Chairman of the Planning Commission called the meeting to order at 5:00 pm with a roll call noting all members were present.

**APPROVAL OF MINUTES**

In the absence of any objections or corrections, the minutes of the September 14, 2021 Planning Commission meeting shall stand approved.

**NEW BUSINESS**

**PC 21-11 – Replat of Lot A and Lot B of Replat of Mahnke Orchards – 2950 Enterprise**

Barry read the background for PC 21-11. An application for a public hearing has been filed by Bradley and Laura Hibbard. The applicant is requesting the approval of a subdivision as being part of a Re-Plat of Lot A and Lot B of the Re-plat of Mahnke Orchards Plat No. 1, City of Napoleon, Henry County, in the State of Ohio. 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**

Schultheis presented his research and findings:

- 1) A Subdivision within the 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 Lot A and Lot B of the Re-Plat of Mahnke Orchards- Plat1. A portion of the SW ¼ of Section 5, Township 5 North Range 7 East, First Principal Meridian Re-Plat of Mahnke Orchards- Plat-1. (see attached)

**RECOMMENDED CONDITIONS**

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) 27.947 acres situated in the City of Napoleon, Liberty Township, Henry County, State of Ohio and being lots B of the Re-Plat of Mahnke Orchards, Plat No 1, Parcel No. 270500140000 in Liberty Township, owned by Bradley N. Hibbard and Laura J. Sills-Hibbard
- 2) 11.070 Acres situated in the City of Napoleon, Liberty Township, Henry County, State of Ohio and being a part of Lot A of the Re-Plat of Mahnke Orchards, Plat No. 1, Parcel No. 270596620020 in Liberty Township, owned by Bradley N. Hibbard and Laura J. Sills-Hibbard.

Schultheis stated as you can see, it would be the far east parcel actually most of the parcel. Then there is a 60 foot easement right-of-way off to the north portion of that for access. Barry - so the access for the large that I'm looking at the 27 acres is back here through there on the front side and that connects to both Enterprise Drive Maassel - both A and B Barry - it's 60' wide the access Schultheis - that's the new being proposed. Barlow – there is some dotted lines, do you know what that was for? I thought maybe it was going to be re-platted or whatever.



Barry - we have one question there is kind of a dotted line running through here with some pins and some marks found Schultheis - the dotted line will disappear because that was another parcel and they are making all that into Barry - redoing all of it and now it's going to be this 27.9 acres and 11.07 acres. Scheultheis – yes. L. Hibbard - that's what it is right now but the replat actually puts um 29.02 acres um that we're selling and then we're keeping 10 acres so the access for the property that we would be selling would be on the north side of the property there is a drive there and then like halfway through um the property along enterprise Maassel-go back to the picture please on the screen please L. Hibbard – want me to show you if you guys put the old one up we can probably show you the mylar is over here too but the there's a rope there's an access road right here already going right to Enterprise that's the north side that's between us and Vorwerk's so there's a drive that goes all the way along this property then the other main entrance is right here so what it basically does is cut this in half and it goes along here so it goes along here and this is all farmed now farmland and it basically gives us farmland to somebody else because we weren't farming it anyways we were doing cropsharing with somebody so it keeps the orchard right here. All the way around this pole barn is the property that we would retain. Maassel-which is how large?

L. Hibbard - it's um a little over 10 acres Maassel - right now it's one big piece L. Hibbard yeah right now it's two pieces you've got this piece right here and then this piece right here and so these lines are going away Maassel - the dark lines are the retaining Barry - this is in a C4 Commercial District. Do we have any issues in the future? It's farm ground now but it is in a commercial district, if anything was else was developed back there do we have any issues getting utilities, power? Schultheis- the utilities they should not have any utility problems, sewer I'm not sure that's why we've made the access road 60 feet wide. Barry - but that is part of the official plat on the mylar you have that we have Schultheis yes. Barry- anyone else have questions Gerken- was that part of this Barry - that's what they sold today yeah Gerken - did you sell this today then L. Hibbard - we took it off and he if he has right in the offer paperwork that it has to be approved through the city and has to go through the normal process of the city. Gerken - so you auctioned it off before coming to Planning is what you're saying? L. Hibbard - right because just because of the schedule of how it fell. We actually originally had different surveyor hired but then he kind of like was MIA so we had to get a secondary surveyor to come in which was Justin Neise. He came in and did it as quick as he could get it done. Barry - so we do have an official document with the way they want it platted and as they sold it Schultheis yes Barry - we have to be cautious that we're not approving something that doesn't really exist yet or is not as being represented. Barlow -your land there if I understand that you're going to retain kind of I-shape L. Hibbard right Barlow -is there a reason that didn't square that other land off and L. Hibbard - the reason that we did it is because we have beehives and that is the way that our hives are situated on the property so it kept the hives availability and also next to the farmlands that continue do with that. Barry – it is zoned C4 commercial Gerken-who bought it are they going to use it as farm ground or will they develop it? Barry – we don't know, they can do either one. L. Hibbard – that property is in an agricultural district right now and has to be reappraised every five years by you. Barry - that's why they can farm it and be in the city limits until somebody else comes in and would want to do something if they wanted to just do a regular commercial building then I believe they would just go through the normal permitting process as long as they didn't have to do anything. That's the only reason I had to make sure that road is wide enough in case we have to run right something in there we don't have to come back and ask them for 10 more feet. Maassel - it was formed organically for a while was that part of the condition of the sale it has to remain organic L. Hibbard - um we talked to people today and they are con they're going considering going organic with it and they might let the current farmers that are currently farming it that live on S continue to farm it organically because it's three times as much money for input you know to them than it is if it is conventional farming. Maassel - you have a contingent offer is what we're hearing L. Hibbard - right and before the auction started Mike Murray from Whalen did announce that it hadn't been approved through Council yet and hadn't been approved through the city yet and that was part of the auction. Barry – I don't know if it quite shows on there but, Schultheis the 60-foot easement to come across the 11-acre lot that goes all the way to the 29 acre one are we still doing two separate plats here Schultheis - no that would be all one plat Barry - that's all one plat with the Lot B1 Schultheis– yes Barry-it's because of the way it was platted before that it's got to read that way.

Motion: Vocke  
to approve PC 21-11

Second: Maassel

Roll call vote on the above motion:

Yea-Barry, Barlow, Maassel, Gerken, Vocke

Nay-

Yea-5-, Nay-0.

Motion Passed.

RE-PLAT OF LOT A & LOT B OF THE  
RE-PLAT OF MAHNKE ORCHARDS - PLAT NO. 1  
STATE OF OHIO, COUNTY OF HENRY, CITY OF NAPOLEON,  
A PORTION OF THE SW 1/4 OF SECTION 5,  
TOWNSHIP 5 NORTH, RANGE 7 EAST, FIRST PRINCIPAL MERIDIAN  
RE-PLAT OF MAHNKE ORCHARDS - PLAT NO. 1 IS RECORDED ON SLIDE 364A  
MAHNKE ORCHARDS - PLAT NO. 1 IS RECORDED ON SLIDE 322A  
AT THE HENRY COUNTY RECORDER'S OFFICE  
THIS PLAT IS SUBJECT TO ALL EASEMENTS AS SHOWN ON SLIDE 364A & SLIDE 322A

### 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

### PLANNING COMMISSION CERTIFICATE

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

DATE: \_\_\_\_\_

CHAIRMAN

CLERK OF COUNCIL

### CITY COUNCIL CERTIFICATE

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

DATE: \_\_\_\_\_

MAYOR

CLERK OF COUNCIL

### HENRY COUNTY AUDITOR

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

TRANSFERRED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

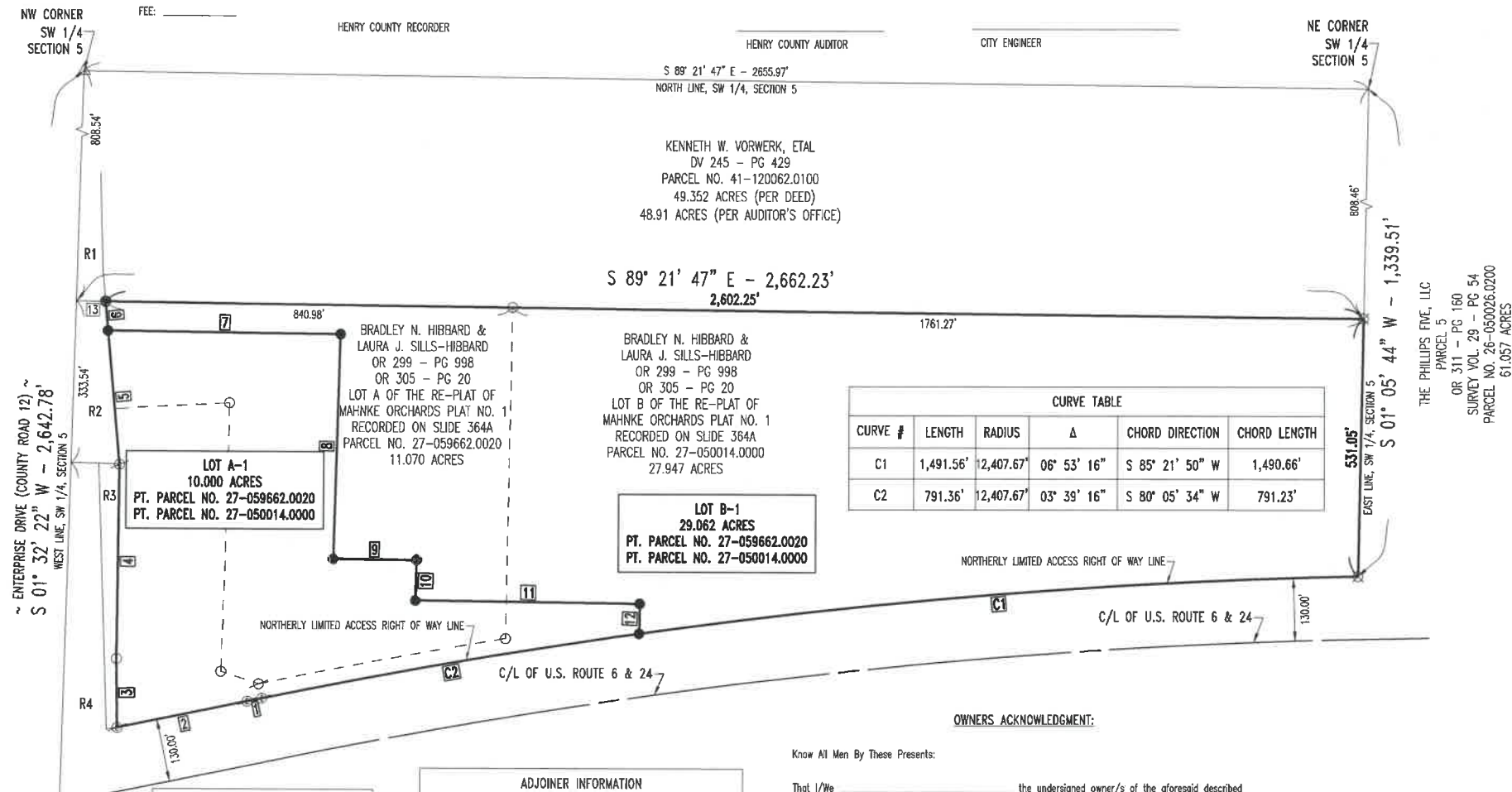
HENRY COUNTY AUDITOR

### CITY ENGINEER CERTIFICATE

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

DATE: \_\_\_\_\_

CITY ENGINEER



CURVE TABLE					
CURVE #	LENGTH	RADIUS	Δ	CHORD DIRECTION	CHORD LENGTH
C1	1,491.56'	2,407.67'	06° 53' 16"	S 85° 21' 50" W	1,490.66'
C2	791.36'	12,407.67'	03° 39' 16"	S 80° 05' 34" W	791.23'

LINE TABLE		
LINE #	DIRECTION	LENGTH
1	S 78° 16' 38" W	31.30'
2	S 78° 16' 38" W	272.73'
3	N 00° 47' 38" W	142.50'
4	N 00° 30' 03" E	400.03'
5	N 05° 12' 06" W	276.84'
6	S 05° 12' 06" E	60.31'
7	S 89° 21' 47" E	480.47'
8	S 01° 32' 22" W	463.00'
9	S 89° 21' 47" E	172.39'
10	S 01° 32' 22" W	83.41'
11	S 89° 21' 47" E	463.58'
12	N 00° 55' 54" E	61.68'
13	S 89° 21' 47" E	59.98'

ADJOINER INFORMATION			
REF. #	DEED REFERENCE	PARCEL NO.	ACRES
R1	OR 001 - PG 0015	27-050014.0101	0.439
R2	OR 002 - PG 0217	27-050014.0200	0.611
R3	OR 002 - PG 0215	27-050014.0300	0.388
R4	DV 185 - PG 0043	27-050016.0000	18.64

### LEGEND

- 5/8" IRON PIN WITH CAP SET
- ⊗ MAG NAIL SET
- △ RAILROAD SPIKE FOUND
- ⊗ 1" IRON PIN FOUND
- ⊗ 5/8" IRON PIN WITH CAP FOUND
- ⊗ 5/8" IRON PIN FOUND
- 1/2" IRON PIN FOUND
- MONUMENT BOX FOUND

**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 NOVEMBER OF 2021.

39.062 Acres

Situated in the State of Ohio, County of Henry, City of Napoleon, being that portion of the Southwest Quarter of Section 5, Liberty Township, Township 5 North, Range 7 East, of the First Principal Meridian, being all of Lot A and Lot B as described on the Re-Plat of Mahnke Orchards - Plat No. 1, recorded on Slide 364A and as described in a deed to Danny E. Hogrefe, recorded in Official Record Volume 321, Page 743 (references recorded in the Recorder's Office, Henry County, Ohio), and being more particularly described as follows:

**COMMENCING** at a railroad spike found at the northwest corner of the Southwest Quarter of Section 5;

**THENCE** southerly with the west line of the Southwest Quarter of Section 5 (Enterprise Drive), South 01° 32' 22" West, 808.54 feet to the southwest corner of a 0.439 acre tract of land as described in Official Record Volume 1, Page 15; also being the northwest corner of a 0.611 acre tract of land as described in Official Record Volume 2, Page 217;

**THENCE** easterly with the south line of said 0.439 acre tract, also being the north line of said 0.611 acre tract, South 89° 21' 47" East, 59.98 feet to a MAG nail found at the southeast corner of said 0.439 acre tract, also being the northeast corner of said 0.611 acre tract, also being the northwest corner of said Lot A, said MAG nail also being found at the **TRUE POINT OF BEGINNING**;

**THENCE** easterly with the north line of said Lot A, then becoming the north line of said Lot B, also being the south line of a 49.352 acre tract of land as described in Deed Volume 245, Page 429, South 89° 21' 47" East, 2,802.25 feet to a 1" iron pin found at the northeast corner of said Lot B, also said 1" iron pin being found in the east line of the Southwest Quarter of Section 5;

**THENCE** southerly with the east line of the Southwest Quarter of Section 5, South 01° 05' 44" West, 531.05 feet to a 1" iron pin found at a northeasterly corner of a 18.638 acre tract of land as described in Deed Volume 185, Page 43, also said 1" iron pin being found in the northerly limited access right of way of U.S. Route 6 & 24;

**THENCE** westerly with a northerly line of said 18.638 acre tract, also being northerly limited access right of way line of U.S. Route 6 & 24, and also being a curve to the left, having a radius of 12,407.67 feet, a delta angle of 06° 53' 16", an arc length of 1,491.56 feet, and whose chord bears South 85° 21' 50" West, 1,490.66 feet to a 5/8" iron pin set;

**THENCE** continuing westerly with a northerly line of said 18.638 acre tract, also being northerly limited access right of way line of U.S. Route 6 & 24, and also being a curve to the left, having a radius of 12,407.67 feet, a delta angle of 03° 39' 16", an arc length of 791.36 feet, and whose chord bears South 80° 05' 34" West, 791.23 feet to a 5/8" iron pin capped with a plastic survey marker found;

**THENCE** westerly with a northerly line of said 18.638 acre tract, also being the northerly limited access right of way line of U.S. Route 6 & 24, South 78° 16' 38" West, 304.03 feet to a 5/8" iron pin capped with a plastic survey marker found at a 0.388 acre tract of land as described in Official Record Volume 2, Page 215;

**THENCE** northerly with a easterly line of said 0.388 acre tract, North 00° 47' 38" West, 142.50 feet to a 1/2" iron pin found at a easterly corner of said 0.388 acre tract;

**THENCE** northerly with a easterly line of said 0.388 acre tract, North 00° 30' 03" East, 400.03 feet to a 5/8" iron pin capped with a plastic survey marker found at the northeast corner of said 0.388 acre tract, also being the southeast corner of said 0.611 acre tract;

**THENCE** northerly with a easterly line of said 0.611 acre tract, North 05° 12' 06" West, 337.15 feet to the **TRUE POINT OF BEGINNING**, containing 39.062 acres of land, more or less, as surveyed and described in November 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."

### NOTES:

- 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.
- THIS SURVEY USED THE LATEST RECORDED DEEDS AT THE DATE OF THIS SURVEY.
- 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 0.9999312285.
- 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."
- FOUND MONUMENTATION IN GOOD CONDITION UNLESS OTHERWISE NOTED.

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: BRAD AND LAURA HIBBARD	
JUSTIN H. NIESE, P.E., P.S. 211 E. MAIN CROSS STREET P.O. BOX 112 MILLER CITY, OHIO 45864 567-825-1523	JOB NUMBER: 2021-139  PAGE 1/1

*City of Napoleon, Ohio*  
**PLANNING COMMISSION MEETING MINUTES**  
Tuesday, December 14, 2021 at 5:00 pm

**PC 21-12 – Change to Special Use Permit/Conditional Use Permit, 2950 Enterprise Avenue**

**PRESENT:**

Commission Members	Tim Barry-Chair, Suzette Gerken, Larry Vocke, Marvin Barlow, Jason Maassel
City Staff	Kevin Schultheis-Zoning Administrator/Code Enforcement Officer Joel Mazur-City Manager Clayton O'Brien-Fire Chief Joel Frey-Assistant Fire Chief Kevin Garringer-Finance Director
Others	Brian Koeller-Northwest Signal Brad and Laura Hibbard, Attorney Kristin Wacha
Clerk of Council	Roxanne Dietrich

**ABSENT**

**PC 21-12 – Change to Special Use Permit/Conditional Use Permit – 2950 Enterprise**

Barry read the background for PC 21-12. An Application for a public hearing has been filed by Bradley and Laura Hibbard, Honey Blossom Orchard, 2950 Enterprise Ave., Napoleon, Ohio. The applicant is requesting a change in use to the existing Special Use Permit/Conditional Use Permit and request an agritourism permit to turn the large barn into a special events such as wedding, bridal showers, parties, seminars and lecture hall primarily for agriculture uses for up to 250 people. 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**

Schultheis stated I would like to make a correction that weddings and bridal showers are not considered agritourism at this point. My research and findings are:

- 1) The plat of development permit is for any planned development to be located in the C-4 plan commercial district as per 1145.01( a) Table of Permissible Uses.
- 2) Agritourism means an agricultural related educational, entertainment, historical, cultural or recreational activity including you pick operations or farm markets conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.
- 3) Agritourism provider means a person who owns, operates, provides or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.

**RECOMMENDED CONDITIONS**

- 1) Agritourism provider must provide financial documents where 50% or more of the gross income received from the market is derived from the produce raised on the farm owned or operated by the market operator in a normal crop year.
- 2) Must follow the fire safety at agritourism facilities to ensure those who are attending events at agritourism facilities. Ohio fire codes are not exempt from agritourism facilities. A fire suppression system is required in A2 occupancy more than 5,000 square feet or that has an occupant load of 100 or more. The fire inspector is here and he'll elaborate more on that here a little bit. The existing maximum occupancy within this structure is at this time 49. Exit signs must be visible and present at every entrance and exit of the building.
3. An agritourism provider shall post and maintain signs that contain the warning notices specified in the division. The providers shall place a sign in clearly visible locations near each entrance to the agritourism location or at the site of each agritourism activity. The warning signs shall consist of signs in black letters with each letter to be minimum of one inch in height. The signs shall contain the following notices of warning: "WARNING" under Ohio law there is no liability for an injury to or death of a participant in the agritourism activity conducted at this agriculture location if that injury or death results from the inherent risk of that agritourism activity. Inherent risk of agritourism activities include, but are not limited to, the risk of the injury inherent to land, equipment and animals as well as the potential for you as a participant to act in a negligent

manner that may contribute to your injury or death. You are assuming the risk of participating in the agritourism activity.

4) Zoning requirements on agritourism operations may be imposed for: size of structure used primarily for agritourism, size of parking areas, setback building lines for structures used for primarily for agritourism, and ingress or egress. Permits must be obtained.

5) Follow all state, county, city and health safety regulations. No on-site cooking, frying in the barn. Outside grill or catering granted.

6) Noise levels. Property owners will provide and regulate sound equipment and no other outside sound equipment permitted after 11:00 pm cut off time for the music.

7) The agritourism provided must incorporate their agricultural product within the use of the assembly, wedding, receptions or similar activities.

8) Signs Permitted in C4 Commercial Zones. Freestanding sign(s) or monument sign(s), portable signs, or a combination of each, per street front footage not to exceed one and one-half square feet in total sign area for each lineal foot of property frontage. Signs, individually or in combination, may not exceed a maximum height of 25 feet and must be set back at least 10 feet back from the public right-of-way, except that signs 48 inches tall or less (being no greater than six square feet in dimension) that are constructed of break-a-way material that will not endanger the public when struck, may be positioned no closer than five feet of the public right-of-way.

9) One wall sign or electric awning sign and non-freestanding sign of all other types that are attached to a building, so long as the herein mentioned signs do not exceed in total, more than 15% of aggregate area of building elevation on which the sign are installed. Must comply with all Napoleon City Codified Ordinances.

Schultheis stated the recommendation by me is to continue with the permit that was issued back in March, 2021 under the agricultural district for the agricultural training and seminars and to proceed from there.

Barry - that is a question that I have from this committee. We redid all the ordinances five years ago maybe seven. Mazur - it's been a four and a half. Barry - I don't think we had anything at that time for agritourism so my ultimate question is and for this committee in the things that we deal with is, we already have a Special Use Conditional Use permit. Do we have an agritourism permit that I believe is what is being asked for and I don't think we do. Second, what is really changing by doing that? We did all this before. We know the Fire Department has the ultimate say in how many people are there. What are we doing by saying we're prohibiting them from doing what they want to do with the existing permit. Schultheis - we can still fall under the Ohio Revised Code there is a section specifically for that, that states agritourism is basically what I just read and all the recommendations and conditions is what they have to abide by and follow the rules. With the agritourism, let's say they construct a barn and they are going to use it for agritourism, it has to be for agritourism. Weddings are not considered agritourism, that is considered an event and that's a gathering and it's entertainment on another level. That is where we stand at right now, that they are changing the use of the barn. Before the barn was used for agricultural use they were doing their seminars, they were doing their training or they were teaching people how to make honey and that's okay. The event they had last weekend was a good event that was considered agricultural because the influx of people inside the building was in and out so whether they exceeded 49 at one point, I'm not sure but, that was a good event that they had. This is where a gathering comes together and there are certain concerns that we are afraid of. With the Fire Department that's another issue as well. Mazur-what changes, what agritourism provides for property owners is a little bit of leeway on the building codes that are overseen by Wood County. Not every building code but, there are some building code exemptions. I think for the purpose of this body to review, that's about the extent of it. There are no exemptions from the fire code. It is still considered an A2 since at least the use that was proposed in the original beginning. Well, it was mercantile to begin with that is what's approved that's why it is a 49 person occupancy. To raise that to 250 people as shown here, 250 exceeds the 49 and puts it in a different use class that means it falls under a different category for fire code. Basically, it needs to be sprinkled and maybe some changes in exit signs and other items. Designating the agritourism piece would put the onus of inspection and review of building items on basically a fire inspection and would basically carve out Wood County. Barry - so it basically becomes instead of a building structure type issue, a safety issue. How does that safety inspection type thing happen? How do we police this if we take some of the stuff away?

Joel Frey, Assistant Fire Chief and also in charge of the fire prevention bureau for the city. The question was, how do we approach this? Really it does make it a little more difficult for us when Wood County is not involved. A lot more time and research was dedicated into the background of it prior to. Typically the Building Code and the Fire Code work together as the Building Code tells the owner how to put the items in. You will put a sprinkler system in, it's this big, it's this spec whatever. Exit signs go here, extinguishers go here, doors need panic hardware here, this exit meets the size, this exit doesn't meet the size, all those items that you see in almost every building in Napoleon are under Wood County's jurisdiction. Where we come into play with the Fire Code is, we ensure that they maintain those buildings to that level of protection. If I walked in a building and noticed their sprinkler system is out of date, I can say you need to fix your sprinkler system and get it back in service. That's the usual method of what the fire inspections entail. In this case with Wood County being cut out of it, it would be onto us to be able to follow the citation process through the Board of Building Appeals affording the Hibbards the right to be able to appeal the process. I cannot approve anything out of the Fire Code that would be less stringent than the Fire Code, I am not allowed to. Only the Board of Building Appeals can do that after a hearing. I will say the building at 250 people would not currently be approved. The change of use alone is a Fire Code violation without notifying the proper Fire Department of the change. Barlow - tell me again why is Wood County not going to be involved? Asst. Chief Frey - the agritourism designation would essentially take their certificate of occupancy out and Wood County out. Barlow-so that designation, agritourism takes Wood County out. Is this a new terminology going forward in the state? Schultheis - it's been around since 2016 I believe is when the Senate Bill was first introduced and a lot of it is vague but for the most part, they are pretty specific on certain issues such as the setbacks and what the use is for agritourism, if it's a barn or anything else like that. Barlow- we don't have a lot of precedence to go back on and study on that. Schultheis-the State of Ohio Court of Appeals has said that weddings are not considered agritourism and it falls back to a case down in in Meggs County or Greene County one of the two where they were having weddings and venues in their barn but then they had livestock and other animals down below and were trying to say that was agritourism because the barn was being used for agritourism or agricultural uses. The judge ruled that it wasn't. The judge said that wedding venues are not considered agritourism. Now, if it was considered a winery and they are producing their own product, they are supplying that venue with their product then it falls under the agritourism setup. It depends on how you get with the wording and readings of it but, that is how that works and that is why there is this 50% revenue has to be reported. Gerken-a winery would qualify because you are selling 50% of your wine to that event. Schultheis-yes and as long as they're complying with the Fire Codes as well. Barlow - again it's semantics maybe but the term agritourism was formed to and I hate to say this publicly but, to get around some other things. Schultheis-the agritourism allows them to sidestep some of the building code issues. If it is a change in use on the permit then it's no longer an agritourism, it would be under a different Conditional Use Permit. Barlow-and that's not the first one. I'm not saying that is totally wrong, I'm just saying that Vocke-it allows them to avoid Wood County, whether that's good or bad.

Laura Sills-Hibbard, partial owner of the venue that we are talking about. I don't think the government would institute a law to help people sidestep the government rules first of all. The whole preface behind agritourism in the State of Ohio was farms are diminishing within our country which means no food for people and it allows farms to do it an entertainment or educational or other type of venue or process to basically get people involved in your farm and also sell more of your product. So the thing that's sidestepping is we still have to we still have to um apply for all the fire and everything like that um what it makes it um where we cannot put in ADA bathrooms um that's one of the things. We were actually brought Gerken-I have a question, if you have a wedding how are you going to accommodate that person? L. Hibbard - well the person that like we have a person that already did a contract because back in June we thought we were approved for this and I can talk to you about that later but um they actually have a son that is in a wheelchair has wrecked had a crash when he was 17 years old and they want our barn because it's easy for him to get in and out of um. Right now they can go uptown to the Armory and he gets in a small elevator and he's not comfortable in small spaces Gerken-well I mean, how are you going to accommodate him for his restroom? L. Hibbard-he doesn't use the restroom because he's paralyzed from the waist down Gerken-but that doesn't mean that somebody else L. Hibbard-it doesn't but you've got a lot of places Spangler's bathroom is downstairs how does that accommodate a wheelchair and they don't have an elevator Gerken-they are not considered agritourism L. Hibbard-no they're commercial and they're grandfathered Barry-it's grandfathered. L. Hibbard-now one of the things that was said is that we were a mercantile place but if you guys go back

Mahnke Orchard was an orchard, an ice cream store, a craft venue they had all kinds of crafts, booths upstairs so this has been the process of this property. Back to agritourism the reason the state instituted it is to help farmers make a subs to sell their product and make additional income in order to support their agricultural activities in addition to feed the world because a commodity of an agricultural commodity the price varies every year depending on the supply and demand. So, a farmer you know in one year can be totally wiped out and this secondary income helps them continue their farming practices and their legacy and their livelihood in order to continue farming and feeding people. I have a form and I don't know how to get this to you guys because I don't want to walk on that side and I will just give you everything at once. This is actually from the Farm Bureau tells you what agritourism is. Also I have a State Supreme Court ruling actually this is a Supreme Court that it was a blueberry farm that actually that actually does wine in order to have in order to have a event there you have to buy their wine and that's how our events are set up to. In order to have an event or place they have to buy our honey. Gerken-how much honey do they have to buy? Is there a certain amount? L. Hibbard-they have all different kinds of options. They have honey sticks that they can give out for people to eat throughout the night, they have honey that they can buy in different forms, it is basically to sell our honey also get our name recognized. We actually have ten retail locations throughout Northwest Ohio right now and it's actually to get our name recognized so that we can sell more honey um also um back to the point that we actually got a letter from Kevin (Schultheis) back on oh February 23<sup>rd</sup> that basically said that we were going to talk to you guys about agritourism and my husband came and talked to you guys about agritourism. And then afterwards we couldn't get on the next thing because of timing issues so we couldn't get on it to talk to you again. So I asked Kevin you know I need to get bookings for the season which is usually a year from the time of the event and I asked him to um give us the ability to do something and he said well he goes you guys for the agricultural district which is different than agritourism, agricultural district means you're in a plot of land that basically has been deemed agricultural and you're allowed to do agricultural activities. Agritourism is combining your agricultural products with an event that would normally be considered agricultural and that's one of the things you'll read in there in the form that I gave you from the Farm Bureau that basically says it's an entertainment venue or an educational venue or whatever and we the reason that we are asking to change is because the commercial use only allows us to have 49 people in there but was only looked at for one room um and what we're asking you guys for is to approve our agritourism not the fire portion because we know that we still have to go through the Napoleon Fire Department to do that. We at back in June thought that since Liberty Township was on our our property tax that they were our primary and that's why we went to them and they approved us and that's why we started booking stuff and we have ten bookings for next year starting in March. So, that's why we asked to get on the agenda for December because if this doesn't pass or look like you guys are going to consider it we are going to have to call ten people and cancel their events. Five of them are from Toledo and were planning on booking hotel rooms and staying here and buying gas and buying food so it's not even just what we would be earning in order to pay taxes Barry-what would these ten events be, what type of events are they? L. Hibbard-the ten events are anywhere from weddings to to bridal showers to family uh pictures Barry - how many people were you telling that they could have in attendance at that time? L. Hibbard-250 because that's what um Sergeant Baker told us Gerken-she's going to have 250 people come for family pictures? L. Hibbard-no that event wasn't they're all different amounts Barry-my next question would be though obviously we know that number of people moves you to the next level for what the Fire Department has to give you the permit to do these things and fire suppression and so on and so forth and you feel that you can get that in place before March? L. Hibbard-we actually have a consultant that wrote the code for the State of Ohio in Columbus that is retired and he's the consultants now and he is supposed to come next week and meet with us and Sergeant Frey to go over the building because there are alternatives. I work for Custom Agri Systems and we were we went to the state and petitioned to not have sprinklers but to have a fire alarm system. So there's alternatives to the sprinklers and they have to be looked over by the local Fire Department, looked over by the state, if necessary and we understand that. So we're not asking you to approve our occupancy number all we're asking you guys to do is approve us to be agritourism so that we can actually have farm events on our farm Barry- ren't you already having farm events? L. Hibbard-we are but under a commercial license and we can't grow the number under commercial because of the ADA laws Barry-because of the ADA so the agritourism for one thing, fire safety things aside that the our fire department will obviously have the final say in whether or not this occupancy is that come from the Fire Department correct? The occupancy number. Schultheis-that's correct. Asst. Chief Frey-if you go through the citation process the Board of



Building Appeals has the final authority giving any exceptions to the rules. We will not go against the Fire Code but, we can always go down for a hearing if they hear the case and they can approve changes only they can. Schultheis—I would like to clarify one thing. Brian Baker was out of Liberty Township had no authority to go ahead and approve that. Barry—he did not, it's the City of Napoleon. L. Hibbard—well and we found that out since because he there Liberty Township is our primary on our property tax that's why we went to them so then since though we've been told that Napoleon is ours because we're in the city limits. So we know that I think you came out originally when our commercial zoning was approved but he was brought with Mike Rudy and we didn't know that he was where he was from or that he was our primary. So that's why we went there because our money our property tax goes to Liberty Township like and we were told that we were on the other side of the overpass so that's what we went to even when we called the Police Department one time for the City of Napoleon they came out and were totally confused because they didn't know why we were calling them. They were like why aren't you calling the sheriff? So, that's all been resolved and we understand now that we're under Napoleon Fire um and we are not asking for a tax abatement we're not asking for asking for our taxes Barry—that's not this committee anyway understand. We just have to get our heads around how do we work in an agritourism classification within what we are allowed and authorized to do. I did read a lot of these documents Schultheis sent and I did process through a lot of them and I understand the heart of what they're trying to do of not tie people's hands that want to have these events and can't afford to do all these things and it is something that is a valuable event or knowledge to be passed along. I just cannot see how we get from A to B with the 250 number. When Mr. Hibbard was here before, that was the whole thing with 250 and we all kinda know the size of the building, where we were with the current thing and we even discussed parking with a much smaller area that you'll have to park cars and access in and out and so forth. That aside, the item of thing is now is do we allow an agritourism classification on top of a Conditional Use Permit. My question to Mazur would be, does this open us up for all kinds of other semantic type things to our Conditional Use Permit process. Mazur—my opinion a little bit. Remember we talked about doing the farm stand out here and you know we changed the Zoning Code to allow permissible uses for farm animals and on a conditional basis. When we went through that process before, it is case-by-case as long as it's Conditional Use you evaluate each case. Certainly my opinion is you are not setting precedent by allowing one person but, you got to validate it with well we can do this here because, well does it make sense? It's a farm barn, it's not like it's around Scott Street in the commercial zone that's the difference in the other C4 areas where we were talking about are we going to allow farm animals in other C4 areas. If it's a Conditional Use then you evaluate that based on the makeup of your surrounding properties. Which is why the mailings go out. We vet it through the public process like this. My opinion is case-by-case. Does it make sense for here and are others going to come out in full force and ask for agritourism designations so that they can get out of and I know that the reason why they have the agritourism designation is to promote more agricultural type businesses and foster that totally on board with that. I like the concept it fits our area, fits Henry County, it's the Building Code piece and the checks and balances that Wood County offers as support to the fire inspection group. That is the takeaway from this. L. Hibbard—we actually were brought um aware of this agritourism law by Mike Rudy who is the commercial inspector for Wood County that does our inspections for commercial and he came in and he said you guys are more like agritourism what are you doing going under commercial and so he gave us information and then we went and researched more. In fact I just talked to him again yesterday and said I don't want to get the cart before the horse so should we be getting agritourism or should we be doing addressing the fire issue first and he goes you need to get approved for agritourism he goes and then you go to your local fire department because my hands are washed. Heathen Farms in Grand Rapids and the place in Delta which is the big Nature Fresh which is the big greenhouse those are both designated as agritourism. So, he basically can't go in and do commercial on it anymore because it's now agritourism and the only thing that needs to be looked at is the fire issue. That's why we're asking you guys for the agritourism portion and not saying that we how many people we can have because we have the square footage that we need to have what we want but it's the fire suppression systems and everything that needs to be looked at and we're not asking you guys to do that because that would be in the Fire Department's hands or the State of Ohio. Barry—what about the rest of the recommended conditions that Schultheis addressed, the one through nine. You have no issues with any of these? L. Hibbard—no and we already have Barry—I'm not sure how you audit for example number one where 50% or more of the gross income is derived from the produce raised on the farm. I'm not trying to get into your accounting but, if you start booking wedding events and so on and so forth for \$1,000 or \$2,000 a thing that's a lot more honey you

have to sell or now you're making your income from renting the hall versus selling your product. L. Hibbard - well and right our whole reason behind doing this is because we want to buy more hives we want to produce more hives. Right now we have 50 hives and we want to go up to 100 and then we actually want to end up at a thousand hives so this would be a revenue stream for us to increase our honey business and make Napoleon more recognizable because right now we're in ten locations. We are in Brookview Farms up in Archbold, we are clear down in Gilboa at Canaven's Creamery and we actually had these people seek us out for our product because they saw it somewhere and they saw our name and they knew we were from Napoleon and they looked us up and they found us and that's what we're trying to do is being more recognition and make a place that people want to come to that they want to drive to Napoleon and um just on the legal aspects um this is Kristin Watcha and she has some information that I'd like you her to share with you guys on the legal aspects of the agritourism.

*Kristin Watcha.* I know you guys have been working on this for quite a while um you know Laura and Brad came and had a lot of information. It sounds like this has been kind of a long road for them but um so I just wanted to tell you a few things because this is I think a frustrating process for everybody because it is a fairly new zoning designation in Ohio. I will tell you I also practice in Michigan and we are working with some properties in Lenawee County and they have a very nice clean informative statute. It is really simple, it tells you absolutely all these things are permitted as long as you have you've met these five conditions it's permitted use automatically. You can have any type of ancillary activities such as weddings whatever. It tells you exactly what kind of businesses and what kind of farming qualifies. So, it's very informative and it actually as long as you meet those things it's kind of a presumptive zoning. In Ohio it's about as clear as mud. So, really in Ohio and I know she passed out the blueberry farm case so in Ohio, what they say is that if you are an agricultural property and you meet these certain criteria you can be in agritourism. What it doesn't really tell you is what the process is to be designated as agritourism and so for townships a lot of times we just tell them some people have affidavits in Michigan they have an agricultural affidavit. I think Napoleon is unusual because it's a farm inside a city limit which we don't see as frequently either. I think this is quite a struggle because I think they have the pieces in place but, we don't have a process and nobody knows what that means and we're a little bit afraid of the process because we're not sure in the end you know are we gonna have a flood of people saying well you know now I don't have to have ADA bathrooms you know that's not really the that is not the point of all of this, the point is to help farmers and people who are small farmers earn more money from things that they can kind of combine with their farming so that they can be more successful in doing so they do ease up a little bit on the restrictions recognizing that they're farms. So, they're saying we understand that you're small farmers and you're just trying to be more successful so we're not going to make you put in a \$50,000 system on this or that and they also give us some liability waivers so a lot of the literature as you read through it you'll see it contemplates farmers being worried about liability because people are coming into farms now for agritourism type events. Think of a petting zoo or a harvest festival they're walking on uneven ground, they're around animals that might you know chew on them or whatever, they are around things that could potentially cause them liability so the statute exempts them from that liability to encourage more farmers to do more business and grow a little bit. The fire piece really is quite separate from the issue we're here for tonight. I believe Schultheis had a copy of the IAU as well. We have a the Ohio Department of Commerce puts out a fire safety and agritourism informative campaign. This talks about exactly what is agritourism facilities and you can see they're doing a wedding or something and how we can ensure fire safety because when you are looking at agritourism we do take out the building component of it so we don't have the building inspection portion. As far as the actual zoning, we are limited to just as Schultheis said we're limited to setbacks and ingress and egress so it does give the small farmer a little bit more flexibility in having people in their property. First, we need Planning Commission just to say by looking at the facts this does appear to be an agritourism facility then the fire inspection is a wholly different portion of that it's not all wrapped together. Barry-my question is, from the permit that they currently have from this committee, how are we limiting them from doing what they want to do other than Wood County? The buildings are there. We are not talking about building new buildings, it says pretty plain that you're going to need a fire suppression system and I know you've got some things but, that's not our thing. We have fire alarm and a fire suppression and know that's going to have to be there but, other than not having to have an ADA facility is basically what were L. Hibbard - there's other things too. Right now we're in our commercial for the occupancy but we're asking go to agritourism to just be basically have to go under the fire then so that we don't have to look at anything else like the ADA or other things that the commercial zoning has. Maassel -



on this document here in front of us, it talks about A2 occupancy, currently as it is right now it's in an A2 correct? Asst. Chief Frey-it's currently a mercantile. Maassel-that's not A2? Asst. Chief Frey-they are trying to change to an A2 to go from the 49 to the 250. B. Hibbard-just so you know where we're talking about the ADA bathrooms and stuff it is actually in the contract to where if they get over a certain number of people they need to provide additional portable bathrooms which does have ground level access for wheelchairs which three of our four egresses are at ground level to where you can roll smoothly out of the facility and onto a either a paver or a concrete pad. All four of the egresses are either exit lights or exit light emergency light combination and there's currently right now four fire extinguishers in the two main rooms that we're talking about okay so from what I read from the codes with four egresses gives you the capacity of about 500 people to egress. Maassel-that a question for Asst. Chief Frey, not for us. If we change from commercial to A2 and we have a group larger than 49 we still have to do all these things potentially here on the right hand side. L. Hibbard-I think we can go up to 100 Asst. Chief Frey-as far as I understand until the agritourism designation is put in place, you are at 49 or less. Maassel-if we say agritourism yes, first has to go before City Council and City Council usually agrees, if City Council says yes they go from to agritourism, does your occupancy permit automatically jump or does somebody have to come in and say here's your new occupancy permit. Asst. Chief Frey-the way I understand it, the occupancy permit would not be valid anymore. Maassel-the 49 one goes away and how long does it take for them to get a new one? Asst. Chief Frey-they wouldn't get a new one Barry-they wouldn't really have one L. Hibbard-we wouldn't have one until we went to you guys for whatever occupancy you do Asst. Chief Frey-we do not issue occupancy permit. We would be working with the number that is allowed in the building and the type of building it's being used as. Maassel-so they wouldn't have a permit anymore that requirement goes away but, they have to understand that if they have over 100 or whatever the numbers are, 100 or more 5,000 sf. they have to have fire suppression. You said you scheduled a number of events already, how many are larger than 49? L. Hibbard - March has 100, July has less than 100 so they're all within the range that we can do for the A2 under the 100. March is 100 and July is 100 then everything after that is bigger but people that are having bigger ones most of them are having tents outside and only coming in to get food or get drinks okay. Maassel-but did I read that you cannot L. Hibbard-I can have under 100 Maassel-but you cannot have any cooking onsite Barry-they can have catering. Schultheis-it depends on how they're going to cater it that would be up to the fire code again. L. Hibbard-we don't have anything way for them to cook there's no cooking appliances or area to cook Gerken-so how would you do the parking for all these people? You don't have to have it paved but you have to have some kind of access for a parking, stone parking lot maybe or L. Hibbard-it can be anything they can park on grass Schultheis-it either has to be stone, flat or pavement B. Hibbard-there used to be 2- 30' x 200' greenhouses that were on a stone base. That stone base is still currently on the property that would be a 60' by 200' parking lot there plus there is stone in front of the building Gerken-and that's still be part of what you would own that you didn't sell off right Maassel-that needs roundup and some back work in order to get that from where it's currently is to be more stoned. B. Hibbard-or add more base. L. Hibbard-we want to we want to get a permit to add a um a grain bin outside the barn that people will get married in or can get married under as like a single as like a gazebo area so um because the company I work for puts them up and I basically can buy one from them and they can put it up we get it from it and put it up and then people can get married outside so a lot of functions because most of these people that are getting married in the barn will be getting married outside B. Hibbard-and most of the events are going to be in a better weather condition our intentions are not to be open during the winter for events, it's gonna cost too much to heat the place while we're there. Our last event is basically the end of September whatever it's like that October 1<sup>st</sup> or October 2<sup>nd</sup> is the last scheduled event. So, more likely they're going to be using the outside properties for a portion of their events okay Asst. Chief Frey-I just want to elaborate quickly on I think there's a little confusion on the A2. The A2 is specific to the building itself not the property, the property would be on whatever zoning would be designated. Barry-it would go building-by-building. Correct. Maassel-it would be agritourism still in a commercial zone. Schultheis-we're not changing the zone. It will stay the same as a C4. With agritourism it would fall under this agricultural district. Barry-since this is new, do we have the option of reevaluating it after a year? Mazur-we would fully plan on doing that and monitoring only because back to point number one you have to show that the gross income is 50%. The reason why and not to be stickler about it but, we have other businesses in town that do banquet halls and things like that just to make sure everything's on the up and up. So, that there's not this person's doing this and this person's doing that and you know what, that's part of our job. That's the biggest one from my perspective is making sure that the

50% income level is met. Everything else is pretty straightforward. Barry-they mitigate their liability with the signage that was item three, we still have zoning if they want to do any new structures things like that. Mazur-in here it says exempt from Ohio Building Code in certain circumstances so if new buildings are being built or expansions obviously building inspection is going to want to have a look at that and plans have to be drawn up and everything else. Maassel-so if that happens Wood County comes back? Mazur-that's my understanding. Wacha-it's constructed for agricultural purposes though that building also has the agricultural designation. If they build it just to have a banquet hall and it's not at all involved with the farming activities or they build a residential house then we have regular zones. If it's involved in the agricultural use and that could be just selling their honey or something else to do with the honey orchard then it would continue to fall under that designation. L. Hibbard-Right now there's three locations right outside of the perimeter of Napoleon there's one in Delta called Buckland there's Shady Brook and then there's Leisure Winery they all have wedding venues. Shady Brook basically just put up I don't know what size their barn is but it's supposed to hold 500 people no fire suppression system at all and she has a lavender farm but she classifies it as agritourism because it's in a barn and it's on her farm. There are three event places right outside of Napoleon city limits that are actually bringing people to this area. In fact Shady Brook is looking at putting up a second because they're fully booked every Thursday, Friday, Saturday and Sunday in next summer. So, Schultheis - but that's fine because that's out in the county in the townships, we have different rules and regulations here within the city limits that we have to abide by. Barry-we have to be careful, if we allow this. What I'm trying to say, if this is allowed and then we don't follow all the rules and something does happen, we have opened the city up. That's part of our job to keep things to plan and to make sure the rules are followed. L. Hibbard - that's another reason why we want to go after agritourism because we have signage up at the front of the property that makes people aware that they're coming onto a farm there are certain you know dangerous things that could be happening that they get in front of a combine or something and get run over that you know they need to be aware of their surroundings and the only reason I was bringing up the other locations is we aren't trying to scavenge off the current location that's in town that has weddings because we're a barn and they're like a really nice new what would you call it a different style venue so we aren't basically looking at the market that they're getting we're looking at the market that the barns outside of the city limits are getting. Barry-it's still competition in their eyes not trying to impede anyone's business Barlow-we are not worried about the competition so much. My concern is making sure the rules are followed because just like she just said if they put up a building nobody's inspecting anything unless it's a house or whatever. Schultheis - they will still have to apply for a building permit. Barlow - I'm not against at all, I'm just saying that's my nervousness. We sit here representing the city and we don't want to open something up however we don't want to impede enterprise either. I struggle with this agritourism thing that's a brand new. Barry-that's why I asked if we could put a time limit and say it would be reevaluated at least for the first year, on a year-by-year basis. I had no problem with reverting back to the existing permit that doesn't have a time limit on it but the agritourism kind of the way I'm leaning. Mazur-you can add that as a condition Barry-and I would also say that there would be no new structures until you do a one-year review at the Planning Commission meeting. Gerken-I like that no new structures until the review.

*Clayton O'Brien – Fire Chief of Napoleon.* As you know, my primary duties is to ensure the safety and well-being of all the citizens and anybody that comes to Napoleon. It is unique that the farm is actually in the City of Napoleon. It is not unique that I was out there with Mike Rudy and we worked on this in 2017. When we worked on it in 2017 it was specifically for small 4-h groups, lower educational seminars and for things happening on the farm for groups that were less than 49. At that time we dealt a lot with helping Laura and Brad get the Certificate of Occupancy that they have today because of the things that we helped do. They had some water issues if you remember back in the day. We helped work with that but, on the fire code side of things in order for them to get an occupancy within that building, we needed to stay under 49 because that does do a lot of those standard business ones where when it comes to exits, when it comes to anything else of the use of the building. What they were using the building for in that zoning permit what they first to use it for was just a small consignment shop and that's how we came up with the mercantile thing. We worked with them through that. At that time none of it was even discussed about wedding receptions or halls or so forth. That was discovered by me and I actually put Assistant Chief Frey on it because I came across an Azola listing putting it out to actually host weddings. I said this is not what the use of that barn was for. It is our job once that's discovered as Asst. Chief Frey already indicated we have to follow the Fire Code 100% and we don't have the ability to go against it. I am here to say I don't agree with the agritourism

designation because I don't believe weddings provide the revenue stream from the farm. Whether you're buying honey or not, the 50% revenue thing I think is a thing. Now, if you decide that you wanted to do a year review that's one thing. What I'm very concerned about with the agritourism designation is removing Wood County out of the mix. Wood County Building is there for a reason so they use all the other facilities within our in our area, issue the Certificate of Occupancy so when Asst. Chief Frey shows up at your location he asks for that Certificate of Occupancy, that Certificate of Occupancy is issued to him so he's able to see it and if they don't produce it, then it's a violation of the Fire Code and produces a citation. What that does is it provides him the ability to inspect the building to make sure that he's inspecting on the use of what it's actually approved for because the building code actually trumps the fire code until that Certificate of Occupancy is issued. If you go out and build a new building, the Wood County Building, Mike Rudy the building code official has full authority throughout the plan review process and until that piece of paper is handed over saying you can occupy the building. Once that happens now we are the maintainers. So, Asst. Chief Frey on an annual basis and I can tell you long before Brad and Laura owned that place I actually did inspections out there at that orchard when they had the greenhouses and things of that nature. They were using it as far as selling plants and whatever else. At the Fire Department, it is not new that place is in the city. They have always been with us. That is why I was taken aback when I heard that Chief Brian Baker from Liberty Center was out there. I called him up and asked him what was the deal there and according to Chief Baker, and I do have an email from him stating he wasn't able to make the meeting, he did state specifically that he did go out there and he was contacted by either Laura or Brad and at that time it was understood that, the farm used to be in Liberty Township as far as the fire district. When it was annexed in, it becomes the City. At the time I guess Chief Baker maybe didn't realize that it was annexed in or not, not sure. He did go out there as a courtesy and looked around talked to him. I explained to Chief Baker, that these weddings according to Laura in events greater than 250 were booked because he said that this was okay and he said whoa. I did not say for anything greater than the 250. I will read the email just so you know what that is exactly what he said. Chief Baker writes *Chief O'Brien I was contacted by Laura Hibbard about fire safety issues at Honey Blossom Orchard, 2950 Enterprise Avenue, Napoleon, Ohio. I was probably contacted because prior to annexation to the City of Napoleon the property in question was in Liberty Township where I am the AHJ, an AHJ means Authority Having Jurisdiction. In the City of Napoleon that would be me and in Liberty in his fire district would be him. Although the property is no longer in our jurisdiction I did agree to meet with Bradley Hibbard at the site as a courtesy visit. We looked at the first floor of the facility and discussed egress signage, egress lighting and fire extinguisher placement. I was told at the time this was going to be ag business retailing plants and vegetables with occasional small groups 25 to 30 attending classes to learn flower and vegetable gardening skills. The structure appeared to be able to be made compliant for the owner's business model. Brian L. Baker, CFSI.* Which is Certified Fire Safety Inspector. I will say that is exactly the conversations that we had with Laura and Brad at the time too. These small educational 4-H groups that we knew that they were going to be talking about honey and the things that was done on the farm. When it comes to actually having the weddings and the concern thereof, is the use of it. You have types of activities that happen at weddings. You have drinking or non-fixed seating and different egress, low-level lighting all these things that take into consideration that one bad thing happens and we're not standing up here saying that we don't want them to be a successful place, I really do. I was there in 2017 along the whole way and trying to make sure that we could get them something to be able to do what they were doing for the small 4-H groups and to do stuff on the farm and that's how we got to that mercantile 49 space. I am concerned if we're outside of the Building Code because that puts a lot of a lot of responsibility, in addition to what's happening, on the Fire Department and makes the Fire Department what we will have to discover or go out there do all the measuring to determine the occupancy loads and the seating and all that other stuff. That's a lot of determination that happens in the Building Code. If you want to change something you submit plans to the building code official. I just don't believe that this fits into agritourism and in my views on the way that the building is going to be used because it would be used as an A2 which is to hold out weddings and venues and that sort of thing. Barry-is there an occupancy number? I know I'm putting you on the spot but, I know the number 250 is listed here. Even if this did receive an agritourism thing, if it was limited to a 100 or less or something like that we're asking for your input. Chief O'Brien-the hard part about it is how do you enforce it? How do you police it? Nobody wants to be the bad guy. We go out there, we're counting heads and now we're ruining someone's day, it's a wedding it's some of those things. That is why we did provide Laura and Brad with the letter. Asst. Chief Frey did provide all that

information that they have a mercantile certificate of occupancy. If they use that building outside of that you are knowingly violating the fire code which then does come with some other little offenses that could be held criminally and the things that are held out you know afterwards. That is why we have been offering Laura and Brad the citation process because we can't give those variances, we can't give those authorities, that if we do the citation. They do qualify for a citation already at the moment because you're holding out the building for the use of weddings and that is not the use of what is actually certified. If that happens it provides them the opportunity to do exactly what Laura had indicated before about Custom Ag Systems going to the Board of Building Appeals plead their case they discuss anything that they would want to do of how they're going to get around or what they're going to do and then the board gives that authority or gives that determination if they can do what they're saying that they want to do. The Board of Building Appeals is a State Board and is made up of different individuals you have a Fire Chief, a plumber, a construction person, a zoning person it's made up of different individuals. Then they make the determination and then that be said. Like Laura indicated the suppression system not being at the Custom Agri Systems at that time Custom Ag went to the Board of Building Appeals they didn't want to put the suppression system in I think it was for the business spaces or whatever. We don't discuss variances of the Fire Code, we don't look for ways to get around things, in the Fire Department we are code enforcers all the time. We like to be the helping hand but, in this case and in inspections when it comes to the code enforcement portion of it, it is black and white. It's not personal, it's just in the event that something was to happen, remember the fire code is built on reactive. Something happened and a lot of lives were taken because of it and that's why the code is built and that building code gives us that reassurance that they have to go through that process of submitting plans talking about what they're exactly going to do. I understand that there's maybe some other avenues of the ADA and things of that nature but, as Brad already indicated if they can get the ADA that could be something they could talk about that they had already brought up tonight. I just caution on the fact of the agritourism and felt that I needed to share my views as Asst. Chief Frey takes care of all the code and does all the inspections but, ultimately I am the authority having jurisdiction and I think that should be said.

*Wacha rebuttal.* I appreciate that. I know this is new and there's a lot of concerns but, when we're looking at the different designations such as agritourism, the legislature is the one that we should be upset with if we don't agree with it being a designation but it is. It's just like saying I don't agree with a commercial building being treated as a commercial building, we're just going to impose the residential requirements because that's what we think is best. The designations are what they are that the legislature sets out and this is something new that they've set out. It's not whether we choose to or not the bill, the property is agritourism or it isn't it says right in the Supreme Court case that has come out and in the Ninth Circuit cases that have come out, the question of whether it's agritourism is a question of fact so if they are engaging in activities such as a wedding and they're using that facility or that event to sell their agricultural products if those buildings also house agricultural products they're storing it they're serving it all these different things are question of fact that a judge would say "yes this is agritourism" or "no it's not" and the case law is still developing but with this new case from the Supreme Court they've now said it doesn't even have to be your primary business as long as a wedding, a wedding barn they say but, as long as a wedding is involving the use of their agricultural products in this case it was a blueberry farm that was holding weddings and this is how most wineries qualify for the agricultural tourism designation in Ohio because they're serving wine they're serving their wine at the wedding it doesn't have to be necessarily the primary part of it as long as it's involving their agriculture it is an agri-tourism facility and so it's not a matter of should we let them be that or not it's a question of fact. So, if they are a farm if they're farming bees if they're an orchard if they're engaged in a qualifying agricultural activity and they have these other things like weddings festivals different things that are done on the property that involve their agriculture that helps them raise revenue they are by statute an agritourism facility. With that said though nobody wants to scare anybody you know they're not here saying we don't want to work with the Fire Department. I think this process has probably irritated a lot of people and I think we've got a lot of you know emotion involved in it because it's new and there doesn't seem to be a real set process here yet but, they are an agritourism facility by what they are doing and by the case law. They just need this body to recommend the change to A2 from C4 the fire enforcement and safety processes all come after that. Barry-the C4 to the A2 are two different things. The C4 is our zoning and the A2 is set by that's a fire code thing. We can't really change that and that's why I brought the initial question up, I'm not sure that we can declare, I'm not arguing that it's not an agritourism. That's what they're doing and that's what we understood when we did the permit before. I'm just not sure if it's this board's position

to declare whether or not it gets an agritourism monitor. I understand the state supersedes us. If the state can supersede us then, is that where it goes? Macha—it has to be done at the city level because that is the governing body at their local level. We would need the Planning Commission to make a recommendation to City Council so that they can grant them officially that designation. Barry—so then City Council would again Mazur—they would hear this body's recommendation. So, if it is a yes or no, Council then either can agree with it with a simple majority or overturn it with a super majority. Vocke - there's a lot here. The 50%/ 50% that is a statute of sorts somewhere they have to have 50% of their revenue has to be from their agricultural products. Mazur—correct. Vocke- so this Supreme Court decision with this blueberry barn they were selling wine and I can see if you're having a wedding reception wine would probably be pretty easy to meet the 50% barrier but, I'm not real sure you're going to sell 50% of your revenue in honey at a wedding reception. L. Hibbard but it's 50% over all your business so it's not just the honey we sell there it's the honey we sell the total business everywhere. We now have 10 retail locations. Vocke—that's a good clarification Mazur—there's vaugery here too that I haven't wrapped my head around that either. Is it selling it onsite, is it producing it onsite and selling it onsite, is it producing it offsite and bringing it onsite, there's a lot of different factors to weigh in. Maassel-it can't be produced and sold on site because if you have a crop farm and you're going to have your barn when it's not time for crops to be a reception hall you're not going to sell you're going to sell your corn not at not at your location you're going to sell it down the road wherever you sell your grain. I think it's the overall wherever you sell it you sell it. The question I'm going to ask is when are the books due the 50%/ 50% split and who's going to inspect, how are we going to audit that? That's going to be the question if we say it's okay for 2022. Mr. Hibbard said they're going to stop doing weddings on or about October so by the middle of November they should have majority of those incomes booked and most of their other crop probably sold by then or plan to get sold by then they can show look over 2022 we had these events they brought in x amount of dollars we sold this much agriculture product they bought in this much dollars we're over 50%/ 50% we're good. The question is who is going to look at it? B. Hibbard -Christmas is a busy time for the honey business right now okay and we've been delivering about three days a week two different locations I would say the majority of the sales from the honey would be as from about the first of November to about another week from now is probably one of the busiest times for bottled of honey. Mazur -if you do a calendar you probably want to do a review of that or something at the beginning of the following year to make sure that they've got Maassel - I'm just trying to put this together in a kind of a calendar so if we say we're going to do it not mid-November we're going to do it late- January but if they don't make the 50%/ 50% by late January and they have all these other events lined up and we got to say you got to cancel them right now I really don't want to be that that position either. That's going to be the business risk they're going to Mazur - that's the statute Gerken-my concern is like Mr. O'Brien has said you cut out Wood County and all their Maassel-understand just trying to figure out a timeline of just the rule number one at 50%50%. Gerken—Wood County is very strict on their rules of new building and accessibility and don't like cutting them out of Schultheis— they still have to apply for building permit with us in order to build any new structures and issue the building plans and layouts Gerken - would that also include that little grain elevator Schultheis - that would be considered an accessory building yes that would be a permit Barlow - would that if it's part of the building would that come under the Schultheis - that would fall under the Building Code itself because it's going to be an accessory building unless yes it would because I'm sure there's going to be electricity run to it so that means that the Wood County inspector would have to do an inspection for the electric. L. Hibbard – for the gazebo we do not plan on having electricity Schultheis – takes care of that. Barlow – that's kind of a gray area Barry—if there's no electricity it follows the building codes which Schultheis can enforce L. Hibbard -I mean we would get a permit just because it's going to be a structure that would be putting up so right Barry - for your liability you would need to I'm sure your insurance company would feel the same way L. Hibbard - when you guys were talking about the majority of business it's not a if you look at the ORC it says the majority of your business must be from agriculture activities but it's really when it goes to the actual court cases that they actually specifically get down in the nitty-gritty and say that the the um actual dollar amount has to be greater Barry—that's why I said it's right now if we proceed forward with this on a temporary one-year trial, these would be 100% of the conditions that would be followed L. Hibbard—and one of the things I included in my um special use permit is we anticipate that um our honey sales are going to be \$12,000 in 2022 and right now with the um I the places that we have booked in most people book at least a year or more in advance right now we only have booked like I mean like \$15,000 so our honey business is the majority for our next year's production and we base we figure out what our production is going to be for the next year because we

have to order bees in January and we have to actually start building hives for their homes for them Barry - well 50% then that would get you in trouble if you had well you'd be kind of right in the bubble because eight times \$1500 is \$12,000 so you'd have to sell one more jar of honey to stay under that would also probably be the way you would have to base on how your honey business is going on how many events you allowed to be booked L. Hibbard - I don't know where the 50% is coming from does it say it in something that you're looking at because in the court cases they talk a majority Barry - that's majority you could say majority would be 51% L. Hibbard - so you're talking 51% versus 49% so we're gonna have 49% on the wedding 51% on the honey because that would be the majority Barry - now that's just your honey sales like you said you're also planning on incorporating the honey into part of the wedding thing L. Hibbard - right they have to actually buy the honey that's your part of the business.

Barry-I think we need to make a move. I would entertain a motion to take a vote on approval of PC 21-12 with the conditions of review after one year in other words would be for 2022 only and for this initial period that there would not be any new structures built and they'd have to follow all the rules of that and then and following the rules one through nine of the recommended conditions that were presented by Schulthies.

Barlow - one more question, the rules especially the fire suppression rule, you can have that in place by the time this all comes about B. Hibbard - well we would like to go to the Board of Appeals to get clarification on that well Barlow - but my question is do you feel, you're going to have your first wedding in June, Barry-and if that doesn't happen, what these two say goes. Barlow-the thing is with the first wedding being 100 people we would be under that number. Chief O'Brien - just remember that the 100 doesn't matter if the building space is greater than 5,000 square feet. If we measure the place it's 5,000 square feet on the usable A2 space, if that agritourism happens and that mercantile certificate of occupancy is out that means they want to use the building as an A2 we then have to treat it all as an A2 so it doesn't matter they could have 49 people in there still requires a suppression system. It's greater than 5,000 sq. ft. it requires a suppression system otherwise they can't hold that type of event because it is an A2 use. L. Hibbard - that's on usable space that they have access to correct Chief O'Brien - so it would be your lower barn because your barn has two levels. L. Hibbard - right but we have two rooms that they don't have access to that are totally blocked off with locks and everything else. Chief O'Brien - it's been a while since I've been in there so I can't really speak on exactly because it depends on if those spaces can technically be blocked off because they may not be allowed to be blocked off if it's part of something. I just want to point out that I believe that if you were talking initially because I've never measured it, if you were talking initially 250 people that were way greater than 5,000 square feet space I didn't want to get caught up on business. L. Hibbard - the bottom floor is under four thousand and the top floor is four thousand so but they don't have access to that full four thousand suppression Barlow- ouses being built don't have parts showing up I'm thinking about you folks what if all of a sudden you don't have suppression, if we approve this. L. Hibbard - in March and July our events that are scheduled are 100 or less so we don't have an event that's bigger than that until September so I think that nine months will be plenty of time for us to get things around um one other thing is you guys said that we couldn't build anything else um we already have the stuff the supplies to build the gazebo so um I don't want to like do something that you guys don't want us to do um I've already basically that's one of the reasons people are coming there so they can have some place outside to get married that's under a roof and the gazebo is basically just the top of a corn bin on a post so if we can at least get that approved where I mean to approved that we're allowed to build it but then we'll still have to go through the permit process with Schultheis to actually put it up and everything. Schultheis-that is an accessory building it is an easy \$50. Asst. Chief Frey - *might add too that when hosting events with tents that the Fire Department is contacted for inspection.* Barry - if they do some people might want to have a tent not everybody inside that they still are contacting to inspect to make sure that it's for any safety issues, they're not burning open fires into the tent. B. Hibbard - well actually in the contract that they're not allowed to have an open flame. Maassel-*the other part of it is where the tent gets located* because if the tank gets located in the wrong spot then you have an emergency and our crews can't get to the emergency that's going to be very important. Before the first tent goes up I would very much encourage you to talk to those gentlemen and say where is the best spot to put it so that in the case of an emergency it's not in the wrong spot. B. Hibbard- right now the best place for a tent is in front of our 16' x 14' overhead doors and egress if off to the side.

Motion: Gerken

I would like to make a motion we table it because it's still so new to us. Maybe we need to do more research

L. Hibbard - if that happens we will just pull it back because I can't let somebody think they're going to get married there in March and then tell them in January they can't so if it doesn't pass tonight that's what we're planning on doing is basically giving the money back and removing the barn out of Napoleon. We've already got barn builders that can move it. B. Hibbard - one of the issues is if it doesn't get approved tonight we can't get on the agenda for a January meeting with the Planning Commission because if they table it doesn't come back to the table for the Planning Commission. Schulthies—if they table it then they have the decision of setting up their date whenever they want to return. Maassel-what other information is that you Gerken-I don't know there are so many unanswered questions, we're not sure about agritourism. I don't know much about that just from what I've read and I don't remember your first name but she was telling different scenarios of what we're not reading so I don't know if that's something we should table to get more information we're only hearing from them, we're not hearing from the City Law Director if this is something that fits in the scope of that. Barry-did the Law Director have input on this? Schultheis -those were the recommendations and the recommendations his feelings was that it probably shouldn't have been approved but because it's within the City and they still have to abide by the codified ordinance of the City of Napoleon. Barlow- his recommendation was to approve you say Schultheis-the recommendation was not to approve by the City Law Director but that's something that he would have to explain more in detail. We have a motion to table. Motion died for lack of a second.

Vocke – a part of me agrees with Gerken, like the Law Director if ever there was a meeting to be at you would have thought this would be it since it's kind of a topsy-turvy issue. I don't know whether we can turn around and meet again in a short time so these people don't feel like they got to pull up roots and move out. They've obviously done their homework, they need to be commended for that. From a thousand feet up it sounds like a great idea but I know there's a lot of regulatory issues that's way over my pay grade to grasp. You guys done a great job I wish we had a little more and the Fire Department did a good job the City Law Director should have been involved in this or any other part of the city administration that would be concerned about this with their input. It doesn't bother me to pass it on because they are the ones that make the decision anyways or pass it on to them that we need feedback from the City Law Director on this and at least they should get the feedback, City Council. L. Hibbard - my understanding is the Law Director said that we need to get a lawyer which we did and also then we were told to go to the county which we did and the assistant prosecutor looked over the law and basically told us you need to put up the signage there's really no form you need to fill out and get the fire department approval. So that's what we did and that was back in May and June of last year so that's all that's all the direction that we got so that's I mean at least that's what we got from Schultheis' emails so that he was trying to be a liaison between us and Mr. Harmon so that was my understanding I mean I wasn't on the other end like Schultheis was. It's really disappointing that we are paying \$9,000 a year for a commercial business and we can't have a business over 49 people there. I can't afford to pay the property tax on it for having 49 people to come in and do a beekeeping seminar that you get \$30 each for. So that's where we are this is a business choice. Vocke-and those same situations existed it wasn't that long ago you were in here to get the 49 wasn't it right wouldn't that same argument been pertinent then that wasn't presented at that time if I remember. L. Hibbard - well we didn't realize that we had grown from at that point from two hives to probably 35 hives and every year our bees are dying more and more because of the chemicals and pesticides that are put on crops so every year we have to go out and we have to buy new bees in order to continue the business and the only way that we're going to be able to breakeven is to increase our hives, the only way to increase our hives is to get more money and so that's the thing and it's like I can't continue to pay a commercial rate on a building I can't do anything commercially in for because really 50 people is really not commercial you know. If I have 49 people and we tried to in the farm market but you know what people think where we're at is so far away from the city that is too far for them to travel but yet we would go to Defiance farm market and put up a shop and we would have 100 times the sale because it wasn't too far for people to drive to Defiance. So that's the thing is we're just in a bad situation with where we're at, there's no you know way to get off the highway to come directly to us and so therefore it would be easier for us to sell one person on having an event there than to sell 49 people a day to come in. When we were open as a farm market we probably had three people a day. I can't afford to pay somebody to do that and sit there all day for three people to come in. So, that is our situation we thought that we were going to be able to get more people to come there but our people that are coming like when we had sunflower fields out there most of our people from were out of town and it was because of newspaper articles that were written on our sunflower field. So, we probably had out of the thousands of

people that came maybe five people from Napoleon and everybody else was from Toledo, Indiana and Wauseon and Michigan so we have to provide a destination for people to come to because we're not getting the people here to come and solicit the businesses here but that's where we are you know it's like we can't continue to do business here and pay commercial rates on a building that we can't use as a commercial building Mazur - from my perspective, I really appreciate the robust conversation here. The substance of what is being asked for, and I think the first time that Mr. Hibbard had talked about it was a good discussion point and the research that went into this later and everybody's kind of done their homework and presented really well from my perspective. We do have the ability to do this, this body does have the ability to approve. It is something unique, it's something new, it helps business, they do make good honey and I do like the honey that's really good. I guess the one thing is, because I'm kind of torn on this too but, it's more of a matter of trust than it is about the substance of this. One thing, and please don't take constructive criticism the wrong way but, it's a matter of going around the city processes and things that from my perspective was disheartening. The hard part to get through with this is that you guys are looking at it just for the substantive piece but, from our perspective there were a lot of emails to a lot of different people that staff had to track and make sure we knew what was being said where and what it was. It was just kind of frustrating to say the least and I think there are a lot of partial truths and in some ways misleading information like the statement that Chief O'Brien got from Brian Baker. It's a matter of trust from my perspective. My opinion is that taking that aside, the substance of this is sound. I think if their legs were long enough in the back they'd kick me but, it's part of the job. If this body approves it and council approves it, that's our job to police it and manage it and we'll do it. That's the business we do, we do it every day. Vocke – 10,000 feet up it's good for the community. I just don't know all the little pieces that have to be put in place. Gerken - there's a lot of gray area. Maassel - but, I think we protect ourselves if we, say it's a year we give ourselves a lot of protection.

Motion: Vocke

Second: Barlow

to approve PC 21-12 with the full Recommended Conditions, Nos. 1-9 be applied and to be reviewed in one year at the end of 2022, there will be no new structures that would normally require the input from a building inspector Wood County per se, and that our recommendation to City Council would be that they receive feedback from the Law Director during the presentation of this to them

Roll Call vote on the above motion:

Yea-Barry, Barlow, Maassel, Gerken, Vocke

Nay-

**Yea-5, Nay-0. Motion Passed.**

#### **ADJOURN**

Motion: Vocke

to adjourn the Planning Commission meeting at 6:51 pm

Roll Call vote on the above motion:

Yea-Barry, Barlow, Maassel, Gerken, Vocke

Nay-

**Yea-5, Nay-0. Motion Passed.**

Approved

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Planning Commission Chair





## CITY OF NAPOLEON, OHIO

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DATE: December 7, 2021

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

FROM: Kevin Garringer, Finance Director *KLG*

CC: Lori Rausch, Utility Billing Administrator  
Shannon Fielder, Income Tax Administrator  
Kim Franz, Senior Account Clerk

SUBJECT: Write-off of Uncollectable Accounts

Attached please find the proposed 2021 Write-offs of Uncollectable Accounts from current and prior periods as prepared by my staff.

### **Income Tax (Exhibit A):**

Total Write-offs for 2021 = \$274.05 (deceased)

### **Utilities and Miscellaneous Billings (Exhibit B):**

#### **Write-offs through Weltman:**

2016 = \$1,497.21

2017 = \$1,641.61

Subtotal Weltman = \$3,138.82

#### **Write-offs through City:**

2021 Deceased = \$270.36

2021 Bankruptcy = \$641.66

2020 = \$189.81

2021 = \$826.10

Misc. Billings 2021 = \$7,801.15

Subtotal City = \$9,729.08

**Total Utilities and Miscellaneous Billings Write-offs for Weltman and City = \$12,867.90**

### **EMS (Exhibit C):**

#### **Write-offs through City:**

2021 Deceased = \$8,684.48

2021 Bankruptcy = \$3,693.45

2021 Legal = \$268.32  
*Subtotal City = \$12,646.25*

*Write-offs through Weltman:*

2016 = \$947.76  
2017 = \$19,490.16  
2020 = \$300.00  
*Subtotal Weltman = \$20,737.92*

**Total EMS Write-offs for Weltman and City = \$33,384.17**

**Grand Total of All Write-offs in 2021 = \$46,526.12**

I respectfully request a motion to approve the write-offs as listed. Thank you for your consideration, please let me know if you have any questions.

Attachments

**EXHIBIT A**

Income Tax Write off for 2021

TOTAL: \$ 274.05

## EXHIBIT B

## City of Napoleon Proposed 2021 Utility Write-offs

Active Accounts Placed Before 01/01/2018 Not in Legal and No Current Payment Arrangement as of  
12/01/2021 or Returned by Weltman, Weinberg & Reis

Name	List Date		Curr Bal
VILLAGE SQUARE	4/11/2016	\$	1,497.21
<b>Total 2016</b>		<b>\$</b>	<b>1,497.21</b>
 KATHLEEN WILLIS	 12/18/2017	 \$	 780.89
DANA M ROSE	12/18/2017	\$	860.72
<b>Total 2017</b>		<b>\$</b>	<b>1,641.61</b>
 <b>Total Weltman Write-offs</b>		 <b>\$</b>	 <b>3,138.82</b>
 FRUCHEY, JACK C	 8/25/2021	 \$	 86.30
NEUMEIER, BRITTANY L.	7/13/2021	\$	77.88
RETCHER, ERNEST	3/17/2021	\$	58.20
KEERAN, NANCY J.	4/23/2021	\$	47.98
<b>Total Deceased 2021</b>		<b>\$</b>	<b>270.36</b>
 BURRES, RAYMOND	 5/14/2021	 \$	 117.13
NICELY, BREANNA M.	11/30/2021	\$	524.53
<b>Total Bankruptcy 2021</b>		<b>\$</b>	<b>641.66</b>
 CORDES, BRANDON	 11/10/2020	 \$	 57.87
SAUBER, JOSEPH H	11/25/2020	\$	25.33
TAUBER, MICHAEL A.	12/7/2020	\$	37.66
BAILEY, EARLENE G.	12/14/2020	\$	50.57
WHITSON, AMANDA	12/23/2020	\$	18.38
<b>Total 2020</b>		<b>\$</b>	<b>189.81</b>
 LUNA, MARTIN A	 2/1/2021	 \$	 21.96
IVEY, EMILY R.	2/1/2021	\$	46.26
SALDIVAR, RICARDO	2/2/2021	\$	97.82
SILVEOUS, DESIREE	2/24/2021	\$	59.79
PAGE, SUSAN R.	3/1/2021	\$	16.37
STARK, LOGAN L.	4/23/2021	\$	67.01
REYES, ERIKA A.	4/30/2021	\$	57.81
KOHN, JASON B	5/18/2021	\$	20.28
FRAKER, STEVEN C.	6/1/2021	\$	54.95
GORMAN, CAROLYN Y	6/3/2021	\$	87.96
D'ALELIO, ZACHERY H.	7/8/2021	\$	55.40
KUH, JANICE S.	7/13/2021	\$	67.96

BUELL, NICHOLAS A.	7/13/2021	\$	30.48
RAMIREZ, CLYSTAL R.	7/15/2021	\$	4.06
VERNON NAGEL INC	7/27/2021	\$	6.00
SCHRADER, SHARA	7/30/2021	\$	87.05
KISTNER, SASHA A.	8/3/2021	\$	42.00
DANIELS, LOGAN M.	8/10/2021	\$	49.59
RIVERA, ERNEST O.	8/12/2021	\$	45.84
LEMIRE, SAMUEL G.	8/20/2021	\$	73.55
<b>Total 2021</b>		<b>\$</b>	<b>826.10</b>

<b>Total Small Balance 2021</b>		<b>\$</b>	<b>1,015.91</b>
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CENTENNIAL CELLULAR	12/28/2016	\$	25.00
GRACIA-ESPINOSA, LAZARO	6/23/2017	\$	410.15
MATTHEW CLARK	8/30/2017	\$	155.00
RESURRECTION ENTERPRISES	4/19/2017	\$	90.00
LARRY SCHWABLE	7/19/2007	\$	7,121.00
<b>Total Misc Billings 2021</b>		<b>\$</b>	<b>7,801.15</b>

<b>Grand Total Write-offs for Misc &amp; Utility</b>		<b>\$</b>	<b>12,867.90</b>
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**EXHIBIT C****City of Napoleon Proposed 2020 EMS Write-offs**

**Active Accounts Placed Before 01/01/2018 Not in Legal and No Current Payment Arrangement as of  
12/01/2021 or Returned by Weltman, Weinberg & Reis**

<b>Name</b>	<b>List Date</b>	<b>Curr Bal</b>
BRENNEMAN, MICHAEL	2/8/2020	141.54
DORRINGTON, HAROLD	6/18/2020	295.00
FACKLER, CAROL	6/24/2018	295.00
FACKLER, CAROL	10/14/2018	295.00
GARRICK, NORA	4/16/2018	340.00
JONES, DORIS	9/26/2017	1025.77
JONES, DORIS	8/23/2018	265.00
MANSFIELD, ELAINE	10/31/2017	777.83
MCLAUGHLIN, MIKE	4/28/2017	930.73
PAXSON, LYNN	1/19/2017	569.94
PEACOCK, LASHONDA	11/13/2018	114.93
REYNOLDS, NANCY	8/30/2017	1499.40
RIFFE, EVELYN	12/29/2018	265.00
RUBY, APRIL	9/21/2018	564.12
WELKER, RUTH	8/31/2018	1305.22
<b>TOTAL DECEASED 2021</b>		<b>\$8,684.48</b>
MACFARLANE, MARK	11/7/2013	1,946.43
DAVIS-JOHNSON, DAN	8/12/2014	1,245.32
SPEAKMAN, CYNTHIA	12/27/2017	501.70
<b>TOTAL BANKRUPTCY 2021</b>		<b>\$3,693.45</b>
BEECH, PAIGE	11/1/2012	109.41
BAKER, DOUGLAS	11/28/2016	70.00
MUNOZ, RAMIREZ	9/23/2017	88.91
<b>TOTAL LEGAL 2021</b>		<b>268.32</b>
EVEARITT, CHAD	3/16/2017	883.57
GEAHLEN, SEAN	3/16/2017	875.25
SMITHWICK, SIEARRA	3/16/2017	847.51
HOUSTON, STEPHANIE	4/28/2017	372.94
DESPAIN, SKYLAR	8/15/2017	583.81
DIXON, DAVID	5/23/2017	583.81
ERICKSON, DALE	7/29/2017	875.25
FORD, BENJAMIN	6/11/2017	556.07
FOX, ROXIE	6/26/2017	125.79

GEAHLEN, SEAN	6/16/2017	875.25
KUHLMAN, RHONDA	6/28/2017	434.91
RAMOS, CIRIACO	7/2/2017	889.12
RIVAS, ANTONIO	2/6/2017	889.12
RIVAS, ANTONIO	7/10/2017	889.12
RUARK, JOHN	8/7/2017	889.12
SCHNITKEY, SUSAN	3/8/2017	875.25
SZALAPSKI, RHONDA	2/14/2017	999.91
WORDEN, TIMOTHY	6/19/2017	958.47
TIERNEY, MICHAEL	7/26/2017	597.68
ZIKOVICH, KALI	11/5/2017	597.68
MILLER, NICOLAS	11/10/2017	583.81
CORONA, ADELITA	12/25/2017	265.00
CURRIER, MISTY	7/16/2017	808.80
SAMCZYK, MICHAEL	7/23/2017	597.68
DANGLER, THOMAS	6/8/2017	772.62
ANDERSON, RICKY	5/22/2017	200.00
ROSS, TONI	8/16/2016	947.76
SALINAS, VIRGINIA	7/31/2020	300.00
SHOOK, DAVID	10/31/2017	1346.83
WENNER, RODNEY	7/31/2017	190.00
FOX, ROXIE	6/26/2017	125.79
<b>TOTAL 2021</b>		<b>\$20,737.92</b>

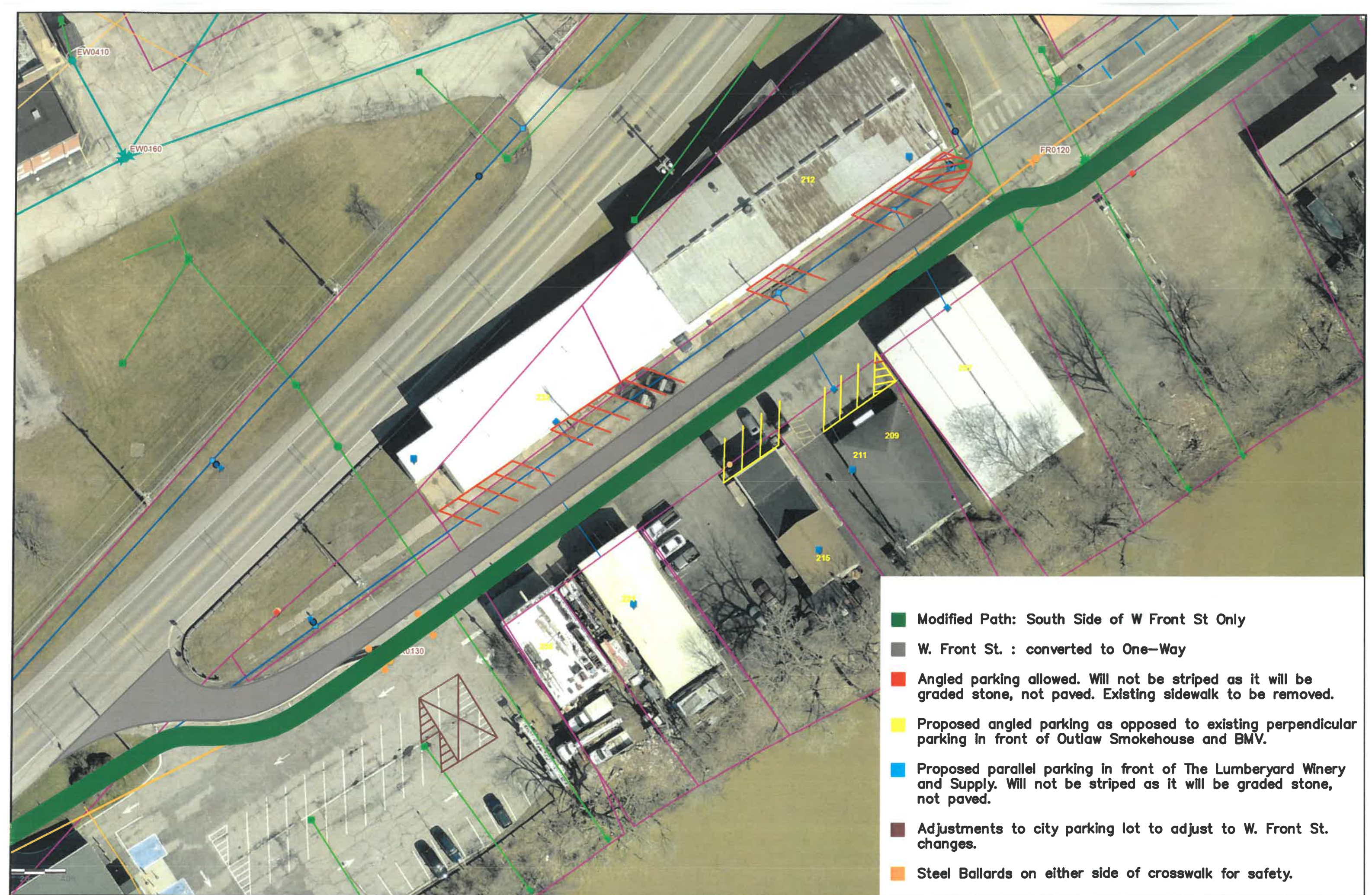
**TOTAL CITY & WELTMAN WRITEOFFS**

**\$33,384.17**









- Modified Path: South Side of W Front St Only
- W. Front St. : converted to One-Way
- Angled parking allowed. Will not be striped as it will be graded stone, not paved. Existing sidewalk to be removed.
- Proposed angled parking as opposed to existing perpendicular parking in front of Outlaw Smokehouse and BMV.
- Proposed parallel parking in front of The Lumberyard Winery and Supply. Will not be striped as it will be graded stone, not paved.
- Adjustments to city parking lot to adjust to W. Front St. changes.
- Steel Ballards on either side of crosswalk for safety.





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SHEET NUM.										PART.			ITEM	ITEM EXT	GRAND TOTAL	UNIT	DESCRIPTION
									OFFICE CALC								
									LS				201	11000	LS		ROADWAY
									434				202	23000	434	SY	CLEARING AND GRUBBING
									1,248				202	23000	1,248	SY	PAVEMENT REMOVED
									1,530				202	30000	1,530	SF	PAVEMENT REMOVED, ASPHALT
									51				202	32000	51	FT	WALK REMOVED
									50				202	38000	50	FT	CURB REMOVED
									4				202	58100	4	EACH	GUARDRAIL REMOVED
									156				202	75000	156	FT	CATCH BASIN REMOVED
									1,185				203	10000	1,185	CY	FENCE REMOVED
									4,898				203	20000	4,898	CY	EXCAVATION
									8				203	98300	8	FT	EMBANKMENT
									4,235				204	10000	4,235	SY	ROADWAY, MISC.:OMNI EMBEDDED CONCRETE-RUBBER (ECR) OR APPROVED EQUAL
									3,380				204	50000	3,380	SY	SUBGRADE COMPACTION
									2				517	76400	2	EACH	GEOTEXTILE FABRIC
									1				517	76400	1	EACH	RAILING POST
									8				606	15050	8	FT	RAILING POST RELOCATED
									2				606	26500	2	EACH	GUARDRAIL, TYPE MGS
									441				607	20000	441	FT	ANCHOR ASSEMBLY, TYPE T
									503				607	98000	503	FT	FENCE, TYPE CL
									786				608	52000	786	SF	FENCE, MISC.: WOOD FENCE
									23,634				608	10000	23,634	SF	CURB RAMP
									954				608	13000	954	SF	4" CONCRETE WALK
									14				SPECIAL	69050350	14	EACH	6" CONCRETE WALK
									4				SPECIAL	69050600	4	EACH	MAIL BOX REMOVED AND RESET
																	BOLLARD
																	EROSION CONTROL
									925				659	00300	925	CY	TOPSOIL
									8,333				659	10000	8,333	SY	SEEDING AND MULCHING
									417				659	14000	417	SY	REPAIR SEEDING AND MULCHING
									417				659	15000	417	SY	INTER-SEEDING
									1.2				659	20000	1.2	TON	COMMERCIAL FERTILIZER
									1.7				659	31000	1.7	ACRE	LIME
									34				659	35000	34	MGAL	WATER
									1,532				670	00500	1,532	SY	SLOPE EROSION PROTECTION
									71,511				832	30000	71,511	EACH	EROSION CONTROL
													832	15000	LS		STORM WATER POLLUTION PREVENTION PLAN
													832	15002	LS		STORM WATER POLLUTION PREVENTION INSPECTIONS
													832	15010	LS		STORM WATER POLLUTION PREVENTION INSPECTION SOFTWARE
																	DRAINAGE
									0.63				602	20000	0.63	CY	CONCRETE MASONRY
									8				611	01801	8	FT	8" CONDUIT, TYPE B, AS PER PLAN PVC ASTM D3034 SDR-35
									787				611	04401	787	FT	12" CONDUIT, TYPE B, AS PER PLAN PVC ASTM D3034 SDR-35
									14				611	98470	14	EACH	CATCH BASIN, NO. 2-2B
									2				611	99654	2	EACH	MANHOLE ADJUSTED TO GRADE
									1				611	99574	1	EACH	MANHOLE, NO. 3
																	PAVEMENT
									257				301	46000	257	CY	ASPHALT CONCRETE BASE, PG64-22, 3"
									3				301	46000	3	CY	ASPHALT CONCRETE BASE, PG64-22 , 4 1/2"
									121				304	20000	121	CY	AGGREGATE BASE ,6"
									568				304	20000	568	CY	AGGREGATE BASE ,8"
									149				407	10000	149	GAL	TACK COAT
									308				411	10000	308	CY	STABILIZED CRUSHED AGGREGATE
									114				441	50000	114	CY	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (448), PG64-22
									103				441	50300	103	CY	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, (448)
									489				452	10010	489	SY	6" NON-REINFORCED CONCRETE PAVEMENT, CLASS QC 1P
									224				452	12010	224	SY	8" NON-REINFORCED CONCRETE PAVEMENT, CLASS QC 1P
									34				609	26000	34	FT	CURB, TYPE 6

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W:\Projects\Projects K-O\NAP00023\109008\Design\Roadway\Sheets\109008GG02.dgn 12/16/2021 2:32:22 PM

SHEET NUM.												PART.		ITEM	ITEM EXT	GRAND TOTAL	UNIT	DESCRIPTION	SEE SHEET NO.
											OFFICE CALC								
											1			638	10400	1	EACH	WATER WORK	
											2			638	10600	2	EACH	FIRE HYDRANT AND GATE VALVE REMOVED AND RESET	
											17			638	07608	17	EACH	VALVE BOX, ADJUSTED TO GRADE	
																		TRAFFIC CONTROL	
											176			630	03100	176	FT	GROUND MOUNTED SUPPORT, NO. 3 POST	
											283			630	80100	283	SF	SIGN, FLAT SHEET	
											12			630	85100	12	EACH	REMOVAL OF GROUND MOUNTED SIGN AND REERECTION	
											4			630	97700	4	EACH	SIGNING, MISC.: SOLAR-POWERED RECTANGULAR RAPID FLASHING BEACON (RRFB) ASSEMBLY	59
											2			642	00110	2	MILE	EDGE LINE, 4", TYPE 1A	
											37			642	00510	37	FT	STOP LINE, TYPE 1A	
											534			642	00611	534	FT	CROSSWALK LINE, TYPE 1A, AS PER PLAN	56
											125			642	00700	125	FT	TRANSVERSE/DIAGONAL LINE, TYPE 1	
											24			642	01310	24	EACH	LANE ARROW, TYPE 1A	
											24			642	01610	24	EACH	BIKE LANE SYMBOL MARKING, TYPE 1A	
											54			642	20810	54	FT	YIELD LINE, TYPE 1A	
											8,650			642	60010	8,650	SF	GREEN COLORED PAVEMENT FOR BIKE LANES,TYPE 1A	
																		INCIDENTALS	
											LS			624	10000	LS		MOBILIZATION	
											LS			614	11000	LS		MAINTAINING TRAFFIC	
											LS			623	10000	LS		CONSTRUCTION LAYOUT STAKES AND SURVEYING	
																		ITEMS OF WORK ALTERNATES	
											34			203	20000	34	CY	EMBANKMENT	
											-68			304	20000	-68	CY	AGGREGATE BASE, 8"	
											-18			407	10000	-18	GAL	TACK COAT	
											-13			441	50000	-13	CY	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (448), PG64-22	
											-13			441	50300	-13	CY	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 2, (448)	
											34			411	10000	34	CY	STABILIZED CRUSHED AGGREGATE	
											2,746			608	10000	2,746	SF	4" CONCRETE WALK	

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Revision

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No.

Wannik Smith GROUP

1800 Indian Wood Circle Tel (419) 881-2222  
Maumee, Ohio 43538 Fax (419) 881-1595

Sheet 14 Of 62

Scale: H: 1"=100' V: 1"=10'

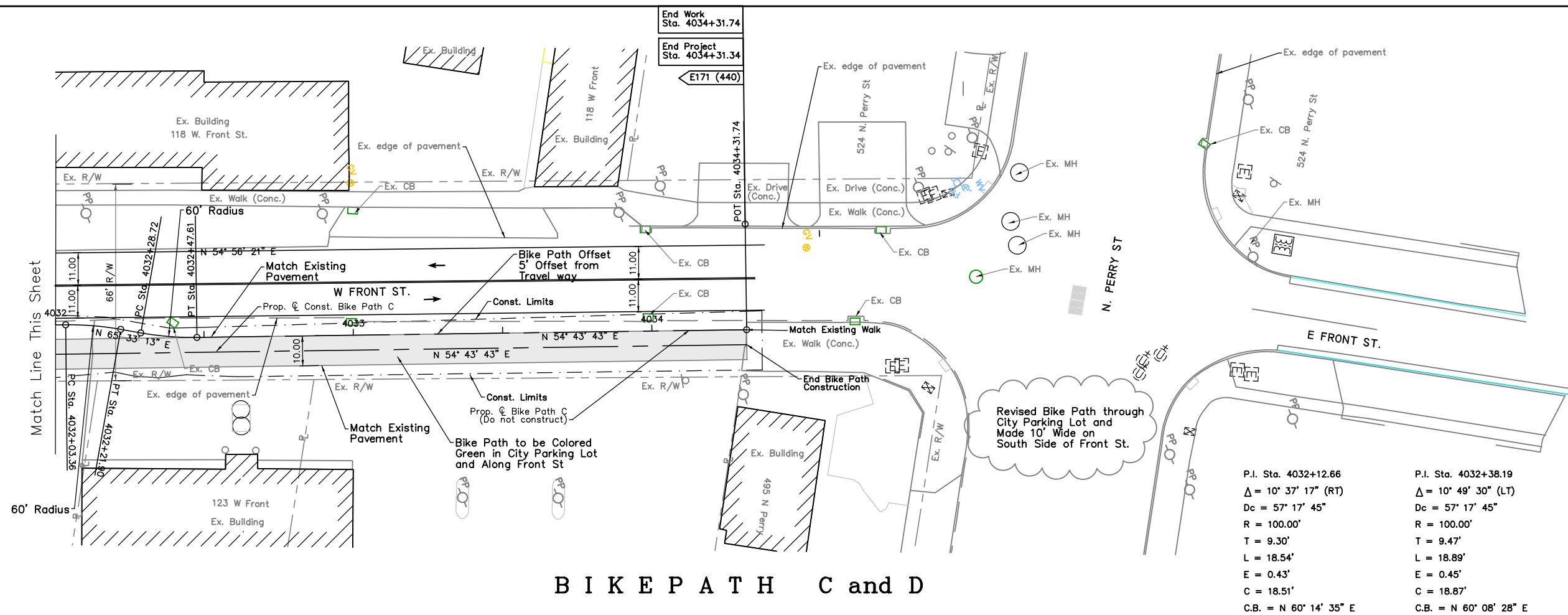
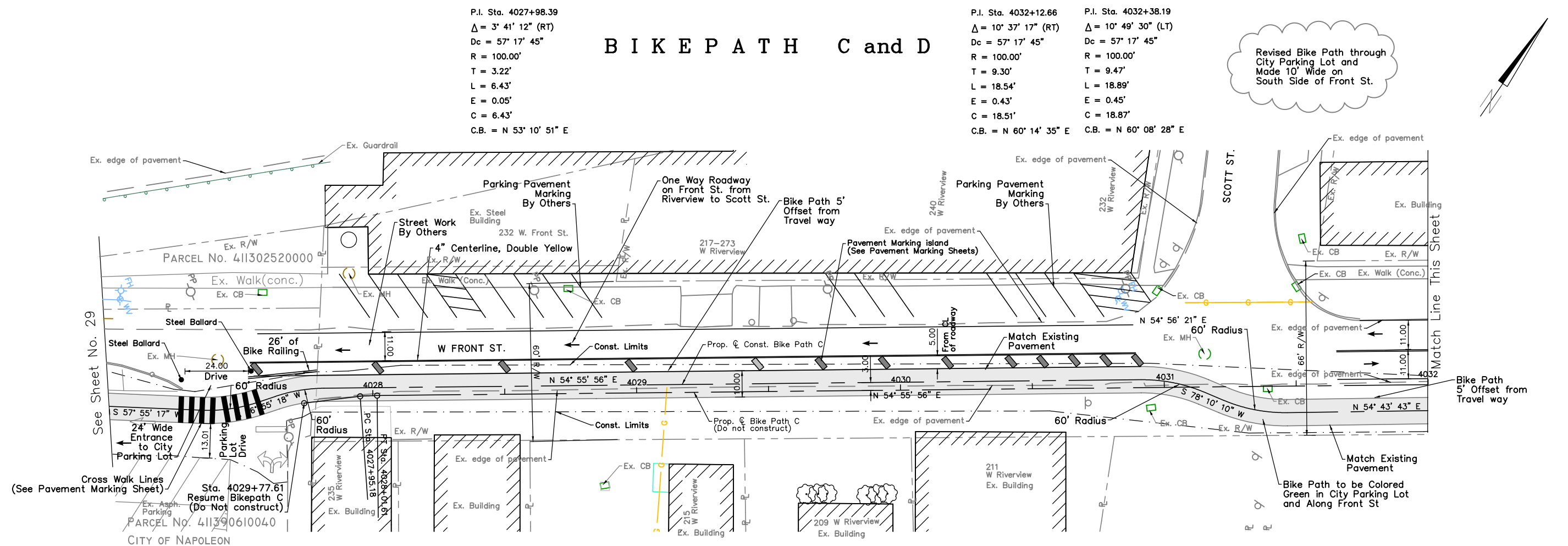
Created: SVU  
Drawn: SVU  
Drawing Name:

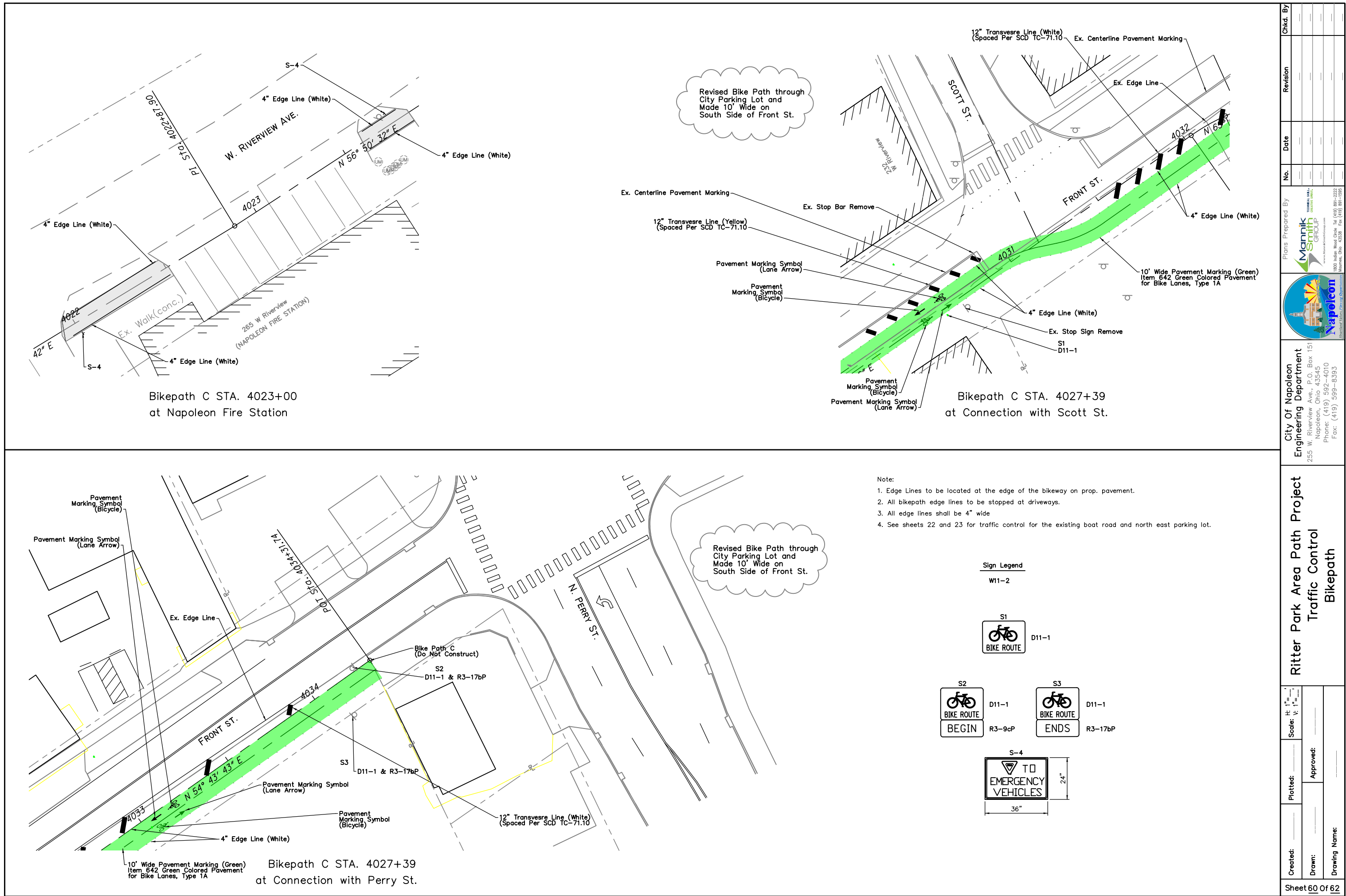
Plotted:  
Approved:

Ritter Park Area Path Project  
General Summary Sheet









Created:	Plotted:	Scale:	Sheet	Of	Chkd. By
Drawn:	Approved:		60	62	
Drawing Name:					

Plans Prepared By

Mannik Smith GROUP

1800 Indian Wood Circle Tel: (419) 881-2222  
Maumee, Ohio 43538 Fax: (419) 881-1595

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Engineering Department

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Ritter Park Area Path Project

Traffic Control

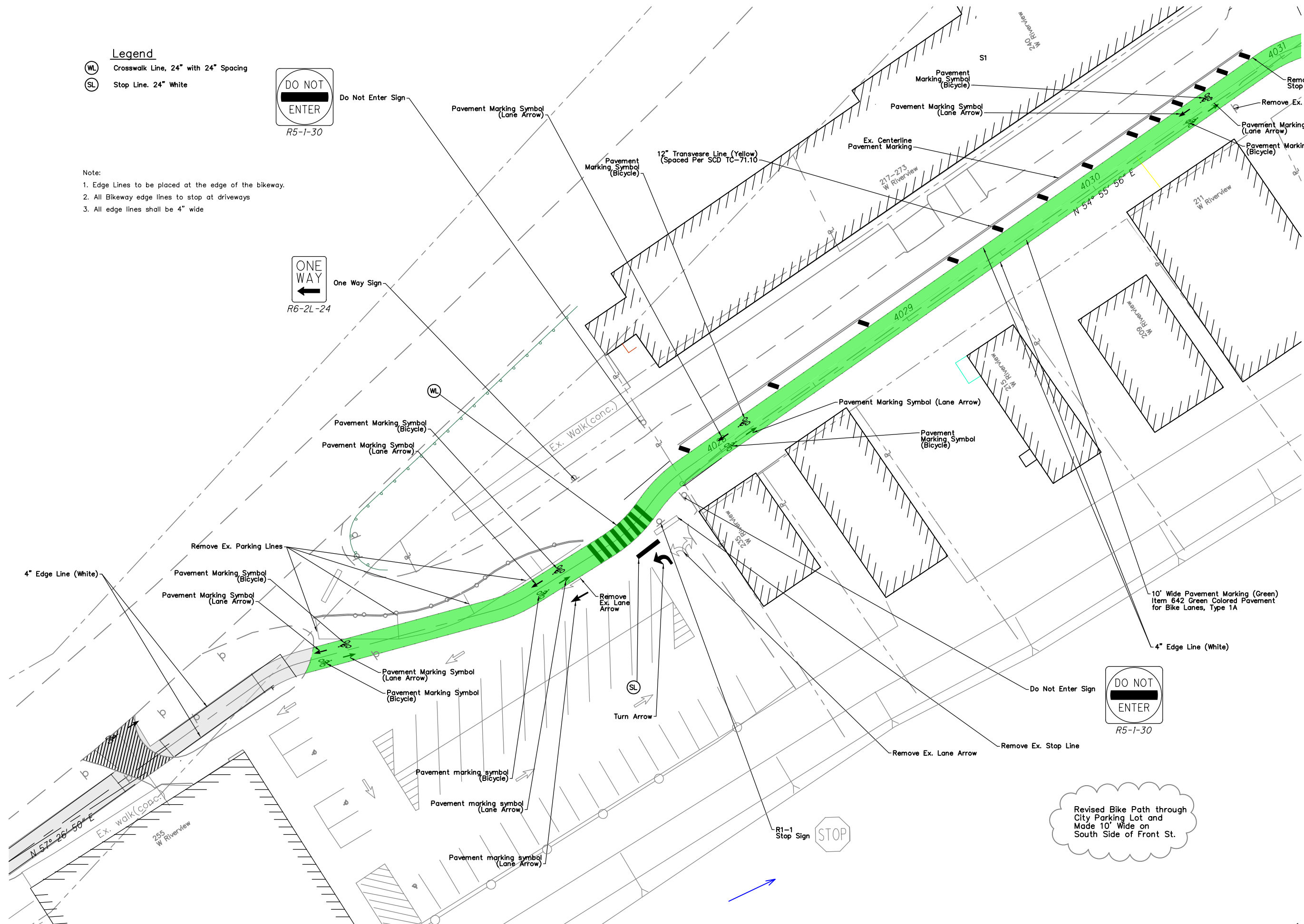
Bikepath



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- Legend**
- WL Crosswalk Line, 24" with 24" Spacing
  - SL Stop Line, 24" White

- Note:**
1. Edge Lines to be placed at the edge of the bikeway.
  2. All Bikeway edge lines to stop at driveways
  3. All edge lines shall be 4" wide



Revised Bike Path through City Parking Lot and Made 10' Wide on South Side of Front St.

Created:	Plotted:	Scale: H: 1"= V: 1"	Sheet 61 Of 62
Drawn:	Approved:		
Drawing Name:			

**Ritter Park Area Path Project**  
**Traffic Control**  
**Bikepath**

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Maumee, Ohio 43538 Fax (419) 881-1595

**Napoleon**  
Official Seal of the City of Napoleon, Ohio

Revision	Date	No.	Chkd. By

# SIGN-IN SHEET

Meeting Path Project Public Mtg. Jahns Rd./Front St.

Date 11/9/21 4:00 p.m.

Name	Address	Telephone #	Email	Concern
Dustin Grimm	1104 Holgate Ave Maumee	419-270-0131	nwlcm.dustin@yahoo.com	
BOB MYERS	GRIMM/MYERS PROP	419-966-4651	bmyers@tgi.services	
Garry & Monica Carnahan	110 W. Front St.	419-966-0412	gmcarnahan85@gmail.com	
Andrew Carnahan	235 W. Front	419-966-1060	Carnahan.22@gmail.com	
Thomas Russar	475 JAHNS Rd	419-906-0745		
Caleb Kuntz	402 Jahns Rd.	419-682-1515	ENC Kuntz@yahoo.com	
Cynthia Croninger	222 Jahns Rd	419-966-3310	lgrandma.cindy@gmail.com	information seeking
Kevin Garringer	632 Briarheath	(419) 906-4891		

Dear Chief O'Brien,

Please accept our donation  
of \$482.00 in memory of our  
mom, Clara M. Meyer.

We appreciate so much  
your professional, compassionate  
service shown when we  
needed your emergency  
medical assistance this  
past year.

Use this donation as  
you see fit for the EMS  
department.

Thank you!

Diane Meyer

Nancy + Jack Glaser

Betty Ashbaugh



# *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 Finance  
Director, City Law Director, Department  
Supervisors, News media  
**From:** Roxanne Dietrich, Clerk of Council  
**Date:** December 17, 2021  
**Subject:** *Parks & Recreation Committee – Cancellation*

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, December 20, 2021 at 6:00 pm has been CANCELED due to lack of agenda items.



**CITY OF NAPOLEON, OHIO**

**OPERATIONS DEPARTMENT**

PO Box 151, 1775 INDUSTRIAL DR.

NAPOLEON, OH 43545

PHONE: (419) 599-1891 FAX: (419) 592-4379

WEB PAGE: [WWW.NAPOLEONOHIO.COM](http://WWW.NAPOLEONOHIO.COM)

**Operations Superintendent**

Jeffery H. Rathge

**Water Distribution Foreman**

Brian Okuley

**Streets/Sewer Foreman**

Roger Eis

**Refuse/Recycling Foreman**

Perry Hunter

**Head Mechanic**

Tony Kuhlman

## **PRESS RELEASE**

### **Refuse and Recycling Holiday Route Schedule**

The City of Napoleon's refuse and recycling routes will be scheduled as follows for the week of December 20, 2021 due to the upcoming **Christmas** holiday.

Monday, December 20 – Monday Route

Tuesday, December 21 – Tuesday Route

Wednesday, December 22 – Wednesday and Thursday Routes

Thursday, December 23 – Friday Route

**Friday, December 24 – HOLIDAY – NO PICK UP**

The Thursday route will run together with the Wednesday route and the Friday route will run on Thursday. For those that are affected, please make an extra effort to have your refuse and recycling to the curb by 7:00 AM on Thursday. There is a possibility of later than usual pick-up times during the double day.

Please contact the Operations Department between 7:00 AM and 3:30 PM at 419-599-1891 with any questions regarding this matter.

###



## CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151

KEVIN GARRINGER, FINANCE DIRECTOR

phone (419) 599-1235

fax (419)-599-8393

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

Email: [kgarringer@napoleonohio.com](mailto:kgarringer@napoleonohio.com)

**DATE:** December 13, 2021  
**TO:** Members of City Council  
Jason P. Maassel, Mayor  
Joel L. Mazur, City Manager  
Billy D. Harmon, City Law Director  
**FROM:** Kevin Garringer, Finance Director *KG*  
**SUBJECT:** Official Approval in Minutes of Various – 2021 Financial Reports

Listed below are General Financial Reports and Other Information currently included for your review and approval to be recorded in City Council minutes:

### Reports and information for your consideration, review, and approval:

- ❖ Summary Information for the General Fund through November 2021 – the revenue is over expenses by approximately \$22K. *We will continue to monitor this for the rest of the year. Our comparison to last year, we are up 6.40% for revenues and our expenses are up 8.79%. Joel and I will be working with the Department Heads to limit expenditures for the 4<sup>th</sup> quarter of 2021.*
- ❖ Summary Information for the Major Funds through November 2021 -Fund 500 Electric Fund, Fund 510 Water Fund, Fund 520 Wastewater Fund and Fund 560 Sanitation Fund. *This does not include information on the other funds associated with the Major Funds. Please refer to the Monthly Finance Reports for this information. Throughout the year, the approved portions of the balances in the Major Funds listed above will be transferred to the other associated funds to cover the capital projects and debt for the Utilities.*
- ❖ Payroll Summary Report by Department for the following periods:  
Payroll for November 5, 2021 - \$274,600.85 w/YTD - \$6,354,747.64  
Payroll for November 19, 2021 - \$272,859.61 w/YTD - \$6,627,607.25  
  
*The 27<sup>th</sup> pay was budgeted and happened this year which will impact the budget in all Funds as discussed.*
- ❖ KWH Tax Report for Month and Payment:  
Electric KWH Tax Paid for November 2021 = State \$7,243.00 and City \$40,576.74
- ❖ Income Tax Revenue Report for Month Ending:  
Month Ending – 11/30/21 = \$501,728.30 w/YTD - \$4,831,863.05  
**NOTE: Original Budget estimate for 2021 is \$4,250,000. We are 14.6% higher than 2020 or ~\$617K.**  
**The percent collected of the estimate is 113.67%.**
- ❖ Interest Earnings Posted by Fund Report:  
Month Ending – 10/30/21 = \$28,292.16 w/YTD - \$170,956.67. Of the \$28,292.16, \$9,691.03 goes to the General Fund and \$18,601.13 to the Outside General Funds. The interest may continue to be less for the foreseeable future, because of COVID-19 on the economy.
- ❖ Other Periodic Reports for Council Review and/or Approval:

1. Meeder Investment Report - November 2021
2. Current & Previous Cash Balance Fund Report - November 2021

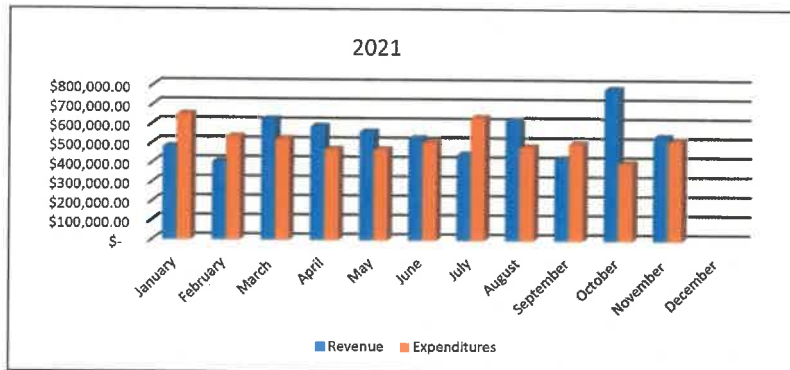
I respectfully request a motion for the record to accept and approve the reports as presented. Thank you for your consideration, please let me know if you have any questions.

Attachments

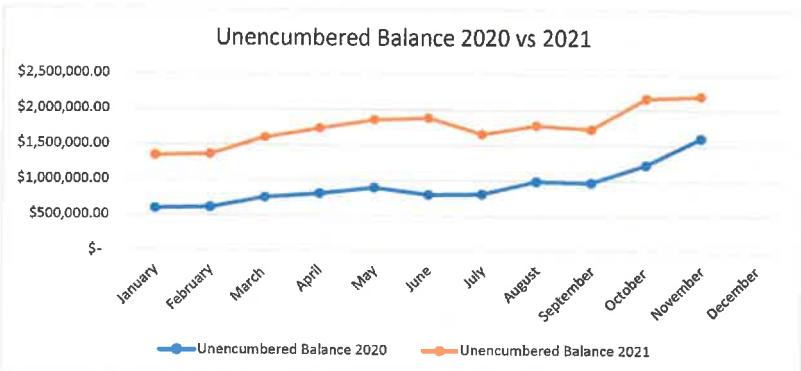


# GENERAL FUND

	2021 Actual Revenue	2021 Actual Expenditures	Over/(Under) Revenue
January	\$ 482,487.78	\$ 650,912.24	\$ (168,424.46)
February	\$ 405,164.33	\$ 533,921.47	\$ (128,757.14)
March	\$ 623,811.86	\$ 523,828.59	\$ 99,983.27
April	\$ 589,470.45	\$ 470,778.18	\$ 118,692.27
May	\$ 560,960.50	\$ 469,890.19	\$ 91,070.31
June	\$ 527,471.81	\$ 507,610.08	\$ 19,861.73
July	\$ 444,575.08	\$ 635,682.37	\$ (191,107.29)
August	\$ 622,031.00	\$ 485,057.70	\$ 136,973.30
September	\$ 423,423.52	\$ 501,470.99	\$ (78,047.47)
October	\$ 785,138.76	\$ 402,300.81	\$ 382,837.95
November	\$ 537,924.27	\$ 516,298.98	\$ 21,625.29
December			
	\$ 6,002,459.36	\$ 5,697,751.60	\$ 304,707.76

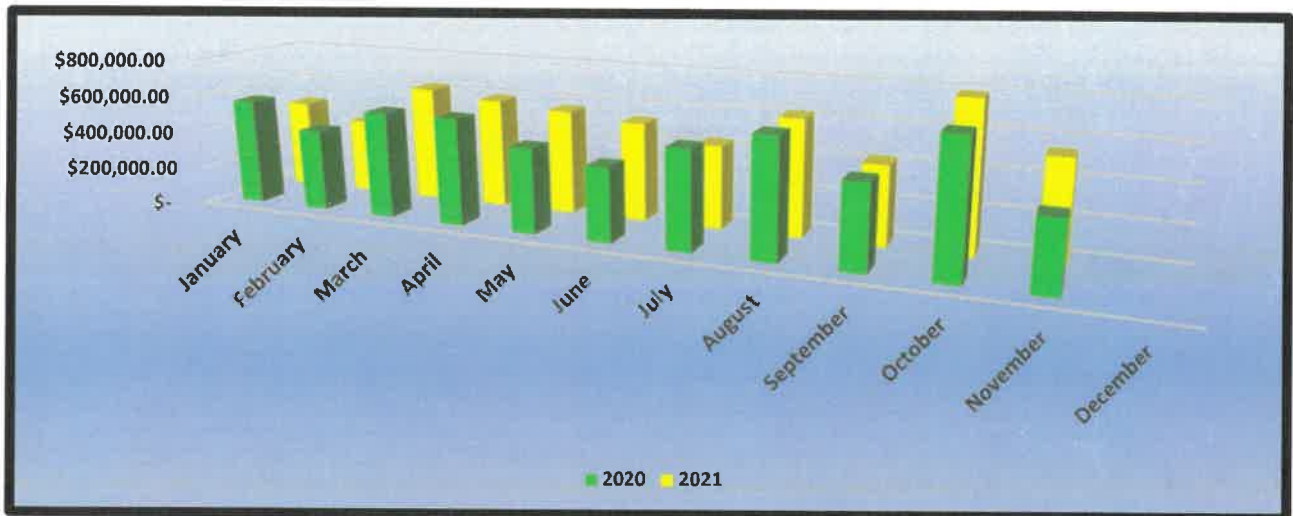


	2020	2021	Difference
January	\$ 597,304.21	\$ 1,346,046.07	\$ 748,741.86
February	\$ 613,305.80	\$ 1,363,632.18	\$ 750,326.38
March	\$ 755,923.48	\$ 1,606,194.32	\$ 850,270.84
April	\$ 812,612.35	\$ 1,737,091.81	\$ 924,479.46
May	\$ 896,899.06	\$ 1,857,415.44	\$ 960,516.38
June	\$ 795,709.43	\$ 1,881,519.96	\$ 1,085,810.53
July	\$ 805,196.42	\$ 1,659,409.44	\$ 854,213.02
August	\$ 986,273.71	\$ 1,776,328.47	\$ 790,054.76
September	\$ 972,615.54	\$ 1,731,110.98	\$ 758,495.44
October	\$ 1,224,290.58	\$ 2,166,883.56	\$ 942,592.98
November	\$ 1,602,430.87	\$ 2,200,373.71	\$ 597,942.84
December			



# **GENERAL FUND REVENUE COMPARISON 2020 VS. 2021**

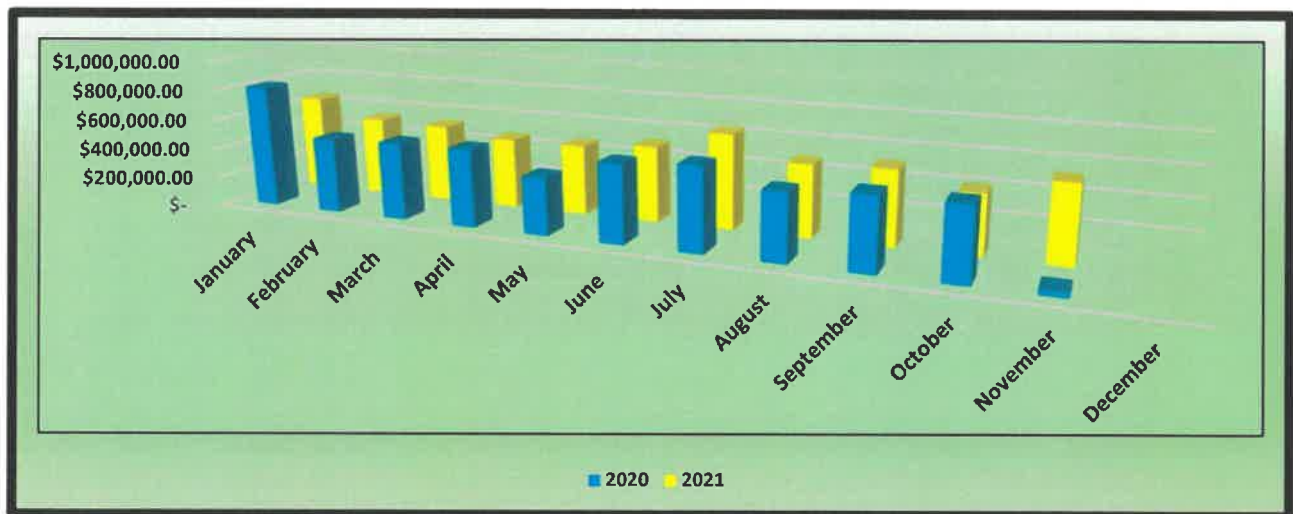
	2020	2021	Over/(Under)	Percent Change
January	\$ 569,441.53	\$ 482,487.78	\$ (86,953.75)	-15.27%
February	\$ 433,494.72	\$ 405,164.33	\$ (28,330.39)	-6.54%
March	\$ 566,433.93	\$ 623,811.86	\$ 57,377.93	10.13%
April	\$ 568,392.35	\$ 589,470.45	\$ 21,078.10	3.71%
May	\$ 451,311.80	\$ 560,960.50	\$ 109,648.70	24.30%
June	\$ 392,701.52	\$ 527,471.81	\$ 134,770.29	34.32%
July	\$ 523,291.92	\$ 444,575.08	\$ (78,716.84)	-15.04%
August	\$ 625,429.52	\$ 622,031.00	\$ (3,398.52)	-0.54%
September	\$ 443,204.90	\$ 423,423.52	\$ (19,781.38)	-4.46%
October	\$ 700,073.55	\$ 785,138.73	\$ 85,065.18	12.15%
November	\$ 367,470.46	\$ 537,924.27	\$ 170,453.81	46.39%
December				
<b>TOTAL</b>	<b>\$ 5,641,246.20</b>	<b>\$ 6,002,459.33</b>	<b>\$ 361,213.13</b>	<b>6.40%</b>



	YTD -11/30/20	YTD -11/30/21	Difference	Percent Change
Income Tax-Transfer	\$ 2,182,253.14	\$ 2,486,177.87	\$ 303,924.73	13.93%
Transfers -In (KWH Tax)	\$ 245,000.00	\$ 80,000.00	\$ (165,000.00)	-67.35%

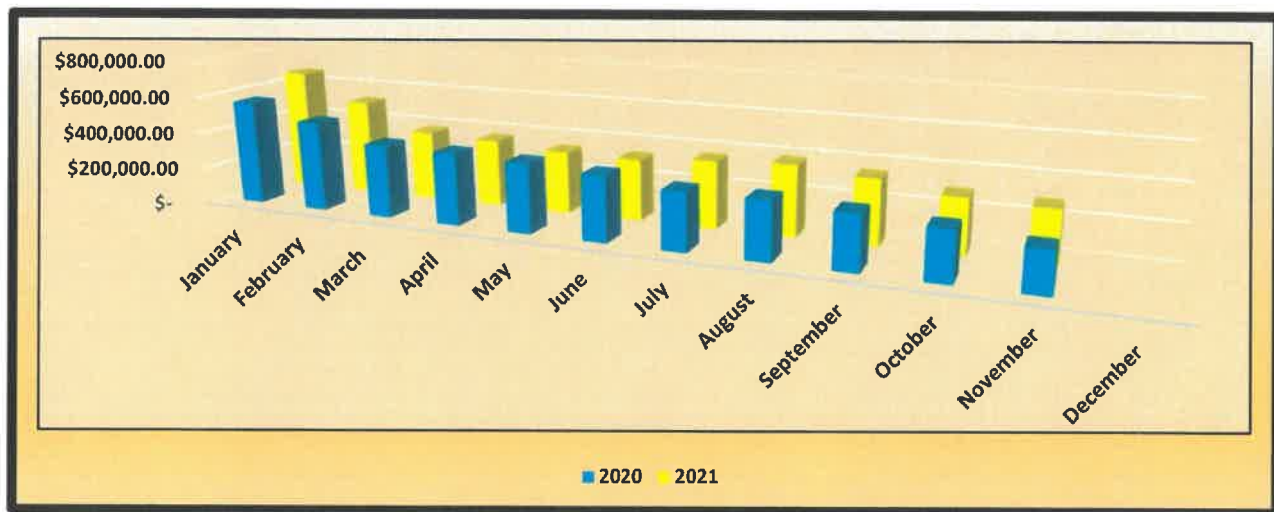
# GENERAL FUND EXPENDITURE COMPARISON 2020 VS. 2021

	2020	2021	Over/(Under)	Percent Change
January	\$ 821,116.27	\$ 650,912.24	\$ (170,204.03)	-20.73%
February	\$ 499,613.81	\$ 533,921.47	\$ 34,307.66	6.87%
March	\$ 514,291.95	\$ 523,828.59	\$ 9,536.64	1.85%
April	\$ 518,974.38	\$ 470,778.18	\$ (48,196.20)	-9.29%
May	\$ 380,358.57	\$ 469,890.19	\$ 89,531.62	23.54%
June	\$ 517,688.24	\$ 507,610.08	\$ (10,078.16)	-1.95%
July	\$ 554,245.21	\$ 635,682.37	\$ 81,437.16	14.69%
August	\$ 442,070.58	\$ 485,057.70	\$ 42,987.12	9.72%
September	\$ 477,851.29	\$ 501,470.99	\$ 23,619.70	4.94%
October	\$ 476,230.90	\$ 402,300.81	\$ (73,930.09)	-15.52%
November	\$ 35,031.28	\$ 516,298.98	\$ 481,267.70	1373.82%
December				
<b>TOTAL</b>	<b>\$ 5,237,472.48</b>	<b>\$ 5,697,751.60</b>	<b>\$ 460,279.12</b>	<b>8.79%</b>



# GENERAL FUND ENCUMBRANCE COMPARISON 2020 VS. 2021

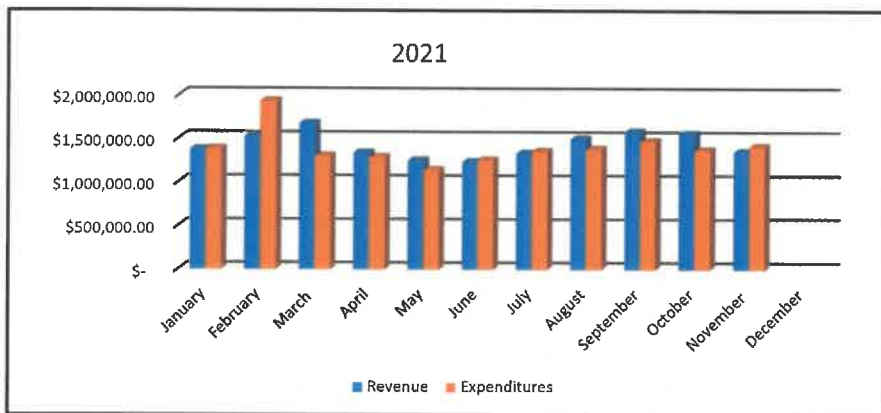
	2020	2021	Over/(Under)	Percent Change
January	\$ 566,869.36	\$ 666,374.16	\$ 99,504.80	17.55%
February	\$ 484,748.68	\$ 520,030.91	\$ 35,282.23	7.28%
March	\$ 394,272.98	\$ 377,452.04	\$ (16,820.94)	-4.27%
April	\$ 387,002.08	\$ 365,246.82	\$ (21,755.26)	-5.62%
May	\$ 373,668.60	\$ 335,993.50	\$ (37,675.10)	-10.08%
June	\$ 349,871.51	\$ 331,750.71	\$ (18,120.80)	-5.18%
July	\$ 309,431.23	\$ 362,753.94	\$ 53,322.71	17.23%
August	\$ 311,712.88	\$ 382,808.21	\$ 71,095.33	22.81%
September	\$ 290,724.66	\$ 349,978.23	\$ 59,253.57	20.38%
October	\$ 262,892.27	\$ 297,043.57	\$ 34,151.30	12.99%
November	\$ 217,191.16	\$ 285,178.71	\$ 67,987.55	31.30%
December				



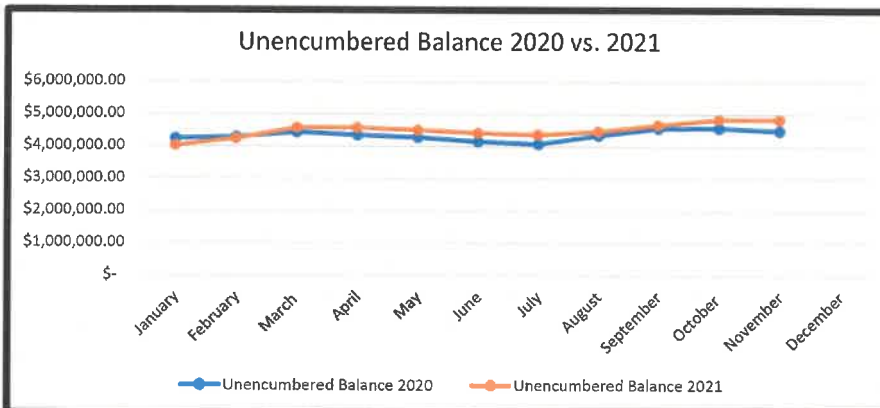
# **ELECTRIC FUND 500**

	2021 Actual Revenue	2021 Actual Expenditures	Over/(Under) Revenue
January	\$ 1,379,441.16	\$ 1,386,708.98	\$ (7,267.82)
February	\$ 1,529,246.30	\$ 1,934,546.47	\$ (405,300.17) *
March	\$ 1,677,563.91	\$ 1,304,173.34	\$ 373,390.57
April	\$ 1,340,457.64	\$ 1,290,443.61	\$ 50,014.03
May	\$ 1,252,346.28	\$ 1,146,262.57	\$ 106,083.71
June	\$ 1,235,729.83	\$ 1,254,603.50	\$ (18,873.67)
July	\$ 1,334,673.83	\$ 1,357,933.82	\$ (23,259.99)
August	\$ 1,503,876.73	\$ 1,384,427.06	\$ 119,449.67
September	\$ 1,583,752.23	\$ 1,476,638.15	\$ 107,114.08
October	\$ 1,559,447.21	\$ 1,371,601.13	\$ 187,846.08
November	\$ 1,353,923.08	\$ 1,415,469.38	\$ (61,546.30)
December			
	\$ 15,750,458.20	\$ 15,322,808.01	\$ 427,650.19

\*Paid off Stranded Costs from AMP



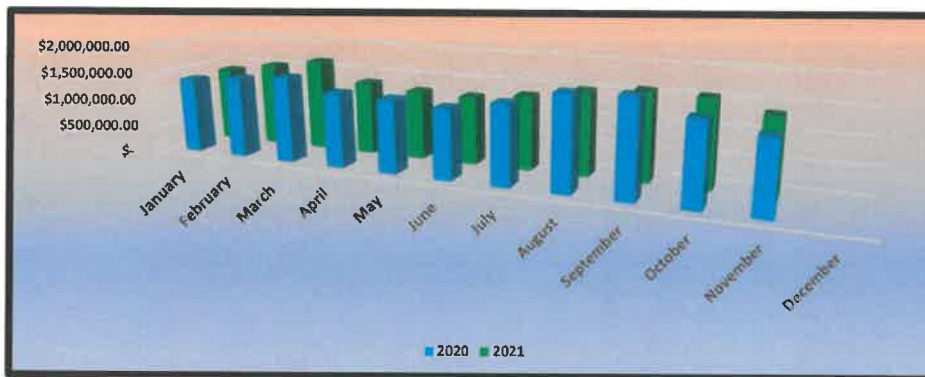
	Unencumbered Balance 2020	2021	Difference
January	\$ 4,246,832.18	\$ 4,033,303.37	\$ (213,528.81)
February	\$ 4,296,386.23	\$ 4,248,179.75	\$ (48,206.48)
March	\$ 4,443,226.73	\$ 4,587,419.92	\$ 144,193.19
April	\$ 4,355,578.81	\$ 4,579,873.11	\$ 224,294.30
May	\$ 4,288,548.64	\$ 4,514,488.66	\$ 225,940.02
June	\$ 4,151,555.89	\$ 4,424,042.62	\$ 272,486.73
July	\$ 4,079,012.75	\$ 4,369,280.21	\$ 290,267.46
August	\$ 4,343,131.48	\$ 4,475,495.86	\$ 132,364.38
September	\$ 4,570,345.88	\$ 4,674,179.78	\$ 103,833.90
October	\$ 4,584,395.61	\$ 4,852,155.92	\$ 267,760.31
November	\$ 4,493,500.23	\$ 4,850,141.37	\$ 356,641.14
December			



**ELECTRIC FUND (500) REVENUE COMPARISON 2020 vs. 2021**

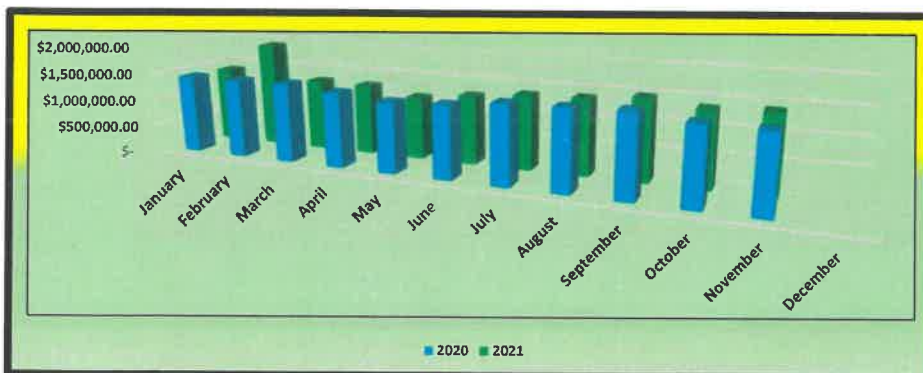
	2020	2021	Over/(Under)	Percent Change
January	\$ 1,371,761.71	\$ 1,379,441.16	\$ 7,679.45	0.56%
February	\$ 1,463,087.87	\$ 1,529,246.30	\$ 66,158.43	4.52% *
March	\$ 1,552,025.39	\$ 1,677,563.91	\$ 125,538.52	8.09%
April	\$ 1,342,875.22	\$ 1,340,457.64	\$ (2,417.58)	-0.18%
May	\$ 1,317,254.63	\$ 1,252,346.28	\$ (64,908.35)	-4.93%
June	\$ 1,254,478.23	\$ 1,235,729.83	\$ (18,748.40)	-1.49%
July	\$ 1,424,168.57	\$ 1,334,673.83	\$ (89,494.74)	-6.28%
August	\$ 1,679,613.32	\$ 1,503,876.73	\$ (175,736.59)	-10.46%
September	\$ 1,717,930.86	\$ 1,583,752.23	\$ (134,178.63)	-7.81%
October	\$ 1,445,755.32	\$ 1,559,447.21	\$ 113,691.89	7.86%
November	\$ 1,263,724.34	\$ 1,353,923.08	\$ 90,198.74	7.14%
December				
<b>TOTAL</b>	<b>\$ 15,832,675.46</b>	<b>\$ 15,750,458.20</b>	<b>\$ (82,217.26)</b>	<b>-0.52%</b>

\*Paid off Stranded Costs from AMP



**ELECTRIC FUND (500) EXPENDITURE COMPARISON 2020 vs. 2021**

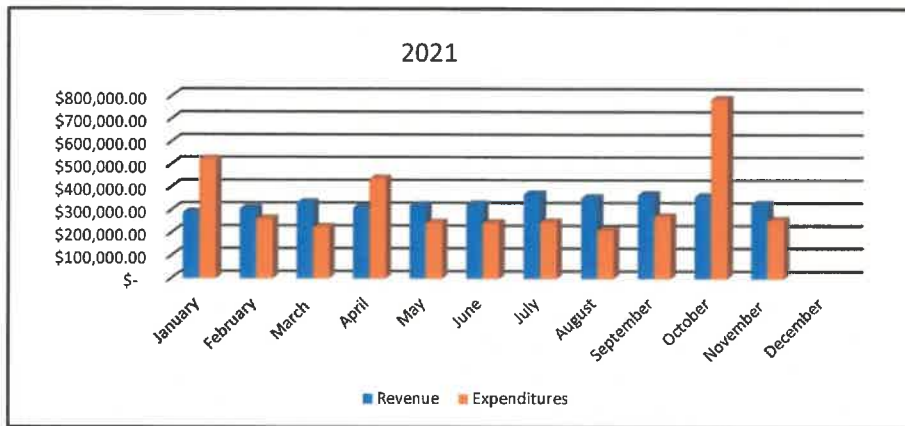
	2020	2021	Over/(Under)	Percent Change
January	\$ 1,428,952.80	\$ 1,386,708.98	\$ (42,243.82)	-2.96%
February	\$ 1,433,372.07	\$ 1,934,546.47	\$ 501,174.40	34.96%
March	\$ 1,446,683.11	\$ 1,304,173.34	\$ (142,509.77)	-9.85%
April	\$ 1,361,116.64	\$ 1,290,443.61	\$ (70,673.03)	-5.19%
May	\$ 1,271,637.28	\$ 1,146,262.57	\$ (125,374.71)	-9.86%
June	\$ 1,317,660.54	\$ 1,254,603.50	\$ (63,057.04)	-4.79%
July	\$ 1,429,434.94	\$ 1,357,933.82	\$ (71,501.12)	-5.00%
August	\$ 1,445,760.13	\$ 1,384,427.06	\$ (61,333.07)	-4.24%
September	\$ 1,484,028.91	\$ 1,476,638.15	\$ (7,390.76)	-0.50%
October	\$ 1,374,600.75	\$ 1,371,601.13	\$ (2,999.62)	-0.22%
November	\$ 1,364,563.99	\$ 1,415,469.38	\$ 50,905.39	3.73%
December				
<b>TOTAL</b>	<b>\$ 15,357,811.16</b>	<b>\$ 15,322,808.01</b>	<b>\$ (35,003.15)</b>	<b>-0.23%</b>



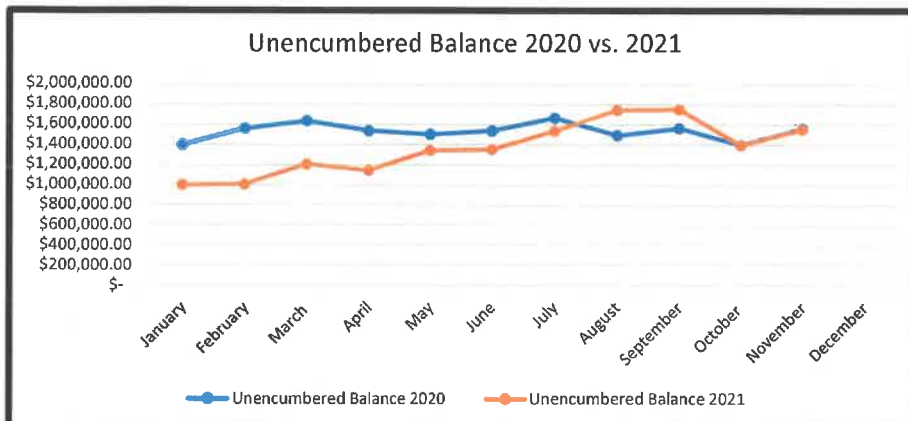


**WATER FUND (510)**

	2021 Actual		2021 Actual		Over/(Under)
	Revenue		Expenditures		Revenue
January	\$ 290,125.71	\$	523,046.08	\$	(232,920.37)
February	\$ 306,686.47	\$	261,747.51	\$	44,938.96
March	\$ 332,092.79	\$	225,267.96	\$	106,824.83
April	\$ 311,423.57	\$	437,783.69	\$	(126,360.12)
May	\$ 320,112.78	\$	244,741.86	\$	75,370.92
June	\$ 324,638.24	\$	243,382.18	\$	81,256.06
July	\$ 370,637.79	\$	246,901.62	\$	123,736.17
August	\$ 353,187.27	\$	211,573.43	\$	141,613.84
September	\$ 367,153.46	\$	271,475.72	\$	95,677.74
October	\$ 358,850.21	\$	786,807.44	\$	(427,957.23)
November	\$ 325,090.23	\$	255,608.13	\$	69,482.10
December					
	\$ 3,659,998.52	\$	3,708,335.62	\$	(48,337.10)



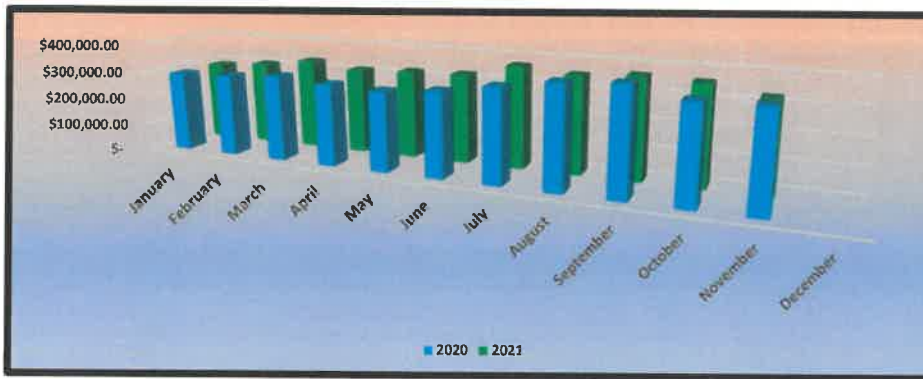
	Unencumbered Balance				
	2020		2021		Difference
January	\$ 1,395,416.45	\$	998,774.79	\$	(396,641.66)
February	\$ 1,558,886.11	\$	1,006,379.04	\$	(552,507.07)
March	\$ 1,637,031.55	\$	1,205,818.78	\$	(431,212.77)
April	\$ 1,539,576.09	\$	1,145,748.37	\$	(393,827.72)
May	\$ 1,503,363.53	\$	1,343,097.22	\$	(160,266.31)
June	\$ 1,538,219.39	\$	1,352,342.42	\$	(185,876.97)
July	\$ 1,666,196.69	\$	1,535,049.51	\$	(131,147.18)
August	\$ 1,492,774.45	\$	1,745,842.39	\$	253,067.94
September	\$ 1,563,990.01	\$	1,752,317.37	\$	188,327.36
October	\$ 1,395,957.40	\$	1,393,788.34	\$	(2,169.06)
November	\$ 1,559,474.89	\$	1,551,908.32	\$	(7,566.57)
December					





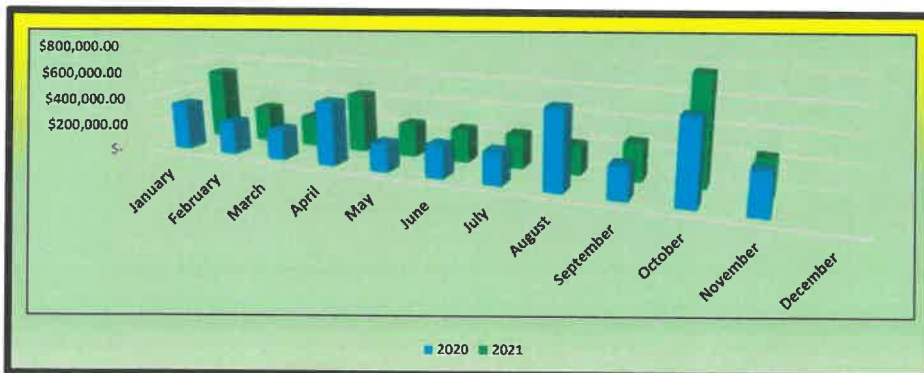
# WATER FUND (510) REVENUE COMPARISON 2020 vs. 2021

	2020	2021	Over/(Under)	Percent Change
January	\$ 290,958.31	\$ 290,125.71	\$ (832.60)	-0.29%
February	\$ 297,006.42	\$ 306,686.47	\$ 9,680.05	3.26%
March	\$ 311,073.57	\$ 332,092.79	\$ 21,019.22	6.76%
April	\$ 296,745.87	\$ 311,423.57	\$ 14,677.70	4.95%
May	\$ 288,389.46	\$ 320,112.78	\$ 31,723.32	11.00%
June	\$ 305,811.00	\$ 324,638.24	\$ 18,827.24	6.16%
July	\$ 337,329.93	\$ 370,637.79	\$ 33,307.86	9.87%
August	\$ 368,165.20	\$ 353,187.27	\$ (14,977.93)	-4.07%
September	\$ 380,542.08	\$ 367,153.46	\$ (13,388.62)	-3.52%
October	\$ 343,353.22	\$ 358,850.21	\$ 15,496.99	4.51%
November	\$ 345,844.35	\$ 325,090.23	\$ (20,754.12)	-6.00%
December				
<b>TOTAL</b>	<b>\$ 3,565,219.41</b>	<b>\$ 3,659,998.52</b>	<b>\$ 94,779.11</b>	<b>2.66%</b>



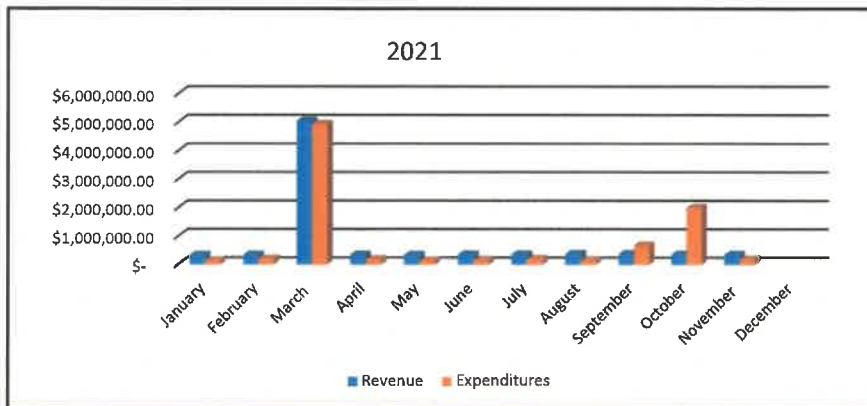
# WATER FUND (510) EXPENDITURE COMPARISON 2020 vs. 2021

	2020	2021	Over/(Under)	Percent Change
January	\$ 346,683.45	\$ 523,046.08	\$ 176,362.63	50.87%
February	\$ 244,132.48	\$ 261,747.51	\$ 17,615.03	7.22%
March	\$ 226,488.04	\$ 225,267.96	\$ (1,220.08)	-0.54%
April	\$ 464,210.27	\$ 437,783.69	\$ (26,426.58)	-5.69%
May	\$ 204,056.93	\$ 244,741.86	\$ 40,684.93	19.94%
June	\$ 235,933.24	\$ 243,382.18	\$ 7,448.94	3.16%
July	\$ 235,553.99	\$ 246,901.62	\$ 11,347.63	4.82%
August	\$ 572,350.38	\$ 211,573.43	\$ (360,776.95)	-63.03%
September	\$ 232,539.42	\$ 271,475.72	\$ 38,936.30	16.74%
October	\$ 592,582.40	\$ 786,807.44	\$ 194,225.04	32.78%
November	\$ 296,316.65	\$ 255,608.13	\$ (40,708.52)	-13.74%
December				
<b>TOTAL</b>	<b>\$ 3,650,847.25</b>	<b>\$ 3,708,335.62</b>	<b>\$ 57,488.37</b>	<b>1.57%</b>



**WASTEWATER FUND 520**

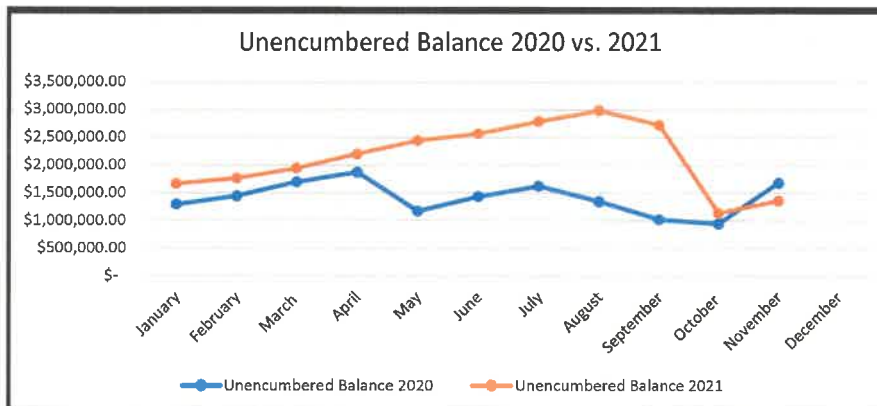
	<b>2021 Actual</b>		<b>2021 Actual</b>		
	<b>Revenue</b>		<b>Expenditures</b>		<b>Over/(Under) Revenue</b>
January	\$	331,197.08	\$	142,478.03	\$ 188,719.05
February	\$	336,168.51	\$	201,124.34	\$ 135,044.17
March	\$	5,049,832.09	\$	4,935,831.28	\$ 114,000.81
April	\$	346,200.65	\$	185,483.49	\$ 160,717.16
May	\$	339,684.56	\$	141,525.05	\$ 198,159.51
June	\$	348,418.73	\$	165,131.47	\$ 183,287.26
July	\$	354,952.69	\$	200,476.67	\$ 154,476.02
August	\$	376,413.44	\$	157,833.35	\$ 218,580.09
September	\$	374,720.70	\$	668,457.48	\$ (293,736.78)
October	\$	357,477.27	\$	1,998,779.56	\$ (1,641,302.29)
November	\$	347,058.01	\$	180,950.01	\$ 166,108.00
December					
	\$	8,562,123.73	\$	8,978,070.73	\$ (415,947.00)



\* Will receive \$713K back from State loan for Digester Cleaning-reimbursement loan

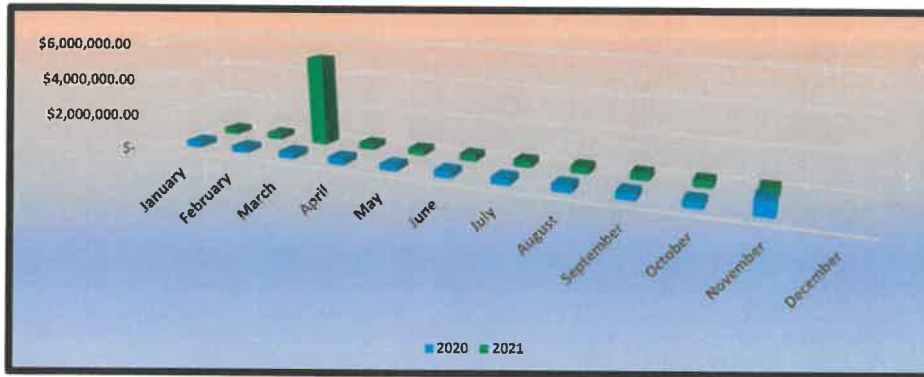
\*\* Includes pass through for Refunding Revenue Bond

	<b>Unencumbered Balance</b>		
	<b>2020</b>	<b>2021</b>	<b>Difference</b>
January	\$ 1,298,112.16	\$ 1,670,134.31	\$ 372,022.15
February	\$ 1,448,292.49	\$ 1,770,909.23	\$ 322,616.74
March	\$ 1,700,910.28	\$ 1,948,800.46	\$ 247,890.18
April	\$ 1,879,053.73	\$ 2,209,172.44	\$ 330,118.71
May	\$ 1,173,532.23	\$ 2,452,320.69	\$ 1,278,788.46
June	\$ 1,438,091.69	\$ 2,578,022.18	\$ 1,139,930.49
July	\$ 1,628,738.20	\$ 2,797,693.83	\$ 1,168,955.63
August	\$ 1,350,944.61	\$ 2,992,665.94	\$ 1,641,721.33
September	\$ 1,022,998.00	\$ 2,728,946.47	\$ 1,705,948.47
October	\$ 946,172.50	\$ 1,135,670.19	\$ 189,497.69
November	\$ 1,680,587.75	\$ 1,358,304.92	\$ (322,282.83)
December			



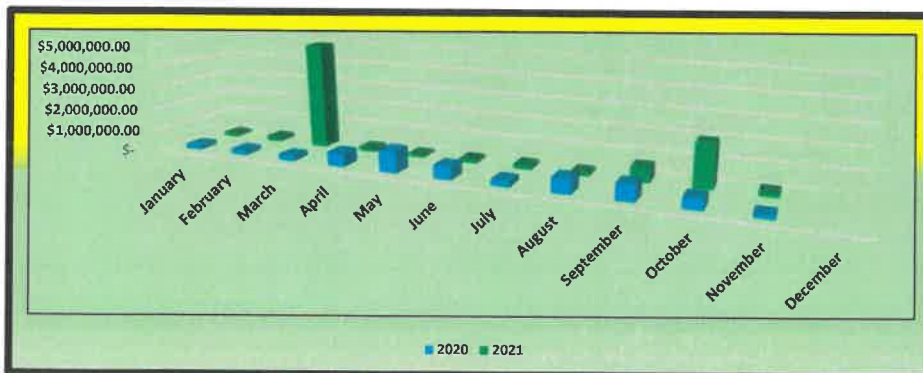
# WASTEWATER FUND (520) REVENUE COMPARISON 2020 vs. 2021

	2020	2021	Over/(Under)	Percent Change
January	\$ 330,919.06	\$ 331,197.08	\$ 278.02	0.08%
February	\$ 331,406.68	\$ 336,168.51	\$ 4,761.83	1.44%
March	\$ 359,047.22	\$ 5,049,832.09	\$ 4,690,784.87	1306.45%
April	\$ 363,232.49	\$ 346,200.65	\$ (17,031.84)	-4.69%
May	\$ 323,103.82	\$ 339,684.56	\$ 16,580.74	5.13%
June	\$ 354,095.20	\$ 348,418.73	\$ (5,676.47)	-1.60%
July	\$ 347,883.77	\$ 354,952.69	\$ 7,068.92	2.03%
August	\$ 362,183.13	\$ 376,413.44	\$ 14,230.31	3.93%
September	\$ 361,711.32	\$ 374,720.70	\$ 13,009.38	3.60%
October	\$ 344,916.40	\$ 357,477.27	\$ 12,560.87	3.64%
November	\$ 816,373.57	\$ 347,058.01	\$ (469,315.56)	-57.49%
December				
<b>TOTAL</b>	<b>\$ 4,294,872.66</b>	<b>\$ 8,562,123.73</b>	<b>\$ 4,267,251.07</b>	<b>99.36%</b>



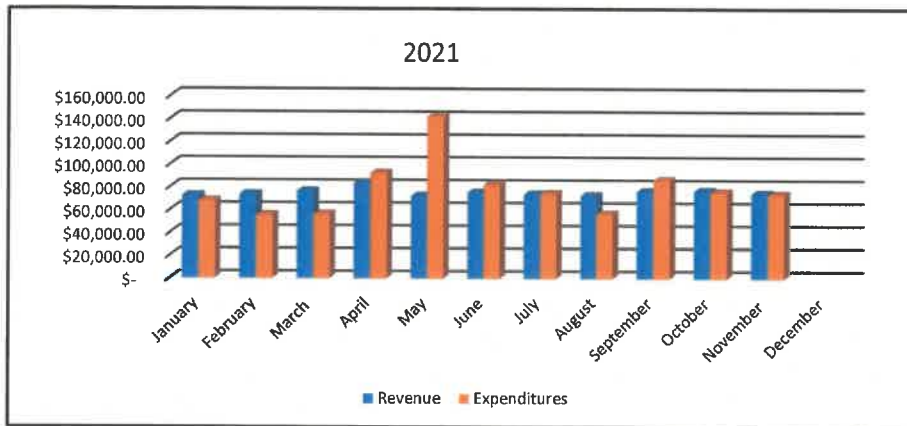
# WASTEWATER FUND (520) EXPENDITURE COMPARISON 2020 vs. 2021

	2020	2021	Over/(Under)	Percent Change
January	\$ 206,239.06	\$ 142,478.03	\$ (63,761.03)	-30.92%
February	\$ 228,483.78	\$ 201,124.34	\$ (27,359.44)	-11.97%
March	\$ 229,463.42	\$ 4,935,831.28	\$ 4,706,367.86	2051.03%
April	\$ 618,870.03	\$ 185,483.49	\$ (433,386.54)	-70.03%
May	\$ 998,092.52	\$ 141,525.05	\$ (856,567.47)	-85.82%
June	\$ 603,757.37	\$ 165,131.47	\$ (438,625.90)	-72.65%
July	\$ 267,392.53	\$ 200,476.67	\$ (66,915.86)	-25.03%
August	\$ 671,347.61	\$ 157,833.35	\$ (513,514.26)	-76.49%
September	\$ 718,461.24	\$ 668,457.48	\$ (50,003.76)	-6.96%
October	\$ 473,251.27	\$ 1,998,779.56	\$ 1,525,528.29	322.35%
November	\$ 136,703.70	\$ 180,650.01	\$ 43,946.31	32.15%
December				
<b>TOTAL</b>	<b>\$ 5,152,062.53</b>	<b>\$ 8,977,770.73</b>	<b>\$ 3,825,708.20</b>	<b>74.26%</b>

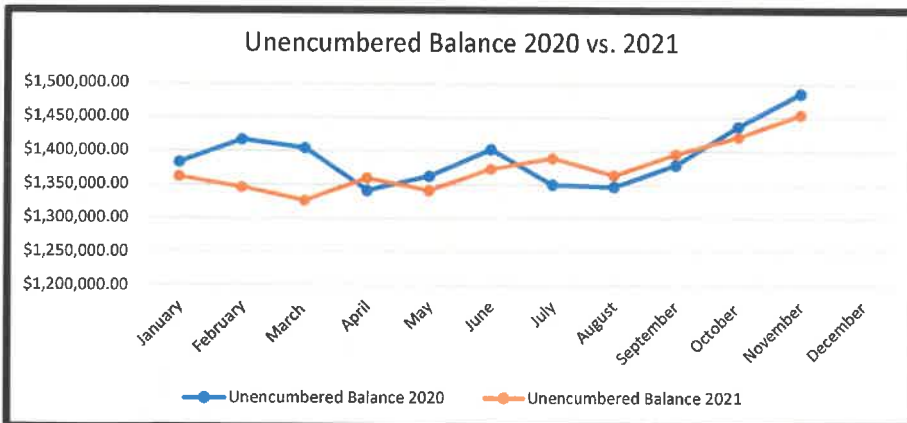


**SANITATION FUND 560**

	<b>2021 Actual</b>		<b>2021 Actual</b>		
	<b>Revenue</b>		<b>Expenditures</b>		<b>Over/(Under) Revenue</b>
January	\$	72,686.89	\$	68,193.23	\$ 4,493.66
February	\$	73,852.09	\$	55,689.70	\$ 18,162.39
March	\$	76,715.54	\$	56,637.45	\$ 20,078.09
April	\$	83,779.68	\$	92,486.91	\$ (8,707.23)
May	\$	72,371.59	\$	142,206.68	\$ (69,835.09)
June	\$	75,547.79	\$	82,502.87	\$ (6,955.08)
July	\$	73,931.37	\$	74,548.41	\$ (617.04)
August	\$	72,683.79	\$	56,858.26	\$ 15,825.53
September	\$	76,642.78	\$	86,317.21	\$ (9,674.43)
October	\$	77,027.40	\$	75,736.76	\$ 1,290.64
November	\$	74,612.65	\$	74,040.40	\$ 572.25
December	\$	829,851.57	\$	865,217.88	\$ (35,366.31)

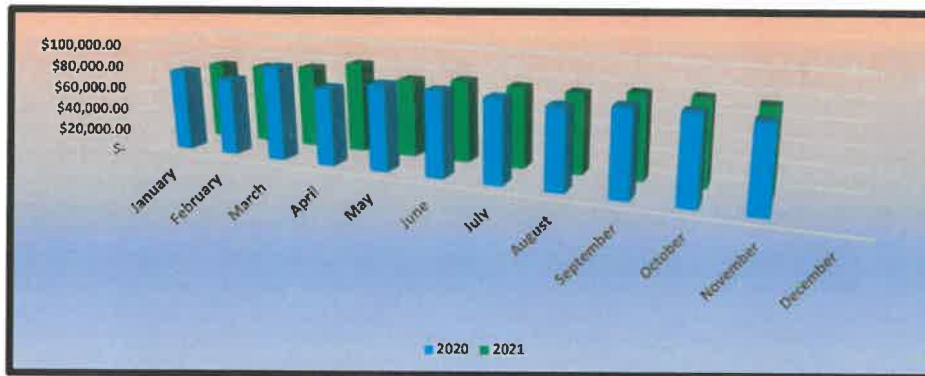


	<b>Unencumbered Balance</b>		
	<b>2020</b>	<b>2021</b>	<b>Difference</b>
January	\$ 1,383,527.81	\$ 1,362,105.29	\$ (21,422.52)
February	\$ 1,417,087.35	\$ 1,346,109.08	\$ (70,978.27)
March	\$ 1,404,426.02	\$ 1,326,062.67	\$ (78,363.35)
April	\$ 1,341,180.47	\$ 1,359,898.63	\$ 18,718.16
May	\$ 1,362,426.47	\$ 1,341,226.66	\$ (21,199.81)
June	\$ 1,402,689.62	\$ 1,373,565.83	\$ (29,123.79)
July	\$ 1,349,830.06	\$ 1,389,439.90	\$ 39,609.84
August	\$ 1,347,117.46	\$ 1,364,085.28	\$ 16,967.82
September	\$ 1,379,349.54	\$ 1,395,960.14	\$ 16,610.60
October	\$ 1,437,000.41	\$ 1,421,672.63	\$ (15,327.78)
November	\$ 1,486,399.38	\$ 1,454,696.60	\$ (31,702.78)
December			



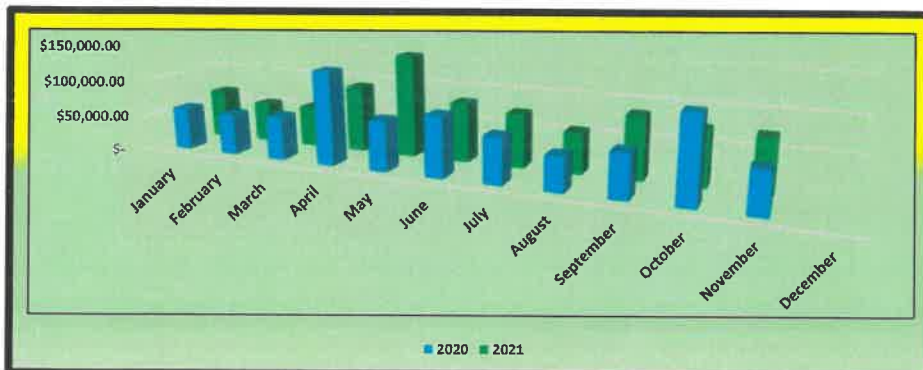
**SANITATION FUND (560) REVENUE COMPARISON 2020 vs. 2021**

	2020	2021	Over/(Under)	Percent Change
January	\$ 75,421.52	\$ 72,686.89	\$ (2,734.63)	-3.63%
February	\$ 71,075.06	\$ 73,852.09	\$ 2,777.03	3.91%
March	\$ 86,293.91	\$ 76,715.54	\$ (9,578.37)	-11.10%
April	\$ 71,015.32	\$ 83,779.68	\$ 12,764.36	17.97%
May	\$ 78,070.40	\$ 72,371.59	\$ (5,698.81)	-7.30%
June	\$ 76,831.51	\$ 75,547.79	\$ (1,283.72)	-1.67%
July	\$ 74,764.19	\$ 73,931.37	\$ (832.82)	-1.11%
August	\$ 72,125.66	\$ 72,683.79	\$ 558.13	0.77%
September	\$ 76,130.17	\$ 76,642.78	\$ 512.61	0.67%
October	\$ 76,251.03	\$ 77,027.40	\$ 776.37	1.02%
November	\$ 73,587.45	\$ 74,612.65	\$ 1,025.20	1.39%
December				
<b>TOTAL</b>	<b>\$ 831,566.22</b>	<b>\$ 829,851.57</b>	<b>\$ (1,714.65)</b>	<b>-0.21%</b>

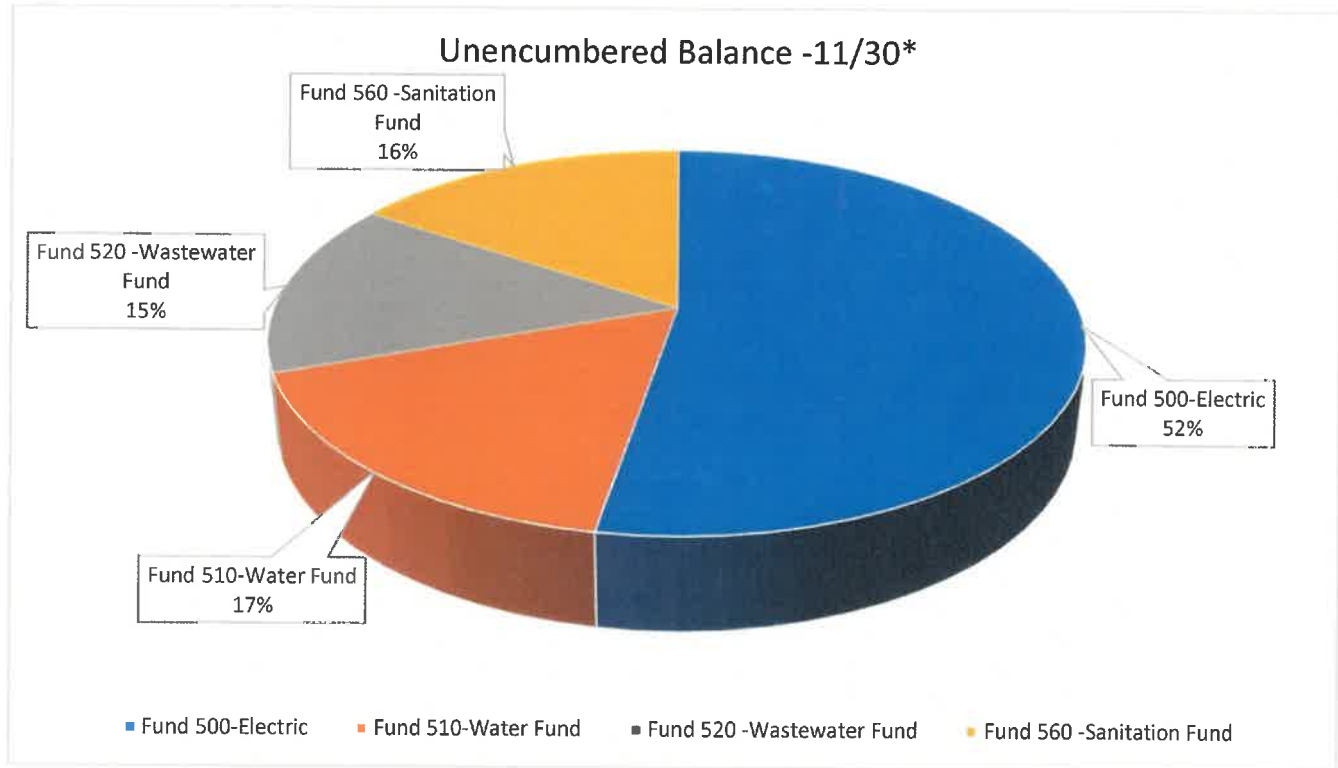


**SANITATION FUND (560) EXPENDITURE COMPARISON 2020 vs. 2021**

	2020	2021	Over/(Under)	Percent Change
January	\$ 58,513.14	\$ 68,193.23	\$ 9,680.09	16.54%
February	\$ 56,733.25	\$ 55,689.70	\$ (1,043.55)	-1.84%
March	\$ 60,445.31	\$ 56,637.45	\$ (3,807.86)	-6.30%
April	\$ 129,197.60	\$ 92,486.91	\$ (36,710.69)	-28.41%
May	\$ 69,174.40	\$ 142,206.68	\$ 73,032.28	105.58%
June	\$ 82,844.50	\$ 82,502.87	\$ (341.63)	-0.41%
July	\$ 63,294.10	\$ 74,548.41	\$ 11,254.31	17.78%
August	\$ 46,564.49	\$ 56,828.26	\$ 10,263.77	22.04%
September	\$ 59,908.41	\$ 86,317.21	\$ 26,408.80	44.08%
October	\$ 114,985.95	\$ 75,736.76	\$ (39,249.19)	-34.13%
November	\$ 56,226.08	\$ 74,040.40	\$ 17,814.32	31.68%
December				
<b>TOTAL</b>	<b>\$ 797,887.23</b>	<b>\$ 865,187.88</b>	<b>\$ 67,300.65</b>	<b>8.43%</b>



Unencumbered Balance -11/30*		
Fund 500-Electric	\$	4,850,141.37
Fund 510-Water Fund	\$	1,551,908.32
Fund 520 -Wastewater Fund	\$	1,358,304.92
Fund 560 -Sanitation Fund	\$	1,454,696.60
<b>TOTAL</b>	<b>\$</b>	<b>9,215,051.21</b>



**\* Does not include unencumbered balances of other Funds associated with the Major Funds**



	PAYROLL November 5, 2021					
	<u>Current Pay</u>	<u>Current Pay</u>	<u>Current Pay</u>	<u>YTD</u>	<u>YTD</u>	<u>YTD</u>
<u>Department</u>	<u>Regular</u>	<u>Overtime</u>	<u>Gross Pay</u>	<u>Regular</u>	<u>Overtime</u>	<u>Gross Pay</u>
City Council/Legislative	\$0.00	\$0.00	\$0.00	\$31,103.80	\$0.00	\$31,103.80
Mayor/Executive	\$585.52	\$0.00	\$585.52	\$13,466.96	\$0.00	\$13,466.96
City Manager/Administration	\$9,499.17	\$0.00	\$9,499.17	\$214,651.46	\$12.65	\$214,664.11
Human Resource	\$2,755.68	\$0.00	\$2,755.68	\$63,380.66	\$0.00	\$63,380.66
Law Director/Administration	\$6,555.36	\$0.00	\$6,555.36	\$153,212.48	\$0.00	\$153,212.48
Finance/Administration	\$8,405.08	\$0.00	\$8,405.08	\$190,986.40	\$31.63	\$191,018.03
Finance/Income Tax Department	\$2,371.20	\$0.00	\$2,371.20	\$58,279.15	\$0.00	\$58,279.15
Finance/Utility Billing Collection	\$3,832.61	\$0.00	\$3,832.61	\$88,258.16	\$206.32	\$88,464.48
Management Information System	\$4,480.28	\$0.00	\$4,480.28	\$99,942.04	\$693.02	\$100,635.06
Engineering/City Engineer	\$3,639.19	\$51.51	\$3,690.70	\$95,582.81	\$6,418.52	\$102,001.33
Municipal Court/Judicial	\$21,529.68	\$0.00	\$21,529.68	\$374,388.84	\$0.00	\$374,388.84
Police Safety Services	\$51,576.52	\$3,175.33	\$54,751.85	\$1,182,391.09	\$33,446.20	\$1,215,837.29
Fire/Safety Services	\$31,951.08	\$149.05	\$32,100.13	\$675,129.53	\$23,889.97	\$699,019.50
Parks/Administration	\$3,304.39	\$0.00	\$3,304.39	\$76,000.95	\$0.00	\$76,000.95
Recreation/Golf Operating	\$4,556.80	\$0.00	\$4,556.80	\$111,521.01	\$0.00	\$111,521.01
Recreation/Pool Operating	\$0.00	\$0.00	\$0.00	\$91,032.99	\$0.00	\$91,032.99
Recreation/ Programs	\$6,023.26	\$62.23	\$6,085.49	\$180,540.04	\$5,684.58	\$186,224.62
Cemetery/Grounds	\$2,751.81	\$357.17	\$3,108.98	\$55,580.83	\$2,504.26	\$58,085.09
Streets Maintenance	\$6,067.66	\$45.07	\$6,112.73	\$157,807.82	\$3,621.06	\$161,428.88
Ice & Snow Removal	\$0.00	\$0.00	\$0.00	\$7,835.36	\$11,333.85	\$19,169.21
Service Storm	\$160.51	\$0.00	\$160.51	\$2,066.06	\$89.65	\$2,155.71
Service/Buildings, Properties	\$2,332.30	\$0.00	\$2,332.30	\$54,524.82	\$87.46	\$54,612.28
Service/Central Garage	\$4,301.70	\$0.00	\$4,301.70	\$106,068.75	\$4,814.38	\$110,883.13
Electric/Distribution	\$37,087.70	\$0.00	\$37,087.70	\$828,845.34	\$23,114.62	\$851,959.96
Water Treatment Plant	\$15,028.76	\$0.00	\$15,028.76	\$348,623.71	\$2,287.79	\$350,911.50
Water Distribution System	\$12,588.26	\$242.11	\$12,830.37	\$276,544.49	\$4,364.19	\$280,908.68
Sewer WWT Plant Operations	\$14,087.10	\$232.96	\$14,320.06	\$365,831.37	\$8,055.79	\$373,887.16
Sewer (WWT) Collection System	\$2,053.85	\$0.00	\$2,053.85	\$46,699.18	\$0.00	\$46,699.18
Sewer Cleaning & Improvement	\$3,993.10	\$67.24	\$4,060.34	\$69,406.15	\$2,242.96	\$71,649.11
Sanitation Collection & Disposal	\$5,224.43	\$0.00	\$5,224.43	\$119,255.92	\$1,919.18	\$121,175.10
Sanitation Special Refuse Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sanitation Recycling Programs	\$3,475.18	\$0.00	\$3,475.18	\$79,221.77	\$1,749.62	\$80,971.39
TOTAL GROSS PAY	\$270,218.18	\$4,382.67	\$274,600.85	\$6,218,179.94	\$136,567.70	\$6,354,747.64
TOTAL GROSS PAY 11-6-20	\$261,314.48	\$7,292.02	\$268,606.50	\$6,179,810.02	\$119,660.97	\$6,299,470.99



	PAYROLL November 19, 2021					
	<u>Current Pay</u>	<u>Current Pay</u>	<u>Current Pay</u>	<u>YTD</u>	<u>YTD</u>	<u>YTD</u>
<u>Department</u>	<u>Regular</u>	<u>Overtime</u>	<u>Gross Pay</u>	<u>Regular</u>	<u>Overtime</u>	<u>Gross Pay</u>
City Council/Legislative	\$3,110.38	\$0.00	\$3,110.38	\$34,214.18	\$0.00	\$34,214.18
Mayor/Executive	\$585.52	\$0.00	\$585.52	\$14,052.48	\$0.00	\$14,052.48
City Manager/Administration	\$9,338.26	\$278.24	\$9,616.50	\$223,989.72	\$290.89	\$224,280.61
Human Resource	\$2,755.68	\$0.00	\$2,755.68	\$66,136.34	\$0.00	\$66,136.34
Law Director/Administration	\$6,555.36	\$0.00	\$6,555.36	\$159,767.84	\$0.00	\$159,767.84
Finance/Administration	\$8,405.08	\$37.95	\$8,443.03	\$199,391.48	\$69.58	\$199,461.06
Finance/Income Tax Department	\$2,371.21	\$0.00	\$2,371.21	\$60,650.36	\$0.00	\$60,650.36
Finance/Utility Billing Collection	\$3,832.61	\$0.00	\$3,832.61	\$92,090.77	\$206.32	\$92,297.09
Management Information System	\$4,480.29	\$0.00	\$4,480.29	\$104,422.33	\$693.02	\$105,115.35
Engineering/City Engineer	\$3,639.19	\$141.65	\$3,780.84	\$99,222.00	\$6,560.17	\$105,782.17
Municipal Court/Judicial	\$14,561.72	\$0.00	\$14,561.72	\$388,950.56	\$0.00	\$388,950.56
Police Safety Services	\$56,053.41	\$4,926.12	\$60,979.53	\$1,238,444.50	\$38,372.32	\$1,276,816.82
Fire/Safety Services	\$30,273.40	\$79.78	\$30,353.18	\$705,402.93	\$23,969.75	\$729,372.68
Parks/Administration	\$3,304.39	\$0.00	\$3,304.39	\$79,305.34	\$0.00	\$79,305.34
Recreation/Golf Operating	\$3,615.14	\$0.00	\$3,615.14	\$115,136.15	\$0.00	\$115,136.15
Recreation/Pool Operating	\$0.00	\$0.00	\$0.00	\$91,032.99	\$0.00	\$91,032.99
Recreation/ Programs	\$5,940.54	\$0.00	\$5,940.54	\$186,480.58	\$5,684.58	\$192,165.16
Cemetery/Grounds	\$2,300.34	\$280.58	\$2,580.92	\$57,881.17	\$2,784.84	\$60,666.01
Streets Maintenance	\$6,602.52	\$152.44	\$6,754.96	\$164,410.34	\$3,773.50	\$168,183.84
Ice & Snow Removal	\$0.00	\$0.00	\$0.00	\$7,835.36	\$11,333.85	\$19,169.21
Service Storm	\$373.53	\$0.00	\$373.53	\$2,439.59	\$89.65	\$2,529.24
Service/Buildings, Properties	\$2,332.30	\$0.00	\$2,332.30	\$56,857.12	\$87.46	\$56,944.58
Service/Central Garage	\$4,754.35	\$196.98	\$4,951.33	\$110,823.10	\$5,011.36	\$115,834.46
Electric/Distribution	\$37,200.43	\$0.00	\$37,200.43	\$866,045.77	\$23,114.62	\$889,160.39
Water Treatment Plant	\$15,195.81	\$0.00	\$15,195.81	\$363,819.52	\$2,287.79	\$366,107.31
Water Distribution System	\$11,495.28	\$33.86	\$11,529.14	\$288,039.77	\$4,398.05	\$292,437.82
Sewer WWT Plant Operations	\$13,780.24	\$196.71	\$13,976.95	\$379,611.61	\$8,252.50	\$387,864.11
Sewer (WWT) Collection System	\$2,068.05	\$0.00	\$2,068.05	\$48,767.23	\$0.00	\$48,767.23
Sewer Cleaning & Improvement	\$3,993.10	\$0.00	\$3,993.10	\$73,399.25	\$2,242.96	\$75,642.21
Sanitation Collection & Disposal	\$5,238.64	\$0.00	\$5,238.64	\$124,494.56	\$1,919.18	\$126,413.74
Sanitation Special Refuse Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sanitation Recycling Programs	\$2,378.53	\$0.00	\$2,378.53	\$81,600.30	\$1,749.62	\$83,349.92
TOTAL GROSS PAY	\$266,535.30	\$6,324.31	\$272,859.61	\$6,484,715.24	\$142,892.01	\$6,627,607.25
TOTAL GROSS PAY 11-20-20	\$262,023.90	\$5,677.21	\$267,701.11	\$6,441,833.92	\$125,338.18	\$6,567,172.10

Account Name Total KWH Code Amount KWH Unm KWH Days

PERIOD ENDING:

**NOVEMBER 2021**  
**RG210567**

\*\* Grand Totals Ct 6048

Code	Tax	KWH	Unmeter KWH	Total KWH
CITY!T1	14,555.27	3,103,688	26,432	3,130,120
CITY!T2	5,802.13	1,370,915	13,821	1,384,736
CITY!T3	20,219.34	5,556,610	13,460	5,570,070

CITY TOTAL	40,576.74	10,031,213	53,713	10,084,926
CITY OFFSET	0.00			
CITY NONOFFSET	40,576.74			

<- Inside City Tax

OHIO!S1	4,887.19	1,044,481	6,661	1,051,142
OHIO!S2	872.52	208,237	0	208,237
OHIO!S3	1,481.99	408,261	0	408,261

OHIO TOTAL	7,241.70	1,660,979	6,661	1,667,640
OHIO OFFSET	0.00			
OHIO NONOFFSET	7,241.70			

<- Outside City Tax

TAX TOTAL	47,818.44
OFFSET TOTAL	0.00
NONOFFSET TOTAL	47,818.44
TOTAL METERED	11,692,192
TOTAL UNMETERED	60,374
TOTAL KWH TAXED	11,752,566

**CITY OF NAPOLEON, OHIO 912000063**  
**STATE KWH FILING VIA OHIO GATEWAY (ROUNDED)**

1,051,142 X \$0.00465 / kWH	=	\$ 4,889
208,237 X \$0.00419 / kWH	=	\$ 873
408,261 X \$0.00363 / kWH	=	\$ 1,482

-----  
**\$ 7,243**  
=====

**(a) Computed and paid is higher than kWh tax listed on the printed report.**

**Inside City Tax – Tax on kWh**

**500-9900-59480 Transfer – to 180 kWh (GF) Tax Fund \$ 40,576.74**

**Outside City Tax – Tax on kWh (Sent to State of Ohio)**

**500-6110-56200 kWh Tax – Treasurer of State \$ 7,243.00**

**(State Total Rounded to Nearest Whole Dollar)**

	2017	2018	2019	2020	2021	2021	2021 vs 2020	2021 vs 2020
	Year-to-date	Year-to-date	Year-to-date	Year-to-date	Month-to-date	Year-to-date	Year change	Year percent
January								
Resident	39,127.65	25,821.11	38,911.67	49,175.52	52,555.92	52,555.92	3,380.40	6.8
Business	4,782.00	22,878.31	18,615.00	31,005.54	16,780.10	16,780.10	-14,225.44	-45.8
Withholding	427,792.03	400,965.53	346,292.37	453,329.34	401,838.69	401,838.69	-51,490.65	-11.3
	471,701.68	449,664.95	403,819.04	533,510.40	471,174.71	471,174.71	-62,335.69	-11.6
February								
Resident	85,094.51	61,539.97	72,896.83	91,161.29	32,255.34	84,811.26	-6,350.03	-6.9
Business	29,952.97	33,045.16	30,748.08	43,982.66	6,493.65	23,273.75	-20,708.91	-47
Withholding	634,610.69	619,339.34	626,872.32	750,238.07	296,958.06	698,796.75	-51,441.32	-6.8
	749,658.17	713,924.47	730,517.23	885,382.02	335,707.05	806,881.76	-78,500.26	-8.8
March								
Resident	156,746.30	127,618.59	157,355.44	141,830.02	110,401.84	195,213.10	53,383.08	37.6
Business	88,932.65	85,689.97	67,157.79	68,187.49	42,046.64	65,320.39	-2,867.10	-4.2
Withholding	815,570.95	852,505.34	828,109.17	948,914.39	226,913.36	925,710.11	-23,204.28	-2.4
	1,061,249.90	1,065,813.90	1,052,622.40	1,158,931.90	379,361.84	1,186,243.60	27,311.70	2.3
April								
Resident	419,563.59	393,245.89	411,734.51	206,413.63	140,671.93	335,885.03	129,471.40	62.7
Business	271,055.38	178,928.95	173,320.89	97,267.60	146,423.42	211,743.81	114,476.21	117.6
Withholding	1,182,283.32	1,161,734.13	1,162,277.47	1,319,377.31	424,294.16	1,350,004.27	30,626.96	2.3
	1,872,902.29	1,733,908.97	1,747,332.87	1,623,058.54	711,389.51	1,897,633.11	274,574.57	16.9
May								
Resident	456,542.65	421,073.86	445,117.66	247,912.63	128,779.13	464,664.16	216,751.53	87.4
Business	277,806.11	180,319.04	187,380.10	116,831.74	32,396.70	244,140.51	127,308.77	108.9
Withholding	1,389,824.95	1,394,867.98	1,422,929.08	1,550,989.10	279,752.49	1,629,756.76	78,767.66	5
	2,124,173.71	1,996,260.88	2,055,426.84	1,915,733.47	440,928.32	2,338,561.43	422,827.96	22
June								
Resident	512,653.31	470,668.68	492,892.92	308,013.95	58,982.90	523,647.06	215,633.11	70
Business	406,534.65	216,804.28	231,324.16	164,171.91	127,430.56	371,571.07	207,399.16	126.3
Withholding	1,577,909.54	1,605,443.26	1,623,445.66	1,789,230.15	294,512.09	1,924,268.85	135,038.70	7.5
	2,497,097.50	2,292,916.22	2,347,662.74	2,261,416.01	480,925.55	2,819,486.98	558,070.97	24.6
July								
Resident	534,180.25	493,700.24	515,010.32	485,423.52	26,413.54	550,060.60	64,637.08	13.3

Business	417,331.61	234,385.81	244,197.32	220,441.29	17,390.62	388,961.69	168,520.40	76.4
Withholding	1,990,856.33	1,944,006.85	2,004,933.98	2,141,378.88	344,432.39	2,268,701.24	127,322.36	5.9
	2,942,368.19	2,672,092.90	2,764,141.62	2,847,243.69	388,236.55	3,207,723.53	360,479.84	12.6
August								
Resident	560,308.24	524,970.72	544,327.92	509,027.86	15,933.57	565,994.17	56,966.31	11.1
Business	425,186.55	266,966.30	256,324.38	236,911.54	9,927.64	398,889.33	161,977.79	68.3
Withholding	2,163,943.87	2,203,850.44	2,278,705.90	2,415,397.78	323,843.88	2,592,545.12	177,147.34	7.3
	3,149,438.66	2,995,787.46	3,079,358.20	3,161,337.18	349,705.09	3,557,428.62	396,091.44	12.5
September								
Resident	608,012.27	572,107.67	611,502.93	563,392.51	80,869.41	646,863.58	83,471.07	14.8
Business	555,301.09	316,044.74	315,106.28	269,586.36	45,692.63	444,581.96	174,995.60	64.9
Withholding	2,349,275.27	2,432,508.73	2,555,117.22	2,693,687.88	263,028.34	2,855,573.46	161,885.58	6
	3,512,588.63	3,320,661.14	3,481,726.43	3,526,666.75	389,590.38	3,947,019.00	420,352.25	11.9
October								
Resident	641,153.11	607,968.87	643,243.99	602,653.09	45,508.29	692,371.87	89,718.78	14.8
Business	567,571.63	325,084.95	323,227.37	292,447.85	11,307.56	455,889.52	163,441.67	55.8
Withholding	2,725,115.89	2,733,373.60	2,834,388.37	3,001,728.67	326,299.90	3,181,873.36	180,144.69	6
	3,933,840.63	3,666,427.42	3,800,859.73	3,896,829.61	383,115.75	4,330,134.75	433,305.14	11.1
November								
Resident	678,248.63	627,834.42	673,939.50	627,884.56	18,652.68	711,024.55	83,139.99	13.2
Business	571,030.78	337,301.17	386,673.65	282,601.50	106,493.64	562,383.16	279,781.66	99
Withholding	2,957,604.98	3,012,096.94	3,128,637.37	3,303,918.69	376,581.98	3,558,455.34	254,536.65	7.7
	4,206,884.39	3,977,232.53	4,189,250.52	4,214,404.75	501,728.30	4,831,863.05	617,458.30	14.6
December								
Resident	727,043.20	667,356.50	718,151.74	679,338.92		711,024.55	31,685.63	4.6
Business	727,124.68	390,875.33	460,411.09	331,043.44		562,383.16	231,339.72	69.8
Withholding	3,162,577.79	3,242,456.59	3,337,831.65	3,579,092.79		3,558,455.34	-20,637.45	-0.5
	4,616,745.67	4,300,688.42	4,516,394.48	4,589,475.15	0	4,831,863.05	242,387.90	5.2

2021 - FISCAL POSTING YEAR ->		NOVEMBER			
FUND NO.	INTEREST ALLOCATION - BY FUND	BOOK BALANCE	PERCENT (%) OF FUND	TOTAL INTEREST	TOTAL YTD INTEREST
	Ordinance 116-97, Passed 12/29/97	BY FUND	BALANCE "4"	RECEIVED IN	RECEIVED
	FUND DESCRIPTION	1ST OF MONTH	GREATER > "0"	MONTH	2021
	INTEREST EARNED FOR MONTH LISTED ->			\$28,292.16	\$170,956.67
=====					
<b>FUNDS ALLOCATING INTEREST TO - 100 GENERAL FUND:</b>					
100	General Fund	\$2,463,927.13	7.3413%	\$2,077.01	\$12,471.77
101	General Reserve Balance Fund	\$250,000.00	0.7449%	\$210.75	\$1,462.16
123	Special Events Fund	\$190.08	0.0006%	\$0.17	\$20.16
130	Economic Development Fund	\$10,735.62	0.0320%	\$9.05	\$172.74
147	Unclaimed Monies Fund	\$8,349.00	0.0249%	\$7.04	\$47.88
170	Municipal Income Tax Fund	\$32,383.15	0.0965%	\$27.30	\$220.94
180	KWH Tax Collection Fund	\$178,831.29	0.5328%	\$150.74	\$654.62
195	Law Library Fund	\$1,467.50	0.0044%	\$1.24	\$1.49
210	EMS Transport Service Fund	\$295,982.85	0.8819%	\$249.51	\$2,103.34
227	Napoleon Cemetery Trust Fund	\$70,911.95	0.2113%	\$59.78	\$411.32
240	Hotel/Motel (Lodge) Tax Fund	\$23,416.86	0.0698%	\$19.75	\$124.04
243	Fire Loss Claims Fund	\$31,000.00	0.0924%	\$26.14	\$315.13
261	CDBG Program Income Fund	\$34,079.00	0.1015%	\$28.72	\$295.55
277	Probation Officer Grant Fund	\$11,642.35	0.0347%	\$9.82	\$45.61
278	Court Special Projects Fund	\$264,041.86	0.7867%	\$222.57	\$1,395.22
279	Handicap Parking Fines Fund	\$1,100.00	0.0033%	\$0.93	\$6.44
280	Certified Police Training Fund	\$19,003.76	0.0566%	\$16.01	\$111.15
281	Indigent Drivers Interlock/Alcohol Rehab. Fund	\$68,745.50	0.2048%	\$57.94	\$393.60
287	Probation Improvement & Incentive Grant Fund	\$0.00	0.0000%	\$0.00	\$0.00
288	Justice Reinv. Incentive Grant Fund	\$10,333.40	0.0308%	\$8.71	\$94.67
290	Police Pension Fund	\$29,168.74	0.0869%	\$24.59	\$297.58
291	Fire Pension Fund	\$52,584.42	0.1567%	\$44.33	\$180.80
300	General Bond Retirement Fund	\$60,144.48	0.1792%	\$50.70	\$299.26
400	Capital Improvement Fund	\$1,197,670.11	3.5685%	\$1,009.61	\$6,796.58
401	Capital Improvement Funding Reserve Fund	\$72,436.90	0.2158%	\$61.05	\$423.66
410	Fire Facility Training Grant Fund	\$0.00	0.0000%	\$0.00	\$0.00
500	Electric Revenue Fund	\$5,668,197.90	16.8885%	\$4,778.12	\$30,823.22
580	Meter Deposit Fund	\$599,031.14	1.7848%	\$504.96	\$3,461.25
600	Central Garage Rotary Fund	\$40,898.03	0.1219%	\$34.49	\$236.86
<b>Sub Total - Funds - Interest to 100 General Fd.</b>		\$11,496,273.02	34.2535%	\$9,691.03	\$62,867.04
=====					
<b>ALLOCATING INTEREST DIRECTLY TO FUNDS AS LISTED:</b>					
200	Street (SCM&R) Fund	\$751,863.08	2.2402%	\$633.80	\$3,886.32
201	State Highway Fund	\$54,300.93	0.1618%	\$45.78	\$292.95
202	Municipal (50%) MV License Tax Fund	\$117,734.66	0.3508%	\$99.25	\$634.07
203	Municipal (100%) MV License Tax Fund	\$257,706.38	0.7678%	\$217.23	\$1,410.33
204	County MV License Tax Permissive Tax Fund	\$84,438.14	0.2516%	\$71.18	\$492.65
220	Recreation Fund	\$584,819.71	1.7425%	\$492.99	\$3,254.67
221	Napoleon Aquatic Center	\$539,499.25	1.6075%	\$454.80	\$8,222.82
224	Shelter House Facility Repair	\$3,592.28	0.0107%	\$3.03	\$16.00
242	Fire Equipment Fund	\$455,769.58	1.3580%	\$384.21	\$2,604.38
250	Local Coronavirus Relief Fund	\$2,831.65	0.0084%	\$2.38	\$45.25
252	American Rescue Plan Act	\$430,047.35	1.2813%	\$362.51	\$563.89
270	Indigent Drivers Alcohol Treatment Fund	\$70,520.57	0.2101%	\$59.44	\$420.57
271	Law Enforcement & Education Fund	\$2,176.49	0.0065%	\$1.84	\$16.15
272	Court Computerization Fund	\$185,802.52	0.5536%	\$156.63	\$1,022.25
273	Law Enforcement Trust Fund	\$1,175.03	0.0035%	\$0.99	\$6.84
274	Mandatory Drug Fine Fund	\$15,988.81	0.0476%	\$13.47	\$93.47
275	Municipal Probation Service Fund	\$132,438.89	0.3946%	\$111.64	\$790.26
310	SA Bond Retirement Fund	\$608,451.87	1.8129%	\$512.91	\$3,549.41
503	Electric Development Fund	\$7,380,093.76	21.9892%	\$6,221.22	\$20,943.92
510	Water Revenue Fund	\$1,757,185.64	5.2356%	\$1,481.26	\$10,604.47
511	Water Depreciation and Reserve Fund	\$1,058,100.21	3.1526%	\$891.94	\$4,827.96
512	Water Debt Reserve Fund	\$403,867.47	1.2033%	\$340.44	\$1,961.57
513	Water OWDA Bond Retirement Fund	\$52,667.37	0.1569%	\$44.39	\$230.83
519	Water Plant Improvement & Renovation Fund	\$243,901.78	0.7267%	\$205.60	\$1,538.88
520	Sewer (WWT) Revenue Fund	\$1,451,263.89	4.3241%	\$1,223.38	\$14,974.06
521	Sewer (WWT) Depreciation and Reserve Fund	\$2,917,544.57	8.6929%	\$2,459.41	\$12,706.59
522	Sewer (WWT) Debt Reserve Fund	\$536,820.38	1.5995%	\$452.53	\$1,714.51
523	OWDA SA Debt Retirement Fund	\$142,894.95	0.4258%	\$120.47	\$551.92
532	OWDA SA Debt Retirement Fund	\$96,938.14	0.2888%	\$81.71	\$572.42
560	Sanitation (Refuse) Revenue Fund	\$1,494,938.11	4.4542%	\$1,260.19	\$8,916.30
561	Sanitation (Refuse) Depreciation and Reserve Fund	\$230,759.96	0.6876%	\$194.51	\$1,223.92
<b>Sub Total - Funds - Interest Credited to Listed Funds</b>		\$22,066,133.42	65.7466%	\$18,601.13	\$108,089.63
=====					
<b>NET TOTAL - ALL INCLUDED FUNDS</b>		\$33,562,406.44	100.0001%	\$28,292.16	\$170,956.67
=====					
FUND BALANCE > "0"		\$33,562,406.44			
FUND BALANCE < "0"		\$0.00			
=====					
<b>FUNDS EXCLUDED FROM INTEREST ALLOCATION:</b>					
276	Law Enforcement OT Grant Fund	\$0.00			
295	IRS 125 Employee Benefits Fund	\$4,115.01			
<b>NET TOTAL - ALL EXCLUDED FUNDS</b>		\$4,115.01			
=====					
<b>GRAND TOTAL - ALL FUNDS</b>		\$33,566,521.45			
=====					



## **City of Napoleon Operating Account**

Monthly Investment Report  
November 30, 2021

**Your Investment Representative:**

Andrew Lawrie

(614) 495-5979

[alawrie@meederinvestment.com](mailto:alawrie@meederinvestment.com)

For questions about your account please contact your investment representative or contact [publicfundsoperations@meederinvestment.com](mailto:publicfundsoperations@meederinvestment.com)

**Dublin, Ohio | Lansing, Michigan | Long Beach, California | 866-633-3371 | [www.meederpublicfunds.com](http://www.meederpublicfunds.com)**



## PORTFOLIO SUMMARY

As of November 30, 2021



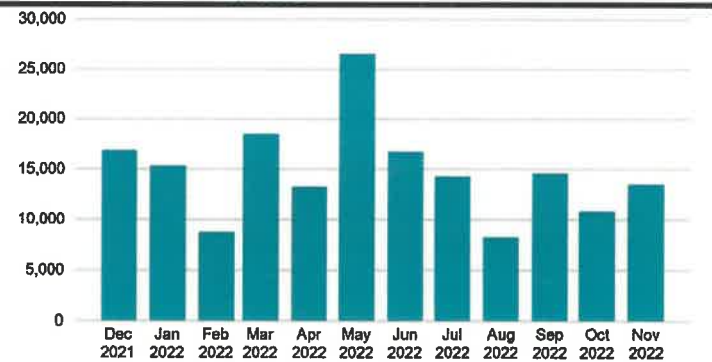
### MONTHLY RECONCILIATION

<b>Beginning Book Value</b>	<b>21,930,334.93</b>
Contributions	
Withdrawals	(27,833.54)
Realized Gains/Losses	25.00
Purchased Interest	(131.25)
Gross Interest Earnings	27,761.32
<b>Ending Book Value</b>	<b>21,930,156.46</b>

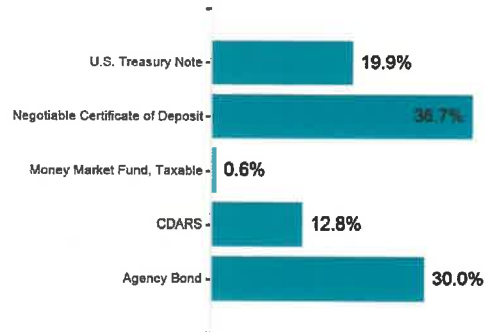
### PORTFOLIO CHARACTERISTICS

Portfolio Yield to Maturity	0.97%
Portfolio Effective Duration	2.13 yrs
Weighted Average Maturity	2.38 yrs

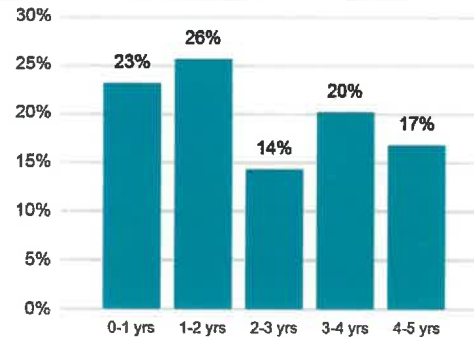
### PROJECTED MONTHLY INCOME SCHEDULE



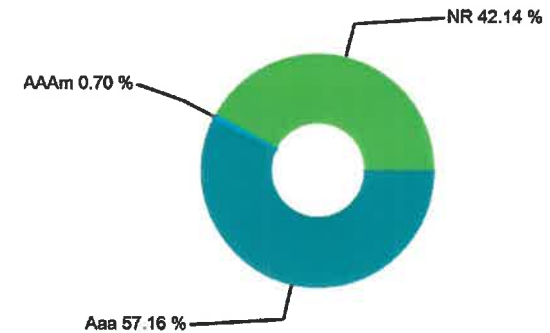
### SECTOR ALLOCATION



### MATURITY DISTRIBUTION



### CREDIT QUALITY





City of Napoleon Operating Account  
**PROJECTED INCOME SCHEDULE**  
As of November 30, 2021



CUSIP	SECURITY DESCRIPTION	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022
02007GMX8	Ally Bank 0.850% 03/14/2022				3,715								
02357QAF4	Amerant Bank, National Association 1.850% 12/20/2022	379	391	391	353	391	379	391	379	391	391	379	391
02587CEZ9	American Express Bank, FSB 2.400% 05/17/2022						2,940						
02587DT32	American Express National Bank 2.400% 05/17/2022						2,940						
02772JBT6	American National Bank Fox Cities 0.400% 05/20/2022	82	85	85	76	85	281						
06417NVR1	Bank OZK 0.550% 01/06/2022	113	266										
066519RW1	BankUnited, FSB 1.350% 12/08/2026				666			681			681		
06654BCL3	Bankwell Bank 0.400% 07/28/2023		502						494				
14042RLP4	Capital One, National Association 2.650% 05/22/2024						3,233						3,286
15118RUP0	Celtic Bank Corporation 1.050% 03/31/2022	89	89	81	189								
20786ADD4	ConnectOne Bank 0.750% 05/08/2023	153	159	159	143	159	153	159	153	159	159	153	159
29260MBC8	Encore Bank 0.850% 04/29/2022	174	180	168	174	174							
29278TMR8	EnerBank USA 1.800% 01/29/2025	368	381	368	356	381	368	381	368	381	381	368	381
3130AKKG0	FHLB 0.520% 12/30/2025	1,040						1,040					
3130AKRN8	FHLB 0.650% 01/28/2026		553						553				
3130AN2Q2	FHLB 1.000% 06/30/2026	1,225						1,225					
3130AN4T4	FHLB 0.875% 06/12/2026	880						984					
3130APB61	FHLB 0.750% 04/14/2025					1,125						1,125	
3130APB87	FHLB 1.100% 10/13/2026					2,200						2,200	
3133EK6J0	FFCB 1.625% 11/08/2024						2,641						2,641
3133EKP75	FFCB 1.600% 09/17/2024				2,400						2,400		

City of Napoleon Operating Account  
**PROJECTED INCOME SCHEDULE**  
As of November 30, 2021



CUSIP	SECURITY DESCRIPTION	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022
3133EL7K4	FFCB 0.550% 09/16/2025				454						454		
3133EM2W1	FFCB 0.150% 05/17/2023						375						375
3133EMH21	FFCB 0.900% 06/15/2026	2,250						2,250					
3133EMLR1	FFCB 0.500% 12/23/2025	1,000						1,000					
3133EMUK6	FFCB 1.050% 03/25/2026				1,549						1,549		
3134GV5F1	FMCC 0.375% 07/14/2023		225						225				
3134GXCH5	FMCC 0.600% 11/25/2025						750						750
3135G05X7	FNMA 0.375% 08/25/2025			1,125						1,125			
3135G06G3	FNMA 0.500% 11/07/2025						1,250						1,250
3135G0W66	FNMA 1.625% 10/15/2024					3,413						3,413	
3136G43H4	FNMA 0.400% 09/16/2024				500						500		
3136G4H89	FNMA 0.600% 08/27/2025			450						450			
3136G4X40	FNMA 0.600% 08/26/2025			1,875						1,875			
3137EAEW5	FMCC 0.250% 09/08/2023				625						625		
32056GDK3	First Internet Bancorp 0.700% 05/11/2023	143	148	148	134	148	143	148	143	148	148	143	148
32065RAK1	First Keystone Community Bank 0.600% 06/28/2024	123	127	119	123	127	123	127	123	127	127	123	
32117LAJ5	The First National Bank of Moose Lake 0.300% 05/23/2022	61	63	63	57	63	126						
38149MLY7	Goldman Sachs Bank USA Holdings LLC 1.850% 12/27/2022	714						710					
38882LAB2	Grasshopper Bank, N.A. 0.350% 05/20/2022						557						
46176PMY8	Investors Bank 1.250% 04/01/2022					1,856							
511640BB9	Lakeland Bank 1.100% 03/30/2022				968								
549104PS0	Luana Savings Bank 0.350% 05/23/2022						497						

City of Napoleon Operating Account  
**PROJECTED INCOME SCHEDULE**  
As of November 30, 2021



CUSIP	SECURITY DESCRIPTION	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022
55316CBA3	M1 Bank 0.750% 05/15/2023						926						941
57116ATG3	Marlin Business Bank 1.700% 12/04/2023	348	360	360	325	360	348	360	348	360	360	348	360
58404DEG2	Medallion Bank 2.500% 06/10/2024	3,083						3,067					
59013KHP4	Merrick Bank Corporation 0.500% 05/16/2022	102	106	106	96	106	292						
60685BGT2	Mizrahi-Tefahot Bank Ltd. 0.500% 06/30/2022						617	396					
61747MF63	Morgan Stanley Bank, National Association 2.650% 01/11/2023		3,286						3,233				
61760A6T1	Morgan Stanley Private Bank, National Association 1.900% 01/30/2025		2,366						2,327				
72345SKU4	Pinnacle Bank 0.700% 05/08/2023						864						879
723605BV2	Pioneer Bank, SSB 0.350% 05/19/2022						667						
740367LG0	Preferred Bank 0.350% 03/22/2022	72	74	74	129								
856285SK8	State Bank of India 2.000% 01/22/2025		2,470						2,470				
87165EL96	Synchrony Bank 2.400% 05/19/2022						2,940						
87270LAT0	TIAA, FSB 2.200% 09/14/2022				2,695						3,915		
88241TJX9	Texas Exchange Bank, SSB 0.650% 02/02/2026	80	83	83	75	83	80	83	80	83	83	80	83
89235MJU6	Toyota Financial Savings Bank 0.650% 07/01/2024	811						807					
90348JU32	UBS Bank USA 0.800% 10/14/2025	164	169	169	153	169	164	169	164	169	169	164	169
912828ZW3	UST 0.250% 06/30/2025	563						563					
91282CAB7	UST 0.250% 07/31/2025		563						563				
91282CAM3	UST 0.250% 09/30/2025				250						250		
91282CAP6	UST 0.125% 10/15/2023					313						313	

City of Napoleon Operating Account  
**PROJECTED INCOME SCHEDULE**  
 As of November 30, 2021



CUSIP	SECURITY DESCRIPTION	Dec 2021	Jan 2022	Feb 2022	Mar 2022	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022
91282CAT8	UST 0.250% 10/31/2025					594						594	
91282CAW1	UST 0.250% 11/15/2023						625						625
91282CBA8	UST 0.125% 12/15/2023	313						313					
91282CCF6	UST 0.750% 05/31/2026						919						
91282CCJ8	UST 0.875% 06/30/2026	1,094						1,094					
91282CCP4	UST 0.625% 07/31/2026		1,250						1,250				
91282CCW9	UST 0.750% 08/31/2026			1,500						1,500			
91282CCZ2	UST 0.875% 09/30/2026				984						984		
91282CDA6	UST 0.250% 09/30/2023				625						625		
92535LCF9	Verus Bank of Commerce 2.400% 06/14/2024	491	508	508	458	508	491	508	491	508	508	491	508
949495AF2	Wells Fargo National Bank West 1.850% 12/30/2022	379	391	366	379	391	379	391	379	391	391	379	
949763B96	Wells Fargo Bank, National Association 2.650% 05/24/2024	542	560	560	506	560	542	560	542	560	560	542	560
<b>TOTAL</b>		<b>16,837</b>	<b>15,353</b>	<b>8,757</b>	<b>19,157</b>	<b>13,203</b>	<b>26,609</b>	<b>17,404</b>	<b>14,284</b>	<b>8,226</b>	<b>15,258</b>	<b>10,814</b>	<b>13,505</b>

City of Napoleon Operating Account  
**POSITION STATEMENT**  
As of November 30, 2021



CUSIP	Security Description	Trade Date/ Settlement Date	Par Value	Principal Cost/ Purchased Interest	Total Cost	Yield at Cost	Maturity/ Duration	Market Price/ Market Value	Unrealized Gain/ (Loss)	% of Assets	Moody's/ S&P Rating
<b>Cash and Cash Equivalents</b>											
999620644	Money Market Obligations Trust	11/30/2021 11/30/2021	\$154,946.78	\$154,946.78	\$154,946.78	0.01%	0.003 0.003	\$1.00 \$154,946.78	\$0.00	0.50%	AAAm
STAROHIO	STAR Ohio XX539	11/30/2021 11/30/2021	\$5,752,984.02	\$5,752,984.02	\$5,752,984.02	0.09%	0.003 0.003	\$1.00 \$5,752,984.02	\$0.00	18.57%	AAAm
<b>SubTotal</b>			<b>\$5,907,930.80</b>	<b>\$5,907,930.80</b>	<b>\$5,907,930.80</b>	<b>0.09%</b>		<b>\$5,907,930.80</b>	<b>\$0.00</b>	<b>19.07%</b>	
<b>Agency Bond</b>											
3133EM2W1	FFCB 0.150% 05/17/2023	10/15/2021 10/18/2021	\$500,000.00	\$498,865.00	\$498,865.00	0.29%	1.460 1.458	\$99.69 \$498,465.00	(\$400.00)	1.61%	Aaa AA+
3134GV5F1	FMCC 0.375% 07/14/2023	7/6/2020 7/6/2020	\$120,000.00	\$120,000.00	\$120,000.00	0.38%	1.619 0.388	\$99.97 \$119,959.20	(\$40.80)	0.39%	Aaa AA+
3137EAEW5	FMCC 0.250% 09/08/2023	10/15/2021 10/18/2021	\$500,000.00	\$498,781.50 \$138.89	\$498,920.39	0.38%	1.773 1.765	\$99.60 \$497,985.00	(\$796.50)	1.61%	Aaa AA+
3136G43H4	FNMA 0.400% 09/16/2024	9/8/2020 9/8/2020	\$250,000.00	\$250,000.00	\$250,000.00	0.40%	2.797 2.279	\$99.03 \$247,582.50	(\$2,417.50)	0.80%	Aaa AA+
3133EKP75	FFCB 1.600% 09/17/2024	9/26/2019 9/26/2019	\$300,000.00	\$299,496.00	\$299,496.00	1.64%	2.800 2.728	\$102.13 \$306,393.00	\$6,897.00	0.99%	Aaa AA+
3135G0W66	FNMA 1.625% 10/15/2024	10/22/2019 10/22/2019	\$295,000.00	\$294,126.80	\$294,126.80	1.69%	2.877 2.804	\$102.29 \$301,767.30	\$7,640.50	0.97%	Aaa AA+
3135G0W66	FNMA 1.625% 10/15/2024	12/24/2019 12/24/2019	\$125,000.00	\$123,992.50	\$123,992.50	1.80%	2.877 2.804	\$102.29 \$127,867.50	\$3,875.00	0.41%	Aaa AA+
3133EK6J0	FFCB 1.625% 11/08/2024	11/22/2019 11/22/2019	\$325,000.00	\$323,963.25	\$323,963.25	1.69%	2.942 2.868	\$102.17 \$332,046.00	\$8,082.75	1.07%	Aaa AA+
3130APB61	FHLB 0.750% 04/14/2025	11/4/2021 11/5/2021	\$300,000.00	\$298,425.00 \$131.25	\$298,556.25	0.91%	3.373 2.242	\$99.15 \$297,459.00	(\$966.00)	0.96%	Aaa AA+
3135G05X7	FNMA 0.375% 08/25/2025	3/5/2021 3/8/2021	\$600,000.00	\$590,700.00	\$590,700.00	0.73%	3.737 3.686	\$97.60 \$585,612.00	(\$5,088.00)	1.89%	Aaa AA+
3136G4X40	FNMA 0.600% 08/26/2025	9/10/2020 9/10/2020	\$625,000.00	\$625,000.00	\$625,000.00	0.60%	3.740 2.806	\$98.17 \$613,575.00	(\$11,425.00)	1.98%	Aaa AA+
3136G4H89	FNMA 0.600% 08/27/2025	8/20/2020 8/20/2020	\$150,000.00	\$149,895.00	\$149,895.00	0.61%	3.742 2.807	\$98.17 \$147,258.00	(\$2,637.00)	0.48%	Aaa AA+
3133EL7K4	FFCB 0.550% 09/16/2025	9/16/2020 9/16/2020	\$165,000.00	\$165,000.00	\$165,000.00	0.55%	3.797 2.941	\$97.83 \$161,412.90	(\$3,587.10)	0.52%	Aaa AA+



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3135G06G3	FNMA 0.500% 11/07/2025	3/5/2021 3/8/2021	\$500,000.00	\$493,690.00	\$493,690.00	0.78%	3.940 3.876	\$97.63 \$488,150.00	(\$5,540.00)	1.58%	Aaa AA+
3134GXCH5	FMCC 0.600% 11/25/2025	11/18/2020 11/25/2020	\$250,000.00	\$250,000.00	\$250,000.00	0.60%	3.989 2.983	\$98.45 \$246,132.50	(\$3,867.50)	0.79%	Aaa AA+
3133EMLR1	FFCB 0.500% 12/23/2025	10/12/2021 10/13/2021	\$400,000.00	\$392,300.00 \$611.11	\$392,911.11	0.97%	4.066 3.321	\$96.96 \$387,852.00	(\$4,448.00)	1.25%	Aaa AA+
3130AKKG0	FHLB 0.520% 12/30/2025	10/12/2021 10/13/2021	\$400,000.00	\$392,500.00 \$595.11	\$393,095.11	0.98%	4.085 3.130	\$97.47 \$389,864.00	(\$2,636.00)	1.26%	Aaa AA+
3130AKRN8	FHLB 0.650% 01/28/2026	1/14/2021 1/28/2021	\$170,000.00	\$170,000.00	\$170,000.00	0.65%	4.164 2.872	\$98.34 \$167,174.60	(\$2,825.40)	0.54%	Aaa AA+
3133EMUK6	FFCB 1.050% 03/25/2026	3/18/2021 3/25/2021	\$295,000.00	\$295,000.00	\$295,000.00	1.05%	4.318 2.522	\$99.27 \$292,852.40	(\$2,147.60)	0.95%	Aaa AA+
3130AN4T4	FHLB 0.875% 06/12/2026	9/30/2021 10/1/2021	\$225,000.00	\$224,185.50 \$492.19	\$224,677.69	0.95%	4.534 4.403	\$98.54 \$221,719.50	(\$2,466.00)	0.72%	Aaa AA+
3133EMH21	FFCB 0.900% 06/15/2026	6/11/2021 6/17/2021	\$500,000.00	\$500,000.00 \$25.00	\$500,025.00	0.90%	4.542 2.967	\$98.46 \$492,300.00	(\$7,700.00)	1.59%	Aaa AA+
3130AN2Q2	FHLB 1.000% 06/30/2026	6/25/2021 6/30/2021	\$245,000.00	\$245,000.00	\$245,000.00	1.00%	4.584 2.753	\$98.93 \$242,388.30	(\$2,611.70)	0.78%	Aaa AA+
3130APB87	FHLB 1.100% 10/13/2026	10/14/2021 10/15/2021	\$400,000.00	\$398,920.00 \$24.44	\$398,944.44	1.16%	4.871 2.611	\$99.12 \$396,492.00	(\$2,428.00)	1.28%	Aaa AA+
<b>SubTotal</b>			<b>\$7,640,000.00</b>	<b>\$7,599,840.55 \$2,017.99</b>	<b>\$7,601,858.54</b>	<b>0.87%</b>		<b>\$7,562,307.70</b>	<b>(\$37,532.85)</b>	<b>24.41%</b>	

**CDARS**

01049CDAR	FARMERS & MERCHANTS BANK 0.23% 09/01/22	9/2/2021 9/2/2021	\$746,044.18	\$746,044.18	\$746,044.18	0.23%	0.753 0.754	\$100.00 \$746,044.18	\$0.00	2.41%	
01055CDAR	FARMERS & MERCHANTS BANK 0.16% 10/06/22	10/7/2021 10/7/2021	\$700,718.49	\$700,718.49	\$700,718.49	0.16%	0.849 0.851	\$100.00 \$700,718.49	\$0.00	2.26%	
00936CDAR	FARMERS AND MERCHANTS BK 0.82% 6/1/23	6/4/2020 6/4/2020	\$925,000.00	\$925,000.00	\$925,000.00	0.82%	1.501 1.484	\$100.00 \$925,000.00	\$0.00	2.99%	
00939CDAR	FARMERS & MERCHANTS BANK 0.82% 06/15/2023	6/18/2020 6/18/2020	\$325,000.00	\$325,000.00	\$325,000.00	0.82%	1.540 1.522	\$100.00 \$325,000.00	\$0.00	1.05%	

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00969CDAR	FARMERS & MERCHANTS BK 0.60% 08/24/23	8/27/2020 8/27/2020	\$530,000.00	\$530,000.00	\$530,000.00	0.60%	1.732 1.718	\$100.00 \$530,000.00	\$0.00	1.71%	
<b>SubTotal</b>			<b>\$3,226,762.67</b>	<b>\$3,226,762.67</b>	<b>\$3,226,762.67</b>	<b>0.50%</b>		<b>\$3,226,762.67</b>	<b>\$0.00</b>	<b>10.42%</b>	
<b>Negotiable Certificate of Deposit</b>											
06417NVR1	Bank OZK 0.550% 01/06/2022	4/28/2020 5/6/2020	\$249,000.00	\$248,850.60	\$248,850.60	0.59%	0.101 0.104	\$100.04 \$249,109.56	\$258.96	0.80%	
02007GMX8	Ally Bank 0.850% 03/14/2022	3/18/2020 3/18/2020	\$248,000.00	\$245,341.44	\$245,341.44	1.40%	0.285 0.287	\$100.21 \$248,513.36	\$3,171.92	0.80%	
740367LG0	Preferred Bank 0.350% 03/22/2022	5/7/2020 5/7/2020	\$249,000.00	\$248,937.75	\$248,937.75	0.36%	0.307 0.309	\$100.07 \$249,164.34	\$226.59	0.80%	
511640BB9	Lakeland Bank 1.100% 03/30/2022	3/20/2020 3/20/2020	\$150,000.00	\$149,850.00	\$149,850.00	1.15%	0.329 0.331	\$100.32 \$150,483.00	\$633.00	0.49%	
15118RUP0	Celtic Bank Corporation 1.050% 03/31/2022	3/18/2020 3/18/2020	\$100,000.00	\$99,900.00	\$99,900.00	1.10%	0.332 0.333	\$100.31 \$100,305.00	\$405.00	0.32%	
46176PMY8	Investors Bank 1.250% 04/01/2022	3/20/2020 3/20/2020	\$248,000.00	\$247,690.00	\$247,690.00	1.31%	0.334 0.337	\$100.38 \$248,937.44	\$1,247.44	0.80%	
29260MBC8	Encore Bank 0.850% 04/29/2022	4/27/2020 4/27/2020	\$249,000.00	\$249,000.00	\$249,000.00	0.85%	0.411 0.412	\$100.29 \$249,729.57	\$729.57	0.81%	
59013KHP4	Merrick Bank Corporation 0.500% 05/16/2022	5/6/2020 5/6/2020	\$249,000.00	\$248,813.25	\$248,813.25	0.54%	0.458 0.459	\$100.16 \$249,405.87	\$592.62	0.81%	
02587CEZ9	American Express Bank, FSB 2.400% 05/17/2022	5/12/2017 5/12/2017	\$247,000.00	\$247,000.00	\$247,000.00	2.40%	0.460 0.463	\$101.06 \$249,610.79	\$2,610.79	0.81%	
02587DT32	American Express National Bank 2.400% 05/17/2022	5/12/2017 5/12/2017	\$247,000.00	\$247,000.00	\$247,000.00	2.40%	0.460 0.463	\$101.06 \$249,610.79	\$2,610.79	0.81%	
87165EL96	Synchrony Bank 2.400% 05/19/2022	5/12/2017 5/12/2017	\$247,000.00	\$247,000.00	\$247,000.00	2.40%	0.466 0.468	\$101.07 \$249,640.43	\$2,640.43	0.81%	
723605BV2	Pioneer Bank, SSB 0.350% 05/19/2022	5/8/2020 5/8/2020	\$244,000.00	\$243,756.00	\$243,756.00	0.40%	0.466 0.468	\$100.10 \$244,234.24	\$478.24	0.79%	



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02772JBT6	American National Bank Fox Cities 0.400% 05/20/2022	5/7/2020 5/7/2020	\$249,000.00	\$248,800.80	\$248,800.80	0.44%	0.468 0.470	\$100.12 \$249,296.31	\$495.51	0.80%	
38882LAB2	Grasshopper Bank, N.A. 0.350% 05/20/2022	5/5/2020 5/5/2020	\$249,000.00	\$248,875.50	\$248,875.50	0.37%	0.468 0.471	\$100.10 \$249,239.04	\$363.54	0.80%	
32117LAJ5	The First National Bank of Moose Lake 0.300% 05/23/2022	5/8/2020 5/8/2020	\$249,000.00	\$248,937.75	\$248,937.75	0.31%	0.477 0.479	\$100.07 \$249,181.77	\$244.02	0.80%	
549104PS0	Luana Savings Bank 0.350% 05/23/2022	5/7/2020 5/7/2020	\$249,000.00	\$248,937.75	\$248,937.75	0.36%	0.477 0.479	\$100.10 \$249,244.02	\$306.27	0.80%	
60685BGT2	Mizrahi-Tefahot Bank Ltd. 0.500% 06/30/2022	5/5/2020 5/5/2020	\$249,000.00	\$248,751.00	\$248,751.00	0.55%	0.581 0.582	\$100.19 \$249,475.59	\$724.59	0.81%	
87270LAT0	TIAA, FSB 2.200% 09/14/2022	9/5/2017 9/5/2017	\$247,000.00	\$245,765.00	\$245,765.00	2.31%	0.789 0.785	\$101.57 \$250,887.78	\$5,122.78	0.81%	
02357QAF4	Amerant Bank, National Association 1.850% 12/20/2022	12/12/2019 12/12/2019	\$249,000.00	\$248,626.50	\$248,626.50	1.90%	1.055 1.045	\$101.65 \$253,096.05	\$4,469.55	0.82%	
38149MLY7	Goldman Sachs Bank USA Holdings LLC 1.850% 12/27/2022	12/19/2019 12/19/2019	\$77,000.00	\$76,846.00	\$76,846.00	1.92%	1.074 1.061	\$101.67 \$78,285.13	\$1,439.13	0.25%	
949495AF2	Wells Fargo National Bank West 1.850% 12/30/2022	12/12/2019 12/12/2019	\$249,000.00	\$248,626.50	\$248,626.50	1.90%	1.082 1.071	\$101.68 \$253,185.69	\$4,559.19	0.82%	
61747MF63	Morgan Stanley Bank, National Association 2.650% 01/11/2023	1/9/2018 1/9/2018	\$246,000.00	\$245,754.00	\$245,754.00	2.67%	1.115 1.096	\$102.62 \$252,432.90	\$6,678.90	0.81%	
20786ADD4	ConnectOne Bank 0.750% 05/08/2023	4/27/2020 4/27/2020	\$249,000.00	\$248,427.30	\$248,427.30	0.83%	1.436 1.426	\$100.52 \$250,299.78	\$1,872.48	0.81%	
72345SKU4	Pinnacle Bank 0.700% 05/08/2023	4/27/2020 4/27/2020	\$249,000.00	\$248,066.25	\$248,066.25	0.83%	1.436 1.429	\$100.45 \$250,122.99	\$2,056.74	0.81%	
32056GDK3	First Internet Bancorp 0.700% 05/11/2023	4/28/2020 4/28/2020	\$249,000.00	\$248,751.00	\$248,751.00	0.73%	1.444 1.435	\$100.45 \$250,120.50	\$1,369.50	0.81%	
55316CBA3	M1 Bank 0.750% 05/15/2023	4/28/2020 4/28/2020	\$249,000.00	\$248,439.75	\$248,439.75	0.82%	1.455 1.448	\$100.52 \$250,302.27	\$1,862.52	0.81%	

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06654BCL3	Bankwell Bank 0.400% 07/28/2023	7/1/2020 7/1/2020	\$249,000.00	\$248,850.60	\$248,850.60	0.42%	1.658 1.649	\$99.93 \$248,828.19	(\$22.41)	0.80%	
57116ATG3	Marlin Business Bank 1.700% 12/04/2023	11/26/2019 11/26/2019	\$249,000.00	\$248,128.50	\$248,128.50	1.79%	2.011 1.971	\$102.34 \$254,836.56	\$6,708.06	0.82%	
14042RLP4	Capital One, National Association 2.650% 05/22/2024	5/14/2019 5/14/2019	\$246,000.00	\$244,770.00	\$244,770.00	2.76%	2.477 2.405	\$104.81 \$257,825.22	\$13,055.22	0.83%	
949763B96	Wells Fargo Bank, National Association 2.650% 05/24/2024	5/14/2019 5/14/2019	\$249,000.00	\$248,004.00	\$248,004.00	2.74%	2.482 2.397	\$104.81 \$260,986.86	\$12,982.86	0.84%	
58404DEG2	Medallion Bank 2.500% 06/10/2024	5/29/2019 5/29/2019	\$246,000.00	\$244,966.80	\$244,966.80	2.59%	2.529 2.430	\$104.47 \$257,006.04	\$12,039.24	0.83%	
92535LCF9	Verus Bank of Commerce 2.400% 06/14/2024	5/30/2019 5/30/2019	\$249,000.00	\$247,941.75	\$247,941.75	2.49%	2.540 2.456	\$104.24 \$259,555.11	\$11,613.36	0.84%	
32065RAK1	First Keystone Community Bank 0.600% 06/28/2024	6/18/2020 6/18/2020	\$249,000.00	\$248,253.00	\$248,253.00	0.68%	2.578 1.364	\$99.65 \$248,116.05	(\$136.95)	0.80%	
89235MJU6	Toyota Financial Savings Bank 0.650% 07/01/2024	6/17/2020 6/17/2020	\$249,000.00	\$248,477.10	\$248,477.10	0.70%	2.586 2.551	\$99.79 \$248,472.12	(\$4.98)	0.80%	
856285SK8	State Bank of India 2.000% 01/22/2025	1/22/2020 1/22/2020	\$247,000.00	\$246,506.00	\$246,506.00	2.04%	3.148 3.031	\$103.38 \$255,356.01	\$8,850.01	0.82%	
29278TMR8	EnerBank USA 1.800% 01/29/2025	1/24/2020 1/24/2020	\$249,000.00	\$248,502.00	\$248,502.00	1.84%	3.167 3.065	\$102.77 \$255,902.28	\$7,400.28	0.83%	
61760A6T1	Morgan Stanley Private Bank, National Association 1.900% 01/30/2025	1/22/2020 1/22/2020	\$247,000.00	\$246,012.00	\$246,012.00	1.98%	3.170 3.057	\$103.08 \$254,610.07	\$8,598.07	0.82%	
90348JU32	UBS Bank USA 0.800% 10/14/2025	10/5/2021 10/13/2021	\$249,000.00	\$248,128.50	\$248,128.50	0.89%	3.874 3.788	\$99.05 \$246,634.50	(\$1,494.00)	0.80%	
88241TX9	Texas Exchange Bank, SSB 0.650% 02/02/2026	3/16/2021 3/18/2021	\$150,000.00	\$148,350.00	\$148,350.00	0.88%	4.178 2.942	\$98.17 \$147,255.00	(\$1,095.00)	0.48%	
<b>SubTotal</b>			<b>\$9,164,000.00</b>	<b>\$9,143,634.39</b>	<b>\$9,143,634.39</b>	<b>1.36%</b>		<b>\$9,269,298.22</b>	<b>\$125,663.83</b>	<b>29.92%</b>	

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<b>U.S. Treasury Note</b>											
91282CDA6	UST 0.250% 09/30/2023	10/12/2021 10/13/2021	\$500,000.00	\$499,003.91 \$44.64	\$499,048.55	0.35%	1.833 1.825	\$99.63 \$498,165.00	(\$838.91)	1.61%	Aaa AA+
91282CAP6	UST 0.125% 10/15/2023	10/12/2021 10/13/2021	\$500,000.00	\$497,656.25	\$497,656.25	0.36%	1.874 1.868	\$99.34 \$496,700.00	(\$956.25)	1.60%	Aaa AA+
91282CAW1	UST 0.250% 11/15/2023	10/13/2021 10/14/2021	\$500,000.00	\$498,476.56	\$498,476.56	0.40%	1.959 1.950	\$99.50 \$497,520.00	(\$956.56)	1.61%	Aaa AA+
91282CBA8	UST 0.125% 12/15/2023	10/14/2021 10/15/2021	\$500,000.00	\$496,914.06 \$208.33	\$497,122.39	0.41%	2.041 2.032	\$99.16 \$495,780.00	(\$1,134.06)	1.60%	Aaa AA+
912828ZW3	UST 0.250% 06/30/2025	10/8/2021 10/12/2021	\$450,000.00	\$441,228.51 \$317.94	\$441,546.45	0.78%	3.584 3.544	\$97.45 \$438,520.50	(\$2,708.01)	1.42%	Aaa AA+
91282CAB7	UST 0.250% 07/31/2025	10/8/2021 10/12/2021	\$450,000.00	\$440,666.01 \$223.16	\$440,889.17	0.81%	3.668 3.628	\$97.32 \$437,922.00	(\$2,744.01)	1.41%	Aaa AA+
91282CAM3	UST 0.250% 09/30/2025	10/8/2021 10/12/2021	\$200,000.00	\$195,421.87 \$16.48	\$195,438.35	0.84%	3.836 3.793	\$97.11 \$194,218.00	(\$1,203.87)	0.63%	Aaa AA+
91282CAT8	UST 0.250% 10/31/2025	10/8/2021 10/12/2021	\$475,000.00	\$463,421.88	\$463,421.88	0.86%	3.921 3.876	\$96.94 \$460,469.75	(\$2,952.13)	1.49%	Aaa AA+
91282CCF6	UST 0.750% 05/31/2026	6/18/2021 6/21/2021	\$245,000.00	\$242,636.13	\$242,636.13	0.95%	4.501 4.384	\$98.34 \$240,923.20	(\$1,712.93)	0.78%	Aaa AA+
91282CCJ8	UST 0.875% 06/30/2026	10/22/2021 10/25/2021	\$250,000.00	\$246,513.67 \$695.48	\$247,209.15	1.18%	4.584 4.451	\$98.81 \$247,012.50	\$498.83	0.80%	Aaa AA+
91282CCP4	UST 0.625% 07/31/2026	10/12/2021 10/13/2021	\$400,000.00	\$392,015.62 \$502.72	\$392,518.34	1.05%	4.668 4.562	\$97.60 \$390,408.00	(\$1,607.62)	1.26%	Aaa AA+
91282CCW9	UST 0.750% 08/31/2026	10/12/2021 10/13/2021	\$400,000.00	\$393,984.37 \$356.35	\$394,340.72	1.07%	4.753 4.632	\$98.10 \$392,392.00	(\$1,592.37)	1.27%	Aaa AA+
91282CCZ2	UST 0.875% 09/30/2026	9/30/2021 10/1/2021	\$225,000.00	\$223,795.90 \$5.41	\$223,801.31	0.99%	4.836 4.699	\$98.61 \$221,870.25	(\$1,925.65)	0.72%	Aaa AA+
<b>SubTotal</b>			<b>\$5,095,000.00</b>	<b>\$5,031,734.74 \$2,370.51</b>	<b>\$5,034,105.25</b>	<b>0.71%</b>		<b>\$5,011,901.20</b>	<b>(\$19,833.54)</b>	<b>16.18%</b>	
<b>Grand Total</b>			<b>\$31,033,693.47</b>	<b>\$30,909,903.15 \$4,388.50</b>	<b>\$30,914,291.65</b>	<b>0.80%</b>		<b>\$30,978,200.59</b>	<b>\$68,297.44</b>	<b>100.00%</b>	

City of Napoleon Operating Account  
**TRANSACTION STATEMENT**  
 As of November 30, 2021



Transaction Type	Trade Date	Settlement Date	CUSIP	Security Description	Par Value	Principal Amount	Purchased Interest	Total Cost	Yield at Cost
<b>Pending Purchase</b>									
Pending Purchase	11/30/2021	12/8/2021	066519RW1	BankUnited, FSB 1.350% 12/08/2026	100,000.00	99,500.00		99,500.00	1.45%
<b>Total</b>					<b>100,000.00</b>	<b>99,500.00</b>		<b>99,500.00</b>	

<b>Purchase</b>									
Purchase	11/4/2021	11/5/2021	3130APB61	FHLB 0.750% 04/14/2025	300,000.00	298,425.00	131.25	298,556.25	0.91%
<b>Total</b>					<b>300,000.00</b>	<b>298,425.00</b>	<b>131.25</b>	<b>298,556.25</b>	

Transaction Type	Trade Date	Settlement Date	CUSIP	Security Description	Par Value	Principal Cost	Total Proceeds	Realized Gain/Loss
<b>Maturity</b>								
Maturity	11/22/2021	11/22/2021	47804GFJ7	John Marshall Bank 0.300% 11/22/2021	100,000.00	99,975.00	100,000.00	25.00
<b>Total</b>					<b>100,000.00</b>	<b>99,975.00</b>	<b>100,000.00</b>	<b>25.00</b>

Transaction Type	Payment Date	Settlement Date	CUSIP	Security Description	Interest Received
<b>Interest/Dividends</b>					
Interest/Dividends	11/1/2021	11/1/2021	91282CAT8	UST 0.250% 10/31/2025	593.75
Interest/Dividends	11/1/2021	11/1/2021	15118RUP0	Celtic Bank Corporation 1.050% 03/31/2022	89.18
Interest/Dividends	11/1/2021	11/1/2021	32065RAK1	First Keystone Community Bank 0.600% 06/28/2024	122.79
Interest/Dividends	11/1/2021	11/1/2021	29260MBC8	Encore Bank 0.850% 04/29/2022	173.96
Interest/Dividends	11/1/2021	11/1/2021	949495AF2	Wells Fargo National Bank West 1.850% 12/30/2022	378.62
Interest/Dividends	11/1/2021	11/1/2021	999620644	Money Market Obligations Trust	11.10



City of Napoleon Operating Account  
**TRANSACTION STATEMENT**  
 As of November 30, 2021



Transaction Type	Payment Date	Settlement Date	CUSIP	Security Description	Interest Received
Interest/Dividends	11/2/2021	11/2/2021	57116ATG3	Marlin Business Bank 1.700% 12/04/2023	359.52
Interest/Dividends	11/8/2021	11/8/2021	3133EK6J0	FFCB 1.625% 11/08/2024	2,640.63
Interest/Dividends	11/8/2021	11/8/2021	20786ADD4	ConnectOne Bank 0.750% 05/08/2023	158.61
Interest/Dividends	11/8/2021	11/8/2021	72345SKU4	Pinnacle Bank 0.700% 05/08/2023	878.66
Interest/Dividends	11/8/2021	11/8/2021	88241TJX9	Texas Exchange Bank, SSB 0.650% 02/02/2026	82.81
Interest/Dividends	11/8/2021	11/8/2021	3135G06G3	FNMA 0.500% 11/07/2025	1,250.00
Interest/Dividends	11/8/2021	11/8/2021	06417NVR1	Bank OZK 0.550% 01/06/2022	116.31
Interest/Dividends	11/12/2021	11/12/2021	32056GDK3	First Internet Bancorp 0.700% 05/11/2023	148.04
Interest/Dividends	11/15/2021	11/15/2021	59013KHP4	Merrick Bank Corporation 0.500% 05/16/2022	105.74
Interest/Dividends	11/15/2021	11/15/2021	55316CBA3	M1 Bank 0.750% 05/15/2023	941.42
Interest/Dividends	11/15/2021	11/15/2021	91282CAW1	UST 0.250% 11/15/2023	625.00
Interest/Dividends	11/15/2021	11/15/2021	92535LCF9	Verus Bank of Commerce 2.400% 06/14/2024	507.55
Interest/Dividends	11/15/2021	11/15/2021	90348JU32	UBS Bank USA 0.800% 10/14/2025	169.18
Interest/Dividends	11/17/2021	11/17/2021	02587CEZ9	American Express Bank, FSB 2.400% 05/17/2022	2,988.36
Interest/Dividends	11/17/2021	11/17/2021	02587DT32	American Express National Bank 2.400% 05/17/2022	2,988.36
Interest/Dividends	11/17/2021	11/17/2021	3133EM2W1	FFCB 0.150% 05/17/2023	187.50
Interest/Dividends	11/18/2021	11/18/2021	60685BGT2	Mizrahi-Tefahot Bank Ltd. 0.500% 06/30/2022	627.62
Interest/Dividends	11/19/2021	11/19/2021	87165EL96	Synchrony Bank 2.400% 05/19/2022	2,988.36
Interest/Dividends	11/19/2021	11/19/2021	723605BV2	Pioneer Bank, SSB 0.350% 05/19/2022	430.51

City of Napoleon Operating Account  
**TRANSACTION STATEMENT**  
 As of November 30, 2021



Transaction Type	Payment Date	Settlement Date	CUSIP	Security Description	Interest Received
Interest/Dividends	11/22/2021	11/22/2021	14042RLP4	Capital One, National Association 2.650% 05/22/2024	3,286.29
Interest/Dividends	11/22/2021	11/22/2021	32117LAJ5	The First National Bank of Moose Lake 0.300% 05/23/2022	63.44
Interest/Dividends	11/22/2021	11/22/2021	47804GFJ7	John Marshall Bank 0.300% 11/22/2021	25.48
Interest/Dividends	11/22/2021	11/22/2021	549104PS0	Luana Savings Bank 0.350% 05/23/2022	439.33
Interest/Dividends	11/22/2021	11/22/2021	740367LG0	Preferred Bank 0.350% 03/22/2022	74.02
Interest/Dividends	11/22/2021	11/22/2021	38882LAB2	Grasshopper Bank, N.A. 0.350% 05/20/2022	439.33
Interest/Dividends	11/22/2021	11/22/2021	02772JBT6	American National Bank Fox Cities 0.400% 05/20/2022	84.59
Interest/Dividends	11/22/2021	11/22/2021	02357QAF4	Amerant Bank, National Association 1.850% 12/20/2022	391.24
Interest/Dividends	11/24/2021	11/24/2021	949763B96	Wells Fargo Bank, National Association 2.650% 05/24/2024	560.42
Interest/Dividends	11/25/2021	11/25/2021	3134GXCH5	FMCC 0.600% 11/25/2025	750.00
Interest/Dividends	11/29/2021	11/29/2021	29278TMR8	EnerBank USA 1.800% 01/29/2025	380.66
Interest/Dividends	11/30/2021	11/30/2021	949495AF2	Wells Fargo National Bank West 1.850% 12/30/2022	391.24
Interest/Dividends	11/30/2021	11/30/2021	15118RUP0	Celtic Bank Corporation 1.050% 03/31/2022	86.30
Interest/Dividends	11/30/2021	11/30/2021	29260MBC8	Encore Bank 0.850% 04/29/2022	179.76
Interest/Dividends	11/30/2021	11/30/2021	32065RAK1	First Keystone Community Bank 0.600% 06/28/2024	126.89
Interest/Dividends	11/30/2021	11/30/2021	91282CCF6	UST 0.750% 05/31/2026	918.75
<b>Total</b>					<b>27,761.32</b>

City of Napoleon Operating Account  
**TRANSACTION STATEMENT**  
 As of November 30, 2021



Transaction Type	Trade Date	Settlement Date	Transaction Description	Amount
<b>Withdrawal</b>				
Withdrawal	11/26/2021	11/26/2021	Cash Out	(190.00)
Withdrawal	11/26/2021	11/26/2021	Cash Out	(10.00)
Withdrawal	11/26/2021	11/26/2021	Cash Out	(250.00)
Withdrawal	11/30/2021	11/30/2021	Cash Out	(27,383.54)
<b>Total</b>				<b>(27,833.54)</b>



**STATEMENT DISCLOSURE**

As of November 30, 2021



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**Investing involves risk. Past performance is no guarantee of future results. Debt and fixed income securities are subject to credit and interest rate risk. The investment return and principal value of an investment will fluctuate so that an investors shares, when redeemed, may be worth more or less than their original cost. Current performance may be lower or higher than the performance data quoted.**

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# MTD/YTD Current & Previous Year Fund Report - City of Napoleon for Year 2021 Month 11

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
100	GENERAL FUND							
2021	2,180,844.69	537,924.27	516,298.98	6,002,459.33	5,697,751.60	2,485,552.42	285,178.71	2,200,373.71
2020	1,415,848.31	367,470.46	35,031.28	5,641,246.20	5,237,472.48	1,819,622.03	217,191.16	1,602,430.87
101	GENERAL RESERVE BALANCE FUND							
2021	250,000.00	0.00	0.00	0.00	0.00	250,000.00	0.00	250,000.00
2020	250,000.00	0.00	0.00	0.00	0.00	250,000.00	0.00	250,000.00
123	SPECIAL EVENTS FUND							
2021	190.08	0.00	0.00	10,970.00	10,970.00	190.08	0.00	190.08
2020	190.08	0.00	0.00	0.00	0.00	190.08	0.00	190.08
130	ECONOMIC DEVELOPMENT FUND							
2021	16,300.00	0.00	9,750.00	39,000.00	54,314.38	985.62	0.00	985.62
2020	36,930.00	0.00	0.00	16,770.00	28,050.00	25,650.00	16,300.00	9,350.00
147	UNCLAIMED MONIES FUND							
2021	7,834.00	1,415.09	1,777.85	1,930.09	1,777.85	7,986.24	0.00	7,986.24
2020	6,367.12	0.00	0.00	531.15	0.00	6,898.27	0.00	6,898.27
170	MUNICIPAL INCOME TAX FUND							
2021	121.66	501,728.30	510,509.67	4,831,863.05	4,808,382.93	23,601.78	16,422.50	7,179.28
2020	55.74	317,575.14	328,011.41	4,214,474.06	4,210,870.11	3,659.69	3,659.69	0.00
180	KWH TAX COLLECTION FUND (GF)							
2021	0.00	40,576.74	7,381.80	449,873.42	237,847.19	212,026.23	0.00	212,026.23
2020	0.00	36,118.19	9,894.14	433,904.57	371,060.49	62,844.08	0.00	62,844.08
195	LAW LIBRARY FUND							
2021	0.00	479.50	969.00	9,659.22	8,681.22	978.00	0.00	978.00
2020	0.00	949.00	949.00	9,995.55	9,995.55	0.00	0.00	0.00
200	STREET CONST.MAINT.&REPAIR FD							
2021	606,240.32	70,432.48	28,403.42	567,676.17	380,024.35	793,892.14	47,060.93	746,831.21
2020	383,837.89	55,419.20	24,011.45	526,312.94	321,336.50	588,814.33	41,618.44	547,195.89
201	STATE HIGHWAY IMPROVEMENT FUND							
2021	38,515.36	4,490.88	5,200.00	41,360.33	26,283.88	53,591.81	0.00	53,591.81

# **MTD/YTD Current & Previous Year Fund Report - City of Napoleon** **for Year 2021 Month 11**

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
2020	17,843.37	4,003.33	2,678.57	38,987.57	22,261.42	34,569.52	730.58	33,838.94
202	MUNI.(50%)MOTOR VEH.LIC.TAS FD							
2021	97,411.84	2,401.52	0.00	22,724.34	0.00	120,136.18	0.00	120,136.18
2020	73,834.16	2,308.21	0.00	21,713.24	0.00	95,547.40	0.00	95,547.40
203	MUNI.(100%)MOTOR VEH.LIC.TASFD							
2021	220,715.20	4,822.46	2,503.60	45,597.51	6,287.47	260,025.24	137,912.53	122,112.71
2020	311,369.00	4,657.90	1,598.09	44,158.84	123,560.97	231,966.87	19,763.33	212,203.54
204	CO VEH LIC PERMISSIVE TAX FUND							
2021	84,016.67	71.18	0.00	492.65	0.00	84,509.32	29,334.09	55,175.23
2020	46,702.02	45.41	0.00	567.48	0.00	47,269.50	9,033.40	38,236.10
210	EMS TRANSPORT SERVICE FUND							
2021	270,659.46	39,709.36	23,952.95	423,288.85	382,209.05	311,739.26	30,857.03	280,882.23
2020	175,973.10	43,833.19	20,465.36	449,644.83	407,397.62	218,220.31	14,791.41	203,428.90
220	RECREATION FUND							
2021	476,099.96	73,807.96	56,965.33	1,061,992.35	936,429.97	601,662.34	81,970.60	519,691.74
2020	351,848.34	53,161.44	59,714.12	853,028.29	737,764.17	467,112.46	44,592.90	422,519.56
221	NAPOLEON AQUATIC CENTER							
2021	2,345,640.52	454.80	220,377.59	4,476,502.13	6,502,566.19	319,576.46	4,076.39	315,500.07
2020	453,888.88	3,229.29	246,294.00	3,817,980.24	1,157,540.44	3,114,328.68	3,024,121.50	90,207.18
222	NAP AQUATIC CTR RESERVE FUND							
2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
223	NAP AQUATIC CTR DEBT RES FUND							
2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
224	Shelter House Facility Repair							
2021	1,388.81	243.53	0.00	2,447.00	0.00	3,835.81	0.00	3,835.81
2020	0.00	76.28	0.00	1,414.32	0.00	1,414.32	0.00	1,414.32

## MTD/YTD Current & Previous Year Fund Report - City of Napoleon for Year 2021 Month 11

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
227	CEMETERY TRUST FUND							
2021	69,764.88	910.00	1,495.00	4,755.00	4,192.93	70,326.95	1,185.96	69,140.99
2020	69,948.63	495.00	238.10	4,490.00	4,043.64	70,394.99	1,088.81	69,306.18
240	HOTEL/MOTEL TAX FUND							
2021	0.00	10,144.50	23,416.86	130,847.56	120,703.06	10,144.50	0.00	10,144.50
2020	0.00	14,691.12	23,901.36	75,055.03	60,363.92	14,691.11	0.00	14,691.11
242	FIRE EQUIPMENT FUND							
2021	513,974.09	384.21	0.00	90,604.38	148,424.68	456,153.79	26,250.30	429,903.49
2020	607,296.05	579.09	130,839.31	90,521.19	226,007.92	471,809.32	153,867.41	317,941.91
243	FIRE LOSS CLAIMS FUND							
2021	76,000.00	0.00	0.00	0.00	45,000.00	31,000.00	0.00	31,000.00
2020	62,000.00	0.00	0.00	14,000.00	0.00	76,000.00	0.00	76,000.00
250	LOCAL CORONAVIRUS RELIEF FUND							
2021	24,806.68	2.38	0.00	410.52	22,383.17	2,834.03	2,831.65	2.38
2020	0.00	120,945.02	474,117.15	722,825.08	477,973.15	244,851.93	123,906.91	120,945.02
252	AMERICAN RESCUE PLAN ACT							
2021	0.00	362.51	0.00	430,409.86	0.00	430,409.86	214,544.81	215,865.05
N/A	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
261	CDBG PROGRAM INCOME FUND							
2021	55,876.40	0.00	0.00	22,892.60	44,690.00	34,079.00	0.00	34,079.00
2020	90,842.40	0.00	0.00	7,033.00	3,900.00	93,975.40	0.00	93,975.40
270	INDIGENT DRIV. ALCOHOL FUND							
2021	74,623.98	129.44	0.00	1,615.57	5,589.54	70,650.01	10,410.46	60,239.55
2020	81,021.21	206.47	5,634.18	3,902.14	5,634.18	79,289.17	8,638.82	70,650.35
271	LAW ENFORCEMENT & ED. FUND							
2021	3,090.42	26.84	37.00	521.16	1,445.25	2,166.33	270.00	1,896.33
2020	4,195.96	3.64	637.00	833.61	1,866.25	3,163.32	315.00	2,848.32
272	COURT COMPUTERIZATION FUND							
2021	163,638.53	2,975.53	834.00	40,753.97	16,448.45	187,944.05	102.63	187,841.42

## MTD/YTD Current & Previous Year Fund Report - City of Napoleon for Year 2021 Month 11

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
2020	151,302.75	3,879.48	2,919.00	29,295.87	17,973.86	162,624.76	1,000.00	161,624.76
273	LAW ENFORCEMENT TRUST FUND							
2021	1,169.18	0.99	0.00	6.84	0.00	1,176.02	0.00	1,176.02
2020	1,154.76	1.14	0.00	14.01	0.00	1,168.77	0.00	1,168.77
274	MANDATORY DRUG FINE FUND							
2021	15,983.61	13.47	0.00	93.47	74.80	16,002.28	0.00	16,002.28
2020	18,291.07	117.86	2,690.00	680.56	2,993.60	15,978.03	0.00	15,978.03
275	MUNICIPAL PROBATION SERV. FUND							
2021	137,608.05	1,261.58	2,514.71	28,147.04	34,569.33	131,185.76	1,883.25	129,302.51
2020	141,698.01	2,815.41	1,825.48	26,407.92	24,763.68	143,342.25	10,071.27	133,270.98
277	PROBATION OFFICER GRANT FUND							
2021	5,284.07	0.00	6,860.72	49,292.00	49,794.44	4,781.63	17.20	4,764.43
2020	4,277.84	0.00	4,050.70	49,292.00	44,227.98	9,341.86	4.80	9,337.06
278	COURT SPECIAL PROJECTS FUND							
2021	207,650.23	4,972.00	60,900.00	67,263.63	66,800.00	208,113.86	0.00	208,113.86
2020	224,794.47	6,240.50	62,000.00	47,488.76	69,000.00	203,283.23	0.00	203,283.23
279	HANDICAP PARKING FINES FUND							
2021	1,100.00	0.00	0.00	0.00	0.00	1,100.00	0.00	1,100.00
2020	1,100.00	0.00	0.00	0.00	0.00	1,100.00	0.00	1,100.00
280	CERTIFIED POLICE TRAINING FUND							
2021	19,003.76	0.00	0.00	0.00	0.00	19,003.76	0.00	19,003.76
2020	19,003.76	0.00	0.00	0.00	0.00	19,003.76	0.00	19,003.76
281	INDIGENT DRIVERS INTERLOCK/ALC							
2021	65,007.21	486.58	96.00	5,530.87	1,402.00	69,136.08	98.00	69,038.08
2020	59,735.07	577.39	0.00	6,197.14	308.00	65,624.21	692.00	64,932.21
287	PROBATION IMP. & INCTV.GRT.FD.							
2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00



## MTD/YTD Current & Previous Year Fund Report - City of Napoleon for Year 2021 Month 11

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
288	JUSTICE REINV.INCENTIVE GRT.FD							
2021	20,777.14	0.00	1,511.53	21,356.00	33,311.27	8,821.87	2,466.45	6,355.42
2020	13,637.42	0.00	599.58	21,356.00	14,165.69	20,827.73	803.44	20,024.29
290	POLICE PENSION FUND							
2021	0.00	0.00	0.00	105,168.74	76,000.00	29,168.74	0.00	29,168.74
2020	0.00	0.00	0.00	89,006.34	89,006.34	0.00	0.00	0.00
291	FIRE PENSION FUND							
2021	0.00	0.00	0.00	52,584.42	0.00	52,584.42	0.00	52,584.42
2020	0.00	0.00	0.00	44,496.18	44,496.18	0.00	0.00	0.00
295	IRS 125 EMPLOYEE BENEFITS FUND							
2021	5,448.22	149.66	314.00	1,653.45	3,151.00	3,950.67	684.00	3,266.67
2020	4,490.13	144.30	325.00	1,627.29	3,299.50	2,817.92	650.00	2,167.92
300	GENERAL BOND RETIREMENT FUND							
2021	55,234.95	0.00	50,750.00	56,500.00	102,340.47	9,394.48	0.00	9,394.48
2020	21,995.48	0.00	41,625.00	94,090.47	60,851.00	55,234.95	0.00	55,234.95
310	S.A. BOND RETIREMENT FUND							
2021	604,984.29	512.91	0.00	4,016.82	36.33	608,964.78	263.67	608,701.11
2020	614,448.42	592.02	11,323.13	19,010.42	28,685.76	604,773.08	0.00	604,773.08
400	CAPITAL IMPROVEMENT FUND							
2021	418,842.63	164,393.57	342,688.31	2,459,460.10	1,858,927.36	1,019,375.37	591,587.19	427,788.18
2020	851,197.64	81,771.49	219,507.92	1,241,538.94	1,388,136.68	704,599.90	439,449.82	265,150.08
401	CIP FUNDING RESERVE FUND							
2021	72,436.90	0.00	0.00	0.00	0.00	72,436.90	0.00	72,436.90
2020	72,436.90	0.00	0.00	0.00	0.00	72,436.90	0.00	72,436.90
410	FIRE FACILITY TRAINING GRT.FD.							
2021	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
500	ELECTRIC UTILITY REVENUE FUND							
2021	5,179,001.41	1,353,923.08	1,415,469.38	15,750,458.20	15,322,808.01	5,606,651.60	756,510.23	4,850,141.37

## MTD/YTD Current & Previous Year Fund Report - City of Napoleon for Year 2021 Month 11

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
2020	4,760,907.67	1,263,724.34	1,364,563.99	15,832,675.46	15,357,811.16	5,235,771.97	742,271.74	4,493,500.23
503	ELECTRIC DEVELOPMENT FUND							
2021	3,348,198.11	6,221.22	0.00	5,139,451.36	1,101,334.49	7,386,314.98	6,000.00	7,380,314.98
2020	3,126,985.20	3,473.38	261,831.00	547,909.70	322,086.85	3,352,808.05	5,780.84	3,347,027.21
510	WATER REVENUE FUND							
2021	1,875,004.84	325,090.23	255,608.13	3,659,998.52	3,708,335.62	1,826,667.74	274,759.42	1,551,908.32
2020	1,894,864.73	345,844.35	296,316.65	3,565,219.41	3,650,847.25	1,809,236.89	249,762.00	1,559,474.89
511	WATER DEPRECIATION RES. FUND							
2021	797,712.97	891.94	465.20	474,890.21	214,076.23	1,058,526.95	17,850.94	1,040,676.01
2020	489,648.35	884.11	82,442.86	628,555.54	280,590.09	837,613.80	56,572.46	781,041.34
512	WATER DEBT RESERVE FUND							
2021	323,152.34	340.44	0.00	81,055.57	0.00	404,207.91	0.00	404,207.91
2020	319,135.13	376.33	68,584.38	81,073.16	77,168.76	323,039.53	0.00	323,039.53
513	WATER OWDA BOND RETIREMENT FD.							
2021	38,942.57	44.39	0.00	25,036.89	11,267.70	52,711.76	55.68	52,656.08
2020	35,933.27	48.15	0.00	25,409.69	11,238.33	50,104.63	11,198.67	38,905.96
519	WATER PLANT IMPROV & RENO FUND							
2021	82,991.22	205.60	124,187.50	3,068,821.23	3,031,892.57	119,919.88	73,212.83	46,707.05
2020	301,646.73	78.27	0.00	2,731,090.82	2,951,274.78	81,462.77	73,212.84	8,249.93
520	SEWER UTILITY REVENUE FUND							
2021	2,033,318.89	347,058.01	180,950.01	8,562,123.73	8,978,070.73	1,617,371.89	259,066.97	1,358,304.92
2020	2,744,882.53	816,373.57	136,703.70	4,294,872.66	5,152,062.53	1,887,692.66	207,104.91	1,680,587.75
521	SEWER UTY. REPLCMNT.&IMP. FUND							
2021	2,148,182.10	2,459.41	25,276.37	2,775,696.12	2,029,150.61	2,894,727.61	1,723,065.77	1,171,661.84
2020	1,932,221.95	(466,064.09)	253,571.57	2,529,196.57	2,024,716.69	2,436,701.83	1,737,630.78	699,071.05
522	SEWER DEBT RESERVE FUND							
2021	336,711.47	452.53	0.00	449,408.51	248,847.07	537,272.91	12,500.00	524,772.91
2020	307,217.04	526.45	0.00	451,997.24	211,347.07	547,867.21	236,347.93	311,519.28



# **MTD/YTD Current & Previous Year Fund Report - City of Napoleon** **for Year 2021 Month 11**

Year	Balance Jan 1	MTD Receipts	MTD Expenses	YTD Receipts	YTD Expenses	Balance	Encumbrance	Available Cash
<b>523</b>	<b>OWDA SA DEBT RETIREMENT FUND</b>							
2021	91,991.68	120.47	0.00	104,405.87	53,382.13	143,015.42	97.39	142,918.03
2020	85,080.09	139.11	0.00	112,858.55	53,180.72	144,757.92	52,816.83	91,941.09
<b>532</b>	<b>WILLIAMS PUMP STA.IMP.PRJ.FUND</b>							
2021	75,947.07	81.71	0.00	102,444.42	81,371.64	97,019.85	473.00	96,546.85
2020	66,850.25	72.96	0.00	1,247,614.69	1,238,544.38	75,920.56	55,000.00	20,920.56
<b>560</b>	<b>SANITATION (REFUSE)REVENUE FD</b>							
2021	1,530,876.67	74,612.65	74,040.40	829,851.57	865,217.88	1,495,510.36	40,813.76	1,454,696.60
2020	1,479,846.38	73,587.45	56,226.08	831,566.22	797,887.23	1,513,525.37	27,125.99	1,486,399.38
<b>561</b>	<b>SANIT.(REFUSE) DEPREC.RES.FUND</b>							
2021	184,322.55	194.51	0.00	49,523.92	2,892.00	230,954.47	0.00	230,954.47
2020	136,388.52	179.39	0.00	50,228.84	0.00	186,617.36	3,000.00	183,617.36
<b>580</b>	<b>METER DEP.(ELECT &amp; WATER) FUND</b>							
2021	579,465.59	7,663.50	593.75	36,808.18	10,172.88	606,100.89	500.00	605,600.89
2020	554,034.88	(3,047.54)	1,963.63	37,423.32	16,725.89	574,732.31	400.00	574,332.31
<b>600</b>	<b>CENTRAL GARAGE ROTARY FUND</b>							
2021	40,613.73	22,298.91	22,675.90	292,828.25	292,920.94	40,521.04	14,139.84	26,381.20
2020	19,527.36	22,200.49	18,298.96	276,955.58	243,788.09	52,694.85	10,053.02	42,641.83
<b>2021</b>	<b>27,874,717.00</b>	<b>3,606,942.84</b>	<b>3,974,774.96</b>	<b>62,964,522.99</b>	<b>57,640,550.66</b>	<b>33,198,689.33</b>	<b>4,664,454.18</b>	<b>28,534,235.15</b>
<b>2020</b>	<b>24,894,726.06</b>	<b>3,180,303.69</b>	<b>4,251,383.15</b>	<b>51,904,538.68</b>	<b>47,584,276.90</b>	<b>29,214,987.84</b>	<b>7,600,568.70</b>	<b>21,614,419.14</b>