



# 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

## GENERAL INFORMATION

April 04, 2022

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### CALENDAR

**6:45 PM** – Housing Council Meeting

**7:00 PM** – City Council Meeting

### APPROVAL OF MINUTES

March 21, 2022, Regular Council Meeting Minutes

### INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

For Items No. 1 and No. 2, enclosed in your packet are memorandums from Chad on each project.

1. **Ordinance No. 012-22**, an Ordinance Authorizing ODOT to Work within City Limits for Repainting the Route 6 Overpass on Glenwood Avenue; and declaring an Emergency
2. **Resolution No. 013-22**, a Resolution Authorizing the City Manager to Enter into a Contract for the Purchase of Sodium Chloride in Cooperation with ODOT; and declaring an Emergency (Suspension Requested)
3. **Resolution No. 014-22**, a Resolution Adopting the Regional Income Tax Agency (RITA) Rules and Regulations for Administration of the Income Tax Code of the City of Napoleon, Ohio; and declaring an Emergency (Suspension Requested)
4. **Ordinance No. 015-22**, an Ordinance Establishing a Fund to be titled OneOhio Subdivision Settlement Allocation Fund as required pursuant to the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement; and declaring an Emergency
5. **Ordinance No. 016-22**, an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 1) for the Year 2022; and declaring an Emergency (Suspension Requested)
6. **Ordinance No. 017-22**, an Ordinance Authorizing the Finance Director to make Appropriation Transfers (Transfer of Appropriations 1) from one Appropriation Line Item to another Appropriation Line Item pursuant to ORC. Section 5705.40 for the Fiscal Year ending December 31, 2022 as listed in Exhibit "A;" and declaring an Emergency (Suspension Requested)
7. **Resolution No. 018-22**, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances (Transfer No. 1) from Respective Funds to Other Funds pursuant to ORC. Section 5705.14 on an as needed Basis in Fiscal Year 2022, listed in Exhibit "A;" and declaring an Emergency (Suspension Requested)
8. **Ordinance No. 019-22**, an Ordinance Amending a certain Section of Chapter 194 of the Code of Codified Ordinances of the City of Napoleon, Ohio, specifically Section 194.081(A) "Credit for Tax Paid – City of Napoleon," regarding Municipal Income Tax, also Amending Ordinance No.(s) 053-15 and 053-20, and declaring an Emergency (Suspension Requested)

## **SECOND READINGS OF ORDINANCES AND RESOLUTIONS**

1. **Resolution No. 010-22**, a Resolution Authorizing Contracts with the Townships of Napoleon, Harrison, Freedom, and the Village of Florida, and Henry County South Joint Ambulance District for Fire Service and/or Emergency Medical Service commencing April 1, 2022; and declaring an Emergency
2. **Ordinance No. 011-22**, an Ordinance amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(t) regarding Golf Simulator Fees
  - a. Attached is Memorandum from Tony Cotter with recommendation to amend the legislation

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

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

1. Discussion/Action: Review Recommendations on CRA Agreements from the Housing Council and Tax Incentive Review Committee (TIRC)
  - a. The Housing Council will be meeting just prior to the City Council meeting to review and approve the TIRC Committee's recommendations.
2. Discussion/Action: Purchase of new in-car Cameras and in-car Computers off State Contract for the Police Department Utilizing ARPA Funds
3. Discussion/Action: to Approve Specifications and Plans and go out to Bid for the Haley Avenue SSO Removal Project
  - a. The enclosed Memorandum from Chad explained this project.
4. Discussion/Action: Grant Application for the former Central School Property
5. Discussion/Action: Grant Application for Potential Solar Project
6. Discussion/Action: Transfer of Liquor Permit from Miami Valley Pizza LLC to SFR X Holdings LLC dba Pizza Hut of OH located at 2240 N. Scott Street
  - a. We received this transfer from the Ohio Division of Liquor Control
7. Discussion/Action: Accept Ohio Law Enforcement Body Armor Grant in the Amount of \$2,950.48
  - a. Attached is a copy of the *Award Acceptance*

Enclosed is a Memorandum from Tony for the following three donations to the Parks and Rec Department:

8. Discussion/Action: Accept Donation from Napoleon Family Vision of Indoor/Outdoor Carpeting at Oakwood Park Batting Cages, \$2,000
9. Discussion/Action: Accept Donation from LT Appraisal of Pitching Screens for Oakwood Park Ballfields, \$350.
10. Discussion/Action: Accept Donation from Dennis Wenner of Bench Swings for Ritter Park adjacent to the Boat Launch Area, \$1,000.

### **INFORMATIONAL ITEMS**

1. A copy of the letters to Sen. McColley and Rep. Hoops opposing SB 288 are enclosed.
2. Canceled – Technology & Communications Committee meeting
3. Agenda – Civil Service Commission - Tuesday, April 5<sup>th</sup> at 4:30 pm

## April 2022

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	<p>4:45 pm Housing Council</p> <p>7:00 pm City Council</p> <p style="text-align: right; color: green;">Spring</p>	<p>4:30 pm – Civil Service</p> <p style="text-align: right; color: green;">Cleanup</p>	6	7	8	9
10	<p>6:30 pm Electric Committee Board of Public Affairs</p> <p>7:00 pm Water/Sewer Comm.</p> <p>7:30 pm Municipal Properties Committee</p>	<p>4:30 pm Board of Zoning Appeals</p> <p>5:00 pm Planning Commission</p>	13	14	15	16
17	<p>6:00 pm Tree Commission</p> <p>6:00 pm Park Rec Committee</p> <p>7:00 pm City Council</p>	19	20	21	22	23
24	<p>6:30 pm – Finance and Budget Committee</p> <p>7:30 pm – Safety and Human Resources Committee</p>	<p>4:30 pm Civil Service Commission</p>	<p>6:30 pm Park and Rec Board</p>	28	29	30
					GOOD FRIDAY OFFICES CLOSED	10:00 am Arbor Day @ East Riverdowns

*City of Napoleon, Ohio*

# **HOUSING COUNCIL**

## **MEETING AGENDA**

Monday, April 4, 2022 at 6:45 pm

City Building, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Call to Order
- 2) Approval of Minutes: April 5, 2021 (In the absence of any objections or corrections, the Minutes shall stand approved.)
- 3) Review of 2022 Tax Incentive Review Council (TIRC) Recommendations on CRA Agreements
- 4) Adjournment

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Roxanne Dietrich - Clerk

*City of Napoleon, Ohio*  
**HOUSING COUNCIL MEETING MINUTES**  
Monday, April 5, 2021 at 6:00 pm

**PRESENT**

Committee Members Joel Miller-Acting Chair, Joe Bialorucki, Jerry Tonjes  
via WebEx Cheryl Hershberger, Ted Rohrs  
City Manager Joel L. Mazur  
Others via WebEx News media  
Clerk Roxanne Dietrich

**ABSENT**

Committee Members Lori Sicclair, Kevin Yarnell

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**CALL TO ORDER**

Acting Chair Miller called the meeting of the Housing Council to order at 6:02 pm.

**APPROVAL OF MINUTES**

Hearing no objections nor corrections, the minutes from the June 1, 2020 Housing Council meeting were approved as presented.

**REVIEW OF 2021 TAX INCENTIVE REVIEW COUNCIL (TIRC) RECOMMENDATIONS ON CRA AGREEMENTS**

Mazur reported the Tax Incentive Review Council (TIRC) met on March 25, 2021 and reviewed all EZ and CRA agreements. The TIRC recommended termination of two CRA Agreements due to transfer of property. The CRA agreements to be terminated are for Petro Facilities and what was to be the S&G Store transferred to Main Stop that did not generate anything as nothing has been developed. City Council has the ability to transfer the CRA Agreements but since neither has requested a transfer, they are terminated. This is the last year for Napoleon I, LLC dba Rite-Aid. Miller asked if that was a 10 or 15-year agreement? Hershberger advised that was for 10 years. Mazur stated all the other projects are compliant and are ahead of schedule in terms of job creation.

Motion: Hershberger Second: Tonjes  
to approve the TIRC recommendations for the 2021 CRA Agreements as noted on the attachment

Roll call on the above motion:  
Yea-Miller, Bialorucki, Rohrs, Tonjes, Hershberger  
Nay-  
**Yea-5, Nay-0. Motion Passed**

**ADJOURNMENT**

Motion: Bialorucki Second: Tonjes  
to adjourn the Housing Council meeting at 6:07 pm

Roll call vote on the above motion:  
Yea-Miller, Bialorucki, Rohrs, Tonjes, Hershberger  
Nay-  
**Yea-5, Nay-0. Motion Passed**

**Approved**

April 4, 2022

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*City of Napoleon, Ohio*

**CITY COUNCIL**

MEETING AGENDA

**Monday, April 4, 2022 at 7:00 pm**

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

**A. Call to Order**

**B. Attendance** (Noted by Clerk)

**C. Prayer and Pledge of Allegiance**

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

March 21, 2022, Regular Council Meeting Minutes

**E. Citizen Communication**

**F. Reports from Council Committees**

1. Finance and Budget Committee met on March 28, 2022; and
  - a. Recommend Council approve the First Quarter Budget Adjustments as presented
2. The Safety and Human Resources Committee met on March 28, 2022; and
  - a. Recommend Council approve purchase of new System for in-car Cameras and in-car Computers off State Contract Utilizing ARPA Funds
3. Technology and Communications Committee did not meet earlier due to lack of agenda items

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

1. Housing Council met at 6:45 pm to review the TIRC recommendations

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

1. **Ordinance No. 012-22**, an Ordinance Authorizing ODOT to Work within City Limits for Repainting the Route 6 Overpass on Glenwood Avenue; and declaring an Emergency
2. **Resolution No. 013-22**, a Resolution Authorizing the City Manager to Enter into a Contract for the Purchase of Sodium Chloride in Cooperation with ODOT; and declaring an Emergency (Suspension Requested)
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6. **Ordinance No. 017-22**, an Ordinance Authorizing the Finance Director to make Appropriation Transfers (Transfer of Appropriations 1) from one Appropriation Line Item to another Appropriation Line Item pursuant to ORC. Section 5705.40 for the Fiscal Year ending December 31, 2022 as listed in Exhibit "A;" and declaring an Emergency (Suspension Requested)

7. **Resolution No. 018-22**, a Resolution Authorizing the Finance Director to Transfer Certain Fund Balances (Transfer No. 1) from Respective Funds to Other Funds pursuant to ORC. Section 5705.14 on an as needed Basis in Fiscal Year 2022, listed in Exhibit "A;" and declaring an Emergency (Suspension Requested)
8. **Ordinance No. 019-22**, an Ordinance Amending a certain Section of Chapter 194 of the Code of Codified Ordinances of the City of Napoleon, Ohio, specifically Section 194.081(A) "Credit for Tax Paid – City of Napoleon," regarding Municipal Income Tax, also Amending Ordinance No.(s) 053-15 and 053-20, and declaring an Emergency (Suspension Requested)

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

1. **Resolution No. 010-22**, a Resolution Authorizing Contracts with the Townships of Napoleon, Harrison, Freedom, and the Village of Florida, and Henry County South Joint Ambulance District for Fire Service and/or Emergency Medical Service commencing April 1, 2022; and declaring an Emergency
2. **Ordinance No. 011-22**, an Ordinance amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(t) regarding Golf Simulator Fees

**J. Third Readings of Ordinances and Resolutions - None**

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

1. Discussion/Action: Review Recommendations on CRA Agreements from the Housing Council and Tax Incentive Review Committee (TIRC)
2. Discussion/Action: Purchase of new in-car Cameras and in-car Computers off State Contract for the Police Department Utilizing ARPA Funds
3. Discussion/Action: to Approve Specifications and Plans and go out to Bid for the Haley Avenue SSO Removal Project
4. Discussion/Action: Grant Application for the former Central School Property
5. Discussion/Action: Grant Application for Potential Solar Project
6. Discussion/Action: Transfer of Liquor Permit from Miami Valley Pizza LLC to SFR X Holdings LLC dba Pizza Hut of OH located at 2240 N. Scott Street
7. Discussion/Action: Accept Ohio Law Enforcement Body Armor Grant in the Amount of \$2,950.48
8. Discussion/Action: Accept Donation from Napoleon Family Vision of Indoor/Outdoor Carpeting at Oakwood Park Batting Cages, \$2,000
9. Discussion/Action: Accept Donation from LT Appraisal of Pitching Screens for Oakwood Park Ballfields, \$350.
10. Discussion/Action: Accept Donation from Dennis Wenner of Bench Swings for Ritter Park adjacent to the Boat Launch Area, \$1,000.

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

**M. Approve Payment of Bills** (In the absence of any objections or corrections, the payment of bills shall stand approved.)

**N. Adjournment**

  
 Roxanne Dietrich – Clerk







Roll call vote on the above motion:

Yea-Knepley, Sicclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

### **Adopt RITA's Suggested Changes in the City Tax Code for Clarification Reasons**

Garringer explained when RITA looked at our current tax code as it is written, there is one section with the reciprocity that could be interpreted another way. RITA has seen this happen before and it has been an issue, so their legal department is working with myself to change the wording, so it shores up. There is nothing too major about it but, we want to have legislation passed by Council to approve the change. How we have it written now is fine, it's just that it has been challenged before and has been interpreted another way so, they are clarifying that.

Motion: Knepley

Second: Sicclair

to direct the Law Director to draft legislation adopting RITA's suggested changes in the City Tax Code

Roll call vote on the above motion:

Yea-Knepley, Sicclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

### **Create OneOhio Fund**

Garringer reported the State Auditor bulletin that came out last week said the OneOhio fund is part of the opioid lawsuit that the City of Napoleon is a part of. When we receive those funds and whenever that time is or how much that is going to be, we are instructed to place the funds in a specific fund called the OneOhio fund and Council needs to approve for that fund to be developed. Maassel asked if that comes as general fund money or does that come for a specific use? Harmon said there will be restrictions on how we can use it. As I recall, it had to do with educating on opioid issues and other drug issues and for certain law enforcement uses as well. Garringer noted there are specific uses, there is broad usage. Harmon said they give you some parameters and then they likely will have very little guidance. We will try to figure out how to use those funds best. Maassel asked is there any idea dollar wise? Garringer replied not yet. Harmon said it has been batted around so many times and the old numbers that we had seen previously are no longer applicable. Maassel said we will take whatever we can to can help fix or fight the opioid problem. Garringer said this is like the Cares Fund and the ARPA money that we receive, where we had to create separate funds specifically for that money. There will be reporting periods that we have to report back what we spent the money for.

Motion: Durham

Second: Knepley

to direct the Law Director to draft legislation to Create the OneOhio Fund

Roll call vote on the above motion:

Yea-Knepley, Sicclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

### **First Quarter Budget Adjustments**

Garringer stated we are trying to shore up the time frame. This item will be on the Finance and Budget Committee's agenda next Monday. What has been done in the past is, we would have the committee meeting and the following Monday, that first council meeting after the committee meeting, we would ask the Law Department to draft legislation, then the next Council meeting is where we approve of the





of trees.” Dr. Cordes added at the Tree Commission meeting tonight, Saturday, April 23, 2022, at 10:00 am was set for the Arbor Day observation at East Riverdowns.

Haase (mulligan) - I finally saw somebody using the dog park the other day. I don't know how many years that park has been there but, I have never seen anyone there until last week Thursday.

Harmon - nothing, thank-you.

Mazur - Councilman Baer mentioned he went through the Police Department and if anyone else has an interest in touring the Police Department we could go this Friday or sometime. The contractor said he would be finishing up this Friday. There may be some odds and ends that he would have to come back for but at least to give everybody a chance to walk through for an official tour. If you do not want to pick a time right now or a date, we can wait. Siclair noted she would like to walk through the PD. Durham suggested if you were to pick a time send that out in an email communication. Mazur said is later in the day better for everybody, like 4:00 pm?

Maassel - Chief will that work for you this Friday at 4:00 pm?

Maassel continued I stopped by the Henry County Bank today and presented Bill Wendt the bank president a thank-you on behalf of City for their community involvement. The bank was recently acquired, and I wanted to make sure that they knew how much we all appreciated all that they have done for the city. It seems like everything you go to has always been sponsored by the Henry County Bank from the Fur Ball a couple weeks ago, to the Henry County Fair. There are the sports teams, 4-H programs, boy scout troops and you name it, Henry County Bank always seem to be involved in the community. They put community banking in their mission statement and carried it out. Not to mention how many people employed there were real players of the community. I wanted to make sure that they knew how much we appreciated all of that. Earlier tonight Kyle Hudson state champion was here and last week I spent some time with some kids from DECA. DECA is the marketing program at Napoleon High School, and they had a banner year too. They took 40 kids down to the State DECA Tournament and had kids qualify for the National DECA competition. We have some great kids doing some amazing things, they may not get the recognition of a Kyle Hudson, yet they do some amazing things, so I wanted to give a shout out for those DECA kids. If we are driving around and are honest with ourselves and we have probably heard it from people that we trust and respect, our roads are in dire need of some repair. I know we are going to do some crack sealing; we have the dura patch machine out there and we are putting out cold patch as much as we can but, do we want to look at this in a bigger perspective as council? Is this something we want the Municipal Properties Committee to look at and see what our options are going forward? We may not be able to touch it this year but, to start putting ourselves in a better plan to start looking at the problem a little bit, is that possible? Is there enough time to do it at the April meeting or wait until the May meeting to start looking at this? Mazur said we are good for April. Before I came here, we never really had a solid three-year plan and now we do. It is not much but it's something to go off from. Maassel requested an Executive Session for Sale or Acquisition of Property.

Bialorucki - while reading the Northwest Signal today, I read an article about Officer Strickland at the school and everything that he has done there so pass it along to him Chief a great job he is doing out there at the school. I'm sure it means a lot to those kids, parents and teachers. Nice job Northwest Signal.

#### **EXECUTIVE SESSION**

Motion: Durham

Second: Siclair

to go into Executive Session for Personnel/Collective Bargaining Matters and Sale or Acquisition of Property

Roll call vote on the above motion:

Yea-Knepley, Siclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

City Council went into Executive Session at 7:44 pm

**ADJOURN EXECUTIVE SESSION**

Motion: Siclair

Second: Knepley

to adjourn from Executive Session for Personnel/Collective Bargaining Matters and Sale or Acquisition of Property

Roll call vote on the above motion:

Yea-Knepley, Siclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

City Council adjourned from Executive Session at 8:49 pm.

Council President Bialorucki reported no action was taken.

**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.

**ADJOURN**

Motion: Knepley

Second: Siclair

to adjourn the City Council meeting at 8:50 pm.

Roll call vote on the above motion:

Yea-Knepley, Siclair, Durham, Bialorucki, Baer, Haase, Dr. Cordes

Nay-

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

**Approved:**

April 4, 2022

\_\_\_\_\_  
Ross Durham, Council President Pro-Tem

\_\_\_\_\_  
Jason Maassel, Mayor

Submitted by:

\_\_\_\_\_  
Roxanne Dietrich, Clerk

**PRELIMINARY LEGISLATION**

Consent

Ordinance # 012-22

**PID No. 114070**

**County/Route/Section HEN SR 6 11.73 Bridge Paint**

The following is an ordinance enacted by the City of Napoleon, Henry County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**SECTION I - Project Description**

WHEREAS, the LPA/STATE has identified the need for the described project:

*Painting of the HEN-6-1173 (Glenwood Ave.) structure (SFN: 3500268) in Napoleon, Ohio, Henry County*

NOW THEREFORE, be it ordained by the City of Napoleon, Ohio

**SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

**SECTION IV - Utilities and Right-of-Way Statement**

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

**SECTION VI - Authority to Sign**

The City Manager of said City is hereby empowered on behalf of the City  
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: \_\_\_\_\_, 2\_022\_\_\_\_\_  
(Date)

Attested: \_\_\_\_\_  
(Clerk Signature) (Contractual Officer Signature)

Attested: \_\_\_\_\_  
(Clerk Signature) (President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY  
STATE OF OHIO

City of Napoleon, Henry County, Ohio

I, Roxanne Dietrich, as Clerk of the City of Napoleon, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

012-22, Page \_\_\_\_\_ .  
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 2 022.

\_\_\_\_\_  
Clerk

(SEAL) City of Napoleon, Ohio  
(If Applicable)

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Napoleon, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

\*\*\*\*\*

For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

## Memorandum

**To:** Joel L. Mazur, City Manager  
**From:** Chad E. Lulfs, P.E., P.S., Director of Public Works  
**cc:** Mayor & Council  
Kevin Garringer, Finance Director  
Jeff Rathge, Operations Superintendent  
Roxanne Dietrich, Clerk of Council  
**Date:** March 29, 2022  
**Subject:** Glenwood Overpass Repainting by O.D.O.T.

My office was contacted by the Ohio Department of Transportation (O.D.O.T.) regarding its planned project to repaint the Glenwood Avenue overpass at no cost to the City. The project is scheduled to be sold November 17, 2022.

In order for O.D.O.T. to work within the City of Napoleon's Corporation Limits, legislation must be passed by the City to grant permission to O.D.O.T. Sample legislation was supplied by O.D.O.T. and prepared by the Law Department. O.D.O.T. has requested to receive the required legislation by May 27, 2022. I am requesting that Council pass the prepared legislation under Emergency in order to meet the requested deadline.

CEL

**RESOLUTION NO. 013-22**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CONTRACT FOR THE PURCHASE OF SODIUM  
CHLORIDE IN COOPERATION WITH ODOT; AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities, and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; and,

**WHEREAS**, the City of Napoleon hereby relies upon this Resolution No. 013-22 as a written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-23) in accordance with Ohio Revised Code 5513.01(B), and hereby agrees to all terms and conditions as noted below in regard to the City's participation in the ODOT winter road salt contract; **Now Therefore**,

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

Section 1. That, intending to be legally bound, the City Manager of the City of Napoleon, Ohio, is given the authority in the name of the City of Napoleon, Ohio, to participate in the Ohio Department of Transportation's Contract for Sodium Chloride (winter contract 018-23) and this Council agrees as follows:

- A. The City of Napoleon hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and,
- B. The City of Napoleon hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the City of Napoleon; and,
- C. The City of Napoleon agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the City of Napoleon's participation in the winter road salt contract; and,
- D. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the City of Napoleon agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and,
- E. The City of Napoleon hereby agrees to purchase a minimum of ninety percent (90%) of its above-requested salt quantities from its awarded salt supplier during the contract's effective period; and,
- F. The City of Napoleon hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and,

G. The City of Napoleon acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29, 2022 by 5:00pm. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the City of Napoleon's participation request. Furthermore, it is the sole responsibility of the City of Napoleon to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive the City of Napoleon's participation agreement and/or the City of Napoleon's request to rescind its participation agreement.

Section 2. That, the City Manager and/or the City Manager's representative are authorized to fill out and submit any and all necessary documentation to effectuate the intent of this legislation, including the ODOT prescribed form, and that the City of Napoleon agrees to the above terms and conditions regarding participation on the ODOT winter salt contract.

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 timely purchase of Sodium Chloride, needed for placement on streets in winter months for safe travel; 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 purchasing process in a timely manner, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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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 Resolution No. 013-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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*Roxanne Dietrich, Clerk of Council*



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

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

## Memorandum

**To:** Joel L. Mazur, City Manager  
**From:** Chad E. Lulfs, P.E., P.S., Director of Public Works  
**cc:** Mayor & Council  
Kevin Garringer, Finance Director  
Jeff Rathge, Operations Superintendent  
Roxanne Dietrich, Clerk of Council  
**Date:** March 29, 2022  
**Subject:** Request for Participation in the O.D.O.T. Winter Contract for Road Salt

For the last several years the City of Napoleon has participated with O.D.O.T. in its bulk purchasing contract for road salt. To be included in O.D.O.T.'s contract, legislation must be passed. The Law Department has prepared the required legislation. The legislation must be submitted to O.D.O.T. by April 29, 2022. I am requesting that Council pass the prepared legislation under Emergency and Suspension of the Rules to allow us to meet this deadline.

CEL

**RESOLUTION NO. 014-22**

**A RESOLUTION ADOPTING THE REGIONAL INCOME TAX AGENCY (RITA) RULES AND REGULATIONS FOR ADMINISTRATION OF THE INCOME TAX CODE OF 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 found 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, having unanimously passed Resolution No. 060-21 on January 3, 2022; and,

**WHEREAS**, this Council now desires to adopt the Regional Income Tax Agency (RITA) rules and regulations regarding the administration of said agreement; **Now Therefore,**

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

Section 1. That, the Finance Director was previously 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, and Resolution No. 060-21 being unanimously passed by this Council on January 3, 2022.

Section 2. That, this agreement, shall continue to be on file with the City Finance Director, which has been reviewed by this Council, and 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 has previously been authorized to execute the same on behalf of the City.

Section 3. That, by the passage of this Resolution No. 014-22, the City of Napoleon hereby adopts the Regional Income Tax Agency (RITA) rules and regulations for administration of the income tax code for the City of Napoleon.

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

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

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

Section 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 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. 014-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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. 015-22**

**AN ORDINANCE ESTABLISHING A FUND TO BE TITLED ONEOHIO SUBDIVISION SETTLEMENT ALLOCATION FUND AS REQUIRED PURSUANT TO THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT AND THE ONEOHIO SUBDIVISION SETTLEMENT; AND DECLARING AN EMERGENCY**

**WHEREAS**, the OneOhio Subdivision Settlement was entered into, consistent with terms established by the National Opioid Settlement Agreement, on July 21, 2021; and,

**WHEREAS**, the City of Napoleon, Ohio accepted the material terms of the OneOhio Subdivision Settlement pursuant to the OneOhio Memorandum of Understanding, with this Council unanimously passing Ordinance No. 033-21 on August 9, 2021; and,

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

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

**WHEREAS**, the City of Napoleon, Ohio is requesting its share of funds from the OneOhio Subdivision Settlement; and,

**WHEREAS**, the OneOhio Subdivision Settlement requires municipalities to establish a new fund to be named OneOhio Subdivision Settlement Allocation Fund before receiving said funds; **Now Therefore**,

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

Section 1. That, the City of Napoleon, Ohio, (hereinafter referred to as "the City") hereby establishes a new fund titled OneOhio Subdivision Settlement Allocation Fund consistent with the terms set forth in the July 21, 2021 National Opioid Settlement Agreement.

Section 2. That, the City affirms that all funds received from the OneOhio Subdivision Settlement Allocation Fund pursuant to the July 21, 2021 National Opioid Settlement Agreement, be expended only to cover costs of the subdivision consistent with the terms of said National Opioid Settlement Agreement and OneOhio Subdivision Settlement, and any applicable regulations and guidance. Further, all opioid settlement funds, regardless of allocation, shall be utilized in a manner consistent with the Approved Purposes definition as listed in the OneOhio Subdivision Settlement Memorandum of Understanding.

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

Section 4. That, in compliance with the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement, the Finance Director of the City of Napoleon shall take all necessary action to:

1. Place the opioid settlement funds into a special revenue fund titled the OneOhio Subdivision Settlement Allocation Fund; and,
2. Pay appropriate expenses directly from the OneOhio Subdivision Settlement Allocation Fund; and,
3. Provide any information related to any payments received under the July 21, 2021 National Opioid Settlement Agreement and the OneOhio Subdivision Settlement to the Office of the Ohio Auditor of State as requested.

Section 5. That, all amounts collected as a result of this Ordinance shall be placed into the newly created OneOhio Subdivision Settlement Allocation Fund as established by the Finance Director to be used for the expenditures incurred as listed in Section 2 of this Ordinance.

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

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

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

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

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

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

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

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

Attest:

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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. 015-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

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*Roxanne Dietrich, Clerk of Council*

**ORDINANCE NO. 016-22**

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 1) FOR THE YEAR 2022; AND DECLARING AN EMERGENCY**

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 055-21 for the fiscal year ending December 31, 2022 shall be supplemented (Supplement No. 1) as provided in Exhibit "A" (one page), attached hereto and made a part hereof.

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, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time because this Ordinance provides for appropriations for the current expenses of the City which are related to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of current 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 Ordinance No. 016-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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 - SUPPLEMENTAL #1

ORDINANCE No. 016-22

<u>Supplemental #1</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>	<u>2022 FUND TOTAL</u>
<b>Fund 100 General Fund</b>				
100.1900.56300 Taxes and Assessments <i>Reason: Increase due to additional taxes from Commerce Drive</i>		\$1,245.24		
100.1500.53210 Serv Cnt -Computer Software <i>Reason: Increase due to CIVICA maintenace cost</i>		\$521.15		
			<b><u>\$1,766.39</u></b>	<b><u>\$1,766.39</u></b>
<b>Fund 170 Municipal Income Tax</b>				
170.1510.53210 Serv. Cnt -Computer Software <i>Reason: Increase amount due to RITA extraction</i>		\$6,676.90		
			<b><u>\$6,676.90</u></b>	<b><u>\$6,676.90</u></b>
<b>Fund 220 Recreation</b>				
220.4200.57000 Machinery and Equipment		\$2,000.00		
220.4400.57000 Machinery and Equipment		\$2,000.00		
220.4400.57000 Machinery and Equipment		\$350.00		
220.4400.57000 Machinery and Equipment <i>Reason: Due to the increase cost of golf carts. Donations to the Rec Department for new items. Carpet for batting cages and new pitching screens for Oakwood Park. New bench swings at Ritter Park.</i>		\$1,000.00		
			<b><u>\$5,350.00</u></b>	<b><u>\$5,350.00</u></b>
<b>Fund 221 Napoleon Aquatic Center</b>				
221.4300.53365 Serv. Fees-Bond Issuance Costs <i>Reason: Nothing was budgeted at the beginning of the year</i>		\$299.00		
			<b><u>\$299.00</u></b>	<b><u>\$299.00</u></b>
<b>Fund 291 Fire Pension</b>				
291.2200.51540 Fire Pension <i>Reason: Due to increase amounts of transfers</i>		\$35,500.00		
			<b><u>\$35,500.00</u></b>	<b><u>\$35,500.00</u></b>
<b>Fund 310 S.A. Bond Retirement</b>				
310.8500.53410 County -Auditor Fees <i>Reason: Nothing was budgeted at the beginning of the year</i>		\$300.00		
			<b><u>\$300.00</u></b>	<b><u>\$300.00</u></b>
<b>Fund 500 Electric Utility Revenue</b>				
500.6110.54410 Supplies-Transformers <i>Reason: Purchase of new transformers due to new business coming into Napoleon.</i>		\$78,893.00		
			<b><u>\$78,893.00</u></b>	<b><u>\$78,893.00</u></b>
<b>Fund 503 Electric Development</b>				
503.6110.57600 Electric Improvements <i>Reason: To do the improvements to one electric substation</i>		\$800,000.00		
			<b><u>\$800,000.00</u></b>	<b><u>\$800,000.00</u></b>
<b>Fund 513 Water OWDA Bond Retirement</b>				
513.8300.53410 County -Auditor Fees <i>Reason: Nothing was budgeted at the beginning of the year</i>		\$100.00		
			<b><u>\$100.00</u></b>	<b><u>\$100.00</u></b>
<b>Fund 519 Water Plant Improv and Reno</b>				
519.6200.53365 Serv. Fees-Bond Issuance Cost <i>Reason: Nothing was budgeted at the beginning of the year</i>		\$201.00		
			<b><u>\$201.00</u></b>	<b><u>\$201.00</u></b>
<b>Fund 523 OWDA SA Debt Retirement</b>				
523.8600.53410 County -Auditor Fees <i>Reason: Nothing was budgeted at the beginning of the year</i>		\$400.00		
			<b><u>\$400.00</u></b>	<b><u>\$400.00</u></b>
<b>TOTAL FUNDS</b>	<b><u>\$0.00</u></b>	<b><u>\$929,486.29</u></b>	<b><u>\$929,486.29</u></b>	<b><u>\$929,486.29</u></b>

**ORDINANCE NO. 017-22**

**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE APPROPRIATION TRANSFERS (TRANSFER OF APPROPRIATION 1) FROM ONE APPROPRIATION LINE ITEM TO ANOTHER APPROPRIATION LINE ITEM PURSUANT TO ORC. SECTION 5705.40 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AS LISTED IN EXHIBIT "A;" AND DECLARING AN EMERGENCY**

**WHEREAS**, the City appropriates funds by fund, department, and category of personal services and other; and,

**WHEREAS**, transfer from one appropriation item to another is necessary to provide appropriations for current expenses of the City; **Now Therefore**,

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

Section 1. That, pursuant to Section 5705.40 of the Ohio Revised Code, and this Ordinance No. 017-22, the Finance Director is hereby authorized and directed to transfer from one appropriation item to another, in the Fiscal Year ending December 31, 2022, as listed in Exhibit "A," attached hereto and made a part hereof.

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 City's Revised Code of General Ordinances.

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, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to assure the prompt and efficient conduct of the municipal operations related to public peace, health or safety of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect 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 current 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:

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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. 017-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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*

**FISCAL YEAR ENDING 2022- TRANSFER OF APPROPRIATION (No. 1)****Ordinance Number:** 017-22

	<u>Amount Requested</u>	<u>Amount Received</u>
<b>FROM :</b> 100.1900.56900 Undefined Contingencies	(2,500.00)	
<b>TO :</b> 100.2100.53610 Cnt. Maint-Buildings & Structures		2,500.00
<i>Reason: Removal of asbestos from PD office.</i>		
<b>FROM :</b> 100.2100.53530 Cnt. Maint-Radios/Phones	(1,000.00)	
100.2101.52000 Travel, Training and Education	(500.00)	
273.2100.56000 Misc Operating Costs	(500.00)	
273.2100.57000 Machinery and Equipment	(500.00)	
<b>TO :</b> 100.2100.53540 Cnt. Maint-Computer Hardware		2,500.00
<i>Reason: PD new computers not originally budgeted.</i>		
<b>FROM :</b> 100.5130.53510 Cnt. Maint-Vehicles	(100.00)	
<b>TO :</b> 100.5130.53610 Cnt. Maint-Buildings & Structures		100.00
<i>Reason: Ops/Maintenance parts for fuel pumps</i>		
<b>FROM :</b> 510.6200.56900 Undefined Contingencies	(3,200.00)	
<b>TO :</b> 510.6200.54500 Supplies-Other Equipment		3,200.00
<i>Reason: Repair for Water Treatment Plant UV Reactor</i>		
<b>Total Transfer of Appropriation</b>	(5,100.00)	5,100.00

**RESOLUTION NO. 018-22**

**A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CERTAIN FUND BALANCES (TRANSFER NO. 1) FROM RESPECTIVE FUNDS TO OTHER FUNDS PERSUANT TO ORC. SECTION 5705.14 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, transfer number 1, 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 transfer the funds in a timely manner, and for further reasons as stated in the Preamble hereof.

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

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

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

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

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

Attest:

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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 Resolution No. 018-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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 TRANSFER OF FUNDS - No. 1**

**Ordinance 018-22**

<b>FROM:</b>	<b>TO:</b>	<b>AMOUNT</b>
100.9000.59880 Transfer to 600 Central Garage Rotary Fund <i>Purpose: To cover expenses going out of fund before other funds can pay them back.</i>	600.0000.49900 Transfers-In	<b>\$15,000.00</b>
500.9900.59825 <i>Purpose: To move the credit of the sale of the JV5 RECs</i>	503.0000.49900	<b>\$538,069.00</b>

**ORDINANCE NO. 019-22**

**AN ORDINANCE AMENDING A CERTAIN SECTION OF CHAPTER 194 OF THE CODE OF CODIFIED ORDINANCES OF THE CITY OF NAPOLEON, OHIO, SPECIFICALLY SECTION 194.081(A) “CREDIT FOR TAX PAID – CITY OF NAPOLEON,” REGARDING MUNICIPAL INCOME TAX, ALSO AMENDING ORDINANCE NO.(S) 053-15 AND 053-20, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Home Rule Amendment of the Ohio Constitution, Article XVIII, Section 3, provides that “Municipalities shall have authority to exercise all powers of local self-government,” and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities; and,

**WHEREAS**, Council previously adopted Ordinance No.(s) 053-15, adopting Chapter 194 of the Code of Codified Ordinances of the City of Napoleon, Napoleon regarding municipal income tax, and 053-20, amending Chapter 194 Section 194.081 of the Code of Codified Ordinances of the City of Napoleon, Ohio; and,

**WHEREAS**, this Council authorized the Finance Director to enter into an agreement with the Regional Income Tax Agency (RITA) for the purpose of administration and collection of municipal income tax in the City of Napoleon, unanimously adopting Resolution No. 060-21 on January 3, 2022; and,

**WHEREAS**, the Regional Income Tax Agency, having reviewed the City of Napoleon’s Tax Code, Chapter 194 of the Code of Codified Ordinances for the City of Napoleon, is suggesting Section 194.081(A) be amended merely for clarification purposes; and,

**WHEREAS**, Council now desires to amend Chapter 194, Section 194.081(A) of the Code of Codified Ordinances of the City of Napoleon as follows to achieve the suggested clarification; **Now Therefore**,

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

Section 1. That, Chapter 194, Section 194.081 of the Code of Codified Ordinances for the City of Napoleon shall hereby be amended and enacted to read as follows:

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

(A) ~~*If a resident of Napoleon is subject to and has paid a municipal income tax due to the operation of a business or the receipt of compensation in another taxing municipality, such taxpayer shall be allowed a 70% credit against the Napoleon tax due, but such credit shall not exceed the amount of Napoleon tax levied on such compensation or from the profits of a business.*~~ *Every individual taxpayer domiciled in the municipality who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this chapter/ordinance, may claim a nonrefundable credit against the tax imposed by this chapter/ordinance upon satisfactory evidence that tax has been paid to another municipality. The credit shall not exceed seventy percent (70%) of the amount obtained by multiplying the income, qualifying wages, commissions, net profits or other compensation subject to tax in the other*

*municipality by the lower of the tax rate in such other municipality or the tax rate imposed under this chapter/ordinance.*

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

Section 2. That, the aforementioned amendment to Chapter 194, Section 194.081(A) of the Code of Codified Ordinances of the City of Napoleon is scheduled to take effect beginning with the commencement of tax year 2021.

Section 3. That, Chapter 193 of the Code of Codified Ordinances of the City of Napoleon remains in full force and effect for all taxable years prior to 2016.

Section 4. That, this Ordinance No. 019-22 hereby amends Ordinance No.(s) 053-15 and 053-20 so as to incorporate and adopt all identified changes noted herein. The remaining, unchanged portions of Ordinance No.(s) 053-15 and 053-20 remain in full force and effect as they existed prior to the changes.

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 Code of Codified Ordinances of the City 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 hereby declared to be an emergency measure necessary for the preservation of the public peace, health or safety of the City and its inhabitants, such necessity arising from the City’s need to effectively manage and control municipal income taxes, and therefore this Ordinance shall be effective upon passage. 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:

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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. 019-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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*

**RESOLUTION NO. 010-22**

**A RESOLUTION AUTHORIZING CONTRACTS WITH THE TOWNSHIPS OF NAPOLEON, HARRISON, FREEDOM, AND THE VILLAGE OF FLORIDA, AND HENRY COUNTY SOUTH JOINT AMBULANCE DISTRICT FOR FIRE SERVICE AND/OR EMERGENCY MEDICAL SERVICE COMMENCING APRIL 1, 2022; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Townships of Napoleon, Harrison, and Freedom desire to enter into a contract with the City for Fire and Emergency Medical Rescue Services as authorized in Section 9.60 and Section 505.44 of the Ohio Revised Code; and,

**WHEREAS**, the Henry County South Joint Ambulance District and the Village of Florida of Henry County, Ohio, desires to enter into a contract with the City for Emergency Medical Services as authorized in Section 9.60 of the Ohio Revised Code;  
**Now Therefore**,

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

Section 1. That, the City Manager is authorized to enter a contract with Napoleon Township, Harrison Township, Freedom Township, all of which are in Henry County, Ohio, for Fire Services and Emergency Medical Services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2022.

Section 2. That, the City Manager is authorized to enter into a contract with the Henry County South Joint Ambulance District and the Village of Florida of Henry County, Ohio, for Emergency Medical Services, including billing services related thereto; the terms and conditions having been approved by this Council in the form as currently on file in the office of the City Finance Director. The City Manager is authorized to make non-material changes to the contracts as deemed appropriate by the City Manager and as approved as to form and correctness by the City Law Director; further, the contracts shall be effective April 1, 2022.

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 emergency services to be rendered in a timely manner, emergency services also utilized by the City inhabitants when needed outside the City's jurisdictional boundaries; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, it is necessary that these contracts with the Townships, the Village of Florida and the Henry County South Joint Ambulance District be in force in a timely manner, and for further reasons as stated in the Preamble hereof.

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Resolution No. 010-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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. 011-22**

**AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED CODE OF ORDINANCES OF THE CITY OF NAPOLEON, OHIO TO ADD SECTION 955.09(t) REGARDING GOLF SIMULATOR FEES**

**WHEREAS**, this Council met on November 13, 2021 and, in order to provide the opportunity for the public to utilize the Municipal golf facilities between the months of November and March, determined it appropriate to purchase a golf simulator; and,

**WHEREAS**, this Council now deems appropriate that golf simulator fees as listed below shall be created; **Now Therefore**,

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

**Section 1.** That, Section 955.09 of the Codified Code of Ordinances of the City of Napoleon, Ohio shall remain as is currently written, with the addition of the following section to 955.09; Golf Simulator Fees is hereby amended and enacted to add section (t) which reads as follows:

*(t) In order to provide an opportunity for the public to utilize the Municipal golf facilities between the months of November through March, a golf simulator rate shall be created per the following:*

- (1) The maximum time limit per person/group is two (2) hours per rental.*
- (2) Reservations are required.*
- (3) Person/group must provide their own clubs.*
- (4) No food or drink is permitted to be carried into the simulator area.*
- (5) Players under twelve (12) years old must be accompanied by an adult.*
- (6) Golf simulator fees shall be for the period of November 1 through March 31, both dates inclusive, subject to the discretion of the Director of the Parks and Recreation Department.*
- (7) Golf simulator hours of operation shall be subject to the discretion of the Director of the Parks and Recreation Department.*
- (8) The City has the right to close the simulator at any time for any cause deemed appropriate by the Parks and Recreation Department.*
- (9) Nothing in this section shall be construed as to limit City Council's authority to adjust golf simulator rates.*
- (10) The following table establishes the fees for rental of the golf simulator:*

<b><i>Weekday</i></b>	<b><i>Rental Time</i></b>	<b><i>Cost per Person</i></b>
<i>Before 3:00pm</i>	<i>½ hour</i>	<i>\$18.00</i>
<i>After 3:00pm</i>	<i>½ hour</i>	<i>\$20.00</i>
<i>Before 3:00pm</i>	<i>1 hour</i>	<i>\$22.00</i>
<i>After 3:00pm</i>	<i>1 hour</i>	<i>\$28.00</i>
<b><i>Weekend/Holiday</i></b>	<i>½ hour</i>	<i>\$24.00</i>
	<i>1 hour</i>	<i>\$32.00</i>

**Section 2.** That, this Ordinance No. 011-22 amends Ordinance No.(s) 044-15 and 086-18 so as to incorporate and adopt all identified changes noted herein. The remaining, unchanged portions of Ordinance No.(s) 044-15 and 086-18 remain in full force and effect as it existed and to now include section (t).

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

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

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

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

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

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

Attest:

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

*I, Roxanne Dietrich, Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 011-22 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022; & 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*



# *City of Napoleon, Ohio*

## *Parks and Recreation Department*

*255 West Riverview Avenue, P.O. Box 151*

*Napoleon, OH 43545*

*Telephone: (419) 592-4010 Fax: (419) 592-8955*

*www.napoleonohio.com*

## *Memorandum*

**To:** *Joel Mazur, City Manager*  
**From:** *Tony Cotter, Director of Parks and Recreation*  
**Date:** *March 31, 2022*  
**Subject:** *Golf Simulator Legislation Amendment Recommendation*

Per our discussion and input from some Council members and others familiar with the operation of golf simulators, I am requesting that we make the following amendments to the legislation currently set for second reading by City Council.

1. Remove rules and regulations from the legislation
2. Make rental rates per hour not per person

By removing the rules and regulations, it will allow staff to modify rules and regulations of the simulators operation without the need to amend legislation by City Council. The operation of a simulator is new to the Napoleon Golf Club and its staff and we may need to add new rules or modify current rules as they become more familiar with its use as it relates to the public.

It was suggested to staff that the per person rental rate may be too high. Making rental rates per hour would allow larger groups the opportunity to play without being charged a high amount while only playing a limited number of holes.

If you have questions or would like additional information, please let me know.



**COMMUNITY  
IMPROVEMENT  
CORPORATION**  
OF HENRY COUNTY

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March 24, 2022

Napoleon City Housing Council  
Kevin Schultheis  
255 West Riverview Ave.  
PO Box 151  
Napoleon, Ohio 43545

Re: 2022 Tax Incentive Review Council

Dear Kevin Schultheis,

Per Ohio Revised Code, the Housing Council must review the recommendations of the Tax Incentive Review Council (TIRC) before the City of Napoleon Council can act upon the recommendations. We respectfully request that the Housing Council meets to review the 2022 TIRC recommendations prior to the City Council meeting. Please inform the CIC office of the date that the Housing Council will meet and review.

Should you have any questions, please feel free to contact me at the office or email me at [kziegler@henrycountyed.com](mailto:kziegler@henrycountyed.com). Thank you.

Sincerely,

Kylie Ziegler  
Administrative Assistant

Enclosure

cc: Mr. Joel Mazur, City Manager; City of Napoleon



# COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY

## 2022 Tax Incentive Review Council Meeting Minutes March 18, 2022, via Zoom

**Attendees:** Jennifer Arps, Kylie Ziegler, Kevin Garringer, Joel Mazur, Tim Meister, Robin Klein, Joe Bialorucki, Ross Durham, Michael Bostelman, Richie Peters, Kyle Borstelman, Diana Wachtman, DonL Parsons, Bill Morey, Carlos Grieser, Elizabeth Fruchey, Connie Nicely, Kevin Sonnenberg, Peggy Yoder

**Absent:**

Henry County CIC Executive Director Jennifer Arps began the meeting at 9:00am, on Thursday, March 18, 2022, via zoom, and the TIRC reviewed the following agreements:

TJ Automation
Miller Brothers Construction, Inc.
Railtech Boutet/Pandrol
Custom Agri Systems
Campbell Soup '12
American Road Holdings dba Paul Martin & Sons (CRA)
Jan Mar Properties dba West View Villas (CRA)
Just Busch Investments dba The Emporium at One Thirty (CRA)
Koester Corp. (CRA)
MSG Investments (CRA)
Shank Properties (CRA)
Ventures in Space (CRA)

**TJ Automation:**

The committee reviewed the project status report submitted by TJ Automation. The project is to create 5 new positions by December 31, 2018. They reported 2 new jobs as of December 31, 2021, down 3 still from the after-effects of the pandemic. With the loss of jobs, the payroll was reported at \$66,560. Per the agreement, payroll is to be \$140,000. ± 25%. Their project investment level per the agreement is to be \$1,176,000, which was reached by December 31, 2021. Arps stated the CIC and the Commissioners will be at TJ Automation on March 31<sup>st</sup> and will address the lack of jobs created.

Christine Ziegler made a motion to recommend continuing the agreement. Peggy Yoder seconded. Motion carried.

**Miller Brothers Construction:**

The committee reviewed the project status report submitted by Miller Brothers Construction. The agreement states the project will create 6 new positions by December 31, 2019. Miller Brothers have created 18 new jobs as of December 31, 2021. Payroll for year-end 2021 was reported at \$1,280,784.00, which exceeds the required \$420,000. The investment, jobs created, and payroll attained by December 31, 2021, have met all the enterprise zone agreement projections.

Christine Ziegler made a motion to recommend continuing the agreement. Tim Meister seconded. Motion carried.

**Railtech Boutet/Pandrol:**

The committee reviewed the project status report submitted by (Pandrol) Railtech Boutet. The company has reported 36 F/T new jobs and retained 29, exceeding their payroll amount at \$1,539,600 and exceeding their investment level as of 2021.

Tim Meister made a motion to recommend continuing the agreement. Bill Morey seconded.  
Motion carried.

**Custom Agri Systems:**

The committee reviewed the project status report that was submitted for year-end 2021. The investment per the agreement was to be \$4,150,000 and they exceeded with a reported \$4,725,750.00. Per their agreement, Custom Ag was to create 10 FT employees by year-end 2020 and they have reported having 15 as of December 31, 2021. Payroll was to be at \$500,000 and they have also exceeded with a report of \$916,749.62 by year-end 2021

Kevin Sonnenberg made a motion to recommend continuing the agreement. Mike Bostelman seconded.  
Motion carried.

**Campbell Soup Supply Company '12**

The committee reviewed the project status report submitted by Campbell Soup. The company reported retaining 1,007 F/T jobs (met per the agreement), as well as meeting their investment level as of December 31, 2021, which is \$4,182,022. No new job creation is required for this abatement. Campbell's continues to run all seven lines and run 24/7. They've struggled with employment but maintain this baseline of 1,007.

Mike Bostelman made a motion to recommend continuing the agreement. Robin Klein seconded.  
Motion carried.

**American Road Holdings dba Paul Martin & Sons (CRA) –:**

Paul Martin & Sons reported a project investment level of \$1,100,000 as of year-end 2021, which is the requirement per the agreement. Paul Martin & Sons also reported creating 1 new job, which they have until 2022 to reach their required new 3 positions. The reported payroll for the one position is \$20,535, below the \$180,000 stated in the agreement but they have until year-end 2022 to reach that amount.

Richie Peters made a motion to recommend continuing the agreement. Joe Bialorucki seconded.  
Motion carried.

**Jan Mar Properties dba West View Villas (CRA) – Still in Construction:**

The committee discussed the project and understood this is still under construction and the abatement is for the build only. Each original owner will receive the abatement and receive an annual \$50 fee for the ten years of the abatement if they are the owner. Once sold, the abatement for the owner is null. Units will have a rolling expiration as construction is complete. The total investment level of this development is to be \$7M, Jan Mar has reported an investment level of \$1,403,857 as of year-end 2021. The total investment level will increase as more units are built. There are no job creations or payroll required for this agreement.

Mike Bostelman made a motion to recommend continuing the agreement. Ross Durham seconded.  
Motion carried.

**Just Busch Investments dba The Emporium at One Thirty (CRA):**

The committee discussed the project and reviewed the project status report. The company was to invest \$310,000 and reported a total investment of \$700,000 with \$305,000 in real property eligible for exemption as of December 31, 2021. Per the agreement, they were to create two full-time positions, which was reported as of year-end 2021 and they also exceeded their required payroll of \$12,000 by reporting \$45,000.

Joe Bialorucki made a motion to recommend continuing the agreement. Mike Bostelman seconded.  
Motion carried.

**Koester Corporation (CRA):**

The project status report submitted by Koester Corporation was reviewed. The CRA agreement states they are to create 5 full-time jobs. The company reported creating 17 new jobs, as well as exceeding their payroll expectations by reporting \$1,027,862 as of December 31, 2021. The investment level to be reached is \$1.5M, which they have met.

Mike Bostelman made a motion to recommend continuing the agreement. Ross Durham seconded.  
Motion carried.

**MSG Investments (CRA):**

The committee reviewed the submitted project status report. Arps informed the committee that this project is for the Trail Drive apartments in Napoleon. The company was to invest \$1,650,000 and reported a total investment of \$2,000,000 as of December 31, 2021. Per the agreement they were to create one full-time position, which was reported as of year-end 2021 and they are to have a payroll of \$35,000, MSG reported a payroll of \$39,500 as of year-end 2021.

Tim Meister made a motion to recommend continuing the agreement. Bill Morey seconded.  
Motion carried.

**Shank Properties (CRA):**

The committee reviewed the project status report information submitted by Shank Properties. They reported exceeding their required investment level of \$2,270,000 with \$3,069,623. Per the agreement, they are to create 10 F/T positions by December 31, 2019. It was reported 28 F/T jobs were created and 10 retained by year-end 2021 and payroll was reported at \$1,229,215

Joe Bialorucki made a motion to recommend continuing the agreement. Mike Bostelman seconded.  
Motion carried.

**Ventures in Space (CRA):**

The committee reviewed the project status report submitted by Ventures in Space, which is for the spec building. It was reported that the project was to have an investment level of \$6M, and they reported investment at \$5.7M. The agreement does not have a job creation or payroll requirement. Arps stated that JAC Products, which is leasing within the building, reported having close to 400 FTE.

Ross Durham made a motion to recommend continuing the agreement. Peggy Yoder seconded.  
Motion carried.

Arps informed the committee of the next steps of the TIRC recommendations. EZ agreement recommendations will go to the Commissioners for final approval and the CRA recommendations will go to Napoleon City Council for final approval. The meeting minutes of today's review will be emailed to all those in attendance today.

**Meeting adjourned at 9:41 AM.**

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Jennifer Arps  
Henry County CIC Executive Director



March 24, 2022

Napoleon City Council  
255 West Riverview Ave.  
PO Box 151  
Napoleon, Ohio 43545

**Re: 2022 Tax Incentive Review Council**

Dear Council Members:

Ohio Revised Code Section 5709.85 provides for establishment of a Tax Incentive Review Council ("TIRC") to review the compliance of each community reinvestment area agreement—at least annually. The TIRC then makes a recommendation to you to continue, modify, terminate, or expire each agreement.

The TIRC met on March 18, 2022. As the County Auditor's designee, the CIC chaired the 2022 TIRC. After reviewing each agreement, the TIRC has recommended that you **CONTINUE** the following community reinvestment area agreements in Napoleon:

- American Road Holdings, LLC
- Jan Mar Properties
- Just Busch Investments, LLC
- Koester Corporation
- MSG Investments
- Shank Properties
- Ventures in Space

The TIRC found that all business agreements were in complete compliance with all terms of the applicable agreements. In response to the same, the TIRC took into consideration fluctuations in the business cycle unique to that owner's business when agreeing to recommend to you to continue each of those specific agreements. See R.C. §5709.85(C) (1).

Ohio Revised Code Section 5709.85(E) states as follows:

R.C. § 5709.85 (E) A legislative authority that receives from a tax incentive review council written recommendations under division (C)(1) or (D) of this section shall, within sixty days after receipt, hold a meeting and vote to accept, reject, or modify all or any portion of the recommendations.

Consistent therewith, I hereby submit this written recommendation and respectfully request that Napoleon City Council ACCEPT the recommendation of the TIRC to CONTINUE American Road Holdings, Jan Mar Properties, Just Busch Investments, Koester Corporation, MSG Investments, Shank Properties, and Ventures in Space.

Should you have any questions please contact the office at (419) 592-4637. Thank you.

Respectfully submitted,



Kylie Ziegler  
Administrative Assistant

Enclosure

cc: Joel Mazur; City of Napoleon Manager  
Billy Harmon; Law Director for City of Napoleon, Ohio  
Elizabeth Fruchey; Henry County Auditor  
Kevin Schultheis; City of Napoleon Zoning Administrator  
Ohio Department of Development  
Ohio Department of Taxation



2021 COMPANY REPORT

CRA# 069-53550-02 Agreement # 19-001

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

- 1. Name the business(s) party to the CRA Agreement: American Road Holdings, LLC
2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry, City, Municipality, or Township: Napoleon, Local School District: Napoleon Area School District
3. List the CRA Agreement: a. Execution Date: 09/27/2019, b. Expiration Date: 12/31/2031, c. Amendment date(s) (please list all): N/A
4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0 Payroll: 0, b. In Ohio prior to the CRA agreement: 0
5. Did the enterprise close or reduce employment at another site: NO
a. Within Ohio as a result of this agreement? (Y or N): NO If yes, note community(s) and the number of full-time permanent jobs effected: Community: 0, Jobs: 0
b. Outside Ohio as a result of this agreement? (Y or N): No If yes, note the state and number of full-time permanent jobs effected: State: 0, Jobs: 0
6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement: Retain: 6, Create: 3
7. Note the job creation period in months outlined within the CRA Agreement (#months): 18
8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 350,000, New Payroll: 180,000
9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 1,100,000, Eligible for exemption: 1,100,000
10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 100 % 10 yrs.





2021 COMPANY REPORT

CRA# 069-53550-01 Agreement # 19-001

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

1. Name the business(s) party to the CRA Agreement: Jan Mar Properties, LLC

2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry

City, Municipality, or Township: Napoleon

Local School District: Napoleon Area School District

3. List the CRA Agreement: a. Execution Date 03/05/2019

b. Expiration Date 12/31/2030

c. Amendment date(s) (please list all) 03/23/2020

4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0 Payroll: 0

b. In Ohio prior to the CRA agreement: 1

5. Did the enterprise close or reduce employment at another site: a. Within Ohio as a result of this agreement? (Y or N): No If yes, note community(s) and the number of full-time permanent jobs effected: Community: 0

Jobs: 0

b. Outside Ohio as a result of this agreement? (Y or N): No If yes, note the state and number of full-time permanent jobs effected: State: 0

Jobs: 0

6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement Retain: 0

Create: 0

7. Note the job creation period in months outlined within the CRA Agreement (#months): 0

8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 0

New Payroll: 0

9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 7,000,000

Eligible for exemption: 7,000,000

10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 50 % 15 yrs.

**Actual CRA Project Information as of December 31, 2021**

Project still under construction?  X  Yes   No  
 If yes, supply construction wages: \_\_\_\_\_

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:  
 a. As of 12/31/2021: \_\_\_\_\_  
 i. New jobs created attributed to the CRA Agreement:  3   
 ii. Jobs retained attributed to the CRA Agreement: \_\_\_\_\_

12. Identify total actual annual payroll as of 12/31/2021 attributed to the new employees (11b) resulting from the CRA Agreement:  \$ 107,114.91

13a. State the project investment level achieved as of 12/31/2021:  
*Real Property:*  \$ 1,403,856.50   
*Real Property Eligible for Exemption:*  \$ 0.00   
*Personal Property:*  \$ 0.00

b. Identify total actual project tax revenue amounts at the project site for the most recent calendar year (2021) (revenues should be reflective of values in question 13a above) (use best available information):  
*Real Property Taxes Paid:*  \$ 5,561.34   
*Real Property Taxes Forgone (business savings for most current year):*  \$ 0.00   
*Personal Property Taxes Paid:*  \$ 0.00

c. Identify total actual project tax revenue amounts at project site over the term of the CRA through December 31, 2021 (use best available information):  
*Cumulative Real Property Taxes Paid:*  \$ 0.00   
*Cumulative Real Property Taxes Forgone (total business savings to date):*  \$ 0.00   
*Cumulative Personal Property Taxes Paid:*  \$ 0.00

d. State the total estimate value of any other incentive provided by the local authorities under the CRA:  \$ 0.00

14. Date of most recent Tax Incentive Review Council (TIRC) review of this project:  03/25/2021   
 a. TIRC recommendations from most recent compliance review:  CONTINUE   
 b. Local government action/status:  CONTINUE

**CERTIFICATION OF INFORMATION**

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2021.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE:

[Signature]   2-7-22   
 Signature Date  
 President - Open Space Properties LLC   
 Typed Name/Title



2021 COMPANY REPORT

CRA# 069-53550-04 Agreement # 19-000

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

1. Name the business(s) party to the CRA Agreement: Just Busch Investments, LLC

2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry

City, Municipality, or Township: Napoleon

Local School District: Napoleon Area City School District

3. List the CRA Agreement: a. Execution Date 02/06/2019

b. Expiration Date 12/31/2029

c. Amendment date(s) (please list all)

4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0 Payroll: 0

b. In Ohio prior to the CRA agreement: 0

5. Did the enterprise close or reduce employment at another site: a. Within Ohio as a result of this agreement? (Y or N): No If yes, note community(s) and the number of full-time permanent jobs effected: Community: 0

Jobs: 0

b. Outside Ohio as a result of this agreement? (Y or N): No If yes, note the state and number of full-time permanent jobs effected: State: 0

Jobs: 0

6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement Retain: 2

Create: 2

7. Note the job creation period in months outlined within the CRA Agreement (#months): 12

8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 15,000.00

New Payroll: 12,000.00

9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 310,000

Eligible for exemption: 305,000

10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 50 % 10 yrs.

**Actual CRA Project Information as of December 31, 2021**

Project still under construction? \_\_\_\_\_ Yes \_\_\_\_\_ X No

If yes, supply construction wages: \_\_\_\_\_

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:
- a. As of 12/31/2021: 4
  - b. New jobs created attributed to the CRA Agreement: 2
  - c. Jobs retained attributed to the CRA Agreement: 4
12. Identify total actual annual payroll as of 12/31/2021 attributed to the new employment (11b) resulting from the CRA Agreement: \$45,000.00
13. a. State the project investment level achieved as of 12/31/2021:
- Real Property: \$700,000.00
  - Real Property Eligible for Exemption: \$305,000.00
  - Personal Property: \$
- b. Identify total actual project tax revenue amounts at the project site for the most recent calendar year (2021) (revenues should be reflective of values in question 13a above) (use best available information):
- Real Property Taxes Paid: \$ 0.00
  - Real Property Taxes forgone (business savings for most current year): \$ 6,910.90
  - Personal Property Taxes Paid: \$0
- c. Identify total actual project tax revenue amounts at project site over the term of the CRA through December 31, 2021 (use best available information):
- Cumulative Real Property Taxes Paid: \$ 0.00
  - Cumulative Real Property Taxes Forgone (total business savings to date): \$ 12,877.54
  - Cumulative Personal Property Taxes Paid: \$
- d. State the total estimate value of any other incentive provided by the local authorities under the CRA: \$0.00
14. Date of most recent Tax incentive Review Council (TIRC) review of this project: 5/14/2020
- a. TIRC recommendations from most recent compliance review: Continue
  - b. Local government action/status: Continue

**CERTIFICATION OF INFORMATION**

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2021.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE:

Signature

Date

Typed Name/Title

Julie M. Busch 3-8-2021  
Julie M. Busch-owner



2021 COMPANY REPORT

CRA# 069-535550-02 Agreement # 11-001

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

- 1. Name the business(s) party to the CRA Agreement: Koester Land Acquisitions, LLC
2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry, City, Municipality, or Township: Napoleon, Local School District: Napoleon Area School District
3. List the CRA Agreement: a. Execution Date: 04/18/2011, b. Expiration Date: 12/31/2022, c. Amendment date(s) (please list all): N/A
4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0, Payroll: 0, b. In Ohio prior to the CRA agreement: 56
5. Did the enterprise close or reduce employment at another site: a. Within Ohio as a result of this agreement? (Y or N): No, b. Outside Ohio as a result of this agreement? (Y or N): No
6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement: Retain: 56, Create: 5
7. Note the job creation period in months outlined within the CRA Agreement (#months): 36
8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 0, New Payroll: 235,000
9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 1,500,000, Eligible for exemption: 1,500,000
10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 100 % 10 yrs.

**Actual CRA Project Information as of December 31, 2021**

Project still under construction? \_\_\_\_\_ Yes \_\_\_\_\_ X No  
 If yes, supply construction wages: \_\_\_\_\_

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:
- a. As of 12/31/2021: 47
  - b. New jobs created attributed to the CRA Agreement: 17
  - c. Jobs retained attributed to the CRA Agreement: 30
12. Identify total actual annual payroll as of 12/31/2021 attributed to the new employment (11b) resulting from the CRA Agreement: \$ 1,027,862
13. a. State the project investment level achieved as of 12/31/2021:
- Real Property:* \$ 1,500,000
  - Real Property Eligible for Exemption:* \$ 1,500,000
  - Personal Property:* \$ 0.00
- b. Identify total actual project tax revenue amounts at the project site for the most recent calendar year (2021) (revenues should be reflective of values in question 13a above) (use best available information):
- Real Property Taxes Paid:* \$ 35478.24
  - Real Property Taxes forgone (business savings for most current year):* \$ 7099.08
  - Personal Property Taxes Paid:* \$ 0
- c. Identify total actual project tax revenue amounts at project site over the term of the CRA through December 31, 2021 (use best available information):
- Cumulative Real Property Taxes Paid:* \$ 234844.60
  - Cumulative Real Property Taxes Forgone (total business savings to date):* \$ 74221.68
  - Cumulative Personal Property Taxes Paid:* \$ 0
- d. State the total estimate value of any other incentive provided by the local authorities under the CRA: \$ 0.00
14. Date of most recent Tax incentive Review Council (TIRC) review of this project: 03/25/2021
- a. TIRC recommendations from most recent compliance review: CONTINUE
  - b. Local government action/status: CONTINUE

**CERTIFICATION OF INFORMATION**

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2021.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE: Jeanette M Spiller 1/31/2022  
 Signature Date  
 Jeanette M. Spiller  
 Typed Name/Title



2021 COMPANY REPORT

CRA# 069-53550-01 Agreement # 10-001

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

1. Name the business(s) party to the CRA Agreement: MSG Investments, Ltd.

2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry

City, Municipality, or Township: Napoleon

Local School District: Napoleon Area School District

3. List the CRA Agreement: a. Execution Date 03/07/2019

b. Expiration Date 12/31/2030

c. Amendment date(s) (please list all) N/A

4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0 Payroll: 0

b. In Ohio prior to the CRA agreement: 0

5. Did the enterprise close or reduce employment at another site: No a. Within Ohio as a result of this agreement? (Y of N): No If yes, note community(s) and the number of full-time permanent jobs effected: Community: 0

Jobs: 0

b. Outside Ohio as a result of this agreement? (Y or N): No If yes, note the state and number of full-time permanent jobs effected: State: 0

Jobs: 0

6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement Retain: 0

Create: 1

7. Note the job creation period in months outlined within the CRA Agreement (#months): 24

8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 0

New Payroll: 35,000

9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 1,650,000

Eligible for exemption: 1,600,000

10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 50 % 10 yrs.



**Actual CRA Project Information as of December 31, 2021**

Project still under construction? \_\_\_\_\_ Yes  X  No  
 If yes, supply construction wages: \_\_\_\_\_

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:
- a. As of 12/31/2021: 28 Total w-2 wages 1,229,215
  - b. New jobs created attributed to the CRA Agreement: 18
  - c. Jobs retained attributed to the CRA Agreement: 10
12. Identify total actual annual payroll as of 12/31/2021 attributed to the new employment (11b) resulting from the CRA Agreement: \$ 356,275.00
13. a. State the project investment level achieved as of 12/31/2021:
- Real Property: \$ 2947,610
  - Real Property Eligible for Exemption: \$ \_\_\_\_\_
  - Personal Property: \$ 122,013
- b. Identify total actual project tax revenue amounts at the project site for the most recent calendar year (2021) (revenues should be reflective of values in question 13a above) (use best available information):
- Real Property Taxes Paid: \$ 29,606
  - Real Property Taxes forgone (business savings for most current year): \$ \_\_\_\_\_
  - Personal Property Taxes Paid: \$ 0
- c. Identify total actual project tax revenue amounts at project site over the term of the CRA through December 31, 2021 (use best available information):
- Cumulative Real Property Taxes Paid: \$ \_\_\_\_\_
  - Cumulative Real Property Taxes Forgone (total business savings to date): \$ \_\_\_\_\_
  - Cumulative Personal Property Taxes Paid: \$ \_\_\_\_\_
- d. State the total estimate value of any other incentive provided by the local authorities under the CRA: \$ 0.00
14. Date of most recent Tax incentive Review Council (TIRC) review of this project: 03/25/2021
- a. TIRC recommendations from most recent compliance review: CONTINUE
  - b. Local government action/status: CONTINUE

**CERTIFICATION OF INFORMATION**

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2021.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE:

Lydia Ellinwood 2/8/22  
 Signature Date  
Lydia Ellinwood, Controller  
 Typed Name/Title



2021 COMPANY REPORT

CRA# 069-53550-02 Agreement # 19-000

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

- 1. Name the business(s) party to the CRA Agreement: Shank Properties LLC
2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry, City, Municipality, or Township: Napoleon, Local School District: Napoleon Area School District
3. List the CRA Agreement: a. Execution Date: 4/23/2019, b. Expiration Date: 12/31/2031, c. Amendment date(s) (please list all): N/A
4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0 Payroll: 0, b. In Ohio prior to the CRA agreement: 0
5. Did the enterprise close or reduce employment at another site: No, a. Within Ohio as a result of this agreement? (Y of N): No, b. Outside Ohio as a result of this agreement? (Y or N): No
6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement: Retain: 19, Create: 10
7. Note the job creation period in months outlined within the CRA Agreement (#months): 24
8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 812,062, New Payroll: 790,400
9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 2,270,000, Eligible for exemption: 2,270,000
10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 100 % 10 yrs.



# City of *NAPOLEON*, Ohio

255 W. Riverview Ave. • P.O. Box 151  
Napoleon, Ohio 43545-0151  
Phone: (419) 592-4010 • Fax: (419) 599-8393  
Web Page: [www.napoleonohio.com](http://www.napoleonohio.com)

*Mayor*  
Jason Maassel

January 27, 2022

*Members of Council*

Shank Properties, LLC  
Attn: April Shank, Member  
13-226 County Road R  
Napoleon, OH 43545

**PRESIDENT:**  
Joseph Bialorucki

**PRESIDENT PRO-TEM:**  
John Ross Durham

Re: Project Status Report for Community Reinvestment Area Agreement

Daniel Baer  
Dr. David Cordes  
Kenneth Haase  
Lori Siclair  
Molly Knepley

Dear April,

Annually the Specific CRA (Ohio Community Reinvestment Area) Agreement/Project Status Report is to be completed by each recipient of a CRA agreement and submitted to the State of Ohio per Ohio Revised Code. As a recipient of such agreement, I have enclosed with this letter the 2021 Specific CRA Agreement/Project Status Report for completion.

*City Manager*  
Joel L. Mazur

*Finance Director*  
Kevin L. Garringer

I understand your time is valuable, so I have filled out as much information on this form as I had available to me. The highlighted areas on this form are information that I need for you to provide. Once you have completed the form, please sign and date then return to me. Completion and submission of this report must be returned to me no later than **Friday, February 11, 2022.**

*Law Director*  
Billy D. Harmon

As the City of Napoleon is subject to a \$1,000.00 fine per month for late submission, it is imperative your information is submitted to the City of Napoleon office in a timely manner. Failure to comply with the O.R.C. requirements may jeopardize the status of your existing agreement(s). Please note, we have been experiencing extreme delays in receiving mail through the US Post Office so I do not recommend mailing the forms back if at all possible. The signed and dated form can be scanned and emailed back to me or it may be dropped off at the City Municipal Building located at 255 W. Riverview Avenue, Napoleon.

Should you have any questions, please feel free to contact me at 419-592-4010 or by email at [agriffith@napoleonohio.com](mailto:agriffith@napoleonohio.com). Thank you!

Sincerely,  
*Amanda Griffith*  
Amanda Griffith, Executive Assistant

cc: File



2021 COMPANY REPORT

CRA# 069-53550-02 Agreement # 17-000

Please provide the appropriate information for the following questions pertaining to each CRA project. Review each question filling in missing or inaccurate information.

- 1. Name the business(s) party to the CRA Agreement: Ventures in Space, Ltd.
2. Name the Local Governmental Jurisdiction(s) where the project is located: County: Henry, City, Municipality, or Township: Napoleon, Local School District: Napoleon Area School District
3. List the CRA Agreement: a. Execution Date: 04/03/2017, b. Expiration Date: 12/31/2034, c. Amendment date(s) (please list all): N/A
4. State the baseline total full-time permanent employment of the enterprise: a. At the facility prior to the CRA agreement: 0, b. In Ohio prior to the CRA agreement: 0
5. Did the enterprise close or reduce employment at another site: a. Within Ohio as a result of this agreement? (Y or N): No, b. Outside Ohio as a result of this agreement? (Y or N): No
6. Number of full-time permanent jobs committed to create and/or retain within the CRA agreement: Retain: 5, Create: 0
7. Note the job creation period in months outlined within the CRA Agreement (#months): 0
8. The estimated annual payroll attributed to the new and/or retained employees pursuant to question 6: Retain Payroll: 0, New Payroll: 0
9. State the enterprise's total project investment commitment and the total investment eligible (if different from the total commitment) for tax exemptions as specified in the CRA Agreement: Real Property: 2,000,000, Eligible for exemption: 2,000,000
10. State the tax exemption rates and terms granted to the business under the CRA Agreement: 100% 15 yrs.

**Actual CRA Project Information as of December 31, 2021**

Project still under construction?        Yes   X   No  
 If yes, supply construction wages: \_\_\_\_\_

11. State the total permanent full-time employees employed by the enterprise at the CRA project for the following categories:
- a. As of 12/31/2021: \_\_\_\_\_
  - b. New jobs created attributed to the CRA Agreement: 11
  - c. Jobs retained attributed to the CRA Agreement: 285
12. Identify total actual annual payroll as of 12/31/2021 attributed to the new employment (11b) resulting from the CRA Agreement: \$ 690,000
13. a. State the project investment level achieved as of 12/31/2021:
- Real Property:* \$ 5,700,000
  - Real Property Eligible for Exemption:* \$ \_\_\_\_\_
  - Personal Property:* \$ 414,091.85
- b. Identify total actual project tax revenue amounts at the project site for the most recent calendar year (2021) (revenues should be reflective of values in question 13a above) (use best available information):
- Real Property Taxes Paid:* \$ 168
  - Real Property Taxes Forgone (business savings for most current year):* \$ \_\_\_\_\_
  - Personal Property Taxes Paid:* \$ 11,116
- c. Identify total actual project tax revenue amounts at project site over the term of the CRA through December 31, 2021 (use best available information):
- Cumulative Real Property Taxes Paid:* \$ \_\_\_\_\_
  - Cumulative Real Property Taxes Forgone (total business savings to date):* \$ \_\_\_\_\_
  - Cumulative Personal Property Taxes Paid:* \$ \_\_\_\_\_
- d. State the total estimate value of any other incentive provided by the local authorities under the CRA: \$ 0.00
14. Date of most recent Tax Incentive Review Council (TIRC) review of this project: 03/25/2021
- a. TIRC recommendations from most recent compliance review: CONTINUE
  - b. Local government action/status: CONTINUE

**CERTIFICATION OF INFORMATION**

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the CRA project as of December 31, 2021.

ENTERPRISE'S AUTHORIZED REPRESENTATIVE: Sean Rupp 2-10-22  
 Signature Date  
Sean Rupp President  
 Typed Name Title



# QUOTE

**Midwest Public Safety LLC**  
2665 Harryland Rd.  
Decatur, Illinois 62521  
United States

1-217-855-0082  
midwestpublicsafetygroup.org

**BILL TO**  
**Napoleon PD**  
Chief David Mack  
310 Glenwood Ave  
Napoleon, Ohio 43545  
United States

419.599.2810  
dmack@napoleonohio.com

**Estimate Number:** 301022GG00670

**Estimate Date:** March 30, 2022

**Expires On:** April 29, 2022

**Grand Total (USD): \$80,028.00**

Products	Quantity	Unit Price	Extended Price
<b>GVS-OAHAKEXFBZIB</b> GETAC VIDEO SOLUTIONS INC. : ME i7 LTE BB record, Display (CU-D50), ZeroDark FHD Dual Omni IP cam CA-NF22-180/70, ZeroDark FHD IP cam CANF21-146IR, Wiring kit (25ft), Havis Display TSD101-GTC cable, Getac Rugged KBD SC& HID LF/HF RFID, DVR+cam+Display Ext Warranty- 2 & 3 yrs	8	\$5,499.00	\$43,992.00
<b>591GVS000015</b> GETAC VIDEO SOLUTIONS INC. : VEHICLE ANTENNA;AIRGAIN,MULTIMAX,3IN1,WIFIX2-GPSX1,BOLT MOUNT,19FT,BLACK	8	\$159.00	\$1,272.00
<b>GVS-OIA04X</b> Interceptor Mountng Bracket	8	\$72.00	\$576.00
<b>GVS-GE-EDDNEXT5Y</b> GETAC VIDEO SOLUTIONS INC. : DVR(Include Battery) + 2 Cameras + Display Extended Warranty - Years 4 & 5 - Edge computing, DVR + Cameras + Display, Extended Warranty, 5, Year	8	\$470.00	\$3,760.00
<b>GVS-GEHAMAEXT2Y</b> GETAC VIDEO SOLUTIONS INC. : Extended Warranty - Havis In-Vehicle monitor + ADPT/TSD101 -Year 4 & 5 - Havis, Havis In-Vehicle monitor + ADPT/TSD-101, Extended Warranty, 2, Year	8	\$299.00	\$2,392.00
<b>GVS-OVWX3XXXXXX1</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03)-64GB + FHD/HD/WVGA + WiFi + GPS + BLE, 1 year hardware warranty	10	\$589.00	\$5,890.00



# QUOTE

**Midwest Public Safety LLC**  
 2665 Harryland Rd.  
 Decatur, Illinois 62521  
 United States

1-217-855-0082  
 midwestpublicsafetygroup.org

Products	Quantity	Unit Price	Extended Price
<b>GVS-OD3DDU</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03) - 8 Port Multidock with Datamover (MD-03D), includes 150W AC Adapter (US)	2	\$1,385.00	\$2,770.00
<b>GVS-ORB362</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera Magnetic Mount V2.0	10	\$59.00	\$590.00
<b>GVS-ORB42X</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03), magnetic quick release charging USB cable (3.94 ft)	10	\$66.00	\$660.00
<b>GVS-ORB51X</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03) - Single Port Dock (VD-03), with 40W Vehicle Adapter	8	\$156.00	\$1,248.00
<b>GVS-OTX11X</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera Bluetooth Trigger Box (TB-02)	8	\$149.00	\$1,192.00
<b>GVS-GE-SVBFEXT4Y</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03) - BC-03 Extended Warranty - Years 2, 3, 4 & 5	10	\$315.00	\$3,150.00
<b>GVS-GE-SVMTEXT4Y</b> GETAC VIDEO SOLUTIONS INC. : Body Worn Camera (BC-03) - MD-03D Dock w/ 150W - Extended Warranty- Year 2, 3, 4 & 5 - Getac, MD- 03D, Extended Warranty, 4, Year	2	\$286.00	\$572.00
<b>GVS-OUA02X</b> Plan 2 Cloud--30 Gig Pan. Monthly plan	216	\$25.00	\$5,400.00
<b>GVS-OUA07X</b> GETAC VIDEO SOLUTIONS INC. : Getac Cloud - Video License and Maintenance (Per DATA MOVER Software device) Per Month	24	\$11.00	\$264.00
<b>GVS-OZX01X</b> GETAC VIDEO SOLUTIONS INC. : GETAC VIDEO SOLUTION ON-SITE CONSULTING	1	\$2,450.00	\$2,450.00



# QUOTE

**Midwest Public Safety LLC**  
2665 Harryland Rd.  
Decatur, Illinois 62521  
United States

1-217-855-0082  
midwestpublicsafetygroup.org

Products	Quantity	Unit Price	Extended Price
<b>GVS-OZX04X</b> GETAC VIDEO SOLUTIONS INC. : Getac Video Solution - Remote Setup, Configuration, or PreTesting - Per day	1	\$1,400.00	\$1,400.00
<b>GVS-OZX07X</b> GETAC VIDEO SOLUTIONS INC. : Getac Video OnSite Training - Per day	1	\$2,450.00	\$2,450.00
<b>Total:</b>			\$80,028.00
<b>Grand Total (USD):</b>			<b>\$80,028.00</b>

**Notes / Terms**

Midwest Public Safety  
2665 Harryland Rd.  
Decatur, IL 62521  
www.midwestpublicsafetygroup.org  
217-855-0082

Accepted by: \_\_\_\_\_  
Accepted Date: \_\_\_\_\_



# City of *NAPOLEON*, Ohio

255 West Riverview Avenue • P.O. Box 151  
Napoleon, Ohio 43545-0151  
Phone: (419) 592-4010 • Fax: (419) 599-8393  
Web Page: [www.napoleonohio.com](http://www.napoleonohio.com)

To: Napoleon City Council and Mayor  
From: Joel Mazur, City Manager  
Date: April 4, 2022

*Mayor* □  
Jason Maassel

## *Members of Council*

**PRESIDENT:**  
Joseph Bialorucki

**PRESIDENT PRO-TEM:**  
J. Ross Durham

Daniel Baer  
Lori Siclair  
Kenneth Haase  
Molly Knepley  
Dr. David Cordes

*City Manager*  
Joel L. Mazur

*Finance Director*  
Kevin L. Garringer

*Law Director*  
Billy D. Harmon

RE: USDA Rural Energy Pilot Program Grant Opportunity

With the passage of the federal Infrastructure Investment and Jobs Act, many grant opportunities are becoming available. Recently, the USDA released guidelines for a pilot program called the Rural Energy Pilot Program. This program provides funding for the following eligible activities:

- Community energy planning, capacity building, and technical assistance
- Community efficiency and weatherization
- Installation and equipping of community-scale renewable energy technologies and systems

Over the past several months, I've been exploring opportunities to advance a Community Solar project at the request of some electric users. A community Solar project is one that would allow for users to subscribe to a portion of the electricity production of a generating project directly, similar to how member communities subscribe to AMP projects. The difference is that users can subscribe for shorter lengths of time at different rates, which would be established as the project is developed.

One such opportunity is to install solar generation within ODOT right-of-way at the interchange on US 24 and Woodlawn Ave. I have taken the initiative to work with the ODOT District 2 Deputy Director to see if this would be a project worth pursuing. After several discussions, I have received a letter of support from ODOT to pursue such a project. Attached is the Letter of Support and a concept plan for a potential project.

Many grant opportunities are becoming available in a short amount of time with short deadlines. Though it would be ideal to vet the project through the Electric Committee and Board of Public Affairs, the timing is crucial in order to get a Letter of Intent submitted by April 19, 2022. The application requires a 20% minimum match, up to a total of \$2M in grant funds per project.

The Letter of Intent is extensive at a 15-page maximum. This does not include the full application, which is due on July 18<sup>th</sup>, 2022. **To submit the letter of intent, I would procure assistance from a consultant that specializes in renewable energy development at an estimated cost of \$5,000.** If this is a grant opportunity that City Council supports, I recommend submitting a Letter of Intent by the April 19<sup>th</sup>, 2022 deadline.



# OHIO DEPARTMENT OF TRANSPORTATION

Mike DeWine, *Governor*

Jack Marchbanks, Ph.D., *Director*

**District 2**

317 East Poe Rd., Bowling Green, OH 43402-1330

419-353-8131

[transportation.ohio.gov](http://transportation.ohio.gov)

March 10, 2022

To Whom It May Concern,

The Ohio Department of is one of the largest landowners in the State of Ohio, most of the land held is necessary to accommodate the highway system, along with the geometric considerations of the system. A large portion of this land is typically not developable or useable. Large clusters of unusable land exist in and around interchanges. All this excess property must be maintained. The Department has been approached and is in discussions with the City of Napoleon about permitting the use of excess land around the US 6/US 24/Woodlawn Avenue interchange and the related infields of the interchange. The idea is to permit the city to install solar panels in designated unused areas. The permitting of solar panels is considered by the department to be a pilot permitting project. This idea has been discussed with ODOT's executive leadership team and the team has interest in further exploring and advancing this pilot. The department feels that this innovative idea is replicable, scalable and could have greater impacts towards reducing the departments maintenance burden, while enabling political subdivisions to capitalize on unused property for community benefit and sustainability efforts.

Thank you for your consideration and please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Pat M. Colley".

Patrick M. McColley, PE, SI  
Deputy Director

**Excellence in Government**

*ODOT is an Equal Opportunity Employer and Provider of Services*



Inverter Island

Battery Storage

Proposed Solar Panel Area:  
~13 Acres



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

## Memorandum

**To:** Joel L. Mazur, City Manager  
**From:** Chad E. Lulfs, P.E., P.S., Director of Public Works  
**cc:** Mayor & City Council  
Kevin Garringer, City Finance Director  
Roxanne Dietrich, Clerk of Council  
Jeff Rathge, Operations Superintendent  
**Date:** March 29, 2022  
**Subject:** Haley Avenue SSO Removal ~ Approval of Plans & Specifications

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the Haley Avenue SSO Removal Project. This project consists of eliminating the Haley Avenue SSO by rerouting it from the storm sewer which outlets to the river and connecting it to the wet well for the West Lift Station. This project is required by the Ohio Environmental Protection Agency as part of the City of Napoleon's Findings & Orders. The completion date is October 1, 2022.

Engineer's Estimate of Construction & Project Budget: \$50,000.00.

*CEL*



Department  
of Commerce

Mike DeWine Governor  
Jon Husted Lt. Governor

Division of Liquor Control  
Sheryl Maxfield Director

received  
3/28/2022

Rev 2/10/2021

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
  - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

**FAX:** (614) 644 – 3166

**EMAIL:** [LiquorLicensingMailUnit@com.state.oh.us](mailto:LiquorLicensingMailUnit@com.state.oh.us)

**MAIL:** Ohio Division of Liquor Control  
Attn: Licensing Unit  
6606 Tussing Road  
PO Box 4005  
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to [https://www.comapps.ohio.gov/liqr/liqr\\_apps/PermitLookup/PermitHolderOwnership.aspx](https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx) and enter the permit number listed on the legislative notice; or
- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Licensing Section  
6606 Tussing Road  
Reynoldsburg, OH 43068-9009

An Equal Opportunity Employer and Service Provider

Fax 614-728-1261  
TTY/TDD 800-750-0750  
com.ohio.gov

NOTICE TO LEGISLATIVE  
AUTHORITY

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

80118310055		TRFO	TO
PERMIT NUMBER		TYPE	SFR X HOLDINGS LLC
06	01	2021	DBA PIZZA HUT OF OH
ISSUE DATE		2240 N SCOTT ST	
03	22	2022	NAPOLEON OHIO 43545
FILING DATE			
D1			
PERMIT CLASSES			
35	088	A	F27286
TAX DISTRICT		RECEIPT NO.	

FROM 03/24/2022

58998990005			FROM
PERMIT NUMBER		TYPE	03/24/2022
06	01	2021	MIAMI VALLEY PIZZA LLC
ISSUE DATE		2240 N SCOTT ST	
03	22	2022	NAPOLEON OHIO 43545
FILING DATE			
D1			
PERMIT CLASSES			
35	088		
TAX DISTRICT		RECEIPT NO.	



MAILED 03/24/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/25/2022

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

REFER TO THIS NUMBER IN ALL INQUIRIES

**A TRFO 8011831-0055**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

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

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

(Signature)

(Title)-  Clerk of County Commissioner

Clerk of City Council

Township Fiscal Officer

(Date)

CLERK OF NAPOLEON CITY COUNCIL  
PO BOX 151  
NAPOLEON OHIO 43545

Roy - FBI PD Recipient GRANT 2022

## INSTRUCTIONS

- The Chief or Sheriff must sign the following Award Acceptance and comply with the terms and conditions listed below.
- Award payments cannot be disbursed before this signed Award Acceptance has been submitted.
- Please contact Attorney General's Office via e-mail at [OhioLEBodyArmor@OhioAttorneyGeneral.gov](mailto:OhioLEBodyArmor@OhioAttorneyGeneral.gov) with any questions regarding the Ohio Law Enforcement Body Armor Program.

Please send the completed form to [OhioLEBodyArmor@OhioAttorneyGeneral.gov](mailto:OhioLEBodyArmor@OhioAttorneyGeneral.gov)

## AWARD ACCEPTANCE AND REQUESTS FOR REIMBURSEMENT ARE DUE BY September 30, 2022

### AGENCY INFORMATION

Recipient Organization: Napoleon Police Department

Award Amount: \$2,950.48

Award Period End Date: September 30, 2022

### ACCEPTANCE

The Recipient Organization agrees as follows:

I. Funding Purpose and Recapture of Funds. In accordance with the terms hereof, the Recipient Organization (the "Recipient") agrees to receive certain award funds under the Ohio Law Enforcement Body Armor Program (the "Funds") for a 75% reimbursement of the purchase price of bulletproof vests purchased pursuant to the Ohio Law Enforcement Body Armor Program. The Recipient agrees that it will be liable to repay any Funds spent in a manner inconsistent with this Agreement or the stated purpose as determined by the Ohio Attorney General (the "Attorney General"). This Award Acceptance may only be modified in a writing signed by the Attorney General and the Recipient.

II. Limitations on Use of Funds. Funds received under the Ohio Law Enforcement Body Armor Program will not be used for any political campaign or governmental lobbying in a partisan manner. Purchases of bulletproof vests must have been made during the Award Period as stated above in order to be reimbursed.

III. Disbursement of Funds. Direct payments will be made by Electronic Funds Transfers to Recipients that have submitted an Authorization Agreement for Direct Deposit of EFT Payments form to the Attorney General. Otherwise, payment will be made by check from the Office of Budget and Management. For all awards, the Funds will be disbursed upon receipt from the Recipient of this signed Award Acceptance and a completed Request for Payment Form including all necessary documentation of the purchase, and upon Attorney General approval. In order to be reimbursed, all required documentation must be submitted by September 30, 2022 via e-mail to [OhioLEBodyArmor@OhioAttorneyGeneral.gov](mailto:OhioLEBodyArmor@OhioAttorneyGeneral.gov). Disbursements are contingent upon the timely submission and approval of all required documentation (which may include, but is not limited to, original invoices and receipts). No payments will be made after November 30, 2022.

IV. Liability. Recipient agrees that the Attorney General and the Ohio Bureau of Workers' Compensation are not responsible for the operation of the bulletproof vests purchased pursuant to this program. In the event of an injury or occupational disease arising from the implementation of the program, the Recipient and the employee's sole and exclusive remedy shall be pursuant to the workers' compensation laws of the appropriate jurisdiction.

V. Ethics/Conflict of Interest. The Recipient, by signature on this Award Acceptance, certifies that it has reviewed and understands the Ohio ethics and conflict of interest laws, and will take no action inconsistent with those laws.

VI. Non-Discrimination. Pursuant to R.C. 125.111 and the Attorney General's policy, Recipient agrees that Recipient and any person acting on behalf of Recipient shall not discriminate, by reason of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry against any citizen of this state in the employment of any person qualified and available to perform the work described herein. Recipient further agrees that Recipient and any person acting on behalf of Recipient shall not, in any manner, discriminate against, intimidate, or retaliate against any employee hired for the performance of work described herein on account of race, color, religion, sex, sexual orientation, age, disability, military status, national origin, or ancestry.



# City of Napoleon, Ohio

## Parks and Recreation Department

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

Telephone: (419) 592-4010 Fax: (419) 592-8955

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

## Memorandum

**To:** Kevin Garringer, Finance Director  
**Cc:** Joel Mazur, City Manager  
**From:** Tony Cotter, Director of Parks and Recreation  
**Date:** March 10, 2022  
**Subject:** Parks and Recreation Department Donations

Per our conversation, here are the donations that we anticipate receiving in March and April of this year.

Donor	Item and Description of Use	Amount
Napoleon Family Vision	Indoor/Outdoor Carpeting to be installed at the Oakwood Park Batting Cages	\$2,000.00
LT Appraisal	Pitching Screens for Oakwood Park ball fields	\$350.00
Dennis Wenner	Bench Swings to be installed in Ritter Park adjacent to Boat Launch area	\$1,000.00

I plan to make these purchases out of the 220.4400.57000 account.

Let me know if you have questions or need additional information.



# City of *NAPOLEON*, Ohio

*P.O. Box 151 \* 255 West Riverview Avenue  
Napoleon, Ohio 43545-0151  
Phone: (419) 592-4010 • Fax: (419) 599-8393  
Web Page: [www.napoleonohio.com](http://www.napoleonohio.com)*

April 4, 2022

*Mayor*  
Jason Maassel

*Members of Council*  
Joseph Bialorucki, President  
J. Ross Durham, President Pro-Tem  
Daniel L. Baer  
Lori Siclair  
Ken Haase  
Molly Knepley  
Dr. David Cordes

*City Manager*  
Joel L. Mazur

*Finance Director*  
Kevin Garringer

*Law Director*  
Billy Harmon

The Honorable James M. Hoops  
The Ohio House of Representatives  
77 S. High Street, 11<sup>th</sup> Floor  
Columbus, OH 43215

RE: Opposition to SB 288

Dear Representative Hoops:

The Mayor and the Council of the City of Napoleon are expressing strong opposition to SB 288, the Criminal Justice Ominous Bill.

SB 288 has the potential for many negative impacts on law enforcement with the numerous modifications on prohibitions and penalties in Criminal Law that are being proposed. Generally, the proposed changes significantly reduce accountability for criminals and raise the risk of increased criminal activity due to the reduced severity of the penalty that would otherwise fit a specific crime.

We respectfully ask that you strongly consider opposing SB 288 for the best interest of everyone and especially for the law enforcement officers who are here to serve and protect the citizens of the City of Napoleon and in the State of Ohio. Thank you for your consideration.

Sincerely,



# City of *NAPOLÉON*, Ohio

*P.O. Box 151 \* 255 West Riverview Avenue  
Napoleon, Ohio 43545-0151  
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April 4, 2022

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Ken Haase  
Molly Knepley  
Dr. David Cordes

*City Manager*  
Joel L. Mazur

*Finance Director*  
Kevin Garringer

*Law Director*  
Billy Harmon

The Honorable Rob McColley  
The Ohio Senate  
1 Capital Square, 2<sup>nd</sup> Floor  
Columbus, OH 43215

RE: Opposition to SB 288

Dear Senator McColley:

The Mayor and the Council of the City of Napoleon are expressing strong opposition to SB 288, the Criminal Justice Ominous Bill.

SB 288 has the potential for many negative impacts on law enforcement with the numerous modifications on prohibitions and penalties in Criminal Law that are being proposed. Generally, the proposed changes significantly reduce accountability for criminals and raise the risk of increased criminal activity due to the reduced severity of the penalty that would otherwise fit a specific crime.

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Sincerely,



# City of Napoleon, Ohio

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

## Memorandum

**To:** City Council, Mayor, City Manager, City Finance Director, Law Director, Department Heads, News-media  
**From:** Roxanne Dietrich, Clerk  
**Date:** April 1, 2022  
**Subject:** Technology and Communications Committee – Cancellation

The regularly scheduled meeting of the **Technology and Communications Committee** for Monday, April 4, 2022, at 6:15 pm has been CANCELED due to lack of agenda items.

*City of Napoleon, Ohio*

## **CIVIL SERVICE COMMISSION**

Meeting Agenda

**Tuesday, April 05, 2022 at 4:30 pm**

Location: Council Chambers, 255 West Riverview Avenue, Napoleon, OH

1. Approval of Minutes
2. Discussion/Action on List for Police Officer (Patrolman Grade)
3. Set a Date for Receiving Applications through the National Testing Network for Police Officer (Patrolman Grade)
4. Set a Date, Time and Place for Police Officer (Patrolman Grade) Physical Fitness Test
5. Set Determination of Credits and How the Credits are to be Applied for the Police Officer (Patrolman Grade) Position.
6. Any Other Matters to Come before the Commission
7. Adjournment

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Roxanne Dietrich, Clerk