

ORDINANCE NO. 010-16

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
AND/OR CHIEF OF POLICE TO ESTABLISH AN ACCOUNT
WITH THE OHIO DEPARTMENT OF COMMERCE'S
VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND; AND
DECLARING AN EMERGENCY**

WHEREAS, in March, 2016, Ohio Senate Bill 11 passed and said Bill established the Volunteer Peace Officers' Dependents Fund ("VPODF"); and

WHEREAS, the VPODF provides death benefits to survivors of volunteer peace officers killed in the line of duty, and also provides disability benefits to disabled volunteer peace officers; and

WHEREAS, Ohio Revised Code Section 143.01(C) defines "volunteer peace officer" as "any person who is employed as a police officer, sheriff's deputy, constable, or deputy marshal in a part-time, reserve, or volunteer capacity by a sheriff's department or the police department of a municipal corporation, township, township police district, or joint police district and is not a member of the public employees retirement system, Ohio police and fire pension fund, state highway patrol retirement system, or the Cincinnati retirement system."; and

WHEREAS, The Ohio Department of Commerce is tasked with administering the VPODF fund; **Now Therefore**,

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

Section 1. That, the City Manager and/or Chief of Police are authorized to establish an account, in the year 2016 and beyond, with the newly established Ohio Department of Commerce Volunteer Peace Officers' Dependents Fund ("VPODF") provided for by Ohio Revised Code Section 143.01, *et seq.*

Section 2. That, the City Manager or City Finance Director are authorized to contribute the initial premium to the VPODF. Said premium is based on the City of Napoleon's assessed property valuation. The premium will range from a minimum amount of \$300.00 to a maximum amount \$500.00. Further, it is understood that no further contributions or premium payments will be required from the City of Napoleon until claims against the Fund have reduced the Fund's balance to 95% or less of its basic capital account. Further, it is understood that if the Ohio Department of Commerce is required to certify additional premiums, said premiums will range from a minimum amount of \$90 to a maximum amount of \$150 based on the City of Napoleon's assessed property valuation.

Section 3. That, pursuant to Ohio Revised Code Section 143.01, *et seq.*, the City of Napoleon must establish a board to administer claims for benefits to be distributed from the VPODF. Further, each board must have the following five (5) members: two (2) members elected by the legislative authority of the Fund member that maintains the police department (elected officials); two (2) members elected by the volunteer peace officers of the police department (employed by the police department);

and one (1) member elected by the other four (4) members (cannot be a public employee, member of the legislative authority, or peace officer of the police department; must be a citizen registered to vote in the area). Further, one (1) of the five (5) board members shall serve as a chairperson and one (1) shall serve as the secretary.

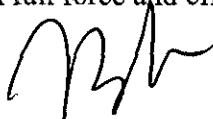
Section 4. That, the City Manager is charged with the authority to appoint the five (5) members to the Fund Board.

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

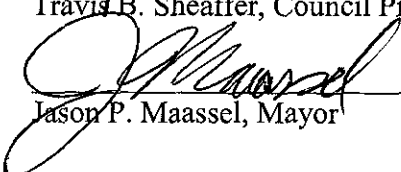
Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining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

Section 7. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, namely, to allow the City of Napoleon to create an account with the Ohio Volunteer Peace Officers' Dependents Fund so the City's peace officers may receive death or disability benefits if needed; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: April 4, 2016

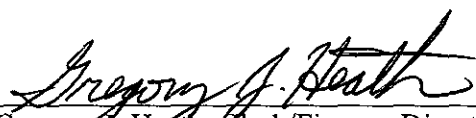

Travis B. Sheaffer, Council President

Approved: April 4, 2016


Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 010-16 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 22 day of April, 2016; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.



Gregory J. Heath, Clerk/Finance Director

RESOLUTION NO. 007-16

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY TO WIT: A PORTION (APPROXIMATELY 7 ACRES) OF PARCEL NO. 28-0700320200 OWNED BY THE CITY TO THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, and pursuant to Ohio Revised Code Chapter 1724, the City of Napoleon transferred approximately seven (7) acres of property located on Commerce Drive to the Henry County Improvement Corporation for the purposes of economic development. The affected Parcel No. is 28-0700320200.

Resolution No. 008-16

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF UPDATING THE CITY'S I/I STUDIES IN THE WASTEWATER COLLECTION SYSTEM, AND TO SOLE SOURCE SAID UPDATES TO STANTEC CONSULTING SERVICES, INC.; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager to enter into a contract with Stantec Consulting Services, Inc. to update the City's Infiltration and Inflow "I/I" studies in the wastewater collection system. Said updated I/I studies are required by the Ohio EPA. The City Manager is authorized to sole source this contract to Stantec Consulting Services, Inc. for this contract because Stantec already has intimate knowledge of the City's infrastructure.

ORDINANCE NO. 010-16

AN ORDINANCE AUTHORIZING THE CITY MANAGER AND/OR CHIEF OF POLICE TO ESTABLISH AN ACCOUNT WITH THE OHIO DEPARTMENT OF COMMERCE'S VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized the City Manager and/or Chief of Police to establish an account with the Ohio Department of Commerce's Volunteer Peace Officers' Dependents Fund in order to allow families of part-time and volunteer peace officers to collect state benefits in the event of a peace officer's serious disability or death incurred in the line of duty.

RESOLUTION NO. 011-16

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY TO WIT: A PORTION (APPROXIMATELY 14.625 ACRES) OF PARCEL NO. 28-0700320200 OWNED BY THE CITY TO THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, and pursuant to Ohio Revised Code Chapter 1724, the City of Napoleon transferred approximately 14.625 acres of property located on Commerce Drive to the Henry County Improvement Corporation for the purposes of economic development. The affected Parcel No. is 28-0700320200.

ORDINANCE NO. 012-16

AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 2) FOR THE YEAR 2016; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon supplemented the annual appropriation measure Supplement No. 2) for the fiscal year ending December 31, 2016. The Funds involved in the supplemental appropriation included: law enforcement & education fund, mandatory drug fine fund, probation officers grant fund, and water revenue fund. A related and previously passed Ordinance for fiscal year 2016 includes Ordinance No. 005-16.

All of the above summaries are approved as to form and correctness by Lisa L. Nagel, City Law Director