

ORDINANCE NO. 075-18

AN ORDINANCE ESTABLISHING A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, OHIO FOR THE YEAR 2019; REPEALING ORDINANCE NO. 086-17; AND DECLARING AN EMERGENCY

WHEREAS, Council reviewed the proposed Year 2019 annual appropriation measure and finds, in general, as it relates to non-bargaining employees of the City of Napoleon, Ohio, that a compensation increase of two percent (2.0%), is generally warranted subject to various considerations as contained herein; and,

WHEREAS, Exhibits A, B, and C attached hereto and incorporated herein, reflect pay scales for City of Napoleon non-bargaining employees. The pay scales noted in these Exhibits generally contain a two percent (2.0%) pay increase from the 2018 pay scales; and,

WHEREAS, Council desires to make said compensation increases effective on the pay period commencing on or about December 17, 2018; and,

WHEREAS, Council desires to adopt a new 2019 Classification Pay Plan for its non-bargaining employees as stated in this Ordinance and Exhibits A, B, and C; **Now Therefore**,

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

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio, (the "City") establishes a new 2019 Position Classification Pay Plan ("Pay Plan") for its non-bargaining employees.

Section 2. That, effective with the first pay period for the Year 2019, that commences on or about December 17, 2018, the pay scale (steps) for the City's non bargaining employees (full time) shall be established as provided in Exhibit "A." Exhibit "A" contains base hourly rates. Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 042-14), and Section 3 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level of compensation the Department Director or Appointing Authority deems appropriate as listed in Exhibit "A."

Section 3. That, effective with the first pay period for the Year 2019, which commences on or about December 17, 2018, each non-bargaining employee (full time regular) (hourly), subject to Employment Policy Manual Policy Section 8.10 (Compensation Reviews), is eligible on such employee's annual hiring anniversary date of uninterrupted full time service with the City, to be advanced one (1) step in the Pay Plan until the maximum step is reached. The non-bargaining employee's (full time regular) (hourly) step location prior to advancement in the Pay Plan shall be determined by contrasting the base hourly rate said employee received prior to the enactment of this Ordinance with the table found in Exhibit "A" for the respective year. For new hires, the Department Director or Appointing Authority may place an employee within the scale where the Department Director or Appointing Authority deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay. Step increases for transfer employees shall be in accordance with Section 197.09(e) of the

Personnel Code. A mere reclassification of a current position, where job duties are substantially the same, does not constitute a transfer.

Section 4. That, effective with the first pay period for the Year 2019, that commences on or about December 17, 2018, the pay scale for non-bargaining employee (salaried) (full time) positions of this City which are exempt under the Fair Labor Standards Act (FLSA) as it relates to overtime, shall be provided, unless modified, as established in Exhibit "B," attached and incorporated herein, (expressed in base biweekly salary amounts). Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), and Section 5 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "B."

Section 5. That, effective with the first pay period for the Year 2019, that commences on or about December 17, 2018, each non bargaining employee (salaried) (full time) position of this City as defined in Section 4 of this Ordinance, is eligible to have a minimum salary increase of two percent (2.0%) for Year 2019, subject to Employment Policy Manual "Policy Section 8.10 (Compensation Reviews)," calculated from what the employee is making at the time just prior to the proposed increase period, and as reflected in the amounts expressed in Exhibit "B." In no event shall any increase place the employee above the top scale as established in Section 4 of this Ordinance. For new hires or current employees, the Department Director or Appointing Authority may place an employee, at any time, within the scale where the Department Director or Appointing Authority deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay.

Section 6. That, effective with the first pay period of the Year 2019, that commences on or about December 17, 2018, the Pay Scale (steps) for part time, permanent part time, and temporary employees of this City shall be provided unless modified, as stated in the table found in Exhibit "C" (attached and incorporated herein), except when Federal or State minimum wage of a higher amount is required, then the higher amount of the Federal or State minimum wage shall apply. Subject to the provisions of the City's Personnel Code and Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "C." Employment Policy Manual 2014-1, Policy Section 8.10, (compensation reviews), is applicable only to permanent part time employees, not part time or temporary employees.

Section 7. All paid part time, permanent part time, and temporary employees of the City shall, effective with the first pay period of the Year 2019, that commences on or about December 17, 2018, have a minimum hourly base pay increase of two percent (2.0%) for Year 2019 calculated from what the employee's base rate was just prior to this proposed increase, and as is reflected in the amounts expressed in Exhibit "C" (the amounts include the two percent (2.0%) increase). Only permanent part time employees are subject to Employment Policy Manual 2014-1 Policy Section 8.10 (compensation reviews), when applicable. Part time employees of the Fire/Rescue Department will remain on probationary/trainee status until removed by the City Manager upon recommendation of the Fire Chief. For new hires or current employees of the City, the Appointing Authority or Department Director may place an employee within the scale

where the Appointing Authority or Department Director deems appropriate considering merit and fitness. Nothing in this section shall be construed to prohibit a decrease in pay. The non-full time status positions found in Exhibit "C" (i.e. temporary part time or permanent part time) may be modified by the Appointing Authority or Department Director at any time, except that Council shall approve any modification to a full time status. Additionally, the position of Probation Officer PIIG Grant is hereby set as expressed in Exhibit "C."

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

Section 9. That, the position of Executive Assistant/Paralegal to the Law Director is hereby created and established in and for the City for the Napoleon and shall be considered a full time regular employee having a salary, non-exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Law Director, is hereby approved by this Council. The Executive Assistant/Paralegal to the Law Director shall not be entitled to any longevity pay.

Section 10. That, notwithstanding any section of this Ordinance to the contrary, compensation of the Clerk of the Napoleon Municipal Court shall be as found in Section 4 of this Ordinance and as stated in Exhibit "B" unless otherwise set by the Municipal Court Judge pursuant to ORC Section 1901.31 (C).

Section 11. That, compensation for the Chief Deputy Clerk and all other Deputy Clerks of the Napoleon Municipal Court shall be as set by the Clerk of the Napoleon Municipal Court pursuant to ORC Section 1901.31 and as stated in Exhibits "A, B, and C."

Section 12. That, the compensation for Municipal Court Bailiff and/or Deputy Bailiff shall be established by the Municipal Court pursuant to ORC Section 1901.32 and as stated in Exhibits "A, B, and C."

Section 13. That, the position of Chief Probation Officer as established in and for the City for the Napoleon Municipal Court shall be considered a full time regular employee having a salary, non-exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, is continued to be approved by this Council. The Chief Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Chief Probation Officer's salary at any time so long as within the limits of the CCA Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Chief Probation Officer's pay and benefits exceed the amount of the CCA Grant or as otherwise may be supplemented by the Municipal

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

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

Section 15. That, those employees who are covered by collective bargaining agreements shall be paid in accordance with the respective collective bargaining agreement.

Section 16. That, all compensation paid under this Ordinance is subject to appropriation of funds by Council.

Section 17. That, the Finance Director may adjust compensation for all affected employees to meet the intent of this Ordinance.

Section 18. That, all pay scales reflected in this Pay Plan shall be rounded, utilizing the five rule, to the nearest penny.

Section 19. That, no position mentioned in this Ordinance shall receive longevity benefit unless specified in this City's adopted longevity plan unless otherwise specifically provided for herein, or except as may be permitted by the City's longevity policy.

Section 20. That, any employee who is employed by the City in more than one position shall be paid overtime in accordance with State and Federal wage and salary laws (specifically, after forty hours of work within one week the person should receive overtime based on the salary or wage for the position they are working when they surpass forty hours for that work week). However, but for the employee's normal scheduled employment, the department that causes the overtime shall be liable for the payment of overtime regardless of where the hours were worked.

Section 21. That, Ordinance No. 086-17 is repealed in its entirety effective December 31, 2018.

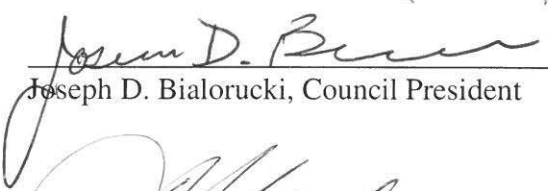
Section 22. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal 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 23. 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.

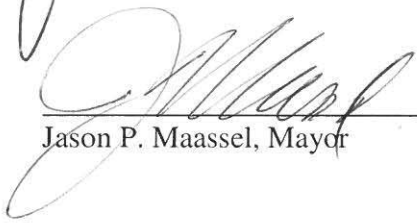
Section 24. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper

payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce, and for further reasons as stated in the Preamble hereof.

Passed: December 17, 2018

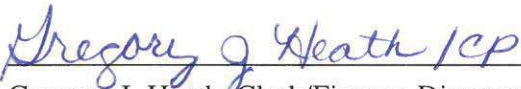

Joseph D. Bialorucki, Council President

Approved: December 17, 2018


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. 075-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, & 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

EXHIBIT "A"

(BASE HOURLY RATE)

<u>Title</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Clerk-Typist II	\$12.01	\$13.82	\$14.84	\$15.91
Receptionist	\$13.58	\$15.58	\$16.70	\$17.96
Administrative Assistant	\$16.55	\$19.10	\$20.51	\$22.08
Front Desk Administrator	\$12.01	\$13.55	\$14.22	\$15.03
Service Building Secretary	\$12.01	\$13.55	\$14.22	\$15.03
Senior Service Building Secretary	\$14.92	\$17.12	\$18.41	\$19.87
Executive Assistant to Appointing Authority	\$20.10	\$21.42	\$22.80	\$24.24
Executive Assistant/Paralegal to Law Director	\$24.24	\$26.48	\$28.44	\$30.41
Account Clerk I	\$12.01	\$13.55	\$14.22	\$15.02
Account Clerk II	\$14.92	\$17.12	\$18.42	\$19.87
Utility Billing Administrator	\$16.95	\$19.51	\$20.90	\$24.82
Senior Account Clerk	\$16.55	\$19.10	\$20.52	\$24.25
Records Clerk/Recorder	\$14.92	\$17.12	\$18.41	\$19.86
Accounts Payable Clerk	\$14.92	\$17.12	\$18.41	\$20.90
Tax Administrator	\$16.95	\$19.51	\$20.90	\$24.82
Engineering Technician	\$18.20	\$20.90	\$22.39	\$24.02
Senior Engineering Technician	\$21.61	\$24.89	\$26.64	\$28.58
Senior Engineering Technician/Zoning Administrator	\$21.61	\$24.89	\$26.64	\$31.44
Staff Engineer	\$20.09	\$23.16	\$24.89	\$26.73
Licensed Staff Engineer	\$27.19	\$29.24	\$31.45	\$35.17
Construction Inspector	\$23.64	\$27.16	\$29.11	\$31.98
Senior Electric Engineering Technician	\$21.61	\$24.89	\$26.64	\$28.58
Electrical Construction/Maintenance Inspector	\$26.21	\$30.16	\$32.34	\$34.67
Zoning Administrator	\$23.65	\$27.16	\$29.11	\$31.21
Chief Water Treatment Operator	\$21.61	\$24.89	\$26.64	\$30.12
Chief Wastewater Treatment Operator	\$21.61	\$24.40	\$26.64	\$30.12
Police Lieutenant		\$31.60	\$33.09	\$34.75
Deputy Court Clerk	\$16.04	\$17.47	\$18.74	\$20.08
Chief Probation Officer	\$19.38			\$21.42
IT Specialist	\$17.84	\$19.74	\$21.64	\$23.55

EXHIBIT "B"

(BASED ON AN 80 HOUR PAY PERIOD)

<u>Title</u>	<u>BOTTOM</u>	<u>TOP</u>
Assistant to the City Engineer	\$2,705.04	\$3,121.20
City Engineer	\$3,173.22	\$3,849.48
Public Works Director	\$3,849.48	\$4,608.97
Golf Course & Grounds Superintendent	\$1,927.34	\$2,590.75
Parks & Recreation Director/Cemetery	\$1,746.62	\$3,035.65
Assistant Finance Director	\$2,882.36	\$3,345.93
Electrical Engineer	\$3,001.80	\$3,495.95
Electric Distribution Superintendent	\$3,060.47	\$3,770.05
IT Administrator	\$1,888.22	\$2,805.00
Human Resources Director	\$2,152.82	\$3,266.99
Municipal Court Bailiff		\$1,347.71
Municipal Court Clerk	\$1,824.55	\$2,040.79
Assistant Fire Chief	\$2,132.82	\$3,121.20
Fire Chief	\$2,653.02	\$3,502.60
Operations Superintendent	\$2,200.84	\$3,121.20
Water Superintendent	\$2,409.57	\$3,247.45
Wastewater Superintendent	\$2,409.57	\$3,247.45
Chief of Police	\$2,797.06	\$3,606.64

EXHIBIT "C"

(BASE HOURLY RATE)


<u>Title</u>	<u>Bottom</u>	<u>Top</u>
Front Desk Administrator (Part Time)	\$9.66	\$13.20
Legal Clerk (Temporary)	\$13.89	\$22.32
Probationary/Trainee Fire Fighter/EMT	\$8.60	\$13.10
All Fire/Rescue Department (Part Time)	\$12.31	\$17.09
Deputy Court Clerk (Part Time)	\$10.71	\$14.71
Deputy Court Bailiff (Part Time)		\$14.09
Probation Officer PIIG Grant		\$15.92
Construction Inspection (Temporary)	\$12.98	\$13.91
Construction Engineer (Temporary) Engineering Dept.	\$39.41	\$42.24
Income Tax/Collection Clerk (Part Time)	\$9.66	\$17.04
Lifeguard (Seasonal)	\$8.60	\$14.43
Seasonal Laborer – Other	\$8.60	\$14.43
Recreation Worker (Seasonal)	\$8.60	\$14.43
Parks Maintenance Worker (Seasonal)	\$8.60	\$14.43
Golf Course Clubhouse Attendant (Seasonal)	\$8.60	\$14.43
Senior Center Fitness Coordinator (Part Time)	\$8.60	\$14.43
CODE ENFORCEMENT INSPECTOR	\$18.73	\$29.13

STATE OF OHIO
COUNTY OF HENRY

Kimberly Imm, being first duly sworn, states that she is the Assistant Publisher of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 24th day of December, 2018.


Kimberly Imm

Subscribed and sworn to before me this
24th day of December, 2018


Beverly Griteman
Notary Public,
State of Ohio
My Commission Expires
February 13, 2021

Printer's Fee: \$165.20

Notary Fee: \$2.00

Summary of Ordinance No.(s) 073-18, 075-18
and Resolution No. 074-18

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 073-18

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

In this legislation, the City of Napoleon amended the allocations of funds to be disbursed as listed.

Ordinance No. 075-18

AN ORDINANCE ESTABLISHING A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, OHIO FOR THE YEAR 2019; REPEALING ORDINANCE NO. 086-17; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon established the 2019 position classification pay plan for the non-bargaining employees of the City.

Resolution No. 074-18

A RESOLUTION APPOINTING MAYOR JASON MAASSEL AND COUNCILMAN DAN BAER TO REPRESENT THE CITY OF NAPOLEON, OHIO AS MEMBERS OF THE BOARD OF DIRECTORS OF THE COMMUNITY IMPROVEMENT CORPORATION OF HENRY COUNTY, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon appointed Mayor Maassel and Councilman Baer to the CIC Board for the year 2019.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director.

Fw: Pay Ordinance Exhibit

Tammy Fein

Tue 12/18/2018 12:34 PM

To: Roxanne Dietrich <rdietrich@napoleonohio.com>;

I didn't forget! :)

Tammy Fein
Law Department
City of Napoleon
phone (419) 592-3503
fax (419) 592-4723

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From: Tammy Fein
Sent: Tuesday, December 18, 2018 9:54 AM
To: Gregory Heath; Billy Harmon; Chris Peddicord; Kim Franz
Subject: Re: Pay Ordinance Exhibit

Thanks Greg,
after review, the language for the Appropriation Ordinance does not require any changes, but if the exhibits require amendments please supply those to me as quickly as possible also.

Thanks!
Tam

Tammy Fein
Law Department
City of Napoleon
phone (419) 592-3503
fax (419) 592-4723

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From: Gregory Heath
Sent: Tuesday, December 18, 2018 9:41:16 AM
To: Tammy Fein; Chris Peddicord; Billy Harmon
Cc: Kim Franz; Joel L. Mazur
Subject: Re: Pay Ordinance Exhibit

What I was referring to was the Appropriation Ordinance.

Without an Appropriation, you can't pay it legally anyway.

Greg

From: Tammy Fein
Sent: Tuesday, December 18, 2018 9:38 AM
To: Gregory Heath; Chris Peddicord; Billy Harmon
Cc: Kim Franz
Subject: Re: Pay Ordinance Exhibit

Okay, thank you for adding those as well. The legislation will be separate from the pay ordinance, but if you can add these to the pay ordinance exhibits also, it's appreciated.

Tam

Tammy Fein
Law Department
City of Napoleon
phone (419) 592-3503
fax (419) 592-4723

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From: Gregory Heath
Sent: Tuesday, December 18, 2018 9:37:13 AM
To: Tammy Fein; Chris Peddicord; Billy Harmon
Cc: Kim Franz
Subject: Re: Pay Ordinance Exhibit

Don't forget the ASFCME Upgrades.

From: Tammy Fein
Sent: Tuesday, December 18, 2018 9:35 AM
To: Gregory Heath; Chris Peddicord; Billy Harmon
Cc: Kim Franz
Subject: Pay Ordinance Exhibit

Good morning,
there were four additional budget requests approved at Council last night that will need to be added to Ordinance No. 075-18, the pay Ordinance. These positions include:

1. School Resource Officer
2. Sergeant position at the Police Dept.
3. upgrade of a WTP Operator position to Assistant Superintendent
4. Sanitation department position

Please add these updates to the exhibits and get them to me as soon as possible, as this Legislation will be needed for the meeting on Friday 12/21. I have a copy of the additional budget requests review sheet if you need the figures listed to assist in the preparation of the exhibits.

Thanks,
Tam

12/18/2018

Mail - rdietrich@napoleonohio.com

Tammy Fein
Law Department
City of Napoleon
phone (419) 592-3503
fax (419) 592-4723

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