

**ORDINANCE NO. 046-19**

**AN ORDINANCE APPOINTING KELLY O'BOYLE AS THE CITY  
FINANCE DIRECTOR FOR THE CITY OF NAPOLEON, OHIO;  
AND, DECLARING AN EMERGENCY**

**WHEREAS**, the Personnel Committee has met and conducted interviews over the past several weeks;

**WHEREAS**, the Personnel Committee has presented the written recommendation that Kelly O'Boyle be selected as the new City Finance Director;

**WHEREAS**, the Napoleon City Council does hereby accept the recommendation of the Personnel Committee and does hereby appoint Kelly O'Boyle as the new Finance Director for the City of Napoleon; **Now Therefore:**

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

Section 1. That, this Council appoints Kelly O'Boyle to the full time regular employment position of Napoleon City Finance Director, effective on or about July 25, 2019 or as otherwise agreed upon by Council President and Kelly O'Boyle. If the start date is different than July 25, 2019 the different date shall be provided, in writing, to the Clerk of Council.

Section 2. That, effective on or about July 25, 2019, the annual salary for this position shall be \$90,000.00, prorated as necessary according to City pay periods. Kelly O'Boyle shall thereafter be subject to continued annual performance reviews by the Personnel Committee or City Council and, after each satisfactory review, said salary may be increased by an amount determined by Council.

Section 3. That, benefits for the City's Finance Director shall accrue and be in accordance with Chapter 197 of the Codified Ordinances (Personnel Code) and the applicable provisions of the City's Employment Policy Manual for full time regular employees, both as may be amended from time to time. The City Finance Director shall, upon appointment, receive one hundred twenty (120) hours of paid vacation that must be used on or before the one (1) year anniversary of the above stated hire date. If any of the vacation is not used prior to said date the unused vacation expires with no duty on the City to compensate the Finance Director for the unused vacation time ("use it or lose it"). The City Finance Director shall thereafter accrue vacation time as directed by the City Personnel Code, accruing one hundred sixty (160) annual hours at the appropriate rate.

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further,

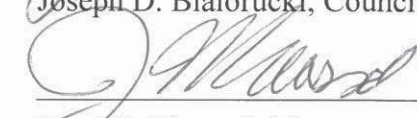
if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 5. That, this Ordinance 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 effective legal services to be rendered to the City, including those legal services 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 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: July 1, 2019


  
Joseph D. Bialorucki, Council President

Approved: July 1, 2019

  
Jason P. Maassel, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 0 Abstain

Attest:

  
Roxanne Dietrich, interim Clerk of Council

*I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 046-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 8th day of July, 2019; & 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, interim Clerk of Council



STATE OF OHIO  
COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager 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 8th day of July, 2019.

Sally Heaston

Sally Heaston

Subscribed and sworn to before me this  
14th day of July, 2019

Beverly Griteman

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

Printer's Fee: \$259.60  
Notary Fee: \$2.00

Summary of Ordinance No. 044-19, 045-19, 046-19  
and Resolution No. 038-19

(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. 044-19

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE AGGREGATE PRINCIPAL AMOUNT OF \$500,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF THE CONSTRUCTION OF A MUNICIPAL SWIMMING POOL WITH RELATED FACILITIES AND APPURTENANCES, INCLUDING THE DEMOLITION OF EXISTING FACILITIES, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO

In this legislation, the City approved the issuance and sale of notes in the aggregate principal amount of \$500,000 in anticipation of the issuance of bonds, for the purpose of paying the costs of the construction of a municipal swimming pool with related facilities and appurtenances, including the demolition of existing facilities, together with all necessary and related appurtenances thereto. The Ordinance provides that the notes shall mature not more than one year following their date of issuance, provided that the City may establish a maturity date prior to one year from their date of issuance, and bear interest at a rate or rates to be determined pursuant to a private sale conducted by the City. The Ordinance also provides that the notes shall be payable at the office of the Finance Director subsequent to the sale of the notes.

The Ordinance further provides that a tax shall be levied on all taxable property in the City to provide for the payment of the notes and the bonds in anticipation of which the notes are issued and the tax shall be levied within the ten-mill limitation imposed by law. Also, in each year to the extent the income from the municipal income tax is available for the payment of the principal of and interest on the notes or the bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of the income so available and appropriated.

Ordinance No. 045-19

AN ORDINANCE APPOINTING CHRISTINE R. PEDDICORD AS ACTING FINANCE DIRECTOR FOR THE CITY OF NAPOLEON, OHIO BEGINNING JULY 1, 2019; AND DECLARING AN EMERGENCY

In this legislation, the City appointed Christine Peddicord as acting Finance Director beginning July 1, 2019.

Ordinance No. 046-19

AN ORDINANCE APPOINTING KELLY O'BOYLE AS THE CITY FINANCE DIRECTOR FOR THE CITY OF NAPOLEON, OHIO; AND, DECLARING AN EMERGENCY

In this legislation, the City appointed Kelly O'Boyle as the City Finance Director beginning on or about July 25, 2019.

Resolution 038-19

A RESOLUTION ADOPTING THE 2020 TAX BUDGET FOR THE CITY OF NAPOLEON, OHIO, AS REQUIRED IN SECTIONS 5705.28 AND 5705.281 OF THE OHIO REVISED CODE (ORC) AND DIRECTING THE FINANCE DIRECTOR TO FILE THE SAME WITH THE COUNTY AUDITOR; AND DECLARING AN EMERGENCY

In this legislation, the City adopted the 2020 City Tax Budget as required by the ORC, and directed the Finance Director to file the same with the County Auditor.

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