
MEMORANDUM

TO: Mayor & Members of Council
FROM: Jon Bisher
SUBJECT: General Information
DATE: October 12, 2012

CALENDAR

Monday, October 15th

① - *Tree Commission Meeting* at 6:00 pm

② - *City Council Meeting* at 7:00 pm

C. APPROVAL OF MINUTES

October 1, 2012 City Council Meeting Minutes

October 2, 2012 Special Council Meeting Minutes

E. REPORTS FROM COUNCIL COMMITTEES

1. *Electric Committee* – the Majority Report from the October 8, 2012 meeting is attached.

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. ***Resolution No. 064-12*** a Resolution Authorizing the Adoption and Approval of the Henry County Natural Hazard Mitigation Plan.
2. ***Resolution No. 065-12*** a Resolution Authorizing the City Manager to Enter into an Agreement with the Ohio Attorney General for Delinquent Debt Collection.
3. ***Resolution No. 066-12*** a Resolution Authorizing the City Manager to Execute all Documents Necessary to Apply and Accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) Funds for Projects Deemed Necessary by the City Engineer in the Year 2013; and Declaring an Emergency.
4. ***Ordinance No. 067-12*** an Ordinance Amending Chapter 925 of the Codified Ordinances of the City of Napoleon (Waste Collection) to Establish Section 925.13(D) Low Occupancy
5. ***Ordinance No. 068-12*** an Ordinance Vacating a Certain Alley Located in the Original Plat of the Village (now City) of Napoleon, Henry County, Ohio
6. ***Resolution No. 069-12*** a Resolution Authorizing the Expenditure of Funds in Excess of \$25,000.00 for the Strong Street and Orwig Avenue Waterline Replacement Project, that was not included in the Annual Master Bid Resolution 01-12; and Declaring an Emergency.
7. ***Ordinance No. 070-12*** an Ordinance Amending Section 121.03 of the City of Napoleon Administrative Code Regarding Publication of Legislation by Summary. – This legislation will be presented at the next Council meeting.

J. GOOD OF THE CITY

1. *Approval of Billing Determinants for October, 2012*
2. *Approval of Plans and Specifications for Strong & Orwig Waterline Improvements (Welsted to Sheffield)*
 - a. We have enclosed Chad's Memorandum explaining the need for this project and Greg's Memo with the funding options available for this project.

- ❖ Documentation that was presented to the Planning Commission is attached for each item 3, 4, and 5
 - 3. *Review of PC 12-07 Replat of Lot*
 - 4. *Review of PC 12-08 Alley Vacation*
 - 5. *Review of PC 12-09 Parks & Recreation Building*
 - 6. *Appointment to the Tax Incentive Review Council (TIRC) by President Helberg*
 - 7. *Potential Future Assessments on Projects.* (Refer to Committee)
 - 8. *Third Quarter Budget Adjustments.* (Refer to Committee)
 - 9. *Services for Annual Financial Report Preparation.* (Refer to Committee)
 - 10. *Change Order No. 1 for Sanitary Sewer Improvements from Scott Street East to VanHyning Creek*
 - a. As noted in Chad's attached Memorandum, the request for this Change Order is to install a larger diameter sanitary sewer.

INFORMATIONAL ITEMS

1. **CANCELLATIONS**
 - a. *Parks & Recreation Committee Meeting*
2. There was a question about what the health care program looked like for 2013 and we have enclosed the following material.
3. The OhioEPA inspected the WWTP in September and their attached letter notes the results.
4. **TMACOG** Regional Collaboration and Shared Services Presentation
5. **AMP UPDATE**/October 5, 2012

JAB:rd
Records Retention
CM-11 - 2 Years

September 2012							October 2012							November 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1	1	2	3	4	5	6	1	2	3					
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
30																				

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	1	2	3	4	5	6
BISHER - VACATION	7:00 PM City COUNCIL Meeting AV - Dan Seasonal Cleanup - Fall	Seasonal Cleanup - Fall	Seasonal Cleanup - Fall BISHER - Vacation	Seasonal Cleanup - Fall BISHER - Vacation	Seasonal Cleanup - Fall BISHER - Vacation	BISHER - Vacation
7	8	9	10	11	12	13
BISHER - Vacation	6:30 PM Electric Committee BOPA Meeting 7:00 PM Municipal Properties/ED Committee Meeting AV - Rox BISHER - Vacation	3:30 PM Preservation Commission Meeting 5:00 PM Planning Commission Meeting BISHER - Vacation				
14	15	16	17	18	19	20
	6:00 PM City TREE Commission Meeting 7:00 PM City COUNCIL Meeting AV - Dan					
21	22	23	24	25	26	27
	6:30 PM Finance & Budget Committee Meeting 7:30 PM Safety & Human Resources Committee Meeting AV - Shery AMP Fall Conference - Bisher	AMP Fall Conference - Bisher	AMP Fall Conference - Bisher	AMP Fall Conference - Bisher		
28	29	30	31	1	2	3
	5th Monday-No Scheduled Meet				8:00 AM 2013 Budget Review	8:00 AM 2013 Budget Review

City of Napoleon, Ohio

TREE COMMISSION

LOCATION: City Hall Offices, 255 West Riverview Avenue, Napoleon, Ohio

Meeting Agenda

Monday, October 15, 2012 at 6:00 PM

- I. **Approval of Minutes** (In the absence of any objections or corrections, the minutes shall stand approved.)
- II. **Tree Call Report**
- III. **Fall Programs**
- IV. **Any Other Matters to Come before the Commission**

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio
TREE COMMISSION

Meeting Minutes
Monday, June 18, 2012 at 6:00 PM

PRESENT	
Commission	David Volkman - Chair, Bill Rohrs, Ron Bahler, Kirk Etzler, Patrick McColley
City Staff	Marty Crossland
Recorder	Barbara Nelson
ABSENT	
Members	John Eddy
Call To Order	Chairman Volkman called the meeting to order at 6:08 PM.
Approval Of Minutes	Crossland noted that in the May 21 meeting minutes under <i>Tree Call</i> , the Kentucky Coffeetree was replaced this spring, not last summer. Minutes from the May 21 meeting stand approved as amended.
Tree Call Report	<p>1400 Sedward Ave – We have replaced this red maple tree three times since Crossland has been here. The other trees in the yard are fine and the soil looks good. We will try a hardier species. The homeowner said it’s okay if we can’t plant there. Volkman said we may need a soil sample in case there is a serious deficiency.</p> <p>717 First St. – Homeowner would like two silver maples removed in the right of way. We may do it this fall or next spring.</p> <p>538 Beckham – Homeowner asked if trees in the grass alley can be removed. It is dropping limbs and leaves in his pool. There is no easy entrance closer to Appian due to the apartment buildings. We will have to plan it out.</p> <p>1115 Oakwood – A smaller tree is half dead. There could have been a problem with the sidewalk. It was pruned too much and it killed the rest of the tree.</p> <p>Someone called about a tree in their side yard, but it’s their neighbor’s and we can’t help.</p> <p>Removals will either be this fall or next spring</p>
Spring Programs	All spring programs are complete. We received a bill from Saylor for removing 50 trees at the golf course. Tony Cotter, Parks & Recreation Director, helped pay for part of that bill. It came to \$23,000 instead of \$5,000-6,000. We will still have programs in the fall with the \$12,700 that is left. We originally bid out the ash trees at the course that were in the middle of play between holes. Crossland knew 1 or 2 were added including a big sycamore. Mike had 4-5 to add and it snowballed from there.
Fall Programs	There will be planting, trimming and removals in the fall program. There will be more planting than removals. We are replanting 6-7 trees on Stevenson St. and the last of Clinton, Leonard, Haley & High Streets. There are a handful of trees from the ash grant that died and will be replaced. The trimming will include training of the smaller trees on Washington St. and Stout St. There are 2-3 contractors within 80 miles of here that are ISA certified for that.

City of Napoleon, Ohio

CITY COUNCIL

LOCATION: City Hall Offices, 255 West Riverview Avenue, Napoleon, Ohio

MEETING AGENDA

Monday, October 15, 2012 at 7:00 PM

- A. Attendance** *(Noted by the Clerk)*
- B. Prayer**
- C. Approval of Minutes** *(In the absence of any objections or corrections, the minutes shall stand approved.)*
1. October 1, 2012
 2. October 2, 2012 - Special Meeting
- D. Citizen Communication**
- E. Reports from Council Committees**
1. **Electric Committee** *(Majority Report)* met on Monday, October 8 and recommended:
 - a. Approval of October billing determinants
 2. **Water, Sewer, Refuse, Recycling & Litter Committee** did not meet Oct. 8 due to lack of agenda items.
 3. **Municipal Properties, Buildings, Land Use & Economic Development Committee** met on Oct. 8 and reviewed 2012 and 2013 Projects
- F. Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*
1. **Board of Public Affairs** met on Oct. 8 with the following agenda items:
 - a. Review/Approval of electric billing determinants for October
 - b. Electric department report
 - c. Lowering the credit on low occupancy bill
 2. **Preservation Commission** met on Tuesday, Oct. 9 with the following agenda items:
 - a. NPC 12-07 120 W. Washington St. Diamond & Gold Outlet
 - b. NPC 12-08 621 N. Perry St. Out of the Woods Florist
 - c. NPC 12-09 619 N. Perry St. Rick's Sports Bar
 3. **Board of Zoning Appeals** did not meet on Oct. 9 due to lack of agenda items.
 4. **Planning Commission** met on Oct. 9 with the following agenda items:
 - a. PC 12-07 Replat of lot
 - b. PC 12-08 Alley vacation
 - c. PC 12-09 Parks & Recreation building
- G. Introduction of New Ordinances and Resolutions**
1. **Resolution No. 064-12** A Resolution authorizing the adoption and approval of the Henry County Natural Hazard Mitigation Plan
 2. **Resolution No. 065-12** A Resolution authorizing the City Manager to enter into agreement with the Ohio Attorney General for delinquent debt collection
 3. **Resolution No. 066-12** A Resolution authorizing the City Manager to execute all documents necessary to apply and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for projects deemed necessary by the City Engineer in the year 2013; and declaring an emergency
 4. **Ordinance No. 067-12** An Ordinance amending Chapter 925 of the Codified Ordinances of the City of Napoleon (waste collection) to establish Section 925.13(D) Low Occupancy
 5. **Ordinance No. 068-12** An Ordinance vacating a certain alley located in the original plat of the Village (now City) of Napoleon, Henry County Ohio
 6. **Resolution No. 069-12** A Resolution authorizing the expenditure of funds in excess of \$25,000.00 for the Strong Street and Orwig Avenue Water Line Replacement Project, which was not included in the Annual Master Bid, Resolution 01-12, and declaring an emergency
 7. **Ordinance No. 070-12** An Ordinance amending Section 121.03 of the City of Napoleon Administrative Code regarding publication of legislation by summary
- H. Second Readings of Ordinances and Resolutions**
There are no second readings of Ordinances and Resolutions.
- I. Third Readings of Ordinances and Resolutions**
There are no third readings of Ordinances and Resolutions.

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

1. **Discussion/Action:** Approval of billing determinants for October, as follows:
Generation Charge: Residential @ \$.06636; Commercial @ \$.07737; Large Power @ \$.04903; Industrial @ \$.04903; Demand Charge Large Power @ \$8.53; Industrial @ \$8.79; JV Purchased Cost: JV2 @ \$.02144; JV5 @ \$.02144
2. **Discussion/Action:** Approval of plans and specifications for Strong & Orwig Waterline Improvements (Welsted to Sheffield)
3. **Discussion/Action:** Review of PC 12-07 Replat of lot
4. **Discussion/Action:** Review of PC 12-08 Alley vacation
5. **Discussion/Action:** Review of PC 12-09 Parks & Recreation building
6. **Discussion/Action:** Appointment to the Tax Incentive Review Council (TIRC) by President Helberg
7. **Discussion/Action:** Potential future assessments on projects (*Refer to Committee*)
8. **Discussion/Action:** 3rd quarter budget adjustments (*Refer to Committee*)
9. **Discussion/Action:** Services for annual financial report preparation (*Refer to Committee*)
10. **Discussion/Action:** Change Order No. 1 for Sanitary Sewer Improvements from Scott Street East to VanHyning Creek

K. Executive Session - Discussion: Personnel and Purchase of Property

L. Approve Payment of Bills and Approve Financial Reports (*In the absence of any objections or corrections, the payment of bills and financial reports shall stand approved.*)

M. Adjournment

Gregory J. Heath, Finance Director/Clerk of Council

A. Items Referred or Pending in Committees of Council

- 1. Technology & Communication Committee (1st Monday)**
(Next Regular Meeting: Monday, November 5 @ 8:00 PM)
- 2. Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 12 @ 6:30 PM)
 - a. Review of Electric Billing Determinants
 - b. Electric Department Report
- 3. Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 12 @ 7:00 PM)
 - a. Water Treatment Plant Evaluation (Tabled)
- 4. Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, November 12 @ 7:30 PM)
 - a. Updated Info from Staff on Economic Development (as needed)
- 5. Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, November 19 @ 8:00 PM)
October meeting is canceled due to lack of agenda items.
- 6. Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, October 22 @ 6:30 PM)
 - a. Amusement License Fees on Gaming (Tabled)
- 7. Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, October 22 @ 7:30 PM)
Next Meeting with Townships: November 26
- 8. Personnel Committee (As needed)**

B. Items Referred or Pending In Other City Commissions and Boards

- 1. Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, November 12 @ 6:30 PM)
 - a. Review of Electric Billing Determinants
 - b. Electric Department Report
- 2. Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, November 13 @ 4:30 PM)
- 3. Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, November 13 @ 5:00 PM)
- 4. Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, November 19 @ 6:00 PM)
- 5. Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, October 23 @ 4:30 PM)
- 6. Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, October 31 @ 6:30 PM)
- 7. Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 13 @ 10:30 AM)
- 8. Records Retention Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, December 11 @ 4:00 PM)
- 9. Housing Council (1st Monday of the month after the TIRC meeting)**
(Next Meeting: Monday, May 6, 2013? @ 6:30 PM)
- 10. Health Care Cost Committee (As needed)**
- 11. Preservation Commission (As needed)**
- 12. Infrastructure/Economic Development Fund Review Committee (As needed)**
- 13. Tax Incentive Review Council (As needed)**
- 14. Volunteer Firefighters' Dependents Fund Board (As needed)**
- 15. Lodge Tax Advisory & Control Board (As needed)**
- 16. Board of Building Appeals (As needed)**
- 17. ADA Compliance Board (As needed)**
- 18. NCTV Advisory Board (As needed)**

City of Napoleon, Ohio
CITY COUNCIL

Meeting Minutes

Monday, October 1, 2012 at 7:00 PM

PRESENT	
Council	John Helberg (President Pro-Tem), Travis Sheaffer, James Hershberger, Jeffrey Lankenau, Patrick McColley, Christopher Ridley
Mayor	Ronald A. Behm
City Manager	Dr. Jon A. Bisher
Law Director	Trevor M. Hayberger
Finance Director/Clerk	Gregory J. Heath
Recorder	Barbara Nelson
City Staff	Dennis Clapp, Electric Superintendent Chad Lulfs, City Engineer Dan Wachtman, MIS Director Robert Weitzel, Police Chief
Others	News Media, Sheriff John Nye, Zach Riley, Jason Maassel
ABSENT	
Council	None
Prayer	President Pro-Tem Helberg called the meeting to order at 8:00 PM with the Lord's Prayer. He turned the meeting over to Clerk of Council Heath.
Procedure To Fill/Appoint Vacant City Council Position	Heath read a letter from the Henry County Republican Central Committee recommending Jason Maassel for the City Council position vacated by Glenn Miller. Heath noted that Maassel meets the qualifications to serve in this position.
Motion To Appoint Jason Maassel	Motion: Lankenau Second: McColley To appoint Jason Maassel to the City Council position vacated by Glenn Miller.
Passed	Roll call vote on above motion:
Yea-6	Yea- Sheaffer, Helberg, Hershberger, Lankenau, McColley, Ridley
Nay-0	Nay-
Oath Of Office To Jason Maassel	Mayor Behm administered the Oath of Office to Jason Maassel.
Procedure For Election	Heath asked each member in seniority order for a nomination for Council President. Sheaffer nominated John Helberg for Council President.
Motion To Elect Helberg President	Motion: Lankenau Second: McColley To elect John Helberg as Council President
	Helberg - pass Hershberger - pass Lankenau - pass McColley - pass Ridley - pass Maassel - pass
Passed	Roll call vote on John Helberg for Council President:
Yea-7	Yea- Sheaffer, Helberg, Hershberger, Lankenau, McColley, Ridley, Maassel
Nay-0	Nay-

**Motion To Elect
Lankenau Pro-Tem**

Heath asked for nominations for Council President Pro-Tem. Sheaffer nominated Jeff Lankenau as Council President Pro-Tem.

Motion: McColley Second: Ridley
To elect Jeff Lankenau as President Pro-Tem

Helberg - pass
Hershberger - pass
Lankenau - pass
McColley - pass
Ridley - pass
Maassel - pass

Passed
Yea-7
Nay-0

Roll call vote on Jeff Lankenau for Council President Pro-Tem:
Yea- Sheaffer, Helberg, Hershberger, Lankenau, McColley, Ridley, Maassel
Nay-

**Seating Order Of
Council**

Those present agreed that the current seating order is fine. (Maassel sits where Helberg sat prior to serving as President Pro-Tem and President.)

**Reorganization Of
Standing Committees
Of Council**

Heath explained that the Charter states the President appoints standing Committees of Council. Council rules allow for a process to select seats and chairs at the biannual organizational meeting, but the Charter trumps those rules. If there is no majority approval of the appointments, the President can rearrange the Committees and request another vote, or follow the procedure in Council rules. Heath turned the meeting back to President Helberg.

President Helberg gave Council members charts with somewhat varied Committee memberships to choose from. He said his goal is to get people in positions that are in the best interest of the City. These appointments require the approval of Council. Members agreed they liked the rollover chart the best. Jason Maassel slides into every Committee seat that Glenn Miller was on, with the exception that he becomes Chair of the Technology & Communication Committee and a member of the Finance & Budget Committee. Chris Ridley becomes Chair of the Finance & Budget Committee and a member of the Technology & Communication Committee.

**Motion To Approve
Rollover Chart**

Motion: Lankenau Second: Hershberger
To approve the rollover chart for Council Committee appointments

Passed
Yea-7
Nay-0

Roll call vote on above motion:
Yea- Maassel, Hershberger, Helberg, McColley, Sheaffer, Lankenau, Ridley
Nay-

**Appointment Of
Personnel Committee**

Those present agreed that the makeup of the Personnel Committee will also depend on the position to be hired (e.g. financial person for Finance Director, lawyer for Law Director, etc.)

**Motion To Appoint
Helberg, Lankenau
& Mayor**

Motion: Sheaffer Second: McColley
To appoint Helberg, Lankenau & Mayor Behm to the Personnel Committee

Passed
Yea-7
Nay-0

Roll call vote on above motion:
Yea- Maassel, Hershberger, Helberg, McColley, Sheaffer, Lankenau, Ridley
Nay-

**Council Minutes of Special Council Meeting with the Fulton County Commissioners
held for the Purpose of Discussing Water Supply**

Minutes

Tuesday, October 2, 2012 at 7:00 PM

in the Fulton County Administration Building, 2nd Floor Conference Room, 152 S. Fulton St., Wauseon,
OH 43567

PRESENT:

City Council: John Helberg, Jeff Lankenau, Pat McColley, Jason Maassel

Staff: Dr. Jon Bisher

Presenters: Dean Genter, Fulton County Commissioner, Ziad Mussallam, Fulton County Public Utilities Director

Others: Northwest Signal reporter, many interested parties from various groups (no attendance sheet)

CALL TO ORDER:

Council meeting called to order at 7:00 PM

INTRODUCTIONS:

Introduction by Dean Genter, Fulton County Commissioner

Introduction of Ziad Mussallam, Fulton County Public Utilities Director

Presentation of the Introduction to and Summary of the Step 1 – Fulton County Water Supply & Demand Study dated July 2012 available at www.fultoncountyoh.com/watersupplystudy presented by Ziad Mussallam

GENERAL DISCUSSION:

Brief general questions asked by the audience for understanding of the report presented

COUNCIL ACTION:

No action taken.

ADJOURNMENT:

City Council motions to adjourn the Special Council meeting; Motion – Maassel, second – McColley; Yea – McColley, Lankenau, Maassel, Helberg; Nay – none

APPROVED:

October 15, 2012

John A. Helberg, Council President

Ronald A. Behm, Mayor

Gregory J. Heath, Finance Director/Clerk of Council

City of Napoleon, Ohio

Electric Committee

Majority Report

The Electric Committee met on Monday, October 8, 2012 and recommended that Council:

1. Accept the BOPA recommendation to approve electric billing determinants for October 2012 as follows:
Generation Charge: Residential @ \$.06636; Commercial @ \$.07737; Large Power @ \$.04903; Industrial @ \$.04903; Demand Charge Large Power @ \$8.53; Industrial @ \$8.79; JV Purchased Cost: JV2 @ \$.02144; JV5 @ \$.02144

Travis Sheaffer, Chair

Patrick McColley, Committee

Jason Maassel, Committee

RESOLUTION NO. 064-12

A RESOLUTION AUTHORIZING THE ADOPTION AND APPROVAL OF THE HENRY COUNTY NATURAL HAZARD MITIGATION PLAN

WHEREAS, the Federal Emergency Management Agency (FEMA) has established rules and regulations under 44 CFR Parts 201.6, which requires that "for disasters declared after November 1, 2004, a local government must have a Mitigation Plan approved pursuant to this Section in order to receive HMGP project grants"; and,

WHEREAS, The Henry County Emergency Management Agency has received a grant from FEMA to update and revise the previously adopted mitigation plan entitled the "Henry County, Ohio Natural Hazard Mitigation Plan"; and,

WHEREAS, in addition, it is understood that "for multi-jurisdiction plans, there must be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan"; and,

WHEREAS, the FEMA regulation under 44 CFR Parts 201.6 requires "Documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan. For multi-jurisdictional plans, each jurisdiction requesting approval of the plan must document that it has been formally adopted"; and,

WHEREAS, the Council of the City of Napoleon, Ohio has reviewed, revised and updated the "Henry County, Ohio Natural Hazard Mitigation Plan"; Now therefore,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Napoleon, Ohio does hereby adopt the updated "Henry County, Ohio Natural Hazard Mitigation Plan"; and,

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

Section 1. That the Henry County Emergency Management Agency prepare and submit to the Federal Emergency Management Agency in accordance with the draft rules and regulations published by FEMA, the Henry County, Ohio Natural Hazard Mitigation Plan.

Section 2. That the Finance Director (Clerk) of the City of Napoleon, Ohio be and hereby is authorized and directed to certify copies of this resolution to the Henry County Emergency Management Agency.

Section 3. That, the City Manager and/or City Finance Director of Napoleon, Ohio, are hereby authorized and directed to execute all documents on behalf of the City of Napoleon, Ohio, and to do all other things necessary and consistent with this Resolution to effectuate its purpose.

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 shall take effect at the earliest time permitted by law.

Passed: _____
John A. Helberg, Council President

Approved: _____
Ronald A. Behm, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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 Resolution No. 064-12 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

RESOLUTION NO. 065-12

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR DELINQUENT DEBT COLLECTION

WHEREAS, the City of Napoleon Municipal Court has outstanding delinquent debt; and,

WHEREAS, the City of Napoleon desires to enter into an agreement with the Ohio Attorney General for delinquent debt collection, pursuant to ORC §131.02; Now therefore,

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

Section 1. That, the City Manager is authorized to execute the Delinquent Debt Collection Agreement between the Ohio Attorney General and the City of Napoleon, Ohio.

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

Section 4. That, this Resolution be declared to be in full force and effect at the earliest time permitted by law.

Passed: _____

John A. Helberg, Council President

Approved: _____

Ronald A. Behm, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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 Resolution No. 065-12 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



MIKE DEWINE

★ OHIO ATTORNEY GENERAL ★

Collections Enforcement
Office 614-466-8360
Fax 614-752-9070

150 East Gay Street, 21st Floor
Columbus, OH 43215
www.OhioAttorneyGeneral.gov

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

I. PARTIES

- 1.1. THIS DELINQUENT DEBT COLLECTION AGREEMENT (this "Agreement") is between the Ohio Attorney General (hereinafter "Attorney General") and _____ ("Political Subdivision"), collectively referenced herein as the "Parties."

II. PURPOSE

2.1. The Political Subdivision has requested that the Attorney General undertake, and the Attorney General agrees to undertake, the collection of delinquent debt owed to the Political Subdivision, pursuant to Ohio Revised Code ("O.R.C.") § 131.02. This Agreement sets forth the rights, duties and obligations of the Parties and the amounts to be charged, collected and allocated between the Political Subdivision and Attorney General. This Agreement will become effective in ten business days once fully executed ("Effective Date").

III. CERTIFICATION OF DEBT

3.1. The Parties agree that this Agreement shall apply to amounts owed to Political Subdivision that meet the criteria specified on the attached Exhibit "A" (hereinafter the "Debt"). The Parties may, from time to time, change the categories of debt to be certified to the Attorney General by amending Exhibit "A" pursuant to the discretion of the Section Chief of the Collections Enforcement Section of the Attorney General and _____ of the Political Subdivision. Such changes to the categories of debt identified on Exhibit "A" shall not be construed as an amendment or termination of this Agreement.

3.2. Political Subdivision hereby warrants that all Debts certified to the Attorney General for collection pursuant to this Agreement are or will be legally due and owing to Political Subdivision at the time of certification.

3.3. Political Subdivision hereby warrants that it has complied or will comply with all conditions precedent to the legality of certifying the Debt for collection prior to certifying the Debt to Attorney General pursuant to this Agreement.

3.4. Political Subdivision hereby warrants that it has obtained the approval of any person or entity whose approval is required as a condition to entering into this Agreement. True and correct copies of any such approvals shall be attached hereto as Exhibit "B."

3.5. Political Subdivision shall identify and itemize the amounts owed in any bills or mailings issued to the debtors prior to certifying the Debt pursuant to this Agreement. Such itemization shall separately identify penalties, fees, costs and interest, if any, added to the principal balance of the amounts owed. For all Debt certified under this Agreement, Political Subdivision shall maintain account records documenting the principal balance of the amounts owed, as well as any penalties, fees, costs and interest, from the date such debt becomes due and owing to Political Subdivision until the debt is paid in full, resolved or written off as specified herein.

3.6. Political Subdivision shall make all account records related to the Debt fully available to specified Attorney General personnel in order for the Attorney General to actively identify and pursue collection activities. Political Subdivision shall retain account records related to the Debt so long as the Debt remains outstanding, or until the Debt is resolved or written off as specified herein.

3.7. Political Subdivision agrees and shall forward all payments received on certified Debt to the Attorney General. In the event that Political Subdivision accepts a debtor's payment on Debt certified to the Attorney General, Political Subdivision agrees to promptly notify the Attorney General of the details of the payment, including date, amount, remitter, check or instrument number and forward the payment to the Attorney General.

3.8. In the event that any debtor owing Debt certified to the Attorney General files bankruptcy or other insolvency proceeding, Political Subdivision shall immediately notify the Attorney General of such filing. The Attorney General shall cease all collection efforts with regard to such Debt. Political Subdivision remains exclusively and solely responsible for protecting its interest in bankruptcy & other insolvency proceedings. Upon notice that Debt certified to the Attorney General is subject to bankruptcy or other insolvency proceeding, the Attorney General shall close the affected accounts and such accounts shall no longer be considered to be certified to the Attorney General. Other insolvency proceeding may include but is not limited to receivership or foreclosure.

IV. ALLOCATION OF FEES AND COLLECTION COSTS

4.1 The client may choose for each account certified to the Attorney General to bear interest (hereinafter "AGI") at the annual rate established by the Tax Commissioner under O.R.C. § 5703.47. Upon recovery AGI is paid to Political Subdivision, not to Attorney General. AGI may be waived, either by Political Subdivision or the Attorney General. Political Subdivision also has discretion to request that AGI not be assessed as an additional obligation of debtors. If this request is indicated, the cost of AGI will not be added to the Debt. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision as to AGI. If no preference is indicated, Attorney General may waive AGI at its discretion, and the addition of AGI to the Debt will increase the debtors' obligation. The AGI is in place of any separate accruing interest of the Political Subdivision on the Debt once certified to the Attorney General.

4.2 Pursuant to O.R.C. § 131.02, the Attorney General is authorized to deduct the Attorney General's collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General. Attorney General collection costs may be waived, either by the Attorney General or jointly by the Political Subdivision and the Attorney General. The Parties agree that the Attorney General will pass all Attorney General collection costs on to the debtor as an additional obligation of debtor.

4.3 Upon agreement, the Attorney General may also hire third party vendors to collect claims for Political Subdivision and to pay such third party vendors for their services ("TPV Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to TPVs. If no preference is indicated the Attorney General will assign Debt to TPVs in accordance with an established assignment strategy. TPV fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all TPV Fees on to debtors as an additional obligation of the debtors.

4.4 Upon agreement the Attorney General may appoint special counsel to collect claims for Political Subdivision and to pay such special counsel for their services ("Special Counsel Fees") from funds collected by them. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision with respect to the assignment of Debt to Special Counsel. If no preference is indicated the Attorney General will assign Debt to Special Counsel in accordance with an established assignment strategy. Special Counsel Fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all Special Counsel Fees on to debtors as an additional obligation of the debtors.

4.5 Political Subdivision may execute a different Service Level Agreement for each category of debt certified pursuant to this Agreement, and each Service Level Agreement shall be attached as additional pages of Exhibit "C."

4.6 Political Subdivision may change or terminate the Service Level Agreement(s) attached hereto as Exhibit "C" upon appropriate written notice as specified therein, and any change or termination of the Service Level Agreement(s) shall not be construed as an amendment or termination of this Agreement.

V. DISBURSEMENT PROCESS/PAYMENT OF COLLECTION COSTS

5.1 On a weekly basis the Attorney General shall disburse to the Political Subdivision the full amounts collected on the Debt minus any applicable collection costs or fees as outlined herein. The Political Subdivision and Attorney General shall have the authority to settle or compromise any account in the Debt which is agreed upon by the Political Subdivision and Attorney General as payment in full based on the best interests of the Parties. At the time of the Attorney General's disbursement to the Political Subdivision, the Political Subdivision will receive the amount collected minus the Attorney General's collection costs and any applicable TPV Fees or Special Counsel Fees pursuant to this Agreement.

5.2 The Parties agree that court cases and judgment liens shall not be dismissed or deemed satisfied without the Political Subdivision's consent that all the fees have been paid by the debtor liable for costs under the court case and/or judgment lien.

5.3 Disbursements to the Political Subdivision of amounts due hereunder may be made via state check or by Automated Clearing House ("ACH") deposit, at the Attorney General's discretion. Political Subdivision acknowledges that the Attorney General prefers to remit all payments by ACH deposit, and Political Subdivision agrees to execute an ACH payment authorization in accordance with the form attached hereto as Exhibit "D" within thirty (30) days after the Effective Date of this Agreement.

VI. CERTIFICATION AND CANCELLATION OF DEBT

6.1. Political Subdivision will certify only Debt to the Attorney General which is past due and final, in accordance with O.R.C. § 131.02(A). O.R.C. § 131.02 provides that the Attorney General and Political Subdivision may determine an appropriate time beyond the regular 45-day requirement to certify delinquent debt. Such exceptions may be made as the Attorney General and the Political Subdivision mutually agree are appropriate.

6.2. The Parties acknowledge and agree that O.R.C. §131.02 empowers the Attorney General to, with the consent of the chief officer of an entity reporting a debt, cancel the debt or cause the same to be canceled. O.R.C. § 131.02(F)(2) provides a general statute of limitations of forty (40) years from the date of certification to collect claims. O.R.C. § 131.02(F)(1) allows the Attorney General to cancel uncollectible claims earlier, with the approval of the Political Subdivision. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision. If no preference is indicated, the write off period will be fifteen (15) years after the date of certification. Exceptions revising the write off period for specified claims or categories of debt may be agreed to by the Attorney General and the Political Subdivision as amendments to the Service Level Agreement, and such amendments shall not be construed as an amendment or termination of this Agreement.

VII. CONFIDENTIALITY

7.1. Any confidential debtor information made available to Attorney General in the course of performance of this Agreement shall be used only for the purpose of carrying out the provisions of this Agreement pursuant to the Attorney General's statutory obligations. Additionally, the Attorney General shall not sell any debtor information to any third parties.

VIII. LIABILITY

8.1. Each Party shall be responsible for its own acts and omissions and those of its officers, employees and agents.

VI. CHOICE OF LAW

9.1. This Agreement is made and entered into in the State of Ohio and shall be governed and construed in accordance with the laws of Ohio. Any legal action or proceeding related to this Agreement shall be brought in Franklin County, Ohio, and the Parties irrevocably consent to jurisdiction and venue in Franklin County, Ohio.

VII. COMPLIANCE WITH LAW

10.1. The Parties, in the execution of their respective duties and obligations under this Agreement, agree to comply with all applicable federal, Ohio and local laws, rules, regulations and ordinances.

VIII. RELATIONSHIP OF THE PARTIES

11.1. It is fully understood and agreed that a Party's personnel shall not at any time, or for any purpose, be considered as agents, servants, or employees of the other Party.

11.2. Except as expressly provided herein, neither Party shall have the right to bind or obligate the other Party in any manner without the other Party's prior written consent.

IX. MODIFICATION

12.1. This Agreement constitutes the entire agreement between the Parties, and any changes or modifications to this Agreement shall be made and agreed to by the Parties in writing.

X. TERMINATION/EXPIRATION

13.1. Either party may terminate this Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination, to the other Party via e-mail, facsimile transmission, mail, certified mail or personal delivery to the other Party's signatory to this Agreement.

13.2. If there is pending litigation in connection with any Debt, termination shall not be effective until the Attorney General terminates the legal representation in the litigation matter. The Attorney General shall be compensated for Debt collected and received prior to termination. The Parties agree to cooperate so as to effectuate a speedy and efficient transfer of the work to Political Subdivision.

XIV. SIGNATURES

14.1. The Parties may submit their signatures to the Agreement in counterparts, which taken together will constitute a valid enforceable Agreement. Facsimile or copied signatures shall be considered valid and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

_____, 2012
Date

OHIO ATTORNEY GENERAL
MICHAEL DEWINE

By: _____, 2012
Marcia J. Macon-Bruce
Section Chief Date

Approved as to form and correctness:

Trevor M. Hayberger, City Law Director

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "A"

The Parties agree that the following categories of debt shall be certified to the Attorney General. All debt must be final with a minimum principal amount of \$100.00.

Examples of Categories of Debt to be certified:

- (a) Statutory fees as assessed by a Political Subdivision;
- (b) Civil court costs; and
- (c) Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
- (d) Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes.
- (e) Debt from a school system must be as a result of a contractual agreement.

Examples of Categories of Debt NOT to be certified:

- (a) Debt that is against a juvenile.
- (b) Debt against a presently incarcerated individual.
- (c) Debt that is involved in a bankruptcy, rental or foreclosure action.
- (d) Debt from any type of utility.
- (e) Debt resulting from code enforcement violations.

PLEASE NOTE: THE ATTORNEY GENERAL'S OFFICE RESERVES THE RIGHT TO DECLINE ACCEPTANCE OF ACCOUNTS BASED ON QUANTITY, VALUE, OR DEBT TYPE

**PLEASE LIST THE TYPE OF DEBTS YOU WILL BE CERTIFYING TO THE
ATTORNEY GENERAL'S OFFICE:**

A large, empty rectangular box with a thin black border, intended for the user to list the types of debts they will be certifying to the Attorney General's Office. The box is currently blank.

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "B"

The Delinquent Debt Collection Agreement Between the Ohio Attorney General and

, executed by _____,

, on _____, 2012 is hereby ratified and approved.

POLITICAL SUBDIVISION AUTHORITY (I.E. COUNTY COMMISSIONERS, COUNCIL)

_____, 2012
Date

_____, 2012
Date

_____, 2012
Date

POLITICAL SUBDIVISION LEGAL AUTHORITY (I.E. PROSECUTOR, LAW DIRECTOR)

_____, 2012
Date

IN WITNESS WHEREOF, the Parties hereto have caused this Service Level Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

_____, 2012

Date

OHIO ATTORNEY GENERAL
MICHAEL DEWINE

By: _____, 2012

Marcia J. Macon-Bruce
Section Chief

Date

RESOLUTION NO. 066-12

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO APPLY AND ACCEPT OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM (SCIP) AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAM (LTIP) FUNDS FOR PROJECTS DEEMED NECESSARY BY THE CITY ENGINEER IN THE YEAR 2013; AND DECLARING AN EMERGENCY

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

Section 1. That, the City Manager is directed to execute all documents necessary to apply for and accept Ohio Public Works Commission State Capital Improvement Program (SCIP) and Local Transportation Improvement Program (LTIP) funds for the year for projects deemed necessary by the City Engineer in the Year 2013, including but not limited to execution of Grant Agreement(s).

Section 2. That this Resolution encompasses the Industrial Drive Reconstruction and Widening Project.

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 application to be timely filed for consideration, funds to be used, if received, for public improvements related to public peace, health 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.

Passed: _____

John A. Helberg, Council President

Approved: _____

Ronald A. Behm, Mayor

VOTE ON PASSAGE _____ Yea _____ Nay _____ 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 Resolution No. 066-12 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

ORDINANCE NO. 067-12

AN ORDINANCE AMENDING CHAPTER 925 OF THE CODIFIED ORDINANCES OF THE CITY OF NAPOLEON (WASTE COLLECTION) TO ESTABLISH SECTION 925.13(D) LOW OCCUPANCY.

WHEREAS, the City of Napoleon ("City") controls and operates rules and regulations in relation to waste collection; and,

WHEREAS, the City desires to offer its Residential Customers a partial credit on the monthly Refuse Charge under certain circumstances; now therefore,

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

Section 1. That, Chapter 925 "Waste Collection" of the Codified Ordinances of the City of Napoleon, is hereby amended and enacted as follows:

"925.13 RATES.

(a) The following rates are established as a monthly base fee as it relates to City bag refuse service, and shall be charged to each subscriber utilizing or mandated to utilize the City's bag refuse service. Commercial use of residential type recycling service is permitted in accordance with paragraph (c). Nothing in this provision shall be construed as mandating the City to provide refuse service outside its corporate limits.

<u>Inside Corporate Limits</u>	<u>Outside Corporate Limits</u>
\$18.00	\$24.30

(b) Each subscriber to the City's bag refuse service will be permitted to have one bag of garbage or refuse, per week, at no additional cost (without necessity of a tag), as part of the established monthly fee paid by all City bag refuse subscribers; thereafter, there will be a charge of \$2.00 per tag that shall be affixed to the outside of each bag after the first one bag as provided for in Section 925.07. Tags may be purchased at the office of the City Utilities Department or at other locations as may be designated.

(c) Commercial recycling service when provided by the City, in or outside the corporation limits, shall be at the rate of \$18.00 per month for up to six residential type recycling bins with additional bins, up to ten in total, at the rate of \$1.00 per month for each additional bin over six. Levels of service shall be established on an annual basis. (Ord. 088-08. Passed 12-8-08.)

(D) LOW OCCUPANCY: THE CITY WILL ALLOW RESIDENTIAL CUSTOMERS TO REQUEST A PARTIAL CREDIT ON THE MONTHLY REFUSE CHARGE PROVIDED THE RESIDENTIAL CUSTOMER DEMONSTRATES AND/OR PROVES THAT NO GARBAGE WAS GENERATED DURING THE

ENTIRE MONTH AND/OR BILLING CYCLE. PROOF WILL BE IN THE FORM OF A SWORN AFFIDAVIT SIGNED AND NOTARIZED BY THE RESIDENTIAL CUSTOMER STATING THE REASON FOR NON-GENERATION OF GARBAGE AND REQUESTING A PARTIAL CREDIT FOR THE PERIOD OF THE BILLING CYCLE. REFUSE CHARGE WILL REMAIN ON THE MONTHLY BILL AND REQUESTS MUST BE MADE AFTER EACH BILLING CYCLE, AND NO LATER THAN SIXTY (60) DAYS AFTER THE UTILITY BILL "BILLING DUE DATE" FOR WHICH THE REQUEST OF IS BEING MADE. PROOF WILL BE SUBJECT TO VERIFICATION BY THE REFUSE COLLECTION DEPARTMENT IN OPERATIONS. ADDITIONALLY, THE CUSTOMER'S UTILITY ACCOUNT WILL BE CHECKED FOR CONSUMPTION HISTORY OF ELECTRIC, WATER, AND SEWER. IF CONSUMPTION HISTORY IS MINIMAL FOR ELECTRIC AND THERE IS NEITHER WATER NOR SEWER CONSUMPTION DURING THE TIME PERIOD OF THE BILLING THE REQUEST WILL BE APPROVED. HOWEVER, IF THERE IS AVERAGE OR NORMAL CONSUMPTION HISTORY FOR ELECTRICITY OR THERE IS WATER OR SEWER USAGE THE REQUEST WILL NOT BE APPROVED. APPROVED REQUESTS WILL BE CREDITED TO THE CUSTOMER ACCOUNT ON THE NEXT EARLIEST POSSIBLE BILLING. HOWEVER, THE CUSTOMER WILL NOT RECEIVE ANY CREDIT FOR SPECIAL SANITATION SERVICES AS ESTABLISHED IN 925.17(B). THE CUSTOMER'S AFFIDAVIT IS ONLY VALID FOR SIX (6) MONTHS AND MUST BE RENEWED THEREAFTER. AFFIDAVIT FORMS WILL BE PROVIDED UPON REQUEST.

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: _____

John A. Helberg, Council President

Approved: _____

Ronald A. Behm, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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. 067-12 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

ORDINANCE NO. 068-12

**AN ORDINANCE VACATING A CERTAIN ALLEY LOCATED IN
THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF
NAPOLEON, HENRY COUNTY OHIO**

WHEREAS, a petition was filed by a person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, located in Original Plat in the (Village) now City of Napoleon, Ohio pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission had a Public Hearing (PC-12-08), after being duly published, and there was no opposition; and,

WHEREAS, the Planning Commission passed Resolution PC-12-08 recommending that said alley be vacated by the Napoleon City Council; Now Therefore,

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

Section 1. That, this Council finds that there has been compliance with all applicable provisions of Chpt. 723 of the Ohio Revised Code and Chpt. 909 of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2 of this Ordinance, including but not limited to the notice requirement.

Section 2. That, this Council finds that there exists a petition signed by an authorized person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, more specifically, the alley located along Lots 31, 32, 33, and 34 in the Original Plat of the Village (now City) of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator and as shown on Exhibit A which is attached and incorporated herein.

Section 3. That, this Council further finds there is good cause for such alley vacation as prayed for, that such vacation of the alley will not be detrimental to the general interests and ought to be and is made subject to the City reserving an easement therein for the installation, maintaining, operating, renewing, constructing, reconstructing and removing of any existing utility facilities, and for the purpose to access said facilities, pursuant to Section 723.041 of the Ohio Revised Code.

Section 4. That, the City Engineer is hereby instructed to present the vacation plat of said vacated alley to the Clerk of Council and the Clerk is instructed to endorse upon such plat, the action of this Council in vacating such alley and to cause this ordinance and the said plat to be recorded in the office of the Recorder of Henry County, Ohio.

Section 5. That, the Clerk of Council is directed to notify the Auditor of Henry County of the vacation, by sending a copy of this Ordinance.

Section 6. That, the directives as stated in Sections 4 and 5 of this Ordinance shall only be completed after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio.

Section 7. 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 8. 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 9. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

Passed: _____

John A. Helberg, Council President

Approved: _____

Ronald A. Behm, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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. 068-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 19 _____; & 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. 069-12

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 FOR THE STRONG STREET AND ORWIG AVENUE WATERLINE REPLACEMENT PROJECT, WHICH WAS NOT INCLUDED IN THE ANNUAL MASTER BID, RESOLUTION 01-12, AND DECLARING AN EMERGENCY

WHEREAS, the City of Napoleon has become aware that the waterline on Strong Street and Orwig Avenue in the City of Napoleon is in dire need of replacement;

WHEREAS, said waterline has already failed once; and,

WHEREAS, this Project was not included in the annual Master Bid List, Resolution 01-12, and that the cost of this project exceeds \$25,000.00; and,

WHEREAS, this Project will be competitively bid; Now Therefore,

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

Section 1. That, the expenditure of funds in excess of \$25,000.00 is hereby authorized as a proper public expenditure for the replacement of the waterline for portions of Strong Street and Orwig Avenue, City of Napoleon, Ohio.

Section 2. That, the funds necessary to meet the intent of this Resolution will be taken from either the Water Fund, General Fund, Reserve Fund, or the City will issue notes for this debt and if notes are issued for this debt, this Council also authorizes the purchase said notes.

Section 3. That this Project shall be competitively bid.

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 expeditiously eliminate a condition related to public peace, health or safety accessible to our citizens; 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: _____
John A. Helberg, Council President

Approved: _____
Ronald A. Behm, Mayor

VOTE ON PASSAGE ____ Yea ____ Nay ____ 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 Resolution No. 069-12 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

VACATION PLAT FOR ALLEY BETWEEN LOTS 31,32,33 AND 34 IN THE ORIGINAL PLAT OF THE VILLAGE OF NAPOLEON

AREA:

2,682 SQ. FT OR 0.062 AC.±

DEED REFERENCE:

1. VOLUME 243, PAGE 923, HENRY COUNTY DEED RECORDS
2. OFFICIAL RECORDS VOLUME 202, PAGE 566, HENRY COUNTY DEED RECORDS
3. ORDINANCE 836 RECORDED IN VOLUME 13, PAGE 666, MISCELLANEOUS RECORDS OF HENRY COUNTY

NOTE:

THE BEARINGS USED HEREON ARE BASED ON THE OHIO STATE PLANE GRID NORTH, OHIO NORTH ZONE.

LEGAL DESCRIPTION:

A parcel of land being part of an existing alley as shown on the Original Plat of the Village (now City) of Napoleon, Henry County, Ohio, said parcel of land being bounded and described as follows:

Beginning at the intersection of the northerly line of Lot 31 in said Original Plat of the City of Napoleon with the easterly line of said Lot 31 in the Original Plat of the City of Napoleon, said northerly line of Lot 31 in the Original Plat of the City of Napoleon also being the southerly line of said existing alley in the Original Plat of the City of Napoleon, said point of intersection being marked with a set Mag nail;

Thence in a southwesterly direction along said northerly line of Lot 31 in the Original Plat of the City of Napoleon and along the northerly line of Lot 32 in said Original Plat of the City of Napoleon, having an assumed bearing of South sixty-four (64) degrees, sixteen (16) minutes, thirty-seven (37) seconds West, a distance of one hundred sixty-two and fifty-two hundredths (162.52') feet to the intersection of a line drawn three and seventy-five hundredths (3.75') feet easterly and parallel with the westerly line of said Lot 32 in the Original Plat of the City of Napoleon, said point of intersection being marked with a set Mag nail;

Thence North twenty-five (25) degrees, fifty-three (53) minutes, twenty-eight (28) seconds West along the northerly extension of said line drawn three and seventy-five hundredths (3.75') feet easterly and parallel with the westerly line of Lot 32 in the Original Plat of the City of Napoleon, a distance of sixteen and fifty hundredths (16.50') feet to the intersection of the southerly line of Lot 33 in said Original Plat of the City of Napoleon, said southerly line of Lot 33 in the Original Plat of the City of Napoleon also being the northerly line of said existing alley in the Original Plat of the City of Napoleon, said point of intersection being marked with a set Mag nail;

Thence North sixty-four (64) degrees, sixteen (16) minutes, thirty-seven (37) seconds East along said southerly line of Lot 33 in the Original Plat of the City of Napoleon and along the southerly line of Lot 34 in said Original Plat of the City of Napoleon, a distance of one hundred sixty-two and fifty-two hundredths (162.52') feet to the intersection of the easterly line of said Lot 34 in the Original Plat of the City of Napoleon, said easterly line of Lot 34 in the Original Plat of the City of Napoleon also being the westerly line of an existing alley in said Original Plat of the City of Napoleon, said point of intersection being marked with a set Mag nail;

Thence South twenty-five (25) degrees, fifty-three (53) minutes, twenty-six (26) seconds East along the southerly extension of said easterly line of Lot 34 in the Original Plat of the City of Napoleon, a distance of sixteen and fifty hundredths (16.50') feet to the Point of Beginning.

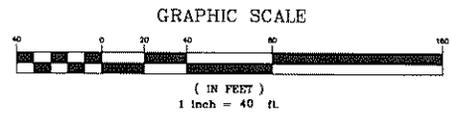
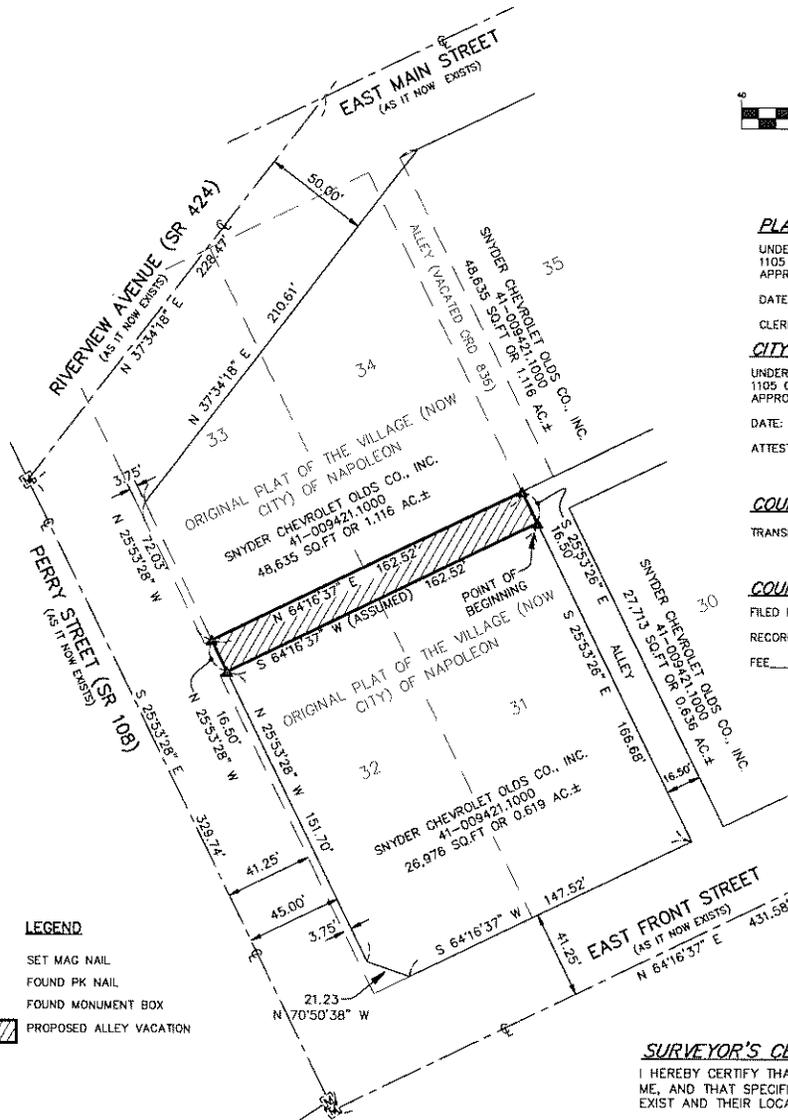
Said parcel of land containing an area of 2,682 square feet or 0.062 acres of land, more or less.

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

The bearings used hereon are based on an assumed meridian and are for the express purpose of calculating angular measurement.

The above description is based on a field survey performed under my supervision during August, 2012.

- LEGEND**
- ▲ SET MAG NAIL
 - △ FOUND PK NAIL
 - FOUND MONUMENT BOX
 - ▨ PROPOSED ALLEY VACATION



PLANNING COMMISSION CERTIFICATE:

UNDER THE AUTHORITY PROVIDED BY OHIO R.C. CHAPTER 711 AND CHAPTER 1105 OF THE NAPOLEON CODIFIED ORDINANCES, THE PLAT IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON.

DATE: _____ CHAIRMAN _____
CLERK OF COUNCIL _____

CITY COUNCIL CERTIFICATE:

UNDER THE AUTHORITY PROVIDED BY OHIO R.C. CHAPTER 711 AND CHAPTER 1105 OF THE NAPOLEON CODIFIED ORDINANCES, THE PLAT IS HEREBY APPROVED BY THE CITY COUNCIL OF THE CITY OF NAPOLEON.

DATE: _____ MAYOR _____
ATTEST: CLERK OF COUNCIL _____

COUNTY AUDITOR CERTIFICATE

TRANSFERRED _____ 2012 _____ HENRY COUNTY AUDITOR

COUNTY RECORDER'S CERTIFICATE

FILED FOR RECORD _____ 2012 AT _____ M.
RECORD ON _____ 2012 ON _____ SLIDE _____
FEE _____ HENRY COUNTY RECORDER

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT SPECIFIED MAG NAILS SHOWN THUS (▲) ACTUALLY EXIST AND THEIR LOCATION IS CORRECTLY SHOWN.

Duane E. Heck
Professional Surveyor #7432

Date: _____



Garcia Surveyors, Inc.

P.O. Box 2628 Whitehouse, OH 43571
Phone: (419) 877-0400
Fax: (419) 877-1140
Mobile: (419) 438-2566
E-Mail: dheck@garciasurveyors.com



EXHIBIT A



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: Dr. Jon A. Bisher, City Manager
From: Chad E. Lulfs, P.E., P.S., City Engineer
cc: Mayor & City Council
Greg Heath, City Finance Director
Date: October 15, 2012
Subject: Strong Street & Orwig Avenue Waterline Improvements

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the Strong Street & Orwig Avenue Waterline Improvements Project. This project consists of replacing the existing four (4") inch cast iron and transite waterlines on Strong Street from Sheffield Avenue to Orwig Avenue and on Orwig Avenue from Strong Street to Welsted Street with six (6") PVC waterlines.

Engineer's Estimate of Construction: \$130,000.00.

Budgeted amount for this project is \$0.00.

CEL



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue • PO 151 • Napoleon, Ohio 43545-0151
Gregory J. Heath, Director of Finance/Clerk of Council
phone (419) 599-1235 fax (419)-599-8393
Web Page: www.napoleonohio.com
E-mail: gheath@napoleonohio.com

DATE: October 12, 2012

TO: Members of City Council
Ronald A. Behm, Mayor
Dr. Jon A. Bisher, City Manager
Trevor M. Hayberger, City Law Director
Chad E. Lulfs, City Engineer

FROM: Gregory J. Heath, Finance Director/Clerk of Council *GJH*

SUBJECT: Strong Street and Orwig Avenue Waterline Replacement - Funding

At the Municipal Properties Committee meeting on Monday, October 8, 2012, the City Engineer, Chad E. Lulfs, presented the need to replace the Waterline on Strong Street and Orwig Avenue. Due to lack of funds, this project was originally taken out of the 2012 Budget by the City Manager, Dr. Jon A. Bisher. It is now being requested due to the apparent accelerated deterioration of the water quality from the old iron line. Pursuant to the Ohio Revised Code, City Council may declare the replacement of this Waterline as an *Emergency* for the preservation of health, safety and welfare of the City and its inhabitants allowing for the Waterline to be immediately replaced as necessary, with or without bidding. Funding for the project of **\$130,000** must be identified to meet the Certification of Funds requirement.

Listed below are the identified Funding options available:

- **Debt Issuance.** City Law Director, Trevor M. Hayberger, and myself had a phone conversation with Mr. Chris Franzmann, of Squire Sanders (US) LLP (City's Bond Counsel) regarding issuing short term debt on this project. Mr. Franzmann indicated this project is eligible to be funded by debt, and if requested, he could draft the necessary legislation for presentation at the next City Council meeting (November 5, 2012). The legislation would require an *Emergency Clause* and *Suspension of the three (3) read rule*, putting it into place immediately. The City could then proceed in an expedited manner to advertise, receive bids and close on the Bond Anticipatory Notes (BAN's) for the project. The City may also purchase its own debt issued. This process could be accomplished before the end of November, probably earlier; and, before any payments would be due the contractor replacing the line.
- **Assessments.** The City has the authority to assess this project to the benefiting property owners. Due to the emergency nature of this waterline replacement following the normal assessment process in the Ohio Revised Code (ORC) would take at least sixty (60) to ninety (90) days and put this project into next year. The City would have some local share in the project that would need identified. I will review with City's Bond Counsel any other expedited assessment options the City may have available for funding this project and report back to Council.

(Waterline Project Funding – Continued Next Page)

- **Water Funds (Not Obligated to Debt)**. The current unencumbered balances available in Water Funds are as follows –

510 Water Revenue Fund	\$120,249
514 Water Tower Painting & Maintenance Fund	\$ 71,134

- **Other Eligible Funds**. The current unencumbered balances available in General Funds are as follows –

100 General Fund	\$769,935
400 Capital Improvement Fund	\$236,276
401 CIP Funding Reserve Fund	\$136,250

- **Recommendation**. Based on the size of the proposed project (<\$150,000), and the Cost of Issuance for Debt, at this time it is recommended by both the City Manager and myself that this projected be paid from existing balances of the following funds:

514 Water Tower Painting & Maintenance Fund	\$ 71,134
401 CIP Funding Reserve Fund	<u>\$ 58,866</u>
Total Estimated Project Cost	<u>\$130,000</u>

This recommended funding does not include any Assessments, but could be modified later if Assessments were to be determined to be a viable option. The above changes will be included in the Third (3rd) Quarter Budget Adjustments unless otherwise modified by City Council.

PC 12-07
Replat of Lots 199, 200, 201
in Adam Stout's First Addition

MEMORANDUM

TO: Members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Minor Subdivision
MEETING DATE: October 9, 2012 @ 5:00 PM
HEARING #: PC-12-07

BACKGROUND:

An application for public hearing has been filed by Robert L. Jones and Cathy J. Jones. The applicant is requesting to subdivide property in Adam Stout's First Addition at 960 W. Riverview Ave., Napoleon, OH. into two smaller lots. The request is pursuant to Chapter 1105 of the Codified Ordinances of Napoleon Ohio. The property is located in an R-2 Low Density Residential Zoning District.

RESEARCH AND FINDINGS

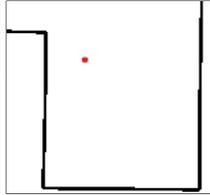
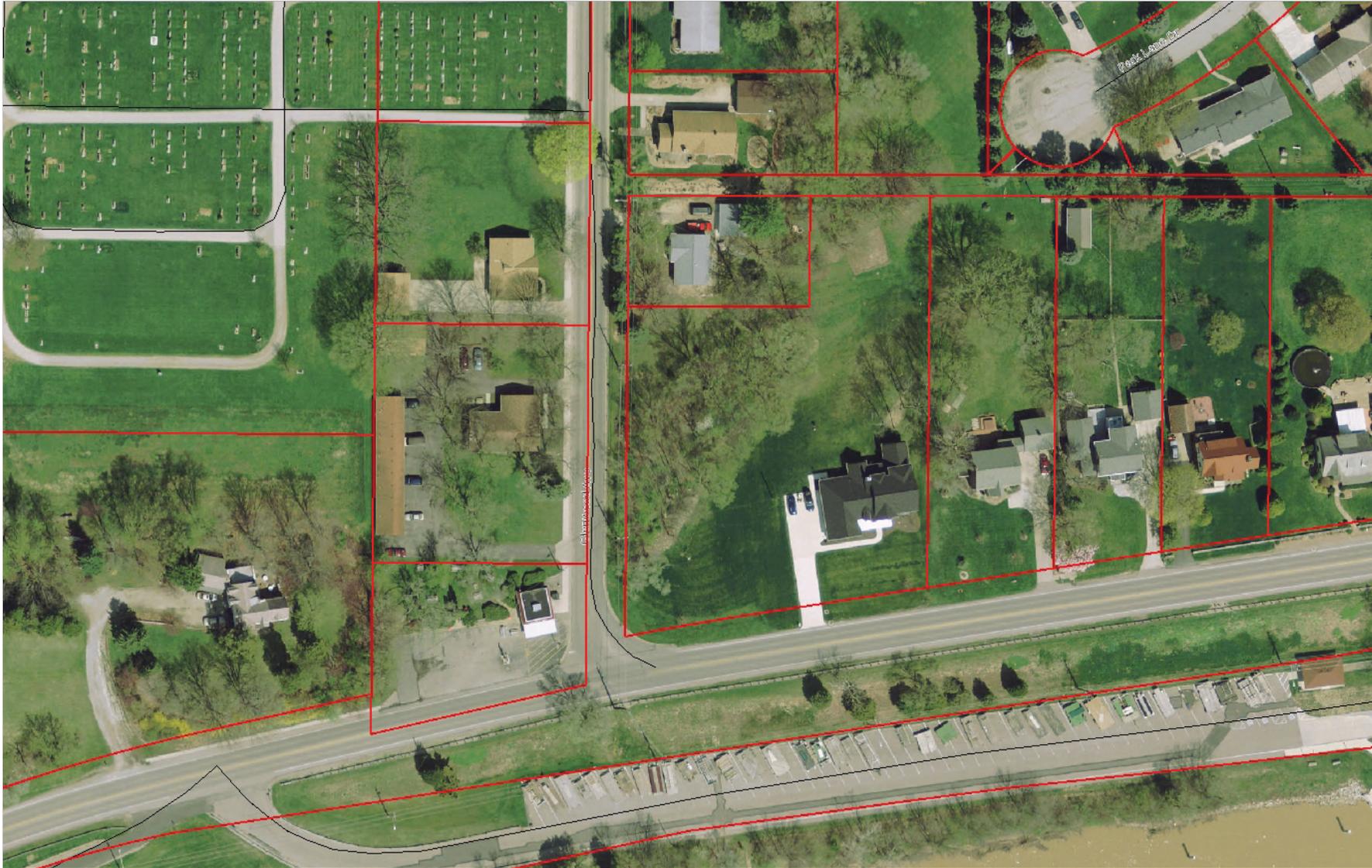
1. The proposed subdivision of land meets all the requirements of Chapter eleven of City's Codified Ordinances pertaining to Subdivision regulations, lot size and building setbacks and parking requirements.

2. The City Engineer has reviewed and approved the proposed subdivision. Lot B is served by existing public utilities from Glenwood Ave.





Henry County, Ohio



Legend

1:886



0.0 0 0.01 0.0 Miles

NAD_1983_StatePlane_Ohio_North_FIPS_3401_Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

**RE-PLAT OF PART OF LOTS NUMBERED 199, 200, AND 201
IN ADAM STOUT'S FIRST ADDITION TO THE CITY OF NAPOLEON, OHIO**
BEING PART OF A SUBDIVISION LOCATED IN PART OF THE WEST HALF (1/2) OF THE NORTHEAST
QUARTER (1/4) OF SECTION 23, T 5 N, R 6 E, NAPOLEON TOWNSHIP, HENRY COUNTY, OHIO.

LEGAL DESCRIPTION

Being Lot 199 in Adam Stout's First Addition according to the recorded Plat thereof, less and except the East 15 feet thereof and Lot 200 in Adam Stout's First Addition, except the North 85 feet of the West 57.5 feet of Lot 200, and also Lot 201 in Adam Stout's First Addition to the City of Napoleon, Napoleon Township, Henry County, Ohio, Deed OR Volume 223, Page 1126 Henry County Record of Deeds.

OWNER'S APPROVAL

The undersigned, Robert L. Jones and Cathy J. Jones, owners of the real estate described herein by instrument recorded in the Henry County Recorder's OR Volume 223, Page 1126, hereby certify that we did sign this plat and that the plat correctly represents my assent to the adoption of this plat.

Witness my hand and seal this _____ day of _____, 2012.
The Undersigned Owner:

Robert L. Jones

Witness

Cathy J. Jones

Witness

STATE OF OHIO, HENRY COUNTY, SS:
Before me, the undersigned Notary Public in and for the county and state, personally appeared the above named owner, who did acknowledge the execution of the foregoing instrument as her voluntary act and deed.

Witness my hand and notarial seal this _____ day of _____, 2012.

Notary Public

COUNTY AUDITOR'S CERTIFICATE

I, the Henry County Auditor, do hereby certify that there are no unpaid taxes on the property herein described and certify the same for transfer.

Transferred this _____ day of _____, 2012.

Henry County Auditor

COUNTY RECORDER'S CERTIFICATE

I, the Henry County Recorder, do hereby certify that this plat has been received for record at _____ o'clock __M. on the _____, 2012.

Recorded this _____ day of _____, 2012 In Plat Cabinet, Slide _____

Fee \$ _____

Henry County Recorder

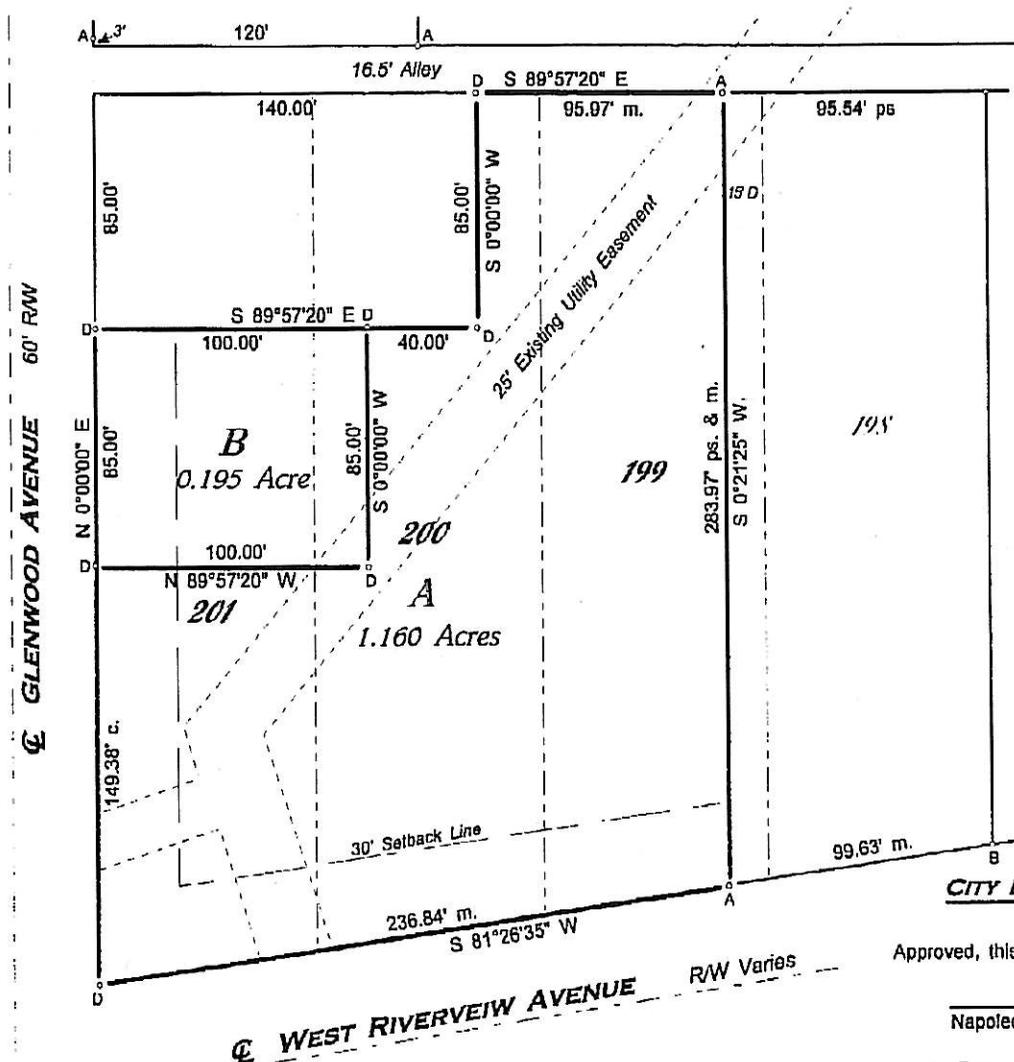
CITY COUNCIL CERTIFICATE

Under authority provided by Chapter 711 of the Ohio Revised Code and Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby approved by the Council of the City of Napoleon, Ohio.

Date

Mayor

Attest: Clerk of Council



ZONING

Zoning "R-2" Residence District

LEGEND

- A - Found Iron pin from previous survey.
- B - Found Iron pipe from previous survey.
- C - Found Mag nail from previous survey.
- D - Set iron pin w/cap this survey.

References: Slide 192 Henry County Record of Plats
Volume 32, Page 163, NRS Lot 198 June 1989
Henry County Engineer's Record of Surveys

CITY ENGINEER'S CERTIFICATE

Approved, this _____ day of _____, 2012.

Napoleon City Engineer

PLANNING COMMISSION CERTIFICATE

Under authority provided by Chapter 711 of the Ohio Revised Code and Chapter 1105 of the Napoleon Codified Ordinances, this plat is hereby approved by the Planning Commission of the City of Napoleon, Ohio.

Date

Chairman

Clerk of Council

SURVEYOR'S CERTIFICATE

I hereby certify this plat and survey to be correct to the best of my knowledge.

HERBERT BEHRMAN, Reg. Surveyor No. 5778
300 South First Street, Hamler, Ohio 43524

Date

PLANNING COMMISSION RESOLUTION NO. PC 12-07

**A RESOLUTION RECOMMENDING THE APPROVAL OF A
MINOR SUBDIVISION KNOWN AS LOT A AND LOT B OF
ADAM STOUT'S FIRST ADDITION**

WHEREAS, Robert L. Jones and Cathy J. Jones, Owners, have made application pursuant to Chapter 1105 of the Codified Ordinances of the City of Napoleon, Ohio, to approve a plat known as Lot A and Lot B of Adam Stout's First Addition, a minor subdivision in the City of Napoleon, Ohio; and,

WHEREAS, this Commission has held a hearing pursuant to Section 1105.09 of the Codified Ordinances of the City of Napoleon, Ohio and other applicable sections of law, to wit: Hearing No. PC-12-07 (held October 9, 2012); and,

WHEREAS, the Zoning Administrator has complied with the provisions of said Section 1105.09 (b)(1)-(6); and,

WHEREAS, no Performance Agreement is required; and,

WHEREAS, based upon the submittals, testimony, and/or other evidence received by the Commission it has been determined to recommend approval of said minor subdivision and approve the proposed plat; **Therefore**,

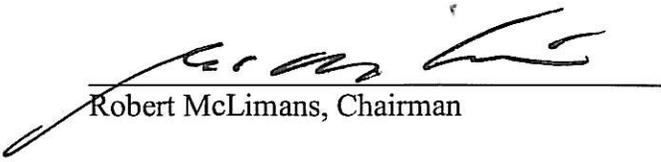
**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY
OF NAPOLEON, OHIO:**

Section 1. That, it is the recommendation of this Planning Commission that the plat known as Lot A and Lot B a Re-plat of Part of Lots Numbered 199, 200, and 201 of Adam Stout's First Addition, a minor subdivision, located in the West half (1/2) of the Northeast quarter (1/4) of Section 23, Town Five (5) North, Range Six (6) East, Napoleon Township, in the City of Napoleon, Henry County, Ohio, be approved by the City Council of Napoleon, Ohio. Exhibit "A"

Section 2. That, it is found and determined that all formal actions of this Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Planning Commission 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 3. That, if any other prior 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 4. That, this Resolution shall take effect at the earliest time permitted by law.


Robert McLimans, Chairman

PC 12-08
ALLEY VACATION

MEMORANDUM

TO: Members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Alley Vacation
MEETING DATE: October 9, 2012 @ 5:00 PM
HEARING #: PC-12-08

BACKGROUND:

An application for a public hearing has been filed by Bill Snyder. The applicant is requesting the city vacate a certain alley located between the buildings at Snyder Chevrolet Olds, Inc., 524 N. Perry Street, Lots 31, 32, 33 & 34 in the Original Plat of the City of Napoleon. This request is pursuant to City Code Chapter 909.

RESEARCH AND FINDING

1. Snyder Chevrolet Olds Co Inc owns all the property in this City Block. All City Departments have reviewed and verified that this alley is not used for any utilities and has no public purpose.



RESOLUTION NO. PC-12-08

A RESOLUTION RECOMMENDING THE VACATION OF A CERTAIN ALLEY LOCATED IN THE ORIGINAL PLAT OF THE VILLAGE (NOW CITY) OF NAPOLEON, HENRY COUNTY OHIO

WHEREAS, a petition was filed by a person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, located in the Original Plat in the (Village) now City of Napoleon, Ohio pursuant to Chapter 909 of the Codified Ordinances of the City of Napoleon, Ohio and Chapter 723 of the Ohio Revised Code; and,

WHEREAS, the Planning Commission has had a Public Hearing (PC-12-08), after being duly published, and there exists no opposition; Now Therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, this Commission finds that there has been compliance with all applicable provisions of the Ohio Revised Code and the City's Code of Codified Ordinances in regards to vacation of a certain alley as more particularly described in Section 2 of this Resolution, including but not limited to the notice requirement.

Section 2. That, this Commission finds that there exists a petition signed by an authorized person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, more specifically, the alley located along Lots 31, 32, 33 and 34 in the Original Plat of the Village (now City) of Napoleon, Henry County, Ohio, as shown on the plat currently on file in the office of the Zoning Administrator (shown on the plat as:).

Section 3. That, this Commission further finds there is good cause for such alley vacation as prayed for, that such vacation of the alley will not be detrimental to the general interests and ought to be made subject to the City reserving an easement therein for the installation, maintaining, operating, renewing, constructing, reconstructing and removing of any existing utility facilities, and for the purpose to access said facilities, pursuant to Section 723.041 of the Ohio Revised Code.

Section 4. That, the recording of the vacation plat should be made only after payment of all costs to the City owed by the petitioner as established in Chapter 909 of the Codified Ordinances of the City.

Section 5. That, it is found and determined that all formal actions of this Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Commission, and that all deliberations of this Commission 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, upon passage, this Resolution shall take effect at the earliest time permitted by law.


Chairman

VOTE ON PASSAGE 4 Yea 0 Nay _____ Abstain

Attest:

Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby 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

PC 12-09

Parks & Recreation Building

MEMORANDUM

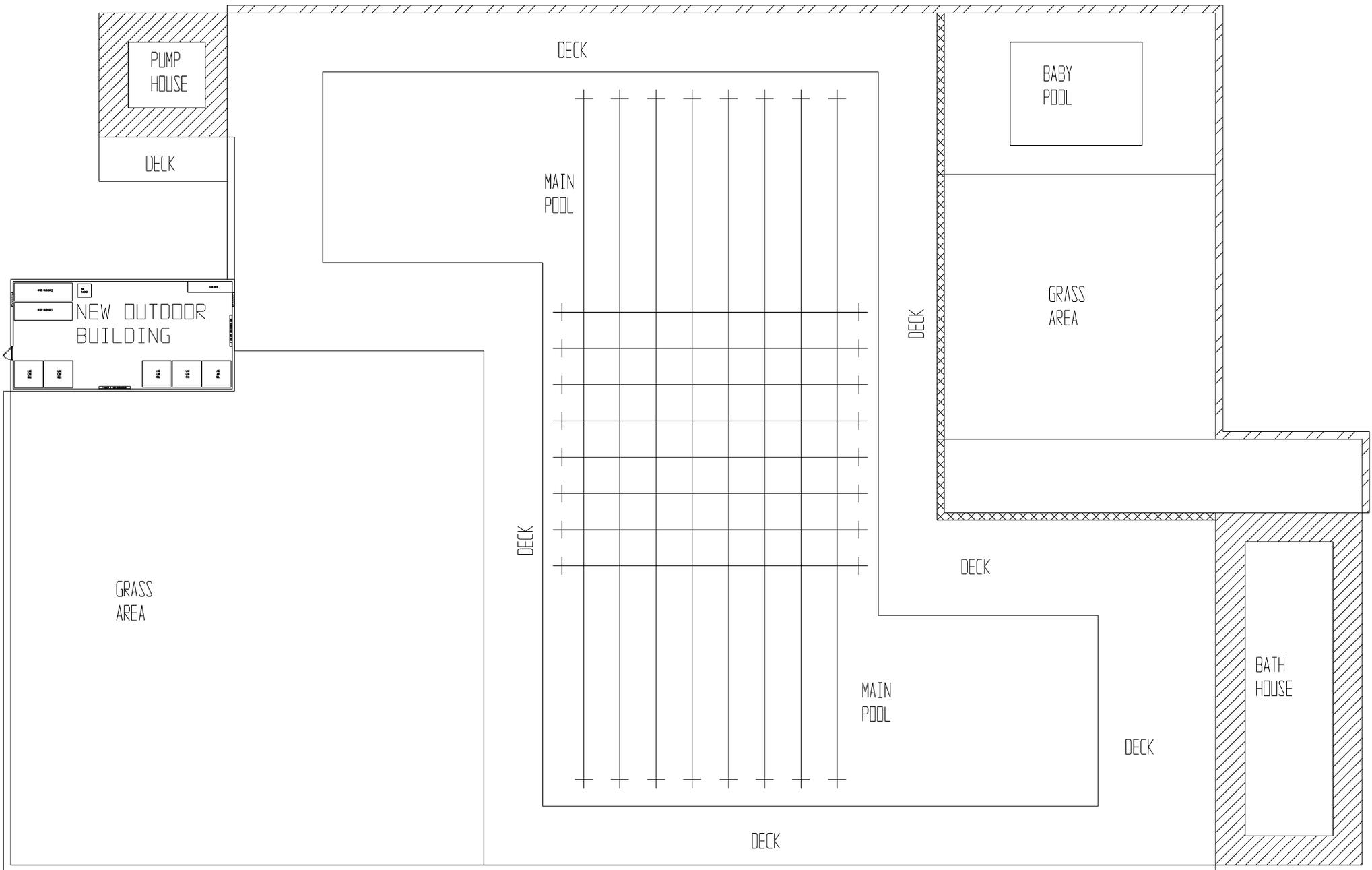
TO: Members of The City Planning Commission
FROM: Tom Zimmerman, Zoning Administrator
SUBJECT: Parks & Recreation Building
MEETING DATE: October 9, 2012 @ 5:00 PM
HEARING #: PC-12-09

BACKGROUND:

An application for a public hearing has been filed by The City of Napoleon Parks and Recreation Department. The applicant is requesting approval of a storage building the Napoleon Aquatic Club is proposing to build located at 515 Glenwood, which is the Municipal pool.

RESEARCH AND FINDING

1. One of the duties of the Planning Commission, as stated in section 159.01 of the City's Ordinances is to recommend the approval or disapproval related to the construction or authorization for construction on city property. A site plan has been submitted and approved by the City's parks and Recreation Board and all City Departments for the location of this storage building.
2. The applicant will obtain a commercial building permit from Wood Co. to insure that it is a code compliant building.



PUMP HOUSE

DECK

NEW OUTDOOR BUILDING

GRASS AREA

DECK

MAIN POOL

DECK

MAIN POOL

DECK

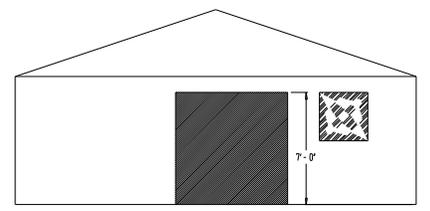
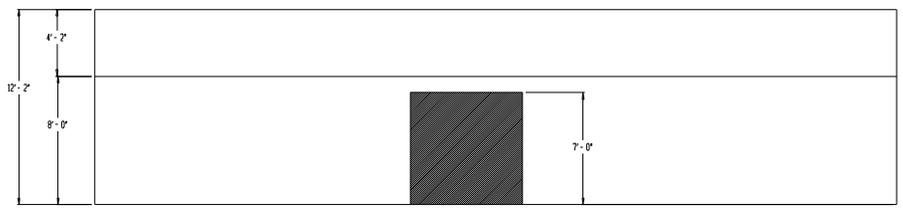
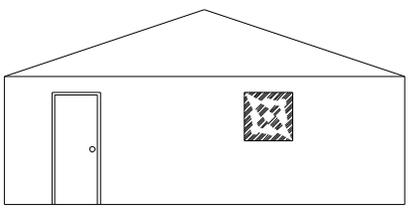
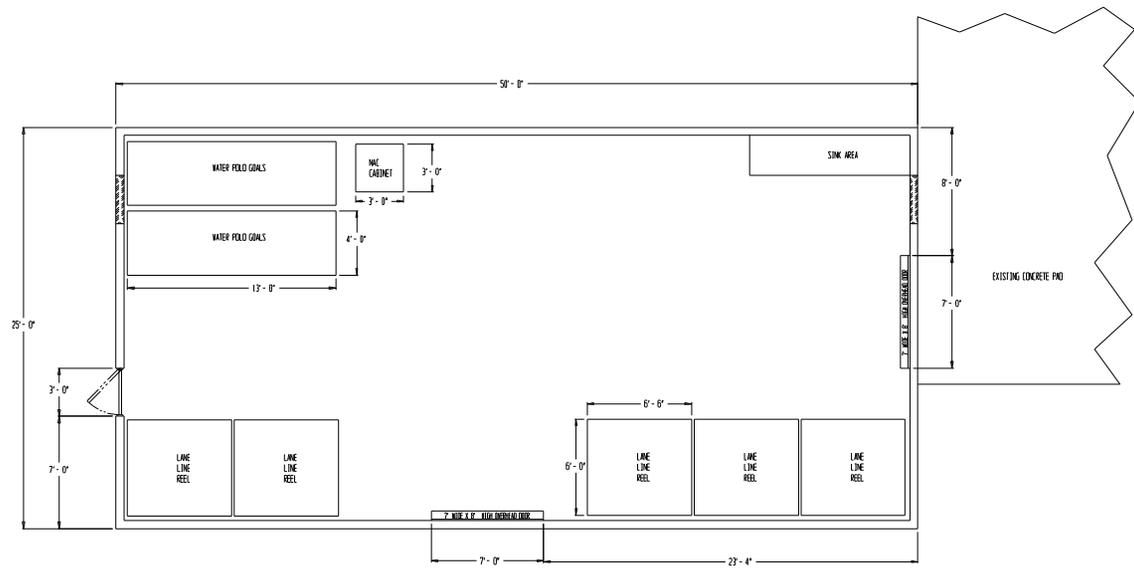
BABY POOL

GRASS AREA

DECK

DECK

BATH HOUSE



RESOLUTION NO. 12-09

**A RESOLUTION BY THE PLANNING COMMISSION OF
NAPOLEON, OHIO TO APPROVE OR DISAPPROVE OF
CONSTRUCTION FOR THOSE THINGS FOUND IN 713.02 OF
THE ORC**

Whereas, the Planning Commission, pursuant to City Code 159.01 (c) (6) has before it an application made by the City of Napoleon, Ohio, Department of Engineering, to approve or disapprove the construction or authorization for construction of those things listed in ORC 713.02, to wit, extent of streets, alleys, ways, viaducts, bridges, waterways, waterfronts, subways, boulevards, parkways, parks, playgrounds, aviation fields and other public grounds, ways, and open spaces, of public buildings and other public property; and, public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; and,

Whereas, the Planning Commission has reviewed the general location and character of those things contained in the application; and,

Whereas, the Planning Commission acknowledges its additional duties of recommending approval or disapproval for the removal, relocation, widening, narrowing, vacating, abandonment, change of use of or extension of such public ways, grounds, open spaces, buildings, property, utilities, or terminals in the event it finds advisable to make, or it has made plans and maps of the whole or any portion of the municipal corporation, and of any land outside thereof, which, in the opinion of the commission, is related to the planning of the municipal corporation, except that the Commission does not have power with respect to the construction, maintenance, use, or enlargement of improvements by any public utility or railroad on its own property if such utility is owned or operated by an individual, partnership, association, or a corporation for profit. Now therefore,

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

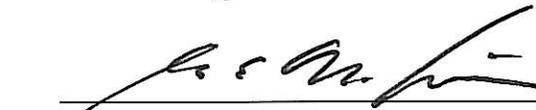
Section 1. That, the Planning Commission pursuant to City Code 159.01 (c) (6) hereby recommends to City Council the approval of the construction or authorization of construction of the project contained in Exhibit "A" of this Resolution.

Section 2. That, it is found and determined that all formal actions of this City Planning Commission concerning and relating to the adoption of this Resolution were adopted in open meetings of this Planning Commission, and that all deliberations of this Commission 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 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, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 4. That, this Resolution shall take effect at the earliest time permitted by law.

Passed: October 9, 2012


Chairman

VOTE ON PASSAGE 4 Yea 0 Nay _____ Abstain



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: Dr. Jon A. Bisher, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, Finance Director
Date: October 15, 2012
Subject: Sanitary Sewer Improvements from Scott Street East
to VanHyning Creek
Change Order No. 1

In an effort to provide additional capacity for potential future expansion in the area north of U.S. 6/24 and west of S.R. 108, I request that Council consider installing a larger diameter sanitary sewer as part of this project. The additional cost for the increase in size is \$74,000.00. **It is my recommendation that Council approve Change Order No. 1 in the amount of \$74,000.00.** If you have any questions or require additional information, please contact me at your convenience.

CEL

CITY OF NAPOLEON
CHANGE ORDER
NO. 1

PROJECT ~
Sanitary Sewer Improvements
from Scott Street East to VanHyning Creek

DATE OF ISSUANCE

OWNER
City of Napoleon
255 West Riverview Avenue
P.O. Box 151
Napoleon, Ohio 43545

CONTRACTOR
Vernon Nagel, Inc.
O-154 Co. Rd. 11C
Napoleon, OH 43545

OWNER ~ CITY OF NAPOLEON

ARCHITECT/ENGINEER'S PROJECT NO. 561.6310.57800

CONTRACT FOR: Sanitary sewer improvements from Scott Street East to VanHyning Creek

You are directed to proceed promptly with the following change(s):

DESCRIPTION: Installation of a larger diameter sanitary sewer.

PURPOSE OF CHANGE ORDER:

ATTACHMENTS: (list documents supporting change)

Contract Price prior to this Change Order	\$ _____	168,155.00
(Increase)(Decrease) resulting from this Change Order	\$ _____	74,000.00
Current Contract Price, including this Change Order	\$ _____	242,155.00

Time for Contract Completion prior to this Change Order	_____
(Increase)(Decrease) resulting from this Change Order	_____
Current time for Contract Completion, including this Change Order	_____

RECOMMENDED:

ACCEPTED:

CITY OF NAPOLEON

VERNON NAGEL, INC.

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

BY: _____
Contractor

APPROVED:

City of Napoleon

BY _____
Jon A. Bisher; City Manager

DRAFT

Memorandum

To: Parks & Recreation Committee, Council, Mayor, City Manager, City Law
Director, City Finance Director, Department Supervisors, Media

From: Gregory J. Heath, Finance Director/Clerk of Council

Date: 10/9/2012

Re: Parks & Recreation Committee Meeting Cancellation

The Parks & Recreation Committee meeting, which was scheduled for Monday, October 15 at 8:00 PM, has been canceled due to lack of agenda items.

MEMORANDUM

To: Council and Mayor
From: Jon A. Bisher, City Manager
cc:
Date: August 6, 2012
Re: HealthCare Cost Committee Recommendations to Council

On Thursday, July 26, 2012, the Healthcare Cost Committee met to finalize the Healthcare revisions to be presented to Council. The recommendations are as follows:

- Instead of having two (2) plan options (single & family), create four (4) options (single, family, employee/spouse, and parent with children).
- The current deductibles remain the same for 2013, although deductibles for the two (2) new options (husband/wife and single parent with children) will need to be determined by our insurance representative (the City currently pays for all deductibles). In 2014, employees pay for 50% of their respective deductibles (presently \$750.00/single; \$1,500.00/family).
- The current Maximum Out-of-Pocket cost to the employees is presently \$0. This would remain the same in 2013 but would be 50% of the respective deductibles in 2014.
- The current Office Visit Co-Pay is \$10. This would remain the same.
- The current plan has no Co-Pay for Emergency Room visits. This would be adjusted to \$100 per Emergency Room visit.
- Urgent Care visits would fall into the deductible revisions (co-pays will still apply).
- Prescription Drug coverage (Retail) currently has a \$50/\$100 deductible, and then is covered 70%/30%. This would be revised to flat rates of \$5 Generic, \$20 Formulary Brand, and \$40 for Non-Formulary Brand with no deductible.
- Prescription Drug coverage (Mail Order maintenance drugs) currently has flat rates (90 day supply) of \$0 Generic, and \$5 Formulary Brand, revises this to flat rates of \$10 Generic, \$40 Formulary Brand, and \$80 for Non-Formulary Brand.
- The employees currently pay 10% of the healthcare plan premium cost. This would be increased by 2.5% each of the next two (2) years (2013: 12.5%; 2014: 15%).
- If spouses have coverage available from their employers, require them to use that insurance. Otherwise, there will be a \$50/month charge for all current employees. Future hires (as January 1, 2013) will be required to pay \$100/month for the coverage of a spouse that is eligible for coverage by his/her employer. If they have no other coverage available (i.e. a stay-at-home parent or no

healthcare coverage provided at their place of employment), then they would be allowed to remain on the City Employee's policy (family plan).

SUMMARY:

These changes propose to use the following strategies to reduce healthcare costs to the City:

1) *Remove high cost individuals from our program*

- Penalize spouses that have insurance
- Use of four (4) categories rather than family/single plans

2) *Control both regular prescription costs and maintenance prescription costs* by moving from up-front deductible to per-use cost.

3) *Encourage the development of family physician relationship* or use of urgent care facilities rather than simply go to Emergency Room when sick.

4) *Decrease overall use* by requiring employee to share in deductible costs.

5) *Reduce overall premium cost to City* by Employees picking up greater share of premium costs.

- Less People on plan
- 10% to 15% over next two (2) years.

JAB:rd

City of Napoleon

Employee Benefits - Medical Alternate Options

Presented August 3, 2012

Proposed for 1/1/13

		1	2	
		MHS - Current Plan Design w Deductible Reimbursement		MHS - Modified Plan Design w Deductible Reimbursement
		2-Tier Rate	4-Tier Rate	4-Tier Rate
Medical / Rx				
	Single	20	\$356.28	\$356.28
	EE/Spouse	22	\$1,012.23	\$900.94
	EE/Child(ren)	14	\$1,012.23	\$788.32
	Family	49	\$1,012.23	\$1,126.17
Monthly Costs		105	\$93,165.15	\$93,165.09
Annual Costs			\$1,117,982	\$1,117,981
				-3.10%
<i>Percent of change over current</i>				
In Network Benefits				
	Plan Deductible		\$750 / \$1,500	\$750 / \$1,500
	Employer Health Account Contribution (HRA or HSA)		(\$750 / \$1,500)	(\$750 / \$1,500)
	Employee Deductible Exposure		\$0 / \$0	\$0 / \$0
	Coinsurance		100 / 0	100 / 0
	Annual Out of Pocket Maximum ¹		\$0 / \$0	\$0 / \$0
	Office Visit Copay - PCP / Specialist		\$10	\$10
	Emergency Room Copay		Subject to Deductible	\$100
	Urgent Care Copay		Subject to Deductible	Subject to Deductible
Non-Network Benefits				
	Annual Deductible		\$50 / \$100	\$50 / \$100
	Coinsurance		70 / 30	70 / 30
	Annual Out of Pocket Maximum ¹		\$950 / \$1,900	\$950 / \$1,900
	Office Visit Copay - PCP / Specialist		Subject to Ded/Colns	Subject to Ded/Colns
	Emergency Room Copay		Subject to Ded/Colns	Subject to Ded/Colns
	Urgent Care Copay		Subject to Ded/Colns	Subject to Ded/Colns
Prescription Drugs				
	Retail		\$50 / \$150 Rx Ded, then 70 / 30	\$5 / \$20 / \$40
	Mail Order		\$0 Generic / \$5 Brand	\$10 / \$40 / \$80
Annual Reimbursements / Fees			\$84,215	\$84,215
TOTAL ANNUAL COSTS			\$1,202,197	\$1,202,196
				-2.88%

¹ Includes deductible.

for illustrative and comparative purposes only. The information summarizes the proposals of the carriers and the coverage, terms, conditions, and exclusions of their underlying. In the event of a discrepancy, the carriers' policies will control. The above information may also be subject to final underwriting review by the carriers which may result in premium fluctuations and other modifications prior to final binding of the insurance. Please do not cancel your coverage until an application has been approved in writing.

KNOW YOUR EMPLOYEE BENEFITS



City of Napoleon

Spousal Waiver Program – What That Means for You

Effective January 1, 2013, the City of Napoleon will be implementing a Spousal Waiver amendment to the Health Insurance Program.

WHAT DOES SPOUSAL WAIVER MEAN AND HOW IS IT DEFINED?

Spousal Waiver means that if your spouse works for an employer who offers a company sponsored health insurance program, your spouse may not be eligible for coverage under the City of Napoleon health insurance program, without being subject to a "premium surcharge". If the spouse is indeed eligible for their employers health plan, and they are covered by the City of Napoleon health plan, then an additional premium will be charge. Employees hired before 1/1/13 will be charged an additional \$50 per month to insure their spouse. Employees hired 1/1/13 and thereafter will be charged an additional \$100 per month to insure their spouse.

WHY IS THIS SPOUSAL WAIVER PROGRAM BEING IMPLEMENTED?

As you know, health insurance premiums are very expensive and continue to increase year after year. The City of Napoleon absorbs approximately 87% of the health insurance premiums on behalf of the employees. We take every possible measure to maintain a nice health insurance program at the best possible rate. We feel that employers who offer a group health insurance program should be responsible to insure their own employees under that plan.

WILL MY CHILDREN BE COVERED UNDER THE CITY OF NAPOLEON HEALTH PLAN?

Yes – We will continue to cover dependents as long as they meet the eligibility requirements. You can choose to enroll your children in your plan, your spouse's plan, or both. If your children are enrolled in both your plan and your spouse's plan, the plan covering the parent whose birthday falls first in the year will be primary.

HOW SHOULD I PREPARE FOR THIS SPOUSAL WAIVER PROGRAM?

You will need to complete a "spouse eligibility" form in order to cover your spouse on the City of Napoleon health insurance program. Since the spousal waiver program is effective on January 1, 2013, please complete this form as quickly as possible. The deadline for returning this form is October 31, 2012 and should be returned to the HR Dept.



WOMEN'S PREVENTIVE HEALTH CARE SERVICES

REFERENCES FOR ADDITIONAL INFORMATION:

<i>Preventive benefit required under women's health provision</i>	<i>Requirements effective for plan years on and after August 1, 2012</i>
<i>Well-woman visit</i>	<i>Provide coverage for preventive office visits.</i>
<i>Screening for gestational diabetes</i>	<i>Cover screening for gestational diabetes (all ages).</i>
<i>Human Papillomavirus (HPV) testing</i>	<i>Provide coverage for all members.</i>
<i>Screening and counseling for sexually transmitted infections and Human Immune Deficiency virus (HIV)</i>	<i>Include covered screenings, including HIV testing, under coverage changes made to meet preventive reform requirements in the ACA.</i>
<i>Screening and counseling for interpersonal and domestic violence</i>	<i>Include coverage for screening and counseling for interpersonal and domestic violence during preventive office visits.</i>
<i>Breast feeding support, supplies and counseling</i>	<i>Cover the rental of breast pumps at 100 percent, up to the purchase price.</i>
<i>Contraceptive counseling and methods</i>	<i>Recommended to cover up to 20 visits for lactation classes.</i> <i>Cover all FDA-approved contraceptive methods for women, including:</i> <ul style="list-style-type: none"> • <i>Generic drugs</i> • <i>Brand-name drugs that do not have a generic equivalent</i> • <i>Over-the-counter drugs if the member has a valid prescription</i> • <i>Other contraceptive methods: injectables (e.g., Depo-Provera), implantable and intravaginal devices (i.e. Implanon, Nuva Ring, IUDs, diaphragms, cervical caps) and transdermal patches</i> • <i>Female sterilization (e.g., tubal ligation)</i>

CITY OF NAPOLEON, OHIO - HEALTH INSURANCE COST - REVIEW SUMMARY

2013 - HEALTH INSURANCE PREMIUMS - INCREASE AND COST ALLOCATION REVIEW - 2013 (Revised 09-05-2012)

City of Napoleon, Ohio

ACTUAL PREMIUM - 2011 - 10.0% Employee Premium Share (Net Wellness); 90.0% Employer Premium Share (Both Share \$5.00 Wellness or \$2.50 Each)
City Funded In Network Deductibles of \$750 Single and \$1,500 Family.

2011	Plan Type	#'s in Plan	Monthly	Annual Rate	Less: Well-	Net Monthly	EMPLOYEE Sh. @10%+\$2.50 (1/2 \$5.00)			CITY Sh.@ 90%+\$2.50	City Share	TOTAL ANNUAL	ANNUAL - NET	ANNUAL - NET
			Rate (1)	By Type	ness Benefit	Rate By Type	Monthly	Bi-Monthly	Annually	Annual by Type	Monthly	COMPUTED COSTS	EMPLOYEE SH.	EMPLOYER SH.
Approved Rates	Single *	21	\$ 355.04	\$ 4,260.48	\$ 5.00	\$ 350.04	\$ 37.50	\$ 18.75	\$ 450.00	\$ 3,810.48	\$ 317.54	\$ 89,470.08	\$ 9,450.00	\$ 80,020.08
	Family *	87	\$ 1,008.70	\$ 12,104.40	\$ 5.00	\$ 1,003.70	\$ 102.87	\$ 51.44	\$ 1,234.44	\$ 10,869.96	\$ 905.83	\$ 1,053,082.80	\$ 107,396.28	\$ 945,686.52
		108												
NOTE: (1) Monthly Rate Reflects +5.5% BORMA Approved Increase over 2010 Rate.											Total Annual Cost>	\$ 1,142,552.88	\$ 116,846.28	\$ 1,025,706.60

ACTUAL PREMIUM - 2012 - 10.00% Employee Premium Share; 90.0% Employer Premium Share - (Wellness Part of the Base Premium)
City Funded In Network Deductibles of \$750 Single and \$1,500 Family.

2012	Plan Type	#'s in Plan	Monthly	Annual Rate	Less: Well-	Net Monthly	EMPLOYEE Share @10%			CITY Share @ 90%	City Share	TOTAL ANNUAL	ANNUAL - NET	ANNUAL - NET
			Rate (1)	By Type	ness Benefit	Rate By Type	Monthly	Bi-Monthly	Annually	Annual by Type	Monthly	COMPUTED COSTS	EMPLOYEE SH.	EMPLOYER SH.
Approved Rates	Single *	21	\$ 356.28	\$ 4,275.36	\$ -	\$ 356.28	\$ 35.63	\$ 17.82	\$ 427.56	\$ 3,847.80	\$ 320.65	\$ 89,782.56	\$ 8,978.76	\$ 80,803.80
	Family *	87	\$ 1,012.23	\$ 12,146.76	\$ -	\$ 1,012.23	\$ (1.87)	\$ (0.93)	\$ (22.44)	\$ 10,932.12	\$ 911.01	\$ 1,056,768.12	\$ 105,673.68	\$ 951,094.44
		108					\$ (1.65)	\$ (0.83)	\$ (19.80)					
NOTE: (1) Monthly Rate Reflects Net +0.35% Increase over 2011 Rate. BORMA Approved Inc. over 2011 Rate was 1.5% reduced to 0.35% with wellness Credit.											Total Annual Cost>	\$ 1,146,550.68	\$ 114,652.44	\$ 1,031,898.24

Dollar Difference to 2012 from 2011 -> \$ 3,997.80 \$ (2,193.84) \$ 6,191.64
Percentage Difference to 2012 from 2011 -> 0.3499% -1.8775% 0.6036%

PROPOSED PREMIUM - 2013 - 12.50% Employee Premium Share; 87.5% Employer Premium Share (Wellness Part of the Base Premium)
City Funded In Network Deductibles of \$750 Single and \$1,500 Family, Including All Changes to Plan Benefits as Approved by Health Care Committee and City Council.

2013	Plan Type	#'s in Plan	Monthly	Annual Rate	Less: Well-	Net Monthly	EMPLOYEE Share @12.5%			CITY Share @ 87.5%	City Share	TOTAL ANNUAL	ANNUAL - NET	ANNUAL - NET
			Rate (1)	By Type	ness Benefit	Rate By Type	Monthly	Bi-Monthly	Annually	Annual by Type	Monthly	COMPUTED COSTS	EMPLOYEE SH.	EMPLOYER SH.
Approved Rates	Single	21	\$ 359.05	\$ 4,308.60	\$ -	\$ 359.05	\$ 44.88	\$ 22.44	\$ 538.56	\$ 3,770.04	\$ 314.17	\$ 90,480.60	\$ 11,309.76	\$ 79,170.84
							\$ 9.25	\$ 4.62	\$ 111.00					
	EE/Childs **	14	\$ 794.44	\$ 9,533.28	\$ -	\$ 794.44	\$ 99.31	\$ 49.66	\$ 1,191.72	\$ 8,341.56	\$ 695.13	\$ 133,465.92	\$ 16,684.08	\$ 116,781.84
							No Comparison Data in Prior Year!							
	EE/Spouse**	22	\$ 907.93	\$ 10,895.16	\$ -	\$ 907.93	\$ 113.49	\$ 56.75	\$ 1,361.88	\$ 9,533.28	\$ 794.44	\$ 239,693.52	\$ 29,961.36	\$ 209,732.16
						No Comparison Data in Prior Year!								
	Family	51	\$ 1,134.91	\$ 13,618.92	\$ -	\$ 1,134.91	\$ 141.86	\$ 70.93	\$ 1,702.32	\$ 11,916.60	\$ 993.05	\$ 694,564.92	\$ 86,818.32	\$ 607,746.60
		108					\$ 40.64	\$ 20.32	\$ 487.68					
NOTE: (1) Monthly Rate by Plan Type, Reflects a +4.00% BORMA Approved Increase over 2012 Rate, less Reductions to Monthly Rate due to Plan Design and Benefit Changes.											Total Annual Cost>	\$ 1,158,204.96	\$ 144,773.52	\$ 1,013,431.44

Dollar Difference to 2013 from 2012 -> \$ 11,654.28 \$ 30,121.08 \$ (18,466.80)
Percentage Difference to 2013 from 2012 -> 1.0165% 26.2716% -1.7896%

* Number of Plan Types listed for 2012 and 2011 changed to match 2013 for Annual Comparison Purposes Only, not actual.
** Added Plan Types in 2013.
*** Reflects NET REDUCTION after plan changes, plus four (4%) percent overall premium increase



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Henry County
Napoleon WWTP
NPDES Permit 2PD00000/OH0020893
Compliance Sampling Inspection

October 10, 2012

Mayor and Council
City of Napoleon
255 West Riverview Avenue
Napoleon, Ohio 43545

Dear Mayor and Council:

On September 17 and 18, 2012, Dana Martin-Hayden inspected the Napoleon Wastewater Treatment Plant (WWTP). Mr. Matthew Bilow, Superintendent, and Mr. Mike Wenner, Operator, were present and provided operation and maintenance information. The inspection included a tour of the facility and completion of the enclosed inspection form.

During our visit, all major treatment units were in operation and the effluent being discharged to the Maumee River was clear with a few very small floating organisms, which Mr. Bilow called water fleas. Since our last inspection on May 21, 2012, there have been no exceedences of National Pollutant Discharge Elimination System (NPDES) permit limits. The Sanitary Sewer Overflow (SSO) located at North Maumee and Graceway has been removed. The City has two more SSOs (Glenwood and Haley) and five CSOs.

The staff of the WWTP consists of three Class III operators, two Class II Operators and one Operator in Training. This indicates a commitment on the City's part to encourage and support building a staff unit that can support the facility's Class III operator requirement.

As noted in our previous letter, the City was able to treat the following flows due to the installation of a 2.5 million gallon equalization (EQ) basin, which was completed on August 11, 2010: 12 million gallons (mg) in 2010 and 44.3 mg in 2011, which was an unusually high rainfall year. From our review of your flow records during high rainfall events in May of 2011, it appears that the City is meeting one of the CSO nine minimum controls by maximizing flows through the plant at 5-6 mgd. Our letter to your facility dated May 29, 2003, states that the WWTP should be able to meet limits at 3.8 mgd, which is well under the 5-6 mgd of flow that was treated during these high flow events.

Mayor and Council
October 10, 2012
Page Two

It was observed that you have created a form to assist operators to determine which stations require monitoring, the applicable parameters and notification of different government agencies and/or private companies (Campbells) when discharging. This form is an example of implementation of the nine minimum controls and NPDES permit requirements. Inclusion of specific indicators of when and how CSOs are checked should be quickly referenced on this form or the SOP related to this form (e.g. check CSO #? for discharges whenever pump station #?'s wet well reaches an elevation of ?). CSO or SSO outfalls that do not have another collection system alarm device that could indicate a discharge should be evaluated for placement of probes in the sewer collection system that will provide either notice of a potential discharge or documentation that a discharge occurred.

Our completed General Lab Criteria form is enclosed and provides the results of our inspection of the WWTP laboratory.

Our completed inspection report is enclosed for your records. If you have any questions, please call Dana Martin-Hayden at (419) 373-3067.

Yours truly,



Elizabeth A. Wick, P.E.
Environmental Engineer/Section Manager
Division of Surface Water

DMH/jlm

Enclosures

ec: Matt Bilow, City of Napoleon
Dana Martin-Hayden, DSW-NWDO
Tracking

Fw: TMACOG Tech Presentation: New Resources for Shared Services

From: "Gregory J Heath" <gheath@napoleonohio.com> 10/11/12 02:32 PM
To: "Dr. Jon A. Bisher" <jbisher@napoleonohio.com>, "Roxanne Dietrich" <rdietrich@napoleonohio.com>
Attachments: ole0.bmp (8.2 kB);

Rox, please include in Council Packet.

-----Original Message-----

From: "Anthony Reams" <President@tmacog.org>
Date: 10/10/2012 05:33 PM
Subject: TMACOG Tech Presentation: New Resources for Shared Services

If you have not registered for the October 17 regional collaboration and shared services presentation, there is still time to reserve your seat!

Speakers from the Ohio Auditor's Office and Office of Budget and Management will explain two state initiatives-SkinnyOhio.org and Beyond Boundaries. Come join us as we learn as a region about what shared services mean, the tools developed to assist local collaboration and shared services, how government entities can apply them, dealing with liabilities across state borders, and the role that TMACOG could can play in facilitating collaborations.

Regional Collaboration and Shared Services

Governments leveraging resources and finding efficiencies

Wednesday, October 17, 2:30-4:00 p.m.

Grand Lobby of Dr. Martin Luther King Jr. Plaza in Toledo, Ohio

There is no cost to attend. Contact Jennifer Allen to RSVP

allen@tmacog.org OR [419-241-9155 ext. 107](tel:419-241-9155)

We look forward to seeing you on October 17.

Sincerely,
Anthony L. Reams
President
TMACOG
PH 419-241-9155 ext. 179
FAX 419-241-9116
www.tmacog.org

TMACOG
A forum for regional cooperation since 1968





Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

October 5, 2012



Photo courtesy of Princeton Electric Power Board
Princeton Electric Power Board staff members give a presentation during the organization's Primary School and Customer Appreciation Luncheon 2012, held in honor of Public Power Week.

See Page 2 for latest hydro updates

Lander joins AMP's HR team full time

By Krista Selvage – manager of publications

Beth Lander, who has worked part time for AMP since January 2012, started in a full-time capacity as HR assistant on Oct. 1.

Lander previously worked at a local staffing agency and was with the ALS Association for 11 years. A native of Pittsburgh, she is a graduate of Robert Morris University.

Lander lives in Dublin with her daughter, 21, and son, 14. She is involved in animal rescue and fostering.

Please join us in congratulating Beth.



City of Shelby celebrates 2012 Public Power Week

Provided by the City of Shelby

The City of Shelby Division of Electric and Telecommunications will be celebrating the 2012 annual Public Power Week during the week of Oct. 7-13.

The Shelby Municipal Light Plant will be open to the public from 10 a.m. to 2 p.m. Oct. 8 as part of the celebration.

The plant and distribution system have provided power to Shelby since 1890.

Residents and businesses can view the Shelby Municipal Light Plant's generating units, which were used during peak power hours this past summer.

Shelby's Division of Electric and Telecommunications and the Municipal Utilities Office serve more than 5,000 electric customers. The division was nationally recognized in April 2012 with APPA's Reliable Public Power Provider platinum designation.

Alternate hotel is available for conference

By Karen Ritchey – manager of communication programs

The room block at the conference host hotel, the InterContinental, is sold out for the 2012 AMP/OMEA Conference. A block of rooms has been reserved at an alternate hotel, the InterContinental Suites, located on Euclid Avenue about a half mile northwest from the InterContinental. A rate of \$109 per night is being offered to conference attendees. This special rate is only available until Oct. 10.

Reservations can be made by calling 216.707.4300 and using the group code AMP. A free shuttle runs between the two hotels every 15 minutes from 5 a.m. until midnight. An additional shuttle will travel once in the morning and once in the late afternoon to transport conference attendees to and from the InterContinental.

Please contact me at 614.540.0933 or kritchey@amppartners.org if you have any questions.

Sustainability Subcommittee seeks input for survey, reports to be reported at conference

By Julia Blankenship – manager of energy policy and sustainability

On Oct. 2, AMP staff sent out a brief SurveyMonkey™ survey to AMP members to solicit input on the content and format that has been used this past year for meetings of AMP's Sustainability Subcommittee.

see SUSTAINABILITY Page 3

Work continues at AMP's four hydroelectric sites on Ohio River

By Phil Meier – assistant vice president for hydroelectric development



Cannelton

Capitalizing on the good weather, progress continues to be made at AMP's hydro sites. At Cannelton, Walsh is placing hard-fill for the closure structures and installing turbine and generator equipment. Work also continues on the downstream barge unloading facility where the stators and rotors will be off loaded. In terms of concrete, the powerhouse structure is taking shape. With 60,786 yards placed to date, Walsh is advancing the work.

Smithland

At Smithland, after nearly six months of ground improvement, the concrete placement has started. Approximately 3,362 yards have been placed today, including some first stage imbedded piping. Draft tube liner welding and pre-erection of the draft tube liners continue as well as reinforcement steel installation for future lifts as shown below. On the transmission line, we have closed on all but one property and are scheduling that in the next two weeks. The transmission line amendment for FERC was also filed this week.



Willow Island

At Willow Island, the Corps of Engineers has almost granted final approval of Ruhlin Construction's detailed design of the rock anchors and rock excavation approach. The anchors have been going in and have exceeded the requirements needed. Once the rock anchors are in, dozers will rip the rock and it will be taken down the level for the first concrete placement.

Meldahl

Lastly, at Meldahl, the joint venture of Alberici/Baker has also advanced the concrete work. With 47,734 cubic yards placed, and installation of the draft tube liners, stay cones and bulb turbine housings continue. The transmission line specifications are also out to bid and we have an expected five bidders.





SUSTAINABILITY continued from Page 1

The subcommittee sponsored three webinars (approximately one each calendar quarter) in addition to an in-person meeting at the 2011 AMP/OMEA Conference, where AMP program and project updates, legislative/regulatory information, and technology-focused sustainability information were provided to participants.

AMP staff is seeking input as to potential future meeting/webinar topics, as well as possible additional sessions for the coming year. Responses are requested by Oct. 12.

Survey responses will be tabulated and reported as part of the next meeting of AMP's Sustainability Subcommittee, which will be held during the 2012 AMP/OMEA Conference at 11 a.m. Oct. 24.

AMP's new Sustainability Report for 2011 will also be distributed. Participation in the Sustainability Subcommittee is open to all AMP members.

If you need additional information or have any questions, please let me know at jblankenship@amppartners.org or 614.540.0840.

Tour of unique solar facility will take place during 2012 AMP/OMEA Conference

By Julia Blankenship

Over a year ago, officials from AMP, Cleveland Public Power (CPP), the City of Cleveland, and GreenField Solar Corp. (GFS) held the official ribbon-cutting ceremony for a unique solar PV/solar thermal facility located at the City Greenhouse in Rockefeller Park in Cleveland.

In conjunction with the AMP/OMEA Fall Conference this year, AMP and CPP are hosting the site visit from 1 to 3 p.m. Oct. 22. This DEED-supported demonstration project features 20 solar arrays that provide both PV solar energy to the grid and solar thermal energy to one of the greenhouses.

This project represents the largest installation of the GFS technology in the country, which was developed by a former NASA scientist in the area.

Participation is limited to 50 guests and some space is still available. If you have not yet registered for the AMP / OMEA Fall Conference, you can select the GFS solar tour as part of your registration. If you have registered and want to add the GFS solar tour, please contact me directly for assistance at jblankenship@amppartners.org or 614.540.0840. We look forward to your participation.

Nationally recognized technology leader to speak during conference

By Jolene Thompson – senior vice president/OMEA executive director

We're pleased that Peter Leyden will be presenting the morning general session at the AMP/OMEA Annual Conference in Cleveland on Oct. 23.

Leyden, the former editor of Wired Magazine, will discuss "The Age of Transformation" – similar to the popular session he conducted at the APPA National Conference in June.

The fast-moving presentation will include discussion of U.S. and global trends, as well as how business is changing and is expected to evolve in the future.

On Peak (16 hour) prices into AEP/Dayton Hub

Week ending Oct. 5

MON	TUE	WED	THU	FRI
\$34.75	\$36.25	\$46.25	\$40.25	\$33.25

Week ending Sept. 28

MON	TUE	WED	THU	FRI
\$32.75	\$33.25	\$36.25	\$36.00	\$35.00

AEP/Dayton 2012 5x16 price as of Oct. 5 — \$41.07

AEP/Dayton 2012 5x16 price as of Sept. 28 — \$41.16

Gas higher, power slightly lower

By Craig Kleinhenz – manager of power supply planning

November natural gas prices also closed up \$0.11/MMBtu from last week to end at \$3.41/MMBtu. This is a two-week gain of \$0.42/MMBtu. Power prices did not react the same as natural gas as 2013 on-peak electric prices at AD Hub finished yesterday down \$0.09/MWh from last week, closing at \$41.07/MWh.

Over the last several months, the spread between 2013 and 2014 power costs have decreased. Currently, 2014 on-peak electric prices at AD Hub are \$42.22/MWh which is \$1.15 higher than current 2013 prices. If you look back six months ago, the spread between 2013 and 2014 prices was \$3.63/MWh. The spread between 2013 and 2016 has also dropped from \$8.65 to \$4.03/MWh.

AFEC weekly update

By Craig Kleinhenz

The plant returned from its fall planned maintenance outage this week. The first unit started to come online Monday afternoon and the second unit returned Wednesday evening.

The plant then saw a normal day on Thursday, experiencing a 72 percent load factor. Market prices were once again low this week due to the mild weather. 7x16 prices were \$33.31/MWh at AD Hub while 7x24 prices were \$30.45/MWh.

AMP staff presents at APPA event

By Brannndon Kelley – chief information officer

AMP presented at the American Public Power Association Business and Finance Conference Sept. 24 and 25.

I discussed "The Commoditization of IT" on the new norm of leveraging outside resources to create greater efficiencies and economies of scale within the utility's IT infrastructure.

AMP President/CEO Marc Gerken and I also presented "Partnering through Technology to Enhance Business Processes and Practice."

Jared Price, AMP's IT director, covered cyber assets and how to block potential attacks in "Utilizing IPS/IDS in a NERC CIP Utility Environment."

I also recently had the honor of giving opening and closing remarks at TechTomorrow 2012. As the chair, I had the opportunity to introduce Craig Krenzel, quarterback of the 2002 BCS National Champion Ohio State University football team.

For more information regarding TechTomorrow, please visit www.techtomorrow.org



City of Bowling Green seeks electric superintendent

Full-time, salaried (exempt) position is responsible for oversight of the daily activities of the City's Electric Division. Incumbent functions as electric superintendent in his/her absence.

Directs and coordinates work activities of personnel; determines and assigns work projects; plans and designs new overhead and underground distribution; develops street lighting and security lighting; conducts field checks to ensure program completion and compliance to standards; approves expenditures and payroll; establishes policies; prepares budget; communicates with contractors, engineers and customers; writes specifications for materials and equipment; addresses customer complaints; maintains tool inventory; and performs other related duties as assigned.

Ability to use spreadsheet, database, word processing and selected job-specific software; must have knowledge of theory, principles and practices of electrical engineering; must have knowledge of electrical industrial standards and know how to apply them; must have knowledge of codes, regulations and standards governing electrical systems and their construction, and must have knowledge of safety practices and procedures; and must maintain a valid Ohio Driver's License and have the ability to drive.

Work is performed both indoors and outdoors and is subject to pressure from deadlines. Two-year college certificate or equivalent; five to seven years of relevant experience; or any combination of education, training and work experience which provides the required skill sets to perform the essential functions of the job. A job description will be provided to applicants. Excellent fringe benefits.

Application materials are available online at www.bgohio.org. Application materials are also available in the Personnel Department of the City of Bowling Green, 304 N. Church St., Bowling Green, OH 43402-2399. Resumes may be included, but will not substitute for a completed application. Only completed application forms will be accepted.

Deadline for making application is 4:30 p.m. Oct. 26. Telephone: 419.354.6200 web: www.bgohio.org email: BGPersonnel@bgohio.org. AA/EEO

Village of Woodville in need of class I wastewater operator

Immediate opening, applicant must have Class I Wastewater license or above, experience preferred.

A Class B CDL is required or must be willing to obtain one. Applicant should be highly motivated and have good mechanical ability.

Applications for this position may be obtained online at www.villageofwoodville.com or at the Municipal Building, 530 Lime Street, between 9 a.m. and 4 p.m.

Application must be returned by Oct. 15, 2012. Questions may be directed to the Village Offices at 419.849.3031 or utilities@villageofwoodville.com.

Lebanon is accepting applications for power plant mechanic

The City of Lebanon is accepting applications for the position of power plant mechanic in the Electric Department.

Position requires the successful candidate to have a mini-

mum of five years documented experience in power plant equipment operation or heavy equipment maintenance/repair. Experience in electric utility substation operation and maintenance is desired, but not required.

Position responsibilities include operation and maintenance of electric generating equipment, operation and maintenance of electric substations, and metal fabrication.

Successful candidate must have a high school diploma or equivalent, a valid Class A Commercial Drivers License, or the ability to obtain one within six months, excellent customer service and communication skills, computer skills, be team orientated and have the physical ability to lift 50 pounds and carry 50 pounds for a distance of 100 yards.

Hourly pay rate is \$19.68 - \$26.55 DOQ. The City offers excellent benefits and retirement. Applications may be obtained at the Lebanon City Building, 50 S. Broadway, Lebanon OH 45036 or downloaded at www.lebanonohio.gov and returned to the Personnel Dept. Applications accepted until position is filled. The City requires post-offer, pre-employment drug screen, physical and background check. EOE.

Used single-phase hook switches are for sale

Bowling Green Municipal Utilities has 25 to 30 Memco single-phase hook switches for sale at \$100 apiece. Some of the switches are only 12-15 years old and all are in good working condition. They were replaced with gang-operated switches.

The specs are:

Catalog#	69STV12P3
Nominal	69Kv
Continuous	1300A
Impulse	350Kv
Momentary	61Ka
Color	Grey

Buyer is responsible for shipping. Contact Tim Snyder at 419.354.6290 (W) or 419.409.6326 (C).

Painesville seeks city manager

City Manager: competitive, DOQ, excellent benefits. The County Seat of Lake County, a full service city located east of Cleveland on the Grand River seeks a professional manager with vision and excellent leadership skills.

Current manager retiring after 15 years of service, two managers in last 40 years. Council-Manager form since 1919; seven council members elected to four-year terms select the Council President. Painesville values its small town character and historic downtown, provides high quality water, sewer and electric service, superior police and fire service and a growing park and recreation system; a pro-business community that actively engages in economic development. Total budget of more than \$81 million, 259 FT employees.

Graduate degree in public administration, planning or related field, 10 years government experience with five years in management position, experience in electric utility desired. Demonstrated experience in economic development and redevelopment, with vision and respect for traditional community. Record of excellent communication skills at City Hall and in the community. Strong budget and financial skills.

Interested applicants should visit www.painesville.com. Electronic submittals only to cmrecruitment@painesville.com by Oct. 19. EOE