

---

---

# Memorandum

---

**TO:** Mayor & Members of Council  
**FROM:** Jon Bisher/*rd*  
**SUBJECT:** General Information  
**DATE:** November 2, 2012

## CALENDAR

Monday, November 5<sup>th</sup>

→ **City Council Meeting at 7:00 pm**

## C. APPROVAL OF MINUTES – October 15<sup>th</sup> Council Meeting

### G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 070-12** an Ordinance Amending Section 121.03 of the City of Napoleon Administrative Code and Rule 6.5 of the Rules and Regulations of City Council regarding Publication of Legislation by Summary.
2. **Resolution No. 071-12** a Resolution Authorizing the Expenditure of Funds and an Agreement for Financial Consultant Professional Services with Schonhardt and Associates for Preparation of the City CAFR, GAAP Reports and Infrastructure Cost Information for GASB-34.
3. **Ordinance No. 072-12** an Ordinance Supplementing the Annual Appropriation Measure (Supplement No. 4) for the Year 2012.
4. **Resolution No. 073-12** a Resolution Amending the Allocation of Funds as found in Section 193.11 of the Codified Ordinances of the City of Napoleon, Ohio.
5. **Resolution No. 074-12** a Resolution Amending Resolution No. 081-10 to Amend the Pay Frequency of Councilmembers and the Mayor of the City of Napoleon, Ohio.

### H. SECOND READING OF ORDINANCES AND RESOLUTIONS

1. **Resolution No. 064-12** a Resolution Authorizing the Adoption and Approval of the Henry County Natural Hazard Mitigation Plan
2. **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.
3. **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.

### J. GOOD OF THE CITY

1. **Award of Bid for Indiana Avenue Sanitary Sewer Replacement Project**
  - a. Enclosed is a Memorandum from Chad with his recommendation of award.
2. **Approval of Plans and Specifications for the Welsted Water Main Replacement Project.**
  - a. The attached Memorandum from Chad tells you what the project consists of. A copy of the plans and specs are on file with the Finance Director's office.

## **INFORMATIONAL ITEMS**

1. **CANCELLATIONS**
  - a. *Technology and Communications Committee Meeting*
2. **AMP UPDATE/October 26, 2012**
3. **OHIO MUNICIPAL LEAGUE BULLETINS**
  - a. Municipal Income Tax Uniformity Legislation
  - b. Uniformity Bill Introduced

rd  
Records Retention  
CM-11 - 2 Years

October 2012							November 2012							December 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	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	31					

 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>28</b>	<b>29</b> 6:00 PM Halloween Parade 7:30 PM Special Finance & Budget and City Council Meeting	<b>30</b>	<b>31</b> 6:00 PM - 7:30 pm Trick-or-Treat	<b>1</b> 6:00 PM Parks & Recreation Board Meeting	<b>2</b> 8:00 AM Finance & Budget and City Council Meeting/2013 Budget Review	<b>3</b> 8:00 AM Finance & Budget and City Council Meeting/2013 Budget Review
<b>4</b>	<b>5</b> 7:00 PM City COUNCIL Meeting AV - Dar	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>11</b>	<b>12</b> 6:30 PM Electric Committee BOPA Meeting 7:00 PM Water/Sewer Committee Meeting 7:30 PM Municipal Properties/ED Committee Meeting AV - Rox	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>
<b>18</b>	<b>19</b> 6:00 PM City TREE Commission Meeting 7:00 PM City COUNCIL Meeting 8:00 PM Parks & Rec Committee Meeting AV - Dar	<b>20</b>	<b>21</b> BISHER - Vacation	<b>22</b> HOLIDAY - Thanksgiving BISHER - Vacation	<b>23</b> BISHER - Vacation	<b>24</b> BISHER - Vacation
<b>25</b> BISHER - Vacation	<b>26</b> 6:30 PM Finance & Budget Committee Meeting 7:30 PM Safety & Human Resources Committee Meeting AV - Shery	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>1</b> 10:00 AM Christmas Parade

## CITY COUNCIL

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

### MEETING AGENDA

Monday, November 5, 2012 at 7:00 PM

- A. **Attendance** *(Noted by the Clerk)*
- B. **Prayer**
- C. **Approval of Minutes:** Oct. 15 *(In the absence of any objections or corrections, the minutes shall stand approved.)*
- D. **Citizen Communication**
- E. **Reports from Council Committees**
  - 1. **Parks & Recreation Committee** did not meet on Monday, October 15 due to lack of agenda items.
  - 2. **Finance & Budget Committee** *(Majority Report)* met on Monday, October 22 and recommended:
    - a. Approval of 3<sup>rd</sup> quarter budget adjustments
    - b. Approval of the proposed contract with Schonhardt & Associates for annual GAAP & CAFR reporting**Finance & Budget Committee** met in special joint session with Council on Monday, October 29 and:
    - a. Discussed *Potential Future Assessments on Projects, Proposed Revenues for 2013 Budget and Proposed Personnel Costs for 2013*
    - b. Approved that the date in Ordinance No. 088-11, Section 1(a) be changed to January 1, 2013 and that numbers be changed to 62%/38% for 2013; to leave in Section 1(b) and target 50%/50% for January 1, 2014; and to direct the Law Director to bring back this legislation**Finance & Budget Committee** met in special joint session with Council on Friday, November 2 and Saturday, November 3 with the following agenda item:
    - a. Review of 2013 Budget Proposals
  - 3. **Safety & Human Resources Committee** did not meet on Oct. 22 due to lack of agenda items.
- F. **Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*
  - 1. **Civil Service Commission** met on Tuesday, Oct. 23 with the following agenda items:
    - a. Testing date for firefighter/EMT and police patrol officer positions
    - b. Approval of forms to be used for police and fire recruitment
    - c. Approval of police and fire recruitment advertising and dates
    - d. Approval of tests for police and fire recruitment
    - e. Determination of credits to be given for police and fire exams
    - f. Determination of how credits are to be applied for police and fire exams
  - 3. **Parks & Recreation Board** met on Thursday, November 1 with the following agenda items:
    - a. Discussion and/or Action on rates and fees
    - b. Discussion and/or Action on 2013 budget requests
- G. **Introduction of New Ordinances and Resolutions**
  - 1. **Ordinance No. 070-12** An Ordinance amending Section 121.03 of the City of Napoleon Administrative Code And Rule 6.5 of the Rules and Regulations of City Council regarding publication of legislation by summary
  - 2. **Resolution No. 071-12** A Resolution authorizing the expenditure of funds and an agreement for financial consultant professional services with Schonhardt and Associates for preparation of the City CAFR, GAAP reports and infrastructure cost information for GASB-34
  - 3. **Ordinance No. 072-12** An Ordinance supplementing the annual appropriation measure (Supplement No. 4) for the year 2012
  - 4. **Resolution No. 073-12** A Resolution amending the allocation of funds as found in Section 193.11 of the Codified Ordinance of the City of Napoleon, Ohio
  - 5. **Resolution No. 074-12** A Resolution amending Resolution No. 081-10 to amend the pay frequency of Council members and the Mayor of the City of Napoleon, Ohio
  - 6. **Ordinance No. 075-12** An Ordinance consenting to entering into an agreement with ODOT for maintenance on Riverview Avenue in exchange for assuming ownership of Riverview Avenue
- H. **Second Readings of Ordinances and Resolutions**
  - 1. **Resolution No. 064-12** A Resolution authorizing the adoption and approval of the Henry County Natural Hazard Mitigation Plan

2. **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
3. **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

**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:** Award of bid for Indiana Ave. Sanitary Sewer Replacement
2. **Discussion/Action:** Approval of plans/specifications for the Strong Street, Welsted Street and Orwig Avenue Waterline Replacement Project

**K. Executive Session** (*as needed*)

**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 (1<sup>st</sup> Monday)**  
*(Next Regular Meeting: Monday, December 3 @ 8:00 PM)*  
November meeting is canceled due to lack of agenda items.
- 2. Electric Committee (2<sup>nd</sup> 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 (2<sup>nd</sup> 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 (2<sup>nd</sup> Monday)**  
*(Next Regular Meeting: Monday, November 12 @ 7:30 PM)*
  - a. Updated Info from Staff on Economic Development (as needed)
- 5. Parks & Recreation Committee (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday, November 19 @ 8:00 PM)*
- 6. Finance & Budget Committee (4<sup>th</sup> Monday)**  
*(Next Regular Meeting: Monday, November 26 @ 6:30 PM)*
  - a. Amusement License Fees on Gaming (Tabled)
- 7. Safety & Human Resources Committee (4<sup>th</sup> Monday)**  
*(Next Meeting: Monday, November 26 @ 7:30 PM)*  
Meeting with Townships
  - a. EMS Costs and Revenues
- 8. Personnel Committee (As needed)**

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

- 1. Board of Public Affairs (2<sup>nd</sup> 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 (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, December 11 @ 4:30 PM)*  
November meeting is canceled due to lack of agenda items.
- 3. Planning Commission (2<sup>nd</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, December 11 @ 5:00 PM)*  
November meeting is canceled due to lack of agenda items.
- 4. Tree Commission (3<sup>rd</sup> Monday)**  
*(Next Regular Meeting: Monday, January 21, 2013 @ 6:00 PM)*  
November & December meetings are canceled due to lack of agenda items.
- 5. Civil Service Commission (4<sup>th</sup> Tuesday)**  
*(Next Regular Meeting: Tuesday, November 27 @ 4:30 PM)*
- 6. Parks & Recreation Board (Last Wednesday)**  
*(Next Regular Meeting: Wednesday, November 28 @ 6:30 PM)*
- 7. Privacy Committee (2<sup>nd</sup> Tuesday in May & November)**  
*(Next Regular Meeting: Tuesday, November 13 @ 10:30 AM)*
- 8. Records Retention Commission (2<sup>nd</sup> Tuesday in June & December)**  
*(Next Regular Meeting: Tuesday, December 11 @ 4:00 PM)*
- 9. Housing Council (1<sup>st</sup> 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 COUNCIL**

**Meeting Minutes**

Monday, October 15, 2012 at 7:00 PM

**PRESENT**

**Council**

John Helberg (President), Jeffrey Lankenau, James Hershberger, Patrick McColley (arrived at 7:15), Christopher Ridley, Jason Maassel

**Mayor**

Ronald A. Behm

**City Manager**

Dr. Jon A. Bisher

**Finance Director/Clerk**

Gregory J. Heath

**Recorder**

Barbara Nelson

**City Staff**

Robert Bennett, Fire Chief

Tony Cotter, Parks & Recreation Director

Roxanne Dietrich, Executive Assistant

Chad Lulfs, City Engineer

Robert Weitzel, Police Chief

**Others**

News Media, INTV, Milton Abel, Mary Cobb, Richard Cobb, Glenn Miller, Robin Weirauch

**ABSENT**

**Council**

Travis Sheaffer

**Others**

Trevor M. Hayberger, Law Director

**Call To Order**

President Helberg called the meeting to order at 7:05 PM with the Lord's Prayer.

**Minutes Approved**

Minutes of the October 1 Council meeting and the October 2, 2012, Special Council Meeting stand approved with no objections.

**Citizen**

**Communication**

Milt Apel introduced himself. He lives in the 900 block of W. Riverview in the Newhouser house. He heard that the City will be doing construction. There is a wall in front of his house and he would like it to be undisturbed. It has historical significance since it was built from a bridge that was torn down in 1928. He does not know the alternatives to taking the wall down, but would appreciate any effort to make them work. Lulfs said he called Mr. Apel and wrote him a letter the next day after talking to him. Lulfs discovered that the proposed sidewalk will fit behind the wall without disturbing the wall or it can be put in front of the wall if curbing is installed. If the second option is chosen, costs will go up because the walk will be wider and a barrier curb must be installed. This increased cost would fall on homeowners there if Council decides to proceed as they did on the Clairmont project. Letters are going out to all homeowners on Riverview to tell them about the project.

Helberg said no decision has been made at this point. Lulfs said two homeowners with stone walls feel strongly that they want to keep their wall. One neighbor has not decided. They have to decide if they want the sidewalk behind the wall or between the wall and the road and the costs involved. Helberg said another option would be to move the wall back on their property. Lulfs said he would assume the City could do this, but it would be at the homeowners' expense. He wants it to be their decision, but wants to give them the cost for each option. Mr. & Mrs. Apel thanked Council and left the meeting.

**Reports From  
Committees**

The Electric Committee met on Monday, October 8 and recommended approval of electric billing determinants.

**Introduction Of  
Resolution 069-12**

**Motion To Approve  
First Read**

**Discussion**

The Water, Sewer, Refuse, Recycling and Litter Committee did not meet on October 8 due to lack of agenda items.

President Helberg said the Municipal Properties, Buildings, Land Use and Economic Development Committee met on October 8 and reviewed 2012 and 2013 projects. Lulfs gave a brief description of projects for 2013. (McColley arrived.) President Helberg moved the agenda to item G.6. for the convenience of Mr. & Mrs. Cobb.

President Helberg read by title 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

Motion: Lankenau                      2nd: Hershberger  
To approve first read of Resolution No. 069-12

Bisher said there are waterline problems in this area. The Water Department can usually come up with a solution given enough time. This has been going on for years and we have to do something. The project was in the budget for 2012, but he cut it because we didn't have the money. He hoped that we could flush the lines or use filters to get us through to 2013. We have to decide whether to spend \$130,000 to start on it now or do construction after the first of 2013. As discussed previously, the bigger project would cost about \$305,000. If we break it apart and do it in two sections, it will cost about \$30,000 more.

Lulfs said we currently have four homes using the filter system. The system costs \$175 plus \$32 per filter and additional costs for labor, time and fittings. Lulfs showed the filters that are used. They are being replaced every five days. There have not been as many reports on Welsted as on Strong and Orwig. This is the worst water we have in town now. We can address it now or put it in the proposed budget for 2013. We tried different filters, but there has been no change in water quality. We spend \$160 every five days for filters for four homes. Lankenau asked if Lulfs has the money to cover the project. Lulfs said he does not. Bisher said the temperatures this summer were bad for iron pipe. He would complain too if he had that water.

Mary Cobb introduced herself. She and her husband are primary caregivers to their granddaughters while their daughter-in-law works. Cobb showed pictures of orange water in their bathtub and baby pool. They will not put their granddaughters in this water. They don't use the water for coffee or ice cubes. They have to buy water for most things. Helberg asked if the water improves when the filters are put in. Cobb said the first day is heaven, but the water is orange again by the third day.

Lankenau asked if the proposed legislation is for the smaller or larger project. Bisher said it is for the smaller project. He is not sure that the project will be started before 2013 anyway due to the upcoming holidays. The prudent way to do the project is to not use this legislation and put it the whole project in the 2013 budget, but start earlier. We can bid it now, but can't award it until we have the money approved. That way we can get going on the full project instead of two separate parts. Helberg suggested using a letter of intent. Bisher said all of the preliminary things take time anyway. We can start in January to fix the problem for all of the neighbors.

Heath said he was asked to identify funding on the small project. It can be debted. He could bring legislation to issue short term debt notes. This qualifies as an emergency and readings on the legislation could be suspended to expedite it.

Funding would be available by the time the first check had to go out. Due to timing, getting a contractor to dig would probably fall to late December at the earliest. If Council includes the total project in 2013 and funds it for 2013 directly out of all the resources in the water fund, he can certify it. The water funds are tight, but that is an option. \$60,000 would come out of the general fund if we do it now.

Lankenau recommended putting the larger project in the 2013 budget and doing as much as work as possible to get it ready now. Debting is a waste of money. Helberg asked if there is a mechanism if we need to debt it. Heath said the City could do it by themselves, but there is still additional cost for debting whether we own the debt or not. Helberg recommended bidding the bigger project under the same sequence as we would have done the smaller one. We can get it done under the earliest time frame and solve issues for residents and not pay an additional \$30,000.

Lulfs said the legislation here tonight is for the small project. We need it for the whole project. Helberg said we can bid it in 2012. Lulfs said it is not on the master list for 2012. The larger project includes Welsted. He asked if Heath can certify funds if the budget is passed. Heath said he can issue a conditional letter of intent subject to appropriation on January 1. Helberg said the project would start on December 15 at the earliest if we started the process today. Lulfs said the contractor has up to 60 days to sign the contract.

Helberg suggested verbally amending the legislation now. Ridley asked if we can start the project with funds available this year and pay the remainder next year. Heath said he can't certify that because he must certify the whole project.

**Motion To Amend  
The Legislation**

Motion: McColley                      2<sup>nd</sup>: Lankenau  
To amend the legislation and change it to read *Strong Street, Welsted Street, and Orwig Avenue*

**Passed**  
**Yea-5**  
**Nay-0**  
**Abstain-1**

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

Maassel said he lives on Strong St. Heath asked if we are debting \$300,000 or writing a letter of intent to get materials ordered in December. Lulfs can encourage the contractor to start on the first half of the project. Lulfs said he will put a tight completion date on it. Bisher said in general this type of project is winter work and contractors look for that. It was decided to place the larger project into the 2013 Budget and not debt the project in 2012.

**Motion To Suspend  
The Rule**

Motion: Lankenau                      2<sup>nd</sup>: Hershberger  
To suspend the rule requiring three readings

**Passed**  
**Yea-5**  
**Nay-0**  
**Abstain-1**

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

Helberg suggested setting the contract up so Strong Street is done by a certain date and other streets later. Mrs. Cobb said they have replaced faucets in their house and the water head is full. Mr. Cobb said he doesn't feel they should be paying for this water since they are buying water to make coffee, etc. Bisher said he will look at

**Passed**  
**Yea-5**  
**Nay-0**  
**Abstain-1**

this. He has authority to lower bills in cases like these. We will do it for all of the neighbors.

Roll call vote to pass Resolution No. 069-12 under suspension of the rule  
Yea- Hershberger, Helberg, McColley, Lankenau, Ridley  
Nay-  
Abstain – Maassel

Heath said Hayberger intended to have Ordinance No 070-12 ready for tonight, but it was too complicated and he ran out of time. President Helberg moved the agenda back to item G.1.

**Introduction Of Resolution 064-12**

President Helberg read by title Resolution No. 064-12 A Resolution authorizing the adoption and approval of the Henry County Natural Hazard Mitigation Plan

**Motion To Approve First Read**

Motion: Maassel 2nd: Ridley  
To approve first read of Resolution No. 064-12

Bisher said Tracy Busch has an overall FEMA plan and we have an addendum to that plan that says we will follow certain procedures. This makes us eligible for FEMA funds in a disaster situation. Heath and his staff are also trained so they can keep track of expenses in emergency situations for FEMA accountability and an audit trail.

**Passed**  
**Yea-6**  
**Nay-0**

Roll call vote to approve first read of Resolution No. 064-12  
Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel  
Nay-

**Introduction Of Resolution 065-12**

President Helberg read by title Resolution No. 065-12 A Resolution authorizing the City Manager to enter into agreement with the Ohio Attorney General for delinquent debt collection

**Motion To Approve First Read**

Motion: Maassel 2<sup>nd</sup>: Ridley  
To approve first read of Resolution No. 065-12

**Discussion**

Bisher said Judge Rosebrook gave Council the details on this last month. He asked for suspension in case the Judge needs to act quickly

**Motion To Suspend The Rule**

Motion: Lankenau 2<sup>nd</sup>: Hershberger  
To suspend the rule requiring three readings

**Passed**  
**Yea-6**  
**Nay-0**

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

**Passed**  
**Yea-6**  
**Nay-0**

Roll call vote to pass Resolution No. 065-12 under suspension of the rule  
Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel  
Nay-

**Introduction Of Resolution 066-12**

President Helberg read by title 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

<b>Motion To Approve First Read</b>	Motion: Hershberger                      2nd: Lankenau To approve first read of Resolution No. 066-12
<b>Discussion</b>	Lulfs said this is for Issue 2 grant money. Council passed legislation in August to allow the City Manager to sign paperwork for another project. This is the same legislation, but it involves Industrial Drive. Whether or not we build this is a matter for the budget. We are in an application with several Townships. We are not contractually obligated to take the money if it is not in our budget, but the Townships will be able to get their money. Maassel asked if the grant application is due before the third reading. McColley said it was due in September. Lulfs said he found out a couple of weeks ago and realized we needed more than what was done in August.
<b>Motion To Suspend The Rule</b>	Motion: Lankenau                      2nd: Hershberger To suspend the rule requiring three readings
<b>Passed Yea-6 Nay-0</b>	Roll call vote on above motion: Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel Nay-
<b>Passed Yea-6 Nay-0</b>	Roll call vote to pass Resolution No. 066-12 under suspension of the rule Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel Nay-
<b>Introduction Of Ordinance 067-12</b>	President Helberg read by title 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
<b>Motion To Approve First Read</b>	Motion: Ridley                      2nd: McColley To approve first read of Ordinance No. 067-12
<b>Discussion</b>	Bisher said the Water, Sewer, Refuse, Recycling & Litter Committee (WSRRL) and BOPA looked at this issue. WSRRL looked at resolutions for people who are out of town for extended periods of time or have rental properties. They agreed that the \$18.00 credit on the current low occupancy bill should be lowered by \$5.00 to \$13.00. Lankenau said the Committee recommended modifying the credit for low occupancy from \$18.00 to only what is attributable to refuse costs which is \$13.00. The \$5.00 base fee would not be waived. Helberg asked what happens if someone is going out of town and signs the affidavit before this legislation goes into effect. It was agreed that since the legislation makes no allowance for grandfathering, the rate will change on all low occupancy bills when the legislation goes into effect.
<b>Passed Yea-6 Nay-0</b>	Roll call vote to approve first read of Ordinance No. 067-12 Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel Nay-
<b>Introduction Of Ordinance 068-12</b>	President Helberg read by title 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
<b>Motion To Approve First Read</b>	Motion: McColley                      2nd: Maassel To approve first read of Ordinance No. 068-12
<b>Discussion</b>	Mayor Behm explained that an alley cuts through Snyder Chevrolet. Snyder's requested that the City abandon this alley. They are re-doing a building for a new



**Services For Annual Financial Report Preparation Assigned To Finance&Budget**

President Helberg referred *Services For Annual Financial Report Preparation* to the Finance & Budget Committee.

**Change Order #1 For San Sewer Imp From Scott to VanHyning**

Bisher suggested discussing this item after Executive Session.

**Motion To Go Into Executive Session**

Motion: Lankenau                      2nd: McColley  
To go into Executive Session to discuss Personnel and two issues regarding Purchase of Property

**Passed**  
**Yea-6**  
**Nay-0**

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

**Into Executive Session**

Council went into Executive Session at 8:14 PM.

**Motion To Come Out Of Executive Session**

Motion: Lankenau                      2nd: McColley  
To come out of Executive Session

**Passed**  
**Yea-6**  
**Nay-0**

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

**Out Of Executive Session**

Council came out of Executive Session at 10:18 PM. President Helberg reported that the discussion was regarding Personnel and two items regarding Purchase of Property, with no action taken. No action will be taken on the personnel issue.

**Motion To Pursue Purchase Of Property**

Motion: McColley                      2nd: Maassel  
To direct the City Manager to pursue purchase of property

**Passed**  
**Yea -5**  
**Nay -0**  
**Abstain -1**

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

**Motion To Enter Into Contract Agreement For ROW Acquisition-\$25,000**

Motion: McColley                      2nd: Ridley  
To direct the City Manager to enter into a contract agreement for right of way acquisition for \$25,000

**Passed**  
**Yea -5**  
**Nay -0**  
**Abstain -1**

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

**Change Order #1 For Sanitary Sewer Imp From Scott St E to VanHyning Creek**

Lulfs said he included a memo in the packet. An alternate bid to increase the diameter of pipe being installed to allow capacity for future expansion in that area was included with the bid for Sanitary Sewer Improvements from Scott St E to VanHyning Creek. The funds are available for this.

**Motion To Approve**

Motion: Lankenau                      2nd: McColley

	To approve Change Order #1 for the Sanitary Sewer Improvements from Scott Street East to VanHyning Creek in the amount of \$74,000.00
<p><b>Passed</b>  <b>Yea –6</b>  <b>Nay -0</b></p>	<p>Roll call vote on above motion:  Yea- Hershberger, Helberg, McColley, Lankenau, Ridley, Maassel  Nay-</p>
<p><b><u>Good Of The City</u></b>  <b>(Cont.)</b></p>	
<p><b>Heath</b></p>	<p>Heath said Council’s pay frequency will change starting January 1, 2013. We were going to start the changes earlier, but ran into issues with PERS. If we go to monthly pay now, they will charge us a penalty. For that reason, we will continue paying the current way through the end of the year, then follow whatever ordinance Council has in place beginning January 1, 2013.</p> <p>Heath said the Efficiency Smart Program through AMP gave away light bulbs here today and again tomorrow.</p>
<p><b>Ridley</b></p>	<p>Ridley said he thought Council directed Hayberger to bring legislation including the option to choose when they want to be paid. Heath said the options will be annual, semi-annual, monthly or biweekly. The dollar amount will be averaged monthly for PERS credit. Pay frequency does not impact compensation. PERS requires a minimum amount of pay for a full year credit. Based on current pay, Council members will get about 60% PERS credit.</p>
<p><b>Maassel</b></p>	<p>Maassel asked if the problem with the Indiana Avenue sewer pipe is widespread throughout the City. Lulfs said we have another one in the budget for next year. There are some in Anthony Wayne. We replaced a similar one on Sycamore. We haven’t used that type of pipe in 40 years. We haven’t done all the studies yet.</p> <p>Maassel asked if the Electric Department got their truck yet. Bisher said it is not ready yet. They are adding equipment to it.</p> <p>Maassel asked if the City is in touch with the Napoleon Area Schools so we don’t do street improvements in areas where they have construction going on. Bisher said we are not in compliance with standards for slow down lights and for painting at school zones, but we aren’t putting a lot of money into it by CD Brillhard &amp; West Schools. The Parks &amp; Recreation Department may pick up some playgrounds from the schools. Maassel said he wants the schools to know we are on their side with the move. Lulfs said he attends a majority of their meetings.</p>
<p><b>Hershberger</b></p>	<p>Hershberger – no items</p>
<p><b>Helberg</b></p>	<p>Helberg said he knows someone who lives on Strong Street that needs a filter. Lulfs he will do his best to get one to them as soon as possible. Jeff Rathge is on vacation right now.</p>
<p><b>Mayor Behm</b></p>	<p>Mayor Behm – no items</p>
<p><b>McColley</b></p>	<p>McColley – no items</p>
<p><b>Lankenau</b></p>	<p>Lankenau – no items</p>
<p><b>Approval Of Bills</b></p>	<p>Bills and reports stand approved as presented with no objections.</p>

**Motion To Adjourn**

Motion: McColley                      2nd: Lankenau  
To adjourn the meeting.

**Passed**  
**Yea -6**  
**Nay -0**

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

**Adjournment**

Meeting adjourned at 10:25 PM.

---

John A. Helberg, Council President

**Approved:**  
November 5, 2012

---

Ronald A. Behm, Mayor

---

Gregory J. Heath, Finance Director/Clerk of Council

DRAFT

**ORDINANCE NO. 070-12**

**AN ORDINANCE AMENDING SECTION 121.03(a) OF THE CITY OF NAPOLEON ADMINISTRATIVE CODE AND RULE 6.5 OF THE RULES AND REGULATIONS OF CITY COUNCIL REGARDING PUBLICATION OF LEGISLATION BY SUMMARY**

**WHEREAS**, the City of Napoleon desires to save on the cost of publishing full legislation in the newspaper, and;

**WHEREAS**, the City of Napoleon desires to now publish its legislation in the newspaper by summary, Now Therefore;

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

Section 1. That, Section 121.03(a) of the Codified Ordinance for the City of Napoleon, Ohio, shall be amended and enacted as follows:

**“121.03 PUBLICATION OF LEGISLATION.**

(a) Publication in General. All ordinances and resolutions shall be published one (1) time after passage in a newspaper of general circulation in the City, and/or Council may determine that publication shall be by other electronic media. Ordinances or Resolutions in excess of ~~1000~~ **1 (ONE)** word may be published merely by summary. A table of contents of the Ordinance or Resolution and, if any attachments exist to the Ordinance or Resolution, a table of contents for such attachments, shall be considered an adequate summary. In the event of the publication of Ordinances or Resolutions by summary, there shall be a notice in such publication that a copy of the complete Ordinance or Resolution is on file in the office of the Clerk of Council for inspection during business hours and that copies of such Ordinance or Resolution shall be furnished to any person, upon request, for a reasonable fee. The City Law Director shall review all proposed summary form publications for legal accuracy and sufficiency prior to publication. The Clerk of Council shall cause the Ordinance or Resolution to remain posted in the principal municipal building for a period not less than ten calendar days immediately following the notice. Nothing in this Section shall be construed as to prohibit publication in accordance with the laws of Ohio.”

Section 2. That Rule 6.5 of the Rules and Regulations of City Council shall be amended and enacted as follows:

**“Rule 6.5 Publishing of Ordinances and Resolutions**

All ordinances and resolutions shall be published one (1) time after passage in a newspaper of general circulation in the city, and/or council may determine that publication shall be by other electronic media. Ordinances or Resolutions containing words in excess of one ~~thousand~~ **(1000)** words may be published merely by summary. Council may establish criteria for what constitutes an adequate summary. In the event of the publication of Ordinances or Resolutions by summary, there shall be a notice in such publication that a copy of the complete Ordinance or Resolution is on file in the office of the Clerk of Council for inspection during business hours and that copies of such Ordinance or Resolution shall be furnished to any person, upon request, for a reasonable fee. The City Law Director shall review all proposed summary form publication for legal accuracy and sufficiency prior to publication. The Clerk of Council shall cause the ordinance or resolution to remain posted in the principal municipal building for a period not less than ten (10)

calendar days immediately following the notice. Nothing in this Section shall be construed as to prohibit publication in accordance with the laws of Ohio; moreover, in the event there is no newspaper of general circulation in the City, or there are no electronic media available, Council may provide some other method of publication or giving notice of Ordinances and Resolutions, which may include, but not necessarily be limited to, posting copies in two (2) public places within the City.”

Section 3. That, Section 121.03(a) of the City of Napoleon Administrative Code and Rule 6.5 of the Rules and Regulations of City Council as they existed prior to the enactment of this Ordinance shall be repealed.

Section 4. 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 5. 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 6. 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. 070-12 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. 071-12**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AN AGREEMENT FOR FINANCIAL CONSULTANT PROFESSIONAL SERVICES WITH SCHONHARDT AND ASSOCIATES FOR PREPARATION OF THE CITY CAFR, GAAP REPORTS AND INFRASTRUCTURE COST INFORMATION FOR GASB-34**

**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 necessary and therefore authorized for financial consultant professional services with Schonhardt and Associates for preparation of the City CAFR, GAAP Reports and Infrastructure Cost Information for GASB-34 requirements.

Section 2. That, Contract No. 2012-19, both on file with the City Finance Director, which have been reviewed by this Council, are approved, subject to any non material change deemed appropriate by the Finance Director and as approved to form and legality by the City Law Director; moreover, the Finance Director is authorized to execute the same on behalf of the City.

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 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. 071-12 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2001; & 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*



Item IV

# 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](http://www.napoleonohio.com)  
E-mail: [gheath@napoleonohio.com](mailto:gheath@napoleonohio.com)

DATE: October 12, 2012

TO: Members of Finance and Budget Committee of Council  
Members of City Council  
Ronald A. Behm, Mayor  
Dr. Jon A. Bisher, City Manager  
Trevor M. Hayberger, City Law Director

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

SUBJECT: Contract for Preparation of Annual Financial Report (GAAP and CAFR)

Attached for your review and approval is a Proposal and Contract for Management Consulting Services for the preparation of the Annual Financial Report in the Generally Accepted Accounting Principles (GAAP) format; and, for the preparation of the Comprehensive Annual Financial Report (CAFR). The contract is with Schonhardt & Associates out of Hilliard, Ohio, and covers the City of Napoleon's (City) Fiscal Reporting Years of 2012, 2013 and 2014.

The City has contracted for these services with Schonhardt & Associates since 1996, and has received the Certificate of Achievement for Excellence in Financial Reporting every year thereafter from the Government Finance Officers Association of the United States and Canada. The CAFR is a governmental industry standard of reporting and meets the GAAP reporting requirements of the State of Ohio and other agencies. It also meets the requirements listed in the City's Trust Agreements on its various Revenue Debt issues.

The proposed contract is \$19,000 for each of the three (3) fiscal years to be reported on (2012, 2013 and 2014). This dollar amount is the same (no increase) as listed for the prior contract covering fiscal years 2009, 2010 and 2011. Mr. Matt Perry, an associate from Schonhardt & Associates, will be here to answer any questions you may have regarding the proposal or contract.

I am requesting the Finance and Budget Committee recommend to City Council the continuation of this contract for the next three (3) years.

Thank you please let me know if you have any questions.

Attachments



5307 Franklin Street  
Hilliard, Ohio 43026-1409  
**Donald J. Schonhardt & Associates, Inc.**  
(614) 876-2020  
(614) 876-2050 fax  
[www.djschonhardt.com](http://www.djschonhardt.com)

October 3, 2012

Mr. Gregory J. Heath  
Director of Finance  
City of Napoleon  
255 West Riverview Avenue  
Napoleon, Ohio 43545

Dear Mr. Heath:

Thank you for the opportunity to submit our proposal to provide assistance in the preparation of the City's 2012-2014 Comprehensive Annual Financial Report. We have tailored our proposal to be responsive to your unique needs while incorporating a proven approach developed by our firm. The proposal includes a cost saving option that will hold the City's cost at the same level for a period of three years. We are confident that you will agree that such cost containment measures provide both current and long-term benefits to the City.

I have enclosed two (2) copies of our standard contract for consulting services. Please review the materials that accompany this correspondence and call me if you have any questions regarding any of the items. After the contract has been signed, please return one (1) copy to our office for our files.

Upon notification that the work has been approved, we will schedule work to begin in late fall. I am looking forward to hearing from you in the near future.

Sincerely,

Roy O. Porter  
Executive Vice President

ROP:tle  
Enclosure

SCHONHARDT  
& ASSOCIATES

*Proposal to the  
City of Napoleon, Ohio*

*for  
CONSULTING SERVICES  
FOR  
THE PREPARATION OF  
ANNUAL FINANCIAL REPORT*

Prepared by  
Donald J. Schonhardt & Associates, Inc.  
5307 Franklin Street  
Hilliard, Ohio 43026-1409  
(614) 876-2020

October 3, 2012

---

## EXECUTIVE SUMMARY

### Overview

The City of Napoleon, Ohio (City) has completed the preparation of their 2011 Comprehensive Annual Financial Report (CAFR) with the assistance of our firm. Mr. Gregory J. Heath, Director of Finance, is currently in the process of planning for the preparation of the City's 2012 CAFR. He has requested that we prepare a proposal to provide technical accounting and management oversight assistance in the preparation of a 2012 CAFR. As an integral part of the preparation process, we will utilize **CAFR-Unlimited™** software.

The preparation of a GASB 34 compliant report involves extensive management planning and control to insure that all of the necessary tasks are accomplished in a timely and efficient manner. In addition to the routine responsibilities that often impact the availability of staff resources to assign to a major project, implementation of new Governmental Accounting Standards Board (GASB) pronouncements have made it increasingly more difficult to insure that all of the necessary reporting requirements have been met.

Since our primary service to the public sector is the preparation of GAAP basis financial reports, we have made a commitment to continuing education for all of our staff members. We participate in Government Finance Officers Association (GFOA) and Association of Government Accountants (AGA) sponsored seminars to ensure that our staff is knowledgeable about all current and proposed governmental financial reporting requirements. We will continue to work to ensure that our clients are made aware of these changes and how the changes will impact current and future financial reports. Finally, since we work with over eighty (80) different public sector entities to prepare GAAP basis financial reports, our staff is exposed to a variety of methods which may be used by City staff to improve the efficiency of the report preparation process. We have not wavered from our commitment to provide the highest quality public sector financial and accounting services at a reasonable cost.

We believe that Donald J. Schonhardt & Associates, Inc. (DJS&A), is in a unique position to meet the City's request for assistance because of our hands-on experience in public sector finance; our on-going assistance to other public sector entities that are required to meet the provisions of GASB 34 and our prior assistance to the City in the preparation of GASB 34 CAFRs. The individuals who will assist the City have in excess of seventy (70) years of public sector finance and accounting experience and continue to work with over eighty (80) public sector entities (municipalities, counties, villages, townships, special districts and school districts) throughout the State of Ohio to prepare GASB 34 compliant and GAAP basis annual financial reports.

We recognize the significance of our continued association with the City of Napoleon and are prepared to commit the necessary resources to assure the highest level of service.

## Timing

The City will be required to submit their 2012 Basic Financial Statements to the Auditor of State by May 30, 2013 to meet statutory requirements. We are prepared to begin work on the project immediately upon receipt of a signed contract authorizing the scope of work defined by this proposal and anticipate completion of the basic financial statements by the filing deadline.

*Audit Considerations:* To meet the program deadline for a Certificate of Achievement for Excellence in Financial Reporting, the City must submit a 2012 CAFR to the GFOA no later than June 30, 2013. DJS&A intends to provide the auditors with a preliminary trial balance by April 15, 2013 to allow sufficient time for completion of the audit by May 30, 2013. Please note that DJS&A is not responsible for the timing of the audit and makes no commitments regarding the outcome of the audit. **If the audit is not completed by May 30, 2013, DJS&A cannot guarantee completion of the 2012 CAFR by June 30, 2013.**

This proposal includes DJS&A time to review proposed audit adjustments and make mutually agreed upon material audit adjustments (if any), but **does not** include time to cover continual meetings with the auditors throughout the audit process or time to make immaterial, nonsubstantive changes to the narrative or format of the report. We have also included additional time necessary to put the basic financial statements into a PDF file format so that our clients may comply with the State Auditor's electronic filing requirement.

Upon execution of a contract, DJS&A will provide a schedule to the City consisting of target dates and milestones for certain activities throughout the project. Adherence to dates published in the above referenced schedule is imperative to insure the timely completion of the CAFR.

## Engagement Approach

Donald J. Schonhardt & Associates, Inc., will be responsible for providing on-going management and technical accounting assistance on a regular basis throughout the report preparation process. Such assistance will include but is not limited to the following:

- Regular discussions with City staff to review completed documentation, discuss data collection and recording criteria and examine the status of the report preparation process.
- Answer questions as they arise and discuss the rationale for specific data collection activities and how they can be accomplished most efficiently.
- Review and comment on the information developed for the conversion and review the applicability of the data in the presentation of the GAAP basis financials.

## Professional Fees

It is our policy to estimate fees at an amount which is highly competitive, but which will enable us to provide responsive service of the highest quality. We base our fees on the time spent by personnel assigned to an engagement at hourly rates which are commensurate with the training and experience of those assigned to the project. We know that our hourly rates are extremely competitive and substantially less than those charged by other accounting and consulting firms that may not possess the actual hands-on experience of our staff. Management oversight and technical assistance will be billed at an hourly rate of \$110.00 per hour (including expenses) for work performed **plus** travel time and mileage at the rate of \$0.50 per mile.

**Professional Fees** (Continued)

In order to contain costs and pass the savings on to our clients, we are prepared to offer the same level of services identified in this proposal for preparation of a 2013 and 2014 CAFR at the same annual fee quoted for the 2012 CAFR preparation. We will freeze this rate and annual contract amount with the signing of a multi-year contract not to exceed three (3) consecutive report years. This fixed rate is contingent upon the City's agreement that the scope of work will remain the same for this and the subsequent years and that no significant change in accounting policies and/or procedures is anticipated which will potentially alter the required level of service. We are confident that you will agree that such cost containment measures provide both current and long-term benefits to the City.

The multi-year contract option is included on the contract document and requires an appropriate approval signature on the line provided which will designate the term of the contract. We hope that you are able to take advantage of this opportunity so that we may continue to provide you with the highest quality of service at the best possible price.

Our fee to provide management and technical oversight in the report preparation, as outlined in the Summary of Work to be Performed (**excluding an allowance for mileage reimbursement**) will be:

<u>Report Year</u>	<u>Report Fee</u>
2012	\$19,000
2013	19,000
2014	19,000

The amount that will be billed to the City of Napoleon for the project is as noted in the table above (**excluding an allowance for mileage reimbursement**). The hourly rate quoted above will not increase during the term of the contract. The proposal is a maximum not to exceed bid for the scope of services defined by this proposal, the City will not pay more than the amount noted above provided the scope of services does not change.

**Billing**

Our practice is to bill in monthly installments covering the period worked on the engagement. Billings are due and payable upon receipt.

## SUMMARY OF WORK TO BE PERFORMED

The objective of this engagement is to provide management, technical and accounting assistance, to the City in the preparation of their 2012 CAFR. It is anticipated that the engagement will be completed by June 30, 2013. The engagement consists of the following:

Management overview, technical assistance, documentation, **limited data collection\***, review and analysis of reversing and adjusting entries and preparation of one copy of the original CAFR which is suitable for preparing additional copies as required by the City.

An outline is provided below which indicates the major components of the project. The outline is not intended as a comprehensive work plan, but rather an overview of the services to be provided.

Management overview, technical and accounting assistance and limited data collection activities.

- Assess current records related to the CAFR and identify alternative approaches for record keeping and suggest formats for future data collection which will improve the efficiency of data collection.
- Organize and document in journal form all reversing entries.
- Post reversing entries to **CAFR-Unlimited™**.
- Identify major subsidiary detail required to assemble accrual oriented statements (i.e. payables, receivables, capital asset detail, vacation/sick leave balances, etc.)
- Identify source of information and appropriate collection criteria for detailed information identified in the above task.
- Modify software applications to incorporate new funds and/or fund reclassifications that have occurred during the last fiscal period.
- Provide for centralized collection, organization and summarization of detail required for accrual adjustments.
- Utilize existing software models to input the data collected for aggregation and presentation.
- Download ending cash balance, receipt and disbursement figures from ASCI II file or Microsoft Excel<sup>®</sup> file into **CAFR-Unlimited™**.

\* This proposal provides a maximum of **five (5) hours of data collection activity** by our staff. Data collection activities include accumulation of raw data required for all adjusting and reversing journal entries (payables, receivables, prepaids, capital assets, supplies inventory, long-term debt, etc.) and information necessary for the preparation of the notes including long-term debt, investments, compensated absences, pensions, agency fund schedules and taxes.

**SUMMARY OF WORK TO BE PERFORMED**  
(Continued)

- Execute various tasks required for accumulation of detailed financial information to be used in the preparation of the CAFR.
- Continuously monitor adherence to task assignments and adjust resources where necessary to satisfy deadlines.
- Obtain original and final budget amounts for major funds.
- Post adjusting accounting entries to **CAFR-Unlimited™** to develop the trial balance.
- Identify and eliminate appropriate interfund activity.
- Make final determination of major funds.
- Identify program revenues.
- Collect information to categorize net assets.
- Prepare reconciliation between government-wide financial statements and fund based financial statements.
- Prepare statement formats for all required financial information including all basic financial statements, notes to the basic financial statements and appropriate financial schedules.
- Provide draft copy of financial section of the CAFR along with supporting workpapers to the City's auditors.
- Make mutually agreed upon changes/corrections to the financial section as a result of the audit.
- Assist in the preparation of the statistical section of the CAFR by advising staff on data required and preparing final print routines for inclusion in the CAFR.
- Assist in the preparation of the introductory section of the CAFR by advising staff of specific requirements for the introductory section. Due to the unique nature of the introductory section, the City is responsible for preparing a draft of the transmittal letter to be included in the 2012 report. We have budgeted a maximum of ten (10) hours to review and edit the transmittal letter for final presentation.
- Assist in the preparation of Management's Discussion and Analysis (MD&A).
- Prepare in final form all print routines required for presentation in the CAFR and analyze same using review criteria established for GFOA reviewers.
- Finalize statement preparation formats for the CAFR and prepare one (1) final printed version of the report suitable for making copies as required by the City.
- Provide the CAFR to the City as a PDF file for submission to the Auditor of State to meet electronic filing report requirements.

CONTRACT  
for  
MANAGEMENT CONSULTING SERVICES

This Contract is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Donald J. Schonhardt & Associates, Inc., 5307 Franklin Street, Hilliard, Ohio 43026-1409, hereinafter referred to as the "Consultant" and the City of Napoleon, Ohio, 255 West Riverview Avenue, PO Box 151, Napoleon, Ohio 43545, hereinafter referred to as the "City".

Whereas, the Consultant provides assistance to local governments in the development of improved accounting and financial management information systems; and

Whereas, the City desires to retain the Consultant to provide assistance in the preparation of the 2012 GAAP basis Comprehensive Annual Financial Report (CAFR) and during the audit of the same; and

Whereas, the City has reviewed the services to be provided by the Consultant and has authorized the services identified in the proposal to the City of Napoleon dated October 3, 2012, which is attached hereto as Appendix I and is hereby made a part of this Contract, as if fully rewritten herein; and

Now, Therefore, in consideration of the mutual covenants and obligations contained herein, the parties hereto agree as follows:

**Scope of Services** (Section I)

The Consultant shall provide accounting and financial management consulting services to the City in accordance with the Proposal to the City developed by the Consultant and dated October 3, 2012, a copy of which is attached hereto as Appendix I and incorporated by reference into this Contract as if fully rewritten herein.

The City acknowledges through acceptance of this section that the contract shall cover a multi-year term as specified by the number of years designated below. Each CAFR prepared under the terms of a multi-year contract will be prepared according to the scope of services outlined in this contract at the hourly rates and maximum contract amounts specified in Appendix I.

# of years	signature	Title
------------	-----------	-------

**Term of Agreement** (Section II)

The term of this Contract shall begin upon the signing of the contract document by authorized agents of the parties to the Contract and shall remain in force until the work identified in Appendix I is completed by the Consultant or the Contract is canceled by either party according to the terms of Section IV of this Contract titled "Termination". Contract amounts shall be subject to annual approval and/or appropriations by City Council. Non-appropriated amounts shall be cause for termination.

**Compensation** (Section III)

Fee: City agrees to pay to the Consultant an hourly rate (including travel time) plus mileage for management consulting services. The total amount billed for management consulting under the defined scope of services shall not to exceed the amounts specified in Appendix I for each report year as designated in Section I (excluding an allowance for mileage reimbursement).

**Termination** (Section IV)

The Client shall furnish the Consultant with written notice of the Consultant's alleged breach of this Agreement. The Consultant shall have thirty (30) days after the Consultant's receipt of such notice to cure such breach and, if timely cured, this Agreement shall not terminate but continue in full force and effect. If the Consultant fails to cure such alleged breach, the Client may terminate this Agreement by furnishing to the Consultant written intent to terminate and the Consultant shall have no further right to cure. Termination under this provision shall not relieve the Client any payment obligations under this Agreement. Payment in full of all outstanding invoices for work rendered by Donald J. Schonhardt & Associates, Inc., shall be made on or prior to the termination date.

**General Provisions** (Section V)

This Contract shall be governed by the laws of the State of Ohio.

This Contract contains the complete and exclusive statement of the agreement between the parties and supersedes all prior discussions, proposals, oral or written, and all other communications between the parties relating to the subject matter of this Contract.

No amendment to this Contract shall be effective unless it is in writing and signed by duly authorized representatives of both parties.

All notices hereunder shall be in writing and shall be deemed to have been given when mailed by certified mail, return receipt requested to the address of the parties first written above or by delivering in person to either party.

This Contract may be executed in one (1) or more copies, each of which shall be deemed an original.

Each party has the power and authority to enter into and perform this Contract and the person signing this Contract on behalf of each party has been properly authorized and empowered to enter into this Contract. Each party further acknowledges that it has read this Contract, understands it and agrees to be bound by it.

If any provision of this Contract is determined to be invalid or unenforceable, the remaining provisions of this Contract shall not be affected thereby and shall continue to be binding upon the parties and shall be enforceable as though the invalid or unenforceable provisions were not contained herein.

**General Provisions (Section V) (Continued)**

No term or provision shall be deemed waived and no breach excused unless such waiver or consent shall be in writing and signed by the party claiming to have waived or consented. Any consent by any party to, or waiver of, a breach by the other, whether expressed or implied, shall not constitute a consent to or waiver of or excuse for any other different or subsequent breach.

In witness whereof, the parties hereto have executed this Contract on the date and place first indicated above.

Approved As to Form:  
By: \_\_\_\_\_  
Title: \_\_\_\_\_

City of Napoleon, Ohio  
255 West Riverview Avenue, PO Box 151  
Napoleon, Ohio 45371

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

P.O. # \_\_\_\_\_

Donald J. Schonhardt & Associates, Inc.  
5307 Franklin Street  
Hilliard, Ohio 43026-1409

By: Roy O. Porter  
Roy O. Porter  
Executive Vice President  
Date: 10/2/12

**Please return this copy  
of the signed contract.  
Thank you.**

**ORDINANCE NO. 072-12**

**AN ORDINANCE SUPPLEMENTING THE ANNUAL APPROPRIATION MEASURE (SUPPLEMENT NO. 4) FOR THE YEAR 2012**

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

Section 1. That, the annual appropriation measure passed in Ordinance No. 089-11; supplemented by Ordinance No. 019-12; Ordinance No. 027-12; and, Ordinance No. 051-12 for the fiscal year ending December 31, 2012 shall be supplemented (Supplement No. 4) as provided in Exhibit "A", attached hereto and made a part hereof.

Section 2. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of the City of Napoleon, Ohio.

Section 3. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 4. That, this Ordinance provides for appropriations for the current expenses of the City; therefore, upon passage, this Ordinance shall take immediate effect, subject to the provisions of Article II, Sec. 2.15 of the Charter.

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. 072-12 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*

**2012 APPROPRIATION BUDGET - SUPPLEMENTAL BUDGET  
BUDGET SUMMARY BY FUND, DEPARTMENT AND CATEGORY**

<u>ORDINANCE No.</u> , <u>Passed</u>	2012 - 3RD QT BUDGET ADJUSTMENTS ==			2012
2nd Quarter Appropriation Budget Adjustments	PERSONAL			FUND
CATEGORY ->	SERVICES	OTHER	TOTAL	TOTAL
<b>100 GENERAL FUND</b>				
1700 Engineering/City Engineer	\$0	\$500	\$500	
2200 Fire/Safety Services	\$0	\$2,000	\$2,000	
4700 Cemetery/Operations	\$0	\$500	\$500	
<b>Total - 100 General Fund</b>	<b>\$0</b>	<b>\$3,000</b>	<b>\$3,000</b>	<b>\$3,000</b>
- 100-1700 - Appropriate Additional for Gasoline & Diesel -> +\$500				
Accounts - 100.1700.54230 Supplies-Gasoline/Diesel Fuel	\$0	\$500		
- 100-2200 - Appropriate Additional for Gasoline & Diesel -> +\$2,000				
Accounts - 100.2200.54230 Supplies-Gasoline/Diesel Fuel	\$0	\$2,000		
- 100-4700 - Appropriate Additional for Gasoline & Diesel -> +\$500				
Accounts - 100.4700.54230 Supplies-Gasoline/Diesel Fuel	\$0	\$500		
<b>200 STREET CONSTRUCTION, MAINTENANCE &amp; REPAIR</b>				
5100 Service/Streets Maintenance and Properties	\$1,500	\$0	\$1,500	
5120 Service/Storm Drainage	\$1,000	\$0	\$1,000	
<b>Total - 200 Recreation Fund</b>	<b>\$2,500</b>	<b>\$0</b>	<b>\$2,500</b>	<b>\$2,500</b>
- 200-5100 - Appropriate Additional for Hospitalization Insurance -> +\$1,500				
Accounts - 200.5100.51710 Hospitalization Insurance	\$0	\$1,500		
- 200-5120 - Appropriate Additional for Salary-AFSCME -> +\$1,000				
Accounts - 200.5120.51200 Salary-AFSCME	\$0	\$1,000		
<b>220 RECREATION FUND</b>				
4200 Recreation/Golf Operating	\$0	\$1,000	\$1,000	\$1,000
- 220-4200 - Appropriate Additional for Gasoline & Diesel -> +\$1,000				
Accounts - 220.4200.54230 Supplies-Gasoline/Diesel Fuel	\$0	\$1,000		
<b>* GRAND TOTAL - ALL FUNDS</b>	<b>\$2,500</b>	<b>\$4,000</b>	<b>\$6,500</b>	<b>\$6,500</b>

**RESOLUTION NO. 073-12**

**A RESOLUTION AMENDING THE ALLOCATION OF FUNDS AS  
FOUND IN SECTION 193.11 OF THE CODIFIED ORDINANCES  
OF THE CITY OF NAPOLEON, OHIO**

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

Section 1. That, Section 193.11 of the Codified Ordinances of Napoleon, Ohio, shall be amended and enacted as follows:

“193.11 ALLOCATION OF FUNDS.

(a) Effective January 1, ~~2012~~ **2013**, the funds collected under the provisions of this chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than 62% of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least 38% of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.

(b) Effective January 1, ~~2013~~ **2014** and thereafter, the funds collected under the provisions of this chapter shall be deposited in the “General Fund equivalent” of the City for municipal income taxes and shall be disbursed in the following order:

(1) Such part thereof as shall be necessary to defray all costs of collecting this tax and all costs of administering and enforcing the provisions of this chapter and the rules and regulations adopted by Council in connection therewith.

(2) Not more than 50% of the net available tax receipts received annually may be used to defray operating expenses of the City.

(3) At least 50% of the net available tax receipts received annually shall be set aside and used for capital improvements including, but not limited to, development and construction of storm sewers and street improvements; for public buildings, parks, and playgrounds; and for equipment necessary for the Police, Fire, Street, Traffic, and Safety Departments.”

Section 2. That, Section 193.11 of the codified Ordinances of Napoleon, Ohio, as existed prior to the enactment of this Resolution, is repealed effective December 31, ~~2011~~ **2012** at 11:59 PM.

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 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. 73-12 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. 074-12**

**A RESOLUTION AMENDING SECTIONS 1, 2, 3, AND 4 OF  
RESOLUTION NO. 081-10 TO AMEND THE PAY FREQUENCY  
OF COUNCIL MEMBERS AND THE MAYOR OF THE CITY OF  
NAPOLEON, OHIO**

**WHEREAS**, it is the intent of this Council to allow Council Members and the Mayor, at their own discretion, to choose the manner in which their salary is paid; and,

**WHEREAS**, through this resolution it is not the intent of this Council to change the compensation of the Council Members nor the Mayor because doing so would be a violation of the Ohio Constitution; the intent is merely to change the manner in which their salary is paid. Now therefore,

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

**Section 1.** That, Sections 1, 2, 3, and 4 of Resolution No 081-10 of the City of Napoleon, is hereby amended and enacted as follows:

“Section 1. That, commencing January 1, 2012, being the first day of the new term of office for Council Members in and for the City of Napoleon, Ohio, each person so elected for the new term shall receive an annual salary of \$4,663.26, with an automatic one and one-half (1 ½%) percent annual increase, said salary to be paid ~~in equal amounts on a monthly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF SAID MEMBER**. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office for the position of Council Member until lawfully changed by Council.

Section 2. That, elected or appointed Council members of the City of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or Council members later appointed to serve an unexpired term of said elected or appointed Council members, shall continue to receive as compensation, an annual salary of \$4,438.56, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term, to be paid ~~in equal amounts on a monthly or semi-annual basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF SAID MEMBER**.

Section 3. That, commencing January 1, 2012, being the first day of the new term of office for Mayor of the City of Napoleon, Ohio, the Mayor so elected for the new term shall receive an annual salary of \$13,314.25, with an automatic one and one half (1 ½%) percent annual increase, to be paid ~~in equal amounts on a monthly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF THE MAYOR**. The compensation as established herein, with the automatic increases as established in this Section, shall be continued for each future term of office as Mayor until lawfully changed by Council.

Section 4. That, the elected or appointed Mayor of Napoleon, Ohio, currently serving upon the effective date of this Ordinance, or persons later appointed to serve an unexpired term of said elected or appointed Mayor, shall continue to receive as

compensation, an annual salary of \$12,672.70, with an automatic annual increase of two and one-half (2 ½%) percent as was established in Ordinance No. 161-96, until completion of said term to be paid ~~in equal amounts on a biweekly basis~~ **BI-WEEKLY, MONTHLY, SEMI-ANNUALLY, OR ANNUALLY AT THE DISCRETION OF THE MAYOR.** ”

**Section 2.** That, it is found that Sections 1, 2, 3 and 4 of Resolution 081-10 as amended are not a change in compensation, but merely a change in the manner in which said compensation is paid.

**Section 3.** That, all other portions of Sections 1,2,3, and 4 of Resolution 081-10 that were not amended as part of this legislation as well as Sections 5, 6, 7, 8, 9, 10, and 11 of Resolution 081-10 remain in full effect.

**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. 074-12 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. 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

**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*

# 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.

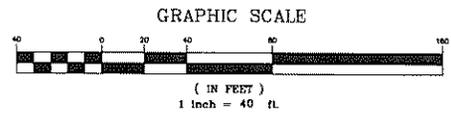
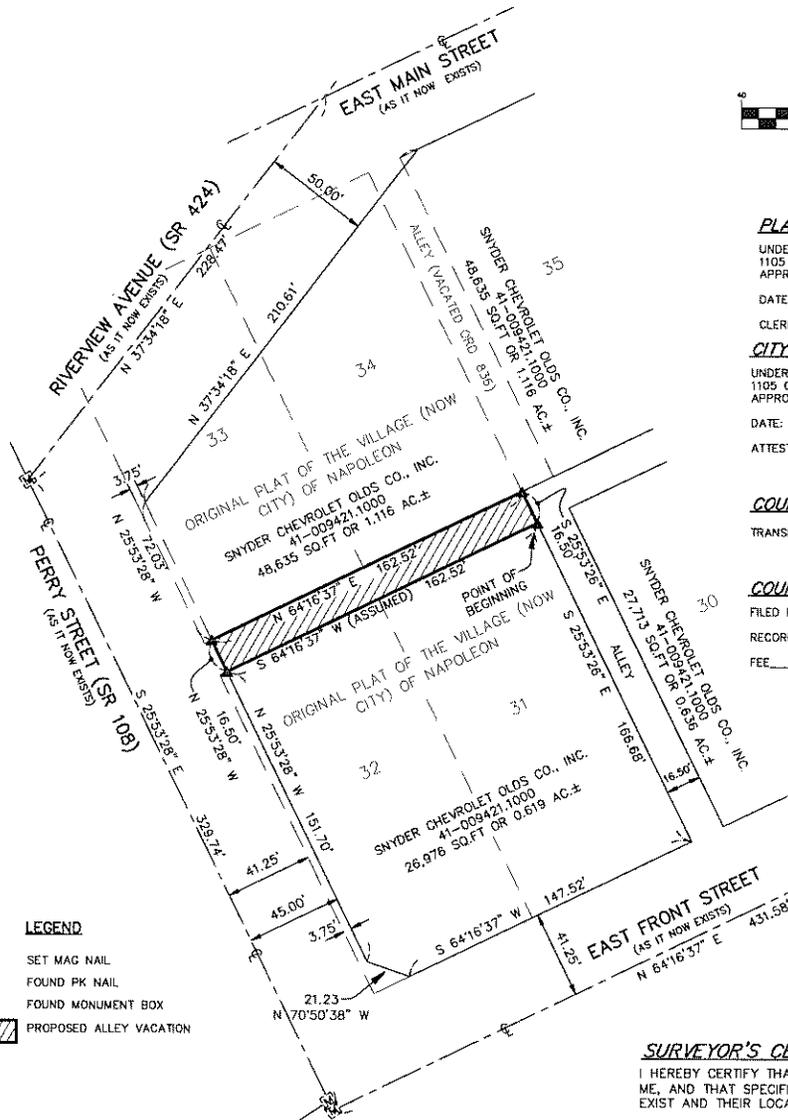
Said parcel of land containing an area of 2,682 square feet or 0.062 acres of land, more or less.

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 \_\_\_\_\_ Date: \_\_\_\_\_  
Professional Surveyor #7432



## 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](http://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:** November 5, 2012  
**Subject:** Indiana Avenue Sanitary Sewer Replacement Project  
Recommendation of Award of Contract

On Wednesday, October 24, 2012, one (1) bid was opened and read aloud for the above referenced project:

Vernon Nagel, Inc.

\$37,475.00

The published Engineer's Estimate for this project is \$41,000.00. This project consists of installing new PVC sanitary sewers on Indiana Avenue from Ohio Street to Oakdale Drive. This project is an emergency replacement.

**Having reviewed the submitted bid, it is my recommendation that Council award Vernon Nagel, Inc. the contract for the Indiana Avenue Sanitary Sewer Replacement Project in the amount of \$37,475.00.** If you have any questions or require additional information, please contact me at your convenience.

CEL

**CITY OF NAPOLEON OHIO  
 BID SUMMARY SHEET**

<b>Project Name</b> INDIANA AVE SANITARY SEWER REPLACEMENT	<b>VENDOR</b>				
	(A)	(B)	(C)	(D)	(E)
<b>DATE OPENED</b> October 24, 2012 <b>TIME: 11:00 AM</b>	Vernon Nagel, Inc. 0154 County Rd 11C Napoleon, OH 43545				
<b>OPENED BY:</b> Greg Heath					
<b>ENGINEER'S ESTIMATE:\$41,000.00</b>					
<b>*BIDDER QUALIFICATION</b>	X				
<b>*BID BOND</b>	X				
<b>*NON COLLUSION AFFIDAVIT</b>	X				
<b>CORPORATE RESOLUTION</b>	X				
<b>PROPERTY TAX</b>					
<b>CERTIFICATION - ORC 3517.13</b>	X				
<b>HOMELAND SECURITY FORM</b>					
<b>LABOR</b>	\$ 12,000.00				
<b>MATERIAL</b>	\$ 25,476.00				
<b>TOTAL</b>	<b>\$ 37,476.00</b>				



# City of Napoleon, Ohio

## Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

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

## Memorandum

**To:** 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:** November 5, 2012  
**Subject:** Welsted Water Main Replacement Project

The City of Napoleon's Department of Public Works requests approval of the plans and specifications for the Welsted Water Main Replacement Project. This project consists of replacing the existing waterlines and services on Welsted Street from Glenwood Avenue to Sheffield Avenue, Strong Street from Sheffield Avenue to Orwig Avenue, and Orwig Avenue from Strong Street to Welsted Street.

Engineer's Estimate of Construction: \$300,000.00

Budgeted amount for this project is \$300,000.00 (Pending Council Approval of 2013 Budget)

CEL

# Memorandum

**To:** Technology and Communication Committee, Council, Mayor, City Manager, City Law Director, City Finance Director, Department Supervisors, Media

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

**Date:** 10/22/2012

**Re:** Technology and Communication Committee Meeting Cancellation

---

The November 5, 2012, meeting of the Technology and Communication Committee has been CANCELED due to lack of agenda items.



# Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

October 26, 2012



Kevin Gladden (left), village administrator for the Village of Genoa, receives the 2012 AMP Seven Hats Award and is congratulated by AMP President/CEO Marc Gerken.

## Gladden wins AMP's 2012 Seven Hats Award

By Jolene Thompson – senior vice president/ OMEA executive director

Kevin Gladden, village administrator for the Village of Genoa, is the 2012 winner of the prestigious AMP Seven Hats Award.

Gladden was recognized Oct. 24 at the AMP/OMEA conference for his outstanding accomplishments in utility management and service to his community. AMP President and CEO Marc Gerken presented the award.

Seven Hats is given annually to recognize utility managers in communities of less than 2,500 meters for outstanding municipal utility service and management skills.

Award winners show skill in seven areas: planning and design, administration, public relations, field supervision, accounting, personnel or employee direction, and community leadership.

Gladden oversees 17 employees and an \$8 million annual budget. He is responsible for electric, water, sewer and roads, as well as utility billing, zoning and income tax.

Gladden was lauded for the new policy and procedure manual for village employees, the implementation of procedures to minimize the village's exposure to accidents, and the maintaining of village property.

Please join us in congratulating Kevin.

## PUCO approves results of wholesale auction

By Lisa McAlister – deputy general counsel FERC/RTO affairs

The Public Utilities Commission of Ohio (PUCO) this week approved the results of a wholesale auction that will impact retail rates through 2016 for Ohio customers of FirstEnergy (FE) who stay on the FE standard service offer (SSO) rather than choosing a competitive supplier. The auction held Oct. 23, 2012,

see *FIRSTENERGY* Page 2

## 2012 AMP/OMEA Conference honors champions of public power

By Karen Ritchey – manager of communication programs

Member communities and organizations, Municipal Electric Partners and AMP staff took part in the 2012 AMP/OMEA Conference held in Cleveland this week.

2013 AMP Wall of Fame inductees were Ken Hegemann, Lyle B. Wright, Bruce Kidston, Art Magee and Joe Mattaliano.

Also featured at the conference was an OMEA Anniversary video, celebrating 50 years of legislative advocacy on behalf of municipal electric systems. The video can be viewed on the OMEA and home page of [AMP's website](#).

Power supply markets, sustainability and regulatory impacts were a few reoccurring themes this year during presentations, session events, and discussion among attendees and members.

We had excellent attendance for Tuesday's general session, featuring Peter Leyden, and other sessions covering power supply, technical, administrative and financial aspects of the industry.

AMP, OMEA, MESA, the OMEGA JVs and the AMP project participants held membership meetings throughout the four-day annual conference.

I would like to thank all those who participated in the 2012 AMP/OMEA Conference.



Ken Hegemann, who worked for the city of St. Marys for 17 years and was president of AMP from 1987-2000, speaks during the 2012 AMP/OMEA Conference Award Banquet. Hegemann was one of five public power champions announced for induction into the AMP Wall of Fame on Wednesday.



FIRSTENERGY continued from Page 1

provided the opportunity for suppliers to bid for the right to provide wholesale electricity to FirstEnergy SSO customers for the period of June 1, 2013, to May 31, 2016.

Ten suppliers initially participated in the bid process and following 11 rounds of bidding the auction resulted in an average clearing price of \$60.89/MWh, with five suppliers submitting the winning bid. This clearing price is higher than previous auctions due largely to the higher capacity pricing resulting from PJM Interconnection's reliability pricing model auction held last May, which yielded significantly higher capacity prices beginning in the summer of 2015.

The \$60.89/MWh rate includes both energy and capacity. This auction result will be blended with four previous auctions and five upcoming auctions to establish retail rates for the period.

## Member communities recognized with AMP awards during banquet

By Karen Ritchey

Member systems and officials were honored at the 2012 AMP/ OMEA Conference through the AMP awards program. Board members who were recognized for outstanding service are:

- **AMP Board of Trustees** – Jeff Brediger (Orrville), Steve Casebere (Bryan), Steve Dupee (Oberlin) and Pam Lucas (Montpelier)
- **OMEA Board of Directors** – Council Member Scott Broadwell (Oberlin), Mayor Ralph Infante (Niles), Council Member Carla Fiehrer (Hamilton) and Village Administrator Wayne York (New Bremen)

Communities that were also honored with AMP awards included:

### AMP Finance Awards

- Highest Credit Score Population 5,000 and Over – City of Wadsworth Finance Department
- Highest Credit Score Population 5,000 and Over – City of Shelby Finance Department
- Highest Credit Score Population Under 5,000 – Village of Clinton Finance Department (Clinton has led this category for the fifth year in a row)
- Most Improved Credit Score – City of Niles Finance Department
- Financing of the Year Award – Village of Elmore for \$1,000,000 Electric System Bond Anticipation Notes

### Innovation Awards

- City of Bowling Green for its Electric Vehicle Charging System
- Hudson Public Power for GIS Mapping

### System Improvement Awards

- City of Bowling Green Municipal Utilities for Transmission Breaker Upgrade
- Cleveland Public Power for 138kV Relay Upgrade Project
- Cuyahoga Falls Electric System for New Substation #4 and Enhanced Work Order Form
- Dover Light & Power for SCADA System and S.E.L. Protection Relays
- City of Hamilton Electric Department for Hamilton Substation/Transmission Infrastructure Upgrade and Highland Park Project
- Hudson Public Power for SCADA Upgrade
- Orrville Utilities for Five kV Conversion
- St. Clairsville Light & Power for Right of Way Maintenance
- Village of Versailles for North West Street Phase I Electric Circuit Improvements
- City of Wapakoneta for Harrison Street Substation and Defiance Street Substation

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

### Week ending Oct. 26

MON	TUE	WED	THU	FRI
\$37.75	\$38.50	\$41.50	\$39.00	\$35.75

### Week ending Oct. 19

MON	TUE	WED	THU	FRI
\$35.50	\$34.50	\$35.00	\$35.75	\$34.50

AEP/Dayton 2012 5x16 price as of Oct. 26 — \$42.21

AEP/Dayton 2012 5x16 price as of Oct. 19 — \$42.21

### Public Power Promotion Awards

- Division 3 (5,000 to 8,999 meters) – City of Shelby for Safety & Services Expo
- Division 4 (more than 9,000 meters) – Cleveland Public Power for 12th Annual APPA Lineworkers Rodeo
- Division 3 (5,000 to 8,999 meters) Honorable mention – Hudson Public Power for Electric City
- Division 4 (more than 9,000 meters) Honorable mention – Cuyahoga Falls Electric System for CFES Public Power Co-Branding with Efficiency Smart
- Division 4 (more than 9,000 meters) Honorable mention – City of Hamilton Electric Department for 2011 Public Energy Week

### Environmental Stewardship Awards

- City of Bowling Green for Hybrid Bucket Truck
- Bryan Municipal Utilities for Bryan Solar Field
- City of Cuyahoga Falls for Cuyahoga Falls 2012 Bicentennial Arbor Day
- City of Hamilton Electric Department for Plug-In Hybrid Electric Bucket Trucks
- Hudson Public Power for Tree Replanting/Recycling/Renewable Energy Programs and Atterbury LED Street Lighting
- Village of Versailles Electric Utilities for Village of Versailles Compost Recycling Program
- Village of Wellington for Zero Carbon Emissions Vehicle

## PJM updates 2012 5CPs, changes to July 18 peak hour

By Mike Migliore – assistant vice president of power supply planning and transmission

PJM has finalized the hours of its 5CPs for the summer of 2012. Peak hours become final after PJM collects the meter readings of demand response customers. PJM adds back to their system load the interrupted load for demand response customers that was curtailed by PJM during the peak hours.

These add backs changed the peak on July 18 from the 1-2 p.m. hour to the 2-3 p.m. hour. This change was a big benefit to AMP members since most of our behind-the-meter generation did not begin operating on this day until 2 p.m. This one-hour change will increase the installed capacity savings to members and projects from peak shaving by approximately \$150,000 for next year.

Final PJM 2012 5CPs, which will determine members' installed capacity obligations for the June 2013-May 2014 planning year, are:

July 17 Hour Ending 1700 EDT

July 18 Hour Ending 1500 EDT

July 6 Hour Ending 1700 EDT

July 5 Hour Ending 1600 EDT

July 16 Hour Ending 1700 EDT

## AMP selects communities to fill at-large seats, re-elects leaders

By Marc Gerken – president and CEO

The communities of Bryan, Oberlin, Orville and Montpelier were re-elected to fill at-large seats on the AMP Board of Trustees during the organization's membership meeting at the 2012 AMP/OMEA Conference. The meeting also included board policy and service fee revisions.

Following the general membership meeting, the Board held its annual reorganization meeting and re-elected Jon Bisher, Napoleon city manager, as chairman; Steve Dupee, Oberlin Municipal Light & Power System director, as vice chairman; Pam Lucas, Montpelier village manager, as secretary; and Tracy Reibold, Newton Falls finance director, as treasurer.



Jon Bisher



Steve Dupee



Pam Lucas



Tracy Reibold

## OMEA re-elects board members, adds nine honorary members

By Jolene Thompson

The Ohio Municipal Electric Association (OMEA) held its general membership meeting Wednesday and re-elected the communities of Hamilton, New Bremen, Niles and Oberlin to three-year terms on the OMEA Board of Directors.

The OMEA general membership also selected nine new honorary members: Priscilla Blanchard (Hudson), Kirk Gott (Wellington), Laura Gray (Montpelier), Tom Green (Painesville), Randy Gump (Versailles), Rick Kowalski (Grafton), George Lovett (Tipp City), Rita McMahon (Painesville) and John Quinn (Bowling Green).

At the board reorganization meeting that followed the general membership meeting, Mayor Richard Homrighausen (Dover) was re-elected president. Both Mayor Robert Vincenzo (St. Clairsville) and Mayor Douglas Johnson (Bryan) were re-elected to serve one-year terms on the three-member OMEA executive committee.



Richard Homrighausen



Douglas Johnson



Robert Vincenzo

## AFEC weekly update

By Craig Kleinhenz – manager of power supply planning

AFEC continued to see very steady production all week long. The plant saw a 79 percent load factor for the week, with the lowest load factor being on Sunday (73 percent) and the highest being last Friday (88 percent).

The plant stayed online every night this week and only spent 13 hours at minimum generation levels. Duct burners were used more this week as they were operated around 30 percent of the time. This mostly occurred during morning and evening peak hours.

For the week on-peak 7x16 prices were \$9.84/MWh higher than AFEC dispatch costs which was \$4.78/MWh more than last week.

## Gas falls on storage numbers

By Craig Kleinhenz

A larger than expected injection of natural gas into storage helped to cause a drop in natural gas prices this week.

This puts natural gas storage levels within striking distance of last year's record set during the week of Nov. 18.

November natural gas prices closed the week down \$0.12/MMBtu from last week to end at \$3.43/MMBtu. December natural gas prices closed down \$0.16/MMBtu from last week to end at \$3.78/MMBtu.

Power prices did not have a strong reaction to the decrease in natural gas prices as 2013 on-peak electric prices at AD Hub finished yesterday unchanged from last week, closing at \$42.21/MWh.

## AMP names Phillips new director of marketing and member relations

By Pamala Sullivan – senior vice president of marketing and operations

Harry Phillips joined the AMP staff Monday as director of marketing/member relations.

Prior to AMP, Phillips was director of energy services at Richmond Power & Light, a municipal in Indiana, for 14 years. He also served as a board member for American Red Cross, Richmond/Wayne County Economic Development and Richmond Wayne County Environmental Council.

He holds a bachelor's degree in marketing from Chancellor University and is pursuing a master's degree in environmental management from Arizona State University.

Phillips and his wife, Jennifer, will be moving to the Columbus area from Winchester, Ind. They have two sons, Steve, a junior at Purdue University; and Brent, a senior at Randolph Southern High School.

Please join us in welcoming Harry.





## 2012 safety awards presented during conference luncheon

By Michelle Palmer – assistant vice president of technical services

AMP presented safety awards and commendations to 26 member communities at the 2012 AMP/OMEA Conference. Safety awards are given to communities that have no time lost because of reportable injuries or accidents.

In the generation category, awards were presented to: City of Coldwater Board of Public Utilities, Dover Light & Power, Oberlin Municipal Light & Power System, Orrville Utilities Power Plant Operations and Power Plant Maintenance, Shelby Division of Electric & Telecommunications, Bryan Municipal Utilities, and City of Hamilton.

In the transmission/distribution category, the winners were: Beach City Utilities, City of Coldwater Board of Public Utilities, Village of Lodi Utilities, New Martinsville Municipal Electric Utility, Oberlin Municipal Light & Power System, Orrville Utilities, Shelby Division of Electric & Telecommunications, St. Clairsville Light & Power, Village of Wellington, City of Bowling Green Municipal Utilities, Bryan Municipal Utilities, Edgerton Utilities, Montpelier Municipal Utility, Oak Harbor Public Power, Village of Versailles, and Borough of Ephrata Electric Division.

Safety commendations in transmission/distribution were given to: Cleveland Public Power, City of Wadsworth Electric & Communications, Westerville Electric Division, Minster Utilities Department, and Wapakoneta Electric Department.

The majority of the mutual aid awards were given to communities who assisted in the aftermath of a heavy wind storm which occurred at the end of June. Mutual Aid Commendations were given to: Wadsworth Electric & Communications for providing assistance to the City of New Martinsville; Bryan Municipal Utilities, Bowling Green Municipal Utilities and Montpelier Municipal Utility for providing assistance to the Village of Ohio City; Cuyahoga Falls Electric System, Minster Utilities Department and Orrville Utilities for providing assistance to the City of Wapakoneta; Hudson Public Power and Tipp City Municipal Utilities for providing assistance to the City of Piqua; St. Clairsville Light & Power for providing assistance to the City of Westerville and to American Electric Power; and Piqua Power System for providing assistance to Pioneer Rural Electric Co-operative and Dayton Power & Light Co.

Congratulations to all award winners and thank you for your dedication and service.



Tom Natarian (left), director of operations for Ephrata, receives a safety award for transmission/distribution on behalf of the Borough of Ephrata Electric Division from Gary Shultz, AMP's safety consultant.

## Update Classifieds

### City of Cuyahoga Falls seeks electric technology manager

The Civil Service Commission will hold an open-competitive exam at 6:30 p.m. Nov. 15.

Desired minimum qualifications: bachelor's degree in engineering or electrical technology; two years experience on power system circuit projects. Management experience required. Skill in SCADA, Easy Power, Excel, Word, other industry programming.

Entry level salary \$56,524. Non-smoking environment, valid driver's license.

Visit [www.cityofcf.com](http://www.cityofcf.com) for complete exam posting and civil service application or call 330.971.8150 for application packets.

Applications must be postmarked no later than Nov. 9. Exam fee: \$25.00 cash or money order due with application. (No personal checks) EEO/ADA

### Village of Woodville has immediate openings

The Village of Woodville has immediate openings for Class II Water Supply Operator and Class I Wastewater Operator.

Applicant must have a valid EPA Operator Certification, experience preferred. A Class B CDL is required or be willing to obtain one. Applicant should be highly motivated and have good mechanical ability.

Applications for these positions may be obtained online at [www.villageofwoodville.com](http://www.villageofwoodville.com) or at the Municipal Building, 530 Lime Street, Woodville, Ohio between 9 a.m. – 4 p.m. Applications along with a resume must be returned by 4 p.m. Nov. 15. Questions may be directed to 419.849.3031 or [utilities@villageofwoodville.com](mailto:utilities@villageofwoodville.com).

### 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).



### News or Ads?

Call Krista Selvage at 614.540.6407 or email to [kbselvage@amppartners.org](mailto:kbselvage@amppartners.org) if you would like to pass along news or ads.



# Update

A weekly newsletter presented by AMP President/CEO Marc Gerken

November 2, 2012



Unit 2 of Prairie State Energy Campus went live today, Nov. 2. PSEC's environmental operating characteristics will allow the units to perform in the top 6 percent of coal-fueled power plants in the nation, making it one of the cleanest power plants ever constructed.

## Prairie State's Unit 2 of power plant goes live

Provided by Prairie State Generating Company

Unit 2 of Prairie State Energy Campus's 1600-MW power plant went live today, producing commercial power for its nine owners and their 2.5 million customers. Unit 2 is now under the control of the Prairie State Energy Campus (PSEC) team, a significant milestone in the process of completing the largest coal-fueled power plant built in the U.S. in the last 30 years. Beginning Nov. 3, 2012, all 1,600 MW of PSEC power will be scheduled by the PSEC owners for the benefit of and use by its municipal and electric cooperative customer/members.

### Higher output, more efficient, with proven economics

Recent tuning and performance testing has yielded excellent results for the benefit of its owners. The Campus will exceed its rated capacity of 1,600 MW and be more efficient, therefore lower cost to operate and more friendly to the environment.

PSEC also started sending its coal combustion residuals (CCRs) to the adjacent Near-Field facility, which also significantly reduces operating costs for the next 30-plus years. Both units have been tested and are being scheduled at higher than their nameplate capabilities of 800 MW per unit – Unit 1 at 812 MW and Unit 2 in excess of 809 MW. Performance testing also indicates that both units are operating more efficiently, approximately 1 percent better than guaranteed.

The higher output capability, better efficiency, and lower operating costs associated with the Near Field facility further support the PSEC being one of the lowest dispatch cost coal units in the U.S. fleet, providing PSEC's

*continued on Page 2*

## Millions without power as a result of Sandy's fury

By Michelle Palmer – assistant vice president of technical services

Hurricane Sandy, being dubbed the "super-storm" by meteorologists, blew through the eastern United States earlier this week. Flooding and strong winds crippled many cities in Sandy's path, including Philippi.

The storm converged with a cold-weather system Monday night as it moved inland, which brought significant snow to portions of West Virginia. Philippi – which suffered from wet snow, extensive tree damage and power outages – was able to take advantage of AMP's Mutual Aid program. Piqua crews are providing assistance to help restore service to Philippi customers. As of Friday, Nov. 2, FirstEnergy is still working to restore incoming power to Philippi. Westerville, Wadsworth and Hudson are all assisting FE in restoration efforts.

The Mutual Aid program exists in the event of disasters too devastating for one system to handle alone. Assistance can be in the form of labor, materials and equipment.

Wadsworth Manager of Electric and Communications Gene Post, who is also AMP Gold Sector Coordinator and Mutual Aid Chairman, said Northeast Ohio municipals reported most crews worked all night Monday, but were able to keep up.

Cleveland Public Power crews have been working around the clock to restore power. CPP had a peak of more than 17,000 without power, and as of Friday morning, only a few hundred customers were still without power.

Many members in Pennsylvania experienced power outages and AMP assistance was offered. The DEMEC group had minimal outages and no assistance was needed.

"We thank all the members that have responded with their crew availability," Post said.

The storm disrupted life for millions by knocking out power to homes and businesses

*continued on Page 2*

## Administration asked to spare direct-payment bonds from sequestration

By Julia Blankenship – manager of energy policy and sustainability

On Oct. 24, the American Public Power Association (APPA) joined 17 other state and local organizations and public finance entities in a letter to the Obama Administration. The letter requests that so-called direct payment bonds be exempted from the budget sequestration process slated to begin Jan. 2, 2013. Direct-payment bonds of interest to APPA and its members include Build America Bonds (BABs) and New Clean Renewable Energy Bonds (New CREBs).

Pursuant to the Budget Control Act of 2011, across-the-board spending cuts totaling approximately \$1.7 trillion over the next 10 years are slated to begin in January 2013, absent a deadline extension or other budgetary action.

In September, the Office of Management and Budget (OMB) issued a report identifying the spending cuts for various government programs that would be needed to meet the sequestration target, including a 7.6 percent cut (approximately \$322 million) in the subsidy payments to issuers of direct-payment bonds. For AMP, a top-ten issuer of BABs, this could translate into a reduction in the payments AMP would receive from the federal government, which act to lower the overall cost of financing.

APPA and the other organizations argue that the direct-payment bonds used to finance infrastructure improvements should not be treated like regular discretionary spending, as the bonds were issued in the marketplace with the understanding that the federal payments would not be subject to congressional appropriations and that the payments would continue at the percentage required by law until the bonds matured.

AMP and OMEA continue to work closely with APPA, the Bond Dealers of America, and other impacted parties on this important issue.

## Trends in Sustainability

By Julia Blankenship

A new poll in New York State is reporting that a plurality of those surveyed – 42 percent to 36 percent – now supports allowing the use of hydraulic fracturing for the production of shale gas in the Upstate region.

While it is too early to call the small shift in public opinion a trend, the Siena College poll does indicate that more Republicans, women, and Upstate residents now support the practice, versus August poll results. Natural gas producers note the economic benefits of the area's shale-gas production, coupled with more open discussion and reporting, have contributed to the increased support.

Shale gas development has become increasingly important to local economic development efforts in certain AMP states, including Ohio, Pennsylvania and West Virginia.

Beginning this month, AMP will be reporting a monthly "Trend in Sustainability" as part of Update, to provide members with some additional insight as to various topics of interest that relate to overall sustainability practices.

If you have any suggestions, please let me know at [jblankenship@amppartners.org](mailto:jblankenship@amppartners.org) or 614.540.0840.

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

### Week ending Nov. 2

MON	TUE	WED	THU	FRI
\$44.00	\$37.25	\$41.00	\$43.75	\$42.50

### Week ending Oct. 26

MON	TUE	WED	THU	FRI
\$37.75	\$38.50	\$41.50	\$39.00	\$35.75

AEP/Dayton 2012 5x16 price as of Nov. 2 — \$42.00

AEP/Dayton 2012 5x16 price as of Oct. 26 — \$42.21

## Prairie State's Unit 2 goes live

*continued from Page 1*

owners with a financially sound and sustainable investment for their member communities for the next 30-plus years.

### Environmental emissions success story

PSEC's environmental operating characteristics will allow the units to perform in the top 6 percent of coal-fueled power plants in the nation, making it one of the cleanest power plants ever constructed. The actual operating performance to date of PSEC's air quality control system puts PSEC in the top 2 percent of coal-fired power plants in the nation for NOX removal, and top 10 percent of coal-fired power plants for SOX removal.

PSEC's journey to produce power with Illinois Basin coal began in the early 2000s, the vision of its 9 owners with a desire to use domestic energy resources to provide stable and competitively priced power to their customers. Designed as the new face of coal, PSEC is a coal mine and a power plant built on the same campus.

Located in Washington County, Illinois, an hour south of St. Louis, PSEC invested more than \$1 billion in environmental emissions control equipment, allowing it to meet and exceed the newest U.S. EPA and state regulations. During peak construction, the PSEC employed more than 4,000 union tradesmen and women paying over \$1 billion in wages, and will employ over 550 permanent employees.

PSEC owners are eight public power agencies and rural electric cooperatives and Peabody Energy. Public power and electric cooperatives are operated by local government boards to provide communities with reliable, responsible, not-for-profit power. For more information, please visit [www.prairiestateenergycampus.com](http://www.prairiestateenergycampus.com).

## Millions without power

*continued from Page 1*

from the Carolinas to Ohio, with New York and New Jersey being among the hardest hit. The total amount of damage and loss from Hurricane Sandy is still too extensive to quantify.

I would like to thank those who responded to calls for mutual aid and AMP's sector coordinators. We applaud your dedication and efforts.

If your community has not yet signed a mutual aid agreement and you are interested in doing so, please contact me at [mpalmer@amppartners.org](mailto:mpalmer@amppartners.org) or 614.540.0924.



## Joint venture and project officers elected at annual conference

By Marc Gerken – president/CEO

All six joint ventures held their annual elections for board of participant officers at the recent 2012 AMP/OMEA Conference in Cleveland.

Participants in **Ohio Municipal Energy Generating Agency Joint Venture 1** re-elected Mike Dougherty (Cuyahoga Falls) as chair, Harold Kasten-Krause (Lodi) as vice chair, Steve Dupee (Oberlin) as secretary and Chris Easton (Wadsworth) as treasurer.

**OMEGA JV2** participants elected Tim Werdmann (Hamilton) as chair, while re-electing Mike Dougherty as vice chair, Pam Lucas (Montpelier) as secretary and Chris Easton as treasurer.

For **OMEGA JV4**, participants re-elected Steve Casebere (Bryan) as chair, Pam Lucas as vice chair, Dale Mathys (Edgerton) as secretary and Al Fiser (Pioneer) as treasurer.

**OMEGA JV5** participants re-elected Mayor Don Robert (Cuyahoga Falls) as chair, Brian O'Connell (Bowling Green) as vice chair, Steve Dupee as secretary and Chris Easton as treasurer.

Re-elected officers for **OMEGA JV6** are Brian O'Connell as chair, Pam Lucas as vice chair, Steve Dupee as secretary and Chris Easton as treasurer.

Officers re-elected by participants in the **Municipal Energy Services Agency** are Steve Casebere as chair, Pam Lucas as vice chair, Steve Dupee as secretary and Chris Easton as treasurer.

AMP generating project participants also held elections for chair and vice chair positions. **Gorsuch Station** participants re-elected Jeff Brediger (Orville) as chair, with Jon Bisher (Napoleon) elected as vice chair. For the **American Municipal Power Generating Station** project, Ivan Henderson (Cleveland) was re-elected chair and Steve Saum (Danville) elected as vice chair. The AMP Fremont Energy Center participants re-elected Paul Beckhusen (Coldwater) as chair and Ivan Henderson as vice chair.

Re-elected for **Hydro Phase I** are Jeff Brediger as chair and Steve Dupee as vice chair. In **Hydro Phase II**, the Meldahl officers are Tim Werdmann, elected as chair, and Brian O'Connell, re-elected as vice chair. For Greenup, Tim Werdmann is chair and Brian O'Connell is vice chair.

Finally, **Prairie State Energy Campus** participants re-elected Ed Krieger (Piqua) as chair and Jeff Brediger as vice chair.

## Hurricane Sandy affects AMP projects

By Ryan Thompson – power supply planning engineer

As the remnants of Hurricane Sandy rolled through Ohio over Oct. 29 and 30, the Napoleon Solar site showed some resiliency by being able to generate 0.5 MW out of 3.5 MW (14 percent load factor) on one the cloudiest and rainiest days since the site has been up and running.

The Bowling Green and Blue Creek Wind turbines benefited from the winds generated by Sandy. Wind production was at max or near max load for 35 straight hours from 8 a.m. Oct. 29 to 6 p.m. Oct. 30.

## AFEC weekly update

By Craig Kleinhenz – manager of power supply planning

AFEC started the week with robust output before having to shut down. Over last weekend the plant averaged a 78 percent load factor and continued strong production through most of the day Monday.

From last Friday through Monday, on-peak 7x16 prices were \$8.73/MWh higher than AFEC dispatch costs. On Monday evening the plant was shut down for a steam turbine outage. The steam turbine outage is expected to last into next week.

## Markets cool off with weather

By Craig Kleinhenz

Cold weather caused an increase in the usage of natural gas this week, resulting in a smaller amount of natural gas injected into storage than expected. Even through storage amounts were less than anticipated, energy prices closed lower this week. This could be due to mild weather forecast for the first part of November.

December natural gas prices closed down \$0.1/MMBtu from last week to end at \$3.67/MMBtu. This represents a two week drop of \$0.27/MMBtu.

Forward power prices followed natural gas lower this week. 2013 on-peak electric prices at AD Hub finished down \$0.21/MWh from last week, closing at \$42.00/MWh.

## 2012 AMP/OMEA Conference presentations available online

Several presentations from the 2012 AMP/OMEA Conference are now available on the Member Extranet section of the [AMP website](#). Welcoming remarks by AMP President/CEO Marc Gerken, as well as presentations on power supply, finance and technical are available. You'll find them under 2012 Conference Presentations.

## Member Directory updated

Updates have been made to the 2012 AMP Member Directory. The directory is located on the Member Extranet section of the [AMP website](#) (login required). On that web page, you will also find a Word document that details all the changes made since the last directory update. For more information, please contact Bethany Kiser at [bkiser@amppartners.org](mailto:bkiser@amppartners.org) or 614.540.0945.

## City of Cuyahoga Falls seeks electric technology manager

The Civil Service Commission will hold an open-competitive exam at 6:30 p.m. Nov. 15.

Desired minimum qualifications: bachelor's degree in engineering or electrical technology; two years experience on power system circuit projects. Management experience required. Skill in SCADA, Easy Power, Excel. Word, other industry programming.

Entry level salary \$56,524. Non-smoking environment, valid driver's license.

Visit [www.cityofcf.com](http://www.cityofcf.com) for complete exam posting and civil service application or call 330.971.8150 for application packets.

Applications must be postmarked no later than Nov. 9. Exam fee: \$25.00 cash or money order due with application. (No personal checks) EEO/ADA

## Village of Woodville has immediate openings

The Village of Woodville has immediate openings for Class II Water Supply Operator and Class I Wastewater Operator.

Applicant must have a valid EPA Operator Certification, experience preferred. A Class B CDL is required or be willing to obtain one. Applicant should be highly motivated and have good mechanical ability.

Applications for these positions may be obtained online at [www.villageofwoodville.com](http://www.villageofwoodville.com) or at the Municipal Building, 530 Lime Street, Woodville, Ohio between 9 a.m. – 4 p.m. Applications along with a resume must be returned by 4 p.m. Nov. 15. Questions may be directed to 419.849.3031 or [utilities@villageofwoodville.com](mailto:utilities@villageofwoodville.com).

## 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).

**American Municipal Power**  
**1111 Schrock Road,**  
**Columbus, Ohio 43229**  
**614.540.1111 • FAX 614.540.1113**  
**[www.amppartners.org](http://www.amppartners.org)**

## **Fw: Ohio Municipal League Legislative Bulletin**

From: "Gregory J Heath" <gheath@napoleonohio.com>  
To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>

10/30/12 01:20 PM

---

Rox, please include in Council Packets.

---

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

From: "Ohio Municipal League" <ajoos@omlohio.org>  
To: gheath@napoleonohio.com  
Date: 10/30/2012 12:50 PM  
Subject: Ohio Municipal League Legislative Bulletin

Having trouble viewing this email? [Click here](#)



**Ohio Municipal League**  
**October 30, 2012**

### **MUNICIPAL INCOME TAX UNIFORMITY LEGISLATION AWAITING INTRODUCTION**

Late yesterday afternoon, we received correspondence from Assistant Majority Whip Cheryl Grossman (R-Grove City) that she and Rep. Mike Henne (R-Vandalia) have drafted and submitted legislation to the Ohio House of Representative's Clerk's office altering many areas of current municipal income tax collection and administration practices. The draft legislation can be found [HERE](#).

As we have reported previously, the League has been participating in meetings called by Representatives Grossman and Henne to discuss numerous areas of local tax operations which organizations representing a wide variety of businesses and tax preparing organizations have deemed burdensome and in need of altering. The product represented in the draft language submitted by Reps. Grossman and Henne unfortunately does not reflect the legislative language we offered to address all of the areas of non uniformity that were being considered which would have been as revenue neutral as possible so as to protect the critical revenues generated by the locally supported municipal income tax. The language we offered legislators to remedy

the concerns of the Municipal Income Tax Uniformity Coalition can be found [HERE](#). Alternatively, what is reflected in the draft language about to be introduced would result in significant revenue loss for Ohio's municipalities, especially at a time when our communities continue to struggle with the reductions in funding included in HB153, the biennial budget enacted last July. Items included in the Grossman/Henne legislative proposal, such as the language that would force an unfunded mandate on 238 municipalities through the requirement to carry a Net Operating Loss (NOL) treatment for 5 years; changing the definition and treatment for Residency requirements; restricting current tax practices on a whole category of commerce through the removal of what is called the "throwback provision", represent areas where we worked diligently to impress upon the legislators of the significant loss in revenue and the harmful effects this will have on current service delivery practices or will result in increasing the tax burden to residents of cities and villages across the state, if enacted.

There are two areas in the bill draft which show some deference to local concerns in the treatment of "pass through" income and the elimination of a 2106 deduction. Also, language is not included that would allow the state to create a central collection of local tax revenues. Rather, there is very troubling language that allows the state to take over the administration of all local tax practices by mandating all local tax ordinances must adopt "by reference" Ohio Revised Code Chapter 718, allowing no alterations or deviations. The state would further regulate all local tax operations through the oversight powers of what would be a newly created Municipal Tax Policy Board (MTPB) and then Joint Committee on Agency Rule and Review (JCARR), through which communities would be beholden and outside private influences would have access to, offering the ability to alter local taxing procedures and rules, directly through the State of Ohio.

We would encourage our members to carefully consider the contents of what has been submitted for introduction by Representatives Grossman and Henne and to work with us as we help municipalities identify what revenue losses will result if such a bill is passed and adopted. Please accumulate the real dollar amounts your community stands to lose by these disproportionate recommendations and provide these facts to our office so that we may chronicle and convey to other members of the General Assembly how their districts would be impacted.

Once the bill is officially introduced and receives a bill number, we will be sure to alert our members.

Ohio Municipal League

Legislative Inquires: Edward Albright, Director of Legislative Affairs  
Kent Scarrett, Director of Communications

## Fw: Ohio Municipal League Legislative Bulletin

From: "Gregory J Heath" <gheath@napoleonohio.com>  
To: "Roxanne Dietrich" <rdietrich@napoleonohio.com>

10/30/12 04:12 PM

---

For Council Packets

---

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

From: "Ohio Municipal League" <ajoos@omlohio.org>  
To: gheath@napoleonohio.com  
Date: 10/30/2012 03:10 PM  
Subject: Ohio Municipal League Legislative Bulletin

Having trouble viewing this email? [Click here](#)



Ohio Municipal League  
October 30, 2012

### UNIFORMITY BILL INTRODUCED WITH BILL NUMBER TODAY

After releasing our last Legislative Bulletin early today alerting our members that Representatives Grossman and Henne have submitted legislation to the House Clerk's office for introduction drastically changing current local municipal income tax revenues and procedures, we received notification that the bill has been officially introduced as House Bill 601.

When the bill is assigned to a House Committee for hearings, we will be sure to alert our members.

Ohio Municipal League

Legislative Inquires: Edward Albright, Director of Legislative Affairs  
Kent Scarrett, Director of Communications

**Forward this email**