
Memorandum

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To: Mayor and Members of City Council
cc: City Manager, Finance Director, City Law Director
From: Roxanne
Regarding: General Information
Date: February 5, 2018

CALENDAR

AGENDA – Special City Council Joint Meeting with Henry County Commissioners @6:45 pm

AGENDA–City Council Meeting @7:00 pm

C. APPROVAL OF MINUTES: January 15, 2018

E. REPORTS FROM COUNCIL COMMITTEES

G. INTRODUCTION OF NEW ORDINANCES AND RESOLUTIONS

1. **Ordinance No. 002-18**, an Ordinance Amending Chapter 955.10 of the Codified Code of Ordinances of the City of Napoleon, Ohio regarding Current Shelter House/Community Center Rental Rates.
2. **Ordinance No. 003-18**, an Ordinance Amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(R) regarding Corporate Membership Golf Rates.

H. SECOND READINGS OF ORDINANCES AND RESOLUTIONS - *None*

I. THIRD READING OF ORDINANCES AND RESOLUTIONS - *None*

J. GOOD OF THE CITY (Discussion/Action):

1. Filing of Financial Disclosure Statements
2. EMS Medical Director Agreement – *a copy of the renewal agreement is attached.*
3. Accepting \$720 for MARCS Radio Program from the State of Ohio.
4. to Submit and Application for Assistance to the Firefighters Grant for EMS Manikins.
5. Purchase of two (2) – 2018 Ford F450 4x2 Service Trucks for the Maintenance and Water Distribution Departments – *a Memorandum from Chad is enclosed.*
6. Purchase of a Wheel Loader off State Contract (Operations/Street Department) – *Jeff Rathge's Memorandum on this purchase is enclosed.*
7. Approval to Sole Source GIS Implementation Project to Stantec – *the enclosed Memorandum from Chad explains this request.*
8. Employees Health Care Premium FY2019.
9. Fire Auto Ride Agreement (Refer to Committee).

MISCELLANEOUS INFORMATION

1. AGENDAS
 - a. Technology Committee/Monday, February 5th @6:15 pm
2. AMP Update/January 26, 2018
3. Ohio Legislative Bulletin/February 2, 2018

Records Retention - CM-11 - 2 Years

February 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		January	31 6:30 pm Parks & Rec Board Meeting	1	2 10:30 am Health Care Cost Committee Mtg.	3 9:00 am Special Civil Service Comm.
4	5 6:15 pm Technology Committee 6:45 pm Special Joint Mtg. Council & Commissioners 7:00 pm City Council	6	7	8	9	10
11 7:00 am – 12 Noon  Napoleon Firefighters Association Pancake Breakfast Sunday, February 11th 7 AM - 12 Noon Includes: Pancakes, Syrup, Eggs, Coffee, Juice, Water Napoleon Fire Department	12 6:15 pm Electric Comm. BOPA 7:00 pm Water & Sewer Committee 7:30 pm Municipal Properties E.D. Committee	13	14	15	16	17
18	19 6:00pm Parks&Rec Comm 6:00 pm Tree Commission 7:00 pm City Council	20	21	22	23	24
25 APPA Legislative Rally Washington, DC February 25 th - 28 th	26 6:30 pm Finance & Budget Committee 7:30 pm Safety & Human Resources Committee	27 4:30 pm Civil Service Commission	28 6:30 pm Parks & Rec Board Mtg.			

City of Napoleon, Ohio

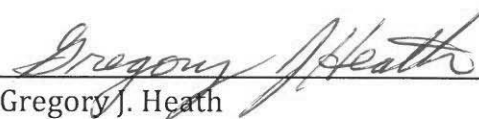
SPECIAL MEETING
of
CITY COUNCIL
in Joint Session with the
HENRY COUNTY COMMISSIONERS

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

SPECIAL MEETING AGENDA

Monday, February 5, 2018 at 6:45 pm

- 1) Discussion/Action: Former Senior Center Building
- 2) Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

CITY COUNCIL

AGENDA

Monday, February 05, 2018 at 7:00 pm

LOCATION: Council Chambers, 255 West Riverview Avenue, Napoleon, Ohio

- A. Attendance** *(Noted by the Clerk)*
- B. Prayer and Pledge of Allegiance**
- C. Approval of Minutes** *(in the absence of any objections or corrections, the minutes shall stand approved)*
 - 1. January 15, 2018 Council Meeting Minutes
- D. Citizen Communication**
- E. Reports from Council Committees**
 - 1. **Finance and Budget Committee** did not meet on January 22, 2018 due to lack of agenda items.
 - 2. **Safety and Human Resources Committee** did not meet on January 22, 2018 due to lack of agenda items.
 - 3. **Technology Committee** met earlier this evening; and,
 - a. Was given an update on the Door Controller Project.
 - b. Heard about the Email Conversion Update, and
 - c. Was updated on the Phone System.
- F. Reports from Other Committees, Commissions and Boards** *(Informational Only-Not Read)*
 - 1. **Health Care Cost Committee** met on January 19, January 26, and February 2, 2018 to
 - a. Discuss Employees' Health Care Premiums for 2019; and
 - b. Approved Uses for Aetna Funding.
 - 2. **Civil Service Commission** met on January 13 to test for Patrol Officer; on January 23, 2018 in regular session and on February 3, 2018 for Fire Captain Promotional Testing.
 - 3. **Parks and Rec Board** met on January 31, 2018 with the agenda item:
 - a. Playground Equipment for Glenwood Park.
- G. Introduction of New Ordinances and Resolutions**
 - 1. **Ordinance No. 002-18**, an Ordinance Amending Chapter 955.10 of the Codified Code of Ordinances of the City of Napoleon, Ohio regarding Current Shelter House/Community Center Rental Rates.
 - 2. **Ordinance No. 003-18**, an Ordinance Amending Chapter 955 of the Codified Code of Ordinances of the City of Napoleon, Ohio to add Section 955.09(R) regarding Corporate Membership Golf Rates.
- H. Second Readings of Ordinances and Resolutions – None.**
- I. Third Readings of Ordinances and Resolutions – None.**
- J. Good of the City** *(Any other business as may properly come before Council, including but not limited to):*
 - 1. **Discussion/Action:** Filing of Financial Disclosure Statements.
 - 2. **Discussion/Action:** EMS Medical Director Agreement.
 - 3. **Discussion/Action:** Accepting \$720 for MARCS Radio Program from the State of Ohio.
 - 4. **Discussion/Action:** to Submit an Application for Assistance to the Firefighters Grant for EMS Manikins.
 - 5. **Discussion/Action:** Purchase of Two (2)-2018 Ford F450 4x2 Service Trucks for the Maintenance and Water Distribution Departments.
 - 6. **Discussion/Action:** Purchase of a Wheel Loader off State Contract (Operations/Street Department).
 - 7. **Discussion/Action:** Approval to Sole Source GIS Implementation Project to Stantec.
 - 8. **Discussion/Action:** Employees Health Care Premium FY2019.
 - 9. **Discussion/Action:** on the Fire Auto Ride Agreement (Refer to Committee).

K. Executive Session (*as may be 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 (1st Monday)**
(Next Regular Meeting: February 5, 2018 @6:15 pm)
 - a. Update on the Door Controller Project.
 - b. Email Conversion Update.
 - c. Update on the Phone System.
 2. **Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, February 12, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for February 2018
 - b. Discussion and/or Action on Transmission Operator for Northside Substation.
 - c. Electric Department Report
 3. **Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, February 12, 2018 @7:00 pm)
 - a. Discussion and/or Action on Septic Receiving Rules
 - b. Discussion and/or Action on Waterline on New River Bridge.
 4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, February 12, 2018 @7:30 pm)
 - a. Discussion/Action on Potential Re-routing of State Route 108 to Scott Street.
 - b. Discussion/Action on Downtown Phase 2 Project/Clinton Street.
 - c. Updated Information from Staff on Economic Development (as needed)
 5. **Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, February 19, 2018 @6:00 pm)
 7. **Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, February 26, 2018 @6:30 pm)
 8. **Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, February 26, 2018 @7:30 pm Joint Meeting with Townships and HC South)
 9. **Personnel Committee (as needed)**
 10. **Ad-hoc Committee on Council Rules (as needed)**
- B. Items Referred or Pending in Other City Committees, Commissions & Boards**
1. **Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, February 12, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for February 2018
 - b. Discussion and/or Action on Transmission Operator for Northside Substation
 - c. Electric Department Report
 - d. Discussion and/or Action on Septic Receiving Rules.
 2. **Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, February 13, 2018 @4:30 pm)
 3. **Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, February 13, 2018 @5:00 pm)
 4. **Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, February 19, 2018 @6:00 pm)
 5. **Civil Service Commission (4th Tuesday)**
(Next Regular Meeting: Tuesday, February 27, 2018 @4:30 pm)
 6. **Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wed., February 28, 2018 @6:30 pm)
 7. **Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, May 8, 2018 @10:30 am)
 8. **Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, June 12, 2018 @4:00 pm)
 9. **Housing Council (1st Monday of the month after the TIRC meeting)**
 10. **Health Care Cost Committee (as needed)**
(Next Meeting:)
 11. **Preservation Commission (as needed)**
 12. **Napoleon Infrastructure/Economic Development Fund Review Committee (NIEDF) (as needed)**
 13. **Tax Incentive Review Council (as needed)**
 14. **Volunteer Firefighters' Dependents Fund Board (as needed)**
 15. **Volunteer Peace Officers' Dependents Fund Board (as needed)**
 16. **Lodge Tax Advisory & Control Board (as needed)**
 17. **Board of Building Appeals (as needed)**
 18. **ADA Compliance Board (as needed)**
 19. **NCTV Advisory Board (as needed)**

CITY COUNCIL

MEETING MINUTES

MONDAY, JANUARY 15, 2018 AT 7:00 PM

PRESENT

City Councilmembers

Joseph D. Bialorucki-Council President, Dan Baer-Council President Pro-Tem, Jeff Comadoll, Jeff Mires, Lori Sicclair, Ken Haase

Mayor

Jason P. Maassel

City Manager

Joel L. Mazur

Law Director

Billy D. Harmon

Finance Director/Clerk

Gregory J. Heath

Recorder

Roxanne Dietrich

City Staff

David J. Mack, Chief of Police

Dennie Clapp, Electric Distribution Superintendent

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

Newsmedia, NCTV

Others

ABSENT

Councilmember

Travis Sheaffer

Call to Order

Council President Bialorucki called the meeting to order at 7:00 pm with the Lord's Prayer followed by the Pledge of Allegiance.

Mayor's State of the City

Mayor Maassel presented his 2018 State of the City centered around Heartland Values and Flowing Opportunities (a full copy of his presentation is attached).

Approval of Minutes

Mires informed a scrivener error was found on page 2 of the January 2, 2018 Council Meeting Minutes, in the Council seating order, Haase and Sicclair were flip-flopped. The Council seating order was corrected in the minutes and the minutes were approved as corrected.

Citizen Communication

None.

Reports from Council Committees

Sicclair reported the **Electric Committee** met on January 8, 2018; and, (a) accepted the BOPA recommendation to approve the January 2018 PSCAF as three-month averaged factor \$0.01283, JV2 \$0.029308 and JV5 \$0.029308; (b) approved the BOPA recommendation to move forward with AMP onto the next step for the Transmission Operator and to inquire of a third party to come in and do an assessment; and (c) approved the BOPA recommendation to negotiate a pole attachment agreement with RTEC.

Chairman Comadoll reported the **Water, Sewer, Refuse, Recycling and Litter Committee** met on January 8, 2018 and are going to keep the Promissory Note the same as it was in 2017.

Chair of the **Municipal Properties, Buildings, Land Use and Economic Development Committee**, Sicclair reported the committee met on January 8, 2018 and reported out removal of "Designated Outdoor Refreshment Area in the Downtown" until there is additional information.

and the City also paid for the fencing upfront, the business owners will be paying for the fencing. Lulfs stated asphalt was the quantity that went over the most. The total cost exceeded the original bid by \$137,000.00, there is approximately a \$9,000.00 difference when you consider the costs that will be reimbursed. We are requesting approval of the final change order to close out this project.

Maassel asked if the streets will be restriped since they were striped later in the year. Lulfs answered, when new streets are put in, we plan on coming back the next year to restripe as the asphalt bleeds through the new streets.

Passed

Yea-6

Nay-0

Roll call vote on the above motion:

Yea-Mires, Haase, Sicclair, Comadoll, Baer, Bialorucki

Nay-

**Motion to Approve
Change Order No. 9 on
the WTP Rehab Project**

Motion: Comadoll

Second: Sicclair

to approve Change Order No. 9, an increase of \$85,826.00, on the Water Treatment Plant Rehabilitation Project.

Discussion

Mazur stated the change order is mostly for upgrades to the intake that has had issues for some time. Lulfs informed Council \$78,000 was to upgrade and repair the pumps, the MIEX design had the tanks higher than the plant and the pumps have not ran right since. The screens had to be backwashed at a cost of \$4,000, the shoreline was plugged with debris and it cost around \$3,000 to get the shoreline cleaned out, we are looking into how to prevent this in the future.

Passed

Yea-6

Nay-0

Roll call vote on the above motion:

Yea-Mires, Haase, Sicclair, Comadoll, Baer, Bialorucki

Nay-

**Shelterhouse Rental Rate
Changes - Discussion**

Mazur reported the Parks and Rec Board recommended an increase in the shelterhouse rental rates of \$5.00 across the board at Ritter Park and a \$20.00 rate adjustment across the board at Oberhaus. Their reasoning, the rates have been the same since 2013 while the cost to maintain the facilities is going up. The Parks and Rec Committee met earlier this evening and approved the Board's recommendation. Bialorucki asked what rate will the people who have already made reservations for 2018 pay. Mazur replied those people will be grandfathered in at the current rates. Councilman Mires who is on the Parks and Rec Committee, informed Council he voted against the rate increases as the revenue report shows the department is still in the black and you are looking at approximately a 14% increase for Ritter Park and 40% at Oberhaus, I thought that was excessive. Maassel added the Parks & Rec Board is not one to raise rates unless they feel it is necessary and there is a reason; Oberhaus is a nice facility and to keep it that way, there is maintenance that needs to be done, I do not like raising rates; but, we do have a nice facility.

**Motion to Direct Law
Director to Draft
Legislation for
Shelterhouse Rental
Rates Adjustments**

Motion: Haase

Second: Baer

To direct the Law Director to draft legislation amending the shelterhouse rates for Ritter Park \$5.00 across the board and Oberhaus Park at \$20.00 across the board.

Passed
Yea-4
Nay-2

Golf Course Corporate Sponsorship Rate – Discussion

Roll call vote on the above motion:
Yea-Haase, Sicclair, Baer, Bialorucki
Nay-Mires, Comadoll

Mazur said the Parks and Rec Board has discussed and recommends trying the corporate sponsorship rate program at our golf course as other local golf courses have used this program to generate revenue. The Parks and Rec Committee, in their meeting earlier tonight, approved the Park & Rec Board's recommendation. Basically, the rates are based on the number of employees that are employed by a company. The program is for employees only and does not include a cart or any family members. Haase stated the corporations could possibly use this as part of their wellness programs. Baer added if the employee is golfing, the spouse may want to join too, doesn't hurt to try to generate revenue.

Motion to Direct Law Director to Draft Legislation for Corp. Sponsorship Rate

Motion: Mires Second: Sicclair
To direct the Law Director to draft legislation incorporating a Corporate Sponsorship Rate at the golf course.

Passed
Yea-6
Nay-0

Roll call vote on the above motion:
Yea- Mires, Haase, Sicclair, Comadoll, Baer, Bialorucki
Nay-

Waterline on New River Bridge Referred to Water & Sewer Committee

President Bialorucki referred *Waterline on the New River Bridge* to the Water, Sewer, Refuse, Recycling and Litter Committee. (February 12, 2018 meeting)

Potential Re-Routing of State Route 108 to Scott Street Referred to Muni. Properties Committee

President Bialorucki referred to the Municipal Properties, Building, Land Use and Economic Development Committee *Potential Re-Routing of State Route 108 to Scott Street*. As a clarification, as discussed in the past, we only want the truck traffic re-routed. (February 12, 2018 meeting)

Downtown Project Phase 2 Clinton Street Referred to Muni. Properties Committee

President Bialorucki referred *Downtown Project Phase 2 (Clinton Street)* to the Municipal Properties, Buildings, Land Use and Economic Development Committee. (February 12, 2018 meeting)

Door Controller Project Update Referred to Technology Committee

President Bialorucki referred *Door Controller Project Update* to the Technology and Communications Committee. (February 5, 2018 meeting)

Email Conversion Update Referred to Technology and Communications Committee

President Bialorucki referred to the Technology and Communications Committee *Email Conversion Update*. (February 5, 2018 meeting)

Phone System Update Referred to Tech and Communications Comm.

President Bialorucki referred the *Phone System Update* to the Technology and Communications Committee. (February 5, 2018 meeting)

AROUND THE TABLE

Heath	We did roll the books and are working on the final 2018 budget books. The schedule was set for the debt issuance we are only rolling \$2.5 million to balance, that has been approved already.
Sclair	Great job Jason.
Comadoll	Nothing.
Baer	The Safety and Human Resources meeting for Monday night is canceled as there are not any items for the agenda.
Bialorucki	Nothing.
Maassel Committee Appointments	I have committee appointments: Board of Zoning Appeals - Tom Mack Planning Commission – Suzette Gerken Parks and Rec Board - Matt Hardy, Peg Funchion and Ryan Funchion Henry County Metropolitan Housing Authority - Cheryl Hershberger Privacy Committee – Joel Mazur
Motion to Approve Mayor’s Appointments	Motion: Comadoll Second: Sclair to approve the Mayor’s Appointments as listed above.
Passed Yea-6 Nay-0	Roll call vote on the above motion: Yea- Mires, Haase, Sclair, Comadoll, Baer, Bialorucki Nay-
Mayor – continued	We need someone for BOPA, Nick Frysinger missed the last three meetings due to a job change. I need a history on the committees, do we really need some of them, I know they are required by Charter; but seems a waste of time to appoint someone and to never have a meeting. Some have expired and were never reappointed because the committees have not met. Heath thought some were established because of funding and they do overlap. Harmon said he would look into the necessity. Thanks to staff for the numbers and information for my State of the City.
Mires	Good job Mr. Mayor on your State of the City tonight, very informative! Excellent article Brian on the marijuana moratorium; hats off to Billy for hitting the nail on the head on that. The snow crews have done an excellent job, hats off to them. Jennifer Arps sent an email about the CIC annual meeting on February 28 th , last year we had a table. Maassel told him “we are good for a table”.
Haase	Good speech Mr. Mayor! Kudos to the Street Department.
Harmon	Nothing.

Mazur

Great speech.

The Ad-hoc Committee on Council Rules and the Ad-hoc Committee on Strategic Vision and Organizational Health have served their purposes, they can be dissolved unless Council sees a need to keep them.

Motion to Dissolve Ad-hoc Committee on Council Rules

Motion: Siclair Second: Comadoll
to dissolve the Ad-hoc committee on Council Rules.

Passed

Yea-6

Nay-0

Roll call vote on the above motion:

Yea- Mires, Haase, Siclair, Comadoll, Baer, Bialorucki

Nay-

Motion to Dissolve Ad-hoc Committee on Strategic Vision and Organizational Health

Motion: Comadoll Second: Haase
To dissolve the Ad-hoc Committee on Strategic Vision and Organizational Health.

Passed

Yea-6

Nay-0

Roll call vote on the above motion:

Yea- Mires, Haase, Siclair, Comadoll, Baer, Bialorucki

Nay-

Approval of Bills

The bills and reports stand approved as presented with no objections.

Motion to Adjourn

Motion: Mires Second: Baer
to adjourn the City Council meeting.

Passed

Yea-

Nay-

Roll call vote on the above motion:

Yea-Mires, Haase, Siclair, Comadoll, Baer, Bialorucki

Nay-

Adjournment

The City Council meeting was adjourned at 8:01 pm.

Approved:

February 5, 2018

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk

Thank you for allowing me to present the 2018 State of the City. Last year during this talk I used a couple of sports metaphors, "Now We Go" and "Finish the Drive". By and large I think we were able to accomplish both of those. Now we go and we went. Starting a spec building, welcoming A Renewed Mind and Women's Health is opening soon. Finish the Drive, yes, we did that as well! Want proof? Walk through the downtown and see the wider walkways, see the outside dining areas; I am looking forward to seeing people dine outside on beautiful days here in the river city. Rumors still exist of a second river bridge coming in 2019 as well, hopefully those rumors are confirmed soon, so that our construction schedule in 2019 reflects future traffic patterns.

So, instead of continuing the sports talk this year, let's get a little closer to us, *the City*. Heartland Values and Flowing Opportunities. I think 2017 showed great Heartland Values while in 2018 we can continue to take advantage of Flowing Opportunities.

Before going forward, let's look at our Heartland Values. What are Heartland Values? Helping your neighbor, welcoming strangers to your family, treating people the way you want to be treated, being proud of what we have and protecting it, being a leader when things do not go right, celebrating successes and challenging for a little better. I am sure there are more and Webster's dictionary may have a different definition, but to me, I think those are the better definitions.

So, did we show those values? I would think so, let's start with a personnel change as we welcomed Joel Mazur and family to Napoleon. He has been here for almost a year and I continue to be impressed by his work ethic and his willingness to be visible. We threw a lot at him this year; two union negotiations, budget, AMP Board seat retention and he came through each time for us. That speaks well of him and of the entire staff. Speaking of staff, are we treating employees right? I would think when you look at retention, we are trending the right way.

As you may recall during the budget process Morgan Druhot reported only 10% turnover total when looking at both full time and part time employees. That compares well versus 2016 when 30 positions were

opened. Another sign that working for the City of Napoleon is a destination job for folks. Recently we replaced the front desk clerk and had many qualified candidates. By continuing to exhibit our Heartland Values we ensure that Napoleon is a destination job. Treating employees fairly and giving them the tools required by their assigned tasks. Does that mean we pay the most? No, but it means caring for them as they continue to care for Napoleon citizens. The more you know them, the more they will know how much we care.

Every department throughout the city showed heartland values as well. Let's start with the Electric Department. What can be said of Dennie and his crew that has not already been said? Replacing 250 street lights with the money saving LEDs will pay dividends for quite a while. Heartland Values? I think this department shines through (pun intended) by sending some of our folks to Holiday City, Ohio as well as the state of Florida to help with disaster relief. When asked to go, everyone said pick me. Either they were trying to get away from Dennie for a while or they felt compelled to help a neighbor in need. Lastly, for the first time in his career, Dennie reported that we had zero outages in the month of December. Let that sink in for a second. None. No rabid squirrels going kamikaze on themselves by chewing into an electrical circuit. No tree branch falling and knocking out power. No outages. That shows the great job Dennie and his crews do each and every day. They have made their own good luck! They are also working hard at having answers about transmission and that conversation continues, aided in no small part by their expertise. This is key for 2018 and exhibits a "Flowing Opportunity" for us. How do we best deal with this transmission issue? I know the Board of Public Affairs and the Electric Committee have begun talks about it, and I think before 2018 is out we will either have made a decision, or hopefully be very close to solving this issue.

Our Operations Department had a busy 2017 providing quality service to our citizens. They have trucks and crews rolling down city streets moving snow, picking up refuse and recycling, and fixing over ten waterline issues. They began a leak detection program which helped find 100,000 gallons of leaked water per day. That is huge when we realize that we are paying for that water that is going nowhere. A biennial street striping project was

complete, it is noticeable how bad the old ones are, when the new ones are painted. These folks go to work when nobody else wants to go to work. Nobody wants to work on Christmas Eve, but when it snowed, there they were, out in their trucks helping people attending midnight mass and to get home in time for Christmas. Thank you. I think that driving a snow plow at any time is quite a service, but doing so on Christmas Eve, when like us, the drivers wanted to be home or at their place of worship, that makes it that much more of a heartland value. Less you think that snow plowing is just driving around, I invite you to work through the chain of command and hitch a 30-minute ride on a snow plow the next time they are out. There is a skill there that cannot be easy to train, let alone master, yet they accomplish this in the worst weather conditions.

The Fire Department keeps rolling along with a stellar 2017. The training complex is basically complete and is likely the premier fire training facility in the four-county region. I hope and trust that this facility is used often and serves its purpose. What is that old saying? "The more you sweat in training, the less you bleed in war?" I think the same thing applies here. The more you sweat in training, the less you bleed when it comes to fighting a fire. Well done. By allowing our neighboring fire departments to use this facility helps exhibit heartland values. In order to respond to 1,594 calls in 2017, you have to have service stamped on your heart. I think even more Flowing Opportunities are on the way for the Fire Department in 2018 as we begin helping our neighbors in the Village of Florida with emergency response.

Let's stay with our badge wearers and go see what the Napoleon Police accomplished in 2017. First off, they won the basketball game against the Fire Department, so that is big. Actually, that is a great example of Heartland Values right there, isn't it? Doing something for someone else – I would think that this would be a heartland value. Of course, one of the more meaningful issues was the successful change of leadership from Bobby Weitzel to Chief Mack. One does not simply replace someone with 34 years of service to the City and none of us truly expect Chief Mack to be the next Bobby Weitzel, what we expect is exactly what Chief Mack is doing. He is being the best Chief Mack he can be, and that is all we, the citizens, and his fellow officers can ask. Chief Mack, the honeymoon phase

ended pretty quickly for you, but you kept driving on. We appreciate all you do. As he drives on, the Napoleon Police Department continues to roll, as seen by the success of the MAN unit and the officers making arrests and doing their utmost to keep us safe. Want to see heartland values? Yes, they do that as well. In Chief Mack's short time he has forwarded two or three emails from folks that his officers, our officers, went out of their way to help. But here is the thing; they didn't go out of their way. They just did their job. What about flowing opportunities for 2018? We remain short of qualified law enforcement, and I know Chief Mack and his entire team is working hard at keeping us safe while at the same time recruiting the next officers. At the same time the Napoleon Police Department continues to incorporate new technology and I thank them for answering the call.

Parks and Rec Department continued to shine with a men's softball league restarting after a long hiatus, plus with a donation from the Church of Nazarene, the department is purchasing new soccer goals for Napoleon's youth. With the Senior Center being completed, a deal was reached to have soccer fields remain there. The department works really hard at keeping things neat and tidy and does an excellent job. With some help from our electric department bucket truck, they hang and remove the annual Christmas decorations. We thank them for that. All of those seem like Heartland Values, right? A church giving funds for our youth program, softball games being played, and a senior center deal that is beneficial for both parties, all appear to be exhibits of heartland values. Flowing opportunities? Tony, the board and the employees take great care of what we have, and continuously seek better ways, more efficient ways, to make Napoleon an even better place to live and play. The big issue coming is the future of the Napoleon City Pool. We continue to set aside money for that every year, but is it time for something more? Can we encourage citizens to take the lead and help elevate the funding for the pool?

Greg and his team continues to roll along. With the books yet to be officially rolled into the new year, some of these numbers could change a little bit; but, I think we trust Greg to know that these are pretty close to being right on. Processed close to 1,900 purchase orders, wrote over 5,000 checks and earned high marks for the 2016 CAFR 21st consecutive year, but who is counting. Moved EMS billing to AccuMed, a big change for

us, collected over \$4.6M in income taxes, which is 16,500 individual returns, 2,500 business returns and 3,000 withholding reconciliations. As I have said before, lots of people have emotion tied to money and Greg and his people deal with this on a daily basis. When you send over 71,000 utility bills, and work through over 12,500 second delinquent notices, you are going to have some emotional people. And yet Greg and his team try to deal as professionally as possible and do a fine job. I think Greg did something this year that I have so much respect for and I think shows a Heartland Value. An error was made on a calculation, Greg found it, reported it, fixed it, as best and fairest as he could and then he took the blame. Isn't that a value? Having the internal fortitude to own the mistake. None of us are perfect. Not one of us. But Greg, by owning the error showed leadership that is easy to talk, but hard to do. The finance department was awarded high marks for the 21st consecutive time for the CAFR. Why do we not have that celebrated in here? We have blank wall space, can we start for lack of better words, to hang trophies? We should celebrate the 21 consecutive years of CAFR excellence in the same way we should celebrate being recognized as a Tree City USA. Those wins should be not only celebrated but remembered. Seriously, why not start to make this room a testament to the work we do each year for our citizens.

Last year at this time I highlighted that Billy and the Law Department was starting to reconsolidate the civil and criminal responsibilities of the Law Department. Billy, you and your small team save the city money each day by wearing both hats and doing both jobs very well. To highlight this, you handled 350 criminal tax and nuisance violations. What does that look like? Drive around town and see the difference, walk out the front door of the building and without too much effort you can see the difference from here. It is remarkable what that effort has led to. The other piece is a heartland value in and of itself. Look, Napoleon is not going to be the richest, but we are proud of what we have and Billy has done a superb job of watching Columbus and Washington, DC. and fighting for us to keep what is rightfully ours. Senate Bill 331, was an attempt by Columbus to take control of the City's right-of-ways, our answer was fairly simple – No. Billy watched, joined with other municipalities and helped to win that court case. Flowing opportunities? Billy is vigilant in trying to find better and

wiser ways to do things and as new opportunities arise, I am sure Billy will find them. Thank-you Billy.

What about the people we represent? We already touched on the new Senior Center being built on the south side of town. We installed new city signs, repaved the first section of the downtown, fixed a waterline issue on Haley Avenue. Our industry base was busy as well, with Koester Corp. being a key vendor for the new water treatment plant, a spec building going up, A Renewed Mind coming on line, as well as a new Center for Women's Health. We have new tenants in the Universal Co-op building as well as the B&B Molding area. Defiance Stamping grew, as well as the Custom Ag Expansion. Our industrial base is going so well that they have a good problem, a lack of employees. This is an issue our CIC, along with help from Napoleon Area Schools, is trying to figure out and manage. When you realize the number of high school seniors who graduate on Sunday and have no plans for what to do the next day, they could be the first part of solving this workforce issue. Next is talking to these kids and their parents. They need to be recruited, informed that industry is not dark, dangerous, dirty place to work; but, can provide a quality livelihood. Some of the things that our industrial customers make are literally cutting edge. So our industrial sector is alive and well, and we had countless commercial enterprises that have begun. Sports wise, we had a state championship girls water polo team, as well as one of the few multiple state champs Napoleon Area Schools have ever produced with Sam Meece finishing his illustrious career. We put up a few welcome signs for Sam, let's do the same for the Water Polo girls. What do you say?

One other event happened in the fall and is something we should never take for granted. We had a peaceful election, and an eventless change between the outgoing and incoming elected officials. This does not happen everywhere. This could be lost and is something that needs care to maintain. Heartland values? Yes, I would say we continue to exhibit those.

Now what about Flowing Opportunities? What opportunities are out there for 2018? I think that challenges bring opportunities, and when we can meet them and help solve multiple issues at the same time, we are earning

our pay. What are the issues? I think there are a couple of themes that we can begin to address in 2018. Our industrial customers need employees is an issue I spoke about, and that the CIC is continuing to work, but how can we help? Another issue, we need to be ready in case any major water user decides to depart us in 2020. To me, both solutions begin with housing as a potential easier solution. With new homes comes water users and the potential for more employees for our tax base. In an effort to spur housing we could talk and try to determine what we could do to help builders or let us resolve to welcome builders in and let them tell us what we can do to help. The former West School building lot recently sold. This seems like an ideal place for new houses to go. A majority of the infrastructure is already in place, so that should help with the cost of each lot. There are other areas in town as well, where perhaps a home burned and was never replaced. We had four housing starts in 2017 compared to one in 2016, yet at the same time four homes were destroyed, so we failed to gain any housing. I am not talking about moving our borders out. No, I am talking about using the land available already. So, builders let us know how we can help. What about the large water users? I think that by looking at new ways of doing business we can perhaps retain and potentially grow that base as well. We were very fortunate to receive \$15M interest free loans. But that doesn't mean it is a free loan. We still have a lot of debt tied to that new plant and the easiest way to pay it off quickest is to spread the cost over the most number of users. This may mean going to a Cost Based Method. Let's explore this and see where it goes. By adding homes, we are doing two things, one adding more users to the water plant and two, giving ourselves some buffer in the event we lose a large water user.

What else? I have thought about this for quite a while, and because we are a lesser experienced council, some may not realize it. The ideal mix for our budget is a 50/50 mix yet every year we have a 62/38 split, with the 38 number representing capital expenditures. I know going from 62/38 to a 50/50 split overnight is not going to happen; but, following the loss of two elections for road maintenance, we have to find a better way. So, one of the ways is to begin the long trek back from 62/38 to 50/50. How? This year can we aim for 61/39? One percent? A \$4.2M budget. One percent is \$42k. So, can we find that? Let's look together. This is not all

on Greg or all on Joel, but on all of us. \$42k is not much additional blacktop, but it is additional blacktop or gutters or sidewalk or an additional squad car for the Police or truck for Ops or safety gear for the Fire Department or something that we don't even know yet that we need.

Heartland Values Flowing Opportunities. Four powerful words that can help drive us towards a successful 2018. Words that serve as the basis for action, for helping us remember why we do what we do and remember who we do it for. Let us strive to once again live up to the motto and make 2018 even better than 2017.

Thank you for your time.

ORDINANCE NO. 002-18

**AN ORDINANCE AMENDING CHAPTER 955.10 OF THE
CODIFIED CODE OF ORDINANCES OF THE CITY OF
NAPOLEON, OHIO REGARDING CURRENT
SHELTERHOUSE/COMMUNITY CENTER RENTAL RATES**

WHEREAS, the Parks and Recreation Board met on November 29, 2017 and, in order to continue to provide the opportunity for area residents to rent City owned shelterhouses, determined it appropriate to amend certain shelterhouse rental rates for the year 2018; and,

WHEREAS, the City of Napoleon’s Parks and Recreation Committee met on January 15, 2018 and concurred with the Parks and Recreations Board’s determination that certain shelterhouse rental rates for 2018 should be amended; and,

WHEREAS, this Council has considered all recommendations, and now deems appropriate that shelterhouse rental rates as listed below shall be amended for the year 2018; **Now Therefore**,

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

Section 1. That, Section 955.10 of the Codified Code of Ordinances of the City of Napoleon, Ohio shall remain as currently written with the amendment of the following language, amending and enacting Section 955.10:

“955.10 SHELTER HOUSE/ COMMUNITY CENTER RATES.

(a) Shelter house rentals shall be as follows:

Rental Times	Ritter (Weekday)	Ritter (Weekend)	Wayne (Weekday)	Wayne (Weekend)
9:00 a.m. - 12:00 p.m.	\$35.00 \$40.00	\$40.00 \$45.00	\$30.00	\$35.00
1:00 p.m. - 5:00 p.m.	35.00 40.00	40.00 45.00	30.00	35.00
9:00 a.m. - 5:00 p.m.	40.00 45.00	45.00 50.00	35.00	40.00
6:00 p.m. - 11:00 p.m.	40.00 45.00	45.00 50.00	35.00	40.00
1:00 p.m. - 11:00 p.m.	45.00 50.00	50.00 55.00	40.00	45.00
9:00 a.m. - 11:00 p.m.	50.00 55.00	55.00 60.00	45.00	50.00

Weekend rates will also apply on all City of Napoleon, Ohio observed holidays; no proration of fees will be permitted.

Due at the time of making the reservation is a non-refundable five dollar (\$5.00) application fee and a fifty dollar (\$50.00) security deposit. The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than seven (7) days prior to the reserved date; then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed fifty dollars (\$50.00). Any monies to be returned to the tenant will be paid within thirty (30) days after the rental date.

(b) Rental of the Community Center at Oberhaus Park shall be as follows:

Rental Times	Weekday	Weekend
9:00 a.m. - 12:00 p.m.	\$ 50.00 \$70.00	\$ 60.00 \$80.00
1:00 p.m. - 5:00 p.m.	60.00 80.00	70.00 90.00
9:00 a.m. - 5:00 p.m.	80.00 100.00	90.00 110.00
6:00 p.m. - 11:00 p.m.	80.00 100.00	90.00 110.00
1:00 p.m. - 11:00 p.m.	90.00 110.00	100.00 120.00
9:00 a.m. - 11:00 p.m.	110.00 130.00	120.00 140.00

Weekend rates will also apply on all City of Napoleon, Ohio observed holidays; no proration of fees will be permitted.

Due at the time of making the reservation is a non-refundable five dollar (\$5.00) application fee and a fifty dollar (\$50.00) security deposit. The full remainder amount of the rental is due when picking up the key. The security deposit is refundable upon the facility being cleaned, not damaged and the timely return of all keys, except that in the event that a cancellation occurs less than seven (7) days prior to the reserved date, then the rental amount shall be forfeited to the City and deducted from the security deposit, not to exceed fifty (\$50.00). Any monies to be returned to the tenant will be paid within thirty (30) days after the rental date.

(c) Notwithstanding any other provision of these Codified Ordinances, the use of the Community Center at Oberhaus Park by the Napoleon based Rotary and Lions Club shall be pursuant to the terms and conditions established by separate agreement between the clubs and the City. Priority in reservation may be given to the clubs by the Parks and Recreation Director absent any provision in the agreement.

(d) Except as provided herein, reservations shall only be made in the calendar year the facility is intended to be reserved. During the month of December in the preceding year, residents, as defined in this chapter, shall be permitted to reserve dates for the following year.

(e) Terms and conditions of any rental agreement shall be established by the City Manager and approved as to form and correctness by the Law Director.”

Section 2. That, this Ordinance No. 002-18 amends Ordinance No. 002-13 so as to incorporate and adopt all identified changes noted herein. The remaining, unchanged portions of Ordinance No. 002-13 remain in full force and effect as it existed and to now include the above amended and enacted language regarding Section 955.10.

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: _____
Joseph D. Bialorucki, Council President

Approved: _____
Jason P. Maassel, 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. 002-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

ORDINANCE NO. 003-18

AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED CODE OF ORDINANCES OF THE CITY OF NAPOLEON, OHIO TO ADD SECTION 955.09(R) REGARDING CORPORATE MEMBERSHIP GOLF RATES

WHEREAS, the Parks and Recreation Board met on November 29, 2017 and, in order to provide the opportunity for area employers to offer healthy recreational activities for their employees, determined it appropriate to create certain golf rates; and,

WHEREAS, the City of Napoleon’s Parks and Recreation Committee met on January 15, 2018 and concurred with the Parks and Recreations Board’s determination that certain golf rates should be created; and,

WHEREAS, this Council has considered all recommendations, and now deems appropriate that golf rates as listed below shall be created; **Now Therefore**,

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

Section 1. That, Section 955.09 of the Codified Code of Ordinances of the City of Napoleon, Ohio shall remain as is currently written, with the addition of the following section to 955.09; Golf Privilege Fees is hereby amended and enacted to add section (r) which reads as follows:

(r) In order to provide an opportunity for area employers to offer healthy recreational activities for their employees, a Corporate Membership rate shall be created per the following:

i. The Corporate Membership will be available for eligible employees. Eligible employees’ family members are not included in the Corporate Membership benefit.

ii. The Corporate Membership will be available for eligible employees of a company that has purchased a Corporate Membership; that Corporate Membership must be paid in full to the Napoleon Golf Course before the usage is permitted.

iii. The Corporate Membership will include unlimited greens fees for eligible employees.

iv. The Corporate Membership does not include cart rentals.

v. The following table establishes the fees for a Corporate Membership to the employer, based on number of employees:

<i>Number of Employees</i>	<i>Annual Fee</i>
<i>25 and under</i>	<i>\$1,000.00</i>
<i>26 - 49</i>	<i>\$2,000.00</i>
<i>50 - 99</i>	<i>\$3,000.00</i>
<i>100 - 199</i>	<i>\$4,500.00</i>
<i>200 and above</i>	<i>\$6,500.00</i>

Section 2. That, this Ordinance No. 003-18 amends Ordinance No. 044-15 so as to incorporate and adopt all identified changes noted herein. The remaining, unchanged portions of Ordinance No. 044-15 remain in full force and effect as it existed and to now include section (r).

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: _____

Joseph D. Bialorucki, Council President

Approved: _____

Jason P. Maassel, 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. 003-18 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

Financial Disclosure

The Ohio Ethics law requires certain elected officials, candidates for elected offices, public employees, and appointees to public positions to annually file a financial disclosure statement with the Ohio Ethics Commission. A financial disclosure statement requires a filer to disclose information regarding their personal financial interests and fiduciary relationships for the preceding calendar year.

Filing a financial disclosure statement is part of the responsibility of choosing to hold or run for public office or employment. The purpose of filing a financial disclosure statement is to increase confidence in government and openness by: (1) Assisting public servants in identifying potential conflicts of interest; and (2) Allowing citizens to become aware of the financial interests of the officials and employees who serve them.

The General Assembly has included financial disclosure as a key component of the Ethics Law since it was enacted in 1974.

File a Financial Disclosure Statement

1

Online

2

In Person

3

Mail



(<https://disclosure.ethics.ohio.gov>)

File online today at:

disclosure.ethics.ohio.gov

(<https://disclosure.ethics.ohio.gov>)



Electronic Filing: The Preferred Method

Used by over 86% of filers last year, filing electronically reduces errors, greatly simplifys future filings, and provides all of the following **exclusive** benefits:

- Assurance that you have completed all and only the necessary portions.
- Immediate acknowledgement that your statement has been filed.
- Print, view, or save a time-stamped copy of your completed statement.
- In subsequent years, your financial disclosure statement can be pre-populated with information contained in the previous year's statement so that you will need only to update your statement before filing.

- Payment of filing fees can be made via credit card or electronic check (ACH).
- 24/7 availability (Statements filed by 11:59 PM are time-stamped the same day).

Deadlines

The general filing deadline, which applies to most filers, for calendar year 2017 financial disclosure statements is:

Tuesday, May 15, 2018

The general filing deadline applies to all filers except for those individuals filing for any of the reasons listed below:

A. **Candidates:**

Non-Incumbent Candidates

- Candidate in the May 8, 2018, primary election: Monday, April 9, 2018
- Write-in candidate in the May 8, 2018, primary election: Wednesday, April 18, 2018
- Candidate in the November 6, 2018, general election (who did NOT appear on an earlier ballot): Tuesday, October 9, 2018
- Write-in candidate in the November 6, 2018, general election (who did NOT appear on an earlier ballot): Wednesday, October 17, 2018
- Candidate in a Special Election: 30 days (20 days for write-in candidates) prior to the first election at which their name will appear on a ballot.



Incumbent Candidates

- Certified to the ballot prior to May 15, 2018: 30 days (20 days for write-in candidates) prior to the first election at which their name will appear on a ballot.
- Certified to the ballot on or after May 15, 2018: Tuesday, May 15, 2018

B. Person Appointed to Unexpired Term in Elected Office: Within 15 days after being sworn in to office.



C. Person Appointed or Promoted to, or Employed in, a Non-Elective Filing Position after February 15, 2018: Within 90 days of appointment, promotion, or employment.

For more information see R.C. 102.02(A)(4) (<http://codes.ohio.gov/orc/102.02>) and OAC 102-5-10 (<http://codes.ohio.gov/oac/102-5-10>).

 Filing & Late Fees 

 Penalties 

 Attaching Info to a Previously Filed Statement 

 Request a Statement 



Who Files?
(whofiles.html)



Need Filing Assistance?
(faq/index.html)

Quick Links

- E-File an FDS Statement (<https://disclosure.ethics.ohio.gov/>)
- Download a Blank Statement (</forms/fds/index.html>)
- List of State Officials and Employees Required to File (</fds/membersrequiredtofile.pdf>)
- School Districts with Over 12,000 Students (</fds/studentcountover.html>)
- Ohio Revised Code 102.02 (<http://codes.ohio.gov/orc/102.02>)
- Ohio Administrative Code 102-5 (<http://codes.ohio.gov/oac/102-5-10>)
- SOS Candidate Guide (https://www.sos.state.oh.us/globalassets/publications/election/2018_crg_07.pdf)



Liaison Resources
(liaisons.html)

Ohio Ethics Commission
30 West Spring Street L3
Columbus, Ohio 43215-2256

Phone: (614) 466-7090

TTY/TDD: (800) 750-0750

Fax: (614) 466-8368

Email: ethics@ethics.ohio.gov (mailto:ethics@ethics.ohio.gov)

EMS MEDICAL DIRECTOR AGREEMENT

THIS EMS MEDICAL DIRECTOR AGREEMENT by and between **Napoleon Fire and Rescue** (“EMS Provider”) and **Premier Physician Services, Inc.**, an Ohio corporation (“PPS”) is entered into and made effective as of the 24th day of January, 2018 (“Effective Date”).

RECITALS:

A. WHEREAS, EMS Provider operates an EMS service and desires to obtain the services of a medical director; and

B. WHEREAS, PPS is willing to provide the services of a physician, licensed to practice medicine in the State of Ohio, to serve as the medical director of EMS Provider’s EMS service.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

AGREEMENT:

1. Medical Director Services. PPS will provide a physician licensed to practice medicine in the State of Ohio to serve as EMS Provider’s Medical Director (“Medical Director”). In the event of the death, disability, resignation or termination of the Medical Director, PPS shall promptly select a new physician to serve as Medical Director provided that EMS Provider shall first approve such selection. The Medical Director shall be responsible for performing the following duties:

- a. Assisting/Performing annual protocol check-offs as prescribed by federal, state and local laws and regulations;
- b. Implementing ongoing peer review and quality assurance programs designed to improve the availability and quality of the emergency medical services provided by EMS Provider;
- c. Reviewing, as deemed necessary by the Medical Director, all training materials/equipment being used for the purpose of the continuing education EMS Provider’s personnel;
- d. Performing such administrative tasks as are required by law or regulation to be performed by a physician serving as the Medical Director of an Emergency Medical Organization;
- e. Establishing procedures, protocols and policies for the distribution, storage, and security of medications and controlled substances utilized by EMS Provider in accordance with EMS Provider’s U.S. Drug Enforcement Administration (DEA) license;

- f. Registering and managing all controlled substances that are utilized by EMS Provider in accordance with state and federal statutes and regulations; including but not limited to, developing, implementing and maintaining comprehensive record keeping and security measures for controlled substances used or carried by EMS Provider;
- g. Conducting other evaluations and documentation as are determined necessary by the Medical Director from time to time; and
- h. Maintaining complete and accurate records of all services personally provided to EMS Provider.
- i. Other duties as mutually agreed upon.

2. Compensation. In consideration of the services to be rendered by Medical Director pursuant to this Agreement, EMS Provider shall pay PPS the sum of Three Thousand Dollars (\$3,000) per year. Such sum shall be payable in equal monthly installments in the amount of Two Hundred Fifty and 00/100 Dollars (\$250.00). Payment to PPS shall be made by the tenth (10th) day of each month.

3. Term. This Agreement shall become effective on the Effective Date and continue for one (1) year. This Agreement shall automatically renew for successive one (1) year terms unless either party provides written notice of intent not to renew at least sixty (60) days prior to the expiration of the then current term.

4. Termination. This Agreement shall be terminated upon the happening of any of the following events:

- a. By either party, upon fifteen (15) days prior written notice to the other party, in the event the other party fails or refuses to perform any of its duties and responsibilities under this Agreement; provided, however, that in the event the failure is remedied within fifteen (15) days after such notice is given, such notice shall be null and void and the Agreement shall continue in full force and effect;
- b. By EMS Provider, immediately upon written notice to Medical Director, in the event of: (i) the limitation, suspension or loss of the Medical Director's medical license or (ii) the conviction of Medical Director of any felony or offense involving moral turpitude;
- c. Notwithstanding the above, either party may terminate this Agreement for any reason upon sixty (60) days written notice to the other party.

5. Relationship of the Parties. In the performance of services under this Agreement, PPS and EMS Provider shall at all times be acting and performing as independent contractors. No provision(s) of this Agreement shall be deemed or construed to create any agency, partnership, joint venture, or employer-employee relationship between PPS and EMS Provider. EMS

Provider shall not have direct supervision over the manner in which the Medical Director performs medical direction services pursuant to this Agreement.

a. EMS Provider will not treat the Medical Director as an employee for purposes of the Federal Insurance Contributions Act (FICA), the Social Security Act, the Federal Unemployment Tax Act (FUTA), the Medicare tax, income tax withholding, workers' compensation, unemployment insurance, life insurance, travel insurance, group insurance, disability insurance, death benefits, pension or profit plans, paid sick leave, paid vacation, or any other expense customarily paid by an employer with respect to an employee.

b. Nothing contained in this Agreement shall be deemed to restrict in any way the prerogative and responsibility of the Medical Director to exercise independent medical judgment in all matters within the scope of his/her license and duties relative to the provision of services hereunder.

c. Nothing contained in this Agreement shall be deemed to restrict or prevent PPS or the Medical Director from engaging in other emergency medical services medical direction activities or in any other business at such times, places and in such manner as PPS or the Medical Director shall determine, in their sole discretion, during the term of this Agreement and thereafter.

6. Professional Liability Insurance. PPS shall keep and maintain professional liability insurance coverage for the Medical Director with an insurance company reasonably acceptable to EMS Provider. PPS' current coverage is through Pinnacle Medical Protective, SPC, a Cayman Islands based captive insurance company partly owned by PPS. As a minimum, such insurance shall provide coverage in the amount of One Million Dollars (\$1,000,000) per occurrence and Three Million Dollars (\$3,000,000) in the aggregate. If such insurance is maintained on a claims-made basis, such insurance shall continue throughout the term of this Agreement; and upon the expiration or cancellation of the insurance, PPS shall purchase, or arrange for the purchase of, either (i) an extended reporting endorsement ("Tail Coverage"); (ii) "Prior Acts" coverage from a new insurer with a retroactive date on or prior to the date PPS began performing services pursuant to this Agreement, or (iii) maintain continuous coverage with the same carrier for the period of the statute of limitations for personal injury. All such insurance shall be kept and maintained without cost or expense to EMS Provider.

7. Hold Harmless. PPS agrees to accept and be responsible for its own acts or omissions, as well as the acts or omissions of its employees, in providing services under this Agreement and nothing in this Agreement shall be interpreted to place any such responsibility for professional acts or omissions onto EMS Provider. PPS agrees to indemnify, defend and hold harmless EMS Provider, its directors, officers, agents, and employees from and against all claims, actions or causes of actions, including attorney fees, arising out of PPS' services under this Agreement.

EMS Provider similarly agrees to accept and be responsible for its own acts or omissions, as well as those acts or omissions of its employees, and nothing in this Agreement shall be interpreted to place any such responsibility onto PPS and Medical Director. EMS Provider agrees to

indemnify, defend and hold harmless PPS, its directors, officer, agents, and employees from and against all claims, actions or causes of actions, including attorney fees arising out of EMS Provider's actions or services under this Agreement.

8. Government Access to Records. In accordance with 42 U.S.C. Section 1395x(v)(1) and 42 C.F.R. Section 402.300-402.304, PPS agrees that it will provide to the extent allowable by the law the Secretary of Health and Human Services and the Comptroller General access to the Agreement between PPS and EMS Provider, and to such PPS' books, documents and records necessary to verify the cost of services performed until the expiration of four (4) years after the services are furnished. Such access shall be provided upon written request from the Secretary of Health and Human Services or the Comptroller General or their authorized representatives.

9. Corporate Compliance. EMS Provider understands that PPS operates a corporate compliance program for compliance with all federal and state statutes, rules, regulations, particularly as they pertain to governmental payers. EMS Provider agrees to cooperate with PPS or its designee in any investigation related to compliance issues.

10. HIPAA Compliance. The parties agree that they shall execute the Business Associate Agreement in the form of Exhibit A attached hereto and incorporated herein, in order to ensure compliance with the privacy and security regulations promulgated under the Health Insurance Portability and Accountability Act of 1996.

11. Equal Opportunity. The parties hereto shall not discriminate against any patient or employee because of race, color, handicap, age or national origin nor there any such discrimination in the employment practices and personnel policies of either party.

12. Governing Law. This Agreement shall be governed by the laws of the State of Ohio and shall be construed in accordance therewith.

13. Entire Agreement. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof, and supersedes all prior negotiations, representations, warranties, commitments, offers, writings and agreements.

14. Construction of Agreement. The language in all parts of this Agreement shall in all cases be simply construed according to its fair meaning and not strictly for or against PPS, Medical Director, or EMS Provider. The headings preceding each paragraph are for convenience only and shall not in any way be construed to affect the meaning of the paragraphs themselves.

15. Severability. In the event that any provision of this Agreement shall violate any applicable statute, ordinance or rule of law in any jurisdiction which governs this Agreement, such provision shall be ineffective to the extent of such violation without invalidating any other provision of this Agreement.

16. No Waiver. The failure by either party to require performance of any provision of this Agreement shall not affect that party's right to require performance at any time thereafter, nor shall a waiver of any breach or default of this Agreement constitute a waiver of any subsequent breach or default or a waiver of the provision itself.

17. **Assignments Prohibited.** Nothing in this Agreement shall be construed to permit assignment by EMS Provider or Medical Director of any rights or duties under this Agreement and such assignment is expressly prohibited.

18. **Amendments.** This Agreement or its attachments may be amended at any time by mutual agreement of the parties hereto provided that before any amendment shall be operative or valid, it shall be reduced to writing and signed by both parties prior to the amendment's effective date.

19. **Notice.** Any notice required or permitted to be given under this Agreement shall be in writing, and shall be delivered personally, or sent by overnight courier service or by U.S. certified mail, return receipt requested, postage prepaid, to the address listed below:

If to PPS:
Premier Physician Services, Inc.
332 Congress Park Drive
Dayton, Ohio 45459

If to EMS Provider:
Napoleon Fire and Rescue
265 W. Riverview Ave., PO Box 151
Napoleon, OH 43545
ATTN: Fire Chief

20. **Authority.** The persons signing below warrant that they have the right and authority to execute this Agreement for their respective entities and no further approvals are necessary to create a binding Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

**PREMIER PHYSICIAN
SERVICES, INC.**

Napoleon Fire and Rescue

David Istvan, MD
Its: _____

Name:
Its:

Approved as to form and correctness

Name/Title : _____

Exhibit A
BUSINESS ASSOCIATE AGREEMENT

THIS BUSINESS ASSOCIATE AGREEMENT (“Agreement”) is entered into effective this 24th date of January, 2018 (“Commencement Date”), by and between **Napoleon Fire and Rescue** (“Covered Entity”) and **Premier Physician Services, Inc.** (“Business Associate”).

RECITALS

WHEREAS, Covered Entity is a licensed health care provider and is a covered entity as defined in 45 Code of Federal Regulations (“CFR”) Part 164.103 and the regulations codified at 45 CFR Parts 160 and 164 (“HIPAA Privacy Rule”) promulgated under Title F of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”);

WHEREAS, Covered Entity has determined that Business Associate is a business associate of Covered Entity as defined under HIPAA and Covered Entity may provide, in the course of its operations, individually identifiable health information as defined in HIPAA (“Protected Health Information”) to Business Associate to provide services to Covered Entity;

WHEREAS, this Agreement addresses the conditions under which Covered Entity will disclose and Business Associate will obtain and use such Protected Health Information;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

ARTICLE I
RESPONSIBILITIES OF BUSINESS ASSOCIATE

1.1 Confidentiality. Business Associate agrees to maintain the confidentiality of any Protected Health Information provided to it by Covered Entity in accordance with all applicable federal, state and local laws and regulations, and more specifically, in accordance with the following:

1.1.1 Business Associate represents and warrants that Protected Health Information will be used and disclosed solely as necessary to perform the agreed upon services to or on behalf of Covered Entity, and Covered Entity relies upon such representation and warranty in providing the Protected Health Information.

1.1.2 Business Associate represents and warrants that it will not use, disclose, release, reveal, show, sell, rent, lease, loan, publish or otherwise grant access to Protected Health Information in any manner that is prohibited by law or regulation, or in any manner that would be a violation of any law or regulation if it were to have been done by Covered Entity.

1.1.3 Business Associate represents and warrants that if it uses, discloses, releases, reveal, shows, sells, rents, leases, loans, publishes or otherwise grants access to Protected Health Information or an element of Protected Health Information, it will do so only in the minimum amount and to the minimum number of individuals necessary to achieve the purpose of the services being rendered to or on behalf of Covered Entity.

1.1.4 Business Associate agrees to establish and utilize appropriate administrative, technical, and physical safeguards to protect the confidentiality of Protected Health Information that it receives from Covered Entity in accordance with 45 CFR 164.308, 164.310, 164.312, and 164.316, and the Health Information Technology for Economic and Clinical Health Act (“HITECH Act”), as applicable. Business Associate shall prevent individuals not involved in performing the services that it provides to Covered Entity from using or accessing the Protected Health Information.

1.1.5 Business Associate agrees to report to Covered Entity any use or disclosure of Protected Health Information that constitutes a “breach” as defined by Section 13400 of the HITECH Act, as well as any use or disclosure that is not authorized by or otherwise constitutes a violation of this Agreement, within twenty-four (24) hours of its discovery.

1.1.6 Business Associate agrees to mitigate, to the extent practicable, any harmful effects resulting from use or disclosure of Protected Health Information by Business Associate which is not permitted by law or by this Agreement.

1.1.7 Business Associate shall implement written security and privacy policies and procedures regarding the handling of Protected Health Information as required of Business Associates per the HITECH Act. Business Associate shall conduct periodic compliance audits as required per the HITECH Act.

1.1.8 Business Associate shall comply with requests for restrictions, requests for accountings, and requests for access to Protected Health Information in accordance Section 13405 of the HITECH Act.

1.1.9 Business Associate agrees that if Covered Entity determines or has a reasonable belief that Business Associate may have used, made a disclosure of or permitted access to Protected Health Information in a way that is not authorized by this Agreement, then Covered Entity may in its sole discretion require Business Associate to: (a) promptly investigate and provide a written report to Covered Entity of the Business Associate’s determination regarding any alleged or actual authorized disclosure, access, or use; (b) cease such practices immediately; (c) return to Covered Entity, or destroy, all Protected Health Information; and (d) take any other action Covered Entity deems appropriate.

1.1.10 Business Associate agrees to require all of its subcontractors and agents that receive, use or have access to Protected Health Information under this Agreement to agree, in writing to abide by all of the terms to which Business Associate is subject to under this Agreement with respect to the Protected Health Information.

1.1.11 Except as otherwise limited in this Agreement, Business Associate may use or disclose Protected Health Information for the proper management and administration of Business Associate's business operations or to carry out its legal responsibilities.

1.1.12 Business Associate and Covered Entity acknowledge that state and federal laws relating to data security and privacy are rapidly evolving. The parties agree to take such action as is necessary to implement the standards and requirements of HIPAA, the Privacy Rule, the Security Rule, the HITECH Act, and other applicable laws relating to the security and privacy of Protected Health Information.

1.2 Relationship to Individuals who are the Subjects of Protected Health Information.

1.2.1 Business Associate agrees that Covered Entity and the applicable individual retain all ownership rights to the Protected Health Information, and that Business Associate does not obtain any right, title or interest to the Protected Health Information furnished by Covered Entity.

1.2.2 Business Associate agrees to comply with all lawful requests of individuals who are subjects of Protected Health Information to permit access to inspect and obtain a copy of their Protected Health Information about the individual that is subject to this Agreement as required by law.

1.2.3 Business Associate agrees that, within fifteen (15) days of a request being made, it will provide Covered Entity with any Protected Health Information requested by Covered Entity.

1.2.4 Business Associate agrees to make Protected Health Information available for amendment and to immediately incorporate any amendments or corrections to an individual's health information upon request by Covered Entity in accordance with applicable law.

1.2.5 Business Associate agrees to make available the information required for Covered Entity to provide an accounting of disclosures upon request for Covered Entity in accordance with applicable law.

1.3 Maintenance of Protected Health Information. Business Associate agrees that upon termination of the Agreement, Business Associate shall contact Covered Entity with regard to any Protected Health Information currently in its possession that was received from or created on behalf of Covered Entity, and determine whether Covered Entity wishes to have the Protected Health Information returned to it or destroyed. If feasible, Business Associate agrees to proceed in accordance with the Covered Entity's instructions to return or destroy Protected Health Information within thirty (30) days of receiving such instructions. If Covered Entity elects to have the Protected Health Information destroyed, Business Associate agrees to destroy the Protected Health Information in a manner and by a method acceptable to Covered Entity. If returning or destroying the Protected Health Information is not feasible on account of a regulatory duty imposed on Business Associate by law, or another valid reason, Business

Associate agrees that the protections afforded to such Protected Health Information by this Agreement will extend indefinitely beyond the term of this Agreement, and that Business Associate will limit further uses and disclosures to those purposes that make the return or destruction of the Protected Health Information infeasible. Business Associate further agrees that no Protected Health Information, copies of Protected Health Information, or parts thereof, shall be retained when the aforementioned Protected Health Information are returned or destroyed.

1.4 Availability of Protected Health Information. Business Associate shall make any and all internal practices, books, records and Protected Health Information related to this Agreement available to Covered Entity for inspection and/or audit upon request by Covered Entity. In addition, Business Associate agrees to make its internal practices, books and records relating to the use and disclosure of Protected Health Information available to the Department of Health and Human Services for review, upon the request of the Secretary of that Department.

ARTICLE II

RESPONSIBILITIES OF COVERED ENTITY

2.1 Notification of Privacy Practices. Covered Entity shall provide Business Associate with the notice of privacy practices for Protected Health Information that Covered Entity produces as required under HIPAA, as well as any changes to such notice.

2.2 Other Requirements. Covered Entity shall provide Business Associate with (a) any changes in, or revocation of permission by individuals to use or disclose Protected Health Information about them, if such changes affect Business Associate's permitted or required uses and disclosures; and (b) any restrictions or changes thereto to the use or disclosure of Protected Health Information that Covered Entity has agreed to in accordance with HIPAA.

ARTICLE III

TERM AND TERMINATION

3.1 Term. This Agreement shall be effective as of the Commencement Date, and shall continue for as long as Business Associate provides agreed upon services to or on behalf of Covered Entity.

3.2 Termination.

3.2.1 This Agreement shall be considered terminated if Business Associate no longer provides any services for Covered Entity.

3.2.2 This Agreement may be terminated immediately by Covered Entity in the event of any breach of this Agreement.

3.3 Effect of Termination. The termination of this Agreement shall have no effect on Business Associate's obligation to treat the contents of Protected Health Information as confidential.

ARTICLE IV
MISCELLANEOUS

4.1 Indemnification. Business Associate will indemnify and hold Covered Entity (including Covered Entity's Board of Directors, individually and collectively, and its officers, owners, employees, agents, and other representatives, individually and collectively) harmless from and against all claims, demands, costs, expenses, liabilities and losses, including reasonable attorneys fees and punitive damages which may arise against Covered Entity as a result of any violation of this Agreement.

4.2 Notices. Any notice, demand or communication required, permitted or desired to be given hereunder shall be deemed effectively given when personally delivered or mailed by prepaid certified mail, return receipt requested to the other party's principal place of business.

4.3 Assignment. No assignment of this Agreement or the rights and obligations hereunder shall be valid without the specific written consent of both parties hereto.

4.4 Waiver of Breach. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as, or be construed to be a waiver of any subsequent breach of the same or other provision hereof.

4.5 Severability. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect and enforceable in accordance with its terms.

4.6 Gender and Number. Whenever the context hereof requires, the gender of all words shall include the masculine, feminine, and neuter, and the number of all words shall include the singular and plural.

4.7 Addendum. This Agreement shall serve as an Addendum to and become part of any and all contract, agreements, and/or arrangements between the parties in effect as of the Commencement Date or which may be entered into after the Commencement Date. In the event there is a conflict as to terms of this Agreement and any other contracts, agreements, and/or arrangements between the parties, this Agreement's terms shall be controlling.

4.8 Amendments. This Agreement may only be amended by the written consent of both parties.

4.9 Binding Effect. This Agreement shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and permitted assigns.

4.10 Incorporation of Recitals. The aforesaid Recitals are hereby incorporated into this Agreement as if fully set forth herein.

4.11 No Third Party Beneficiaries. Nothing express or implied in this Agreement is intended to confer, no shall anything herein confer, upon any person other than the parties hereto and their respective successors or assigns, any rights, remedies, obligations, or liabilities whatsoever.

4.12 Counterparts; Copies. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original. Facsimiles and photocopies hereof shall be deemed to be originals.

4.13 Interpretation. Any ambiguity in this Agreement shall be resolved in favor of a meaning that permits covered Entity to comply with the HIPAA Privacy Rule.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the day and year first written above.

Covered Entity

Business Associate

Napoleon Fire and Rescue

Premier Physician Services, Inc.

Name Printed: _____
Title : _____

David Istvan, MD
Title: _____

Approved as to form and correctness

Name and Title: _____



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Joel L. Mazur, City Manager
From: Chad E. Lulfs, P.E., P.S., Director of Public Works
cc: Mayor & City Council
Greg Heath, City Finance Director
Jeff Rathge, Operations Superintendent
Date: January 24, 2018
Subject: Service Trucks Purchases – Maintenance
Department and Water Distribution Department

Included in the 2018 Final Budget is the purchase of two new service trucks: one for the Maintenance Department and one for the Water Distribution Department. A dealer we have dealt with in the past, Reineke Ford, has quoted the chassis for \$1.00 less than the price on the State Term Contract. The cost for each chassis is \$32,609.00.

The outfitting of the trucks will be done by Kalida Truck Equipment, Inc. The cost for outfitting each truck is under the \$25,000.00 threshold. With the cost of the chassis and outfitting, both trucks will be less than what was included in the approved budget.

I request approval of the purchase of two new 2018 Ford F450 4x2 Chassis Regular Cab trucks from Reineke Ford-Lincoln, Inc. in Findlay, Ohio for \$32,609.00 each.

The existing trucks in the fleet scheduled to be replaced will be examined by the City's Head Mechanic. At that time we will determine what should be rotated and what should be sold via govdeals.com. We will not increase the size of the fleet and the dealer does not want either truck as a trade-in.

CEL



City of *NAPOLÉON*, Ohio

Operations Department

1775 Industrial Dr., P.O. Box 151, Napoleon, OH 43545

Phone: 419/599-1891 Fax: 419/592-4379

*Operations
Superintendent
Jeffrey H. Rathge*

*Water Distribution Foreman
Brian Okuley*

*Streets/Sewer Foreman
Roger Eis*

*Refuse/Recycling Foreman
Perry Hunter*

*Head Mechanic
Tony Kuhlman*

Memorandum

*To: Joel L. Mazur, City Manger
From: Jeffrey H. Rathge, Operations Superintendent
Cc: Mayor & City Council
Greg Heath, City Finance Director
Chad Lulfs, P.E., P.S., Director of Public Works
Date: January 30, 2018
Subject: Wheel Loader Purchase – Operations / Street Department*

Included in the 2018 Final Budget is the purchase of a New Wheel Loader for the Operations Department / Street Department.

I request approval of the purchase of a New CATERPILLAR Model: 938M Wheel Loader off the State of Ohio STS Contract from Ohio Cat, with trade in of the existing 938 Wheel Loader at a cost of \$159,707.00.



City of Napoleon, Ohio

Department of Public Works

255 West Riverview Avenue, P.O. Box 151

Napoleon, OH 43545

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

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

www.napoleonohio.com

Memorandum

To: Mayor & City Council
From: Chad E. Luffs, P.E., P.S., Director of Public Works
cc: Joel L. Mazur, City Manager
Billy Harmon, City Law Director
Gregory J. Heath, City Finance Director
Date: January 23, 2018
Subject: GIS Implementation Project ~ Sole Sourcing

As part of the 2018 Budget, the City has allocated \$115,000.00 to move toward full implementation of our fledgling GIS. The Engineering Department has been working with Stantec Consulting Services, Inc. since 2013 to implement the system. As part of that implementation, a detailed report outlining how to proceed was prepared. The budgeted funds will cover the estimated costs for Phase 1-3 of a 5-Phase plan.

Stantec currently handles all of our GIS management. Because of Stantec's intimate knowledge of our infrastructure, their familiarity with our staff, their preparation of our plan, and their experience managing our current system, I am proposing to sole source this project to Stantec Consulting Services, Inc.

The contract with Stantec would not be for this full amount. A portion of this cost would be for software purchases. If approved to proceed, I will negotiate a contract with Stantec. Please note that Stantec was included in Appendix "C" for our 2018 purchases with Vendors exceeding \$25,000.00.

City of Napoleon, Ohio

TECHNOLOGY COMMITTEE

MEETING AGENDA

Monday, February 05, 2018 at 6:15 pm

LOCATION: City Building, 255 West Riverview Avenue, Napoleon, Ohio

- 1) Approval of Minutes: August 7, 2017 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
- 2) Door Controller Project Update.
- 3) Update on the Email Conversion Project.
- 4) Phone System Update.
- 5) Any other matters currently assigned to the Committee.
- 6) Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council

TECHNOLOGY & COMMUNICATION COMMITTEE

MEETING MINUTES

Monday, August 07, 2017 at 6:15 pm

PRESENT	
Members	Rita Small - Chair, Dan Baer, Travis Sheaffer (arrived at 6:26 pm)
City Staff	Gregory J. Heath, Finance Director/Clerk of Council Joel Mazur, City Manager
Recorder	Roxanne Dietrich
ABSENT	
Call To Order	Chairman Small called the meeting to order at 6:15 pm.
Minutes Approved	Minutes from the June 05, 2017 meeting stand approved as presented with no objections or corrections.
Update on a New Phone System for the City	<p>Mazur stated that the bids the second time around came back higher than originally. Dan Wachtman explained he added more to specifications the second time since he will not be here to help. The second issue is, for some time we have been running an older CMI system for Police and Fire CAD. To upgrade to the county system would cost about \$135,000, where if CMI did an upgrade, that quote was under \$40,000. The recommendation would be to throw out all the bids for new phone system and transfer the unused \$40,000 budget line item for the phone system to the Police Department and to request a sole source approval with CMI for emergency response to upgrade the CAD system that will affect both the Police and Fire Departments, this is a critical need for the organization; we would like to do the email exchange server with Tangent this year, and consider the phone system and the City's website for next year's budget.</p> <p>Chief O'Brien explained the CMI technology is a lot newer than what we have now, it is a high end system that will show where the fire hydrants are located without extra steps having to be done by the dispatchers. It will also be a benefit for our ISO rating noting the last time we lost a couple of points not having the ability for fire hydrant location.</p> <p>The CAD system is only turned on to bare minimum, licensing has become a problem and they will not upgrade us because we do not pay for our license. The County is running Zercor and for the City go that route we would have to have a whole new system and the costs are out of proportion, computers would have to be updated and there would training required, where we have been with CMI and can keep the costs down and require little training. We will have full access to be the administrator of system and could alter, change or update as necessary, on the county system we could not make any changes. The Finance Department is currently using CMI and has been for a long time.</p>



AMP mourns loss of William "Bill" J. Sommer

William "Bill" J. Sommer, 68, passed away on Jan. 22, 2018, at St. John Medical Center in Westlake. Sommer earned his bachelor's degree in electrical engineering from Tri State University and was employed by Dayton Power & Light for 15 years until leaving in 1987 to serve in the City of Piqua's municipal electric system, where he worked for 22 years - the last 11 as power system director. Additionally, Sommer served as a member of the AMP Board of Trustees. Following his retirement from the City of Piqua in 2009, Sommer joined AMP as part-time Prairie State construction development manager and played an integral role in the Prairie State Energy Campus project.



Sommer is survived by his wife of 45 years, Linda S. Sommer, their three children and four grandchildren. He was an avid reader, and loved the outdoors, hiking and cutting firewood. AMP offers our sincere condolences to Sommer's family and friends.

Mutual Aid Program reorganization

By Jennifer Flockerzie - technical services program coordinator

In a continued effort to provide assistance to participating member utilities in the event of tornadoes, floods or other wide-scale outages that are too devastating for one utility to restore alone, the AMP Board of Trustees has reorganized the Mutual Aid Program, moving members to new mutual aid sectors in order to maximize efficiency.

The Mutual Aid Program divides communities into mutual aid sectors, with each being assigned a coordinator who oversees the distribution of all necessary workers, equipment and supplies for the recovery effort. Following a review of these mutual aid sectors, the Board determined that a reorganization would be in the best interest of the overall Mutual Aid Program. Members can see which sector they have been placed into on the AMP member [extranet](#).



AMP is also looking into other ways to improve communications during a mutual aid event by simplifying the process and making it more time efficient. Currently, AMP is reviewing an app that will allow sector coordinators to send out a group text that alerts members of a request for mutual aid.

If you have not recently provided or verified your contact information for the Mutual Aid Program, please email me at jflockerzie@amppartners.org so that we can ensure your contact information is listed correctly in our system.

If you would like additional information about the Mutual Aid Program, contact me at 614.540.0853 or jflockerzie@amppartners.org, or Bob Rumbaugh at 614.540.6386 or rrumbaugh@amppartners.org.

2018 APPA Lineworkers Rodeo sponsorship

By Michelle Palmer - vice president of technical services

Historically, AMP has provided sponsorship to qualifying member lineworker teams, journeymen and apprentices to attend and compete in the APPA Lineworkers Rodeo. Recently, the AMP Board of Trustees authorized full funding for the overall winners of the 2017 AMP Lineworkers Rodeo to attend the 2018 APPA Lineworkers Rodeo. Additionally, they have authorized limited funding for those who participated in the 2017 AMP Lineworkers Rodeo but did not win. Sponsorship money in the form of reimbursement for hotel expenses (three nights per individual) and event registration will be awarded on a **first come, first serve basis** to those who participated in the AMP Lineworkers Rodeo. The 2018 APPA Lineworkers Rodeo will be held in Raleigh, N.C. on April 27, and in Wake Forest, N.C. on April 28.

AMP is excited to offer its members the opportunity to represent themselves and other AMP members at the APPA Lineworkers Rodeo.

If you are interested in receiving funding, please submit a brief paragraph (via email) explaining how your utility will benefit by attending this event. Requests can be sent to my attention at mplamer@amppartners.org.



APPA membership benefits cover array of topics

By Jolene Thompson - executive vice president of member services and external affairs

A portion of AMP member dues go to cover membership in the American Public Power Association (APPA), the national organization dedicated to representing public power systems. We encourage our members to take advantage of the different resources offered by APPA. Below are some highlights of their different service offerings.



OPERATIONS RESOURCES

Reports: Three recent reports from APPA may be of interest:

[Understanding Energy Storage](#) explores the differences in storage technologies, costs and potential value for public power utilities; [Distributed Energy Resources and Public Power](#) reviews state legislation and case studies on energy storage, microgrids and electric vehicles, which increasingly impact load and rates; and [Understanding the U.S. Plug-In Electric Vehicle Market](#) examines key plug-in electric vehicle market trends and technologies with the potential to impact public power utilities.

Safety Conversations: Utilities can share tips and get answers to their questions on safety policies and practices on the APPA Safety listserv. To join this listserv, utility staff can [submit this form](#).

Outage Tracking: AMP offers its members access to APPA's [eReliability Tracker](#), a web-based subscription service to collect and analyze outage and restoration data. Subscribers can view a monthly data snapshot, identify problem areas and common outage causes, and get an annual report for benchmarking. If you have questions about this service, please contact AMP's Jennifer Flockerzie at 614.540.1111 or jflockerzie@amppartners.org.

EDUCATION RESOURCES

Webinars: It is cost-effective and convenient for staff to take advantage of training opportunities without leaving the office. APPA has several webinars on [governance](#) and [workforce development](#) lined up between now and April. Members can register at a discounted rate.

ADVOCACY RESOURCES

Issue Briefs: A rundown of positions on policy issues that impact public power is available through APPA's [issue briefs and fact sheets](#). Members can get an overview of what is at stake, gauge the impact and repurpose/share the information to supplement local advocacy efforts.

INFORMATION RESOURCES

Website: Member benefits are consolidated for easy access on the recently redesigned APPA website. Click on the red Members tab at the top right of PublicPower.org for a dropdown of all member resources. If members do not have their login and password, they can [retrieve it here](#).

Public Power Daily: All staff and council/board members can [subscribe](#) to the Public Power Daily newsletter at no cost. A quick skim of daily headlines is a good way to stay on top of industry and policy changes, review case studies from other public power utilities, and access the APPA event calendar and public power jobs.

2017 market prices: Prices and congestion remain flat

By Mike Migliore - vice president of power supply and marketing

Cheap natural gas and mild weather continued in 2017, leading to another year of low power prices and congestion. Although prices at the AEP/Dayton Hub in PJM were higher than 2016, prices in Pennsylvania and Virginia saw less of an increase, so congestion from west to east PJM dropped. Congestion on the PJM West to PP&L path was negative for a third straight year. MISO prices at the Indiana Hub ended up in line with the PJM market.

2016/2017 AVERAGE DAILY RATE COMPARISONS		
	2017 \$/MWh	2016 \$/MWh
A/D Hub 7x24 Price	\$29.33	\$27.85
PJM West 7x24 Price	\$29.70	\$29.23
A/D to AMP-ATSI Congestion/Losses	\$0.62	\$0.34
A/D to Blue Ridge Congestion/Losses	\$0.51	\$1.41
A/D to PJM West Congestion/Losses	\$0.37	\$1.38
PJM West to PP&L Congestion/Losses	-\$1.97	-\$4.97
IND Hub to A/D Hub Congestion/Losses	-\$0.04	-\$0.28

2016/2017 ANNUAL OPERATIONS DATA

	2017	2016
Fremont Capacity Factor	52%	45%
Prairie State Capacity Factor	78%	77%
Meldahl Capacity Factor	53%	N/A
Cannelton Capacity Factor	59%	N/A
Greenup Capacity Factor	42%	50%
Willow Island Capacity Factor	60%	56%
Belleville Capacity Factor	75%	74%
Blue Creek Wind Capacity Factor	32%	31%
JV6 Wind Capacity Factor	19%	17%
Napoleon Solar Capacity Factor	16%	16%
Bowling Green Solar Capacity Factor	22%	N/A
Avg. A/D Hub On-Peak Rate	\$34/MWh	33\$/MWh
<ul style="list-style-type: none"> * Fremont capacity factor based on 675 MW rating. * PS capacity factor based on 1,582 MW rating. * Meldahl capacity factor based on 105 MW rating. * Cannelton capacity factor based on 87.6 MW rating. * Greenup capacity factor based on 70 MW rating. * Willow Island capacity factor based on 44.2 MW rating. * Belleville capacity factor based on 42 MW rating. * Napoleon Solar capacity factor based on 3.54 MW rating. * BC Solar capacity factor based on 20 MW rating. 		

Energy markets update

By Jerry Willman - assistant vice president of energy marketing

The February 2018 natural gas contract decreased \$0.062/MMBtu to close at \$3.447 yesterday. The EIA reported a withdrawal of 288 Bcf for the week ending Jan. 19. Market consensus for this week was a withdrawal of 277 Bcf. This withdraw was much larger than last year's 137 Bcf withdrawal and also greater than the 164 Bcf five-year average draw. Weather models for the 6-10 and 11-15 day forecasts are indicating much stronger heating degree days, as cold Canadian air is predicted to drop down into the Midwest.

On-peak power prices for 2019 at AD Hub closed yesterday at \$34.25/MWh which was \$.20/MWh higher for the week.

On Peak (16 hour) prices into AEP/Dayton hub				
Week ending Jan. 26				
MON	TUE	WED	THU	FRI
\$25.29	\$26.14	\$32.49	\$38.39	\$30.15
Week ending Jan. 19				
MON	TUE	WED	THU	FRI
\$77.40	\$74.98	\$91.58	\$52.61	\$37.63
AEP/Dayton 2019 5x16 price as of Jan. 25 — \$34.25				
AEP/Dayton 2019 5x16 price as of Jan. 18 — \$34.05				

AFEC weekly update

By Jerry Willman

The Fremont Energy Center was 100 percent available for the week. The plant was economically scheduled online by PJM for the weekend. Fremont ramped offline overnight on Monday and Tuesday due to mild temperatures and prices, and then remained online for the rest of the week. Duct firing operated for zero hours this week. The plant generated at a 60 percent capacity factor (based on 675 MW rating).

Register now for Webinars

An internet connection and a computer are all you need to educate your entire staff for just \$99. Register today at www.PublicPower.org/Academy and click on webinars. Non-members enter coupon code **AMP** to receive the member rate.

- Workforce Series: Beyond Rhetoric: Hands-On Workforce Diversity **Feb. 8**
- Governance Series: Understand Board Roles and Responsibilities **Feb. 14**
- Electric Utility 101 Series: Exploring Electric Utility Rules and Regulations **Feb. 22**
- Workforce Series: The High Cost of Low Wages: Why Competitive Pay Matters **March 1**
- Governance Series: Know Your Statutory and Fiduciary Duties **March 7**



Classifieds

Village of Lodi seeks superintendent of utilities

The Village of Lodi is seeking applicants for the position of superintendent of utilities. This position oversees the operations of a water treatment plant, wastewater treatment plant and an electrical distribution system with approximately 1800 utility accounts. Additionally, this position serves as street commissioner and oversees the construction and maintenance of streets and storm sewers. An electrical engineering degree with 2-3 years of experience is desired. The position is open until filled, with the first review of candidates on Feb. 13, 2018. Salary DOQ with excellent benefits. The Village of Lodi is an equal opportunity employer. Send detailed resume to Annette Geissman, Village of Lodi, P.O. Box 95, Lodi, Ohio 44254 or online to annette.geissman@villageoflodi.com.

City of Columbus to hold exam for plant maintenance electrician position

The City of Columbus Department of Public Utilities is seeking qualified candidates for the position of plant maintenance electrician. To apply, you **must** first take the open competitive examination. Applications **must** be submitted to the Civil Service Commission by applying online at www.columbus.gov/civilservice by Jan. 30, 2018. Applicant Tracking is now managed by NEOGOV. If you do not already have a profile in NEOGOV, you will have to set up a new one in NEOGOV before you can submit an application.

Under general supervision, this position is responsible for installing, maintaining, troubleshooting and repairing electrical equipment (up to 15kV AC), wiring systems and accessories; performs related duties as required.

To qualify you must have two years of experience installing and repairing 3-phase electrical equipment in an industrial facility with voltages up to 2,400 volts. Substitution(s): Successful completion of a formal classroom or apprenticeship training program in the general principles of electricity may substitute for six months of the required experience. Must have a valid driver's license.

Hourly rate: \$22.47 - \$30.11

Contact the Civil Service Commission at 614.645.8369 with questions. EOE
77 N. Front St. Suite 330
Columbus, Ohio 43215

City of Clyde to hold civil service examination for certified journeyman-lineman

A civil service examination for the position of Certified Journeyman-Lineman in the City of Clyde, Ohio, will be held at 6:00 p.m. on Monday, Feb. 26, 2018, in the second floor conference room of the Municipal Building at 222 N. Main St., Clyde, Ohio.

Applicants must have completed secondary education or the general education degree (GED) and have one (1) year of on-the-job work experience with high voltage electrical power lines and appurtenances (e.g., transformers, metering equipment, etc.) A copy of certification as a Journeyman-Lineman, along with a current Commercial Drivers License (CDL) Class (A) is also required with the application. Applicant must be willing to obtain a (CDL) Class (A) by the end of the six month probationary period if they do not have one at time of hiring. In addition, applicant must be willing to live within a reasonable distance of the City of Clyde.

If applicable, Military Discharge Records (DD-214 Form) must also accompany the application.

Applications may be obtained at the Clyde Municipal Building beginning Monday, Jan. 22, 2018 at 8:00 a.m. and be returned no later than 4:00 p.m. on Tuesday, Feb. 20, 2018. Register to download applications and instructions for returning all required documents at <http://jobs.clydeohio.org>. EOE/DFWP

City of Bowling Green seeks sustainability coordinator

The City of Bowling Green is seeking applicants for the position of sustainability coordinator. This position will be responsible for citizen educational programs and marketing outreach, as well as advising all department/division heads on sustainability efforts regarding operations, maintenance activities, assets, etc. This position will also coordinate the Storm Water Management Program and complete the annual storm water report.

This position requires a bachelor's degree in science, business, environmental, public administration or other related field, as well as three years of related experience in sustainability. Interested persons must complete the application materials that are available at www.bgohio.org and in the Personnel Department. Resumes may be included, but will not substitute for a completed application. Applications must be completed and returned to the Personnel Department, City of Bowling Green, 304 N Church St., Bowling

Green, Ohio 43402. Telephone: 419.354.6200; email: BGPersonnel@bgohio.org. Contact for a copy of the job description.

Office hours: Monday through Friday, 8 a.m. to 4:30 p.m. The deadline for submitting an application is Jan. 31, 2018, 4:30 p.m. AA/EEO.

Pay range: \$24.28 - \$30.34

City of Galion seeks electrical distribution superintendent

The City of Galion is seeking applicants for the position of electrical distribution superintendent. Position responsibilities include:

- Plans, schedules, organizes, assigns, directs and assists with work of supervisory and operational personnel engaged in electrical maintenance activities, including construction and maintenance of power lines, substations, lighting systems, traffic signals, etc.; instructs subordinates; ensures compliance with safety rules, regulations, practices and procedures; inspects work; evaluates performance, disciplines and commends subordinates;
- Prepares short and long range operating and capital budgets, along with justifications; controls expenditures according to adopted budget; designs electrical systems and prepares cost estimates;
- Meets with electrical manufacturers to discuss purchase of products; maintains electrical inventory; supervises ordering of necessary supplies and equipment;
- Conducts staff meetings and programs, participates in resolving departmental problems pertaining to area responsibility;
- Directs the preparation of reports and the maintenance of records of work performed; maintains personal and professional competence and awareness;
- Maintains required licences and certifications; attends professional education and training sessions; performs other duties as assigned.

Requirements include a bachelor's degree in electrical engineering plus two years of experience as electrical distribution superintendent for city electrical department, or any combination of like education and experience, as well as a valid State of Ohio Commercial Driver's License and completion of Certified Apprenticeship Training Course. Position can be physically demanding.

Resumes must be sent to the attention of Nicole Ward before Feb. 15, 2018, at 301 Harding Way E., Galion, Ohio 44833. EOE.

City of Piqua seeks journeyman lineworker

Piqua Power System has an immediate opening for an individual skilled in maintenance and installation of high and low voltage power lines; climbing poles or use of bucket truck to work on energized high and low voltage power lines. Applicants must possess Journeyman Certification and a class A CDL. Interested applicants should visit www.piquaoh.org to apply. Information can also be dropped off in person at the City of Piqua building, 201 W. Water St., Piqua, Ohio 45356, or by fax at 937.778.2048. All application materials must be received by Jan. 31, 2018, to Human Resources. EOE.

Pemberville seeking a lineworker

The Village of Pemberville is seeking applicants for the position of electric distribution lineworker. The lineworker and/or apprentice will be responsible for delivering reliable electric service to customers by performing inspections, maintenance, operations and construction work on substations, transmission, distribution and streetlight systems within the village to the level that their training dictates. Having or obtaining a CDL is required, as is mechanical knowledge and knowing how to operate equipment including, but not limited to: bucket truck, digger derrick, backhoe, wood chipper, chain saws and dump truck; with a willingness to follow all current and future safety practices and maintain equipment.

Wage is negotiable. Applications are available on the village [website](#). Please submit a resume and application to the Village of Pemberville, 155 Main St., P.O. Box 109, Pemberville, Ohio 43450, by Jan. 31, 2018.

Montpelier seeking supervisor of administrative services

The Village of Montpelier is taking applications for the position of supervisor of administrative services. The position requires completion of secondary education; minimum of five years of experience in administration and municipal government operations; familiarity with building codes and construction; knowledge of utility systems, ability to examine and interpret blue prints; supervisory training and experience in civil and architectural engineering, including electric, water, wastewater and storm sewer utilities. Will act as the liaison between the village manager and the various village departments. Qualified candidates must possess a valid Ohio driver's license. This is a full-time position with a great benefit package. Application and complete job description may be found online at www.montpelieroh.net/employment_opportunities.html.

Please mail cover letter, resume including references and application to: Village of Montpelier, c/o Kevin Brooks, P.O. Box 148, Montpelier, Ohio 43543. Inquiries should be directed to Kevin Brooks at 419.485.5543. EOE.

Carey seeking two journeymen-linemen

The Village of Carey is seeking applications for two qualified journeymen-linemen with a minimum of four-years experience. The journeyman-lineman role is responsible for operation and routine maintenance of the village transmission, substation and distribution system. Applicant must possess a high school diploma or GED, and a valid class B, CDL license with air brakes or obtain same within six months of hire date. Knowledge of overhead and underground primary distribution lines required. May require pole climbing and operation and use of a bucket truck, digger truck, trencher or other required equipment.

Position requires a 30-minute response time to call out emergencies including: holidays, weekends and standby time in rotation with other department members.

Position requires varied integrated additional duties to include but not limited to: snow removal, tree trimming to clear power lines and other general maintenance duties. Any of the above may require working in inclement weather.

Applications may be obtained at the village offices, 127 N. Vance St., Carey, Ohio 43316, weekdays from 8 a.m. until 5 p.m. Candidates should return applications with resume and all supporting documentation helpful in consideration of employment to the attention of the Village Administrator. EOE / Drug testing. Applications will be accepted until positions are filled.

Pay range \$23.75 - \$26.25.

Arcanum seeks water/wastewater operator 1

The Village of Arcanum Utility Department is now accepting applications to fill a vacancy for water/wastewater operator 1. Duties include operating and maintaining electrical generation facilities, monitoring water/sewer facilities, and performing physical labor within the utility department as needed.

Requirements include a high school education, Water Supply License and Wastewater Works License 1, a valid Ohio driver's license, and must possess a class B CDL endorsement or obtain within six months of employment.

Applications are available at the City Building located at 104 W. South St., Arcanum, Ohio, 45304 or www.villageofarcanum.com. Job applications are not kept on file beyond six months, so any previous applicants are encouraged to re-apply. EOE.

Lineworker position available in Bradner

The Village of Bradner is seeking a qualified full-time electrical line utility worker; responsible for operation and routine maintenance of the village electrical distribution system.

Must possess a high school diploma or GED and a valid class B, CDL license with air brake, or obtain six months after hire date. Knowledge of overhead distribution lines and underground primary distribution

lines required - water and wastewater experience helpful. May require pole climbing and operation and use of bucket truck. Position requires response within 30-minute time period to call-out emergencies, and 24/7 carry of village-issued cell phone for troubleshooting and emergencies, including holidays and weekends.

Position requires various duties to include but not limited to: water distribution repairs, assist in wastewater treatment plant, tree trimming power lines, road maintenance and snow removal, park and pool maintenance, lawn care and other general maintenance as required. Above duties will require working in all weather conditions. Twice monthly Board meeting attendance is also required.

Applications may be obtained at the Town Hall (located at 130 N. Main St., Bradner, Ohio 43406) on weekdays from 8:30 a.m. - 5 p.m. or at www.bradnerohio.org. Candidates should return applications with résumé and supporting documentation that would be helpful for consideration of employment to the attention of James Smith, Board of Public Affairs President. They can also be mailed to P.O. Box 599, Bradner, Ohio, 43406, or emailed to kkaminski@bradnerohio.org.

Bryan Municipal Utilities seeks engineering assistant

Bryan Municipal Utilities is currently accepting applications for an engineering assistant. Duties include designing, planning and project management for electric, water and communication system projects. Position also assists in maintaining Geographic Information's Systems (GIS) and gather GPS point acquisitions for Bryan Municipal Utilities infrastructure.

Bryan Municipal Utilities is a customer-owned, non-profit municipal utility providing the best quality water, electric and communications services to the residents of Bryan, Ohio. Bryan Municipal Utilities began over 100 years ago with the establishment of the Bryan waterworks in 1892. Electric service was added in 1896 when the residents of Bryan voted to create their own electric company. Communications services were added in 1998 to provide Bryan with a fiber optic system designed to provide television, internet access and data transfer.

A job description with qualifications may be downloaded from www.cityofbryan.net.

Please submit resume by Jan. 29, 2018, to Bryan Municipal Utilities, 841 E. Edgerton St., Bryan, Ohio 43506; or email to humanresources@cityofbryan.com. EOE

Napoleon seeks staff engineer/licensed staff engineer

The City of Napoleon is currently accepting applications for the position of staff engineer/licensed staff engineer. This position is primarily from an accredited engineering school of recognized standing, with a Bachelor of Science in Civil Engineering (B.S.C.E.) or related field required. Applicants must also possess or be able to obtain within one year, a Fundamentals of Engineering (F.E.) or Engineer in Training (E.I.T.) certificate, or a Professional Engineer (P.E.) license.

A valid state of Ohio driver's license is required. Applications may be obtained beginning Monday, Jan. 15, 2018, between 7:30 a.m. and 4 p.m. from the City of Napoleon's Administration building at 255 W. Riverview Ave., P.O. Box 151, Napoleon, Ohio 43545, or from the city website at www.napoleonohio.com. A properly completed and notarized application must be returned to the above address by 4 p.m. on Thursday, Feb. 15, 2018, in order to be considered. Applications submitted without following the above requirements will not be considered for employment. EOE

Opportunities available at AMP

AMP is seeking applicants for the following positions:

Generation specialist - reporting location available in Belleville, Cincinnati, Columbus or Fremont

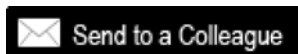
Intern - information systems

For complete job descriptions, please visit the "careers" section of the [AMP website](#).

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Legislative Bulletin

February 2, 2018

OML UPDATE AT-A-GLANCE

Here are the top three things you need to know this week:

- Five researchers have been granted a total of \$50,000 for technology concepts that could be used to combat opioid abuse and addiction. The awards are part of a larger initiative of Gov. Kasich's Opioid Technology challenge, which could make available as much as \$20 million to develop similar ideas. You can read more about the prizewinners [HERE](#).
- The Bureau of Worker's Compensation has awarded \$377,000 in grants to 39 fire departments across Ohio. The grants are from a new program aiming to reduce toxic exposure to firefighters. To read about the grant recipients or to apply for next year's grants, click [HERE](#).
- The Tax Credit Authority has awarded \$4.5 million in tax breaks to six projects that are projected to create up to 656 new jobs. There are expectations that these incentives will also retain approximately 1,365 positions, create \$35 million in new payroll and attract additional investments that could total up to \$30 million. You can read more about those projects [HERE](#).

SMALL CELL BILL RECEIVES MULTIPLE COMMITTEE HEARINGS THIS WEEK

HB 478, the small cell wireless infrastructure bill, is making its way through the Ohio House on a relatively fast track. The bill, which is sponsored by Rep. LaTourette (R - Chesterland) and Rep. Smith (R - Bidwell), would modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. This bill, as we have reported in previous bulletins, is a months-long collaborative effort between coalitions representing municipalities and the telecommunications industry to re-write portions of the language added to SB 331, passed during last session's lame duck.

During its second hearing on Tuesday before the House Government Accountability and Oversight Committee, opponent testimony was given by wireless network companies and cable providers, which are not regulated under the legislation as introduced. The parties voiced concern about the path forward for their respective businesses. During its

third hearing on Wednesday, written testimony was submitted by Bexley Mayor Ben Kessler, as a representative of the Central Ohio Mayors and Managers association, supporting the bill. The House committee is not scheduled to meet next week but we anticipate the bill being back up for hearings the following week. Although the language is not perfect, we are supportive of this legislation, and will continue to report on its progress as it moves through the legislative process.

OML PARTICIPATES IN CENTRALIZED COLLECTION DISCUSSION ON CLEVELAND NPR'S "THE SOUND OF IDEAS"

This week, the League's Executive Director Kent Scarrett joined Greg Saul from the Ohio Society of CPAs, Executive Director Don Smith of RITA, and Patrick Walsh from Cohen & Co. on "The Sounds of Ideas", a radio show on 90.3 WCPN Cleveland. The discussion centered around the centralized collection of municipal net profit business filings as mandated in HB 49 last year's state operating budget bill. The conversation also touched on the court cases brought by municipalities from across the state challenging the mandate.

Before the discussion aired, Ohio Tax Commissioner Joe Testa had conducted a pre-taped interview on the subject, where he talked about the initial goals of the mandate. The discussion, which you can listen to [HERE](#), also touched on the viability of the Ohio Business Gateway (OBG), the number of businesses that have actually opted to file through the state and closed by taking calls from listeners, including gubernatorial candidate and former mayor of Cleveland Dennis Kucinich. The League is grateful for the opportunity to inform listeners as to the rationale behind the municipal opposition to centralized collection, and is looking forward to similar opportunities in the future.

BILLS OF MUNICIPAL INTEREST HEARD IN COMMITTEE THIS WEEK

Here are the bills municipalities care about that were heard in committee this week:

- **HB 281 - BROADBAND EXPANSION.** Sponsored by Rep. Carfagna (R - Genoa Township), this bill establishes the residential broadband expansion program within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and makes an appropriation. The Ohio House passed the bill 87 to 5. The bill has been sent to the Ohio Senate where it will be assigned to a committee. The League is supportive of this bill
- **HB 175 - URBAN FARMING.** Sponsored by Rep. Brinkman (R - Mt. Lookout), this bill would allow an owner of residential property to keep, harbor, breed, or maintain small livestock on the property, and prohibit zoning authorities from regulating certain agricultural activities conducted on residential property for noncommercial purposes. During its second hearing before the House Agricultural and Rural Development Committee, 23 witnesses gave or submitted proponent testimony in support of the bill. Since the bill violates Home Rule by overriding local control, the League is opposed to this bill.

- **HB 351 - MILITARY TAX EXEMPTION.** Sponsored by Rep. Perales (R - Beavercreek) and Rep. Butler (R -Oakwood), this bill would require municipal corporations to exempt from taxation the military pay of members of the commissioned corps of the National Oceanic and Atmospheric Administration and Public Health Service. During its fourth hearing before the House Ways and Means Committee, the bill was passed unanimously out of committee. The League is neutral on this bill.
- **SB 210 - AUXILIARY CONTAINERS.** This bill, also known as the "bag tax" bill, sponsored by Sen. Coley (R - Liberty Township), would authorize a person to use an auxiliary container for any purpose, prohibit a municipal corporation from imposing a tax or fee on auxiliary containers, and clarify that the existing anti-littering law applies to auxiliary containers. "Auxiliary containers" encompass containers such as plastic or paper bags, glass bottles and aluminum cans. During its second hearing before the Senate Health, Human Services and Medicaid Committee, business owners offered proponent testimony supporting the bill. As this bill is a preemption on Home Rule authority, the League opposes this bill.
- **HB 419 - EMERGENCY LIABILITY.** This bill, sponsored by Rep. Henne (R - Clayton), would modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. During its second hearing before the House Civil Justice Committee, written testimony was submitted in support of the bill by a woman whose car was hit by an undercover police officer and by the Ohio Association for Justice. The League is currently interested party on this bill and is working with the bill's sponsor on potential language.
- **HB 382 - UNEMPLOYMENT COMPENSATION.** This bill, sponsored by Rep. Schuring (R - Canton), would modify terms describing payments made under the Unemployment Compensation Law, increase the amount of wages subject to unemployment compensation premiums, require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, reduce the maximum number of benefit weeks, and make other changes to the Unemployment Compensation Law. During its eleventh and twelfth hearings Tuesday and Wednesday before the House Government Accountability and Oversight Committee, no testimony was given on the bill. The League is neutral on this legislation
- **HJR 4 - UNEMPLOYMENT COMPENSATION BONDS.** Also sponsored by Rep. Schuring (R - Canton), this joint resolution proposes to enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the

unemployment compensation program. During its eleventh and twelfth hearings Tuesday and Wednesday before the House Government Accountability and Oversight Committee, no testimony was offered. The League is neutral on this joint resolution.

- **HB 422 - WATER/SEWER.** Sponsored by Rep. Ginter (R - Salem) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would govern acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. During its fourth hearing before the House Energy and Natural Resources Committee, only written opponent testimony was submitted on the bill voicing concern about citizen access to inexpensive water and sewer systems. As highlighted in the League's proponent testimony several weeks ago, the bill allows municipalities an easier process of investing in water and sewer infrastructure. The League is supportive of this legislation.
- **HB 168 - CEMETARY MAINTENANCE.** This bill, sponsored by Rep. Stein (D - Norwalk), would modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, specify cemetery owners must reasonably maintain cemeteries, establish the Cemetery Grant Program, and make an appropriation. During its second hearing before the Senate Finance Committee, proponent testimony supporting the bill was given by a couple of interested parties, including the Ohio Township Association. The League is supportive of this bill.
- **HB 251 - BOND MATURATION.** Sponsored by Rep. Greenspan (R - Westlake), this bill would increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. During its second hearing before the Senate Finance Committee, the County Commissioners Association of Ohio offered proponent testimony. The League is supportive of this bill.
- **SB 239 - COUNCILS OF GOVERNMENT.** Sponsored by Sen. Dolan (R - Chagrin Falls), this bill would modify the law concerning regional councils of governments. During its first hearing before the Senate Government Oversight and Reform Committee, a substitute bill was added to remedy what Sen. Dolan called an "unintended consequence" of the original draft. The substitute bill now extends sovereign immunity to employees who are employed solely by the council of government (COG) but not another public entity - except in the event of an Ethic's Law violation. Sen. Dolan went on to explain how the bill would "remedy problems that arise when [COGs] are used to benefit particular individuals and not serve the public's interest." The League is supportive of this bill.

- **HB 276 - UTILITY WORKERS.** Sponsored by Rep. Rezabek (R - Clayton) and Rep. Greenspan (R - Westlake), this bill expands the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility. It was brought before the full House this week, where it was voted out 89-3. The League is supportive of this bill.

NEW LEGISLATION OF MUNICIPAL INTEREST INTRODUCED THIS WEEK

Here are the bills that would impact municipalities that were introduced this week:

- **HB 482 - PUBLIC NUISANCE AND BLIGHT FORECLOSURE.** Sponsored by Rep. Lipps (R - Franklin) and Rep. Miller (D - Columbus), this bill would expedite public nuisance and blight foreclosure actions and declare an emergency.
- **HB 484 - HEALTH DISTRICTS-CREDIT CARDS.** Sponsored by Rep. Brenner (R - Powell), this bill would authorize city and general health districts to use credit cards in accordance with prescribed requirements.
- **HB 486 - EMS WORKERS-PUBLIC SAFETY OPERS.** Sponsored by Rep. Antonio (D - Lakewood), this bill would specify that emergency medical services workers are public safety officers under the Ohio Public Employees Retirement System.
- **HB 488 - PROPERTY TAX LEVY-BALLOT LANGUAGE.** Sponsored by Rep. Hood (R - Ashville) Rep. Becker (R - Union Township), this bill would modify the information conveyed in election notices and ballot language for property tax levies.
- **SB 250 - CRITICAL INFRASTRUCTURE.** Sponsored by Sen. Hoagland (R - Mingo Junction), this bill would prohibit criminal mischief, criminal trespass, and aggravated trespass on a critical infrastructure facility, impose fines for organizations that are complicit in those offenses, and impose civil liability for damage caused by trespass on a critical infrastructure facility.
- **SB 252 - VISITORS BUREAUS.** Sponsored by Sen. Peterson (R - Washington Court House), this bill would authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices.

COMMITTEE SCHEDULE FOR THE WEEK OF FEBRUARY 4, 2018

Wednesday, February 7, 2018

HOUSE STATE AND LOCAL GOVERNMENT

Wed., Feb. 7, 2018, 2:30 PM, Hearing Room 017

Rep. Anielski: 614-644-6041

OR AFTER SESSION

HB415** LOCAL GOV ROAD IMPROVEMENT (GREENSPAN D, RYAN S) To allocate one-half of any surplus revenue to a new Local Government Road Improvement Fund, from which money will be distributed directly to local governments to fund road improvements.

Fourth Hearing, All Testimony, POSSIBLE VOTE

Report(s): My Tracked Bills, OML Legislative Report

HB314** LAW ENFORCEMENT TAX CREDIT (SCHAFFER T) To allow an income tax credit for law enforcement officials who purchase safety or protective items to be used in the course of official law enforcement activities.

Second Hearing, All Testimony

Report(s): My Tracked Bills

HB470** TAX LEVY-PUBLIC LIGHTING (EDWARDS J) To authorize a property tax levy specifically to fund lighting for roads and public places.

First Hearing, Sponsor Testimony

Report(s): My Tracked Bills, OML Legislative Report

PLEASE CHECK OUR WEBSITE ON MONDAY FOR ANY UPDATES TO THE COMMITTEE SCHEDULE.

Up Coming Meetings & Events

Mayor's Court Initial Training Program	January FULL February 14 & 15	<u>Registration Information</u>
Newly Elected Council Training Seminars	February 24, March 3 & 24	<u>Registration Information</u>

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director

Edward Albright, Deputy Director

Ashley Brewster, Director of Communications

Rachel Massoud, Legislative Advocate

Website/Bulletin Issues:

Zoë Wade, Office Manager