
Memorandum

:

To: Mayor and Members of City Council
cc: City Manager, Finance Director, City Law Director
From: Roxanne
Regarding: General Information
Date: September 17, 2018

CALENDAR

AGENDA - CITY COUNCIL

C. APPROVAL of MINUTES:

September 04, 2018 Council Meeting Minutes

E. REPORTS from COUNCIL COMMITTEES

G. INTRODUCTION of NEW ORDINANCES and RESOLUTIONS

1. **Resolution No. 052-18**, a Resolution authorizing the City Manager for the City of Napoleon, Ohio to complete all acts necessary for the sale of certain property partially owned by the City of Napoleon, Ohio, to the highest bidder through public auction, to wit: 120 East Clinton Street, Napoleon, Ohio, Parcel No. 41-009421.3940, commonly known as the old Senior Center Building; and Declaring an Emergency. *(Suspension Requested)* – a copy of the real estate purchase agreement is attached behind the resolution.
2. **Resolution No. 053-18**, a Resolution authorizing a temporary easement on portions of certain City owned property contained within Parcel No. 28-070096.0000 to the Board of Commissioners of Henry County, Ohio; and Declaring an Emergency. *(Suspension Requested)*
3. **Resolution No. 054-18**, a Resolution strongly urging Ohio Governor John Kasich and Members of the Ohio General Assembly to invest the State of Ohio Budget Surplus in local Ohio Municipalities; and Declaring an Emergency. *(Suspension Requested)*
4. **Resolution No. 055-18**, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the Year 2018 Tax Duplicates Payable in Year 2019; and Declaring an Emergency. *(Suspension Requested)*
5. **Resolution No. 056-18**, a Resolution Authorizing and Directing the Finance Director/Clerk to Certify and File Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for Placement and Collection on the 2018 Tax Duplicates Payable in the Year 2019; and Declaring an Emergency. *(Suspension Requested)*

H. SECOND READINGS of ORDINANCES and RESOLUTIONS

1. **Resolution No. 051-18**, a Resolution Amending the Rules for the Napoleon Outdoor Refreshment Area (NORA).

I. THIRD READING of ORDINANCES and RESOLUTIONS - *None*

J. GOOD of the CITY (Discussion/Action):

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for September 2018 as three month averaged factor \$0.01837, JV2 \$0.021676 and JV5 \$0.021676.
2. **Discussion/Action:** to Implement the Sewer Rates for 2018 Resulting in 5% Overall Increase in Revenue for One Year as Recommended by Courtney & Associates in the October 9, 2017

Sewer Rate and Cost of Service Study. – *the pages from the 2017 Sewer Rate and Cost of Service Study showing the proposed sewer rates for 2018-2020 and Courtney's recommendations are enclosed.*

3. **Discussion/Action:** Downtown Revitalization Grant Opportunity. – *a copy of the grant details are attached.*
4. **Discussion/Action:** Approval of PC 18-03 – Conditional Use Permit for a Planned Residential Development on Raymond Avenue (Extended). *PC 18-03 was approved by the Planning Commission at their meeting on September 11th, a copy of the project description and site plans are enclosed.*
5. **Discussion/Action:** Approval of Change Order No. 3 to Vernon Nagel, Inc. for the Industrial Drive Improvements Project (PID No. 102253), an Increase of \$31,565.83. – *a copy of Change Order No. 3 is enclosed.*
6. **Discussion/Action:** AMP Peak Shaving Project. *Attached is a Memorandum from Joel, a copy of the presentation put together by AMP and a draft copy of the power sales contract.*
7. **Discussion/Action:** Acceptance of a Donation from Goodville Mutual in the amount of \$1,000.00 to Napoleon Fire & Rescue for Fire Prevention. *Chief O'Brien's Memorandum is attached as well as a copy of Goodville Mutual Casualty Company's letter and their donation.*
8. **Discussion/Action:** Water Rate Study Update (*Refer to Committee and Board of Public Affairs*).

INFORMATIONAL ITEMS

1. *Agenda* – Tree Commission; Monday, September 17, 2018 at 6:00 pm
2. *Cancellation* – Parks and Recreation Committee
3. *Agenda* – Health Care Cost Committee; Friday, September 21, 2018 at 9:00 am
4. *Press Release* – Fall Cleanup Week
5. OML Call to Action
6. AMP Update/September 7, 2018

Records Retention - CM-11 - 2 Years

SEPTEMBER 2018

◀ August

October ▶

Sun	Mon	Tue	Wed	Thu	Fri	Sat
2	3 LABOR DAY City Offices Closed	4 6:15 pm - Technology Committee 7:00 pm - City Council	5	6	7 9:00 am – Healthcare Cost Committee Meeting	8
9	10 6:15 pm - Electric Comm BOPA 7:00 pm - Water & Sewer Committee 7:30 pm - Municipal Properties/ED Committee	11 4:30 pm - Special Civil Service Commission 5:00 pm - Planning Commission	12	13	14	15
16	17 6:00 pm - Tree Comm. 7:00 pm – City Council	18	19	20	21 9:00 am - Healthcare Cost Committee Meeting	22
23	24 6:30 pm Finance & Budget Committee 7:30 pm Safety & Human Resources Comm.	25 4:30 pm Civil Service Commission	26 6:30 pm Parks & Rec Board Mtg.	27	28	29
30						

CITY COUNCIL

MEETING AGENDA

Monday, September 17, 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. September 04, 2018 Council Meeting Minutes.

D. Citizen Communication

E. Reports from Council Committees

1. **Electric Committee** met on September 10, 2018; and recommended
 - a. Approval of September, 2018 PSCAF
2. **Water, Sewer, Refuse, Recycling and Litter Committee** met on September 10, 2018; and recommended
 - a. to Implement the Sewer Rates for 2018 Resulting in 5% Overall Increase in Revenue for One Year as Recommended by Courtney & Associates in the October 9, 2017 Sewer Rate and Cost of Service Study.
 - b. Tabled discussion on Yard Waste Site with Staff to bring back recommendation.
 - c. Was Updated on the Williams Pumping Station Project.
3. **Municipal Properties, Buildings, Land Use and Economic Development Committee** met on September 10, 2018; and
 - a. Tabled discussion on grant opportunity to move Truck Traffic off Perry Street/St. Rt. 108
 - b. Recommended move forward with Downtown Revitalization Grant Opportunity.

F. Reports from Other Committees, Commissions and Boards *(Informational Only-Not Read)*

1. **Health Care Cost Committee** met on September 7, 2018; and
 - a. Discussed 2019 Wellness Plan
 - b. Discussed Health Care Cost Increases for 2019.
2. **Board of Public Affairs** met on September 10, 2018; and
 - a. Approved PSCAF for September, 2018
 - b. Recommended to Implement the Sewer Rates for 2018 Resulting in 5% Overall Increase in Revenue, for One Year, as Recommended by Courtney & Associates.
3. **Civil Service Commission** met in a Special Meeting on September 11, 2018; and
 - a. Approved Applicants for Firefighter/Paramedic Position
 - b. Certified the List for Firefighter/Paramedic
4. **Board of Zoning Appeals** did not meet on September 11, 2018 due to lack of agenda items.
5. **Planning Commission** met on September 11, 2018; and recommended
 - a. Approval of PC 18-03 Conditional Use Permit for a Planned Residential Development located on Raymond Avenue (Extended)

G. Introduction of New Ordinances and Resolutions

1. **Resolution No. 052-18**, a Resolution authorizing the City Manager for the City of Napoleon, Ohio to complete all acts necessary for the sale of certain property partially owned by the City of Napoleon, Ohio, to the highest bidder through public auction, to wit: 120 East Clinton Street, Napoleon, Ohio, Parcel No. 41-009421.3940, commonly known as the old Senior Center Building; and Declaring an Emergency. *(Suspension Requested)*
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3. **Resolution No. 054-18**, a Resolution strongly urging Ohio Governor John Kasich and Members of the Ohio General Assembly to invest the State of Ohio Budget Surplus in local Ohio Municipalities; and Declaring an Emergency. *(Suspension Requested)*
4. **Resolution No. 055-18**, a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the Year 2018 Tax Duplicates Payable in Year 2019; and Declaring an Emergency. *(Suspension Requested)*

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H. Second Readings of Ordinances and Resolutions

1. **Resolution No. 051-18**, a Resolution Amending the Rules for the Napoleon Outdoor Refreshment Area (NORA).

I. Third Readings of Ordinances and Resolutions

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

1. **Discussion/Action:** Approval of Power Supply Cost Adjustment Factor for September 2018 as three month averaged factor \$0.01837, JV2 \$0.021676 and JV5 \$0.021676.
2. **Discussion/Action:** to Implement the Sewer Rates for 2018 Resulting in 5% Overall Increase in Revenue for One Year as Recommended by Courtney & Associates in the October 9, 2017 Sewer Rate and Cost of Service Study.
3. **Discussion/Action:** Downtown Revitalization Grant Opportunity.
4. **Discussion/Action:** Approval of PC 18-03 – Conditional Use Permit for a Planned Residential Development on Raymond Avenue (Extended).
5. **Discussion/Action:** Approval of Change Order No. 3 to Vernon Nagel, Inc. for the Industrial Drive Improvements Project (PID No. 102253), an Increase of \$31,565.83.
6. **Discussion/Action:** AMP Peak Shaving Project.
7. **Discussion/Action:** Acceptance of a Donation from Goodville Mutual in the amount of \$1,000.00 to Napoleon Fire & Rescue for Fire Prevention.
8. **Discussion/Action:** Water Rate Study Update *(Refer to Committee and Board of Public Affairs)*.

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: Monday, October 1, 2018 @6:15 pm)
 - a. Review of NCTV Agreement [tabled]
 2. **Electric Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 08, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for October 2018
 - b. Status of Transmission Ownership.
 - c. Electric Department Report.
 3. **Water, Sewer, Refuse, Recycling & Litter Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 08, 2018 @7:00 pm)
 - a. Yard Waste Site (Tabled).
 4. **Municipal Properties, Buildings, Land Use & Economic Development Committee (2nd Monday)**
(Next Regular Meeting: Monday, October 08, 2018 @7:30 pm)
 - a. ODOT TAP Program Grant Award.
 - b. Grant Opportunity to Move Truck Traffic off Perry St/St. Rt. 108 (tabled)
 5. **Parks & Recreation Committee (3rd Monday)**
(Next Regular Meeting: Monday, October 15, 2018 @6:00 pm)
 6. **Finance & Budget Committee (4th Monday)**
(Next Regular Meeting: Monday, September 24, 2018 @6:30 pm)
 7. **Safety & Human Resources Committee (4th Monday)**
(Next Regular Meeting: Monday, September 24, 2018 @7:30 pm)
 - a. Health Care Cost Increases for 2019
 - b. Jake Brake
 8. **Personnel Committee (as needed)**
- B. Items Referred or Pending in Other City Committees, Commissions & Boards**
1. **Board of Public Affairs (2nd Monday)**
(Next Regular Meeting: Monday, October 08, 2018 @6:15 pm)
 - a. Review of Power Supply Cost Adjustment Factor for October 2018
 - b. Status of Transmission Ownership.
 - c. Electric Department Report
 2. **Board of Zoning Appeals (2nd Tuesday)**
(Next Regular Meeting: Tuesday, October 09, 2018 @4:30 pm)
 3. **Planning Commission (2nd Tuesday)**
(Next Regular Meeting: Tuesday, October 09, 2018 @5:00 pm)
 4. **Tree Commission (3rd Monday)**
(Next Regular Meeting: Monday, October 15, 2018 @6:00 pm)
 5. **Civil Service Commission (4th Tuesday)**
(Next Meeting: Tuesday, September 25, 2018 @4:30 pm)
 6. **Parks & Recreation Board (Last Wednesday)**
(Next Regular Meeting: Wednesday, September 26, 2018 @6:30 pm)
 7. **Privacy Committee (2nd Tuesday in May & November)**
(Next Regular Meeting: Tuesday, November 13, 2018 @10:30 am)
 8. **Records Commission (2nd Tuesday in June & December)**
(Next Regular Meeting: Tuesday, December 11, 2018 @4:00 pm)
 9. **Housing Council.**
 10. **Health Care Cost Committee**
(Next Meeting: Friday, September 21, 2018 @9:00 am)
 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)**

**CITY COUNCIL
MEETING MINUTES**

Tuesday, September 04, 2018 at 7:00 pm

PRESENT

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

Gregory J. Heath

Recorder/Records Clerk

Roxanne Dietrich

City Staff

Dave Mack-Police Chief; Clayton O'Brien-Fire Chief; Tony Cotter-Director of Parks and Recreation, Pastor Chip Bullock-Napoleon Church of the Nazarene
Newsmedia, NCTV

Others

ABSENT

Councilman

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.

Approval of Minutes

Hearing no objections or corrections, the minutes from the August 20, 2018 Council Meeting stand approved as presented.

Donation from Napoleon Church of the Nazarene to the Parks and Rec Department

Mazur reported the Napoleon Church of the Nazarene held their second 5k run this past summer and would like to donate \$5,200 from the 5k to the parks and rec department. Cotter, Director of the Parks and Rec Department, said Pastor Bullock asked him to identify sources for the donation to which he suggested the equipment for the youth baseball and softball programs needs to be upgraded plus new playground equipment will be going in at Glenwood Park soon and it would be nice to put in a couple of benches at Glenwood Park. Bialorucki asked Pastor Bullock what made you want to start the 5k and donate to the parks and rec department? Pastor Bullock replied NapNaz is motivated by caring for and being present in the community. A lot of people in our church participate in and enjoy the parks and rec programs and we wanted to resource it in a small way. Bialorucki said "we appreciate very much your caring about the people of our community".

Citizen Communication

None.

Committee Reports

The **Finance and Budget Committee** met on August 27, 2018 and made the recommendation to not do anything on the indigent defense billing. Chairman Baer reported the **Safety and Human Resources Committee** met on August 27, 2018 and discussed four different items: in-vehicle cameras for the Police Department, recommend the Radio System Upgrade be approved, approved implementing the Wellness Program for BORMA and discussed health

Discussion

Mazur said this resolution would amend the NORA by removing the rule “Only One (1) Official Cup will be permitted at a time per NORA participant”. Bialorucki commented he feels the rule is an inconvenience for some that may want to get a drink for someone else. Since we started NORA I have heard great things from people, this is something that should be left up to each business owner. Mazur noted we’ve only had one unanimous complaint. Harmon added if the worries are about drunken people there are already laws in the books for those things. Maassel asked isn’t a 45-day review and 90-day review required? Mazur replied, the 45-day review was done at the committee meeting then there are quarterly reviews after that. Maassel expressed concern going from one cup to as many as people can carry, why not wait until after the next review, talk to all the owners, see if trash is increasing with cigarette butts and NORA cups. Siclair asked how many cups have been used? Mazur replied the first order was for 10,000 cups.

Passed
Yea-4
Nay-2

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

Second Read of Ordinance No. 044-18 Purchase of 2019 Ford Explorer for Fire Department Off State Contract

Council President Bialorucki read by title, Ordinance **No. 044-18**, an Ordinance Authorizing the Expenditure of Funds over Twenty-Five Thousand Dollars (\$25,000.00) for the Purpose of Purchasing a Year 2019 or Newer Ford SUV for the City Fire Department, Utilizing the State Cooperative Purchasing Program, which was not included in the 2018 Appropriation Budget, also Authorizing Supplementing the Annual Appropriation Measure (Supplement No. 4) for the Year 2018; and Declaring an Emergency.

Motion to Approve Second Read of Ordinance No. 044-18

Motion: Comadoll Second: Haase
to Approve Second Read of Ordinance No. 044-18.

Discussion

Mazur reported suspension is being requested. Chief O’Brien added, we need to have our order in before they start the build at the end of September.

Passed
Yea-6
Nay-0

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

Passed
Yea-6
Nay-0

Motion: Comadoll Second: Siclair
to suspend the rule requiring three readings for Ordinance No. 044-18.
Yea-Bialorucki, Mires, Haase, Siclair, Comadoll, Baer
Nay-

Third Readings

There was not any legislation presented for third readings.

**GOOD OF THE CITY
Radio System Upgrade**

Mazur reported the commissioners offered to pay 50% for up to twenty radios for a county-wide radio system for emergency services for all the different jurisdictions in Henry County, any more radios that may be required the

commissioners will allow the communities to borrow from a revolving loan fund at 0% interest over ten years, we feel this is a very generous offer and great leadership taken by the county commissioners to help all the jurisdictions in Henry County. Chief O'Brien continued, this project has been in the works for the last two years, we were having a lot of reliability, coverage and paging issues and the county fire chiefs put together a radio committee to look at how we could fix the current system, the commissioners really did get behind and support the project, the \$400,000 was a huge investment to be able to put the ARS site up, without the site the radio system does not work. We choose the Lucas County system (no user fees per radio/per month) over MARCS (\$10 per radio/per month). Had we went on MARCS, a site would still have needed to be put up. This is a huge accomplishment for all first responders, we are very grateful for the political subdivisions that are getting behind this integrated system. We currently are dispatching on the same channel that we are running fire ground operations on, this will change, there will be multiple channels, Chief Mack added most of the police radios were funded by the capital budget grant project down at the state and an EMA grant, we will keep the VHF system, we still need eight radios for our auxiliary. The commissioners have offered 0% for ten years at a retail discounted price, that amounts to \$2,600 per radio at 0% for ten years. Chief O'Brien said they Fire Department will have a \$4,000 payment to the commissioners for the next ten years. The bank chargers and extra batteries will come out of this year's budget, to stay at twenty radios is tough we had to rethink the process. With the commissioners' promo price offer, the radios are \$3,364 each for twenty radios, the members will not be able to take the radios home those will be stored at the rack, they will be getting a pager they can take that home, the pagers are \$600 each. Mazur said we are seeking Council approval to move forward with the commissioners offer and purchase the required equipment, Tracy Busch (Henry County EMA) is putting a bid out and wanted to make sure Council was in agreement before they move forward. Bialorucki thanked Chief O'Brien and Chief Mack for all their hard work that was put into saving money and working things out, your efforts and time are appreciated.

Motion to Move Forward with Radio System Upgrade for Fire and Police Departments

Motion: Comadoll Second: Siclair
to move forward with county commissioner's offer of a revolving loan fund at 0% interest for ten years to complete the radio system upgrade for the Fire and Police Departments.

**Passed
Yea-6
Nay-0**

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

Former Senior Center Building

Mazur reported the county commissioners received one bid from Julie Busch at \$60,000, which was the minimum bid price. I would request the Law Director draft legislation for the sale of the Senior Center and accept the bid. Comadoll asked if parking issues will be addressed, a few years ago someone had their prom there and our customers were told the road was getting closed and they had to move their vehicles, there was not any notification. Mazur's response was whatever venue you get there you will have parking issues. Comadoll

**Motion to Direct Law
Director to Draft
Legislation**

suggested someone may want to approach Embarq about use of their lot for parking.

Motion: Baer Second: Comadoll
to direct the Law Director to draft legislation for the sale of the former Senior Center building and to accept the bid.

Passed
Yea-6
Nay-0

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

**Income Tax Chapter
194.134(C)**

Harmon stated a couple months ago the city ordinance regarding landlord reports was corrected and the Tax Department is now putting out letters informing people to fulfill their obligation and turn in the required reports. If they do not comply, a letter will be sent from my office letting the landlords know this will be enforced and there will be charges if they fail to comply, if this is what Council desires, I will start enforcing. Maassel asked if a tenant moves out in the middle of the night leaving no forwarding address how does the landlord handle that? Harmon responded the landlord can put down there is no forwarding information, the person took off and turn the form in and that will fulfill their obligation. There is a stack of letters that will be going out to business people in the community and I wanted to let Council know we will be enforcing the rules; therefore, if there is other action you prefer we take, this can be referred to committee. Heath said when the ordinance was addressed the last time we had two names now there are twenty-five landlords that will be receiving letters, I'm okay with the ordinance as it is written. Bialorucki expressed his concern why the number went from two to twenty-five after it was discussed. Heath said this is a collection tool. Harmon noted the penalty is a M1, the same as a non-filing, I have an obligation to enforce our laws.

No Action Taken

No action was taken.

**Liquor License Name
Change
Makayla Scarlett LLC to
Ninja Asian Cuisine LLC**

Heath said it is my understanding this is where the Old Butcher Block used to be, action is only needed if a hearing is wanted. Bialorucki asked if a history search is done on a company before they go into a building. Mazur said the transfer is done through the division of liquor control. Chief Mack noted if there are any violations, those will be reported during renewal time.
No Action Required.

**Liquor License to Gracie
Taqueria LLC dba Locker
Room**

Heath said this is a new liquor license for a new business, I believe it was formerly the Town Tap.
No Action Required.

**Accept Donation of \$5,200
to the Parks and Rec Dept.
From Napoleon Church of
the Nazarene**

Motion: Comadoll Second: Baer
to accept the donation of \$5,200 from Napoleon Church of the Nazarene to the Parks and Rec Department.

Passed
Yea-6
Nay-0

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

ODOT TAP Program Grant Award Referred to Municipal Properties Comm. October Agenda

President Bialorucki referred ODOT Tap Program Grant Award to the Municipal Properties, Buildings, Land Use and Economic Development Committee for their October 8, 2018 agenda.

Update on the Williams Pump Station Project Referred to Water and Sewer Committee

President Bialorucki referred Update on the Williams Pump Station Project to the Water, Sewer, Refuse, Recycling and Litter Committee.

AROUND THE TABLE
Mazur

Requested the following items be referred to the Municipal Properties Committee: grant opportunities to move truck traffic off Perry Street/St. Rt. 108; and Downtown Revitalization Grant.

President Bialorucki Referred to Municipal Properties Committee Grant Opportunities To Move Truck Traffic Off Perry St./St. Rt. 108 and for Downtown Revitalization

President Bialorucki referred Grant Opportunity to Move Truck Traffic Off Perry Street/St. Rt. 108 and Grant Opportunity for Downtown Revitalization Grant be referred to the Municipal Properties, Buildings, Land Use and Economic Development Committee.

Mazur – the CBDG grant application for the area around the Senior Center was not awarded, it was cited there was not enough citizen participation. The required four public meetings were held with only two or three people showing up.

I would request Council direct the Law Director to draft legislation for donation of an easement to the Henry County Commissioners for the Second River Bridge Project.

Motion to Direct the Law Director to Draft Legislation Donate Easement to Henry Co. Comm. 2nd River Bridge

Motion: Haase Second: Comadoll
to direct the Law Director to draft legislation to donate an easement to the Henry County Commissioners for the Second River Bridge.

Passed
Yea-6
Nay-0

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

Mazur requested an executive session on Economic Development and one for personnel/compensation of employees.

Harmon

Ohio Municipal League (OML) has been pushing municipalities to pass legislation urging the Governor to consider investing the state budget surplus back to our communities. This would be similar to a call to action legislation, if Council would like to direct me to draft legislation.

Motion to Direct Law Director to Draft Legislation Urging Gov. to Invest State Budget Surplus in Municipalities

Motion: Comadoll Second: Baer
to direct the Law Director to draft legislation urging the Governor and Ohio General Assembly to invest the state budget surplus in municipalities.

Passed
Yea-6
Nay-0

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

Haase

No items.

Mires

The water tower is looking mighty nice, white and shiny, Napoleon is being put on with more letters going on today.

Mayor Maassel

Bridges Out of Poverty seminar will be held on Monday, September 17th at Defiance College from 10:00 am–4:30 pm, we have an invitation from Together We Can Make a Difference Initiative, there are spots reserved for the City let me know if you want to go.

We are getting closer to budget season Joel do you want our requests?

Mazur replied “the sooner the better”.

Maassel-a general reminder, when I did my State of the City, I talked about slowly moving away from 38%-52% allocation back towards 50%-50% hopefully we can make that a goal.

Do we have a jake brake ordinance on the books?

Harmon-we do not, we talked about this before.

Bialorucki-we did talk about it before, there is a sign on Rt. 6 coming into town, can we put signs up other places?

Harmon-we can attempt to enforce using other noise ordinances.

Comadoll-is the sign in the city or county?

Bialorucki stated do believe it may be before the city limits sign, if we want to put something on the books.

Harmon-this can be sent to Committee and in the meantime I can do research.

Maassel-know this is hard to enforce, I get it, but sometimes signs just help.

Bialorucki

Congratulations Jeff.

Baer

Dan nothing

Comadoll

Hopefully the downtown situation is squared away, notifying businesses about shutting down streets. Today when I went to work I could not get down Monroe Street had to go in the back way, it was an all-day closure they were putting hydro stops on the waterline.

Mazur-will have to take a look at that, I know they were working on the waterline maybe they had to extend into the road why the closure, imagine it is temporary.

Comadoll-the closure was on Monroe from Clinton to Washington and there were signs at Shelby Street also. It is getting rough to get to work, my boss is very upset because of what is going on down there our business at the hardware is off over

\$14,000 he says we will not make it up, will live with it, need better communications.

Siclair

Congratulation to you Jeff.

I would like to recognize some good citizenship. I see a lot of litter in different areas of Napoleon, I noticed a woman down at the boat ramp out for her jog picking up trash and putting in a trash can that is nice to see people taking ownership like that. There was a group of women having coffee at the Pocket Park and they pulled all the weeds out, it looks nice keep up the good work.

Bialorucki-who should be taking care of the weeds there?

Mazur-it is managed by the Chamber.

Siclair-I did call the Chamber and they picked up the weeds and got rid of them the women are talking about planting stuff in there.

Mazur-we had an issue with the Main Street Parking Lot not being maintained, we are losing volunteerism in parts of the city.

Heath

I contacted OWDA on funding the \$2.5 million note due in March, we have to start the process and get them material I believe it is best to go with OWDA instead of doing a competitive sale and paying for bond counsel.

President Bialorucki Referred Discussion on Jake Brake Referred to Safety and Human Resources Comm.

Harmon-requested the discussion on jake brake be referred to the Safety and Human Resources Committee.

President Bialorucki referred Discussion on Jake Brake to the Safety and Human Resources Committee.

Motion to Go Into Executive Session for Economic Development

Motion: Siclair Second: Mires
to go into Executive Session for Economic Development.

**Passed
Yea-6
Nay-0**

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

Motion to Go Into Executive Session for Compensation of Personnel

Motion: Siclair Second: Comadoll
to go into Executive Session for Compensation of Personnel.

**Passed
Yea-6
Nay-0**

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

Into Executive Session

City Council went into Executive Session at 8:36 pm.

Motion to Come Out of Executive Session for Economic Development

Motion: Siclair Second: Haase
to come out of Executive Session for Economic Development.

**Passed
Yea-6
Nay-0**

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

Council President Bialorucki reported Economic Development was discussed and no action was taken.

Motion to Come Out of Executive Session on Compensation of Personnel

Motion: Comadoll Second: Haase
to come out of Executive Session on Compensation of Personnel.

**Passed
Yea-6
Nay-0**

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

Council President Bialorucki reported Compensation of Personnel was discussed and no action was taken.

Out of Executive Session

City Council came out of Executive Session at 9:17 pm.

Approve Payment of Bills and Financial Reports

The bills and financial reports were approved as presented with no objections.

Motion to Adjourn

Motion: Haase Second: Comadoll
to adjourn the City Council meeting.

**Passed
Yea-6
Nay-0**

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

Adjournment

The City Council meeting was adjourned at 9:19 pm.

Approved:

September 17, 2018

Joseph D. Bialorucki, Council President

Jason P. Maassel, Mayor

Gregory J. Heath, Finance Director/Clerk

RESOLUTION NO. 052-18

A RESOLUTION AUTHORIZING THE CITY MANAGER FOR THE CITY OF NAPOLEON, OHIO TO COMPLETE ALL ACTS NECESSARY FOR THE SALE OF CERTAIN PROPERTY PARTIALLY OWNED BY THE CITY OF NAPOLEON, OHIO, TO THE HIGHEST BIDDER THROUGH PUBLIC AUCTION, TO WIT: 120 EAST CLINTON STREET, NAPOLEON, OHIO, PARCEL NO. 41-009421.3940, COMMONLY KNOWN AS THE OLD SENIOR CENTER BUILDING; AND DECLARING AN EMERGENCY

WHEREAS, in the year 1977, the City and Henry County, Ohio entered into a joint acquisition agreement pursuant to City Ordinance No. 1364, passed March 24, 1977, and a County resolution passed March 25, 1977; said agreement providing for the purchase and maintenance of a building and real property to be used for the Henry County Senior Center as authorized in Ohio Revised Code Section 153.61; and,

WHEREAS, said building and real property are no longer used as the Henry County Senior Center, are vacant, and are not otherwise required for the City's purposes; and productive use thereof would benefit and promote the economic welfare of the City, and provide employment opportunities for its citizens; and,

WHEREAS, the subject property was put up for public auction in accordance with Napoleon Ordinance 107.02 and the joint acquisition agreement and received one bid for \$60,000.00 which was accepted; and,

WHEREAS, the subject property, Parcel No. 41-009421.3940, with structure(s), being sold is approximately twenty-nine one hundredths (0.29) acres of land, more or less, located at 120 East Clinton Street, Napoleon, Ohio, as found in the Henry County Auditor's Office; and,

WHEREAS, the City Manager, being the official in charge of the property, has advised this Council that the subject property is no longer needed for a public purpose and has been successfully put out to bid;

NOW THEREFORE,

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

Section 1. That, Parcel No. 41-009421.3940, located in the City of Napoleon, Henry County, Ohio, is hereby determined by this Council not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the welfare of the people of the City, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research activities to the benefit of the people of the City and preserve, maintain or provide additional opportunities for their gainful employment.

Section 2. The City Manager of Napoleon, Ohio is hereby authorized and directed to complete all acts necessary for the sale of the above-listed property pursuant

to and in accordance with Napoleon Ordinance 107.02 and the joint acquisition agreement.

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for the furtherance of economic development within the City of Napoleon, all of which affects the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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 Resolution No. 052-18 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.

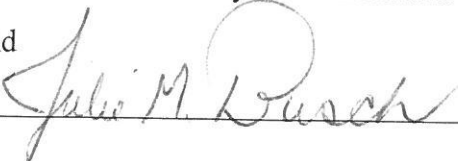
Gregory J. Heath, Clerk/Finance Director

REAL ESTATE PURCHASE AGREEMENT

THIS REAL ESTATE PURCHASE AGREEMENT (hereafter "Agreement") is entered into as of August 28, 2018, by and between:

The Board of County Commissioners of Henry County, Ohio (hereafter "Seller")

and

 (hereafter "Buyer").

1. DESCRIPTION: Seller desires to sell to Buyer and Buyer desires to purchase from Seller, on the terms and subject to the conditions contained herein, the real property located at 130 E. Clinton Street, Napoleon, Ohio, as is, in its present condition (hereafter "Property").

2. PURCHASE PRICE: The purchase price is \$ 600,000.⁰⁰

Buyer shall deposit 10% of the purchase price with Seller no later than 4:30 p.m. on August 29, 2018. Said deposit shall be in the form of cash, bank money order, or certified check made payable to Henry County, Ohio. The balance of the purchase price shall be payable in cash at the time of closing.

3. CLOSING: This Agreement shall be performed and this transaction closed, at the earliest convenience of both parties, and not later than September 30, 2018, unless the parties agree in writing to an extension.

- a) Costs: Buyer shall be responsible for payment of recording and conveyance fees.
- b) Deed: Seller shall prepare and convey to Buyer a Quit Claim Deed transferring all of Seller's rights title and interest in the Property.
- c) Possession: Buyer shall take possession of the Property on the date of closing.

4. MISCELLANEOUS: This Agreement constitutes the entire agreement and no oral or implied agreement exists. Any amendments to this Agreement shall be in writing, signed by Buyer and Seller. This Agreement shall be binding upon the parties, their heirs, administrators, executors, successors and assigns.

In Witness Whereof, the parties have set their hands to duplicate copies of this Real Estate Purchase Agreement.


SELLER:


(signature)

Henry County Commissioners
(printed name and title)

8/28/18
Date

BUYER:


(signature)

Julie M. Busch
(printed name and title)

8-28-18
Date

Approved as to form:

Katie Nelson,
Assistant Prosecuting Attorney
Henry County, Ohio

RESOLUTION NO. 053-18

**A RESOLUTION AUTHORIZING A TEMPORARY EASEMENT
ON PORTIONS OF CERTAIN CITY OWNED PROPERTY
CONTAINED WITHIN PARCEL NO. 28-070096.0000 TO THE
BOARD OF COMMISSIONERS OF HENRY COUNTY, OHIO;
AND DECLARING AN EMERGENCY**

WHEREAS, the City, by Ordinance No. 036-18, passed July 16, 2018, authorized the City Manager to enter into an agreement with the Board of Commissioners of Henry County, Ohio to perform bridge and roadway plan revisions for a new waterline extension for the New River Bridge; and,

WHEREAS, the Board of Commissioners of Henry County, Ohio are now desirous of a temporary easement on Parcels 010-T1, and 010-T2 of Parcel No. 28-070096.0000 for the purpose of establishment, construction, reconstruction, widening, repair or maintenance of a public road, namely the River Bridge and Waterline Extension Project; and,

WHEREAS, the duration of the temporary easement granted by this Resolution would be for a period of thirty-six (36) months immediately following the date on which the work is first commenced; and

WHEREAS, the subject property for which the Board of Commissioners of Henry County, Ohio requests the temporary easement is approximately 1.0362 acres of land, more or less, located on Industrial Drive; and

WHEREAS, the City Manager, being the official in charge of the property, has advised this Council that the Subject Property is not currently needed, and will not be needed for the duration of this easement, for a public purpose and that it is in the best interest of the City to gift a temporary easement to the Board of Commissioners of Henry County, Ohio in order to accomplish the above-listed project; **Now Therefore**,

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

Section 1. That, the herein described portions of Parcel No. 28-070096.0000 (approximately 1.0362 acres of that Parcel), located in the City of Napoleon, Henry County, Ohio, is hereby determined by this Council not to be required by the City for its purposes, and that such conveyance of such land or interests in land will promote the public peace, health or safety of the City and its inhabitants.

Section 2. That, Council determines that a temporary easement on Parcels 010-T1 and 010-T2 of Parcel No. 28-070096.0000 is granted to the Board of Commissioners of Henry County, Ohio for the purpose of establishment, construction, reconstruction, widening, repair or maintenance of a public road, namely the River Bridge and Waterline Extension Project.

Section 3. That, the City Manager is hereby authorized and directed to sign all documents necessary to effectuate this temporary transfer of property rights.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its

committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 6. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time for the furtherance of economic development within the City of Napoleon, all of which affects the public peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____
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 Resolution No. 053-18 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

RESOLUTION NO. 054-18

A RESOLUTION STRONGLY URGING OHIO GOVERNOR JOHN KASICH AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE OF OHIO BUDGET SURPLUS IN LOCAL OHIO MUNICIPALITIES; AND DECLARING AN EMERGENCY

WHEREAS, Council has been advised of Ohio Governor John Kasich’s proposal to use the projected State of Ohio budget surplus of \$147 million at the end of the biennium to fund an income tax withholding reduction and bring the State of Ohio’s rainy day fund to its maximum legal limit; and,

WHEREAS, the Ohio General Assembly has repeatedly decreased funding and revenue sharing in recent years by way of significantly reducing the Local Government Fund, eliminating the Estate Tax, and phasing out the Tangible Personal Property Tax; and,

WHEREAS, these reductions have resulted in a significant loss of revenue to the City of Napoleon, Ohio on an annual basis; and,

WHEREAS, the Ohio Municipal League (OML) now requests that the budget surplus funds be invested in local Ohio municipalities. **Now Therefore**,

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

Section 1. That, Council urges all citizens to support the Ohio Municipal League request that the budget surplus funds be invested in local Ohio municipalities.

Section 2. That, a duly executed and inscribed copy of this Resolution shall be made part of the official record of the Council of the City of Napoleon, Ohio in order that due notice of its adoption shall be given to the residents of this community.

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to expeditiously proceed for the economic welfare of the inhabitants of the City; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Further, the Emergency Clause is necessary to begin the construction process in a timely manner, and for further reasons as stated in the Preamble hereof

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 Resolution No. 054-18 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

RESOLUTION NO. 055-18

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR FOR THE 2018 TAX DUPLICATES PAYABLE IN YEAR 2019; AND DECLARING AN EMERGENCY

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget (Resolution No. 031-18) for the next succeeding fiscal year commencing January 1, 2019; and,

WHEREAS, the Budget Commission of Henry County, Ohio, has certified its action thereon to this Council together with an estimate of the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; **Now Therefore**,

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

Section 1. That, the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; further, the necessary tax levies are authorized, to be certified to the County Auditor for the 2018 Tax Duplicates, payable in the year 2019.

Section 2. That, there be and is hereby levied on the tax duplicate of the City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A				
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES				
City Tax Valuation \$151,096,730	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
FUND			Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund		\$302,193	2.00	
Police Pension Fund		\$90,658	0.60	
Fire Pension Fund		\$45,329	0.30	
TOTAL		\$438,180	2.90	

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

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow timely adoption of tax levies for placement on tax rolls; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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 Resolution No. 055-18 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

RESOLUTION NO. 056-18

A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR/CLERK TO CERTIFY AND FILE ANNUAL SPECIAL ASSESSMENTS OF THE CITY OF NAPOLEON, OHIO, WITH THE COUNTY AUDITOR OF HENRY COUNTY FOR PLACEMENT AND COLLECTION ON THE 2018 TAX DUPLICATES PAYABLE IN THE YEAR 2019; AND DECLARING AN EMERGENCY

WHEREAS, this Council in accordance with the provisions of law and by Ordinance has previously established special assessments for various projects in the City; and,

WHEREAS, these special assessments must be annually certified to the County Auditor by the Clerk of the Municipality; Now Therefore,

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

Section 1. That, the City Council of the City of Napoleon, Ohio, directs the Finance Director/Clerk to certify and file annual special assessments of the City with the County Auditor, as required by Section 727.30 of the Ohio Revised Code, in the form presented to Council and on file in the office of the Finance Director, attached and marked as (Exhibit "A"), for placement and collection on the 2018 tax duplicates, payable in the year 2019.

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

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

Section 4. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow timely placement of special assessments on the tax rolls; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: _____

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 Resolution No. 056-18 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



CITY OF NAPOLEON, OHIO

255 West Riverview Avenue, PO Box 151 • Napoleon, Ohio 43545-0151
 Gregory J. Heath, Director of Finance/Clerk of Council

Phone (419) 599-1235 Fax (419)-599-8393

E-mail: gheath@napoleonohio.com

Web Page: www.napoleonohio.com

August 31, 2018

Mr. Kevin Garringer
 Henry County Auditor
 Napoleon, Oh 43545

Dear Mr. Garringer:

I hereby certify that the Special Assessments have been levied upon the following lots and lands:

<u>CODE</u>	<u>PROJECT</u>	<u>YEARS</u>	<u>AMOUNT</u>
206	W. Main/Welsted/Vine Streets	1	2,303.18
207	Palmer Ditch Sewer	1	6,380.96
208	NP Water Main & Dist System	6	2,772.46
209	NP Pump Station & Force Main	6	4,344.27
210	NP Collector Sewer	6	3,044.39
211	NP East Interceptor Sewer	6	3,172.64
212	NP West Interceptor Sewer	6	3,652.98
296	So. Side Sewer-Storm & Sanitary - Deferment now	13	2,218.53
			27,889.41

These are to be applied upon the tax listing for the year 2018 and collected as other taxes are collected

Sincerely,

Gregory J. Heath
 Finance Director

RESOLUTION NO. 051-18

**A RESOLUTION AMENDING THE RULES FOR THE
NAPOLEON OUTDOOR REFRESHMENT AREA (NORA)**

WHEREAS, Resolution No. 032-18, which passed unanimously on June 25, 2018, established the Napoleon Outdoor Refreshment Area (NORA) and enacted certain rules and regulations thereunder; and,

WHEREAS, Council now desires to amend a certain section of said rules and regulations; **Now Therefore**,

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

Section 1. That, Resolution No. 032-18 is hereby amended, and the following rule shall be stricken from the list of NORA rules and regulations:

- Only One (1) Official Cup will be permitted at a time per NORA Participant

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

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

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 Resolution No. 051-18 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



City of Napoleon, Ohio

2017 SEWER RATE AND COST OF SERVICE STUDY

October 9, 2017

Courtney & Associates

DETERMINATION OF OVERALL REVENUE ADJUSTMENT

	<u>Net Revenue Requirements*</u>	<u>Revenues at Current Rates</u>	<u>Revenue Adjustment</u>	
			Amount	%
2018	\$ 3,119,226	\$ 3,177,879	\$ (58,653)	(1.9%)
2019	\$ 3,020,116	\$ 3,177,879	\$ (157,763)	(5.0%)
2020	\$ 3,282,675	\$ 3,177,879	\$ 104,795	3.3%
2021	\$ 3,718,913	\$ 3,177,879	\$ 541,034	17.2%
2022	\$ 4,077,573	\$ 3,177,879	\$ 899,693	28.3%
2023	\$ 4,450,192	\$ 3,177,879	\$1,272,312	40.0%

* Reflects WWTP Rehab Debt Starting in 2021(Phase I), 2022(Phase II) and 2023(Phase III).

City of Napoleon, Ohio

PROPOSED SEWER RATES 2018 - 2020

Description	2018		2019		2020	
	Inside	Outside	Inside	Outside	Inside	Outside
Commodity Charge: (Per 100 Cu. Ft.)						
All Usage	\$ 6.14	\$ 12.28	\$ 6.68	\$ 13.36	\$ 7.22	\$ 14.44
Capacity Charge: (Per Month)						
All Classes	\$ 35.19	\$ 70.59	\$ 35.19	\$ 70.59	\$ 35.19	\$ 70.59

City of Napoleon, Ohio

TYPICAL SEWER BILL COMPARISON EXISTING VS. PROPOSED

Usage	Existing Rates	Proposed Rates		
		2018	2019	2020
<u>Residential</u>				
500 cu ft.	\$ 63.19 100.0%	\$ 65.89 104.3%	\$ 68.59 108.5%	\$ 71.29 112.8%
<u>Commercial</u>				
2,500 cu ft.	\$ 175.19 100.0%	\$ 188.69 107.7%	\$ 202.19 115.4%	\$ 215.69 123.1%
<u>Industrial</u>				
25,000 cu ft.	\$ 1,435.19 100.0%	\$ 1,570.19 109.4%	\$ 1,705.19 118.8%	\$ 1,840.19 128.2%

RECOMMENDATIONS

- Implement the Proposed Rates, Which Will Result In a 5% Overall Increase In Revenues Each Year in 2018, 2019, 2020.
- Update the Sewer Rate and Cost of Service Study in 2020 and Adjust Rates, as Needed, to Meet the Projected Revenue Requirements.

Downtown Revitalization Grants

Grant Ceiling: \$300,000

Eligible Applicants: PY 2018 Allocation counties and direct cities. Communities not receiving PY 2018 Allocation funds may not apply for PY 2018 Downtown Revitalization Grant funds.

Eligible Activities: Eligible activities include, but are not limited to, uniform façade improvements; interior and exterior building code violation corrections; ancillary streetscape activities; administrative costs directly related to the downtown program; and architectural and engineering work related to specific revitalization activities.

The Downtown Revitalization program is designed primarily to improve the quality of privately owned buildings in the Central Business District (CBD). A maximum of 30 percent of CDBG grant funds, excluding administration, will be eligible for infrastructure activities. **These activities must be stand-alone projects bid and contracted by the local government applicant, and separate of projects overseen by other public entities such as the Ohio Department of Transportation (ODOT), Ohio Public Works Commission (OPWC), etc.**

Residential development, non-building-related private improvements (e.g. parking facilities, landscaping), and other investments undertaken in the downtown area during the CDBG project period can be counted as leverage or coordination. However, CDBG funds cannot be used to pay for these activities, unless OCD grants a waiver during the grant period.

Ineligible Activities:

- Neighborhood revitalization activities (i.e., the program cannot be used for improvements to an area that would be considered primarily residential);
- Projects that are designed primarily for future residential, commercial or industrial development.
- Funding to restructure or refinance existing debt, working capital, purchase or refinance equipment, training costs, or inventory costs;
- Activities related to specific downtown promotional events (e.g. festivals or parades);
- Costs associated with preparing plans and studies related to implementing downtown revitalization activities; and
- Large scale, single-purpose infrastructure projects that are better suited for the Residential Public Infrastructure Grant (RPIG) or Critical Infrastructure Grant.

Program Investment Area: Downtown Revitalization applicants can only address conditions in the Central Business District. Applicants must submit a building map of the downtown area indicating the target area boundaries and the location of proposed revitalization activities. Communities must have adopted design review standards that include the Secretary of the Interior's Standards for Rehabilitation verbatim for the program investment area.

Local Program Benefit/National Objective: Communities must qualify projects under the HUD Ohio State Administered CDBG program National Objective of Prevention/Elimination of Slum or Blight.

To qualify under the HUD National Objective of Prevention/Elimination of Slum or Blight, the designated geographic area must meet the state or local legal definition of a slum, blighted or deteriorated or deteriorating area in which there is a substantial number of deteriorated or dilapidated buildings/building elements and/or deteriorated public infrastructure elements. For the purposes of this definition, substantial is defined as at least 51 percent of the buildings within the defined downtown target area. All

activities funded under the slum or blight national objective must address one or more of the conditions that qualified the area as slum or blighted, i.e., interior building code violation corrections, exterior facade and building code violation corrections, and structural improvements. **In addition, slum or blight activities involving building rehabilitation are limited to building facade improvements, structural improvements, and/or interior/exterior building code violation corrections.**

Applicants proposing to complete ancillary streetscape improvements must also demonstrate that at least 51 percent of the target area's infrastructure elements are sub-standard.

Communities qualifying a project under the "elimination of slums or blight" national objective are required to submit either a statement signed by the applicant community's Chief Executive Officer (CEO) or a resolution passed by the governing legislative body, which declares the area slum or blighted and/or deteriorated or deteriorating, based upon state or local law. This statement or resolution must detail the program target area's condition at the time of its designation (i.e., downtown building inventories must have been conducted or updated within the 12-month period immediately prior to applying to OCD and have been completed by a building or code enforcement official or architect to document the appropriate designation). Also, a map identifying the boundaries of both the target area identified in the local designation defined as slum or blighted and the proposed program target area, must be provided to OCD with the statement or resolution.

Downtown Inventory: Applicants must survey the downtown program target area (which may include either the entire CBD or a portion of the downtown) and provide information about the condition, age and use of private and public buildings, as part of the application process. This information must be submitted by all Downtown Revitalization Program applicants. All specific survey information relative to the identified target area must be maintained by the applicant, as well as be submitted in summary form to OCD as part of the application process.

Applicants proposing to complete incidental streetscape improvements will also be required to submit a **Neighborhood Facility Inventory** to catalog the existing condition of the public facilities in the identified target area.

Administrative Cost: A maximum of \$30,000 or 15 percent of the total CDBG project cost, whichever is less, may be used for general administration costs. **Communities may also use up to 10 percent of the CDBG hard cost per unit for soft costs.** Soft costs may be charged to each rehabilitation project and not counted against the administration cap. Eligible soft costs include program implementation and oversight, preparing environmental review, audit and closeout activities. Engineering, architectural and legal service costs related to activities undertaken with CDBG funds can be charged to the relative specific line item budget activity. Eligible soft costs for the CDBG Program are outlined at 24 CFR Part 570.202(b)(9).

Revolving Loan Fund Participation: Local units of government will be required to substantially disburse any existing Revolving Loan Fund balance in conjunction with, or prior to, submitting a funding application to the state for a specific community development project. OCD reserves the right to reduce the grant award for successful applicants with high and/or stagnant Revolving Loan Fund balances.

Program Amendments/Extensions: Because grant awards are based on the projects proposed in the application, grantees receiving Downtown Revitalization funds are discouraged from changing their approved projects. OCD will consider, on a case-by-case basis, only those changes that do not negatively affect the scoring of the original competitively awarded grant. Grantees considering a change in program scope, location or design, number and type of beneficiaries, anticipated accomplishments or grant deadlines, must notify OCD in writing of the proposed changes. Formal OCD approval through the Grant Amendment Request in OCEAN and executing a grant amendment is required before making the changes. The OCD Amendment Policy is outlined in Policy Notice 17-01, Grant Operations and Financial Management Policy. OCD will consider amendment requests in application scoring during future funding rounds.

Local Program Period: Allocation Program award recipients receiving Downtown Revitalization

funds must complete their programs according to the following deadlines:

- 1) all activities (except audit and grant administration) must be completed by the end of the 24th month;
- 2) all drawdown requests must be submitted to OCD by the end of the 25th month; and
- 3) all funds must be disbursed and expended, and a final performance report must be submitted by the end of the 26th month.

Grant audit(s) must be conducted in accordance with 2CFR200, described in Policy Notice 17-01, Grant Operations and Financial Management Policy.

Application Timing:

Submission: June 15, 2018
Grant Award: September 1, 2018

OCD will not issue a separate grant agreement to communities receiving Downtown Revitalization funds. Awards will be included in the community's Allocation grant agreement.

Design Standards: The local legislative body must adopt and enforce (i.e., a design review process is in place and active) architectural design standards applicable to the downtown target area, incorporating verbatim the Secretary of Interior's Standards for Rehabilitation.

Business/Building Owner Program Participation: Applicants using Downtown Revitalization funds for private rehabilitation projects will not be required to include firm commitments from participating business/building owners with the application. However, committed program participants will be considered during scoring. OCD will not grant time amendments to allow communities to expend all funds dedicated to private improvements. OCD will not allow for amendments to shift unexpended funds to downtown infrastructure activities until proposed building rehabilitation projects are completed and demand has been satisfied.

Program Rating System Principles: All applications will be rated according to the following criteria:

- 1) **Distress (10 points):** Distress will be calculated based on the target community's economic condition (e.g. percent and number of LMI persons, unemployment rate, per capita income).
- 2) **Leverage (10 points):** Leverage will be calculated based on the extent to which the community will leverage other public and private funds; leverage will be based upon the amount of other resources as compared to the total grant request. Also, it will be based on the extent to which the community will coordinate efforts and implement other programs in addition to the proposed activities.
- 3) **Program Design (60 points):** Program Design will be based on the impact physical improvements will have on the downtown buildings; the proposed finance mechanism and total project costs reasonableness; proposed private rehabilitation activities feasibility; the community's comprehensive strategy and the extent to which the activities are consistent with the needs and strategies described in the applicant's most recent Downtown Inventory and Community Development Implementation Strategy; using CDBG funding effectively; and overall program design and process. Program impact will also take into consideration the applicant community's and identified administrator's capacity to carry out federal, state, and programmatic requirements. Administrative capacity will include experience in administering the following aspects of OCD-administered programs; complying with the grant agreement(s); adhering to program regulations and policies; resolving monitoring and/or audit findings; and progress in completing activities. Program impact will also take into consideration historical performance and the progress of other projects currently funded with OCD-administered funds.

- 4) Organization Participation/Capacity (20 points): Community should have an active downtown management or business association that promotes or coordinates downtown revitalization activities including economic development, promotional events, sound design and blight prevention. This organization should have participation from business and building owners in the Central Business District. The organization should demonstrate the anticipated degree of the downtown's increased long-term sustainability and marketability and the extent to which the program can feasibly incorporate the Main Street Four Point Approach. Points will also be assigned based upon the level to which the local business organization supports selecting the proposed activities; how effective the community's process is in involving the business organization in the application planning process; and the applicant's local government commitment to downtown revitalization. The planning process should include details regarding informational, project selection and priority selection strategies.

Napoleon Senior Housing Project Description

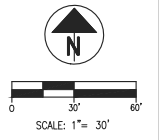
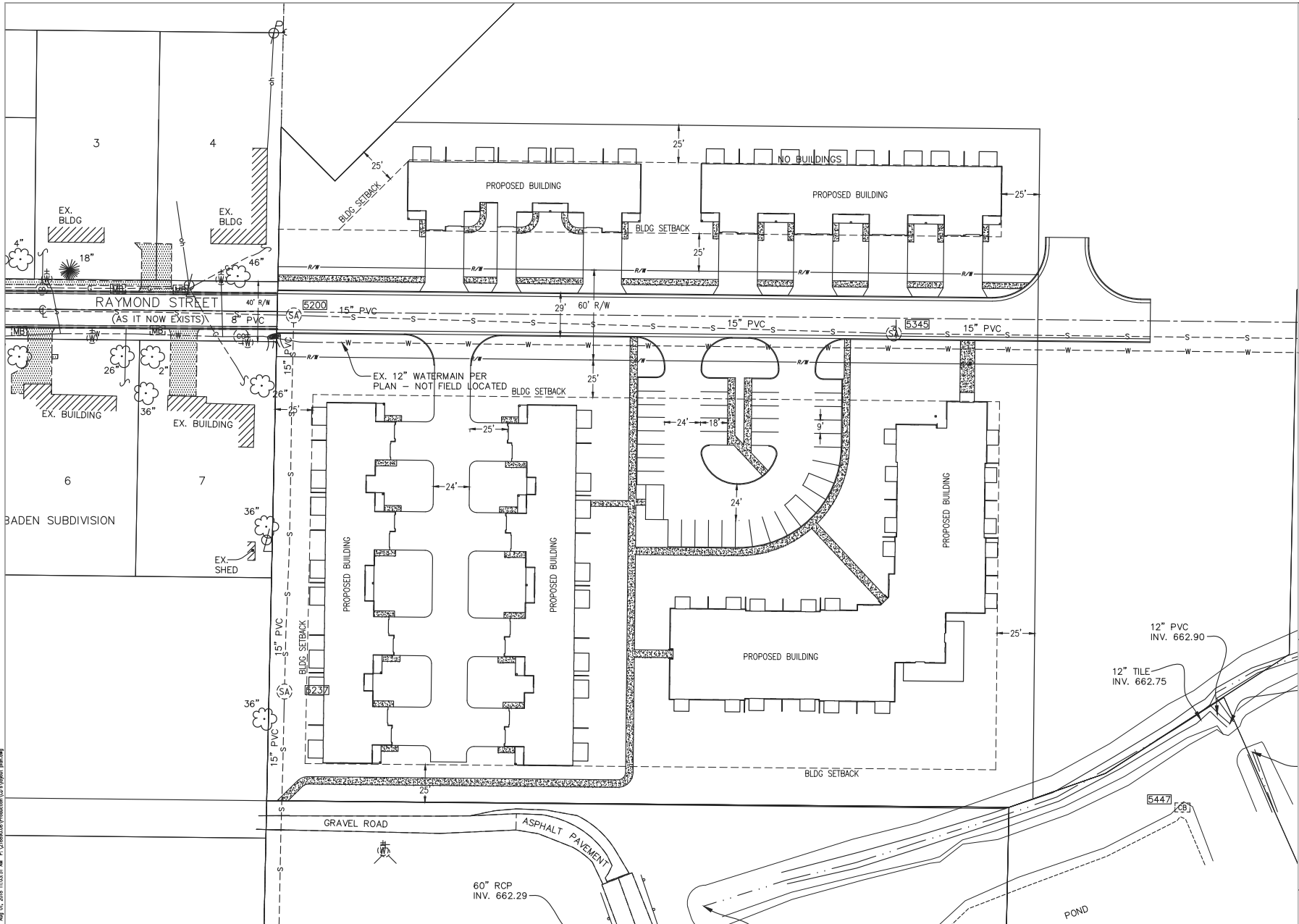
Napoleon Senior Apartments is a proposed new construction senior-restricted (55 years and older) housing project to be located on a 7 +/- acre site on the Raymond Street extension in the southeast portion of Napoleon Ohio. The proposed site is properly zoned for the intended use. All neighborhood amenities required by senior households are within a mile radius of the site with the senior center two blocks away. The project will have 20 one-bedroom units in a central corridor one story building which will also house community space and offices for staff. The 17 one-bedroom and 12 two-bedroom cottages will be in four 6 unit buildings and one 5 unit building. All the cottages will have one car garages and a driveway with room for a second car.

The units will be nicely appointed with full kitchen appliances (including dishwashers and microwave ovens), and built with energy efficiency in mind (EnergyStar-rated appliances and central HVAC equipment). The complex will have ample resident common areas, both indoor (a community building) and outdoor (a community plaza)

The proposed development will include 49 dwelling units in 11, single-story, buildings. Each cottage unit will have an attached one-car garage, a driveway capable of parking a second car, a covered front porch and a rear patio.

The development will be funded through the Ohio Housing Finance Agency Housing Tax Credit Program. Maximum income for a two person household if open today would be \$32,520 and for a one person household \$28,440. There will be a stratified rent level ranging from \$310 to \$690 for the one and two bedroom units.

July 01, 2018 11:03:01 AM P:\18890\08\Production\18890\18890.dwg



ACCESS
Engineering Solutions
www.accessengr.com | 419-586-1430

NAPOLEON SENIOR APARTMENTS

NAPOLEON, OHIO
HENRY COUNTY

SITE LAYOUT PLAN

REV NO	REV DATE	REVISION COMMENTS

1 / 1

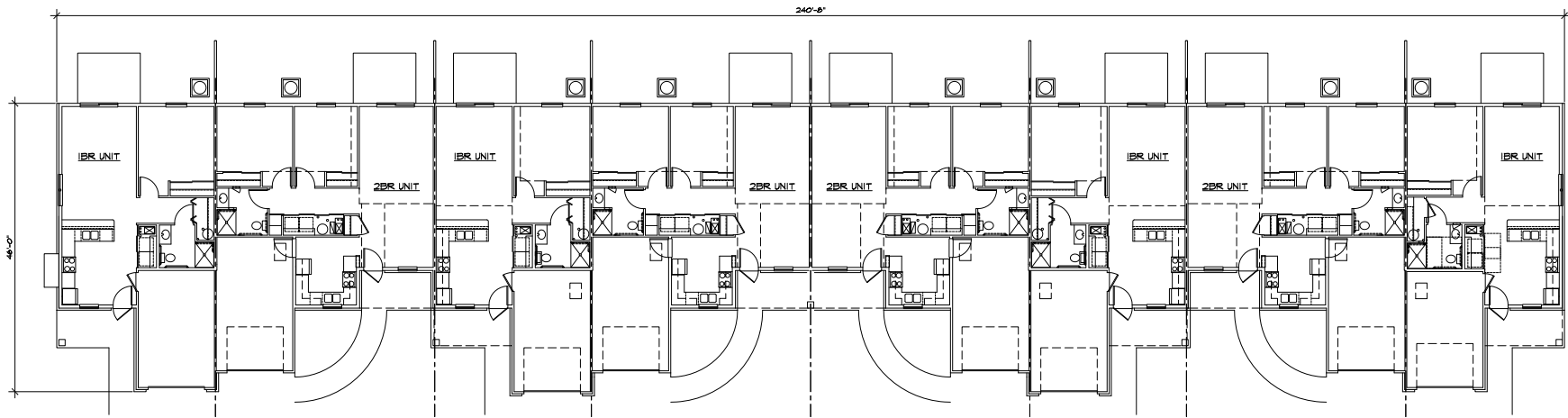
PROJECT NO.:
DATE:
DRAWN BY: TJS
CHECKED BY: NKT
218890.08
AUGUST 2018
419-586-1430



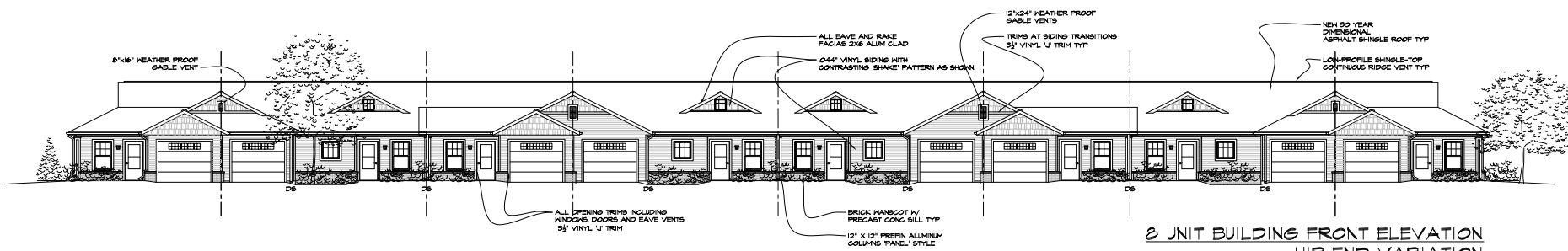
SITE DEVELOPMENT DATA

LAND AREA:	APPROX. 257,824 SF	APPROX. 5.46 ACRES
SITE DENSITY:		APPROX. 8.91 UNIT/ACRE
PARKING:		TOTAL - 48
COTTAGES:	● 2 SPACES PER UNIT (INCL. GARAGES) - 58	
GARDEN APTS:	● 1.5 SPACES PER UNIT - 50	
COMMUNITY SPACES:		5

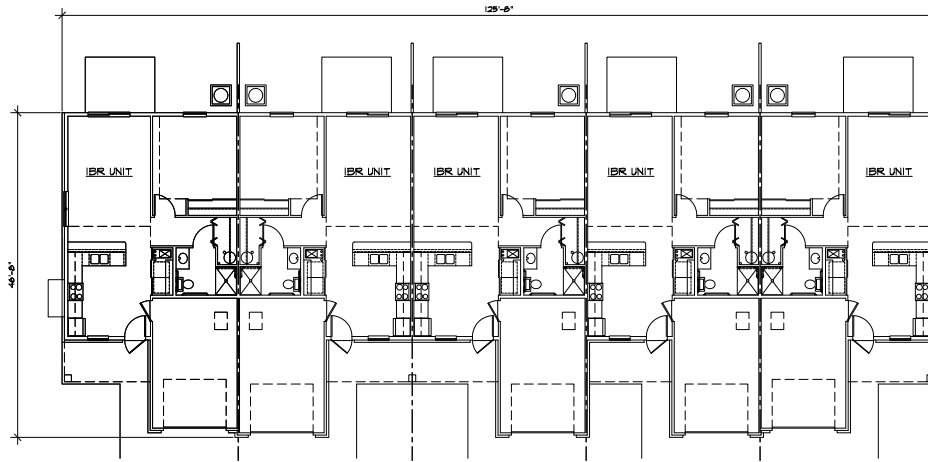
SITE PLAN
 SCALE: 1" = 50'-0"
 0' 10' 30' 50' 100'



8 UNIT BUILDING FLOOR PLAN
1/8" = 1'-0"
 GROSS AREA 9406 SF INCLUDING PORCHES. 8.976 SF W/ HANSCOT, NI PORCHES.

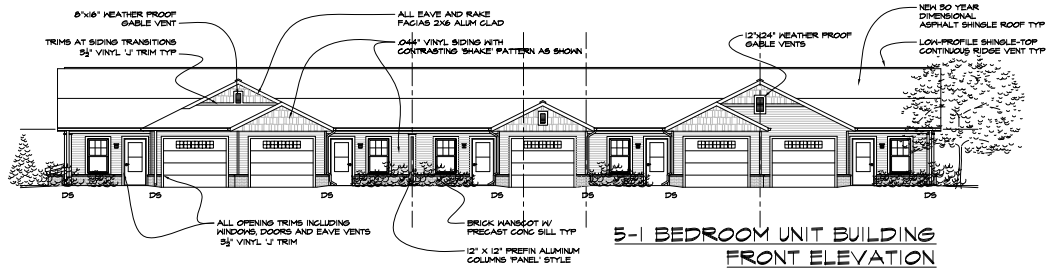


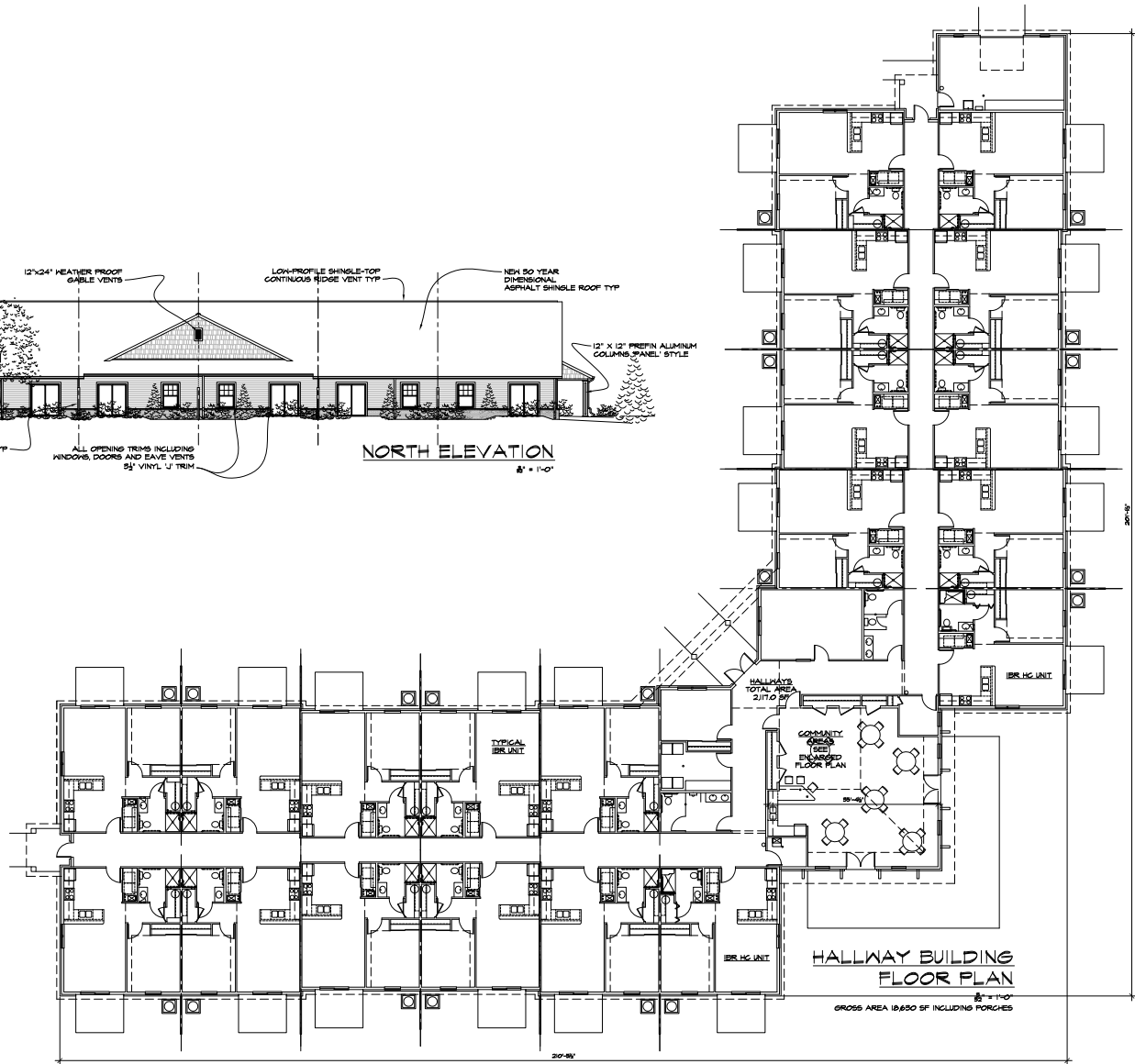
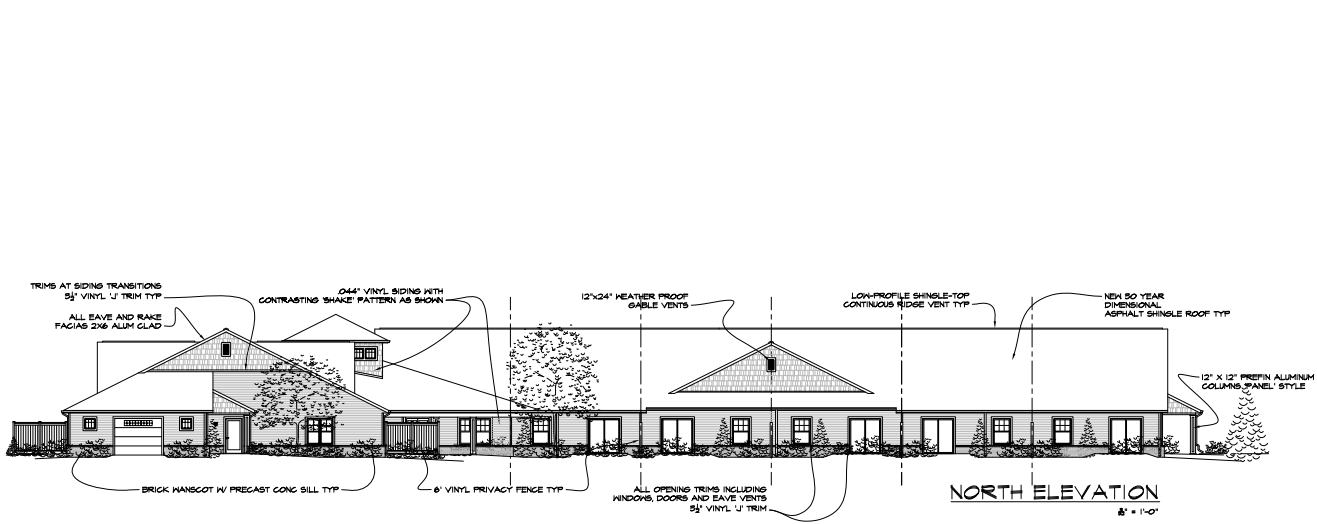
**8 UNIT BUILDING FRONT ELEVATION
 HIP END VARIATION**
1/8" = 1'-0"

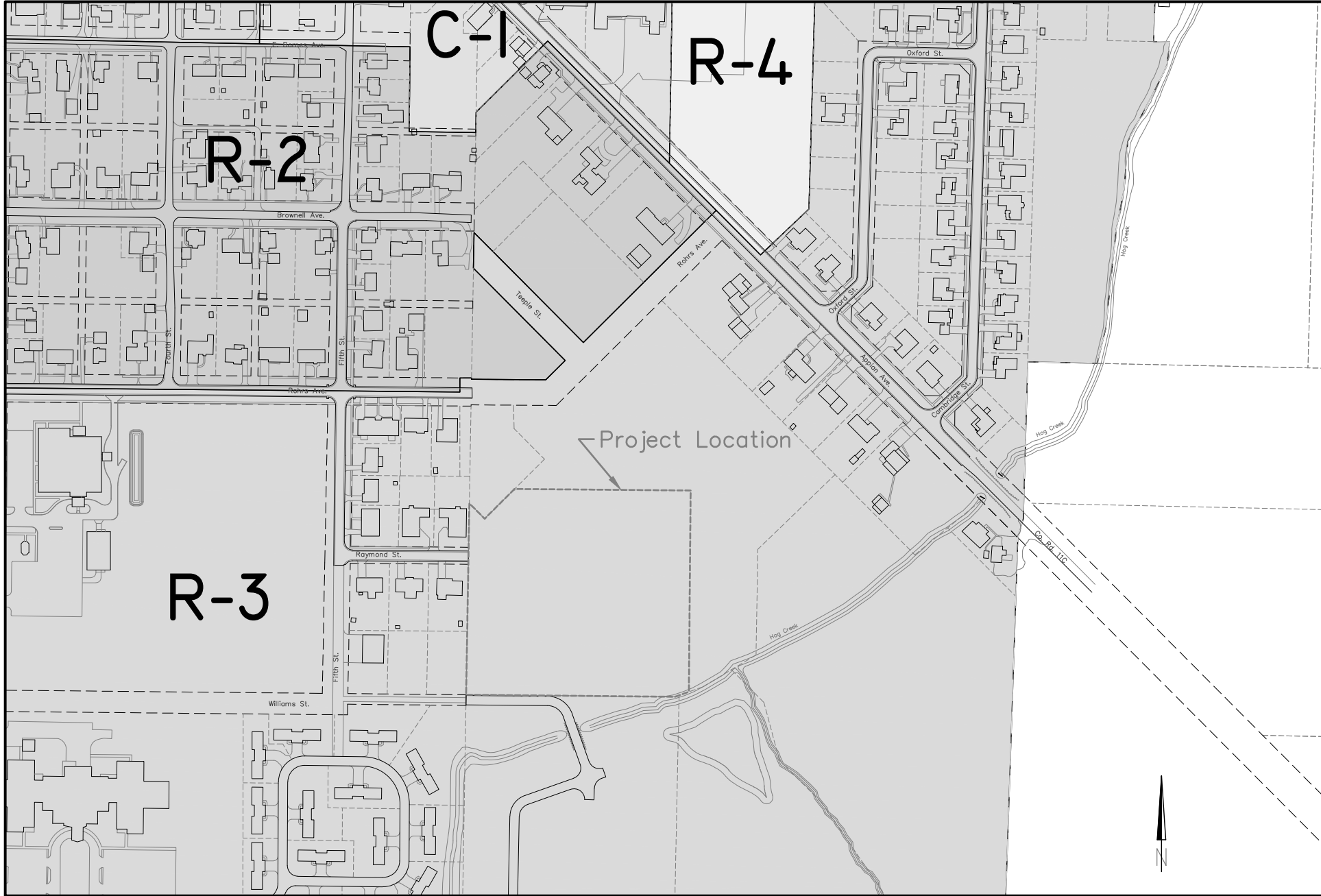


5-1BR UNIT BUILDING FLOOR PLAN

GROSS AREA 5266 SF INCLUDING PORCHES, 5,026 SF W/ HANGSCOT, N/A PORCHES. $\frac{1}{8}'' = 1'-0''$







Created: 8/30/18	Plotted: 8/30/18	Scale: 1"=200'		Plans Prepared By: City of Napoleon Eng'g Department Chad E. Lulis, P.E., P.E.P.S. Director of Public Works	No.	Date	Revision	Chgd. By	
Drawn: Mark B. Splass	Approved: Chad E. Lulis								
Drawing Name: PC-18-03 Zone Map.dwg									

City of Napoleon
 Engineering Department
 220 Napoleon, Ohio 43545
 Phone: (419) 592-4010
 Fax: (419) 592-8283

PC-18-03
Napoleon Senior Housing
Zone Map

CHANGE ORDER

No. 3

PROJECT

Industrial Drive Street Improvements
PID No. 102253

DATE OF ISSUANCE

September 10, 2018

OWNER

City of Napoleon
255 W. Riverview Ave., P.O. Box 151
Napoleon, OH 43545

City Contract No. 2018-02

CONTRACTOR

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

ENGINEER

Chad E. Lulfs, P.E., P.S.
City Engineer

CONTRACT FOR: Industrial Drive Improvements - PID No. 102253

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

Item Description	Quantity	Unit	Unit Price	Total Cost
Undercutting	1,758.00	CY	\$40.80	\$71,726.40
Cement Stabilization Not Utilized				-40,160.57
Total				31,565.83

Attachments (List Documents Supporting Change)

If a claim is made that the above change(s) have affected Contract Price or Contract Time, any claim for a Change Order based thereon will involve one of the following methods of determining the effect of the change(s).

Method of Determining Change In

Method of Determining Change In

CONTRACT PRICE

- Time and Materials
- Unit Prices
- Cost Plus Fixed Fee
- Other

CONTRACT TIME

- Contractor's Records
- Engineer's Records
- Other

Estimated Increase/Decrease in

CONTRACT PRICE \$31,565.83

If the Change involves an Increase, the estimated amount is not to be exceeded without further authorization.

Estimated Increase/Decrease in

CONTRACT TIME N/A days

If the Change involves an Increase, the estimated time is not to be exceeded without further authorization.

Recommended

City of Napoleon

Accepted

Vernon Nagel, Inc.

Contractor

by: _____

Chad E. Lulfs, P.E., P.S.; City Engineer

Approved

City of Napoleon

Joel Mazur, City Manager

Original Contract Prior to this Change Order
Increase / Decrease Resulting from this Change Order
Current Contract Price, Including this Change Order

\$3,233,888.99
\$31,565.83
\$3,265,454.82

Re: Undercutting Change Order 3

Chad Lulfs

Wed 9/5/2018 12:48 PM

To: Morgan Montgomery <MMontgomery@nagelinc.com>;

Cc: Aron Deblin <adeblin@napoleonohio.com>; Zachary Berry <ZBerry@napoleonohio.com>; Roxanne Dietrich <rdietrich@napoleonohio.com>;

Morgan,

The area of the project not utilizing Cement Stabilization was $5,272/22,747 = 23.18\%$. This affects Item 20, 22, 24, & 26. The total cost for these 4 items was $\$113,568.00 + \$7,961.45 + \$50,725.81 + \$1,000.00 = \$176,255.26$. 23.18% of $\$176,255.26 = \$40,160.57$. I would like to re-do the undercutting change order to include this deduct.

Also, we do not have asphalt or concrete pavement removal on this project. This project was set up with only Excavation. Per Section 203.02 F. Excavation, "The excavation and disposal of all materials required by the Contract Documents." Whether there was asphalt or concrete, it was all included in Item No. 16, Excavation.

Chad

Chad E. Lulfs, P.E., P.S.
Director of Public Works
City of Napoleon, Ohio
419.592.4010

From: Morgan Montgomery <MMontgomery@nagelinc.com>
Sent: Wednesday, September 5, 2018 11:43:53 AM
To: Chad Lulfs
Cc: Aron Deblin; Zachary Berry; Roxanne Dietrich
Subject: RE: Undercutting Change Order

Chad

Total stabilization by my count, is 17475 SY, a deduct of 5272 SY.

Total undercut quantity was 1758 CY.

In addition, the concrete removal on the project was 1132.81 SY. There is currently not a bid item. Proposed unit price of \$18.00/ SY or we can have quantity overrun on sidewalk/approach removal by the SF. This would be a 347 CY deduct from calc of excavation to remove this concrete.

From: Chad Lulfs [mailto:clulfs@napoleonohio.com]
Sent: Tuesday, September 04, 2018 11:21 AM
To: Morgan Montgomery <MMontgomery@nagelinc.com>
Cc: Aron Deblin <adeblin@napoleonohio.com>; Zachary Berry <ZBerry@napoleonohio.com>; Roxanne Dietrich <rdietrich@napoleonohio.com>
Subject: Undercutting Change Order

Morgan,



255 West Riverview Avenue •
P.O. Box 151
Napoleon, Ohio 43545-0151
Phone: (419) 592-4010 • Fax:
(419) 599-8393
Web Page: www.napoleonohio.com

City of **NAPOLEON**, Ohio

Memorandum

**To: Napoleon City Council and Mayor
Napoleon Board of Public Affairs**

From: Joel Mazur, City Manager

Date: 9/14/2018

Subject: AMP Peak Shaving Project Subscription

Mayor
Jason Maassel

Members of Council

PRESIDENT:
Joseph Bialorucki

PRESIDENT PRO-TEM:
Daniel Baer

Jeff Comadoll
Travis B. Sheaffer
Kenneth Haase
Jeff Mires
Lori Siclair

City Manager
Joel L. Mazur

Finance Director
Gregory J. Heath

Law Director
Billy D. Harmon

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

Attached is the presentation that will be given at the AMP annual conference later this month regarding an AMP Peak Shaving project. AMP is seeking commitments from communities that would like to be a part of the project. We are already participants in the JV2 and JV5 projects that involve peak shaving generation.

I discussed this project with an AMP staff member early in the project development stages. At the time, this individual didn't think Napoleon needed any additional peak shaving generation. I discarded the thought of getting Napoleon involved in this project based on the two conversations I had. Since the first deadline for the subscription to get into the project is due on November 1st, I checked again with AMP staff members in the Power Supply section to make sure that we didn't need to get involved. They informed me that it would be beneficial for Napoleon to get involved in this project, but that Napoleon should not install any generating units behind our meter since we have a large amount of peak shaving generation behind our meter already. In addition to the November 1st deadline, there is another deadline of March 1st to commit to the project. Committing to this deadline would delay the participation and benefits of the project by one year, but Napoleon would still receive the benefits of being a participant long-term.

After reviewing the data, the City of Napoleon can benefit from participating in this project. The benefits for Napoleon would be to gain capacity and transmission credits for generating electricity during peak hours. The project debt service would last for the first ten (10) years and have a marginal savings to our rate payers during that time. After the debt is paid off, the savings become more meaningful, upwards of \$6 per MWH according to Mike Migliore. The recommendation is for Napoleon to only subscribe for up to 6.9 MW.

Attached is the draft legislation that would need to be passed by City Council as a requirement of AMP for Napoleon to be a participant. I am recommending that the City of Napoleon commit to a minimum of 4 MW of power as a participant in this project. This would not commit Napoleon to the full amount of peaking capacity, allow the City to get involved in future projects that could involve newer technology and would give the City enough cushion to absorb any large losses of load, if that were to happen.



RICE Peak Shaving Project Update



Project Overview

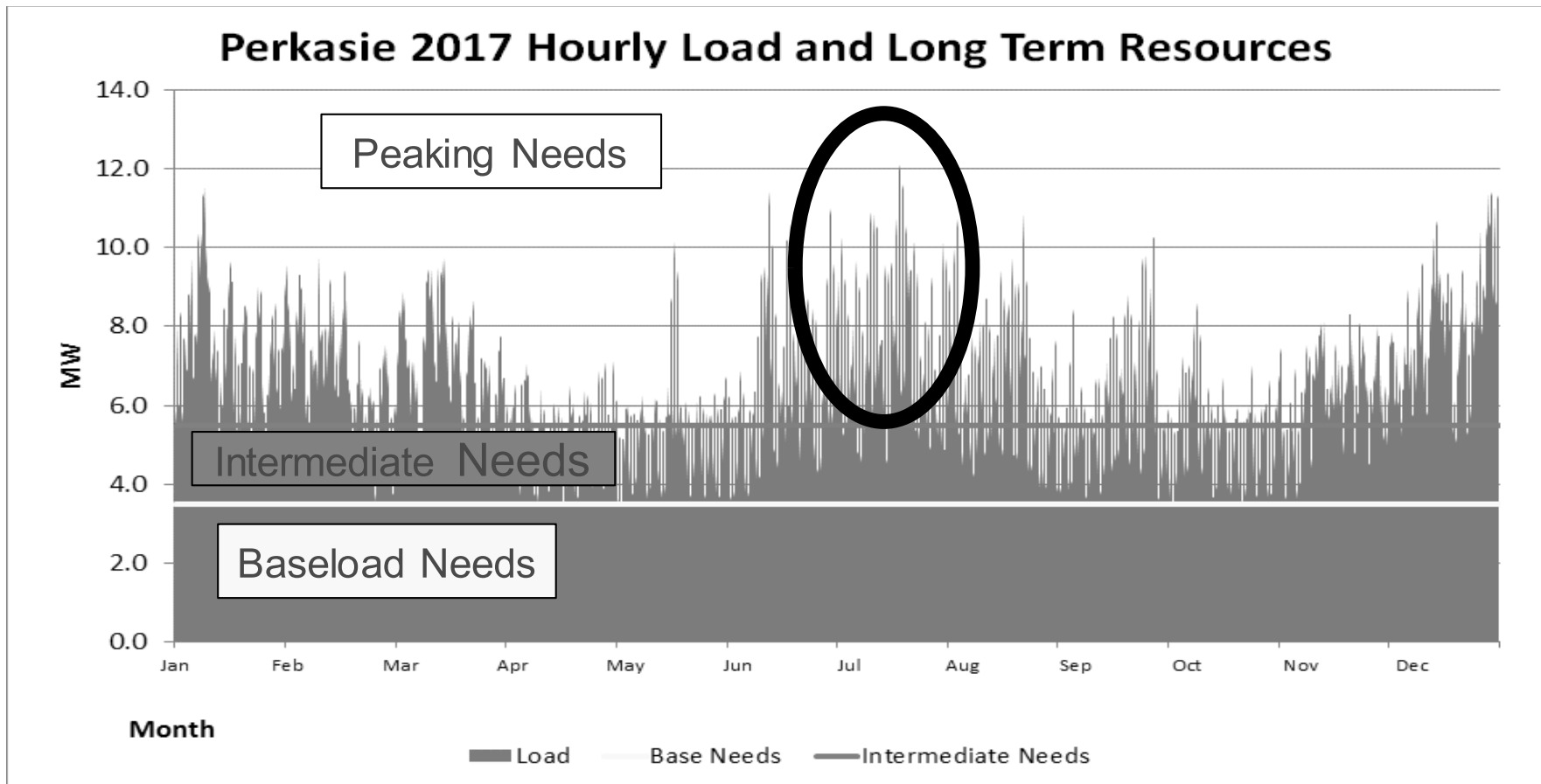
- Behind the Meter Peak Shaving project
 - Designed to address rising capacity and transmission costs
- Fixed price turnkey project with proposed 10 year financing
 - Reciprocating Internal Combustion Engines
 - Factory Certified Diesel generators that meet all Tier IV EPA requirements
- PowerSecure was selected, through RFP process, to provide EPC of diesel generation units with a firm, not-to-exceed pricing for the construction of each site

Uses of Behind the Meter Generation

- **Transmission Peak Shaving**
 - Operation of Unit during Transmission Zone's peak hour
- **Capacity Peak Shaving**
 - Operation of Unit during PJM's five highest peak hours
- **Energy Hedge**
 - Operation of Unit during high price market hours

Energy Hedge

- Members can utilize peaking capacity to hedge against market purchases to supply load or to backup other generation resources.



PowerSecure Generation Technology

Volvo Diesel Engines

- **Tier IV EPA compliant technology**
 - No other testing is required
 - EPA Certificate of Conformity with the Clean Air Act
- **PowerBlock product**
 - 540 kW per engine of prime rating generation
- **3-5 engines per PowerBlock**
- **Estimated 50 hours per year of operation for peak shaving**
 - Permitted for 500 hours per year
- **Approximately 25-30 year life of units**

PowerSecure Generation

The PowerBlock[®] Advantage

- Fully Modular & Scalable
- Factory tested as a system
- Pre-wired for minimal on-site construction and configuration
- US patented



Construction and Operations

PowerSecure will provide FIXED PRICE turnkey cost to construct, install and maintain diesel generation

This locks in 90% of Project Fixed costs

- AMP Energy Control Center will dispatch units
- PowerSecure will monitor all units and serve as a secondary point for dispatch
- PowerSecure will provide a 10 year warranty (included in the Maintenance Costs)

Existing Member PowerSecure Locations

Bedford, VA



2.7 MW POWERBLOCK
(5 – 540 kW engines)

Berlin, PA

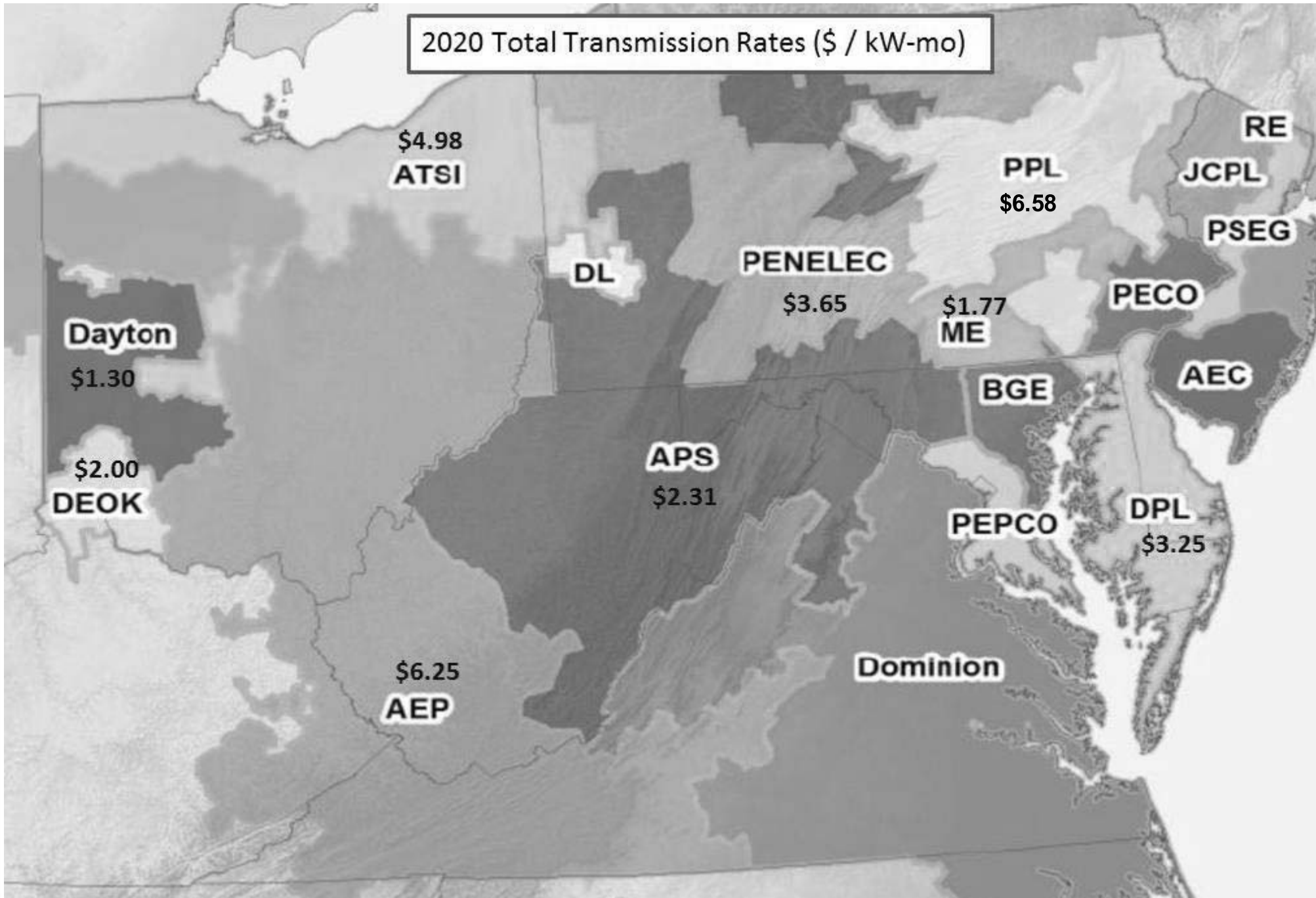


Two - 1.6 MW POWERBLOCKS
(6 – 540 kW engines)

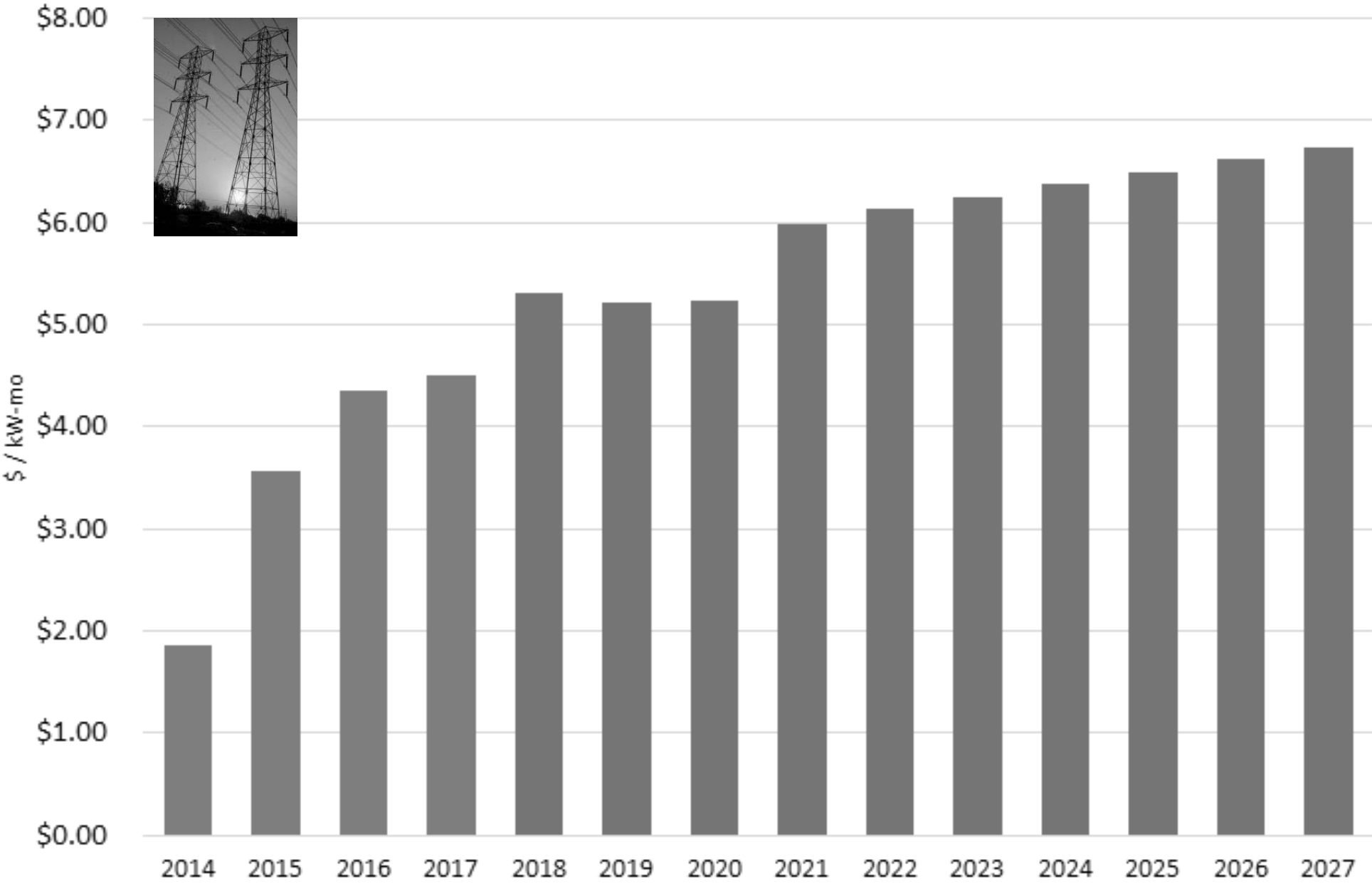
Peak Shaving Project Recommendation

Member	Napoleon		
	<u>MW</u>	<u>Weight</u>	<u>Rec</u>
Transmission Needs	31.1	33%	10.300
Capacity Needs	13.7	50%	6.900
Peaking Energy Needs	10.9	66%	7.200
Peaking Project Recommendation			6.900

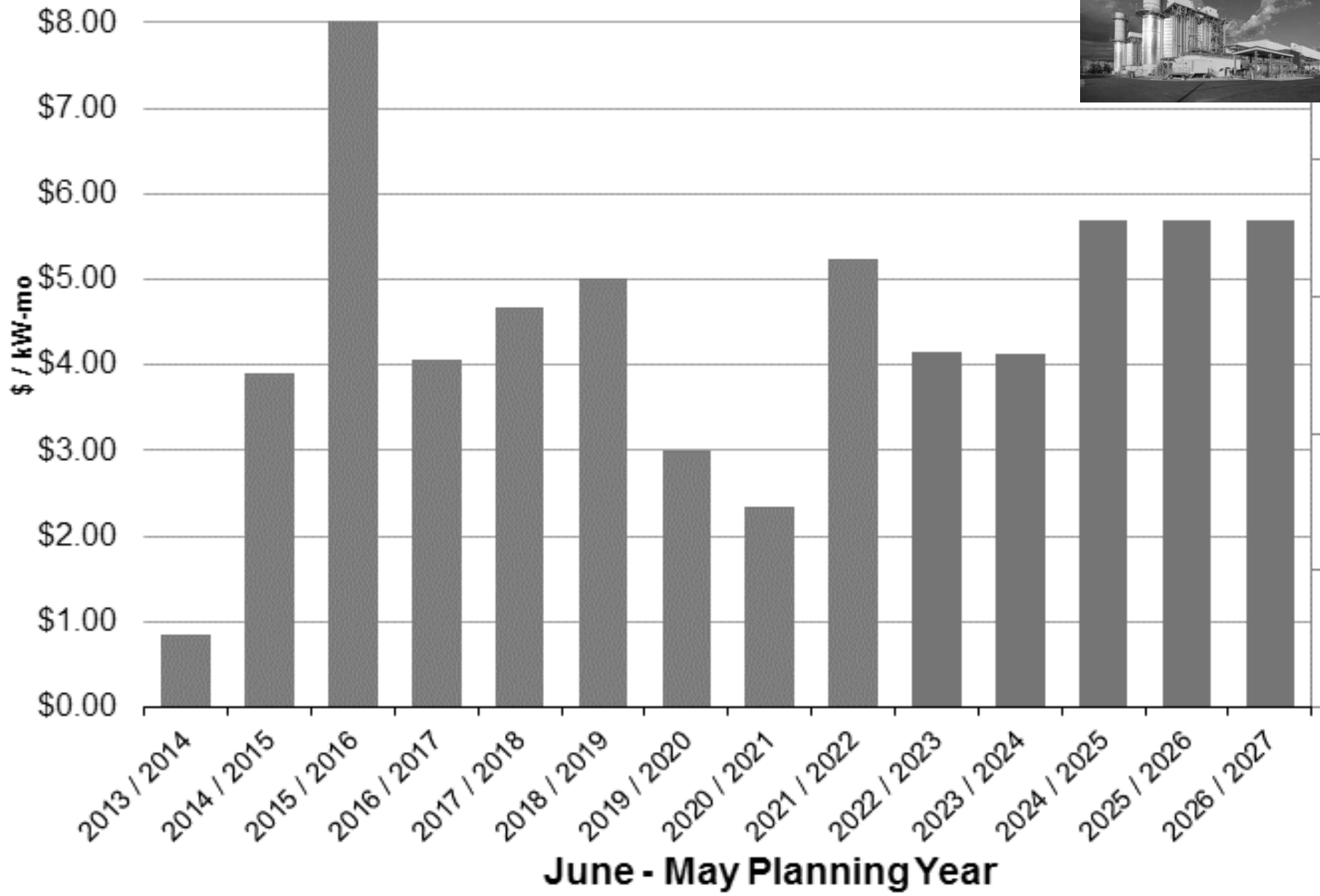
2020 Total Transmission Rates (\$ / kW-mo)




FirstEnergy Total Transmission Rates



ATSI Zone Installed Capacity Prices



Project Construction Costs

	Total Capacity (kW)	EPC Costs	AMP Costs	Contingency	Total Construction Cost	Total S/kW
	15,120	\$ 11,027,605	\$ 202,413	\$ 1,102,761	\$ 12,332,779	\$ 816

- Total EPC Costs includes interconnection costs
- AMP Costs include: Environmental, IT/Communication, Project Management, Accounting, Legal
- Contingency is 10% of the EPC Cost

10 yr Financing Cost			20 yr Financing Cost		
Interest Cost	All-In Costs	All-In S/kW-mo	Interest Cost	All-In Costs	All-In S/kW-mo
\$ 2,650,828	\$ 14,983,607	\$ 8.26	\$ 5,603,432	\$ 17,936,211	\$ 4.94

- All-In Costs are the sum of the Construction Costs and Interest Costs
- 4% interest rate

Project Cost per kW-month

10 yr Financing Cost			20 yr Financing Cost		
All-In \$/kW-mo	Maint Cost (\$/kW-mo)	Total Cost (\$/kW-mo)	All-In \$/kW-mo	Maint Cost (\$/kW-mo)	Total Cost (\$/kW-mo)
\$ 8.26	\$ 1.55	\$ 9.81	\$ 4.94	\$ 1.90	\$ 6.84

- All-In Costs are the sum of the Total Construction Costs and Financial Costs
- Maintenance cost include the Maintenance & Monitoring Agreement with PowerSecure and AMP costs for dispatch, IT support, insurance and project management

Estimated Net Cost of Peak Shaving Project

2020 - 2030

- AMP Peak Shaving Project = \$9.81 / kW-mo
- Transmission savings = (\$6.76 / kW-mo)
- Capacity savings = (\$4.91 / kW-mo)

- Net Savings from Project (\$1.86 / kW-mo)

2031 - 2040

- AMP Peak Shaving Project = \$1.90 / kW-mo
- Transmission savings = (\$8.46 / kW-mo)
- Capacity savings = (\$5.70 / kW-mo)

- Net Savings from Project (\$12.26 / kW-mo)

Project Plan

- Project will be formed on or about November 1, 2018
- Project Participants will be based on executed power sales contracts received by that date
- Participants will decide on order of sites to be installed by June 1, 2019
- Participants will be added to Project on or about March 1, 2019 based on additional executed power sales contracts received
- Participants will decide on order of sites to be installed by December 1, 2019
- Additional Participants may be added with approval of the Participants

Project Plan (continued)

- Demand Response revenue will begin on June 1, 2019
 - For units installed by June 1, 2019
- Transmission peak shaving revenue will begin on Jan 1, 2020
 - For units installed by June 1, 2019
- Capacity peak shaving revenue will begin on June 1, 2020
 - For units installed by June 1, 2019
- Demand response revenue will begin on June 1, 2020
 - For units installed by June 1, 2020
- Transmission peak shaving revenue will begin on Jan 1, 2021
 - For units installed by December 1, 2019 and June 1, 2020
- Charges to members will be staggered to coincide with revenues

Near-Term Next Steps

- AMP/PowerSecure to perform site evaluations June – August, 2018
- PowerSecure to develop site proposals July - Sept, 2018
- End subscription process(Stage I) November 1, 2018
- Execution of lease and interconnection agreements November 10, 2018
- Notice to Proceed to PowerSecure November 10, 2018
- End subscription process (Stage II) March 1, 2019
- Construction (Stage I) Completion* May 31, 2019
- Construction (Stage II) Completion* November 1, 2019

* Construction is to start once subscription has been complete

Pertaining to AMP Contract No.

_____ OF _____,
(ORDINANCE OR RESOLUTION) NO. _____

**TO APPROVE THE FORM AND
AUTHORIZE THE EXECUTION OF A POWER SALES CONTRACT WITH
AMERICAN MUNICIPAL POWER, INC. AND
TAKING OTHER ACTIONS IN CONNECTION THEREWITH
REGARDING PARTICIPATION IN THE
AMP R.I.C.E. PEAKING PROJECT**

WHEREAS, the _____ of _____,
("hereinafter Municipality") owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, in order to satisfy the electric power and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to do so in the future, economical and reliable power and energy from, or arranged by, American Municipal Power, Inc. (hereinafter "AMP"), of which Municipality is a Member; and

WHEREAS, Municipality, acting individually and, along with other municipalities which own and operate electric utility systems, jointly, endeavors to arrange for reliable, reasonably priced supplies of electric power and energy for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, AMP is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of its Members, such Members, including the Municipality, being, and to be, political subdivisions of their respective states that operate, or whose members operate, electric systems in, as of the date of adoption hereof, Delaware, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia; and

WHEREAS, each of the Members owns and operates its electric system for the benefit of its customers; and

WHEREAS, certain of the Members, including the Municipality, have determined it requires additional, long-term sources of reliable, environmentally sound and reasonably priced electric capacity and energy and has requested that AMP arrange for the same; and

WHEREAS, in furtherance of such purpose, Municipality, along with other Members (collectively "Participants") request and AMP agrees and intends to finance, construct, operate and own certain reciprocating internal combustion engine systems, to be known collectively as the American Municipal Power R.I.C.E. Peaking Project (as hereinafter defined, "AMP R.I.C.E. Peaking Project"); and

WHEREAS, AMP has resolved, in accordance herewith, to develop, including, as appropriate, the financing, acquisition, construction, ownership and operation of, and arrangements for the acquisition, financing, payment and prepayment of fuel for, its ownership interest in the AMP R.I.C.E. Peaking Project (the "Project") as well as other arrangements related thereto, which AMP and, in certain cases, the Participants, deem necessary to enable AMP to fulfill its obligations hereunder to sell and transmit, or otherwise make available, electric capacity and energy to the Participants pursuant to the AMP R.I.C.E. Peaking Project Power Sales Contract (hereinafter "PSC"); and

WHEREAS, in order to obtain such sources of electric capacity and energy, the Participants are willing to pay AMP for their respective rights to such electric capacity and energy and transmission service at rates that are sufficient, but only sufficient, to enable AMP to (i) recover all costs and expenses incurred with respect to, and arrangements for the acquisition, financing, payment and prepayment of fuel for, the Project as set forth herein, all other Power Sales Contract Resources obtained by AMP to supplement the Project, and related service arrangements undertaken by AMP to enable it to fulfill its obligations hereunder, and (ii) recover any other expenditures or revenues authorized hereunder.

NOW, THEREFORE, BE IT ORDAINED [RESOLVED] BY THE COUNCIL [BOARD OF PUBLIC AFFAIRS] OF THE _____ OF _____, _____:

SECTION 1. That the PSC between Municipality and AMP, substantially in the form attached hereto as Exhibit 1 [or on file with the Clerk] including Appendices thereto is approved, and the (title of officer, e.g. Mayor, Manager or Director of Public Utilities) of Municipality is hereby authorized to execute and deliver such Power Sales Contract, with such changes as the (title of officer) may approve as neither inconsistent with this [ordinance or resolution] nor materially detrimental to the Municipality, his or her execution of the PSC to be conclusive evidence of such approval.

SECTION 2. That the (title of officer) is hereby authorized to acquire on behalf of the Municipality, as a Participant, as defined in the PSC, Power Sales Contract Resources (hereinafter "PSCR Share"), as defined in the PSC, without bid, from AMP and to execute and deliver any and all documents necessary to become a Participant in the AMP R.I.C.E. Peaking Project pursuant to the conditions set forth herein and in the PSC and to carry out its obligations thereunder.

SECTION 3. That it is further acknowledged and understood that because the Participants will finalize the precise PSCR Share to be acquired by each Participant electing to enter into the PSC after all such Participants execute and deliver the PSC, the (title of officer) in connection with the execution and delivery of the PSC, is authorized and directed to determine and acquire Municipality's PSCR Share (not taking into account the Step-Up as defined in the PSC), of up to a nominal amount of _____ kilowatts, after consultation with AMP and the other Participants regarding the PSCR Share available pursuant to said PSC, such PSCR Share to be set forth in Appendix A of the PSC, such determination as to such PSCR Share being conclusively evidenced by the adoption of Appendix A to the PSC, as authorized therein.

SECTION 4. That the (title of officer) of this Municipality, as a part of such officer's official duties, is hereby appointed as Municipality's representative for any meetings or determinations of the Participants or the Participants Committee pursuant to the PSC and is authorized and directed, acting for, in the name of and on behalf of

this Municipality, to vote Municipality's PSCR Share with regard to any determinations regarding the AMP R.I.C.E. Peaking Project as set forth in the PSC.

SECTION 5. That the (title of officer) may appoint, in writing from time to time as necessary, another representative of the Municipality as his or her alternate to carry out the duties set forth in Section 4 hereof.

SECTION 6. That it is found and determined that all formal actions of this Council [Board] concerning and relating to the passage of this [ordinance or resolution] were taken in an open meeting of this Council [Board] and that all deliberations of this Council [Board] and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION 7. If any section, subsection, paragraph, clause or provision or any part thereof of this [ordinance or resolution] shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this [ordinance or resolution] shall be unaffected by such adjudication and all the remaining provisions of this [ordinance or resolution] shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 8. That this [ordinance or resolution] shall take effect at the earliest date allowed by law.

[Please contact AMP's Assistant Deputy General Counsel, Michael Kyser, at 614-540-0984 or via email at mkyser@amppartners.org to discuss any changes to this draft.)



City of Napoleon, Ohio

Fire and Rescue Department

*265 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545*

*Telephone: (419) 592-0441 Fax: (419) 592-5195
www.napoleonohio.com*

Memorandum

To: *Greg Heath, Finance Director*

From: *Clayton O'Brien, Fire Chief*

cc:

Date: *9/5/18*

Subject: *Donation*

Attached is a copy of the donation the Napoleon Fire & Rescue received from Goodville Mutual Casualty Company. Goodville requested this money be used for fire prevention. If the donation is accepted by City Council on 9/17/2018 I am requesting this donation be placed in the Fire Prevention Account (100-2200-54220).



Goodville Mutual
Casualty Company

August 30, 2018

City of Napoleon
265 W. Riverview
Napoleon, OH 43545

Re: Fire Prevention Week Donation
Dear Joel:

We are happy to donate \$1,000 to Napoleon Fire and Rescue. We would like the money to be used for improvements to the fire safety house trailer for the continued efforts of Napoleon Fire and Rescue's prevention program. Please find enclosed a check for the donation amount. Thank you for all that you do for the community and for your continued fire prevention efforts.

Sincerely,

Jessica Leddy

625 West Main Street
PO Box 489
New Holland, PA 17557-0489
tel 800-448-4622
www.goodville.com

Goodville Mutual Casualty Company

0000126911

INVOICE NUMBER	DATE	DESCRIPTION	INVOICE AMOUNT
-LOSS PREVENTION	08/30/18	LOSS PREVENTION	1,000.00

MGMS - Fire donation

100.2200.44350

\$1,000.00

CHECK DATE 08/30/18 TOTAL \$ 1,000.00

CITY OF NAPOLEON UTILITY DEPARTMENT

Batch 39650
Sequence 22

Date 04 SEP 2018 Time 03:13PM

Account Name MGMS
GOODVILLE MUTUAL
Document FIRE DONATION

RECOPY

Pay Type CK
Refer 126911

Amt Paid 1,000.00
Amt Tend 1,000.00
Change 0.00
100.2200.44350 1000.00

THIS DOCUMENT IS PROTECTED BY MULTIPLE SECURITY FEATURES INCLUDING A WATERMARK ON THE BACK, INVISIBLE FIBERS IN THE PAPER AND A VOID PANTOGRAPH



GOODVILLE MUTUAL CASUALTY COMPANY
625 West Main Street, PO Box 489
New Holland, PA 17557-0489

Check Date	Check No.
08/30/18	0000126911

BB&T Bank
Lancaster PA 17604

60-912
313

Check Amount
\$*****1,000.00

PAY ONE THOUSAND DOLLARS & 00/100

TO THE ORDER OF

NAPOLEON FIRE AND RESCUE
265 W RIVERVIEW
NAPOLEON, OH 43545

[Signature]
AUTHORIZED SIGNATURE

[Signature]
AUTHORIZED SIGNATURE

City of Napoleon, Ohio


TREE COMMISSION

MEETING AGENDA

Monday, September 17, 2018 at 6:00 pm

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

1. Call to Order.
2. Approval of Minutes: August 20, 2018 *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
3. Review Tree Call Reports.
4. Fall Contracts Update.
5. Award Fall Planting Contract.
6. Award Fall Trimming Contract.
7. Begin Spring Plantings List.
8. Review Next Year's Budget/Plans.
9. Any Other Matters to Come Before the Commission.
10. Adjournment.



Gregory J. Heath
Finance Director/Clerk of Council



City of Napoleon, Ohio

255 West Riverview Avenue, P.O. Box 151
Napoleon, OH 43545
Telephone: (419) 592-4010 Fax: (419) 599-8393
www.napoleonohio.com

Memorandum

To: City Council, Mayor, City Law Director, City
Manager, Department Supervisors, Newsmedia
From: Gregory J. Heath, Finance Director/Clerk of *GA*
Council
Date: September 14, 2018
Subject: Parks & Recreation Committee – Cancellation

The regularly scheduled meeting of the Parks and Recreation Committee for Monday, September 17, 2018 at 6:00 pm has been CANCELED due to lack of agenda items.

City of Napoleon, Ohio

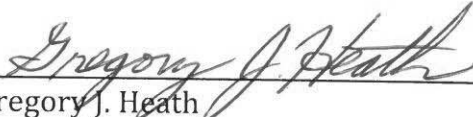
HEALTHCARE COST COMMITTEE

Meeting Agenda

Friday, September 21, 2018 at 9:00 am

LOCATION: Council Chambers, 255 W. Riverview Avenue, Napoleon, Ohio 43545

- 1) Approval of Minutes: September 07, 2018. *(In the absence of any objections or corrections, the Minutes shall stand approved.)*
- 2) Discussion on 2019 Wellness Plan.
- 3) Health Care Cost Increase for 2019.
- 4) Any other matters currently assigned to the Committee.
- 5) Adjournment.



Gregory J. Heath
Finance Director/Clerk



City of NAPOLEON, 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

PRESS RELEASE

2018 FALL SEASONAL CLEAN UP

The annual fall seasonal clean up, for those who receive regular City refuse service, will be the week of October 1st – October 5th 2018.

A list of guidelines and acceptable materials, along with exact streets and dates, will be released to all local media the week of September 24th, 2018. The information is also available on the City of Napoleon's website at www.napoleonohio.com

Per Ordinance # 088-08 the City of Napoleon has amended the Seasonal Clean Up Guidelines as follows:

“Material or other items placed for pick up shall be at the curb no more than five (5) days in advance of the subscriber’s scheduled seasonal pick up day. Items placed at the curb earlier than five (5) days in advance of the scheduled pick up day will be treated by the city as a ‘special pick up’ with charges being assessed to the subscriber or person responsible for placement”

Any questions regarding this matter should be directed to the Operations Department at 419/599-1891.

CALL TO ACTION

The Ohio Municipal League

Wed 9/12/2018 2:02 PM

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



Call to Action

September 12, 2018

FCC POTENTIALLY APPROVING NEW PREEMPTIONS FOR LOCAL SMALL CELL DEPLOYMENT

Late last week, the Federal Communications Commission (FCC) released a document that would create substantial preemptions on local small cell infrastructure improvement. It is scheduled to be reviewed and possibly approved later this month.

This document outlines the massive loss of local control municipalities would face regarding small cell deployment in the municipal right-of-way, including issues like undergrounding, negotiations for public benefits and the ability to fully control the appearance of city streets by limiting local aesthetic requirements.

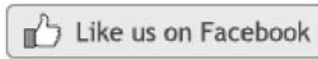
The proposal would undo all the hard work accomplished in HB 478, which made into law the agreed-upon compromises and negotiations between Ohio's municipalities and the telecommunications industry. Instead, many of the benefits of utility statutes would be handed to wireless providers and have the potential to free them of the requirement to build out and provide services to all residents in a reasonable timeframe.

Municipalities would also face substantial revenue losses as the proposal limits recurring fees for small cells in the rights-of-way, in addition to the cost of several new unfunded mandates. To read more about the specific items in the proposal click [HERE](#).

The FCC will be holding an open meeting on **Wednesday, September 26**. The proposal will go into effect if a majority of commissioners approves it. We are asking all our local officials to write and express their opposition to this proposal by the FCC's deadline of **Tuesday, September 18**. You can find a template letter [HERE](#).

It is imperative that our municipal officials let the federal government know Ohio municipalities strongly object to preemptions by the federal government over local control. Please write and express your opposition to the FCC today.

STAY CONNECTED:



The Ohio Municipal League, 175 S. Third Street, Suite 510, Columbus, OH 43215

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August Board meeting update

By Marc Gerken, P.E. - president/CEO

The AMP Board of Trustees held its monthly meeting, Aug. 15-16. Below is a brief, high-level update of the meeting.

Transmission

Staff provided updates on a number of transmission and regional transmission organization related issues. This included updates on activities at the Federal Energy Regulatory Commission (FERC), PJM and MISO, as well as AMP's efforts to help members with local issues.

- AMP joined the American Public Power Association (APPA) in filing a rehearing request at FERC on PJM's Minimum Offer Price Ruling (MOPR); AMP also plans to file comments through the FERC-directed paper hearing on FERC's proposed solution.
- AMP continues to raise concerns with transmission planning within PJM and the cost, volume and lack of transparent process for planning supplemental projects that are being pursued by transmission owners.
- PJM and its stakeholders will be reviewing and revising credit rules in the wake of a default by GreenHat Energy on future FTR positions. AMP is tracking this issue and will keep the membership advised of default obligations as they occur.

Finance

The Finance Committee took action on 24 budgets in preparation for the participant and general membership meetings to be held during the AMP/OMEA Annual Conference in late September. Committee members previously met via webinars to review each of the budgets.

Power Supply and Generation Projects

The Power Supply and Generation Committee, AFEC Committee, Hydro Power Projects Committee, Prairie State Project Committee and Solar Project Committee met and received informational project updates. The Solar Phase I Participants Committee met and approved plans for restoring site capacity to 3.5 MW after an equipment failure earlier this summer reduced site capability to approximately 2.9 MW. The OMEGA Joint Venture 2 Participants met and approved plans for repairing one of the diesel generators damaged by an electrical generator failure.

Legislative

Board members heard an update on legislation in Ohio designed to protect critical infrastructure, including electric facilities, by prohibiting conduct that impedes the operation of facilities, imposes fines for organizations that are complicit in such conduct and imposes civil liability for intentional damage to such facilities. An update was also provided on small cell wireless legislation that had a hearing in the Pennsylvania House of Representatives.

Focus Forward

The Focus Forward Advisory Council's Electric Vehicle Working Group is compiling an "Electric Vehicle Lessons Learned" document that will be available to members at the Annual Conference.

Nominating Committee

The Committee Chair reported that the Committee met via conference call prior to the meeting to review the numerous submissions for the AMP annual awards program. Recipients will be announced during the AMP/OMEA Annual Conference.

If you have any questions or need additional information about the Board meeting, please contact me at 614.540.1111 or mgerken@amppartners.org.

FirstEnergy set new 2018 peaks

By Craig Kleinhenz - director of power supply planning

Coming out of Labor Day, PJM experienced high temperatures across its entire footprint, resulting in peak shaving action Sept. 4-5. The hottest day of the week was Sept. 5, with PJM seeing its second highest load of the year at 148,607 MW. FirstEnergy's (ATSI) load of 12,884 MW on Sept. 5 at 4 p.m. exceeded their previous Aug. 28 peak of 12,701 MW, set the week before. Preliminary load data also shows Penelec coming within 4 MW of setting a new peak on Sept. 5 at 2,989 MW.

PJM's Sept. 4 load of 148,580 MW also became one of PJM's 5 CPs for the summer. The previous 5 CPs days that were set during the Fourth of July week (July 2, 3 and 5) have now all been eliminated.

The Sept. 5 loads in Dayton, DEOK and even AEP were nearing 1 CP levels when popup thunderstorms entered the area and knocked down loads. Given the hot weather LMP prices were relatively mild, with 5x16 day-ahead prices at AEP Dayton Hub being close to \$50/MWh on Sept. 4 and 5. Most hours across the peak saw real-time prices even lower than day-ahead.

Next week looks to be cooler, but there is still potential for heat towards the end of September that could result in peak shaving action.

The current CPs for 2018 are shown below. (EPT = Eastern Prevailing Time, also known as clock time)

ZONE	2018 Peak Load Thru 9/5/18	Date	Hour Ending EPT	2017 Peak
AEP	22,759	1/3/2018	8	21,660
FE	12,884	9/5/2018	16	12,051
APS	9,342	1/5/2018	20	8,755
PPL	7,681	1/5/2018	18	7,401
DUKE	5,195	6/18/2018	16	5,036
DELMARV	4,002	7/2/2018	18	3,813
DAYTON	3,249	6/18/2018	14	3,204
METED	3,026	8/29/2018	18	2,897
PENELEC	2,993	8/29/2018	14	2,890
PJM 1CP	150,640	8/28/2018	17	145,331
PJM 2CP	148,607	9/5/2018	17	145,097
PJM 3CP	148,580	9/4/2018	17	142,003
PJM 4CP	148,465	6/18/2018	17	140,660
PJM 5CP	145,792	8/27/2018	17	138,365

Deadline for RP3 application quickly approaching

By Michelle Palmer, P.E. - vice president of technical services

AMP encourages its members to apply for the APPA's Reliable Public Power Provider (RP3) designation, which is given to municipal electric systems that demonstrate proficiency in reliability, safety, workforce development and system improvement. Utilities who successfully meet the guidelines in each of the four areas will receive tremendous value and recognition for their achievement. Additionally, AMP member communities receiving an RP3 designation are granted additional points toward their AMP credit score. RP3 designations run for a term of three years.

The deadline to submit an RP3 application is Sept. 30. If you are in need of AMP's assistance to assemble or review your application before it is submitted, please contact Jennifer Flockerzie as soon as possible at 614.540.0853 or jflockerzie@amppartners.org.

Moody's Investor Service upgrades Meldahl Revenue Bonds rating

By Paul Grodecki - vice president of business services and member credit compliance

Moody's Investors Service (Moody's) has upgraded the rating on the Meldahl Hydroelectric Project Revenue Bonds to A2 from A3. The outlook has been revised to stable from positive.

Additionally, Moody's pointed to the "satisfactory operating experience of the new hydro-electric facility...and the participants deriving the value expected from the project." Moody's also found it significant that, with the project now in full operation, "the participants have generally managed adequately the transition to full cost recovery." Moody's has always placed value on the weighted average credit quality of participating AMP members (A3) and the A1 issuer rating held by AMP. The upgraded rating also recognizes the full funded maximum annual debt service reserve.

Moody's has affirmed the A1 rating on the Greenup Hydroelectric Project Revenue Bond and maintained its stable outlook. Moody's referenced the "established, 35-year sound operating record" of the projects, the diversity of participants and their geographical breadth and the weighted average credit quality of participants (in the A category). Moody's rating also considered the "competitive all-in-cost of the Greenup generation with well-below market energy production costs."

Both ratings identified the environmental attributes of the project and their long-term economic value as a "green" resource. Both ratings also stated that future improvement in the credit quality of participants could lead to future upgrades above the current levels.



Meldahl Hydroelectric facility

AMP to hold fourth Finance and Accounting Subcommittee webinar

By Joe Regan - member credit compliance analyst

AMP will hold the fourth, one-hour Finance and Accounting Subcommittee webinar on Sept. 18 at 10 a.m. Participants who RSVP will receive an attendance certificate, which will be emailed shortly after the conclusion of the webinar.

Laura DiFilippo, vice president of PNC Bank, will provide a lecture titled "Living in Real Time - Trends, Challenges and Best Practices in Working Capital Management." The webinar will cover different areas of the payments world including working capital in real time, reviewing metrics and trends, shifting terminology, impact on daily operations and receivables and how to navigate the paper vs. electronic transition.

Participants are asked to RSVP for the webinar by Sept. 17, and can do so by contacting me at jregan2@amppartners.org or 614.540.6913, or Paul Grodecki at pgrodecki@amppartners.org or 614.540.6404. A follow-up email containing instructions for accessing the webinar and a copy of the presentation will be sent to those who RSVP.

Industry trends: Utility commission grid modernization efforts

By Erin Miller - director of energy policy and sustainability

The North Carolina Clean Energy Technology Center's [50 States of Grid Modernization](#) Annual Review reported that in 2017, 39 states plus Washington D.C. took a total of 288 policy and deployment actions related to grid modernization. The authors use the term "grid modernization" to refer to actions making the electric system more resilient, responsive and interactive.

The Public Utilities Commission of Ohio (PUCO) was the most recent of several PUC's



PUCO Chairman Asim Haque asks a question during Phase II of PowerForward

throughout the country to unveil a grid modernization endeavor.

On Aug. 29, 2018, PUCO released the "[PowerForward: A Roadmap to Ohio's Electricity Future](#)" report. The report describes the grid of the future as one in which "power and data flows both from the incumbent distribution utility to the customer and also from the customer to the utility, yielding more transparent information about customer desires."

The report breaks down the components of the modern grid and reconsiders the distribution grid as a platform, creating opportunity for entities to provide innovative products and services to customers. Furthermore, the PUCO envisions a uniform platform across all four investor owned utility (IOU) service territories to create efficiencies. The platform is made up of the following core components:

- Field automation
- Substation automation
- Operational communications infrastructure
- Sensing and measurement
- Operational analytics
- Integrated distribution system planning
- Determining how to operationally integrate new technologies, such as electric vehicles and battery storage, into the grid
- Markets

In addition, the PUCO is creating a Distribution System Planning Workgroup, a Data and the Modern Grid Workgroup and a PowerForward Collaborative to monitor EV markets, assess impacts to the distribution system, evaluate rate designs and more.

Conference session to explore UAS technology

By Margaret Melhus - public relations and communications intern

Unmanned aircraft systems (UAS), also known as drones, are poised to revolutionize the electric utility industry. Utilities that are interested in incorporating the technology into their routines are still researching the different opportunities and benefits the technology can provide. In order for utilities to take full advantage of UAS, they need to have a greater understanding of the technology and its implications for the industry.



The Afternoon General Session: The Growing Use of Unmanned Aircraft System (UAS)/Drones at the 2018 AMP/OMEA Annual Conference, taking place Sept. 24-27 in Cleveland, will focus on this revolutionary technology and provide valuable insight into its role in the utility industry.

On Sept. 25 at 2 p.m., Kelly Daly, Stinson Leonard Street, will be providing an update on how UAS/drones are currently being used worldwide, rules and regulations pertaining to UAS and factors that should be considered when evaluating an internal UAS program. Discussion regarding UAS will help utilities address this technology and determine the next steps in integrating it into the industry.

Conference registration can be completed [here](#). For additional information or questions about the AMP/OMEA Annual Conference, please contact Jodi Allalen at 614.540.0916 or jallalen@ampppartners.org.

Legislative and Regulatory Update session to feature at conference

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

The Federal Legislative and Regulatory Update session is scheduled for the AMP/OMEA Annual Conference on Sept. 26 at 9 a.m. It will focus on the impact of national legislative issues on public power

utilities. The Supreme Court of Ohio has approved this session for Continuing Legal Education credit.

With so many issues to focus on at the local level, it can be difficult to keep up with the moving pieces of the federal government. Attendees will receive an update on these issues from Marty Kanner, Kanner & Associates; and Shane Skelton, S2C Pacific. They will cover major legislative and regulatory issues, such as tax, transmission and environmental issues. Kanner and Skelton are both nationally recognized experts in their field. The Ohio Legislative Update is scheduled to begin following this session.

Conference registration can be completed [here](#). For additional information or questions about the AMP/OMEA Annual Conference, please contact Jodi Allalen at 614.540.0916 or jallalen@amppartners.org.

Deadline for APPA survey is Sept. 15

By Michelle Palmer, P.E.

The deadline to complete the 2018 [APPA Distribution Reliability and Operations Survey](#) is Sept. 15. Participation in this survey will help the APPA to better serve members by providing practical evaluations of public power utility reliability and operations practices. Members are strongly encouraged to take this survey.



If you have questions or concerns about this survey, please contact the APPA at reliability@publicpower.org.

Energy markets update

By Jerry Willman - assistant vice president of energy marketing

The October 2018 natural gas contract decreased \$0.023/MMBtu to close at \$2.772 yesterday. The EIA reported an injection of 63 Bcf for the week ending Aug. 31, which was above market expectations of 61 Bcf. The injection was smaller than the five-year average of 65 Bcf. The build brought total U.S. working gas supply to 2,568 Bcf, a deficit of 590 (18.7 percent) versus the five-year average and 643 Bcf lower than a year ago.

On-peak power prices for 2019 at AD Hub closed yesterday at \$36.24/MWh, which was \$0.04/MWh lower for the week.

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

Week ending Sept. 7

MON	TUE	WED	THU	FRI
\$38.63	\$49.28	\$46.58	\$35.71	\$33.22

Week ending Aug. 31

MON	TUE	WED	THU	FRI
\$43.66	\$51.13	\$45.76	\$32.79	\$34.88

AEP/Dayton 2019 5x16 price as of Sept. 6 — \$36.24

AEP/Dayton 2019 5x16 price as of Aug. 30 — \$36.28

AFEC weekly update

By Jerry Willman

The AMP Fremont Energy Center was 100 percent available for the week. The plant operated between base load and duct fire range during the peak hours. Duct firing operated for 93 hours this week. The plant generated at a 79 percent capacity factor (based on 675 MW rating).

PUCO issues annual winter reconnect order to utilities

By Charles Willoughby - director of government affairs

The Public Utilities Commission of Ohio (PUCO) has issued its annual order to Ohio investor-owned electric and natural gas utilities to reconnect or maintain service to customers who have been disconnected or are facing disconnection. While this order doesn't apply to locally-regulated municipal electric utilities and rural electric cooperatives, it is important to call this issue to the attention of AMP members. Ohio member utilities are encouraged to take this order and the forthcoming colder weather into consideration, and implement or update local policies accordingly. The full PUCO order can be found [here](#).



Under the PUCO program, customers who are disconnected or facing disconnection can have their service restored or maintained if they pay the amount owed or \$175, whichever is less, plus a service reconnection fee of no more than \$36. Participants may use the program once during the upcoming winter heating season between Oct. 15, 2018, and April 15, 2019. There is no income eligibility requirement, but participants must sign up for a payment plan to cover any remaining past due balance on their utility bill.

Other payment assistance programs with distinct eligibility requirements are available for municipal utilities. The national Home Energy Assistance Program (HEAP) is available to all customers, including those of municipal utilities. The Ohio Percentage of Income Payment Plan (PIPP) Plus program is available to participating municipal electric utilities.

For additional information about these programs, please contact me at 614.540.1036 or cwilloughby@amppartners.org.

2017 Annual Reports now available

By Holly Karg - director of media relations and communications

All of AMP's 2017 Annual Reports are now available on the [Annual Reports page](#) of the [AMP website](#). No login is required to view annual reports.

Following the direction of the AMP Board of Trustees and our continuing commitment to our [sustainability principles](#), AMP will now primarily provide reports and publications like these in a digital format, helping to save resources and money.

The following 2017 reports are now available:

- [AMP Annual Report](#)
- [OMEGA JV2 Annual Report](#)
- [OMEGA JV5 Annual Report](#)
- [OMEGA JV6 Annual Report](#)
- [AMP Sustainability Report](#)
- [AMP Fremont Energy Center \(AFEC\) Annual Report](#)
- [OMEA Annual Report](#)



If you have any questions about these reports, please contact me at 614.540.6407 or hkarg@amppartners.org.

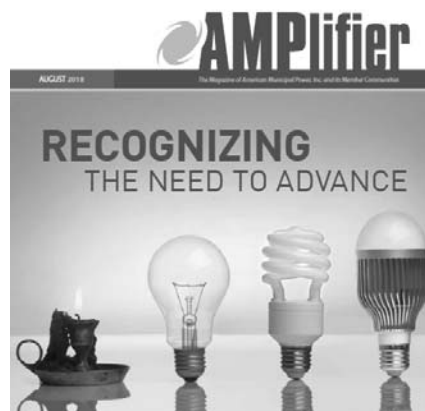
August 2018 issue of Amplifier now available

By Holly Karg

The August 2018 issue of *Amplifier* is now available on the [member extranet](#) (login required). The issue covers topics focusing on technologies and industry disruptors affecting utilities, including advanced metering infrastructure, blockchain technology and energy storage.

This issue of *Amplifier*, along with past issues, can be found in the *Amplifier* Magazine section of the [member extranet](#).

Amplifier is AMP's flagship publication. This four-color magazine provides positive technical and human interest content featuring a broad spectrum of industry topics. It is distributed to elected and appointed decision makers in AMP member communities, as well as to AMP consultants, vendors, key industry officials and officials of public power entities across the nation.



Story ideas may be submitted directly to me at hkarg@amppartners.org.

For information on advertising in *Amplifier*, please review our [rate card and insertion order form](#) or contact me directly at 614.540.6407 or hkarg@amppartners.org.

AMP is on Instagram

By Zachary Hoffman - communications and public relations specialist

AMP recently launched an Instagram account in an effort to increase communications opportunities for our members, and to reach other people and organizations within the industry. Instagram is a photo and video-sharing social media service and is now one of the most popular social media platforms available.

You can follow AMP on Instagram [@AMPpublicpower](#) for photos and videos of AMP- and member-owned facilities, public power events and other informational/educational content.



Register now for Webinars

An internet connection and a computer are all you need to educate your staff. Individual webinars are \$99 or sign up for a series at a discounted rate. Register today at www.PublicPower.org under Education & Events. Non-members can enter coupon code **AMP** to receive the member rate.

- Raising Awareness of Public Power Series
#StopScams: Alerting and Educating Customers
Oct. 2
- Accounting & Finance Series
A Financial Health Checkup **Oct. 9**
- Raising Awareness of Public Power Series
Driving Engagement in the New Social Media
Landscape **Oct. 16**
- Raising Awareness of Public Power Series
Outage Communications:
Stepping Up Your Game **Oct. 30**



Classifieds

Members interested in posting classifieds in Update may send a job description with start and end advertisement dates to zhoffman@amppartners.org. There is no charge for this service.

No current job postings

American Municipal Power, Inc.

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